

***Commission Members***

Sharon C. Bryant  
Jimmy Dillahunt  
Sarah Proctor  
Leander Morgan  
Steve Strickland  
Julius Parham  
Tabari Wallace



***Chair***

Beth Walker

***Co-Chair***

Kip Peregoy

***Executive Director***

Zeb Hough (CONSULTANT)

***Ex-Officio Members***

Rick Prill

Barbara Best

Hazel Royal

**STRATEGIC PLANNING AGENDA  
JANUARY 27, 2024, 6:00 P.M.  
Development Services Conference Room  
303 First Street**

1. Call to order and Welcome.
2. Roll Call.
3. Approve the Agenda.
4. Mission Statement
5. Residential Redevelopment Presentation (Dr. Reginal Barner)
6. Working Brunch
  - a. Brunch provided by: Chik Fil A
  - b. Overview of challenges and Successes
    - i. Consider Review of Digg's Request to Purchase 209 Bryan Street action
    - ii. Consider Re-structuring of working groups into Project Teams
    - iii. Consider adoption of Rules of Procedure
7. Residential Development Project Proposal
8. Neighborhood Development Project Proposal
9. Strategic Partnership Project development Proposal
10. Adjourn.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD  
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

## AGENDA ITEM COVER SHEET

### **Agenda Item Title: Approval of the Agenda**

<b>Date of Meeting:</b> <u>1/27/2024</u>	<b>Presenter:</b> Beth Walker
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	Per Procedure, the minutes were prepared according to statues and guidelines provided to staff. They were edited based upon feedback received from the commission.
<b>Actions Needed by Board:</b>	If there are no amendments. The commission needs to consider approving these minutes for the public record.
<b>Backup Attached:</b>	Minutes Attached
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**

## AGENDA ITEM COVER SHEET

### **Agenda Item Title: Reading of the Mission Statement**

<b>Date of Meeting:</b> <u>1/27/2024</u>	<b>Presenter:</b> Beth Walker
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	"The New Bern Redevelopment Commission: Leading the way for community transformation and improvement by directly addressing community needs in the vital areas of public health, infrastructure, housing and economic development. The Commission is committed to an accountable, transparent and publicly driven process"
<b>Actions Needed by Board:</b>	Chair may elect a commissioner to read
<b>Backup Attached:</b>	
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**

# REDEVELOPMENT COMMISSION OF NEW BERN

## GUIDING PRINCIPLES

1. PAST, PRESENT, FUTURE (EQUAL TIME)
2. RESPECT OTHER'S OPINIONS
3. LISTEN TO BUILD CONSENSUS
4. SHARE ACCURATE INFORMATION, PUBLIC PERCEPTION
5. STAY FOCUSED, BE ACTION-ORIENTED
6. BELIEVE



*Everything Comes Together Here*

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD  
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

## AGENDA ITEM COVER SHEET

### **Agenda Item Title: Overview of Challenges and Successes**

<b>Date of Meeting:</b> _____	<b>Presenter:</b> Jaimee Bullock and Zeb Hough
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	<p>As The Redevelopment Commission celebrates five years in service to the city of New Bern. It is important to discuss and reflect upon both strengths and areas of growth.</p> <p>Attorney Bullock will lead a brief discussion on some of the commission's challenges.</p> <ul style="list-style-type: none"><li>- Processes and efficiency</li><li>- Communications</li></ul> <p>Executive Director Hough will lead a discussion on some of the commission's latest successes.</p> <ul style="list-style-type: none"><li>- Walt Bellamy</li><li>- Property sales</li></ul>
<b>Actions Needed by Board:</b>	Discussion
<b>Backup Attached:</b>	
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**



# Redevelopment Commission

## Strategic Planning Retreat

### January 27, 2024

# Department Overview

## **The Redevelopment Commission**

- **Total Number of Employees: 1**
- **Key Operations and Functions:**
  - The Redevelopment Commission boundary encompasses a total of 1899 parcels over a total of 474 acres of land.
  - "The New Bern Redevelopment Commission: Leading the way for community transformation and improvement by directly addressing community needs in the vital areas of public health, infrastructure, housing, and economic development. The Commission is committed to an accountable, transparent, and publicly driven process.

# Department Goals

- The Redevelopment Area consists of 1,899 parcels, 1,006 of which are developed. This is an astonishing 47% vacancy rate for a once fully developed area.
- Building conditions are variable. There are 96 active minimum building cases in the area. Contrast that to around 70 for the City at large.
- Over a 1-year period we received 166 nuisance abatement complaints. This compares to 286 for the rest of the city. (35%)
- 20.49% of all police incident reports generated in last 5 years have occurred within proposed boundary
- All of this takes place in an area that constitutes only 2.1% of the total land area and 10.1% of the population of the City.
- Goal 1: Improve overall appearance of redevelopment area community.
- Goal 2: Improve appearance and quality of Housing stock in redevelopment district boundary area.
- Goal 3: Explore flood mitigation alternatives within the redevelopment district boundary area.
- Goal 4: Acquisition of blighted parcels to assemble land for suitable development sites.
- Goal 5: Encourage Community Health and Wellness.

# Department Initiatives

## In 2023...

- The RDC worked to complete the 911 Eubanks Property.
  - This property is an ongoing initiative where the RDC has partnered with CDBG in being a catalyst for community development. Currently, the RDC is looking for a strategic partner that can cluster develop around this property to raise the standard of housing in this specific neighborhood.
- The RDC worked to realize a Health and Wellness Clinic.
  - Originally conceptualized at the Bloomfield parcels, the Health and Wellness working group were able to enter discussion to potentially move the clinic to a larger parcel and engage an operational partner in the medical community. The Commission is currently working to finalize those plans for completion in 2024.
- The RDC developed three affordable homes in Walt Bellamy.
  - Thanks to the generosity of the City of New Bern and Alderman Astor's ARPA Appropriation, the RDC engaged IMEC builders and are nearing completion of construction. These homes will be used to house low/moderate income families in need of affordable housing solutions. We are currently engaged with several interested parties for the purchase of these homes.

