



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
REGULAR MEETING AGENDA**

223 E. BAY STREET

December 14, 2023

6:00 PM

Agenda

Please turn off all cell phones

Meetings are open to the public. Face masks and social distancing may be used at the discretion of each individual. The Board of Aldermen reserve the right to make changes to this policy, as needed to help prevent the spread of the Coronavirus.

If you are not able to attend the Board of Aldermen meetings in person, the meeting will be available for you to watch via live-stream on the City of Southport website (<https://cityofsouthport.com/board-of-aldermen-meetings/>), Facebook page, and YouTube channel.

ETHICS STATEMENT:

“If any members know of any conflict of interest or the appearance of a conflict of interest concerning matters on the agenda, please so state at this time.”

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Public Comment**
- E. Approval of Agenda**
- F. Approval of the Consent Agenda**
 - 1. Resolution in Support of Seeking the Dredging Grant pgs 4-6
 - 2. Approval of the No Overdue Tax Debt Certification for the Dredging Grant pgs 7-9
 - 3. Easement for Kayak Launch pgs 10-12
 - 4. Minutes of the Regular Board of Aldermen Meeting October 12, 2023 pgs 13-19
 - 5. Minutes of the Board of Aldermen Closed Session October 12, 2023 (sealed)
 - 6. Minutes of the Special Board of Aldermen Meeting (ElectriCities) October 30, 2023 Pgs 20-21

7. Acceptance of Roads in Southport Crossings-Southport Crossings Way, Marino Run, and Crossings Court pgs 23-28
8. Appointment of Beautification Member to Complete Term pgs 29-32

G. Special Recognition of Departing Southport Mayor and Aldermen

1. Mayor Joseph P. Hatem
2. Alderman John Allen
3. Alderman Tom Lombardi

H. Swearing In of Mayor and Newly Elected Aldermen

1. Mayor Richard Alt
2. Alderman Lowe Davis
3. Alderman Rebecca Kelley
4. Alderman Marc Spencer

I. Board Nominations

1. Alderman -Ward 2
2. Mayor Pro-tem Appointment

J. Special Presentations

1. Franklin Square Park (Everett Jones, B. Therrien) pgs 33-129

K. Public Hearings

1. Map Amendment-Jabbertown Road (M. Meehan) pgs 130-141
2. System Development Fees (T. Zilinek) pgs 142-209

L. Agenda

1. Board Meetings Dates and Times (Mayor Alt) pgs 210-211
2. System Development Fees Discussion and Decision (T. Zilinek) pgs 212-231
3. Request for Public Hearing: Text Amendment-Section 3.9.B.5 Setback Exceptions and Encroachments (M. Meehan) pgs 232-244
4. Request for Public Hearing: Text Amendment-Section 3.12.B.2 Driveways (M. Meehan) pgs 245-251
5. Rules and Procedures Committee (Mayor Alt) pgs 252-309
6. Budget Transfer for Franklin Square Park (B. Therrien) pgs 310-316
7. Amended Audit Contract (B. Therrien) pgs 317-323
8. Comprehensive Plan Steering Committee (Mayor Alt) pgs 324-346

M. Committee Reports

1. Historic Preservation Commission pgs 347-349
2. ABC Board pgs 350-351
3. Beautification Committee pgs 352-355

N. Manager's Report

O. Mayor's Comments

P. Staff Reports

1. Police Department
2. Fire/EMS
3. Parks and Recreation
4. Community Relations
5. Public Services
6. Development Services
7. Finance

Q. Board Comments

R. Adjourn



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: December 14, 2023

DEPARTMENT: Parks and Recreation/Engineering

PRESENTED BY: Bob Jarvis – City Engineer, Heather Hemphill – Parks and Recreation Director

ITEM SPONSORED BY: Parks and Recreation/Engineering

ITEM/TOPIC: Yacht Basin Dredging – Grant Resolution

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: The ongoing Yacht Basin dredging project is intended to restore the safe harbor anchorage in the Southport Yacht Basin. This is a critically important safe harbor area for commercial, industrial, and pleasure craft transiting the offshore waters of North Carolina. The Yacht Basin is also of significant economic benefit to the Southport downtown area, offering transient boat docking, public water access, day docking for restaurants, commercial fishing docks, and private marina and homeowner slips.

Our Engineering Consultant, TI Coastal Services, Inc., has been assisting the City with survey, permitting, and other services related to dredging the United States Army Corps of Engineers (USACE) channel and other adjacent areas at the Southport Yacht Basin. To date, the work completed includes a hydrographic survey of the yacht basin, coordination of dredge template with the city and the USACE, sampling, and determination of dredge material characteristics, coordination with Audubon Society, the Coastal Federation, and the USACE about potential dredge spoil placement locations, and participation in the NC Department of Environmental Quality (DEQ) pre-application/scoping meeting. They are currently under contract to prepare and submit permitting applications, perform a shellfish survey of the project area, finalize plans and construction documents and cost estimates for dredging and disposal of spoil materials, and prepare an application for project funding through the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund.

The passing of the 2023 NC budget and HB600 includes grant funding for the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund. The NC Water Resources Development Grant Program oversees and administers the grant. “Southport Small Boat Harbors” were specifically referenced in the Bill. The grant constitutes a 75/25 state match on qualified expenditures for the project. Possible expenditures include permitting, engineering, construction, and construction administration services. If the grant is approved, we will either need to fund our 25% from the Capital Fund or budget it in next year’s budget if we have the final number to complete the dredging project.

A Shallow Draft Navigation Channel Dredging Application must be made to the NC Department of Environmental Quality to receive the reimbursement grant. An element of that application is a resolution from the Board of Aldermen acknowledging the grant application and assuring that the City will comply with the grant requirements.

IMPACT IF NOT APPROVED: The City could not submit the grant application if the Resolution were not approved. The opportunity for funding assistance from the state would pass, and the City would be responsible for 100% of the cost of design, permitting, and construction of the yacht basin waterway improvements.

DEPARTMENT HEAD COMMENTS: The Resolution and subsequent application for the grant funding assistance will greatly reduce the City's financial burden for this project.

CITY MANAGER COMMENTS: This is a project that everyone has wanted to see to fruition for some time. If we receive this grant, it will be a huge monetary savings for the City to have the dredging completed.

ATTACHMENTS: Proposed Resolution

REQUESTED ACTION: Staff recommends that the Board adopt the proposed Resolution to apply for the Shallow Draft Navigation Channel Dredging grant.

PROPOSED MOTION:

If the Consent agenda is approved, the Resolution to Apply for Shallow Draft Inlet Funds for the Southport Boat Basin Maintenance Project is adopted.



CITY OF SOUTHPORT BOARD OF ALDERMEN
Resolution to Apply for Shallow Draft Inlet (SDI) Funds for the Southport
Boat Basin Maintenance Project

WHEREAS, the City of Southport Board of Aldermen desires to sponsor the continued maintenance of the Southport Boat Basin area, This project will restore the safe harbor anchorage in the Southport Boat Basin. This is a critically important safe harbor area for commercial, industrial, and pleasure craft transiting the offshore waters of North Carolina. The Boat Basin is also of significant economic benefit to the Southport downtown area offering transient boat docking, public water access, day docking for restaurants, commercial fishing docks, and private marina and homeowner slips.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Board requests the State of North Carolina to provide financial assistance to the City of Southport for the Boat Basin Maintenance Project in the amount of \$ 2,090,375 or 75 percent of the project construction cost, whichever is the lesser amount;
- 2) The Board assumes full obligation for payment of the balance of project costs;
- 3) The Board will obtain all necessary State and Federal permits;
- 4) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Board will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Board will ensure that the project is open for use by the public on an equal basis with limited restrictions;
- 8) The Board will hold the State harmless from any damages that may result from the construction, operation, and maintenance of the project;
- 9) The Board accepts responsibility for the operation and maintenance of the completed project.

Adopted this 14th day of December, 2023 at Southport, North Carolina.

Richard Alt, Mayor
City of Southport

Dorothy Dutton, City Clerk
City of Southport



State Grant Certification - No Overdue Tax Debts

December 14, 2023

To: State Agency Head and Chief Fiscal Officer

Certification:

We certify that the City of Southport does not have any overdue tax debts, as defined by N.C.G.S. 105-243.1, at the federal, State, or local level. We further understand that any person who makes a false statement in violation of N.C.G.S. 143C-6-23(c) is guilty of a criminal offense punishable as provided by N.C.G.S. 143C-10-1b.

Sworn Statement:

Richard Alt and Bonnie Therrien being duly sworn, say that we are the Mayor and City Manager, respectively, of the City of Southport in the State of North Carolina; and that the foregoing certification is true, accurate and complete to the best of our knowledge and was made and subscribed by us. We also acknowledge and understand that any misuse of State funds will be reported to the appropriate authorities for further action.

Rich Alt, Mayor
City of Southport

Bonnie Therrien, City Manager
City of Southport

Sworn to and subscribed before me on the day of the date of said certification.

(Notary Signature and Seal)

My Commission Expires: _____

If there are any questions, please contact the state agency that provided your grant. If needed, you may contact the North Carolina Office of State Budget and Management:
NCGrants@osbm.nc.gov-(919)807-4795

¹ G.S. 105-243.1 defines: Overdue tax debt. -Any part of a tax debt that remains unpaid 90 days or more after the notice of final assessment was mailed to the taxpayer. The term does not include a tax debt, however, if the taxpayer entered into an installment agreement for the tax debt under G.S. 105-237 within 90 days after the notice of final assessment was mailed and has not failed to make any payments due under the installment agreement."



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: December 14, 2023

DEPARTMENT: Parks and Recreation/Engineering

PRESENTED BY: Bob Jarvis – City Engineer, Heather Hemphill – Parks and Recreation Director

ITEM SPONSORED BY: Parks and Recreation/Engineering

ITEM/TOPIC: Yacht Basin Dredging – Certification of No Tax Debt

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: The ongoing Yacht Basin dredging project is intended to restore the safe harbor anchorage in the Southport Yacht Basin. This is a critically important safe harbor area for commercial, industrial, and pleasure craft transiting the offshore waters of North Carolina. The Yacht Basin is also of significant economic benefit to the Southport downtown area offering transient boat docking, public water access, day docking for restaurants, commercial fishing docks, and private marina and homeowner slips.

The passing of the 2023 NC budget, and HB600, includes grant funding of the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund. The grant is overseen and administered by the NC Water Resources Development Grant Program. “Southport Small Boat Harbors” were specifically referenced in the Bill. The grant constitutes a 75/25 state match on qualified expenditures for the project. This would include permitting, engineering, construction, and construction administration services.

To receive the reimbursement grant, a Shallow Draft Navigation Channel Dredging Application must be made to the NC Department of Environmental Quality. An element of that application is a Certification that the City has no overdue tax debt.

IMPACT IF NOT APPROVED: If the Certification was not provided, the City could not submit the grant application. The opportunity for funding assistance from the state would pass and the City would be responsible for 100% of the cost of design, permitting and construction of the yacht basin waterway improvements.

DEPARTMENT HEAD COMMENTS: The Certification, and subsequent application for the grant funding assistance, will greatly reduce the City’s financial burden for this project.

CITY MANAGER COMMENTS: I would recommend approval of this agenda item.

ATTACHMENTS: Proposed Certification

REQUESTED ACTION: Staff recommends that the Board approve providing the Certificate of No over Tax Debts for the Shallow Draft Navigation Channel Dredging grant.

PROPOSED MOTION: Motion to provide certification that the City has no outstanding tax debt, for purposes of applying for Shallow Draft Inlet (SDI) Funds for the Southport Boat Basin Navigation Maintenance Project and authorize the City Manager and Mayor to sign the certification.

CONSENT AGENDA:

If adopted as part of the Consent Agenda, the Mayor and City Manager are authorized to sign the Certification of No Tax Debt that will be submitted to apply for grant funding for the Yacht Basin Dredging project.



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: December 14, 2023

DEPARTMENT: Parks and Recreation/Engineering

PRESENTED BY: Bob Jarvis – City Engineer, Heather Hemphill – Parks and Recreation Director

ITEM SPONSORED BY: Parks and Recreation/Engineering

ITEM/TOPIC: Kayak Launch – Easement Revision

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: In 2019, The City of Southport sold property, formerly the site of the Southport Wastewater Treatment Facility on West West Street, to Southport Marina, Inc. A stipulation of the sale of the property to Southport Marina was granting the City of Southport two access easements across the northern portion of the subject property. The access easements were conveyed to the City in 2019. The access easements were intended to "provide convenient, perpetual and uninterrupted public access to Cottage Creek from West West Street and for use by the public as a kayak launch, observation deck, public viewing area, and similar public uses."

Staff proposes an exchange of a portion of the existing 10' wide access easement in an area immediately adjacent to the northern property line for a proposed 10' wide access easement approximately 15' southerly of the northern property line. This is shown on the attached Preliminary Plat entitled EASEMENT SURVEY, MM SOUTHPORT, LLC, PID #237LF021, prepared by Withers Ravenel, dated November 17, 2023, as revised. The exchanged easements will encompass an area below the Mean High Water (MHW) line and provide a buffer between the adjacent property to the north. Permitting is expected to be expedited to allow the kayak launch project to be completed within the funding grant's mandate.

The NC DEQ, Division of Coastal Management, awarded the City \$141,000 for the project through the Public Beach & Coastal Waterfront Access Program. The City must provide \$13,000 in matching funds for the project. Also, Morningstar Marina has committed another \$25,000 in matching funds as a stipulation of the purchase of the property by Southport Marina, Inc. The grant indicates that the funding must be utilized within 18 months of signing the agreement. The agreement was signed in February 2023. The project must be completed by August 2024, or the grant funding is reverted to the funding agency.

The Preliminary Plat has been reviewed and conceptually approved by Morningstar Marina. Morningstar Marina purchased the property from Southport Marina, Inc. in 2022.

IMPACT IF NOT APPROVED: The timeframe for obtaining the CAMA major permit could be protracted, causing the funding for the project to be withdrawn.

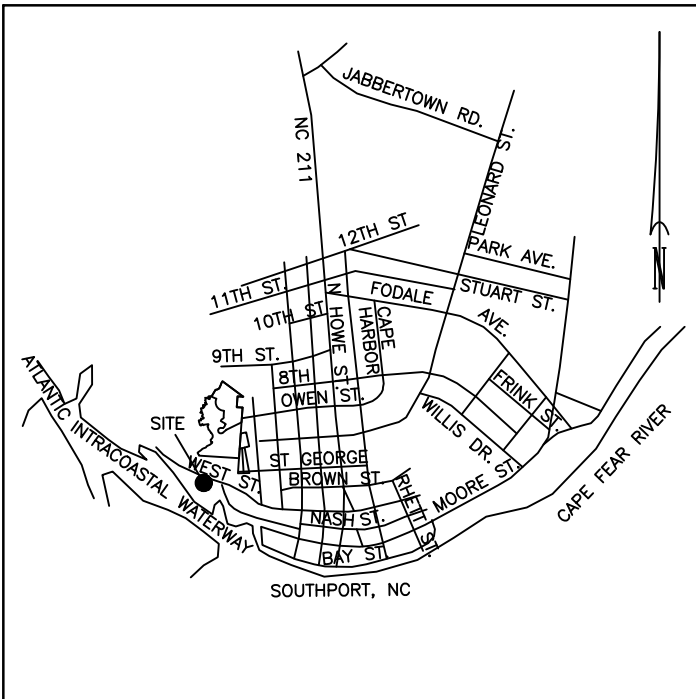
DEPARTMENT HEAD COMMENTS: It is recommended that the City approve the exchange of the easements for the kayak launch to be constructed, offering residents and visitors a much-needed option for a kayak launch site.

CITY MANAGER COMMENTS: I agree with this easement revision. The City Attorney has reviewed these documents and approved the format.

ATTACHMENTS: Preliminary Plat of easement exchange.

REQUESTED ACTION: Approve the proposed easement revision and exchange between the City and Morningstar Marina to allow permitting and construction of the kayak launch to move forward in a timely manner.

PROPOSED MOTION: Motion to approve relocating a portion of the 10-foot access easement with MM Southport, LLC, as denoted on the preliminary plat easement survey, and have Staff and the City Attorney prepare the necessary documents for recording this easement and the removal of the previously granted easement that is to be relocated.



SURVEY CERTIFICATE

I, OWEN D. GIDLOW, AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND COMPLETED ON DATE, USING THE REFERENCES SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES, THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000+; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH NORTH CAROLINA GENERAL STATUTES 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS XXTH DAY OF XXX, A.D., 2023.

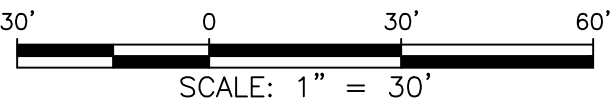
OWEN D. GIDLOW, PLS L-4356

UNLESS THIS MAP IS SIGNED AND SEALED, IT IS A
PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES, OR SALES

- EXISTING ACCESS EASEMENTS (to remain)
- PROPOSED ACCESS EASEMENT REMOVAL
- PROPOSED NEW ACCESS EASEMENT

NOTES

- AREAS COMPUTED BY COORDINATE GEOMETRY.
- THIS SURVEY WAS PERFORMED USING NAD '83 (2011 ADJUSTMENT) NC 3200 HORIZONTAL COORDINATE CONTROL & NAVD '88 VERTICAL CONTROL FOR ELEVATIONS. NO NCGS MONUMENTS FOUND WITHIN 2000 FEET.
- ALL DISTANCES ARE HORIZONTAL GRID.
- PART OF THIS PROPERTY IS LOCATED IN A DESIGNATED FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD PLAIN AS SHOWN ON THE FEMA DIGITAL FLOOD INSURANCE RATE MAP (DFIRM) NO. 3720209600K, PANEL 2096, EFFECTIVE DATE AUGUST 28, 2018 - AS SHOWN ON THIS SURVEY.
- ANY ENVIRONMENTAL LINES OR AREAS WERE NOT DELINEATED OR LOCATED DURING THIS SURVEY.



TYPE OF PLAT

I, OWEN D. GIDLOW, PROFESSIONAL LAND SURVEYOR No. L-4356, CERTIFY TO THE FOLLOWING:

c.1. THAT THIS IS A SURVEY OF EXISTING PARCELS OF LAND, AND ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

REVIEW OFFICER

I, _____ REVIEW OFFICER OF BRUNSWICK COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

EASEMENT SURVEY
MM SOUTHPORT LLC

PID#237LF021

SMITHVILLE TOWNSHIP

BRUNSWICK COUNTY

NORTH CAROLINA

WithersRavenel
Engineers | Planners | Surveyors

219 Station Road #101 | Wilmington, NC 28405 | T: 910.256.9277
License #: F-1479 | www.withersravenel.com

NO.	DATE	DESCRIPTION	BY

DATE: 28 NOV 2023	SCALE: 1" = 30'
DRAWN: ODG	CHECKED: ODG
SHEET: 1 OF 1	CAD FILE: EASEMENT SURVEY
PROJECT NO: 23-1501	



**Board of Aldermen
Regular Meeting Minutes
Community Building 223 E. Bay Street
October 12, 2023
6:00 P.M.**

Present: Mayor Joseph P. Hatem, Mayor Pro Tem Karen Mosteller, Alderman Rich Alt, Lowe Davis, Robert Carroll, Tom Lombardi and John Allen.

Absent: None

Staff Present: Bonnie Therrien, City Manager
Dorothy Dutton, Assistant City Manager Clerk
Todd Coring, Police Chief
Charles Drew, Fire Chief
Heather Hemphill, Parks & Rec. Director
Tom Stanley, Public Services Director
ChyAnn Ketchum, Community Relations/PIO
Mo Meehan, City Planner

A) Mayor Joseph P. Hatem called the meeting to order at 1:00 P.M. and welcomed everyone.

B) Reverend Alderman Davis gave the Invocation.

C) Mayor Hatem led the Pledge of Allegiance.

D) Public Comment:

1. Ms. Bonnie Bray, 515 Quarter Master Drive, provided an update on the Up Your Arts project.
2. Terry Duff, 6519 Walden Creek Pond Lane, said he represents 250 people who protested against the proposed wastewater treatment plant on the city-owned property adjacent to Sunny Point. He thanked Mayor Hatem and the Board members at that time for helping preserve the environment there. He asked that each Board member state what they desire to do with the 441-acre property at Sunny Point at some point.
3. Ginny Prunty, who lives at 5906 Dutchman Creek Rd, has expressed concerns about a need for more transparency in closed sessions regarding property purchases.
4. Ms. Dutton read a statement on behalf of Shirley Sullivan, residing at 5003 Seaward Court. She expressed her concerns regarding the illegal left turns at the intersection of HYW 133 and HYW 211. She pointed out that such turns endanger the safety of pedestrians and motorists and requested the Board to look into it and provide her with an update.

Mayor Hatem Read the Ethics Statement:

"If any members know of any conflict of interest or the appearance of a conflict of interest concerning matters on the agenda, please state at this time."

E. Approval of the Agenda. Alderman Carroll recused himself from Item N (ii), and Mayor Hatem also recused himself from Item H(3) and (8) due to a potential conflict of interest. Mayor Pro Tem Mosteller then made a Motion to approve the agenda, which Alderman Lombardi seconded.
Unanimous Vote; Motion Carried.

F. Approval of the Consent Agenda:

1. Budget Amendment #2 Police DHS Grant
2. Budget Amendment #3 Police Body and Vehicle Cameras
3. Budget Amendment #4 Fire State Appropriations

4. Budget Amendment #5 Police Vehicle Repair

Alderman Davis made a Motion to approve the Consent Agenda seconded by Mayor Pro Tem Mosteller. ***Unanimous Vote; Motion Carried.***

G. Special Recognition: Presented by Mayor Hatem.

1. Proclamation for Kate Marshall
2. Proclamation for Allayna Dail
3. Proclamation Emergency Nurses Week
4. Proclamation Breast Cancer Awareness Month
5. Proclamation Fire Prevention Week
6. Proclamation National Friends of Libraries Week

H. Electric Rate Study Discussion

1. Manager Therrien requested a comprehensive rate study to be conducted by Mr. Ellie Pittenger, the Electrical Superintendent of the City, to assess the assets and infrastructure and analyze the cost and value of the service. Mr. Beauchamp from Utility Finance Solutions, in light of the cost of service study, recommended no rate changes or a 2% decrease, as it was revealed that the rates being charged were higher than the actual cost.

Mr. Beauchamp clarified that on-peak pricing is set at 20 cents while off-peak pricing is set at 10 cents, resulting in a 2 to 1 ratio. This pricing structure immediately reduces residential usage by 6-12% during peak hours. He also explained that as people become accustomed to this price signal, the usage reduction during peak hours will likely double over the next few years.

Mayor Pro Tem Mosteller questioned the proposed rate increase for four load classes. Mr. Beauchamp suggested a multi-year implementation plan to move from KW/hour to a flat monthly discount. He praised the rebate program's efficiency and hopes to work towards a balanced rebate program in 4-5 years.

Alderman Alt asked about load management timing and if non-enrolled customers could be alerted about high load times to save money. Mr. Beauchamp confirmed peak times and suggested alerts but no financial incentives. He proposed offering an incentive to encourage purchasing enabling devices for convenient usage shift.

A discussion was held on how to inform customers of peak load times. Notification goes out to load management customers, but predicting peak times is difficult due to weather. BEMC customers get alerts but are unsure if it is automatic or requires sign-up.

Alderman Allen made a motion to accept the final report from Utility Financial Solutions and consider their recommendations for final electric rates for the residents and businesses of Southport, seconded by Alderman Davis. ***Unanimous Vote; Motion Carried.***

Alderman Carroll clarified that this is just accepting the report and not adopting any rate changes. Manager Therrien said that was correct. Alderman Allen asked what the next step would be. Manager Therrien said if any changes are to be considered, they will go in conjunction with working on the next fiscal budget.

2. NCEMPA-Amended and Restated Full Requirements Power Sales Agreement

Manager Therrien gave an overview and said that The NCEMPA Board of Directors and The ElectriCities Board of Directors have already approved the agreement with Duke Energy Progress. She said the NCEMPA is asking the Board to approve an Ordinance allowing the 10th Amendment to proceed. Ms. Therrien said that the definitions for alternative energy and how they will be applied to energy injection devices, which are battery storage and qualification of generation caps, will now be called qualified resources. NCEMPA will maintain the cap at 1.75% of DEP system

capacity, grandfather existing battery installations, remove limits on location, allow it to be located behind first or second meters, and remove limits on ownership.

Mr. Rick Vander Maas, ElectriCities Manager, negotiated with Duke Energy to protect the rights of their members. The negotiation removed location limits, allowing qualified resources to be located behind the first or second-meter retail notice. Citizens can now install solar panels on their properties without Duke Energy's involvement. When asked about geothermal, Mr. Vander Maas said he would research it.

Alderman Carroll made a Motion to approve the attached Ordinance and have the Mayor sign the Tenth Amendment and Reinstate Full Requirements between the NC Eastern Municipal Power Agency and Duke Energy Progress, seconded by Mayor Pro Tem Mosteller. ***Unanimous Vote; Motion Carried.***

3. System Development Fees Presentation

City Engineer Zilineck explained that Withers/Ravenel was hired to review the system development fees every five years, as required by the State of North Carolina. Mr. Zilineck, Mr. Parker, related City Staff, and Representatives of Withers/Ravenel reviewed the final draft report. They believe the report is now ready for the Board to review and take action by setting Public Hearings, as mandated by the law.

Mr. Darryl Parker from Willdan Financial Services and Shannon Moore from Withers/Ravenel presented a Study. Mr. Parker recommended adopting calculated SDFs and application methodology from the Report or other appropriate SDF amounts. The new SDFs should be enacted by December 1, 2023, or a date determined by the City Council. The SDF study should be revisited in the next five years.

Alderman Alt asked for clarification on the charts showing current and proposed rates for 2-4 bedroom units, which increased by 20%. However, he was confused about the proposed rate for barber shop chairs at \$3,000. Mr. Parker explained that the city had already adopted the fees and that he would talk to the manager about it.

Per the law, Alderman Allen said a study must be done by Dec 31, 2023. The sewer merger will be after the fees are done. Alderman Alt is concerned about interim rates and the impact on residents if there is a merger with the County.

Mr. Parker thanked the Board and Staff for the opportunity. He said anyone could contact him should they have any questions or concerns.

7. Lead Pipe Inspections

(Agenda item change of order due to technical complications with item (4) Water Merger Presentation)

City Engineer Tom Zilinek has recently provided an update on the Lead and Copper Rule by EPA. This rule requires all Community Water Systems to create an inventory of service line connections by October 16, 2024, to identify possible lead presence. The inventory should be submitted to the North Carolina Public Water Supply Section. Non-compliance with this requirement will result in a violation of Federal and State laws. The City has taken responsibility for completing the inventory in-house by the deadline.

Alderman Alt asked who would be responsible for replacing lead pipes on their end when a customer detects lead pipes on their end. In such a case, the City will also have to replace it on their side. The number of lead pipes will be determined after collecting the inventory for residents, and the budget for appropriations for replacement will be allocated accordingly.

Mr. Zilinek has shared that he hopes to have an inventory of the City pipes by January and send out notices to customers to collect the inventory for residents. This step will help determine the amount that will be budgeted to replace lead pipes.

8. WK Dickson Stormwater Mapping and System Evaluation Contract Award

The City Engineer, Mr. Zilineck, announced that the city has received a \$250,000 Goldenleaf grant to map and evaluate the Stormwater System. In addition, the city has allocated an extra \$250,000 from its budget to complete the project. The initiative's primary goal is to create a city-wide inventory of the entire stormwater system, enabling a comprehensive assessment of the infrastructure's condition. By identifying the critical points of the system, the city will be able to prioritize improvements and provide relief to those areas that need it most. This study will also assist with future budgeting. Mr. Zilineck mentioned that they requested proposals and selected WK Dickson as the most qualified company for the project.

Alderman Carroll made a Motion to approve the contract with WK Dickson for Stormwater Mapping and System Evaluation Services, seconded by Alderman Lombardi. ***Unanimous Vote; Motion Carried.***

9. Comprehensive Plan Consultant Selection

The Development Services Department received responses from two professional consultants, Stewart and Withers Ravenel, for creating a new Comprehensive Plan for the City. Stewart scored higher in criteria such as Similar Project Experience, Quality of Submission and Presentation, Team Depth, and Public Outreach/Participation. The evaluation panels believe that Stewart can create a plan that aligns with the City's goals and provides a policy framework for future responsible development.

Alderman Carroll made a Motion to accept the evaluation panel's recommendation, move forward with contract execution, and negotiate a final price to work on the Comprehensive Master Plan process seconded by Mayor Pro Tem Mosteller. ***Unanimous Vote; Motion Carried.***

Manager Therrien mentioned that after the price is negotiated, a decision will need to be made regarding the members of the Steering Committee. The options discussed were the Planning and Zoning Board or a Citizen Panel.

6. Minimum Housing Ordinance

Ms. Dutton gave an overview of the Ordinance. She explained that it would provide the staff and code enforcement with an additional tool to address derelict or abandoned structures. The ordinance refers to the current General Statutes and provides a more direct timeline of the procedures to be followed. Ms. Dutton also mentioned that the City Attorney had reviewed the ordinance and made some recommendations. Attorney Herman pointed out that there is a condemnation procedure, but it is outdated, and there is no mechanism for demolition. He emphasized that an enforcement mechanism was added to the existing City Code.

Mayor Hatem explained that a public meeting was not required, but the board agreed that a public hearing would be beneficial. Attorney Herman advised that, due to potential criminal penalties associated with the ordinance, it is required by statute to be presented at least twice. Alderman Carroll made a Motion to set a Public Hearing for the Minimum Housing Ordinance on the first Regular Board of Aldermen Meeting on November 2nd at 1:00 P.M. and seconded by Mayor Pro Tem Mosteller. ***Unanimous Vote; Motion Carried.***

4. Water Merger Feasibility Presentation

Mayor Hatem introduced Gary Hartong, the President of Wooten Consulting Company, who presented the Water Merger Feasibility Study draft report. Mr. Hartog explained that The City received a Merger/Regionalization Feasibility (MRF) Study grant to explore the feasibility of a merger between the City and Brunswick County water systems and study the long-term viability.

As part of this grant, other alternatives for long-term water service were also evaluated, including regionalization with Brunswick Regional Water and Sewer H2GO and construction of a reverse osmosis water treatment plant owned and operated by the City. The City currently purchases its water from the County at a wholesale rate. The City owns no treatment facilities but operates and maintains its water distribution system. The County owns and works many of the water treatment facilities in Brunswick County and has its own distribution system. Four alternatives were evaluated: Retain Ownership and Operations, Merge with Brunswick County, Regionalization with Brunswick Regional Water and Sewer H2GO, and create a New Reverse Osmosis Water Treatment Plant.

Mr. Hartong explained If the City wishes to divest itself of its water infrastructure, a merged scenario between the City and County appears to be the most straightforward means towards regionalization and is the most financially feasible of the alternatives due to estimated cost savings for the City's customers. Mr. Hartong said they recommend that the city negotiate with the county to transfer ownership of its water distribution system assets, estimated to be approximately \$16.8 million.

The City should also acknowledge the financial value of the personnel it employs, given their technical and finance expertise, system knowledge, and regional loyalty, and explore opportunities for them to be employed by the County. The City would lose the revenue stream from water sales and need to consider other mechanisms to help fund positions partially funded from these revenues.

Mayor Pro Tem Mosteller requested clarification about the \$172,000 difference in employee salaries. In response, Mr. Hartong explained that wages for 26 positions across six different departments (totaling around \$425,000) were being paid out of the water and sewer fund. He elaborated that \$253,000 was directly related to the water and sewer fund. At the same time, the remaining \$172,000 was being used to pay for positions in departments such as Finance and Administration that are also benefiting from the current water and sewer revenues.

5. Amendments to the Parks and Recreation Ordinance

Heather Hemphill partnered with Police Coring and Major Burke to review the Parks and Recreation Ordinance. They aim to propose modifications to address sleeping in parks and staying beyond closing hours. The proposed changes include adding definitions and identifying the new parks. The term "camping" is now prohibited, with the definition of public property added. The Civil and Criminal Ordinance processes were also added. Alderman Alt suggested excluding the Garrison at Fort Johnson from the "dusk to dawn" rule because it is closely connected to the Waterfront Park. Major Burke agreed to amend the language to exclude both parks. Alderman Allend addressed Article 2: "Caviness Park is in the headline; however, in Section (A) there is no mention of Caviness Park. Ms. Hemphill said that was an error that should be corrected. He also said Lowe Park should be identified as Lowe white Park. In Section 12:27, Section A Lowe Park needs to be revised. Mayor Pro Tem Mosteller asked for clarification on defining "public property" and how it is applied in the ordinance when there is no reference. Major explained that the definition separates public and private property. Attorney Herman said he would recommend leaving public property in the language to ensure that there is a definition, even though it might be redundant. Major Burke said it also outlines the streets and alleyways as well.

Mayor Hatem reminded everyone that this was a presentation on the draft, and modifications and revisions would be represented before a vote.

10. Selection of Consultant for Parking Study

Ms. Dutton explained that an RFQ was put out for a parking study and included a study that would represent the offseason, tourist season, and festivals to get an accurate account of the

parking situations. She said four bids were received. One was eliminated because it was a study for paid parking only, and two firms had minimal experience with this type of project. She said Walker Consultants was highly rated with outstanding references and reviews and recommended them as the Consultant.

Alderman Davis made a Motion to approve the selection of Walker Consultants to complete the Downtown Parking Study and authorize the City Manager to negotiate a contract with the firm, seconded by Alderman Carroll. ***Unanimous Vote, Motion Carried.***

11. NCDPS State and Local Cybersecurity Grant Program MOA

Ms. Dutton gave an overview and explained the City's IT personnel. Ms. Henessey applied for the Grant. She said the Board had previously agreed with the NCLM to do Cybersecurity consulting with the City. Ms. Dutton said there is confirmation that the grant money received through the Department of Public Safety can be used to pay for the League of Municipalities' work and consultation. She said the Board approved the Mayor to sign the no-debt certification sent in, and the Memorandum of Understanding was included in the agenda packet for review. Alderman Carroll made a Motion to approve the MOA for the NCDPS State and Local Cybersecurity Grant Program and authorize the Mayor to sign the agreement, seconded by Mayor Pro Tem Mosteller. ***Unanimous Vote; Motion Carried.***

I. Committee Reports

Alderman Lombardi announced the Beautification Committee will be doing interviews, and the recommendation for appointments will be at the next meeting. Also, the Committee will be meeting on the first Saturday in November. Mayor Pro Tem Mosteller reminded everyone about the next Planning Board Meeting. Mayor Hatem stated the ABC Board met last night, and sales are up 17% for September.

J. Manager's Report

Manager Therrien gave an update on the kayak launch. She went over the timeline up to date and hopes that the project will be closed out by Spring 2024. She provided an updated list of Capital Projects and said they will be provided on the website. She applauded Staff for their hard work and accomplishments this year and acknowledged Staff anniversaries.

K. Mayor's Comments

Mayor Hatem announced that it was University Day, marking the founding of Chapel Hill University on October 12, 1793. Mayor Hatem also mentioned that Old East, the oldest state building in the Nation, was celebrated on this day. Additionally, he congratulated Chief Drew for fire prevention week and the chili dinner and expressed his gratitude to Parks and Rec. Director Hemphill for Captain Charlie's special event. Mayor Hatem thanked everyone for their attendance.

L. Board Comments

Alderman Carroll noted that the Historic Preservation Commission would have a Public Input Town Hall Meeting on October 16th. He welcomed everyone to attend and provide feedback on the proposed Ordinance.

Mayor Pro Tem Mosteller announced several upcoming fun events and fundraisers.

M. Staff Reports are included in the Agenda Packet.

N. Closed Session

City Attorney Brady Herman provided a concise overview of the General Statutes for Closed Sessions before the Governing Board for Municipalities entered the Closed Session. He mentioned that the law requires the board to disclose the citation for which they are going into Closed Session, and there are approximately ten reasons for doing so. The most common reasons are Attorney-Client Privilege, Personnel Discussions, and Real Property Acquisition. According to Mr. Herman, the only requirement of the Statutes is that the Board state the reasons for going

into Closed Session via the General Statutes. He also noted a few caveats when dealing with the Attorney-Client Privilege, such as in the case of a lawsuit, where the parties must be named. Mr. Herman said that real property information discussed in the Closed Session may be divulged upon request by the Public, as the Statute allows.

Alderman Carroll made a Motion to enter into the first Closed Session per § 143-318.11(3) *To consult with an attorney employed or retained by the public body to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session, and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant.* Alderman Lombardi seconded the Motion. **Unanimous Vote; Motion Carried—9:03 p.m.**

Alderman Carroll made a Motion to return to Open Session Seconded by Mayor Pro Tem Mosteller. **Unanimous Vote; Motion Carried.**

Manager Therrien gave an overview on the following discussion in Closed Session regarding property at 1105 N. Howe St, owned by Jonathan & Suzanne Hatch, for future use by the City.

Alderman Allen made A Motion to return to the Closed Session per N.C.G.S. 143-318.11 (a) (5). *To establish or to instruct the public body staff or negotiate taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other materials of an employment contract or proposed employment contract.* And seconded by Mayor Pro Tem Mosteller. **Unanimous Vote; Motion Carried.**

A Motion was made to return to Open Session by Alderman Allen and seconded by Mayor Pro Tem Mosteller. **Unanimous Vote; Motion Carried.**

Alderman Allen made a Motion to adjourn, seconded by Mayor Pro Tem Mosteller. **Unanimous Vote; Motion Carried.**

Adjournment: 9:18 p.m.

Joseph P. Hatem, M.D., M.P.H, Mayor

Deputy Clerk, Tanya Shannon

**BOARD OF ALDERMEN
SPECIAL CALLED MEETING
COMMUNITY BUILDING**

**INDIAN TRAIL MEETING HALL
113 W. MOORE STREET
October 30, 2023**

PRESENT: Mayor Joseph P. Hatem
Mayor Pro-tem Karen Mosteller, Alderman Lowe Davis, Alderman Tom Lombardi, Alderman Rich Alt, Alderman Robert Carroll, and Alderman John Allen joined via phone.

STAFF PRESENT: Assistant City Manager/City Clerk Dorothy Dutton, Electrical Superintendent Ellie Pittenger, Public Services Director Tom Stanley,

OTHERS PRESENT: Paul Fisher, Roy Jones, Jason Thigpen, Brandon Rummage, Dan Werdel

- A. Mayor Hatem called the meeting to order at 10:00 a.m.
- B. Alderman Lowe Davis provided the invocation.
- C. Mayor Hatem led everyone in the pledge of allegiance.
- D. ***Alderman Carroll made a motion to approve the agenda that Alderman Lombardi seconded. All ayes. Motion carried.***
- E. Mayor Hatem welcomed everyone to the meeting. He said that the purpose of the meeting was to review the benefits and relationship Southport has with ElectriCities and the North Carolina Eastern Municipal Power (NCEMPA). He introduced Mr. Paul Fisher, who has served as a Commissioner on the NCEMPA for many years. Mr. Fisher asked the CEO of ElectriCities, Roy Jones, to begin the presentation. Mr. Jones said the plan was to start at a national level and move down to the municipal level. He thanked the Board for having them and introduced Dan Werdel, the Supervisor of Production. He explained three types of electric utilities: Public Power Utilities, Rural Electric Cooperatives, and Investor-Owned Utilities. He reviewed how each type is different. A public power utility serves one out of seven customers. The City of Fayetteville is the largest public power utility in North Carolina. Alderman Alt asked some questions about the supply chain and where transformers are made. Mr. Roy Jones stated that most are made in the US, but there has been so much growth after the Coronavirus pandemic that there has been a manufacturing shortage. Many manufacturers do not want to expand because now they have work guaranteed for the next few years. Mr. Jones and Mr. Werdel went through a timeline of electric service from the Electric Act of 1965 to 1984, when ElectriCities was incorporated, and in 2015, when the NCEMPA sold its electric generation assets to Duke Energy Progress. Now, each municipality has a seat on the ElectriCities Board. Jason Thigpen, Manager of Power Supply Operations with NCEMPA, addresses the Board of Aldermen next. He said, "The interconnected grid for electricity is one of the greatest inventions of all time." He explained that one hour of use at the highest peak is equivalent to 63% of the bill. Alderman Alt asked how they determine the peak hour. Mr. Jones said they have over ten years of history to help predict. They consider the most extreme temperatures and time of day when the most use occurs, and the entire system is considered, so the peaks are not just for one municipality. A total of 800 people in Southport participate in load management. One facet to consider is the time of use rate, which might save more money overall. Mr. Thigpen confirmed that the City could use both load management and time of use rates. Mr. Jones said the two-way meters are already installed; they must coordinate with Brunswick Electric. There was some discussion about battery systems that can be used during peak hours so that there is more savings. Mayor

Pro-tem Mosteller asked if all communities have this system and how much that battery would cost. Mr. Jones stated they would help the City do a cost analysis for the battery system versus the generator.

Alderman Carroll asked if there was a limit to how much solar a customer could install in Southport, and Mr. Ellie Pittenger said that the City's program was mirrored after the BEMC program, which was a 10kW max. Mr. Jones said there was a difference between home generators and back-feeding the system. Mr. Werdel said that, as a whole, the populations is heading towards a 21% renewable future. There was some discussion about the systems being more active at night because of the electric vehicles charging. There was some question about whether the City is installing the correct infrastructure for the future. Mr. Paul Fisher explained that BEMC monitors future infrastructure with their engineers to help determine what might be needed. Solar capacity has increased by 80% since 2013 because of creature comforts and necessities. Wholesale power costs have declined since 2015. Next, there were discussions about strategic planning, priorities, and the Billing history with the City of Southport.

All the electrical providers in the area share designated peaks. Wholesale power costs have declined since 2015. NCEMPA absorbed small increases, so rates didn't increase for their customers.

Mr. Paul Fisher thanked Mr. Jones and his team for coming to speak with the Board of Aldermen. He encouraged more people to attend the meetings in Wilson, NC.

F. Mayor Hatem thanked Mr. Fisher for thirty years of service and said the information was wonderful. He also thanked Mr. Ellie Pittenger. Mayor Pro-tem Karen Mosteller wanted to emphasize that ElectriCities is a real partner to the City.

G. Alderman Carroll made a motion to adjourn the meeting, which Alderman Lombardi seconded. All ayes. Motion carried.

Joseph P. Hatem, MD, MPH.
Mayor, City of Southport

Dorothy Dutton, Assistant City Manager
City Clerk



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Public Services

PRESENTED BY: Tom Zilinek, City Engineer

ITEM SPONSORED BY: Public Services Department

ITEM/TOPIC: Acceptance of 3 Roads within Southport Crossings for Public Maintenance

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: As part of the approved Southport Crossings Final Plat there are three roads that are to become publicly maintained roads. They are Southport Crossing Way, Marino Run, and Crossings Court.

IMPACT IF NOT APPROVED: The Final Plat for Southport Crossings was previously approved by the Board and have been filed with the County. Not accepting the three roads could result in a lawsuit.

DEPARTMENT HEAD COMMENTS: The construction of the three roads that are to become publicly maintained is complete. All testing requirements have been completed and are satisfactory. Additionally, the roads have been inspected and they are acceptable.

CITY MANAGER COMMENTS: I concur with the recommendations.

ATTACHMENTS: Letter from MDI Management dated August 7, 2023 requesting City to accept roads.

REQUESTED ACTION: Accept three streets (Southport Crossings Way, Marino Run, and Crossings Court) within Southport Crossings for City maintenance.

PROPOSED MOTION: Motion to accept Southport Crossings Way, Marino Run and Crossings Court as City maintained streets.

If the Consent Agenda is approved, Southport Crossings Way, Marino Run, and Crossings Court will become City maintained street.

MDI MANAGEMENT, LLC

August 7, 2023

VIA EMAIL (thenley@cityofsouthport.com)

City of Southport
Southport City Hall
1029 N. Howe Street
Southport, North Carolina 28461
Attention: Travis Henley, MPA, CFM – Director

Re: Roads located at the subdivision development shown on that certain plat entitled "Major Subdivision Plat for Southport Crossings" recorded in Map Cabinet 110 at Pages 40 – 42 of the Office of the Register of Deeds of Brunswick County, North Carolina (the "Development Subdivision Plat"), as supplemented by that certain plat entitled "Subdivision Plat Southport Crossings Parcels 10-11-12" recorded in Map Cabinet 145 at Pages 46 – 47 of the Office of the Register of Deeds of Brunswick County, North Carolina (the "Parcel Subdivision Plat") (such subdivision development, as shown on the Development Subdivision Plat and the Parcel Subdivision Plat, hereinafter referred to as "Southport Crossings")

Dear Mr. Henley:

On behalf of MDI Management, LLC, the developer of Southport Crossings, this letter serves as MDI's formal request to the City of Southport for the inspection and acceptance for public maintenance purposes of certain roads located at Southport Crossings as further described in this letter. The roads that are the subject of the requests set forth in this letter are shown as public rights-of-way on the Parcel Subdivision Plat, which roads are identified as "Southport Crossings Way", "Marino Run" and "Crossings Ct." as approximately shown in red outline on the site plan attached to this letter (the "Roads"). A copy of the Parcel Subdivision Plat showing the Roads is also attached for reference.

As of the date of this letter, MDI has completed the work to construct and install the Roads except for the final surface course of asphalt. This letter serves as MDI's request to the City's Public Services Department to schedule with MDI dates and times for the City to perform the following inspections: (a) an inspection of the Roads such that MDI may then proceed with completing the construction work necessary to install the final surface course of asphalt on the Roads, and (b) an inspection of the Roads once the final surface course of asphalt is applied to the Roads. With respect to the first inspection to inspect the Roads, MDI further requests that the City provide a punch list to MDI of the existing condition of the Roads such that MDI may schedule its contractor to complete any punch list items identified in addition to the final surface course of asphalt. MDI's consultant, Rick Rowe of Wakefield Associates Inc., will be available as needed on behalf of MDI. MDI respectfully requests a prompt scheduling of the required inspections in order to accommodate ongoing development activities at Southport Crossings. Further, MDI previously had performed an inspection of the Roads by a professional engineer and submitted to the City a report prepared by the professional engineer. Please contact me at the information set forth below if there is any other documentation that the City requires in order to schedule the requested on-site inspections.

August 7, 2023
City of Southport
Page 2

Additionally, this letter serves as a request on behalf of MDI for the City's acceptance of the Roads for public maintenance purposes after the completion of the application of the final surface course of asphalt to the Roads and the completion of any required punch list items identified by the City, if any.

Your attention to and assistance with the Southport Crossings development continues to remain much appreciated. Please do not hesitate to contact me at Shawn.Beichler@alexlee.com or (704) 754-3200 with any questions, or if you'd like to discuss the requests made in this letter.

Very Truly Yours,

MDI MANAGEMENT, LLC

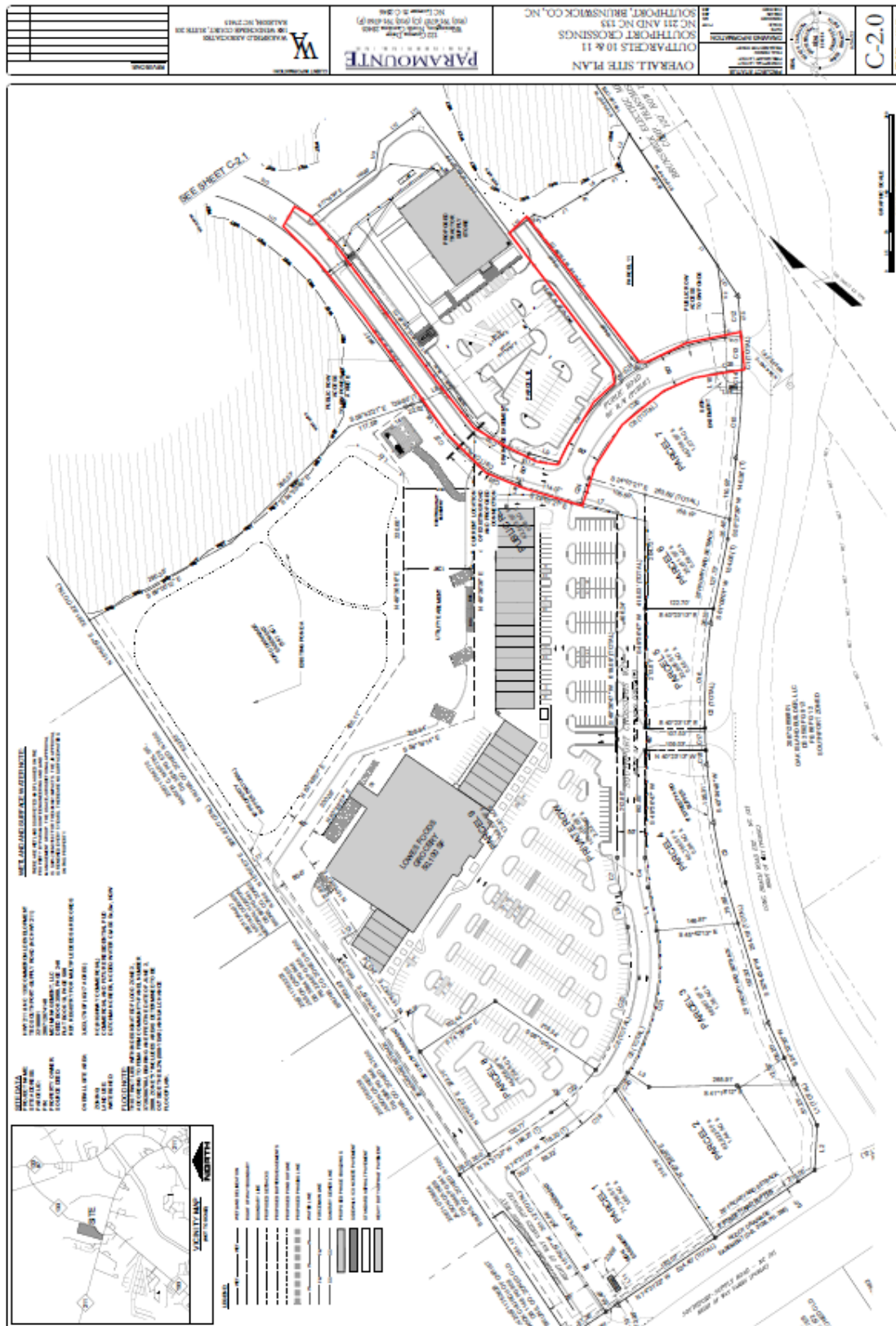
A handwritten signature in blue ink, appearing to read 'Shawn Beichler', with a stylized, cursive script.

