

NOTES

TO: Honorable Mayor and City Council Members

FROM: Barbara Lipscomb, City Manager *BL*

DATE: October 19, 2016

SUBJECT: Materials for Your Information


Please find attached the following materials for your information:

1. A memo from Kevin Mulligan, Public Works Director, regarding the 2016 Clean Energy Symposium
2. Minutes from the September 6, 2016, Redevelopment Commission meeting

Attachments

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

Memorandum

TO: Barbara Lipscomb, City Manager
FROM: Kevin Mulligan, PE, Director of Public Works 
DATE: October 19, 2016
SUBJECT: 2016 Clean Energy Symposium

In March 2007, the Environmental Advisory Commission (EAC) recommended to City Council that Greenville join the Sierra Club's Cool City Initiative by committing to and signing the US Conference of Mayors' Climate Protection Agreement. This initiative was launched to advance the goals of the Kyoto Protocol. Under the Agreement, Greenville committed to take following three actions:

1. Strive to meet or beat the Kyoto Protocol targets in their own communities through actions ranging from anti-sprawl land-use policies to urban forest restoration projects to public information campaigns;
2. Urge their state governments and the federal government to enact policies and programs to meet or beat the greenhouse gas emission reduction target suggested for the United States in the Kyoto Protocol -- 7% reduction from 1990 levels by 2012; and
3. Urge the U.S. Congress to pass the bipartisan greenhouse gas reduction legislation, which would establish a national emission trading system.

The Greenville City Council agreed to participate in the Cool City Initiative, and EAC established a sub-committee called the Greenville Climate Protection Partnership (GCPP). The sub-committee chose to utilize the U.S. Mayors' Climate Protection Agreement - Climate Action Handbook which outlined a 5-step process:

1. Determine the local baseline emissions of global-warming pollutants;
2. Establish a target to lower emissions;
3. Develop a local Climate Action Plan to implement actions that reduce pollutants;
4. Implement the local Climate Action Plan; and
5. Measure, verify, and report performance.

After completion of a baseline inventory, GCPP disbanded. No additional efforts were made to follow up on the remaining milestones as described above. In addition, the City did not maintain statistical data used in the baseline inventory as volunteers completed the effort.

Greenville City government began to implement a series of steps to address greenhouse gas emissions. Actions taken included, but are not limited, to:

1. Requiring that appliances and equipment purchased be Energy Star compliant;
2. Adoption of a policy to implement the Leadership in Energy and Environmental Design (LEED) program when constructing or renovating City buildings;
3. Administrative procedures requiring City departments, where feasible, to purchase environmentally preferable products and services that meet City needs;
4. No idling policies;
5. Award and implementation of the Energy Efficiency Conservation Block Grant (EECBG); and
6. Energy Savings and Performance Contract.

Additional actions may have been taken but are not identified in this memorandum.

Since the Kyoto Protocol was adopted in 2005, levels of global CO₂ have increased with progression of global warming and climate change. Faced with these realities, the Paris Conference on Climate Change in December 2015 reached an agreement to limit global temperature rise to not more than 2°C above preindustrial levels. To achieve this commitment, the federal government has begun to set targets for reducing greenhouse gas emissions in the US. The largest single source of emissions being the burning of fossil fuels for electricity production, the EPA has set a goal of a 30% reduction for North Carolina.

In spite of these actions, global warming and climate change will not be checked until the release of greenhouse gasses is curtailed. This will require significant action at all levels of society. The Cool City initiative of 2007 was a first step in introducing change at the community level. Unfortunately, the initiative was never fully implemented.

The Clean Energy Symposium sponsored by the EAC and the Sierra Club represents an initial effort at reviving the process. The symposium will review the challenge of global warming and climate change and lay out actions and best practices that might be adopted in Greenville. This will set the stage for the City Council to recommit to take action to address greenhouse gas emissions and to set in place an effort to develop and implement a Climate Protection Plan as was included in the original proposal approved in 2007.

The sponsors envision a two-hour symposium to be held in the City Council Chambers during a regularly scheduled EAC meeting. We anticipate our target audience to be 30-50 people from the following groups: Greenville City Council, Pitt County Commissioners, Greenville Utilities Commission, area business leaders, members of ECU faculty and staff, Greenville City employees, and interested parties of the public. More information about the event will be provided as it becomes available.

