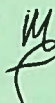


NOTES

TO: Honorable Mayor and City Council Members

FROM: Merrill Flood, Assistant City Manager



DATE: March 23, 2016

SUBJECT: Materials for Your Information

Please find attached the following materials for your information:

1. A memo from Dave Holec, City Attorney, regarding the 2016 Legislative Initiatives
2. A memo from Police Chief Mark Holtzman regarding an Uptown parking meeting, scheduled for March 29, 2016
3. A memo from Gary Fenton, Recreation and Parks Director, providing an update on the Town Common fishing pier and kayak landing project
4. A memo from Gary Fenton, Recreation and Parks Director, regarding the Exceptional Community Baseball League (ECBL) opening ceremonies, scheduled for April 2, 2016
5. A flyer announcing the upcoming MWBE Mix & Meet event, scheduled for April 20, 2016

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Attachments

cc: Dave Holec, City Attorney
Carol Barwick, City Clerk

MEMORANDUM

TO: Mayor and Council Members

FROM: David A. Holec, City Attorney



DATE: March 23, 2016

SUBJECT: 2016 Legislative Initiatives

Attached is the booklet which contains information on the City of Greenville 2016 Legislative Initiatives. This is being provided to the members of the local legislative delegation in the General Assembly and there will be follow-up discussions with these legislators.

cc: Barbara Lipscomb, City Manager

attachment

City of Greenville

2016

Legislative Initiatives



Find yourself in good company

**SUMMARY OF
CITY OF GREENVILLE
2016 LEGISLATIVE INITIATIVES**

- 1. Preservation and Enhancement of Municipal Revenue Sources*
- 2. Preservation of Municipal Authorities*
- 3. Implementation of a Red Light Camera Enforcement Program*
- 4. Funding for the Urban Search and Rescue Program*
- 5. Promotion of Economic Development*

A further description of and resolutions relating to these legislative initiatives are contained on the following pages.

1) Preservation and Enhancement of Municipal Revenue Sources

Support efforts to preserve the existing revenue sources of cities and to enhance the revenue sources which cities have the authority to implement. Cities are reliant upon municipal revenue sources in order to provide services to their citizens. The available revenue sources for cities are limited. Any reduction of municipal revenue sources will result in budget problems for cities. Cities would then be required to either reduce services provided to citizens or increase revenues from other sources. It is important that existing municipal revenue sources be preserved. During the 2015 Session, the adopted State budget included a sales tax plan that provides additional money to primarily rural and suburban counties and cities with no county or city to receive less local sales tax revenue than currently received. The revenue for the additional money comes from an expansion of the sales tax base to include repair, maintenance, and installation of tangible personal property. This is expected to help fund a total of \$84.8 million which is to be distributed to 79 counties with Pitt County to get 0.16% of this amount. The distribution to Pitt County is to be divided among the county and the cities. Although the City of Greenville benefitted from this change, there is the possibility of further reform of the sales tax which may not be beneficial to the City of Greenville including alteration of the distribution formulas. Sales tax is a significant revenue source for the City of Greenville. The sales tax should continue to be a reliable and growing source of revenue for cities. The North Carolina League of Municipalities continues to work on legislation that would provide cities with additional revenue options, including authority for a city-only sales tax.

RESOLUTION NO. 15-16

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE SUPPORTING THE
PRESERVATION AND ENHANCEMENT OF MUNICIPAL REVENUE SOURCES**

WHEREAS, cities are reliant upon municipal revenue sources in order to provide services to its citizens such as public safety, recreation, economic development, and transportation;

WHEREAS, in order to ensure that cities have reliable and growing sources of revenue, it is important that existing municipal revenue sources be preserved for cities and additional revenue options be authorized for cities; and

WHEREAS, it would be appropriate for the North Carolina General Assembly to take the necessary action during the 2016 Session of the North Carolina General Assembly which will preserve and enhance municipal revenue sources;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby express its support for the preservation and enhancement of municipal revenue sources and that it does hereby respectfully request the North Carolina General Assembly, through the delegation representing the House and Senate districts of which Greenville is a part, to take the necessary action during the 2016 Session to preserve and enhance municipal revenue sources.

This the 17th day of March, 2016.