Shawn Beichler

Enclosures: Illustration of Roads
Copy of Parcel Subdivision Plat

Cc. Richard E. Rowe – WAKEFIELD ASSOCIATES, INC. (via email)

Illustration of Roads



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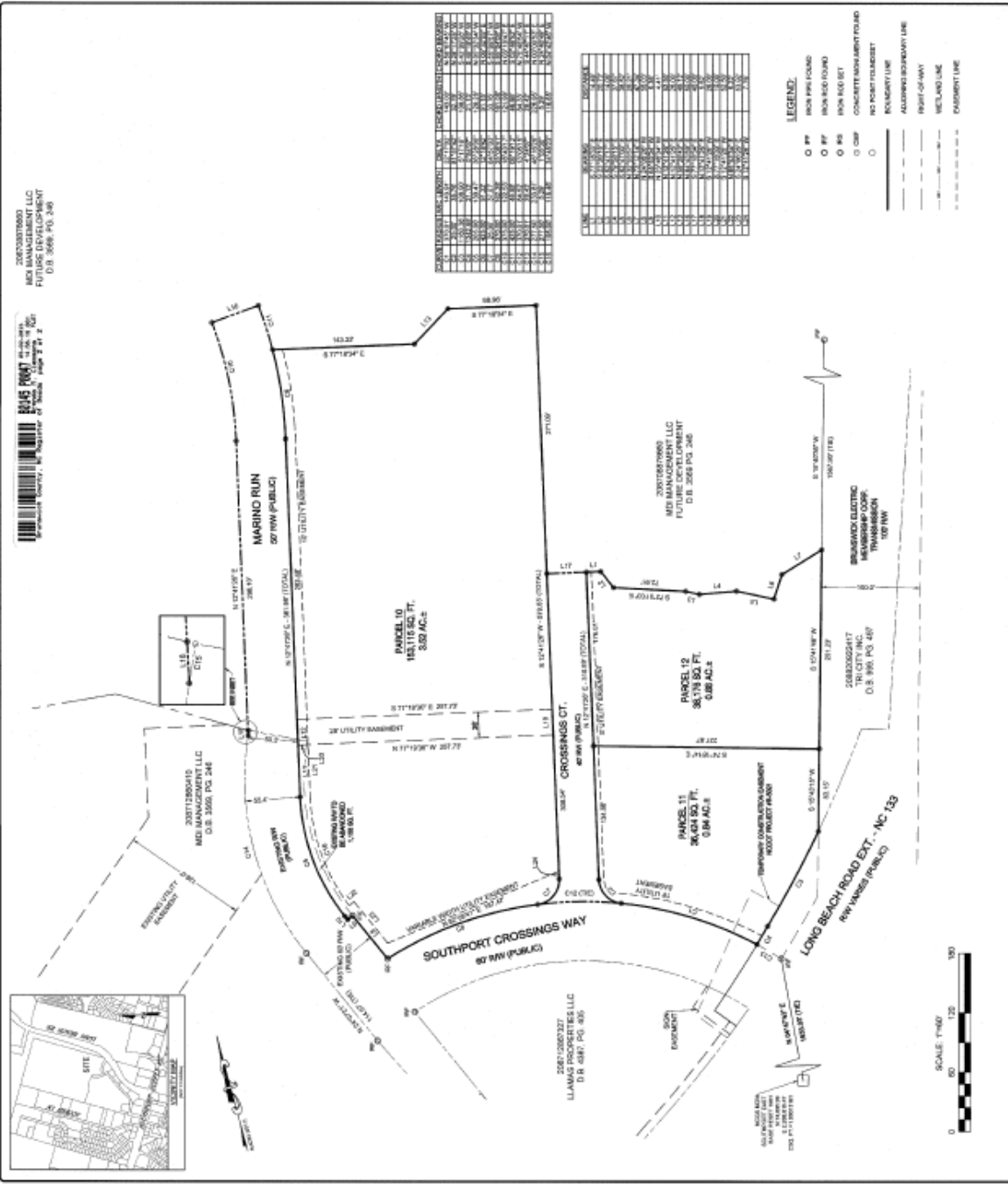
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MAP CABINET 145 PAGE 47 2 of 2 5-2-23



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/7/2023

DEPARTMENT: Administration

PRESENTED BY: Alderman Lombardi, Beautification Committee

ITEM SPONSORED BY: Beautification Committee, Alderman Tom Lombardi

ITEM/TOPIC: Appointment of New Member to Serve the Remainder of a Term

COST: n/a

BUDGET LINE ITEM: n/a

JUSTIFICATION: The Board of Aldermen adopted an amendment earlier in 2023 that aligned all the Boards and Committees terms. In the event that a seat is vacated, someone would be interviewed and appointed to complete the rest of that term. Ms. Karen Brennan has attended most of the clean-ups since she moved to the area. She was interviewed and Alderman Lombardi and the Beautification Chair Lynne Geiman have asked for her to be appointed to serve the remainder of a term that expires in June 2024.

IMPACT IF NOT APPROVED: The seat will remain vacant.

DEPARTMENT HEAD COMMENTS: n/a

CITY MANAGER COMMENTS: n/a

ATTACHMENTS: (1) Email to Alderman Lombardi and Lynne Geiman (2) Email between Lynne Geiman and Dorrie Dutton

REQUESTED ACTION: Make the appointment through the adoption of the Consent Agenda if the Board is in agreement.

PROPOSED MOTION:

When the Consent Agenda is approved, Ms. Karen Brennan will be appointed to the Beautification Committee to complete a term that expires in June 2024.

Dorothy Dutton

From: Dorothy Dutton
Sent: Friday, November 17, 2023 4:16 PM
To: Thomas Lombardi
Subject: RE: Beautification appointees

I will add it to the agenda, yes!

From: Thomas Lombardi <tlombardi@cityofsouthport.com>
Sent: Friday, November 17, 2023 2:45 PM
To: Dorothy Dutton <Ddutton@cityofsouthport.com>
Subject: Re: Beautification appointees

Thank you, will Karen be nominated at the next meeting?

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From: Dorothy Dutton <Ddutton@cityofsouthport.com>
Sent: Friday, November 17, 2023 12:49:09 PM
To: scarlet517@hotmail.com <scarlet517@hotmail.com>
Cc: Thomas Lombardi <tlombardi@cityofsouthport.com>
Subject: RE: Beautification appointees

I understand that it is confusing.

In order to stagger the terms fairly when the new ordinance was adopted, we extended the existing terms, instead of shortening them. For example, the ordinance was adopted in April 2023. We didn't want to tell volunteers that their terms would expire this past June, so we extended the terms out for another year, until June 2024.

So, even though Lawrence and Joe's terms should have expired this year, they were automatically extended until next June. This way, all positions will begin and end during the same month, but different years. Because the two Board members are not serving on the Beautification Committee anymore, there are two openings for terms that would serve out the remainder of the term, which would be June 2024. So, Karen can be appointed and can serve until that date. She would then have to reapply for a new three-year term.

Your original term was scheduled to expire June 2024, but now you are listed as serving through June 2025.

At any time, if a member resigns from their post, a new member can be appointed to serve the remainder of the term.

I hope that all makes sense. I have attached the revised term schedules for your use. Please let me know if you have any other questions!

Thank you!
Dorrie

From: Lynne Nardoza Geiman <scarlet517@hotmail.com>
Sent: Friday, November 17, 2023 12:37 PM
To: Dorothy Dutton <Ddutton@cityofsouthport.com>
Subject: Beautification appointees

I believe that Tom Lombardi spoke with you about our nominees, but I am confused about something and hoping you can clarify.

Two of our board members served from 7/1/2021 to 6/30/23. They are Lawrence Ashley and Joe Fikentscher. They wanted to be reappointed to the board so Tom and I interviewed them along with other candidates.

We did this as I thought they needed to be reappointed, and if reappointed their new term would now be for three years. (As opposed to adding on a third year to their existing term that was to end in 2023. Then we choice to have one of the new candidates that we interviewed, Karen Brennan, be selected for appointment to the board .

So, if I am reading this new 3 year policy correctly, all three people, Lawrence, Joe and Karen's names should be presented to the Board of Aldermen for approval.

Not sure how that is done to get the names approved, and if it's all three that need approval or just Karen.

Thank you for your help.

Lynne Geiman, Chairperson
Southport Beautification Committee
973-356-7081

Dorothy Dutton

From: Lynne Nardoza Geiman <scarlet517@hotmail.com>
Sent: Friday, November 17, 2023 4:56 PM
To: Dorothy Dutton
Subject: Re: Beautification appointees

I was used to our alderman liaison presenting the candidates to the board, so I would appreciate your offer for you to present Karen's name.

If you would like me to be present that night I could attend.

Our decision on choosing Karen was based on her continued participation in beautification events. I believe she has lived in the town only for 8 months, and has made it to almost every monthly clean up. Even today, Karen joined us at 7:00 a.m. to work with the power company to fluff the mayor's Christmas tree down at whittlers bench. This hands-on participation is key to our continued success in assisting the city with keeping our town as beautiful as we can.

Lynne

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Dorothy Dutton <Ddutton@cityofsouthport.com>
Sent: Friday, November 17, 2023 4:22:50 PM
To: scarlet517@hotmail.com <scarlet517@hotmail.com>
Subject: RE: Beautification appointees

Thank you for the voicemail; it has been a busy afternoon.
Yes, Karen will still have to be appointed. Since Tom will not be serving another term, I plan on adding it to the agenda. I am happy to present the item to the Board of Aldermen. If you would rather speak to the Board at the meeting, we can explain it together. Just let me know. In the meantime, I will start preparing that item for the agenda. If I need more specific information, I will reach out!

Thank you so much and have a wonderful weekend!

Dorrie

From: Lynne Nardoza Geiman <scarlet517@hotmail.com>
Sent: Friday, November 17, 2023 1:02 PM
To: Dorothy Dutton <Ddutton@cityofsouthport.com>
Subject: Re: Beautification appointees

Thank you so much for explaining and sending the new term sheets. It makes it very clear when people are up for reappointment if they desire.

I also understand that Karen will be finishing out the term for one of our board members who left prior to the newly extended term of June 2024.



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: 12-4-2023

DEPARTMENT: Administration

PRESENTED BY: Everett Jones, Bartlett Tree Experts, and Bonnie Therrien, City Manager

ITEM SPONSORED BY: Administration

ITEM/TOPIC: Franklin Square Park Arborist Report

COST: \$15,000

BUDGET LINE ITEM: 23-23-7300-5800

JUSTIFICATION: As you are well aware, residents have expressed many concerns about the condition of Franklin Square Park and the number of events being held there, causing issues with the trees, azaleas, and the look of the Park itself. To try to decide the best way to move forward with the placement of events in the Park and what needs to be done to bring the Park back to what it used to look like, Downtown Southport, Inc. (DSI) agreed to pay the \$3900 for an arborist, Everett Jones, of Bartlett Tree Experts to come in and assess the condition of the growth in the Park. Bartlett's background includes being the arborist for years for Airle Gardens in Wilmington. He was highly recommended to me by many sources.

Mr. Jones and his staff came to the Park on November 6th and 7th and have compiled a thorough written report of the Park, which is attached for your review. As a part of this report, it is recommended that the city spend \$12,100 (I will be requesting \$15,000 as a cushion) to follow up on their severe tree risk assessment and cut down, prune, or conduct other work needed on those trees that are the most severely damaged. This equates to 22 out of 54 trees. I am asking for you to approve this out of the Capital fund.

At your meeting, Mr. Jones will address the condition of the azaleas and other growth in the Park and recommend how future events should be held in the Park and whether he recommends these events continue in the future. It is imperative for the Board to decide how to handle the Park and future functions so that after the first of the year, a schedule and location for events taking place in Southport can be solidified for 2024.

If we move forward with Mr. Jones's recommendation for further work in the Park, he will also be training our staff to enhance their skills in caring for the trees and other plants, which is a plus for the Public Services staff.

IMPACT IF NOT APPROVED: The Park will remain in the same condition, although the Public Services staff has certainly stepped up and made a lot of improvements to the Park already.

DEPARTMENT HEAD COMMENTS: Not applicable.

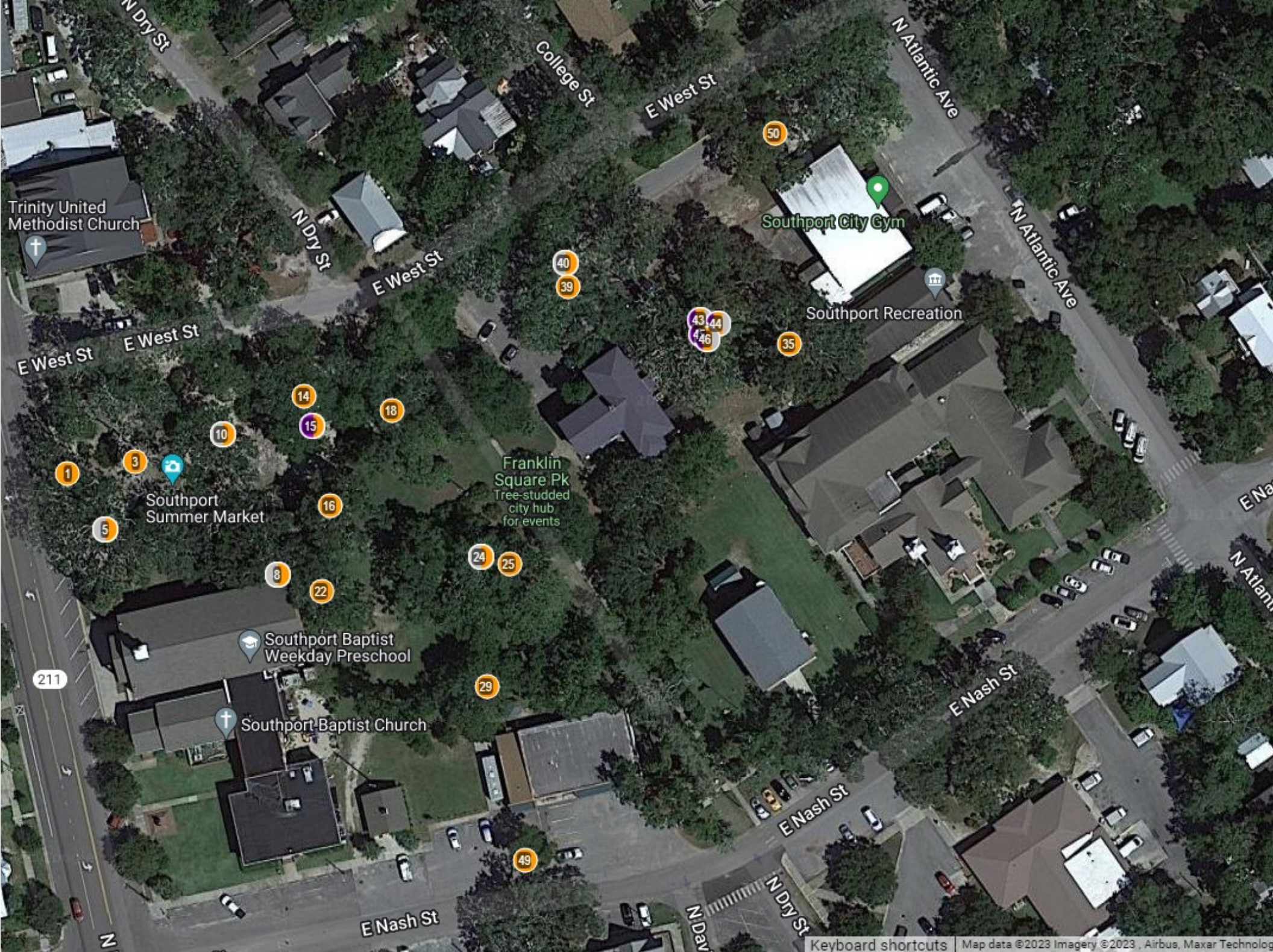
CITY MANAGER COMMENTS: I recommend that you approve the budget transfer for this project so they can begin eliminating any safety issues with dead trees and bushes that are not viable and prune back those dead limbs that need to be taken care of as soon as possible. After listening to Mr. Jones's recommendations for holding events on this property, I would ask that you decide in January whether events will be held in the Park location and, if so, what type of events these should be for the betterment of the Park and the City.

ATTACHMENTS: 1) Final Tree Assessment Report from Bartlett Tree Experts

**2) Proposal for Tree Care Services in the Park, Mapping for the Trees, and
Written Narrative**

REQUESTED ACTION: Approve the Budget Transfer from the Capital account for \$15,000

PROPOSED MOTION: Motion to approve the use of \$15,000 of Capital Improvement Funding (Account # 23-23-7300-5800) to move forward with the proposal from Bartlett Tree Experts for Tree Care Services of the recommended trees in Franklin Square Park.



City of Southport - Franklin Square Park Tree Inventory and Management Plan | 2023



Submitted by:
Bartlett Tree Experts

John Colavecchio, Consulting Arborist

ASCA Registered Consulting Arborist #649, ISA Board Certified Master Arborist #NE-1070B, ISA Tree Risk Assessment Qualified

Everett Jones, Arborist Representative

ISA Certified Arborist #SO-10692 A, ISA Tree Risk Assessment Qualified



Bartlett Tree Experts

Raleigh Office
5808 Triangle Drive
Raleigh, North Carolina 27617
704-588-1503
www.bartlett.com

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City of Southport - Franklin Square Park Tree Inventory and Management Plan

MAKING THE MOST OF YOUR INVENTORY MANAGEMENT PLAN

Those who operate a large business or institution understand how inventory impacts operations and budgeting. One must know what's there, how much or how many, and where it all is. But the task doesn't end there. To obtain the greatest benefit from inventory, owners or their designees must manage it. Are a company's tools, for example, old and defective, in need of repair, in short supply, or useless and taking up space that could be better occupied? A good management plan will address these issues and keep the inventory current, in good condition, and functioning for the benefit and safety of those involved.

Managing trees on a large property can seem like an overwhelming task, but the same principles of inventory management apply. This inventory and management plan should provide managers the data they need to develop realistic budgets for their tree maintenance needs, and it will help make Franklin Square Park a safer and more beautiful environment.

The following tips will assist you in making the most of this document:

Who's Who

Those who conducted the inventory and prepared this document are members of the Bartlett Consulting team. They are also employees of Bartlett Tree Experts. The Bartlett Consulting team is overseen by Consulting Advisors out of the Bartlett Tree Research Laboratories in Charlotte, North Carolina. The advisors are primarily charged with client support, coordination, quality control, and documentation of inventories and the related data. Extensively trained Consulting Arborists from local Bartlett Tree Experts offices are the primary data collectors and authors of the management plans. Readers may interpret the terms "Bartlett Tree Experts," "Bartlett," "the Consulting Team," "the team," "we," and "our" as the Bartlett company and those who conducted the inventory and prepared this management plan. In addition to the primary author(s) listed on the cover page, Team Member(s) involved in this project included:

Technical Advisor

Maryellen Bell, Consulting Advisor

ASCA Registered Consulting Arborist #703, ISA Board Certified Master Arborist #WE-5643B, ISA Tree Risk Assessment Qualified

Subject Trees

In this document, the term "subject trees" refers (depending on context) to some or all of the 54 trees included in the inventory.

Definitions & Bolded Terms

Some definitions or specifications are detailed within a given section to explain how readers should interpret certain terms or classifications. We have also appended a Glossary for other terms that appear throughout the document. The first reference to each of these terms appears in **bold** for the reader's convenience.

How This Document is Organized

An outline appears below that introduces the order in which the sections of the management plan will appear. The management plan layout is as follows:

- **Table of Contents**
 - Road map for the management plan
- **Making the Most of Your Inventory Management Plan**
 - Explanations for how to efficiently and effectively understand and navigate this management plan document
- **Executive Summary**
 - Synopsis of the major findings and recommendations
- **Introduction**
 - Brief explanation of the inventory and what was included
- **Goals & Objectives**
 - Explanation of the specific goals and objectives for this inventory
- **Data Collection & Tree Inspection Methodology**
 - Lists, explanations, and definitions of all data collected during the inventory
- **Tree Risk Assessment and Mitigation**
 - Summary of *overall tree risk ratings* assigned during the inventory with corresponding table and map displays with figures if applicable
 - Summary of *Level 3 Advanced assessments* recommended during the inventory (summarized in the *overall tree risk ratings* table) with a map display and figures if applicable
- **Stand Dynamics Results**
 - Summary information for the entire tree population inventoried

- **Recommendations**
 - Summary of all recommendations made during the inventory including associated table and map displays, explanations and examples, and figures if applicable
- **Defects or Observations**
 - List of all trees observed to have defects in the field in a table view with associated descriptive figures and maps if applicable
- **Entire Inventory**
 - List of all trees collected in a table display
- **Additional Resources**
 - Listing of all appended items for this management plan

EXECUTIVE SUMMARY

In November 2023, the Bartlett Consulting Team from Bartlett Tree Experts conducted an inventory of trees on Franklin Square Park site in Southport, North Carolina. We identified 54 trees which included 5 species. The attributes that we collected include tree latitude and longitude, size, age and condition class, and a visual assessment of tree structure, health, and **vigor**.

We conducted the attribute collection using a sub-meter accuracy Global Positioning Satellite Receiver (GPSr) device with an error-in-location potential of not greater than three meters. Our recommendations for the subject trees are based on the number of desired management cycles. All tree work activities will comply with current American National Standards Institute (ANSI) Z133.1 requirements for safety.

Tree Risk Assessments and Mitigation

Perform the recommended tree risk mitigation activities for the 54 trees (100%) which we found defects or concerns that prompted the need to use the International Society of Arboriculture's (ISA) risk matrices in the field. Risk mitigation activities will comply with current ANSI A300 standard practices. Please see the Tree Risk Assessments, Limitations & Glossary section for more information.

Level 3 Advanced Assessment

Provide *Level 3 Advanced assessments* for 22 trees (41%) to evaluate the impact of wood decay that shows potential for failure.

Soil Sampling

Taking soil samples throughout planting beds and actively managed areas. Soil analysis provides information on the presence of soil nutrients, pH, organic matter, and cation exchange capacity.

Bulk Density Sampling

Taking bulk density samples throughout planting beds and actively managed areas to determine the amount of soil compaction.

Soil Rx®

Apply Bartlett's Soil Rx® program to 54 trees (100%) to correct nutrient deficiencies and optimize soil conditions for the designated trees.

Root Invigoration™

Perform Bartlett's patented Root Invigoration™ on 4 trees (7%) of the population (#13, 33, 38 and #53) to improve aeration and promote more efficient root growth, especially for high-value trees in disturbed areas.

Mulching

Wherever possible, apply 2-4 inches of mulch within the root zone to help moderate soil temperatures, reduce soil moisture loss, reduce soil compaction, provide nutrients, improve

soil structure, and keep mowers and string trimmers away from tree trunks. The best mulch materials are wood chips, bark nuggets, composted leaves, or pine needles. To avoid potential disease problems, mulch should not be placed directly against the trunk.

Root Collar Excavations

Perform **root collar** excavations to 9 trees (17%) to lower risk of damaging conditions such as **girdling roots**, basal cankers, masking of root decay and lower-stem decay, and predisposing trees to various insect and disease pests.

Plant Health Care (PHC)

At the time of inventory, no pests or diseases were observed on the subject trees. However, we recommend implementing Bartlett's PHC program to monitor pests and disease that may not have been visible at the time of inventory. Treatments are therapeutic and preventative, and treatment timing is based on pest life cycle.

Pruning

Prune 50 trees (93%) for safety, health, structure, and appearance. Pruning will comply with current ANSI A300 standard practices for pruning.

Structural Support

There are structural support system recommendations for 7 trees (13%) to reduce risk of branch or whole tree failure. All structural support systems will comply with current ANSI A300 standard practices for supplemental support systems.

Lightning Protection

There are lightning protection system recommendations for 14 trees (26%) to try and intercept lightning strikes and conduct them to the ground. All Lightning protection systems will comply with current ANSI A300 standard practices for lightning protection systems.

Removals

Remove 4 trees or (7%) of the population (#11, #17, #25, and #48) due to condition or because of their location in relation to other trees to try and prevent competition or damage to infrastructure.

INTRODUCTION

In November 2023, City of Southport, North Carolina retained Bartlett Tree Experts to perform an inventory of trees on the Franklin Square Park site. Team member John Colavecchio visited the site on November 6, 2023 to conduct the inventory.

The inventory included:

- identifying trees and assigning a Tree ID number (Tree ID numbers ranging from 1 to 54);
- identifying the trees' condition, health, and vigor;
- recommending risk evaluations and removals of appropriate trees;
- recommending tree care, soil care, structural support, and pest management treatments to promote tree safety, health, appearance, and longevity; and
- mapping the trees using GPSr hardware and Geographic Information System (GIS) software, and Bartlett Tree Experts' ArborScope™ web-based management system

The methods and procedures we used to make the above determinations and recommendations are detailed in the following sections.

GOALS & OBJECTIVES

An effective management plan communicates clear goals and the specific objectives designed to carry out those goals. We intend "goal" to mean the overall aim or result we expect to achieve for the client in producing the inventory and management plan. The objectives are the specific actions taken or recommended to support goal completion. The table below describes each goal and its corresponding objective(s).

GOALS & OBJECTIVES

GOAL	OBJECTIVES TO ACCOMPLISH GOAL
Establish the tree inventory (per numbers agreed) on the City of Southport - Franklin Square Park Inventory site.	• Using Trimble® DA2 hardware, the Trimble® Catalyst Ecosystem, and ArborScope™ Inventory Management Tools, collect data such as tree name, location, size, age class, and condition class. • Assign a Tree ID number to each tree inventoried.
Provide mechanism for managing inventory, recommendations, and related budget planning.	• Provide map or maps of the inventoried trees to assist the client in managing property areas. • Submit a comprehensive management plan that documents and organizes findings and provides other resources to assist the client in efficient use of the information.
Maximize client understanding and implementation of management plan.	• Include in management plan specific explanations and visuals related to plan recommendations. • Provide appended resources that address health, procedures, and standards related to tree care. • Make periodic contact with client to follow up and answer any questions about the management plan's contents.
Maximize immediate and long-term tree health and aesthetics.	Implement recommended plant-health-care program that uses • integrated pest management • soil care • maintenance pruning
Manage immediate and long-term risk associated with trees in high-use areas.	Implement recommended risk-management measures that include • risk-reduction pruning • required removals • tree structure evaluations

DATA COLLECTION & TREE INSPECTION METHODOLOGY

In conducting the inventory, we used specialized equipment and software and followed specific procedures to determine tree characteristics, risk evaluations, and recommendations. The following explanation will assist the reader in interpreting the findings of this management plan.

Data Collection Equipment & Attribute Data

The Inventory Team used Trimble® DA2 hardware units, Trimble® Catalyst Ecosystem, and Bartlett Tree Experts' ArborScope™ web-based management system to inventory the trees. The attribute data we collected on site are listed below.

- botanical name and regional common name according to local ISA Chapter Tree Species List
- tree location based on GPS coordinate system
- tree ID number
- diameter at breast height (**DBH**)
- canopy radius
- age class
- height class
- condition class
- root zone infringement, based on **dripline** and estimated **grayscale** (e.g., sidewalks) impact on root zone
- infrastructure interaction (between trees and grayscale that may cause an undesirable condition)
- documented *Level 2 Basic assessment* for tree risk where defects or concerns were observed that prompted the need to use the ISA risk matrices in the field resulting in an *overall tree risk rating*
- Tree & Shrub Work phase (based on number of desired management cycles)
- pruning category
- need for and inspection of existing structural support systems
- need for and inspection of existing lightning protection systems
- need for *Level 3 Advanced assessment* for tree risk
- tree removals
- soil care recommendations
- plant health care recommendations
- noted defects/observations
- observed pests/diseases

Specifications/Definitions

Age Class

New Planting	Tree not yet established
Young	Established tree but not in the landscape for many years
Semi-mature	Established tree but has not yet reached full growth potential
Mature	Tree within its full growth potential
Over-mature	Tree that is declining or beginning to decline due to its age

Height Class

Small	Less than 15 feet
Medium	15 to 40 feet
Large	Greater than 40 feet

Condition Class

Dead

Poor Most of the canopy displays dieback and undesirable leaf color, inappropriate leaf size or inadequate new growth. Tree or parts of tree are in the process of failure.

Fair Parts of canopy display undesirable leaf color, inappropriate leaf size, and inadequate new growth. Parts of the tree are likely to fail.

Good Tree health and condition are acceptable.

Tree & Shrub Work Phase

Tree & Shrub Work phase takes into consideration tree species, condition, location, age, and proximity to infrastructure. We intend for this rating system to assist decision makers in prioritizing risk mitigation, tree pruning, cabling and bracing, and tree lightning protection recommendations. *Trees with an ASAP and an overall tree risk rating of extreme or high (see definitions in the next section) should be addressed immediately.* Prioritization does not take into account any budgetary or financial considerations.

Phase 1, 2, 3, 4, and 5 are all based on observations by the inventory arborist according to the manager's goals. The following additional information clarifies each priority:

ASAP Trees with recommendations that should be addressed As Soon As Possible.

Phase 1 Typically addressed in the first management cycle. Trees located in high-use sites, have a high aesthetic value, have an elevated *overall tree risk rating*, and/or parts that are currently in conflict with infrastructure.

Phase 2 Typically addressed in the second management cycle. Trees with moderate aesthetic value, don't have an elevated *overall tree risk rating*, and/or parts that are anticipated to be in conflict with infrastructure.

Phase 3 Typically addressed in the third management cycle. Tree parts that are anticipated to be in conflict with infrastructure and/or recommendations based on anticipated growth.

Phase 4 Typically addressed in the fourth management cycle. Recommendations are for future consideration and anticipated growth.

Phase 5 Typically addressed in the fifth management cycle. Recommendations are for future consideration and anticipated growth.

Pruning Category

All trees identified in this management plan that have tree care recommendations are listed within a specific pruning category. Trees within each pruning category can be prioritized by the specific goals of the manager. It is recommended that specific goals be discussed prior to any pruning.

Risk Mitigation This goal requires pruning of any tree where risk mitigation should take precedence over other pruning goals. Typically aims to reduce the *overall tree risk rating* by branch removal and/or branch reduction.

Maintenance	This goal typically requires routine pruning of large/mature trees. Includes branch removal and/or branch reduction to help reduce <i>likelihood of failure</i> and/or conflict with infrastructure. Trees with this goal are typically climbed or require the use of aerial lifts and/or other specialized equipment.
Developmental	This goal typically requires routine pruning of small/young trees. Includes structural pruning to develop a strong central stem, establish proper branch spacing, and/or develop branch structure.
Ornamental	This goal typically requires pruning of small trees. Includes reduction and/or shearing to its desired shape, size, and/or structure.
Specialized	Trees with this goal require a unique treatment that may include, but not limited to, targeted pruning cuts, removal of nuisance fruit/parasitic plants, and/or rejuvenation/internodal pruning.

* The listed descriptions of goals, tools, and/or techniques are not limited to these definitions. Specific individual goals and species profiles should guide the pruning recommendations.

Tree Risk Assessments, Limitations & Glossary

In accordance with industry standards, tree risk ratings are derived from a combination of three factors: the *likelihood of failure*, the *likelihood of the failed tree part impacting a target*, and the *consequences* of the target being struck. The guidelines used to classify each of these factors are presented in the *ISA's BMP for Tree Risk Assessment* and guidelines developed by the Bartlett Tree Research Laboratories. *These factors are then used to categorize tree risk as Extreme, High, Moderate or Low.* The factors used to define your risk ratings are identified in this report. An explanation of terms used in this report appears in the glossary located in the appendix. The information provided in this report is based on the conditions identified at the time of inspection. Tree conditions do change over time so reassessment is recommended annually and after major storm events.

Limitations of Tree Risk Assessments

It is important for the tree owner or manager to know and understand that all trees pose some degree of risk from failure or other conditions. The information and recommendations within this report have been derived from the level of tree risk assessment identified in this report, using the information and practices outlined in the *International Society of Arboriculture's Best Management Practices for Tree Risk Assessment*, as well as the information available at the time of the inspection. However, the *overall tree risk rating*, the mitigation recommendations, or any other conclusions do not preclude the possibility of failure from undetected conditions, weather events, or other acts of man or nature. Trees can unpredictably fail even if no defects or other conditions are present. It is the responsibility of the tree owner or manager to schedule repeat or *Advanced assessments*, determine actions, and implement follow up recommendations, monitoring and/or mitigation.

Bartlett Tree Experts can make no warranty or guarantee whatsoever regarding the safety of any tree, trees, or parts of trees, regardless of the level of tree risk assessment provided, the risk rating, or the residual risk rating after mitigation. The information in this report

should not be considered as making safety, legal, architectural, engineering, landscape architectural, land surveying advice or other professional advice. This information is solely for the use of the tree owner and manager to assist in the decision making process regarding the management of their tree or trees. Tree risk assessments are simply tools which should be used in conjunction with the owner or tree manager's knowledge, other information and observations related to the specific tree or trees discussed, and sound decision making.

Glossary

Tree risk assessment has a unique set of terms with specific meanings. Definitions of all specific terms may be found in the International Society of Arboriculture's *Best Management Practice for Tree Risk Assessment*. Definitions of some of these terms used in this report are as follows:

The *likelihood of failure* may be categorized as imminent meaning that failure has started or could occur at any time; probable meaning that failure may be expected under normal weather conditions within the next 3 years; possible meaning that failure could occur, but is unlikely under normal weather conditions during that time frame; and improbable meaning that failure is not likely under normal weather conditions, and may not occur in severe weather conditions during that time frame.

The *likelihood of the failed tree part impacting a target* may be categorized as high meaning that a failed tree or tree part will most likely impact a target; medium meaning the failed tree or tree part could impact the target, but is not expected to do so; low meaning that the failed tree or tree part is not likely to impact a target; and very low meaning that the chance of a failed tree or tree part impacting the target is remote.

The *likelihood of failure and impact* is defined by the Likelihood Matrix below.

LIKELIHOOD OF FAILURE AND IMPACT

Likelihood of Failure	Likelihood of Impacting Target			
	Very Low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very Likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

The *consequences* of a known target being struck may be categorized as severe meaning that impact could involve serious personal injury or death, damage to high value property, or disruption to important activities; significant meaning that the impact may involve personal injury, property damage of moderate to high value, or considerable disruption; minor meaning that impact could cause low to moderate property damage, small disruptions to traffic or a communication utility, or minor injury; and negligible meaning that impact may

involve low value property damage, disruption that can be replaced or repaired, and do not involve personal injury.

Targets are people, property, or activities that could be injured, damaged or disrupted by a tree failure.

Levels of assessment 1) *Limited visual assessments* are conducted to identify obvious defects. 2) *Basic assessments* are visual inspections done by walking around the tree looking at the site, buttress roots, trunk and branches. It may include the use of simple tools to gain information about the tree or defects. 3) *Advanced assessments* are performed to provide detailed information about specific tree parts, defects, targets of site conditions. Drilling to detect decay is an advanced assessment technique.

Tree Risk Ratings are terms used to communicate the level of risk rating. They are defined in defined in the Risk Matrix below as a combination of Likelihood and Consequences:

ISA RISK MATRIX

Likelihood of Failure & Impact	Consequences of the Tree Failure			
	Negligible	Minor	Significant	Severe
Very Likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Overall tree risk rating is the highest individual risk identified for the tree. The *residual risk* is the level of risk the tree should pose after the recommended mitigation.

Bartlett Tree Experts can inventory trees that have ropes courses, zip lines, swings, tree houses, or any other life support system attached for several different attributes; however, Bartlett Tree Experts is unable to provide tree risk assessment information on such trees, nor is Bartlett Tree Experts able to determine whether the correct hardware has been used, the systems are attached to the trees correctly, or whether the trees can withstand the additional forces that are placed on the tree or trees from such systems or structures. Bartlett Tree Experts does not recommend that any hardware or structures, other than those recommended by and installed by qualified arborists to aid the tree in structural support or protections from lightning, be installed in or attached to any tree(s). Bartlett Tree Experts recommends removing, or discontinuing the use of, any such system or recreational structure until the Client hires or consults with an engineer/specialist that deals specifically with ropes courses, zip lines, swings, tree houses, or any other life support systems and how they attach to and impact trees to determine if the trees can handle the forces being placed on them.

In the event that Bartlett Tree Experts observes an immediate safety issue with a tree with any such device attached, such as the presence of a dead, dying, or broken limb that could fall and injure a person or damage property, Bartlett Tree Experts may make a recommendation to remove or prune such a limb or otherwise mitigate the obvious safety issue. However, the Client should not infer that following such a recommendation and mitigating the immediate safety issue makes the tree in question safe for the use of the attached device or feature.

TREE RISK ASSESSMENTS AND MITIGATION



TREE RISK ASSESSMENTS AND MITIGATION

In reviewing the results and recommendations, the reader will find useful the specifications and definitions detailed in the preceding methodology. We used the following categories to organize the results and recommendations, which are displayed in tables:

- **Subject Trees Summarized According to:**
 - Tree Risk Assessment Results and Mitigation Recommendations
 - *Level 3 Advanced Assessment* Recommendations

Tree Risk Assessments and Mitigation

As part of the inventory process, the Inventory Team conducts a *Level 2 Basic assessment* from the ground. While every tree poses a risk, typically low, any trees that were found to have conditions that posed a hazardous situation, prompting the arborists to go through the steps outlined in the Tree Risk Assessments, Limitations, and Glossary section of this plan. *Overall Tree Risk Ratings* are then assigned to these trees.

During the *Level 2 Basic assessment* the Regional Inventory Arborist can determine whether some aspect of tree structure or health indicates that a more comprehensive tree structure evaluation, called a *Level 3 Advanced assessment*, is needed to more thoroughly evaluate tree condition and *likelihood of failure*.

In such cases, we may recommend *Level 3 Advanced assessments* of the roots, stem, or crown. These assessments may include climbing inspections, examination of the root system using a compressed-air tool (that avoids damage to roots and underground utilities), resistance-recording drilling, or sonic tomography that produces a visual representation of internal conditions based on how sound moved through the tree. The goal is to use the appropriate method to evaluate impact of wood decay in stems and buttress roots that show potential for failure and to determine presence and condition of the root system. Once those *Level 3 Advanced assessments* are completed, more specific recommendations can be made, such as remediation, maintenance, or removal.



The vertical crack between co-dominant stems on live oak #35 necessitates a *Level 3 Advanced assessment* to more thoroughly assess risk of failure.

The Tree Risk Table below summarizes the inventoried trees that were observed posing a hazardous situation during the course of the inventory, including those trees recommended for *Level 3 Advanced assessments*. The table is organized first by *Overall Tree Risk Rating* (highest to lowest), then by Tree & Shrub Work Phase (ascending order), and finally by Tree ID (ascending order).

TREE RISK ASSESSMENTS AND MITIGATION (54 Trees)

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
19	Oak-Live	32	Fair	Moderate	Building	ASAP	• Prune: Reduce risk of branch stem and/or root failure • LP	• Co-dominant stems • Dead branches >2 • Uneven crown
45 *	Oak-Live	43	Fair	Moderate	Building	ASAP	• <i>Level 3 Advanced Assessment:</i> Crown • <i>Level 3 Advanced Assessment:</i> Stem • <i>Level 3 Advanced Assessment:</i> Root • Prune: Reduce risk of branch stem and/or root failure • LP • Cable: New 2	• Cavity-stem • Dead branches >2 • Uneven crown
8 *	Oak-Live	53	Fair	Moderate	Building	1	• <i>Level 3 Advanced Assessment:</i> Crown • <i>Level 3 Advanced Assessment:</i> Stem • Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • LP	• Cavity-stem • Co-dominant stems • Dead branches <=2

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
10 *	Oak-Live	32	Fair	Low	Bench	ASAP	• Level 3 Advanced Assessment: Crown • Level 3 Advanced Assessment: Stem • Prune: Reduce risk of branch stem and/or root failure	• Cavity-branch • Dead branches >2 • Wound-stem
24 *	Oak-Live	35	Fair	Low	Walking path	ASAP	• Level 3 Advanced Assessment: Crown • Level 3 Advanced Assessment: Stem • Prune: Reduce risk of branch stem and/or root failure	• Cavity-stem • Crack-stem • Uneven crown
31	Oak-Live	47	Fair	Low	Sidewalk	ASAP	• Prune: Reduce risk of branch stem and/or root failure	• Buried root collar • Cavity-stem • Dead branches >2
35 *	Oak-Live	61	Fair	Low	Building	ASAP	• Level 3 Advanced Assessment: Stem • Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • LP • Cable: New 4 • Brace Rod: New 1	• Cavity-stem • Co-dominant stems • Crack-stem • Dead branches >2

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
43 *	Oak-Live	37	Poor	Low	Parking	ASAP	• Level 3 Advanced Assessment: Crown • Level 3 Advanced Assessment: Stem • Level 3 Advanced Assessment: Root • Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • Cable: New 2	• Cavity-stem • Dieback (severe) • Lean
44 *	Oak-Live	36	Fair	Low	Play area	ASAP	• Level 3 Advanced Assessment: Crown • Level 3 Advanced Assessment: Stem • Level 3 Advanced Assessment: Root • Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • Cable: New 2	• Cavity-stem • Dead branches >2
46 *	Oak-Live	34	Fair	Low	Play area	ASAP	• Level 3 Advanced Assessment: Crown • Level 3 Advanced Assessment: Stem • Level 3 Advanced Assessment: Root • Prune: Reduce risk of branch stem and/or root failure • Cable: New 2	• Cavity-stem • Dead branches >2 • Uneven crown

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
48	Oak-Live	28	Poor	Low	Street	ASAP	• Removal	• Cavity-root flare • Cavity-stem • Dead branches >2
1 *	Oak-Live	32	Fair	Low	Sidewalk	1	• <i>Level 3 Advanced Assessment:</i> Stem • Prune: Reduce risk of branch stem and/or root failure	• Cavity-stem • Co-dominant stems • Dead branches >2
2	Oak-Live	42	Fair	Low	Walking path	1	• Prune: Reduce risk of branch stem and/or root failure • LP	• Co-dominant stems • Dead branches >2 • Topping/heading cuts
3 *	Oak-Live	40	Poor	Low	Walking path	1	• <i>Level 3 Advanced Assessment:</i> Stem • Prune: Reduce risk of branch stem and/or root failure	• Cavity-stem • Co-dominant stems • Dead branches >2
4	Oak-Live	39	Good	Low	Parking	1	• Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Dead branches >2 • Uneven crown
5 *	Oak-Live	47	Fair	Low	Sidewalk	1	• <i>Level 3 Advanced Assessment:</i> Crown • <i>Level 3 Advanced Assessment:</i> Stem • Prune: Reduce risk of branch stem and/or root failure • LP	• Co-dominant stems • Crack-stem • Dead branches >2 • Fungi/conks
11	Oak-Live	36	Poor	Low	Walking path	1	• Removal	• Dead/dying stem • Decay-root flare • Uneven crown

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
12	Oak-Live	39	Good	Low	Street	1	• Prune: Reduce risk of branch stem and/or root failure • Prune: Clearance • LP	• Co-dominant stems • Dead branches >2 • Uneven crown
14 *	Oak-Live	47	Fair	Low	Walking path	1	• <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure • LP • RCX	• Cavity-suspected • Co-dominant stems • Dead branches >2
15 *	Oak-Live	29	Fair	Low	Walking path	1	• <i>Level 3 Advanced Assessment: Stem</i> • <i>Level 3 Advanced Assessment: Root</i> • Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Dead branches >2 • Fungi/conks
16 *	Oak-Live	42	Fair	Low	Walking path	1	• <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure • LP • RCX	• Cavity-stem • Co-dominant stems • Dead branches >2 • Uneven crown
18 *	Oak-Live	28	Fair	Low	Walking path	1	• <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Dead branches >2 • Uneven crown
20	Oak-Live	34	Fair	Low	Building	1	• Prune: Reduce risk of branch stem and/or root failure • LP	• Co-dominant stems • Dead branches >2

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
21	Oak-Live	23	Fair	Low	Walking path	1	• Prune: Reduce risk of branch stem and/or root failure	• Cavity-branch • Co-dominant stems • Dead branches >2
22 *	Oak-Live	33	Fair	Low	Building	1	• <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure • LP	• Cavity-suspected • Co-dominant stems • Dead branches >2
25 *	Oak-Live	23	Fair	Low	Walking path	1	• <i>Level 3 Advanced Assessment: Stem</i> • Removal	• Cavity-branch • Co-dominant stems • Dead branches >2 • Uneven crown
29 *	Oak-Live	40	Fair	Low	Walking path	1	• <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure	• Buried root collar • Co-dominant stems • Dead branches >2
30	Oak-Live	47	Good	Low	Building	1	• Prune: Reduce risk of branch stem and/or root failure • Prune: Clearance • LP	• Buried root collar • Co-dominant stems • Dead branches >2
32	Oak-Live	56	Good	Low	Building	1	• Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • RCX • Cable: New 3	• Buried root collar • Co-dominant stems • Dead branches >2
34	Oak-Live	36	Fair	Low	Walking path	1	• Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • LP	• Co-dominant stems • Dead branches >2 • Uneven crown

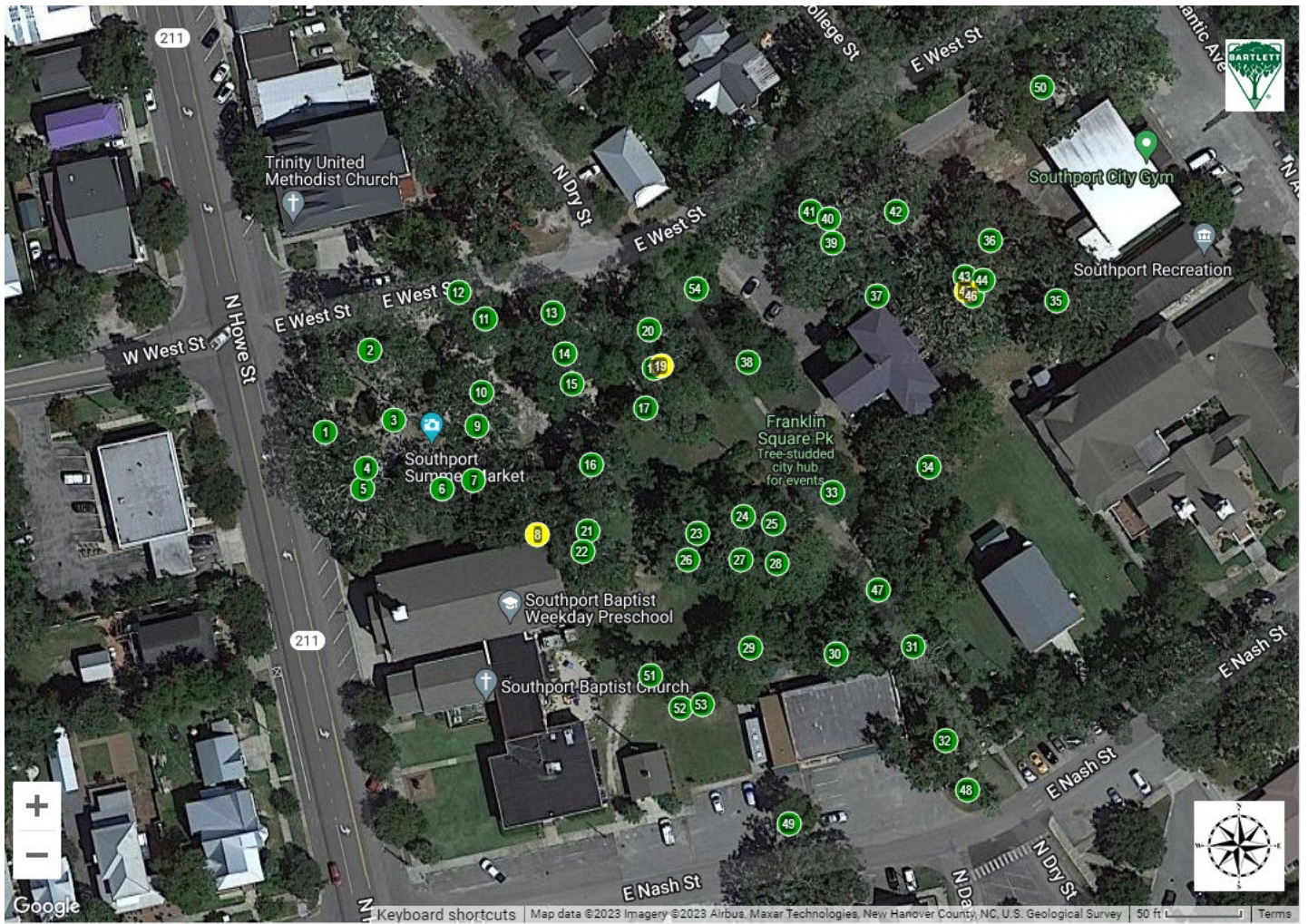
Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
36	Oak-Live	40	Fair	Low	Play area	1	• Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends	• Cavity-stem • Co-dominant stems • Dead branches >2
37	Oak-Live	32	Fair	Low	Parking	1	• Prune: Reduce risk of branch stem and/or root failure • Prune: Clearance • LP	• Co-dominant stems • Dead branches >2 • Pavement/curbing damage
39 *	Oak-Live	40	Fair	Low	Parking	1	• <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Dieback (moderate) • Pavement/curbing damage
40 *	Oak-Live	28	Fair	Low	Street	1	• <i>Level 3 Advanced Assessment: Crown</i> • <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • RCX	• Fungi/conks • Storm damage • Wound-stem
41	Oak-Live	27	Fair	Low	Parking	1	• Prune: Reduce risk of branch stem and/or root failure • RCX	• Buried root collar • Dead branches >2 • Poor branch structure
42	Oak-Live	41	Fair	Low	Driveway	1	• Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Dead branches >2
49 *	Oak-Sand Live	33	Fair	Low	Parking	1	• <i>Level 3 Advanced Assessment: Stem</i> • Prune: Reduce risk of branch stem and/or root failure	• Buried root collar • Co-dominant stems • Dead branches >2

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
50 *	Oak-Live	53	Fair	Low	Street	1	• Level 3 Advanced Assessment: Stem • Prune: Reduce risk of branch stem and/or root failure	• Cavity-stem • Co-dominant stems • Dead branches >2
6	Oak-Live	33	Fair	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Crack-branch • Dead branches >2
7	Oak-Live	34	Fair	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends	• Co-dominant stems • Dead branches >2 • Overextended branch
9	Oak-Live	32	Fair	Low	Bench	2	• Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Dead branches >2
13	Oak-Live	12	Good	Low	Parking	2	• Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends	• Poor branch structure
23	Oak-Live	30	Fair	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure • RCX	• Cavity-stem • Co-dominant stems • Dead branches >2
26	Oak-Live	24	Fair	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure	• Cavity-stem • Uneven crown
27	Oak-Live	26	Fair	Low	Walking path	2	• Prune • RCX	• Cavity-root • Cavity-suspected • Co-dominant stems • Lean
28	Oak-Live	29	Fair	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure • RCX	• Co-dominant stems • Dead branches >2 • Lean • Uneven crown

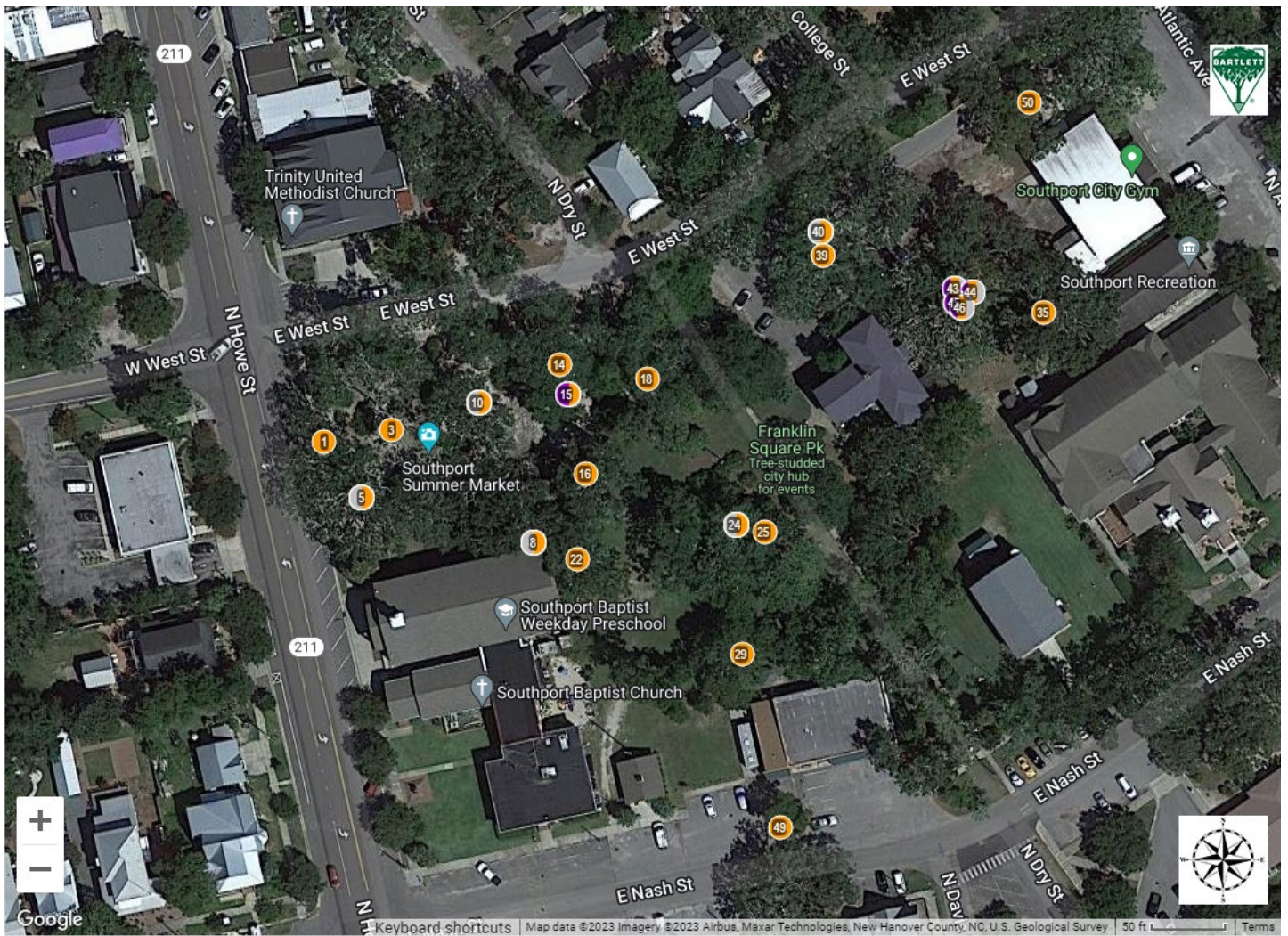
Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Primary Target	Tree & Shrub Work Phase	Recommendation	Defect(s) or Observation(s)
33	Oak-Live	21	Good	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure	• Buried root collar • Co-dominant stems
38	Oak-Live	26	Good	Low	Sidewalk	2	• Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Girdling roots present (moderate) • Sidewalk lifting-minor
47	Cherry-Black	11,8,8	Fair	Low	Sidewalk	2	• Prune: Reduce risk of branch stem and/or root failure	• Co-dominant stems • Dead branches >2
51	Pecan	24	Fair	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure • Prune: Reduce weight of branch ends • RCX	• Co-dominant stems • Dead branches >2
52	Oak-Live	8	Good	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure	• Poor branch structure
53	Oak-Live	7	Good	Low	Walking path	2	• Prune: Reduce risk of branch stem and/or root failure	• Poor branch structure
54	Oak-Laurel	32	Fair	Low	Sidewalk	3	• Prune: Reduce risk of branch stem and/or root failure • Prune: Clearance • Cable: New 1	• Co-dominant stems • Dead branches >2
17	Oak-Live	34	Fair	Low	Walking path	...	• Removal	• Decay-stem • Dieback (moderate) • Wound-stem

*Tree has a Mitigation Recommendation and a *Level 3 Advanced Assessment* Recommendation. Outcome of the *Level 3 Advanced assessment* will guide the final recommendations.