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

cc: Lisa Kirby, PE, Senior Engineer
Daryl Norris, PE, Civil Engineer II
Durk Tyson, PE, EAC Chairman
David Ames, Sierra Club President

**Redevelopment Commission
Meeting Minutes
Tuesday, September 6, 2016
Greenville, North Carolina**

Present:

- | | | |
|---|---|--|
| <input type="checkbox"/> Angela Marshall | <input type="checkbox"/> Tracie Gardner | <input type="checkbox"/> Sharif Hatoum |
| <input checked="" type="checkbox"/> Jeremy King | <input checked="" type="checkbox"/> Patricia Dunn | |
| <input checked="" type="checkbox"/> Judy Siguaw | <input checked="" type="checkbox"/> Richard Patterson | |

Absent:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Angela Marshall | <input checked="" type="checkbox"/> Tracie Gardner | <input checked="" type="checkbox"/> Sharif Hatoum |
| <input type="checkbox"/> Jeremy King | <input type="checkbox"/> Patricia Dunn | |
| <input type="checkbox"/> Judy Siguaw | <input type="checkbox"/> Richard Patterson | |

Staff:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Merrill Flood | <input type="checkbox"/> Christian Lockamy |
| <input type="checkbox"/> McClean Godley (City Council Liaison) | <input checked="" type="checkbox"/> Betty Moseley |
| <input checked="" type="checkbox"/> Roger Johnson | <input checked="" type="checkbox"/> David Holec |
| <input checked="" type="checkbox"/> Tom Wisemiller | <input checked="" type="checkbox"/> Ben Griffith |
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I. Welcome

II. Roll Call

III. Approval of Minutes – August 2, 2016

Motion was made by Ms. Dunn and seconded by Ms. Siguaw to approve the meeting minutes from August 2, 2016 as presented. Motion carried unanimously.

IV. Update on Uptown Theatre Remediation and Building Stabilization Project

Mr. Wisemiller gave an overview of the Uptown Theatre Project. The Brownfields eligible cleanup work exceeded the original estimates due to the ceiling removal. We are amending the Revolving Loan Fund (RLF) sub-grant from \$125,000 to \$175,000 to account for these additional expenses. The revised budget is sufficient to meet all necessary project costs. The cleanup work began in April. Removal of the fly loft and the roof repair is complete. The Environmental cleanup is mostly completed. There are three change orders for the ceiling removal due to additional deterioration of structural elements.

Also, the Merchant's parking lot study is in progress. In order to accommodate buses and larger vehicles, the changes to the Merchant's lot will be done in phases.

Change order #1 was for the removal of the interior ceiling. This work has been completed. Change amount was \$34,994.50. All of the work was brownfields eligible.

Change order #2 was for the additional cleanup required as a result of the ceiling. This work has been completed. Change amount was \$24,920.50. Most of the work was brownfields eligible.

Change order #3 was for the cleanup associated with removal of the cornice. This work has been completed. Change amount was \$28,565.00. All of the work was brownfields eligible.

Change order #4 is pending.

Uptown Theatre Project			
Revised budget = \$340,000			
	TOTAL =	Cleanup	+ Structural/other
Original contract	\$168,200	\$107,350	\$60,850
CO1	\$34,995	\$29,675	\$5,320
CO2	\$24,921	\$20,600	\$4,321
CO3	\$28,565	\$23,800	\$4,765
Repair plan CO	\$2,000	\$0	\$2,000
Parking Study (RDC)	\$12,500	\$0	\$12,500
TOTAL	\$271,180	\$181,425	\$89,755

Mr. King asked if change order # 4 was due to structural issues.

Mr. Wisemiller replied yes, most of the structural issues have been identified.

Mr. King asked if the revolving loan change had been approved yet.

Mr. Wisemiller replied that staff had a verbal approval.

Mr. King asked if, based on the current change orders and budget, there will be enough funding left over to do the Merchant's parking lot.

Mr. Wisemiller replied yes. Depending on how long it takes to do the work on the parking lot, we may not be able to use Center City funds.

Mr. Flood stated that based on the immediate need for the parking lot the cost will be about \$5,000 to remove the cement block and restripe.

Mr. King asked how long it would be before the final parking lot study is presented.

Mr. Wisemiller replied that it may be about two or three months.

Ms. Dunn asked if it was certain that we would receive the additional \$50,000 grant.

Mr. Wisemiller replied that he could not guarantee it but results are typical.

Ms. Dunn asked if it was anticipated that users of the parking lot would drive buses.

Mr. Wisemiller replied that it was expected that many of the acts will have buses, trailers, and other large vehicles. The parking lot will also be used by delivery trucks for the local businesses.

V. Acceptance of CommunitySmith, LLC's Offer to Purchase the Uptown Theatre Property and Approve the Contract

Mr. Wisemiller gave a brief overview of the Uptown Theatre Property.