/s/ Allen M. Thomas
Allen M. Thomas, Mayor

ATTEST:

/s/ Carol L. Barwick
Carol L. Barwick, City Clerk

2) Preservation of Municipal Authorities

Support efforts to preserve the existing authorities of cities. Cities are authorized to act based upon grants of authorities by the North Carolina General Assembly. Cities need flexibility in exercising these authorities to allow the local elected officials the opportunity to make decisions that effectively and efficiently meet the needs of their community. During this Session, there are several bills eligible for consideration which would limit or restrict the authorities of local elected officials to make decisions on significant issues which are important to the community. An example is a proposal (HB304/SB320) which would overrule local rules governing existing billboards by allowing an existing billboard to be moved from its current location to any non-residential zone in a city regardless of the city's restrictions on locations and which would allow the relocated billboard to be enlarged, made taller, or converted to digital display, even if the city's ordinance says otherwise.

RESOLUTION NO. 16-16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE SUPPORTING THE PRESERVATION OF MUNICIPAL AUTHORITIES

WHEREAS, cities are reliant upon the grants of authorities by the North Carolina General Assembly in order to provide services to its citizens such as public safety, recreation, economic development, and transportation;

WHEREAS, in order to ensure flexibility to allow the needs of the community to be effectively and efficiently met, it is important that existing municipal authorities be preserved for cities; and

WHEREAS, it would be appropriate for the North Carolina General Assembly to take the necessary action during the 2016 Session of the North Carolina General Assembly which will preserve municipal authorities;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby express its support for the preservation of municipal authorities and that it does hereby respectfully request the North Carolina General Assembly, through the delegation representing the House and Senate districts of which Greenville is a part, to take the necessary action during the 2016 Session to preserve municipal authorities.

This the 17th day of March, 2016.

/s/ Allen M. Thomas
Allen M. Thomas, Mayor

ATTEST:

/s/ Carol L. Barwick
Carol L. Barwick, City Clerk

3) Implementation of a Red Light Camera Enforcement Program

Seek a local act which will allow the City of Greenville to implement a red light camera enforcement program utilizing an interlocal agreement with the Pitt County Board of Education which includes provisions on cost sharing and reimbursement. In 2014, the City of Fayetteville secured a local act which authorized the implementation of such a red light camera enforcement program. This innovative approach has been successfully implemented by Fayetteville. This approach allows the city to implement the red light camera enforcement program in a fiscally prudent manner. Without this authority, the clear proceeds of the fines which are collected from citations issued due to red light camera enforcement would be paid to and retained by the local school system. And the City could only retain the amount which represents the cost of collection of the fines which could not exceed 10% of the amount of the fines. Drivers of motor vehicles who violate the law by entering an intersection after the signal light turns red create a serious safety hazard. The implementation of this enforcement tool is expected to result in a decline of stoplight violations and a correlating increase in the safety for the citizens of Greenville. Additionally, the Pitt County Board of Education would be provided revenue it would not otherwise receive.

RESOLUTION NO. 17-16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE SEEKING ENACTMENT OF LEGISLATION RELATING TO IMPLEMENTATION OF A RED LIGHT CAMERA ENFORCEMENT PROGRAM UTILIZING AN INTERLOCAL AGREEMENT WITH THE BOARD OF EDUCATION

WHEREAS, a serious public safety hazard is created by drivers of motor vehicles who violate the law by entering an intersection after the traffic signal light turns red;

WHEREAS, although the City of Greenville has the authority to implement a red light camera enforcement program, it is not financially viable unless implemented with a program similar to the City of Fayetteville's program that utilizes an interlocal agreement with the Board of Education which includes provisions on cost sharing and reimbursement;

WHEREAS, the implementation of a red light camera enforcement program will result in a decline in red light violations and a correlating increase in the safety of citizens and also allow police officers to engage in other enforcement activities;

WHEREAS, in addition to providing for the protection of public safety, the implementation of a red light camera enforcement program will also benefit the Pitt County Board of Education by providing revenue it would not otherwise receive; and

WHEREAS, it would be appropriate for the North Carolina General Assembly to enact legislation to grant the authority to the City of Greenville to implement a red light camera enforcement program utilizing an interlocal agreement with the Pitt County Board of Education which includes provisions on cost sharing and reimbursement with the local bill also increasing the civil penalty to one hundred dollars and allowing an assessment of a collection assessment fee;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby respectfully request the North Carolina General Assembly, through the delegation representing the House and Senate districts of which Greenville is a part, to take the necessary action during the 2016 Session to enact a local bill which will grant authority to the City of Greenville to implement a red light camera enforcement program utilizing an interlocal agreement with the Pitt County Board of Education which includes provisions on cost sharing and reimbursement with the local bill also increasing the civil penalty to one hundred dollars and allowing an assessment of a collection assistance fee.

This the 17th day of March, 2016.