INVENTORIED TREES ASSIGNED *OVERALL TREE RISK RATINGS* AT THE TIME OF DATA COLLECTION



INVENTORIED TREES RECOMMENDED FOR *LEVEL 3 ADVANCED ASSESSMENTS*



STAND DYNAMICS RESULTS



STAND DYNAMICS RESULTS

In reviewing the results and recommendations, the reader will find useful the specifications and definitions detailed in the preceding methodology above. We used the following categories to organize the stand dynamics results, which are displayed in tables:

- **Subject Trees Summarized According to:**
 - Tree Species Identified
 - Condition Class
 - Age Class
 - Tree Size per DBH
 - Estimated Tree Asset Value
 - Tree Location Value

Where appropriate, we have included explanations, photos, drawings, or other information to illuminate the table contents.

Stand Dynamics

Tree Species Identified

Our inventory revealed 5 species of trees, as detailed in the following table:

TREE SPECIES IDENTIFIED

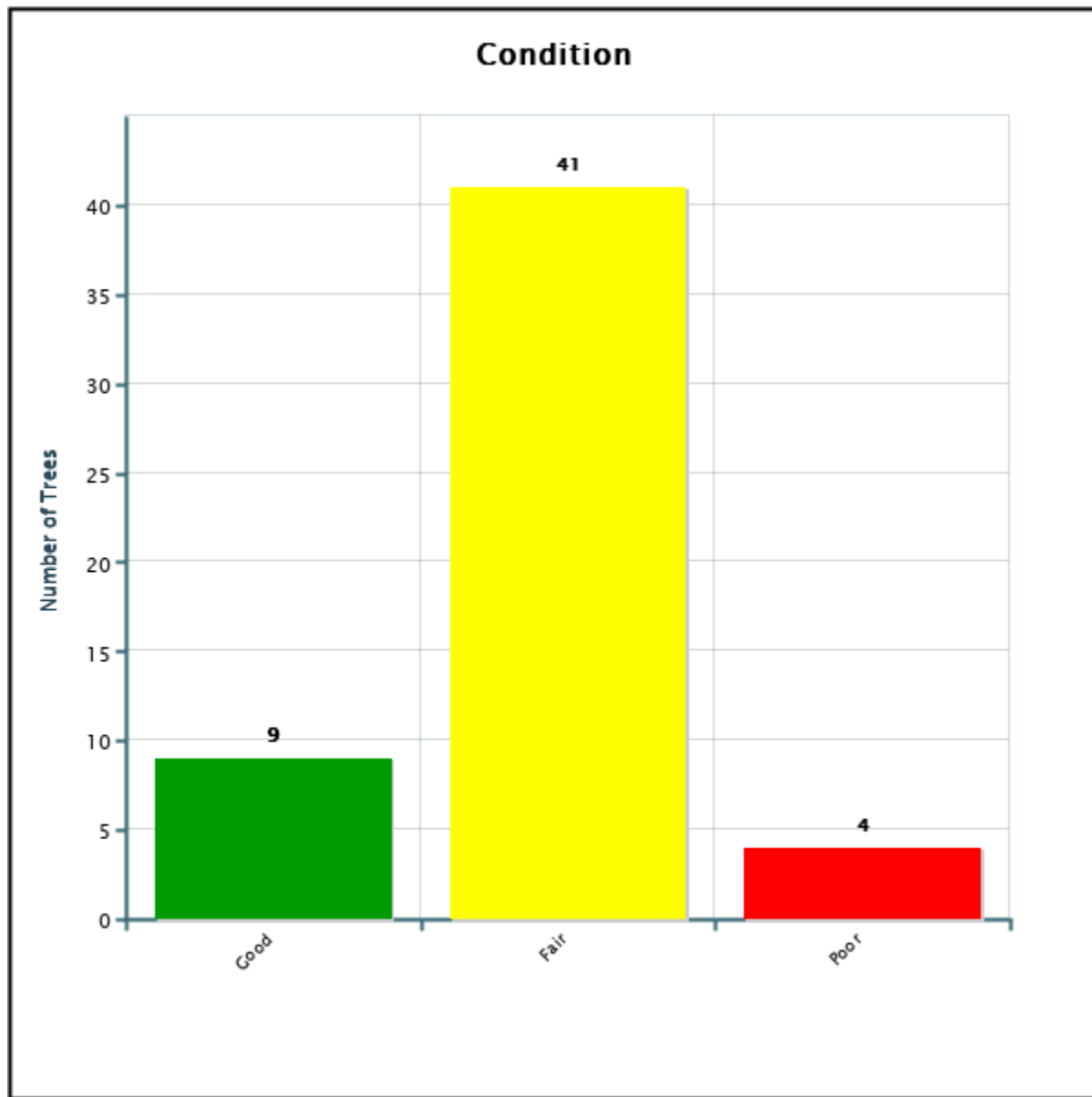
Genus	Species	Common Name	Count	% Distribution Total
<i>Carya</i>	<i>illinoensis</i>	Pecan	1	2%
<i>Prunus</i>	<i>serotina</i>	Cherry-Black	1	2%
<i>Quercus</i>	<i>geminata</i>	Oak-Sand Live	1	2%
	<i>hemisphaerica</i>	Oak-Laurel	1	2%
	<i>virginiana</i>	Oak-Live	50	93%
Quercus Total			52	96%
Grand Total			54	100%

Condition Class

The breakdown of tree condition follows:

CONDITION CLASS BREAKDOWN

Condition Class	Quantity	% of Total
Good	9	17%
Fair	41	76%
Poor	4	7%



INVENTORIED TREES BY CONDITION CLASS

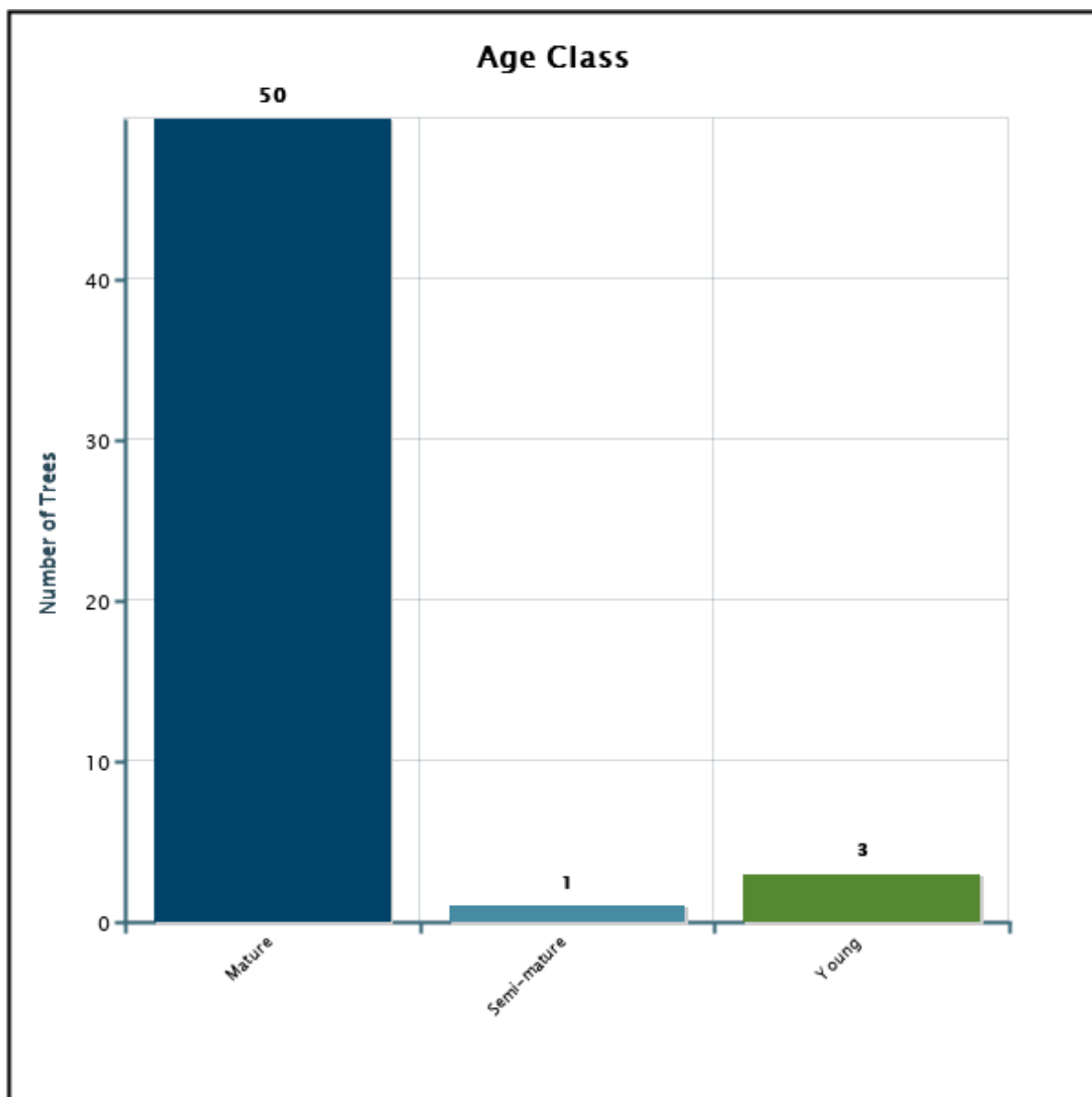


Age Class

The breakdown of tree age class follows:

AGE CLASS BREAKDOWN

Age Class	Quantity	% of Total
Mature	50	93%
Semi-mature	1	2%
Young	3	6%

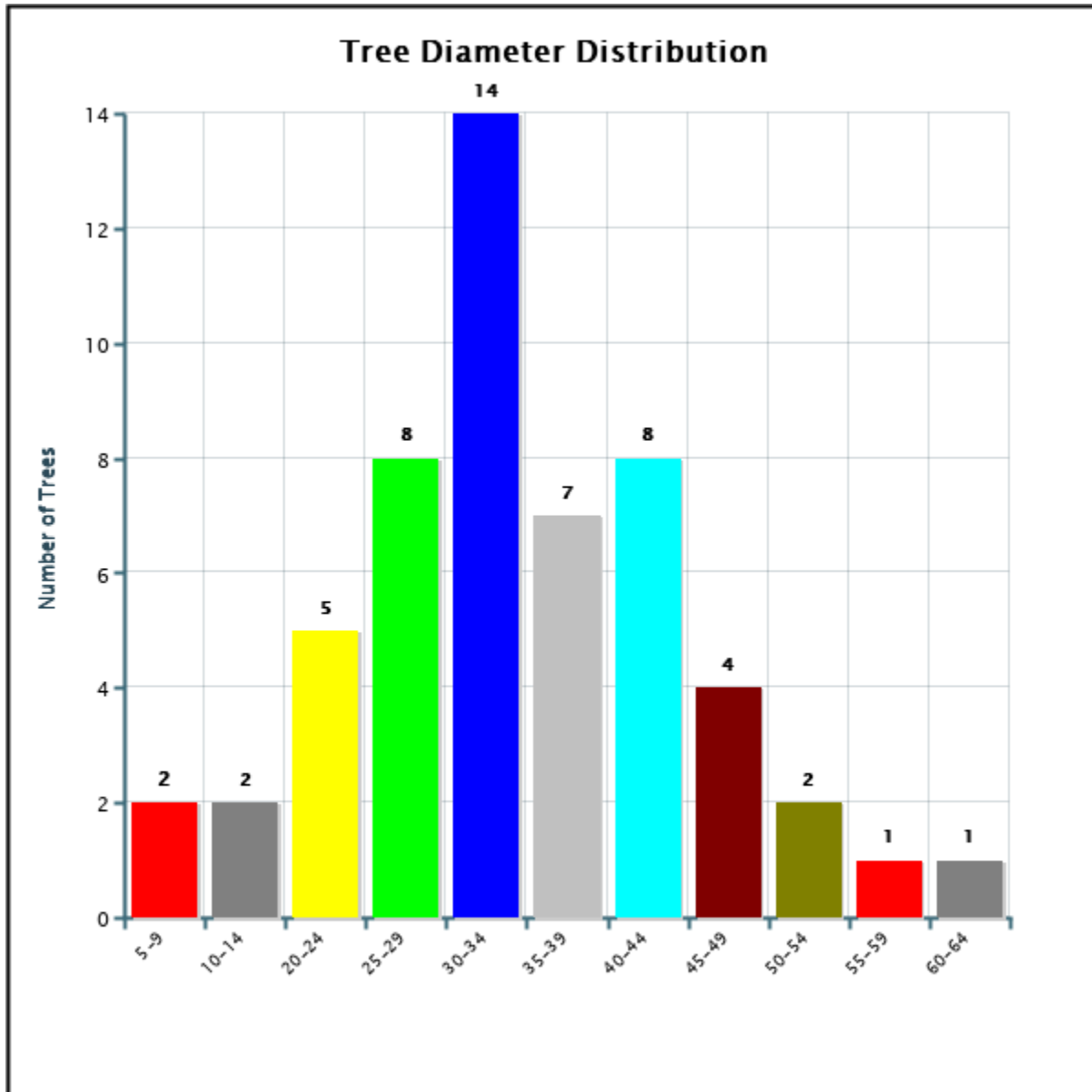


INVENTORIED TREES BY AGE CLASS



Tree Size (DBH)

The following chart illustrates numbers of trees according to size per DBH:



Estimated Tree Asset Value

As part of the Bartlett inventory process, we have included an Estimated Tree Asset Value for each tree and a cumulative total for all trees inventoried. We use an average per square inch nursery price, size (DBH), species factor, condition factor, and location factor to estimate the tree asset value. This is not intended to replace a tree appraisal.

The following data fields are used in this formula:

Data Field	Description
Average Per Square Inch Nursery Price	Based on the average nursery prices for two common tree species and one exotic tree species within a region, then taking the average of those three as the average per square inch price for the region
Size	Based on tree DBH (4.5 feet above grade)
Species Factor	Relative species desirability based on 100% for the tree in that geographical location. In most cases, species desirability ratings, published by the International Society of Arboriculture, are used for adjustment.
Condition Factor	Rating of the tree's structure and health based on 100%
Location Factor	Average rating for the site and the tree's contribution and placement, based on 100%

$$\text{Estimated Tree Asset Value} = (\text{Average Per Square Inch Nursery Price} * \text{Size}) * \text{Species Factor} * \text{Condition Factor} * \text{Location Factor}$$

The estimated cumulative total value for all trees inventoried is **\$1,052,981.00**. The following table lists the ten trees with the highest Tree Asset Values:

TOP TEN TREES - HIGHEST ESTIMATED TREE ASSET VALUE

Tree ID	Common Name	Genus	Species	DBH	Tree Asset Value
32	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	56	\$52,617.00
30	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	\$43,165.00
35	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	61	\$40,829.00
8	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	53	\$35,463.00
50	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	53	\$35,463.00
4	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	39	\$33,388.00
12	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	39	\$33,388.00
5	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	\$30,832.00
14	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	\$30,832.00
31	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	\$30,832.00

TOP TEN TREES - HIGHEST TREE ASSET VALUE



RECOMMENDATIONS



RECOMMENDATIONS

In reviewing the results and recommendations, the reader will find useful the specifications and definitions detailed in the preceding methodology. We used the following categories to organize the results and recommendations, which are displayed in tables:

Recommendations

- Soil Care
- Root Collar Excavation
- Plant Health Care
- Tree Pruning
- Structural Support Systems
- Lightning Protection Systems
- Tree Removal

Soil Care

Healthy soil is critical to the health and longevity of trees. Soil provides trees with the essential nutrients required for their growth. Many secondary problems such as reduced vigor, inadequate growth, branch dieback, and pest or disease concerns are related to the primary stress of poor soil conditions. Undisturbed, native forest soils generally contain adequate levels of organic matter, soil microbes, and nutrients. Urban, suburban, and landscape soils (as opposed to forest soils) usually lack these qualities, and are often compacted. In many cases, trees in a landscaped environment suffer from inadequate soil fertility, soil compaction, root zone competition with turf grasses, and inadequate total soil volume. Soil Care treatments should be applied as soon as possible, therefore they do not have a Tree & Shrub Work phase.

Bartlett Tree Experts recommends several procedures and treatments that address soil quality. Taking soil samples is perhaps the most important. Proper tree care cannot be initiated unless it is known what type of soil environment the trees are growing in. Soil testing results can help to create a path forward for improved tree health. We address some of these below.

Soil Sampling

Collecting soil samples and having them tested helps determine nutrients that may be lacking, unfavorable soil pH values, and adequacy of soil organic matter. Laboratory tests and analyses can determine the need for soil amendments.

Bulk Density

Compacted soils are regrettably common in the urban setting. A bulk density test, which requires an undisturbed core sample, measures the level of soil compaction. Arborists can

use the results to diagnose problems or to determine what size holes to dig for planting. If soil density exceeds a measured threshold for a given soil type and tree species, we recommend Bartlett's Root Invigoration™ program.

Soil Rx®

Bartlett's Soil Rx® program, which is a prescription soil amendment program, aims to correct nutrient deficiencies and optimize soil conditions for designated trees.

Root Invigoration™

The aim of Bartlett's patented Root Invigoration™ Program is to improve soil conditions by addressing soil compaction and promoting efficient root growth, especially for high-value trees in disturbed areas. The process includes taking soil samples to determine what nutrients are deficient, performing a root collar excavation, "air-tilling" a portion of the root zone to find fine roots, incorporating organic matter, applying soil amendments (based on soil sample), and applying mulch. The area of the root system treated can vary by tree. For the Root Invigoration™ Program to be successful, proper watering techniques must be employed after the process is complete.



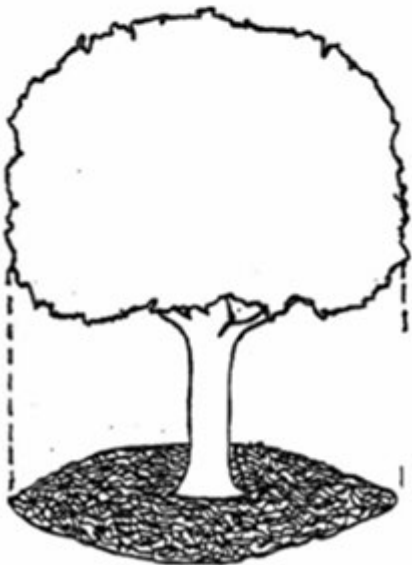
Left: Live oak #13 recommended for Root Invigoration™.

Mulch Application

Proper mulching (top left and bottom left) provides many benefits to trees and shrubs. It moderates soil temperatures, reduces soil moisture loss, reduces soil compaction, provides nutrients, and improves soil structure. This practice results in more root growth and healthier plants. The image on the top right illustrates root growth density under grass versus mulch. Mulch is frequently applied incorrectly (bottom right), so we recommend that readers inspect the technical report on mulch application guidelines that appears in the Appendix.



Example of how mulch should be installed, 2-4 inches thick and not against the trunk.



Example of how mulch should be applied from the trunk to the dripline.



Example of root density under grass versus mulch.



Example of improper mulch application, known as "volcano mulch".

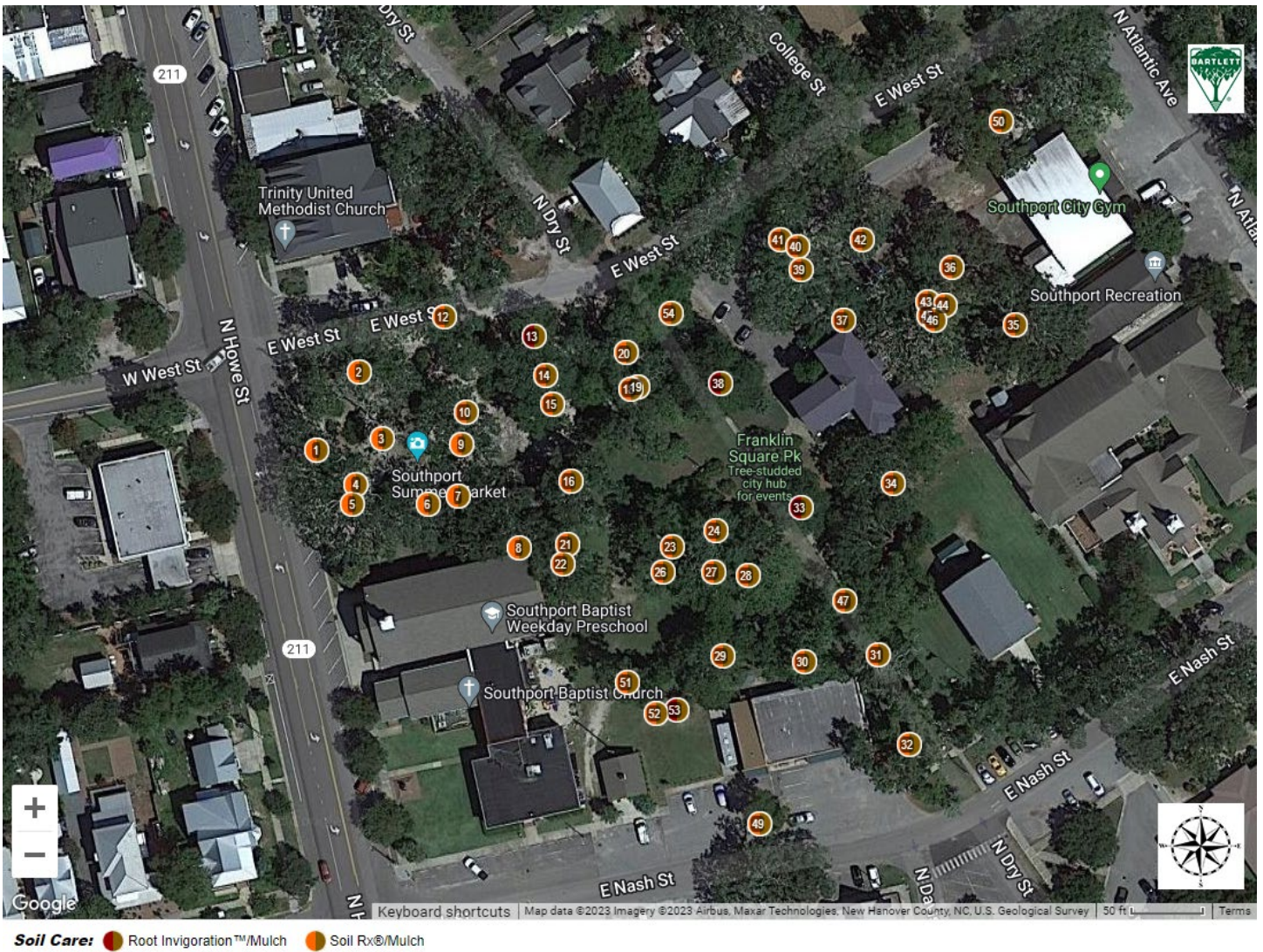
The following inventoried trees are recommended for soil care because of possible nutrient deficiencies, soil compaction, or inadequate soil conditions:

INVENTORIED TREES RECOMMENDED FOR SOIL CARE (54 Trees)

Tree ID	Common Name	DBH	Soil Care	Mulch Recommended
1	Oak-Live	32	• Soil Rx ®	Yes
2	Oak-Live	42	• Soil Rx ®	Yes
3	Oak-Live	40	• Soil Rx ®	Yes
4	Oak-Live	39	• Soil Rx ®	Yes
5	Oak-Live	47	• Soil Rx ®	Yes
6	Oak-Live	33	• Soil Rx ®	Yes
7	Oak-Live	34	• Soil Rx ®	Yes
8	Oak-Live	53	• Soil Rx ®	Yes
9	Oak-Live	32	• Soil Rx ®	Yes
10	Oak-Live	32	• Soil Rx ®	Yes
11	Oak-Live	36	• Soil Rx ®	...
12	Oak-Live	39	• Soil Rx ®	Yes
13	Oak-Live	12	• Root Invigoration™	Yes
14	Oak-Live	47	• Soil Rx ®	Yes
15	Oak-Live	29	• Soil Rx ®	Yes
16	Oak-Live	42	• Soil Rx ®	Yes
17	Oak-Live	34	• Soil Rx ®	...
18	Oak-Live	28	• Soil Rx ®	Yes
19	Oak-Live	32	• Soil Rx ®	Yes
20	Oak-Live	34	• Soil Rx ®	Yes
21	Oak-Live	23	• Soil Rx ®	Yes
22	Oak-Live	33	• Soil Rx ®	Yes
23	Oak-Live	30	• Soil Rx ®	Yes
24	Oak-Live	35	• Soil Rx ®	Yes
25	Oak-Live	23	• Soil Rx ®	...
26	Oak-Live	24	• Soil Rx ®	Yes
27	Oak-Live	26	• Soil Rx ®	Yes
28	Oak-Live	29	• Soil Rx ®	Yes
29	Oak-Live	40	• Soil Rx ®	Yes
30	Oak-Live	47	• Soil Rx ®	Yes
31	Oak-Live	47	• Soil Rx ®	Yes
32	Oak-Live	56	• Soil Rx ®	Yes
33	Oak-Live	21	• Root Invigoration™	Yes
34	Oak-Live	36	• Soil Rx ®	Yes
35	Oak-Live	61	• Soil Rx ®	Yes
36	Oak-Live	40	• Soil Rx ®	Yes
37	Oak-Live	32	• Soil Rx ®	Yes
38	Oak-Live	26	• Root Invigoration™	Yes
39	Oak-Live	40	• Soil Rx ®	Yes

Tree ID	Common Name	DBH	Soil Care	Mulch Recommended
40	Oak-Live	28	• Soil Rx ®	Yes
41	Oak-Live	27	• Soil Rx ®	Yes
42	Oak-Live	41	• Soil Rx ®	Yes
43	Oak-Live	37	• Soil Rx ®	Yes
44	Oak-Live	36	• Soil Rx ®	Yes
45	Oak-Live	43	• Soil Rx ®	Yes
46	Oak-Live	34	• Soil Rx ®	Yes
47	Cherry-Black	11,8,8	• Soil Rx ®	Yes
48	Oak-Live	28	• Soil Rx ®	...
49	Oak-Sand Live	33	• Soil Rx ®	Yes
50	Oak-Live	53	• Soil Rx ®	Yes
51	Pecan	24	• Soil Rx ®	Yes
52	Oak-Live	8	• Soil Rx ®	Yes
53	Oak-Live	7	• Root Invigoration ™	Yes
54	Oak-Laurel	32	• Soil Rx ®	Yes

INVENTORIED TREES RECOMMENDED FOR SOIL CARE



Root Collar Excavation

Excavating the root collar is necessary for trees whose buttress roots are covered by excess soil or mulch. Buried root collars can contribute to tree health problems, including girdling roots, basal cankers, and masking root and lower stem decay. Trees in the root collar excavation table do not have a Tree & Shrub Work phase and should be completed as soon as possible. The top image shows a buried root collar and the bottom image shows an exposed root collar.



Example of a buried root collar.



Example of an exposed root collar.

Girdling Roots

Girdling roots (top left and right) restrict water and nutrient movement throughout the tree. If left untreated they can cause the tree to decline, fail (bottom), and eventually die in severe cases. Girdling roots should be removed as soon as possible, unless removal of roots will significantly impact the condition or stability of the tree. In some cases, the presence of significant or severe girdling roots may cause the tree to be recommended for removal.



Examples of girdling roots.



Example of tree failure from girdling roots.

The following trees are recommended for a root collar excavation:

INVENTORIED TREES RECOMMENDED FOR A ROOT COLLAR EXCAVATION (9 Trees)

Tree ID	Common Name	DBH	<i>Overall Tree Risk Rating</i>	Root Collar Observation
14	Oak-Live	47	Low	• Buried root collar
16	Oak-Live	42	Low	• Buried root collar
23	Oak-Live	30	Low	• Buried root collar
27	Oak-Live	26	Low	• Buried root collar
28	Oak-Live	29	Low	• Buried root collar
32	Oak-Live	56	Low	• Buried root collar
40	Oak-Live	28	Low	• Buried root collar
41	Oak-Live	27	Low	• Buried root collar
51	Pecan	24	Low	• Buried root collar

INVENTORIED TREES RECOMMENDED FOR A ROOT COLLAR EXCAVATION



Plant Health Care

The Inventory Team also recommends Plant Health Care (PHC) programs for trees in the formal landscape. In addition, an Integrated Pest Management (IPM) program monitors for potentially damaging insects, diseases and cultural problems that are often seasonal and may not have been evident during our inventory visit. Plant Health Care treatments should be applied as soon as possible, therefore they do not have a Tree & Shrub Work phase. These pests and diseases include, but are not limited to, the following:

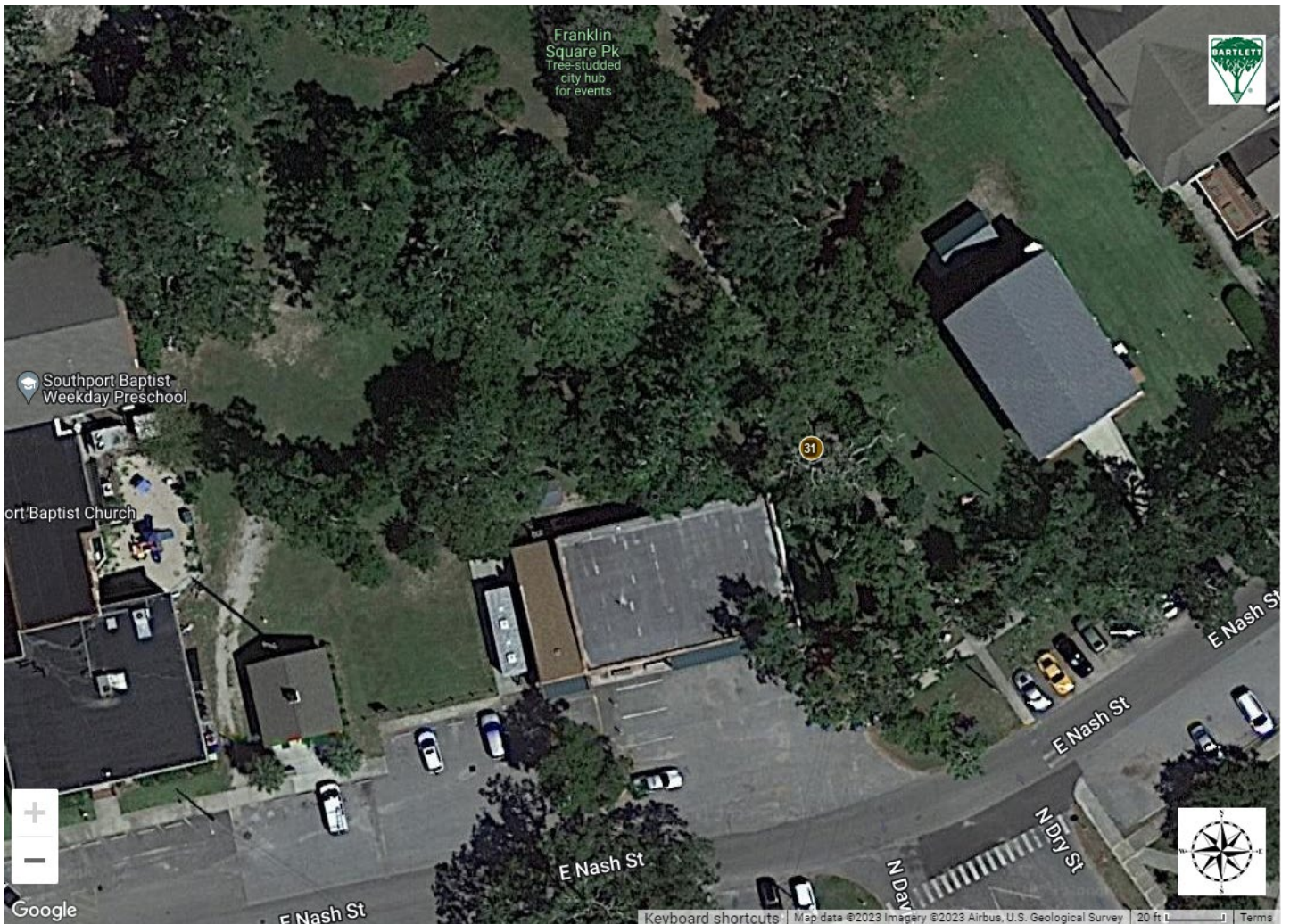
- Boring Insects - on live oak #31

We identified pests or diseases and/or provided plant health care recommendations on the following inventoried tree at the time of the inventory:

INVENTORIED TREES IDENTIFIED FOR PLANT HEALTH CARE (1 Tree)

Tree ID	Common Name	DBH	Plant Health Care	Pest(s) or Disease(s)
31	Oak-Live	47	• Borer treatment	• Stem boring insect

INVENTORIED TREES IDENTIFIED FOR PLANT HEALTH CARE



Tree Pruning

A commonly offered service among tree companies, pruning trees is one of the most poorly executed practices by tree workers who lack training in the basics of tree biology. "Lion's tailing," topping, and flush cuts are a few examples, and these can lead to hazardous conditions over time.

Because this practice is so misunderstood, and because specific standards exist to perform pruning correctly, the Inventory Team decided to include some explanation in the main body of this management plan.

Tree owners and tree-care practitioners should always keep in mind that any pruning cut is a wound. Informed tree-care professionals have learned to manage that wounding to preserve the health, safety, and integrity of the tree.

Improper Pruning Practices

A few of the most common pruning abuses are:

- **Lion's Tailing** - pruning that removes interior branches along the stem and scaffold branches. This encourages poor branch taper, poor wind load distribution, and risk of branch failure. It also deprives the tree of foliage it needs to produce **photosynthates**. See next page, top left.
- **Topping** - pruning cuts that reduce a tree's size by using heading cuts that shorten branches to a predetermined size. Topping substantially reduces the functional benefits a tree is capable of providing and predisposes trees to structural defects that can contribute to failures in the future. It also reduces the value of the trees substantially and deprives the tree of adequate foliage. See next page, top right.
- **Flush Cuts** - pruning cut through the **branch collar**, flush against the trunk or parent stem, causing unnecessary injury. See next page, bottom.
- **Using Climbing Spikes Inappropriately** - Using climbing spikes on a healthy tree, for example, wounds healthy stem tissues and can lead to infection by fungal pathogens.



Example of Lion's tailing.



Examples of topping.



Examples of flush cuts.

Pruning with a Goal

Below are illustrations of common pruning goals:



Illustration of improving airflow to reduce disease.



Illustration of branch weight reduction.

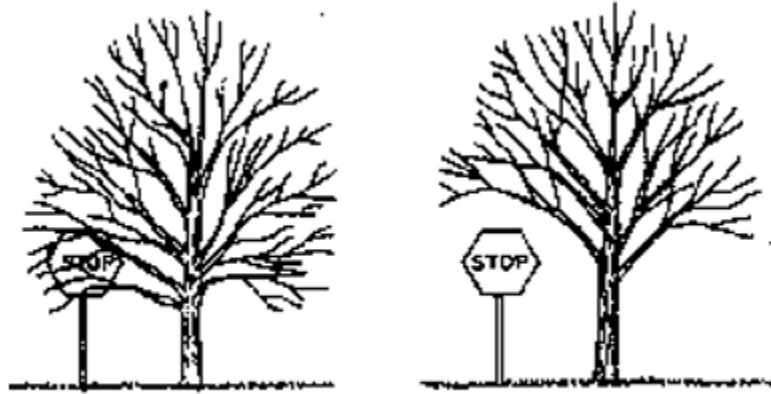


Illustration of raising branch elevation to improve clearance.

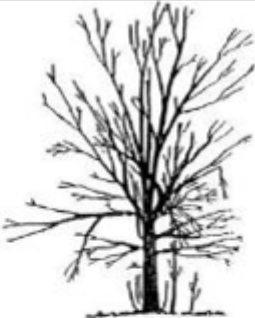
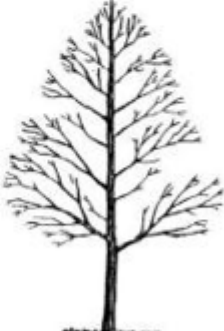
Without Development of Central Leader				
	At Planting	2-4 Years	5-7 Years	8-10 Years
With Development of Central Leader				
	At Planting	2-4 Years	5-7 Years	8-10 Years

Illustration of promoting a strong central leader.

Pruning Category

All trees identified in this management plan that have pruning recommendations are listed with a specific pruning category. The listed order of these pruning categories are typical to most managers. Trees within each category are prioritized by the specific goals of most managers. It is recommended that specific goals be discussed with your local Bartlett Arborist Representative. Pruning categories are separated into individual tables below where each table lists specific arboricultural pruning goals and recommendations for each tree.

Risk Mitigation Pruning

Any tree identified with a Risk Mitigation Pruning category to reduce the *Overall Tree Risk Rating*, was previously summarized in the Tree Risk Assessments and Mitigation section earlier in the document.

Maintenance Pruning

This goal typically requires routine pruning of large/mature trees. Includes branch removal and/or branch reduction to help reduce *likelihood of failure* and/or conflict with infrastructure. Trees with these goals are typically climbed or require the use of aerial lifts and/or other specialized equipment.

At the time of inventory, no trees were recommended for maintenance pruning. However, we recommend close monitoring of trees for changes in condition, especially after weather events not considered normal for the area.

Developmental Pruning

This goal typically requires routine pruning of small/young trees. Includes structural pruning to develop a strong central stem, establish proper branch spacing, and/or develop branch structure.

At the time of inventory, no trees were recommended for developmental pruning. However, we recommend close monitoring of trees for changes in condition, especially after weather events not considered normal for the area.

Ornamental Pruning

This goal typically requires pruning of small trees. Includes reduction and/or shearing to its desired shape, size, and/or structure.

At the time of inventory, no trees were recommended for ornamental pruning. However, we recommend close monitoring of trees for changes in condition, especially after weather events not considered normal for the area.

Specialized Pruning

Trees with this goal require a unique treatment that may include, but not limited to, targeted pruning cuts, removal of nuisance fruit/parasitic plants, and/or rejuvenation/internodal pruning.

At the time of inventory, no trees were recommended for specialized pruning. However, we recommend close monitoring of trees for changes in condition, especially after weather events not considered normal for the area.

Structural Support Systems

Structural support systems can reduce risk of tree or tree part(s) failure by limiting movement of stems or branches in certain situations. Examples include co-dominant stems or overextended branches with heavy foliage loads.

Cabling

Cabling is the process of connecting two or more upright stems to one another to add stability and reduce the *likelihood of failure*. In some instances, a lateral branch may be secured to the central leader using a cabling system to support the weight of the branch.

Bracing

Bracing is the process of securing the union of two co-dominant stems using high strength steel rods to alleviate stresses at the union and reduce the *likelihood of failure*. Bracing may also be used to reinforce trees that have a partial failure and are likely to benefit from bracing.

Guying

Guying is the process of anchoring a tree's stem to the ground or another immovable object to reduce the likelihood of root failure. Guying can be temporary or permanent and is most often used for establishing a tree in the landscape.

Propping

Propping is the process of using rigid structures that are built on or into the ground to help support the trunk or branch(s) that are oriented near the ground in a horizontal position to reduce the *likelihood of failure* from the weight or defect of the tree part being supported.



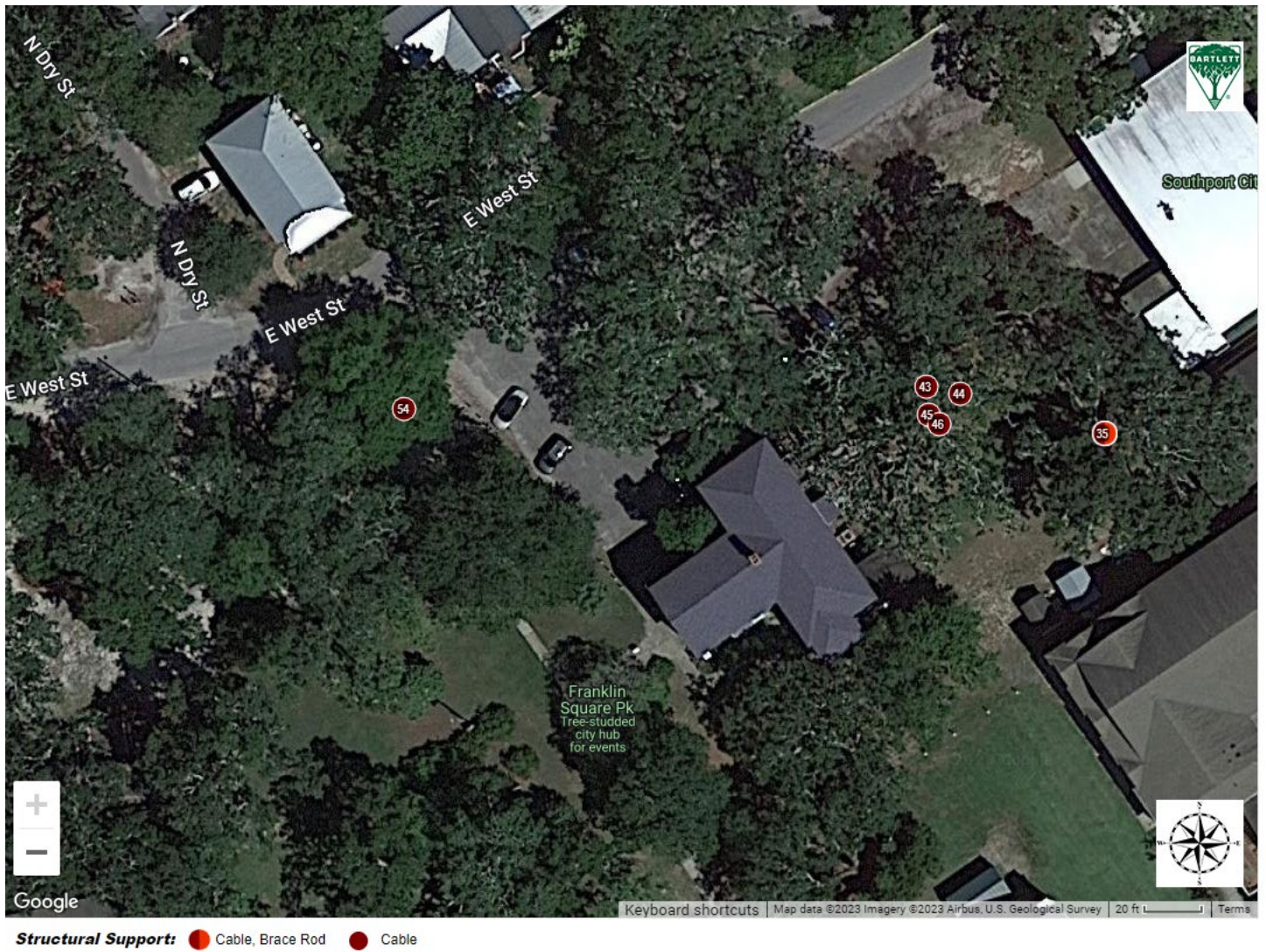
Live oak #32 recommended for support cable due to co-dominant stems.

The following table lists all inventoried trees with structural support system recommendations:

INVENTORIED TREES WITH STRUCTURAL SUPPORT SYSTEM RECOMMENDATIONS (7 Trees)

Tree ID	Common Name	DBH	<i>Overall Tree Risk Rating</i>	Tree & Shrub Work Phase	Structural Support
32	Oak-Live	56	Low	1	• Cable: Yes
35	Oak-Live	61	Low	ASAP	• Cable: Yes • Brace Rod: New 1
43	Oak-Live	37	Low	ASAP	• Cable: Yes
44	Oak-Live	36	Low	ASAP	• Cable: Yes
45	Oak-Live	43	Moderate	ASAP	• Cable: Yes
46	Oak-Live	34	Low	ASAP	• Cable: Yes
54	Oak-Laurel	32	Low	3	• Cable: Yes

INVENTORIED TREES WITH STRUCTURAL SUPPORT SYSTEM RECOMMENDATIONS



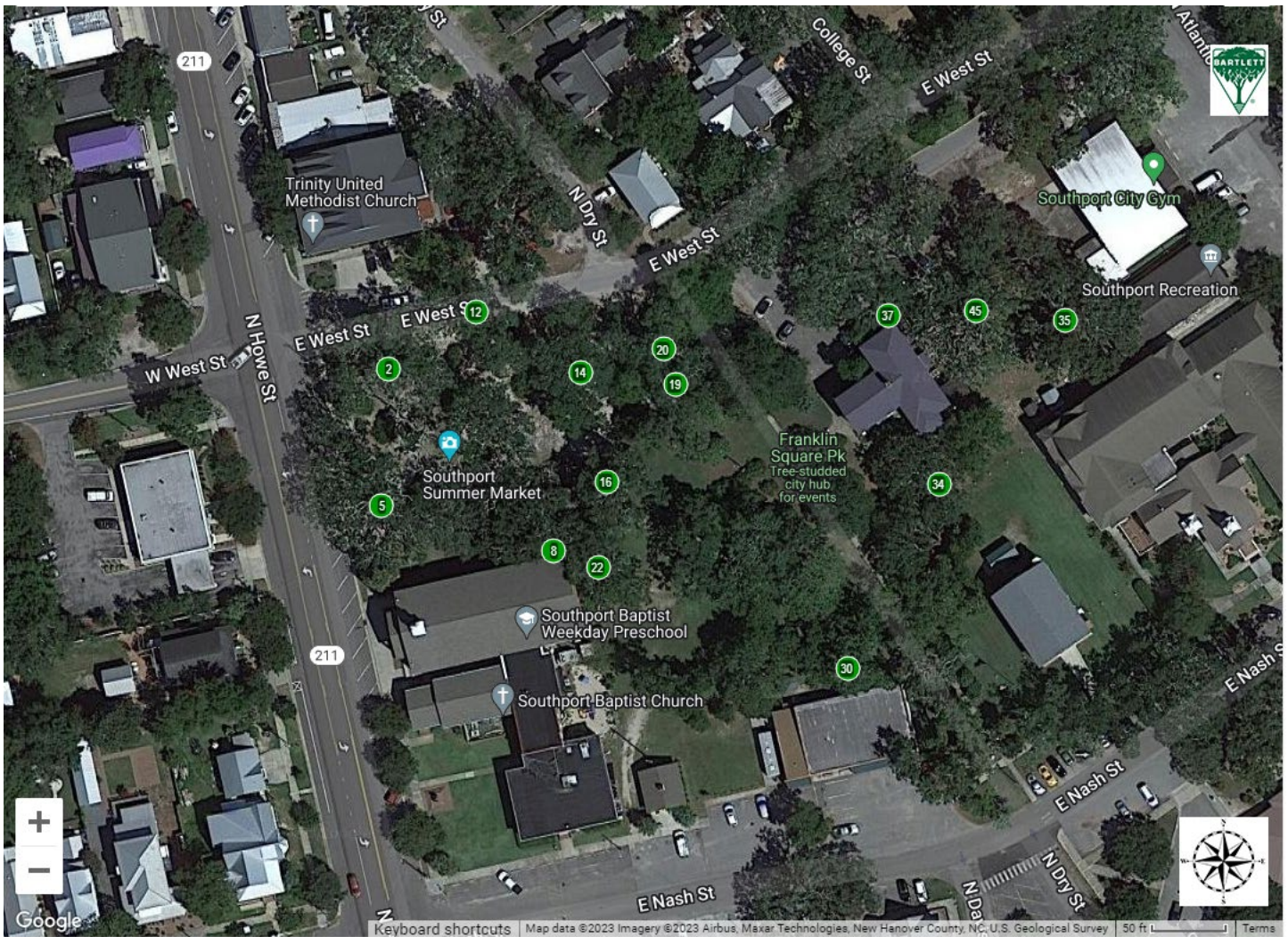
Lightning Protection Systems

Lightning strikes kill many people each year and can cause significant damage to objects on the property. Lightning protection systems are designed to provide a preferred path for lightning to the ground in a manner that minimizes tree damage; adjacent tree damage; and also to buildings, property, animals, and people near the tree. Tree species that are naturally more susceptible to lightning strikes, valuable to the landscape, and trees that are within 10 feet of, taller than, or have limbs that are extending over a structure are recommended for lightning protection systems due to the possibility of damage, "sideflashes", and step voltage.

