

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
MARCH 26, 2019 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderman Bengel. Pledge of Allegiance.
2. Roll Call.

Consent Agenda

3. Consider Adopting a Resolution Calling for a Public Hearing to Rezone 1203 Simmons Street from R-10 Residential to C-5 Office & Institutional District.
4. Consider Adopting a Resolution Calling for a Public Hearing to Rezone 703 Carolina Avenue from R-8/R-10 Residential District to C-3 Commercial District.
5. Approve Minutes.

6. Presentation by Disaster Recovery Services.
7. Conduct a Public Hearing and Consider Adopting a Resolution Amending the FY2018 CDBG Allocation of Funds.
8. Discussion of Noise Ordinance.
9. Consider Adopting a Resolution Authorizing the City Manager to Execute an Architectural and Engineering Contract for City-Owned Buildings Damaged in Hurricane Florence.
10. Consider Accepting a Petition to Annex Property Identified as Tax Parcel IDs 8-209-24000, 8-209-24001 and a Portion of 8-209-13001 Owned by Weyerhaeuser NR Company and Adopt a Resolution to Call for a Public Hearing on the Annexation.
11. Consider Adopting a Resolution to Ban the Box in Support of Fair Hiring Practices.
12. Consider Adopting a Resolution Awarding the Contract for the Trent Road Substation.
13. Consider Adopting a Resolution to Introduce and Secure Passage of Local Legislation Amending Article III – Elections of the City Charter.
14. Consider Adopting a Resolution Approving the FY19 Equipment Financing.

15. Consider Adopting an Ordinance Establishing the 2019 Electric Improvements Project Fund.
16. Consider Adopting a Budget Ordinance Amendment for the Electric Operating Fund.
17. Appointment(s).
18. Attorney's Report.
19. City Manager's Report.
20. New Business.
21. Closed Session.
22. Adjourn.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL
639-7501 NO LATER THAN 3 P.M. THE DATE OF THE MEETING



NEW BERN
CITY OF NEW BERN

300 Pollock Street, P.O. Box 1129
New Bern, NC 28563-1129
(252) 636-4000

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memo to: Mayor and Board of Aldermen
From: Mark A. Stephens, City Manager
Date: March 22, 2019
Re: March 26, 2019 Agenda Explanations


3/21/19

1. **Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderman Bengel. Pledge of Allegiance.**
2. **Roll Call.**

Consent Agenda

3. **Consider Adopting a Resolution Calling for a Public Hearing to Rezone 1203 Simmons Street from R-10 Residential to C-5 Office & Institutional District.**

(Ward 2) Tarheel Building Systems, on behalf of owner Michael Rice, has requested to rezone an approximate 0.22-acre tract of land from R-10 Residential District to C-5 Office & Institutional District. The property is located at 1203 Simmons Street and is further identified as Tax Parcel #8-034-059. It is requested a public hearing be held on April 9, 2019 at 6 p.m. to consider this request. A memo from Morgan Potts, City Planner, is attached.

4. **Consider Adopting a Resolution Calling for a Public Hearing to Rezone 703 Carolina Avenue from R-8/R-10 Residential District to C-3 Commercial District.**

(Ward 2) Mosaic Development Group has requested to rezone approximately 30.81 acres located at 703 Carolina Avenue from R-8/R-10 Residential District to C-3 Commercial District. The property is further described as Tax Parcel 8-044-011. It is requested a public hearing be held on April 9, 2019 to consider this request. A memo from Mrs. Potts is attached.

5. Approve Minutes.

Minutes from the March 12, 2019 regular meeting are provided for review and approval.

6. Presentation by Disaster Recovery Services.

As requested by the Board of Aldermen, City staff and consultants from Disaster Recovery Services will provide a brief update on the status of FEMA claims and activities associated with Hurricane Florence.

7. Conduct a Public Hearing and Consider Adopting a Resolution Amending the FY2018 CDBG Allocation of Funds.

(Wards 1 and 2) Staff has determined it is necessary to amend the approved CDBG program for FY2018. CDBG funds originally budgeted for public services, affordable housing, housing rehabilitation, and demolition will be reallocated as follows:

- General Administration - Reduce budget from \$48,500 to \$42,771
- Public Service Set Aside – Eliminate budget of \$30,771
- Affordable Housing – Revise the activity description from construction of new affordable housing for sale to new affordable rental housing. Increase budget from \$32,000 to \$200,000.
- Housing Rehabilitation – Eliminate budget of \$100,000
- Demolition – Eliminate budget of \$32,000

A memo from Jeff Ruggieri, Director of Development Services is attached.

8. Discussion of Noise Ordinance.

Attorney Davis will discuss proposed changes to the City's noise ordinance.

9. Consider Adopting a Resolution Authorizing the City Manager to Execute an Architectural and Engineering Contract for City-Owned Buildings Damaged in Hurricane Florence.

A Request for Qualifications was issued seeking architectural and engineering services for city-owned buildings damaged during Hurricane Florence. Three proposals were received and reviewed. After scoring, MBF Architects, PA received the overall highest score. The contract amount is not to exceed \$57,900. A memo from J.R. Sabatelli, Director of Finance, is attached.

10. Consider Accepting a Petition to Annex Property Identified as Tax Parcel IDs 8-209-24000, 8-209-24001 and a Portion of 8-209-13001 Owned by Weyerhaeuser NR Company and Adopt a Resolution to Call for a Public Hearing on the Annexation.

By request dated March 13, 2019, Weyerhaeuser NR Company is seeking annexation of approximately 8.13 acres, which includes Lot 4 of Craven 30 West, West New Bern Parkway and Downey Drive, and a portion of Tax Parcel ID #8-209-13001 lying between West New Bern Parkway/Downey Drive and NC Highway 43. If the petition is accepted, the Board is asked to call for a public hearing on April 9, 2019 to receive comments on the annexation. A memo from Mrs. Potts is attached.

11. Consider Adopting a Resolution to Ban the Box in Support of Fair Hiring Practices.

At the Board's February 12, 2019 meeting, a presentation and discussion ensued on the Ban-the-Box movement. After researching and conferring with colleagues, the City Attorney has drafted a resolution to ban the box in support of fair hiring practices. If the resolution is adopted, the "box" asking applicants about convictions other than minor traffic violations will be removed from the City's employment application effective April 1, 2019. A memo from Sonya Hayes, Human Resources Director, is attached.

12. Consider Adopting a Resolution Awarding the Contract for the Trent Road Substation.

Bank "A" of the Trent Road Substation Transformer has been in service since 1960 and is at the end of its useful life. On behalf of the City, Power Services solicited bids for a replacement based on cost comparison and benefits of each option provided. After reviewing the bids, it was recommended the option identified as Alternate No. 1 be chosen due to significantly lower maintenance and losses as compared to other options. It was also recommended that the bid be awarded to WEB, which provided the best and lowest bid at a cost of \$717,594 with IEEE standard impedance. While WEB was not the low first-cost bid, it was the lowest bid based on total ownership cost and lower losses. A memo from Charles Bauschard, Director of Utilities, is attached.

13. Consider Adopting a Resolution to Introduce and Secure Passage of Local Legislation Amending Article III – Elections of the City Charter.

Meloni Wray, Director of Craven County Board of Elections, made a presentation at the Governing Board's February 12, 2019 meeting to review the City's election options and cost analysis. As a follow-up to that presentation, interest has been expressed to move City elections to even-numbered years, which would yield substantial cost savings. The proposed resolution seeks to introduce and secure

the passage of local legislation to amend Article III – “Elections” of the City’s Charter. The amendment would provide that elections be held every four years in even-numbered years beginning in 2020.

14. Consider Adopting a Resolution Approving the FY19 Equipment Financing.

The budget for FY2018-19 was approved by the Board on June 12, 2018. The budget included various capital vehicle and equipment purchases. A declaration of intent to reimburse was subsequently adopted by the Board, as well as an ordinance establishing the ERP Project Fund for the initial financing of Phase I. Requests for financing proposals were sent to 17 banks. After reviewing the responses received, it is recommended Bank of America Merrill Lynch be selected for the loan. The amount will not exceed \$2,534,227, which includes the refinancing of an existing loan for Phase I of the ERP project. The repayment period will be 59 months at an interest rate of 2.6096%, and the loan will close the week of April 1, 2019. A memo from Mr. Sabatelli is attached.

15. Consider Adopting an Ordinance Establishing the 2019 Electric Improvements Project Fund.

As noted earlier, the budget for FY2018-19 was approved by the Board on June 12, 2018. The budget included \$1,000,000 for the replacement of a transformer at the Trent Road substation. The cost of the new transformer is \$718,000 with installation costs of approximately \$882,000, for a total of approximately \$1,600,000. A budget ordinance is needed to establish a project fund. The \$1,600,000 will be funded through a transfer of \$1,000,000 from the Electric Fund’s FY2018-19 budget and a transfer of \$600,000 in its FY2019-20 budget. A memo from Mr. Sabatelli is attached.

16. Consider Adopting a Budget Ordinance Amendment for the Electric Operating Fund.

Relative to the previous item, a budget amendment is necessary to reallocate \$1,000,000 from Power Supply to Interfund Transfers within Electric’s operating fund. These funds will be utilized for the substation improvement.

17. Appointment(s).

- (a) Carol Williams’ second term on the Planning and Zoning Board has expired, and she is ineligible for reappointment. Alderwoman Harris is requested to make a new appointment to fill this vacancy. The new appointee shall serve a three-year term.
- (b) Rose Williams’ appointment on the New Bern Appearance Commission expired February 8, 2019. She is eligible for reappointment, or a new appointment can be made to allow others an opportunity to serve. Mayor Outlaw is asked to make an appointment to serve a three-year term. The ordinance provides that

appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field.

- (c) Mattie Tatum's appointment on the New Bern Appearance Commission will expire February 22, 2019. She is eligible for reappointment, or a new appointment can be made to allow others an opportunity to serve. Alderman Bengel is asked to make an appointment to serve a three-year term. The ordinance provides that appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field.
- (d) Anne Schout resigned from her seat as an alternate on the Board of Adjustment effective March 1, 2019. Alderman Kinsey is asked to make an appointment to fill the remainder of Mrs. Schout's term, which will expire on November 12, 2021.

18. Attorney's Report.

19. City Manager's Report.

20. New Business.

21. Closed Session.

22. Adjourn.

AGENDA ITEM COVER SHEET

Agenda Item Title:

To consider holding a public hearing to consider rezoning Craven County Parcel ID #8-034-059 from R-10 Residential District to C-5 Office & Institutional District.

Date of Meeting March 26, 2019

Ward # if applicable Ward 2

Department Development Services

Person Submitting Item: Morgan Potts

Call for Public Hearing Yes No

Date of Public Hearing 4/9/2019

Explanation of Item:

State statute and local ordinance requires the governing body to hold a public hearing to rezone Craven County Parcel ID #8-034-059, also known as 1203 Simmons St. The parcel consists of .22+/- acres, and is located near the intersection of Simmons St. & Neuse Blvd. The applicant has proposed to rezone the property R-10 Residential District to C-5 Office & Institutional District.

Actions Needed by Board:

To holding a public hearing and consider approval or denial of the requested zoning map amendment, adopt a resolution and statement of consistency or inconsistency.

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Memo, Site Map.

Cost of Agenda Item: 0

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:

At the March 5, 2019 meeting of the Planning & Zoning Board, the board voted unanimously (9-0) to recommend approval of the proposed rezoning.



NEW BERN
NORTH CAROLINA
Development Services
303 First Street, P.O. Box 1129
New Bern, NC 28563
(252)639-7581

MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Morgan Potts, AICP
City Planner

DATE: March 15, 2019

SUBJECT: Call for a Public Hearing to consider a rezoning request for Craven County Parcel ID # 8-034-059 from R-10 Residential District to C-5 Office & Institutional District.

Background

The Board of Aldermen is requested to hold a call for a public hearing to be held on April 9, 2019 at 6:00 p.m., or as soon thereafter as possible, to consider a request by Patrick Allen & Cameron Holton of Tarheel Building Systems, on behalf of owner Michael Rice, to rezone .22 +/- acres from R-10 Residential District to C-5 Office & Institutional District., located at 1203 Simmons Street. The property is further identified as Craven County Parcel ID #8-034-059. The site is located in Ward 2.

Recommendation

To hold a call for a public hearing to be held on April 9, 2019 at 6:00 p.m., to consider a request by Patrick Allen & Cameron Holton of Tarheel Building Systems, on behalf of owner Michael Rice, to rezone .22 +/- acres from R-10 Residential District to C-5 Office & Institutional District., located at 1203 Simmons Street. The property is further identified as Craven County Parcel ID #8-034-059. The site is located in Ward 2.

Please contact me at 639-7583 should you have questions or need additional information.

RESOLUTION

THAT WHEREAS, the City of New Bern desires to hold a public hearing to receive public comments on a request to rezone one parcel, consisting of approximately 30+/- acres from R-8/R-10 Residential to C-3 Commercial, located at 703 Carolina Avenue. The property is further identified as Craven County parcel ID #8-044-011.

