

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
NOVEMBER 14, 2023 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

1. Meeting opened by Mayor Odham. Prayer Coordinated by Alderman Prill. Pledge of Allegiance.
2. Roll Call.
3. Approve Agenda.
4. Request and Petition of Citizens.

Consent Agenda

5. Consider Adopting a Resolution Closing Specific Streets for Beary Merry Christmas.
6. Consider Adopting a Resolution Closing Specific Streets for the New Year's Eve Block Party.
7. Consider Adopting a Resolution Closing Specific Streets for the Ghent Neighborhood Association's Mardi Gras Parade and Festival/Block Party.
8. Consider Adopting a Resolution Closing Specific Streets for Vision Forward's Black History Parade.
9. Consider Adopting a Resolution Calling for a Public Hearing to Amend the 2020 and 2021 Annual Action Plans for the Community Development Block Grant ("CDBG") Program.
10. Consider Adopting a Resolution to Initiate the Upset Bid Process for 607 Bern Street.
11. Approve Minutes.

12. Recognition of New Bern 101 Graduates.
13. Presentation on Wreaths Across America.
14. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex 412 Sandy Point Road.
15. Consider Adopting a Resolution Approving an Interagency Agreement with Craven and Pamlico Children's Advocacy Center of Southmountain Children and Family Services and Other Parties.

16. Consider Adopting a Resolution Approving and Authorizing the Execution of a Memorandum of Understanding with the NC Anti-Counterfeiting Trademark Task Force.
17. Consider Adopting a Resolution Designating Agents for the 2022 Building Resilience in Communities Grant.
18. Consider Adopting a Resolution Expressing Support of Funding from the 2022 Assistance to Firefighters Grant and Authorizing Staff to Present a Budget Amendment to Cover the Match.
19. Consider Adopting a Resolution Authorizing the Submission of an Application for the Building Resilient Infrastructure and Communities Program Grant to Aid the New Bern Rail Corridor Planning Study.
20. Review of Stormwater Projects for Last Five Years.
21. Discussion of BP Building Change in Scope of Work.
22. Consider Adopting a Budget Ordinance Amendment for Fiscal Year 2023-24.
23. Consider Adopting an Ordinance to Amend the Stanley White Recreation Center Project Fund.
24. Appointment(s).
25. Attorney's Report.
26. City Manager's Report.
27. New Business.
28. Closed Session.
29. Adjourn.

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

Aldermen

Rick Prill
Hazel B. Royal
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Besr
Robert Brinson, Jr.



Jeffrey T. Odham
Mayor
Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A Ostrom
Director of Finance

Memo to: Mayor and Board of Aldermen
From: Foster Hughes, City Manager
Date: November 09, 2023
Re: November 14, 2023 Agenda Explanations

1. **Meeting opened by Mayor Jeffrey T. Odham. Prayer Coordinated by Alderman Prill. Pledge of Allegiance.**
2. **Roll Call.**
3. **Approve Agenda.**
4. **Request and Petition of Citizens.**

This section of the agenda is titled Requests and Petitions of Citizens. This is an opportunity for public comment, and we thank you for coming to the Board of Aldermen meeting tonight to share your views. We value all citizen input.

Speaker comments are limited to a maximum of 4 minutes during the public comment period. At the conclusion of 4 minutes, each speaker shall leave the podium. Comments will be directed to the full board, not to an individual board member or staff member. Although the board is interested in hearing your comments, speakers should not expect any comments, action, or deliberation from the board on any issue raised during the public comment period.

In the board's discretion, it may refer issues to the appropriate city officials or staff for further investigation. If an organized group is present to speak on a common issue, please designate one person to present the group's comment, which shall be limited to a maximum of 4 minutes.

Consent Agenda

5. Consider Adopting a Resolution Closing Specific Streets for Beary Merry Christmas.

(Ward 1) On behalf of Beary Merry Events, Amanda Banks has requested to close to vehicular traffic the 200 and 300 blocks of Middle Street and 300-400 blocks of Pollock Street for the Light Up the Season Beary Merry Christmas event on November 24, 2023 from 3:00 p.m. to 9:30 p.m. A rain date of November 25, 2023 is sought. She has also requested the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street be closed to vehicles on December 08, 2023 from 5:00 p.m. until 8:00 p.m. for live window displays. A memo from Kari Warren, Director of Parks and Recreation, is attached.

6. Consider Adopting a Resolution Closing Specific Streets for the New Year's Eve Block Party.

(Ward 1) The City's annual New Year's Eve Celebration is scheduled for December 31, 2023. As a result, it is requested the 200 block of Pollock Street from the entrance of the Dunn Building's parking lot to Craven Street be closed to vehicular traffic from 7:00 a.m. on December 31, 2023 until 3:00 a.m. on January 1, 2024. Additionally, it is requested the 300 block of Pollock Street, a portion of the 200 block of Craven Street beginning at Morgan's Tavern & Grill, and the 300 block of Craven Street be closed from 2:30 p.m. on December 31, 2023 until 3:00 a.m. on January 1, 2024. A map of the area is attached along with a memo from Mrs. Warren.

7. Consider Adopting a Resolution Closing Specific Streets for the Ghent Neighborhood Association's Mardi Gras Parade and Festival/Block Party.

(Ward 1) Nancy Hill with the Ghent Neighborhood Association has requested the 1400-1900 blocks of Spencer Avenue be closed to vehicular traffic on February 10, 2024 from 11:00 a.m. to 2:30 p.m. for the Ghent Neighborhood's annual Mardi Gras Parade. It is also requested that the 1700-1800 blocks of Spencer Avenue and Sixth Street between Rhem Avenue and Park Avenue be closed to vehicular traffic from 8:00 a.m. until 6:00 p.m. for a block party. A memo from Mrs. Warren is attached along with a copy of the event application and a map of the area.

8. Consider Adopting a Resolution Closing Specific Streets for Vision Forward's Black History Parade.

(Wards 1, 2 and 5) Vision Forward has requested streets be closed to vehicular traffic on February 17, 2024, from 10 a.m. until 2:30 p.m. for the annual Black History Month Parade. Those streets are the 500-700 blocks of Third Avenue, 700-900 blocks of Queen Street, 600 block of George Street, and 700-1200 blocks of Cedar Street. In the event of inclement weather, a rain date of February 24, 2024 has been requested. A memo from Mrs. Warren is attached along with copies of the application and a map of the parade route.

9. Consider Adopting a Resolution Calling for a Public Hearing to Amend the 2020 and 2021 Annual Action Plans for the Community Development Block Grant ("CDBG") Program.

The 2020 and 2021 CDBG Annual Action Plans were previously adopted by the Board. Program regulations allow for substantial amendments to the plans in accordance with the Citizen Participation Plan. It is requested a public hearing be held on November 28, 2023, to discuss a suggested amendment to the FY20 and FY21 programs to provide funding to the Redevelopment Commission to rehabilitate two single-family homes that will be donated to Habitat for Humanity and sold to low to moderate-income households in the Greater Five Points area. The line-item budgets will not change. After a hearing is held and public input received, the Board will be presented with the substantial amendment at its December 12th meeting for consideration. A memo from D'Aja Fulmore, Community Development Coordinator, is attached.

10. Consider Adopting a Resolution to Initiate the Upset Bid Process for 607 Bern Street.

(Ward 1) Philip Hedrick has submitted a bid of \$4,375 for the purchase of 607 Bern Street, a vacant 0.068-acre residential lot that was acquired by the City and County in 2014 through tax foreclosure. The property included a home that was in disrepair, and the City subsequently demolished the structure. In May of 2015, the County transferred its interest to the City since the City bore the full cost of the demo. A memo from Brenda Blanco, City Clerk, is attached along with a copy of the offer and pictures of the property.

11. Approve Minutes.

Draft minutes from the October 24, 2023 meeting are provided for review and approval.

12. Recognition of New Bern 101 Graduates.

The Fall 2023 session of New Bern 101 concludes with this Board meeting. Participants have visited each department of the City to learn about the departments' responsibilities, services provided, various programs, and to tour facilities and meet staff. The final week of the program, participants attend a Governing Board meeting to observe the Board in action. Participants will be called forward for recognition and presentation of a certificate of completion.

13. Presentation on Wreaths Across America.

(Ward 1) Addie Yates will make a brief presentation on Wreaths Across America, a wreath-laying ceremony to take place at the New Bern National Cemetery on

December 16, 2023. Mrs. Yates will be requesting the City's assistance once again with busing participants, dumpsters, and an escort.

14. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex 412 Sandy Point Road.

(Ward 1) Donna Marie Hinz petitioned to annex 412 Sandy Point Road, Tax Parcel ID 2-037-027. The property is the site of a single-family residence on 1.16 acres that is contiguous to the City of New Bern's municipal boundary. After conducting a public hearing, the Board is to consider the annexation request. A memo from Ms. Blanco is attached.

15. Consider Adopting a Resolution Approving an Interagency Agreement with Craven and Pamlico Children's Advocacy Center of Southmountain Children and Family Services and Other Parties.

This interagency agreement will continue a relationship with Craven and Pamlico Children's Advocacy Center of Southmountain Children and Family Services to reduce childhood trauma from abuse. It is a coordinated effort between providers, law enforcement, and prosecutors to provide services to children and families while gathering evidence to prosecute offenders. A memo from Police Chief Patrick Gallagher is attached.

16. Consider Adopting a Resolution Approving and Authorizing the Execution of a Memorandum of Understanding with the NC Anti-Counterfeiting Trademark Task Force.

The New Bern Police Department has been monitoring activities at several businesses that are selling counterfeit and trademark protected merchandise. The department desires to participate in the NC Secretary of State's taskforce to investigate such criminal violations and combat the illegal sale of counterfeit merchandise. No additional funding is needed to participate in the taskforce. A memo from Chief Gallagher is attached.

17. Consider Adopting a Resolution Designating Agents for the 2022 Building Resilience in Communities Grant.

The City submitted an application to the NC Division of Emergency Management for a \$200,000 FEMA Building Resilient Infrastructure and Communities Capabilities & Capacity Building Grant ("BRIC22 C&CB") with an application for a match of \$150,000 from the NC Attorney General's Environmental Enhancement Grant. If received, the grant funds will be utilized for the restoration of the Duffyfield Canal Project. The next step in the process is to designate agents who are authorized to execute and file applications on behalf of the City. The City Manager will be named the primary designee with the Senior Accountant named the secondary designee. A memo from Kim Ostrom, Director of Finance, is attached.

18. Consider Adopting a Resolution Expressing Support of Funding from the 2022 Assistance to Firefighters Grant and Authorizing Staff to Present a Budget Amendment to Cover the Match.

The Craven County Firefighters Association discussed the need to improve radio communications between all departments within the county. With the assistance of a grant writer, an application was submitted on February 09, 2023 for the 2022 Assistance to Firefighters Grant. Notification of the grant award was received on August 17, 2023. The total grant is \$988,000 which represents \$898,181.81 in federal funds with a required match of \$89,818.19. The match and grant writer's fee will be divided among the 13 fire departments in the county. Each will contribute \$6,909.09 toward the match and \$1,381.82 toward the grant writer's fee, for a total contribution of \$8,290.91. These funds were not budgeted in the Fire Department's FY2024 budget, and staff is seeking support to move forward with a budget amendment to transfer funds from the General Fund fund balance to cover this share. A memo from Jim McConnell, Acting Fire Chief, is attached.

19. Consider Adopting a Resolution Authorizing the Submission of an Application for the Building Resilient Infrastructure and Communities Program Grant to Aid the New Bern Rail Corridor Planning Study.

(Wards 1, 4 and 5) The rail corridor that runs through portions of Wards 1, 4 and 5 exacerbates flooding in low-lying areas that experience significant flooding during 10-year storm events. Staff desires to submit an application for a Building Resilient Infrastructure and Communities Grant ("BRIC") to be used for a rail corridor planning study to inventory crossings in New Bern and develop a long-range planning effort to improve the flow of stormwater at crossings in need of improvement. The cost of the project is estimated at \$200,000, and the grant requires a 25% match which would be \$50,000. A memo from Chris Seaberg, Community & Economic Development Manager, is attached.

20. Review of Stormwater Projects for Last Five Years.

Following Hurricane Florence in 2018, the City prioritized improvements and repairs to the municipal drainage system. A presentation will be provided by George Chiles, Director of Public Works, to review the work completed and under construction over the last five years and the status of funding for those projects.

21. Discussion of BP Building Change in Scope of Work.

Notice has been received that FEMA has allocated \$955,812.07 toward the rebuilding of the BP building at 2602 Oaks Road. Prior to its damage during Hurricane Florence, the building was used by Public Works as a workshop and storage facility. Several options will be presented for other use of the funds, and direction will be sought as to which project to pursue.

22. Consider Adopting a Budget Ordinance Amendment for Fiscal Year 2023-24.

This budget ordinance amendment will roll purchase orders that were outstanding as of June 30, 2023. It will also amend the General and Solid Waste Funds to recognize revenue of \$141,143 from the solid waste disposal state distribution revenue that continued to be recorded in the General Fund since the Solid Waste Fund was created in 2019. A memo from Kim Ostrom, Director of Finance is attached.

23. Consider Adopting an Ordinance to Amend the Stanley White Recreation Center Project Fund.

The Stanley White Recreation Center Project Fund was established on July 11, 2023 in the amount of \$13,180,400. This included estimated debt proceeds of \$5,173,751. Since debt proceeds actually totaled \$10,000,000, the remaining proceeds of \$4,826,249 will be recognized through this amendment. A memo from Mrs. Ostrom is attached.

24. Appointment(s).

25. Attorney's Report.

26. City Manager's Report.

27. New Business.

28. Closed Session.

29. Adjourn.

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

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close streets for Beary Merry Christmas Light Up the Season.

Date of Meeting: November 14, 2023	Ward # if applicable: Ward 1
Department: Parks & Recreation	Person Submitting Item: Kari Warren, Director of Parks & Recreation
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	<p>Beary Merry Events has requested to close the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street to vehicular traffic from 3:00 p.m. until 9:30 p.m. on Friday, November 24, 2023, with a rain date of November 25, 2023, for Beary Merry Christmas Light Up the Season event.</p> <p>Beary Merry Events has also requested 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street be closed to vehicular traffic from 5:00 p.m. until 8:00 p.m. on Friday, December 8, 2023, for Live Window Displays.</p>
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution – Memo – Application - Map
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item: N/A
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes: N/A

Aldermen

Rick Prill
Hazel B. Royal
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



Kari Warren, CPRP
Director of Parks & Recreation

Jeffrey T. Odham
Mayor

Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance



Date: October 31, 2023

Memo To: Mayor and Board of Aldermen

From: Kari Warren, CPRP *KW*
Director of Parks & Recreation

Re: Street Closures for Beary Merry Christmas Light Up the Season Event.

Background Information:

Beary Merry Events has requested to close the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street to vehicular traffic from 3:00 p.m. until 9:30 p.m. on Friday, November 24, 2023, with a rain date of November 25, 2023, for Beary Merry Christmas Light Up the Season event.

Beary Merry Events has also requested 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street be closed to vehicular traffic from 5:00 p.m. until 8:00 p.m. on Friday, December 8, 2023, for Live Window Displays.

Recommendation:

The Director of Parks and Recreation recommends approval and requests the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, Beary Merry Events has requested the 200-300 blocks of Middle Street and the 300-400 blocks of Pollock Street be closed to vehicular traffic from 3:00 p.m. until 9:30 p.m. on Friday, November 24, 2023, with a rain date of November 25, 2023, for Beary Merry Christmas Light Up the Season; and

WHEREAS, Beary Merry Events has also requested the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street be closed to vehicular traffic from 5:00 p.m. until 8:00 p.m. on Friday, December 8, 2023, for live window displays; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the streets be closed as requested.

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

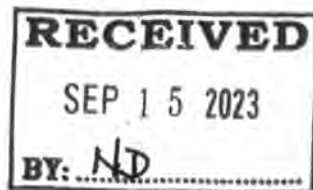
That the 200-300 blocks of Middle Street and 300-400 blocks of Pollock Street be closed to vehicular traffic from 3:00 p.m. until 9:30 p.m. on November 24, 2023, with a rain date of November 25, 2023, for the Beary Merry Christmas Light Up the Season event; and

Further, that the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street and the 200 block of Craven Street be closed to vehicular traffic from 5:00 p.m. until 8:00 p.m. on December 8, 2023, for live window displays.

ADOPTED THIS 14th DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK



CITY OF NEW BERN

APPLICATION FOR PUBLIC ASSEMBLY, PARADE & SPECIAL EVENTS IN CITY PARKS

This application is hereby made for a permit to hold a Public Assembly and/or Parade as described in the City of New Bern Code of Ordinances (Sec. 66-85; 66-86; and 66-87) – Public Assemblies and Parades. This application along with attachments must be presented at least **60 days prior** to the event date.

Festival – A concert, fair, festival, exhibit, athletic event, promotion, community event, block party, or similar event.

Parade – A march, ceremony, pageant, procession or other similar activities consisting of persons, animals, vehicles or things, or any combination thereof, that disrupts the normal flow of traffic upon any public street.

Public Assembly – A festival or demonstration which is reasonably anticipated to obstruct the normal flow of traffic upon any public street and that is collected together in one place; or a festival in any city-controlled park.

Name of Event/Activity: Beary Merry Christmas

Organization Name: Beary Merry Events

Responsible Contact: Amanda Banks

Address: PO Box 460

City: New Bern

State: NC

Zip code: 28563

Phone: 252-671-1196

Alternate Phone: _____

Email: info@bearymerryevents.com; abanksconsulting@gmail.com

Type of Event:

☐ Demonstration

☒ Festival

☐ Parade

Date of Event: 11-24-23 & 12-8-23

Proposed Rain Date: (11-25-23) for 11-24-23

Event Set up time: 3:00p/5:00p

Event Tear Down Completed Time: 9:30p/8:00p

Event Start Time: _____

Event End Time: _____

What is the specific location and/or route of the proposed event? (Attach additional information if needed)
See Attached

Note: A detailed map of the proposed route as well as a specific list of streets is required. The specific location of the Public Assembly must include the aerial overview with location marked. **Festivals/Events require detailed aerial map with complete layout.**

What is the purpose of this event? Please be detailed in your description - (Attach additional information if needed)

Holiday activities.

Estimated attendance: _____; Attendance not to exceed: _____.

*Note: If more than 1,000 in attendance is expected 1) **Proof of Crowd Manager Training Certification is required.** Training is available at the following link: http://www.newbernnc.gov/departments/fire_department/crowd_manager_training.php 2) **Public Safety Plan is required. Information must be submitted with application.** For additional info, please contact the Fire Marshall at 252-639-2931.

Tents # _____ Sizes _____ Provide additional info as needed (Note: Tents 700 sq. ft. or bigger must be inspected by Fire Marshall.)

How will you handle trash generated from the event?

We are requesting # _____ trash cans.

☐ We will provide our own bags & dispose of any trash generated ourselves.

☐ We request that City Staff dispose of all trash generated. We understand additional fees will be charged for this service, including the cost of labor, and materials (bags, etc.) used.

Beary Muff

Are you requesting any City of New Bern Street Closures?

☒ Yes*

☐ No

*Any street closures require approval of the Board of Aldermen. Street closures must be received **at least 60 days in advance** for consideration. Street closures require barricades. A fee of \$5.00 per barricade must be paid 48 business hours prior to the event.

*What Street(s) are you requesting to close? Be specific: See Attached

200-300 Middle, 300-400 Pollock, Light Up the Season

200-300 Middle, 300-400 Pollock, & 200 Craven - Live Window Displays

Are you requesting any State Road or Bridge closures?

☐ Yes*

☒ No

*If yes, a 90 day notice and application is required by the NCDOT for in order to consider state roads or bridges. For additional information, please call NCDOT Office at 252-439-2816. The State Road/Bridge Closure permit must be attached to this application.

If this event includes the use of floats, vehicles, placards, loud speakers, or mechanical devices of any type, please provide a detailed explanation of their use, purpose and number.

Will Inflatables or other Play features be part of this event?

☒ Yes

☐ No (Additional insurance may be required)

Will Food Vendors or Commercial/Non-Profit vendors be part of this event? ☒ Yes ☐ No

(If you answered YES, Additional Fees apply. A detailed list of all vendors is required.)

The following items are required and must be attached at the time of Application:

☐ A detailed map - including the location, route with beginning and ending point and street names included.

☐ Petition of Signatures - of business/residents affected - If roads are closed.

The following items are required within **two (2) business days of the event or event shall be cancelled:**

☐ Certificate of Insurance - Listing the City of New Bern, PO Box 1129, New Bern, NC as "Additional Insured".

☐ List of all food/commercial/non-profit vendors.

☐ Payment in full of applicable fees and charges.

I attest that I am authorized on behalf of this group/organization to request the permit for the activities prescribed herein. I understand that this application must be submitted with full details and attachments. I understand that additional fees and charges may be incurred. Those charges include set-up tear down time for staff, rental of barricades, Public Safety, Trash collection, damages, etc. I further understand that failure to provide the requested information within the specified timelines shall result in application being denied. I agree to Indemnify and hold harmless the City of New Bern, its departments, agents, employees, officials and volunteers for any injury, illness or damage to person or property during this activity.

The following items must be submitted with Application:

☐ Completed & Signed Application

☐ Detailed maps of parade route and/or festival layout

☐ Petition of signatures (If road closure is requested)

☐ Proof of Crowd Manager training & Public Safety Plan (If attendance is 1,000 or more)

Amanda Banks

9/25/2023

Authorized Signature

Date

All documents have been provided and this application is recommended for approval

Administrative Support Supervisor

Date

This application has been approved.