INVENTORIED TREES WITH LIGHTNING PROTECTION SYSTEM RECOMMENDATIONS (14 Trees)

Tree ID	Common Name	DBH	Overall Tree Risk Rating	Tree & Shrub Work Phase	Lightning Protection
2	Oak-Live	42	Low	1	New
5	Oak-Live	47	Low	1	New
8	Oak-Live	53	Moderate	1	New
12	Oak-Live	39	Low	1	New
14	Oak-Live	47	Low	1	New
16	Oak-Live	42	Low	1	New
19	Oak-Live	32	Moderate	ASAP	New
20	Oak-Live	34	Low	1	New
22	Oak-Live	33	Low	1	New
30	Oak-Live	47	Low	1	New
34	Oak-Live	36	Low	1	New
35	Oak-Live	61	Low	ASAP	New
37	Oak-Live	32	Low	1	New
45	Oak-Live	43	Moderate	ASAP	New

INVENTORIED TREES WITH LIGHTNING PROTECTION SYSTEM RECOMMENDATIONS



Tree Removal

In some cases, the inspector may determine need for removal while assessing the tree. Trees may be recommended for removal during the inventory for several reasons:

- The tree is dead;
- The tree is in poor condition and thought to be beyond rehabilitation;
- The tree is over-mature and will continue to decline in condition;
- The tree has significant structural weaknesses that cannot be addressed;
- The tree is already or will interfere with infrastructure (overhead lines for example);
- The location value for the tree is poor or unacceptable (for example, large maturing tree growing directly under overhead lines); and/or,
- The tree species has been declared an invasive for the given area or region.



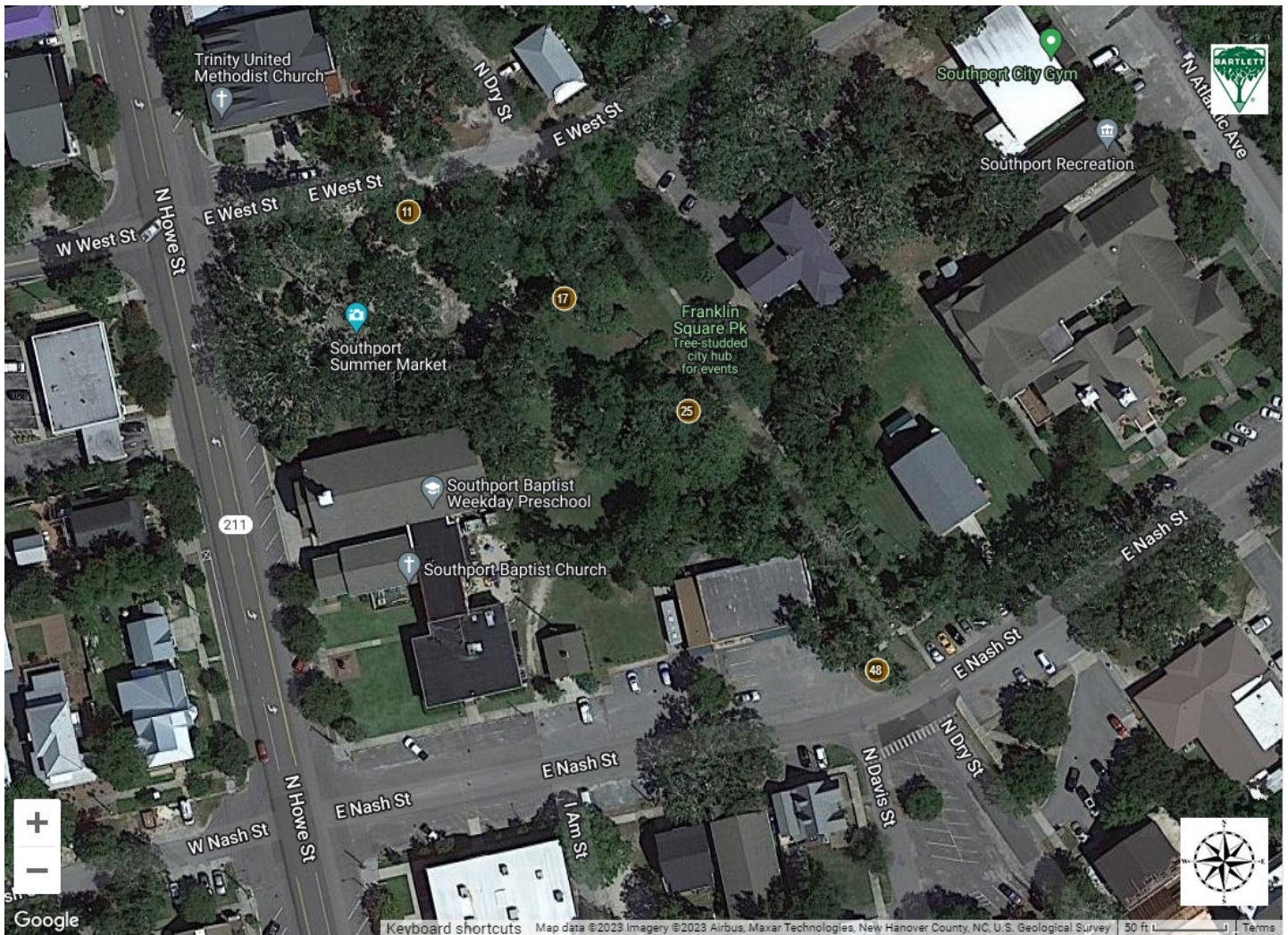
Left: Live oak #11 recommended for removal due to a dying stem and decay in the root collar.

The trees listed in the table below are recommended for removal:

INVENTORIED TREES RECOMMENDED FOR REMOVAL (4 Trees)

Tree ID	Common Name	DBH	Condition	Overall Tree Risk Rating	Tree & Shrub Work Phase	Defect(s) or Observation(s)
48	Oak-Live	28	Poor	Low	ASAP	• Cavity-root flare • Cavity-stem • Dead branches >2
11	Oak-Live	36	Poor	Low	1	• Dead/dying stem • Decay-root flare • Uneven crown
25	Oak-Live	23	Fair	Low	1	• Cavity-branch • Co-dominant stems • Dead branches >2 • Uneven crown
17	Oak-Live	34	Fair	Low	...	• Decay-stem • Dieback (moderate) • Wound-stem

INVENTORIED TREES RECOMMENDED FOR REMOVAL



ENTIRE INVENTORY



ENTIRE INVENTORY (54 Trees)

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree & Shrub Work Phase	Tree Asset Value
1	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	32	Large	Mature	1	Fair	1	\$16,979.00
2	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	42	Large	Mature	1	Fair	1	\$26,576.00
3	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	40	Large	Mature	1	Poor	1	\$14,863.00
4	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	39	Large	Mature	1	Good	1	\$33,388.00
5	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	Large	Mature	1	Fair	1	\$30,832.00
6	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	33	Large	Mature	1	Fair	2	\$18,004.00
7	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	34	Large	Mature	1	Fair	2	\$19,014.00
8	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	53	Large	Mature	1	Fair	1	\$35,463.00
9	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	32	Large	Mature	1	Fair	2	\$16,979.00
10	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	32	Large	Mature	1	Fair	ASAP	\$16,979.00
11	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	36	Large	Mature	1	Poor	1	\$12,595.00
12	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	39	Large	Mature	1	Good	1	\$33,388.00
13	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	12	Medium	Young	1	Good	2	\$3,411.00
14	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	Large	Mature	1	Fair	1	\$30,832.00
15	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	29	Large	Mature	1	Fair	1	\$14,233.00
16	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	42	Large	Mature	1	Fair	1	\$26,576.00
17	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	34	Large	Mature	1	Fair	...	\$19,014.00
18	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	28	Large	Mature	1	Fair	1	\$13,268.00
19	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	32	Large	Mature	1	Fair	ASAP	\$16,979.00
20	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	34	Large	Mature	1	Fair	1	\$19,014.00
21	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	23	Large	Mature	1	Fair	1	\$8,953.00
22	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	33	Large	Mature	1	Fair	1	\$18,004.00
23	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	30	Large	Mature	1	Fair	2	\$15,232.00
24	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	35	Large	Mature	1	Fair	ASAP	\$20,010.00
25	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	23	Large	Mature	1	Fair	1	\$8,953.00
26	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	24	Large	Mature	1	Fair	2	\$9,748.00
27	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	26	Large	Mature	1	Fair	2	\$11,441.00
28	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	29	Large	Mature	1	Fair	2	\$14,233.00

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree & Shrub Work Phase	Tree Asset Value
29	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	40	Large	Mature	1	Fair	1	\$24,772.00
30	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	Large	Mature	1	Good	1	\$43,165.00
31	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	47	Large	Mature	1	Fair	ASAP	\$30,832.00
32	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	56	Large	Mature	1	Good	1	\$52,617.00
33	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	21	Large	Semi-mature	1	Good	2	\$10,449.00
34	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	36	Large	Mature	1	Fair	1	\$20,991.00
35	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	61	Large	Mature	1	Fair	ASAP	\$40,829.00
36	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	40	Large	Mature	1	Fair	1	\$24,772.00
37	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	32	Large	Mature	1	Fair	1	\$16,979.00
38	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	26	Large	Mature	1	Good	2	\$16,017.00
39	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	40	Large	Mature	1	Fair	1	\$24,772.00
40	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	28	Large	Mature	1	Fair	1	\$13,268.00
41	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	27	Large	Mature	1	Fair	1	\$12,338.00
42	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	41	Large	Mature	1	Fair	1	\$25,681.00
43	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	37	Large	Mature	1	Poor	ASAP	\$13,175.00
44	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	36	Large	Mature	1	Fair	ASAP	\$20,991.00
45	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	43	Large	Mature	1	Fair	ASAP	\$27,456.00
46	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	34	Large	Mature	1	Fair	ASAP	\$19,014.00
47	Cherry-Black	<i>Prunus</i>	<i>serotina</i>	11,8,8	Large	Mature	1	Fair	2	\$4,214.00
48	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	28	Large	Mature	1	Poor	ASAP	\$7,961.00
49	Oak-Sand Live	<i>Quercus</i>	<i>geminata</i>	33	Large	Mature	1	Fair	1	\$12,860.00
50	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	53	Large	Mature	1	Fair	1	\$35,463.00
51	Pecan	<i>Carya</i>	<i>illinoensis</i>	24	Large	Mature	1	Fair	2	\$9,748.00
52	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	8	Medium	Young	1	Good	2	\$1,516.00
53	Oak-Live	<i>Quercus</i>	<i>virginiana</i>	7	Medium	Young	1	Good	2	\$1,161.00
54	Oak-Laurel	<i>Quercus</i>	<i>hemisphaerica</i>	32	Large	Mature	1	Fair	3	\$16,979.00

APPENDIX



ADDITIONAL RESOURCES

Bartlett publishes a variety of tree-resource documents, including technical reports, plant health care recommendations, and service brochures. The following technical reports may be pertinent to your inventory. To access these documents and view the complete Bartlett Resource Library online, please follow this URL:

<https://www.bartlett.com/resourcelist.cfm>

Girdling Roots

Lightning Protection Systems

Maintenance Pruning Program

Monitor IPM Program

Mulch Application Guidelines

Tree Risk Assessments

Tree Structure Evaluation

GLOSSARY OF TERMS

air pollution removal: removal of pollutants from the air by plants through natural processes

arborist: 1. An individual engaged in the profession of arboriculture who, through experience, education and related training, possesses the competence to provide for, or supervise the management of, trees and other woody ornamentals. [ANSI A300 (Part 1, 2, 4, 5, 6)] 2. An individual engaged in the profession of arboriculture. [ANSI Z133.1-2000 Safety Requirements for Arboricultural Operations]

bracing: The installation of lag-thread screw or threaded-steel rods in limbs, leaders, or trunks to provide supplemental support. [ANSI A300 (Part 3)-2000 Support Systems]

branch: An outgrowing shoot, stem or twig that grows from the main stem or trunk. [ANSI Z60.1-2004 Nursery Stock]

buttress roots: Lateral surface roots that aid in stabilizing the tree.

cable: 1) Zinc coated strand per ASTM A-475 for dead-end grip applications. 2) Wire rope or strand for general applications. 3) Synthetic-fiber rope or synthetic-fiber webbing for general applications. [ANSI A300 (Part 3)-2000 Support Systems]

cabling: The installation of a steel wire rope, steel strand, or synthetic-fiber system within a tree between limbs or leaders to limit movement and provide supplemental support. [ANSI A300 (Part 3)-2000 Support Systems]

canopy: collective branches and foliage of a tree or group of trees' crowns

carbon sequestration: removal of carbon from the air by plants through natural processes

carbon storage: storage of carbon removed from the air in plant tissues

cation exchange capacity (CEC): The ability of soil to absorb nutrients.

cavity: An open wound characterized by the presence of decay and resulting in a hollow.

cleaning: Selective pruning to remove one or more of the following parts: dead, diseased, and/ or broken branches (5.6.1). [ANSI A300 (Part 1)-2001 Pruning]

co-dominant branches: Equal in size and importance, usually associated with either the trunks, stems, or scaffold limbs.

conk: fruiting body or non-fruiting body of a fungus. Often associated with decay.

critical root zone (CRZ): area of soil around a tree trunk where roots are located that provide stability and uptake of water and minerals required for tree survival.

crown: 1. The leaves and branches of a tree measured from the lowest branch on the trunk to the top of the tree. [ANSI A300 (Part 1)-2001 Pruning] [ANSI A300 (Part 6)-2005 Transplanting] 2. The portion of a tree comprising the branches. [ANSI Z60.1-2004 Nursery Stock]

D.B.H. [diameter at breast height]: Measurement of trunk diameter taken at 4.5 feet (1.4 m) off the ground. [ANSI A300 (Part 6)-2005 Transplanting]

decay: The degradation of woody tissue caused by microorganisms. [ANSI A300 (Part 1)-2001 Pruning]

Geographic Information System (GIS): is any system for capturing, storing, analyzing and managing data and associated attributes which are spatially referenced to earth.

girdling root: A root that may impede proper development of other roots, trunk flare, and/or trunk. [ANSI A300 (Part 6)-2005 Transplanting]

Global Positioning System (GPS): A constellation of at least 24 Medium Earth Orbit satellites that transmit precise microwave signals, the system enables a GPS receiver to determine its location, speed, direction, and time.

Global Positioning System receiver (GPSr): A receiver that receives its input from GPS satellites to determine location, speed, direction, and time.

heading: cutting a shoot back to a bud or cutting branches back to buds, stubs, or lateral branches not large enough to assume apical dominance. Cutting an older branch or stem back to meet a structural objective

integrated pest management (IPM): A pest control strategy that uses an array of complementary methods: mechanical devices, physical devices, genetic, biological, legal, cultural management, and chemical management. These methods are done in three stages of prevention, Observation, and finally Intervention. It is an ecological approach that has its main goal is to significantly reduce or eliminate the use of pesticides.

lateral branch: A shoot or stem growing from a parent branch or stem. [ANSI A300 (Part 1)-2001 Pruning]

leader: A dominant or co-dominant, upright stem. [ANSI A300 (Part 1)-2001 Pruning]

lean: Departure from vertical of the stem, beginning at or near the base of the trunk.

limb: A large, prominent branch. [ANSI A300 (Part 1)-2001 Pruning]

lion's tailing: The removal of an excessive number of inner, lateral branches from parent branches. Lion's tailing is not an acceptable pruning practice (5.5.7). [ANSI A300 (Part 1)-2001 Pruning]

macronutrient: Nutrient required in relatively large amounts by plants, such as nitrogen (N), phosphorus (P), potassium (K), and sulfur (S). [ANSI A300 (Part 2)-2004 Fertilization]

micronutrient: Nutrient required in relatively small amounts by plants, such as iron (Fe), manganese (Mn), zinc (Zn), copper (Cu), and boron (B). [ANSI A300 (Part 2)-2004 Fertilization]

noise attenuation: reducing sound levels via materials, structures, plants, etc.

nutrient: Element or compound required for growth, reproduction or development of a plant. [ANSI A300 (Part 2)-2004 Fertilization]

organic matter: material derived from the growth (and death) of living organisms. The organic components of soil.

parent branch or stem: A tree trunk, limb, or prominent branch from which shoots or stems grow. [ANSI A300 (Part 1)-2001 Pruning]

pH: unit of measurement that describes the alkalinity or acidity of a solution. Measured on a scale of 0 to 14. Greater than 7 is alkaline, less than 7 is acid, and 7 is neutral (pure water).

pruning: The selective removal of plant parts to meet specific goals and objectives. [ANSI A300 (Part 1)-2001 Pruning]

qualified arborist: An individual who, by possession of a recognized degree, certification, or professional standing, or through related training and on-the-job experience, is familiar with the equipment and hazards involved in arboricultural operations and who has demonstrated ability in the performance of the special techniques involved. [ANSI Z133.1-2000 Safety Requirements for Arboricultural Operations]

raising: Selective pruning to provide vertical clearance (5.6.3). [ANSI A300 (Part 1)-2001 Pruning]

reduction: Selective pruning to decrease height and/or spread (5.6.4). [ANSI A300 (Part 1)-2001 Pruning]

risk assessment: process of evaluating what unexpected things could happen, how likely it is, and what the likely outcomes are. In tree management, the systematic process to determine the level of risk posed by a tree, tree part, or group of trees.

root collar: 1. The transition zone between the trunk and the root system. [ANSI A300

(Part 6)-2005 Transplanting] 2. See COLLAR. [ANSI Z60.1-2004 Nursery Stock]

root flare or trunk flare: The area at the base of the plant's stem or trunk where the stem or trunk broadens to form roots; the area of transition between the root system and the stem or trunk. [ANSI Z60.1-2004 Nursery Stock] [ANSI A300 (Part 6)-2005 Transplanting]

root zone: The volume of soil containing the roots of a plant. [ANSI A300 (Part 5)-2005 Management]

secondary nutrient: Nutrient required in moderate amounts by plants, such as calcium (Ca) and magnesium (Mg). [ANSI A300 (Part 2)-2004 Fertilization]

seam: Vertical line that appears where two edges of wound wood or callus ridge meet.

soil amendment: Any material added to soil to alter its composition and structure, such as sand, fertilizer, or organic matter. [ANSI A300 (Part 6)-2005 Transplanting]

soil pH: A measure of the acidity or alkalinity of the soil.

stormwater runoff: water (generally from rain or snow melt) that flows over the ground after storm events.

structural support system: hardware installed in tree, may be; cables, braces, or guys, to provide supplemental support.

sweep: Departure from vertical of the stem, beginning above the base of the trunk.

thinning: Selective pruning to reduce density of live branches (5.6.2). [ANSI A300 (Part 1)-2001 Pruning]

tree risk assessment: Closer inspection of visibly damaged, dead, defected, diseased, leaning or dying tree to determine management needs.

topping: The reduction of a tree's size using heading cuts that shorten limbs or branches back to a predetermined crown limit. Topping is not acceptable pruning practice. (5.5.7). [ANSI A300 (Part 1)-2001 Pruning]

tree inventory: A comprehensive list of individual trees providing descriptive information on all or a portion of the project area. [ANSI A300 (Part 5)-2005 Management during site planning, site development, and construction]

tree protection zone: A space above and belowground within which trees are to be retained and protected. [ANSI A300 (Part 5)-2005 Management during site planning, site development, and construction]

trunk: That portion of a stem or stems of a tree before branching occurs. [ANSI Z60.1-

2004 Nursery Stock]

vigor: Overall health. Capacity to grow and resist stress. [ISA Municipal Specialist Certification Study Guide 2008]

wound: An opening that is created when the bark of a living branch or stem is penetrated, cut, or removed. [ANSI A300 (Part 1)-2001 Pruning]



Client: 6410890

Printed on: 11/20/2023

City of Southport
Attn: Bonnie Therrien
1029 N Howe Street
Southport, NC 28461

Bartlett Tree Experts
Everett Jones - Representative
5808 Triangle Drive
Raleigh, NC 27617

Proposal For Tree Care Services

Franklin Square Park, 130 E West Street, Southport, NC 28461

NOTICE TO CLIENT:

Bartlett Tree Experts has entered this property for the specific purpose of writing this proposal, pursuant to the owner's request. Bartlett Tree Experts makes no warranties and accepts no responsibility regarding the potential risks involving any trees on this property. Bartlett Tree Experts recommends having a qualified arborist inspect your property periodically to assist you in identifying potential risks or hazardous conditions related to your trees and shrubs. THIS IS NOT AN INVOICE.

As a result of the Level 2 Risk Assessment conducted on November 6th, 2023 The following trees are recommended for a level 3 Tree Risk Assessment. The Assessment report will include findings of each individual tree and risk mitigation options for each tree, however, there is no guarantee that the risk mitigation recommendation for some or all of the trees be that the tree(s) be removed, stump ground, and hole backfilled as the sole mitigation.

EXECUTIVE SUMMARY:

Work Group	Recommendation	Number of Trees	Amount
Consulting	Tree Risk Assessment	22	\$12,100.00
	TOTAL FOR 'Consulting'	22	\$12,100.00
	TOTAL AMOUNT:	22	\$12,100.00

Consulting:

Tree Risk Assessment

Perform a Level 3, Advanced Assessment to the following tree:

- 22 Live Oaks located at the Franklin Square Park

Client: 6410890

Printed on: 11/20/2023

A written report with results and recommendations will be provided following the assessment. The assessment will utilize the process described in the International Society of Arboriculture Best Management Practices for Tree Risk Assessment.

The following tools will be used to assess the condition of the tree:

- Resi™ Resistance Drill for Detecting Decay
- Arborsonic™ Decay Detector

An aerial inspection will be performed to assess the condition of major scaffold branches and crown.

Arborist Notes:

- An aerial inspection will be performed to assess the condition of stem, major scaffold branches, and crown . Trees 1,3,5,8,10,14,15,16,18,22,24,25,29,35,39,40,43,44,45,46,49, & 50

\$550/per tree includes report and findings data for each tree.

.....
Total Amount: \$12,100.00
.....

SCHEDULE OF WORK PROPOSED:

Once accepted and scheduled, Bartlett Tree Experts will coordinate all job planning and scheduling; equipment requirements, and work crew staffing and direction pertaining to safe, professional execution of the service or services offered.

Upon acceptance of this proposal, this work can be scheduled to take place during the week/weeks of 11/20/2023 and should be completed by 1/30/2024.

SCHEDULE OF PAYMENT:

Bartlett Tree Experts offers to perform the work specifications at the work location listed above at the following rates:

Owner agrees to pay a total price of: \$12,100.00

NOTICE OF RIGHT TO CANCEL:

You, the client, may cancel this transaction, without penalty or obligation, at any time prior to midnight of the third business day after the date of the acceptance of this proposal. To cancel your acceptance of this proposal within this time, you may notify Bartlett Tree Experts, in writing of your intent to do so, referencing the work location and project.

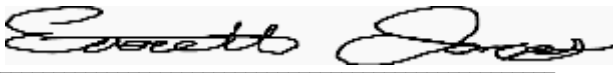
ADDITIONAL TERMS AND CONDITIONS:

After reviewing the terms and conditions attached, which become part of this agreement, please sign the enclosed copy and return in the enclosed envelope. In the event that the client should issue additional work authorization terms, if agreed upon, such terms will be incorporated into this agreement. In the event that such terms conflict with this agreement, then the terms of this agreement shall govern over any conflicting language. The original document should be retained for your reference. Should you have any questions or need further information, please contact me directly at <cell phone>.

OFFER:

Bartlett Tree Experts will perform the above referenced service in a safe, professional manner, in accordance with all laws, rules, regulations, and industry standards governing tree care.

Bartlett Representative Signature:



Date:

11/20/2023

Printed Name:

Everett Jones

AUTHORIZATION TO PROCEED:

I hereby authorize Bartlett Tree Experts to perform the above services. Unless otherwise agreed upon in writing by Bartlett Tree Experts, I agree to make total payment of the estimated costs and all authorized additional costs upon completion of the work.

Client's Signature:

Date:

Printed Name:

Tree ID	Common Name	DBH	Tree and Shrub Work Phase	Overall Tree Risk Rating	Advanced Assessment Crown	Advanced Assessment Stem	Advanced Assessment Root	Tree Observation 1	Tree Observation 2	Tree Observation 3	Tree Observation 4
1	Oak-Live	32	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Dead branches >2	...
3	Oak-Live	40	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Dead branches >2	...
5	Oak-Live	47	1	Low	Yes	Yes	...	Crack-stem	Co-dominant stems	Fungi/conks	Dead branches >2
8	Oak-Live	53	1	Moderate	Yes	Yes	...	Cavity-stem	Co-dominant stems	Dead branches <=2	...
10	Oak-Live	32	ASAP	Low	Yes	Yes	...	Wound-stem	Cavity-branch	Dead branches >2	...
14	Oak-Live	47	1	Low	...	Yes	...	Cavity-suspected	Co-dominant stems	Dead branches >2	...
15	Oak-Live	29	1	Low	...	Yes	Yes	Fungi/conks	Co-dominant stems	Dead branches >2	...
16	Oak-Live	42	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Uneven crown	Dead branches >2
18	Oak-Live	28	1	Low	...	Yes	...	Uneven crown	Co-dominant stems	Dead branches >2	...
22	Oak-Live	33	1	Low	...	Yes	...	Cavity-suspected	Co-dominant stems	Dead branches >2	...
24	Oak-Live	35	ASAP	Low	Yes	Yes	...	Uneven crown	Cavity-stem	Crack-stem	...
25	Oak-Live	23	1	Low	...	Yes	...	Cavity-branch	Co-dominant stems	Uneven crown	Dead branches >2
29	Oak-Live	40	1	Low	...	Yes	...	Buried root collar	Co-dominant stems	Dead branches >2	...
35	Oak-Live	61	ASAP	Low	...	Yes	...	Co-dominant stems	Crack-stem	Cavity-stem	Dead branches >2
39	Oak-Live	40	1	Low	...	Yes	...	Pavement/curbing damage	Co-dominant stems	Dieback (moderate)	...
40	Oak-Live	28	1	Low	Yes	Yes	...	Fungi/conks	Wound-stem	Storm damage	...
43	Oak-Live	37	ASAP	Low	Yes	Yes	Yes	Cavity-stem	Lean	Dieback (severe)	...
44	Oak-Live	36	ASAP	Low	Yes	Yes	Yes	Cavity-stem	Dead branches >2	...	...
45	Oak-Live	43	ASAP	Moderate	Yes	Yes	Yes	Cavity-stem	Uneven crown	Dead branches >2	...
46	Oak-Live	34	ASAP	Low	Yes	Yes	Yes	Uneven crown	Cavity-stem	Dead branches >2	...
49	Oak-Sand L	33	1	Low	...	Yes	...	Buried root collar	Co-dominant stems	Dead branches >2	...
50	Oak-Live	53	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Dead branches >2	...

Events on Franklin Square Park

Parks and Recreation:

Concert Series	May/June and September/October. Concert held weekly
WinterFest Crafts	2nd Saturday in December
Summer Market	May – September on Wednesdays of each week
Spring Festival	Easter Weekend
Venue rental(weddings)	All year but mostly March – October
Crop Walk	October (one Sunday afternoon)
Trinity Methodist	Christmas Eve Service
4th Of July Festival	3 days usually 2nd – 4th crafts event
Art in the Park	Saturday in April
Winterfest activities	2nd week of December
Plein Air Festival	May
Annual Easter Egg Hunt	Saturday before Easter (March/April)
May Day celebration	May
Art Gallery 1st Fridays	Once each month (use a small portion of FSP in front of the gallery)
Solstice Festival	March

DSI sponsors/co-sponsors:

(1): Southport Spring Festival. This has always been held on Easter weekend, so the dates change yearly.

This year's dates are Friday, March 29 (10am – 5pm) and Saturday, March 30 (10am-4pm)

The craft and food vendors move in/set up on Thursday, March 28

(2): Concerts in the Park.

A preliminary meeting for the Concerts took place and discussed having the Concerts on Sundays (2pm-4pm) rather than in the Fall or Spring from (6pm-8pm). The group are trying to address the issues that occurred this year....bugs, temperatures, nightfall, lighting etc.

The Sunday concert dates would be: (2pm-4pm)

- May 15, 12, 19, 26
- June 2, 9
- September 1, 8, 15, 22, 29
- October 6

(3): Southport Summer Market (Wednesdays) / 9am-2:00pm

- May 1, 8, 15, 22, 29
- June 5, 12, 19, 26
- July 10, 17, 24, 31 (closed July 3 for 4th of July activities)
- August 7, 14, 21, 28

(4): Southport Winter Craft Festival (part of the WinterFest activities)

Saturday, December 14 / craft vendors move in/set up on Friday, December 13



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Gandy, LLC for JC Rentals, LLC

ITEM/TOPIC: Public Hearing for a Zoning Map Amendment of a Tract of Land on Jabbertown Road

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: At their October 19, 2023 meeting, the Planning Board voted to send the Board of Aldermen a recommendation of approval for the Zoning Map Amendment located on Jabbertown Road from Light Industrial (LI) to Mobile Home (MH). A duly advertised public hearing must be held before the Board of Aldermen decides on the proposed amendment.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency and reasonableness must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: The attached proposed Zoning Map Amendment has been reviewed by staff for consistency with the land use plan, adopted ordinances, and surrounding neighborhood. Staff found the proposal consistent and reasonable and forwarded it to the Planning Board for a recommendation.

CITY MANAGER COMMENTS: I concur with this recommendation.

ATTACHMENTS: Staff Report, Zoning Map Amendment Application, Consistency Statement

REQUESTED ACTION: N/A

PROPOSED MOTION: Discussion only. The vote will take place in January 2024.



STAFF REPORT JABBERTOWN ROAD REZONING APPLICATION

APPLICATION SUMMARY	
Presentation Date	December 14, 2023 Board of Aldermen
Applicant	Gandy, LLC
Property Owner	JC Rentals LLC
Parcel ID:	221MC00702
Property Size	7.13 acres (6.47 requested for change)
Zoning District	Mobile Home (MH) /Light Industrial (LI) (.66 acres currently MH)
Proposed Zoning District	Mobile Home (MH)

REZONING REQUEST

Gandy, LLC for JC Rentals LLC, is requesting a zoning change from LI to MH on a portion of a parcel of land located at 558 Jabbertown Road. The .66 acres adjacent to Jabbertown are currently zoned MH.

LOCATION AND SITE CONDITIONS

The subject property is located on Jabbertown Road, adjacent to the Cottages at Prices Creek and Harbor Ridge mobile home park. The property is located within the Extraterritorial Jurisdiction and can be further identified by parcel number 221MC00702.



Most of the property falls within the high suitability land classification on the Land Suitability Analysis Map of the CAMA Land Use Plan. A portion is classified as low suitability due to the proximity of Prices Creek on site. The future land use map designation is low and medium-density residential, which defines various single-family uses as appropriate.

REVIEW PROCESS

Proposed amendments to the zoning map may be initiated by the Board of Aldermen, Planning Board, city administration, or by the owner or agent of property within the area proposed to be changed. Every amendment, supplement, change, modification, or repeal of the zoning map/ordinance shall be referred to the Planning Board for its recommendation and report to the Board of Aldermen.

Before the Board of Aldermen consideration of a change, a public hearing must occur at a set day and time. The hearing is notified to adjacent property owners by mail, published in a local newspaper of general circulation, and posted on the property for two (2) consecutive weeks, not less than ten (10) days, and not more than 25 days before the hearing.

The Board of Aldermen may approve of the rezoning after the duly advertised public hearing and upon the approval of a plan consistency statement and a statement of reasonableness.

MAP CHANGE OVERVIEW

This proposal is a request to change a portion of a parcel of land from Light Industrial (LI) to Mobile Home (MH). Approximately half an acre of the property is currently zoned Mobile Home. Adjacent uses include a mobile home park and PUD subdivision; therefore, future residential development will be consistent with existing conditions. The future land use map designates the MH portion of the medium-density residential property and the LI portion as low-density residential.



Zoning Map

The surrounding and adjacent properties to the subject property are all zoned residential.

Grey – Light Industrial
 Light Green – Mobile Home
 Light Yellow – R-20
 Purple – PUD



Future Land Use Map

While the property is mostly zoned LI, the future land use map classifies the parcel as medium and low-density residential.

Orange – High Density Residential
 Yellow – Low Density Residential

Permitted Uses

A rezoning request does not allow the applicant to provide a proposed project or site plan. Decisions made on the rezoning must consider all permitted uses in the proposed district in relation to land use impacts, the character of the district and suitability for certain uses, and reasonableness for a small parcel change. The permitted uses for both zoning districts are highlighted in Table 3.1 from the UDO. (MH is yellow, and LI is blue)

Please note the nonresidential permitted uses for LI have not been included on this table for brevity since this request is to change from a more intensive nonresidential zoning district to a residential zoning.

Table 3.1: Table of Uses	Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													Use Stand ard
	ICS	R- 10	R- 20	M F	MH	PUD	O-I	CBD	BD	HC	LI	HI	O S	Section #
Accessory Uses														
ACCESSORY STRUCTURES OR USES, GENERAL		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.A
ACCESSORY DWELLING, COMMERCIAL						SS	SS	SS	SS	SS	SS	SS		3.6.B
ACCESSORY DWELLING, RESIDENTIAL		SS	SS	SS	SS	SS	SS							3.6.C
CEMETERIES AND MAUSOLEUMS		SS	SS	SS	SS	SS	SS	PS	PS	PS				3.6.D
DOCKS, PIERS, GAZEBOS, BULKHEADS, AND LIVING SHORELINES		PS	PS	PS	PS	PS	PS	PS	PS				SS	3.6.E
HOME DAYCARE, ADULT AND CHILD		SS	SS	SS	SS	SS								3.6.F
HOME OCCUPATION		SS	SS	SS	SS	SS								3.6.G
HOMESTAY		PS	PS	PS		PS								3.6.H
MODULAR UNIT					PS	PS	PS	PS	PS	PS	PS	PS		3.6.I
OUTDOOR DISPLAY								PS	PS	PS				3.6.J
OUTDOOR STORAGE									PS	PS	PS	PS		3.6.K
OUTDOOR VENDING MACHINE					PS	PS	PS	PS	PS	PS	PS	PS		3.6.L
PORTABLE STORAGE CONTAINERS		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.M
RECREATIONAL VEHICLE OR TRAVEL TRAILER		PS	PS		PS	PS	PS							3.6.N
SELF-SERVICE ICE VENDING MACHINES									SS	SS				3.6.O
SOLAR ENERGY SYSTEMS		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.P
SWIMMING POOLS		PS	PS	PS	PS	PS	PS	PS						3.6.Q
TEMPORARY SALES OFFICES		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		3.6.R
TEMPORARY HEALTHCARE STRUCTURES		PS	PS	PS	PS	PS								3.6.S

Table 3.1: Table of Uses	Districts													Use Stand ard
	P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													
Uses	ICS	R- 10	R- 20	M F	MH	PUD	O-I	CBD	BD	HC	LI	HI	O S	Section #
Residential Uses														
DWELLING, SINGLE-FAMILY		P	P	P	P	P	P							
DWELLING, TWO-FAMILY (DUPLEX)		S	S	P	P	P	P							
DWELLING, MULTI-FAMILY				PS		SS	SS							3.7.A
DWELLING, TRIPLEX OR QUADRUPLEX				PS	SS	SS	SS							3.7.B
FAMILY CARE HOME		PS	PS	PS	PS	PS								3.7.C
MANUFACTURED HOME ON SINGLE LOT					PS									3.7.D
MANUFACTURED HOME PARK					PS									3.7.E
MIXED USES						PS	PS	PS	PS					3.7.F
MODULAR HOMES		PS	PS	PS	PS	PS	PS							3.7.G

Dimensional Requirements

Mobile Home zoning district dimensional requirements allow 5,000 SF lots with minimum lot widths of 50'.

Table 3.2: Dimensional Requirements by Zoning District						
Zoning District	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Minimum Front Setback (feet)	Minimum Rear Setback (feet)	Minimum Side Setback [1] (feet)	Maximum Height Limit (feet)
MH	5,000	50	20	20	4	40

LAND USE PLAN CONSISTENCY

The 2014 CAMA Land Use Plan (LUP), along with subsequent updates, is used for policy decisions in the City. The Planning Board and Board of Aldermen shall consult the plan's

policies when considering a zoning change. Further, each rezoning must be recommended and adopted with a statement describing if the action is consistent or inconsistent with the adopted land use plan.

Increasing housing demand is an overarching theme in the Future Demands section of the LUP. The plan's goals, objectives, and policies focus on balancing the need for housing and infrastructure with protection of the City's historic character and environmental resources.

Another theme throughout the LUP is consideration of a specific neighborhood or district and its suitability for particular uses. Objectives and policies direct future development to areas that are most appropriate for the type of use. The subject neighborhood has multiple housing densities and types of units, including mobile homes, single-family homes, and approved future multi-family townhomes. Residential development on this lot would be suitable for the neighborhood's character.

The following policies and implementing actions support the proposed rezoning request.

Policy 2.1 "...rezonings and amendments in classifications to the future land use map should be carefully balanced with a demonstrated need for such proposed development".

Recommended Action 2.1.A: Consider requiring all rezoning approvals be compared to the land suitability map and analysis included in this plan for consistency. This consistency review will be presented to the Planning Board and Board of Aldermen...

As mentioned previously, there is a need for housing, and the subject property is in an area of high suitability on the Land Suitability Map. The future land use map designation supports residential development.

Policy 2.3: Southport supports quality development reflecting a spectrum of housing needs, from low-end (affordable) residences to high-end (luxury) residences.

Policy 2.4: Southport will permit residential development to occur in response to market needs provided the following criteria are met:

- 1) Due respect is offered to all aspects of the environment.
- 2) Concurrent planning for improvements to community facilities, infrastructure, and services provided.

These policies are appropriate for the site due to the neighborhood's unique characteristics and, specifically, the size of the property.

PLANNING BOARD RECOMMENDATION

The Planning Board recommends APPROVAL of the proposed zoning map amendment to the Board of Aldermen. The proposal appears to be consistent with the 2014 CAMA Core Land Use Plan and is reasonable due to the area's size, physical conditions, and other attributes.

Attachments: Consistency Statement, Rezoning Application

Rezoning Application

City of Southport, North Carolina



1029 N. Howe St, Southport NC 28461

www.southportnc.org

Planning & Inspections

Phone 910-457-7961 Fax 910-457-7957

Date: 9/18/23

FEE: \$ 500

Permit #: ZMA-23-02

Project Name (If Applicable): _____

A complete application for any amendment shall contain a description of the proposed zoning regulation or zoning map amendment. The application shall state in detail whether the proposed amendment is consistent with CAMA Core Land Use Plan and any other officially adopted plan that is applicable. The application shall also give detailed evidence that the proposed amendment is in the interest and will benefit the general public and not solely be of benefit to the applicant; that the uses within the proposed zoning district are similar or comparable to the uses in the district as currently zoned, or that none of the uses permitted in the proposed zoning district may potentially adversely affect property values or the health, safety, morals, or general welfare of the residents of the surrounding area. Such application shall be filed with the Administrator to be processed in accordance with Section 12-5 of the UDO.

The Planning Board and Board of Aldermen may consider the following when deciding: Impact on neighbors and neighborhood, traffic, environment, utilities, suitability of land, harmony with area, schools, economic impact, tax base increase, spot zoning created, road capacity, adequate infrastructure, community opinion, property values, consistency with the Land Use Plan, future land use map, jobs, public services, buffering requirements, environmental impact, site limitations, and consistency with plans and prior decisions. The Boards cannot consider ethnicity, income, affordable housing, owner vs. renter housing, or who the owner is when deciding.

Petitioner Name: GANDY LLC

Mailing Address: 613 Lockwood Folly Dr City: BOLIVIA

State: N.C. Zip Code: 28422

Phone: 919-422-9732 Email: TLR@COASTALYARD.COM

Street Address and/or Description of Location: 558 JABBERTOWN ROAD.

X Rentals LLC - 107 VEWAT LN WILMINGTON
28411

Parcel ID #: 221 MC00702

Site Acreage: 3.46 ACRES 7 BEAR MAR Number of Lots: _____

Current Zoning District: LI Proposed Zoning District: MH

If the proposed change would require a change in the zoning map, attach an accurate diagram of the property proposed for rezoning showing:

1. All property lines with dimensions and north arrow.
2. Adjoining streets with rights-of-way and paving widths.
3. The location of all existing structures on the property.
4. The existing land uses associated with the property.
5. The zoning classification of all abutting zoning districts.
6. A list of all abutting property owners.

Future Land Use Map Designation: MEDIUM DENSITY RESIDENTIAL

Is the proposed zoning consistent with the Land Use Plan? (Describe how it is consistent below if so)
(Please Circle One): ☒ Yes ☐ No

Please describe the changing conditions in the area or in the City of Southport that makes the proposed amendment necessary to the promotion of the public health, safety and general welfare, or that identifies an obvious error in the zoning map based upon the zoning classification or current land use of surrounding properties. Also include an explanation on why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary)

Rezoning Fees as of July 1, 2018

Rezoning: Less than 3 Acres	\$500.00
Rezoning: 3.01-6.00 Acres	\$1,000.00
Rezoning: 6.01 + Acres	\$1,000.00 + \$100/acre

In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.


Signature (Owner or Authorized Applicant)

9/18/23
Date

Gandy LLC

613 Lockwood Folly Drive
Bolivia, N.C. 28422
MOBILE 919-422-9732

Date:10/5/2023

Mo,

Property rezoning from LI to MH

Location: 558 Jabbertown road , Southport N. C.

Reason to rezone:

- 1) Adjacent property on same track is MH
- 2) Residential development on both sides do not want industrial built in residential area
- 3) Small lots for affordable housing needed badly in Southport
- 4) Will not put mobile homes in have no intention of that
- 5) Higher density with 5000 sq.ft. lots will allow us to do affordable housing reduce land cost per home
- 6) There is no R-6 zone available in UDO with out pud and by UDO we are too small for a PUD

Mo

I hope this gives you enough info

Thanks

Ron Greger

Gandy LLC

Gandy LLC

613 Lockwood Folly Drive
Bolivia, N.C. 28422
MOBILE 919-422-9732

Date:10/5/2023

Mo,

Property rezoning from LI to MH

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Mo

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Thanks

Ron Greger

Gandy LLC



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Public Services

PRESENTED BY: Tom Zilinek, City Engineer

ITEM SPONSORED BY: Public Services Department

ITEM/TOPIC: System Development Fee Study Public Hearing

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: According to State Law the City needs to complete a System Development Fee Study, hold a Public Hearing, and adopt a fee by resolution which needs to be done at least every 5 years. The City's 5 year period ends on December 31 of this year. The Study was completed by Wildan Financial Services and Withers Ravenel at a cost of \$35,000. The study was presented to the Board on October 12 and a mandatory 45 day minimum online posting for Public Comment was completed. This is the last step in the process.

IMPACT IF NOT APPROVED: The City will be in violation of State Law as it will not have made the December 31, 2023 .

DEPARTMENT HEAD COMMENTS: Staff recommends the acceptance of the Study prepared by Wildan Financial Services in accordance with State Law. As of Thursday, December 7th, only one comment has been received and it was, "No to development fees." After further discussions between Tom Stanley, Tom Zilinek and Dorrie Dutton, Staff recommends adopting a unit/usage based calculation for residential development and a meter-based calculation for all commercial development. (Example: 3 bedroom home would pay the System Development Fees based on the number of bedrooms, but a new restaurant would be charged fees based on a one or two-inch meter.) Using a different method to calculate the residential and commercial fees will take the guesswork out of assigning fees to a commercial use, while still being equitable to residential developers.

CITY MANAGER COMMENTS: I definitely agree with changing our current formula so that residential and commercial uses are calculated differently, but with the upcoming merger with the County happening in the near future, keep rates as they are currently.

ATTACHMENTS: (1). Wildan Financial Services Water & Wastewater System Development Fee Study dated October 2023 (2) Wildan Financial Services Power Point Presentation to the Southport Board of Alderman on October 12, 2023

REQUESTED ACTION: Adopt the Study and determine which method of calculation should be used.

PROPOSED MOTION: Motion to accept System Development Fee Study and set fee based on



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
NOTICE
SPECIAL CALLED MEETING**

Please take notice that the Board of Aldermen have scheduled a Public Hearing for Thursday, December 14, 2023, at 6:00 p.m. at the Southport Community Building, located at 223 E. Bay Street.

The purpose of the hearing is to discuss the proposed System Development Fees. A copy of the proposed fees and a summary of the process is available on the City's website.

If you have any questions, please contact Dorothy Dutton at (910) 457-7900 ext. 1010 or ddutton@cityofsouthport.com

May 16, 2023

Dorothy Dutton, Assistant City Manager
City of Southport
1029 N. Howe Street
Southport, NC 28461

**RE: Agreement for Professional Services
System Development Fees Study Update
Southport, North Carolina
WR Project No. 23-0538-A**

Dear Ms. Dutton,

WithersRavenel is pleased to provide this Agreement for Professional Services. We look forward to working with you on this project. If you have any questions or concerns about this agreement, please do not hesitate to call me at the number listed below.

Sincerely,
WithersRavenel



Shannon Moore
Director, Finance Services, Funding and Asset Management
smoore@withersravenel.com
Ph. 336.605.3009 | Direct. 919.678.3862

Attachment:
Agreement for Professional Services

City of Southport Agreement for Professional Services System Development Fees Study Update

A. Project Description

This fee agreement is intended to provide the scope of services and associated fees to provide consulting services per request of City of Southport to update the City's System Development Fees and formalize an agreement for the implementation and logistics for these services.

For the purposes of this agreement and any subsequent agreements the following references shall apply:

1. City of Southport shall be known as the "Client" or "City";
2. WithersRavenel shall be known as the "Consultant";
3. The financial analysis services encompassing the development of the City's Water and Sewer System Development Fees shall be known as the "Project";
4. System Development Fees shall be known as "SDF";
5. Capital Improvements Plan shall be known as "CIP";
6. The executed agreement shall be known as the "Agreement".

B. Timeline for Services

Consultant will begin work upon receipt of executed Agreement and written notice to proceed from the Client. Estimated timeframe(s) for the basis of the services described in the Scope of Services are shown below.

Milestone	Timeframe
Review of Data Collected by Client	15 days
Analysis and Calculation of SDFs	60 days
Draft Report	10 days
Public Posting Period	45 days
Addressing Public Comment	10 days
Final Report	10 days

1. From the milestone timeframes, and factoring in variability in the approval process, Consultant estimates the total project timeframe for the Scope of Services, including the public comment period, to be approximately five (5) months.
2. The estimated timeframes may be impacted by, among other things, timeliness and accuracy of information provided by the Client and Client consultants.
3. If available, opportunities to adjust these estimated timeframes can be discussed. Implementation of agreed-upon adjustments may result in adjustments to Consultant fees.

C. Scope of Services

Consultant shall provide the services identified under each task below as its “Basic Services” under the Agreement. Consultant will engage Willdan Group, Inc. as a subconsultant to WithersRavenel, Inc. to assist with our completion of elements of the work described below.

Task 1 - Project Planning, Management, and Meetings

- A. Conduct a project planning/working session with the Assistant City Manager and designees (Project Leadership Group or PLG) to review project objectives, key assumptions, the methods/models to be used in the analysis, and project schedule.
- B. Assess progress at strategic milestones during the project.
- C. Conduct working sessions with the PLG to address the needs and objectives of the utility systems, and review project objectives, report drafts, key operational parameters, internal processes, and data and information provided by the Client.
- D. The Project will include meetings with staff to address the needs and objectives of the utility systems.
- E. If required, the Final Report will be presented in-person to the Board of Aldermen at a meeting where the recommended System Development Fees are considered. At this meeting, Consultant will provide supporting analyses for the proposed fees and address any questions and/or concerns raised by the Board of Aldermen.

Task 2 - Data Review

- A. Consultant will review all relevant technical, organizational, and financial information required for the Project as provided by the Client. The success of the Project is dependent on the Client's provision of accurate and complete data, and Client acknowledges that Consultant will be relying thereon in completing the Project.
- B. Review information provided by Client of existing program plans, cost estimates, financial information for the Water and Sewer Fund, including current budget and past audits, current user information, debt status, and interlocal agreements.
- C. Discuss key project and financial objectives, assumptions, and other considerations that relate to the present or future financial status of the fund with the PLG. The Client and Consultant will agree on the method / model to be employed in the analysis prior to initiation of the work.

Task 3 - Identification of System Capacities

- A. Consultant will use data provided by Client to identify the existing treatment and transmission capacities for the water and wastewater systems.
- B. Consultant will use data provided by Client to determine the existing and future levels of treatment and transmission capacities for use in calculating the respective capacity fees.

Task 4 - Buy-In Analysis

The methods used to complete the analysis will be reviewed and agreed upon by Client and Consultant prior to initiation of work. The following methods outlined in Tasks 4 through 6 are suggested for Client's consideration for use in this study.

- A. Allocation of Existing Assets
 - 1. Utilize detailed data of the existing water and wastewater systems assets as provided by the utility to allocate the assets between major facility components of treatment, transmission, and collection. Identify which asset or portions of the asset may have been funded through grants or contributed by developers as these amounts would be excluded as recoverable assets in the development of the SDFs.

- B. Determination of Replacement Cost of Assets
 - 1. The replacement cost of each asset line item will be determined using construction cost indices set forth in such publications as the Handy-Whitman Index or the Engineering News Record.
- C. Determination of Replacement Cost New Less Depreciation (RCNLD)
 - 1. The depreciation amount for each asset line item will be deducted from the replacement cost for that line item. The total of the RCNLD value of all assets will be used as the basis to determine the Buy-In method's SDFs.
- D. Determination of Applicable Credits and/or Financing Costs
 - 1. Depending upon the funding and/or financing mechanisms used to pay for existing capital facilities, it may be appropriate to apply debt service credits. In addition to debt service, the analysis will consider credits for grants and other generally accepted valuation adjustments.

Task 5 - Incremental/Marginal Cost Analysis

- A. Functional Allocation of Capital Improvements Plan (CIP)
 - 1. The most current 5 to 20-year CIP will be reviewed and summarized, and the level of future growth/capacity related capital expenditures will be identified to determine the projected amount of growth-related capital expenditures to be incurred during the planning horizon. This task will involve the identification of planned capital project costs incurred as a result of customer growth and will include utilization of information provided in Master Plans or other engineering reports prepared for the utility (if available). The analysis will include costs of construction or expansion that are necessitated by and attributable to new development. The planned capital costs will be allocated between major facility components of treatment and transmission/collection.
- B. Determination of Applicable Credits
 - 1. The analysis will include a credit against the projected aggregate cost of water and/or wastewater capital improvements. The credit will be determined based upon generally accepted calculations and will reflect a deduction of outstanding debt principal. As required by HB 436, the credit will be no less than twenty-five percent (25%) of the aggregate cost of the planned capital improvements.

Task 6 - Calculation of System Development Fees (SDF)

- A. Buy-In Method
 - 1. The asset values, as adjusted for applicable credits, and capacity information will be utilized to develop SDFs that equitably recover the capacity-related cost of existing water and wastewater facilities.
- B. Incremental/Marginal Cost Method
 - 1. The applicable growth-related project costs, delineated between treatment and distribution/collection related, and the capacity added by those projects will be utilized to develop SDFs that equitably recover the cost of future growth-related projects.
- C. Combined Cost Method
 - 1. The Buy-In and Incremental/Marginal Cost Methods will be combined to calculate the water and wastewater SDFs. The calculation methodology will separate SDFs by major utility component (treatment and transmission/collection). The proposed fees will include an equivalency or conversion table for use in determining the fees applicable for various categories of demand.

Task 7 - Neighboring Utility Comparisons

- A. In order to provide the Client with additional insight regarding the development and application of the SDFs, Consultant will provide comparisons to show the SDFs for a new residential water and wastewater connection that receives service (from the subject utility or other local provider) through a standard residential-sized water meter (representative of 1 ERU) calculated under the existing and proposed fees of the Client, and those of the other utility systems.

Task 8 - Draft Report

- A. Consultant will prepare a draft report which documents and demonstrates the reliable application of the methodologies to the facts and data, including all reasoning, analysis, and interim calculations underlying each identifiable component of the SDFs.
- B. Draft report will identify all assumptions and limiting conditions affecting the analysis and will demonstrate that they do not materially undermine the reliability of conclusions reached.
- C. Draft report will be provided to staff for review and comment prior to posting on the website for public comment.

