



Agenda

Greenville City Council

February 9, 2009
6:00 PM
City Council Chambers
200 West Fifth Street

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

I. Call Meeting To Order

II. Invocation - Mayor Dunn

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Consent Agenda

1. Resolution accepting dedication of rights-of-way and easements for Ridgewood Elementary School and Ashcroft Village, Section 2
2. Resolution designating the Director of Public Works with the authority to sign and execute all papers and documents in connection with mosquito control
3. Resolution declaring certain surveying equipment as surplus and authorizing its disposition to Pitt Community College
4. Resolution declaring police canine Billy as surplus property and authorizing his disposition to Officer Bobby Parker
5. Electric Capital Projects Budget Ordinance and Reimbursement Resolution for Greenville Utilities Commission's Electric System Enhancement Projects
6. Budget ordinance amendment #8 to the 2008-2009 City of Greenville budget and budget ordinance amendments to the West Greenville Revitalization and Center City Revitalization Capital Project Funds

7. Report on bids awarded

8. Tax refund

VII. New Business

9. Presentations by Boards and Commissions

a. Board of Adjustment

10. Application for a National Park Service Historic Preservation Fund “Pass Through” Grant

11. Convention Center Naming Rights Request for Proposals

12. Legislative Initiatives for the 2009 Session of the North Carolina General Assembly

VIII. Review of February 12, 2009 City Council agenda

IX. Comments from Mayor and City Council

X. City Manager's Report

XI. Adjournment



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Resolution accepting dedication of rights-of-way and easements for Ridgewood Elementary School and Ashcroft Village, Section 2

Explanation: In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Ridgewood Elementary School (Map Book 69 at Page 119) and Ashcroft Village, Section 2 (Map Book 63 at Pages 25-25A). A resolution accepting the dedication of aforementioned rights-of-way and easements is attached for City Council consideration. The final plats showing the rights-of-way and easements are also attached.

Fiscal Note: Funds for the maintenance of these rights-of-way and easements are included within the FY 2008-2009 budget.

Recommendation: City Council adopt the attached resolution accepting dedication of rights-of-way and easements for Ridgewood Elementary School and Ashcroft Village, Section 2.

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Attachments / click to download

- [Ridgewood Elementary School](#)
- [Ashcroft Village Section 2](#)
- [February Right of Way Resolution 804420](#)

RESOLUTION NO. 09- _____

A RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160A-374 authorizes any city council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Subdivision Review Board of the City of Greenville has acted to approve the final plats named in this resolution, or the plats or maps that predate the Subdivision Review Process; and

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Greenville City Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the City of Greenville to accept the offered dedication on the plats named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina:

Section 1. The City of Greenville accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plats:

Ridgewood Elementary School	Map Book 69	Page 119
Ashcroft Village Section 2	Map Book 63	Pages 25-25A

Section 2. Acceptance of dedication of lands or facilities shall not place on the City any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the City, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 9th day of February, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

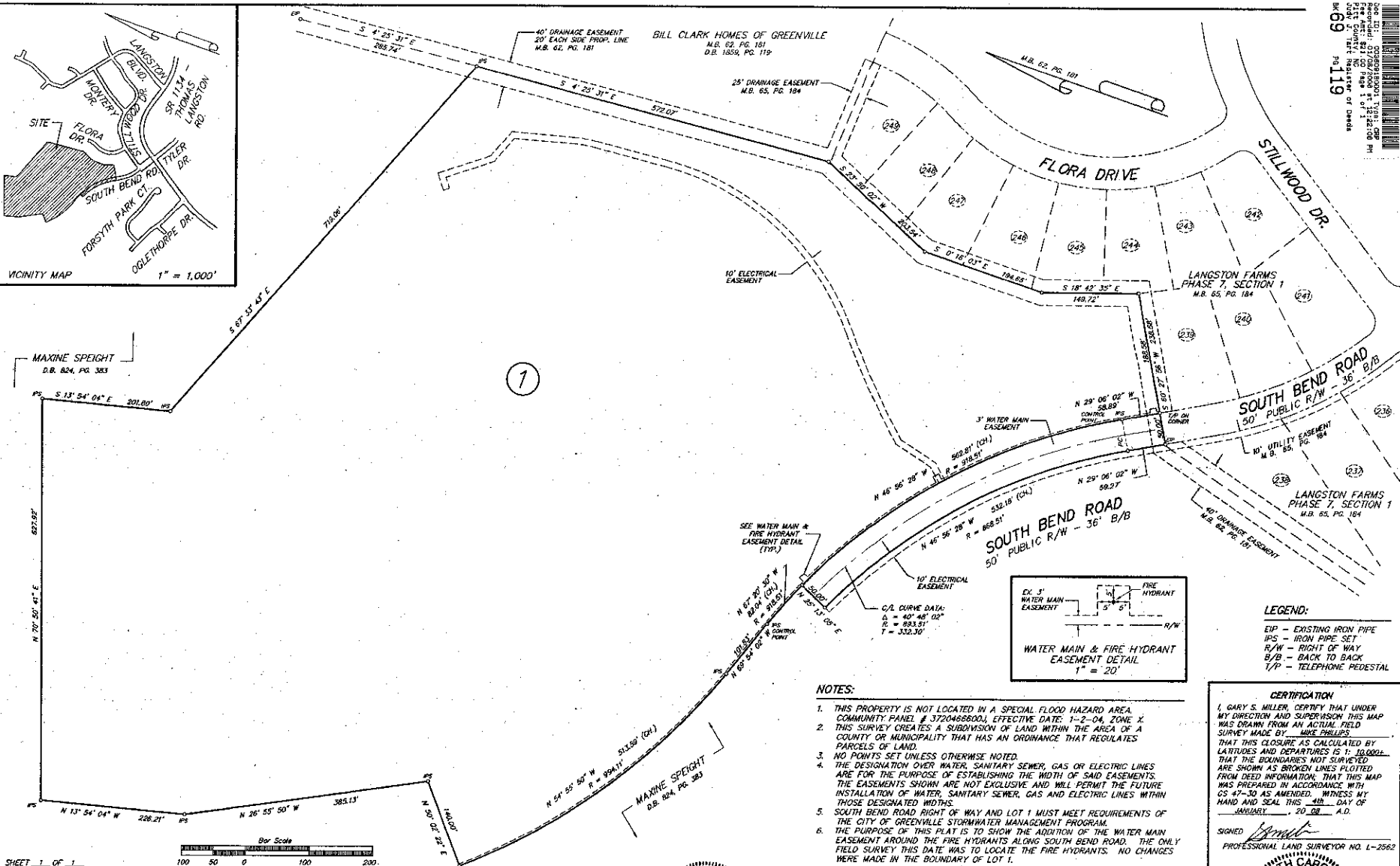
NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, a Notary Public, do hereby certify that Wanda T. Elks, City Clerk, personally appeared before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and notarial seal this 9th day of February, 2009.

Notary Public

My Commission Expires: 9/4/2011



(REVISED) FINAL PLAT
PITT CO. BOARD OF EDUCATION
 (FORMERLY) **SOUTHWEST ELEMENTARY SCHOOL SITE**
 (NOW RIDGEWOOD ELEMENTARY SCHOOL)
 WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER(S) **PITT COUNTY BOARD OF EDUCATION**
 ADDRESS **1717 W. FIFTH STREET, GREENVILLE, N.C. 27834**
 PHONE

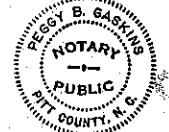
GARY S. MILLER & ASSOCIATES, P.A.
 LAND SURVEYORS
 1803 South Charles Blvd
 Greenville, N.C. 27834
 Phone (252) 756-7970
 Fax (252) 756-0765

SURVEYED: MOP APPROVED: GSN
 DRAWN: BLW DATE: 1-4-08
 CHECKED: TEM SCALE: 1" = 100'

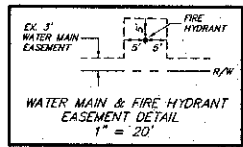
LOT AREAS:

LOT 1 - 1,245,744 Sq. Ft. / 28.622 Ac.
 STREET - 30,776 Sq. Ft. / 0.707 Ac.
 TOTAL - 1,277,520 Sq. Ft. / 29.329 Ac.

NO. 08002 FD #



- NOTES:**
1. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA, COMMUNITY PANEL # 37204688000, EFFECTIVE DATE: 1-2-04, ZONE X.
 2. THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
 3. NO POINTS SET UNLESS OTHERWISE NOTED.
 4. THE DESIGNATION OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
 5. SOUTH BEND ROAD RIGHT OF WAY AND LOT 1 MUST MEET REQUIREMENTS OF THE CITY OF GREENVILLE STORMWATER MANAGEMENT PROGRAM.
 6. THE PURPOSE OF THIS PLAT IS TO SHOW THE ADDITION OF THE WATER MAIN EASEMENT AROUND THE FIRE HYDRANTS ALONG SOUTH BEND ROAD. THE ONLY FIELD SURVEY THIS DATE WAS TO LOCATE THE FIRE HYDRANTS. NO CHANGES WERE MADE IN THE BOUNDARY OF LOT 1.
- SITE DATA:**
- NUMBER OF LOTS CREATED - 1
 ACREAGE IN TOTAL TRACT - 29.329 AC.
 ACREAGE IN COMMON AREA - 0
 ACREAGE IN PARKS, RECREATION AREAS & THE LIKE - 0



LEGEND:

EIP - EXISTING IRON PIPE
 IPS - IRON PIPE SET
 R/W - RIGHT OF WAY
 B/B - BACK TO BACK
 T/P - TELEPHONE PEDESTAL

CERTIFICATION

I, GARY S. MILLER, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY: MIKE BRIDGES
 THAT THIS CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 10,000.
 THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 4th DAY OF JANUARY, 2008 A.D.

SIGNED: [Signature]
 PROFESSIONAL LAND SURVEYOR NO. L-2562



COPY

SOURCE OF TITLE

THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 2281 PAGE 34
 DEED BOOK PAGE
 MAP BOOK 67 PAGE 128
 MAP BOOK PAGE

[Signature]
 N.C. REG. NO. L-2562

OWNERS STATEMENT

THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF John N. Knight
Pitt County Schools
 SWORN AND SUBSCRIBED TO BEFORE ME THIS DAY OF Jan, 2008
[Signature]
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 10/17/2010

APPROVAL

THIS FINAL PLAT NO. 08002 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE DAY OF 10, 2010.

[Signature]
 SIGNED Alter #1

DEDICATION

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE "OPEN" FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED John N. Knight
Pitt County Schools
 ATTEST [Signature]
 1/17/08

REVIEW OFFICER

STATE OF NORTH CAROLINA
 COUNTY OF PITT

I, ANDREW THOMAS, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER [Signature]
 DATE 1/6/08

SITE DATA

TOTAL AREA 13.390 AC.
 NUMBER OF LOTS CREATED 39
 AREA IN COMMON AREA 0
 AREA IN PARKS, RECREATION AREAS
 CEMETERIES AND THE LIKE. 0

LEGEND

EIP = EXISTING IRON PIPE
 R/W = RIGHT-OF-WAY
 B/B = BACK OF CURB TO BACK OF CURB
 R = RADIUS
 CH = CHORD
 PT = POINT OF TANGENCY
 PC = POINT OF CURVATURE
 C/L = CENTERLINE

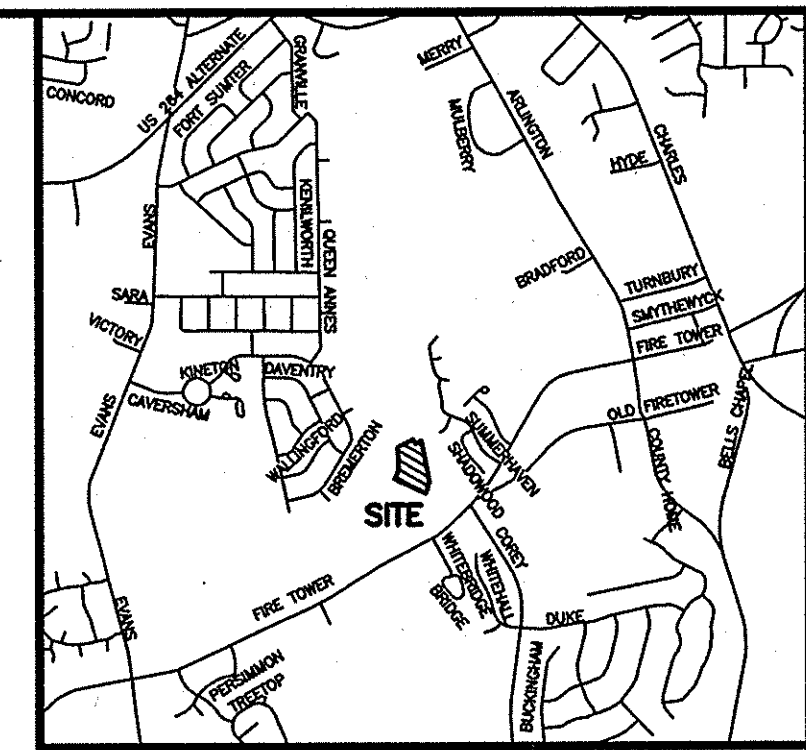
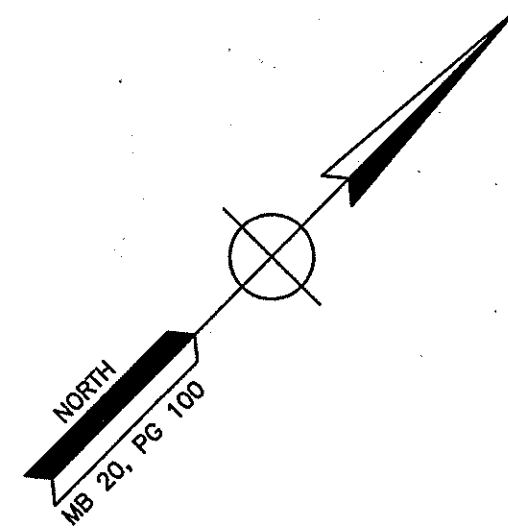
DVML, LLC
 DB 1677, PG 112

CALL TABLE

L-1 N 11°46'37" W 51.36'
 L-2 N 17°12'00" E 17.13'

C/L CURVE DATA

CURVE "A"
 R = 130.00'
 Δ = 85°28'46"
 L = 176.45'
 T = 120.13'
 CH = N 18°35'14" W 176.45'



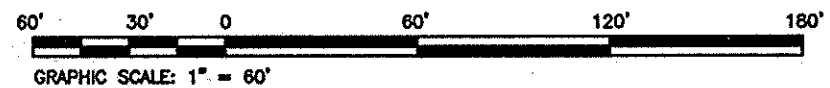
VICINITY MAP

GENERAL NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
3. IRON PIPES TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
4. THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
5. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE DEPT. OF HOUSING AND URBAN DEVELOPMENT. REF: FIRM 3720468600 J, DATED 01/02/2004.
6. THE PURPOSE OF THE GREENWAY EASEMENT IS TO PROVIDE FOR THE PRESERVATION OF THE NATURAL AREAS AND PEDESTRIAN ACCESS PURSUANT TO THE GREENWAY COMPREHENSIVE PLAN OF THE CITY OF GREENVILLE.
7. NO POINTS SET IN CENTERLINE OF DRAINAGE CANAL.