- 2008: RDC purchased the property for \$281,000
- 2010: RDC authorized architectural study, reuse theatre as a multi-use performing arts venue
- 2013 RDC work plan; sent out an RFI to explore public/private partnership approach
- 2014: CommunitySmith/Lincoln Theater proposal
- 2/2/2016: RDC approved Letter of Intent (LOI) between RDC and Community Smith, LLC
- 4/2016–now: Building remediation & stabilization project
- 8/2016: RDC authorized sale of the property using the negotiated offer, advertisement, upset bid method

The only bid received was from CommunitySmith, LLC, which agreed to invest \$1 million to renovate the property for use as a Live Performance Venue. The next step is to accept the \$20,000 purchase price.

The closing date will be within 60-days of RDC accepting their offer. Purchase is subject to aforementioned covenants, conditions, and restrictions. This includes the RDC commitment to recommend and sponsor Local Landmark designation. If RDC accepts this offer, City Council will be asked to approve the agreement on September 8th.

Staff recommends the Redevelopment Commission accept CommunitySmith, LLC's offer to purchase the Uptown Theatre property for \$20,000 and approve the attached agreement.

Ms. Dunn stated that the agreement is for over 70% live music over the course of a year. If the theatre does not meet the 70% live music regulation, who is held responsible, Lincoln Theatre or CommunitySmith.

Mr. Holec replied that both parties would be held responsible. Pursuant to the zoning ordinance Lincoln Theatre will be held in noncompliance and CommunitySmith pursuant to the deed restrictions.

Ms. Dunn asked what would happen if they don't meet the regulation.

Mr. Holec replied that per the zoning ordinance, they would be fined and they would not be able to continue to operate. For the owner it would be through an injunctive relief. Live music is the only venue they could use it for.

Ms. Dunn asked if the City would be able to reclaim the property.

Mr. Holec replied not pursuant the provisions.

Mr. King stated that according to the agreement there is a 10-year restriction on the property.

Ms. Dunn asked what the anticipated property value will be once all the construction is completed.

Mr. Wisemiller replied that an appraisal would need to be completed to determine the value.

Motion was made by Ms. Siguaw and seconded by Mr. Patterson to accept CommunitySmith, LLC's offer to purchase the Uptown Theatre property for \$20,000 and approve the attached agreement. Motion carried unanimously.

VI. Update on the Imperial Site Brownfields Cleanup Project

Mr. Wisemiller stated that approximately \$400,000 of the \$480,000 available has been spent completing the cleanup and administration for the cleanup. Since the project is under budget, the City has the opportunity to hire hiring University of North Carolina at Chapel Hill, Development Finance Initiative to create a development plan and market the property. By the end of September, all of the EPA funds need to be expended. The grant will be closed out in December.

Ms. Siguaw asked if DFI would suggest projects that could go on this site.

Mr. Wisemiller replied yes, they will do market analysis, site analysis and talk with stakeholders regarding uses that would be supported by the market. They will also take into consideration the community needs and try to coordinate a use that supports both the potential market demands and community goals.

Ms. Dunn asked how many acres of land was there.

Mr. Wisemiller replied about nine acres. The cleanup site is two parcels. There was additional land purchased by the Redevelopment Commission.

Mr. King requested that DFI look at the Dickinson Avenue Corridor plan too. He asked if the project was still under budget.

Mr. Wisemiller replied yes. All brownfields fund will need to be spent by the end of September. Of the \$480,000 awarded, we have expended \$400,000.

Mr. King asked if the boiler room underground tanks had already been removed.

Mr. Wisemiller replied yes, all of the work is complete. The focus area should be the site itself, however, to maximize the potential of this site you would have to understand the adjacent properties such Dickinson Avenue.

Mr. King stated that he was still interested in seeing the proposed road alignment.

Mr. Johnson stated that he was the responsible party negotiating the contract with DFI. In their scope of work, they are contractually bound to review all existing plans. DFI currently has 76 ongoing projects, so they do have considerable experience in helping communities' market property.

Ms. Dunn asked staff where this project site was located in relation to GTAC.

Mr. Wisemiller delineated the location on a map.

VII. Public Comment Period

No comments were received.

VIII. Report from Secretary

a. Monthly Financial Report

Mr. Flood reported that there are several payments pending but nothing has cleared yet.

IX. Comments from Commission Members

Mr. King expressed appreciation for the new introduction video.

X. Adjournment

Motion was made by Ms. Dunn and seconded by Ms. Sigauw to adjourn the Redevelopment Commission meeting at 6:14 PM. Motion carried unanimously.

Respectfully submitted,

Signature on file

Thomas G. Wisemiller,
The Economic Development Project Coordinator
City of Greenville Community Development Department