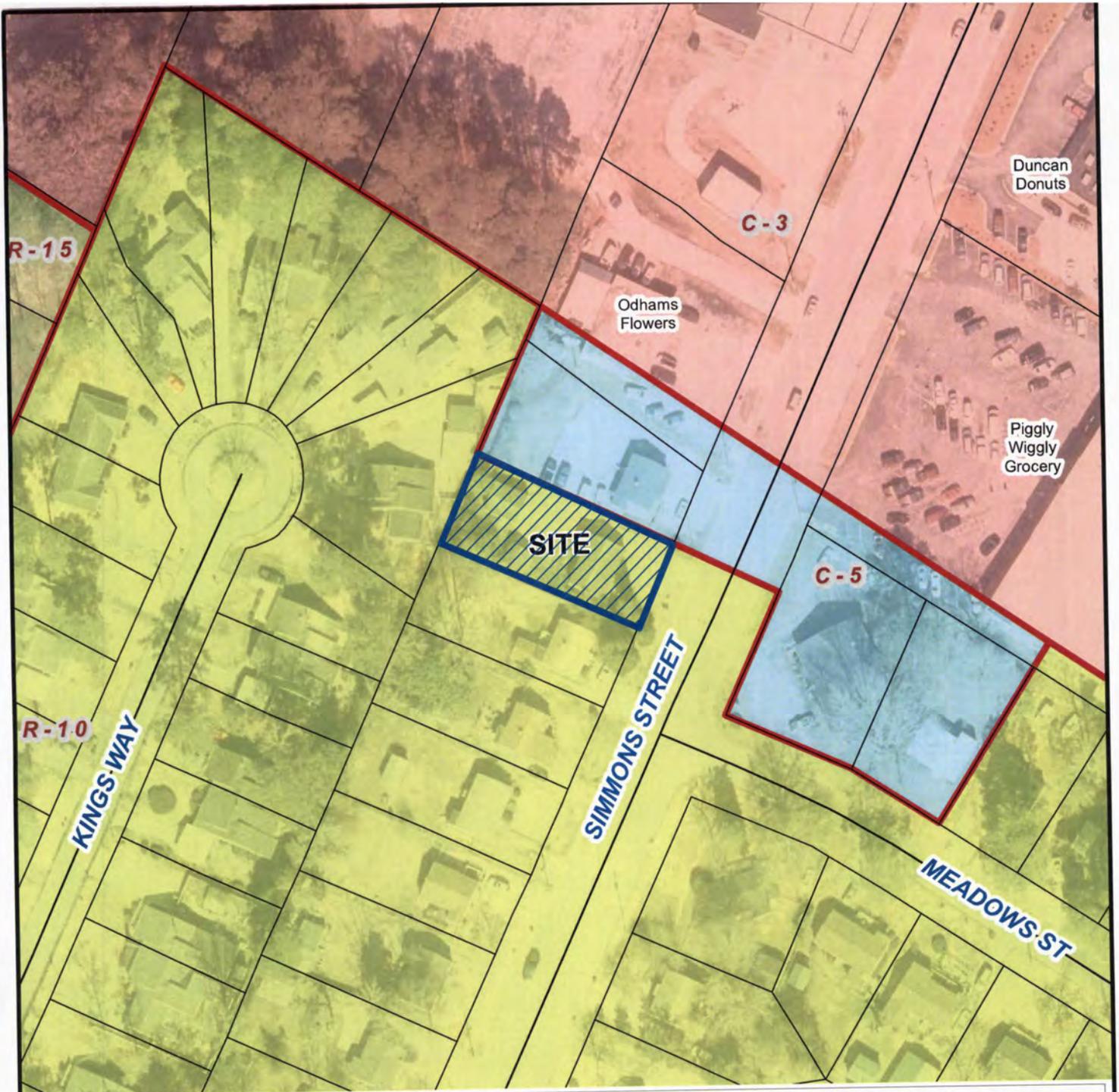
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern at 6:00 p.m., or as soon thereafter as the matter may be reached, on April 9, 2019, in the City Hall Courtroom in the City of New Bern for public discussion on a request to rezone one parcel, consisting of approximately 30+/- acres from R-8/R-10 Residential to C-3 Commercial, located at 703 Carolina Avenue. The property is further identified as Craven County parcel ID #8-044-011.

ADOPTED THIS 26TH DAY OF MARCH, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK



REZONING ZONING CASE: 1203 Simmons St - 0.22 Acres: PID: 8-034-059

LOCATION: West side of Simmons St. south of Neuse Blvd, north of Meadows St



Existing Zone: R-10
Proposed Zone: C-5



Zoning Boundaries

Imagery Early 2016

N CITY of NEW BERN
Development
Services

Scale: 1 = 100 ft



AGENDA ITEM COVER SHEET

Agenda Item Title:

Call for a public hearing to consider rezoning Craven County Parcel ID #8-044-011 from R-8/R-10 Residential District to C-3 Commercial District.

Date of Meeting March 26, 2019

Ward # if applicable Ward 2

Department Development Services

Person Submitting Item: Morgan Potts

Call for Public Hearing Yes No

Date of Public Hearing 4/9/2019

Explanation of Item:

State statute and local ordinance requires the governing body to hold a public hearing to rezone 30.81+/- acres of Craven County Parcel ID #8-044-011, also known as 703 Carolina Ave. The applicant has proposed to rezone the property from R-8/R-10 Residential District to C-3 Commercial District.

Actions Needed by Board:

To hold a public hearing and consider approval or denial of the requested zoning map amendment, adopt a resolution and statement of consistency or inconsistency.

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Memo, Site Map.

Cost of Agenda Item: 0

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:

At the March 19, 2019 Special Called meeting of the Planning & Zoning Board, the board voted (5-2) to recommend approval of the proposed rezoning.



NEW BERN

NORTH CAROLINA

Development Services
303 First Street, P.O. Box 1129
New Bern, NC 28563
(252)639-7581

MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Morgan Potts, AICP
City Planner

DATE: March 15, 2019

SUBJECT: Call for a Public Hearing to consider a rezoning request for Craven County Parcel ID # 8-044-011 from R-8/R-10 Residential District to C-3 Commercial District.

Background

The Board of Aldermen is requested to hold a call for a public hearing to be held on March 26, 2019 at 6:00 p.m., or as soon thereafter as possible, to consider a request by Mr. James Royster of Mosaic Development Group and Mr. Michael Cole & Mr. Paul Medling of ColeJenest & Stone, on behalf of the City of New Bern. The City has requested consideration of an application to rezone a 30.81 +/- acre parcel from R-8/R-10 Residential District to C-3 Commercial District, located at 703 Carolina Avenue. The Public Hearing will be held April 9, 2019. The site is located in Ward 2.

Recommendation

To hold a call for a public hearing to be held on March 26, 2019 at 6:00 p.m., to consider a request by Mr. James Royster of Mosaic Development Group and Mr. Michael Cole & Mr. Paul Medling of ColeJenest & Stone, on behalf of the City of New Bern. The City has requested consideration of an application to rezone a 30.81 +/- acre parcel from R-8/R-10 Residential District to C-3 Commercial District, located at 703 Carolina Avenue.

Please contact me at 639-7583 should you have questions or need additional information.

RESOLUTION

THAT WHEREAS, the City of New Bern desires to hold a public hearing to receive public comments on a request to rezone one parcel, consisting of approximately 30+/- acres from R-8/R-10 Residential to C-3 Commercial, located at 703 Carolina Avenue. The property is further identified as Craven County parcel ID #8-044-011.

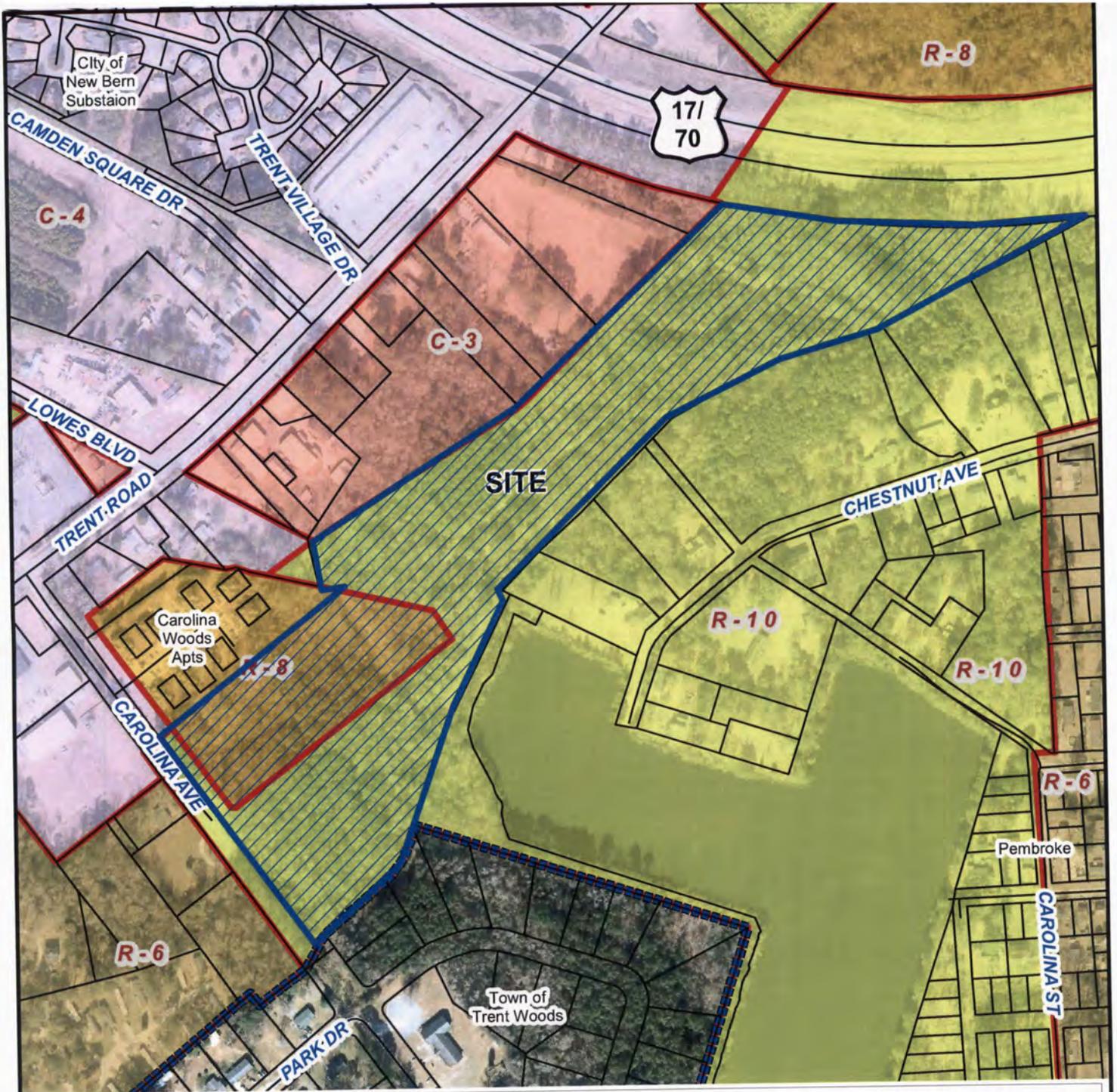
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern at 6:00 p.m., or as soon thereafter as the matter may be reached, on April 9, 2019, in the City Hall Courtroom in the City of New Bern for public discussion on a request to rezone one parcel, consisting of approximately 30+/- acres from R-8/R-10 Residential to C-3 Commercial, located at 703 Carolina Avenue. The property is further identified as Craven County parcel ID #8-044-011.

ADOPTED THIS 26TH DAY OF MARCH, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK



REZONING ZONING CASE: 703 Carolina Ave - Approx. 30 Acres: PID: 8-044-011

LOCATION: East side of Carolina Ave, south of Trent Rd., southwest of US Hwy 17/70



Existing Zone: R-8 & R-10
Proposed Zone: C-3



Zoning Boundaries

Imagery Early 2016

N CITY of NEW BERN
Development Services

Scale: 1 = 200 ft

AGENDA ITEM COVER SHEET

Agenda Item Title:

Presentation and discussion by Disaster Recover Services

Date of Meeting 3/26/19

Ward # if applicable N/A

Department Finance

Person Submitting Item: JR Sabatelli, CPA Director of Finance

Call for Public Hearing Yes No

Date of Public Hearing

Explanation of Item:

Per request of members of the Board of Aldermen, staff from the City's Hurricane Florence FEMA and Insurance consultants, Disaster Recovery Services, will be on hand to provide a brief update and answer questions on activities.

Actions Needed by Board:

No action required

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

None

Cost of Agenda Item: N/A

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:

AGENDA ITEM COVER SHEET

Agenda Item Title:

Conduct a Public Hearing and Consider Adoption a Resolution Amending the FY2018 CDBG Annual Action Plan

Date of Meeting

Ward # if applicable Multiple Wards

If multiple, list: 1,2

Department Develop. Services

Person Submitting Item:

Call for Public Hearing No

Date of Public Hearing

Explanation of Item:

The City has determined that it is necessary to amend the approved CDBG program budget for the previously approved program year for FY 2018. The funds will be reprogrammed from the following projects/activities: Public Services, Affordable Housing, Housing Rehabilitation, and Demolition.