/s/ Allen M. Thomas
Allen M. Thomas, Mayor

ATTEST:
/s/ Carol L. Barwick
Carol L. Barwick, City Clerk

4) Funding for the Urban Search and Rescue Program

Support legislation to establish a sustainable funding source for the Urban Search and Rescue Program. North Carolina has seven (7) regional Urban Search and Rescue (USAR) teams which provide disaster response and additional capabilities such as swift water rescue, confined space rescue, and aquatic rescue. One of the regional teams is located and provided personnel by the City of Greenville Fire and Rescue Department. The primary source of funding for the USAR program in North Carolina has been through Homeland Security Grants passed through North Carolina Emergency Management (NCEM). However, this grant funding is decreasing, and there is a need to establish a sustainable funding source. During the 2015 Session, legislation was passed to support the Urban Search and Rescue Program but a provision relating to sustainable funding was not included. The North Carolina Coalition of Metropolitan Fire Chiefs has supported this issue in the past.

RESOLUTION NO. 18-16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE SUPPORTING FUNDING FOR THE URBAN SEARCH AND RESCUE PROGRAM

WHEREAS, North Carolina has seven (7) regional Urban Search and Rescue (USAR) teams which provide disaster response and one of the regional teams is located and provided personnel by the City of Greenville Fire and Rescue Department;

WHEREAS, the primary source of funds for the Urban Search and Rescue Program is decreasing and there is a need for a sustainable funding source;

WHEREAS, it is important for the Urban Search and Rescue Program to have an established sustainable funding source; and

WHEREAS, it would be appropriate for the North Carolina General Assembly to take the necessary action during the 2016 Session of the North Carolina General Assembly which will support funding for the Urban Search and Rescue Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby express its support for the funding for the Urban Search and Rescue Program and that it does hereby respectfully request the North Carolina General Assembly, through the delegation representing the House and Senate districts of which Greenville is a part, to take the necessary action during the 2016 Session to support the establishment of a sustainable funding source for the Urban Search and Rescue Program.

This the 17th day of March, 2016.

/s/ Allen M. Thomas
Allen M. Thomas, Mayor

ATTEST:

/s/ Carol L. Barwick
Carol L. Barwick, City Clerk

5) Promotion of Economic Development

Support legislation which promotes economic development. Preservation of the Job Development Investment Grant (JDIG) program is a priority. JDIG is a state level discretionary program that provides grants to businesses that create new jobs and make a capital investment. To qualify for JDIG, a business must demonstrate that North Carolina is competing with another state and that the business is paying a wage that exceeds the county average. JDIG does require a local contribution, based on Tier designation. The Greenville MSA currently uses JDIG as an economic development recruiting tool to compete with other states that offer incentives. During the 2015 Session, legislation which increased the annual cap on JDIG grants to \$20 million was approved. Elimination of JDIG funding, without a viable replacement, will put the Greenville MSA at a competitive disadvantage when competing with other states for jobs. Additionally, legislation which encourages a regional development approach that benefits eastern North Carolina will also benefit Greenville.

RESOLUTION NO. 19-16 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE SUPPORTING THE PROMOTION OF ECONOMIC DEVELOPMENT

WHEREAS, the promotion of economic development is beneficial to the City of Greenville and its citizens;

WHEREAS, the Job Development Investment Grant (JDIG) program provides a recruiting tool to promote economic development projects;

WHEREAS, a regional development approach that benefits eastern North Carolina will also benefit City of Greenville; and

WHEREAS, it would be appropriate for the North Carolina General Assembly to take the necessary action during the 2016 Session of the North Carolina General Assembly which will promote economic development;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby express its support for the promotion of economic development to enhance the economic growth of the community and that it does hereby respectfully request the North Carolina General Assembly, through the delegation representing the House and Senate districts of which Greenville is a part, to take the necessary action during the 2016 Session to promote economic development.

This the 17th day of March, 2016.

/s/ Allen M. Thomas
Allen M. Thomas, Mayor

ATTEST:

/s/ Carol L. Barwick
Carol L. Barwick, City Clerk

Memorandum

To: Barbara Lipscomb
City Manager

From: Mark Holtzman
Chief of Police

Date: March 22, 2016

Subject: Notes to Council – Uptown Parking Meeting

Per Assistant City Manager Flood's direction, parking staff has scheduled a parking meeting to update stakeholders regarding parking changes in the Uptown area. The meeting is scheduled as follows:


- Tuesday, March 29th, 2016
Sheppard Memorial Library, Room A
3:30 p.m. – 5:00 p.m.