CURVE TABLE

CURVE	RADIUS	TANGENT	LENGTH	DELTA	DEGREE	CHORD	CH-BEARING
C-4	155.00'	12.55'	25.05'	9°15'31"	36°57'54"	25.02'	S 19°31'23"W
C-5	155.00'	30.37'	59.99'	22°10'30"	36°57'54"	59.62'	S 03°48'23"W
C-6	155.00'	29.59'	58.47'	21°36'50"	36°57'54"	58.12'	S 18°05'17"E
C-7	155.00'	31.54'	62.24'	23°00'24"	36°57'54"	61.82'	S 40°23'54"E
C-8	155.00'	12.78'	25.50'	9°25'31"	36°57'54"	25.47'	S 56°36'52"E
C-9	25.00'	25.00'	39.27'	90°00'00"	229°10'59"	35.36'	S 16°19'37"E
C-10	25.00'	25.00'	39.27'	90°00'00"	229°10'59"	35.36'	S 73°40'23"W
C-11	105.00'	90.25'	149.10'	81°21'41"	54°34'03"	136.89'	N 20°38'47"W
C-12	105.00'	3.78'	7.55'	4°07'05"	54°34'03"	7.55'	N 22°05'36"E
C-20	375.00'	24.58'	49.09'	7°30'04"	15°16'44"	49.06'	N 21°06'01"E



FINAL PLAT SHEET 1 OF 2

ASHCROFT VILLAGE

SECTION 2

REFERENCE: DEED BOOK 1177, PAGE 668 AND DEED BOOK 1677, PAGE 109 OF THE PITT COUNTY REGISTRY.
 GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NC

OWNER: REGGIE SPAIN CONSTRUCTION, LLC
 ADDRESS: P.O. BOX 20370 GREENVILLE, NC 27858
 PHONE: (252) 756-4052

DVML, LLC
 3329 CADENZA DRIVE GREENVILLE, NC 27858
 (252) 531-7494

SOURCE OF TITLE
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
Reggie Spain
 SWORN AND SUBSCRIBED BEFORE ME THIS 21 DAY OF Feb, 2005.
Dawn L. Bachtel
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/09

APPROVAL
 THIS FINAL PLAT NO. 05-14 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 23RD DAY OF FEBRUARY, 2005.
Paul H. J.
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED: *Reggie Spain*
 ATTEST: *Dawn L. Bachtel*

Baldwin and ASSOCIATES
 ENGINEERING, LAND SURVEYING AND PLANNING
 1015 CONFERENCE DRIVE GREENVILLE, NC, 27858
 (252) 756-1390

SURVEYED: DF APPROVED: MWB
 DRAWN: SCB DATE: 02/02/2005
 CHECKED: MWB SCALE: 1" = 60'

DEED BOOK 1177 PAGE 668
 DEED BOOK 1677 PAGE 109
 DEED BOOK 1677 PAGE 112
 NC REGISTRATION NO. L-3082

NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/09

SIGNED: *Paul H. J.*
 CITY PLANNER

SIGNED: *Reggie Spain*
 ATTEST: *Dawn L. Bachtel*

CERTIFICATION
 I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE ; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-03 AS AMENDED. WITNESS MY HAND AND SEAL THIS 2nd DAY OF FEB, 2005.
 SIGNED: *Michael W. Baldwin*
 REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE
Andrew Thomas, Jr.
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 SIGNED: *Andrew Thomas, Jr.* 02/15/05
 REVIEW OFFICER DATE

NORTH CAROLINA, PITT COUNTY
 FILED FOR REGISTRATION THIS THE 15 DAY OF March, 2005, AT 10:00 O'CLOCK A.M.
 JUDY J. TART, REGISTER OF DEEDS
 BY *Dawn L. Bachtel*
 DEPUTY REGISTER OF DEEDS

map book 63 pg. 25

DVML, LLC
DB 1677, PG 112

DVML, LLC
DB 1677, PG 112

REGGIE SPAIN CONSTRUCTION, LLC
DB 1677, PG 109

SUMMERHAVEN SUBDIVISION
SECTION II
MB 45, PGS 196-196A



CERTIFICATION

I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE (ETC.)(OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE ; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-03 AS AMENDED. WITNESS MY HAND AND SEAL THIS 2nd DAY OF FEB. AD 2005.

SIGNED: [Signature] REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE

Andrew Thomas, Jr.
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
SIGNED: [Signature] DATE: 03/15/05

NORTH CAROLINA, PITT COUNTY FILED FOR REGISTRATION THIS 15 DAY OF MARCH 2005, AT 10:00 O'CLOCK A.M. JUDY J. TART, REGISTER OF DEEDS
BY: [Signature] DEPUTY REGISTER OF DEEDS

C/L CURVE DATA

CURVE "B"
R= 130.00'
Δ = 56°26'01"
L= 128.04'
T= 69.75'
CH= N 52°22'09" E 122.93'

CURVE "C"
R= 150.00'
Δ = 38°05'13"
L= 99.71'
T= 51.78'
CH= N 09°37'46" E 97.89'

CURVE TABLE

CURVE	RADIUS	TANGENT	LENGTH	DELTA	DEGREE	CHORD	CH.BEARING
C-1	155.00'	14.18'	28.29'	10°27'28"	36°57'54"	28.25'	S 75°21'26"W
C-2	155.00'	32.98'	64.98'	24°01'16"	36°57'54"	64.51'	S 58°07'05"W
C-3	155.00'	30.07'	59.39'	21°57'18"	36°57'54"	59.03'	S 35°07'48"W
C-13	105.00'	12.42'	24.72'	13°29'14"	54°34'03"	24.66'	N 30°53'46"E
C-14	105.00'	41.30'	78.70'	42°56'46"	54°34'03"	76.87'	N 59°08'46"E
C-15	25.00'	25.00'	39.27'	90°00'00"	229°10'59"	35.36'	S 54°24'50"E
C-16	125.00'	43.15'	83.09'	38°05'13"	45°50'12"	81.57'	S 09°37'46"W
C-17	175.00'	15.83'	31.57'	10°20'11"	32°44'28"	31.53'	N 23°30'17"E
C-18	175.00'	43.23'	84.76'	27°45'02"	32°44'28"	83.93'	N 04°27'40"E
C-19	25.00'	25.00'	39.27'	90°00'00"	229°10'59"	35.36'	N 35°35'10"E



FINAL PLAT SHEET 2 OF 2

ASHCROFT VILLAGE

SECTION 2

REFERENCE: DEED BOOK 1177, PAGE 668 AND DEED BOOK 1677, PAGE 109 OF THE PITT COUNTY REGISTRY.

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NC

OWNER: REGGIE SPAIN CONSTRUCTION, LLC
ADDRESS: P.O. BOX 20370 GREENVILLE, NC 27858
PHONE: (252) 756-4052

DVML, LLC
3329 CADENZA DRIVE GREENVILLE, NC 27858
(252) 531-7494

SOURCE OF TITLE
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
DEED BOOK 1177 PAGE 668
DEED BOOK 1677 PAGE 109
DEED BOOK 1677 PAGE 112

OWNERS STATEMENT
THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
[Signature]
[Signature]
SWORN AND SUBSCRIBED BEFORE ME THIS 2nd DAY OF Feb., 2005.
NOTARY PUBLIC
MY COMMISSION EXPIRES: 03/28/09

APPROVAL
THIS FINAL PLAT NO. 05-14 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 23rd DAY OF FEBRUARY, 2005.
SIGNED: [Signature] CITY PLANNER

DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.
SIGNED: [Signature]
SIGNED: [Signature]
ATTEST: [Signature]

Baldwin and ASSOCIATES
ENGINEERING, LAND SURVEYING AND PLANNING
1015 CONFERENCE DRIVE GREENVILLE, NC 27858
(252) 756-1390

SURVEYED: DF APPROVED: MWB
DRAWN: SCB DATE: 02/02/2005
CHECKED: MWB SCALE: 1" = 60'

DEED BOOK 1177 PAGE 668
DEED BOOK 1677 PAGE 109
DEED BOOK 1677 PAGE 112
NC REGISTRATION NO. L-3082



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Resolution designating the Director of Public Works with the authority to sign and execute all papers and documents in connection with mosquito control

Explanation: Attached for City Council consideration is a resolution authorizing and empowering the Director of Public Works to sign and execute all papers and documents necessary in connection with the request made to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, for aid in control of mosquitos.

Fiscal Note: There are no direct City costs associated with this item.

Recommendation: City Council approve the attached resolution designating the Director of Public Works with the authority to sign and execute all papers and documents in connection with mosquito control.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Mosquito_Control_Resolution_2009_809971](#)

RESOLUTION NO. 09-_____

A RESOLUTION BY THE CTY COUNCIL OF THE CITY OF GREENVILLE
DESIGNATING OFFICIAL TO SIGN NECESSARY PAPERS AND TO OTHERWISE
REPRESENT BOARD IN CONNECTION WITH MOSQUITO CONTROL

Upon motion of _____, seconded by _____,
it is hereby ordered that Wesley B. Anderson, Director of Public Works, as agent for the City of
Greenville, is hereby authorized and empowered to sign and execute all papers and documents
necessary in connection with the request made to the Division of Environmental Health, North
Carolina Department of Environment and Natural Resources, for aid in control of mosquitoes.
He is further authorized and required to carry out all agreements stipulated in the project
application submitted by us to the Division of Environmental Health, North Carolina Department
of Environment and Natural Resources, and to perform other acts that are proper and necessary
in connection with the operation of this project. Acts of said person on behalf of the City of
Greenville are in all respects validated, approved, and confirmed.

The undersigned Wanda T. Elks, Clerk of the City of Greenville, hereby certifies that the
foregoing is a true copy of the resolution of the City of Greenville at a meeting held on the 9th
day of February, 2009.

Adopted the 9th day of February, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

-
- Title of Item:** Resolution declaring certain surveying equipment as surplus and authorizing its disposition to Pitt Community College
- Explanation:** During the current budget year, the Public Works Department replaced aging surveying equipment due to functionality and changing technologies. For these reasons, this equipment is surplus to the City's needs. Pitt Community College has made a written request for City Council to make a donation of this equipment to the college for educational purposes.
- Fiscal Note:** Items to be sold at a cost of \$1.00 to be paid by Pitt Community College.
- Recommendation:** City Council approve the resolution declaring certain surveying equipment as surplus and authorizing its disposition to Pitt Community College.
-

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [PCC Request Letter](#)
 - [Resolution for disposal of Survey Equipment to PCC 808710](#)
-

RESOLUTION NO. 09-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING
DISPOSITION OF THE SURPLUS PROPERTY TO PITT COMMUNITY COLLEGE**

WHEREAS, the Public Works Department has determined that certain property is surplus to the needs of the City;

WHEREAS, Pitt Community College can use the property for educational purposes; and

WHEREAS, North Carolina General Statute 160A-274 permits City Council to authorize the disposition, upon such terms and conditions it deems wise, with or without consideration, of real or personal property to another governmental unit;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that the hereinafter described property is declared as surplus to the needs of the City of Greenville and that said property shall be conveyed to Pitt Community College for one dollar (\$1.00), said property being described as follows:

One (1) Topcon GTS-303 Electronic Total Station, Serial No. EE0941,
with carrying case, batteries, charger, cables, and owners manual.

Adopted this ____ day of February, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



**Construction and Industrial
Technology Division**

Telephone: (252) 493-7428
Fax Number: (252) 321-4409

December 16, 2008

Mr. Wes Anderson
Director of Public Works
City of Greenville
P.O. Box 7207
Greenville, North Carolina 27835

Re: Request for Donation of Surplus Surveying Equipment
Topcon GTS-303, Serial number EE0941

Dear Mr. Anderson:

Since 1961 Pitt Community College has been a center for educational opportunities in Pitt County. The college offers 67 accredited academic programs and serves the community with an almost endless number of Continuing Education and Community Development courses. The college supported an enrollment in excess of 20,000 students during the 2007-08 academic year.

Pitt Community College's Building Construction Technology curriculum is designed to provide students with an overview of the building construction industry. Construction lab/lecture courses and other related classes provide students with up-to-date knowledge on materials, trends, and techniques of the ever-changing construction industry. One of the required courses is Construction Surveying where students learn surveying theory and practice in a hands-on environment using various types of surveying instruments and equipment.

It has been brought to my attention that the City of Greenville has a surplus surveying instrument. Pitt Community College requests the City Council to consider making a donation of this surplus surveying instrument to the college for educational purposes. This surveying instrument would greatly benefit this program in providing the students the opportunity to learn and use a different type of surveying instrument.

Pitt Community College looks forward to a favorable response to this request. You can direct any questions to me at 252-493-7282.

With best regards,

A handwritten signature in black ink that reads "Van Madray". The signature is written in a cursive, flowing style.

Van Madray, Dean
Construction & Industrial Technologies

P.O. Drawer 7007 • Greenville • North Carolina • 27835-7007

An Equal Opportunity/Affirmative Action Institution

Item # 3



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

-
- Title of Item:** Resolution declaring police canine Billy as surplus property and authorizing his disposition to Officer Bobby Parker
- Explanation:** Police canine Billy has served with Officer Bobby Parker for four years. The canine was retired from service for medical reasons. Officer Parker is interested in the continued care of the police canine at his home.
- Fiscal Note:** No direct cost to the City.
- Recommendation:** Approve the attached resolution declaring police canine Billy as surplus property and selling him to Officer Bobby Parker.

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Attachments / click to download

 [K_9_Billy_Resolution_808459](#)

RESOLUTION NO. 09-____

RESOLUTION DECLARING A POLICE CANINE AS SURPLUS AND AUTHORIZING HIS
DISPOSITION TO OFFICER BOBBY PARKER

WHEREAS, the police canine for the Greenville Police Department, K-9 Billy has retired;

WHEREAS, Officer Bobby Parker has been K-9 Billy's handler for four years and he has expressed an interest that Billy be released to his care for the remainder of Billy's life; and

WHEREAS, North Carolina General Statute 160A-267 permits City Council to authorize the disposition of property valued at less than thirty thousand dollars (\$30,000) by private sale;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that K-9 Billy be and is hereby declared surplus to the needs of the City and is authorized to be conveyed to Officer Bobby Parker for one dollar (\$1.00).

This the 9th day of February, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Electric Capital Projects Budget Ordinance and Reimbursement Resolution for Greenville Utilities Commission's Electric System Enhancement Projects

Explanation: Action is requested on this agenda item to allow the Electric Department to install conduit, cabling, transformers, and other associated equipment and apparatus for new service requests in residential and commercial developments in order to meet the demands of customer growth and system expansion during the 2008-2009 fiscal year. Total costs for this project, including labor and materials, are estimated to be \$5,000,000. This work is dependent on customer demands and the economic climate; as such, the money may not be spent.