Task 9 - Addressing Public Comment

- A. After Client posts the analysis on its website for not less than 45 days, Consultant will review written comments submitted to consider modifications and revisions to the analysis.
- B. Consultant will incorporate needed changes into final SDF report document.

Task 10 - Final Report

- A. Consultant will provide a final SDF document electronically for the Project.

D. Exclusions / Additional Services

Services (whether accounting, engineering, environmental, surveying, mapping, or otherwise) that are not expressly included in Section C – Scope of Services are excluded from this Agreement and shall be considered Additional Services. Additional Services will only be provided upon written agreement of Consultant and Client, and, unless otherwise agreed, will be charged separately according to the Consultant's current rate/fee schedule.

E. Client Responsibilities

The following are responsibilities of the Client and Consultant will rely upon the accuracy and completeness of this information:

1. Provide representative for communications and decisions;
2. Coordination and designation of a primary contact for architect, contractor, and other consultants engaged by the Client;
3. Preferred media platforms for communications with the Client;
4. Provide in writing, any information as to Client's requirements for completion of this study;
5. Provide any information needed to complete the Project not specifically addressed in the Scope of Services;
6. Provide all available information pertinent to the Project, including any financial records, CIP, GIS information, reports, maps, drawings, and any other data relative to the Project;
7. Examine all agreements, reports, sketches, estimates and other documents presented by the Consultant and render in writing decisions pertaining thereto within a reasonable period so as not to delay the services of the Consultant;

8. Give prompt written notice to Consultant whenever Client observes or otherwise becomes aware of any defect in the Project or the services of Consultant;
9. Attend City meetings as required/needed;
10. Manage and coordinate the work of any subconsultants/subcontractors that are not directly subcontracted through the Consultant;
11. Engage a licensed attorney to make all legal determinations relevant to the Project and to provide Client advice on all matters of a legal nature.

F. Compensation for Services

Consultant proposes to provide the Basic Services outlined in the Scope of Services on a lump sum with budgets as shown below plus reimbursable expenses in accordance with Exhibit II. The amounts set forth below have been determined based on the nature, scope and complexity of the Project as represented in the information provided to Consultant by Client prior to submittal of this agreement; subsequent changes thereto may result in additional fees.

Task No.	Task Name	Fee
1	Project Planning, Management, and Meetings	\$15,600
2	Data Review	\$2,000
3	Identification of System Capacities	\$1,200
4	Buy-In Analysis	\$3,000
5	Incremental/Marginal Cost Analysis	\$2,500
6	Calculation of System Development Fees	\$1,500
7	Neighboring Utility Comparisons	\$2,000
8	Draft Report	\$5,200
9	Addressing Public Comment	\$2,000
10	Final Report	\$3,000
TOTAL		\$38,000

(Hourly) Denotes hourly tasks. The fee budgets represented with hourly tasks are good faith estimates of what can be expected during the performance of this contract.

1. Invoices will be issued monthly, based on the percentage of completion for each lump sum task and the hourly rate for Consultant personnel in accordance with Exhibit II for hourly tasks, as accomplished during the billing period. Payment is due upon receipt of invoice.
2. The above fees are based on the estimated timelines noted in the Timeline for Services. Any adjustments to those timelines may result in additional fees.
3. Consultant may alter the distribution of compensation between individual Tasks noted herein to be consistent with services rendered but shall not exceed the total Lump Sum amount unless approved in writing by the Client.
4. The attached Exhibit II, Fee & Expense Schedule, is based on Consultant's rates as of the date of this agreement and may be subject to change for hourly tasks and any Additional Services that occur after any adjustments to such rates go into effect.

Payment

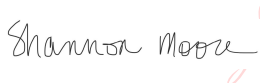
The Client will pay Consultant for services and expenses in accordance with periodic invoices to Client and a final invoice upon completion of the services. Each invoice is due and payable in full upon presentation to Client. Invoices are past due after 30 days. If the Project is reliant on State and/or Federal Funds, then the Client will pay Consultant for all invoices within three (3) banking days of receipt of those State or Federal Funds. The Client is ultimately responsible for payment of all invoices with or without receipt of State or Federal Funds.

G. Acceptance

This agreement is valid 60 days from the date it is transmitted to Client. Receipt of an executed copy of this agreement will serve as the written Agreement between WithersRavenel and City of Southport. All Exhibits identified after the signature blocks below, including the Standard Terms and Conditions (Exhibit I) and the Fee & Expense Schedule (Exhibit II), are incorporated herein and are integral parts of the Agreement.

OFFERED BY:

WITHERSRAVENEL

 Digitally signed by Shannon Moore
Date: 2023.05.16 14:45:25 -04'00'

Signature _____ Date _____

Shannon Moore
Name _____

Director, Funding Services
Funding and Asset Management
Title _____

ACCEPTED BY:

CITY OF SOUTHPORT

Signature _____ Date _____

Name _____

Title _____

Attested by:

Signature _____ Date _____

Name _____

Title _____

PREAUDIT STATEMENT: This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act (NC G.S. 159-28(a)).

Signature of Finance Officer: _____

Printed Name: _____

Date: _____

Attachments:

Exhibit I – Standard Terms and Conditions
Exhibit II – Fee & Expense Schedule

EXHIBIT I

Standard Terms and Conditions

WithersRavenel, Inc.

The proposal submitted by WithersRavenel, INC. ("CONSULTANT") is subject to the following terms and conditions, which form an integral part of the Agreement. By accepting the proposal, the services, or any part thereof, the CLIENT agrees and accepts the terms and conditions outlined below:

1. Payment:

- a) The CLIENT will pay CONSULTANT for services and expenses in accordance with periodic invoices to CLIENT and a final invoice upon completion of the services. Each invoice is due and payable in full upon presentation to CLIENT. Invoices are past due after 30 days. Past due amounts are subject to interest at a rate of one and one-half percent per month (18% per annum) on the outstanding balance from the date of the invoice.
- b) If the CLIENT fails to make payment to the CONSULTANT within 45 days after the transmittal of an invoice, the CONSULTANT may, after giving 7 days written notice to the CLIENT, suspend services under this Agreement until all amounts due hereunder are paid in full. If an invoice remains unpaid after 90 days from invoice date, the CONSULTANT may terminate the Agreement. If Consultant initiates legal proceedings to collect the fees owed, Consultant shall also be entitled to recover the reasonable expenses of collection including attorney's fees.

2. Notification of Breach or Default: The CLIENT shall provide prompt written notice to the CONSULTANT if CLIENT becomes aware of any breach, error, omission, or inconsistency arising out of CONSULTANT's services or any other alleged breach of contract or negligence by the CONSULTANT. The failure of CLIENT to provide such written notice within ten (10) days from the time CLIENT became aware of the fault, defect, error, omission, inconsistency or breach, shall constitute a waiver by CLIENT of any and all claims against the CONSULTANT arising out of such fault, defect, error, omission, inconsistency or breach. Emails shall be considered adequate written notice for purposes of this Agreement.

3. Standard of Care: CONSULTANT shall perform its services in a professional manner, using that degree of care and skill ordinarily exercised by and consistent with the standards of professionals providing the same services in the same or a similar locality as the Project. THERE ARE NO OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE THAT WILL OR CAN ARISE OUT OF THE SERVICES PROVIDED BY CONSULTANT OR THIS AGREEMENT.

4. Waiver of Consequential Damages/Limitation of Liability: CLIENT agrees that CONSULTANT's aggregate liability for any and all claims that may be asserted by CLIENT is limited to \$50,000 or to the fee paid to CONSULTANT under this Agreement, whichever is greater. Both CLIENT and CONSULTANT hereby waive any right to pursue claims for consequential damages against one another, including any claims for lost profits.

5. Representations of CLIENT: CLIENT warrants and covenants that sufficient funds are available or will be available upon receipt of CONSULTANT's invoice to make payment in full for the services rendered by CONSULTANT.

6. Ownership of Instruments of Service: All reports, plans, specifications, field data and notes and other documents, including all documents on electronic media, prepared by the CONSULTANT as instrument of service, shall remain the property of the CONSULTANT. The CONSULTANT shall retain all common law, statutory and other rights, including the copyright thereto. In the event of termination of this Agreement and upon full payment of fees owed to CONSULTANT,

CONSULTANT shall make available to CLIENT copies of all plans and specifications.

7. Change Orders: CONSULTANT will treat as a proposed change order any written or oral order (including directions, instructions, interpretations, or determinations) from CLIENT which requests changes in the Agreement or CONSULTANT's Scope of Services. If CONSULTANT accepts the proposed change order, CONSULTANT will give CLIENT written notice within ten (10) days of acceptance of any resulting increase in CONSULTANT's fees.

8. Opinion of Cost/Cost Estimates: Since the CONSULTANT has no control over the cost of labor, materials, equipment or services furnished by others, or over methods of determining prices, or over competitive bidding or market conditions, any and all opinions as to costs rendered hereunder, including but not limited to opinions as to the costs of construction and materials, shall be made on the basis of CONSULTANT'S experience and qualifications and represent its reasonable judgment as an experienced and qualified professional familiar with the construction industry; but the CONSULTANT cannot and does not guarantee the proposals, bids or actual costs will not vary significantly from opinions of probable costs prepared by it. If at any time the CLIENT wishes assurances as to the amount of any costs, CLIENT shall employ an independent cost estimator to make such determination.

9. Assignment and Third Parties: Nothing under this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than the CLIENT and CONSULTANT, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of the CLIENT and the CONSULTANT and not for the benefit of any other party. Neither the CLIENT nor the CONSULTANT shall assign, sublet, or transfer any rights under or interests in this Agreement without the written consent of the other, which shall not be unreasonably withheld. However, nothing contained herein shall prevent or restrict the CONSULTANT from employing independent subconsultants as the CONSULTANT may deem appropriate to assist in the performance of services hereunder.

10. Project Site: Should CLIENT not be owner of the Project site, then CLIENT agrees to notify the site owner of the possibility of unavoidable alteration and damage to the site. CLIENT further agrees to indemnify, defend, and hold harmless CONSULTANT against any claims by the CLIENT, the owner of the site, or persons having possession of the site which are related to such alteration or damage.

11. Access to Site: CLIENT is responsible for providing legal and unencumbered access to site, including securing all necessary site access agreements or easements, to the extent necessary for the CONSULTANT to carry out its services.

12. Survival: All of CLIENT's obligations and liabilities, including but not limited to, its indemnification obligations and limitations of liability, and CONSULTANT's rights and remedies with respect thereto, shall survive completion, expiration or termination of this Agreement.

13. Termination: Either party may terminate the Agreement with or without cause upon ten (10) days advance written notice, if the other party has not cured or taken reasonable steps to cure the breach giving rise to termination within the ten (10) day notice period. If CLIENT terminates without cause or if CONSULTANT terminates for cause, CLIENT will pay CONSULTANT for all costs incurred, non-cancelable commitments, and fees earned to the date of termination and through demobilization, including any cancellation charges of vendors and subcontractors, as well as demobilization costs.

14. Severability: If any provision of this Agreement, or application thereof to any person or circumstance, is found to be invalid then such provision shall be modified if possible, to fulfill the intent of the parties as reflected in the original provision. The remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and each provision of this Agreement shall be valid and enforced to the fullest extent permitted by applicable law.

15. No Waiver: No waiver by either party of any default by the other party in the performance of any provision of this Agreement shall operate as or be construed as a waiver of any future default, whether like or different in character.

16. Merger, Amendment: This Agreement constitutes the entire Agreement between the CONSULTANT and the CLIENT and all negotiations, written and oral understandings between the parties are integrated and merged herein. This Agreement can be supplemented and/or amended only by a written document executed by both the CONSULTANT and the CLIENT.

17. Unforeseen Occurrences: If, during the performance of services hereunder, any unforeseen hazardous substance, material, element of constituent or other unforeseen conditions or occurrences are encountered which affects or may affect the services, the risk involved in providing the service, or the recommended scope of services, CONSULTANT will promptly notify CLIENT thereof. Subsequent to that notification, CONSULTANT may: (a) if practicable, in CONSULTANT's sole judgment and with approval of CLIENT, complete the original Scope of Services in accordance with the procedures originally intended in the Proposal; (b) Agree with CLIENT to modify the Scope of Services and the estimate of charges to include study of the previously unforeseen conditions or occurrences, such revision to be in writing and signed by the parties and incorporated herein; or (c) Terminate the services effective on the date of notification pursuant to the terms of the Agreement.

18. Force Majeure: Should completion of any portion of the Agreement be delayed for causes beyond the control of or without the fault or negligence of CONSULTANT, including force majeure, the reasonable time for performance shall be extended for a period at least equal to the delay and the parties shall mutually agree on the terms and conditions upon which Agreement may be continued. Force majeure includes but is not restricted to acts of God, acts or failures of governmental authorities, acts of CLIENT's contractors or agents, fire, floods, epidemics, pandemics, riots, quarantine restrictions, strikes, civil insurrections, freight embargoes, and unusually severe weather.

19. Safety: CONSULTANT is not responsible for site safety or compliance with the Occupational Safety and Health Act of 1970 ("OSHA"). Job site safety remains the sole exclusive responsibility of CLIENT or CLIENT's contractors, except with respect to CONSULTANT's own employees. Likewise, CONSULTANT shall have no right to direct or stop the work of CLIENT's contractors, agents, or employees.

20. Dispute Resolution/Arbitration: Any claim or other dispute arising out of or related to this Agreement shall first be subject to non-binding mediation in accordance with the then-current Construction Industry Mediation Procedures of the American Arbitration Association ("AAA"). If mediation is unsuccessful, such claim or other dispute shall be subject to arbitration in accordance with the AAA's then-current Construction Industry Arbitration Rules. Any demand for arbitration shall be filed in writing with the other party and with the American Arbitration Association. CLIENT agrees to the inclusion in such arbitration (whether by initial filing, by joinder or by consolidation) of any other parties and of any other claims arising out of or relating to the Project or to the transaction or occurrence giving rise to the claim or other dispute between CLIENT and CONSULTANT.

21. Independent Contractor: In carrying out its obligations, CONSULTANT shall always be acting as an independent contractor and not an employee, agent, partner or joint venturer of CLIENT. CONSULTANT's work does not include any supervision or direction of the work of other contractors, their employees or agents, and

CONSULTANT's presence shall in no way create any liability on behalf of CONSULTANT for failure of other contractors, their employees or agents to properly or correctly perform their work

22. Hazardous Substances: CLIENT agrees to advise CONSULTANT upon execution of this Agreement of any hazardous substances or any condition existing in, on or near the Project Site presenting a potential danger to human health, the environment or equipment. By virtue of entering into the Agreement or of providing services, CONSULTANT does not assume control of, or responsibility for, the Project site or the person in charge of the Project site or undertake responsibility for reporting to any federal, state or local public agencies, any conditions at the Project site that may present a potential danger to the public, health, safety or environment except where required of CONSULTANT by applicable law. In the event CONSULTANT encounters hazardous or toxic substances or contamination significantly beyond that originally represented by CLIENT, CONSULTANT may suspend or terminate the Agreement. CLIENT acknowledges that CONSULTANT has no responsibility as a generator, treater, storer, or disposer of hazardous or toxic substances found or identified at a site. Except to the extent that CONSULTANT has negligently caused such pollution or contamination, CLIENT agrees to defend, indemnify, and hold harmless CONSULTANT, from any claim or liability, arising out of CONSULTANT's performance of services under the Agreement and made or brought against CONSULTANT for any actual or threatened environmental pollution or contamination if the fault (as defined in N.C.G.S. 22B-1(f)(7)) of CLIENT or its derivative parties (as defined in N.C.G.S. 22B-1(f)(3)) is a proximate cause of such claim or liability.

23. Choice of Law: The validity, interpretation, and performance of this Agreement shall be governed by and construed in accordance with the law of the State of North Carolina, excluding only its conflicts of laws principles.

24. Construction Services: If construction administration and review services are requested by the CLIENT, CLIENT agrees that such administration, review, or interpretation of construction work or documents by CONSULTANT shall not relieve any contractor from liability in regard to its duty to comply with the applicable plans, specifications, and standards for the Project, and shall not give rise to a claim against CONSULTANT for contractor's failure to perform in accordance with the applicable plans, specifications or standards.

25. Field Representative: If CONSULTANT provides field services or construction observation services, the presence of the CONSULTANT's field personnel will only be for the purpose of providing observation and field testing of specific aspects of the Project. Should a contractor be involved in the Project, the CONSULTANT's responsibility does not include the supervision or direction of the actual work of any contractor, its employees, or agents. All contractors should be so advised. Contractors should also be informed that neither the presence of the CONSULTANT's field representative nor the observation and testing by the CONSULTANT shall excuse contractor in any way for defects in contractor's work. It is agreed that the CONSULTANT will not be responsible for job or site safety on the Project and that the CONSULTANT does not have the right to stop the work of any contractor.

26. Submittals: CONSULTANT's review of shop drawings and other submittals is to determine conformity with the design concept only. Review of shop drawings and submittals does not include means, methods, techniques, or procedures of construction, including but not limited to, safety requirements.



EXHIBIT II

Fee & Expense Schedule

Description	Rate
Engineering & Planning	
Construction Project Professional	\$ 145
Construction Manager I	\$ 150
Construction Manager II	\$ 165
Senior Construction Manager	\$ 185
CAD Technician I	\$ 105
CAD Technician II	\$ 115
Senior CAD Technician	\$ 140
Designer I	\$ 130
Designer II	\$ 150
Senior Designer	\$ 170
Landscape Architect I	\$ 150
Landscape Architect II	\$ 175
Landscape Architect III	\$ 190
Senior Landscape Architect	\$ 210
Landscape Designer I	\$ 130
Landscape Designer II	\$ 140
Planning Technician	\$ 110
Planner I	\$ 120
Planner II	\$ 140
Planner III	\$ 165
Senior Planner	\$ 175
Project Engineer I	\$ 165
Project Engineer II	\$ 175
Project Engineer III	\$ 190
Senior Project Engineer	\$ 210
Assistant Project Manager	\$ 175
Project Manager	\$ 190
Senior Project Manager	\$ 210
Resident Project Representative I	\$ 100
Resident Project Representative II	\$ 115
Resident Project Representative III	\$ 130
Senior Resident Project Representative	\$ 140
Staff Professional I	\$ 90
Staff Professional II	\$ 140
Staff Professional III	\$ 150
Staff Professional IV	\$ 185
Senior Staff Professional	\$ 195
Senior Technical Consultant	\$ 245
Client Experience Manager	\$ 225
Director	\$ 230
Principal	\$ 250
Zoning Specialist	\$ 325
Project Coordinators	
Project Coordinator I	\$ 95
Project Coordinator II	\$ 110
Project Coordinator III	\$ 120
Senior Project Coordinator	\$ 130
Lead Project Coordinator	\$ 140
KNA	
CAD Designer	\$ 80
Construction Observer	\$ 85
Engineer	\$ 137

Description	Rate
Funding & Asset Management	
GIS Senior Specialist	\$ 165
GIS Specialist	\$ 145
GIS Survey Technician I	\$ 75
GIS Survey Technician II	\$ 100
GIS Survey Technician III	\$ 115
GIS Survey Lead	\$ 130
GIS Technician	\$ 95
GIS Analyst I	\$ 115
GIS Analyst II	\$ 130
GIS Project Manager	\$ 165
F&AM Assistant Project Manager	\$ 160
Intern I	\$ 65
Intern II	\$ 85
F&AM Implementation Specialist	\$ 145
F&AM Project Consultant I	\$ 115
F&AM Project Consultant II	\$ 125
F&AM Project Consultant III	\$ 130
F&AM Project Consultant IV	\$ 135
F&AM Senior Project Consultant I	\$ 145
F&AM Senior Project Consultant II	\$ 150
F&AM Project Manager	\$ 165
F&AM Principal	\$ 250
F&AM Director	\$ 230
F&AM Staff Professional I	\$ 70
F&AM Staff Professional II	\$ 110
F&AM Staff Professional III	\$ 150
F&AM Staff Professional IV	\$ 185
F&AM Senior Project Manager	\$ 210
F&AM Senior Technical Consultant	\$ 240
Geomatics	
Geomatics CAD I	\$ 100
Geomatics CAD II	\$ 115
Geomatics CAD III	\$ 130
Geomatics Project Manager I	\$ 165
Geomatics Project Manager II	\$ 175
Geomatics Project Manager III	\$ 185
Geomatics Project Professional I	\$ 145
Geomatics Project Professional II	\$ 170
Geomatics Principal	\$ 235
Geomatics Remote Sensing Crew I	\$ 210
Geomatics Remote Sensing Crew II	\$ 295
Geomatics Survey Crew I	\$ 150
Geomatics Survey Crew II (2 Man)	\$ 190
Geomatics Survey Crew III (3 Man)	\$ 225
Geomatics Senior Manager	\$ 210
Geomatics Survey Tech I	\$ 60
Geomatics Survey Tech II	\$ 90
Geomatics Survey Tech III	\$ 115
Geomatics Survey Tech IV	\$ 125
Geomatics Sr. Technical Consultant	\$ 210
Geomatics SUE Crew 1	\$ 190
Geomatics SUE Crew 2	\$ 260

Description	Rate
Environmental	
Environmental Technician I	\$ 80
Environmental Technician II	\$ 95
Environmental Technician III	\$ 100
Senior Environmental Technician	\$ 110
Environmental Project Geologist I	\$ 145
Environmental Project Geologist II	\$ 160
Environmental Project Geologist III	\$ 180
Environmental Senior Project Geologist	\$ 200
Environmental Assistant Project Manager	\$ 160
Environmental Project Manager	\$ 180
Environmental Senior Project Manager	\$ 200
Environmental Director	\$ 230
Environmental Project Engineer I	\$ 145
Environmental Project Engineer II	\$ 160
Environmental Project Engineer III	\$ 180
Environmental Senior Project Engineer	\$ 200
Environmental Principal	\$ 250
Environmental Project Scientist I	\$ 145
Environmental Project Scientist II	\$ 160
Environmental Project Scientist III	\$ 180
Senior Environmental Project Scientist	\$ 200
Environmental Scientist I	\$ 105
Environmental Scientist II	\$ 125
Environmental Scientist III	\$ 135
Environmental Geologist I	\$ 105
Environmental Geologist II	\$ 125
Environmental Geologist III	\$ 135
Environmental Professional I	\$ 105
Environmental Professional II	\$ 125
Environmental Professional III	\$ 135
Environmental Senior Technical Consultant	\$ 225
Administrative	
Administrative Assistant	\$ 65
Administrative Assistant I	\$ 80
Administrative Assistant II	\$ 90
Administrative Assistant III	\$ 100
Marketing Administration I	\$ 90
Marketing Administration II	\$ 115
Director of Marketing	\$ 145
Office Administration	\$ 70
Office Administrator I	\$ 115
Office Administrator II	\$ 120
Office Administrator III	\$ 125
Other	
Expert Witness	\$ 400
Expenses	
Bond Prints (Per Sheet)	\$ 1.75
Mylar Prints (Per Sheet)	\$11.00
Mileage	Per IRS
Delivery - Project Specific (Distance & Priority)	
Subcontractor Fees (Markup)	1.15
Expenses / Reprod. / Permits (Markup)	1.15

Effective January 1, 2023 – Schedule is subject to change

Water & Wastewater System Development Fee Study



October 12, 2023

Presented By: Daryll Parker



Session Law 2017-138 (HB436)

- Section 1, Chapter 162A, Article 8
- SDF Defined By HB 436
 - Imposed on new development
 - Fund costs of water/sewer improvements (existing and planned)
 - “Necessitated by and attributable to such new development”

Fee Adoption Procedures

- Fee analysis prepared by a financial professional
 - Must employ “general accepted accounting, engineering, and planning methodologies”
 - CIP horizon of 5-20 years (incremental cost)
- Posted online for at least 45 days (public comment)
- Public Hearing
- Modifications to fee analysis, if needed
- Adopt fee by resolution or ordinance
- Update Analysis at least every 5 years

Methodology

- **Methods to calculate fee based on American Water Works Association (AWWA) M1 Manual**
 - **Buy-In**: Includes existing infrastructure that has been built and maintained
 - **Incremental/Marginal Cost**: Includes new facilities (capital improvement program or “CIP”) to be built to serve new growth
 - **Combined**: A blend of new and existing facilities

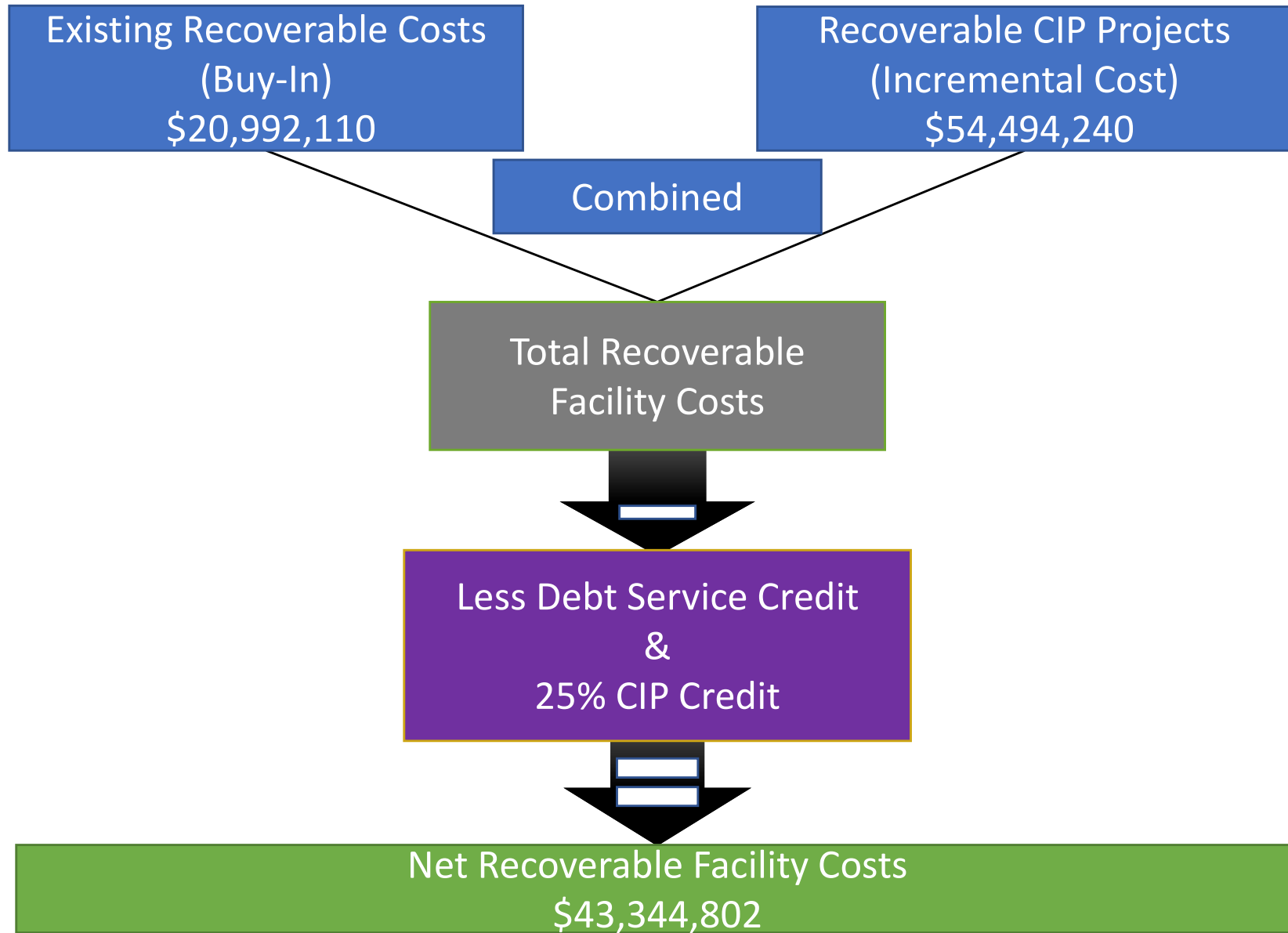
City's Recoverable Costs

Description	Recoverable Facilities		
	Water	Wastewater	Total
Existing Facilities:			
Treatment Facilities	\$ 0	\$12,566,005	\$12,566,005
Transmission Facilities	5,425,843	3,000,262	8,426,105
Subtotal	\$ 5,425,843	\$15,566,267	\$20,992,110
Capital Improvement Program:			
Treatment Facilities	\$ 0	\$21,678,683	\$21,678,683
Transmission Facilities	0	8,772,623	8,772,623
Subtotal	\$ 0	\$30,451,306	\$30,451,306
Combined Recoverable Costs:			
Treatment Facilities	\$ 0	\$34,244,688	\$34,244,688
Transmission Facilities	5,425,843	11,772,885	17,198,728
Total	\$ 5,425,843	\$46,017,573	\$51,443,416

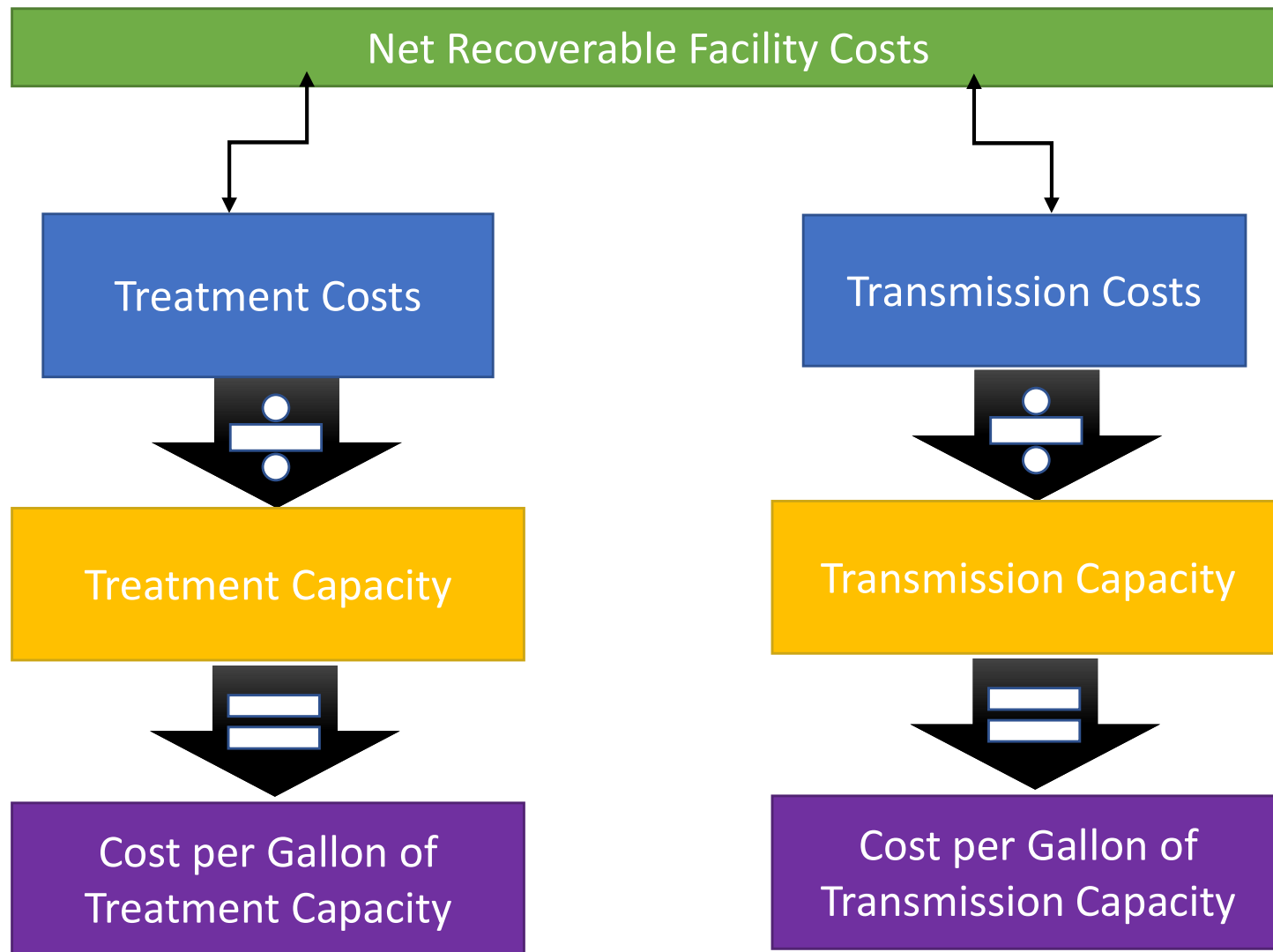
City's Net Recoverable Costs

Description	Net Recoverable Facilities		
	Water	Wastewater	Total
Combined Recoverable Costs:			
Treatment Facilities	\$ 0	\$34,244,688	\$34,244,688
Transmission Facilities	5,425,843	11,772,885	17,198,728
Subtotal	\$ 5,425,843	\$46,017,573	\$51,443,416
Less Combined Credits:			
Treatment Facilities	\$ 0	\$ (5,811,847)	\$ (5,811,847)
Transmission Facilities	0	(2,286,767)	(2,286,767)
Subtotal	\$ 0	\$ (8,098,614)	\$ (8,098,614)
Net Capital Costs:			
Treatment Facilities	\$ 0	\$28,432,841	\$28,432,841
Transmission Facilities	5,425,843	9,486,118	14,911,961
Net Recoverable Costs	\$ 5,425,843	\$37,918,959	\$43,344,802

Combined Method – Recoverable Costs



Methodology – Cost of Capacity



Cost Per Gallon of Capacity

Description	Cost Per Gallon of Capacity	
	Water	Wastewater

Net Capital Costs:

Treatment Facilities	\$ 0	\$ 28,432,841
Transmission Facilities	5,425,843	9,486,118

Net Recoverable Costs	\$ 5,425,843	\$ 37,918,959
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Estimated Capacity (MGD):

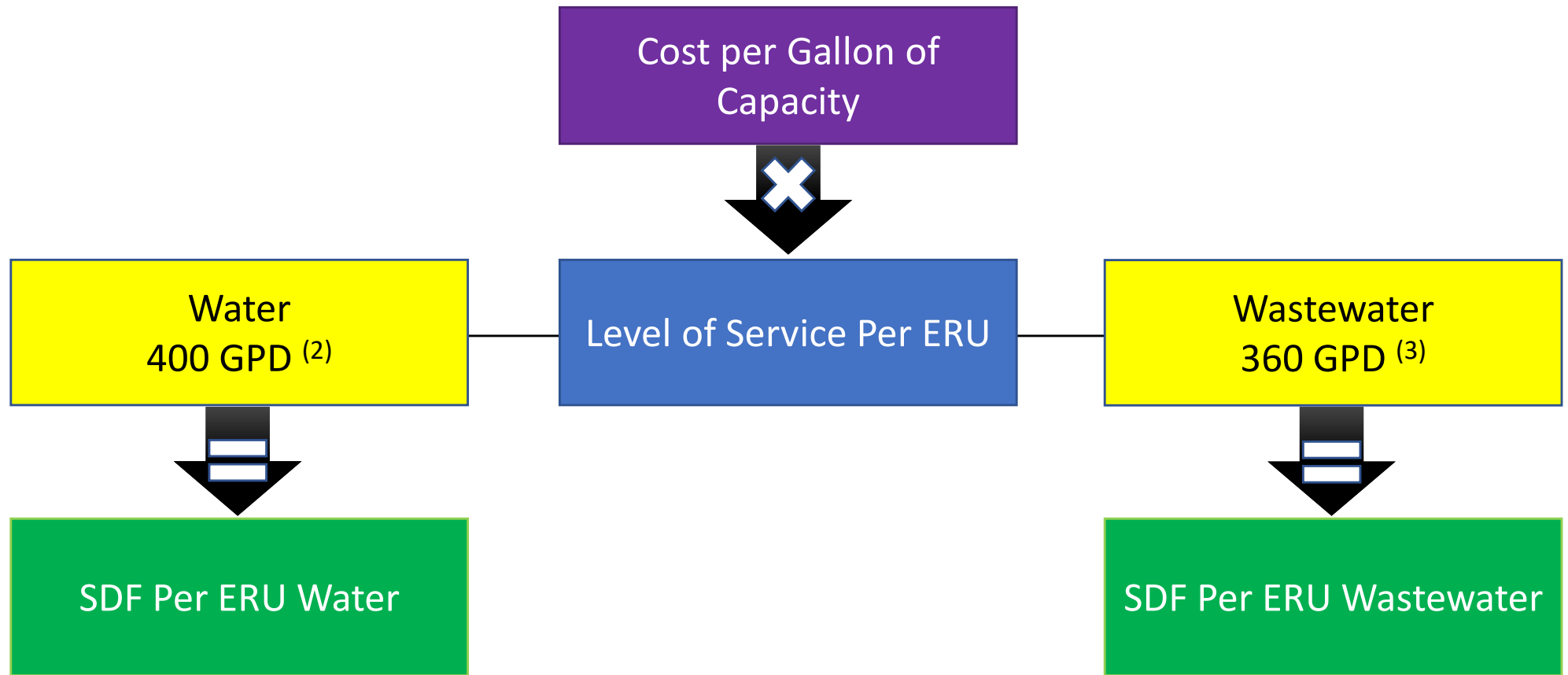
Treatment Facilities	0.756	0.600
Transmission Facilities	1.134	1.200

Cost Per Gallon:

Treatment Facilities	\$ 0.00	\$ 47.39
Transmission Facilities	4.78	7.91

Total	\$ 4.78	\$ 55.30
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Methodology – SDF Per ERU (1)



(1) Equivalent Residential Unit

(2) In accordance with NC Administrative Code water flow standards

(3) Assumes 3 bedrooms applied to the State approved 120 gallons per day per bedroom for the City's wastewater planning and design purposes

Comparison of Fees Per ERU

Description	System Development Fee Per ERU		
	Existing	Calculated ⁽¹⁾	Difference
System Development Fees:			
Water	\$ 1,700	\$ 1,910	\$ 210
Wastewater	15,847	19,900	4,053
Total	\$ 17,547	\$ 21,810	\$ 4,263

(1) As rounded down

Proposed/Calculated SDFs – Flow Basis

Description	Unit	Fees by System		Combined
		Water	Sewer	
Residential				
2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,910	\$ 13,267	\$ 15,177
3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,910	\$ 19,900	\$ 21,810
4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,521	\$ 26,534	\$ 29,055
Type of Establishments				
Barber and beauty shops				
Barber Shops	per chair	\$ 239	\$ 2,764	\$ 3,003
Beauty Shops	per booth or bowl	\$ 597	\$ 6,910	\$ 7,507
Businesses, offices and factories				
General business and office facilities	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
Factories, excluding industrial waste	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
Factories or businesses with showers or food preparation	per employee/shift	\$ 167	\$ 1,935	\$ 2,102
Warehouse	per loading bay	\$ 478	\$ 5,528	\$ 6,006
Warehouse – self storage (not including caretaker residence)	per unit	\$ 5	\$ 55	\$ 60
Churches				
Churches without kitchens, day care or camps	per seat	\$ 14	\$ 166	\$ 180
Churches with kitchen	per seat	\$ 24	\$ 276	\$ 300
Churches providing day care or camps	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
Fire, rescue and emergency response facilities				
Fire or rescue stations without on site staff	per person	\$ 119	\$ 1,382	\$ 1,501
Fire or rescue stations with on-site staff	per person/shift	\$ 239	\$ 2,764	\$ 3,003

Proposed/Calculated SDFs – Flow Basis (Cont.)

Description	Unit	Fees by System		Combined
		Water	Sewer	
Food and drink facilities				
Banquet, dining hall	per seat	\$ 143	\$ 1,658	\$ 1,801
Bars, cocktail lounges	per seat	\$ 96	\$ 1,106	\$ 1,202
Caterers	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Restaurant, full Service	per seat	\$ 191	\$ 2,211	\$ 2,402
Restaurant, single service articles	per seat	\$ 96	\$ 1,106	\$ 1,202
Restaurant, drive-in	per car space	\$ 239	\$ 2,764	\$ 3,003
Restaurant, carry out only	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Institutions, dining halls	per meal	\$ 24	\$ 276	\$ 300
Deli	per 100 sq ft floor space	\$ 191	\$ 2,211	\$ 2,402
Bakery	per 100 sq ft floor space	\$ 48	\$ 553	\$ 601
Meat department, butcher shop or fish market	per 100 sq ft floor space	\$ 358	\$ 4,146	\$ 4,504
Specialty food stand or kiosk	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Hotels and Motels				
Hotels, motels and bed & breakfast facilities, without in-room cooking facilities	per room	\$ 573	\$ 6,633	\$ 7,206
Hotels and motels, with in-room cooking facilities	per room	\$ 836	\$ 9,674	\$ 10,510
Resort hotels	per room	\$ 955	\$ 11,056	\$ 12,011
Cottages, cabins	per unit	\$ 955	\$ 11,056	\$ 12,011
Self service laundry facilities	per machine	\$ 2,388	\$ 27,639	\$ 30,027
Medical, dental, veterinary facilities				
Medical or dental offices	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
Veterinary offices (not including boarding)	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
Veterinary hospitals, kennels, animal boarding facilities	per pen, cage, kennel or stall	\$ 96	\$ 1,106	\$ 1,202
Hospitals, medical	per bed	\$ 1,433	\$ 16,583	\$ 18,016
Hospitals, mental	per bed	\$ 716	\$ 8,292	\$ 9,008
Convalescent, nursing, rest homes without laundry facilities	per bed	\$ 287	\$ 3,317	\$ 3,604
Convalescent, nursing, rest homes with laundry facilities	per bed	\$ 573	\$ 6,633	\$ 7,206
Residential care facilities	per person	\$ 287	\$ 3,317	\$ 3,604

Proposed/Calculated SDFs – Flow Basis (Cont.)

Description	Unit	Fees by System		Combined
		Water	Sewer	
Parks, recreation, camp grounds, R-V parks and other outdoor activity facilities				
Campgrounds with comfort station, without water or sewer hookups	per campsite	\$ 358	\$ 4,146	\$ 4,504
Campgrounds with water and sewer hookups	per campsite	\$ 478	\$ 5,528	\$ 6,006
Campground dump station facility	per space	\$ 239	\$ 2,764	\$ 3,003
Construction, hunting or work camps with flush toilets	per person	\$ 287	\$ 3,317	\$ 3,604
Construction, hunting or work camps with chemicalor Portable toilets	per person	\$ 191	\$ 2,211	\$ 2,402
Parks with restroom facilities	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Summer camps without food preparation or laundry facilities	per person	\$ 143	\$ 1,658	\$ 1,801
Summer camps with food preparation and laundry facilities	per person	\$ 287	\$ 3,317	\$ 3,604
Swimming pools, bathhouses and spas	per person	\$ 48	\$ 553	\$ 601
Public access restrooms	per plumbing fixture	\$ 1,552	\$ 17,965	\$ 19,517
Schools, preschools and day care				
Day care and preschool facilities	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
Schools with cafeteria, gym and showers	per student	\$ 72	\$ 829	\$ 901
Schools with cafeteria	per student	\$ 57	\$ 663	\$ 720
Schools without cafeteria, gym or showers	per student	\$ 48	\$ 553	\$ 601
Boarding schools	per person (student & employee)	\$ 287	\$ 3,317	\$ 3,604
Service stations, car wash facilities				
Service stations, gas stations	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Car wash facilities	per bay	\$ 5,730	\$ 66,333	\$ 72,063

Proposed/Calculated SDFs – Flow Basis (Cont.)

Description	Unit	Fees by System		Combined
		Water	Sewer	
Sports centers				
Bowling center	per lane	\$ 239	\$ 2,764	\$ 3,003
Fitness, exercise, karate or dance center	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
Tennis, racquet ball	per court	\$ 239	\$ 2,764	\$ 3,003
Gymnasium	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
Golf course with only minimal food service	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Country clubs	per member or patron	\$ 287	\$ 3,317	\$ 3,604
Mini golf, putt-putt	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Go-kart, motocross	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Batting cages, driving ranges	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Marinas without bathhouse	per slip	\$ 48	\$ 553	\$ 601
Marinas with bathhouse	per slip	\$ 143	\$ 1,658	\$ 1,801
Video game arcades, pool halls	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Stadiums, auditoriums, theaters, community centers	per seat	\$ 24	\$ 276	\$ 300
Stores, shopping centers, malls and flea markets				
Auto, boat, recreational vehicle dealerships/ showrooms with restrooms	per plumbing fixture	\$ 597	\$ 6,910	\$ 7,507
Convenience stores, with food preparation	per 100 sq ft	\$ 287	\$ 3,317	\$ 3,604
Convenience stores, without food preparation	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Flea markets	per stall	\$ 143	\$ 1,658	\$ 1,801
Shopping centers and malls with food service	per 1000 sq ft	\$ 621	\$ 7,186	\$ 7,807
Stores and shopping centers without food service	per 1000 sq ft	\$ 478	\$ 5,528	\$ 6,006
Transportation terminals – air, bus, train, ferry, port and dock	per passenger	\$ 24	\$ 276	\$ 300

Proposed/Calculated SDFs – Meter-Size Basis

Description	Meter Factor ⁽¹⁾	Proposed/Calculated Fees By Meter Size		
		Water	Wastewater	Total

Meter Size:

5/8 x 3/4 Inch	1.00	\$ 1,910	\$ 19,900	\$ 21,810
1.0 Inch	2.50	\$ 4,775	\$ 49,750	\$ 54,525
1.5 Inch	5.00	\$ 9,550	\$ 99,500	\$ 109,050
2.0 Inch	8.00	\$ 15,280	\$ 159,200	\$ 174,480
3.0 Inch	16.00	\$ 30,560	\$ 318,400	\$ 348,960
4.0 Inch	25.00	\$ 47,750	\$ 497,500	\$ 545,250
6.0 Inch	50.00	\$ 95,500	\$ 995,000	\$ 1,090,500
8.0 Inch	80.00	\$ 152,800	\$ 1,592,000	\$ 1,744,800

- (1) Meter-size equivalency factors established by the AWWA and identified in AWWA Standards C700, M1 and M22. Such factors are commonly applied consistently for both water and wastewater fee calculations.

Conclusion

Questions & Comments



September 1, 2023

DRAFT - 1

Bonnie Therrien
City Manager
City of Southport
1029 N. Howe St.
Southport, NC 28461

Subject: Water and Wastewater System Development Fee Study

Dear Ms. Therrien,

WILLDAN FINANCIAL SERVICES ("Willdan") is pleased to submit to the City of Southport, North Carolina (the "City") the Water and Wastewater System Development Fee Study report (the "Report") for your consideration. We have completed the analyses for the review and development of water and wastewater system development fees and have summarized the results herein.

	GENERAL
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System Development Fees ("SDF" or "SDFs") and other comparable charges are often referred to by several terms including impact fees, capacity fees, system expansion fees, availability fees, connection fees, capacity reservation charges, facility fees, capital connection charges or other such terminology. In general, an SDF is a one-time charge implemented to recover (in whole or part) the costs associated with capital investments made by a utility system to make service available to future users of the system. Such capital costs include the construction of facilities as well as engineering, surveys, land, financing, legal and administrative costs. It has become customary practice for water and wastewater utility systems to implement SDF (or other similar charges) to establish a supplemental source of funding for future capital projects. This practice helps to mitigate the need for existing customers to pay for system expansions entirely through increased user rates.

	CRITERIA FOR SYSTEM DEVELOPMENT FEES
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The purpose of an SDF is to assign, to the extent practical, growth-related capital costs to those customers responsible for such additional costs. To the extent that new population growth imposes identifiable additional capital costs to municipal services, equity and prudent financial practice necessitate the assignment of such costs to those customers or system users responsible for the



additional costs rather than the existing user base. This practice has been labeled as “growth paying for growth” without placing the full cost burden on existing users.

It is important to note that an SDF is different than an assessment or tax. A special assessment is predicated upon an estimated increment in value to the property assessed by virtue of the improvement being constructed in the vicinity of the property. Further, the assessment must be directly and reasonably related to the benefit which the property receives. SDFs are not related to the value of the improvement to the property but rather to the usage of the facilities required by the property. Until the property is put to purpose (i.e., developed), there is no burden placed upon the servicing facilities and the land use may be entirely unrelated to the value of the assessment basis of the underlying land. With respect to a comparison to taxes, SDFs are distinguishable primarily in the direct relationship between the amount charged and the measurable quantity of public facilities required. In the case of taxation, there is no requirement that the payment be in proportion to the quantity of public services consumed, and funds received by a municipality from taxes can be expended for any legitimate public purpose.

LEGAL CONSIDERATIONS

Court Proceedings - General

Courts throughout the United States have found that capacity-related fees associated with new customer connections to utility systems are legal provided they meet a Rational Nexus Test. In accordance with common court rulings, the rational nexus test requires that certain conditions be met to incorporate a valid capacity-related fee. Typically, the court decisions have found that such fees are valid if the following standards are met:

1. The required payment should primarily benefit those who must pay it because they receive a special benefit or service by reason of improvements made with the proceeds.
2. Proceeds from the required SDF payments are dedicated solely to the capital improvement projects (i.e., proceeds are not placed in a general fund to be spent on ongoing expenses and maintenance, which characterizes a tax, but are set aside in a restricted reserve fund).
3. The revenue generated by the required payment should not exceed the cost of capital improvements to the system.
4. The required payments are imposed uniformly and equitably on all new customers based on their anticipated usage (i.e., a relationship between the fees paid and the benefits received).

In general, most courts have found that it is reasonable for utility systems to take steps to ensure that there are adequate funds for capital projects, and to set aside collected fees in a special account for that purpose.



Additionally, new customers are treated alike in that they all must pay a fee based on anticipated usage and/or potential demand. Finally, courts have reasoned that it is rational for a utility system to prepare to pay for future capital projects and, while imposing a capacity-related fee may not be the only way to raise such funds, it is a reasonable and legitimate method of accruing funds.

Court Proceedings – North Carolina

In 1990, a precedent was set in the State of North Carolina in a decision by the United States Court of Appeals, Fourth District for the case of Shell Island Investment v. Town of Wrightsville Beach North Carolina (900 F.2d 255), regarding the right of the Town of Wrightsville Beach to impose utility system impact fees to fund the expansion of the water and sewer facilities. The Court of Appeals upheld the decision of the United States District Court for the Eastern District of North Carolina that the Town of Wrightsville Beach had “authority to impose impact and tap fees under the Public Enterprise statute and that no specific enabling legislation is necessary.”

Pursuant to the ruling of the District Court and the Court of Appeals, it was concluded that “despite the absence of any express authorization in the Public Enterprise Statute for municipalities to establish or increase utility fees in order to offset future capital improvements to their sewer and water infrastructures, general authority to do so is implicit in relevant state law, limited only by the requirement that any discrimination among users be not based on arbitrary or unreasonable classifications.”

Court Proceedings – Town of Carthage Case

On April 8, 2016, in the case of Quality Built Homes, Inc. v. Town of Carthage, (766 S.E. 2d 897) the North Carolina Court of Appeals held that the Town of Carthage possessed authority to charge “impact fees” for water and sewer services. However, on August 16, 2016, the North Carolina Supreme Court reversed the North Carolina Court of Appeals’ decision and held that the Town did not possess authority to charge impact fees for water and sewer services. Although there were many distinct factors influencing this decision, the result generated a significant amount of confusion and concern for governmental utility systems within the State.

House Bill 436

The General Assembly of North Carolina recently enacted House Bill 436, which included a general statute under Section 1, Chapter 162A, Article 8 for the development of “System Development Fees” (herein referred to as “Chapter 162A”) that impacts all governmental entities in North Carolina who currently assess fees for the recovery of capital costs associated with new development and system growth. As defined in Chapter 162A, a system development fee is a charge or assessment for service imposed with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs. Based on requirements of Chapter 162A, the calculation of the SDFs, must employ generally accepted accounting, engineering, and planning methodologies. Defined methodologies include the buy-in method, incremental or marginal cost method, and combined cost method.