Actions Needed by Board:

Conduct Public Hearing and receive comment on amendment to FY18 City of New Bern CDBG Annual Action Plan.

Is item time sensitive? Y / N

Will there be advocates/opponents at the meeting? Select...

Backup Attached:

Memo, Draft Amendment

Cost of Agenda Item:

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Select...

Additional notes:



MEMORANDUM

TO: Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM: Jeff Ruggieri, Director Development Services

DATE: 3/15/19

SUBJECT: Public Hearing for Substantial Amendment to the FY 18 Annual Action Plan

The purpose of this public hearing is to present a substantial amendment to the City of New Bern's FY 2018 Annual Action Plan for the use of Community Development Block Grant funds.

The City of New Bern adopted its FY 2018 Annual Action Plan and Budget for the use of CDBG funds on May 22, 2018. In accordance with CDBG program regulations, the City is allowed to make substantial amendments to its Annual Plan and Budget in accordance with the City's Citizen Participation Plan.

The City has determined that it is necessary to amend the approved CDBG program budget for the previously approved program year for FY 2018. The funds will be reprogrammed from the following projects/activities: Public Services, Affordable Housing, Housing Rehabilitation, and Demolition.

This is considered a substantial amendment in accordance with the City's Citizen Participation Plan as the following applies: the deletion of previously approved project activities and the addition of a new activity.

The amendment to FY 2018 CDBG Annual Action Plan is proposed as follows:

Proposed FY 2018 Activities

1. **General Administration** – reduce the line item budget amount from \$48,500 to \$42,771.
2. **Public Service Set Aside** – eliminate this line item amount of \$30,771.
3. **Affordable Housing** – **revise the activity description from construction of new affordable housing for sale to new affordable rental housing. Increase the budget amount form \$32,000 to \$200,000.**
4. **Housing Rehabilitation** – eliminate this line item amount of \$100,000.
5. **Demolition** – eliminate this line item amount of \$32,000.

RESOLUTION

WHEREAS, the City of New Bern, NC is a recipient of federal grant funds under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, there is a need to develop affordable rental housing in the City of New Bern as a result of Hurricane Florence; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has previously approved the City of New Bern's FY 2018 Community Development Block Grant (CDBG) Program; and

WHEREAS, HUD permits grant recipients to revise and amend their previously approved budgets and annual action plans; and

WHEREAS, the City of New Bern's Department of Development Services has determined that the proposed changes to the FY 2018 CDBG Program constitute a substantial amendment, and the City has complied with its Citizen Participation Plan.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN THAT:

The document entitled "City of New Bern FY 2018 Substantial Amendment" a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby adopted and approved, as the "City of New Bern FY 2018 Substantial Amendment" and the Mayor is hereby authorized to sign related documents on behalf of the City and is authorized to submit this document to the U.S. Department of HUD.

ADOPTED THIS 26TH DAY OF MARCH 2019.

DANA E. OUTLAW, MAYOR

BRENDA E BLANCO, CITY CLERK

CITY OF NEW BERN, NORTH CAROLINA



NEW BERN

CITY OF NEW BERN

SUBSTANTIAL AMENDMENT TO THE FY 2018 CDBG PROGRAM

SUBMITTED BY:

Department of Development Services
303 First Street, New Bern, NC 28560

SUBMITTED TO:

U.S. Department of Housing & Urban Development
Greensboro Field Office, Community Planning & Development
1500 Pinecroft Road, Suite 401, Greensboro NC 27407



**CITY OF NEW BERN, NORTH CAROLINA
SUBSTANTIAL AMENDMENT
FY 2018 CDBG PROGRAM YEAR**

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 - 2. Narrative



**CITY OF NEW BERN, NORTH CAROLINA
SUBSTANTIAL AMENDMENT
FY 2018 CDBG PROGRAM YEAR**

A. EXECUTIVE SUMMARY –

The City of New Bern was devastated by the flooding and high winds caused by Hurricane Florence in September 2018. The City has been recovering ever since. However, with the destruction of property and loss of housing. There is a need for replacement of affordable rental housing in the City, especially for 3 or more bedroom homes.

The City owns several pieces of property which are out of the 100 year flood plain that it proposes to transfer title to its Redevelopment Commission. The Redevelopment Commission will then develop four (4) new single family homes on this property, utilizing the services of Habitat for Humanity. The houses will have affordable rents and Twin Rivers Opportunities, Inc., the local Section 8 Housing Voucher Administrating Agency, will assign Project Based Section 8 Vouchers to the homes so they will remain affordable.

In order to meet the need for affordable rental housing, the City is proposing to reallocate funds in its FY 2018 CDBG Program Year to the development of affordable housing. Several line item activities will be detected and the funds will be reallocated to this expendable activity, Development of Affordable Rental Housing in the amount of \$200,000. The only other activity under the FY 2018 CDBG Program will be General Administration in the reduced amount of \$42,771.

This is considered a “substantial amendment” since three (3) activities are being eliminated (Public Service Set-Aside, Housing Rehabilitation, and Demolition). The Affordable Housing line item activity will be increased by more than 50% from \$32,000 to \$200,000.

The City has properly advertised the Substantial Amendment, placed the document on public display for a period of 30 days, held a public hearing, and received approval from the City Council.



**CITY OF NEW BERN, NORTH CAROLINA
SUBSTANTIAL AMENDMENT
FY 2018 CDBG PROGRAM YEAR**

B. CITIZEN PARTICIPATION –

The City of New Bern has placed the proposed “Substantial Amendment” on public display for review and comment beginning Saturday, March 16, 2019 for a period of 30 days. The end of the period of public display is Monday, April 15, 2019.

The “Substantial Amendment” to the FY 2018 CDBG Program is on display at the following locations:

- **City Clerks’ Office**
City Hall, 303 Pollock Street
New Bern, NC 28560

- **Office of the Department of Development Services**
303 First Street
New Bern, NC 28560

- **New Bern-Craven County Public Library**
400 Johnson Street
New Bern, NC 28560

Attached is a copy of the notice that appeared in the newspaper, the “New Bern Sun Journal,” a local newspaper of general circulation in the area. The City of New Bern scheduled a Public Hearing at 6:00 PM prevailing time, Tuesday, April 9, 2019, in the Courtroom of the New Bern City Hall.

The Board of Aldermen in their capacity as the City Council of the City of New Bern will consider approving the proposed “Substantial Amendment” at its regularly scheduled Council Meeting on Tuesday, April 23, 2019 at 6:00 PM, prevailing time.

Order Number : 15500379
PO Number :
Customer : 89029 City of New Bern - Legals
Contact : ACCOUNTS PAYABLE
Address1 : PO Box 1129
Address2 :
City St Zip : New Bern NC 28563
Phone : (252) 639-2717
Fax : (252) 636-4108

Printed By : Gwen Landry
Entered By : Gwen Landry

Keywords : FY 2018 Block Grant
Notes :
Zones :

Ad Number : 16977940
Ad Key :
Salesperson : GL - Gwen Landry
Publication : New Bern Sun Journal
Section : Classifieds
Sub Section : Classifieds
Category : 015 Legal Notices
Dates Run : 03/16/2019-03/16/2019
Days : 1
Size : 2 x 8.44, 76 lines
Words : 549
Ad Rate : L1
Ad Price : 327.98
Amount Paid : 0.00
Amount Due : 327.98

**NOTICE OF PUBLIC HEARING
CITY OF NEW BERN, NORTH CAROLINA
FY 2018 COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM SUBSTANTIAL AMENDMENT**

Notice is hereby given that the City of New Bern, Craven County, NC will hold a public hearing on Tuesday, April 9, 2019 at 6:00 PM, prevailing time, in the courtroom on the second floor of City Hall, 303 Pollock Street, New Bern, NC 28560. The City Hall and the courtroom are not accessible to persons with physical disabilities. If special arrangements need to be made for residents in order for them to participate in the public hearing, please call Mr. Jeffrey Ruggieri, Director, Department of Development Services, at (252) 639-7587 to make arrangements. Persons with hearing and/or speech impediments may contact the City through 711.

The purpose of this public hearing is to present a substantial amendment to the City of New Bern's FY 2018 Annual Action Plan for the use of Community Development Block Grant funds.

The City of New Bern adopted its FY 2018 Annual Action Plan and Budget for the use of CDBG funds on May 22, 2018. In accordance with CDBG program regulations, the City is allowed to make substantial amendments to its Annual Plan and Budget in accordance with the City's Citizen Participation Plan.

The City has determined that it is necessary to amend the approved CDBG program budget for the previously approved program year for FY 2018. The funds will be reprogrammed from the following projects/activities: Public Services, Affordable Housing, Housing Rehabilitation, and Demolition.

This is considered a substantial amendment in accordance with the City's Citizen Participation Plan as the following applies: the deletion of previously approved project activities and the addition of a new activity.

The amendment to FY 2018 CDBG Annual Action Plan is proposed as follows:

PROPOSED FY 2018 ACTIVITIES

General Administration – reduce the line item budget amount from \$48,500 to \$42,771.

Public Service Set Aside – eliminate this line item amount of \$30,771.

Affordable Housing – revise the activity description from construction of new affordable housing for sale to new affordable rental housing. Increase the budget amount from \$32,000 to \$200,000.

Housing Rehabilitation – eliminate this line item amount of \$100,000.

Demolition – eliminate this line item amount of \$32,000.

Order Number : 15500379
PO Number :
Customer : 89029 City of New Bern - Legals
Contact : ACCOUNTS PAYABLE
Address1 : PO Box 1129
Address2 :
City St Zip : New Bern NC 28563
Phone : (252) 639-2717
Fax : (252) 636-4108
Printed By : Gwen Landry
Entered By : Gwen Landry
Keywords : FY 2018 Block Grant
Notes :
Zones :

Ad Number : 16977940
Ad Key :
Salesperson : GL - Gwen Landry
Publication : New Bern Sun Journal
Section : Classifieds
Sub Section : Classifieds
Category : 015 Legal Notices
Dates Run : 03/16/2019-03/16/2019
Days : 1
Size : 2 x 8.44, 76 lines
Words : 549
Ad Rate : L1
Ad Price : 327.98
Amount Paid : 0.00
Amount Due : 327.98

Copies of the Substantial Amendment are on public display for a period of 30 days from Monday, March 16, 2019 to Monday, April 15, 2019. Copies are available at the following locations and may be viewed between normal business hours of 8:00 AM to 5:00 PM:

City Clerks' Office
City Hall, 303 Pollock Street, New Bern, NC 28560

Office of the Department of Development Services
303 First Street, New Bern, NC 28560

New Bern-Craven County Public Library
400 Johnson Street, New Bern, NC 28560

All interested residents are encouraged to attend this public hearing and they will be given the opportunity to present oral or written testimony concerning the Substantial Amendment for the FY 2018 CDBG Program. All comments received during the period of display will be presented to the City Council at its Regular Meeting of Tuesday, April 23, 2019 at 6:00 PM. Written comments may be addressed to Mr. Jeffrey Ruggieri, Director, Department of Development Services, 303 First Street, New Bern, NC 28560.

Dana E. Outlaw, Mayor
City of New Bern, NC

March 16, 2019 (adv)

**NOTICE OF PUBLIC HEARING
CITY OF NEW BERN, NORTH CAROLINA
FY 2018 COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM SUBSTANTIAL AMENDMENT**

Notice is hereby given that the City of New Bern, Craven County, NC will hold a public hearing on Tuesday, April 9, 2019 at 6:00 PM, prevailing time, in the courtroom on the second floor of City Hall, 303 Pollock Street, New Bern, NC 28560. The City Hall and the courtroom are not accessible to persons with physical disabilities. If special arrangements need to be made for residents in order for them to participate in the public hearing, please call Mr. Jeffrey Ruggieri, Director, Department of Development Services, at (252) 639-7587 to make arrangements. Persons with hearing and/or speech impediments may contact the City through 711.

The purpose of this public hearing is to present a substantial amendment to the City of New Bern's FY 2018 Annual Action Plan for the use of Community Development Block Grant funds.

The City of New Bern adopted its FY 2018 Annual Action Plan and Budget for the use of CDBG funds on May 22, 2018. In accordance with CDBG program regulations, the City is allowed to make substantial amendments to its Annual Plan and Budget in accordance with the City's Citizen Participation Plan.

The City has determined that it is necessary to amend the approved CDBG program budget for the previously approved program year for FY 2018. The funds will be reprogrammed from the following projects/activities: Public Services, Affordable Housing, Housing Rehabilitation, and Demolition.

This is considered a substantial amendment in accordance with the City's Citizen Participation Plan as the following applies: the deletion of previously approved project activities and the addition of a new activity.