Ihori Warden

10-31-2023

Director of Parks & Recreation

Date

Total Anticipated Charges

Barricades: # _____
\$ _____

Trash Collection: \$ _____

City Staff: # _____
\$ _____

Vendor Fees # _____
\$ _____

Park/Facility Rental: \$ _____

Total Due: \$ 0

☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with:

☒ Approved by Department

Date: 10-31-23

Staff Initials: KW

☒ Submitted for Board Approval

Date: 11-3-23

Staff Initials: KW

☐ All Paperwork collected

Date: _____

Staff Initials: _____

☐ All fees collected \$ _____

Date: _____

Staff Initials: _____

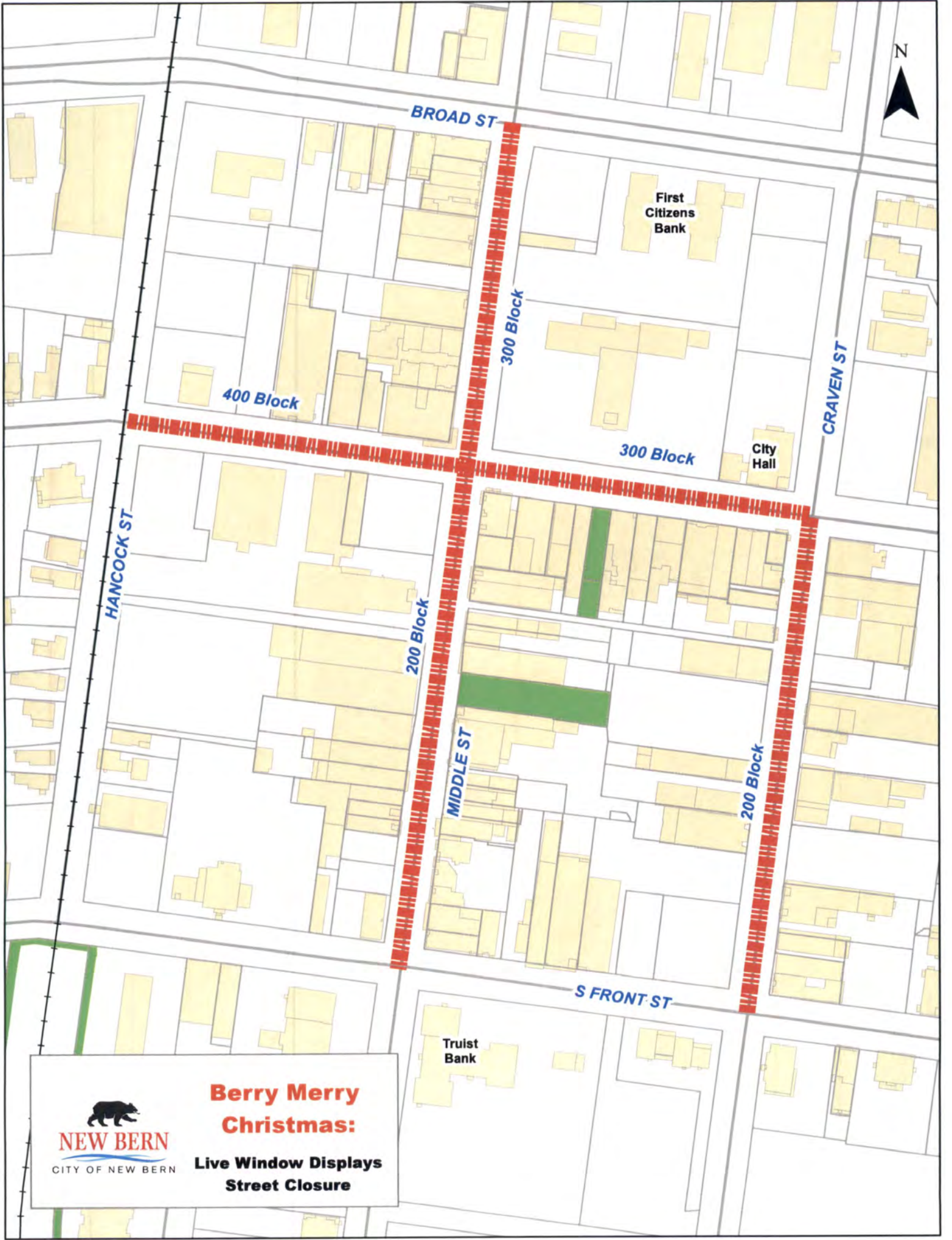
City Sponsored Event

☒ Yes ☐ No

Updated 6-3-2019

Beary Merry Christmas
Light Up the Season

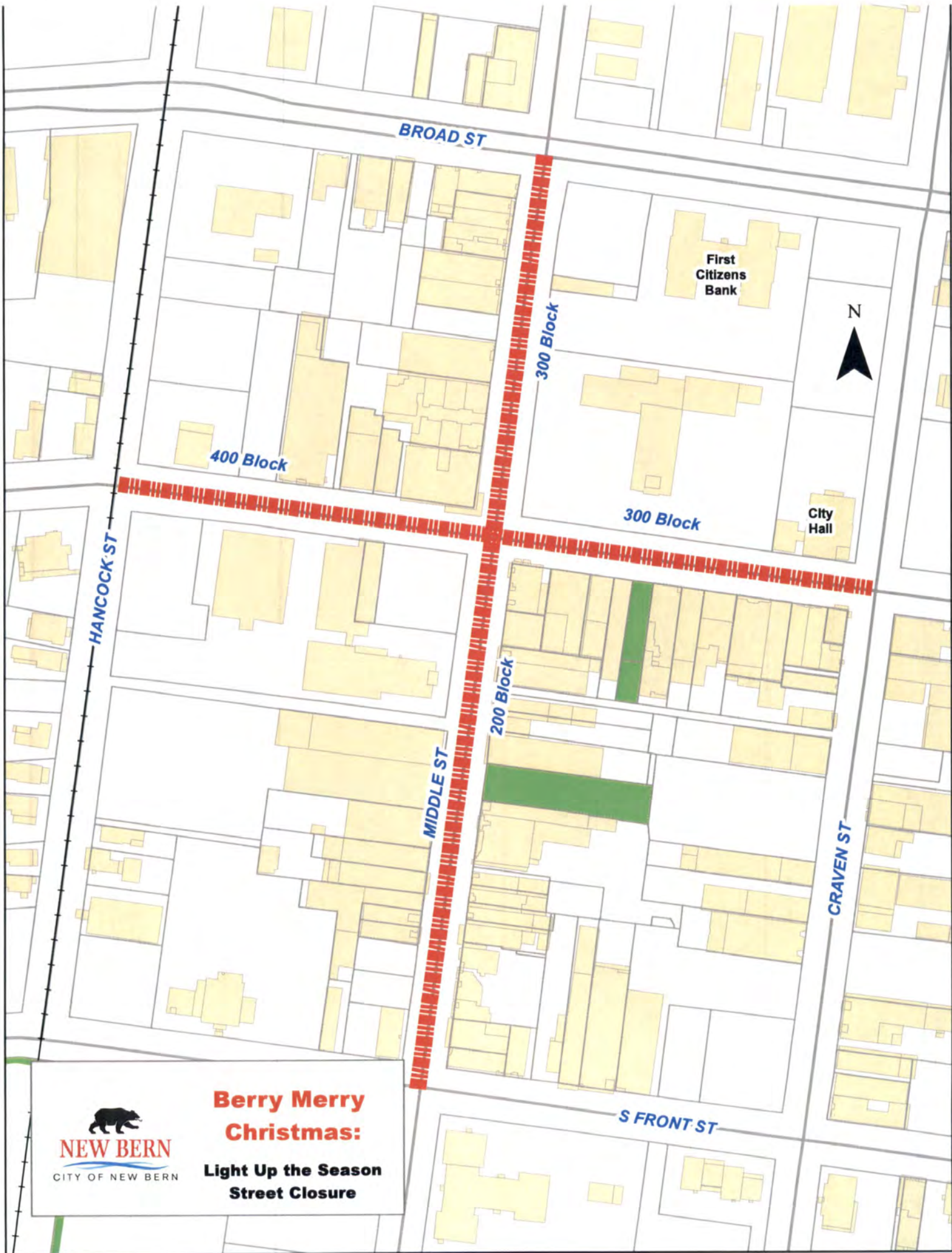





NEW BERN
CITY OF NEW BERN

Berry Merry Christmas:

**Live Window Displays
Street Closure**





NEW BERN
CITY OF NEW BERN

**Berry Merry
Christmas:**

**Light Up the Season
Street Closure**

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close portions of Pollock Street and Craven Street to vehicular traffic for the Annual New Years' Eve Celebration.

Date of Meeting: November 14, 2023	Ward # if applicable: Ward 1
Department: Parks & Recreation	Person Submitting Item: Kari Warren, Director of Parks & Recreation
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	<p>The Parks and Recreation Department has made a request to close the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street from 7:00 a.m. Sunday, December 31, 2023, until 3:00 a.m. Monday January 1, 2024:</p> <p>The 300 block of Pollock Street; and a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill, and the 300 block of Craven Street from 2:30 p.m. on Sunday, December 31, 2023 until 3:00 a.m. Monday, January 1, 2024.</p>
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution – Memo - Map
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item: N/A
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes: N/A

Aldermen

Rick Prill
Hazel B. Royal
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



Kari Warren, CPRP
Director of Parks & Recreation

Jeffrey T. Odham
Mayor

Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance



Date: October 31, 2023

Memo To: Mayor and Board of Aldermen

From: Kari Warren, CPRP *KW*
Director of Parks & Recreation

Re: Street Closures for the Annual New Year's Eve Celebration.

Background Information:

Parks and Recreation is requesting to close the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street from 7:00 a.m. Sunday, December 31, 2023 until 3:00 a.m. on Monday, January 1, 2024; The 300 block of Pollock Street; and a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill and the 300 block of Craven Street from 2:30 p.m. on Sunday, December 31, 2023 until 3:00 a.m. Monday, January 1, 2024. This family friendly event will have a variety of activities including live entertainment, food trucks, games, and activities for the entire family.

Recommendation:

The Director of Parks and Recreation recommends approval and request the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please let me know.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, the City of New Bern has scheduled its sixth annual New Year's Eve Celebration and requests that specific streets be closed to vehicular traffic as follows:

- December 31, 2023, from 7:00 a.m. until January 1, 2024, at 3:00 a.m.: the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street; and
- December 31, 2023, from 2:30 p.m. until January 1, 2024, at 3:00 a.m.: the 300 block of Pollock Street, a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill, and the 300 block of Craven Street; and

WHEREAS, signage will be posted at all affected areas, and the Director of Parks and Recreation recommends the streets be closed as requested.

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

1. That the following streets shall be closed as indicated for the City's sixth annual New Year's Eve Celebration:

- a) the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street shall be closed to vehicular traffic from 7:00 a.m. on Sunday, December 31, 2023, until 3:00 a.m. on Monday, January 1, 2024; and
- b) the 300 block of Pollock Street, a portion of the 200 block of Craven Street beginning at Morgan's Tavern & Grill to Pollock Street, and the 300 block of Craven Street shall be closed to vehicular traffic from 2:30 p.m. on Sunday, December 31, 2023, until 3:00 a.m. on Monday, January 1, 2024; and

2. Signage shall be posted in all affected areas.

ADOPTED THIS 14th DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK



BROAD ST

First
Citizens
Bank

City
Hall

Craven
Co. Tax

MIDDLE ST

POLLOCK ST

Dunn
Bldg.

Morgans
Restaurant

CRAVEN ST



NEW BERN
CITY OF NEW BERN

**New Years Eve
Block Party
Street Closure**

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close streets for Ghent Neighborhood Mardi Gras Parade and Festival/Block Party.

Date of Meeting: November 14, 2023	Ward # if applicable: Ward 1
Department: Parks & Recreation	Person Submitting Item: Kari Warren Director of Parks & Recreation
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	<p>Ghent Neighborhood association has requested to close the 1400-1900 blocks of Spencer Avenue beginning at 8th Street (Trolley Run) and ending at 2nd Street to vehicular traffic for its annual parade from 11:00 a.m. until 2:30 p.m.</p> <p>Also, the Association has requested the 1700-1800 blocks of Spencer Avenue be closed to vehicular traffic beginning at 5th Street and ending at 7th Street as well as 6th Street between Rhem and Park Avenues for their annual festival/block party from 8:00 a.m. until 6:00 p.m. on February 10, 2024.</p>
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution – Memo – Application - Map
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item: N/A
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes: N/A

Aldermen

Rick Prill
Hazel B. Royal
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



Kari Warren, CPRP
Director of Parks & Recreation

Jeffrey T. Odham
Mayor

Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance



Date: October 26, 2023

Memo To: Mayor and Board of Aldermen

From: Kari Warren, CPRP *h.w.*
Director of Parks & Recreation

Re: Ghent Neighborhood Association Mardi Gras Parade and Festival/Block Party.

Background Information:

Ghent Neighborhood Association has requested to close the 1400-1900 blocks of Spencer Avenue beginning at 8th Street (Trolley Run) and ending at 2nd Street to vehicular traffic for its annual parade from 11:00 a.m. until 2:30 p.m.

Also, the Association has requested the 1700-1800 blocks of Spencer Avenue be closed to vehicular traffic beginning at 5th Street and ending at 7th Street as well as 6th Street between Rhem and Park Avenues for their annual festival/block party from 8:00 a.m. until 6:00 p.m. on February 10, 2024.

Recommendation:

The Director of Parks and Recreation recommends approval and requests the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, the Ghent Neighborhood Association has scheduled its 8th annual Mardi Gras Parade and block party. The Association has requested the 1400-1900 blocks of Spencer Avenue beginning at 8th Street (Trolley Run) and ending at 2nd Street be closed to vehicular traffic on February 10, 2024, from 11:00 a.m. until 2:30 p.m. for the parade route; and

WHEREAS, the Association has also requested the 1700-1800 blocks of Spencer Avenue be closed to vehicular traffic beginning at 5th Street and ending at 7th Street as well as 6th Street between Rhem and Park Avenues for their annual festival/block party from 8:00 a.m. until 6:00 p.m. on February 10, 2024; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the streets be closed as requested.

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

That the 1400-1900 blocks of Spencer Avenue beginning at 8th Street (Trolley Run) and ending at 2nd Street be closed to vehicular traffic from 11:00 a.m. until 2:30 p.m. on February 10, 2024, for the Ghent Neighborhood Association's annual Mardi Gras parade; and

Further, that the 1700-1800 blocks of Spencer Avenue be closed to vehicular traffic beginning at 5th Street and ending at 7th Street, as well as 6th Street between Rhem and Park Avenues, from 8:00 a.m. until 6:00 p.m. on February 10, 2024, for the Ghent Neighborhood Association's festival and block party.

ADOPTED THIS 14TH DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK

Feb 10, 24
Saturday

RECEIVED

SEP 21 2023

CITY OF NEW BERN

APPLICATION FOR PUBLIC ASSEMBLY, PARADE & SPECIAL EVENTS IN CITY PARKS *APX*

This application is hereby made for a permit to hold a Public Assembly and/or Parade as described in the City of New Bern Code of Ordinances (Sec. 66-85; 66-86; and 66-87) – Public Assemblies and Parades. This application along with attachments must be presented at least **60 days prior** to the event date.

Festival – A concert, fair, festival, exhibit, athletic event, promotion, community event, block party, or similar event.

Parade – A march, ceremony, pageant, procession or other similar activities consisting of persons, animals, vehicles or things, or any combination thereof, that disrupts the normal flow of traffic upon any public street.

Public Assembly – A festival or demonstration which is reasonably anticipated to obstruct the normal flow of traffic upon any public street and that is collected together in one place; or a festival in any city-controlled park.

Name of Event/Activity: New Bern Mardi Gras

Organization Name: Ghent Neighborhood Association

Responsible Contact: Nancy Hill

Address: 1903 Spencer Avenue

City: New Bern State: NC Zip code: 28560

Phone: 252-649-1155 Alternate Phone: 214-733-3153

Email: nahill2000-nb@yahoo.com

Type of Event:

☐ Demonstration

☒ Festival

☒ Parade

Date of Event: 2/10/2024

Proposed Rain Date: N/A

Event Set up time: 8 am

Event Tear Down Completed Time: 6 pm

Event Start Time: 11 am

Event End Time: 5 pm

What is the specific location and/or route of the proposed event? (Attach additional information if needed)

Vendors and entertainment will be set up on Spencer Avenue between 5th and 7th Streets. The parade will start at 8th Street (Trolley Run) and go down Spencer Avenue to 2nd Street.

Note: A detailed map of the proposed route as well as a specific list of streets is required. The specific location of the Public Assembly must include the aerial overview with location marked. **Festivals/Events require detailed aerial map with complete layout.**

What is the purpose of this event? Please be detailed in your description - (Attach additional information if needed)

Ghent's annual Mardi Gras parade and festival. (see attachments for more detail)

Estimated attendance: 750; Attendance not to exceed: 1000

*Note: If more than 1,000 in attendance is expected 1) **Proof of Crowd Manager Training Certification is required.** Training is available at the following link: http://www.newbernnc.gov/departments/fire_department/crowd_manager_training.php 2) **Public Safety Plan is required. Information must be submitted with application.** For additional info, please contact the Fire Marshall at 252-639-2931.

Tents # _____ Sizes _____ Provide additional info as needed (Note: Tents 700 sq. ft. or bigger must be inspected by Fire Marshall.)

How will you handle trash generated from the event?

We are requesting # 8 trash cans.

☐ We will provide our own bags & dispose of any trash generated ourselves.

☒ We request that City Staff dispose of all trash generated. We understand additional fees will be charged for this service, including the cost of labor, and materials (bags, etc.) used.

Alcohol pending ABC permit & City Manager approval

Are you requesting any City of New Bern Street Closures?

☒ Yes*

☐ No

*Any street closures require approval of the Board of Aldermen. Street closures must be received **at least 60 days in advance** for consideration. Street closures require barricades. A fee of \$5.00 per barricade must be paid 48 business hours prior to the event.

***What Street(s) are you requesting to close? Be specific:** The festival will be limited to Spencer Avenue between 5th and 7th Streets. A stage for entertainment will be set up at 6th and Spencer, requiring 6th Street to be closed from Rhem to Park. The parade will run down Spencer from 8th to 2nd. (Maps and times are attached.)

Are you requesting any State Road or Bridge closures?

☐ Yes*

☒ No

*If yes, a 90 day notice and application is required by the NCDOT for in order to consider state roads or bridges. For additional information, please call NCDOT Office at 252-439-2816. The State Road/Bridge Closure permit must be attached to this application.

If this event includes the use of floats, vehicles, placards, loud speakers, or mechanical devices of any type, please provide a detailed explanation of their use, purpose and number. _____

Will Inflatables or other Play features be part of this event? ☐ Yes ☒ No (Additional insurance may be required)

Will Food Vendors or Commercial/Non-Profit vendors be part of this event? ☒ Yes ☐ No

(If you answered YES, Additional Fees apply. A detailed list of all vendors is required.)

The following items are required and must be attached at the time of Application:

- ☒ A detailed map – including the location, route with beginning and ending point and street names included.
- ☒ Petition of Signatures – of business/residents affected – If roads are closed.

The following items are required within two (2) business days of the event or event shall be cancelled:

- ☐ Certificate of Insurance – Listing the City of New Bern, PO Box 1129, New Bern, NC as "Additional Insured".
- ☐ List of all food/commercial/non-profit vendors.
- ☐ Payment in full of applicable fees and charges.

I attest that I am authorized on behalf of this group/organization to request the permit for the activities prescribed herein. I understand that this application must be submitted with full details and attachments. I understand that additional fees and charges may be incurred. Those charges include set-up tear down time for staff, rental of barricades, Public Safety, Trash collection, damages, etc. I further understand that failure to provide the requested information within the specified timelines shall result in application being denied. I agree to indemnify and hold harmless the City of New Bern, its departments, agents, employees, officials and volunteers for any injury, illness or damage to person or property during this activity.

The following items must be submitted with Application:

- ☒ Completed & Signed Application
- ☒ Detailed maps of parade route and/or festival layout
- ☒ Petition of signatures (if road closure is requested)
- ☐ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

Nancy A. Hill
Authorized Signature

9/20/2024
Date

All documents have been provided and this application is recommended for approval

Administrative Support Supervisor

Date

This application has been approved.

Shari Waneh
Director of Parks & Recreation

10-30-2023
Date

Total Anticipated Charges

Barricades: # 14
\$ 70

Trash Collection: \$ 180 425

City Staff: # 2
\$ _____

Vendor Fees # TBD
\$ _____

Park/Facility Rental: \$ _____

Total Due: \$ _____

• ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____

• ☒ Approved by Department

Date: 10-30-23

Staff Initials: KW

• ☒ Submitted for Board Approval

Date: 11-3-23

Staff Initials: KW

• ☐ All Paperwork collected

Date: _____

Staff Initials: _____

• ☐ All fees collected \$ _____

Date: _____

Staff Initials: _____

City Sponsored Event

☐ Yes ☒ No

Updated 6-3-2019

Attachment to Application for Parade Permit

Event: New Bern Mardi Gras in Historic Ghent

Date: February 10, 2024

Scope: Applicant (Ghent Neighborhood Association) seeks a permit for the Eighth Annual New Bern Mardi Gras in Historic Ghent parade and festival. Attendance for this event is approximately 750 to 1,000, and is not age specific.

Festival: The festival location will be Spencer Avenue between 5th and 7th Streets, with the stage at 6th and Spencer. Set-up for the stage and vendors begins at 8 am, with tear-down and clean-up beginning at 5 pm. The number of vendors expected is around 20 to 25 (combination of food and non-food); final numbers will be provided no later than two weeks prior to the event.

Race: Staging for the Mardi Gras Mile race takes place at Spencer Avenue and 6th Street beginning at 11:30 am, with a race start time of 12:00 pm. Runners head east on Spencer to 2nd Street, then turn around and head west on Spencer back to 6th.

Parade: Staging for the parade takes place on 8th Street just south of Spencer Avenue, beginning at 10:30 am, with all participants in place by 1:00 pm for a parade start time of 1:30 pm. We anticipate 20 to 25 entries for parade participants.

Beer Garden: There will be a vendor (Brutopia) selling beer within a 10' x 30' consumption area roped off with "No Alcohol Beyond This Point" signage posted.