At their meeting on January 27, the GUC Board adopted an Electric Capital Projects Budget and recommended similar action by the City Council. In addition, the GUC Board adopted a reimbursement resolution to allow GUC to reimburse itself from future debt financing and recommended similar action by the City Council.

Fiscal Note: No cost to the City of Greenville.

Recommendation: Adopt the attached Electric Capital Projects Budget ordinance and reimbursement resolution.

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 [Electric Capital Project Budget Ordinance](#)

ORDINANCE NO. _____

FOR ELECTRIC CAPITAL PROJECTS BUDGET
ELECTRIC SYSTEM IMPROVEMENT PROJECT

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section 1. Revenues. Revenues of the Electric Capital Projects Budget, Electric System Improvement Project, is hereby established to read as follows:

Revenue

Long Term Debt	<u>\$5,000,000</u>	<u>\$5,000,000</u>
----------------	--------------------	--------------------

Section 2. Expenditures. Expenditures of the Electric Capital Projects Budget, Electric System Improvement Project, is hereby established to read as follows:

Expenditures

Project Costs	<u>\$5,000,000</u>	
Total Project Expenditures		<u>\$5,000,000</u>

Section 3. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Adopted this the _____ day of _____, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

RESOLUTION NO. 09-__

**RESOLUTION DECLARING THE INTENTION OF THE
CITY COUNCIL OF THE CITY OF GREENVILLE
TO REIMBURSE THE CITY FROM THE PROCEEDS
OF A DEBT FINANCING FOR CERTAIN EXPENDITURES
MADE AND TO BE MADE IN CONNECTION WITH THE ACQUISITION
AND CONSTRUCTION OF CERTAIN CAPITAL IMPROVEMENTS**

WHEREAS, the City of Greenville, North Carolina (the "City") has paid, beginning, February 9, 2009, which date is no more than 60 days prior to the date hereof, certain expenditures in connection with the acquisition and construction of certain improvements (the "Improvements") more fully described in Exhibit A attached hereto, consisting of improvements to its electric, gas, sanitary sewer and water systems (collectively, the "System"); and

WHEREAS, the City Council of the City (the "City Council") has determined that those moneys previously advanced no more than 60 days prior to the date hereof to pay such expenditures in connection with the acquisition and construction of the Improvements (the "Expenditures") are available only on a temporary period and that it is necessary to reimburse the City for the Expenditures from the proceeds of an issue of debt (the "Debt");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL as follows:

Section 1. The City Council hereby declares its intent to reimburse the City from the proceeds of the Debt for the Expenditures made on and after February 9, 2009, which date is no more than 60 days prior to the date hereof. The City Council reasonably expects on the date hereof that it will reimburse the City for the Expenditures from the proceeds of a like amount of the Debt.

Section 2. Each Expenditure was or will be either (a) of a type chargeable to capital account under general federal income tax principles (determined as of the date of the Expenditures), (b) the cost of issuance with respect to the Debt, (c) a non-recurring item that is not customarily payable from current revenues of the System, or (d) a grant to a party that is not related to or an agent of the City so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the City.

Section 3. The principal amount of the Bonds estimated to be issued to reimburse the City for Expenditures for the Improvements is estimated to be \$5,000,000.

Section 4. The City will make a reimbursement allocation, which is a written allocation by the City that evidences the City's use of proceeds of the Debt to reimburse an Expenditure no later than 18 months after the later of the date on which such Expenditure is paid or the Improvements are placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, (expenditures by "small issuers" based on the year of issuance and not the year of expenditure), and expenditures for construction projects of at least 5 years.

Section 5. The resolution shall take effect immediately upon its passage.

Adopted this the ____ day of _____, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

EXHIBIT A

THE IMPROVEMENTS

The Improvements referenced in the resolution include, but are not limited to, underground residential and commercial services and distribution and transmission substation improvements.



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Budget ordinance amendment #8 to the 2008-2009 City of Greenville budget and budget ordinance amendments to the West Greenville Revitalization and Center City Revitalization Capital Project Funds

Explanation: 1) Attached is an amendment to the 2008-2009 budget ordinance for consideration at the February 9, 2009 City Council meeting. For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanations below:

A To appropriate endowment funds received from the Greater Greenville Foundation for animal cruelty. The purpose of this endowment is to assist the City with animal cruelty through our Animal Control Unit. These funds will enable the unit to educate others and provide financial assistance with purchasing any necessary supplies and materials (\$3,527).

B To reallocate budgeted funds from Community Development to the Police Department. Effective January 1, 2009, the Code Enforcement Division was moved to the Police Department. This amendment moves the budgeted dollars to the Police Department where the activity will be incurred (\$364,408).

C To reallocate funds within the Center City Revitalization and West Greenville Revitalization Capital Project Funds to make funds available for upcoming projects that will be initiated by the Redevelopment Commission. The following two attachments provide a detail of the projects.

2) The amendment to Ordinance 05-127 for the Center City Revitalization Capital Project Fund assigns additional funds to the Redevelopment Commission to complete improvement work at Cotanche Street and Reade Circle and create wayfindings in Uptown Greenville (\$1,195,000).

3) The amendment to Ordinance 05-50 for the West Greenville Revitalization Capital Project Fund assigns additional funds to the Redevelopment Commission to complete streetscaping in the West Greenville area (\$623,103).

Fiscal Note:

The budget ordinance amendment affects the following fund: increase the General Fund by \$3,527.

<u>Fund Name</u>	<u>Current Approved Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
General Fund	\$ 73,226,253	\$ 3,527	\$ 73,229,780

Recommendation:

Approve budget ordinance amendment #8 to the 2008-2009 City of Greenville budget and budget ordinance amendments to the West Greenville Revitalization and Center City Revitalization Capital Project Funds

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- [Budget Ordinance Amendments 2008 2009 776865](#)
 - [Center City Budget Ordinance Amendment 671402](#)
 - [West Greenville Revitalization Budget Ordinance Amendment 671407](#)
-

ORDINANCE NO. 09-____
CITY OF GREENVILLE, NORTH CAROLINA
ORDINANCE (#8) AMENDING ORDINANCE NO. 08-73 AND BUDGET ORDINANCE
AMENDMENTS TO THE WEST GREENVILLE REVITALIZATION AND CENTER CITY
CAPITAL PROJECT FUNDS

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I. Estimated Revenues. General Fund, of Ordinance 08-73, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Spec State/Fed/Loc Grants ^A	\$ 1,484,456	\$ 3,527	\$ 1,487,983

Section II. Appropriations. General Fund, of Ordinance 08-73, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Police ^{A,B}	\$ 20,565,151	\$ 367,935	\$20,933,086

Section III. Appropriations. General Fund, of Ordinance 08-73, is hereby amended by decreasing appropriations in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Community Development ^B	\$ 2,520,351	\$ 364,408	\$ 2,155,943

Section IV. Appropriations. West Greenville Revitalization Capital Project Fund, of Ordinance 05-50, is hereby amended by increasing appropriations in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Infrastructure ^C	\$ 1,250,000	\$ 73,153	\$ 1,323,153

Section V. Appropriations. West Greenville Revitalization Capital Project Fund, of Ordinance 05-50, is hereby amended by decreasing appropriations in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Demolition Services ^C	\$ 475,000	\$ 73,153	\$ 401,847

Section VI. Appropriations. Center City Revitalization Capital Project Fund, of Ordinance 05-127, is hereby amended by increasing appropriations in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Infrastructure ^C	\$ 1,250,000	\$ 559,950	\$ 1,809,950

Section VII. Appropriations. Center City Revitalization Capital Project Fund, of Ordinance 05-127, is hereby amended by decreasing appropriations in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Demolition Services ^C	\$ 500,000	\$ 359,950	\$ 140,050
Development Financing ^C	500,000	200,000	300,000
Total		<u>\$ 559,950</u>	

Section VIII. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section IX. This ordinance will become effective upon its adoption.

Adopted this 9th day of February, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

ORDINANCE NO. 09-_____
CITY OF GREENVILLE, NORTH CAROLINA
ORDINANCE AMENDING PROJECT ORDINANCE NO. 05-127
CENTER CITY REVITALIZATION
CAPITAL PROJECT BUDGET ORDINANCE

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I. Appropriations. Center City Revitalization, of Ordinance 05-127, is hereby amended by increasing appropriations in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Acquisition (R)	\$ 450,000	\$ 300,000	\$ 750,000
Infrastructure (R)	914,950	<u>895,000</u>	1,809,950
Total		<u>\$1,195,000</u>	

Section II. Appropriations. Center City Revitalization, of Ordinance 05-127, is hereby amended by decreasing appropriations in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Acquisition	\$ 1,800,000	\$ 300,000	\$ 1,500,000
Infrastructure	895,000	<u>895,000</u>	-
Total		<u>\$1,195,000</u>	

Section III. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section IV. This ordinance shall become effective upon its adoption.

Adopted this the 9th day of February, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

(R) Redevelopment Commission

ORDINANCE NO. 09-_____
CITY OF GREENVILLE, NORTH CAROLINA
ORDINANCE AMENDING PROJECT ORDINANCE NO. 05-50
WEST GREENVILLE REVITALIZATION
CAPITAL PROJECT BUDGET ORDINANCE

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I. Appropriations. West Greenville Revitalization, of Ordinance 05-50, is hereby amended by increasing appropriations in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Infrastructure (R)	700,050	623,103	1,323,153

Section II. Appropriations. West Greenville Revitalization, of Ordinance 05-50, is hereby amended by decreasing appropriations in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Infrastructure	623,103	623,103	-

Section III. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section IV. This ordinance shall become effective upon its adoption.

Adopted this the 9th day of February, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

(R) Redevelopment Commission



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Report on bids awarded

Explanation: The Director of Financial Services reports that the following bids were awarded during the months of December 2008 and January 2009 and are to be included on the City Council agenda for information.

Date Awarded	Description	Vendor	Amount	M/WBE Yes/No
12/29/08	Five 2009 Toyota Highlander Hybrid SUV's	Town and Country Toyota	\$155,418.75	No
1/14/09	Fairview Way Drainage Project	Burney & Burney Construction	\$83,921.93	Yes

Fiscal Note: An expenditure of \$239,340.68 was appropriated in the 2008-2009 budget to purchase these items.

Recommendation: That the bid award information be reflected in the City Council minutes.

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Attachments / click to download

[Bid Tabulation Hybrid Compact SUV s 802526](#)

[FAIRVIEW WAY BID TAB SHEET 801652](#)

BID TABULATION SHEET
City of Greenville, North Carolina
Financial Services Department

Date: 12/16/08

Description: Six(6) to Eight(8) Hybrid Powered Compact SUV's

Formal Bid#2008/09-03

Contractor	Address	Contact:	Base Bid	Alternate Bid	Comments
Town and Country Toyota	9101 South Blvd. Charlotte, NC 28277		\$31,083.75		Toyota Highlander Hybrid Model#6964 Price includes \$175 delivery fee.
Longo Toyota	3534 N. Peck Road El Monte, CA 91731		\$33,980.00		Toyota Highlander

*Highlighted bidder received award

Doc#802526

Item # 7

_____ Angelene E. Brinkley, CLGPO, MPA
Purchasing Manager

Date: _____



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Tax refund

Explanation: The Director of Financial Services reports the refund of the following taxes:

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
John Brown	Refund of City Taxes Paid	\$ 226.02

Fiscal Note: The total amount to be refunded is \$ 226.02.

Recommendation: Approval of tax refund by City Council.

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City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Presentations by Boards and Commissions

a. Board of Adjustment

Explanation: The Board of Adjustment will make its annual presentation to City Council at the February 9, 2009 meeting.

Fiscal Note: N/A

Recommendation: For information only; no action recommended

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City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Application for a National Park Service Historic Preservation Fund “Pass Through” Grant

Explanation: The Historic Preservation Commission (HPC) has developed a grant proposal to support Phase I of strategic preservation planning. This first phase would combine historic property identification and survey work with other strategic planning work. With the help of the Eastern Office of Archives and History, an HPC Ad Hoc Committee, and staff have already developed a preliminary “index” of unsurveyed historic properties in Greenville. Grant funds would allow the City to hire a preservation consultant to complete the index based on a “windshield” survey. Additional grant funds would also support the completion of a full inventory of the highest priority neighborhood not yet surveyed. In addition, this work will address concerns and goals of the Historic Preservation Commission as well as City Council in providing the public with additional information on properties that are considered historic or within a district.

This application is being recommended by the Historic Preservation Commission and was approved by the Commission at its January 27, 2009 meeting.

Fiscal Note: Staff seeks \$11,000 in federal funds, which would cover approximately 60% of total Phase I project costs. The grant requires the City to provide a match of 40%, and \$7,500 is available in the Urban Development Division's budget.

Recommendation: The Historic Preservation Commission recommends City Council approval of the grant application proposal.

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EXHIBIT A: PROJECT ABSTRACT

Background: The rapidly growing Greenville community is at a critical juncture in its development, planning, and preservation. The Center City – West Greenville Revitalization Plan (2006) aims to bring more vitality to the city’s historic central business district and to preserve established neighborhoods. Major transportation projects will improve accessibility and link outlying economic nodes to the downtown and East Carolina University. Investors continue to take an interest in downtown properties. A historically appropriate adaptive reuse of a tobacco warehouse has the potential to spur extensive building renovations. Yet, the same economic forces driving Greenville’s growth and transition could imperil significant but underappreciated historic resources.

In recent decades, the community has become increasingly aware of the importance of preserving its unique character. The city has five National Register Historic Districts, while the Greenville Historic Preservation Commission is responsible for the locally-designated College View district and 25 local landmarks. Going forward, Greenville needs to upgrade its preservation tools to better ensure that revitalization capitalizes on, rather than competes with, the community’s historic resources.

The last time that an extensive citywide survey of historic properties was completed was in 1982, which was later published as the Architectural Heritage of North Carolina (Ohno and Barnes). That study covered properties built prior to 1935 that were potentially eligible for the National Register. Now, Greenville needs to pick up where that study left off by identifying additional un/under-surveyed historic properties, including post-World War II properties. Given the challenges and threats facing historic assets in the community, however, it is also essential that future inventory efforts are part of a larger strategic preservation plan that empowers neighborhoods to take ownership over the city’s historic resources.

Project Summary: The City of Greenville is requesting an \$11,000 Historic Preservation Fund grant to support Phase I of its ongoing strategic preservation planning process. The first phase combines historic property identification & survey work with efforts to make historic property data more publicly accessible and interactive. In recent years, Greenville has begun linking existing historic property data to

other parcel information on its interactive online mapping site, and now the City would like to expand on these efforts.

With the help of the Eastern Office of Archives and History, Greenville has been developing a preliminary “index” of un/under-surveyed properties. So far, this (database) index includes 10 districts and 24 individual properties [see: Exhibit D—Preliminary Index]. A key component of Phase-I is to hire a qualified preservation consultant to complete the index after conducting a citywide “windshield” survey: photos of characteristic properties, neighborhood histories/composites; records of approximately 350-400 total properties (individual + districts); and study list applications for properties and districts potentially eligible for the National Register. The Index will better equip residents and owners, the Historic Preservation Commission, and the City of Greenville to plan strategically and maximize human and financial resources.