The amendment to FY 2018 CDBG Annual Action Plan is proposed as follows:

Proposed FY 2018 Activities

- 1. General Administration** – reduce the line item budget amount from \$48,500 to \$42,771.
- 2. Public Service Set Aside** – eliminate this line item amount of \$30,771.
- 3. Affordable Housing** – revise the activity description from construction of new affordable housing for sale to new affordable rental housing. Increase the budget amount from \$32,000 to \$200,000.
- 4. Housing Rehabilitation** – eliminate this line item amount of \$100,000.
- 5. Demolition** – eliminate this line item amount of \$32,000.

Copies of the Substantial Amendment are on public display for a period of 30 days from Monday, March 16, 2019 to Monday, April 15, 2019. Copies are available at the following locations and may be viewed between normal business hours of 8:00 AM to 5:00 PM:

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All interested residents are encouraged to attend this public hearing and they will be given the opportunity to present oral or written testimony concerning the Substantial Amendment for the FY 2018 CDBG Program. All comments received during the period of display will be presented to the City Council at its Regular Meeting of Tuesday, April 23, 2019 at 6:00 PM. Written comments may be addressed to Mr. Jeffrey Ruggieri, Director, Department of Development Services, 303 First Street, New Bern, NC 28560.

Dana E. Outlaw, Mayor
City of New Bern, NC



**CITY OF NEW BERN, NORTH CAROLINA
SUBSTANTIAL AMENDMENT
FY 2018 CDBG PROGRAM YEAR**

C. RESOLUTION –

Attached is a copy of the Resolution of the City Council of the City of New Bern, approving the “Substantial Amendment” and authorizing the submission of the amendment to the U.S. Department of Housing and Urban Development.

RESOLUTION

BE IT RESOLVED BY THE BOARD OF ALDERMAN OF THE CITY OF NEW BERN:

WHEREAS, the City of New Bern, Craven County, NC is a recipient of Federal grant funds under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, there is a need to develop affordable rental housing in the City of New Bern as a result of Hurricane Florence; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has previously approved the City of New Bern's FY 2018 Community Development Block Grant (CDBG) Program; and

WHEREAS, HUD permits grant recipients to revise and amend their previously approved budgets and annual action plans; and

WHEREAS, the City of New Bern's Department of Development Services has determined that the proposed changes to the FY 2018 CDBG Program constitute a substantial amendment, and the City has complied with its Citizen Participation Plan.

NOW THEREFORE, BE IT RESOLVED that the document entitled "City of New Bern FY 2018 Substantial Amendment," a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby adopted and approved, as the "City of New Bern FY 2018 Substantial Amendment" and the Mayor is hereby authorized to sign any related documents on behalf of the City and is authorized to submit this document to the U.S. Department of HUD.

ADOPTED this 23rd day of April 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK



**CITY OF NEW BERN, NORTH CAROLINA
SUBSTANTIAL AMENDMENT
FY 2018 CDBG PROGRAM YEAR**

D. FY 2018 CDBG PROGRAM –

The following items are attached:

1. Budget – See attached
2. Narrative – See attached



**CITY OF NEW BERN, NORTH CAROLINA
FY 2018 CDBG BUDGET AMENDMENT**

The following chart illustrates the FY 2018 projects that are altered by this substantial amendment and the proposed budget amounts for each budget line item.

Activity Number	Activity Name	Project Description	Proposed Budget
1	General Administration	<p>General administration, staffing and equipment; and develop, administer, revise, implement and evaluate day-to-day operation of entitlement programs. Activities include program design; develop Annual Plans and grant administration; Sub recipient compliance monitoring, program outreach, public relations training; environmental review and labor standards</p>	\$ 42,771.00
3	Affordable Housing	<p>The City proposes to fund the construction of four (4) new single family homes on vacant sites owned by the City. The construction will be done in partnership with the local Habitat for Humanity organization. Habitat for Humanity will construct elevated concrete block foundations on the vacant sites, and install modular homes will on top of the foundations. The sites previously contained single family residential houses with foundations. The houses were demolished and the foundations were removed.</p>	\$ 200,000.00



**CITY OF NEW BERN, NORTH CAROLINA
FY 2018 CDBG BUDGET AMENDMENT**

The following chart shows the FY 2018 projects that are altered by this substantial amendment. It also shows the amount budgeted for FY 2018 in the original Annual Action Plan, the amount the budget line item will increase or decrease, and the proposed budget for each line item.

Activity Number	Activity Name	Previous Budget	Adjustment	Proposed Budget
1	General Administration	\$ 48,500.00	(-) \$ 5,729.00	\$ 42,771.00
2	Public Service Set-Aside	\$ 30,771.00	(-) \$ 30,771.00	\$ 0.00
3	Affordable Housing	\$ 32,000.00	(+) \$168,000.00	\$ 200,000.00
4	Housing Rehabilitation	\$ 100,000.00	(-) \$ 100,000.00	\$ 0.00
5	Demolition	\$ 32,000.00	(-) \$ 32,000.00	\$ 0.00
Total Reallocation:				\$ 242,771.00

AGENDA ITEM COVER SHEET

Agenda Item Title:

Resolution Authorizing the City Manager to execute an Architectural and Engineering Contract

Date of Meeting 03/26/2019

Ward # if applicable N/A

Department Finance

Person Submitting Item: Joseph R. Sabatelli, Director of Finance

Call for Public Hearing Yes No

Date of Public Hearing

Explanation of Item:

An RFQ was prepared for Architectural and Engineering Services for City buildings damaged during Hurricane Florence. The proposals were scored and MBF Architects, PA received the highest overall score. The attached resolution authorizes the City Manager to execute a contract in an amount up to \$57,900 and any change orders within the budgeted amount.

Actions Needed by Board:

Adopt resolution a

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Memo, resolution with score tabulation sheet

Cost of Agenda Item: N/A

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:



NEW BERN
NORTH CAROLINA
Office of the Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen
FROM: JR Sabatelli, CPA – Director of Finance
DATE: March 21, 2019
RE: Resolution approving a contract for Architectural and Engineering Services

Background

In September 2018, Hurricane Florence made landfall and cause severe damage across the City of New Bern. The City is seeking funding from FEMA for damages to several locations, which require assessments and estimates prepared by Architect and Engineering firms. A Request for Qualifications was prepared in accordance with federal procurement requirements and advertised with the City receiving responses from three firms. The proposals were independently scored by myself, City Engineer Jordan Hughes, and Director of Public Works Matt Montanye and MBF Architects receiving the highest score. We have discussed the scope of work with MBF Architects and our FEMA consultant, Disaster Recovery Services (DRS), and have agreed on an amount not to exceed \$57,900. North Carolina General Statutes and the City of New Bern purchasing policy require board approval of Architecture or Engineering services that exceed \$50,000. The attached resolution authorizes the City Manager to execute an agreement for these services up to \$57,900.

Requested Action

It is recommended that the Board adopt the enclosed resolution at its meeting on March 26, 2019.

RESOLUTION

WHEREAS, the City issued a formal Request for Qualifications for architectural and engineering services for City-owned buildings damaged during Hurricane Florence. The three proposals received from vendors were reviewed and scored. A summary of the scoring is reflected on the attached Score Tabulation Sheet, which is incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the City Manager is hereby authorized to execute on behalf of the City of New Bern a contract with MBF Architects, PA in an amount up to \$57,900.00, including any change orders within the budgeted amount, for the Architectural and Engineering Services for City-owned buildings damaged during Hurricane Florence.

ADOPTED THIS THE 26TH DAY OF MARCH, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

**RFQ for Architectural and Engineering Services
For City Building Damaged During Hurricane Florence**

SCORE TABULATION SHEET

FIRM	TOTAL SCORE
1. MBF Architects, PA, New Bern NC	259
2. Cotter Consulting Inc., Chicago IL	242
3. JFK Architecture, Greenville NC	227



March 22, 2019

Mr. Joseph Sabatelli, CPA
Director of Finance
City of New Bern
300 Pollock Street
PO Box 1129
New Bern, NC 28563

sabatellij@newbernc.gov

RE: Hurricane Florence Disaster Recovery Assistance
City of New Bern
New Bern, Craven County
MBFA No: 1907

Dear J.R.:

We agree to amend Exhibit B in the submitted contract to include estimating services for the sites listed in the Request for Qualifications for Hurricane Florence Disaster Recovery Assessment dated February 1, 2019 as amended by the scope of work received March 18, 2019 from Disasters, LLC. The amended scope excludes services pertaining to the "Old Parks and Rec" location.

Compensation is amended accordingly to an amount Not to Exceed \$57,900.

Remaining project parameters and exhibits are unchanged.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darden J. Eure, III'.

Darden J. Eure, III, AIA, NCARB
eure@mbfarchitects.com
MBF Architects, P.A.

AGENDA ITEM COVER SHEET

Agenda item title:

Petition to annex noncontiguous property owned by Weyerhaeuser NR Company and resolution to call for public hearing on annexation

Date of Meeting/Work Session March 26, 2019 **Ward # if applicable** _____

Department City Attorney **Person submitting item** Scott Davis

Call for Public Hearing Yes **Date of Public Hearing** April 9, 2019

Explanation of the item:

Petition of Weyerhaeuser NR Company for annexation of noncontiguous property consisting of approximately 8.13 acres of Craven 30/Craven 30 West, and resolution to be adopted calling for a public hearing to consider the annexation

Actions needed by Board:

Adopt resolution calling for a public hearing to be held on April 9, 2019.

Is item time sensitive? Yes

Will there be advocates/opponents at the meeting? _____

Backup attached:

Petition to Annex
Certificate of Sufficiency
Resolution
Memo

Cost of Agenda Item -0-

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? _____

Additional notes:



NEW BERN
NORTH CAROLINA
Development Services
303 First Street, P.O. Box 1129
New Bern, NC 28563
(252)639-7581

MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Morgan Potts, AICP
City Planner

DATE: March 15, 2019

SUBJECT: Call for a Public Hearing Regarding Annexation Petition for Craven County parcel identification #8-209-24000, West New Bern Parkway and Downey Drive (Craven County parcel identification number 8-209-24001), and a portion of Craven County parcel identification number 8-209-13001 lying between West New Bern Parkway/Downey Drive and NC Highway 43, in Number Eight (8) Township, Craven County

The Board of Aldermen is requested to consider holding a call for a public hearing at their March 26, 2019 meeting, to hear public comment and consider a request for the annexation of a property owned by Weyerhaeuser NR Company, located at 4250 U.S. Highway 70 East West New Bern Parkway & Downey Drive. The parcels are also known as Craven County parcel identification #8-209-24000, 8-209-24001, and a portion of Craven County parcel identification number 8-209-13001 lying between West New Bern Parkway/Downey Drive and NC Highway 43, in Number Eight (8) Township, Craven County.

City Utilities and Services will be provided upon annexation.

Please contact me at 639-7583 should you have any questions or need additional information.

RESOLUTION

THAT WHEREAS, the Board of Aldermen of the City of New Bern has received a petition from Weyerhaeuser NR Company, bearing date March 13, 2019, seeking annexation to the City of New Bern of a parcel of land consisting of 8.13 acres, more or less, which said parcel includes Lot 4 of Craven 30 West (now Craven County parcel identification number 8-209-24000), West New Bern Parkway and Downey Drive (Craven County parcel identification number 8-209-24001), and that portion of Craven County parcel identification number 8-209-13001 lying between West New Bern Parkway/Downey Drive and NC Highway 43, in Number Eight (8) Township, Craven County, and more particularly identified on Exhibits A and B attached hereto and incorporated herein by reference; and

WHEREAS, the Board of Aldermen has caused the City Clerk to investigate the sufficiency of said petition and to certify the results of her investigation; and

WHEREAS, the Board of Aldermen has received the certification of the City Clerk attesting to the sufficiency of the petition; and

WHEREAS, the Board of Aldermen desires to conduct a public hearing on April 9, 2019, in the City Hall Courtroom at 6:00 p.m. on the question of annexing to the City of New Bern the above-described parcel of land owned by Weyerhaeuser NR Company.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