The meeting has been advertised through Uptown Greenville and is targeted to the stakeholders in Uptown. The following items will be discussed:

- Changes to parking in the Parking Deck
- Metered parking spaces
- Parking Plan
- Parking area behind the theater and Winslow's

There will be a question and answer session after the items above are discussed. If you have any questions or concerns, please contact me.

Memorandum

To: Honorable Mayor and City Council Members
From: Merrill Flood, Assistant City Manager 
Date: March 23, 2016
Subject: Town Common Fishing Pier and Kayak Landing

Attached is a status report for the fishing pier and kayak landing project at Town Common. You can access the Town Common Phase I project under the Recreation and Parks Department tab on the City's website for future updates (link below). The attached report can be found under the "Work Product" tile on the linked page.

<http://www.greenvillenc.gov/government/recreation-parks/town-common-phase-1>

Attachment

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Town Common Fishing Pier and Kayak Landing

Project Status Report Period Ending: February 2016

Project Manager: Lamarco M. Morrison

Project Description: This project consists of the design-build construction of an elevated fishing pier and a kayak launch at Town Common.

Yes	No	Overall Status – At a Glance
	x	Will the project be completed on approved schedule?
	x	Will the project be completed within the approved budget?
x		Will the project deliverables be completed within acceptable quality levels?
x		Are project issues being addressed successfully?
x		Are project risks being successfully mitigated?
x		Are all customer concerns being addressed successfully?
<i>Explanation of items checked 'No' above:</i> <ul style="list-style-type: none">• The City was not able to get site plan approval because the NCDENR requires a no-rise certification prior to construction. The certification is required with any proposed structures in the floodway. Negotiations with NCDENR lasted for over 60 days, and the approval process will take an additional 60 days.• The budget for this project has increased to include the cost for an engineer to perform the no-rise certification for the proposed structures. The cost for engineering will be addressed with project contingency.• The change in the location of the kayak launch will require a change order based on additional decking and pilings.• Conflicts were discovered in the survey information for the adjacent parking lot and existing pier during the initial modeling for the no-rise certification. High river levels have prevented survey crews from obtaining additional shots for spot elevations of the existing fishing pier. Additional survey may be obtained when the river is at a safe level for crews to gather data.		
<i>Significant accomplishments this period:</i> <ul style="list-style-type: none">• February 10, 2016 – Revised plans were submitted to Ward Consulting Engineers to begin the flood modeling required for the no-rise certifications. Ward Consulting began the initial phase for the no-rise certifications.		
<i>Significant accomplishments planned for next period:</i> <ul style="list-style-type: none">• Ward Consulting Engineers will submit the no-rise certification and report to NCDENR for review and approval.• Jarvis Engineering will revise the construction documents and survey information for approval. The revised documents will be submitted to Planning for review and approvals.		

Major issues, Scope changes, Pending change orders, Risks (impact, resolution):

- The process for obtaining a non-rise certification has delayed the project by 120 days. Initial findings of the no-rise certification require that the design of both structures be revised in order to achieve a no-rise certification.
- The cost for the engineering has increased the cost of the project in the amount of \$8,630.00. Cost may increase due to revised engineering required to pass the no-rise certification. The cost of the engineering will be paid out of the construction contingency.
- Minor discrepancies were discovered in the survey information provided by the design-build contractor; the contractor has been directed to revise their survey and the East Group has been requested to confirm survey information and submit it to the City.

Additional comments or highlights not already mentioned:

- The City anticipates final completion on the fishing pier and kayak landing in mid June 2016, provided that NCDENR approves the no-rise certification for the project.

Project Control Information

Project Initiation

PROJECT NAME:	Town Common Elevated Pier and Kayak Launch
PROJECT MANAGER:	Lamarco M. Morrison
DATE MOU EXECUTED:	
FUNDING SOURCE:	<input checked="" type="checkbox"/> CIP, <input type="checkbox"/> COPS, <input type="checkbox"/> Bond, <input type="checkbox"/> Federal Funds, <input type="checkbox"/> Other
RESPONSIBILITY CODE(S):	010-9500-403.75-74 – Old Account Number 010-04-40-51-000-000-532291- Design-build Construction 010-04-40-51-000-000-533410 – Engineering (No-rise Certifications)
CLIENT DEPARTMENT:	Greenville Recreation and Parks Department
CLIENT CONTACT:	252-329-4649
PROJECT SCOPE:	<ul style="list-style-type: none">• Design and construction of an elevated fishing pier and kayak launch at 105 East 1st Street, Greenville, NC 27834 .