At the same time, the City intends to complete a full inventory of the highest priority district [see: Exhibit E—Priority #1 District, Full Survey). This work would be completed parallel to the larger strategic planning process. The windshield and full surveys are essential to the next phase of the strategic planning process.

In Phase-II of the strategic planning process, the City of Greenville would hire a consultant(s) to lead public meetings, assess the capacity of local institutional resources dedicated to preserving Greenville’s heritage assets, and create a strategic action plan. Throughout the strategic planning process, the City would continue to complete survey work on higher priority districts and individual properties. Below is a project summary for both phases [for detailed breakdown, see: Exhibit C—Project Outline].

PHASE-I:

<u>Item</u>	<u>Preliminary Budget</u>	<u>Source</u>
GIS-based HP Index	\$11,500 budget	HPF grant + \$500 City match
Priority #1 District Inventory	\$7,000 budget	\$7,000 City match
TOTAL	\$18,500	HPF grant = \$11,000; match = \$7,500

PHASE-II:

Public Participation

Priority #2 District Survey

Institutional Assessment

Priority #1 Local Landmark Survey

Action Plan

Ultimately, the action plan document that will guide preservation planning in Greenville will draw from both phases - HP Index (Phase-I), Public Participation (Phase-II) and Institutional Assessment (Phase-II)

North Carolina Historic Preservation Plan, 2006-2012: Greenville's strategic preservation planning process shares many of the same goals and objectives of the state's plan. Phases I and II of the project will seek to accomplish the following objectives:

- ❖ **Identify under-surveyed historic properties:** The Index will enable the community to identify districts and individual properties that warrant full surveys and prioritize the work schedule
- ❖ **Reach out to non traditional audiences, preservation enthusiasts, owners and residents of historic properties, institutional partners, and the general public; cultivate grassroots buy-in for heritage preservation programs by increasing accessibility and by branding preservation in positive ways:** Strategic planning provides a venue to encourage non-traditional audiences to take ownership over their neighborhood's heritage while also encouraging preservation enthusiasts & partners to get engaged in new projects
- ❖ **Educate students, professionals, and decision makers about local historic resources; use technology to make historic property data more accessible, interactive, visual, and reader/viewer friendly:** The Index, district and landmark surveys, and public meetings will generate new data on Greenville's historic resources; in turn, that data will be more useful to researchers and property owners thanks to technological improvements
- ❖ **Develop a strategic plan to increase local preservation capacity:** The creation of a consistent, clear framework will help to maximize human and financial resources

EXHIBIT B: COMMUNITY SUPPORT FOR THE PLAN

At the direction of the Greenville Historic Preservation Commission, City staff has drafted the attached proposal to develop a Strategic Historic Preservation Plan in two phases. The Historic Preservation Commission voted at its January 27, 2009 meeting to recommend that City Council approve the grant application as described herein. At its February 9, 2009 meeting, the Greenville City Council then voted to support the project. Funds have been set aside in the Community Development Department budget for contracted services related to this project. City of Greenville historic preservation staff discussed the revised proposal with Scott Power of the Eastern Office of Archives and History, North Carolina State Historic Preservation Office. Mr. Power fully supports the project, worked with the City to develop the preliminary Historic Property Index, has offered to work with City of Greenville and the HPC in crafting a Request for Qualifications (RFQ) that will attract high quality preservation consultants and will maximize the proposed \$18,500 project budget. Mr. Power agrees with staff that this is a crucial juncture for historic preservation planning in Greenville.



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Convention Center Naming Rights Request for Proposals

Explanation: The City Council authorized staff at the November 6, 2008, City Council meeting to prepare a Request for Proposals for Naming Rights to the Greenville Convention Center. As advised by staff at the meeting, the City received a written request from Exhibit Hall Managers, Convention Center operator, seeking to exercise the naming rights provision in the Convention Center Development, Pre-Opening, and Operational Agreement, Section 9.0 dated September 11, 2000. A copy of the operator's request and the above-referenced agreement section are attached.

Further, at the November 6, 2008, City Council meeting, staff advised the City Council it would present for its consideration the instrument seeking proposals. The Naming Rights Steering Committee researched various municipal approaches, both sporting venues and convention centers, to survey the best approaches to drafting the Request for Proposals (RFP).

The Steering Committee includes:

- Debbie Vargas, Convention and Visitors Authority, Executive Director
- Rhesa Tucker, Exhibit Hall Managers, Chief Executive Officer
- John Van Coutren, Executive Vice President of Hospitality Operations, Hilton Greenville
- Tom Tysinger, Hampton Inn
- Roy Herrick, Chief Financial Officer of Glennon-Bittan
- City Attorney David Holec
- Scott Eaton, City Manager's Office
- Assistant City Manager Thom Moton

The Steering Committee drafted the RFP so that the City is able to select the best proposal that meets its needs, including other factors such as (1) the respondent's longevity in the industry, (2) industrial profile and reputation, (3) extent to which the Convention Center enjoys cross-promotion by the Respondent, and (4) the

monetary value offered.

March 29, 2009, is the proposed deadline for submission of proposals. If a proposal is received that meets the RFP selection criteria, City staff will present the proposal to City Council in May 2009 for consideration. Any name proposed for the Convention Center by the chosen Respondent will be the exclusive name of the facility in all official facility references during the term of the agreement. The chosen Respondent will have the right to create and develop a proposed facility logo that will be subject to City Council review and approval.

Attachments: EHM Request Letter, Naming Rights Agreement Provisions, Proposed Naming Rights Request for Proposals

Fiscal Note:

No direct expense to the City. Revenue paid for naming rights up to the naming rights cap would be used for replacement and additions to the Convention Center furniture, fixtures, and equipment. Any amount above the naming rights cap (\$181,473) will be revenue collected by Exhibit Hall Managers based on its operation of the Center. The naming rights cap is a legal requirement imposed as a result of the issuance of tax-exempt bonds to finance the Convention Center construction.

Recommendation:

Approve the proposed Convention Center Naming Rights Request for Proposals.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Naming Rights Info](#)

 [Greenville CC Naming Rights RFP 804434](#)



City of Greenville, NC Convention Center Naming Rights Request for Proposals



Title: Naming Rights for the City of Greenville, North Carolina
Convention Center

Issue Date: February 2009

Issued by: City of Greenville
City Manager's Office
Thomas M. Moton, Jr., Assistant City Manager
PO Box 7207
Greenville, NC 27835

I. Introduction and Purpose:

The Greenville Convention Center, located in Greenville, North Carolina, opened for business in May 2002 in the heart of the City's bustling lodging, retail and restaurant district. The Convention Center, which is owned by the City of Greenville, fronts on Greenville Boulevard, a major thoroughfare carrying in excess of 40,000 vehicle trips per day. The Convention Center is physically attached to the city's only Hilton Hotel and has covered pedestrian access to the City Hotel (both full-service hotels) providing a total of 333 hotel rooms. Under construction and scheduled for opening in July 2009, directly adjacent to the Convention Center, is a state-of-the-art 100-room Hampton Inn. The Convention Center, in conjunction with the aforementioned hotels, makes up what is known as the Greenville Convention Center Campus.

The Convention Center features a 30,000 square foot exhibit hall with 28 foot ceilings, which can be subdivided into five individual sections, 12,000 square feet of pre-function space and breakout meeting rooms. The Convention Center is also equipped with drive-in accessibility, built-in concessions and ticket booths. The Center's sizeable grounds offer plenty of on-site parking and multiple uses for outdoor activities.

Since opening, there have been upgrades in the areas of technology, acoustics and support equipment. With a recently completed expansion to the "back of house"/employee service area, the Convention Center can now allow for larger shows in excess of 3,000 persons and banquet opportunities in excess of 2,200 persons. The facility provides ample spaces for visitor, employee and exhibitor vehicles with 497 parking spaces. The Convention Center is also in the process of implementing a new frontal streetscape and pedestrian plaza spending in excess of one million dollars.

The purpose of this Request for Proposals is to associate a corporate name with the public assembly facility, the Greenville Convention Center. This opportunity will forge a partnership between the private and public sectors. Public sector financial benefits include the enhancement of marketing budgets to attract new events, upgrades to state-of-the-art technology, and continued facility capital improvements.

For the corporate partner, Convention Center naming rights can mean far more than the traditional advertising and marketing buys. Naming rights give the selected corporation a chance to showcase its name at the facility, while creating a cost efficient method to advertise and brand itself.

II. Greenville Convention Center General Information:

The Greenville Convention Center has become Eastern North Carolina's most comprehensive conference, consumer/tradeshaw, and meeting site. The 60,000 square foot building with its 30,000 square foot exhibit hall and 12,000 square feet of pre-function, lobby and meeting rooms has become the anchor of the 32-acre Convention Center campus, which houses 3 hotels—the 141-room Greenville Hilton, the 192-room City Hotel and Bistro and, opening in July 2009, the new 100-room Hampton Inn.

The Greenville Convention Center is centrally located in the region's most thriving community and significantly traveled route, and positioned within Greenville's bustling lodging, retail and restaurant district.

Convention Center Operations:

Exhibit Hall Managers, LLC (EHM) was formed in August 2000 for the purpose of managing the Greenville Convention Center. Its members are the same businesspersons who own and operate the connected Hilton Greenville and the new adjacent Hampton Inn scheduled to open in July 2009. EHM principals and executives have been in the hospitality business for over 20 years, and the majority owners are local Greenville residents with a long history of community involvement.

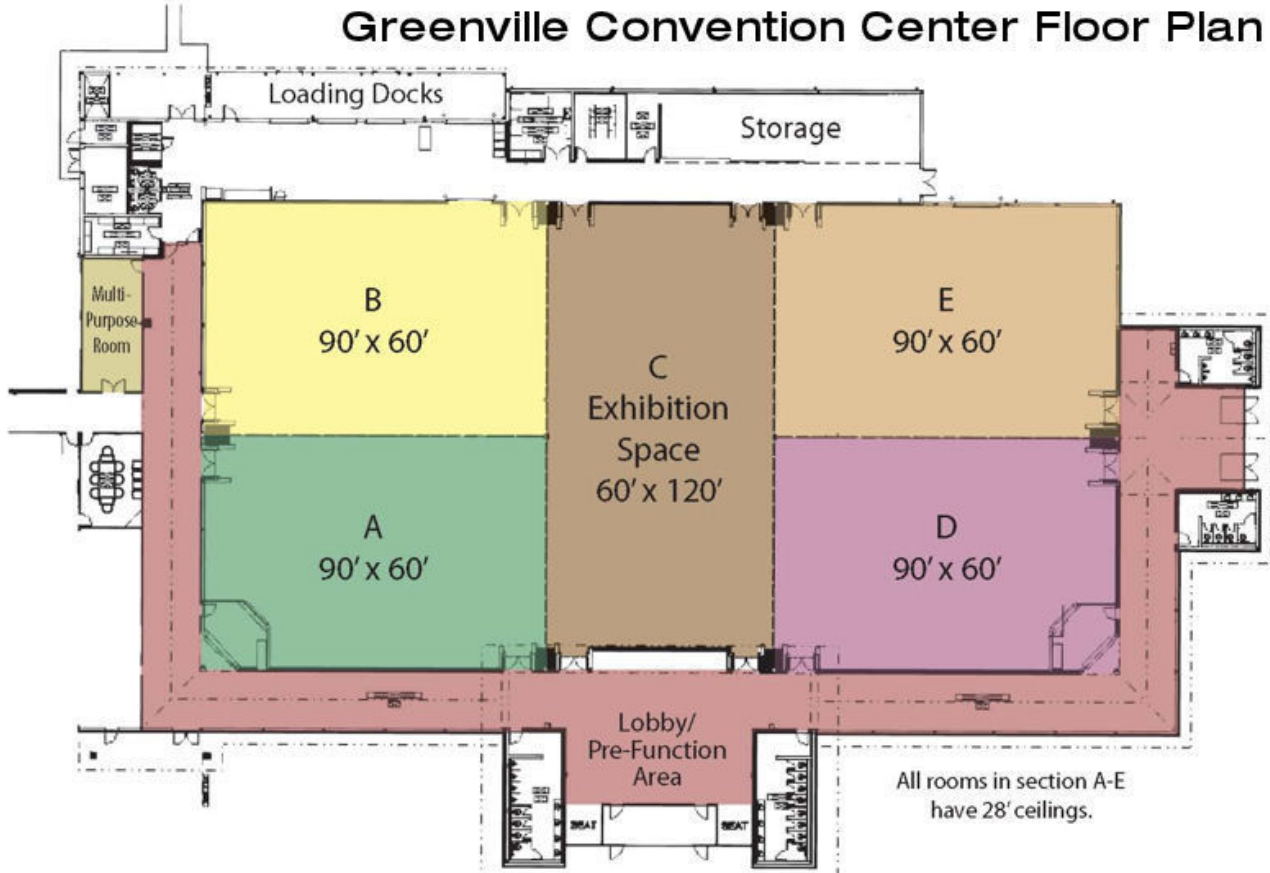
The Chief Executive Officer of EHM has been involved in sales, marketing and operations for 21 years, first at the Hilton Greenville next door and now at the Greenville Convention Center. The Convention Center staff, supported by the connected Hilton property, is capable of fully meeting the demands of convention/meeting, entertainment and consumer show patrons.

The Convention and Visitors Bureau occupies office space within the Greenville Convention Center and operates Monday through Friday from 8 a.m. to 5 p.m. According to the Convention and Visitors Authority 2007-2008 Annual Report, the office received 1,727 walk-in inquiries during the one-year period between July 1, 2007 and June 30, 2008.

Convention Center Features:

- Integrated audio system that can broadcast throughout the Center or in segments, with in-room master control.
- 13,000 feet of single or multi-mode fiber.
- 80,000 feet of category 6 cable to support networking and phones.
- In-floor network grid provides each exhibitor station electric, phone line, and network access.
- 32-acre campus, perfect for outdoor activities and exhibits
- In-floor conduit system to simplify production cabling.
- Complete infrastructure to support web casting, broadcasting and video conferencing.
- In-house audio visual service to provide a complete array of back line and event production equipment.
- Wireless and hard-wired internet.
- Complimentary parking.
- Built-in concessions and ticket booths.
- Drive-in accessible.
- Full-service catering by Hilton.

Greenville Convention Center Floor Plan



CONVENTION CENTER	Square Feet	Theater Seating/Reception	Banquet Seating	Classroom Seating	10x10 Booths
Section A	5400	500	300	275	30
Section B	5400	500	300	275	30
Section C	7200	725	500	350	40
Section D	5400	500	300	275	30
Section E	5400	500	300	275	30
Full Center	28,800	2800	2080	1608	160
Multi Purpose	546	45	40	25	N/A
Pre-Function	12,000				

The Greenville Convention Center facility is the largest, most fully-equipped meeting space in North Carolina east of I-95 and the state's capital, Raleigh. Commercial airline service at Pitt-Greenville Airport allows conventioners to fly directly into Greenville.