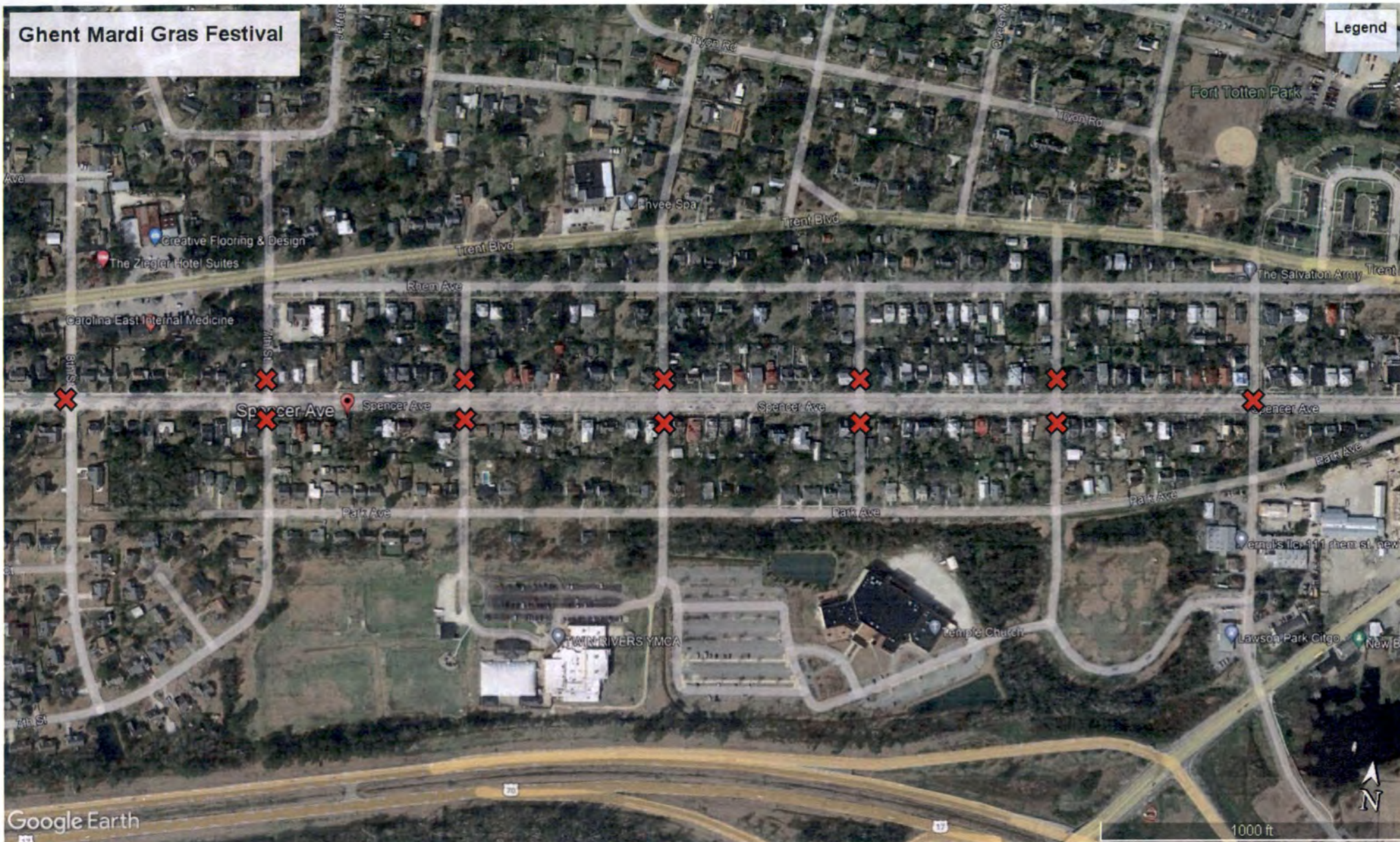
Electricity: We request use of the electrical hook-up at the lamp post at 6th and Spencer to provide power for the stage events.

Parking: The Temple Church parking lot will be available for the event, and we will be directing all non-resident participants to park there.

PETITION INFORMING NEIGHBORS OF NEW BERN MARDI GRAS

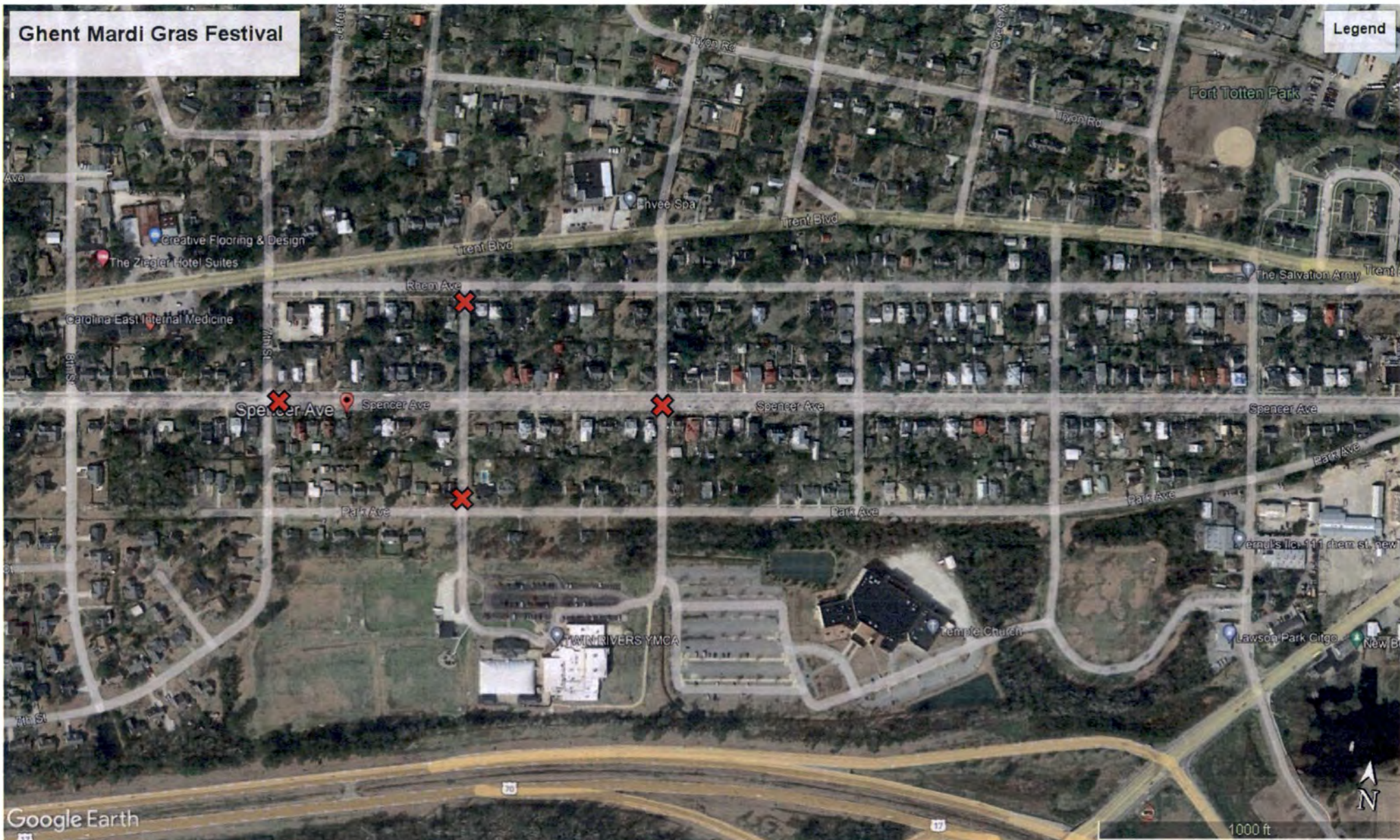
Mardi Gras Festival is scheduled for Saturday, February 10, 2024. I understand the 1700 & 1800 blocks of Spencer Ave. will be closed from 8 a.m. till 6 p.m. on that day in order to accommodate the festival. The parade will set up at 8th St. & Spencer Ave (at Trolley Run), start at 1:30 p.m. & go from 8th St. and Spencer Ave. toward 2nd St. and Spencer Ave. Vendors & entertainment will be set up on Spencer Ave. between 5th Street and 7th Street.

PRINTED NAME	SIGNATURE	ADDRESS	DATE
HANNA MARRETT	Hanna Marrett	1702 Spencer Ave	9/8/2023
Robin Warren	Robin Warren	1701 Spencer Ave	9/8/23
Tat Chylko	Tat Chylko	1707 Spencer	9-8-23
Angele Joyanovich	Angele Joyanovich	1703 Spencer	9-8-23
Eric Norvell	Eric Norvell	1722 Spencer	9-8-23
Catherine McCormack	Catherine McCormack	1624 Spencer	9-9-23
Jay McCormack	Jay McCormack	1624 Spencer	9-9-23
Bob Hunt	Bob Hunt	1720 Spencer	9-10-23
Valerie Syron	Valerie Syron	1715 Spencer	9-10-23
Caurie Ellsworth	Caurie Ellsworth	1718 Spencer	9-10-23
ANTHONY LOPE	Anthony Lopez	1821 B SPENCER	9-10-23
Betty Bianco	Betty Bianco	211 7th St	9-10-23
Nancy Bradley	Nancy Bradley	1811 Spencer	9/10/23
Sarah Allott	Sarah Allott	1806 Spencer Ave	9/12/23
Meagan Gerhardt	Meagan Gerhardt	1714 Spencer	9/12/23
David Rindell	David Rindell	1720 Spencer	9/16/23
JOE KIVERA	Joe Kivera	1821 SPENCER	11/11/23
Nathan Ellis	Nathan Ellis	1709 Spencer	9/16/23
Robert Andrews	Robert Andrews	1717 Spencer	9/16/23
William/Diane Moseley	William/Diane Moseley	1809 Spencer	9/16/23
Blaine Staat + Leigh-Am	Blaine Staat + Leigh-Am	1721 Spencer	9/16/23
JOHN LEE	John Lee	1706 Spencer	9/16/23
Danathue B.	Danathue Biedermann	1719 Spencer	9/16/23
FRANK DUFFY	Frank Duffy	1814 SPENCER	9/16/23
Dianne Toulson	Dianne Toulson	1824 Spencer	9/16/23
TIMOTHY BATES	Timothy Bates	1801 Spencer	9/17/23
Janet Francoeur	Janet Francoeur	1801 Rhen	9/17/23



Ghent Neighborhood Association Mardi Gras Parade/Block Party

The parade will run down Spencer Avenue from 8th Street to 2nd Street
11:00am - 2:30pm



Ghent Neighborhood Association Mardi Gras Block Party
Festival will remain on Spencer Avenue from 7th Street to 5th Street
8:00am - 6:00pm

Festival – 8 am to 6 pm

The festival area (Spencer Ave between 5th & 7th and 6th St between Rhem & Park) will be closed to non-emergency traffic by movable barriers from 8 am (to allow for set-up of vendors and sanitation facilities) until the conclusion of the event at 6 pm (final hour to allow for clean-up).

Race / Parade – 11 am to 2:30 pm

The race and parade route (Spencer Ave from 8th to 2nd) will be closed to non-emergency traffic by movable barriers from 11 am to 2:30 pm

X = Festival Barricades

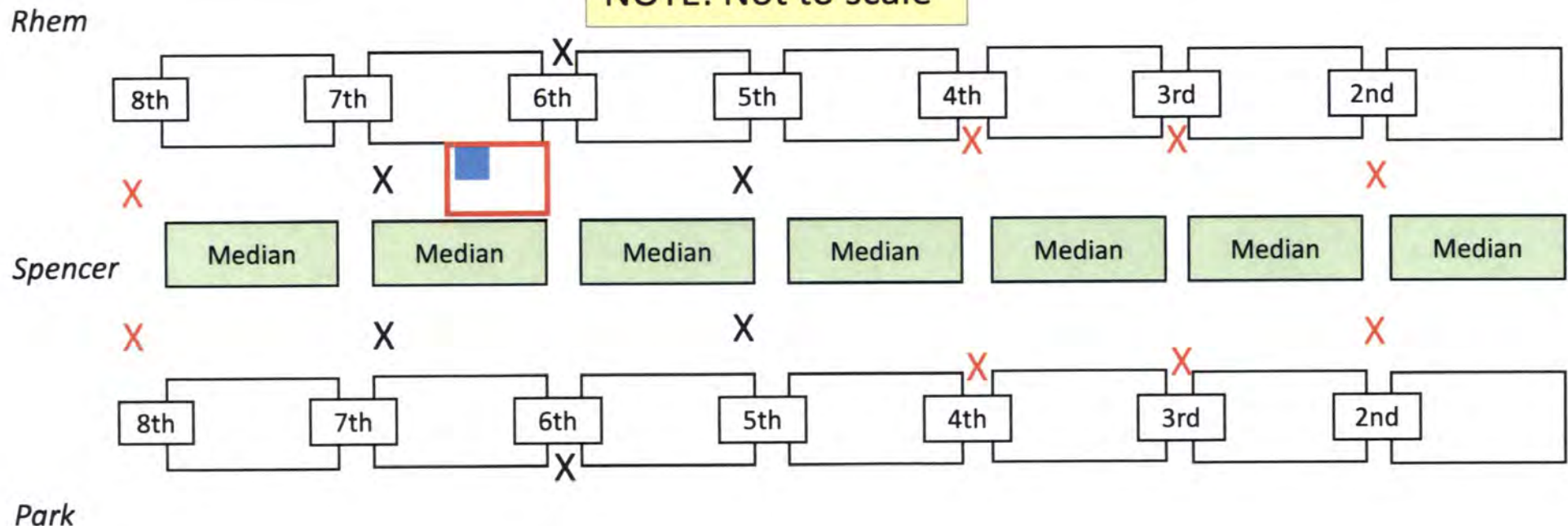
X = Race / Parade Barricades



= Beer Vendor 10' x 10' tent

= Consumption Area 15' x 30' roped off

NOTE: Not to scale



AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close streets for Vision Forward's annual Black History Parade.

Date of Meeting: November 14, 2023	Ward # if applicable: Ward 1, 2, 5
Department: Parks & Recreation	Person Submitting Item: Kari Warren Director of Parks & Recreation
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	Vision Forward has made a request to close the 500-700 blocks of Third Avenue, 700-1200 blocks of Broad Street, 700-900 blocks of Queen Street, 600 block of George Street, and 700-1200 blocks of Cedar Street to vehicular traffic for Vision Forward's annual Black History parade from 10:00 a.m. until 2:30 p.m. on February 17, 2024, with a rain date of February 24, 2024
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution – Memo – Application - Map
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item: N/A
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes: N/A

Aldermen

Rick Prill
Hazel B. Royal
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



Kari Warren, CPRP
Director of Parks & Recreation

Jeffrey T. Odham
Mayor

Foster Hughes
City Manager

Brenda E. Blanco
City Clerk

Kimberly A. Ostrom
Director of Finance



Date: October 27, 2023

Memo To: Mayor and Board of Aldermen

From: Kari Warren, CPRP *KW*
Director of Parks & Recreation

Re: Vision Forward Black History Parade

Background Information:

Vision Forward has made a request to close the 500-700 blocks of Third Avenue, 700-1200 blocks of Broad Street, 700-900 blocks of Queen Street, 600 block of George Street, and 700-1200 blocks of Cedar Street to vehicular traffic for Vision Forward's annual Black History Parade from 10:00 a.m. until 2:30 p.m. on February 17, 2024, with a rain date of February 24, 2024.

Recommendation:

The Director of Parks and Recreation recommends approval and request the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, Vision Forward is planning their annual Black History Parade and has requested that specific streets be closed to vehicular traffic from 10:00 a.m. until 2:30 p.m. on Saturday, February 17, 2024, with a rain date of February 24, 2024. Those streets are the 500-700 blocks of Third Avenue, 700-1200 blocks of Broad Street, 700-900 blocks of Queen Street, 600 block of George Street, and 700-1200 blocks of Cedar Street. The organizer has also requested the use of Henderson Park; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the streets be closed as requested.

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

That the 500-700 blocks of Third Avenue, 700-1200 blocks of Broad Street, 700-900 blocks of Queen Street, 600 block of George Street, and 700-1200 blocks of Cedar Street shall be closed to vehicular traffic from 10:00 a.m. until 2:30 p.m. on February 17, 2024, with a rain date of February 24, 2024, and organizers shall have use of Henderson Park for Vision Forward's annual Black History Parade.

ADOPTED THIS 14th DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK

RECEIVED

JUL 12 2023

BY: C. H. S.**CITY OF NEW BERN****APPLICATION FOR PUBLIC ASSEMBLY, PARADE & SPECIAL EVENTS IN CITY PARKS**

This application is hereby made for a permit to hold a Public Assembly and/or Parade as described in the City of New Bern Code of Ordinances (Sec. 66-85; 66-86; and 66-87) – Public Assemblies and Parades. This application along with attachments must be presented at least **60 days prior** to the event date.

Festival – A concert, fair, festival, exhibit, athletic event, promotion, community event, block party, or similar event.

Parade – A march, ceremony, pageant, procession or other similar activities consisting of persons, animals, vehicles or things, or any combination thereof, that disrupts the normal flow of traffic upon any public street.

Public Assembly – A festival or demonstration which is reasonably anticipated to obstruct the normal flow of traffic upon any public street and that is collected together in one place; or a festival in any city-controlled park.

Name of Event/Activity: 2024 BLACK HISTORY PARADEOrganization Name: VISION FORWARDResponsible Contact: MR. VICTOR TAYLORAddress: 2817 WALTER DR.City: NEW BERN State: NC Zip code: 28562Phone: 252-617-2537 Alternate Phone: N/AEmail: VJTAYLOR123@YAHOO.COMType of Event: ☐ Demonstration ☐ Festival ☒ ParadeDate of Event: 2-17-2024 Proposed Rain Date: 2-24-2024Event Set up time: 10 AM Event Tear Down Completed Time: 2:30 PMEvent Start Time: 12 PM Event End Time: 2 PM

What is the specific location and/or route of the proposed event? (Attach additional information if needed)

SEE ATTACHED MAP

Note: A detailed map of the proposed route as well as a specific list of streets is required. The specific location of the Public Assembly must include the aerial overview with location marked. **Festivals/Events require detailed aerial map with complete layout.**

What is the purpose of this event? Please be detailed in your description - (Attach additional information if needed)

*BLACK HISTORY PARADE * ENTERTAIN + EDUCATEEstimated attendance: 500; Attendance not to exceed: 1000

*Note: If more than 1,000 in attendance is expected 1) Proof of Crowd Manager Training Certification is required. Training is available at the following link: http://www.newbernnc.gov/departments/fire_department/crowd_manager_training.php 2) Public Safety Plan is required. Information must be submitted with application. For additional info, please contact the Fire Marshall at 252-639-2931.

Tents # N/A Sizes N/A Provide additional info as needed (Note: Tents 700 sq. ft. or bigger must be inspected by Fire Marshall.)**How will you handle trash generated from the event?**We are requesting # trash cans.☐ We will provide our own bags & dispose of any trash generated ourselves.☐ We request that City Staff dispose of all trash generated. We understand additional fees will be charged for this service, including the cost of labor, and materials (bags, etc.) used.

Are you requesting any City of New Bern Street Closures?

☒ Yes*

☐ No

*Any street closures require approval of the Board of Aldermen. Street closures must be received **at least 60 days in advance** for consideration. Street closures require barricades. A fee of **\$5.00 per barricade** must be paid 48 business hours prior to the event.

*What Street(s) are you requesting to close? Be specific: CITY SPONSORED - SEE ATTACHED

MAP -

Are you requesting any State Road or Bridge closures?

☐ Yes*

☒ No

*If yes, a 90 day notice and application is required by the NCDOT for in order to consider state roads or bridges. For additional information, please call NCDOT Office at 252-439-2816. The State Road/Bridge Closure permit must be attached to this application.

If this event includes the use of floats, vehicles, placards, loud speakers, or mechanical devices of any type, please provide a detailed explanation of their use, purpose and number. VARIOUS TYPES OF VEHICLES WILL BE

USED DURING THE PARADE -

Will Inflatables or other Play features be part of this event?

☐ Yes

☒ No (Additional insurance may be required)

Will Food Vendors or Commercial/Non-Profit vendors be part of this event?

☐ Yes

☒ No

(If you answered YES, Additional Fees apply. A detailed list of all vendors is required.)

The following items are required and must be attached at the time of Application:

☐ A detailed map - including the location, route with beginning and ending point and street names included.

☐ Petition of Signatures - of business/residents affected - If roads are closed.

The following items are required within **two (2) business days of the event or event shall be cancelled:**

☐ Certificate of Insurance - Listing the City of New Bern, PO Box 1129, New Bern, NC as "Additional Insured".

☐ List of all food/commercial/non-profit vendors.

☐ Payment in full of applicable fees and charges.

I attest that I am authorized on behalf of this group/organization to request the permit for the activities prescribed herein. I understand that this application must be submitted with full details and attachments. I understand that additional fees and charges may be incurred. Those charges include set-up tear down time for staff, rental of barricades, Public Safety, Trash collection, damages, etc. I further understand that failure to provide the requested information within the specified timelines shall result in application being denied. I agree to indemnify and hold harmless the City of New Bern, its departments, agents, employees, officials and volunteers for any injury, illness or damage to person or property during this activity.

The following items must be submitted with Application:

☐ Completed & Signed Application

☐ Detailed maps of parade route and/or festival layout

☐ Petition of signatures (if road closure is requested)

☐ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

[Signature]
Authorized Signature

7-13-23
Date

All documents have been provided and this application is recommended for approval

Administrative Support Supervisor

Date

This application has been approved.

[Signature]
Director of Parks & Recreation

10-30-23
Date

Total Anticipated Charges

Barricades: # _____

\$ _____

Trash Collection:

\$ _____

City Staff:

\$ _____

Vendor Fees

\$ _____

Park/Facility Rental:

\$ _____

Total Due:

\$ 0

• ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____

• ☒ Approved by Department

Date: 10-30-23

Staff Initials: KW

• ☒ Submitted for Board Approval

Date: 11-3-23

Staff Initials: KW

• ☐ All Paperwork collected

Date: _____

Staff Initials: _____

• ☐ All fees collected \$ _____

Date: _____

Staff Initials: _____

City Sponsored Event

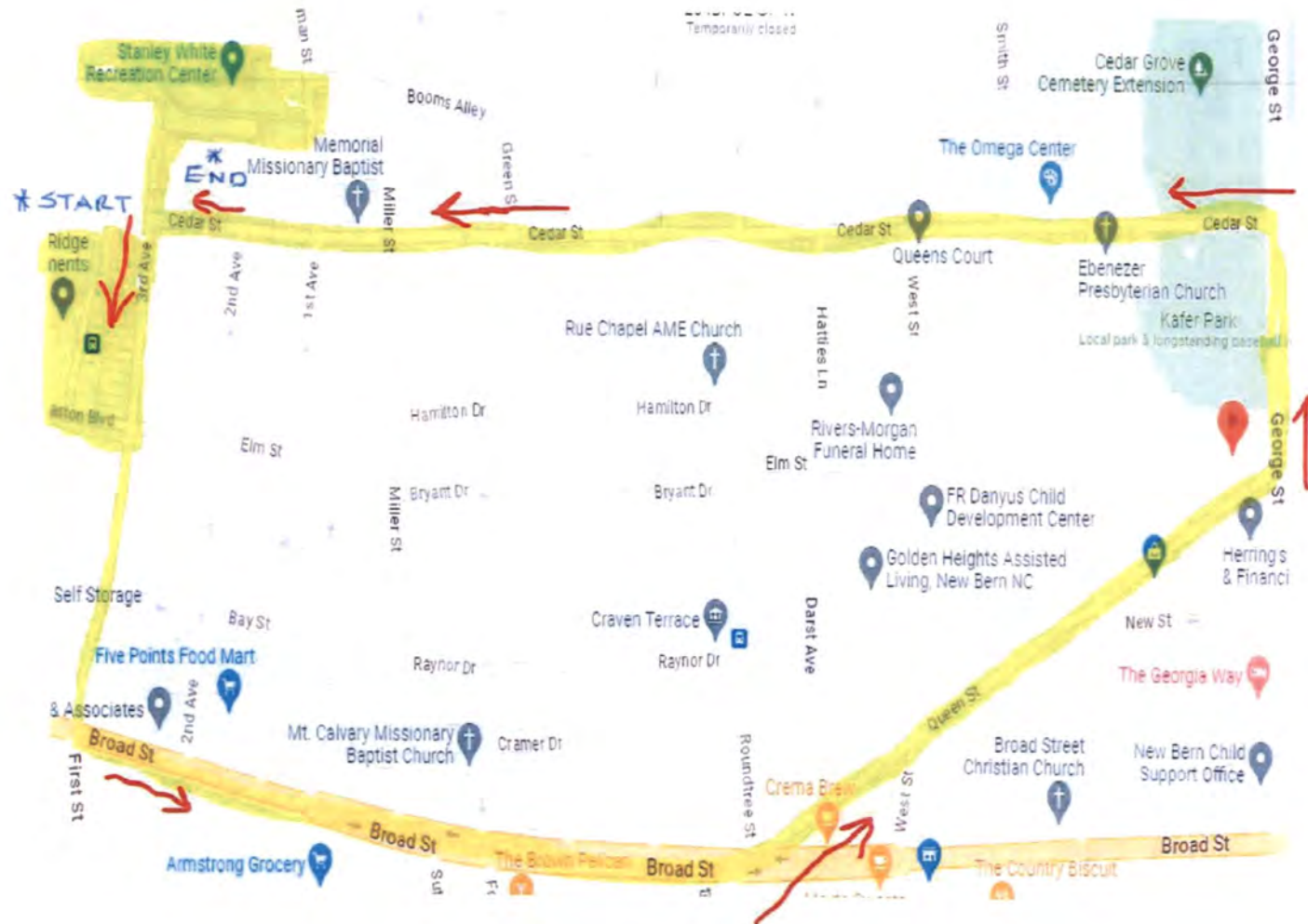
☒ Yes ☐ No

Updated 6-3-2019

2024 Black History Parade Route

Starting point is 3rd Ave turning right on Broad and left on Queen Street to George turning left on Cedar Street

This is a New Bern City sponsored event.