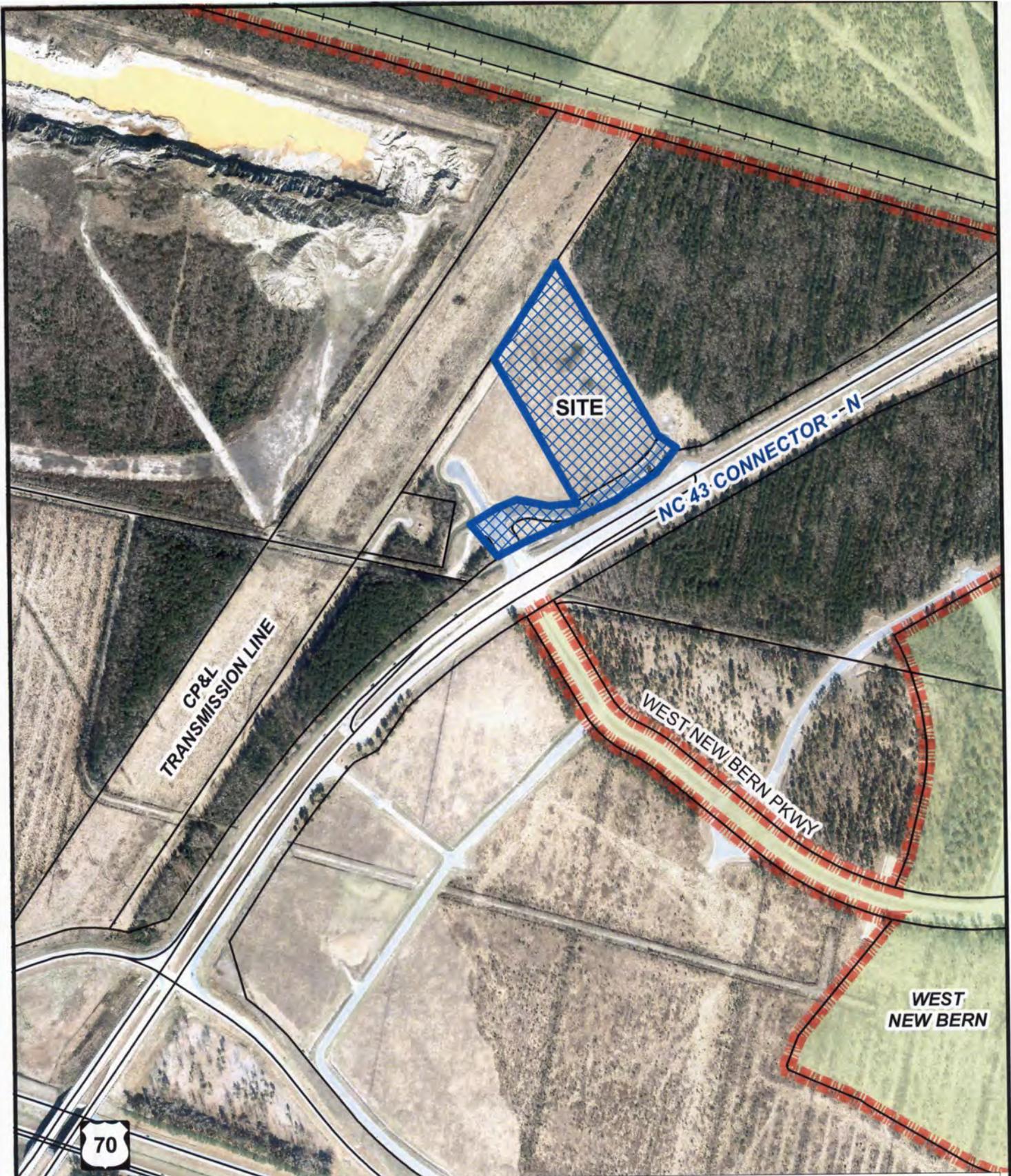
Section 1. That a public hearing will be conducted by the Board of Aldermen of the City of New Bern on April 9, 2019, in the City Hall Courtroom at 6:00 p.m., or as soon thereafter as the matter may be reached, on the question of annexing to the City of New Bern the parcel of land owned by Weyerhaeuser NR Company consisting of 8.13 acres, more or less, which said parcel includes Lot 4 of Craven 30 West (now Craven County parcel identification number 8-209-24000), West New Bern Parkway and Downey Drive (Craven County parcel identification number 8-209-24001), and that portion of Craven County parcel identification number 8-209-13001 lying between West New Bern Parkway/Downey Drive and NC Highway 43, in Number Eight (8) Township, Craven County, North Carolina, the boundaries of which are shown on Exhibits A and B attached hereto and incorporated herein by reference.

Section 2. That a notice of public hearing shall be published once in the *Sun-Journal* at least ten (10) days prior to April 9, 2019.

ADOPTED THIS 26th DAY OF MARCH, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK



Proposed Annexation: 1001 DOWNEY DR. - 8.13 Acres. Tax ID 8-09-24000, 24001, 8-209-13001 part



Existing New Bern Limits
Proposed Annexation Area



Scale: 1 = 500 ft



CERTIFICATE OF SUFFICIENCY

I, BRENDA E. BLANCO, City Clerk of the City of New Bern, North Carolina, do hereby certify that I have investigated the sufficiency of the Petition of Weyerhaeuser NR Company, requesting annexation by the City of New Bern of a parcel of land consisting of 8.13 acres, more or less, which said parcel includes Lot 4 of Craven 30 West (now Craven County parcel identification number 8-209-24000), West New Bern Parkway and Downey Drive (Craven County parcel identification number 8-209-24001), and that portion of Craven County parcel identification number 8-209-13001 lying between West New Bern Parkway/Downey Drive and NC Highway 43 in Number Eight (8) Township, Craven County, which said Petition is dated March 13, 2019, and I do hereby certify that said Petition is in order in all respects.

THIS 26th DAY OF MARCH, 2019.

BRENDA E. BLANCO, CITY CLERK

PETITION TO ANNEX

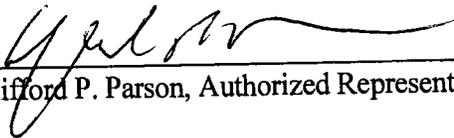
TO: BOARD OF ALDERMEN OF THE CITY OF NEW BERN

1. Weyerhaeuser NR Company, the undersigned owner of real property, respectfully requests that the area described in Paragraph 2 below be annexed to the City of New Bern.

2. The area to be annexed is located less than three (3) miles from the primary corporate limits of the City of New Bern and meets all of the standards set forth in § 160A-58.1(b) of the North Carolina General Statutes. The boundaries of such territory are more particularly described on Exhibit A attached hereto and incorporated herein by reference.

OWNER:

WEYERHAEUSER NR COMPANY

By: 
Clifford P. Parson, Authorized Representative

Date: March 13, 2019

Mailing Address: Ward and Smith, P.A.
Post Office Box 867
New Bern, NC 28563

EXHIBIT A

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:

Being the following two (2) courses and distances from NCGS Monument "Voltage" (NC GRID NAD83/2011, N=506516.87, E=2557593.28): N 46° 33' 43" E 2827.69 feet to an NCDOT Right of Way Monument (NC GRID NAD83/2011, N=508460.71, E=2559646.30) and N 59° 05' 44" E 53.00 feet to an iron rod set, the point of BEGINNING; thence from said point of beginning N 30° 18' 32" W 75.26 feet to an iron rod set; thence on a curve to the left with a radius of 30.00 feet, a chord bearing and distance of N 75° 06' 27" W 42.28 feet, 46.91 feet to an iron rod set; thence N 29° 54' 21" W 60 feet to an iron rod set; thence N 60° 05' 39" E 152.27 feet to an iron rod set; thence on a curve to the right with a radius of 95 feet, a chord bearing and distance of S 81° 59' 04" W 70.84 feet, 72.59 feet to an iron rod set; thence S 76° 07' 31" E 65.16 feet to an iron rod set; thence on a curve to the left with a radius of 220.00 feet, a chord bearing and distance of N 86° 09' 56" E 133.84 feet, 136.00 feet to an iron rod set; thence N 29° 54' 21" W 626.38 feet to an iron rod set in the southeast margin of the CP&L Transmission Right of Way; thence with the right of way margin N 34° 44' 18" E 431.56 feet to an iron rod set; thence leaving said right of way margin and running S 29° 54' 21" E 763.77 feet to an iron rod set; thence South 56° 17' 28" E 87.89 feet to an iron rod set, passing a mag nail set at 30.22 feet; thence S 50° 44' 29" W 203.02 feet to an NCDOT Right of Way Disk; thence S 60° 39' 46" W 199.54 feet to an iron rod set; thence S 60° 39' 46" W 100.53 feet to an NCDOT Right of Way Disk; thence S 67° 40' 49" W 190.28 feet to an iron rod set; thence S 67° 40' 49" W 11.84 feet to an iron rod set; thence S 60° 03' 08" W 81.94 feet to an iron rod set; thence S 59° 05' 44" W 1.34 feet to the point of BEGINNING; being all of "West New Bern Parkway," "Area 'B' Open Space," and "Lot 4" as depicted on that map entitled "Subdivision Plat of Lot 4, Craven 30 West - 1001 Downey Drive" recorded in Plat Cabinet I, Slide 134H in the office of the Register of Deeds of Craven County.

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to Ban the Box in Support of Fair Hiring Practices.

Date of Meeting March 26, 2019

Ward # if applicable N/A

Department Human Resources

Person Submitting Item: Sonya Hayes

Call for Public Hearing Yes No

Date of Public Hearing

Explanation of Item:

During the February 12, 2019 Board of Aldermen meeting, the Governing Board expressed their support of the "Ban the Box" initiative. The "box" that inquires whether an applicant has been convicted of any law violation, other than a minor traffic violation, will be removed from the city's employment application effective April 1, 2019.

Actions Needed by Board:

Consider Adopting a Resolution to Ban the Box in Support of Fair Hiring Practices.

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Resolution to Ban the Box in Support of Fair Hiring Practices
Pre-Employment Background Investigation Policy to be implemented by the City Manager

Cost of Agenda Item: N/A

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:



NEW BERN

NORTH CAROLINA

303 First Street, P.O. Box 1129

New Bern, NC 28563

Human Resources Department (252) 639-7571

TO: Mayor Outlaw and Board of Aldermen

FROM: Sonya H. Hayes
Director of Human Resources

DATE: March 26, 2019

SUBJECT: Resolution to Ban the Box In Support of Fair Hiring Practices

Background Information

During the February 12, 2019 Board of Aldermen meeting, the Governing Board expressed their support of the “Ban the Box” initiative. Scott Davis, City Attorney, indicated that he would consult with colleagues and bring the matter back before the Board on March 26, 2019.

The “box” that inquires whether an applicant has been convicted of any law violation, other than a minor traffic violation, will be removed from the city’s employment application effective April 1, 2019. An applicant’s criminal conviction history will not be collected until after a conditional offer of employment has been extended unless it is necessary to fill unique positions that require extensive background checks. This will ensure that the city’s hiring practices do not unduly deny or discourage people with criminal arrest or conviction records from appropriate employment with the city, and further encourage the rehabilitation of people with criminal records to strengthen our community.

Recommendation

We are requesting that the Board of Aldermen adopt a resolution to “Ban the Box” in support of fair hiring practices. Also enclosed for the Board’s review is the Pre-Employment Background Investigation Policy to be implemented by the City Manager effective April 1, 2019.

If you have any questions, please do not hesitate to contact me.

Everything comes together here.

RESOLUTION TO BAN THE BOX IN SUPPORT OF FAIR HIRING PRACTICES

THAT WHEREAS, the Board of Aldermen of the City of New Bern desires to ensure that the city's hiring practices do not unduly deny or discourage people with criminal arrest or conviction records from appropriate employment with the city, and further encourage the rehabilitation of people with criminal records to strengthen our community; and

WHEREAS, the ability of people with criminal records to successfully integrate into their communities following conviction an/or incarceration contributes to reduced recidivism, strengthens families, and leads to safer communities; and

WHEREAS, according to the National Employment Law Project, many people with criminal records are likely to be unemployed or underemployed; and

WHEREAS, people with criminal records represent a workforce that has skills to contribute and a desire to add value to the community; and

WHEREAS, studies done by the National Employment Law Project indicate that stable employment is one of the best predictors of post-conviction success; and

WHEREAS, the U.S. Equal Employment Opportunity Commission, to maximize compliance with federal anti-discrimination law, recommends:

- (a) Delaying inquiry of a job candidate's criminal conviction history;
- (b) Considering the job-relatedness of the criminal conviction;
- (c) Taking into account the length of time since a criminal conviction occurred; and
- (d) Providing an individualized assessment affording the opportunity by a candidate to correct any inaccuracies in a criminal history and to submit evidence of mitigation or rehabilitation.

WHEREAS, the Board of Aldermen of the City of New Bern desires that the city implement a personnel policy to ensure continued compliance with all federal, state, and local laws when conducting criminal background checks for use in evaluating candidates, and to prohibit the collection of an applicant's criminal conviction history until after making a conditional offer of employment unless it's necessary to fill unique positions that require extensive criminal background checks.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the City of New Bern shall continue to abide by all federal, state, and local laws when conducting criminal background checks for use in evaluating candidates for employment, and shall not collect an applicant's criminal conviction history until after making a conditional offer of employment unless it's necessary to fill unique positions that require extensive criminal background checks.

Section 2. That the City Manager shall ensure that the city's employment policies only require criminal background checks for positions where a criminal background check is necessary to prevent conduct which might be detrimental to the health, safety, or welfare of the public, or to protect the city from conduct which might be detrimental to the city and its property.

Section 3. That the City Manager, with input from the city's Human Resources Department, shall prepare and implement an employment policy consistent with the following principles:

(a) A good faith determination be made as to which specific positions of employment are of such sensitivity that a criminal background check is warranted as described above, or is required by law.

(b) When such a criminal background check is warranted, the city shall not conduct such a check, nor shall it make any inquiry of a candidate regarding their criminal history, until after making a conditional offer of employment unless it's necessary to fill unique positions that require extensive criminal background checks. To this end, the city's employment application shall not require disclosure of a candidate's prior criminal history, and no such inquiry shall be made during the initial job application process unless necessary to fill positions that require extensive criminal background checks.