# Walt Bellamy



# Additional Highlights

*“All growth depends upon activity. There is no development physically or intellectually without effort, and effort means work. Work is not a curse; it is the prerogative of intelligence, the only means to manhood, and the measure of civilization.” Calvin Coolidge*

- RDC supported the removal of over 200 vehicles from the RDBA and 24 abatement actions.
- RDC Closed on two properties in 2023!  
(First time!)
- More to Come!!

# Questions?



**Zeb Hough**  
**The Redevelopment Commission**  
**Executive Director**

[hough.zeb@newbernnc.gov](mailto:hough.zeb@newbernnc.gov)

## AGENDA ITEM COVER SHEET

### **Agenda Item Title: Consider Reviewing the request to purchase amendment for 209 Bryan Street**

<b>Date of Meeting:</b> 1 _____	<b>Presenter:</b> Kip Peregoy
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	<p>At the January 10, 2024 RDC meeting, the request to remove construction time restrictions from the deed of 209 Bryan Street due to a title defect. The Motion to keep these restrictions but extend them to 48 months was made by Kip Peregoy. After reflection, Commissioner Peregoy has requested the commission revisit this issue.</p> <p>FYI:</p> <ul style="list-style-type: none"><li>- <i>Mr. Diggs first engaged the commission in October 2022</i></li><li>- <i>The title defect is attached to the parcel not the situation.</i></li><li>- <i>The Commission has no way of removing the title defects.</i></li><li>- <i>This is one of the county owned parcels conveyed to the commission for disposition.</i></li></ul>
<b>Actions Needed by Board:</b>	<p>If it pleases the commission to do so, the commission could reconsider the amendment to the resolution to remove all time constraints from the 209 Bryan Street deed, provided Mr. Digg's take possession of the parcel in the allotted time.</p>
<b>Backup Attached:</b>	<p>Memo and Resolution Attached</p>
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**



**NEW BERN**  
**CITY OF NEW BERN**

Redevelopment Commission of  
The City of New Bern  
303 First Street, P.O. Box 1129  
New Bern, NC 28563-1129  
(252) 639-7587

***Commission Members***

Sarah Proctor  
Leander Morgan  
Julius Parham  
Steve Strickland  
Sharon Bryant  
Tabari Wallace  
Jimmy Dillahunt Sr.

***Chair***

Beth Walker

***Co-Chair***

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Rick Prill

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**January 2, 2023**  
**MEMORANDUM**

**Question #1. How long do you anticipate it will take. You to commence construction at 209 Bryan Street?**

January 2024 to August of 2025 is 20 months to met the "Seven Year Adverse Possession requirement. Attorney Eure projected 12 months for the "Quiet Title Action. So at a minimum 32 months. But It would not be feasible for us to submit our building plans for approval, obtain permits, and hire/schedule contractors until the court had awarded us a quiet title.

**Response to Question #2. Has your action to quiet title commenced? How long does your attorney anticipate it taking?**

In our consultation with Attorney Jonathan Eure of Mewborn and DeSelms, Attorney Eure stated that the "Quiet Title Action" would not be filed with the court until after ownership under the "Seven-Year Adverse Possession requirement is met. Which, based on tax records, would not be reached until August of 2025. Attorney Eure stated that we could tag onto the five years local government owned the property. Attorney Eure stated that the "Quiet Title Action" could take up to a year.

**Question #3** Yes. We are able to close on the 209 Bryan Street property immediately.

**Addition information to Consider:**

Further in our consultation with Attorney Eure, in order for us to begin the process to file the "Quiet Title Action, his fee would start at \$6000, and depending upon the variables that we have no control over ie; the ability to tract down the heir, if the heir is still alive or tracked down the heirs of the heir etc. would add to the cost. Then, if the Quiet Title Action is challenged, we end up in court, the costs and timeframe may mount depending upon the circumstances.

It is worth stating that our closing attorney, Lacey Smith of Moeller Law Firm stated that at the time of foreclosure, the overlooked heir was living in New Mexico.

The only factor in this equation that we control is finances. Every other piece of the equation is dependent upon factors that we have no control over. ie: heirs and court.

*Everything Comes Together Here*

As an investor, a vacant lot is a liability, and we will push to have that liability moved to the asset column as soon as it is reasonable and feasible. However, we are not willing to invest thousands of dollars into purchasing 209 Bryan Street and "fixing" the defect in the title only to have to give the property back to the seller due to circumstances out of our control.

Under these circumstances, agreeing to a "construction by deadline covenant", we are setting ourselves up for a financial loss. Therefore, we are asking the RDC to totally remove the construction-by-deadline covenant.

Sincerely,

Charles E. Diggs, Jr. and Cecelia DiCarlo

## RESOLUTION

WHEREAS, the Redevelopment Commission of the City of New Bern ("Commission") desires to sell the real property located at 209 Bryan Street more particularly identified as Craven County parcel identification number 8-011-177 ("Subject Property"), for use consistent with the Redevelopment Plan; and

WHEREAS, the Commission has received an offer to purchase the subject property; and

WHEREAS, the offer to purchase was in the sum of \$5,650.00 by Charles E. Diggs, Jr. and Cecelia M. DiCarlo of 1910 Flatrock Street, Winston-Salem, North Carolina 27107; that no increased bids were received, and the Commission approved the sale of the subject property to the successful bidders for the bid amount of \$5,650.00, and the conveyance of said property by quitclaim deed subject to certain restrictive covenants, conditions and restrictions was approved by the Board of Aldermen of the City of New Bern; and

WHEREAS, subsequently Mr. Diggs and Ms. DiCarlo discovered a defect in the chain of title which requires a significant amount of time to remedy; and

WHEREAS, Mr. Diggs and Ms. DiCarlo cannot commence construction on a residential dwelling unit upon the Subject Property until the title defect has been cured; and

WHEREAS, the Commission deems it advisable and in furtherance of its redevelopment plan to sell the subject property to the successful bidder for the bid amount of \$5,650.00, subject to the previously approved covenants, restrictions and conditions, less the restrictive covenant requiring commencement of construction within twelve (12) months of closing given a defect in the chain of title of the Subject Property; and

WHEREAS, pursuant to North Carolina General Statute §160A-514, the Board of Aldermen of the City of New Bern must find that the proposed sale is consistent with the Redevelopment Plan and approve the sale before the conveyance can be effectuated.

**NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:**

Section 1. That, based on the foregoing findings, the Redevelopment Commission hereby requests the Board of Aldermen of the City of New Bern approve the sale of the Subject Property, less the restrictive covenant requiring commencement of construction within twelve (12) months of closing.

Section 2. That the Chairman and Vice Chairman be and are hereby authorized and directed to execute a quitclaim deed for the Commission's interest in said property to the purchaser upon receipt of approval of the sale by the Board of Aldermen.

Section 3. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchasers once the same has been executed on behalf of the Commission, upon payment of the balance due on the purchase price.

Section 4. That the Subject Property is more particularly described as follows:

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

Situate in No. 8 Township, Craven County, and known as that certain lot or parcel of land situate in the City of New Bern, known as No. 26 Bryant (Bryan) Street according to the postal enumeration of said City; and being Lot No. 32 as shown on the map of the Jones Subdivision, recorded in the office of the Register of Deeds of said County in Book 126, Page 501.

Subject to restrictive covenants and easements of record.  
Parcel Identification Number: 8 011 177

ADOPTED THIS 27<sup>th</sup> DAY OF JANUARY, 2024.

---

BETH WALKER, Chairman

---

ZEB HOUGH, EXECUTIVE DIRECTOR

**Prepared by and return to:**

**Jaimee Bullock Mosley  
DAVIS HARTMAN WRIGHT LLP  
209 Pollock Street  
New Bern, NC 28560**

**PARCEL NO. 8-011-177  
REVENUE STAMPS: \$11.00**

**STATE OF NORTH CAROLINA**

**COUNTY OF CRAVEN**

**QUITCLAIM DEED**

THIS QUITCLAIM DEED, made and entered into this \_\_\_\_ day of JANUARY, 2024, by and between the REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN, (“Grantor”); to CHARLES E. DIGGS, JR. and CECELIA M. DICARLO, whose mailing address is 1910 Flatrock Street, Winston-Salem, North Carolina 27107, (“Grantee”);

**W I T N E S S E T H:**

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to Grantor paid by the Grantee, the receipt of which is hereby acknowledged, have remised and release, and by these presents do remise, release and forever quitclaim unto the Grantee, Grantee’s heir and assigns, the following described property, to wit:

**SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.**

*The property herein conveyed does not include the primary residence of a Grantor.*

**TO HAVE AND TO HOLD** the above described lot or parcel of land and all privileges and appurtenances thereunto belonging to the Grantee, Grantee’s heirs and assigns, free and

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**DAVIS HARTMAN WRIGHT LLP  
Attorneys at Law  
209 Pollock Street  
New Bern, NC 28560**

discharged from all right, title, claim or interest of the said Grantors or anyone claiming by, through or under the Grantors.

IN TESTIMONY WHEREOF, the REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN has caused this instrument to be executed in its corporate name by its Chairman this the day and year first above written.

REDEVELOPMENT COMMISSION OF THE  
CITY OF NEW BERN

By: \_\_\_\_\_ (SEAL)  
Beth Walker, Chairman

Attest:

\_\_\_\_\_  
Kip Peregoy, Vice Chairman

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that s/he is Chairman of the Redevelopment Commission of the City of New Bern, a body politic and corporate of the State of North Carolina, and that s/he, as Chairman, being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said corporation for the purposes stated herein.

WITNESS my hand and official seal this the \_\_\_\_\_ day of January, 2024.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that s/he is Vice Chairman of the Redevelopment Commission of the City of New Bern, a body politic and corporate of the State of North Carolina, and that s/he, as Vice Chairman, being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said corporation for the purposes stated herein.

WITNESS my hand and official seal this the \_\_\_\_\_ day of January, 2024.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

EXHIBIT A  
PROPERTY DESCRIPTION

All that certain tract of parcel of land in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

Situate in No. 8 Township, Craven County, and known as that certain lot or parcel of land situate in the City of New Bern, known as No. 26 Bryant (Bryan) Street according to the postal enumeration of said City; and being Lot No. 32 as shown on the map of the Jones Subdivision, recorded in the office of the Register of Deeds of said County in Book 126, Page 501.

Subject to restrictive covenants and easements of record.  
Parcel Identification Number: 8 011 177

**EXHIBIT B:**  
**Restrictive Covenants**

WHEREAS, the real property described in Exhibit A and bearing postal address 209 Bryan Street, New Bern, North Carolina ("Property") is located in the redevelopment area of the City of New Bern; and

WHEREAS, Grantor is a redevelopment commission which exists and operates for the public purposes of acquiring and replanning such areas and of holding or disposing of them in such manner that they become available for economically and socially sound redevelopment; and

WHEREAS, Goal 2 of the Grantor's redevelopment plan is to improve the appearance and quality of housing stock in the redevelopment district boundary area; and

WHEREAS, Grantor and Grantee understand and agree that restrictive covenants contained herein are intended to comply with the goals of Grantor's redevelopment plan and the provisions of Article 22 of Chapter 160A of the General Statutes and shall be binding on Grantee, and all subsequent owners of the Property.

NOW, THEREFORE, the Property shall be and shall permanently remain subject to the following agreement, easements, covenants and restrictions:

Section 1. These covenants shall be administered solely by the Redevelopment Commission of the City of New Bern, its successor in interest or assigns.