SAVE THE DATE
BLACK
HISTORY
MONTH

PARADE

February 17, 2024

Rain Date:

February 24, 2024

New Bern, NC



*For more information contact:
Victor J. Taylor ~ 252-617-2537*

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Calling for a Public Hearing on the Substantial Amendment to FY 2020 & 2021 Annual Action Plans of the Community Development Block Grant (CDBG) Program.

Date of Meeting: 11/14/2023	Ward # if applicable: N/A
Department: Development Services	Person Submitting Item: D'Aja Fulmore, Community Development Coordinator
Call for Public Hearing: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date of Public Hearing: 11/28/2023

Explanation of Item:	The City of New Bern previously adopted its FY 2020 and 2021 Annual Action Plans and Budgets for the use of CDBG funds. In accordance with CDBG program regulations, the City is allowed to make substantial amendments to its Annual Action Plans and Budgets in accordance with the City's Citizen Participation Plan. The City has determined that it is necessary to amend the CDBG program year budgets for the previously approved Annual Action Plans. The funds will remain the same, but a new scope of work will be added.
Actions Needed by Board:	Adopt Resolution
Backup Attached:	Memo, Resolution
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



MEMORANDUM

TO: Mayor Jeffrey Odham, City of New Bern Board of Aldermen

FROM: D'Aja Fulmore, Community Development Coordinator

DATE: November 3, 2023

SUBJECT: Consider Adopting a Resolution Calling for a Public Hearing on the Substantial Amendment to FY 2020 & 2021 Annual Action Plans of the Community Development Block Grant (CDBG) Program.

Background Information:

The purpose of this agenda item is to call for a public hearing to present substantial amendments to the City of New Bern's FY 2020 and 2021 Annual Action Plans for the use of Community Development Block Grant (CDBG) funds.

The City of New Bern previously adopted its FY 2020 and 2021 Annual Action Plans and Budgets for the use of CDBG funds. In accordance with CDBG program regulations, the City is allowed to make substantial amendments to its Annual Action Plans and Budgets in accordance with the City's Citizen Participation Plan.

The City has determined that it is necessary to amend the CDBG program year budgets for the previously approved Annual Action Plans. The funds will remain the same, but a new scope of work will be added.

The substantial amendments to the CDBG Annual Action Plans are proposed as follows:

FY 2020 Program Year

IDIS # 34 - Housing Rehabilitation in the Five Points Area: The City is amending the project scope by changing it to the following: "Funds will be provided to the

Redevelopment Commission to be used to rehabilitate a single-family home, which will be donated to Habitat for Humanity and sold to an eligible low- and moderate-income household in the Greater Five Points Area of the City. This is a multi-year activity." The line-item budget amount will not change.

FY 2021 Program Year

IDIS # 37 - Housing Rehabilitation in the Five Points Area: The City is amending the project scope by changing it to the following: "Funds will be provided to the Redevelopment Commission to be used to rehabilitate a single-family home, which will be donated to Habitat for Humanity and sold to an eligible low- and moderate-income household in the Greater Five Points Area of the City. This is a multi-year activity." The line-item budget amount will not change.

The following timeline has been developed for submission of the FY 2020 and 2021 Substantial Amendment:

- Tuesday, November 14, 2023-Call for Public Hearing at Board of Aldermen Meeting.
- Tuesday, November 28, 2023- Public Hearing for Substantial Amendment at Board of Aldermen Meeting.
- Tuesday, December 12, 2023- Adoption of Substantial Amendment by Board of Aldermen.
- Wednesday, December 13, 2023- Submission of Substantial Amendment to HUD in IDIS by CDBG Staff.

Recommendation:

Consider Adopting a Resolution Calling for a Public Hearing on the Substantial Amendment to FY 2020 & 2021 Annual Action Plans of the Community Development Block Grant (CDBG) Program.

If you have any questions or need additional information, please contact D'Aja Fulmore at 252-639-7586 or Chris Seaberg at 252-639-7580.

RESOLUTION

WHEREAS the Board of Aldermen of the City of New Bern desires to call for a public hearing to receive public comments on the Substantial Amendment to FY 2020 & 2021 Annual Action Plans of the Community Development Block Grant (CDBG) Program.

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. on Tuesday, November 28, 2023 in the City Hall Courtroom, or as soon thereafter as the matter may be reached, in order that all interested parties may be given an opportunity to be heard on the proposed Substantial Amendment to FY 2020 & 2021 Annual Action Plans of the Community Development Block Grant (CDBG) Program.

ADOPTED THIS THE 14TH DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to Initiate the Upset Bid Process for 607 Bern Street

Date of Meeting: 11/14/2023	Ward # if applicable: 1
Department: City Clerk	Person Submitting Item: Brenda Blanco
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	Philip Hedrick has tendered an offer of \$4,375 for the purchase of 607 Bern Street, PID 8-007-276. The property is a vacant 0.068-acre residential lot that was acquired by the City and County in 2014 through tax foreclosure. In 2015, the County transferred its interest to the City.
Actions Needed by Board:	Consider adopting the resolution
Backup Attached:	Memo, resolution, offer to purchase, map and pictures of the property
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen

Rick Prill
Hazel B. Royal
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



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

Jeffrey T. Odham

Mayor

Foster Hughes

City Manager

Brenda E. Blanco

City Clerk

Kimberly A. Ostrom

Director of Finance

MEMO TO: Mayor and Board of Aldermen

FROM: Brenda Blanco, City Clerk

DATE: November 03, 2023

SUBJECT: Offer to Purchase 607 Bern Street

Philip Hedrick has submitted a bid of \$4,375 for the purchase of 607 Bern Street. The property is a vacant 0.068-acre residential parcel with a tax value of \$8,750. It was acquired jointly by the City and County in April of 2014 through tax foreclosure. At that time, the property included a house that was in disrepair. Since the City bore the full cost of demolition, in May of 2015 the County transferred to the City its interest in the property.

/beb

RESOLUTION

THAT WHEREAS, the City of New Bern owns certain real property identified as 607 Bern Street, Craven County parcel identification number 8-007-276; and

WHEREAS, North Carolina General Statute § 160A-269 permits the City to sell property by upset bid after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the above described property in the amount of \$4,375.00 submitted by Philip Hedrick; and

WHEREAS, Philip Hedrick has paid the required five percent (5%) deposit on the offer.

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

Section 1. The Board of Aldermen of the City of New Bern authorizes the sale of its interest in the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

Section 2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

Section 3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

Section 4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Aldermen.

Section 5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

Section 6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check or

certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset bid if a qualifying higher bid is received. If the City and County accept the final high bid, the deposit of the final high bidder will be applied to the purchase price at closing, and if the final high bidder is unable to complete the purchase of the property, the deposit shall be forfeited.

Section 7. The terms of the final sale are:

(a) The Board of Aldermen must approve the final high offer before the sale is closed, which it may do within thirty (30) days after the final upset bid period has passed; and

(b) The buyer must pay with cash at the time of closing.

Section 8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted, and the right to reject all bids at any time, specifically including the initial offer.

Section 9. If no qualifying upset bid is received after the initial public notice, and if the offer set forth above has not been subsequently rejected, the offer set forth above is hereby accepted, and the appropriate city officials are authorized to execute the instruments necessary to convey the property to Philip Hedrick.

ADOPTED THIS 14th DAY OF NOVEMBER, 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK

NORTH CAROLINA

OFFER TO PURCHASE AND CONTRACT

Craven County

PHILIP HEDRICK, as Buyer, hereby offers to purchase and **CITY OF NEW BERN**, as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below (hereafter referred to as the "Property"), upon the following terms and conditions:

1. **REAL PROPERTY:** Located in or near the City of New Bern, Craven County, North Carolina, being known as and more particularly described as:

Street Address: 607 BERN ST.

Subdivision Name: -

Tax Parcel ID No.: B-007-276

Plat Reference: -

Being all of that property more particularly described in Deed Book 3355, Page 628 in the Craven County Registry.

2. **PURCHASE PRICE:** The purchase price is \$ 4375 and shall be paid as follows:

(a) \$ 218.75, EARNEST MONEY DEPOSIT with this offer by ☐ cash ☐ bank check ☒ certified check to be held by Seller until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise properly terminated. In the event this offer is not accepted, then all earnest monies shall be refunded to Buyer. In the event of breach of this contract by Seller, all earnest monies shall be refunded to Buyer upon Buyer's request. In the event of breach of this contract by Buyer, then all earnest monies shall be forfeited to Seller upon Seller's request, but such forfeiture shall not affect any other remedies available to Seller for such breach.

(b) \$ 4156.25, BALANCE of the purchase price in cash or readily available funds at Closing.

3. **CONDITIONS:**

(a) This contract is not subject to Buyer obtaining financing.

(b) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.

(c) The Property is being sold subject to all liens and encumbrances of record, if any.

(d) Other than as provided herein, the Property is being conveyed "as is".

(e) This contract is subject to the provisions of G.S. §160A-269. Buyer acknowledges that this contract is subject to certain notice provisions and the rights in others to submit upset bids in accordance therewith.

(f) Title shall be delivered at Closing by QUITCLAIM DEED

4. **SPECIAL ASSESSMENTS:** Seller makes no warranty or representation as to any pending or confirmed governmental special assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners' association special assessments. Buyer shall take title subject to all pending assessments, if any.

5. **PAYMENT OF TAXES:** Any ad valorem taxes to which the Property is subject shall be paid in their entirety by Buyer.

6. **EXPENSES:** Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed and its legal fees. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this agreement, and for any excise tax (revenue stamps) required by law.

7. **EVIDENCE OF TITLE:** Not Applicable.

8. **CLOSING:** Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with Closing and transfer of title within thirty (30) days of the granting of final approval of the sale by the City of New Bern's Board of Aldermen pursuant to G.S. §160A-269. The deed is to be made to

PHILIP HEDRICK

9. **POSSESSION:** Unless otherwise provided herein, possession shall be delivered at Closing.

10. **PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:**

(a) This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is." Seller makes no representation as to water, sewer, conditions, title, access, or fitness for any intended use.

(b) **CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.**

11. **RIGHT OF ENTRY, RESTORATION AND INDEMNITY:** Buyer and Buyer's agents and contractors shall not have the right to enter upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnity shall survive this contract and any termination hereof.

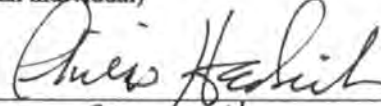
12. **OTHER PROVISIONS AND CONDITIONS:** (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH HERETO.): None.

Buyer Initials PH Seller Initials _____

13. **RISK OF LOSS:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.
14. **ASSIGNMENTS:** This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).
15. **PARTIES:** This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
16. **SURVIVAL:** If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.
17. **ENTIRE AGREEMENT:** This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.
18. **NOTICE AND EXECUTION:** Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:

(If an individual)

 (SEAL)
Name: PHILIP HEDRICK
Date: 11-2-23
Address: 1506 TRENT BLVD
NB, NC 28560
Phone: 252-670-8600

SELLER

CITY OF NEW BERN

By: _____ (SEAL)
Its: _____
Date: _____

(If a business entity)

By: _____ (SEAL)
Its: _____
Address: _____
Phone: _____

Buyer Initials



Seller Initials

Craven County Geographic Information System



Craven County does NOT warrant the information shown on this page and should be used ONLY for tax assessments purposes. Page generated on 11/2/2023 at 11:36:41 AM

PARCEL ID : 8-007 -276

Owner :	NEW BERN-CITY OF		
Mailing Address :	PO BOX 1129 NEW BERN, NC 28563		
Address of Property :	607 BERN ST		
Subdivision :			
Property Description :	607 BERN ST		
Assessed Acreage :	0.068		
Deed Book Page :	3355 0628	Deed Recording Date :	5 14 2015
Land Value :	\$8,750	Recorded Survey :	
Total Improvement(s) Value :	\$0	Life Estate Deed :	
Total Assessed Value :	\$8,750	Estate File Year-E-Folder :	
Number of Improvements:	0	Tax Exempt :	Yes
City Name :	NEW BERN	Fire Tax District :	
Drainage District :		Lot Dimension :	
Special District :		Land Use :	SERVICE - GOVERNMENT OWNED - EXEMPT

Recent Sales Information

Sale Date Deed	Seller Name	Buyer Name	Type of Sale	Sale Price
5/14/2015 3355-0628	CRAVEN COUNTY & NEW BERN-CITY	NEW BERN-CITY OF	STRAIGHT TRANSFER	\$0
4/15/2014 3271-0922	GORHAM, THOMAS H HEIRS	CRAVEN COUNTY & NEW BERN-CITY	STRAIGHT TRANSFER	\$8,000
3/4/2009 2797-0439	GORHAM, THOMAS H HEIRS	GORHAM, CORNELIUS J	STRAIGHT TRANSFER	\$0
1/1/1978 0923-0088	GORHAM, CORNELIUS J	GORHAM, THOMAS H HEIRS	STRAIGHT TRANSFER	\$0

Buildings or improvements where not found on this parcel.

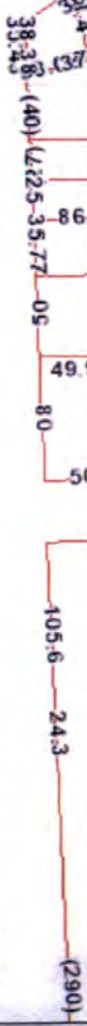
607 Bern Street



Front of lot



Rear of lot looking toward street



Crawson County does NOT warrant the information shown on this map and should be used ONLY for tax assessment purposes. Printed on November 2, 2023 at 11:37:34 AM

A

AGENDA ITEM COVER SHEET

Agenda Item Title: Recognition of New Bern 101 Graduates

Date of Meeting: 11/14/2023	Ward # if applicable:
Department: Administration	Person Submitting Item: Colleen Roberts
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	<p>For the last eight weeks, participants of New Bern 101 have been learning more about local government. Each week, they have visited a different city department, met staff, listened to presentations, and learned about city programs and services. They have toured facilities and participated in activities. Tonight is the final session of the program, in which they get to see local government decisions in action. Earlier tonight they met the Governing Board and got an up-close look at the city budget. After attending all eight weeks of the program, the participants graduate with a Certificate of Completion. The Board is asked to step down and congratulate the graduates as they are awarded these certificates.</p>
Actions Needed by Board:	
Backup Attached:	
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

AGENDA ITEM COVER SHEET

Agenda Item Title:

Presentation on Wreaths Across America

Date of Meeting: 11/14/2023	Ward # if applicable: Ward 1
Department: City Clerk	Person Submitting Item: Brenda Blanco
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Addie Yates will make a presentation on this year's Wreaths Across America event. The event will take place December 16, 2023 at New Bern National Cemetery.
Actions Needed by Board:	Consider authorizing staff to provide dumpsters, escort, and busing services as has been authorized in previous years.
Backup Attached:	PowerPoint presentation
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



New Bern National Cemetery

Saturday, December 16, 2023

12:00pm



1

- Over 3,500 cemeteries
- 14th year to participate
- 6,773 headstones
- Built February 1, 1867
- Over 1,000 Unknowns
- Several mass graves



2

Every wreath is sponsored.

\$17, live balsam wreath, delivered

Challenges

- Age
- Military
- Transplants
- Unknowns



3



4

There is so much more
than just wreaths.



5

The truck escort



6



7



8



9

Placing the wreaths



10



11



12



13



14



15



16

Retiring the wreaths



17



18



19

What are we requesting?

Police and Fire

- Escort Dec 14th
- Awareness

Parks and Rec

- Buses for Dec 16th

Public Works

- Two Dumpsters for Jan 13



20

AGENDA ITEM COVER SHEET

Agenda Item Title:

Conduct a public hearing and consider adopting an ordinance to annex 412 Sandy Point Road

Date of Meeting: 11/14/2023	Ward # if applicable: 1
Department: City Clerk	Person Submitting Item: Brenda Blanco
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Donna Marie Hinz requested to annex 412 Sandy Point Road. The property contains a single-family structure situated on 1.16 acres. If the property is annexed, it will be in Ward 1.
Actions Needed by Board:	Conduct a public hearing and consider adopting an ordinance to annex
Backup Attached:	Memo, ordinance, and map
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen
Rick Prill
Hazel Royal
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



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

Jeffrey T. Odham
Mayor
Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance

TO: Mayor and Board of Aldermen
FROM: Brenda E. Blanco, City Clerk
DATE: November 03, 2023
SUBJECT: Conduct a Public Hearing and Consider Annexing 412 Sandy Point Road

Background

Donna Marie Hinz petitioned the City to annex 412 Sandy Point Road. The single-family residence on 1.16 acres is contiguous to property that is within the City's municipal boundary.

Recommendation

Consider adopting an ordinance to annex the property.

Ordinance No. _____

Prepared by and return to:

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

AN ORDINANCE ANNEXING TO THE CITY OF NEW BERN PROPERTY OF DONNA MARIE HINZ, CONSISTING OF 1.16 ACRES, MORE OR LESS, LOCATED AT 412 SANDY POINT ROAD IN NUMBER TWO (2) TOWNSHIP

THAT WHEREAS, Donna Marie Hinz filed a petition requesting the annexation to the City of New Bern of property she owns, which is more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 1.16 acres, more or less, which said parcel is located at 412 Sandy Point Road in Number Two (2) Township, Craven County, North Carolina the boundaries of which are illustrated on the annexation map prepared by the City of New Bern Development Services staff, which is attached hereto as Exhibit B, and incorporated herein by reference; and

WHEREAS, said petition was referred to the City Clerk for an investigation as to the sufficiency thereof; and

WHEREAS, the City Clerk certified the sufficiency of the petition in writing to the Board of Aldermen; and

WHEREAS, the Board of Aldermen called for a public hearing on the question of annexation of said territory; and

WHEREAS, pursuant thereto, notice of a public hearing to be held at 6:00 p.m. on November 14, 2023, in the City Hall Courtroom was duly caused to be published as required by law in the *Sun Journal*, a newspaper having general circulation in the City; and

WHEREAS, on November 14, 2023, at 6:00 p.m., a public hearing on the question of annexation of the subject area was held by the Board of Aldermen of the City of New Bern, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, it was then determined by the Board of Aldermen that the petition filed met the requirements of the General Statutes of North Carolina, and that the area described in the petition should be annexed; and

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

Section 1. That the subject petition meets the requirements of §160A-31 of the General Statutes of North Carolina.

Section 2. That the property owned by Donna Marie Hinz, the boundaries of which are more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 1.16 acres, more or less, which said parcel is located at 412 Sandy Point Road in Number Two (2) Township, Craven County, North Carolina, be and the same is hereby annexed to the City of New Bern. A survey of the property being annexed appears of record in Map Book 2 at Page 130 of the Craven County Registry.

Section 3. That the effective date of annexation shall be midnight on November 14, 2023.

Section 4. That the area to be annexed be and the same is hereby made a part of Ward 1 of the City of New Bern.

Section 5. That this ordinance shall be recorded forthwith in the Office of the Register of Deeds of Craven County.

ADOPTED THIS 14th DAY OF NOVEMBER, 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK

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 all of Lot No. 5 in Block N as same is shown and delineated on a map of Riverview Park, said map being recorded in Map Book 2, Page 130, in the Office of the Register of Deeds of Craven County, reference to said map being hereby made for a more perfect description of said property.



Proposed Annexation: 412 Sandy Point Road - 1.16 Acres: Tax ID: 2-037-027



Existing New Bern Limits

Proposed Annexation Area



Scale: 1 = 250 ft

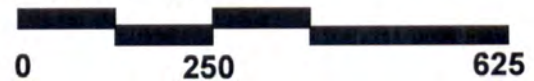


EXHIBIT B

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Authorizing the Execution of an Interagency Agreement with the Craven and Pamlico Children's Advocacy Center of Southmountain Children and Family Services (CPCAC) and Other Parties

Date of Meeting: 11/14/2023	Ward # if applicable: N/A
Department: Police	Person Submitting Item: Chief Patrick Gallagher
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	To continue working with CPCAC on reducing childhood trauma of abuse victims within our community.
Actions Needed by Board:	Consider approving the resolution
Backup Attached:	Memorandum to BOA, CPCAC Agreement, Resolution
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item: \$0
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



Founded 1797

NEW BERN

NEW BERN POLICE DEPARTMENT

P.O. Box 1129, New Bern, NC 28563-1129
(252) 672-4100

Police and Community Come Together Here



Patrick L. Gallagher
Chief of Police

To: Mayor Jeffrey T. Odham and the Board of Aldermen
From: Chief Patrick Gallagher
Date: November 14, 2023
Subject: MOU Request for Acceptance – Craven Pamlico Child Advocacy Center (CPCAC)

The New Bern Police Department is requesting to continue its relationship with Craven and Pamlico Children's Advocacy Center of Southmountain Children and Family Services. The purpose of the MOU is to work together to reduce childhood trauma from abuse. This is a coordinated effort between providers, law enforcement, and prosecutors to provide services to children and families while gathering evidence to effectively prosecute offenders. Additionally, members of CPCAC provide period training to officers and detectives. There is no cost to the police department.