(c) When considering a job-related criminal background history, the city shall take into account the length of time since the offense occurred and other relevant factors such that no person shall be disqualified from employment solely or in part because of a prior conviction unless required by law.

(d) The city shall ensure that there is a process in place by which, if a candidate has a job-related criminal conviction that will may result in an adverse employment decision, the

Human Resources Department shall notify the candidate and allow the candidate to submit information regarding any possible inaccuracy of their criminal record and to present evidence of mitigation or rehabilitation relating to any job-related conviction.

Section 4. That the City of New Bern urges private employers and government contractors to develop hiring practices that encourage the rehabilitation and appropriate employment of individuals with criminal records.

ADOPTED THIS 26th DAY OF MARCH, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

**CITY OF NEW BERN
ADMINISTRATIVE ORDERS
OF THE CITY MANAGER**

ADMINISTRATIVE ORDER 2.3
PRE-EMPLOYMENT BACKGROUND INVESTIGATION POLICY
To: All City Employees
From: Mark Stephens, City Manager
Maintained By: Human Resources
Date: April 1, 2019
New Policy

Purpose

The City of New Bern desires to establish a uniform policy for conducting background investigations for city positions. Pre-employment background investigations are important to ensure that candidates for employment with the City of New Bern are qualified individuals, and to verify the accuracy of the information provided by the candidate.

Policy

Background investigations may be conducted on volunteers, interns, independent contractors, and final internal or external candidate(s) applying for any position with the City of New Bern and must be reasonable and appropriate for the position in which the applicant is applying. The type of information that may be collected as part of a background check includes, but is not limited to: reference checks, social security verification, education verification, criminal conviction record check, and, if applicable, a credit history check, sex offender registry and motor vehicle records check. Background investigations may also be conducted with employee change of position including promotions, demotions (excluding involuntary demotions), and lateral transfers (when into another position title, not when into the exact same position title). Criminal background checks will only be required for positions where a criminal background check is necessary to prevent conduct which might be detrimental to the health, safety, or welfare of the public, or to protect the city from conduct which might be detrimental to the city and its property.

Background investigations must be in compliance with all federal and state statutes such as the Fair Credit Reporting Act (FRCA) and the Municipal Records Retention Schedule. The investigations must be consistent with the guidelines set forth by these laws requiring organizations to obtain a candidate's written authorization before obtaining a criminal background report, motor vehicle records check or credit report, and to properly store and dispose of information derived from such reports.

The results of a criminal background check cannot be used as a basis for denying employment, unless the denial of employment is determined to be due to job-related issues or business necessity. The following factors will be considered for those applicants with a history of criminal convictions in determining whether to hire the applicant:

- (1) The nature of the crime and its relationship to the position;
- (2) The length of time since the conviction;
- (3) The number (if more than one) of convictions;
- (4) The applicant's conduct since the conviction; and
- (5) Whether hiring the applicant would pose a risk to the business.

The applicant will be given an opportunity to review the criminal background check results, correct any inaccuracies, and submit an explanation and any evidence of mitigation or rehabilitation. Arrest history information should **not** be used as a part of the hiring process and **cannot** be a basis for denying employment. Although a disqualification is possible, in accordance with federal and state laws a previous conviction does not automatically disqualify an applicant from consideration for employment with the city unless required by law.

The city will ensure that all information attained from the reference and background investigation process will only be used as part of the employment process and kept strictly confidential according to FCRA. Hiring managers and administrative staff responsible for the pre-employment process are reminded that background check information falls under the FCRA disposal rules. Background check information kept as part of an employment hiring record, or used to make an employment decision, should be kept with the employee's personnel file in the Human Resources Department. All applicant information no longer required for use should be sent to the Human Resources Department for appropriate disposal.

If an applicant is found to have deliberately withheld information with the intent to mislead or is found to have falsified information pertaining to previous convictions, education, employment history, or any information deemed pertinent to employment, the employee will be disqualified from further employment consideration in any position with the city due to falsification of an application. If such information is discovered post-employment, the employee will be terminated.

The North Carolina Department of Justice sets the qualification for the employment and retention of police officers including, but not limited to: standards addressing the minimum age, education, physical standards and mental status, citizenship, and good moral character (*See* N.C. General Statute §17C-10). In addition, Chapter 12 of the North Carolina Administrative Code controls the extent, scope and use of a background investigation and further places specific eligibility limitations on an applicant's prior criminal history. In the event one of the mandatory

state standards conflicts with this policy, then the state standard shall control and shall be followed by the City of New Bern Police Department.

Definitions

1. **Adverse Action:** A denial of employment or volunteer position to a prospective employee, independent contractor, intern, or volunteer.
2. **Background investigation:** A check of various information that verifies the eligibility of prospective employees, volunteers, interns, or independent contractors for city service. The type of information that can be collected includes, but is not limited to: consumer report, credit check, criminal background check, motor vehicle record, educational qualification check, sexual offender registry, social security verification, and verification of personal and/or employment references.
3. **Credit Check:** A review of credit history for the last seven years as reported by a major credit bureau.
4. **Criminal Background Check:** A search of criminal history.
5. **Consumer Report:** Any written, oral, or other communication of any information character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or part for the purpose of serving as a factor in establishing the consumer's eligibility for employment.
6. **Educational Qualification Check:** Verification of submitted education up to and including the request of transcripts, certifications and/or diplomas.
7. **Fair Credit Reporting Act (FCRA):** Federal regulations of the collection and use of information contained in consumer reports prepared and assembled by a consumer reporting agency.
8. **Independent Contractor:** A person contracted to provide specific services to the city.
9. **Intern:** Students who may be paid or unpaid who are working part-time or temporary for a department to fulfill a school requirement or to gain particular experience in a field of study.
10. **Motor Vehicle Record:** An individual's driving history obtained from the state where the applicant/employee driver's license is or was issued or through agencies with license to obtain these reports on the city's behalf.

11. **Municipal Records Retention and Disposition Schedule:** A records schedule that identifies and provides retention and disposition instructions for many records that have been identified as being produced and maintained in municipal administrative offices. These records are defined under Chapter 132 of the General Statutes of North Carolina. Chapter 121-5 mandates that these records be disposed of only in accordance with an official records retention schedule. Standard 13 of the Municipal Records Retention and Disposition Schedule addresses personnel records to include application and selection files.
12. **Reference Check:** A basic work profile from a professional reference provided by the applicant, generally consisting of: title, basic responsibilities, relationship, professional and interpersonal skills.
13. **Sexual Offender Registry:** This report will contain all information available in the applicant's state data repository.
14. **Social Security Verification:** This report will verify the issue date of the social security number, if the number has been reported deceased or not yet been issued. The report will also reveal other names used by the applicant, such as maiden names or aliases and addresses listed by subject when they have applied for credit.
15. **Volunteer:** A person under City of New Bern employee supervision who provides periodic or on-going services to the city without receiving or expecting payment.

Procedures

1. The Human Resources Department shall determine and conduct the appropriate background investigation for each full-time, part-time, temporary, intern, and volunteer position. The following shall be required at a minimum:
 - Candidates for employment where the job duties require driving authorization or other related duties will be subject to a Motor Vehicle Records check.
 - Candidates for employment where the job duties include responsibility for initiating or affecting financial transactions or other related duties will be subject to credit history check.
 - Candidates for employment where the job duties include entering a private household, interaction with children or other related duties will be subject to sexual offender registry check.
 - Confirmation that the candidate has the degree or educational level required for the position, or as stated on the resume or application, can be conducted through the approved background checking vendors or the

candidate can be required to submit an official transcript. Copies of official high school transcripts may be provided. Official transcripts for education beyond high school must be sent electronically from the institution directly, or may be received in a sealed envelope from the college, university or school system in question and must be a certified copy.

2. Employment applications shall **not** require disclosure of an applicant's prior criminal history, and no such inquiry shall be made during the initial job application process unless it is necessary to fill unique positions that require extensive criminal background checks. However, if an applicant discloses any information regarding the candidate's criminal history by unsolicited voluntary oral or written disclosure, such disclosed information may be considered.
3. If a criminal background check is required, the city shall not conduct such a criminal background check, nor shall it make any inquiry of a candidate regarding their criminal history, until after making a conditional offer of employment except that criminal background checks may be conducted immediately for:
 - Volunteer positions;
 - Civil service positions within the city's police department; and
 - Information technology positions where such position has access to the city's police department information technology systems.
4. When a criminal background check is required for a city position other than those identified in Section 3, the job announcement for such position shall include the following statement: "Criminal Background Checks Required on final internal and external candidate(s) applying for this position with the City of New Bern."
5. Prior to conducting the pre-employment background check, the following must be completed by the final candidate:
 - City of New Bern employment application
 - Applicant Authorization and Consent for Release of Information form (Form B).
6. The final candidate shall be presented with the Summary of Rights Under the Fair Credit Reporting Act and Consumer Notification (Forms A and C).
7. All pre-employment background checks must be completed by one of the approved vendors under contract with the City of New Bern. The Human Resources Department will maintain the list of approved vendors.

8. Before taking an adverse action that is based in whole or in part on the information collected as part of the pre-employment background check, a copy of the adverse information and an Adverse Information Form must be emailed and sent by regular U.S. Mail to the candidate (Form D).
9. The candidate will have seven (7) calendar days from when the Adverse Information Form is emailed to contact the background check vendor if they wish to dispute or resolve any inaccuracies on the report and to submit any candidate letters, explanations, rehabilitation, and proof of error to the Human Resources Department. If no candidate correspondence is received by the Human Resources Department within seven (7) calendar days from the time and date the Pre-Adverse Action email was sent, the Human Resources Department will consider this as though the candidate is not contesting the findings, and Human Resources will move forward with submitting the background check to the City Manager for review. If the candidate submits correspondence to the Human Resources Department within the seven (7) calendar days from the time and date of the emailed Pre-Adverse Action notice was sent, a copy of the Human Resources Department's final analysis including the background check report, candidate letters, candidate submission of explanations, rehabilitation, proof of error in report, will be submitted to the City Manager for review. The City Manager will make a final decision within seven (7) calendar days of receiving the Human Resources Department's final analysis (including the candidate's correspondence).
10. The Human Resources Department will contact the candidate with the final decision made by the City Manager by phone, email and written correspondence, in the form of an acceptance letter or an Averse Action letter (Form E).

Responsibilities

The Human Resources Department shall be responsible for the coordination of this Policy.

Mark A. Stephens
City Manager

Date

FORM A: CONSUMER NOTIFICATION

Date

Applicant Name

Address

City, State, Zip

Dear:

This is to inform you that a consumer report or an investigative consumer report will be requested from City of New Bern's vendor, _____ a Consumer Reporting Agency (CRA). This report is for the purpose of evaluating your eligibility for employment, promotion, reassignment or retention as an employee. You have been asked to carefully read and sign an "Authorization for Release of Information" permitting the City's vendor to furnish the consumer report to us.

In accordance with the Fair Credit Reporting Act (15 U.S.C. §1681 et. seq.), you will be notified in writing before the City makes any adverse employment decision which is based in whole or in part on the consumer report.

Unless mandated by state law, a misdemeanor or felony conviction reported on a background check will not automatically disqualify you for employment with the City of New Bern. Consideration will be given to the nature and circumstances of the criminal conviction, the length of time since the conviction occurred, the age of the individual at the time of the conviction, evidence of rehabilitation, and the nature, duties, and responsibilities of the position and other evidence regarding fitness for the position such as character references. Examples of rehabilitation include a Certificate of Relief, classes taken, participation in civic groups, etc.

Sincerely,

FORM B: APPLICANT AUTHORIZATION AND CONSENT FOR RELEASE OF INFORMATION

This release and authorization acknowledges that the City of New Bern may now, or at any time while I am employed, contact personal references, conduct a verification of my education and licenses/certifications, employment/work history, motor vehicle records, and receive any criminal history record information pertaining to me which may be in the files of any Federal, State or Local criminal justice agency, and to verify any other information deemed necessary to fulfill the job requirements. The results of this verification process will be used to make employment decisions pursuant to City of New Bern policy. The City of New Bern will not request credit reports without proper notification in compliance with the Fair Credit Reporting Act.

I authorize the City's current employment verification vendor and any of its associates, to disclose orally and in writing the results of this verification process to the designated authorized representative of the City of New Bern. The City may at its discretion change the vendor and this release will remain in effect.

I have read and understand this release and consent, and I authorize the background verification. I authorize all persons, schools, current and former employers and other organizations and agencies to provide the City's employment verification vendor, or its associates with all information that may be requested. I hereby release all of the persons and agencies providing such information from any and all claims and damages connected with their release of any requested information. I agree that any copy of this document is as valid as the original.

I do hereby agree to release and discharge the City of New Bern, the employment verification vendor and their associates to the full extent permitted by the law from any claims, damages, losses, liabilities, costs and expenses or any other charge or complaint filed with any agency arising from the retrieving and reporting of information. According to the Fair Credit Reporting Act, I am entitled to know if employment was denied based on information obtained by my prospective employer and to receive a disclosure of the public record information and of the nature and scope of the investigative report. I have been given a summary of my rights under the Fair Credit Reporting Act.