Section 2. Any residential dwelling unit not occupied by the owner must be sold or rented to persons of low-to-moderate income.

Section 3. In the event that any residential dwelling unit not occupied by the owner is not sold or rented to persons of low-to-moderate income, title of the subject property shall immediately revert back to the Redevelopment Commission, unless the Grantor and the Grantee shall have agreed in writing on a later date on which the reversion should occur.

## AGENDA ITEM COVER SHEET

### Agenda Item Title: Consider Restructuring Working groups into Project Teams.

<b>Date of Meeting:</b> <u>1/27/2024</u>	<b>Presenter:</b> Beth Walker
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	<p>Since 2018, the commission has set about its work in specific groups that focused on bringing the most expertise to any goal the commission worked towards. The primary catalyst for the formation of the working groups was to mitigate the twice monthly business meetings that were previously scheduled.</p> <p>As the Commission moves into the practical aspect of its strategic plan, the commission must reflect upon procedures and efficiencies for meeting its goals. Therefore, it is necessary to consider changing the mode of work for the commission.</p> <p><i>Please see the attached memo</i></p>
<b>Actions Needed by Board:</b>	<p>If it pleases the commission to do so, the commission may consider a motion to restructuring the working groups into project teams going forward.</p>
<b>Backup Attached:</b>	<p>Memo and Resolution Attached</p>
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**

*Commission Members*

Sharon C. Bryant  
Jimmy Dillahunt  
Sarah Proctor  
Leander Morgan  
Steve Strickland  
Julius Parham  
Tabari Wallace



*Chair*

Beth Walker

*Co-Chair*

Kip Peregoy

*Executive Director*

Zeb Hough

*Ex-Officio Members*

Rick Prill

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Hazel Royal

**City of New Bern  
Redevelopment Commission Meeting  
300 Pollock Street- City Hall**

Dear Commissioner,

At the July 14, 2023, Commissioners' meeting, a discussion was raised about the differences between the existing work groups and the suggested project groups. By way of reminder, this suggestion was made for your consideration allowing for the need to better distribute the workload amongst members of the Commission between monthly meetings. Further, under the current system, communication between work groups has been cited as difficult. These kinds of issues create opportunities for conflict and misunderstanding. Below is an outline of each type of group for your consideration. As this item was tabled until a new chair was elected, there is plenty of time to discuss this suggestion and better understand the suggestion that was made.

**A working group** is a group of experts working together to achieve specified goals. The groups are domain-specific and focus on discussion or activity around a specific subject area. They are generally standing groups that include experts in given subject matter. Thus, a specific expertise is leveraged whenever the activity of the commission falls into the specified domain.

These groups usually have a set meeting time outside of the Commission's regular meeting schedule. It falls to the workgroup to communicate and receive appropriate feedback from other segments of the commission.

Procedurally, a workgroup could expect the following:

- Meet at regular intervals to discuss and recommend actions to be taken by the Commission relevant to a specific subject area.
- Utilize specific expertise, experience, or passion to develop action plans for consideration by the Commission; and
- Present recommendations to the Commission during regular meetings.

**A Project group** is an ad hoc group brought together specifically to undertake a specific project within the redevelopment zone. These groups are generally interdisciplinary, thus allowing the group to achieve holistic and shared goals. **Experience Paired with Expertise Yields Effective Outcomes!**

As ad hoc groups, these groups don't have standing meetings. They are formed in public session and work on specific projects until complete. The commission is therefore responsible for outlining the goal of these groups together and guiding the work of the project before work begins.

Procedurally, a project group could expect the following:

- Work towards specific, measurable, achievable, and time-bound goals.
- Take direction from the Commission.
- Communicate recommendations to the Commission.
- Collaborate with city staff, community partners and others to complete the project; and
- Dissolve once the project has been completed.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD  
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

## AGENDA ITEM COVER SHEET

### Agenda Item Title: Consider Adopting Rules of Procedure

<b>Date of Meeting:</b> <u>1/27/2024</u>	<b>Presenter:</b> Sarah Proctor
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	Rules and Procedures are proactive strategies that set expectations and instruct the commission on both appropriate and unacceptable ways of doing business to achieve the desired outcomes in a legal manner. Clearly stated, they define and operationalize acceptable behavior necessary to maintain a well-functioning Redevelopment Commission.  <i>**Special Thanks to the Project Group who contributed to the work presented here today. This effort was led by Sarah Proctor.</i>
<b>Actions Needed by Board:</b>	If it pleases the commission to do so, the commission may consider a motion to adopt the Rule of Procedure with any amendments or as is.
<b>Backup Attached:</b>	Copy and Resolution Attached
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**

**Redevelopment Commission  
of the  
City of New Bern**

**RULES OF PROCEDURE**

**I. Applicability**

These rules apply to all meetings of the Redevelopment Commission of the City of New Bern.

**II. Authority of the Redevelopment Commission**

**Rule 1. Statutory Powers**

The Redevelopment Commission shall exercise those powers set forth in Article 22 of Chapter 160A of the North Carolina General Statutes.

**III. Types of Meetings**

**Rule 2. Regular Meetings**

The commission shall adopt a schedule of its regular meetings prior to the commencement of each calendar year, which may be amended with prior public notice pursuant to the requirements of applicable law. Regular meetings of the commission shall, unless otherwise relocated or rescheduled pursuant to the requirements of applicable law, be held monthly at city hall, located at 300 Pollock Street, New Bern, North Carolina, and shall begin at 6:00 p.m. A current copy of the commission's regular meeting schedule shall be filed with the city clerk and shall be available on the commission's official website.

**Rule 3. Special, Emergency, and Recessed Meetings**

**(a) Special Meetings.** The chairperson, or three members of the commission, may at any time call a special meeting of the commission. At least forty-eight hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (1) given to each commissioner; (2) posted on the commission's principal bulletin board or, if none, at the door of the commission's usual meeting room; and (3) delivered to each newspaper, wire service, radio station, and person who has filed a prior written request for notice with the city clerk.