A Nationally Accredited Agency

Integrity – Motivation – Professionalism – Accountability – Commitment – Trust

RESOLUTION

WHEREAS, the Chief of Police and the City Manager have recommended the approval of an Interagency Agreement between the Craven and Pamlico County Children's Advocacy Center of Southmountain Children and Family Services ("CPCAC") and other parties who will provide a coordinated process for investigating cases in which children may have been victims or witnesses to a crime.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of New Bern that the interagency Agreement with CPCAC, a copy of which is attached hereto and incorporated herein by reference, is hereby approved, and the Chief of Police is authorized to execute said agreement in duplicate originals.

ADOPTED THIS 14th DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK



Craven and Pamlico County Children's Advocacy Center of Southmountain Children and Family Services

Child Abuse Investigative Protocol and Interagency Agreement for the Craven & Pamlico County Multidisciplinary Team

2023-2024

Introduction:

The Craven and Pamlico County Children's Advocacy Center is established as a cooperative effort between the various social service, law enforcement, and prosecutorial agencies of Craven and Pamlico County, North Carolina working together to reduce the trauma experienced by children who have been abused.

The Craven and Pamlico County Children's Advocacy Center is a program of Southmountain Children and Family Services, a 501 (c) 3 corporation whose home office is located in Morganton, NC. The total operation of the Craven and Pamlico County Children's Advocacy Center is the responsibility of the Administration and Board of Trustees of Southmountain Children and Family Services.

The Objectives of the Center are:

1. To coordinate the efforts of agencies and professionals in the investigation, detection, prosecution, and treatment of child abuse cases.
2. To assure assessment and treatment for all victims and their families who are referred to the Children's Advocacy Center.
3. To provide training, support, and resources to all of the agencies and professionals involved in the various stages of these cases referred to the Children's Advocacy Center.

4. To coordinate forensic interviews of children and reduce trauma for all children referred to the Children's Advocacy Center.
5. To minimize the time delays in treatment for the victims and disposition of their cases.
6. To coordinate medical examinations of children referred to the CAC.
7. To inform the victims and their families or guardians of the services and resources available to them.
8. To provide a comprehensive tracking system of all of the cases with information from each participating agency.
9. To provide evidenced based mental health services when deemed appropriate
10. To provide formal orientation of all new MDT members. Orientation includes but is not limited to the following: CAC/MDT procedures and Code of Conduct

Purpose of Craven and Pamlico County Multidisciplinary Team

- To assist multidisciplinary team members with the investigation, prosecutions, treatment, and resource needs of children and families referred to the Children's Advocacy Center in Carteret County. A collaborative effort of all agencies represented will promote the physical, emotional safety and well-being of each child referred.
- To resolve all cases in a manner that promotes the safety and protection of the child, family, and community.
- Identify and or provide educational opportunities for team members.

Composition of the Multidisciplinary Team

The Craven/Pamlico Multidisciplinary Team will be coordinated and facilitated by the center director of the Craven/Pamlico County Children's Advocacy Center or his/her appointee. This team may be composed of the representatives of the following agencies and disciplines.

- The Craven/Pamlico Children's Advocacy Center
 - Center Director, Family Advocate, MH Clinician, Medical Provider
- Craven County Department of Social Services
- Pamlico County Department of Social Services
- Craven County Sheriff's Office
- Pamlico County Sheriff's Office
- Prosecutorial District 4 – District Attorney's Office
- New Bern Police Department
- Havelock Police Department

Team Information Sharing

Information about child abuse allegations, investigations, charges, and any evidence collected will be shared among the team members in accordance with North Carolina general statutes, and relevant judicial rules. All proceedings of team meetings will be confidential and signed statements of confidentiality will be maintained for each case reviewed by the team. Legal, ethical, and professional standards of practice will be upheld to ensure client privacy.

Definition of Cases Referred to Team

- Cases meeting case acceptance must include those which allege sexual abuse that involve a child eighteen (18) years of age and under for which there is an open investigation by one of the team agencies listed above.
- Other cases not meeting the above definition may be referred to the team for investigation and review by a team participating agency. Possible referrals may include physical abuse, improper discipline, neglect/abandonment, human trafficking, kidnapping, child exploitation or prostitution, and child witnesses to injury or violent crime, including domestic violence and homicide.
- All serious physical injuries to children under the age of three that involve allegations of maltreatment will be seen by an approved tertiary care center unless referred back to the CAC for a follow up CME from that care center.
- Cases of child maltreatment fatalities with surviving siblings may be referred to the CAC.
- Cases involving a conflict of interest for any of the agencies will be determined on a case-by-case basis and may be handled by a respective agency outside the county. The outside agency will make the determination for any referrals or any case discussion.

Receiving the Report

- Initial reports will typically be received by the Department of Social Services or one of the Law Enforcement agencies.
- Child protective service will complete an approved referral form containing the pertinent information needed to set up a forensic interview and/or physical exam and send to the CAC.

- The Incident Report can serve as the referral form for all Law Enforcement agencies proceeding a completed Cognito Form referral to the CAC.
- Referrals will be made to the team by forwarding a copy of the Intake, Incident Report, or referral form to The Craven and Pamlico County CAC.

Investigative Planning

- Immediate contact will be made between the law enforcement agency with jurisdiction over the case and the child protective service worker assigned investigative responsibility for the case.
- These workers will:
- Determine if there is past or existing information available within the involved agencies that might assist with the investigation. This information should be shared among the investigators as previously addressed.
- Agree on a plan for initial contact with the child/family. Coordinated family contact by law enforcement and the child protective service worker is preferred.
- In cases involving multiple victims, additional team members may be asked to participate in the investigation.

Prior to the Interview at the CAC:

Before getting into the details of the investigation/interview the worker should:

- Explain his/her role and the role of the Craven and Pamlico County Children's Advocacy Center and its personnel.
- Immediately begin to develop and formulate a safety plan which takes into account the attitudes and disposition of other adults, including all witnesses, the non-offending parent/caregiver, and siblings involved in the investigation.
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Important Investigative Planning Note:

Initial contact with the family will meet the statutory obligation to ensure child/family safety. While this initial contact by DSS or LE may include conversations with the alleged child victim, the primary fact- finding interview, called the forensic interview, will typically be conducted at a later time and should be consistent with the guidelines listed below.

Location for Child Forensic Interview

- Children will be interviewed at The Craven/Pamlico CAC located at 506 Pollock Street, New Bern, NC. The Craven/Pamlico County CAC is available 24 hours a day, 7 days a week. Emergency services are available outside of normal business hours. In the event of an emergency the referring agency will contact the Children's Advocacy Center on the center phone number available 24 hours a day.
- All decisions on CAC interview location should be based in the best interest of the child and should not be based on the convenience for the investigators.
- Children should NOT be interviewed in the home or environment where the abuse took place.

Child Forensic Interviewer

- Child interviews will be performed by a Southmountain staff member specifically trained in a nationally approved model that uses current best practices for child forensic interviews.
- Prior to the interview, the investigative team will discuss allegations of the case with the forensic interviewer.
- Ideally, the child will only meet with one interviewer while LE, DSS, and/or the ADA will observe from an unseen or unobtrusive location. A staff member from the assigned investigative agency/agencies must be present for the observation of the forensic interview. The team members present for the interview will communicate with one another before the interview is concluded and provide necessary input. This will usually be accomplished by taking a short break before the end of the interview to confer with one another.

Child Forensic Interview Procedures

- All forensic interviews conducted at the CAC by the CAC forensic interviewer will be conducted in a manner that supports a child medical exam and is for the purpose of ensuring the well-being of the child.
- Multiple interviews of the child, especially those conducted by different adults, will be avoided. The interview is conducted to reduce trauma and thus the need for further services of the children by providing a recorded and comprehensive forensic interview. The child's need for an additional interview to provide further information should be the determining factor. The referring agency (DSS or Law Enforcement) or the District Attorney's office will make the decision on the need for an additional interview. Such circumstances could arise based upon, but not limited to, new allegations after the completion of the initial interview, the interviewer being unable to fully explore all pertinent abuse related topics during the one interview session (e.g., due to the child's emotional presentation, time constraints, or other limitations).
- Multi-session interviews are different from multiple interviews. A multi-session interview is a singular interview that occurs across multiple sessions in order to decrease trauma while eliciting the most accurate information possible from the child about the allegations. Multi-session interviews should be considered by the team when necessary due to the child's development, ability, or other circumstances surrounding the allegations.
- Interviews will be conducted in a neutral and detached manner.
- Prior to the forensic interview, any evidence that may be introduced into the forensic interview will be discussed with the referring agency and will be prepared according to the protocol for presenting evidence and is only permissible if the interviewer has received training to introduce evidence.
- Developmental and cultural factors that may influence communication between the child and the interviewer will be considered and appropriately addressed. Alleged child victims will be interviewed using language appropriate to their individual developmental level.
- It must be understood that the forensic interview and mental health treatment are completely separate processes. In no way is the interview intended to be therapeutic, nor are the mental health services intended to be investigative.

- Procedures for interviewing hearing-impaired, visually impaired, or non-English speaking victims will be followed.
- The Department of Social Services will follow their protocol regarding interviewing other children residing in the home to determine if they too are victims of abuse. These children should be interviewed at the CAC by the forensic interviewer when possible and involve coordination with Law Enforcement, who may or may not choose to observe these interviews.
- Currently, the CAC does not allow the use of technology for remote live observation of Forensic Interviews using a secured method.
- Only the forensic interviewer and the child will be in the room during the interview. An exception will be made for an approved interpreter for a child who exhibits a communication need and requires an interpreter, which will be provided by the referring agency. The interpreter will not be related to the victim child.

The Forensic Interviewer shall include the following as indicated and applicable:

- Children are interviewed individually.
- Develop rapport with the child.
- Take into account the amount of emotional difficulty the child may encounter when recounting, presenting, or discussing the incident.
- Take into account the emotional state of the non-offending parent or other witnesses to the abuse.
- The interviewer may use body drawings, the child's drawings, the child's written words, photographs, and/or anatomical doll (when appropriately trained) to facilitate communication for clarification.

Important Points to Remember:

- Consider the developmental age of the child
- Consider the chronological age of the child
- Be aware of criminal statutes, evidentiary issues, and legal implications of the language used.
- Avoid "why" questions and other questions which imply guilt.

- Do not force, lead, direct, or otherwise contaminate the interview with leading questions.
- Be sensitive to the child's feelings of guilt, blame, and shame.
- Allow the child to use anatomical drawings or anatomical dolls to name body parts and/or show details of the abuse when deemed appropriate.
- Avoid expressions of shock, anger, and disgust.

Forensic Interview:

- The forensic interviewer is trained in at least one nationally recognized, evidence- based interview protocol. Forensic interviewers also participate in ongoing training and peer review.
- In the event that a family or child has a special communication need, CAC staff will not provide any service until an appropriate interpreter is secured. Interpreters are generally contracted by the referring agency. Interpreters meet with the forensic interviewer prior to the recorded interview to discuss the importance of verbatim translation.
- After each forensic interview, the interviewer writes a brief summary of the child's statements during the abuse-focused exploration. The interview summary is disseminated by the forensic interviewer directly to the investigators if requested. A DVD copy of the interview video recording is provided directly to the investigators by the forensic interviewer. Documentation and copy of the DVD are kept at the CAC. These records are released via court order or subpoena as appropriate.
- Alleged suspects/perpetrators should NOT be allowed at The Carteret Children's Advocacy Center. Exceptions may be made as determined by the team, but alleged suspects/perpetrators will not be present while children are present at the CAC. In these circumstances, prior notification must be given to The Carteret Children's Advocacy Center staff and all possible precautions will be used to ensure the physical and psychological safety for all children present. Alleged perpetrators should not be present for any reason during a child/victim's forensic interview or medical examination.

Closing the Interview:

In bringing the interview to a close, the Interview Team members shall:

- Not make promises that cannot be kept or for things that are not in his/her control.
- If appropriate, make an immediate referral for a medical examination or for medical treatment.
- If appropriate, make a referral for a comprehensive trauma-focused mental health assessment.
- Ensure that the child has a safety plan.
- Ensure the child and non-offending family members are provided informational brochures and contact information of the Children's Advocacy Center staff members.

After the Interview:

Following the initial interview, the Investigative Team members will meet with the non-offending caregiver and:

- Explain the role of each team member.
- Explain what could happen next.
- Open an active file.

The Law Enforcement or Department of Social Services representative shall:

- Interview the accompanying parent, family members, or adults who brought the child following the child's interview and advise them of the allegations. Record any responses.
- Make arrangements to interview the alleged offender separately from the accompanying adult as soon as possible after the interview with the child in accordance with the established protocol.
- Interview family members or named witnesses and take documented statements.
- Present the case at the next scheduled Multidisciplinary Team meeting.

Mandated Reporters

All CAC Staff and MDT partners are mandatory reporters of suspected maltreatment to the Department of Social Services as well as law enforcement. If location of the child or the location of the maltreatment is unknown a report will be made to the Department of Social Services and

Sheriff's Department located within your county. The CAC staff will complete the NC Mandated Reporter Training and provide that training to all volunteers and MDT partners. This training will be updated annually as necessitated by changes in state reporting laws, statutes, and requirements.

Documentation of Child Forensic Interviews

- Drawings or other tools may be used to help a child give their statement. Original images will be maintained by Law Enforcement in cases of joint jurisdiction, or by the Department of Social Services in single jurisdiction cases. A copy may be placed in the team record if desired.
- Any observable injuries to a child will be documented in writing, by taking a photograph of the child and his/her injuries, and/or by an examining physician's report.
- All photographs of injuries will be duplicated as necessary and freely shared between the Department of Social Services and Law Enforcement agencies.
- Every effort shall be made to assure that the interview will be recorded onto a DVD to be stored at The Craven and Pamlico County Children's Advocacy Center. The Craven and Pamlico County Children's Advocacy Center will make one copy of the interview for law enforcement as evidence and one copy of the interview for DSS as evidence in cases with joint jurisdiction.

Interviewing Non-Offending Parent/Caretaker

- The non-offending parent or caregiver of the child will be interviewed by a member of the team to determine what if any information they may have concerning the allegations of abuse. The team member will assess the non-offending caregiver's capacity and willingness to protect their child during the investigation.
- If an investigation is being conducted by Law Enforcement only and the investigator has reason to believe that the non-offending parent or caregiver cannot or will not protect the child, a neglect report should be made to the Department of Social Services.

Child Medical Exams (CME)

The purpose of the medical evaluation is to assess the child, adolescent or developmentally delayed adult's (Family Nurse Practitioners and Physician Assistants may see any age patient. Pediatric Nurse Practitioners may see patients to 21 years of age) physical, medical, emotional, and mental health as it relates to child neglect, witness to violent crimes, physical abuse, sexual abuse, and overall health.

- All children referred to the CAC for a forensic interview or investigative services by law enforcement or DSS are offered a Child Medical Exam regardless of their ability to pay.

Child Medical Evaluations (CME) in North Carolina may be performed by appropriately licensed and/or certified physicians, nurse practitioners, and physician assistants who are rostered with the North Carolina Child Medical Evaluation Program, UNC School of Medicine. The medical provider, in consultation with the Department of Social Services and/or law enforcement, will determine if a medical examination of a child is appropriate, based on information obtained during the initial field response to a report of child sexual abuse, physical abuse, or neglect, or during the interview conducted at the Children's Advocacy Center (CAC). Medical examinations will take place as soon as possible following the forensic interview at the child advocacy center.

CMEs will be scheduled by the CAC staff at two to three-hour intervals in order to promote confidentiality, as well as provide sufficient time to complete a thorough evaluation and documentation. CMEs are generally scheduled Monday-Friday during normal business hours. CMEs are also expected to be performed outside of business hours based on the needs of the child. In non-emergency situations, law enforcement and/or DSS will complete and provide the information needed for medical documentation and evaluation. Informed consent must be obtained by a legal guardian or court order prior to the medical exam. If the caretaker who holds custody is not able to be present, all consents must be signed prior to the medical appointment. If DSS has non-secure custody of the child, a copy of the DSS verification letter or a copy of the court order must be provided with the appropriate box checked and signed by the judge indicating a CME may be performed. Prior to the medical evaluation, the caretaker will complete the medical, family and social history forms and questionnaires. The parent or guardian will be given details about the exam, as well as given an informational brochure so that they will know what to expect on the day of the exam. Children will be seen for exams regardless of their ability

to pay. N.C. Medicaid, the Child Medical Evaluation Program or other funding sources will be billed as appropriate. In general, appointments for CMEs will be made for the earliest available time and date convenient for families, MDT members, and CAC staff.

In scheduling the exam, medical staff will consider the acuity and needs of individual patients:

1. Those who must be seen as an emergency will be seen without delay. The medical provider may be contacted to determine if the child can be seen at the CAC or must immediately go to the hospital. If the medical provider is not available, then the MDT members will be referred to the closest child abuse specialist or emergency department.
2. Those who should be seen urgently will be seen as soon as possible. If the medical provider is not available, they will be referred to another CAC or to the closest child abuse specialist or the emergency department.
3. Those whose situations are non-urgent will be seen at the convenience of the family, MDT members, and CAC staff but within 1-2 weeks.
4. Children under the age of 3 years reported for physical abuse will be referred immediately to the closest child abuse specialist through the emergency department. Children above the age of 3 years reported for physical abuse may be referred for further testing and evaluation to the closest board-certified child abuse pediatrician through the emergency department at the medical provider's discretion given the severity of the injuries.

An evaluation to determine the need for a medical exam in children who have been seen through the child advocacy center for a prior report will be conducted at the time of referral. If the child has not been around the alleged offender since the last evaluation and focused exam was completed for current allegations, another exam is not needed. If the child had a prior exam and new allegations arise, an evaluation will be completed.

Children who are referred for multiple exams and the medical professional deems referrals as excessive and unnecessary will work with DSS and law enforcement to develop a plan to address the numerous referrals for the children. If DSS is not currently involved, the medical provider should assess the need to involve DSS.

If a child received a prior medical exam in response to abuse at a different agency (i.e. the emergency department or primary care physician), DSS, law enforcement and/or the medical staff should request medical documentation of the visit to review.

In the event that a family or child has special communication needs, the CAC will work with the referring agency to ensure interpreting assistance is available from an appropriate outside contracting agency. Medical exams should not be completed with family or friends being the interpreter.

The Child Medical Exam process includes:

- Gathering a comprehensive history from DSS, law enforcement, caregivers, and the child (age and development permitting) being evaluated.
- Assessing the victim's general physical health, growth, development, and mental health.
- Identifying and documenting the presence or absence of physical findings that may be consistent with allegations of child sexual abuse, physical abuse, neglect, or accidental causes.
- Collecting physical evidence, photograph, video, and/or draw physical findings.
- Diagnose and treat or refer the child to appropriate medical specialists for further treatment and diagnosis.
- Providing appropriate assurance and information to victims and non-offending caretakers.
- Identify and recommend available community resources.
- Facilitating access to appropriate treatment.
- Providing testimony to the legal system concerning the child medical evaluation.

The Child Medical Exam Provider Will:

- Complete the physical exam which is a complete head-to-toe assessment (includes anogenital examination for all concerns) and includes vital signs, growth parameters, photography/video, and appropriate laboratory tests.
- Consider all physical exams voluntary so the child is never forced to participate in any portion of the exam. Non-offending caregivers are encouraged to accompany the child

during the physical exam unless the child prefers the caregiver not be present. A CAC staff member should be in the room to chaperone the exam.

- Consult with a child abuse specialist and/or a board-certified child abuse pediatrician regarding any case(s) in which further expert review is indicated. A review of all positive anogenital findings is required with a child abuse specialist/board-certified child abuse pediatrician. The medical provider will consult with a child abuse specialist/board-certified child abuse pediatrician when unsure of findings.
- Schedule a follow-up exam to evaluate healing of injuries or suspicious findings as indicated by the history and exam. Photo documentation of follow-up exams will be obtained and compared to initial findings and documented. When appropriate, any urgent or immediate concerns identified at any point during the medical evaluation will be shared immediately with the CAC staff and investigative agents.
- Order necessary laboratory testing and complete testing possible at the CAC.
- Make referrals for further medical assessment, laboratory testing, or mental health assessments.
- Take digital photographs and videos as long as the child is willing and the caregiver provides written consent. These photos should include facial identification photos as well as document any findings or the absence of physical findings.
- The medical provider should meet with the members of the investigative team to review findings.
- The medical provider should meet with the non-offending parent or guardian to review findings, concerns, and recommendations for medical/dental/mental health follow-up.
- The medical provider will provide Child Medical Exams to the referring/requesting investigative entity based on applicable agency, state, and federal HIPPA standards as well as existing agency policy and applicable Administrative Court Orders.
- Otherwise, Child Medical Exams can only be released via a Court Order

MDT Case Review Participation for Medical Providers:

Members of the medical team are active members of the MDT and will attend MDT meetings on a regular basis. The role of the medical team member is to describe, explain and interpret

medical findings, diagnosis, and treatment. The medical provider should actively educate team members concerning the medical role, medical findings, medical terminology, and current evidence-based practice with respect to child maltreatment.

Specific Medical Needs

- Non-fatal Strangulation

If there are concerns for strangulation, consult with the medical provider for guidance on care. If the medical provider is not available, the child should be taken to the nearest emergency department for evaluation.

- Sexual Assault Forensic Evidence Collection

Prepubescent

- Sexual assault evidence collection is best performed on children reporting sexual abuse/assault within 72 hours of sexual contact. There are times when it may be appropriate to collect evidence longer than the 72-hour time frame. If the child has not been allowed to bath and/or change clothes, consider collecting evidence beyond 72 hours. The medical provider should be consulted on the appropriate process.
- The CAC medical provider, who has been trained in sexual assault evidence collection and use of the NC Sexual Assault Examination Collection Kit, may elect to perform the entire evaluation and evidence collection at the CAC if the child is clinically appropriate and the medical provider has the requisite training.
- If the medical provider is not able to provide an evaluation and evidence collection as indicated, the child should be referred to the nearest emergency department with the ability to perform a sexual assault evaluation and evidence collection.
- Children seen in the emergency department for sexual assault evaluations and evidence collections should have a follow-up with the CAC in 10-12 days.