The Convention Center can accommodate 160 10' x 10' trade show booths, groups of up to 3,000, and serve banquets for up to 2,450. The facility adjoins two full-service hotels with 333 guestrooms. An additional 35,000 square feet of flexible

meeting and banquet space and 1,700 additional guestrooms are nearby.

Location and Connectivity:



Distances from Greenville, North Carolina

Cape Hatteras, North Carolina	170 miles
Durham, North Carolina	100 miles
Elizabeth City, North Carolina	92 miles
Fayetteville, North Carolina	115 miles
Manteo, North Carolina	120 miles
Morehead City, North Carolina	80 miles
New Bern, North Carolina	44 miles
Raleigh, North Carolina	85 miles
Rocky Mount, North Carolina	41 miles
Wilmington, North Carolina	115 miles

More information on the Greenville, North Carolina Convention Center can be found at <http://www.greenvilleconventioncenter.com>.

Planned Campus and Streetscape Improvements:

Plans are currently being implemented to improve the Convention Center Campus and the streetscape in the immediate surrounding area. The Greenville City Council has approved Phase I of the project, which is scheduled to begin in April 2009. These planned improvements include the following:

- Marquee sign improvements to include the new name of the facility, relocate marquee sign and install a modern LED changeable message sign (Phase I)
- Replace existing traffic signal system with mast arms and poles at Hooker Road and Greenville Boulevard and upgrade pedestrian features. Install illuminated street name signs (Phase I)
- Construct sidewalks within the existing right-of-way between Landmark Street and Bismark Street (Phase I)
- Extend sidewalks within the existing right-of-way from Bismark Street to Memorial Drive and from Landmark Street to Evans Street (Later Phase)
- Construct decorative emblem in the Hooker Road and Greenville Boulevard intersection (Later Phase)
- Construct a "grand" plaza that leads from the sidewalk on Greenville Boulevard to the front entrance to the Convention Center (Phase I)
- Install a water feature at the "grand" walkway (Phase I)
- Improve the landscaping features in the Convention Center Campus (Hampton/Hilton/City Hotel area) (Phase I)
- Install street lighting system on the access road to the Convention Center capable of supporting banners hung on arms from the street lights (Phase I)
- Improve landscaping along Greenville Boulevard between Evans Street and Memorial Drive (Later Phase)
- Construct decorative crosswalks at Evans, Landmark, Bismark, and Memorial Drive as they intersect Greenville Boulevard (Later Phase)

Future Convention Center Structural Expansion:

It is expected that the Convention Center will be expanded in the future to more than double the Exhibit Hall square footage and add multiple breakout rooms, again expanding this facility's capabilities. There is no firm timetable for the expansion at this time.

Events:

The Greenville Convention Center will host thousands of attendees on an annual basis. The events range from large conferences and trade shows to consumer and entertainment events.

High-profile events and estimated attendance for 2009, 2010 and 2011 at the Greenville Convention Center include:

ECU Football Banquet.....	900 attendees
Eastern NC Episcopal Convocation.....	1,200 attendees
Bruce Bruce Comedy Show.....	1,500 attendees
Petey Pablo Concert	1,000 attendees
Sheppard Memorial Library Book Sale	4,000 attendees
NC Commercial Flowers Expo	2,500 attendees
NC Pork Council	400 attendees
Ducks Unlimited	600 attendees
NC Dental Society	850 attendees
Bridal Expo	1,000 attendees
Laura Ingraham Live Broadcast/Business Trade Show	2,000 attendees
Go Red for Women Health Expo	1,500 attendees
Homebuilders Expo	2,500 attendees
Auto Expo	2,000 attendees
Coastal Wholesale	500 attendees
Juvenile Diabetes Walk/Fundraiser	500 attendees
ECU Career Fair	2,000 attendees
Mixed Martial Arts	1,500 attendees
Pitt County Health Department Maternity Fair	1,500 attendees
Chamber of Commerce Business Expo	3,500 attendees
New York City Dance Alliance	750 attendees
ECU Jazz Festival	500 attendees
Southco	600 attendees
University Health Systems Leadership Conference	1,000 attendees
Kidsfest	3,500 attendees

NC Health Information Management Association	450 attendees
Sudan Shriners	800 attendees
NC Catholic Youth Conference	1,000 attendees
NC Association of Municipal Electric Systems	500 attendees
Red Carpet Gala	300 attendees
NC Gospel Announcer's Guild	2,000 attendees
NC United Methodist Conference	1,800 attendees
Eastern NC Episcopal Institute	1,200 attendees
NC Association of Rescue and EMS	700 attendees
Hawley' RV Show	1,400 attendees
NC Library Association	500 attendees
March of Dimes Chef's Auction	1,000 attendees
Carolina Pregnancy Fundraising Event	1,000 attendees
NC League of Municipalities	2,100 attendees
NC Dept. of Public Instruction Textbook Conference	550 attendees
Holiday Show	8,000 attendees
NC Association of CPA's	600 attendees
Multiple Marine Corps Balls	ranging from 500 to 2200 attendees
Art Ball	850 attendees
Greenville Utilities	500 attendees
NC Surveyor's	300 attendees
Alpha Kappa Alpha	2100 attendees
NC County Commissioners	900 attendees
NC Eastern Star	900 attendees

Below is a brief overview of the Convention Center's success through 2008 and event projections for 2009, 2010 and 2011.

2005:

Type of event	Events	Event Days	Attendance
Conventions	29	85	18,648
Consumer	15	54	32,553
Entertainment	11	12	10,564
Social/Community	20	48	11,980
Totals	75	199	73,745

*City of Greenville, NC Convention Center Naming Rights***2006:**

Type of event	Events	Event Days	Attendance
Conventions	50	95	22,670
Consumer	16	46	34,385
Entertainment	18	21	18,138
<u>Social/Community</u>	<u>22</u>	<u>50</u>	<u>20,832</u>
Totals	106	212	96,025

2007:

Type of event	Events	Event Days	Attendance
Conventions	53	109	39,907
Consumer	21	56	26,183
Entertainment	17	22	11,932
<u>Social/Community</u>	<u>21</u>	<u>41</u>	<u>21,818</u>
Totals	112	228	99,840

2008:

Type of event	Events	Event Days	Attendance
Conventions	65	113	36,252
Consumer	11	30	15,064
Entertainment	21	28	17,011
<u>Social/Community</u>	<u>31</u>	<u>80</u>	<u>28,557</u>
Totals	128	251	96,884

2009 Projections:

Type of event	Events	Event Days	Attendance
Conventions	62	138	37,000
Consumer	13	37	18,000
Entertainment	11	13	11,000
<u>Social/Community</u>	<u>29</u>	<u>75</u>	<u>32,000</u>
Totals	115	263	98,000

2010 Projections:

Type of event	Events	Event Days	Attendance
Conventions	65	136	39,000
Consumer	15	44	20,000
Entertainment	12	15	11,000
<u>Social/Community</u>	<u>33</u>	<u>76</u>	<u>33,000</u>
Totals	125	271	103,000

2011 Projections:

Type of event	Events	Event Days	Attendance
Conventions	67	140	40,000
Consumer	17	50	23,000
Entertainment	12	15	11,000
<u>Social/Community</u>	<u>35</u>	<u>80</u>	<u>34,000</u>
Totals	131	285	108,000

III. Benefits in the Naming Rights Package

Listed below are the benefits that will be made to the successful Respondent.

The name of the Greenville Convention Center which is proposed by the successful Respondent and approved by the City of Greenville will be the exclusive name of the facility in all official facility references during the term of the agreement. The planned grand plaza will be excluded from the agreement. The successful Respondent will have the right to create and develop a proposed logo for the facility which is subject to approval by the City of Greenville.

Name and logo identification in all official facility references made by the City and the management company including, but not limited to, the following:

- Media correspondence
- Media placement—television, radio, billboards and print
- Website with links
- Facility marketing collateral relating to the facility
- Facility related publications
- Promotional merchandise
- Advertising/promotional literature

Exterior facility name and signage opportunities:

- Front of facility and west entrance
- Street-side facility marquee
- Signage on all entry doors to the facility
- Directional signage within facility public vehicular areas

Interior facility name and signage opportunities:

- Main lobby/pre-function area above east and west corridors
- Designated concession areas in pre-function area
- East and west entrance wall signage
- Interior directional signage

Promotional elements tied to consumer events as designated by the management company including:

- Retail promotions and on-site giveaways for special events
- Community programs
- Charity fundraisers
- Other special event sponsorships

IV. Selection Criteria Details:

Any and all proposals will be considered. However, the Respondent will address, at a minimum, the selection criteria hereinafter listed.

- A. Financial Proposal**—Respondent shall outline its financial proposal including, but not limited to, payment plan and escalation factors in sufficient detail so that a thorough analysis of the proposal may be performed. In valuing naming rights, corporations generally consider the following attributes:

- Proposed term of the contract
- Number and type of events held at the facility
- Annual attendance
- Demographics of the audience
- Media exposure
- Comparative analysis with other similar facilities
- Competition for the opportunity in the market
- Projected future events/historical performance

The City desires the payment plan to consist of a payment of fifty percent (50%) of the naming rights fee in advance and the balance to be paid in equal annual installments over the term of the agreement.

- B. Term**—Respondent shall outline the proposed term of the agreement. A minimum term of seven (7) years is contemplated. Renewal options may be included.
- C. Exclusivity**—Respondent shall define the entities that are within the Respondent's area of business which it desires to preclude from having naming rights for areas within the facility. The City intends to avoid the grant of naming rights for meeting rooms and other areas within the facility to entities which are in the same area of business of the successful Respondent but to not restrict the sponsoring of events or any other use of the facility.
- D. Proposed Name of Convention Center**—Respondent shall propose alternative names for the facility. These will be discussed more fully during

the negotiation process with the City of Greenville having approval authority of the name of the facility and the facility logo. The City desires to retain “Greenville Convention Center” as a part of any proposed name. The successful Respondent will be required to grant the right to include any trademarks which are included in the facility name and facility logo.

- E. **Marketing Initiatives**—Respondent shall outline the manner in which it will enhance the Convention Center profile with marketing support in the form of media, promotions, and community projects.
- F. **Financial Stability**—Respondent shall submit with its proposal sufficient evidence of its financial stability.

Respondents are welcome to include any additional information deemed appropriate for consideration.

V. Request for Proposal Response Process:

The process for selecting the most suitable corporate naming rights partner is designed to attract competitive bids from corporations supportive of increasing Greenville’s profile and regional and national recognition.

Criteria for selection—Proposals by respondents will be evaluated on the basis of criteria deemed most appropriate for a successful partnership.

These criteria include, but are not limited to, the following:

- Financial structure of proposal
- Term of proposal
- Exclusivity requests
- Proposed name of the facility
- Marketing initiatives to promote, market and support the facility
- Financial stability of corporate partner

Timetable—The following outlines the timing of responses:

February 9, 2009 – RFP presented to Greenville City Council for consideration to seek proposals

February 10, 2009 - RFP’s mailed to corporate target list and posted on the City of Greenville, Convention Center and Convention and Visitors Authority websites

February 16, 2009 – Invitation to submit Request For Proposals published in The Daily Reflector

March 5, 2009, 2 p.m. EST - Non-mandatory pre-bid question and answer conference at site.

March 13, 2009, 4 p.m. EST – Deadline for submission of Notice of Intent to Submit Proposal

March 27, 2009, 4 p.m. EST – Deadline for submission of eight (8) hard copies of proposal plus 1 electronic copy on CD-Rom or other standard storage media in PDF or Microsoft Word file format

March 30, 2009- April 27, 2009 – Evaluation of Proposals

- Contact with Respondents
- Begin scheduling meetings with Respondents to discuss proposal and view Naming Presentation with specific package elements and graphics included.
- Begin formal negotiations with Respondents with goal of announcing naming rights partnership in May 2009.

May 11, 2009 – City Council consideration of proposal. Execution of agreement expected to occur within 30 days of City Council approval.

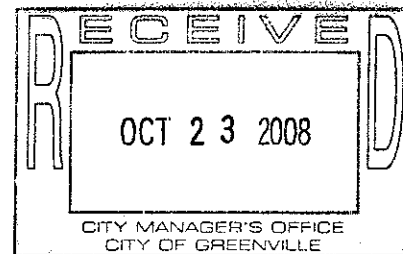
VI. Respondent Instructions

- A) All respondents should direct all written questions to the Naming Rights Committee Chair, Thomas M. Moton, Jr., Assistant City Manager at 200 W. Fifth Street, Greenville, NC 27835; e-mail tmoton@greenvillenc.gov or fax to (252) 329-4435.
- B) By March 13, 2009, 4 p.m. EST, all interested parties must e-mail or fax a Notice of Intent to Submit a Proposal. Respondents providing notice of intent and those attending pre-bid meetings will be advised of any and all responses to questions about this Request for Proposals.
- C) By March 27, 2009, 4 p.m. EST, proposals must be received in a sealed envelope marked on the outside of it, “**RFP Naming Rights**” and addressed to:

City of Greenville
Attn: Thomas M. Moton, Jr.
Assistant City Manager
PO Box 7207
Greenville, NC 27835

Email: tmoton@greenvillenc.gov
Phone: (252) 329-4432

Proposals received after the March 27, 2009, 4 p.m. EST deadline will not be considered. The City of Greenville retains the right to reject any and all proposals and to select the proposal which is determined by the City of Greenville, in its sole discretion, to be in the best interest of the City of Greenville.



October 23, 2008

Mr. Thom Moton
Assistant City Manager
200 West 5th Street
Greenville, NC 27835

Mr. Thom Moton

The Greenville Convention Center has serviced thousands of customers over the past seven years and has built a reputation of being a first class conference and convention destination in the east. By the nature of this success and un-solicited, EHM has been approached by a nationally recognized company to include their name on the Greenville Convention Center.

I am requesting the city of Greenville grant permission to pursue the sale of naming rights per section 7.0 -7.2 of the operational management agreement of the Greenville Convention Center.

This opportunity could provide additional credibility and another step in branding the Greenville Convention Center on a national level.

Thank you in advance for your response to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "John VanCoutren".