Printed Name (Last, First, M.I.)

Social Security Number

Signature

Date

FORM C: A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. For more information, including information about additional rights, go to www.ftc.gov/credit or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.

You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if: a person has taken adverse action against you because of information in your credit report; you are the victim of identity theft and place a fraud alert in your file; your file contains inaccurate information as a result of fraud; you are on public assistance; you are unemployed but expect to apply for employment within 60 days. In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.ftc.gov/credit for additional information.

You have the right to ask for a credit score. Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender. You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.ftc.gov/credit for an explanation of dispute procedures.

Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

FORM D: PRE-ADVERSE ACTION

Date

Applicant Name
Address
City, State, Zip

Dear Applicant:

We are writing to inform you that in evaluating your application for employment, promotion, reassignment or retention as an employee we have received the enclosed consumer report. This notification is provided because an adverse employment decision may be based, in whole or in part, on this report. The report was prepared by _____ and authorization signed by you at the time of application. A copy of the authorization and a summary of your rights as a consumer are enclosed. _____ is not responsible for any employment-related determination.

If you have any questions regarding this report or believe that it may contain incorrect information, you may contact this company and they will respond to your inquiry. Their mailing address and phone numbers are listed below:

You have seven (7) calendar days from the mailing date of notice from the City to provide the City information to dispute the accuracy and/or explain the relevance of any conviction(s) or explain how a decision to bar you from employment is not job related and consistent with business necessity, or to submit any evidence of rehabilitation, before a final decision is made about your suitability for the position sought. Examples of rehabilitation include a Certificate of Relief, classes taken, participation in civic groups, etc.

Sincerely,

Enclosure: Consumer Report
Copy of Authorization
Consumer Rights Notification

FORM E: ADVERSE ACTION NOTICE

Date

Applicant Name
Address
City, State, Zip

Dear Applicant:

We are writing to inform you that we have decided not to offer you employment based upon the information we have received from a consumer report. The report was prepared by _____ pursuant to an authorization signed by you at the time of application. _____ is not responsible for any employment related determination and are unable to provide the specific reasons regarding our decision.

You may receive a free copy of the consumer report from _____ during the 60 day period described in the Fair Credit Reporting Act "FCRA" (15 U.S.C §1681j). You may also dispute the accuracy or completeness of any information as pursuant to FCRA 15 U.S.C. §1681m (a). Their mailing address and phone numbers are listed below:

Name of Consumer Reporting Agency
Address
City, State, Zip
Phone Number

Sincerely,

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to Purchase a Substation Transformer

Date of Meeting 03/26/19

Ward # if applicable N/A

Department Electric



Person Submitting Item: Charles Bauschard

Call for Public Hearing Yes No

Date of Public Hearing

Explanation of Item:

The enclosed resolution authorizes the City Manager to execute a contract to purchase a transformer for the Trent Road Substation.

Actions Needed by Board:

Adopt Resolution

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Memo; Budget Ordinance Amendment

Cost of Agenda Item: \$1,600,000

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:



NEW BERN

NORTH CAROLINA

Office of the Director of Utilities

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: Charles Bauschard – Director of Utilities

DATE: March 26, 2019

RE: Trent Road Substation Transformer

Background

The Trent Road Substation Transformer Bank “A” has been in service since 1960 and seen the end of its useful life. The City contracted with Power Services to solicit the advertisement of the request for bid and to provide award recommendation based on cost comparison and benefits of each options bidders provided.

Firms that provided a bid include: Power Tech, Atlantic Power Sales, VA Transformer, Anixter, SPX, Della Star, and WEG. Proposals were taken with four different options in order to evaluate the costs compared to the benefits of each option. Based on Power Services economic analysis and information recently obtained from Duke Energy Progress, it was recommended that Alternate #1 be chosen as the best option for this application. Based on this option being selected, the low evaluated bidder is WEG. WEG was not the low first cost bid, but Section 9 of the bid documents stated that the bids shall be evaluated on Total Ownership Cost. Because of lower losses, WEG was the low evaluated bid.

Attached is a resolution requesting the authorization of the award to WEG at a cost \$717,594.

Requested Action

Adopt a resolution awarding the for the Trent Road Substation Transformer Bank to WEG at a cost \$717,594. The cost of the transformer has been budgeted at \$1,000,000 for the 2018/19 fiscal cycle.

RESOLUTION

WHEREAS, bids were sought and received for the Trent Road Substation Transformer Replacement Project utilizing four different options to evaluate the costs compared to the benefits of each option. The bids were opened and read on December 20, 2018. After review, it was recommended that the option identified as Alternate No. 1 be chosen due to significantly lower maintenance and losses as compared to the other alternatives. It was also recommended that the bid be awarded to WEG, which provided the best and lowest bid for Alternate No. 1, at a cost of \$717,594 with IEEE Standard impedance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the City Manager or his designee is authorized to execute on behalf of the City of New Bern a contract with WEG in the amount of \$717,594.00, and any change orders within the budgeted amount, for the Trent Road Substation Transformer Replacement Project.

ADOPTED this 26th day of March, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

March 12, 2019

Mr. Charles Bauschard
Director of Public Utilities
City of New Bern
Post Office Box 1129
New Bern, North Carolina 28563-1129

Subject: Trent Road Transformer Replacement
Transformer Bid Recommendation

Dear Mr. Bauschard,

Attached is the bid tabulation for the transformer to replace the existing four single phase transformers at Trent Road Substation. As requested, bids were taken for four different options in order to evaluate the costs compared to the benefits of each option. Based on our economic analysis and information recently obtained from Duke Energy Progress, it is recommended that Alternate #1 be chosen as the best option for this application.

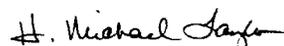
Based on this option being selected, the low evaluated bidder is WEG. WEG was not the low first cost bid, but Section 9 of the bid documents states that the bids shall be evaluated on Total Ownership Cost. Because of lower losses, WEG was the low evaluated bid.

Since the cost estimate to do the project is now in excess of appropriated funds, negotiations with WEG were entered into in accordance with G.S. 143-129 (b) to see how the cost might be reduced. The only significant reduction in price without materially changing the specifications is to change the design impedance from the specified 11.35% to the IEEE Standard impedance. The 11.35% specified impedance was specified to match the other transformer in the substation. However, we have reviewed this further, and believe the two transformers can be paralleled for a short period of time without any problems. The deduction offered by WEG for standard impedance is \$14,004.

It is therefore recommended the Transformer bid be awarded to WEG for Alternate #1 for an adjusted price of \$717,594.

Thank you for allowing us the opportunity to provide our services. Please call if you have questions.

Sincerely,



H. Michael Taylor, PE
Director, Substation and Relay Engineering

Attachment

**CITY OF NEW BERN
NEW BERN, NORTH CAROLINA**

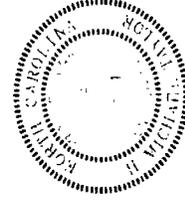
PROPOSALS FOR 30 MVA SUBSTATION POWER TRANSFORMER FOR THE TRENT ROAD SUBSTATION

Bid Schedule	Description	Bidders							
		Power Tech	Atlantic Power Sales	VA Transformer	Anixter	SPX	Delta Star	WEG*	
Base Bid No. 1	Substation Power Transformer, rated 30/40/50 MVA, ONAN/ONAF/ONAF 55/65°C, 115 kV Delta Primary Voltage, 450 kV BIL, 23/13.3 kV grounded Wye Secondary Voltage, 150 kV BIL, with five (5) year warranty, in accordance with the Specifications Qty. -1	\$ 625,150	\$ 779,071	\$ 708,847	\$ 597,297	\$ 669,090	\$ 665,495	\$ 542,048	
Alternate No. 1	Same as base bid except with LTC Qty. -1	\$ 921,600	\$ 994,151	\$ 873,847	\$ 715,622	NB	\$ 856,653	\$ 731,598	
Base Bid No. 2	Substation Power Transformer, rated 30/40/50 MVA, ONAN/ONAF/ONAF 55/65°C, 115 x 230 kV Delta Primary Voltage, 825 kV BIL, 23/13.3 kV grounded Wye Secondary Voltage, 150 kV BIL, with five (5) year warranty, in accordance with the Specifications Qty. -1	\$ 1,099,350	\$ 903,561	\$ 938,628	\$ 857,169	\$ 839,676	\$ 898,907	\$ 650,868	
Alternate No. 2	Same as base bid except with LTC Qty. -1	\$ 1,465,150	\$ 1,152,091	\$ 1,103,628	\$ 1,083,729	NB	\$ 1,086,250	\$ 834,949	
No Load Losses (KW) @ 30 MVA		18	18	22.06	22.5	19.1	18.6	19	
Load Losses (KW) @ 30 MVA		70	70	65.5	87.2	86.4	91.7	73	
Cost of Losses		\$ 458,000	\$ 458,000	\$ 459,860	\$ 571,000	\$ 546,600	\$ 570,100	\$ 479,000	
Total Ownership Cost (Base Bid 1A)		\$ 1,379,600	\$ 1,452,151	\$ 1,333,707	\$ 1,286,622	NB	\$ 1,426,753	\$ 1,210,598	
Manufacturer		ABB	Hyundai	VTC	GE Prolec	Waukesha	Delta Star	WEG	
Delivery (Weeks)		28-32	Oct-19	33-35	24-28	42-46	34-38	31-33	

Bids were opened and read December 20, 2018 at 2:00 PM

It is recommended that Alternate No. 1 option be chosen due to significantly lower maintenance and losses costs as compared to the other alternatives. It is recommended the bid be awarded to WEG as the best and lowest bid received for Alternate No. 1. It is recommended New Bern accept WEG's offer to sell this transformer to the City for \$717,594 with IEEE Standard impedance.

COPY



H. Michael Taylor, PE

AGENDA ITEM COVER SHEET

Agenda item title:

Consider Adopting a Resolution to Introduce and Secure Passage of Local Legislation Amending Article III- Elections of the City Charter

Date of Meeting/Work Session March 26, 2019 **Ward # if applicable** _____

Department City Attorney **Person submitting item** Scott Davis

Call for Public Hearing No **Date of Public Hearing** _____

Explanation of the item:

As discussed at a couple of previous meetings, this resolution will seek to introduce and secure the passage of local legislation by which Article III. "Elections" of the Charter of the City of New Bern would be amended to provide that elections will be held every four years in even-numbered years beginning in 2020.

Actions needed by Board:

Adopt resolution

Is item time sensitive? Yes

Will there be advocates/opponents at the meeting? _____

Backup attached:

Resolution

Cost of Agenda Item -0-

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? _____

Additional notes:

RESOLUTION

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the elected representatives from the City of New Bern who serve in the North Carolina General Assembly be and they are hereby requested to introduce and secure the passage of local legislation by which Article III. "Elections" of the Charter of the City of New Bern would be amended to provide for the following:

- (1) Regular municipal elections be held in the city every four (4) years in even-numbered years beginning in 2020 at the time of the March primary;
- (2) The mayor and members of the board of aldermen be elected according to the nonpartisan election and runoff method;
- (3) The runoff, if necessary, be held at the time of the November election; and
- (4) Terms for the mayor and members of the board of aldermen shall begin in December.

Section 2. That a certified copy of this resolution be forwarded to the Hon. Norman Sanderson, member of the North Carolina Senate, and the Hon. Michael Speciale and the Hon. Keith Kidwell, members of the North Carolina House of Representatives.

ADOPTED THIS 26th DAY OF MARCH, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Approving Installment Purchase Financing for FY19 Capital Purchases

Date of Meeting 3/26/19

Ward # if applicable N/A

Department Finance

Person Submitting Item: JR Sabatelli, CPA Director of Finance

Call for Public Hearing Yes No

Date of Public Hearing

Explanation of Item:

A resolution is required to approve the financing of the FY19 capital vehicles and equipment. The financing term is 59 months from the closing date of the loan.

Actions Needed by Board:

Adopt resolution authorizing financing.

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Cover, memo, summary of financing proposals and resolution

Cost of Agenda Item:

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:



TO: City Manager, Honorable Mayor and Members of the Board of Aldermen
FROM: JR Sabatelli, CPA - Director of Finance 
DATE: March 15, 2019
RE: Capital Vehicles, Equipment and ERP Financing

Background

On June 12, 2018 the Board adopted the fiscal year 2018-19 operating budget. In this budget the Board approved various capital vehicle and equipment purchases. In addition, on July 10, 2018 in accordance with IRS regulations, the Board adopted a Resolution and Declaration of Official Intent to reimburse ourselves with loan proceeds which will minimize the cost of borrowing, which was updated on December 11, 2018.

On November 21, 2017 the Board adopted an ordinance establishing the ERP Project Fund and budget as well as the official intent, and approved an initial financing of \$500,000 for Phase I on June 12, 2018.