Pubescent (Adolescent)

- Sexual assault evidence collection is best performed on pubescent (adolescent) children within 120 hours of sexual contact. There are times when it may be appropriate to collect evidence longer than the 120-hour time-frame. If the child has

not been allowed to bathe and/or change clothes, consider collecting evidence beyond 120 hours. The medical provider should be consulted on the appropriate process.

- The CAC medical provider, who has been trained in sexual assault evidence collection and use of the NC Sexual Assault Examination Collection Kit, may elect to perform the entire evaluation and evidence collection at the CAC if the child is clinically appropriate and the medical provider has the requisite training.
- If the medical provider is not able to provide an evaluation and evidence collection as indicated, the child should be referred to the nearest emergency department with the ability to perform a sexual assault evaluation and evidence collection.
- Children seen in the emergency department for sexual assault evaluations and evidence collections should have a follow-up with the CAC in 10-12 days.

Mental Health Services

- Each child referred to the Craven and Pamlico County Children Advocacy Center that discloses exposure to a traumatic event shall be offered a comprehensive trauma assessment by a qualified licensed clinician.
- Information on mental health service options in the community for the child victim and non-offending family members will be routinely provided to families involved in a Multidisciplinary Team investigation.
- A mental health representative will participate on the Multidisciplinary Team and be present at case reviews. The mental health team member should have particular knowledge and skills in providing evidence-based treatment that is specific to trauma.
- The mental health representative will provide knowledge and expertise regarding the emotional/psychological needs of children and families who have been exposed to traumatic events to the multidisciplinary team members.
- Information relevant to the protection of a child will be shared with the Multidisciplinary Team with respect given to the professional's responsibility to protect client confidentiality.
- The provision of mental health services by agencies participating on the Multidisciplinary Team and data including the provider's name and location and family attendance information will be documented in the case tracking system.

- For clients with no ability to pay or experiencing financial difficulty, necessary mental health treatment services will be provided by the CAC.
- Southmountain Children and Family Services through the Southmountain Center of Excellence in evidence based treatment (COE) provides evidenced based mental health assessment and counseling services at each CAC location.
- Evidence Based Treatments Provided:
 - COE Services Clinicians specialize in Trauma-Focused Cognitive Behavioral Therapy (TF-CBT), and serve clients through our Children's Advocacy Centers and our Foster Care Community. In addition to internal training, all of our clinicians are required to complete formal training and maintain certification in TF-CBT. In addition to TF-CBT, we provide other evidence-based treatments, including Eye Movement Desensitization and Reprocessing (EMDR), Problematic Sexual Behavior-Cognitive Behavioral (PSB-CBT), and Parent- Child Interaction Therapy (PCIT) to best meet the needs of each client and family.
- Supervision and Fidelity:
 - In addition to internal and external training, clinicians participate in weekly or bi-weekly individual supervision with their supervisor, weekly peer consultation, and monthly full- team supervision with all clinicians and the Clinical Director. The full team holds two formal TF-CBT case presentations on a rotating basis across clinicians each month in order to provide support to the clinician and promote fidelity to the model.
 - As part of our ongoing training and support, clinicians utilize a fidelity monitoring tool for each TF-CBT case. Fidelity tools and discussions are also integrated into supervision and consultation meetings. Advanced trainings in TF-CBT and other EBTs are also supported.
- Monitoring the use and effectiveness of therapy:
 - Upon initiating services, clinicians conduct mental health assessments with all clients. Clinicians utilize a standard battery of assessments to complete a thorough trauma-informed mental health assessment. Clinicians continuously assess progress throughout treatment by tracking symptoms and functioning of the client. If a chosen treatment is not showing to be effective, assessing other relevant treatments (internal

or external to the agency) would be done. Upon completion of treatment, these same assessment measures are administered in order to demonstrate treatment effectiveness or the need for additional treatment. Clinicians inform clients and their guardians of the assessment and treatment process and the evidence supporting the treatment modality recommended.

Victim Support Services

- Information on available support and advocacy services will routinely be provided to victims' families involved in investigations of Multidisciplinary Team cases.
- Family advocacy services are available and provided until the case has been closed by the investigative agency, declined by the family or discontinued by the family.
- Crisis intervention, supportive services, client education and other victim services may be provided by a Family Advocate.
- A Family Advocate representative will participate on the Multidisciplinary Team and attend case review meetings.
- The Family Advocate will assist the family in completing a victim compensation application when needed.
- The Family Advocate will provide and coordinate court education and support including court education and accompaniment.
- When necessary the Family Advocate will offer assistance to the victim in preparing a Victim Impact Statement, this includes: securing the information and data needed regarding financial, emotional, and physical effects of the child maltreatment on the victim and his or her family.
- The Family Advocate will inform the victim and his/her family or guardian of services and resources available to them.

MDT Meetings for the Purpose of Case Reviews

- The Multidisciplinary Team will meet every 1st and 3rd Tuesday in person at the Craven and Pamlico County CAC at 8:30am and with a virtual option to review Team cases. MDT team meetings will be coordinated and facilitated by the center director of the Craven and Pamlico County Children's Advocacy Center or his/her appointee.

- All participating agencies will be notified by encrypted email of the agenda for a case review in advance of the team meeting. The monthly agenda will consist of all NEW reports received between the weekly meetings. If additional case(s) need to be added to the agenda, the team member would notify the Center Director.
- Multidisciplinary Team meeting facilitation, scheduling, agenda preparation, and distribution will be the responsibility of the Craven and Pamlico County Children's Advocacy Center Director or the designated appointee.
- A representative from each agency and discipline will make every effort to attend all MDT meetings.
- The case review process will:
 1. Review interview outcomes.
 2. Discuss, plan, and monitor the progress of the investigation.
 3. Review the medical evaluations.
 4. Discuss child protection and other safety issues.
 5. Provide input for prosecution and sentencing decisions.
 6. Discuss emotional support and treatment needs of the child and non-offending family members and strategies for meeting those needs.
 7. Assess the family's reactions and response to the child's disclosure and involvement in the Criminal Justice/Child Protection Systems.
 8. Review criminal and civil case dispositions.
 9. Make provisions for court education/support and discuss cross-cultural issues relevant to the case.
 10. Discuss how CAC/MDT intervention is impacting child and family (change and challenges), child well-being, along with outcomes as they are available. Case review will continue with all cases referred to the CAC until the investigation has been closed by the investigative agencies involved.
- Case review meetings should establish that enough information has been gathered to assure the safety and protection of the child and, if appropriate, efforts were made to remove the suspect from the home, rather than the child.
- Multidisciplinary team recommendations for further action will be noted and communicated to the appropriate parties by the team facilitator.

- All cases referred to the Craven and Pamlico County Children's Advocacy Center will be reviewed and will not be closed until all follow-up recommendations are addressed.
- The Department of Social Services will make the final decision about filing a petition and/or obtaining an order to remove children from their home. The District Attorney will make the final decision regarding the prosecution of the alleged offender. Law enforcement will make final decisions in collaboration with the District Attorney of filing of any charges and case closings.
- Team members are free to share ideas, concerns, and/or suggestions that may improve the quality of the Craven and Pamlico County Children's Advocacy Center at any MDT meeting.
- An Outcomes Measure Survey for multidisciplinary team members will be distributed twice a year to be completed by each team member to assess the effectiveness and quality of the services provided by the Craven and Pamlico County Children's Advocacy Center.
 - Discuss how CAC/MDT intervention is impacting child and family (change and challenges), child well-being, along with outcomes as they are available. Case review will continue with all cases referred to the CAC until the investigation has been closed by the investigative agencies involved.
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Case Disposition

- Multidisciplinary Team cases may be designated as "closed" to the Team upon meeting at least one of the following criteria
 1. The case has been unsubstantiated and closed by the Department of Social Services and/or Law Enforcement. Both groups must have a closed case in circumstances of joint jurisdiction.
 2. The case has been substantiated and transferred to management/in-home services or foster care by the Department of Social Services. Criminal charges are not being sought and appropriate services are in place.
 3. Civil and/or criminal proceedings specific to the allegations in the team report have concluded.
 4. All cases involving juvenile offenders that are substantiated or found to be true will be referred to the Department of Juvenile Justice and Delinquency Prevention.

Case Tracking

- Case tracking will be initiated upon receipt of an incident report from Law Enforcement or an intake form from the Department of Social Services.
- Based on the above criteria, a case will be tracked until designated as closed.
- Case tracking information will be entered into an electronic database maintained by the Director of the Craven and Pamlico County Children's Advocacy Center.
- Team members will have access to tracking information at the Craven and Pamlico County Children's Advocacy Center as needed by contacting center staff.

***** This protocol recognizes the differences among families and circumstances may require modification of how the team provides services in the most appropriate way to each family to achieve the intended objectives listed above.**



This Interagency Agreement is made and entered into by and between the Craven and Pamlico County Children's Advocacy Center of Southmountain Children and Family Services and the parties named below.

WHEREAS, the parties named below are committed to provide a coordinated community process of investigating cases in which children may have been either victims or witnesses to a crime; and,

WHEREAS, the parties named below are committed to a process which provides the least traumatic and disruptive investigative interventions with children; and,

WHEREAS, the parties named below are committed to coordinating and providing medical and mental health interventions for child victims/witnesses and their non-offending families; and,

WHEREAS, the parties named below are committed to developing and maintaining a child-focused setting where interviews, treatment, and other services may take place for children who may have been abused or neglected;

NOW, THEREFORE, the parties hereto agree as follows

To support the implementation, and operation of a Children's Advocacy Center that meets the accreditation criteria of the National Children's Alliance and the Standards set forth by the Children's Advocacy Centers of NC, wherein a multidisciplinary team approach will be utilized in the assessment, investigation, prosecution, and referral for medical and therapeutic treatment for children who may have been abused, neglected, or have witnessed a violent crime; and to follow the attached 2023-2024 Investigative Protocol of operation for the Craven and Pamlico County Children's Advocacy Center of Southmountain Children and Family Services

Memorandum of Understanding and MDT Protocol

This Agreement constitutes the entire agreement and understanding between the parties respecting the subjects covered herein. This Agreement shall be governed and construed in accordance with the laws of the State of North Carolina.

Signature for Craven and Pamlico Counties Children's Advocacy Center W. Chris Jernigan Executive Director	Date
<u>Scott Thomas</u> <small>Scott Thomas, CR 11 2023011000</small>	10/11/23
Signature for Chief Districts Attorney's Office	Date
<hr/>	
Signature for Craven and Pamlico Counties Children's Advocacy Center Director	Date
<u>[Signature]</u>	09/21/2023
Signature for Craven County Department of Social Services Director	Date
<u>Debbie Green</u>	09/21/2023
Signature for Pamlico County Department of Social Services Director	Date
<u>Sheriff Chip Hughes</u>	09/22/2023
Signature for Craven County Sheriff	Date
<u>See next Page</u>	
Signature for Pamlico County Sheriff	Date
<hr/>	
Signature for Chief of Police (New Bern Police Department)	Date
<u>[Signature]</u>	09/22/2023
Signature for Chief of Police (Havelock Police Department)	Date
<u>[Signature]</u>	10/10/23
Signature for Medical Provider	Date
<hr/>	
Signature for Mental Health Provider	Date
<hr/>	
Signature for Craven and Pamlico Counties CAC Family Advocate	Date

<u>Signature</u>	<u>Sheriff</u>
<u>Chris Davis</u>	<u>Title</u>
<u>Pamlico County</u>	<u>04.29.2023</u>
	<u>Date</u>

AGENDA ITEM COVER SHEET

Agenda Item Title:

Adopt a Resolution Authorizing the Execution of a MOU with the North Carolina Anti-Counterfeiting Trademark Task Force

Date of Meeting: 11/14/2023	Ward # if applicable: N/A
Department: Police	Person Submitting Item: Chief Patrick L. Gallagher
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	The task force will enhance the New Bern Police Department effectiveness in investigating criminal violations of North Carolina's Trademark Registration Act
Actions Needed by Board:	Adopt Resolution Authorizing the Execution of the MOU with NC Anti-Counterfeiting/Trademark Task Force.
Backup Attached:	Memorandum to BOA, MOU, Resolution
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item: 0
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Notes:



Founded 1797

NEW BERN

NEW BERN POLICE DEPARTMENT

P.O. Box 1129, New Bern, NC 28563-1129
(252) 672-4100

Police and Community Come Together Here



Patrick L. Gallagher
Chief of Police

To: Mayor Jeffrey T. Odham and the Board of Aldermen
From: Chief Patrick Gallagher
Date: November 14, 2023
Subject: New Bern Police Department MOU with the North Carolina Anti-Counterfeiting Trademark Task Force Law Enforcement

The New Bern Police Department has been monitoring the activities at several businesses in the area that are selling counterfeit and trademark protected merchandise. In response, we have contacted the NC Department of the Secretary of State to solicit participation in its task force to investigate criminal violations of North Carolina's Trademark Registration Act pursuant to G.S. § 80-11.1(e). This is the same task force that the Craven County Sheriff's Office (CCSO) is a member. Our ability to partner with the CCSO and State law enforcement agents will give our city and the region more leverage to combat the illegal sales of counterfeit merchandise.

We have identified a staff member within our Investigations Division who will take on this collateral assignment. No additional funding will be needed to accomplish this task.

This MOU has been vetted by our City Attorney for legal sufficiency.

We ask that you support our request.



A Nationally Accredited Agency

Integrity – Motivation – Professionalism – Accountability – Commitment – Trust

RESOLUTION

WHEREAS, the Chief of Police and the City Manager have recommended the adoption of a Memorandum of Understanding with the North Carolina Anti-Counterfeiting Trademark Task Force Law Enforcement to enhance New Bern Police Department's effectiveness in investigating criminal violations of the NC Trademark Registration Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of New Bern that the MOU with the NC Department of the Secretary of State, a copy of which is attached hereto and incorporated herein by reference, is hereby approved, and the Chief of Police is authorized to execute said agreement in duplicate originals.

ADOPTED THIS 14th DAY OF NOVEMBER 2023

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK



NORTH CAROLINA ANTI-COUNTERFEITING TRADEMARK TASK FORCE LAW ENFORCEMENT MUTUAL AID MEMORANDUM OF UNDERSTANDING

Purpose

The NC Department of the Secretary of State and the New Bern Police Department (hereinafter "the undersigned law enforcement agencies"), desire to assist one another in enforcing the General Statutes of North Carolina by establishing and maintaining the undersigned Assisting Agency's participation in the North Carolina Anti-Counterfeiting Trademark Task Force (hereinafter "the Task Force") established by the North Carolina Department of the Secretary of State (hereinafter, "the Department"), through the provision of Assisting Officer(s) to the Department on a temporary basis by the Assisting Agency.

The undersigned law enforcement agencies agree that this North Carolina Anti-Counterfeiting Trademark Task Force Law Enforcement Mutual Aid Memorandum of Understanding (hereinafter, "the MOU") mutually benefits each agency in the form of enhanced capabilities and efficiency for providing law enforcement services within each agency's jurisdiction.

Authority

The North Carolina Department of the Secretary of State is a "state law-enforcement agency" as defined in G.S. § 160A-288.2(b)(3) and employs sworn law enforcement officers possessing statewide jurisdiction to investigate criminal violations of North Carolina's Trademark Registration Act pursuant to G.S. § 80-11.1(e).

G.S. § 160A-288.2 permits and governs temporary assistance provided by local law enforcement agencies to law enforcement agencies of the State of North Carolina.

Definitions

In this MOU:

1. "Assisting Agency" means the undersigned "local law-enforcement agency" as defined in G.S. § 160A-288.2.
2. "Assisting Agency Liaison" means the head of the undersigned local law enforcement agency or that person's designated officer as described in G.S. § 160A-288.2(b)(1).
3. "Assisting Officer" means a law enforcement officer employed or sworn by the undersigned Assisting Agency.
4. "Department" means the North Carolina Department of the Secretary of State.
5. "Department Liaison" means the Secretary of State or her designated officer as described in G.S. § 160A-288.2(b)(1).
6. "Department Officer" means a law enforcement officer employed or sworn by the Department.

7. "Writing" means a written record of communication constructed or delivered in either paper or electronic format.

Terms of MOU

The undersigned agencies agree that the terms and conditions of this MOU shall be as follows:

1. **Creation of Mutual Aid Relationship.** Execution of this MOU by the undersigned agencies constitutes and is deemed to be a standing request for assistance and an MOU to lend assistance (as manpower and resources permit) to each other in carrying out lawful responsibilities and enforcing the laws of North Carolina.
2. **Description of Mutual Aid Services.** Services contemplated under this MOU include allowing officers of the Assisting Agency to work temporarily with Department Officers (including in an undercover capacity) both within and without the Assisting Agency's territorial jurisdiction and, where necessary, lending equipment and supplies.
3. **Standard Method for Requesting Temporary Assistance.** When the Department needs temporary assistance pursuant to this MOU, the Department Liaison shall notify the Assisting Agency Liaison in writing of the need for such assistance. The Assisting Agency shall honor the request for assistance, unless the Assisting Agency Liaison determines that providing the requested assistance will impair the capacity of the Assisting Agency to provide law enforcement services to its own jurisdiction. In that event, the Assisting Agency Liaison shall promptly notify the Department Liaison that the request for assistance cannot be honored.
4. **Emergency Method for Requesting Temporary Assistance.** In an emergency, the Department may notify the Assisting Agency of the need for emergency assistance by telephone, DCI message, or radio contact. The Department shall provide a written confirmation of the emergency assistance request to the Assisting Agency Liaison as soon as possible.
5. **Task Force Operational Command.** While operating with the Department pursuant to this MOU, an Assisting Agency Officer shall be subject to the lawful operational command of the Department Officer supervising the Department division, unit, or task force to which the Assisting Agency Officer is temporarily assigned to provide assistance. The Assisting Agency Officer shall obey all lawful and proper orders, diligently perform assigned duties, and work during assigned hours.
6. **Department Supervisor Will Report Activities of Assisting Officers to Assisting Agency.** The Department Officer supervising the division, unit, or task force shall provide a report to the Assisting Agency Liaison summarizing the hours worked and the assignments performed by the temporarily assigned Assisting Agency Officer(s).
7. **Equipment Responsibilities.** The Assisting Officer(s) shall report for duty with the equipment issued by the Assisting Agency necessary for use in order to accomplish tasks assigned during the temporary assignment. The Department shall supply the Assisting Officer with any additional equipment, supplies and/or support personnel reasonably necessary to perform the Assisting Officer's duties during the temporary assignment.

8. **Assisting Officer(s) Remain Subject to Personnel and Administrative Control of Assisting Agency.** As required by G.S. § 160A-288.2(a), for personnel and administrative purposes, the temporarily assigned Assisting Agency Officer(s) shall remain under the control of the Assisting Agency. The temporarily assigned Assisting Agency Officer(s) shall be entitled to pay, worker's compensation, and other benefits to the same extent as if the Assisting Officer(s) was functioning within the normal scope of the Assisting Officer's duties with the Assisting Agency.
9. **Department and Assisting Agency Rules Still Apply to Respective Officers.** The rules and regulations of each agency shall apply at all times to officers of that agency. Any disciplinary actions arising from the conduct or actions of an Assisting Officer shall be the responsibility of the Assisting Agency.
10. **Task Force Commander May Relieve Assisting Officer from Task Force Participation.** The Department Officer in charge of the division, unit, or task force ("the Department Officer") to which an Assisting Officer is temporarily assigned may, at any time, relieve the Assisting Officer(s) from duty. The Department Officer shall immediately forward a written statement setting forth the reason for relieving the Assisting Officer(s) to the Assisting Agency Liaison.
11. **Civil Liability Protections and Assistance.** Under G.S. § 160A-288.2(a), while temporarily assigned to assist the Department, the Assisting Officer(s) shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and the payment of judgments) as officers of the Department in addition to those normally possessed by the Assisting Officer(s). In the event of civil suit or liability arising from the conduct or actions of an Assisting Officer incurred in the course and scope of the Department's law enforcement operations arising under this MOU, the Department specifically covenants and agrees to provide the Assisting Officer with protection, defense, and assistance equal to what the Department would provide a Department Officer under the same circumstances.
12. **Hold Harmless MOU Regarding Agency Property.** The Department agrees to hold harmless and indemnify the Assisting Agency for any damages or injury to property of the Department incurred in the course and scope of a temporarily assigned Assisting Officer's duties. The Assisting Agency agrees to hold harmless and indemnify the Department for any damages or injury to the property of the Assisting Agency incurred in the course and scope of the Department's law enforcement operations arising under this MOU. This MOU shall not, however, be construed as a bar to any other rights or claims, either direct or by way of subrogation, which either agency shall have against any other entity, party or person.
13. **Assisting Officer Jurisdiction.** An Assisting Officer located outside the Assisting Agency's territorial jurisdiction, when operating in the course and scope of the Department's law enforcement operations arising under this MOU, possesses the same territorial and subject matter jurisdiction as a Department Officer.
14. **MOU Not Exclusive.** This MOU shall in no way affect any other mutual aid MOU entered into by the parties.

15. **Certification of Compliance with Local Rules.** The Assisting Agency Liaison certifies by execution of this MOU that the Assisting Agency enters this MOU in compliance with all applicable local government rules, guidelines, or policies as required by G.S. §160A-288.2(a).
16. **MOU Does Not Limit Officer Jurisdiction or Statutory Authority.** Nothing in this MOU shall be construed to limit or reduce any agency's or law enforcement officer's constitutional authority, common law authority, or statutory authority, including but not limited to a person's authority under G.S. § 15A-405 to assist a law enforcement officer in making an arrest.
17. **Procedure for Terminating MOU Early.** In the event a participating law enforcement agency should desire to withdraw from this MOU prior to the expiration date specified below, the withdrawing agency head shall provide written notice to the other participating agency head of the effective date of such withdrawal.
18. **Status of MOU upon Change of Actual Agency Head.** Upon the appointment or election of a different agency head for a participating law enforcement agency, the parties agree that this MOU shall continue until the new agency head executes a new MOU or provides notice of intent to withdraw from this MOU. The parties agree to provide the new agency head with prompt notice of the existence of this MOU and the new agency head's authority to continue or terminate this MOU.
19. **Dispute Resolution.** In the event a dispute arises between the parties concerning the terms of this MOU, the parties agree to meet promptly to conduct good faith efforts to resolve the dispute upon terms agreeable to each party. In the event the parties cannot resolve the dispute, the parties agree to terminate this MOU.

IN WITNESS WHEREOF, the parties sign and agree on this, the _____ day of November, 2023.