John VanCoutren
Executive Vice President
Hospitality Operations

cc: Tom Glennon
Wayne Bowers
Debbie Vargus

Item # 11

as to any matters reasonably determined necessary by either such party to complete the Easement Agreement, Greenville and Hilton shall cause the Easement Agreement to be completed by (i) granting to each other any temporary construction, access or other easements necessary to construct the Exhibit Hall or any or all of the Hotel Improvements; (ii) Greenville granting to Hilton and its successors and assigns, an easement to install, repair, replace, modify, use, and maintain any utilities reasonably related to the Hotel Improvements over, under or through approved locations on the Exhibit Hall Property (the consent to such locations to not unreasonably be withheld), (iii) Greenville granting to Hilton, its employees, agents, tenants, guests, and invitees, vehicular and pedestrian access, parking, and use over and upon the areas designated for each such use on Exhibit Hall Property so long as a hotel is operated upon the Hotel Property; (iv) Hilton granting to Greenville and its successors and assigns, an easement to install, repair, replace, modify, use, and maintain any utilities reasonably related to the Exhibit Hall over, under or through approved locations on the Hotel Property (the consent of such locations to not unreasonably be withheld), and (v) Hilton granting to Greenville, its employees, agents, tenants, guests, and invitees, vehicular and pedestrian access, parking, and use over and upon the areas designated for each such use on the Hotel Property including, but not limited to ingress and egress for vehicular traffic through the Hotel Property between the Exhibit Hall Property and Hartford Street so long as an exhibit hall is operated upon the Exhibit Hall Property

9.0 NAMING RIGHTS

9.1 IN GENERAL

Greenville shall have the exclusive right to name the Exhibit Hall and the individual rooms or areas within the Exhibit Hall. Except as set forth in section 9.2, any money paid or collected in connection with naming or changing a name of all or any part or portion of the

Exhibit Hall ("Naming Rights Receipts") shall be held by Greenville in a Naming Rights Fund, and the lesser of \$50,000 or the amount on deposit in such fund shall be annually allocated and reserved by Greenville for replacement and additions to the Exhibit Hall FF&E. The expenditure of such funds shall be governed by the provisions of section 12.0

9.2 NAMING RIGHTS CAP

In the event Greenville issues obligations the interest on which is not included in gross income for federal income tax purposes to pay costs of acquiring, constructing, furnishing and equipping the Exhibit Hall (the "Tax-Exempt Issue"), any Naming Rights Receipts that are in excess of the Naming Rights Cap shall be deemed to be a revenue collected by EHM from its operation of the Exhibit Hall. The "Naming Rights Cap" shall be equal to (i) four percent (4.00%) multiplied by the present value (using the yield on the Tax-Exempt Issue as the present value factor for this purpose), as of the date of issue of the Tax-Exempt Issue of the stated principal and interest due on the Tax-Exempt Issue during the term of this Agreement, (ii) less the present value as of the date of issue of the Tax-Exempt Issue (using the yield on the Tax-Exempt Issue as the present value factor for this purpose) of any other amounts received by Greenville during the term of this Agreement from the operation or use of the Exhibit Hall ("Other Private Payments"). Notwithstanding the provisions of this section 9.2, Greenville shall be under no obligation to name all or any portion of the Exhibit Hall, and Greenville may, at its sole discretion, cause the provisions of this section 9.2 to be amended or deleted in its entirety at any time, upon delivery of an opinion of a nationally recognized bond counsel to EHM or the trustee with respect to the Tax-Exempt Issue that such amendment or deletion will not adversely affect the exclusion of interest on obligations comprising the Tax-Exempt Issue from gross income for purposes of federal income taxation



City of Greenville, North Carolina

Meeting Date: 2/9/2009
Time: 6:00 PM

Title of Item: Legislative Initiatives for the 2009 Session of the North Carolina General Assembly

Explanation: The 2009 Session of the North Carolina General Assembly convened at 12:00 noon on Wednesday, January 28, 2009. The deadline for submitting bills to the General Assembly's Legislative Bill Drafting and the deadline for the introduction of bills have been established. For the House, local bills are to be submitted to Bill Drafting no later than March 18, 2009, and filed no later than April 1, 2009, and public bills are to be submitted to Bill Drafting no later than March 26, 2009, and filed no later than April 8, 2009. For the Senate, local bills are to be submitted to Bill Drafting no later than March 3, 2009, and filed no later than March 11, 2009, and public bills are to be submitted to Bill Drafting no later than March 13, 2009, and filed no later than March 25, 2009.

Discussion by Council of issues and local acts which it desires to pursue with our local legislative delegation during this Session should occur at this time so that the City's legislative initiatives can be developed and identified. Upon Council reaching a consensus, resolutions for Council's consideration will be presented at its Thursday, February 12, 2009, meeting which will request the City's local legislative delegation to seek enactment of identified initiatives during the Session.

The City is not alone in its efforts to secure legislation which will assist it in providing services to its citizens. The North Carolina League of Municipalities, in representing its more than 530 member cities, towns, and villages, promotes the common interests of municipalities in the General Assembly.

Based upon the input received from Council Members and City staff, some potential legislative initiatives for Council to consider for this session or future sessions have been developed and are as follows:

Update of Current Law on City-Initiated Annexation

Support the enactment of reasonable adjustments to the current law on City-initiated annexation while retaining the general framework and principles of the current law. North Carolina's annexation laws have helped keep tax rates low for city residents and businesses, attract new jobs, and protect property values, the environment and bond and credit ratings. Cities provide services and amenities such as transportation, public safety, recreation, economic development, shopping and jobs which benefit not only city residents, but also those living outside the city. The current law is based upon the principle that urban areas near a city which benefit from city services and amenities should become a part of the city and help pay for the cost of the benefits which they are enjoying. The North Carolina League of Municipalities has pledged to work with legislators to develop reasonable amendments to the law and has prepared a proposal of twenty (20) items to be addressed which would result in improvements to the law. However, opponents to City-initiated annexations are seeking more extensive amendments which would result in many appropriate annexations not being accomplished. It is important that cities maintain the ability to annex on their own initiative when the area is developed to specified urban standards and the city is committed to providing municipal services. A copy of the proposal of the North Carolina League of Municipalities is attached.

East Carolina University Capital and Operating Priorities

Support East Carolina University in its efforts to receive its capital and operating priorities for 2009-2011. Funding of these priorities will have a significant economic impact on the City of Greenville and, for some of the priorities, provide medical or dental service to underserved populations of North Carolina. The capital priority is a request for \$15.16 million in planning funds for the design and construction of a new life science and biotechnology building. The operating priorities include (1) a request for \$5 million (\$3 million in FY 2010 and \$2 million in FY 2011) for the Brody School of Medicine to provide indigent care; (2) a request of \$14 million (\$6 million in FY 2010 and \$8 million in FY 2011) to assist in the implementation of the new School of Dentistry; (3) a request of \$300,000 in operating funds for the Heart Institute to help improve preventive and interventional measures for patients who are already symptomatic of cardiovascular disease; and (4) a request of \$4 million (\$2 million for FY 2010 and \$2 million for FY 2011) to be split equally between the Brody School of Medicine and UNC Chapel Hill School of Medicine to support the planning and initial implementation of an expanded medical student class size. A copy of the capital and operating priorities for 2009-2011 approved by the UNC Board of Governors is attached.

Authority to Appoint Housing Authority Commissioners

Seek the enactment of a local act which would provide that commissioners of the Housing Authority of the City of Greenville are appointed by City Council. A change in the appointment authority from the Mayor to City Council would result in the decision on appointments being made by the entire governing board. North Carolina General Statute 157-5 provides that commissioners of a housing authority are appointed by the Mayor. This law applies to each North Carolina city which has a Housing Authority unless it is modified by an act of

the General Assembly. Of the approximately 88 city housing authorities in North Carolina, there are three (3) housing authorities which have an act which modifies this appointing authority--Charlotte, Durham, and Wilson. Charlotte's act provides that the Mayor and Council may develop a plan and adopt the necessary ordinances or resolutions to provide that the Mayor shall appoint one-third of the membership and the City Council appoint two-thirds of the membership of the Housing Authority (this has been accomplished with the Charlotte Mayor appointing two (2) commissioners and the City Council appointing five (5) commissioners). Durham's act provides that the Durham City Council appoints the commissioners. Wilson's act provides that the Wilson Mayor and City Council fill the vacancies in the office of commissioner (the practice in Wilson is for the Mayor to make these appointments). A copy of a June 10, 2008, memo to City Council which includes a copy of the relevant acts is attached.

Increase in Motor Vehicle Tax

Seek authority for the City to levy an additional annual motor vehicle tax of \$5. North Carolina General Statute 20-97 authorizes cities to levy a motor vehicle tax upon any motor vehicle resident within the city. Unless modified by a local act, the tax may not exceed \$5 per year for any lawful purpose and \$5 per year for public transportation purposes. Several cities have local acts which increase the allowable tax not limited by G.S. 20-97 for public transportation purposes. Among these are Charlotte (\$30), Matthews (\$30), Carrboro (\$25), Chapel Hill (\$25), Cornelius (\$20), Davidson (\$20), Huntersville (\$20), Mint Hill (\$20), Murfreesboro (\$20), Pineville (\$20), Raleigh (\$20), and Winston-Salem (\$20). Except for those cities which levy \$30, each city may also levy the additional \$5 for public transportation purposes. Some of these local acts specify a limited purpose for which the proceeds from the tax can be used. As a result of a 1993 local act, the City of Greenville has the authority to levy a motor vehicle tax of \$20 per year for any lawful purpose (in addition to its authority to levy \$5 per year for public transportation purposes). The City currently levies \$20 for any lawful purpose and this was anticipated to generate \$714,000 during the current budget year. An additional \$5 would generate approximately \$180,000 of additional revenue. With the additional authority requested, the revenue could be used for any lawful purpose including the purpose of funding street maintenance and improvements. A copy of a listing which summarizes the authority for a motor vehicle tax of North Carolina cities is attached.

Expansion of Eligibility for Mill Rehabilitation Tax Credit

Seek enactment of legislation which will expand the eligibility for the Mill Rehabilitation Tax Credit to include the renovation of former mill sites in addition to the renovation of old mill buildings. The expansion of eligibility could have a direct bearing on renovations to the Imperial Tobacco Warehouse site and the Albemarle Warehouse site. Currently, the credit is limited to a site which (a) was used as a manufacturing facility or for purposes ancillary to manufacturing, as a warehouse for selling agricultural product or as a public or private utility; (b) is a certified historic structure or a State-certified historic structure; and (c) has been at least 80% vacant for a period of two (2) years. The

credit is available if at least \$3 million of qualified expenditures occur. The tax credit can be claimed against either income tax, the corporate franchise tax, or the insurance company gross premium tax. The credit expires on January 1, 2011 for rehabilitation projects for which an application for an eligibility certification is submitted on or after that date. The South Carolina Textiles Communities Act provides for tax credits for a former mill site for rehabilitation expenses within the boundaries where the facility was located. The South Carolina law includes renovations, improvements, and redevelopment whether or not qualified historic rehabilitation receiving federal tax credits are involved. This results in increased opportunity for revitalization of these sites and, therefore, the community in which the sites are located. This South Carolina law could be used as a model for the expansion of eligibility for the Mill Rehabilitation Tax Credit in North Carolina. A copy of the current legislation relating to the Mill Rehabilitation Tax Credit is attached.

Fiscal Note: The development of the Legislative Initiatives will not have a fiscal impact.

Recommendation: Identify the initiatives which Council desires to include in its Legislative Initiatives so that resolutions for Council action at the February 12, 2009, meeting can be developed.

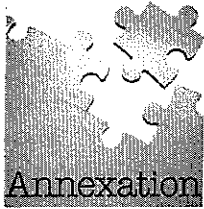
Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Attachments for 2009 Initiatives](#)

ATTACHMENTS FOR 2009 INITIATIVE ENTITLED

UPDATE OF CURRENT LAW ON CITY-INITIATED ANNEXATION



A Proposal to the Joint Senate and House Study Commission on Municipal Annexation

DECEMBER 17, 2008

KELLI H KUKURA, DIRECTOR OF GOVERNMENTAL AFFAIRS

KIM S HIBBARD, ASSOCIATE GENERAL COUNSEL

PROCEDURE

- **Concern:** Due to the growth of the state, the over and under 5,000 population threshold for the city-initiated annexation process is no longer appropriate.

Existing law: Cities of 5,000 or more (based on federal decennial census) have some differences in the process related to the standards for urban development and the delivery of water and sewer services

Proposal 1: Increase the threshold to cities of 10,000 or more

- **Concern:** Residents of the area to be annexed do not have sufficient information about the annexation process

Existing law: City must mail and publish notice, make an annexation report available, hold a public informational meeting to explain the report and answer questions, and hold a public hearing to receive comments

Proposal 2: Require the city to provide more written information to citizens in the annexation area, to be sent with the mailed notice and distributed at the informational meeting and public hearing. This would include a summary of the annexation process and timelines, a summary of available statutory remedies for contesting the annexation and the provision of services, and in cities of 10,000 or more the form for requesting the extension of water and sewer lines to individual properties.

- **Concern:** Cities may begin the process without having an official time period up front to study the area and to make residents aware that their area is under consideration.

Existing law: City has an option. It may start with a resolution of consideration, studying the area for at least one year, then adopting a resolution of intent (which triggers the timeline for public meetings and adoption of ordinance). Or it may begin with the resolution of intent and delay the effective date of the ordinance by one year.

Proposal 3: Remove the option to begin the process with the resolution of intent, to provide the community with more advance knowledge and time before the process begins

- **Concern:** The prorating of property taxes is confusing and the billing cycle is burdensome

Existing law: Unless the annexation is effective in June (last month of the fiscal year), taxes are prorated based on the number of full calendar months remaining in the fiscal year after the effective date. In addition, if the effective date is during the period of September 2 to May 31, the prorated taxes will not be billed until the following fiscal year, so that the first property tax bill residents receive is larger than anticipated

Proposal 4: Require city-initiated annexations to become effective on June 30, eliminating the need to prorate taxes for a partial fiscal year. [In the event of litigation, allow cities the ability to defer the effective date to a later time than the first full month after a court opinion]

- **Concern:** Residents do not have sufficient time to engage legal representation and prepare a challenge to an annexation

Existing law: Currently residents have 60 days to file a challenge to the annexation itself in court. They have 90 days to petition the Local Government Commission if the city fails to provide within 60 days of the annexation any of the four major municipal services that are generally tax rather than rate-supported (police, fire, solid waste, street maintenance).

Proposal 5: Extend the time period to challenge an annexation in court to 75 days.

Proposal 6: Extend the time to seek tax abatement from the LGC if the city doesn't provide police, fire, solid waste or street maintenance services to 120 days.

- **Concern:** Property owners do not have a clear trigger for their right to challenge a failure to provide services

Existing law: No report is required indicating whether deadlines were met for providing services.

Proposal 7: Require a report on the delivery of services to be made to LGC after the appropriate deadlines for providing the various services.

WATER AND SEWER

- **Concern:** The statutory requirements for requesting individual water and sewer extensions are confusing and do not allow sufficient time and information for residents to make a decision regarding the request. Residents that do not make the request may not be aware that a future request for extension falls under the city's general extension policies and is not subject to the same 2-year deadline for completion.

Existing law: In cities of 5,000 or more, property owners must make the request for extension of water and sewer lines to their individual properties within 5 days of the public hearing.

Proposal 8: Require cities of 10,000 or more to provide conspicuous advance information about the right to request individual water and sewer extensions and the consequences of failing to make the request. Information must clarify that signing up for extension does not waive the right to contest the annexation, state the municipality's policy for financial participation in the cost of the extension, and the statutory timeline for completion. It must further state the policy, with estimated timeline, for extension of water and sewer lines to properties that do not request an individual extension.