Only those items of business specified in the notice may be discussed or transacted at a special meeting, unless (1) all commission members are present; and (2) the commission determines in good faith at the meeting that is essential to discuss or act on the item immediately.

**(b) Emergency Meetings.** The chairperson, or three members of the commission, may at any time call an emergency meeting of the commission by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be given to each commissioner and to each local newspaper, local wire service, local radio station

and local television station that has filed a prior written request for emergency meeting notice with the city clerk, and whose request includes the newspaper's, wire service's or station's telephone number. Notice to the news media shall be given at the expense of the party notified.

Emergency meetings may be called only because of generally unexpected circumstances that require immediate consideration by the commission. Only business connected with the emergency may be considered at an emergency meeting.

**(c) Recessed Meetings.** A properly called regular, special, or emergency meeting may be recessed to a time and place certain by a procedural motion made and adopted as provided in Rule 11(b), Motion 2, in open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed session of a properly called regular, special, or emergency meeting.

**(d) Cancellations.** Any regular, special, or recessed meeting of the commission shall be cancelled upon a declaration of a state of emergency by the Craven County Department of Emergency Services. In the event of such a cancellation, the commission shall notify each newspaper, wire service, radio station, and person who has filed a prior written request for notice with the city clerk of the cancellation, and to the extent possible, cause a notice of cancellation to be posted at the door of the commission's usual meeting room and on the commission's official website.

Any regular, special, emergency or recessed meeting of the commission may be cancelled for good cause or lack of quorum. In the event of such a cancellation, the chairperson shall cause written notification to be sent to each commissioner, posted at the door of the commission's usual meeting room and on the commission's official website.

#### **IV. Meeting Agenda and Order of Business**

##### **Rule 4. Agenda**

**(a) Proposed Agenda.** The executive director (or, if none, the chairperson) shall cause to be prepared a proposed agenda and agenda package for each meeting. An agenda package shall include, for each item of business placed on the proposed agenda, as much information on the subject as is available and feasible to reproduce, and shall contain a copy of all proposed resolutions related to such item of business. Each commissioner shall receive a copy of the proposed agenda and agenda package no later than four (4) business days prior to each regular meeting in either digital or hard copy form, as requested by each commissioner. The proposed agenda and agenda package shall also be available for public inspection and appear on the commission's official website no later than three (3) days prior to each regular meeting, or as soon as possible if three (3) days is not practical. Nothing in this section shall preclude the executive director from modifying the proposed agenda and agenda package at any time prior to a meeting as the commission's business dictates. Any commissioner may request to have a new item of business placed on the agenda during the pendency of a meeting and, upon receiving a majority vote of the commissioners present at such meeting, such new business shall be placed on a future agenda.

**(b) Adoption of the Agenda.** As its first order of business at each meeting, the commission shall, as specified in Rule 5, discuss and revise the proposed agenda and adopt an agenda for the meeting. The commission may by majority vote add items to or subtract items from the proposed agenda, except that the commission may not add items to the agenda of a special meeting (other than in accordance with Rule 3(a)) or to the agenda of an emergency meeting per Rule 3(b). If items are proposed to be added to the agenda, the commission may, by majority vote, request that written copies of particular documents connected with the items be made available to all commissioners.

The commission may designate certain agenda items “for discussion and possible action.” Such designation means that the commission intends to discuss the general subject area of that agenda item before making any motion concerning that item.

**(c) Open Meetings Requirements.** The commission shall not deliberate, vote or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the commission to understand what is being deliberated, voted on or acted on. However, the commission may deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda—sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on—are available for public inspection at the meeting.

## **Rule 5. Order of Business**

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

1. Discussion and revision of the proposed agenda; adoption of an agenda
2. Public comments, if permitted pursuant to Rule 6
3. Approval of minutes from prior meeting(s)
4. Reports and business items
5. Executive Director’s report
6. New business
7. Closed session, if any

By general consent of the commission, items may be considered out of order.

## **Rule 6. Public Comments**

The commission may provide a period for public comment at its regular monthly meetings by providing a sign-up sheet with the executive director (or, if none, the meeting’s presiding officer) prior to the start of each regular meeting. The purpose of the time for informal public comments is to allow for public input to the commission on issues germane to the commission. It is not intended to compel commissioners or staff to answer questions in an impromptu manner.

If permitted by the commission, each speaker during the public comment period will speak from the podium and begin their remarks by giving their name, stating whether or not they are residents

of the redevelopment area, and stating the topic about which they intend to speak. Comments will be directed to the full commission, not to an individual commissioner, staff members, or the audience. Speaker comments are limited to a maximum of 4 minutes during the public comment period. At the conclusion of 4 minutes, each speaker shall leave the podium. No speaker may yield any of his or her time to another speaker.

Speakers must be courteous in their language and presentation. Personal attacks will not be tolerated. Speakers may leave written comments and/or supporting documents, if any, with the executive director (or, if none, the presiding officer).

If at the beginning of the public comment period, the presiding officer determines that the time required to hear all speakers on the sign-up sheet would unduly disrupt the conduct of commission business or cause undue inconvenience to citizens in attendance for other items on the agenda, the presiding officer may require the designation of spokesman, or the selection of delegates, for groups of persons supporting or opposing the same positions, whose time shall be limited to a maximum of 4 minutes. The presiding officer may also move the period for public comment to some time later in the meeting or at a subsequent meeting.

Notwithstanding the presiding officer's prerogatives under this Rule 6, any decision of the presiding officer may be appealed and overruled by a majority of the commission.

## **V. Conduct of Debate and Action by the Commission**

### **Rule 7. Presiding Officer**

The chairperson shall preside at commission meetings if he or she is present, unless he or she becomes actively engaged in debate on a particular matter such that he or she cannot continue to facilitate the debate or maintain order. In order to address the commission, a commissioner must be recognized by the chairperson.