Design Phase

DESIGN SCHEDULE		DESIGN BUDGET	
ADVERTISE DATE:	See construction schedule below for design build of pier	ORIG. DESIGN BUDGET:	\$5,414.00
BID DATE:	N/A	AUTHORIZED CHANGES:	\$8,630.00
C.C. APPROVAL DATE:	N/A	TOTAL DESIGN BUDGET:	\$14,044.00
C.C. AGENDA NUMBER:	N/A	DESIGN CONTINGENCY:	\$0.00
ENGINEERING FIRM:	Jarvis Consulting, Inc.	PRIOR DESIGN ACTUALS:	\$0.00
TELEPHONE NUMBER:	252-923-0302	PERIOD'S DESIGN COSTS:	\$0.00
		TOTAL DESIGN ACTUALS:	\$0.00
NO RISE CERTIFICATION			
ENGINEERING FIRM:	Ward Consulting Engineers		
COMMENTS: This project has a design-build delivery method for construction. Design is included within the construction contract with Sawyer Residential & Marine Construction, Inc. Ward Consulting Engineers were contracted to complete the no-rise certification for the project, which increased the design budget in the amount of \$8,630.			

Construction Phase

CONSTRUCTION SCHEDULE		CONSTRUCTION BUDGET	
ADVERTISE DATE:	April 4, 2015	ORIG. CONSTR. BUDGET:	\$108,300.00
BID DATE:	May 14, 2015	AUTHORIZED CHANGES:	\$0.00
C.C. APPROVAL DATE:	N/A	TOTAL CONSTR. BUDGET:	\$108,300.00
C.C. AGENDA NUMBER:		CONSTR. CONTINGENCY:	\$10,000.00
CONSTRUCTION FIRM:	Sawyer Residential and Marine Construction, Inc.	PRIOR CONSTR. COSTS:	\$0.00
TELEPHONE NUMBER:	252-945-4710	PERIOD'S CONSTR. COST:	\$0.00
CONTACT NAME:	Ivan Sawyer	TOTAL CONSTR. ACTUAL:	\$0.00
COMMENTS: Construction is approximately 6% complete			
CONSTRUCTION IN PROGRESS	PLANNED DATE	FORECAST DATE	ACTUAL DATE
Contract Negotiations	May 15, 2015	June 9, 2015	June 16, 2015
Construction Documents	June 16, 2015	August 3, 2015	August 3, 2015
**Plan Review and Approvals	August 4, 2015	September 17, 2015	
Construction Activities	October 16, 2015	February 16, 2016	
Substantial Completion	February 17, 2016	February 27, 2016	
Create Punch List	February 29, 2016	March 8, 2016	
Project Closeout Procedures	March 9, 2016	March 21, 2016	
Final Completion	March 21, 2016	April 1, 2016	
COMMENTS: *** The Contractor has not gotten final approval and approved construction plans due to the required No-Rise Certification. This has delayed the project by 60 days. Construction is anticipated to begin in early April 2016 with the approval of the No-Rise Certification from NCDENR.			

Recent Photographs

PROJECT - South Greenville Recreation Center Renovations

Report Date – February 30, 2016



Description


Photo taken March 21, 2016, shows the proposed location of the elevated fishing pier. Area prone to flooding.



Description

Photo taken March 21, 2016, shows the proposed location of the floating kayak launch.

Memo

To: Barbara Lipscomb, City Manager
CC: Merrill Flood, Assistant City Manager
From: Gary Fenton, Director of Recreation and Parks 
Date: March 21, 2016
Re: ECBL Opening Ceremonies

The Exceptional Community Baseball League (ECBL) would like to invite Council Members and city staff to attend their opening ceremonies on Saturday, April 2 at 10:30 am. The event will be at the ECBL home site, the Sarah Vaughn Field of Dreams at Elm Street Park, 1055 S. Elm Street.

ECBL is a coed baseball program for special needs athletes ages five and up. The league is split into three age divisions: youth, young adult, and adult. With the assistance of Greenville Recreation and Parks, ECBL is run by a volunteer board, volunteer coaches, and volunteer buddies for the players.

Since its inception, the league has grown to serve over 150 players.

More information about this program can be found on the league's website <http://myecbl.com/>.

Please let me know if you have any questions.



MWBE

MINORITY AND WOMEN
BUSINESS ENTERPRISE

MIX & MEET

Business Opportunity Fair and Matchmaking Session

April 20, 2016
9:00 AM–12:00 PM
200 West 5th Street

Register online by April 8th at mwbe.greenvillenc.gov.

Local bidders: Join us for an afternoon workshop to learn about local preference!



For more info, call Denisha Harris
at 252.329.4862.