Chief Executive Officer of Assisting Agency - Signature

New Bern Police Chief Patrick Gallagher
Chief Executive Officer Name - Printed

Elaine F. Marshall
NC Secretary of State

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Designating Agents for the FEMA BRIC22 C&CB Grant

Date of Meeting: 11/14/2023	Ward # if applicable: N/A
Department: Finance	Person Submitting Item: Kimberly Ostrom, Director of Finance
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	FEMA requires the Board to appoint primary and secondary agents. The attached resolution assigns designees for the FEMA BRIC2022 C&CB grant.
Actions Needed by Board:	Adopt Resolution
Backup Attached:	Memo, Resolution, NC Department of Emergency Management Designation of Applicant's Agent and Applicant Assurances for Public Assistance form
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen
Rick Prill
Hazel B. Royal
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



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

Jeffrey T. Odham
Mayor
Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance

MEMORANDUM

TO: City Manager, Honorable Mayor, and Members of the Board of Aldermen
FROM: Kimberly Ostrom, Director of Finance
DATE: November 3, 2023
SUBJECT: Consider Adopting a Resolution Authorizing Designated Agents and Applicant Assurances for the BRIC22 C&CB Grant

Background

In October 2022 the City submitted a Letter of Interest to the North Carolina Division of Emergency Management (NCEM) for a FEMA Building Resilient Infrastructure and Communities Capabilities & Capacity Building (BRIC22 C&CB) grant. NCEM invited the City to submit a full application for the BRIC22 C&CB grant. In December 2022 the City submitted the application requesting \$200,000 which will be matched by the NC Attorney General's Environmental Enhancement Grant in the amount of \$150,000 for the Restoration of the Duffyfield Canal Project Planning and Scoping.

Current

As the next step in the process, NCEM has requested the City to designate a primary and secondary agent through a resolution approved by the Board of Aldermen. The attached Designation of Applicant's Agent and Applicant Assurances form provided by the North Carolina Division of Emergency Management names City Manager, Foster Hughes, as the primary agent and Senior Accountant, Kimberly Rose, as the secondary agent of the City.

Requested Action

Consider adopting a Resolution authorizing Foster Hughes and Kimberly Rose as primary and secondary agents, respectively, for the City of New Bern to execute the necessary documents for the FEMA BRIC22 C&CB Grant.

**RESOLUTION
DESIGNATION OF APPLICANT'S AGENT**

North Carolina Division of Emergency Management

Organization Name (hereafter named Organization)

City of New Bern

Disaster Number:

Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):

Not assigned

Applicant's Fiscal Year (FY) Start

Month: July Day: 1

Applicant's Federal Employer's Identification Number

56 - 6000235

Applicant's Federal Information Processing Standards (FIPS) Number

049 - 46340 - 00

PRIMARY AGENT

SECONDARY AGENT

Agent's Name **Foster Hughes**

Agent's Name **Kimberly K. Rose**

Organization **City of New Bern**

Organization **City of New Bern**

Official Position **City Manager**

Official Position **Senior Accountant**

Mailing Address **PO Box 1129**

Mailing Address **PO Box 1129**

City, State, Zip **New Bern, NC 28563**

City, State, Zip **New Bern, NC 28563**

Daytime Telephone **(252) 639-2700**

Daytime Telephone **(252) 639-2715**

Facsimile Number **(252) 639-2841**

Facsimile Number **(252) 636-4108**

Pager or Cellular Number **(252) 626-1430**

Pager or Cellular Number **(910) 381-7051**

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and **the assurances printed on the reverse side hereof**. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20____.

GOVERNING BODY

CERTIFYING OFFICIAL

Name and Title **Jeffrey T. Odham, Mayor**

Name **Brenda E. Blanco**

Name and Title

Official Position **City Clerk**

Name and Title

Daytime Telephone **(252) 639-2701**

CERTIFICATION

I, Brenda E. Blanco, (Name) duly appointed and City Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of the City of New Bern (Organization) on the 14th day of November, 2023.

Date: _____

Signature: _____

Rev. 06/02

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Approving Grant Funding: 2022 (AFG) Assistance to Firefighters Grant

Date of Meeting: 11/14/2023	Ward # if applicable:
Department: Fire	Person Submitting Item: Interim Chief Jim McConnell
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Adopt resolution for approving the 200 (AFG) Assistance to Firefighters Grant matching funds.
Actions Needed by Board:	Approve resolution to move forward with the amendment to the FY2024 budget for this grant.
Backup Attached:	MEMO for Chief McConnell, Invoice #112, \$8,290.91 & Grant Award Information
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Cost of Agenda Item: \$8,290.91
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Notes:



Interim Fire Chief
James P. McConnell

NEW BERN

NORTH CAROLINA

FIRE-RESCUE DEPARTMENT

1401 Neuse Boulevard
New Bern, NC 28560
(252) 639-2931

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Battalion Chiefs
Ashley Jones – A Shift
William Smith – B Shift
Scott Gladson – C Shift

Division Chiefs
Johnathon Gaskins, Fire Marshal
James McConnell, Training Officer
Dennis Tyndall, Support Services

TO: Mayor and the Board of Alderman
FROM: James P. McConnell, Fire Rescue Division Chief
DATE: November 14, 2023
SUBJECT: 2022 (AFG) Assistance to Firefighters Grant

Background:

In late 2022, Craven County Firefighters Association discussed how it could improve radio communications for firefighters' safety and interoperability between all departments within the County. Township #9 Fire Department volunteered to write and submit the grant application with the assistance of a hired grant writer, Cara Rogers of Dorner Grant Consultants. A FEMA grant application for the 2022 Assistance to Firefighters Grant (AFG) was submitted February 9, 2023. Notification of the grant award was received on August 17, 2023.

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. The \$988,000 grant award represents \$898,181.81 in federal funds with a required match of \$89,818.19. The match will be divided among the 13 fire departments with each contributing \$6,909.09 toward the match and \$1,381.82 toward the grant writer's fee, for a total contribution of \$8,290.91. These funds were not included in the Fire Department's FY2024 budget.

Recommendation:

Without the support of this grant, it would take multiple years and budget processes to achieve these capabilities, which are necessary for the safety of our firefighters and interoperability within Emergency Services. It is requested the Board consider adopting a resolution in support of the grant and authorizing staff to move forward with a budget amendment to cover the City's share of the grant and grant writer's fee. Funds will be allocated from the General Fund fund balance.

RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN

WHEREAS, the Craven County Firefighters Association desires to improve radio communications that will enhance firefighters' safety and interoperability between all fire departments within Craven County. On behalf of the Association, Township #9 Fire Department submitted an application for the 2022 Assistance to Firefighters Grant to request funding to purchase additional radios. A grant was awarded in the amount of \$988,000.00, which represents \$898,181.81 in federal funds and a required match of \$89,818.19. The match will be divided among the 13 fire departments with each contributing \$6,909.09 toward the match and \$1,381.82 toward the grant writer's fee, for a total of \$8,290.91; and

WHEREAS, the City of New Bern Fire and Rescue Department did not budget for this match and the associated administrative expense.

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

The Board hereby indicates its support for the grant and authorizes staff to move forward with preparing a budget ordinance amendment to appropriate \$8,290.91 from General Fund fund balance to cover the City of New Bern's match and portion of the grant writer's fee.

ADOPTED THIS 14TH DAY OF NOVEMBER, 2023.

JEFFREY T. ODHAM

BRENDA E. BLANCO, CITY CLERK

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 08/17/2023

Patrick Wetherington
NO. 9 TOWNSHIP FIRE & RESCUE
3783 NC HIGHWAY 55 W
NEW BERN, NC 28562

EMW-2022-FG-00502



FEMA

Dear Patrick Wetherington,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2022 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$898,181.81 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$89,818.19 for a total approved budget of \$988,000.00. Please see the FY 2022 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2022 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in cursive script, appearing to read "P. Williams".

PAMELA WILLIAMS
Assistant Administrator, Grant Programs

Summary Award Memo

Program: Fiscal Year 2022 Assistance to Firefighters Grant

Recipient: NO. 9 TOWNSHIP FIRE & RESCUE

UEI-EFT: V8VQL2EYDBJ5

DUNS number: 833387590

Award number: EMW-2022-FG-00502

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2022 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$988,000.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$898,181.81
Non-federal	\$89,818.19
Total	\$988,000.00
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2022 AFG NOFO.

Approved request details:

Equipment

Portable Radios (must be P-25 Compliant)

DESCRIPTION

P-25 compatible, 800mHz radios to include programming, charger and spare battery.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	247	\$4,000.00	\$988,000.00	Equipment

Agreement Articles

Program: Fiscal Year 2022 Assistance to Firefighters Grant

Recipient: NO. 9 TOWNSHIP FIRE & RESCUE

UEI-EFT: V8VQL2EYDBJ5

DUNS number: 833387590

Award number: EMW-2022-FG-00502

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Article 1**Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency. II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002. III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article 2**General Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance. V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. DHS Civil Rights Evaluation Tool | Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article 3**Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article 4**Activities Conducted Abroad**

Recipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article 5**Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article 6**Americans with Disabilities Act of 1990**

Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article 7**Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article 8**Civil Rights Act of 1964 – Title VI**

Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article 9**Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10 Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article 11 Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12 Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13 Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons.

Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article 15 **E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety**
Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.

Article 16 **Energy Policy and Conservation Act**
Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 17 **False Claims Act and Program Fraud Civil Remedies**
Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 18 **Federal Debt Status**
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article 19 **Federal Leadership on Reducing Text Messaging while Driving**
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.

Article 20 **Fly America Act of 1974**
Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

- Article 21 Hotel and Motel Fire Safety Act of 1990**
Recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a
- Article 22 John S. McCain National Defense Authorization Act of Fiscal Year 2019**
Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons
- Article 23 Limited English Proficiency (Civil Rights Act of 1964, Title VI)**
Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
- Article 24 Lobbying Prohibitions**
Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.
- Article 25 National Environmental Policy Act**
Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans

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- Article 26 Nondiscrimination in Matters Pertaining to Faith-Based Organizations**
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
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- Article 27 Non-Supplanting Requirement**
Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
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- Article 28 Notice of Funding Opportunity Requirements**
All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
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- Article 29 Patents and Intellectual Property Rights**
Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.
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- Article 30 Procurement of Recovered Materials**
States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
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- Article 31 Rehabilitation Act of 1973**
Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 32 Reporting of Matters Related to Recipient Integrity and Performance
General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article 33 Reporting Subawards and Executive Compensation
Reporting of first tier subawards. Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article 34 Required Use of American Iron, Steel, Manufactured Products, and Construction Materials
Recipients must comply with the "Build America, Buy America" provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the

application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. The awarding Component may provide specific instructions to Recipients of awards from infrastructure programs that are subject to the "Build America, Buy America" provisions. Recipients should refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

Article 35**SAFECOM**

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 36**Terrorist Financing**

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article 37**Trafficking Victims Protection Act of 2000 (TVPA)**

Trafficking in Persons. Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

Article 38**Universal Identifier and System of Award Management**

Requirements for System for Award Management and Unique Entity Identifier. Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article 39 USA PATRIOT Act of 2001

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c.

Article 40 Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article 41 Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article 42 Environmental Planning and Historic Preservation (EHP) Review

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program and applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archaeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43**Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

Article 44**Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/ GMD Call Center at (866) 927-5646 or via e-mail to: ASK-GMD@fema.dhs.gov if you have any questions.

Article 45**Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state sub-recipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state sub-recipients must follow the disposition requirements in accordance with state laws and procedures.

Article 46**Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 47**Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 48**Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

Obligating document

1. Agreement No. EMW-2022-FG-00502	2. Amendment No. N/A	3. Recipient No. 561335865	4. Type of Action AWARD	5. Control No. WX01191N2023T		
6. Recipient Name and Address NO. 9 TOWNSHIP FIRE & RESCUE 3783 NC HIGHWAY 55 W NEW BERN, NC 28562		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Patrick Wetherington		9a. Phone No. 252-5143097	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 08/17/2023	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 08/24/2023 to 08/23/2025 Budget Period 08/24/2023 to 08/23/2025		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2023-F2-GB01 - P410-xxxx-4101-D	\$0.00	\$898,181.81	\$898,181.81	\$89,818.19
Totals			\$0.00	\$898,181.81	\$898,181.81	\$89,818.19
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
Patrick Wetherington	08/28/2023
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
PAMELA WILLIAMS, Assistant Administrator, Grant Programs	08/17/2023

Dear Commissioners,

NO. 9 Township Fire & Rescue is Hosting a Regional AFG Fire Grant (Assistance to Firefighters Grant) through FEMA for Communications equipment. This grant is for approximately 247 multi band VHF/800 Portable radios. These radios will help with interoperability with other local, state and federal agencies during emergencies. This Grant includes 13 Craven County Fire Departments. (NO. 9 Township Fire & Rescue, Cove City Fire Department, Dover VFD, Fort Barnwell Rural VFD, Rhems VFD, City of New Bern Fire & Rescue, West of New Bern VFD, Vanceboro Rural VFD, Tri- Community Fire Department, NO. 7 Township Fire & Rescue, Township Six Fire, and Harlowe VFD.) On August 28, 2023 we were awarded \$898,181.19 from FEMA. We are asking for the County to pay the 10% match of \$89,818.19 plus the 2% grant Writers FEE of \$17,963.64 for Total of **\$107,781.83**. Thank you for your assistance in the past with grants. We hope you can help all of these departments with this communication grant. It will greatly improve our response capabilities all over the county.

Patrick Wetherington

Grant Coordinator

No. 9 Township Fire & Rescue

<u>AFG Grant Pays</u>	\$898,181.81
<u>Our Match</u>	\$89,818.19
<u>Total Funds</u>	\$988,000.00
<u>Grant Writer's (2%)</u>	\$17,963.64
<u>Total Funding</u> (Needed from the County)	\$107,781.83
<u>Per Department</u>	\$8,290.91

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting a resolution for staff to execute a grant application to the Building Resilient Infrastructure and Communities (BRIC) program, administered by FEMA, for the New Bern Rail Corridor Planning Study.

Date of Meeting: 11/14/2023	Ward # if applicable: Ward 1, 4, & 5
Department: Development Services	Person Submitting Item: Christopher D. Seaberg, Community & Economic Development Manager
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Hearing Date: NA

Explanation of Item:	The Rail Corridor that runs through portions of the corporate limits of New Bern exacerbates flooding challenges for the City. Specific locations start at the intersections of George Street and Dunn Street traveling west to the edge of the City's corporate limits including areas in Wards 1, 4, and 5. The rail bed is strategically elevated to avoid significant flooding to it but that in turn has created a levee through the low-lying areas that experience significant flooding during 10-year storm events. In the past, culverts were placed under the railbed to alleviate the backup of stormwater, but they are inadequately sized to handle the flow. This impediment has even affected areas outside a delineated Special Flood Hazard Area. This proposed New Bern Rail Corridor Planning Study was initially recommended by Public Works staff and is intended to inventory the crossings to include the acreage feeding stormwater to that crossing and develop a long-range planning effort to improve the flow of stormwater at crossings in need of improvements.
Actions Needed by Board:	Adopt Resolution
Backup Attached:	Memo, Resolution, BRIC supporting documents
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Cost of Agenda Item: Estimated at \$50,000
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes: If awarded, these funds will not be available until 2025.



MEMORANDUM

TO: Mayor Odham and Board of Aldermen

FROM: Christopher Seaberg, Community & Economic Development Manager

DATE: November 14, 2023

SUBJECT: Consider adopting a resolution for staff to execute a grant application to the Building Resilient Infrastructure and Communities (BRIC) program, administered by FEMA, for the New Bern Rail Corridor Planning Study.

Background

The Building Resilient Infrastructure and Communities (BRIC) program, administered by FEMA, makes federal funds available to states, U.S territories, federally recognized tribal governments, and local communities for hazard mitigation activities. The BRIC program recognizes the growing hazards associated with climate change, and the need for natural hazard risk mitigation activities that promote climate adaptation and resilience with respect to those hazards. BRIC funds may be used for mitigation projects, capability, and capacity building activities (C&CB), and management costs. For Fiscal Year 2023, FEMA plans to distribute \$1 billion through the BRIC program.

In North Carolina, the BRIC Program is administered through a partnership with the North Carolina Division of Emergency Management (NCEM). NCEM has the authority and responsibility for developing and maintaining a State Standard Hazard Mitigation Plan, reviewing the Building Resilient Infrastructure and Communities Program sub-applications, recommending technically feasible and cost-effective sub-applications to FEMA and providing pass-thru funding for FEMA-approved and awarded project grants to eligible sub-applicants.

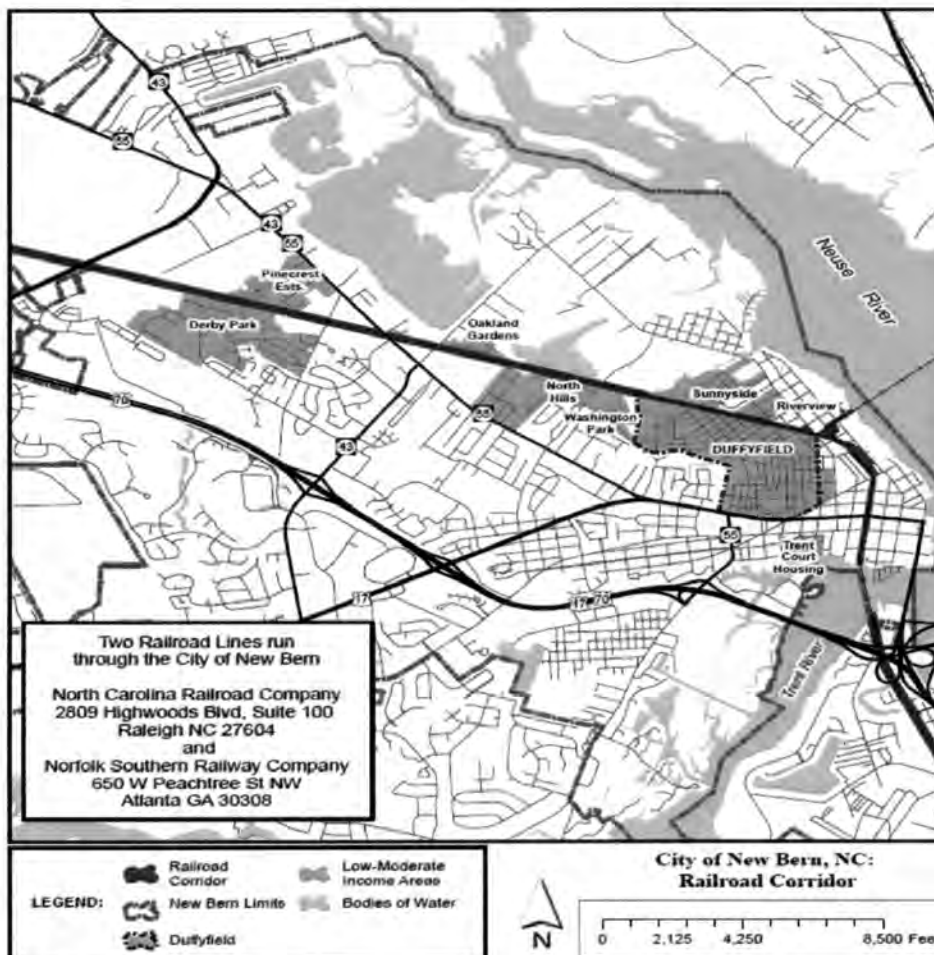
To be competitive, projects must: be cost-effective, reduce or eliminate risk and damage from future natural hazards, meet either of the two latest published editions of relevant consensus-based codes, align with an applicable hazard mitigation plan, and meet all environmental and historic preservation (EHP) requirements. A non-federal cost share of at least 25% is required for most sub-applications funded under BRIC.

FY 2023 BRIC Application Process

Letters of Interest (LOI) were due to the NCEM on October 2, 2023. NCEM then reviewed the LOI's and invited select applicants to fully develop a BRIC 2023 project sub-application. The city was invited to submit a full sub-application for this project. Completed BRIC sub-applications are due to NCEM on December 4, 2023, with follow-up sub-applicant meetings with NCEM staff January 4-5, 2024. Final draft applications are due to NCEM by February 5, 2024. NCEM will then submit an application to FEMA on or before February 26, 2024. Before submitting the full sub-application, staff seeks Board approval of matching funds for the project.

Project – New Bern Rail Corridor Planning Study

The Rail Corridor that runs through portions of the corporate limits of New Bern exacerbates flooding challenges for the City. Specific locations start at the intersections of George Street and Dunn Street traveling west to the edge of the City's corporate limits including areas in Wards 1, 4, and 5. The rail bed is strategically elevated to avoid significant flooding to it but that, in turn, has created a levee through the low-lying areas that experience significant flooding during 10-year storm events. In the past, culverts were placed under the railbed to alleviate the backup of stormwater, but they have proven to be inadequately sized to handle the flow. This impediment has even affected areas outside a delineated Special Flood Hazard Area.



This proposed New Bern Rail Corridor Planning Study was initially recommended by Public Works staff and is intended to inventory the crossings to include the acreage feeding stormwater to that crossing and develop a long-range planning effort to improve the flow of stormwater at crossings in need of improvements.

The anticipated cost for the project is estimated at \$200,000, which is the maximum amount available for a study such as this. This estimate was based on correspondences with American Flood Coalition staff and reviews of similar project costs. There is a 25% cost share for this project which amounts to \$50,000. The cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof. The cost share can be reduced if the area served is determined by NCEM and FEMA staff to qualify as an "Economically Disadvantaged Rural Community" or 50% or more of the population served is located within a "Community Disaster Resilience Zone (CDRZ)". An Economically Disadvantaged Rural Community is defined as a community having a CDC social vulnerability index (SVI) of 0.80 or higher. The 2018 CDC Social Vulnerability Index Map (<https://svi.cdc.gov/map.html>) has Craven County with an SVI of 0.80. Census Tract 960600 is the only CDRZ located within this project area, but there is uncertainty it will contain 50% or more of the effected population from this project.

Recommendation

A cost share is required for all sub-applications funded for the BRIC program. The non-federal cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof. Staff will seek additional opportunities to cover the match. The Mayor and Board of Aldermen are asked to consider adopting a resolution authorizing staff to execute a grant application to the Building Resilient Infrastructure and Communities (BRIC) program, administered by FEMA.

Please contact Christopher Seaberg at 252-639-7580 if you have questions or need additional information.

RESOLUTION

WHEREAS, the City has been made aware of a grant, the Building Resilient Infrastructure and Communities (BRIC) program, administered by Federal Emergency Management Agency (FEMA), which makes federal funds available to states, U.S territories, federally recognized tribal governments, and local communities for hazard mitigation activities; and

WHEREAS, the City submitted a Letter of Interest to the North Carolina Division of Emergency Management (NCEM), and NCEM has determined that the project has potential as a 2023 BRIC project sub-application, and the City has been invited to fully develop a sub-application for this project for official submission to BRIC; and

WHEREAS, a cost share is required for all sub-applications funded for the BRIC program; and

WHEREAS, the grant request is \$200,000, and a twenty-five percent match is required in support of the grant, and the non-federal cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof.