If the chairperson is absent, the vice chairperson shall preside. If both the chairperson and vice chairperson are absent, another commissioner designated by majority vote of the commission shall preside. The vice chairperson, or another commissioner who is temporarily presiding retains all of his or her rights as a commissioner, including the right to make motions and the right to vote.

If the presiding officer becomes actively involved in debate on a particular matter such that he or she cannot continue to facilitate the debate or maintain order, he or she may designate another commissioner to preside over the debate. The presiding officer shall resume presiding as soon as action on the matter is concluded.

In addition to and without limitation of the general powers of the presiding officer to conduct and rule over a meeting, the presiding officer also shall have the following powers:

1. To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;

2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other commissions on this ground;
3. To entertain and answer questions of parliamentary law or procedure;
4. To call a brief recess at any time; and
5. To adjourn in an emergency.

A decision by the presiding officer under any of powers one through three listed above may be appealed to the commission upon motion of any commissioner, pursuant to Rule 11(b), Motion 1. Such a motion may be made only immediately after a decision under those powers is announced and at no other time. The commissioner making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

### **Rule 8. Motions and Voting Generally**

- (a) **Initial Motion.** The commission shall proceed by motion, except as otherwise provided for in Rule 4. Any commissioner may make a motion unless such commissioner has a conflict of interest with respect to the subject matter of such motion.
- (b) **Second Required.** A motion requires a second before the commission may proceed with discussion or action on the motion.
- (c) **One Motion at a Time.** A commissioner may make only one motion at a time.
- (d) **Substantive Motions.** A substantive motion is out of order while another substantive motion is pending.
- (e) **Adoption by Majority Vote.** A motion shall be adopted by a majority of the votes cast, a quorum as defined in Rule 10 being present, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.
- (f) **Roll Call Vote.** A roll call vote shall be required for the following actions:
  1. Adoption of a written resolution;
  2. Approval of an expenditure not included in the commissions budget or in excess of [\$ \_\_\_\_ or \_\_\_\_%] above the budgeted amount; and
  3. Upon the request of the presiding officer or at least two commissioners.

### **Rule 9. Debate**

The presiding officer shall restate the initial motion and, after a second has been obtained, shall open the floor to debate. If no second is obtained, the motion fails. The presiding officer shall preside over the debate according the following general principles:

1. The maker of the motion is entitled to speak first;
2. A commissioner who has not spoken on the issue shall be recognized before a commissioner who has already spoken; and
3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.

## **Rule 10. Quorum Rules**

**(a) Quorum.** A majority of the actual membership of the commission, excluding vacant seats, shall constitute a quorum. A majority is more than half. Any liaison shall not be considered a member of the commission for purposes of calculating a quorum. A commissioner who has withdrawn from a meeting without being excused by majority vote of the remaining commission members present shall be counted as present for purposes of determining whether or not a quorum is present.

**(b) Effect of Attendance via Simultaneous and/or Electronic Communication.** Each commissioner (if any) participating from a remote location by simultaneous communication in accordance with the following Rule 10(c) shall be counted as present for quorum purposes, and all votes of any commissioner made during an official meeting with simultaneous communication shall be counted as if such commissioner were physically present in the place of the official meeting, provided all criteria set forth in Rule 10(c), Rule 13, and Rule 15 are met.

**(c) Requirements for Attendance via Simultaneous and/or Electronic Communication.** In order for any commissioner to participate in a meeting via simultaneous and/or electronic communication, the following criteria must be met:

1. The official meeting was properly noticed under G.S. 143-318.12 and under any other requirement for notice applicable to the commission.
2. The commissioner participating from a remote location by simultaneous communication can fully participate in the deliberations.
3. The commissioner participating from a remote location by simultaneous communication can be heard by the other members of the commission and by any other individual in attendance at the official meeting.
4. The vote of the commissioner participating from a remote location by simultaneous communication is not by electronic mail, instant message, or facsimile.
5. If the chairperson is participating from a remote location by simultaneous communication, the vice chair or some other commissioner who is physically present shall preside at the official meeting. The chairperson or presiding officer of the commission participating from a remote location by simultaneous communication shall retain the same voting rights he or she has when presiding.
6. No written ballots may be taken at the official meeting with a commissioner participating from a remote location by simultaneous communication.
7. If the official meeting involves a commissioner participating from a remote location by simultaneous communication by which the commissioner cannot be physically seen by the public body, that commissioner must comply with all the following:
  - (a) The participation of the commissioner must be announced when the meeting is commenced or at the beginning of the commissioner's participation.
  - (b) The commissioner identifies himself or herself prior to participating in the deliberations during the official meeting.
  - (c) The commissioner identifies himself or herself prior to voting.
8. The commissioner participating from a remote location by simultaneous communication shall have been provided with any documents to be considered during the official meeting.

## **Rule 11. Procedural Motions**

**(a) Certain Motions Allowed.** In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

**(b) Order of Priority of Motions.** In order of priority (if applicable), the procedural motions are:

**Motion 1. To Appeal a Procedural Ruling of the Presiding Officer.** A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the commission as specified in Rule 7. This appeal is in order immediately after such a decision is announced and at no other time. The commissioner making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

**Motion 2. To Adjourn.** This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess to a time and place certain shall also comply with the requirements of Rule 3(c).

**Motion 3. To Take a Brief Recess.** This motion allows the commission to pause briefly in its proceedings rather than recess to a time and place certain.

**Motion 4. To Go into Closed Session.** The commission may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318.11(a), including:

(1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the North Carolina General Statutes.

(2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.

(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.

(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (a) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (b) the amount of compensation and other material terms of an employment contract or proposed employment contract.

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

(7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

(8) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(9) To view a recording released pursuant to G.S. 132-1.4A.

The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. 143-318.11(a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318(a)(3) shall identify the parties in each existing lawsuit concerning which the commission expects to receive advice during the closed session, if in fact such advice is to be received.