Current

Requests for financing proposals were sent to seventeen banks to provide financing options for amounts of \$2,134,227 and/or \$2,534,227. The options provide financing for the fiscal year 2018-19 capital vehicle and equipment purchases, the Enterprise Resource Planning Licenses and Implementation Phase II, and an optional refinancing for the Enterprise Resource Planning Licenses and Implementation (ERP) Phase I.

Enclosed is a summary of all proposals received. Bank of America Merrill Lynch submitted a proposal at the desired repayment period (59 months) with a tax-exempt fixed interest rate of 2.6096%, the lowest total financing costs and the most favorable terms. The loan may be prepaid in whole on any payment date with no penalty after half the term is elapsed. Based on the terms provided, it is recommended to accept the loan offer not

to exceed \$2,534,227 and refinance the existing ERP Phase I loan in the amount of \$400,000. Closing on the loan will take place during the week of April 1, 2019.

Requested Action

It is recommended that the Board consider adopting the attached resolution to enter into an installment financing contract with Bank of America Merrill Lynch at the March 26, 2019 meeting. The Mayor and Director of Finance are authorized to execute the contract.

RESOLUTION APPROVING FINANCING TERMS

WHEREAS, The City of New Bern ("City") has previously determined to undertake project for financing vehicles, equipment and an Enterprise Resource Planning System and to refinance an existing loan (the "Project"), and the Director of Finance has now presented a proposal for the financing of such Project.

BE IT, THEREFORE, RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN, as follows:

1. The City hereby determines to finance the Project through Bank of America, National Association in accordance with the proposal dated March 13, 2019 (the "Proposal"). The amount financed shall not exceed \$2,534,227.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.6096%, and the financing term shall not exceed 59 months from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. The Mayor and Director of Finance of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as Bank of America, National Association may request.
3. The Director of Finance is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Director of Finance is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Director of Finance shall approve, with the Director of Finance's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the Project that is to be financed

from the proceeds of the Bank of America, National Association financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's General Fund, or any other City fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Adopted this 26th day of March, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

(S E A L)

**City of New Bern
Installment Purchasing Financing - Bid Tabulation
Bank Proposals - FY19 Capital Vehicles and Equipment**

Date: March 15, 2019

		<u>usbankcorp</u>	<u>PNC</u>	<u>SunTrust</u>	<u>BB&T</u>	<u>Regions</u>	<u>Bank of America</u>	<u>First Citizens</u>	<u>CresCom Bank</u>
Amount To Be-Financed:									
Not To Exceed -									
Option #1		\$2,134,227.00							
Option #2		\$2,534,227.00							
Terms of Financing		59 months							
Bank		<u>usbankcorp</u>	<u>PNC</u>	<u>SunTrust</u>	<u>BB&T</u>	<u>Regions</u>	<u>Bank of America</u>	<u>First Citizens</u>	<u>CresCom Bank</u>
Interest Rate	Option #1	2.7570%	2.880%	2.8710%	2.6800%	2.6400%	2.6096%	2.9700%	None Provided
	Option #2	2.7570%	2.880%	2.8710%	2.6800%	2.6400%	2.6096%	2.9700%	4.0000%
Prepayment Penalty		After 13 months, lower of break funding fee or 103% of balance	After 2 years, balance of payments due	Principal plus 3% year 1; 2% year 2; 1% year 3	At par after half the term has elapsed on any payment date	Principal plus 4% year 1; 3% year 2; 2% year 3; 1% year 4; and 0% thereafter	None - Prepayment after half the term has elapsed	None	None
Other Fees		None	\$250 Escrow Fee	\$250 Doc Fee \$250 Escrow Fee	None	reimburse costs and legal fees up to \$6,000	None	None	\$5,000.00
Finance Charge Life of Loan	Option #1	\$156,908.37	None provided	\$163,396.42	None provided	\$186,104.59	\$148,519.43	\$169,030.78	None provided
	Option #2	\$186,316.37	\$200,100.90	\$194,020.42	\$186,772.53	\$220,984.59	\$176,355.17	\$200,710.78	None provided

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Budget Ordinance to establish the 2019 Electric Improvements Project Fund

Date of Meeting 03/26/19

Ward # if applicable N/A

Department Finance

Person Submitting Item: JR Sabatelli, CPA Director of Finance

Call for Public Hearing Yes No

Date of Public Hearing

Explanation of Item:

The enclosed ordinance establishes the 2019 Electric Improvements Project Fund and budget.

Actions Needed by Board:

Adopt Budget Ordinance

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Memo; Budget Ordinance Amendment

Cost of Agenda Item: \$1,600,000

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:



NEW BERN
NORTH CAROLINA
Office of the Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen
FROM: JR Sabatelli, CPA – Director of Finance 
DATE: March 14, 2019
RE: Establish the 2019 Electric Improvements Project Fund

Current

The Fiscal Year 2018/2019 Electric Fund budget was adopted on June 12, 2018 and included \$1,000,000 for the replacement of a transformer at the Trent Road substation. The Department of Utilities estimates the cost of installation to be approximately \$882,000 while the actual cost of the new transformer is \$718,000 for a total of approximately \$1,600,000. The new transformer is anticipated to be received and installed during the Fiscal Year 2019/2020 and it is necessary to establish a project fund.

This budget ordinance establishes the 2019 Electric Improvements Project Fund and related budget of \$1,600,000 funded through a transfer from the Electric Fund of \$1,000,000 in the current Fiscal Year 2018/2019 and \$600,000 to be included as a transfer in Fiscal Year 2019/2020.

Additionally, the Department of Utilities is preparing estimates for additional substation improvements necessary for system reliability due to the growth of the City; therefore, a future amendment to this project fund are anticipated.

Requested Action

It is recommended that the Board adopt the enclosed ordinance at its meeting on March 26, 2019.

CAPTIAL PROJECT ORDINANCE FOR THE CITY OF NEW BERN
“2019 ELECTRIC IMPROVEMENTS PROJECT FUND”

BE IT ORDAINED by the Governing Board of the City of New Bern, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statues of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is to repair and replace infrastructure at electric substations to include planning, design, construction, installation, materials, equipment as well as any related costs that might be incurred, to be financed through a transfer from the Electric Fund.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amount is appropriated for the project:

Electrical Improvements	<u>\$1,600,000</u>
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Section 4: The following revenues are estimated to be available to complete the project:

Transfer from Electric Fund	<u>\$1,600,000</u>
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Section 5: That the Finance Officer is authorized to make temporary loans between other funds and the 2019 Electric Improvements Project Fund to provide funding until anticipated debt proceeds (if any) are received. If necessary, the Board intends to adopt a "Declaration of Official Intent to Reimburse" in order to be reimbursed for any eligible city funds expended prior to receipt of the financing proceeds.

Section 6: Copies of the ordinance shall be provided to the Budget Officer and the Finance Officer for use in the performance of their duties.

Section 7: That this ordinance shall take effect upon adoption.

ADOPTED THIS 26TH DAY OF MARCH, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting Amendment to the FY2018-19 Electric Fund Operating Budget

Date of Meeting 03/26/19

Ward # if applicable N/A

Department Finance

Person Submitting Item: JR Sabatelli, CPA, Director of Finance

Call for Public Hearing Yes No

Date of Public Hearing

Explanation of Item:

A budget amendment is necessary to re-allocate \$1,000,000 from Power Supply to Interfund Transfers within the Electric Operating Fund for a transfer at an electric substation.

Actions Needed by Board:

Consider adoption budget amendment

Is item time sensitive? Yes No

Will there be advocates/opponents at the meeting? Yes No

Backup Attached:

Memo from Director of Finance
Budget Amendment

Cost of Agenda Item:

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Yes No

Additional notes:



NEW BERN
NORTH CAROLINA
Office of the Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen
FROM: J.R. Sabatelli, CPA – Director of Finance 
DATE: March 14, 2019
RE: Amendment to the FY2018-19 Electric Fund Operating Budget

General Fund

The previous agenda item asked the Board of Aldermen to consider establishing the 2019 Electric Improvements Project Fund. If the Board approved the ordinance, it is necessary to transfer the \$1,000,000 previously appropriated in Power Supply to Interfund Transfers. Additionally, the remaining \$600,000 is expected to be transferred during the next fiscal year.

Requested Action

It is requested that the Board adopt the budget amendment at its meeting on March 26, 2019.

CITY OF NEW BERN, NORTH CAROLINA
REQUESTED AMENDMENT TO
Fiscal Year 2018-2019

FROM: Joseph R. Sabatelli, CPA

MEETING DATE: March 26, 2019

EXPLANATION: This ordinance will amend the fiscal year 2018-19 Electric Fund budget to increase transfers to the 2019 Electric Improvements Fund by \$1,000,000 and reduce Power Supply for the same.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN
THAT THE 2018-2019 Annual Budget ORDINANCE IS AMENDED AS FOLLOWS

Section 1 – Appropriations

Schedule E – Electric Fund

Increase:	Interfund Transfers and Transfer Support	\$ 1,000,000
Decrease:	Power Supply	<u>(\$1,000,000)</u>
		<u>\$ 0</u>

Section 2 – Estimated Revenues

Schedule E – Electric Fund

Increase:	None	<u>\$ 0</u>
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NATURE OF TRANSACTION

 ADDITIONAL REVENUE AVAILABLE FOR APPROPRIATION

 X TRANSFER WITHIN ACCOUNTS OF SAME FUND

 OTHER:

APPROVED BY THE BOARD OF ALDERMEN AND
ENTERED ON MINUTES DATED _____
AGENDA ITEM NUMBER _____

BRENDA E. BLANCO, CITY CLERK



NEW BERN
NORTH CAROLINA
Development Services
303 First Street, P.O. Box 1129
New Bern, NC 28563
(252)639-7581

TO: Alderwoman Harris
FROM: Morgan Potts, AICP
DATE: February 7, 2019
SUBJECT: Planning and Zoning Board Appointment

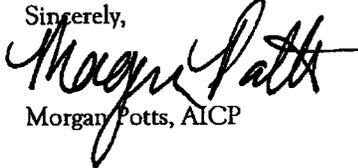
Dear Alderwoman Harris:

Carol Williams' second term on Planning and Zoning Board has ended and is not eligible for reappointment at this time due to term limits. You are requested to nominate an appointee whose term will conclude June 30, 2021. Ms. Williams may continue to serve until an appointment has been made.

The duties of the Planning and Zoning Board are to conduct studies and make recommendations to the Board of Aldermen on matters concerning plans, goals and objectives relating to the growth, development and redevelopment of the City and the surrounding extra-territorial planning area. In addition, the Board makes recommendations on proposed conditional use permits, zoning and rezoning requests, subdivision plan approvals, and changes to the Land Use Ordinance.

The Land Use Ordinance requires that all Planning and Zoning Board members have demonstrated special interest, experience or education in banking, economics, environmental and land use policy, housing or other industry. Members must be able and willing to commit the necessary time and energy to carry out the responsibilities required for the office and must regularly attend meetings lasting 1-3 hours each month.

To appoint a person of your choosing, please provide the contact information to the City Clerk for inclusion on the Board's next meeting agenda. If you have anyone in mind or have any other questions or need information, please contact me at 639-7583.

Sincerely,

Morgan Potts, AICP



NEW BERN

CITY OF NEW BERN

300 Pollock Street, P.O. Box 1129
New Bern, NC 28563-1129
(252) 636-4000

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memorandum

TO: Alderman Sabrina Bengel

FROM: Brenda Blanco, City Clerk *BB*

DATE: February 8, 2019

SUBJECT: Appointment to New Bern Appearance Commission

Mattie Tatum's appointment on the Appearance Commission will expire February 22, 2019. She is eligible for reappointment, or a new appointment can be made to allow others an opportunity to serve. The appointee will serve a three-year term.

Appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field. Members of the Appearance Commission serve a three-year term.

This commission is overseen by the Parks and Recreation Department. Please feel free to reach out to Foster Hughes, Director of Parks and Recreation, regarding any questions about the Commission.

/beb



NEW BERN

CITY OF NEW BERN

300 Pollock Street, P.O. Box 1129
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Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memorandum

TO: Mayor Dana Outlaw

FROM: Brenda Blanco, City Clerk *BEB*

DATE: February 8, 2019

SUBJECT: Appointment to New Bern Appearance Commission

Rose Williams' appointment on the Appearance Commission expires today. She is eligible for reappointment, or a new appointment can be made to allow others an opportunity to serve. The appointee will serve a three-year term.

Appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field. Members of the Appearance Commission serve a three-year term.

This commission is overseen by the Parks and Recreation Department. Please feel free to reach out to Foster Hughes, Director of Parks and Recreation, regarding any questions about the Commission.

/beb



NEW BERN

CITY OF NEW BERN

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Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memorandum

TO: Alderman Johnnie Ray Kinsey
FROM: Brenda Blanco, City Clerk *BEB*
DATE: March 15, 2019
SUBJECT: Appointment to Board of Adjustment

On November 13, 2018, you appointed Anne Schout to an alternate seat on the Board of Adjustment. Mrs. Schout has tendered a resignation effective March 1, 2019. You are requested to appoint someone to fill the remainder of her seat, which will expire on November 12, 2021.

/beb