Proposal 9: Substantially increase the time for property owners to make requests for individual extensions of water and sewer in cities of 10,000 or more, to 30 days following public hearing.

- **Concern:** The financial impact statement is not detailed enough to be useful in making multi-year projections and in determining whether water and sewer infrastructure is financially feasible.

Existing law: Requires a statement in the report showing how the annexation will affect the city's finances and services, including revenue change estimates.

Proposal 10: Require the financial impact statement to include 5-year projections (beginning with the first year expenditures are to be made for provision of services), with accounting by revenue source and category of expenditure.

Proposal 11: Require financial estimates to be based on the assumption that the entire annexed area will request water and sewer extensions.

- **Concern:** Assessments for water and sewer infrastructure are financially burdensome for property owners.

Existing law: Property owners may pay special assessments in up to 10 annual installments.

Proposal 12: Require cities to allow property owners in the annexation area up to 20 years to pay any special assessments for water and sewer.

- **Concern:** Some property owners outside of city limits request extension of water and sewer service and sign an agreement with the city to be annexed in the future. When the property is sold the new owner may be unaware of the agreement

Existing law: Not addressed in the statutes.

Proposal 13: Clarify that such agreements are to be recorded with the register of deeds and will run with the land.

QUALIFICATION OF THE ANNEXATION AREA/ ANNEXING MUNICIPALITY

- **Concern:** Towns that provide no municipal services are seeking to annex

Existing law: Statutes do not set a minimum level of services; town must provide same services to annexed area that are provided to the rest of the municipality. Case law prohibits annexation by a town with "no meaningful services."

Proposal 14: Provide that to be eligible to annex, towns must provide at least two of the four major municipal services listed in the statute that are generally tax rather than rate-supported (police, fire, solid waste, street maintenance). Clarify that towns providing a service by contracting for it must be contracting for a higher level of service, e.g. dedicated sheriff's deputy or increased patrols

- **Concern:** The use of long highway corridors or other relatively narrow spokes of land to connect the annexation area to the city violates the meaning of contiguity

Existing law: For city-initiated annexations, at least one-eighth (12.5%) of the boundary of the annexation area must be contiguous to the city. Case law prohibits the use of "shoestrings" to create contiguity. For voluntary annexations, an area is contiguous if it is separated from the municipal boundary by a street, creek, river, railroad right of way, or city, county or state-owned land.

Proposal 15: Prohibit the use of a street or street right of way as a connecting corridor to establish contiguity to an outlying noncontiguous area

Proposal 16: Define contiguity more precisely for purposes of voluntary annexations (e.g. it is acceptable to be separated by the width of a street but not by a shoestring-type length of street)

- **Concern:** The use + subdivision test is complex and difficult for smaller towns to apply, leading to frequent litigation.

Existing law: Cities under 5,000 have available one main test for determining whether the area is developed to urban standards – the use + subdivision test. Those of 5,000 or more have available 3 main tests – population density, use + subdivision, and population + subdivision

Proposal 17: Allow towns under 10,000 to use the population density test.

DISTRESSED AREAS

- **Concern:** Some low-income/distressed areas that need city services are skipped over when extending city boundaries because of the expense of providing water and sewer infrastructure

Existing law: Priority points are given for state infrastructure funds for a number of things, such as having a comprehensive land use plan, having a capital improvement plan, or having a floodplain ordinance

Proposal 18: Create incentives to include low-income/distressed areas that need water and sewer in annexation areas by giving priority points for state grants/funds, e.g. CDBG, state water and sewer revolving funds

- **Concern:** Some low-income/distressed areas that need city services are skipped over when extending city boundaries because they do not meet the standards for either voluntary or city-initiated annexation.

Existing law: In order to annex a contiguous area, it must either have a petition from 100% of the property owners or it must meet the contiguity and density standards under the city-initiated process

Proposal 19: Create a category of voluntary annexation applicable to contiguous low-income areas, allowing a 75% petition to qualify for annexation.

Proposal 20: Create a simple process for city-initiated annexation of "doughnut holes," by allowing areas to qualify under the standards if every part of it is completely surrounded by the municipality's primary corporate limits.

ATTACHMENTS FOR 2009 INITIATIVE ENTITLED

EAST CAROLINA CAPITAL AND OPERATING PRIORITIES



Capital and Operating Priorities* 2009-2011

CAPITAL

1. Life Sciences and Biotechnology Building
 - Request \$15,160,000 in planning funds for the design and construction of a new life science and biotechnology building at East Carolina University.

OPERATING

1. Indigent Care
 - ECU's Brody School of Medicine requests \$3,000,000 in recurring state appropriated funds for FY 2010 and an additional \$2,000,000 in recurring funds for FY 2011.
2. School of Dentistry
 - Request \$6,000,000 in state appropriations for FY 2010 and an additional \$8,000,000 in FY 2011. This funding will assist in the implementation of the new school of dentistry. The funding will allow the school to hire faculty/staff, develop the curriculum, and establish the service learning centers.
3. ECU Heart Institute
 - Request \$300,000 in operating funds to help improve preventive and interventional measures for patients who are already symptomatic of cardiovascular disease.
4. Medical School Expansion
 - Request \$2,000,000 in recurring state appropriated funds for FY 2010 and an additional \$2,000,000 for FY 2011 to support the planning and initial implementation of medical student class size at the Brody School of Medicine and UNC Chapel Hill School of Medicine. The funds will be split equally between the two schools.

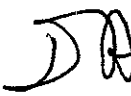
*The legislative priorities above were approved by the UNC Board of Governors in November 2008.

ATTACHMENTS FOR 2009 INITIATIVE ENTITLED

AUTHORITY TO APPOINT
HOUSING AUTHORITY COMMISSIONERS

MEMORANDUM

TO: Mayor and City Council Members

FROM: David A. Holec, City Attorney 

DATE: June 10, 2008

SUBJECT: Housing Authority Appointing Authority

Council Member Glover has requested a copy of the law which authorizes the Charlotte City Council to appoint some of the commissioners of its Housing Authority.

North Carolina General Statute 157-5 provides that commissioners of a Housing Authority are appointed by the Mayor. This law applies to each North Carolina city which has a Housing Authority unless it is modified by an act of the General Assembly. For Charlotte, the modification is contained in its Charter with the most recent revision of the Charter being approved by the General Assembly on June 29, 2000, as Session Law 2000-26. Section 5.01 of the Charter of the City of Charlotte provides that the Mayor and Council may develop a plan and adopt the necessary ordinances or resolutions to provide that the Mayor shall appoint one-third of the membership and the City Council two-thirds of the membership of the Housing Authority. Currently, the Charlotte Mayor appoints two (2) members and City Council five (5) members to the seven (7) member Housing Authority. A copy of Section 5.01 of the Charter of the City of Charlotte is attached.

Also attached is a copy of Session Law 1971-575 which provides that the Durham City Council appoints commissioners of its Housing Authority and Session Law 1953-664 which provides that the Wilson Mayor and City Council fill vacancies in the office of a commissioner of its Housing Authority (although, the practice in Wilson is for the Mayor to make these appointments). These session laws were noted as local modifications to G.S. 157-5. No other local modification listed altered the appointing authority for commissioners of Housing Authorities.

dr

Attachments

cc: Wayne Bowers, City Manager

CHAPTER 5. AUTHORITIES, BOARDS, AND COMMISSIONS

//Charlotte, North Carolina/CODE OF ORDINANCES City of CHARLOTTE, NC Codified through Ordinance No. 3784, enacted January 14, 2008. (Supplement No. 14)/CHAPTER 5. AUTHORITIES, BOARDS, AND COMMISSIONS/ARTICLE I. IN GENERAL

CHAPTER 5. AUTHORITIES, BOARDS, AND COMMISSIONS

ARTICLE I. IN GENERAL

Sec. 5.01. Powers of Mayor and Council.

(a) In addition to any authorities, boards or commissions now, or hereafter created and established by or pursuant to general, local, or special law, or this Charter, the Council may create and establish, by ordinance or resolution, such other authorities, boards, and commissions as it may deem necessary or appropriate to the administration, regulation, and operation of services, activities, and functions which the City is authorized by law to perform, regulate, and carry on. It is desirable that in appointing persons to boards, commissions, and authorities, the appointing authority should attempt to secure reasonable representation on each such body of all sexes, races, geographic sections of the City, and political parties. Provided, however, that such representation shall not be required, and the validity of any appointment may not be challenged on grounds that such representation has not been achieved.

(b) Any authority, board, commission, or other agency to which the Mayor or Council appoints members or appropriates money is hereby required to furnish to the Mayor and Council, upon request, such information as the Mayor and Council may deem relevant to the affairs of any such authority, board, commission, or other agency. The duty to provide such information is mandatory and may be enforced by an action for mandamus in the Superior Court of Mecklenburg County.

(c) The Mayor and Council may develop a plan and adopt such ordinances or resolutions as may be necessary to provide that the Mayor shall appoint one-third of the membership, and the Council shall appoint two-thirds of the membership of the following boards, commissions, and authorities:

- (1) The Charlotte Regional Visitor's Authority;
- (2) The Civil Service Board;
- (3) The Housing Authority; and
- (4) The Board of Adjustment.

Secs. 5.02--5.20. Reserved.

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 575
HOUSE BILL 880

AN ACT TO AMEND SECTIONS 4, 5, 8, AND 27, CHAPTER 157, GENERAL STATUTES OF NORTH CAROLINA RELATING TO APPOINTMENT AND REMOVAL OF COMMISSIONERS OF A PUBLIC HOUSING AUTHORITY; MAKING SAME APPLICABLE ONLY TO THE HOUSING AUTHORITY OF THE CITY OF DURHAM AND THE CITY COUNCIL OF THE CITY OF DURHAM.

Section 1. G.S. 157-4 is hereby amended by substituting for the word "mayor" in every place wherein it appears in said section the words "city council" and omitting the following words: "shall cause notice of such determination to be given to the mayor who".

Sec. 2. From and after the effective date of this act the number of Commissioners of the Housing Authority of the City of Durham shall be seven instead of five and shall be appointed by the City Council instead of by the Mayor. The terms of the two additional Commissioners to be appointed to the Housing Authority of the City of Durham shall be as follows:

One shall be appointed for a term to expire September 28, 1975; and the second such additional member shall be appointed for a term to expire September 28, 1976. Both appointments shall become effective on and after July 1, 1971. Thereafter, the term of office of all seven Commissioners shall be for five years. Vacancies shall be filled by the City Council for the unexpired term. Four Commissioners shall constitute a quorum. The City Council shall adopt a resolution or motion of appointment or reappointment of any Commissioner and a certified copy of such resolution or of other record of such official act shall be conclusive evidence of the due and proper appointment of such Commissioner.

Except as herein amended or modified the remaining provisions of G.S. 157-5 (Section 5 of Chapter 456, Session Laws 1935) shall remain in effect.

Sec. 3. G.S. 157-8 is hereby further amended by substituting for the word "mayor" the words "city council".

Sec. 4. G.S. 157-27 is hereby amended by substituting for the word "mayor" the words "city council".

Sec. 5. All laws in conflict with this act are hereby repealed.

Sec. 6. This act shall apply only to the Housing Authority of the City of Durham and to the City Council of the City of Durham.

Sec. 7. This act shall be in full force and effect from and after the 1st day of July, 1971.

In the General Assembly read three times and ratified, this the 16th day of June, 1971.

ON LAWS

1953—SESSION LAWS CH. 663-664-665

in conflict with this Act are hereby
force and effect from and after its
times and ratified, this the 3rd

662

CITY OF THE POLICE OFFICERS
WAKE COUNTY TO INCLUDE
ONE MILE OF THE CORPORATE

do enact:
Police Department of the Town of
all that territory embraced within
corporate limits of said town all
exercise within the corporate limits

in conflict with this Act are hereby
force and effect from and after its
times and ratified, this the 3rd

663

AS TO PERMIT THE SERVICE
MADE BY MAIL IN RANDOLPH

do enact:
the same is hereby amended by
adding as follows:

persons drawn for jury duty may
officer mailing to the person so
card on which card shall be
ity. If such person shall return
mailed the summons a written
ns, signed by the person served,
officer of such written acknowl-
ling service of summons on the
of summons on jurors set forth
ods for the service of summons

olph County only.
conflict with the provisions of

Sec. 4. This Act shall be in full force and effect from and after its
ratification.

In the General Assembly read three times and ratified, this the 3rd
day of April, 1953.

H. B. 953 CHAPTER 664

AN ACT AMENDING SECTION 5 OF CHAPTER 456 OF THE SESSION
OF 1935, BEING SECTION 5 OF CHAPTER 157 OF THE GENERAL
STATUTES, RELATING TO THE FILLING OF VACANCIES IN THE
OFFICE OF COMMISSIONER OF HOUSING AUTHORITY OF THE
CITY OF WILSON.

The General Assembly of North Carolina do enact:

Section 1. Section 5 of Chapter 456 of the Session of 1935, being Sec-
tion 5 of Chapter 157 of the General Statutes of North Carolina, is hereby
amended by adding thereto, at the end of said Section, the following:

"All vacancies hereafter existing in the office of a commissioner of any
housing authority heretofore or hereafter chartered, created or set up in
the City of Wilson, whether such vacancy shall have occurred through
resignation, death, expiration of term of office, or otherwise, shall be
filled by election or appointment by the Mayor and the Board of Commis-
sioners of the City of Wilson"

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby
repealed.

Sec. 3. This Act shall be in full force and effect from and after its
ratification.

In the General Assembly read three times and ratified, this the 3rd
day of April, 1953.

H. B. 961 CHAPTER 665

AN ACT AMENDING CHAPTER 627, SESSION LAWS OF 1951, RELAT-
ING TO JAIL FEES AND TRAVELING EXPENSES OF THE CHIEF
DEPUTY SHERIFF OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section 1 of Chapter 627, Session Laws of 1951, be, and
it is, hereby amended by striking out the character and figures "\$1 20" in
the last line of said Section and inserting in lieu thereof the words and
figures "one dollar and sixty cents (\$1.60)."

Sec. 2. That Section 2 of Chapter 627, Session Laws of 1951, be, and
it is, hereby amended by adding at the end thereof a sentence reading as
follows:

"Said board of county commissioners is hereby authorized in its discre-
tion to pay to the Chief Deputy Sheriff of Davie County as a car allow-
ance the sum of six hundred dollars (\$600.00) per year for the use of his
automobile in performing the duties of his office, said amount to be paid
in equal monthly installments."

Sec. 3. All laws and clauses of laws in conflict with the provisions of
this Act are hereby repealed.