**Motion 5. To Leave Closed Session.** This motion is made to return from a closed session to an open meeting.

**Motion 6. To Defer Consideration (also, To Table).** The commission may defer a substantive motion for later consideration at an unspecified time.

**Motion 7. To Postpone to a Certain Time or Day.** If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A person who wishes to revisit the matter must wait until the specified time.

**Motion 8. To Amend.**

(a) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(b) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend so long as it relates to the subject matter of the motion or amendment.

(c) Any amendment to a proposed resolution shall be reduced to writing by the presiding officer of a meeting and reread to the commission before the vote on the amendment.

**Motion 9. To Reconsider.** The commission may vote to reconsider its action on a matter. The motion to do so must be made by a commissioner who voted with the prevailing side (the majority, except in the case of a tie; in that case the “nos” prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through recess to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

**Motion 10. Withdrawal of Motion**

A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.

**Rule 12. Ratification of Actions**

To the extent permitted by law, the commission may ratify actions on its behalf but without its prior approval. A motion to ratify is a substantive motion.

**Rule 13. Duty to Vote.**

Every commissioner must vote unless excused by a majority vote of the remaining members of the commission present at a meeting. A commissioner who wishes to be excused from voting shall so inform the presiding officer, who shall take a vote of the remaining commissioners.

No commissioner shall be excused from voting except in cases involving conflicts of interest, as determined by the commission, including pursuant to Rule 14, or defined by law. In all other cases, a failure to vote by a commissioner who is physically present in the meeting place, or who has withdrawn without being excused by a majority vote of the remaining commissioners present, shall be recorded as an affirmative vote.

Liaisons appointed under Section 2-134 of the Code of Ordinances of the City of New Bern shall have no right vote on any matter.

#### **Rule 14. Conflicts of Interest**

(a) The scope of human activity is so broad that it is unadvisable to attempt to enumerate here all possible areas in which a conflict of interest might arise. Consequently, the following is an illustrative list only, and is not intended to proscribe all aspects of the conduct of the commissioners in their capacity as appointed officials:

1. No member of commission should use their positions or knowledge gained therein in such a manner that a conflict between the commission's interests and their personal interests arise. Both the fact and the appearance of the conflicting interests are to be avoided.

2. Members of the commission should refrain from transmitting any knowledge of commission consideration or decisions or any other information in which might be prejudicial to the interest of the commission to any person other than in connection with the discharge of their responsibility.

3. Whenever a commissioner has a personal interest, whether individually or through another party that has or may have business dealings with the commission, he or she shall disclose that interest to the executive director (or, if none, the chairperson) for proper consideration and action.

4. Whenever a commissioner has an opportunity to engage in a transaction in which the commission would otherwise wish to engage, he or she shall disclose that interest to the executive director (or, if none, the chairperson) for proper consideration and action.

5. If a commissioner is in a position where access to the commission's confidential information may materially influence his or her decisions with respect to another party engaged in business with the commission, he or she shall decline that information.

6. If a commissioner is in a position where access to the commission's confidential information may materially influence his or her personal financial or investment decisions, he or she shall decline that information.

(b) Commissioners shall comply with all laws and requirements governing conflicts of interest, self-benefiting, gifts and favors, and misuse of confidential information, as required by N.C.G.S. 14-234, 14-234.1, 160A-511, and 133-32.

#### **Rule 15. Closed Sessions**

The commission may hold closed sessions as provided by law. The commission shall commence a closed session only after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. The motion to go into

closed session must be approved by the vote of a majority of those present and voting. The commission shall terminate the closed session by a majority vote, using Motion 5 of Rule 11(b).

Only those actions authorized by statute may be taken in closed session. A motion to adjourn shall not be in order during a closed session.

## **VI. Administrative and Other Matters**

### **Rule 16. Minutes**

Full and accurate minutes of the commission proceedings, including closed sessions, shall be kept by the executive director or other person designated by the commission. The commission shall also keep a general account of any closed session so that a person not in attendance would have a reasonable understanding of what transpired. These minutes and general accounts shall be open to inspection of the public, except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the commission, the entire commission shall be polled by name on any vote.

Commissioners' and other persons' comments may be included in the minutes if the commission so approves.

General accounts of closed sessions are sealed upon approval by the commission. Such sealed general accounts shall be withheld from public inspection until the city attorney makes determination that public inspection of such general accounts would not frustrate the purpose of the closed session, at which point they may be unsealed by the city clerk.

### **Rule 17. Officer Elections.**

The members of the commission shall elect from among themselves a chairman, a vice-chairman, and such other officers as the commission may determine from time to time by majority vote of the commission. During the regular August meeting, the commission shall hold a public ballot vote to select a chairman, vice-chairman, and such other officers as the commission may determine at such time. Additional officers may be elected from time to time during any regular meeting or special called meeting that includes such officer election on the agenda. Officers of the commission shall serve in the elected role for one year. Officers may be elected for multiple terms.

### **Rule 18. Commission Budget.**

The governing body of the City of New Bern has, by resolution, provided that the budgeting and accounting systems of the commission shall be an integral part of the budgeting and accounting systems of the City of New Bern.

(1) For purposes of the Local Government Budget and Fiscal Control Act, the commission shall not be considered a "public authority," as that phrase is defined in G.S. 159-7(b), but rather shall be considered a department or agency of the municipality. The operations of the commission shall be budgeted and accounted for as if the operations were those of a public enterprise of the municipality.

(2) The budget of the commission shall be prepared and submitted in the same manner and according to the same procedures as are the budgets of other departments and agencies of the municipality. The executive director shall prepare a draft annual budget for review by the commission on or before [ ] and the commission shall review and provide feedback on the budget during a regular meeting or special meeting called for such purpose. The commission shall recommend a draft annual budget for consideration and incorporation into the city's budget ordinance by the governing board.

(3) The budget ordinance of the municipality shall provide for the operations of the commission. The budget officer and finance officer of the municipality shall administer and control that portion of the municipality's budget ordinance relating to the operations of the commission.

