

**RESOLUTION TO ESTABLISH THE MUNICIPAL SERVICE DISTRICT ADVISORY
COMMITTEE**

THAT WHEREAS, the Board of Aldermen of the City of New Bern ("Board of Aldermen") adopted a resolution on June 27, 1978 by which a municipal service district was established ("Municipal Service District"); and

WHEREAS, by subsequent resolutions adopted pursuant to and consistent with the Municipal Service District Act of 1973 ("Act"), the original Municipal Service District was further enlarged; and

WHEREAS, on June 11, 1985, the Board of Aldermen appointed certain property owners within the Municipal Service District to serve as a Municipal Service District Advisory Committee for the specific purpose of making recommendations to the City of New Bern with respect to further revitalization of the central business district; and

WHEREAS, once the initial Municipal Service District Advisory Committee made its recommendations to the Board of Aldermen, no further appointments were made; and

WHEREAS, the Board of Aldermen desires to re-establish a Municipal Service District Advisory Committee to provide advisory recommendations to the Board of Aldermen as more specifically provided herein; and

WHEREAS, the Board of Aldermen deems it advisable and in the public interest to establish the Municipal Service District Advisory Committee with such membership and objectives as set forth herein.

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

Section 1. There is hereby established the Municipal Service District Advisory Committee.

Section 2. The Municipal Service District Advisory Committee shall serve the Board of Aldermen in an advisory capacity, and shall no less than annually recommend to the Board of Aldermen how the property taxes generated within the Municipal Service District may be spent consistent with Act.

Section 3. The Municipal Service District Advisory Committee shall meet as a public body on no less than a quarterly basis at regularly scheduled meetings. Special meetings may be called by the Chairman at any time. All meetings shall comply with North Carolina open meetings laws.

Section 4. The Municipal Service District Advisory Committee shall be comprised of ten (10) voting members representing the following interests within the Municipal Service District:

Six (6) Commercial Members*

Seat #

- (1) Large commercial representative (Real property tax value of \$2 million or more)
- (2) Hospitality representative (Hotel/bed and breakfast)
- (3) Restaurant representative
- (4) Retail establishment representative
- (5) Entertainment/nightlife representative
- (6) Professional services representative (Legal, banking, insurance, dental, etc.)

*Commercial members may be individual property owners, or a representative of an owner if a commercial property is owned by a legal entity.

Four (4) Residential Members

Each of the four (4) residential representatives (Seat #7 – #10) must maintain their primary residence in a residential dwelling located within the Municipal Service District.

Section 5. The Municipal Service District Advisory Committee shall also include the following five (5) ex officio, non-voting members:

Ex Officio Members

- (1) Ward 1 Aldermen
- (2) At-Large Appointment from the Board of Aldermen
- (3) City Manager
- (4) Finance Director
- (5) Swiss Bear Executive Director

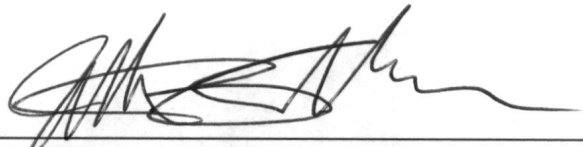
Section 6. Municipal Service District Advisory Committee members shall be appointed for a three-year staggered terms by the Board of Aldermen. Any vacancies shall be filled by the Board of Aldermen. Members may continue to serve until their successors have been appointed. Initially, Seat Numbers 3, 6, and 9 shall be appointed for one-year terms, Seat Numbers 2, 5, and 8 shall be appointed for two-year terms, and Seat Numbers 1, 4, 7, and 10 shall be appointed for three-year terms. Upon the expiration of the initial terms, all members shall serve three-year terms. Members may not serve more that two (2) successive terms as a Commercial Member representing the same commercial interest, or as a Residential Member. The Board of Aldermen, in its discretion, may replace any voting member who fails to attend three (3) of the four (4) quarterly meetings within any twelve (12) month period, or

who no longer owns real property or resides within the Municipal Service District. Vacancies may be filled for unexpired terms only.

Section 7. The Municipal Service District Advisory Committee shall elect one of its members to serve as chair who shall preside over the committee's meetings. The person so elected shall serve a term of one year or until their term expires, whichever comes first. The chair may succeed himself or herself. The chair may take part in all deliberations and vote on all issues.

Section 8. This resolution shall be effective on adoption.

ADOPTED THIS 25th DAY OF SEPTEMBER, 2023.

A handwritten signature in black ink, appearing to read "Jeffrey T. Odham", written over a horizontal line.

JEFFREY T. ODHAM, MAYOR

A handwritten signature in black ink, appearing to read "Brenda E. Blanco", written over a horizontal line.
BRENDA E. BLANCO, CITY CLERK