A brief description of each of these methods as defined in American Water Works Association Manual M1 is provided below.

- *Buy-in Method.* Based on the value of the existing system's capacity. Under this method, new development "buys" a proportionate share of capacity at the cost (value) of the existing facilities.
- *Incremental/Marginal Cost Method.* Based on the value or cost to expand the existing system's capacity. This method assigns to new development the incremental cost of future system expansion needed to serve new development.
- *Combined Cost Method.* Based on blended value of both the existing and expanded system capacity. This method uses a combination of the buy-in and incremental/marginal cost methods.

Chapter 162A allows a governmental unit to utilize any of the three methods described above depending on the availability of information from the governmental unit, i.e., a detailed listing of asset data (buy-in method) or a ten to twenty-year capital improvement plan (incremental method). The combined method includes both existing assets and future capital projects required to serve growth.

Chapter 162A states that an SDF shall be calculated based on a written analysis, which may constitute or be included in a capital plan, that:

1. Is prepared by a financial professional or a licensed professional engineer qualified by experience and training or education to employ generally accepted accounting, engineering, and planning methodologies to calculate system development fees for public water and sewer systems.
2. Documents in reasonable detail the facts and data used in the analysis and their sufficiency and reliability.
3. Employs generally accepted accounting, engineering, and planning methodologies, including the buy-in, incremental cost or marginal cost, and combined cost methods for each service, setting forth appropriate analysis as to the consideration and selection of a method appropriate to the circumstances and adapted as necessary to satisfy all requirements of this Article.
4. Documents and demonstrates the reliable application of the methodologies to the facts and data, including all reasoning, analysis, and interim calculations underlying each identifiable component of the system development fee and the aggregate thereof.
5. Identifies all assumptions and limiting conditions affecting the analysis and demonstrates that they do not materially undermine the reliability of conclusions reached.
6. Calculates a final system development fee per service unit of new development and includes an equivalency or conversion table for use in determining the fees applicable for various categories of demand.
7. Covers a planning horizon of not less than 5 years nor more than 20 years.
8. Is adopted by resolution or ordinance of the local governmental unit in accordance with G.S. 162A-209.
9. Uses the gallons per day per service unit that the local governmental unit applies to its water or sewer system engineering or planning purposes for water or sewer, as appropriate,



in calculating the system development fee. (2017-138, s. 1; 2018-34, s. 1(a); 2021-76, s. 2.)

Further, Chapter 162A includes certain other minimum requirements as follows:

1. A system development fee shall not exceed that calculated based on the system development fee analysis.
2. Credits must be included no matter which methodology is used. A more detailed discussion on the applicable credits will be included in later sections of this Report.
3. A construction or contribution credit shall be given with respect to new development such that the governmental unit will credit the value of costs in excess of a development's proportionate share of connecting facilities required to be oversized for the use of others outside the development.

As such, this Report is intended to assess SDFs that meet the legal requirements set forth above to develop fees in accordance with Chapter 162A. The development of the proposed/calculated SDFs and applicable analysis assumptions are described throughout the remainder of the Report.

ADOPTION AND PERIODIC REVIEW OF SDF ANALYSIS

Upon completion of the SDF analysis, Chapter 162A sets forth certain criteria regarding the adoption and periodic review of SDFs. These include the following:

1. For not less than 45 days prior to consideration for adoption of the SDF analysis, the governmental unit shall post the analysis on its website and solicit and furnish a means to submit written comments which shall be considered by the preparer for potential modifications or revisions to the analysis.
2. Following expiration of the 45 days posting period, the governing body shall conduct a public hearing prior to considering adopting the analysis with any modifications.
3. The governmental unit shall publish the SDFs in its annual budget, rate plan or ordinance. Further, the SDF analysis shall be updated at least every five years.

EXISTING SYSTEM DEVELOPMENT FEES

The City currently imposes SDFs on new customers requiring water and/or wastewater utility service. The current fees are \$1,700 and \$15,847 for a three-bedroom residential dwelling unit, for water and wastewater, respectively. The fees are based on the Wastewater Design Flow Rates established by the State of North Carolina in accordance with the type of customer and their average daily flow rates. The current fees and fee structure were developed and adopted in accordance with the Chapter 162A requirements.



EXISTING TAP FEES

The City currently imposes tap fees to new customers connecting to the water and wastewater systems. However, it is important to note that such connection-related fees are different than the SDFs developed and proposed herein. The distinguishing characteristic is that the connection fees are established for the purpose of recovering the operating costs associated with performing the customer service act of physically making a new system connection (i.e., materials, labor, equipment, vehicles, etc.) SDFs, on the other hand, are established for the purpose of recovering the major capital costs incurred in making water and wastewater utility services available to the public. The SDFs calculated herein are intended to be in addition to the tap fees. As such, it is proposed that the existing connection fees continue to be imposed. It should be noted that, for the purpose of this Report, the existing connection fees are assumed to recover the costs associated with these items. A review of these fees in relation to actual costs incurred is beyond the scope of this Report.

EXISTING & PROJECTED CAPITAL FACILITIES

Existing Facilities – Buy-In Method

In considering the recovery of existing asset costs under the buy-in method, the general concept is that new customers “buy” a proportionate share of system capacity at the value of the existing facilities. It is important to note that while this methodology is labeled as *buy-in*, payment of an SDF does not transfer any ownership of the assets to the customer. Rather, such payment provides access to capacity at a status equal to that of existing customers of the system.

While there are asset valuation methods, a common approach is to value the existing assets at a replacement cost amount. According to the replacement cost method, the existing system components are valued at the estimated current cost of replacing the facilities. The analysis developed herein uses an approach referred to as Replacement Cost New Less Depreciation (RCNLD). Applying the RCNLD method, the original costs are escalated to current dollars using construction cost indices, and then the result is adjusted down for the accumulated depreciation, which is also adjusted by the construction cost indices. This approach results in a replacement cost valuation that reflects the remaining depreciable life of the facilities.

In performing the RCNLD analysis, the City provided a detailed listing of the current water and wastewater system facilities (the “Asset Listing”). The Asset Listing contained the original cost, the date placed in service and the accumulated depreciation for each asset. The replacement cost of each asset is estimated by using construction cost indices information contained in the Handy-Whitman Index of Public Utility Construction Costs for the South Atlantic Region. The Handy-Whitman Index calculates the cost trends for distinct types of utility construction, including water systems. Since much of the construction material and equipment is similar, the index is commonly applied to wastewater systems as well. The published indices are used by regulatory bodies,



operating entities, utility systems, service companies, valuation experts and insurance companies. The Handy-Whitman Index values are widely used to trend earlier valuations and original cost records to estimate replacement cost at prices prevailing at a certain date or to the present. While other construction cost indices are available, the Handy-Whitman Index is used in this analysis because it is specifically tailored to the utility industry.

After the replacement cost is calculated for each individual asset item, the adjusted accumulated depreciation is deducted for each asset item. The result is the RCNLD. The asset data and applicable recoverable cost allocations are provided in **Exhibit 1** at the end of this Report. The existing capital facilities and RCNLD calculations are summarized in **Table 1**.

TABLE 1 RCNLD OF EXISTING UTILITY ASSETS				
Description	Original Cost	Replacement Cost New	Accumulated Depreciation	RCNLD
Total Utility Assets:				
Utility System	\$ 20,836,351	\$ 51,572,150	\$(29,557,469)	\$ 22,014,681
Land	2,827,986	2,876,220	0	2,876,220
Vehicles	759,818	1,023,026	(892,634)	130,392
Equipment	794,364	1,766,024	(1,520,981)	245,043
Total	\$ 25,218,519	\$ 57,237,420	\$(31,971,084)	\$ 25,266,336

As provision for SDF analyses, the existing assets are categorized based on the major components of **Treatment** and **Transmission**. The treatment category includes any treatment plant facilities (water and/or wastewater) and accompanying supply and storage facilities (water only), as well as wastewater effluent disposal facilities. The transmission/collection category consists of major water mains, water pumping facilities, sewer lift stations and collection lines. Since the localized distribution and collection facilities are oftentimes contributed by developers or funded from other sources (i.e., assessments, direct customer payments, etc.), these facilities are not included for recovery through the SDFs. Additionally, a cost limit or threshold is set as a condition of inclusion of the asset items in the SDF calculation. Based on discussions with City staff, for the purposes of this analysis, the cost is set at \$100,000.

The cost limit assumes that any asset item that costs less than the limit amount is not a major facility that provides a system-wide benefit. A final adjustment was made to exclude certain asset items that were identified as projects that only restored existing capacity rather than provided system upgrades or additional system capacity (e.g., equipment, vehicles, etc.) The existing recoverable water and wastewater capital asset cost allocations included in the analysis are summarized in **Table 2**.



TABLE 2
ALLOCATION OF EXISTING RECOVERABLE FACILITIES

Description	RCNLD Included for Recovery		
	Water	Wastewater	Total
<u>Total Recoverable Assets:</u>			
Utility System	\$ 5,425,843	\$ 12,978,716	\$ 18,404,559
Land	0	2,587,551	2,587,551
Vehicles	0	0	0
Equipment	0	0	0
Total	\$ 5,425,843	\$ 15,566,267	\$ 20,992,110
<u>Allocation of Recoverable Assets:</u>			
Treatment Facilities	\$ 0	\$ 12,566,005	\$ 12,566,005
Transmission Facilities	5,425,843	3,000,262	8,426,105
Total	\$ 5,425,843	\$ 15,566,267	\$ 20,992,110

Capital Improvements Program – Incremental Cost Method

In considering the recovery of future asset costs under the incremental cost method, the general concept is to assign to new development the incremental cost of future system expansion needed to serve the new development. When using this method, Chapter 162A requires a minimum 5-year capital improvements program (“CIP”) that identifies the costs associated with new capacity and the timing of the expenditures. It is also important to consider the planned funding sources for the projects identified in the CIP. For example, projects that are funded from grants or developer contributions are excluded from the SDF calculation since these are costs that are not incurred by the utility.

The SDFs developed herein utilize the incremental cost method and therefore include future capital improvement projects and their applicable additions to system capacity. The CIP for fiscal years 2024 - 2033 is provided in **Exhibit 2**. Like the rationale for excluding certain existing assets from recovery through SDFs, the CIP project costs included for capital recovery in the analysis consist of only those projects associated with system-wide upgrades or expansions. As such, projects related to general maintenance (i.e., renewal and replacement of existing facilities) or localized facilities that benefit only certain customers are excluded from recovery through the SDFs. The CIP and resulting identification of assumed growth-related projects (i.e., project costs recoverable from SDFs) are provided in **Exhibit 3**. The Exhibit also provides a summary allocation of the recoverable costs between the treatment and transmission components. The projected growth-related projects and capital costs included in the analysis are summarized in **Table 3**.



TABLE 3
SUMMARY OF THE CIP & RECOVERABLE CAPITAL COSTS

Description	Total CIP	Excluded Capital	Recoverable Capital
<u>Water:</u>			
Treatment Facilities	\$ 0	\$ 0	\$ 0
Transmission Facilities	0	0	0
Other Facilities	0	0	0
Total	\$ 0	\$ 0	\$ 0
<u>Wastewater:</u>			
Treatment Facilities	\$ 21,678,683	\$ 0	\$ 21,678,683
Transmission Facilities	32,815,557	24,042,934	8,772,623
Other Facilities	0	0	0
Total	\$ 54,494,240	\$ 24,042,934	\$ 30,451,306
<u>Combined:</u>			
Treatment Facilities	\$ 21,678,683	\$ 0	\$ 21,678,683
Transmission Facilities	32,815,557	24,042,934	8,772,623
Other Facilities	0	0	0
Total	\$ 54,494,240	\$ 24,042,934	\$ 30,451,306

Total Facilities – Combined Method

The analysis developed herein for calculation of the SDFs proposes the combined method. As the name implies, the combined method includes the cost/value of both the existing facilities currently providing service, as well as the planned facilities required to perpetuate or expand service. This method assumes that the utility has capacity within the existing system sufficient to serve near-term growth but will require additional capacity to meet future growth needs. Using this method, new customers pay an SDF that reflects the value of both existing and planned capacity. The combined system costs included for recovery are summarized in **Table 4**.



TABLE 4
SUMMARY OF COMBINED RECOVERABLE FACILITIES

Description	Recoverable Facilities		
	Water	Wastewater	Total
Existing Facilities:			
Treatment Facilities	\$ 0	\$ 12,566,005	\$ 12,566,005
Transmission Facilities	5,425,843	3,000,262	8,426,105
Subtotal	\$ 5,425,843	\$ 15,566,267	\$ 20,992,110
Capital Improvement Program:			
Treatment Facilities	\$ 0	\$ 21,678,683	\$ 21,678,683
Transmission Facilities	0	8,772,623	8,772,623
Subtotal	\$ 0	\$ 30,451,306	\$ 30,451,306
Combined Recoverable Costs:			
Treatment Facilities	\$ 0	\$ 34,244,688	\$ 34,244,688
Transmission Facilities	5,425,843	11,772,885	17,198,728
Total	\$ 5,425,843	\$ 46,017,573	\$ 51,443,416

SDF CALCULATION CREDITS

It is common practice for utilities to fund major capital improvements and expansion projects with debt (i.e., bond issues). Typically, debt service payments associated with bond issues are recovered through the monthly user rates and charges applied to all system customers, as well as from other available revenue sources (including SDFs). To mitigate the potential for new customers to pay twice for capital facilities (i.e., paying an SDF for facilities that may have been debt funded, and then paying for debt service in their monthly user rates), the SDF analysis developed herein includes a debt service credit to the existing facilities (buy-in method). The credit on the existing facilities is equal to the outstanding principal remaining on all utility-related debt. The debt service credit amount for the existing facilities is allocated between water and wastewater based on information provided by staff related to the capital projects that were funded from proceeds of each individual debt instrument.

In addition to the credit on the existing facilities, the analysis developed herein applies a credit to the planned future facilities provided in the CIP (incremental cost method). The credit for the future facilities is equal to 25% of the recoverable CIP, which meets the requirements of Chapter 162A. A summary of the combined recoverable capital facilities as adjusted for the applicable credits is provided in **Table 5**.



TABLE 5
SUMMARY OF NET RECOVERABLE FACILITIES

Description	Net Recoverable Facilities		
	Water	Wastewater	Total
Combined Recoverable Costs:			
Treatment Facilities	\$ 0	\$ 34,244,688	\$ 34,244,688
Transmission Facilities	5,425,843	11,772,885	17,198,728
Subtotal	\$ 5,425,843	\$ 46,017,573	\$ 51,443,416
Less Combined Credits:			
Treatment Facilities	\$ 0	\$ (5,811,847)	\$ (5,811,847)
Transmission Facilities	0	(2,286,767)	(2,286,767)
Subtotal	\$ 0	\$ (8,098,614)	\$ (8,098,614)
Net Capital Costs:			
Treatment Facilities	\$ 0	\$ 28,432,841	\$ 28,432,841
Transmission Facilities	5,425,843	9,486,118	14,911,961
Net Recoverable Costs	\$ 5,425,843	\$ 37,918,959	\$ 43,344,802

SYSTEM CAPACITIES

As previously addressed, the purpose of the SDF is to have new customers pay for their proportionate share of system capacity. This concept implies that the fee is based on a unit cost of capacity. To apply a fee based on the unit cost of capacity, it is necessary to identify the capacities of the facilities for which cost recovery is assigned. As such, the methodology applied herein relies upon identifying the water and wastewater treatment capacities as well as estimating the capacities of the major transmission facilities. Due to the regulatory and design requirements for water and wastewater treatment plants, the capacity of treatment facilities is typically well documented. However, the volumetric capacity of the major transmission facilities is often more difficult to determine. For this reason, in performing an analysis of this nature, the assumed capacity of the transmission facilities is commonly based on a factor of the associated treatment capacities. In developing the estimated amount of capacity for each respective category, the analysis relies on information provided by the City, as well as assumptions based on common industry standards.

Water Treatment

Based on information provided by staff, the City has access to a contract maximum water treatment capacity of 1.418 MGD (million gallons per day) from Brunswick County, NC (the “County”). While the flow capacity is provided in terms of the maximum daily flow amount, the development



and application of SDFs are based on average flow requirements. As such, it is necessary to convert the maximum daily flow (MDF) capacity to an estimated average daily flow (ADF) capacity. In accordance with general industry standards and discussions with staff, it is assumed herein that the rated MDF is approximately 1.50 times the available capacity on an ADF basis. Applying this factor to the rated capacity for the water treatment facilities results in an average daily flow capacity of 0.945 MGD. An additional adjustment is made based on the assumed amount of unaccounted-for water (i.e., system flushing and backwashing, testing, line loss, etc.) The unaccounted-for water reduces the amount of capacity available to existing and future customers. Based on discussions with staff, the analysis performed herein assumes an average loss factor of 20.0% to adjust for the unaccounted-for water flows. This final adjustment results in an assumed average daily treatment plant capacity of 0.756 MGD (see **Exhibit 4**).

Water Transmission

Unlike treatment facilities, the capacity information for major transmission facilities is extremely difficult to determine and quantify. Such transmission capacity estimates are typically not even developed in engineering documents such as master plans or Consulting Engineer's Reports. Based on discussions with staff, it is assumed that the existing transmission facilities can provide water flow equal to the existing max-day treatment capacity previously addressed. Like the adjustment for treatment, a 20.0% loss adjustment is made to the transmission facilities resulting in an adjusted capacity of 1.134 MGD (see **Exhibit 4**).

Wastewater Treatment

Due to the regulatory and design requirements for wastewater treatment plants, the capacity of treatment facilities is frequently well documented. The wastewater treatment facilities are designed and permitted in accordance with published hydraulic standards adopted by Section 15A NCAC 02T .0114 of the North Carolina Administrative Code regulations. The City currently leases 0.750 MGD of treatment capacity in the West Brunswick Regional Wastewater System (the "West System") owned and operated by the County. In accordance with an agreement between the City and County on November 2, 2020, rather than continuing to lease capacity, the City will become a participant in the West System along with the Towns of Holden Beach, Oak Island, and Shallotte for guaranteed capacity in the System. The WWTP expansion project in the CIP represents the cost of the City's 0.75 MGD share of the West System.

Unlike the application for water, due to the nature of the operations, the wastewater treatment capacity is permitted at average daily flow levels. As such, it is not necessary to convert the capacity. However, as with the unaccounted-for flows in the water system, wastewater systems are impacted by inflow and infiltration (I&I) into the wastewater collection facilities. The impact of I&I reduces the level of capacity that is available for use by existing and future system customers. Pursuant to discussions with staff, the combined wastewater treatment capacity is adjusted for an assumed I&I impact of 20.0%, resulting in an adjusted average daily treatment capacity of 0.600 MGD (see **Exhibit 5**).



Wastewater Transmission

Like the discussion provided above for the determination of water transmission capacity, it is difficult to identify the capacity of the wastewater transmission facilities. Although an exact capacity number is challenging to determine, for the purpose of this analysis it is assumed that the wastewater trunk lines and pumping facilities are designed to provide capacity at least equal to 2.00 times the existing treatment capacity, or 1.500 MGD. Like the adjustment for treatment, a 20.0% I&I adjustment is made to the transmission facilities resulting in a combined adjusted capacity of 1.200 MGD (see **Exhibit 5**).

DEVELOPMENT OF SDFs

The methodology utilized herein for developing the water and wastewater SDFs relies upon the cost of major system facilities as well as the existing and expanded system capacities to calculate an estimated cost per unit (gallon) of capacity. Based on this methodology, the facilities have a unit cost of \$4.78 and \$55.30 per gallon of capacity (combined treatment and transmission) for water and wastewater, respectively.

In developing the SDFs, the unit costs per gallon of capacity are applied to a common Level of Service (LOS) standard to establish the applicable fee per Equivalent Residential Unit (ERU). For purposes of applying the LOS, an ERU is representative of a single-family residential dwelling unit receiving water service from a 5/8 x 3/4-inch metered connection and discharging normal domestic-strength wastewater through a comparably sized sewer connection. Based on common industry standards for the development and application of capacity-related charges, a typical residential water connection is widely assumed to require average service availability in the range of 350 to 450 gallons per day (gpd) of system capacity. The State of North Carolina (the "State") has established flow standards for purposes of planning and engineering design. In accordance with daily water flow capacity design standards defined in the North Carolina Administrative Codes (15A NCAC 18C .0409), the level of service requirement for a residential connection is 400 gpd. In accordance with the State codes, the City's existing methodology applies 400 gpd of water system capacity as the standard level of service requirement for 1 ERU.

Like the water system, the SDFs for wastewater are to be applied on an ERU basis such that 1 ERU is equal to the estimated capacity requirements for a typical single family residential connection with a 5/8-inch X 3/4-inch water meter. In accordance with wastewater flow design standards adopted by the State and defined by the North Carolina Administrative Codes (15A NCAC 02T .0114), the level of service requirement is based on 120 gallons of capacity per day per bedroom for a residential home. In accordance with the City's existing methodology, the analysis developed herein assumes that the standard is three bedrooms. The resulting standard LOS is 360 gpd of wastewater system capacity per ERU.

Applying the average day LOS amounts to the estimated unit costs per gallon of capacity results in the proposed/calculated water and wastewater SDFs of \$1,910 and \$19,900, respectively, as



rounded down, for a typical single-family residential connection (i.e., per ERU). The development of the water and wastewater SDFs is detailed in **Exhibits 4** and **5**, respectively. A summary of the existing and proposed/calculated SDFs for a new residential connection is provided in **Table 6**.

TABLE 6 COMPARISON OF SDFs PER ERU			
Description	System Development Fee Per ERU		
	Existing	Calculated	Difference
System Development Fees:			
Water	\$ 1,700	\$ 1,910	\$ 210
Wastewater	15,847	19,900	4,053
Total	\$ 17,547	\$ 21,810	\$ 4,263

APPLICATION OF SDFs

As previously addressed, the City imposes SDFs on new customers based on the Wastewater Design Flow Rates established by the State of North Carolina in accordance with the type of customer and their average daily flow rates. The proposed/calculated water and wastewater SDFs for the various customers are provided in **Exhibit 6** and summarized in **Table 7**.



TABLE 7
PROPOSED/CALCULATED SYSTEM DEVELOPMENT FEES

Description	Unit	Fees by System		Combined
		Water	Sewer	
Existing Residential				
2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,700	\$ 10,565	\$ 12,265
3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,700	\$ 15,847	\$ 17,547
4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,244	\$ 21,130	\$ 23,374
Proposed/Calculated - Residential				
2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,910	\$ 13,267	\$ 15,177
3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,910	\$ 19,900	\$ 21,810
4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,521	\$ 26,534	\$ 29,055
Type of Establishments				
Barber and beauty shops				
Barber Shops	per chair	\$ 239	\$ 2,764	\$ 3,003
Beauty Shops	per booth or bowl	\$ 597	\$ 6,910	\$ 7,507
Businesses, offices and factories				
General business and office facilities	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
Factories, excluding industrial waste	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
Factories or businesses with showers or food preparation	per employee/shift	\$ 167	\$ 1,935	\$ 2,102
Warehouse	per loading bay	\$ 478	\$ 5,528	\$ 6,006
Warehouse – self storage (not including caretaker residence)	per unit	\$ 5	\$ 55	\$ 60
Churches				
Churches without kitchens, day care or camps	per seat	\$ 14	\$ 166	\$ 180
Churches with kitchen	per seat	\$ 24	\$ 276	\$ 300
Churches providing day care or camps	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
Fire, rescue and emergency response facilities				
Fire or rescue stations without on site staff	per person	\$ 119	\$ 1,382	\$ 1,501
Fire or rescue stations with on-site staff	per person/shift	\$ 239	\$ 2,764	\$ 3,003
Food and drink facilities				
Banquet, dining hall	per seat	\$ 143	\$ 1,658	\$ 1,801
Bars, cocktail lounges	per seat	\$ 96	\$ 1,106	\$ 1,202
Caterers	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Restaurant, full Service	per seat	\$ 191	\$ 2,211	\$ 2,402
Restaurant, single service articles	per seat	\$ 96	\$ 1,106	\$ 1,202
Restaurant, drive-in	per car space	\$ 239	\$ 2,764	\$ 3,003
Restaurant, carry out only	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Institutions, dining halls	per meal	\$ 24	\$ 276	\$ 300
Deli	per 100 sq ft floor space	\$ 191	\$ 2,211	\$ 2,402
Bakery	per 100 sq ft floor space	\$ 48	\$ 553	\$ 601
Meat department, butcher shop or fish market	per 100 sq ft floor space	\$ 358	\$ 4,146	\$ 4,504
Specialty food stand or kiosk	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Hotels and Motels				
Hotels, motels and bed & breakfast facilities, without in-room cooking facilities	per room	\$ 573	\$ 6,633	\$ 7,206
Hotels and motels, with in-room cooking facilities	per room	\$ 836	\$ 9,674	\$ 10,510
Resort hotels	per room	\$ 955	\$ 11,056	\$ 12,011
Cottages, cabins	per unit	\$ 955	\$ 11,056	\$ 12,011
Self service laundry facilities	per machine	\$ 2,388	\$ 27,639	\$ 30,027
Medical, dental, veterinary facilities				
Medical or dental offices	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
Veterinary offices (not including boarding)	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
Veterinary hospitals, kennels, animal boarding facilities	per pen, cage, kennel or stall	\$ 96	\$ 1,106	\$ 1,202
Hospitals, medical	per bed	\$ 1,433	\$ 16,583	\$ 18,016
Hospitals, mental	per bed	\$ 716	\$ 8,292	\$ 9,008
Convalescent, nursing, rest homes without laundry facilities	per bed	\$ 287	\$ 3,317	\$ 3,604
Convalescent, nursing, rest homes with laundry facilities	per bed	\$ 573	\$ 6,633	\$ 7,206
Residential care facilities	per person	\$ 287	\$ 3,317	\$ 3,604



TABLE 7
PROPOSED/CALCULATED SYSTEM DEVELOPMENT FEES (CONT.)

Description	Unit	Fees by System		Combined
		Water	Sewer	
Parks, recreation, camp grounds, R-V parks and other outdoor activity facilities				
Campgrounds with comfort station, without water or sewer hookups	per campsite	\$ 358	\$ 4,146	\$ 4,504
Campgrounds with water and sewer hookups	per campsite	\$ 478	\$ 5,528	\$ 6,006
Campground dump station facility	per space	\$ 239	\$ 2,764	\$ 3,003
Construction, hunting or work camps with flush toilets	per person	\$ 287	\$ 3,317	\$ 3,604
Construction, hunting or work camps with chemicalor				
Portable toilets	per person	\$ 191	\$ 2,211	\$ 2,402
Parks with restroom facilities	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Summer camps without food preparation or laundry facilities	per person	\$ 143	\$ 1,658	\$ 1,801
Summer camps with food preparation and laundry facilities	per person	\$ 287	\$ 3,317	\$ 3,604
Swimming pools, bathhouses and spas	per person	\$ 48	\$ 553	\$ 601
Public access restrooms	per plumbing fixture	\$ 1,552	\$ 17,965	\$ 19,517
Schools, preschools and day care				
Day care and preschool facilities	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
Schools with cafeteria, gym and showers	per student	\$ 72	\$ 829	\$ 901
Schools with cafeteria	per student	\$ 57	\$ 663	\$ 720
Schools without cafeteria, gym or showers	per student	\$ 48	\$ 553	\$ 601
Boarding schools	per person (student & employee)	\$ 287	\$ 3,317	\$ 3,604
Service stations, car wash facilities				
Service stations, gas stations	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Car wash facilities	per bay	\$ 5,730	\$ 66,333	\$ 72,063
Sports centers				
Bowling center	per lane	\$ 239	\$ 2,764	\$ 3,003
Fitness, exercise, karate or dance center	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
Tennis, racquet ball	per court	\$ 239	\$ 2,764	\$ 3,003
Gymnasium	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
Golf course with only minimal food service	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Country clubs	per member or patron	\$ 287	\$ 3,317	\$ 3,604
Mini golf, putt-putt	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Go-kart, motocross	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Batting cages, driving ranges	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Marinas without bathhouse	per slip	\$ 48	\$ 553	\$ 601
Marinas with bathhouse	per slip	\$ 143	\$ 1,658	\$ 1,801
Video game arcades, pool halls	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Stadiums, auditoriums, theaters, community centers	per seat	\$ 24	\$ 276	\$ 300
Stores, shopping centers, malls and flea markets				
Auto, boat, recreational vehicle dealerships/showrooms with restrooms	per plumbing fixture	\$ 597	\$ 6,910	\$ 7,507
Convenience stores, with food preparation	per 100 sq ft	\$ 287	\$ 3,317	\$ 3,604
Convenience stores, without food preparation	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Flea markets	per stall	\$ 143	\$ 1,658	\$ 1,801
Shopping centers and malls with food service	per 1000 sq ft	\$ 621	\$ 7,186	\$ 7,807
Stores and shopping centers without food service	per 1000 sq ft	\$ 478	\$ 5,528	\$ 6,006
Transportation terminals – air, bus, train, ferry, port and dock	per passenger	\$ 24	\$ 276	\$ 300

It is not suggested the City change its current methodology for calculating the SDFs applied to non-residential customers. However, this Report considers a potentially more administratively efficient fee structure. It is common practice in the utility industry to charge capacity-related fees



based upon the size of the water meter. The concept is that the meter size is directly correlated to the potential demand a customer can place on the system. With a meter-based fee structure, one ERU is equal to the average anticipated flow for a single-family dwelling unit with a standard 5/8 x 3/4-inch water meter. New connections with larger water meters have the potential of placing more demand on the system (i.e., require more capacity) and are assessed ERU factors accordingly. The methodology for incrementing the fees for larger connection sizes is based on standardized demand criteria established by the American Water Works Association (AWWA) and the Water Environment Federation (WEF) pursuant to the size of the water meter. Utilizing the AWWA/WEF demand criteria, the applicable ERU factors for larger water meters are based on the incremental increase in potential demand as compared to the standard meter size. If the Town chooses to go this direction, the meter-based fees displayed below utilize the AWWA/WEF meter equivalency methodology. Since wastewater flow is generally a direct function of water flow, applying the water and wastewater SDFs based upon the size of the water meter is equitable, administratively efficient, and consistent with industry standards. The applicable meter-based fees are summarized in **Exhibit 7** and summarized in **Table 8**.

TABLE 8				
METER-BASED SYSTEM DEVELOPMENT FEES				
Description	Meter Factor ⁽¹⁾	Proposed/Calculated Fees By Meter Size		
		Water	Wastewater	Total
Meter Size:				
5/8 x 3/4 Inch	1.00	\$ 1,910	\$ 19,900	\$ 21,810
1.0 Inch	2.50	\$ 4,775	\$ 49,750	\$ 54,525
1.5 Inch	5.00	\$ 9,550	\$ 99,500	\$ 109,050
2.0 Inch	8.00	\$ 15,280	\$ 159,200	\$ 174,480
3.0 Inch	16.00	\$ 30,560	\$ 318,400	\$ 348,960
4.0 Inch	25.00	\$ 47,750	\$ 497,500	\$ 545,250
6.0 Inch	50.00	\$ 95,500	\$ 995,000	\$ 1,090,500
8.0 Inch	80.00	\$ 152,800	\$ 1,592,000	\$ 1,744,800
(1) Meter-size equivalency factors established by the AWWA and identified in AWWA Standards C700, M1 and M22. Such factors are commonly applied consistently for both water and wastewater fee calculations.				

In situations where the application of the meter-based fees will result in the collection of fees significantly different than the potential demand requirement of a new customer requesting service, a special calculation methodology may be applied at the discretion of the City's Public Works Department. For such situations, it is important for the utility to have the flexibility to utilize an ERU methodology for individual accounts based on specific capacity requirements. This alternative methodology is to apply the calculated unit costs per gallon of capacity as provided in **Exhibit 7** times the capacity requirement for the customer. This type of situation will be uncommon and will typically only involve larger commercial and industrial connections. It is



anticipated that, in such situations, the City will require certified engineering documentation defining the capacity utilization needs for the new customer.

GENERAL ASSUMPTIONS AND CONSIDERATIONS

In the preparation of this Report, certain information has been used and relied upon that was provided to Willdan by other entities. Such information includes, but is not limited to, audited financial statements, annual operating budgets, capital information, asset listings, cost data, system capacities, fee schedules for other utilities, and other information provided during the study. While the sources and applicable information are believed to be reliable, no independent verification of the information has been made and no assurances are offered with respect to the accuracy of the applicable information. To the extent that information used to develop the assumptions applied in the Report differs from actual results, the analyses developed herein could be impacted accordingly.

CONCLUSIONS

This study has found a need for the City to maintain a mechanism for recovering the capital costs associated with system growth and expansion. Based on the reviews, analyses and assumptions provided herein, it is concluded that:

1. The application of capital recovery fees for new system connections is becoming more common for public utility systems in North Carolina. As growth continues to impact the region, and as state and federal funding programs are reduced or eliminated, it is prudent management practice to adopt mechanisms to recover capital costs incurred by the utility for making service available to future customers.
2. Through Chapter 162A, the North Carolina legislature has found that it is prudent to require new customers to bear a portion of the costs of current capacity and future expansions their presence will demand. It should be noted that Willdan is not attempting to issue a legal opinion regarding Chapter 162A or any court proceedings leading to the enactment of Chapter 162A. The summary discussion of the bill and any prior court rulings is intended for informational purposes only. Any questions regarding the legal consideration provided herein should be directed to the City's legal counsel.
3. The SDFs developed herein are equitable and provide for reasonable recovery of the capital costs associated with providing service to new customers.
4. The SDFs developed herein are calculated in accordance with the requirements of Chapter 162A and utilize methodologies that are consistent with industry standards.



5. The calculated SDFs are based on a listing of existing system assets as provided by the City, as well as the multi-year capital improvement plan adopted by the City.
6. The water and wastewater LOS standards proposed herein for establishing an ERU basis are based on flow standards approved by the State of North Carolina and utilized by the City for system planning and design purposes, and are consistent with common industry standards.
7. The City currently imposes tap fees and other related operational charges for new customer connections. Since these other charges are intended to recover operating costs for providing incident-specific services, the SDFs developed herein will have no impact on the level or application methodology for these other connection-related fees.



RECOMMENDATIONS

Based on the reviews, analyses and assumptions discussed herein, as well as the resulting conclusions provided above, it is respectfully recommended that the City:

1. Adopt the calculated SDFs and application methodology as developed in this Report, or other such SDF amounts as determined appropriate by the City but not to exceed the fee amounts calculated herein.
2. Enact the new SDFs to become effective on December 1, 2023, or other such date as determined appropriate by the City Council.
3. Readdress the SDF study within the next 5 years, or at such times as future capital budgets are developed and additional capital costs are incurred that may result in material adjustments to the SDF as adopted.

We appreciate the opportunity to be of service to the City in this matter. In addition, we would like to thank you and the other members of the City staff for the valuable assistance and cooperation provided during the preparation of the Report. We look forward to collaborating with you on future projects and continuing a successful professional relationship.

Respectfully Yours,

WILLDAN FINANCIAL SERVICES.

A handwritten signature in blue ink that reads "Daryll B. Parker".

Daryll B. Parker
Principal Consultant

EXHIBITS 1 - 7

SUPPORTING OUTPUT FOR THE WATER & WASTEWATER SDF STUDY



**WATER & WASTEWATER SDF STUDY FOR
THE CITY OF SOUTHPORT, NORTH CAROLINA**

Prepared by Willdan Financial Services



Exhibit 1
System Development Fee Analysis
Existing Capital Costs Recoverable From SDFs
Water & Wastewater Systems

Line	Description	Original Cost	Replacement Cost New	Accumulated Depreciation	RCNLD
WATER ASSETS					
Water Assets by Category:					
1	Utility System	\$ 7,378,631	\$ 23,397,181	\$ (15,517,274)	\$ 7,879,907
2	Land	29,194	77,429	0	77,429
3	Vehicles	328,448	345,813	(267,881)	77,932
4	Equipment	639,840	1,435,502	(1,229,988)	205,514
5	Total	\$ 8,376,113	\$ 25,255,925	\$ (17,015,143)	\$ 8,240,782
Adjusted For Assumed Cost Limit (\$):					
6	Utility System	\$ 4,631,603	\$ 17,099,538	\$ (11,673,695)	\$ 5,425,843
7	Land	0	0	0	0
8	Vehicles	54,145	84,466	(46,456)	38,010
9	Equipment	0	0	0	0
10	Total	\$ 4,685,748	\$ 17,184,004	\$ (11,720,151)	\$ 5,463,853
WASTEWATER ASSETS					
Wastewater Assets by Category:					
11	Utility System	\$ 13,457,720	\$ 28,174,969	\$ (14,040,195)	\$ 14,134,774
12	Land	2,798,792	2,798,791	0	2,798,791
13	Vehicles	431,370	677,213	(624,753)	52,460
14	Equipment	154,524	330,522	(290,993)	39,529
15	Total	\$ 16,842,406	\$ 31,981,495	\$ (14,955,941)	\$ 17,025,554
Adjusted For Assumed Cost Limit (\$):					
16	Utility System	\$ 11,907,134	\$ 26,137,771	\$ (13,159,055)	\$ 12,978,716
17	Land	2,587,551	2,587,551	0	2,587,551
18	Vehicles	203,386	484,433	(446,423)	38,010
19	Equipment	0	0	0	0
20	Total	\$ 14,698,071	\$ 29,209,755	\$ (13,605,478)	\$ 15,604,277

Exhibit 1
System Development Fee Analysis
Existing Capital Costs Recoverable From SDFs
Water & Wastewater Systems

Line	Description	Original Cost	Replacement Cost New	Accumulated Depreciation	RCNLD
TOTAL ASSETS					
Total Assets by Category:					
21	Utility System	\$ 20,836,351	\$ 51,572,150	\$ (29,557,469)	\$ 22,014,681
22	Land	2,827,986	2,876,220	0	2,876,220
23	Vehicles	759,818	1,023,026	(892,634)	130,392
24	Equipment	794,364	1,766,024	(1,520,981)	245,043
25	Total	\$ 25,218,519	\$ 57,237,420	\$ (31,971,084)	\$ 25,266,336
Adjusted For Assumed Cost Limit (\$):					
26	Utility System	\$ 16,538,737	\$ 43,237,309	\$ (24,832,750)	\$ 18,404,559
27	Land	2,587,551	2,587,551	0	2,587,551
28	Vehicles	257,531	568,899	(492,879)	76,020
29	Equipment	0	0	0	0
30	Total	\$ 19,383,819	\$ 46,393,759	\$ (25,325,629)	\$ 21,068,130
Recoverable Allocation - Water (%):					
31	Utility System				100%
32	Land				100%
33	Vehicles				0%
34	Equipment				0%
Recoverable Allocation - Wastewater (%):					
35	Utility System				100%
36	Land				100%
37	Vehicles				0%
38	Equipment				0%
System Allocation - Water (\$):					
39	Utility System			\$ 5,425,843	
40	Land			0	
41	Vehicles			0	
42	Equipment			0	
43	Total			\$ 5,425,843	
System Allocation - Wastewater (\$):					
44	Utility System			\$ 12,978,716	
45	Land			2,587,551	
46	Vehicles			0	
47	Equipment			0	
48	Total			\$ 15,566,267	
49	Grand Total Recoverable Assets			\$ 20,992,110	

Exhibit 1
System Development Fee Analysis
Existing Capital Costs Recoverable From SDFs
Water & Wastewater Systems

Line	Description	Original Cost	Replacement Cost New	Accumulated Depreciation	RCNLD
COMPONENT ALLOCATION					
Total Recoverable Water Facilities:					
50	Treatment Facilities		0.00%	\$	0
51	Transmission Facilities		100.00%		5,425,843
52	Subtotal		100.00%	\$	5,425,843
Total Recoverable Wastewater Facilities:					
53	Treatment Facilities		80.73%	\$	12,566,005
54	Transmission Facilities		19.27%		3,000,262
55	Subtotal		100.00%	\$	15,566,267
Combined Recoverable Facilities:					
56	Treatment Facilities		59.86%	\$	12,566,005
57	Transmission Facilities		40.14%		8,426,105
58	Total		100.00%	\$	20,992,110
COMPARISON TO TOTAL					
59	Total Utility Assets			\$	25,266,336
60	Combined Recoverable Assets			\$	20,992,110
Difference (Assets Excluded From Recovery):					
61	Excluded From Recovery (\$)			\$	4,274,226
62	Excluded From Recovery (%)				16.92%
DEBT SERVICE CREDIT					
63	Outstanding Debt Principal			\$	485,787
Allocation Percentage:					
64	Water				0.00%
65	Wastewater				100.00%
Allocated Debt Service Credit:					
66	Water			\$	0
67	Wastewater				485,787
68	Total			\$	485,787
Component Allocation - Water:					
69	Treatment Facilities		0.00%	\$	0
70	Transmission Facilities		100.00%		0
71	Total		100.00%	\$	0
Component Allocation - Wastewater:					
72	Treatment Facilities		80.73%	\$	392,176
73	Transmission Facilities		19.27%		93,611
74	Total		100.00%	\$	485,787

EXHIBIT 2
SYSTEM DEVELOPMENT FEE ANALYSIS
CURRENT CAPITAL IMPROVEMENT PROGRAM FOR FY 2024 - FY 2033
WATER & WASTEWATER SYSTEMS

Line	Description	Total	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Wastewater												
1	Expansion of the Shallotte WWTP	\$ 30,451,306	\$ 30,451,306	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
2	Downtown Sewer Replacement	10,637,929	5,874,223	4,763,706	0	0	0	0	0	0	0	0
3	FIFI I/I Reduction	10,095,255	412,000	6,366,000	3,317,255	0	0	0	0	0	0	0
4	Ongoing System Improvements	425,750	0	0	0	0	116,000	119,500	61,550	63,400	65,300	0
5	Pump Station Rehab. and Replace	2,884,000	2,884,000	0	0	0	0	0	0	0	0	0
6	Total Wastewater	\$ 54,494,240	\$ 9,170,223	\$ 11,129,706	\$ 3,317,255	\$ 0	\$ 116,000	\$ 119,500	\$ 61,550	\$ 63,400	\$ 65,300	\$ 0
7	Total Water & Wastewater CIP	\$ 54,494,240	\$ 9,170,223	\$ 11,129,706	\$ 3,317,255	\$ 0	\$ 116,000	\$ 119,500	\$ 61,550	\$ 63,400	\$ 65,300	\$ 0

EXHIBIT 3
SYSTEM DEVELOPMENT FEE ANALYSIS
ALLOCATION OF CAPITAL IMPROVEMENTS PROGRAM
WATER AND WASTEWATER SYSTEMS

Line	Description	Total	Percentage Allocation ⁽¹⁾			Allocation Amount		
			Expand/Upgrade	R&R	Other	Expand/Upgrade	R&R	Other
WASTEWATER PROJECTS								
1	Shallotte WWTP Expansion	\$ 30,451,306	100.00%	0.00%	0.00%	\$ 30,451,306	\$ 0	\$ 0
2	Downtown Sewer Replacement	10,637,929	0.00%	100.00%	0.00%	0	10,637,929	0
3	FIFI I/I Reduction	10,095,255	0.00%	100.00%	0.00%	0	10,095,255	0
4	Ongoing System Improvements	425,750	0.00%	100.00%	0.00%	0	425,750	0
5	Pump Station Rehab. and Replace	2,884,000	0.00%	100.00%	0.00%	0	2,884,000	0
6	Total	\$ 54,494,240				\$ 30,451,306	\$ 24,042,934	\$ 0
7	Total - All Capital Projects	\$ 54,494,240				\$ 30,451,306	\$ 24,042,934	\$ 0
ALLOCATION OF CAPITAL PROJECTS								
Water:								
8	Treatment Projects	\$ 0				\$ 0	\$ 0	\$ 0
9	Transmission Projects	0				0	0	0
10	Other Projects	0				0	0	0
11	Subtotal	\$ 0				\$ 0	\$ 0	\$ 0
Wastewater:								
12	Treatment Projects	\$ 21,678,683				\$ 21,678,683	\$ 0	\$ 0
13	Transmission Projects	32,815,557				8,772,623	24,042,934	0
14	Other Projects	0				0	0	0
15	Subtotal	\$ 54,494,240				\$ 30,451,306	\$ 24,042,934	\$ 0
Combined:								
16	Treatment Projects	\$ 21,678,683				\$ 21,678,683	\$ 0	\$ 0
17	Transmission Projects	32,815,557				8,772,623	24,042,934	0
18	Other Projects	0				0	0	0
19	Grand Total	\$ 54,494,240				\$ 30,451,306	\$ 24,042,934	\$ 0

Notes:

- (1) The capital costs are allocated in order to determine the costs that are recoverable from a capacity-related fee. The costs allocated as expansion and/or upgrade projects are assumed to be recoverable from such fees. All other capital costs are assumed to either be maintenance-related (R&R) projects or localized projects that do not provide system-wide capacity benefits.

Exhibit 4
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Water System

Line	Description	Total
Recoverable Capital Facilities		
Existing Facilities:		
1	Treatment Facilities	\$ 0
2	Transmission Facilities	5,425,843
3	Subtotal	<u>\$ 5,425,843</u> ⁽¹⁾
Less Debt Service Principal:		
4	Treatment Facilities	\$ 0
5	Transmission Facilities	0
6	Subtotal	<u>\$ 0</u> ⁽²⁾
Net Recoverable Existing Facilities:		
7	Treatment Facilities	\$ 0
8	Transmission Facilities	5,425,843
9	Total	<u>\$ 5,425,843</u>
Capital Improvement Program:		
10	Treatment Facilities	\$ 0
11	Transmission Facilities	0
12	Subtotal	<u>\$ 0</u>
Less 25% CIP Adjustment:		
13	Treatment Facilities 25%	\$ 0
14	Transmission Facilities 25%	0
15	Subtotal	<u>\$ 0</u> ⁽³⁾
Net Recoverable CIP:		
16	Treatment Facilities	\$ 0
17	Transmission Facilities	0
18	Total	<u>\$ 0</u>
Net Capital Costs:		
19	Treatment Facilities	\$ 0
20	Transmission Facilities	5,425,843
21	Net Recoverable Costs	<u>\$ 5,425,843</u>

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Exhibit 4
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Water System

Line	Description	Total
Available System Capacity (MGD)		
<u>Treatment Capacity:</u>		
22	Existing Capacity	1.418
23	Additional Capacity from CIP	0.000
24	Total Treatment Capacity	1.418
<u>Average Day Capacity Adjustment:</u>		
25	Treatment Capacity Based on Max/Avg Day Factor	0.945
26	Unaccounted-For Water Capacity Adjustment	(4)
27	Estimated Treatment Capacity	0.756
<u>Estimated Transmission System Capacity:</u>		
28	Total Treatment Capacity	1.418
29	Transmission-to-Treatment Capacity Factor	(5)
30	Assumed Existing Transmission Capacity	1.418
31	Unaccounted-For Water Capacity Adjustment	(5)
32	Estimated Transmission Capacity	1.134
Estimated Cost Per Gallon of Capacity		
<u>Estimated Cost Per Gallon of Capacity:</u>		
33	Treatment (\$/Gallon)	\$ 0.00
34	Transmission (\$/Gallon)	4.78
35	Total Cost Per Gallon of Capacity	\$ 4.78
36	Assumed Standard Level of Service Per ERU (GPD of Capacity)	400 (6)

Exhibit 4
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Water System

Line	Description	Total
Calculation of Fee Per ERU		
<u>Calculation of SDF Per ERU:</u>		
37	Treatment Facilities	\$ 0
38	Transmission Facilities	1,912
39	Combined Cost	\$ 1,912
<u>Adjusted Fee - Treatment:</u>		
40	Calculated Fee Per ERU	\$ 0
41	Less Rounding Adjustment	0
42	Adjusted Fee	\$ 0
<u>Credit Adjusted Fee - Transmission:</u>		
43	Calculated Fee Per ERU	\$ 1,912
44	Less Rounding Adjustment	(2)
45	Adjusted Fee	\$ 1,910
<u>Proposed SDF Per ERU (Rounded):</u>		
46	Treatment Facilities	\$ 0
47	Transmission Facilities	1,910
48	Combined Cost	\$ 1,910

Exhibit 4
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Water System

Line	Description	Total
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Notes:

- (1) See **Exhibit 1** for the development of existing asset costs identified for capital recovery.
- (2) In an effort to account for the facility costs that may be recovered from user rates as part of the normal budgetary process, a debt service credit is applied to the applicable fee calculation. The credit is equal to outstanding principal amount on existing utility-related debt. The principal balance is allocated between water and wastewater as provided in **Exhibit 1**.
- (3) This adjustment is made in accordance with House Bill 436, § 162A-207. Minimum requirements.
- (4) The estimated average daily flow capacity assumes an MDF-to-ADF ratio of 1.50 times. An additional adjustment is made for assumed unaccounted-for water flows (e.g. line losses) in the system. Based on information provided by staff, this analysis assumes losses of 20.0%.
- (5) It is assumed that the existing transmission facilities are capable of providing average water flow at least as much transmission capacity as the maximum treatment capacity. In addition, similar to the methodology utilized for water treatment, an adjustment is made for unaccounted-for water. Based on information provided by staff, this analysis assumes losses of 20.0%.
- (6) The system development fees are to be applied on an equivalent residential unit (ERU) basis such that 1 ERU is equal to the estimated capacity requirements for a typical single family residential connection with a 5/8-inch X 3/4-inch water meter. In accordance with daily water flow capacity design standards adopted by the State of North Carolina and defined the North Carolina Administrative Codes (15A NCAC 18C .0409), the level of service requirement for a residential connection is 400 gallons per day (gpd). Based on the utility's existing planning methodology, it is assumed that 1 ERU requires a standard level of service of 400 gpd of water system capacity.