### **Rule 19. Project Groups**

**(a) Establishment and Appointment.** The commission may establish and appoint commissioners for such project groups as needed to help carry on the commission's work. A project group may be established upon a majority vote of commissioners present to create a group to undertake a proposed project. Commissioners may volunteer to participate in any project group. Commissioners shall be appointed to project groups by a majority vote of commissioners present. A project group may be comprised of no more than four (4) commissioners. The project group shall terminate upon the completion of said project.

**(b) Open Meetings Law.** The requirements of the open meetings law shall apply to all commissions and other bodies of a local governmental unit that are comprised of two or more members and that exercise or are authorized to exercise legislative, policy-making, quasi-judicial, administrative, or advisory functions. However, the law's requirements shall not apply to a meeting solely among the city's or commission's professional staff.

### **Rule 20. Amendment of Rules**

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, unless a statute or a rule of the commission provides otherwise. Adoption of an amendment shall require an affirmative vote equal to a quorum.

**APPENDIX A**  
**Protocols for Purchasing Property Owned by the RDC**

1. Potential buyer submits an offer to purchase form and pays a 5% deposit on the predetermined minimum bid price to the City Clerk.
  - a. The City Clerk shall not accept an offer to purchase for any parcel not listed on the approved “Sellable Lots” list. The Sellable Lots list can be found on the RDC website:  
[https://www.newbernnc.gov/departments/development\\_services/redevelopment\\_commission.php](https://www.newbernnc.gov/departments/development_services/redevelopment_commission.php).
2. City Clerk notifies the executive director of receipt of the offer to purchase and required deposit.
3. The executive director contacts the potential buyer within three (3) business days to inform the potential buyer of the meeting date of buyer’s presentation to the RDC.
  - a. Every effort will be made to select a mutually acceptable meeting date.
  - b. The potential buyer, or his or her designee, may make said presentation.
  - c. Any documents, photographs, drawings, etc. that the potential buyer wishes to present to the RDC in support of their redevelopment plan shall be submitted to the executive director at least ten (10) days before the scheduled meeting date.
4. The executive director publishes documents related to the proposed redevelopment plan in the RDC’s agenda packet at least three (3) days before the scheduled meeting.
5. Potential buyer, or his or her designee, presents his or her redevelopment plan to the full Commission during an official meeting. At the conclusion of the presentation, the RDC considers the following queries:
  - a. Whether the proposed redevelopment plan is consistent with the RDC’s adopted redevelopment plan; and
  - b. Whether any restrictive covenants are necessary to ensure prompt implementation of the proposed redevelopment plan.
6. RDC votes to adopt a resolution upset bid process for the sale of the property with or without restrictive covenants. (Note: RDC can reject any and all offers.)
  - a. If the resolution does not pass, the City Clerk returns the deposit within three (3) business days.

- b. If the resolution passes, the executive director causes the required notice to be published in the New Bern *Sun Journal*.
7. At the end of the upset bid process, the City Clerk informs the executive director and assistant city attorney of the final, highest bidder.
8. RDC votes during an official meeting to adopt a resolution authorizing the sale of the property to the final, highest bidder with or without restrictive covenants. (Note: RDC can reject any and all offers.)
  - a. If the resolution does not pass, the City Clerk returns the deposit within three (3) business days.
  - b. If the resolution passes, the Chairperson signs the offer to purchase on behalf of the Seller.
9. The executive director forwards the signed resolution authorizing the sale of the property and any other pertinent information to the City Clerk within two (2) business days.
10. The City Clerk includes the signed resolution and any supporting documents in the Board of Aldermen's next agenda packet.
11. The Board of Aldermen votes to adopt a resolution approving the sale.
12. Upon the Board's approval of the sale, the RDC Chairperson and Vice Chairperson sign the quitclaim deed and lien waivers.
13. The executive director, in consultation with the City Clerk and City Attorney's Office, shall schedule a closing within 30 days of approval by the Board of Aldermen.

## AGENDA ITEM COVER SHEET

### Agenda Item Title: Residential Development Project Proposals

<b>Date of Meeting:</b> <u>1/27/2024</u>	<b>Presenter:</b> Various
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	<p>Goal # 2 of the Redevelopment Plan states: “The Redevelopment commission will address the need for modernization, rehabilitation and new housing in the RDBA through improving the overall appearance and quality of existing housing, building new energy efficient housing, and instituting a permit and registration program for rental housing.”</p> <p><i>Projects to continue efforts to this end should be presented at this time and discuss.</i></p>
<b>Actions Needed by Board:</b>	<p>The Commission is not under any compulsion to make decisions on any or all the presentations.</p> <p>However, if it pleases the commission to do so, the commission may consider a motion to form a project group for any or all of the projects presented to begin work in the 24/25 fiscal year.</p>
<b>Backup Attached:</b>	
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**

## AGENDA ITEM COVER SHEET

### Agenda Item Title: Neighborhood and Community Development Project Proposals

<b>Date of Meeting:</b> <u>1/27/2024</u>	<b>Presenter:</b> Various
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	<p>Goal # 1 of the Redevelopment Plan states:</p> <p>“The Redevelopment Commission will improve the overall appearance and aesthetic of properties within the RDBA through:</p> <ul style="list-style-type: none"><li>- Coordinate with City of New Bern partner with existing non-profits, citizen groups, and community advocates currently working in the redevelopment area to initiate semi-annual neighborhood cleanup activities.”</li></ul> <p><i>Projects to continue efforts to this end should be presented at this time and discussed.</i></p>
<b>Actions Needed by Board:</b>	<p>The Commission is not under any compulsion to make decisions on any or all the presentations.</p> <p>However, if it pleases the commission to do so, the commission may consider a motion to form a project group for any or all the projects presented to begin work in the 24/25 fiscal year.</p>
<b>Backup Attached:</b>	
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Additional Notes:**