ATTACHMENTS FOR 2009 INITIATIVE ENTITLED

INCREASE IN MOTOR VEHICLE TAX

Motor Vehicle Tax through the 2008 Session

Ahoskie	1989-893	\$10.00
Apex	2007-108	\$15.00
Black Mountain	2005-306	\$5.00
Carrboro	1991-392; 2005-306	\$25.00
Cary	1993-325	\$10.00
Chapel Hill	1991-392; 1995-339; 2008-16	\$25.00
Charlotte	1985-1009; 1991-209; 1993-345	\$30.00
Cornelius	1985-1009	\$20.00
Creedmoor	1987-610	\$10.00
Davidson	1985-1009	\$20.00
Durham	2003-329; 2004-103	\$10.00
Garner	2007-73	\$15.00
Gastonia	1989-1016; 1991-557	\$15.00
Greensboro	1991-31	\$10.00
Greenville	1993-200	\$20.00
Henderson	1987-1066	\$10.00
Hillsborough	1991-822	\$10.00
Holly Springs	2007-73	\$15.00
Huntersville	1985-1009	\$20.00
Kinston	1991-838	\$15.00
Knightdale	2007-73	\$15.00
Matthews	1985-1009; 1993-345; 2007-109	\$30.00
Mint Hill	1985-1009	\$20.00
Mooresville	2007-108	\$15.00
Murfreesboro	1987-953	\$20.00
Oxford	1987-610; 2008-29	\$20.00
Pineville	1985-1009	\$20.00
Raleigh	1987-998; 1991-229; 2007-333	\$20.00
Rolesville	2007-73	\$15.00
Roxboro	1997-282 (City Charter § 8.1)	\$10.00
Roanoke Rapids	1995-34	\$6.00
Winston Salem	1993-56; 2005-278	\$20.00
Any City within Cabarrus County	2005-116	\$20.00

NOTE: In addition to the above authorized amounts, these cities may levy (pursuant to G.S. 20-97 (c)) a tax of not more than \$5 per year upon any vehicle resident in the city, for financing, constructing, operating, and maintaining local public transportation systems, provided that the amount levied pursuant to G.S. 20-97 and any local legislation cannot exceed \$30.

ATTACHMENTS FOR 2009 INITIATIVE ENTITLED

**EXPANSION OF ELIGIBILITY FOR
MILL REHABILITATION TAX CREDIT**

Article 3H.

Mill Rehabilitation Tax Credit.

(See G.S. 105-129.75 for repeal of this Article.)

§ 105-129.70. (See note for repeal) Definitions.

The following definitions apply in this Article:

- (1) Certified historic structure -- Defined in section 47 of the Code.
- (2) Certified rehabilitation -- Defined in G.S. 105-129.36.
- (3) **(Effective for taxable years beginning before January 1, 2008)** Cost certification -- The certification obtained by the State Historic Preservation Officer from the taxpayer of the amount of the qualified rehabilitation expenditures or the rehabilitation expenses incurred with respect to an eligible site.
- (3) **(Effective for taxable years beginning on or after January 1, 2008)** Cost certification -- The certification obtained by the State Historic Preservation Officer from the taxpayer of the amount of the qualified rehabilitation expenditures or the rehabilitation expenses incurred with respect to a certified rehabilitation of an eligible site.
- (3a) Development tier area -- Defined in G.S. 143B-437.08.
- (4) **(Effective for taxable years beginning before January 1, 2008)** Eligibility certification -- The certification obtained from the State Historic Preservation Officer that the applicable facility comprises an eligible site and that the rehabilitation is a certified rehabilitation.
- (4) **(Effective for taxable years beginning on or after January 1, 2008)** Eligibility certification -- The certification obtained from the State Historic Preservation Officer that the applicable facility comprises an eligible site.
- (5) Eligible site -- A site located in this State that satisfies all of the following conditions:
 - a. It was used as a manufacturing facility or for purposes ancillary to manufacturing, as a warehouse for selling agricultural products, or as a public or private utility.
 - b. It is a certified historic structure or a State-certified historic structure.
 - c. It has been at least eighty percent (80%) vacant for a period of at least two years immediately preceding the date the eligibility certification is made.
 - d. **(Repealed effective for taxable years beginning on or after January 1, 2008)** The cost certification documents that the qualified rehabilitation expenditures for a site for which a taxpayer is allowed a credit under section 47 of the Code or the rehabilitation expenses for a site for which the taxpayer is not

allowed a credit under section 47 of the Code exceed three million dollars (\$3,000,000) for the site as a whole

- (6) Repealed by Session Laws 2006-252, s. 2 22, effective January 1, 2007.
- (7) Pass-through entity – Defined in G.S. 105-228.90
- (8) Qualified rehabilitation expenditures. – Defined in section 47 of the Code.
- (9) Rehabilitation expenses. – Defined in G.S. 105-129.36
- (10) State-certified historic structure. – Defined in G.S. 105-129.36
- (11) State Historic Preservation Officer – Defined in G.S. 105-129.36. (2006-40, s. 1; 2006-252, s. 2 22; 2008-107, s. 28.4(a).)

§ 105-129.71. (See note for repeal) Credit for income-producing rehabilitated mill property.

(a) **(Effective for taxable years beginning before January 1, 2008)** Credit. – A taxpayer who is allowed a credit under section 47 of the Code for making qualified rehabilitation expenditures with respect to an eligible site is allowed a credit equal to a percentage of the expenditures that qualify for the federal credit. The credit may be claimed in the year in which the eligible site is placed into service. When the eligible site is placed into service in two or more phases in different years, the amount of credit that may be claimed in a year is the amount based on the qualified rehabilitation expenditures associated with the phase placed into service during that year. In order to be eligible for a credit allowed by this Article, the taxpayer must provide to the Secretary a copy of the eligibility certification and the cost certification. The amount of the credit is as follows:

- (1) For an eligible site located in a development tier one or two area, determined as of the date of certification, the amount of the credit is equal to forty percent (40%) of the qualified rehabilitation expenditures.
- (2) For an eligible site located in a development tier three area, determined as of the date of certification, the amount of the credit is equal to thirty percent (30%) of the qualified rehabilitation expenditures.

(a) **(Effective for taxable years beginning on or after January 1, 2008)** Credit. – A taxpayer who is allowed a credit under section 47 of the Code for making qualified rehabilitation expenditures of at least three million dollars (\$3,000,000) with respect to a certified rehabilitation of an eligible site is allowed a credit equal to a percentage of the expenditures that qualify for the federal credit. The credit may be claimed in the year in which the eligible site is placed into service. When the eligible site is placed into service in two or more phases in different years, the amount of credit that may be claimed in a year is the amount based on the qualified rehabilitation expenditures associated with the phase placed into service during that year. In order to be eligible for a credit allowed by this Article, the taxpayer must provide to the Secretary a copy of the eligibility certification and the cost certification. The amount of the credit is as follows:

- (1) For an eligible site located in a development tier one or two area, determined as of the date of the eligibility certification, the amount of

the credit is equal to forty percent (40%) of the qualified rehabilitation expenditures

- (2) For an eligible site located in a development tier three area, determined as of the date of the eligibility certification, the amount of the credit is equal to thirty percent (30%) of the qualified rehabilitation expenditures.

(b) Allocation. – Notwithstanding the provisions of G.S. 105-131.8 and G.S. 105-269.15, a pass-through entity that qualifies for the credit provided in this section may allocate the credit among any of its owners in its discretion as long as an owner's adjusted basis in the pass-through entity, as determined under the Code, at the end of the taxable year in which the eligible site is placed in service, is at least forty percent (40%) of the amount of credit allocated to that owner. Owners to whom a credit is allocated are allowed the credit as if they had qualified for the credit directly. A pass-through entity and its owners must include with their tax returns for every taxable year in which an allocated credit is claimed a statement of the allocation made by the pass-through entity and the allocation that would have been required under G.S. 105-131.8 or G.S. 105-269.15.

(c) Forfeiture for Change in Ownership. – If an owner of a pass-through entity that has qualified for the credit allowed under this section disposes of all or a portion of the owner's interest in the pass-through entity within five years from the date the eligible site is placed in service and the owner's interest in the pass-through entity is reduced to less than two-thirds of the owner's interest in the pass-through entity at the time the eligible site was placed in service, the owner forfeits a portion of the credit. The amount forfeited is determined by multiplying the amount of credit by the percentage reduction in ownership and then multiplying that product by the forfeiture percentage. The forfeiture percentage equals the recapture percentage found in the table in section 50(a)(1)(B) of the Code.

(d) Exceptions to Forfeiture. – Forfeiture as provided in subsection (c) of this section is not required if the change in ownership is the result of any of the following:

- (1) The death of the owner.
- (2) A merger, consolidation, or similar transaction requiring approval by the shareholders, partners, or members of the taxpayer under applicable State law, to the extent the taxpayer does not receive cash or tangible property in the merger, consolidation, or other similar transaction.

(e) Liability from Forfeiture. – A taxpayer or an owner of a pass-through entity that forfeits a credit under this section is liable for all past taxes avoided as a result of the credit plus interest at the rate established under G.S. 105-241.21, computed from the date the taxes would have been due if the credit had not been allowed. The past taxes and interest are due 30 days after the date the credit is forfeited. A taxpayer or owner of a pass-through entity that fails to pay the taxes and interest by the due date is subject to the penalties provided in G.S. 105-236. (2006-40, s. 1; 2006-252, s. 2.23; 2006-259, s. 47.5; 2007-491, s. 44(1)a; 2008-107, s. 28.4(b).)

§ 105-129.72. (See note for repeal) Credit for nonincome-producing rehabilitated mill property.

(a) **(Effective for taxable years beginning before January 1, 2008)** Credit – A taxpayer who is not allowed a federal income tax credit under section 47 of the Code and who makes rehabilitation expenses with respect to an eligible site is allowed a credit equal to a percentage of the rehabilitation expenses. The entire credit may not be taken for the taxable year in which the property is placed in service, but must be taken in five equal installments beginning with the taxable year in which the property is placed in service. When the eligible site is placed into service in two or more phases in different years, the amount of credit that may be claimed in a year is the amount based on the rehabilitation expenses associated with the phase placed into service during that year. In order to be eligible for a credit allowed by this Article, the taxpayer must provide to the Secretary a copy of the eligibility certification and the cost certification. For an eligible site located in a development tier one or two area, determined as of the date of certification, the amount of the credit is equal to forty percent (40%) of the rehabilitation expenses. No credit is allowed for a site located in a development tier three area.

(a) **(Effective for taxable years beginning on or after January 1, 2008)** Credit – A taxpayer who is not allowed a federal income tax credit under section 47 of the Code and who makes rehabilitation expenses of at least three million dollars (\$3,000,000) with respect to a certified rehabilitation of an eligible site is allowed a credit equal to a percentage of the rehabilitation expenses. The entire credit may not be taken for the taxable year in which the property is placed in service, but must be taken in five equal installments beginning with the taxable year in which the property is placed in service. When the eligible site is placed into service in two or more phases in different years, the amount of credit that may be claimed in a year is the amount based on the rehabilitation expenses associated with the phase placed into service during that year. In order to be eligible for a credit allowed by this Article, the taxpayer must provide to the Secretary a copy of the eligibility certification and the cost certification. For an eligible site located in a development tier one or two area, determined as of the date of the eligibility certification, the amount of the credit is equal to forty percent (40%) of the rehabilitation expenses. No credit is allowed for a site located in a development tier three area.

(b) Allocation – Notwithstanding the provisions of G.S. 105-131.8 and G.S. 105-269.15, a pass-through entity that qualifies for the credit provided in this section may allocate the credit among any of its owners in its discretion as long as an owner's adjusted basis in the pass-through entity, as determined under the Code, at the end of the taxable year in which the eligible site is placed in service, is at least forty percent (40%) of the amount of credit allocated to that owner. Owners to whom a credit is allocated are allowed the credit as if they had qualified for the credit directly. A pass-through entity and its owners must include with their tax returns for every taxable year in which an allocated credit is claimed a statement of the allocation made by the pass-through entity and the allocation that would have been required under G.S. 105-131.8 or G.S. 105-269.15.

(c) **Forfeiture for Change in Ownership.** -- If an owner of a pass-through entity that has qualified for the credit allowed under this section disposes of all or a portion of the owner's interest in the pass-through entity within five years from the date the eligible site is placed in service and the owner's interest in the pass-through entity is reduced to less than two-thirds of the owner's interest in the pass-through entity at the time the eligible site was placed in service, the owner forfeits a portion of the credit. The amount forfeited is determined by multiplying the amount of credit by the percentage reduction in ownership and then multiplying that product by the forfeiture percentage. The forfeiture percentage equals the recapture percentage found in the table in section 50(a)(1)(B) of the Code. The remaining allocable credit is allocated equally among the five years in which the credit is claimed.

(d) **Exceptions to Forfeiture.** -- Forfeiture as provided in subsection (c) of this section is not required if the change in ownership is the result of any of the following:

- (1) The death of the owner.
- (2) A merger, consolidation, or similar transaction requiring approval by the shareholders, partners, or members of the taxpayer under applicable State law, to the extent the taxpayer does not receive cash or tangible property in the merger, consolidation, or other similar transaction.

(e) **Liability from Forfeiture.** -- A taxpayer or an owner of a pass-through entity that forfeits a credit under this section is liable for all past taxes avoided as a result of the credit plus interest at the rate established under G.S. 105-241.21, computed from the date the taxes would have been due if the credit had not been allowed. The past taxes and interest are due 30 days after the date the credit is forfeited. A taxpayer or owner of a pass-through entity that fails to pay the taxes and interest by the due date is subject to the penalties provided in G.S. 105-236. (2006-40, s. 1; 2006-252, s. 2.24; 2007-491, s. 44(1)a; 2008-107, s. 28.4(c).)

§ 105-129.73. Tax credited; cap.

(a) **Taxes Credited.** -- The credits allowed by this Article may be claimed against the franchise tax imposed under Article 3 of this Chapter, the income taxes imposed under Article 4 of this Chapter, or the gross premiums tax imposed under Article 8B of this Chapter. The taxpayer may take the credits allowed by this Article against only one of the taxes against which it is allowed. The taxpayer must elect the tax against which a credit will be claimed when filing the return on which it is claimed. This election is binding. Any carryforwards of the credit must be claimed against the same tax.

(b) **Cap.** -- A credit allowed under this Article may not exceed the amount of the tax against which it is claimed for the taxable year reduced by the sum of all credits allowed, except payment of tax made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for the succeeding nine years. (2006-40, s. 1.)

§ 105-129.74. Coordination with Article 3D of this Chapter.

A taxpayer that claims a credit under this Article may not also claim a credit under Article 3D of this Chapter with respect to the same activity. The rules and fee schedule adopted under G.S. 105-129.36A apply to this Article. (2006-40, s. 1.)

§ 105-129.75. (Effective for taxable years beginning before January 1, 2008) Sunset.

This Article expires for qualified rehabilitation expenditures and rehabilitation expenses incurred on or after January 1, 2011. (2006-40, s. 1.)

§ 105-129.75. (Effective for taxable years beginning on or after January 1, 2008) Sunset.

This Article expires January 1, 2011, for rehabilitation projects for which an application for an eligibility certification is submitted on or after that date. (2006-40, s. 1; 2008-107, s. 28 4(d))

§ 105-129.77. Reserved for future codification purposes.

Article 3I

§ 105-129.78. Reserved for future codification purposes.

§ 105-129.79. Reserved for future codification purposes.