Exhibit 5
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Wastewater System

Line	Description	Total
Recoverable Capital Facilities		
Existing Facilities:		
1	Treatment Facilities	\$ 12,566,005
2	Transmission Facilities	3,000,262
3	Subtotal	\$ 15,566,267 ⁽¹⁾
Less Debt Service Principal:		
4	Treatment Facilities	\$ (392,176)
5	Transmission Facilities	(93,611)
6	Subtotal	\$ (485,787) ⁽²⁾
Net Recoverable Existing Facilities:		
7	Treatment Facilities	\$ 12,173,829
8	Transmission Facilities	2,906,651
9	Total	\$ 15,080,480
Capital Improvement Program:		
10	Treatment Facilities	\$ 21,678,683
11	Transmission Facilities	8,772,623
12	Subtotal	\$ 30,451,306
Less 25% CIP Adjustment:		
13	Treatment Facilities 25%	(5,419,671)
14	Transmission Facilities 25%	(2,193,156)
15	Subtotal	\$ (7,612,827) ⁽³⁾
Net Recoverable CIP:		
16	Treatment Facilities	\$ 16,259,012
17	Transmission Facilities	6,579,467
18	Total	\$ 22,838,479
Net Capital Costs:		
19	Treatment Facilities	\$ 28,432,841
20	Transmission Facilities	9,486,118
21	Net Recoverable Costs	\$ 37,918,959

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Exhibit 5
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Wastewater System

Line	Description	Total
Available System Capacity (MGD)		
<u>Treatment Capacity:</u>		
22	Existing Capacity	0.750
23	Additional Capacity from CIP	0.000
24	Total Existing Treatment Capacity	0.750
<u>Treatment Capacity:</u>		
25	Average Day Treatment Capacity (MGD)	0.750
26	I&I Capacity Adjustment	20.0% (4)
27	Adjusted Average Day Treatment Capacity	0.600
<u>Estimated Transmission System Capacity:</u>		
28	Total Treatment Capacity	0.750
29	Transmission-to-Treatment Capacity Factor	2.00
30	Assumed Gross Transmission Capacity	1.500 (5)
31	I&I Capacity Adjustment	20.0%
32	Estimated Transmission Capacity	1.200 (5)
Estimated Cost Per Gallon of Capacity		
<u>Estimated Cost Per Gallon of Capacity:</u>		
33	Treatment (\$/Gallon)	\$ 47.39
34	Transmission (\$/Gallon)	7.91
35	Total Cost Per Gallon of Capacity	\$ 55.30
36	Assumed Standard Level of Service Per ERU (GPD of Capacity)	360 (6)
Calculation of Fee Per ERU		
<u>Calculation of SDF Per ERU:</u>		
37	Treatment Facilities	\$ 17,060
38	Transmission Facilities	2,848
39	Combined Cost	\$ 19,908
<u>Adjusted Fee - Treatment:</u>		
40	Calculated Fee Per ERU	\$ 17,060
41	Less Rounding Adjustment	0
42	Adjusted Fee	\$ 17,060

Exhibit 5
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Wastewater System

Line	Description	Total
<u>Credit Adjusted Fee - Transmission:</u>		
43	Calculated Fee Per ERU	\$ 2,848
44	Less Rounding Adjustment	(8)
45	Adjusted Fee	\$ 2,840
<u>Proposed SDF Per ERU (Rounded):</u>		
46	Treatment Facilities	\$ 17,060
47	Transmission Facilities	2,840
48	Combined Cost	\$ 19,900

Exhibit 5
System Development Fee Analysis
Calculation of System Development Fee Per ERU
Wastewater System

Line	Description	Total
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Notes:

- (1) See Exhibit 1 for the development of existing asset costs identified for capital recovery.
- (2) Based upon discussions with staff, most of the facilities included for cost recovery in this analysis were funded with debt. In an effort to account for the facility costs that may be recovered from user rates as part of the normal budgetary process, a debt service credit is applied to the applicable fee calculation. The credit is equal to outstanding principal amount on existing utility-related debt. The principal balance is allocated between water and wastewater as provided in Exhibit 1.
- (3) This adjustment is made in accordance with House Bill 436, § 162A-207. Minimum requirements.
- (4) Similar to the line loss adjustment for water, the wastewater system capacity is reduced by the impacts of system inflow and infiltration (I&I). The assumed I&I adjustment is based on discussions with staff.
- (5) It is assumed that the wastewater trunk lines and pumping facilities are designed to provide capacity at least 2.0-times the treatment capacity.
- (6) Similar to the water system, the system development charges for wastewater are to be applied on an equivalent residential unit (ERU) basis such that 1 ERU is equal to the estimated capacity requirements for a typical single family residential connection with a 5/8-inch X 3/4-inch water meter. In accordance with wastewater flow design standards adopted by the State of North Carolina and defined the North Carolina Administrative Codes (15A NCAC 02T .0114), the level of service requirement is based on 120 gallons of capacity per day per bedroom for a residential home. Based on discussions with staff, the analysis developed herein assumes that 1 ERU is 3 bedrooms. The resulting standard LOS is 360 gpd of wastewater system capacity per ERU.

Exhibit 6
System Development Fee Analysis
Summary of System Development Fees by Customer Type
Water & Wastewater Systems

Line	Description	Unit	Fees by System		Combined
			Water	Sewer	
Existing Residential					
1	2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,700	\$ 10,565	\$ 12,265
2	3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,700	\$ 15,847	\$ 17,547
3	4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,244	\$ 21,130	\$ 23,374
Proposed/Calculated - Residential					
4	2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,910	\$ 13,267	\$ 15,177
5	3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,910	\$ 19,900	\$ 21,810
6	4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,521	\$ 26,534	\$ 29,055
Type of Establishments					
Barber and beauty shops					
7	Barber Shops	per chair	\$ 239	\$ 2,764	\$ 3,003
8	Beauty Shops	per booth or bowl	\$ 597	\$ 6,910	\$ 7,507
Businesses, offices and factories					
9	General business and office facilities	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
10	Factories, excluding industrial waste	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
	Factories or businesses with showers or food				
11	preparation	per employee/shift	\$ 167	\$ 1,935	\$ 2,102
12	Warehouse	per loading bay	\$ 478	\$ 5,528	\$ 6,006
	Warehouse – self storage (not including				
13	caretaker residence)	per unit	\$ 5	\$ 55	\$ 60
Churches					
14	Churches without kitchens, day care or camps	per seat	\$ 14	\$ 166	\$ 180
15	Churches with kitchen	per seat	\$ 24	\$ 276	\$ 300
16	Churches providing day care or camps	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
Fire, rescue and emergency response facilities					
17	Fire or rescue stations without on site staff	per person	\$ 119	\$ 1,382	\$ 1,501
18	Fire or rescue stations with on-site staff	per person/shift	\$ 239	\$ 2,764	\$ 3,003
Food and drink facilities					
19	Banquet, dining hall	per seat	\$ 143	\$ 1,658	\$ 1,801
20	Bars, cocktail lounges	per seat	\$ 96	\$ 1,106	\$ 1,202
21	Caterers	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
22	Restaurant, full Service	per seat	\$ 191	\$ 2,211	\$ 2,402
23	Restaurant, single service articles	per seat	\$ 96	\$ 1,106	\$ 1,202
24	Restaurant, drive-in	per car space	\$ 239	\$ 2,764	\$ 3,003
25	Restaurant, carry out only	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
26	Institutions, dining halls	per meal	\$ 24	\$ 276	\$ 300
27	Deli	per 100 sq ft floor space	\$ 191	\$ 2,211	\$ 2,402
28	Bakery	per 100 sq ft floor space	\$ 48	\$ 553	\$ 601
29	Meat department, butcher shop or fish market	per 100 sq ft floor space	\$ 358	\$ 4,146	\$ 4,504
30	Specialty food stand or kiosk	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003

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Exhibit 6
System Development Fee Analysis
Summary of System Development Fees by Customer Type
Water & Wastewater Systems

Line	Description	Unit	Fees by System		Combined
			Water	Sewer	
	Hotels and Motels				
31	Hotels, motels and bed & breakfast facilities, without in-room cooking facilities	per room	\$ 573	\$ 6,633	\$ 7,206
32	Hotels and motels, with in-room cooking facilities	per room	\$ 836	\$ 9,674	\$ 10,510
33	Resort hotels	per room	\$ 955	\$ 11,056	\$ 12,011
34	Cottages, cabins	per unit	\$ 955	\$ 11,056	\$ 12,011
35	Self service laundry facilities	per machine	\$ 2,388	\$ 27,639	\$ 30,027
	Medical, dental, veterinary facilities				
36	Medical or dental offices	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
37	Veterinary offices (not including boarding)	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
	Veterinary hospitals, kennels, animal boarding facilities				
38		per pen, cage, kennel or stall	\$ 96	\$ 1,106	\$ 1,202
39	Hospitals, medical	per bed	\$ 1,433	\$ 16,583	\$ 18,016
40	Hospitals, mental	per bed	\$ 716	\$ 8,292	\$ 9,008
	Convalescent, nursing, rest homes without laundry facilities				
41		per bed	\$ 287	\$ 3,317	\$ 3,604
	Convalescent, nursing, rest homes with laundry facilities				
42		per bed	\$ 573	\$ 6,633	\$ 7,206
43	Residential care facilities	per person	\$ 287	\$ 3,317	\$ 3,604
	Parks, recreation, camp grounds, R-V parks and other outdoor activity facilities				
	Campgrounds with comfort station, without water or sewer hookups				
44		per campsite	\$ 358	\$ 4,146	\$ 4,504
45	Campgrounds with water and sewer hookups	per campsite	\$ 478	\$ 5,528	\$ 6,006
46	Campground dump station facility	per space	\$ 239	\$ 2,764	\$ 3,003
	Construction, hunting or work camps with flush toilets				
47		per person	\$ 287	\$ 3,317	\$ 3,604
	Construction, hunting or work camps with chemicalor				
48	Portable toilets	per person	\$ 191	\$ 2,211	\$ 2,402
49	Parks with restroom facilities	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
	Summer camps without food preparation or laundry facilities				
50		per person	\$ 143	\$ 1,658	\$ 1,801
	Summer camps with food preparation and laundry facilities				
51		per person	\$ 287	\$ 3,317	\$ 3,604
52	Swimming pools, bathhouses and spas	per person	\$ 48	\$ 553	\$ 601
53	Public access restrooms	per plumbing fixture	\$ 1,552	\$ 17,965	\$ 19,517

Exhibit 6
System Development Fee Analysis
Summary of System Development Fees by Customer Type
Water & Wastewater Systems

Line	Description	Unit	Fees by System		Combined
			Water	Sewer	
	Schools, preschools and day care				
54	Day care and preschool facilities	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
55	Schools with cafeteria, gym and showers	per student	\$ 72	\$ 829	\$ 901
56	Schools with cafeteria	per student	\$ 57	\$ 663	\$ 720
57	Schools without cafeteria, gym or showers	per student	\$ 48	\$ 553	\$ 601
58	Boarding schools	per person (student & employee)	\$ 287	\$ 3,317	\$ 3,604
	Service stations, car wash facilities				
59	Service stations, gas stations	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
60	Car wash facilities	per bay	\$ 5,730	\$ 66,333	\$ 72,063
	Sports centers				
61	Bowling center	per lane	\$ 239	\$ 2,764	\$ 3,003
62	Fitness, exercise, karate or dance center	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
63	Tennis, racquet ball	per court	\$ 239	\$ 2,764	\$ 3,003
64	Gymnasium	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
65	Golf course with only minimal food service	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
66	Country clubs	per member or patron	\$ 287	\$ 3,317	\$ 3,604
67	Mini golf, putt-putt	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
68	Go-kart, motocross	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
69	Batting cages, driving ranges	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
70	Marinas without bathhouse	per slip	\$ 48	\$ 553	\$ 601
71	Marinas with bathhouse	per slip	\$ 143	\$ 1,658	\$ 1,801
72	Video game arcades, pool halls	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
73	Stadiums, auditoriums, theaters, community centers	per seat	\$ 24	\$ 276	\$ 300
	Stores, shopping centers, malls and flea markets				
	Auto, boat, recreational vehicle dealerships/				
74	showrooms with restrooms	per plumbing fixture	\$ 597	\$ 6,910	\$ 7,507
75	Convenience stores, with food preparation	per 100 sq ft	\$ 287	\$ 3,317	\$ 3,604
76	Convenience stores, without food preparation	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
77	Flea markets	per stall	\$ 143	\$ 1,658	\$ 1,801
78	Shopping centers and malls with food service	per 1000 sq ft	\$ 621	\$ 7,186	\$ 7,807
79	Stores and shopping centers without food service	per 1000 sq ft	\$ 478	\$ 5,528	\$ 6,006
80	Transportation terminals – air, bus, train, ferry, port and dock	per passenger	\$ 24	\$ 276	\$ 300

Exhibit 7**System Development Fee Analysis****Summary of Proposed System Development Fees****Water & Wastewater Systems**

Line	Description	ERU Factor	Fees by System		Combined Fee
			Water	Wastewater	
FEE COMPARISON					
Per Equivalent Residential Unit (ERU):					
1	Existing	1.00	\$ 1,700	\$ 15,847	\$ 17,547
2	Proposed/Calculated	1.00	\$ 1,910	\$ 19,900	\$ 21,810
3	Difference	1.00	\$ 210	\$ 4,053	\$ 4,263
METER-BASED OPTION (1)					
Meter Size:					
4	5/8 x 3/4 Inch	1.00	\$ 1,910	\$ 19,900	\$ 21,810
5	1.0 Inch	2.50	\$ 4,775	\$ 49,750	\$ 54,525
6	1.5 Inch	5.00	\$ 9,550	\$ 99,500	\$ 109,050
7	2.0 Inch	8.00	\$ 15,280	\$ 159,200	\$ 174,480
8	3.0 Inch	16.00	\$ 30,560	\$ 318,400	\$ 348,960
9	4.0 Inch	25.00	\$ 47,750	\$ 497,500	\$ 545,250
10	6.0 Inch	50.00	\$ 95,500	\$ 995,000	\$ 1,090,500
11	8.0 Inch	80.00	\$ 152,800	\$ 1,592,000	\$ 1,744,800
OPTIONAL ACTUAL FLOW BASIS (2)					
Charge Per Gallon of Capacity (GPD):					
12	Treatment Facilities		\$ 0.00	\$ 47.39	\$ 47.39
13	Transmission Facilities		4.78	7.91	12.69
Cost Per GPD			\$ 4.78	\$ 55.30	\$ 60.08

Notes:

- (1) The proposed capacity fees are based on the calculated fee per ERU as applied to the respective ERU factor. The proposed ERU factors for the capacity fees are based on meter equivalency factors established by the AWWA.
- (2) In situations where the meter-based fees will result in the collection of fees significantly different than the potential demand requirement, a special fee calculation methodology may be applied based on the unit cost of capacity and the estimated daily capacity needs of the new connection. The estimated capacity needs will be based on the amount determined by the utility's engineering staff to be appropriate.

Description	Unit	Fees by System		Combined
		Water	Sewer	
Proposed/Calculated - Residential				
2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,910	\$ 13,267	\$ 15,177
3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,910	\$ 19,900	\$ 21,810
4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,521	\$ 26,534	\$ 29,055

Description	ERU Factor	Fees by System		Combined Fee
		Water	Wastewater	

NON-RESIDENTIAL

Meter Size:

5/8 x 3/4 Inch	1.00	\$ 1,910	\$ 19,900	\$ 21,810
1.0 Inch	2.50	\$ 4,775	\$ 49,750	\$ 54,525
1.5 Inch	5.00	\$ 9,550	\$ 99,500	\$ 109,050
2.0 Inch	8.00	\$ 15,280	\$ 159,200	\$ 174,480
3.0 Inch	16.00	\$ 30,560	\$ 318,400	\$ 348,960
4.0 Inch	25.00	\$ 47,750	\$ 497,500	\$ 545,250
6.0 Inch	50.00	\$ 95,500	\$ 995,000	\$ 1,090,500
8.0 Inch	80.00	\$ 152,800	\$ 1,592,000	\$ 1,744,800



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Administration

PRESENTED BY: Mayor Alt

ITEM SPONSORED BY: Mayor Alt

ITEM/TOPIC: Board Meetings Dates and Times

COST: n/a

BUDGET LINE ITEM: n/a

JUSTIFICATION: When a new Board of Aldermen are sworn in, they can decide which days of the month work for meetings as well as times. It would be best if the meetings are every other week to allow more balanced agendas and staff time to research questions and suggested revisions from past meetings.

IMPACT IF NOT APPROVED: The Board of Aldermen meetings will continue on the same schedule, which is the first and second Thursdays each month.

DEPARTMENT HEAD COMMENTS: n/a

CITY MANAGER COMMENTS: It would be preferable to have meetings every other week to allow staff time to put together accurate information.

ATTACHMENTS: (1) Examples of a possible meeting schedule with calendar of existing and proposed meeting schedules.

REQUESTED ACTION: Decide if the Regular meeting schedule should be revised and make a motion to adopt the new schedule or keep the same schedule.

PROPOSED MOTION:

I make a motion to amend the Board of Aldermen Regular Meeting schedule to

OR:

I make a motion to leave the meeting schedule as the afternoon of the first Thursday and the evening of the second Thursday.

Regular Board Meeting Schedule Options:

First Thursday, Third Tuesday 

First Thursday, Third Wednesday 

Second Monday, Fourth Thursday 

Second Thursday, Fourth Monday 

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			Historic Preservation Commission 4:00pm	 		
		Forestry Committee 5:00pm	ABC Board 6:30pm			
	Beautification Committee 5:00pm	Parks and Recreation 6:00pm 		Planning Board 6:00pm		
		Board of Adjustment 4:30pm	Cemetery Committee 2-4pm			



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Public Services

PRESENTED BY: Tom Zilinek, City Engineer

ITEM SPONSORED BY: Public Services Department

ITEM/TOPIC: System Development Fee Study Public Hearing

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: According to State Law the City needs to complete a System Development Fee Study, hold a Public Hearing, and adopt a fee by resolution which needs to be done at least every 5 years. The City's 5 year period ends on December 31 of this year. The Study was completed by Wildan Financial Services and Withers Ravenel at a cost of \$35,000. The study was presented to the Board on October 12 and a mandatory 45 day minimum online posting for Public Comment was completed. This is the last step in the process.

IMPACT IF NOT APPROVED: The City will be in violation of State Law as it will not have made the December 31, 2023 .

DEPARTMENT HEAD COMMENTS: Staff recommends the acceptance of the Study prepared by Wildan Financial Services in accordance with State Law. As of Thursday, December 7th, only one comment has been received and it was, "No to development fees." After further discussions between Tom Stanley, Tom Zilinek and Dorrie Dutton, Staff recommends adopting a unit/usage based calculation for residential development and a meter-based calculation for all commercial development. (Example: 3 bedroom home would pay the System Development Fees based on the number of bedrooms, but a new restaurant would be charged fees based on a one or two-inch meter.) Using a different method to calculate the residential and commercial fees will take the guesswork out of assigning fees to a commercial use, while still being equitable to residential developers.

CITY MANAGER COMMENTS: I definitely agree with changing our current formula so that residential and commercial uses are calculated differently, but with the upcoming merger with the County happening in the near future, keep rates as they are currently.

ATTACHMENTS: (1) Public Hearing Notice (2) Wildan Financial Services Power Point Presentation to the Southport Board of Alderman on October 12, 2023 (3) Wildan Financial Services Water & Wastewater System Development Draft Fee Study dated October 2023 (4) Proposed System Development Fee Schedule

REQUESTED ACTION: Adopt the Study and determine which method of calculation should be used.

PROPOSED MOTION: Motion to accept System Development Fee Study and set fee based on



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
NOTICE
SPECIAL CALLED MEETING**

Please take notice that the Board of Aldermen have scheduled a Public Hearing for Thursday, December 14, 2023, at 6:00 p.m. at the Southport Community Building, located at 223 E. Bay Street.

The purpose of the hearing is to discuss the proposed System Development Fees. A copy of the proposed fees and a summary of the process is available on the City's website.

If you have any questions, please contact Dorothy Dutton at (910) 457-7900 ext. 1010 or ddutton@cityofsouthport.com

Water & Wastewater System Development Fee Study



October 12, 2023

Presented By: Daryll Parker



Session Law 2017-138 (HB436)

- Section 1, Chapter 162A, Article 8
- SDF Defined By HB 436
 - Imposed on new development
 - Fund costs of water/sewer improvements (existing and planned)
 - “Necessitated by and attributable to such new development”

Fee Adoption Procedures

- Fee analysis prepared by a financial professional
 - Must employ “general accepted accounting, engineering, and planning methodologies”
 - CIP horizon of 5-20 years (incremental cost)
- Posted online for at least 45 days (public comment)
- Public Hearing
- Modifications to fee analysis, if needed
- Adopt fee by resolution or ordinance
- Update Analysis at least every 5 years

Methodology

- **Methods to calculate fee based on American Water Works Association (AWWA) M1 Manual**
 - **Buy-In**: Includes existing infrastructure that has been built and maintained
 - **Incremental/Marginal Cost**: Includes new facilities (capital improvement program or “CIP”) to be built to serve new growth
 - **Combined**: A blend of new and existing facilities

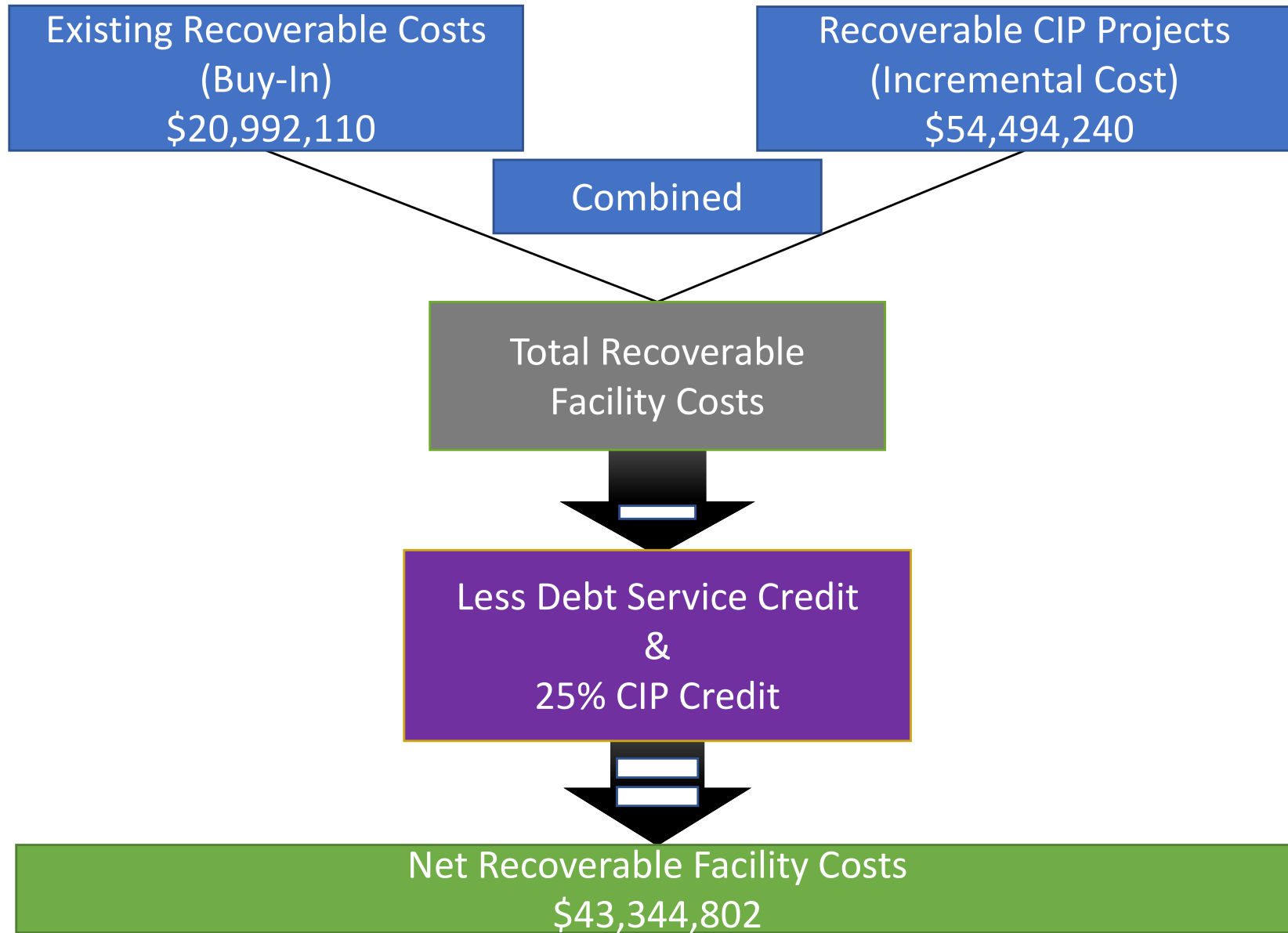
City's Recoverable Costs

Description	Recoverable Facilities		
	Water	Wastewater	Total
Existing Facilities:			
Treatment Facilities	\$ 0	\$12,566,005	\$12,566,005
Transmission Facilities	5,425,843	3,000,262	8,426,105
Subtotal	\$ 5,425,843	\$15,566,267	\$20,992,110
Capital Improvement Program:			
Treatment Facilities	\$ 0	\$21,678,683	\$21,678,683
Transmission Facilities	0	8,772,623	8,772,623
Subtotal	\$ 0	\$30,451,306	\$30,451,306
Combined Recoverable Costs:			
Treatment Facilities	\$ 0	\$34,244,688	\$34,244,688
Transmission Facilities	5,425,843	11,772,885	17,198,728
Total	\$ 5,425,843	\$46,017,573	\$51,443,416

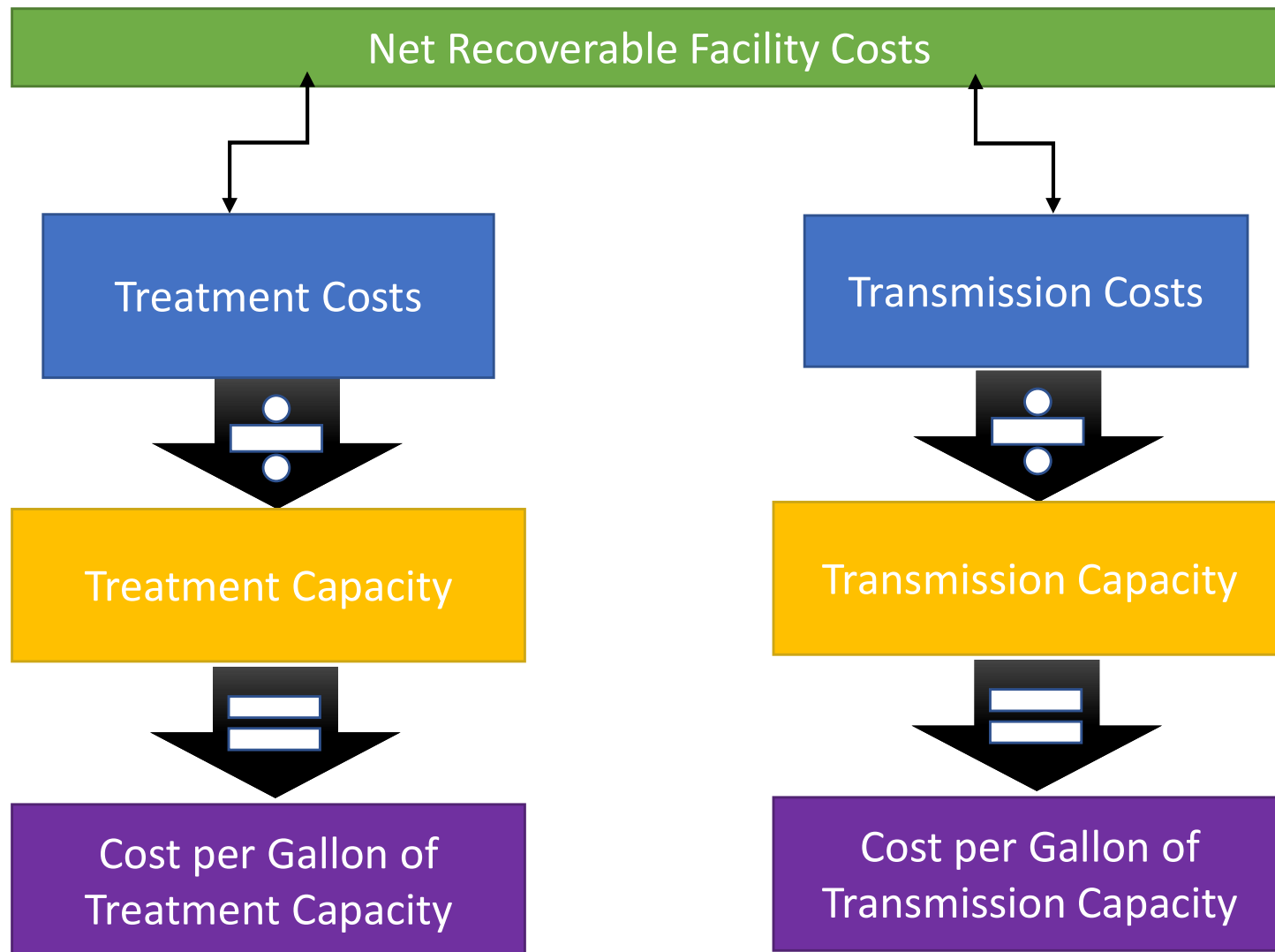
City's Net Recoverable Costs

Description	Net Recoverable Facilities		
	Water	Wastewater	Total
Combined Recoverable Costs:			
Treatment Facilities	\$ 0	\$34,244,688	\$34,244,688
Transmission Facilities	5,425,843	11,772,885	17,198,728
Subtotal	\$ 5,425,843	\$46,017,573	\$51,443,416
Less Combined Credits:			
Treatment Facilities	\$ 0	\$ (5,811,847)	\$ (5,811,847)
Transmission Facilities	0	(2,286,767)	(2,286,767)
Subtotal	\$ 0	\$ (8,098,614)	\$ (8,098,614)
Net Capital Costs:			
Treatment Facilities	\$ 0	\$28,432,841	\$28,432,841
Transmission Facilities	5,425,843	9,486,118	14,911,961
Net Recoverable Costs	\$ 5,425,843	\$37,918,959	\$43,344,802

Combined Method – Recoverable Costs



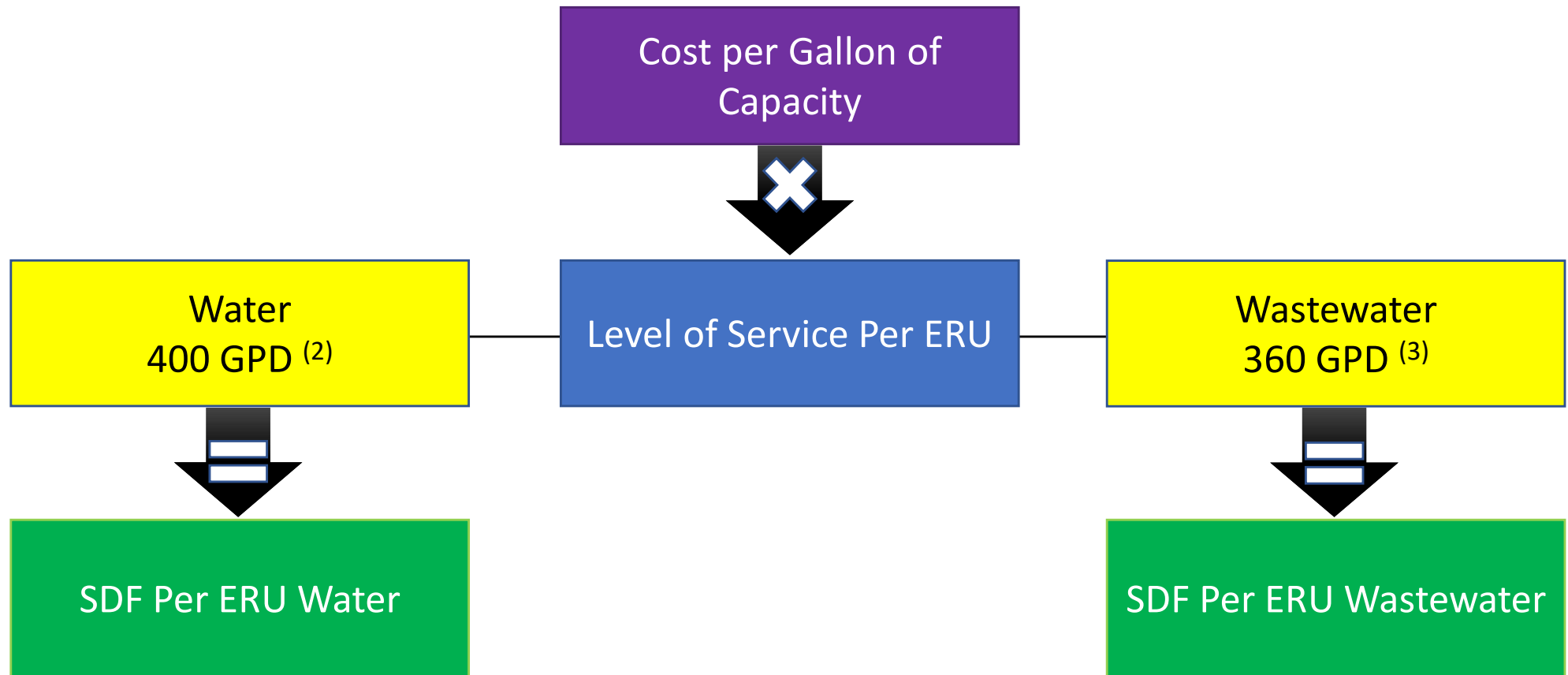
Methodology – Cost of Capacity



Cost Per Gallon of Capacity

Description	Cost Per Gallon of Capacity	
	Water	Wastewater
Net Capital Costs:		
Treatment Facilities	\$ 0	\$ 28,432,841
Transmission Facilities	5,425,843	9,486,118
Net Recoverable Costs	\$ 5,425,843	\$ 37,918,959
Estimated Capacity (MGD):		
Treatment Facilities	0.756	0.600
Transmission Facilities	1.134	1.200
Cost Per Gallon:		
Treatment Facilities	\$ 0.00	\$ 47.39
Transmission Facilities	4.78	7.91
Total	\$ 4.78	\$ 55.30

Methodology – SDF Per ERU (1)



(1) Equivalent Residential Unit

(2) In accordance with NC Administrative Code water flow standards

(3) Assumes 3 bedrooms applied to the State approved 120 gallons per day per bedroom for the City's wastewater planning and design purposes

Comparison of Fees Per ERU

Description	System Development Fee Per ERU		
	Existing	Calculated ⁽¹⁾	Difference
System Development Fees:			
Water	\$ 1,700	\$ 1,910	\$ 210
Wastewater	15,847	19,900	4,053
Total	\$ 17,547	\$ 21,810	\$ 4,263

(1) As rounded down

Proposed/Calculated SDFs – Flow Basis

Description	Unit	Fees by System		Combined
		Water	Sewer	
Residential				
2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,910	\$ 13,267	\$ 15,177
3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,910	\$ 19,900	\$ 21,810
4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,521	\$ 26,534	\$ 29,055
Type of Establishments				
Barber and beauty shops				
Barber Shops	per chair	\$ 239	\$ 2,764	\$ 3,003
Beauty Shops	per booth or bowl	\$ 597	\$ 6,910	\$ 7,507
Businesses, offices and factories				
General business and office facilities	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
Factories, excluding industrial waste	per employee/shift	\$ 119	\$ 1,382	\$ 1,501
Factories or businesses with showers or food preparation	per employee/shift	\$ 167	\$ 1,935	\$ 2,102
Warehouse	per loading bay	\$ 478	\$ 5,528	\$ 6,006
Warehouse – self storage (not including caretaker residence)	per unit	\$ 5	\$ 55	\$ 60
Churches				
Churches without kitchens, day care or camps	per seat	\$ 14	\$ 166	\$ 180
Churches with kitchen	per seat	\$ 24	\$ 276	\$ 300
Churches providing day care or camps	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
Fire, rescue and emergency response facilities				
Fire or rescue stations without on site staff	per person	\$ 119	\$ 1,382	\$ 1,501
Fire or rescue stations with on-site staff	per person/shift	\$ 239	\$ 2,764	\$ 3,003

Proposed/Calculated SDFs – Flow Basis (Cont.)

Description	Unit	Fees by System		Combined
		Water	Sewer	
Food and drink facilities				
Banquet, dining hall	per seat	\$ 143	\$ 1,658	\$ 1,801
Bars, cocktail lounges	per seat	\$ 96	\$ 1,106	\$ 1,202
Caterers	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Restaurant, full Service	per seat	\$ 191	\$ 2,211	\$ 2,402
Restaurant, single service articles	per seat	\$ 96	\$ 1,106	\$ 1,202
Restaurant, drive-in	per car space	\$ 239	\$ 2,764	\$ 3,003
Restaurant, carry out only	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Institutions, dining halls	per meal	\$ 24	\$ 276	\$ 300
Deli	per 100 sq ft floor space	\$ 191	\$ 2,211	\$ 2,402
Bakery	per 100 sq ft floor space	\$ 48	\$ 553	\$ 601
Meat department, butcher shop or fish market	per 100 sq ft floor space	\$ 358	\$ 4,146	\$ 4,504
Specialty food stand or kiosk	per 100 sq ft floor space	\$ 239	\$ 2,764	\$ 3,003
Hotels and Motels				
Hotels, motels and bed & breakfast facilities, without in-room cooking facilities	per room	\$ 573	\$ 6,633	\$ 7,206
Hotels and motels, with in-room cooking facilities	per room	\$ 836	\$ 9,674	\$ 10,510
Resort hotels	per room	\$ 955	\$ 11,056	\$ 12,011
Cottages, cabins	per unit	\$ 955	\$ 11,056	\$ 12,011
Self service laundry facilities	per machine	\$ 2,388	\$ 27,639	\$ 30,027
Medical, dental, veterinary facilities				
Medical or dental offices	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
Veterinary offices (not including boarding)	per practitioner/shift	\$ 1,194	\$ 13,819	\$ 15,013
Veterinary hospitals, kennels, animal boarding facilities	per pen, cage, kennel or stall	\$ 96	\$ 1,106	\$ 1,202
Hospitals, medical	per bed	\$ 1,433	\$ 16,583	\$ 18,016
Hospitals, mental	per bed	\$ 716	\$ 8,292	\$ 9,008
Convalescent, nursing, rest homes without laundry facilities	per bed	\$ 287	\$ 3,317	\$ 3,604
Convalescent, nursing, rest homes with laundry facilities	per bed	\$ 573	\$ 6,633	\$ 7,206
Residential care facilities	per person	\$ 287	\$ 3,317	\$ 3,604

Proposed/Calculated SDFs – Flow Basis (Cont.)

Description	Unit	Fees by System		Combined
		Water	Sewer	
Parks, recreation, camp grounds, R-V parks and other outdoor activity facilities				
Campgrounds with comfort station, without water or sewer hookups	per campsite	\$ 358	\$ 4,146	\$ 4,504
Campgrounds with water and sewer hookups	per campsite	\$ 478	\$ 5,528	\$ 6,006
Campground dump station facility	per space	\$ 239	\$ 2,764	\$ 3,003
Construction, hunting or work camps with flush toilets	per person	\$ 287	\$ 3,317	\$ 3,604
Construction, hunting or work camps with chemicalor Portable toilets	per person	\$ 191	\$ 2,211	\$ 2,402
Parks with restroom facilities	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Summer camps without food preparation or laundry facilities	per person	\$ 143	\$ 1,658	\$ 1,801
Summer camps with food preparation and laundry facilities	per person	\$ 287	\$ 3,317	\$ 3,604
Swimming pools, bathhouses and spas	per person	\$ 48	\$ 553	\$ 601
Public access restrooms	per plumbing fixture	\$ 1,552	\$ 17,965	\$ 19,517
Schools, preschools and day care				
Day care and preschool facilities	per person (child & employee)	\$ 119	\$ 1,382	\$ 1,501
Schools with cafeteria, gym and showers	per student	\$ 72	\$ 829	\$ 901
Schools with cafeteria	per student	\$ 57	\$ 663	\$ 720
Schools without cafeteria, gym or showers	per student	\$ 48	\$ 553	\$ 601
Boarding schools	per person (student & employee)	\$ 287	\$ 3,317	\$ 3,604
Service stations, car wash facilities				
Service stations, gas stations	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Car wash facilities	per bay	\$ 5,730	\$ 66,333	\$ 72,063

Proposed/Calculated SDFs – Flow Basis (Cont.)

Description	Unit	Fees by System		Combined
		Water	Sewer	
Sports centers				
Bowling center	per lane	\$ 239	\$ 2,764	\$ 3,003
Fitness, exercise, karate or dance center	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
Tennis, racquet ball	per court	\$ 239	\$ 2,764	\$ 3,003
Gymnasium	per 100 sq ft	\$ 239	\$ 2,764	\$ 3,003
Golf course with only minimal food service	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Country clubs	per member or patron	\$ 287	\$ 3,317	\$ 3,604
Mini golf, putt-putt	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Go-kart, motocross	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Batting cages, driving ranges	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Marinas without bathhouse	per slip	\$ 48	\$ 553	\$ 601
Marinas with bathhouse	per slip	\$ 143	\$ 1,658	\$ 1,801
Video game arcades, pool halls	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Stadiums, auditoriums, theaters, community centers	per seat	\$ 24	\$ 276	\$ 300
Stores, shopping centers, malls and flea markets				
Auto, boat, recreational vehicle dealerships/ showrooms with restrooms	per plumbing fixture	\$ 597	\$ 6,910	\$ 7,507
Convenience stores, with food preparation	per 100 sq ft	\$ 287	\$ 3,317	\$ 3,604
Convenience stores, without food preparation	per plumbing fixture	\$ 1,194	\$ 13,819	\$ 15,013
Flea markets	per stall	\$ 143	\$ 1,658	\$ 1,801
Shopping centers and malls with food service	per 1000 sq ft	\$ 621	\$ 7,186	\$ 7,807
Stores and shopping centers without food service	per 1000 sq ft	\$ 478	\$ 5,528	\$ 6,006
Transportation terminals – air, bus, train, ferry, port and dock	per passenger	\$ 24	\$ 276	\$ 300

Proposed/Calculated SDFs – Meter-Size Basis

Description	Meter Factor ⁽¹⁾	Proposed/Calculated Fees By Meter Size		
		Water	Wastewater	Total

Meter Size:

5/8 x 3/4 Inch	1.00	\$ 1,910	\$ 19,900	\$ 21,810
1.0 Inch	2.50	\$ 4,775	\$ 49,750	\$ 54,525
1.5 Inch	5.00	\$ 9,550	\$ 99,500	\$ 109,050
2.0 Inch	8.00	\$ 15,280	\$ 159,200	\$ 174,480
3.0 Inch	16.00	\$ 30,560	\$ 318,400	\$ 348,960
4.0 Inch	25.00	\$ 47,750	\$ 497,500	\$ 545,250
6.0 Inch	50.00	\$ 95,500	\$ 995,000	\$ 1,090,500
8.0 Inch	80.00	\$ 152,800	\$ 1,592,000	\$ 1,744,800

- (1) Meter-size equivalency factors established by the AWWA and identified in AWWA Standards C700, M1 and M22. Such factors are commonly applied consistently for both water and wastewater fee calculations.

Conclusion

Questions & Comments



Description	Unit	Fees by System		Combined
		Water	Sewer	

Proposed/Calculated - Residential

2 bedroom	Water - 400gpd, Sewer - 240gpd	\$ 1,910	\$ 13,267	\$ 15,177
3 bedroom	Water - 400gpd, Sewer - 360gpd	\$ 1,910	\$ 19,900	\$ 21,810
4 bedroom	Water - 528gpd, Sewer - 480gpd	\$ 2,521	\$ 26,534	\$ 29,055

Description	ERU Factor	Fees by System		Combined Fee
		Water	Wastewater	

NON-RESIDENTIAL

Meter Size:

5/8 x 3/4 Inch	1.00	\$ 1,910	\$ 19,900	\$ 21,810
1.0 Inch	2.50	\$ 4,775	\$ 49,750	\$ 54,525
1.5 Inch	5.00	\$ 9,550	\$ 99,500	\$ 109,050
2.0 Inch	8.00	\$ 15,280	\$ 159,200	\$ 174,480
3.0 Inch	16.00	\$ 30,560	\$ 318,400	\$ 348,960
4.0 Inch	25.00	\$ 47,750	\$ 497,500	\$ 545,250
6.0 Inch	50.00	\$ 95,500	\$ 995,000	\$ 1,090,500
8.0 Inch	80.00	\$ 152,800	\$ 1,592,000	\$ 1,744,800



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Cameron Smith

ITEM/TOPIC: Hold a Public Hearing for a Unified Development Ordinance Amendment to Section 3.9.B Setback Exceptions and Encroachments

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: At their November 16, 2023 meeting, the Planning Board voted to send the Board of Aldermen a recommendation of denial for a Unified Development Ordinance Amendment to Section 3.9.B Setback Exceptions and Encroachments to allow HVAC, generators, and other similar equipment to encroach up to 48" into a required setback. A duly advertised public hearing must be held before the Board of Aldermen decision on the proposed amendment.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: The attached proposed Unified Development Ordinance Amendment has been reviewed by staff for consistency with the land use plan. Staff found the proposal consistent and forwarded it to the Planning Board for a recommendation.

CITY MANAGER COMMENTS: I concur with the Planning Board's recommendation.

ATTACHMENTS: Staff Report, Proposed Language, Text Amendment Application

REQUESTED ACTION: Call a public hearing for an Amendment to the Unified Development Ordinance.

PROPOSED MOTION: Motion to call a public hearing on January _____, 2024, for an Amendment to Section 3.9.B of the Unified Development Ordinance.

STAFF REPORT

ZONING TEXT AMENDMENT APPLICATION

SECTION 3.9 DIMENSIONAL REQUIREMENTS

APPLICATION SUMMARY	
Presentation Date	December 14, 2023 Board of Aldermen
Applicant	Cameron Smith
Relevant Ordinance Sections	Section 3.9.B.5 Setback Exceptions and Encroachments

ZONING TEXT AMENDMENT PROPOSAL
Cameron Smith, applicant, respectfully submits a Zoning Text Amendment to the City of Southport Unified Development Ordinance. Specifically, the request is to amend Section 3.9.B.5 Setback Exceptions and Encroachments to modify the maximum setback encroachment for heating and air conditioning units, generators, pool equipment, and other similar items. All proposed changes, including additions and deletions, can be found as an attachment to this report and may also be viewed in the City of Southport Development Services Department offices.

REVIEW PROCESS
A Zoning Text Amendment proposal is considered a legislative process. As laid out by North Carolina General Statutes, a legislative process is a policy-level decision with broad discretion by the decision-making authority, in Southport's case the Board of Aldermen. In a decision to approve or deny a legislative proposal, the Board of Aldermen shall include a statement referencing the decisions consistency with the adopted land use plan for the City of Southport. Per the City of Southport Unified Development Ordinance, the Planning and Zoning Board shall also provide a recommendation on any proposed Zoning Text Amendment to the Board of Aldermen. The Board of Aldermen shall hold a public hearing prior to voting on any Zoning Text Amendment.

AMENDMENT DESCRIPTION AND APPLICANT PETITION
The amendment to this section would allow heating and air conditioning (HVAC) units and similar equipment to encroach into a side or rear setback no more than forty-eight (48) inches or four (4) feet.

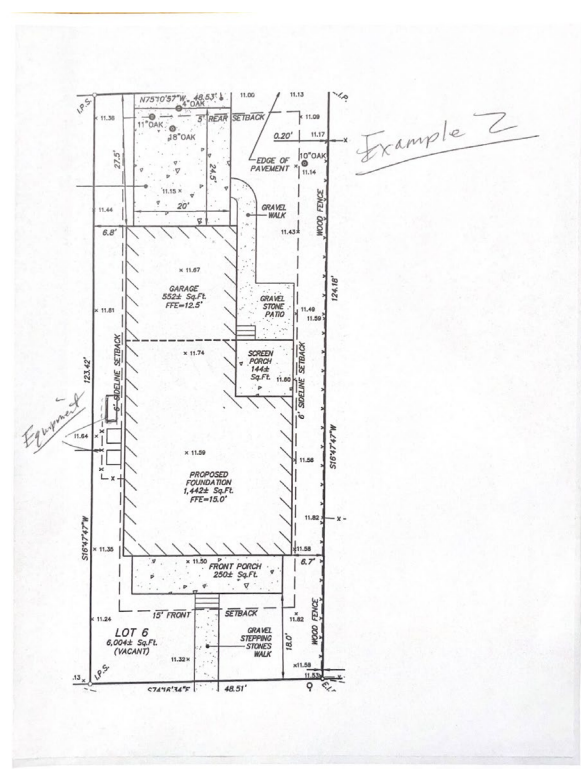
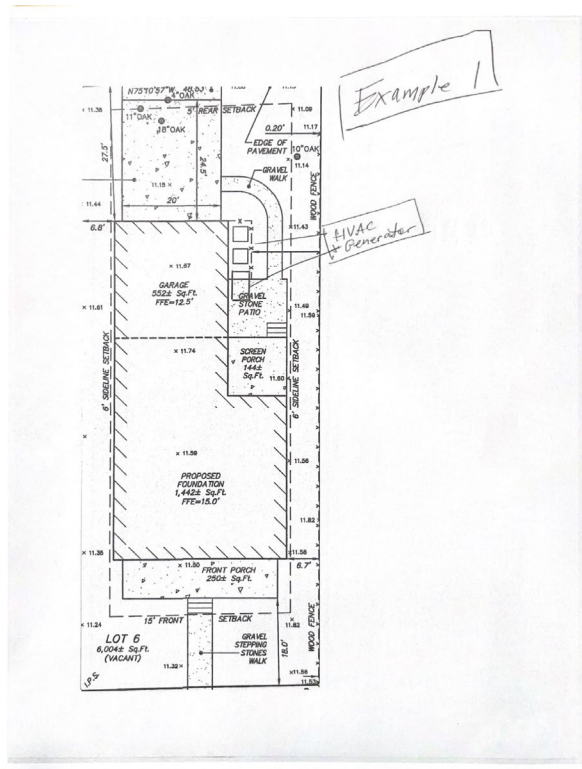
Currently, Section 3.9.B.5 of the UDO states, "Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units and similar items may project into a required setback not more than 30 inches."

The applicant, Cameron Smith, applied for this amendment to accommodate narrow lots approved for PUD subdivisions and nonconforming R-10 lots throughout Southport. Mr. Smith is a builder in the city and has stated that most HVAC and whole house generators need to be 48" off the main structure to meet code requirements. As homes are being built on smaller lots, using most of if not all the buildable width for desired home designs is becoming a necessity. He further states that this causes an undue hardship on homeowners since the units cannot go in the front of homes and many times the rear of the home does not work either, an example of this would be for properties that include a rear loading garage.

Specifically, the applicant has requested the following text amendment:

Sills, cornices, buttresses, ornamental features, gutters, and eaves, ~~heating and air conditioning units and similar items~~ may project into a required setback not more than 30 inches. Heating and air conditioning units, generators, pool equipment, and similar items may project not more than 48 inches into a required setback.

Examples from the applicant are shown below. Example 1 is a site plan that cannot meet the 30" encroachment standards so the equipment is located near the outdoor living area. Example 2 is a site plan showing where equipment has historically been allowed and away from living areas.



BACKGROUND AND EVALUATION

Previous editions of the UDO did not include heating and air conditioning units in the encroachment provisions. The current UDO, adopted on September 23, 2020, added these types of mechanical units. Since October 2022, this section of the UDO has been enforced. Staff encounter equipment encroachments beyond the 30" standard regularly in site plan and final as-built survey review. The instances have been reduced since the standard has been enforced, although staff do have to address the issue often. Historical plan review and approvals enforcing this standard cannot be confirmed.

Justification for this text amendment is to be able to accommodate smaller lot widths within cluster subdivisions and nonconforming R-10 lots throughout the city. Nonconforming lots not located in subdivisions many times have a 4' side setback, therefore the units would be allowed to have no setbacks.

Staff consulted the Cape Fear Council of Governments (CFCOG), the Building Inspector, and the Fire Marshall during the review of this proposed amendment. Each entity was able to give insight on setback requirements found throughout the region and codes that must be met.

Mr. Wes MacLeod, with the CFCOG confirmed that 30 inches is a standard encroachment throughout the region for these types of units. Further, independent research found examples that allow HVAC and other units 30 inches or a 50% encroachment of the setback, whichever is greater, that allow the encroachment of stoops for air conditioning, but the stoop can only be large enough to accommodate the unit, and there are some examples of 48" in other coastal areas.

Southport's Building Inspector stated that HVAC units must meet manufacturer-listed setbacks to allow air circulation. The average is approximately 24" and some can be as close as 12" to meet the National Fire Protection Act (NFPA). Generators must have a minimum clearance of 18" per the manufacturer's installation guidelines and NFPA. The Fire Marshall did not have any issues with these types of equipment being installed in side yard setbacks.

Planning Board Review

After discussions at the September 21, 2023, and October 19, 2023, regular Planning Board meetings, Staff was asked to bring two new options in addition to the original proposal to the November regular meeting. Below, you will find the existing text in the UDO, the original language as proposed by the applicant, and the two (2) options that were requested in October.

Existing Text Section 3.9.B

5. Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units, and similar items may project into a required setback of not more than 30 inches.

Applicant Proposed Text Amendment to Section 3.9.B

5. Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units, and similar items may project into a required setback of not more than 30 inches. Heating and air conditioning units, generators, pool equipment, and similar items may project not exceeding 48 inches into a required setback.