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

1. Staff is hereby authorized to execute a full grant sub-application to the Building Resilient Infrastructure and Communities (BRIC) program, administered by FEMA, in the amount of \$200,000.00 to support the New Bern Rail Corridor Planning Study Project; and

2. The City of New Bern will be responsible for the cost share of up to \$50,000.

ADOPTED THIS 14th DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Stormwater Project Progress Report

Date of Meeting: 11/14/2023	Ward # if applicable: All Wards
Department: Public Works	Person Submitting Item: George Chiles, Director of Public Works
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Stormwater Project Progress Report for completed/under construction projects, 2018-2023.
Actions Needed by Board:	None.
Backup Attached:	Power Point Presentation and Presentation Details Package.
Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Notes:



Public Works Department
P.O. Box 1129, 1004 S. Glenburnie Road
New Bern, N.C. 28563-1129
Phone: (252) 639-7501
Fax: (252) 636-1848

November 6, 2023

Memo to: Mayor and Board of Aldermen
From: George Chiles, Director of Public Works
Re: Stormwater Progress Report 2018-2023

Background Information:

The City of New Bern has prioritized improvements and repairs to the municipal drainage system following the 2018 Hurricane Florence impacts. Financial investments have been made by the City of New Bern, FEMA, and state and federal grant agencies to repair and improve the City's drainage system.

A status report of completed/under construction stormwater projects between 2018 and 2023 is presented in this presentation. Projects include City of New Bern funded projects, FEMA Hurricane Florence Repairs, and state and federal grant funded projects.

If you have any questions concerning this matter, please feel free to contact me directly.



Stormwater Project Progress Report 2018-2023

George Chiles
Director of Public Works

November 14, 2023

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Stormwater Projects Cost 2018-2023

▪ Public Works Stormwater Projects	\$ 4,138,789.00
▪ FEMA (Florence) CAT D	\$ 1,816,433.05
▪ FEMA (Florence) CAT A	\$ 8,220,628.70
▪ Board of Aldermen ARPA Projects	\$ 2,860,142.00
▪ Projects in Design, Planning, Bidding	\$ 4,700,000.00

Total Cost \$21,735,992.75

2

Public Works **Stormwater Projects Completed or Under** **Contract for Construction 2018-2023**

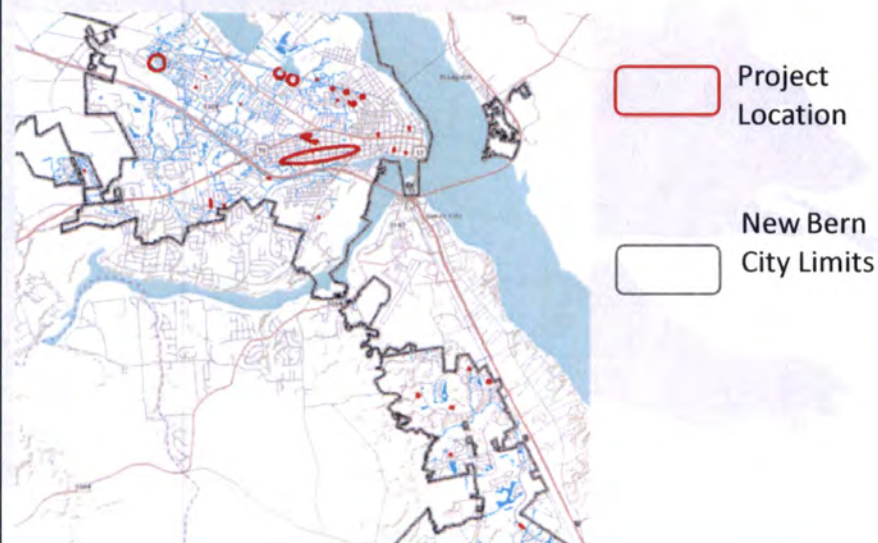
YR	# Projects	Cost
2018	2	\$ 226,000.00
2019	5	\$ 215,468.00
2020	2	\$ 810,517.00
2021	5	\$ 85,174.00
2022	6	\$ 122,555.00
2023	13	\$2,679,075.00

Total Cost \$4,138,789.00

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NORTH CAROLINA

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Public Works SW Projects 2018-2023



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FEMA Hurricane Florence CAT A & CAT D

Completed Work to Date

- FEMA CAT A \$ 8,220,628.70
- FEMA CAT D \$ 1,816,433.05



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FEMA-CAT D

Work completed to date

- Quarry 1 \$531,471.04
- Quarry 2 \$660,607.01
- Trent River \$624,355.00 (Trent Village Retaining Wall)

Status Updates on Remaining Basins

- Jack Smith Creek permit documents complete, currently in TRC/Axiom final review
 - TRC submitted impact documents back to Axiom for final review.
 - ESC Permit Application submitted to NCDEQ.
- Trent River permit drawings complete, currently in TRC/Axiom final review
 - TRC submitted impact drawings back to Axiom for final review.
 - ESC Permit Application submitted to NCDEQ.
- Jimmies Creek, Rennys Creek, Riverfront, and N. Glenburnie Permitting
 - Documents submitted to Axiom for review and comment.
- Brice's Creek, Wilson Creek
 - Environmental Impact figures being finalized.

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A total of 349 spot locations were cleared of debris from the storm, as well as 662 ditches or streams with a combined total of 133,667 linear feet or 25.32 miles.

Total Cost of \$8,220,628.70

- Quarry 1
- Quarry 2
- Jack Smith Creek
- Trent River
- Jimmies Creek
- Renny's Creek
- N. Glenburnie
- Riverfront
- Wilson Creek
- Brice's Creek

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NORTH CAROLINA

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FEMA Category A (Sediment and Debris Removal) Ten Major Drainage Basins & Outfalls

- | | |
|--------------------|----------------------------------|
| • Quarry 1 | \$523,665.34 |
| • Quarry 2 | \$755,701.75 |
| • Jack Smith Creek | \$974,547.43 |
| • Trent River | \$827,933.14 |
| • Jimmies Creek | \$847,668.92 |
| • Renny's Creek | \$1,203,282.53* |
| • N Glenburnie | (cost for these combined basins) |
| • Riverfront | |
| • Wilson Creek | |
| • Brice's Creek | |



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Additional Stormwater Projects and Studies

- **Duffyfield SW Enhancement Project 2 & 3:**

\$4,300,000 funded by NC DWI LASII Stormwater Construction Grant & NCDDEM Disaster Relief and Mitigation Grant.

- **Asset Inventory Assessment (AIA):**

New Bern received grant funding from the Local Assistance for Stormwater Infrastructure investment Fund(LASII) in the amount of **\$400,000**, to conduct an asset inventory and condition assessment. These fund will be used in key areas of the city where improved mapping and information is needed.

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The Duffyfield Stormwater Enhancement Project Phases 2, 3, & 4

Phase 2 & 3 is schedule for bidding December 2023. The project will assist in nuisance localized flooding associated with rain events. Phase 4 is a future project to add park amenities and trails.

Estimated cost of phase 2 & 3: **\$4,300,000** funded by NC DWI LASII Stormwater Construction Grant & NCDDEM Disaster Relief and Mitigation Grant.



ILLUSTRATIVE SITE PLAN
DUFFYFIELD STORMWATER PARK

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Board of Aldermen Allocated Stormwater Projects (ARPA)

- Trent Rd. & Red Robin Lane- Bank stabilization and culvert replacement-Cost: \$227,025 Completed less punch list items.
- Trent Rd. at Bank stabilization- Cost: \$209,500; Completed less punch list items.
- Pinehurst pump station- New wet well, pump upgrades- Allocated: \$567,892 – Project is in design.
- Union Point Park- Upgraded pipes and drop inlets, connection of E. Front St. to the system and a pump with backflow prevention- Cost \$100,000 – Completed
- Hancock St. Pipe Replacement- Replacement of drainage system from New St. to Broad St.- Allocated : \$500,000; Pipelining contracted is scheduled to camera pipes & provide cost to line pipe.

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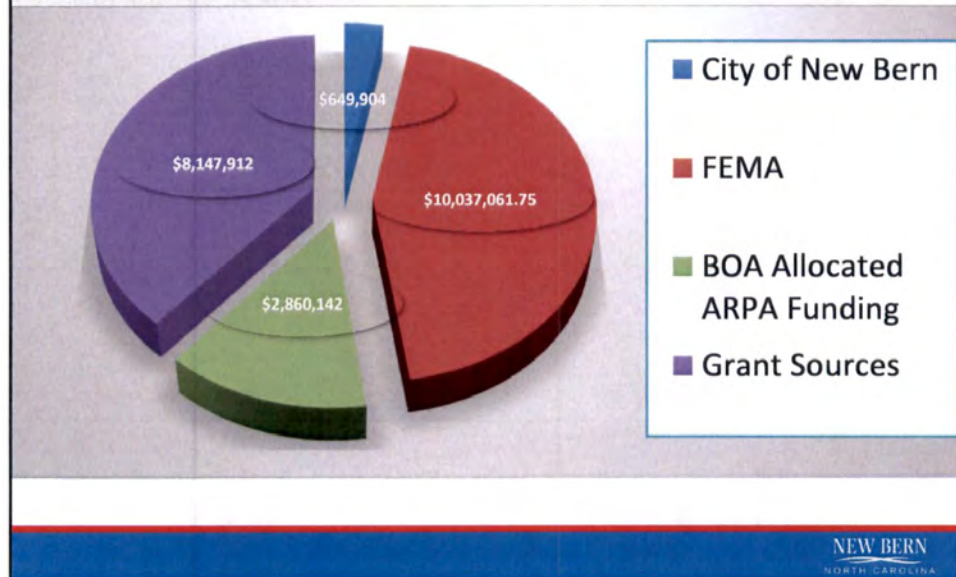
Board of Aldermen Allocated Stormwater Projects (ARPA)

- East Rose St. Culverts- Replacement of culverts and floodgates- Allocated: \$500,000; project is development phase as it is associated with East Rose Lift Station improvements.
- North Hills Storm Drainage Improvements- Allocated \$500,725; Design Consultants and NCDOT are sharing data related to replacing the Simmons St. culverts with larger box culverts and gates.
- College Park Drainage Improvements – Allocated \$155,000 ; in planning phase.
- Racetrack Rd. Culvert – Replace and install additional 36" pipe – Budgeted: \$100,000 (Included in the Racetrack Road Improvements Project).

NEW BERN
NORTH CAROLINA

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Funding Source Allocation 2018-2023



AGENDA ITEM COVER SHEET

Agenda Item Title:

Discussion of old BP building change in scope of work

Date of Meeting: 11/9/2023	Ward # if applicable: 1
Department: Administration	Person Submitting Item: Foster Hughes, City Manager
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	The City was recently notified by FEMA that \$955,812.07 was allocated toward the rebuilding of the old BP building, located at 2602 Oaks Road. The building was previously used as a storage and workshop for Public Works staff. This property was substantially damaged during Hurricane Florence. During this discussion, the Manager will review several options and seek direction from the Board on moving forward with one project.
Actions Needed by Board:	Provide direction to the City Manager
Backup Attached:	Potential project list
Is item time sensitive? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen
Rick Prill
Hazel B. Royal
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



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

Jeffrey T. Odham
Mayor
Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance

To: Mayor and Board of Aldermen
From: Foster Hughes, City Manager
Date: November 9, 2023
Subject: Discussion of BP Building Change in Scope of Work

Background Information:

The City was recently notified by FEMA that \$955,812.07 was allocated toward the rebuilding of the old BP building, located at 2602 Oaks Road. The building was previously used as a storage and workshop for Public Works staff. This property was substantially damaged during Hurricane Florence. During this discussion, the Manager will review several options and seek direction from the Board on moving forward with one project.

Recommendation:

Provide direction to the City Manager on moving forward with a change in scope of work on the BP project.

DISCUSSION ON BP BUILDING CHANGE IN SCOPE OF WORK



In a previous board meeting, we discussed that FEMA had awarded the city \$955,812.07 to rebuild the old BP building at 2602 Oaks Road. We discussed a change in scope of work for this project. With a change in scope, the City would perform any asbestos abatement, remove the building and parking lot, and seed. The estimated cost would be approximately \$20,000, which would come from the FEMA allocated funds. A variety of projects were discussed at the time. Since then, a few other potential projects have been reviewed. Potential projects are listed below.

Potential Projects:

- Amphitheater – Martin Marietta Park
- Fire Station – West New Bern
- Fire Truck (Fire-Rescue)
- Grounds Maintenance Facility (Parks & Recreation)
- Public Works Facility
- Skid Steer Mulcher (Public Works)

Amphitheater

- An amphitheater is listed in the Master Plan for Martin Marietta Park. When the master plan was written (2018), the estimated cost of an amphitheater was approximately \$1 million. Since that time, the estimated cost is approximately \$2 million.
- Currently there is only a concept plan for an amphitheater.
- There are no construction plans.
- Previously, there was discussion on leasing out the amphitheater to a concert promoter. In speaking with major promoters, they typically perform a market study in areas of interest. No market study has been conducted. Previous discussions with promoters have shown no interest without a firm design and a firm plan to construct a suitable facility.
- If built for the purpose of bringing in regional and national acts, and promoters have no interest in leasing the amphitheater, the City would need additional staff, funding etc. to book the venue and manage it.
- Currently, there is no consistent track record of admission-based concerts in the area.

Fire Station

- Based on current construction costs, the cost to build a new station could be between \$4 and \$6 million.
- There is no designated property for a new fire station.
- Staff has been working on a concept plan to be reviewed by the Board of Aldermen at a future date.
- Estimated time for construction drawings and construction would be approximately two years.

Fire Truck

- The FY24 budget includes one fire truck. During the budget work session, there was discussion on adding a 2nd truck instead of rebuilding the 21-year-old one. We said we would revisit when pricing came in.
- The most recent quote for new truck would cost: \$986,661.00 (*\$870,661 if paid within 30 days of signing contract*)
- FEMA allows funds to be used to purchase fire trucks.
- When the fire truck is sold for surplus at end of life, FEMA would be paid the sales price.

Grounds Maintenance Facility

- Grounds Maintenance – This division of Parks and Recreation is currently located on a ¾ acre tract of land with 2 buildings. The division has outgrown the space with limited room for equipment and vehicle storage.
- Space is limited at Glenburnie Park.
- Suitable land out of the flood zone is limited.
- A concept plan and assessment for future needs is in the beginning stages.

Public Works Facility

- One plan was to build a new Public Works Facility beside Water Resources on Hwy 55. Once built, this would allow Parks and Recreation to move into the old Public Works facility.
- General price estimates to construct a new facility are approximately \$3.5 million.

Skid Steer Mulcher (Public Works)

- Staff are still reviewing the need for this equipment.
- Quote is approximately \$150,000.

City Manager Recommendation:

Request change in scope of work to purchase an additional fire truck for Fire-Rescue.

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting an amendment to the FY 2023-24 annual adopted budget

Date of Meeting: 11/14/2023	Ward # if applicable:
Department: Finance	Person Submitting Item: Kim Ostrom, Director of Finance
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Amendment to roll outstanding POs and transfer Solid Waste Disposal State Distribution revenue
Actions Needed by Board:	Adopt Ordinance Amendment
Backup Attached:	Memo; Ordinance Amendment
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen
Rick Prill
Hazel B. Royal
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Jeffrey T. Odham
Mayor
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City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance

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

FROM: Kim Ostrom - Director of Finance

DATE: November 3, 2023

RE: Amendment to the FY 2023-24 Operating Budget

Current

The operating budgets for Fiscal Year 2024 are amended for the amount of appropriations necessary to reestablish encumbrances for various outstanding purchase orders as of June 30, 2023.

Additionally, the General and Solid Waste Funds are amended to recognize the Solid Waste Disposal State Distribution revenue in the amount of \$141,143 from the General Fund for Fiscal Years 2019 through 2024. A recent internal audit identified the State Distribution revenue continued to be recorded in the General Fund after the Solid Waste Fund was established in FY 2019.

Requested Action

It is requested that the Board considers adopting the enclosed budget amendment at its meeting on November 14, 2023.

CITY OF NEW BERN, NORTH CAROLINA
REQUESTED AMENDMENT TO
Fiscal Year 2023-2024

FROM: Kim Ostrom, Director of Finance

Meeting Date: November 14, 2023

EXPLANATION:

The operating budgets for Fiscal Year 2024 are amended for the amount of appropriations necessary to reestablish encumbrances for various outstanding purchase orders as of June 30, 2023. Additionally, the General and Solid Waste Funds are amended to recognize the Solid Waste Disposal State Distribution revenue in the amount of \$141,143 from the General Fund for Fiscal Years 2019 through 2024. A recent internal audit identified the State Distribution revenue continued to be recorded in the General Fund after the Solid Waste Fund was established in FY 2019.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN
THAT THE 2023-2024 ANNUAL BUDGET ORDINANCE IS AMENDED AS FOLLOWS:

Section 1 - Appropriations

Schedule A - GENERAL FUND

Increase: General Government	\$ 132,377
Information Technology	159,075
Finance	53,313
Human Resources	10,550
Police	128,952
Fire	101,528
Parks & Recreation	94,541
Development Services	25,560
Public Works	123,867
ARPA Enabled Projects	6,145,283
Transfer to Solid Waste Fund	117,143
	<u>\$ 7,092,189</u>

Schedule C - WATER FUND

Increase: Water Administration	\$ 647
Water Treatment	54,821
Water Distribution Maintenance	90,150
	<u>\$ 145,618</u>

Schedule D - SEWER FUND

Increase: Sewer Treatment	\$ 91,565
Sewer Collection System Maintenance	211,951
	<u>\$ 303,516</u>

Schedule E - ELECTRIC FUND

Increase:	Electric Administration	\$	10,038
	Electric Distribution		668,587
	Electric Power Production		114,935
	Electric Communications Control		895
	Utility Business Office		136,364
	Customer and Payments Services		33,779
		\$	<u>964,598</u>

Schedule K - GRANTS FUND

Increase:	Grants - Police	\$	378,709
	Grants - Fire		3,500
	Grants - Parks & Recreation		147,746
	Grants - Development Services		1,462,018
	Grants - Public Works		225,501
		\$	<u>2,217,474</u>

Schedule T - SOLID WASTE FUND

Increase:	Solid Waste	\$	<u>39,641</u>
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Section 2 - Estimated RevenuesSchedule A - GENERAL FUND

Increase:	Fund Balance Appropriated	\$	7,116,189
Decrease:	Solid Waste Disposal State Distribution		(24,000)
		\$	<u>7,092,189</u>

Schedule C - WATER FUND

Increase:	Fund Balance Appropriated	\$	<u>145,618</u>
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Schedule D - SEWER FUND

Increase:	Fund Balance Appropriated	\$	<u>303,516</u>
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Schedule E - ELECTRIC FUND

Increase:	Fund Balance Appropriated	\$	<u>964,598</u>
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Schedule K - GRANTS FUND

Increase:	Fund Balance Appropriated	\$	<u>2,217,474</u>
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Schedule T - SOLID WASTE FUND

Increase:	Solid Waste Disposal State Distribution	\$	24,000
	Transfer from General Fund		117,143
Decrease:	Fund Balance Appropriated		(101,502)
		\$	<u>39,641</u>

NATURE OF TRANSACTION:

 X ADDITIONAL REVENUE AVAILABLE FOR APPROPRIATION
 TRANSFER WITHIN ACCOUNTS OF SAME FUND
 X OTHER: FUND BALANCE APPROPRIATED

APPROVED BY THE BOARD OF ALDERMEN AND
ENTERED ON MINUTES DATED NOVEMBER 14, 2023
AGENDA ITEM NUMBER _____

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting an amendment to the Stanley White Recreation Center Project Fund

Date of Meeting: 11/14/2023	Ward # if applicable:
Department: Finance	Person Submitting Item: Kim Ostrom, Director of Finance
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Amendment to recognize additional loan proceeds
Actions Needed by Board:	Adopt Ordinance Amendment
Backup Attached:	Memo; Ordinance Amendment
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen
Rick Prill
Hazel B. Royal
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Mayor
Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A. Ostrom
Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen
FROM: Kim Ostrom - Director of Finance
DATE: November 3, 2023
RE: Amendment to the Stanley White Recreation Center Project Fund

Background

On July 11, 2023, the Stanley White Recreation Center Project Fund budget ordinance established funds in the amount of \$13,180,400 to cover the contract with TA Loving from the following anticipated proceeds:

Insurance Proceeds	\$500,000
FEMA Reimbursements	<u>7,506,649</u>
Total Transfer from Hurricane Florence Fund	\$8,006,649
 Estimated Debt Proceeds	 <u>\$5,173,751</u>
 Total	 \$13,180,400

The City's debt issuance for the Stanley White Recreation Center Project totaled \$10,000,000.

Current

To appropriate the total available funds, this ordinance amends the Stanley White Recreation Center Project Fund to recognize the remaining debt proceeds in the amount of \$4,826,249.

Requested Action

It is requested that the Board considers adopting the enclosed budget amendment at its meeting on November 14, 2023.

**AN ORDINANCE TO AMEND THE CAPITAL PROJECT ORDINANCE
STANLEY WHITE RECREATION CENTER PROJECT FUND**

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

Section 1. That Section 2 of the Stanley White Recreation Center Project Fund Ordinance adopted on July 11, 2023 is hereby amended to recognize additional appropriation:

Increase: Stanley White Recreation Center \$4,826,249

Section 2. That Section 2 of the Stanley White Recreation Center Project Fund Ordinance adopted on July 11, 2023 is hereby amended to recognize revenue:

Increase: Proceeds from Installment Purchases \$4,826,249

Section 3. This amendment shall become effective upon adoption.

ADOPTED THIS 14TH DAY OF NOVEMBER 2023.

JEFFREY T. ODHAM, MAYOR

BRENDA E. BLANCO, CITY CLERK

Aldermen

Rick Prill
Hazel B. Royal
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Robert Brinson, Jr.



Jeffrey T. Odham

Mayor

Foster Hughes

City Manager

Brenda E. Blanco

City Clerk

Kimberly A. Ostrom

Director of Finance

Memorandum

TO: Alderman Johnnie Ray Kinsey

FROM: Brenda Blanco, City Clerk

DATE: June 16, 2023

SUBJECT: Appointment to Planning and Zoning Board

Raymond Layton's term on the Planning and Zoning Board will expire June 30, 2023. He is ineligible for reappointment. You are asked to make a new appointment to fill Seat 4 for a three-year term that will expire on June 30, 2026.