Text with 42" Encroachment Option

5. Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units, and similar items may project into a required setback of not more than 30 inches. Heating and air conditioning units, generators, pool equipment, and similar items may project 42 inches into a required setback but not closer than 24 inches from the lot line.

Text with 36" from Property Line Option

5. Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units, and similar items may project into a required setback not more than 30 inches and not closer than 36" from the property line.

Each option was presented by Staff with visual aids and considered by the Planning Board. The applicant was satisfied with the 42" Encroachment (and not closer than 24" from the lot line) Option, which would help in instances with smaller lots and existing homes.

No consensus by the Planning Board could be reached and a motion to deny the application was made.

Unified Development Ordinance Compliance

Zoning Text Amendments, like General Use Zoning Map Amendments (Rezoning), follow the process laid out in Section 2.10 of the City of Southport Unified Development Ordinance. Pursuant to this section, the Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other official adopted plans that are applicable and make a recommendation to the Board of Aldermen. The Board of Aldermen shall, in their final decision-making capacity, base their decision upon the same.

2014 CAMA Core Land Use Plan Compliance

Explicit references to specific lot layout, setbacks, and designs for single family lots are not included in the land use plan. The plan references updating the UDO and other documents to meet the needs of the residents of the city.

PLANNING BOARD RECOMMENDATION

The Planning Board recommends DENIAL of the zoning text amendment to Section 3.9.B.5 as proposed by the applicant. The proposal is found to be inconsistent with the 2014 CAMA Core Land Use Plan and does not meet the intent of the Unified Development Ordinance.

Attachments

Consistency Statement

Proposed Text Amendment Language

Text Amendment Application



**City of Southport Board of Aldermen
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-604)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA 23-03 – Section 3.9.B Setback Exceptions and Encroachments

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby adopt the proposed text amendment of the Unified Development Ordinance and finds that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen. More specifically, the proposed amendment is consistent with **Policy 2.4:** Southport will permit residential development to occur in response to market needs provided that the following criteria are met: (1) Due respect is offered to all aspects of the environment. (2) Concurrent planning for improvements to community facilities, infrastructure, and services is provided and **Policy 7.22:** The City shall continually maintain all official planning documents.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Joseph P. Hatem, M.D., MPH, Mayor



**City of Southport Board of Aldermen
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-604)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA 23-03 – Section 3.9.B Setback Exceptions and Encroachments

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby DENY the proposed text amendment of the Unified Development Ordinance and finds that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen. Specifically, the proposed zoning text amendment is inconsistent with the CAMA Land Use Plan considerations for zoning petitions, "The regulations shall be made in accordance with the Southport Land Use Plan and designed to lessen congestion in streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements". Further, the request is not in the public interest since there are reasonable alternatives to locate HVAC units, generators, pool equipment and other similar items.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Joseph P. Hatem, M.D., MPH, Mayor

Existing Text Section 3.9.B

5. Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units and similar items may project into a required setback not more than 30 inches.

Text with 42" Encroachment Option

5. Sills, cornices, buttresses, ornamental features, gutters, and eaves, ~~heating and air conditioning units and similar items~~ may project into a required setback not more than 30 inches. Heating and air conditioning units, generators, pool equipment, and similar items may project 42 inches into a required setback, but not closer than 24" from the lot line.

Text with 36" from Property Line Option

5. Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units and similar items may project into a required setback not more than 30 inches or not closer than 36" from the property line, whichever is greater.

Applicant Proposed Text Amendment to Section 3.9.B

5. Sills, cornices, buttresses, ornamental features, gutters, and eaves, ~~heating and air conditioning units and similar items~~ may project into a required setback not more than 30 inches. Heating and air conditioning units, generators, pool equipment, and similar items may project not more than 48 inches into a required setback.



Text Amendment

City of Southport, North Carolina

1029 N. Howe St, Southport NC 28461
www.southportnc.org

Planning & Inspections
Phone 910-457-7961 Fax 910-457-7957

For Staff Use Only

PERMIT No. ZTA-23-03 FEE: \$ 250 Date Received: 8/8/23

Applicant's Name: Cameron Smith
Mailing Address: 107 Bennett's Creek Lane City: Southport
State: NC Zip Code: 28461 Phone: 910-443-5880
Email: _____

Current Section Impacted by Proposed Text Amendment: 3.9.B.5

Please describe the conditions that makes the proposed text amendment necessary for the promotion of public health, safety, and general welfare; or that identifies an obvious error in the UDO. Also explain why the proposal is or is not consistent with the Land Use Plan and other adopted plans (Attach separate sheet if necessary).

see attached

In filing this Text Amendment Petition, I hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

[Signature]
Signature (Applicant)

8/2/23
Date

APPROVED BY:

Mamoon Mehar

8/8/23

This is how the ordinance currently reads. 3.9 B.5 Sills, cornices, buttresses, ornamental features, gutters, eaves, heating and air conditioning units and similar items may project into a required setback not more than 30 inches.

Proposed text amendment : 3.9 B.5 Sills, cornices, buttresses, ornamental features, gutters, eaves, ~~heating and air conditioning units~~ and similar items may project into a required setback not more than 30 inches. HVAC units, generators, pool equipment, and similar items may project not more than 48 inches into a required setback.

Rationale behind revision: In the previous 24 years I have built homes in Southport this ordinance was either not in the UDO or not enforced. Items that are fixed to the structure such as cantilevers, etc were enforced with the 30" rule but never the equipment (HVAC, generators, etc). Many of the homes I have built in communities with narrower lots have equipment on the sides of the homes that would not have met this ordinance. Most air condensing units and generators need 48" off the structure to meet codes for clearances. In my opinion, this 30" guideline creates an unnecessary hardship. Many homeowners, especially in communities with narrow lots (PUDs or some of our city lots) need to use the majority of their buildable width for their home design. The equipment cannot go in the front of the home and in many cases the rear of the home doesn't work well either. A prime example of this would be homes with rear load garages on narrow lots and I have included an example site plan.

Example 1 shows what happens when the equipment is not allowed to go on the side of the home as it typically does due to the 30" guideline. The small rear outdoor space is adversely affected. In addition, having the equipment alongside the garage instead of the house foundation doesn't work in the construction world for a variety of reasons.

Example 2 shows where the equipment should be placed and where it has been allowed historically speaking. Changing this 30" guideline to 48" will allow this to work.

Another point I would like to make in regards to existing homes is many people are now wanting to install whole house generators and may not be able to with the enforcement of this 30" guideline. There is really no downside to this revision that I can see and it will be permitting this equipment placement to continue as it has been allowed in the past.



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Board of Adjustment and Development Services Staff

ITEM/TOPIC: Hold a Public Hearing for a Unified Development Ordinance Amendment to Section 3.12.B Driveways

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: At their November 16, 2023 meeting, the Planning Board voted to send the Board of Aldermen a recommendation of approval for a Unified Development Ordinance Amendment to Section 3.12.B.2 Driveways to reduce the driveway setback for single and two-family dwelling units from 10' to 2' from the side lot lines. A duly advertised Public Hearing must be held before the Board of Aldermen vote on the proposed amendment.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: The attached proposed Unified Development Ordinance Amendment has been reviewed by staff for consistency with the land use plan. Staff found the proposal consistent and forwarded it to the Planning Board for a recommendation.

CITY MANAGER COMMENTS: I concur with the Planning Board's recommendation.

ATTACHMENTS: Staff Report and Proposed Language

REQUESTED ACTION: Call a public hearing for an Amendment to the Unified Development Ordinance.

PROPOSED MOTION: Motion to call a public hearing on January _____, 2024, for an Amendment to Section 3.12.B of the Unified Development Ordinance.

STAFF REPORT

ZONING TEXT AMENDMENT

SECTION 3.12.B DRIVEWAYS

APPLICATION SUMMARY	
Presentation Date	December 14, 2023 Board of Aldermen
Applicant	City of Southport Planning Staff
Relevant Ordinance Sections	Section 3.12.B Driveways

ZONING TEXT AMENDMENT PROPOSAL
The City of Southport Planning Staff, per the recommendation of the Board of Adjustment, respectfully submits a Zoning Text Amendment to the City of Southport Unified Development Ordinance. Specifically, the request is to amend Section 3.12.B.2 Driveways to exempt single-family and two-family dwelling units from the regulations found in this provision of the ordinance. All proposed changes, including additions and deletions, can be found as an attachment to this report and may also be viewed in the City of Southport Development Services Department offices.

REVIEW PROCESS
A Zoning Text Amendment proposal is considered a legislative process. As laid out by North Carolina General Statutes, a legislative process is a policy-level decision with broad discretion by the decision-making authority, in Southport's case the Board of Aldermen. In a decision to approve or deny a legislative proposal, the Board of Aldermen shall include a statement referencing the decisions consistency with the adopted land use plan for the City of Southport. Per the City of Southport Unified Development Ordinance, the Planning and Zoning Board shall also provide a recommendation on any proposed Zoning Text Amendment to the Board of Aldermen. The Board of Aldermen shall hold a public hearing prior to voting on any Zoning Text Amendment.

Section 2.10 of the UDO outlines the procedure that allows any party to apply for a text change to the UDO or zoning district change for the city's zoning map. The Planning Board shall provide an advisory recommendation within 90 days after the introduction of such petition at a regularly scheduled meeting and shall transmit its recommendation and report, including the reasons for its determinations, to the Board of Aldermen.

AMENDMENT DESCRIPTION

This amendment was requested by the Board of Adjustment at their September 24, 2023, meeting. The board heard a variance for a single-family dwelling unit driveway that could not meet the 10' setback from the side lot line or the 50% of the total lot width provisions found in Section 3.12. The lot is located on a cul-de-sac and has a conforming reduced lot frontage. The variance was approved for the reduction of setback, but the Board required the applicant to conform to the less than 50% lot frontage for the driveway.

During other business there was a discussion of the driveway provisions found in the UDO. Staff advised that more variances of this nature would be forthcoming. Board members specifically considered the two (2) provisions that were part of the variance application. Please note, that due to the nature of the quasi-judicial hearing, no details or other findings from the variance case were discussed as part of this broader discussion of the UDO.

Section 3.12.B.4.d) In no case may the total width of all driveways exceed 50% of the total property frontage. This provision may limit the type of driveway a property owner can install. Examples can include circular or two-car garage drives, especially on lots with frontage less than 75'. This provision was not discussed in as much detail as the setback provision.

Section 3.12.B.4.e) No driveway (nearest edge) shall be located within 10 feet of a side lot property line except in the case of a shared driveway (single curb/access point) utilized by two (2) or more lots. No driveway located within 10 feet of a side lot line is inconsistent with other residential setback provisions throughout the UDO. Most notable are the 8-foot side setbacks for lots zoned R-10. A garage is setback 8 feet, but the driveway would not be able to access the garage if the strict letter of the UDO is followed. Further, it was discussed that nonconforming R-10 lots with 33' of lot frontage can have a reduced side setback sometimes only 4 feet and installation of a driveway would have to be installed in the middle of the property. Again, this does not align with the garage or house setback allowances.

The consensus of the Board of Adjustment was that this section of the ordinance should not apply to single-family or two-family dwelling units and that a text amendment should be submitted to the Planning Board.

The 2004 Unified Development Ordinance and subsequent amendments included a single- and two- family dwelling unit exception to Section 3.12. During the 2020 update of the UDO, this provision was removed. There is no documentation to explain why it was removed.

Planning Board Review

The Planning Board reviewed this consideration at their October and November regular meetings. There was discussion that the blanket statement would exempt single- and two- family dwelling units from all the driveway standards outlined in the UDO. Specifically, there was concern about Section 3.12.B.4.d, in no case may the width of all driveways exceed 50% of the

total property frontage. The Planning Board asked staff to bring back language that would reduce the setback from 10' to 2' for single- and two- family dwelling units. The existing, proposed, and requested changes are outlined below.

Existing Section 3.12.B.2

Before a zoning permit is issued for the construction, reconstruction, or change in use of any building or land. "Construction, reconstruction, or change in use" refers to those improvements made to the site involving overall structure size or to changes in use which would require the addition of one (1) or more off-street parking spaces; it is not intended to refer to construction activities which merely involve changes to exterior architectural features (e.g., painting, addition of siding, roofing activities, etc.).

Pre-2020 Adopted Text for Section 3.12.B.2.

Before a zoning permit is issued for the construction, reconstruction, or change in use of any building or land used for purposes other than a single- or two-family residence, all driveways shall be reviewed and approved by the UDO Administrator or his/her designee. "Construction, reconstruction, or change in use" refers to those improvements made to the site involving overall structure size or to changes in use which would require the addition of one (1) or more off-street parking spaces; it is not intended to refer to construction activities which merely involve changes to exterior architectural features (e.g., painting, addition of siding, roofing activities, etc.).

Driveway Only Residential and Nonresidential Setback Option 3.12.B.4.e)

No nonresidential driveway (nearest edge) shall be located within 10 feet of a side lot property line except in the case of a shared driveway (single curb/access point) utilized by two (2) or more lots. Residential driveways shall not be located within two (2) feet of side lot property lines.

Note:

Staff have stated that there are other driveway location standards that need to be considered, not just the side lot line setback. The one other standard that should be specifically considered for single- and two- family dwelling units is, 3.12.B.4.a) Two (2) driveways entering the same street from a single lot shall be permitted only if the minimum distance between the closest edges of the driveways equals or exceeds 50 feet. There are a couple of instances, including driveways for duplexes or circular driveways that would not be able to be constructed with the current language in the UDO.

EVALUATION AND CONTEXT

Unified Development Ordinance Compliance

Zoning Text Amendments, like General Use Zoning Map Amendments (Rezoning), follow the process laid out in Section 2.10 of the City of Southport Unified Development Ordinance. Pursuant to this section, the Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other official

adopted plans that are applicable. The Board of Aldermen shall, in their final decision-making capacity, base their decision upon the same.

2014 CAMA Core Land Use Plan Compliance

Explicit references to specific development or design aspects are not present within the document. The plan references updating the UDO and other documents to meet the needs of the residents of the city. Further, the following Goal and Policy supports consistency with the proposed text amendment and the land use plan.

Goal 7: Southport will integrate local concerns with the overall goals of CAMA in the context of land use planning and in accordance with Southport's Vision and Core Values, Southport will endeavor to preserve the city's historic character, protect the city's shoreline vista, continue to support a vibrant Central Business District, preserve the city's residential areas and protect the city's Areas of Environmental Concern (AEC's).

Policy 7.22: The City shall continually maintain all official planning documents.

PLANNING BOARD RECOMMENDATION

The Planning Board recommends APPROVAL of the zoning text amendment to Section 3.12.B.4.e) allowing driveway setbacks for single-and two-family dwelling units be changed from 10' to 2' from the side lot line. The proposal is found to be consistent with the 2014 CAMA Core Land Use Plan, as well as remaining consistent with the Unified Development Ordinance.

Attachments

Proposed Text Amendment Language
Consistency Statement

Existing Section 3.12.B.2

Before a zoning permit is issued for the construction, reconstruction, or change in use of any building or land. "Construction, reconstruction, or change in use" refers to those improvements made to the site involving overall structure size or to changes in use which would require the addition of one (1) or more off-street parking spaces; it is not intended to refer to construction activities which merely involve changes to exterior architectural features (e.g., painting, addition of siding, roofing activities, etc.).

Pre-2020 Adopted Text for Section 3.12.B.2.

Before a zoning permit is issued for the construction, reconstruction, or change in use of any building or land used for purposes other than a single- or two-family residence, all driveways shall be reviewed and approved by the UDO Administrator or his/her designee. "Construction, reconstruction, or change in use" refers to those improvements made to the site involving overall structure size or to changes in use which would require the addition of one (1) or more off-street parking spaces; it is not intended to refer to construction activities which merely involve changes to exterior architectural features (e.g., painting, addition of siding, roofing activities, etc.).

Driveway Only Residential and Nonresidential Setback Option 3.12.B.4.e)

No nonresidential driveway (nearest edge) shall be located within 10 feet of a side lot property line except in the case of a shared driveway (single curb/access point) utilized by two (2) or more lots. Residential driveways shall not be located within two (2) feet of side lot property lines.



**City of Southport Board of Aldermen
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-604)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA 23-04 – Section 3.12.B Driveways

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby adopt the proposed text amendment of the Unified Development Ordinance and finds that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen. More specifically, the proposed amendment is consistent with **Policy 2.4**: Southport will permit residential development to occur in response to market needs provided that the following criteria are met: (1) Due respect is offered to all aspects of the environment. (2) Concurrent planning for improvements to community facilities, infrastructure, and services is provided and **Policy 7.22**: The City shall continually maintain all official planning documents.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Joseph P. Hatem, M.D., MPH, Mayor



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: 12-5-2023

DEPARTMENT: Board of Aldermen

PRESENTED BY: Mayor Rich Alt and Bonnie Therrien, City Manager

ITEM SPONSORED BY: Board of Aldermen

ITEM/TOPIC: Rules of Procedures Review

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: In previous positions I have worked in, every time a newly elected Board is sworn into office, the new Board reviews the current Rules of Procedures for the elected body to see if they wish to make changes as to how meetings are conducted, agenda items are handled, the order of agenda items, and public input into meetings. I have attached a sample set of Rules from another community I worked in, in Connecticut, your current Rules of Procedures and a sample narrative from the School of Government on Rules of Procedures. I would recommend you form a subcommittee of the Board who can work to put together a draft which will be brought back to the entire Board at a future meeting for your official vote.

IMPACT IF NOT APPROVED: We will continue to use the current Rules of Procedures.

DEPARTMENT HEAD COMMENTS: Not applicable.

CITY MANAGER COMMENTS: I would recommend that you form a subcommittee of the Board to review different Rules of Procedures and bring back to the Board of Aldermen a draft set of rules that the Board could discuss and vote on at a future meeting.

ATTACHMENTS:

- 1) Rules of Procedures from the NC School of Government
- 2) Current Rules of Procedures for Southport
- 3) Sample Rules of Procedures from Wethersfield, CT.
- 4) Sample Rules of Procedure from Leland, NC

REQUESTED ACTION: Form a subcommittee of the Board of Aldermen to review the current Rules of Procedures and bring back a draft document of Rules that the entire Board can vote on at a future meeting.

PROPOSED MOTION: Motion to form a subcommittee of the following members, _____ to act as a Rules of Procedures Sub Committee and bring back a final draft to the entire Board by the February, 2024 Meeting.



ADOPTED

RULES OF PROCEDURES

SOUTHPORT BOARD OF ALDERMEN

Adopted July 31, 2010

Operating rules of procedures for the Southport Board of Aldermen

Errata Sheet for *Suggested Rules of Procedure for a City Council*

Public Comment Periods Required at Meetings of City Councils, Boards of County Commissioners, and School Boards

The 2005 General Assembly enacted S.L. 2005-170 (H 635), effective July 11, 2005, which mandates that city councils, boards of county commissioners, and boards of education provide at least one period for public comment per month at a regular meeting of the board. The history of the act, as well as case law on citizen comment periods as "limited public forums" under the First Amendment, both suggest that the board probably must allow comment on *any subject* that is within the jurisdiction of the local government. A board need not provide a public comment period if no regular meeting is held during the month.

The act allows boards to adopt reasonable regulations governing the conduct of the public comment period, including but not limited to rules setting time limits for speakers, and providing for (1) the designation of spokesmen for groups supporting or opposing the same position, (2) the selection of delegates from groups with the same position when the meeting hall's capacity is exceeded, and (3) the maintenance of order and decorum in the conduct of the hearing. This authorization of regulations is taken almost verbatim from the statutes governing the conduct of public hearings by counties and municipalities, respectively (G.S. 153A-52 and G.S. 160A-81).

Fleming Bell
October 2005

Preface

Suggested Rules of Procedure for a City Council, first written by Bonnie E. Davis and later revised by A. Fleming Bell, II, has been further revised and expanded in this third edition. These modifications are intended to modify the handbook's treatment of several subjects and to reflect changes in the requirements of the open meetings law. The rules governing the role of the mayor, the requirements for minutes and general accounts of closed sessions, and some procedural motions, for example, have been rewritten or modified, and sections on consent agendas and voting requirements when a zoning protest petition is filed have been added.

I give special thanks to James H. Slaughter, an attorney, Certified Professional Parliamentarian, and Professional Registered Parliamentarian from Greensboro, North Carolina, who provided many useful suggestions. My Institute of Government colleague David M. Lawrence also reviewed a draft of the publication and provided many helpful ideas. I give much credit to them; any flaws are of course my responsibility. It is my hope that this new edition of *Suggested Rules of Procedure for a City Council* will prove to be a valuable tool both for city councils, clerks, attorneys, and managers who endeavor to conduct the business of North Carolina's municipalities in a fair, careful, and expeditious manner, and for the citizens whom they serve.

A. Fleming Bell, II
Professor of Public Law and Government

Chapel Hill
Spring 2000

Introduction

THESE RULES OF PROCEDURE were designed for use by a municipal council. They incorporate general principles of parliamentary procedure and applicable North Carolina laws. Essentially the rules are a modified version of *Robert's Rules of Order Newly Revised* (hereinafter referred to as *RONR*). However, *RONR* is intended primarily to guide the deliberations of large legislative bodies; its detailed rules are not always appropriate for a small governing board. A small board can afford to do some things that are not appropriate for a large body, and in some cases the procedure prescribed by *RONR* for larger assemblies is unnecessarily cumbersome. *RONR* itself recognizes that more informality is desirable with small boards (*RONR*, Sec. 48, pp. 477–78); these rules detail the more informal procedures that might be expected with a small board. This book modifies *RONR* with the following principles in mind:

1. The council must act as a body.
2. The council should proceed in the most efficient manner possible.
3. The council must act by at least a majority.
4. Every member must have an equal opportunity to participate in decision making.
5. The council's rules of procedure must be followed consistently.
6. The council's actions should be the result of a decision on the merits and not a manipulation of the procedural rules.

Many of the rules suggested here reflect the provisions of the North Carolina city council meeting procedure statutes, Chapter 160A, Article 5, Parts 1–3, of the North Carolina General Statutes (hereinafter G.S.) (G.S. 160A-68 to -81) and the North Carolina open meetings law, G.S. Chapter 143, Article 33C (G.S. 143-318.9 to 143-318.18). When the rules in this book state procedures that are required by sections of these statutes, that fact is noted in the Comments. City councils must follow procedures required by these laws, whether or not they adopt some version of the rules in this book.

Note that G.S. 160A-82 provides that nothing in G.S. 160A-68 through G.S. 160A-81 (with certain exceptions not pertinent here) is to be construed to repeal any inconsistent provision of any city charter. (See also G.S. 160A-3, which provides rules for resolving conflicts between charter provisions and other statutes.) City officials should examine the city charter whenever a Comment refers to a general law, to determine whether the charter conflicts with the cited general law.

A city council has a relatively free hand in designing its own rules of procedure, as long as the requirements of the general laws mentioned above and the city's charter are followed and the board adheres to the general principles listed earlier. Most of the rules in this book are merely suggested procedures, and each council should feel free to change them to suit local needs and customs. For example, Rule 11 eliminates the requirement of a second to a motion. A council may choose to adopt that rule or not. Alternative wordings and optional language for some of the rules are shown enclosed in brackets.

Throughout these rules the city governing board is referred to as the “council,” in keeping with the wording of G.S. Chapter 160A.

Suggested Rules of Procedure

Rule 1. Regular Meetings

The council shall hold a regular meeting on the second Thursday of each month, except that if a regular meeting day is a legal holiday, the meeting shall be held on a date to be determined by the Board. The meeting shall be held at Southport City Hall and shall begin at 6:00 p.m. A copy of the council's current meeting schedule shall be filed with the city clerk.

Comment: G.S. 160A-71 allows the city council to fix a time and place for regular meetings. If the council does not do so, it is required to meet at least once a month at 10 a.m. on the first Monday. Although the general law permits a council to fix a regular meeting time that is less frequent than once a month, many city charters require the council to meet at least monthly. G.S. 143-318.12(a) (part of the open meetings law) requires the council's schedule of regular meetings to be kept on file with the city clerk. If the schedule is revised, the new schedule must be on file for at least seven days before the first meeting held pursuant to it.

Rule 2. Special, Emergency, and Recessed [or Adjourned] Meetings

(a) Special Meetings. The mayor, the mayor pro tempore, or any two members of the council may at any time call a special council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. At least forty-eight hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (1) delivered to the mayor and each council member or left at his or her usual dwelling place; (2) posted on the council's principal bulletin board, or if none, at the door of the council's usual meeting room; and (3) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the city clerk. Only those items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or have signed a written waiver of notice. [Even in such a case, the council shall only discuss or transact items of business not specified in the notice if it determines in good faith at the meeting that it is essential to discuss or act on the item immediately.]

A special meeting may also be called or scheduled by vote of the council in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least forty-eight hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (1) posted on the council's principal bulletin board, or if none, at the door of the council's usual meeting room; and (2) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the city clerk. [Such notice shall also be mailed or delivered at least forty-eight hours before the meeting to each council member not present at the meeting at which the special meeting was called or scheduled, and to the mayor if he or she was not present at that meeting.] [Only those items of business specified in the notice may be discussed or transacted at a special meeting called in this manner, unless all members are present or those not present have signed a written waiver of notice, and the council determines in good faith at the meeting that it is essential to discuss or act on the item immediately.]

Comment: The first paragraph of Rule 2(a) combines the special meeting notice requirements of the open meetings law found in G.S. 143-318.12(b) with the notice requirements for special meetings called by the mayor, the mayor pro tempore, or any two council members under G.S. 160A-71(b)(1). While G.S. 160A-71(b)(1) only requires that the mayor and council members receive six hours' notice of special meetings called by the mayor, the mayor pro tempore, or two council members, this rule increases the advance notice

requirement for the mayor and council members to forty-eight hours. This change recognizes that the council will want to be notified of special meetings called by a few of their number at least as far ahead of time as members of the news media and other persons on the board's "sunshine list" are notified (forty-eight hours) [see G.S. 143-318.12(b)(2)]. A discussion of procedures and possible fees for inclusion on the "sunshine list" can be found in G.S. 143-318.12(b)(2).

In accordance with the requirements of G.S. 160A-71(b)(1), only those items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or have signed a written waiver of notice. An optional provision of this rule establishes an additional requirement: no items may be added to the agenda for a special meeting called in this manner unless the council determines in good faith that the item to be added must be discussed or acted on immediately. This provision is based on the following reasoning.

The open meetings law requires that the purpose of a special meeting be stated in the meeting notice. While the law contains no explicit restrictions that would prevent the board from taking up unannounced subjects at a special meeting if the requirements of G.S. 160A-71(b)(1) are met, this rule recognizes that there is probably some implicit "good faith" limit on adding unannounced subjects to the agenda. Recognizing such a limit avoids surprise to absent council members and to others who might have attended the meeting, had they known that the additional item would be placed on the agenda. It is especially appropriate *not* to consider the extra item if it could be dealt with at another special meeting scheduled with the proper forty-eight hours' notice.

The second paragraph of Rule 2(a) deals with special meetings called or scheduled by vote of the council in open session during another duly called meeting under G.S. 160A-71(b)(2). Under the open meetings law, forty-eight hours' advance notice of the time, place, and purpose of special meetings called in this manner must be mailed to the news media and other persons on the council's "sunshine list," as required with any other special meeting. G.S. 160A-71(b)(2) generally requires no special notice to council members of a special meeting called during another meeting, since presumably all members were present or had the opportunity to be present at the meeting where the special meeting was called or scheduled. An optional provision of this rule allows the council to go a bit beyond what the law specifies by providing notice to members who were absent from the meeting where the special meeting was scheduled.

(b) Emergency Meetings. Emergency meetings of the city council may be called only because of generally unexpected circumstances that require immediate consideration by the council. Only business connected with the emergency may be considered at an emergency meeting. One of the following two procedures must be followed to call an emergency meeting of the council.

(1) The mayor, the mayor pro tempore, or any two members of the council may at any time call an emergency council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each council member or left at his or her usual dwelling place at least six hours before the meeting.

(2) An emergency meeting may be held at any time when the mayor and all members of the council are present and consent thereto, or when those not present have signed a written waiver of notice, but only in either case if the council complies with the notice provisions of the next paragraph.

Notice of an emergency meeting under (1) or (2) shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency meeting notice request, which includes the newspaper's, wire service's, or station's telephone number, with the city clerk. This notice shall be given either by telephone or by the same method used to notify the mayor and the council members and shall be given at the expense of the party notified.

Comment: Rule 2(b) states the requirements of the open meetings law concerning emergency meetings [G.S. 143-318.12(b)(3)]. It adds to these requirements the two possible ways that emergency meetings might be called under G.S. 160A-71(b). The city council procedural statutes do not mention emergency

meetings, so they must be considered a type of special meeting. The first method, described in G.S. 160A-71(b)(1), requires six hours' minimum notice to council members and the mayor. The second method, specified in G.S. 160A-71(b)(2), allows a meeting to be held whenever the entire council can be assembled or written waivers can be obtained from those not present, as long as the emergency meeting notice requirements are satisfied.

The third method for calling special council meetings, see G.S. 160A-71(b)(3), is not allowed for emergency meetings. Because emergency meetings are by their nature unexpected, it is assumed that they will not be called during the course of another meeting, but will be scheduled when needed using one of the other two methods.

(c) Recessed [or Adjourned] Meetings. A properly called regular, special, or emergency meeting may be recessed [or adjourned] to a time and place certain by a procedural motion made and adopted as provided in Rule 18, Motion 2, in open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of a recessed [or adjourned] session of a properly called regular, special, or emergency meeting.

Comment: In Rule 2(c), note that a motion to recess (or adjourn) a meeting to a time and place certain must comply with the requirements of Rule 18 concerning procedural motions. See both the rule's general requirements and the particular requirements of Motion 2. It must be made in open session, since under the open meetings law the making of such a motion is not listed as an action that is permitted during a closed session. (See Rule 26 concerning closed sessions.) The open meetings law specifies that if proper notice was given of the original meeting, and if the time and place at which the meeting is to be continued is announced in open session, no further notice is required for the adjourned or recessed session. No notice requirements are imposed by the city council procedure statutes for adjourned or recessed sessions. As explained in the *Comment* to Rule 18, Motion 2, the terms "recess to a time and place certain" and "adjourn to a time and place certain" are both forms of the motion to adjourn, and are used interchangeably in these rules and in North Carolina law and practice. G.S. 160A-71(b1) states the terms recess and adjourn as alternatives.

The provisions of Rule 24 that concern notice of meetings to consider the budget should also be considered in conjunction with this rule.

Rule 3. Organizational Meeting

On the date and at the time of the first regular meeting in December following a general election in which council members are elected, or at an earlier date, if any, set by the incumbent council, the newly elected members shall take and subscribe the oath of office as the first order of [new] business. As the second order of [new] business, the council shall elect a mayor, if he or she is not elected as such by the voters, and a mayor pro tempore. This organizational meeting shall not be held before the municipal election results are officially determined, certified, and published in accordance with Subchapter IX of Chapter 163 of the North Carolina General Statutes.

Comment: This rule states the requirements of G.S. 160A-68(a) and (b). An organizational meeting is held whenever new members are elected so that they can properly qualify for office by taking and signing the required oath. At the same meeting a mayor pro tempore (and a mayor if that person is not separately elected by the voters) is chosen. G.S. 160A-68(b) provides that the organizational meeting shall take place notwithstanding the absence, death, refusal to serve, failure to qualify, or nonelection of one or more members, provided a quorum is present.

All public officers must take the oath of office set forth in Article VI, Section 7, of the North Carolina Constitution. Council members may also include in the oath to be taken, those provisions of the oaths set

out in G.S. 11-7 and -11 that are different from the constitutional oath. Board members with questions about oaths should consult the board's attorney or the following Institute of Government publications: A. Fleming Bell, II, *Ethics, Conflicts, and Offices: A Guide for Local Officials* (Chapel Hill: Institute of Government, 1997); James Long and C. E. Hinsdale, *Oaths of Office for the Use of City, County, and State Officials in North Carolina* (Chapel Hill: Institute of Government, 1975); and Joseph S. Ferrell, "Questions I Am Frequently Asked: What Forms of Oath Should a Public Officer Take?" *Popular Government* 62 (Fall 1996): 43.

Who presides at the organizational meeting until the new mayor is sworn in is a question best resolved by local custom. In some cities the city clerk, manager, or attorney presides, and in others the retiring mayor presides until the new mayor is sworn in.

The incumbent council may fix the date and time of the organizational meeting. If it does not do so, the meeting is held on the date and at the time of the first regular meeting in December after the municipal election results have been certified under the state election laws. If the council uses the "default" time and place, G.S. 160A-68(a) may require that the organization of the council be the first thing that occurs "on the date and at the time" of the first regular meeting in December. While this rule permits the qualification of newly elected members and the election of a mayor pro tempore and (if necessary) of a mayor to be preceded by the completion of pending items of unfinished business by the incumbent council if this is the local custom, an incumbent council wishing to proceed in this manner should so specify in fixing the time and place for the organizational meeting. In this case, the swearing-in and election are the first items of "new business" on the agenda.

Rule 4. Agenda

(a) **Proposed Agenda.** The city clerk and chief administrative officer shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least **10** working days before the meeting. Any council member may, by a timely request, have an item placed on the proposed agenda. A copy of all proposed ordinances shall be attached to the proposed agenda.[An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each council member shall receive a copy of the proposed agenda and the agenda package and it shall be available for public inspection and distribution or copying when it is distributed to the council members.

(b) **Adoption of the Agenda.** As its first order of business at each meeting, the council shall, as specified in Rule 6, discuss and revise the proposed agenda and adopt an agenda for the meeting. If items are proposed to be added to the agenda of a meeting, the council may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all council members.

The council may by majority vote add items to or subtract items from the proposed agenda, except that (a) the council may not subtract items from the proposed agenda stated in the notice of a special meeting called by the mayor, mayor pro tempore, or two council members, unless those calling the meeting consent to the deletion, (b) the council may not add items to the proposed agenda stated in the notice of a special meeting called by the mayor, mayor pro tempore, or two council members, unless all members are present, or those who are absent sign a written waiver of notice, and (c) only business connected with the emergency may be considered at an emergency meeting. The council may add items to the proposed agenda of a special meeting only if it determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

The council may designate certain agenda items "for discussion and possible action." Such designation means that the council intends to discuss the general subject area of that agenda item before making any motion concerning that item.

Comment to (a) and (b): Because of the volume and complexity of the matters they must consider, most

councils use an agenda for their meetings. This rule describes the typical agenda preparation procedure for regular and some special council meetings. Councils should adapt it to accommodate the special circumstances that accompany emergency and many special meetings.

Two uses of agendas are common. Some councils use an agenda only to organize the materials they must consider and to give themselves an opportunity to study the issues before they meet. These councils generally allow last-minute additions to the agenda by general consent. This rule takes that approach. Note, however, that G.S. 160A-71(b)(1) requires that all council members be present or consent in writing before additions can be made to the subjects listed on the notice of a special meeting called by the mayor, mayor pro tempore, or two council members. Also, since the agenda of such a special meeting is set by those calling it, this rule requires those persons' consent before items may be deleted from that agenda. Note also that G.S. 143-318.12(b)(3) limits the agenda of emergency meetings to business connected with the emergency.

Other councils use their agenda to control the length of their meetings. In that case the council will often hold an agenda meeting or a work session before the regular meeting to ask questions and thoroughly explore the proposals that must be voted on at the regular meeting. Note that such an agenda meeting or work session is considered a meeting of the council for purposes of G.S. 160A-71 and the open meetings law and is subject to the regular or special meeting requirements in these rules. Generally, these councils take a stricter approach and do not allow late additions to regular meeting agendas unless an unexpected and pressing matter arises.

As noted above, at special meetings called by the mayor, mayor pro tempore, or two council members, additions may only be made to the agendas of special meetings if all members are present or those not present sign a waiver of notice. These rules also impose an additional requirement for the agendas of all special meetings, regardless of how they are called, because of open meetings law concerns. Under this approach, an item may be added to the agenda of a special meeting only if all members are present and the board determines in good faith that it is essential to discuss or act on the item immediately. This restriction avoids surprise and is consistent with the spirit of the open meetings law, although neither requirement is actually part of the law. See the statement of public policy underlying the law in G.S. 143-318.9. For further discussion of adding items to special meeting agendas, see the *Comment* to Rule 2(a).

Rule 4(a) requires that longer or more complex proposals be in writing and attached to the agenda, so that council members will have a clear idea of the issues with which they will be dealing. The council may choose what sorts of proposed orders, policies, regulations, resolutions, or other items it wishes to make subject to this requirement. The council may also require that copies of relevant documents be provided to all council members when additions to the agenda are proposed at the meeting.

Some councils also use an agenda package to provide background information about proposed agenda items to the council members. The use of such a package is optional under these rules.

City councils frequently desire to discuss an issue informally, attempting to reach a group consensus, before a formal motion is proposed. While standard parliamentary practice requires that a motion be made before any discussion can occur, conducting discussion first can be very useful to a small board such as a council. Such discussion may be especially important if the council does not hold agenda meetings or work sessions at which the members can discuss issues among themselves, before the more formal meetings at which the council generally takes action. This rule authorizes the practice of "discussing before moving" by permitting the council to designate particular agenda items "for discussion and possible action." If a motion is later made, discussion on the motion is then in order.

The city clerk or chief administrative officer may find it convenient to maintain a mailing list of interested parties who wish to receive a copy of the proposed agenda and/or agenda package regularly. Since the background materials included with the proposed agenda in the agenda package may be quite voluminous, the council may wish to charge those receiving the full agenda package for the cost of reproduction. At the very least, the council should make provision for the public to inspect and copy the

agenda package in the city offices, since the agenda package is generally a matter of public record open to public inspection.

(c) **Consent Agenda.** The council may designate a part of the agenda as the “consent agenda.” Items shall be placed on the consent agenda by those preparing the proposed agenda if they are judged to be noncontroversial and routine. Any member may remove an item from the consent agenda and place it on the regular agenda while the agenda is being discussed and revised prior to its adoption at the beginning of the meeting. All items on the consent agenda shall be voted on and adopted by a single motion, with the minutes reflecting the motion and vote on each item.

Comment to (c): Many councils use a consent agenda as a device to handle routine business more quickly. The persons preparing the proposed agenda group together on the agenda those items that they think will be noncontroversial, routine, and unopposed. As a general rule, ordinances, controversial items, matters in which citizens may be interested, and matters of great substance should probably not be included on the consent agenda.

The council reviews the “consent agenda” as part of its review of the proposed agenda at the beginning of the meeting. Each member is free to remove items from the consent agenda to the regular agenda. A member may wish to do so if, for example, he or she would like to debate the proposal or vote against the item.

Those items remaining on the consent agenda are all handled with a single motion and vote, which is legally a motion and vote on each one of them. In keeping with this understanding, the minutes should reflect separate motions and votes on each of the consent items. For more information on consent agendas, see the publication “Consent Agenda,” available from the International Institute of Municipal Clerks, 1206 North San Dimas Canyon Road, San Dimas, CA 91773, (909) 592-4462, or on loan from the Institute of Government’s library.

(d) **Open Meetings Requirements.** The council shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number, or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the council to understand what is being deliberated, voted, or acted on. The council may, however, deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda—sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on—are available for public inspection at the meeting.

Comment to (d): The last paragraph of this rule paraphrases the open meetings law’s restrictions on acting by reference to agendas or other items [see G.S. 143-318.13(c)].

Rule 5. Public Address to the Council

Any individual or group who wishes to address the council shall make a request to be on the agenda to the city clerk or chief administrative officer. However, the council shall determine at the meeting whether it will hear the individual or group.

Comment: The council may decide as a matter of general policy to set aside part of each meeting for individuals or groups to address the council, although it is not legally required to do so. This rule allows any individual or group to be placed on the proposed agenda, but reserves to the council the right to decide whether to hear its comments. If the council chooses to open the meeting for public comments on a particular issue, it must be careful not to censor individuals or groups based on their point of view on that

issue, in order to avoid violating the speakers' constitutional right to freedom of speech. For further information on public comment during board meetings, see A. Fleming Bell, II, John Stephens, and Christopher M. Bass, "Public Comment at Meetings of Local Government Boards," Parts One and Two, *Popular Government* 62 (Summer 1997): 3–14 and (Fall 1997): 27–37, respectively.

Rule 6. Order of Business

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

- Discussion and revision of the proposed agenda, including consent agenda; adoption of an agenda
- Approval of the minutes
- Public hearings
- Administrative reports
- Committee reports
- Unfinished business
- New business
- Informal discussion and public comment.

By general consent of the council, items may be considered out of order.

Comment: Note that the suggested order of business places public hearings and administrative reports early in the meeting. These are the main items that involve citizens and administrative officials who may not need or wish to be present for the entire meeting. The council may also decide to place general public comment earlier on the agenda, if it reserves part of each meeting for this purpose (see Rule 5). Unfinished business under these rules consists of matters that are carried over from a previous meeting that was adjourned before the council completed its order of business and matters that were specifically postponed to the present meeting [see Rule 18(b), Motion 11].

Rule 7. Office of Mayor

If the mayor is not elected as such by the voters, the council shall, at the organizational meeting described in Rule 3, elect one of its members to serve as mayor for a term certain. The mayor shall preside at all meetings of the council but shall have the right to vote only when there is a tie. In order to address the council, a member must be recognized by the mayor.

The mayor or other presiding officer shall have the following powers:

- (a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- (b) To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- (c) To entertain and answer questions of parliamentary law or procedure;
- (d) To call a brief recess at any time;
- (e) To adjourn in an emergency.

A decision by the presiding officer under (a), (b), or (c) may be appealed to the council upon motion of any member, pursuant to Rule 18(b), Motion 1. Such a motion is in order immediately after a decision under (a), (b), or (c) is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion if timely made may not be ruled out of order.

Comment: G.S. 160A-69 provides that the mayor shall have the right to vote only in cases where there are an equal number of votes in the affirmative and in the negative, unless the mayor is elected by the council from among its membership and the city charter is silent on the matter. In that case, the mayor has the right to vote on all matters. Many cities have charter provisions dealing with the mayor's voting rights; a special charter rule on mayoral voting takes precedence over the general rule in G.S. 160A-69.

If the mayor is elected by the council, he or she may serve either for a fixed period of time, such as one year, or at the council's pleasure. The city charter normally has a provision on this point as well.

The mayor or anyone presiding in the mayor's place is given substantial procedural powers by this rule. Nevertheless, those powers are not absolute. Under this rule and Rule 18, Motion 1, any council member is entitled to make a motion to appeal to the other members concerning the presiding officer's decisions regarding motions, decorum in debate, and most other procedural matters. Such a motion replaces *RONR*'s "question of order and appeal."

There are two exceptions to this right of appeal. A mayor or other presiding officer may adjourn without the board's vote or appeal in an emergency, and he or she may also call a brief recess without a vote at any time. (The latter might be necessary to "clear the air" and thus reduce friction among the members.) *RONR*, in contrast, allows a recess to be taken only with the approval of the members.

Rule 8. Office of Mayor Pro Tempore

At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the council's pleasure. A council member who serves as mayor pro tempore shall be entitled to vote on all matters and shall be considered a council member for all purposes, including the determination of whether a quorum is present. In the mayor's absence, the council may confer on the mayor pro tempore any of the mayor's powers and duties. If the mayor should become physically or mentally unable to perform the duties of his or her office, the council may by unanimous vote declare that the mayor is incapacitated and confer any of the mayor's powers and duties on the mayor pro tempore. When a mayor declares that he or she is no longer incapacitated, and a majority of the council concurs, the mayor shall resume the exercise of his or her powers and duties. If both the mayor and mayor pro tempore are absent from a meeting, the council may elect from among its members a temporary chairman to preside at the meeting.

Comment: This is G.S. 160A-70, paraphrased.

Rule 9. When the Presiding Officer Is in Active Debate

If the mayor or other presiding officer becomes actively engaged in debate on a particular proposal, he or she shall designate another council member to preside over the debate. The mayor or other presiding officer shall resume presiding as soon as action on the matter is concluded.

Comment: Good leadership depends, to a certain extent, on not taking sides during a debate. On a small board this may not always be feasible or desirable; yet an unfair advantage accrues to the side whose advocate controls access to the floor. This rule is designed to insure even-handed treatment to both sides during a heated debate. Ordinarily if the mayor is leading the meeting, he or she should ask the mayor pro tempore to preside in this situation, but if that person also engaged in the debate, the mayor should feel free to call on some other council member in order to achieve the purpose of this rule.

Rule 10. Action by the Council

The council shall proceed by motion, except as otherwise provided for in Rule 4 and in Rule 31. Any member may make a motion.

Comment: Under standard parliamentary practice, a motion must be on the floor before a board may proceed with discussion or action. Rule 10 allows two variations, one based on Rule 4 and the other on Rule 31.

Rule 4 allows items to be placed on the agenda “for discussion and possible action.” General discussion of the agenda item may precede the making of a motion. See Rule 4 and the accompanying *Comment*.

Rule 31 specifies that the council is to make appointments using an election method, rather than by motion, in order to allow all council members to express their preferences. This method applies both to internal council appointments and to appointments to other bodies. The procedures to be followed are explained in Rule 31 and the accompanying *Comment*.

In those municipalities where the mayor may vote only to break a tie, he or she should probably not make motions. The reason for this rule is that legally the mayor is not part of the decision-making body unless a tie vote occurs. Traditionally, if a nonvoting mayor wishes to have a motion made, instead of making it personally, he or she states, “The Chair will entertain a motion that . . .” In those cities where the mayor may vote in all cases, he or she may make a motion as any other member would.

Rule 11. Second Not Required

A motion shall require a second.

Comment: The philosophy underlying the requirement of a second is that if a proposal does not have at least some minimum level of support, it is not worth the time necessary to consider it. In a group of 100 persons, for example, requiring a second ensures that at least 2 percent of the group wishes to consider the proposal. On a five-member council, on the other hand, a proposal supported by one member already has the backing of 20 percent of the council membership. If a council is small, efficient use of the council's time is not impaired by allowing consideration of a proposal that initially has the support of only one member. If a council wishes to retain the requirement of a second, however, it is free to do so.

This rule is consistent with the *RONR* concept that motions need not be seconded in meetings of smaller groups (*RONR* Sec. 48, p. 477). Moreover, even if a board uses seconds, *RONR* notes that after a debate has begun or, if there is no debate, after any member has voted, the lack of a second has become immaterial and it is too late to make a point of order that the motion has not been seconded (*RONR* Sec. 4, p. 36).

Rule 12. One Motion at a Time

A member may make only one motion at a time.

Comment: None.

Rule 13. Substantive Motions

A substantive motion is out of order while another substantive motion is pending.

Comment: This rule sets forth the basic principle of parliamentary procedure that distinct issues will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.

RONR does not refer to substantive motions as such; instead it refers to *main* or *principal* motions. The term *substantive motion* is used here to underscore the distinction between this type of motion and the various procedural motions listed in Rule 18. Basically, a substantive motion is any motion other than the procedural motions listed in Rule 18. A substantive motion may deal with any subject within the council's legal powers, duties, and responsibilities. Indeed, since Rule 10 provides that the council shall proceed by motion, the substantive motion is the only way the council can act, unless it has adopted a special rule to deal with a particular situation. (See, for example, the provisions of Rule 31 on appointments.) The procedural motions detailed in Rule 18 set forth the various options the council has in disposing of substantive motions.

Rule 14. Adoption by Majority Vote

A motion shall be adopted by a majority of the votes cast, a quorum as defined in Rule 27 being present, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.

Comment: In a few instances, these rules require a vote equal to two-thirds of the entire membership of the council for adoption of a particular motion. Also see Rule 23 concerning the number of votes necessary to adopt an ordinance, adopt a change in a zoning ordinance when a protest petition has been received, or approve a contract. Other extraordinary voting requirements imposed by particular statutes are not specified in these rules. The city attorney should be consulted as questions arise.

Rule 15. Voting by Written Ballot

The council may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes of the council shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the city clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

Ref: Section 2.60 City Code: Election by Ballot

The open meetings law allows public bodies such as city councils to use written ballots, *so long* as they follow the procedures set out in G.S. 143-318.13(b) and paraphrased in this rule.

Rule 16. Debate

The mayor shall state the motion and then open the floor to debate on it. The mayor shall preside over the debate according to the following general principles:

- (a) The maker of the motion is entitled to speak first;
- (b) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- (c) To the extent possible, the debate shall alternate between proponents and opponents of the measure.

Comment: None.

Rule 17. Ratification of Actions

To the extent permitted by law, the council may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

Comment: Ratification of actions taken on the council's behalf but without its prior approval is permitted under these rules, to the extent that such after-the-fact approval of actions is legally allowed. The principle behind the motion to ratify is that an assembly may subsequently approve that which it could have authorized. This rule treats the motion to ratify as a *substantive* proposal rather than as a *procedural* motion, since a ratification is in effect an after-the-fact substantive action by the council concerning something that was done without council approval when advance authorization should have been obtained.

Rule 18. Procedural Motions

(a) **Certain Motions Allowed.** In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

Comment: Rule 18 reflects substantial departure from the rule in *RONR*. Each procedural motion in *RONR* was reviewed to determine whether it was appropriate for use by a small board; substantial modifications and deletions were the result. The following enumeration of procedural motions is exhaustive; if a procedural option is not on the list, then it is not available.

Procedural motions are frequently used to “act upon” a substantive motion by amending it, delaying consideration of it, and so forth. They are in order while substantive motions are pending as well as at other times.

In addition, as in *RONR*, several procedural motions can be entertained in succession without necessarily disposing of the previous procedural motion. The order of priority establishes which procedural motion yields to which—that is, which procedural motion may be made and considered while another one is pending.

The procedural motions are summarized in table form in the appendix. Note that the appended table is intended only to provide a quick reference guide to the motions; this rule and its comments should be consulted for a discussion of how each procedural motion is used.

(b) **Order of Priority of Motions.** In order of priority (if applicable), the procedural motions are

Motion 1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the council, as specified in Rule 7. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

Comment: Rule 7 allows the ruling of the presiding officer on certain procedural matters to be appealed to

the council. This appeal must be made as soon as the presiding officer's decision is announced, so this motion is accorded the highest priority. See Rule 7 and its *Comment* for further discussion of this motion.

Motion 2. To Adjourn. This motion may be made only at the conclusion of council consideration of a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess [or adjourn] to a time and place certain shall also comply with the requirements of Rule 2(c).

Comment: This motion differs from the *RONR* motion to adjourn in several respects. The *RONR* motion to adjourn is not debatable or amendable and can be made at any time, thus interrupting substantive deliberations. Here, however, since the number of members is small and procedures are available to limit debate, Motion 2 allows both debate and amendment, but specifies that the motion is in order only when consideration of a pending matter has concluded.

If the council wants to adjourn before completing final action on a matter, it must, prior to adjourning, first temporarily conclude its consideration of that matter. This is done with one of three motions: to defer consideration of the matter, to postpone the matter to a certain time or day, or to refer the matter to a committee. Only as a last resort should the council use a motion to suspend the rules, in order to allow the motion to adjourn to interrupt deliberation on the matter.

Another adjournment option is to recess (or adjourn) the meeting to reconvene at a specified time and place, in accord with Rule 2(c). The motion to recess or adjourn to a time and place certain is a form of the motion to adjourn. As explained in the *Comment* to Rule 2(c), various North Carolina General Statutes and North Carolina practice refer both to the terminology "recess to a time and place certain" and the phrase "adjourn to a time and place certain," [see, for example, G.S. 160A-71(b1) and 143-318.12(b)(1)]. Thus both "recess" and "adjourn" are provided here as options. The motion has the same meaning regardless of the option chosen.

Motion 3. To Take a Brief Recess.

Comment: This motion, which allows the council to pause briefly in its proceedings, is similar to the motion to recess under *RONR*. To avoid confusing this motion with the motion "to recess to a time and place certain," which is a form of the motion to adjourn under these rules and in North Carolina practice [see Rule 18(b), Motion 2 above], Motion 3 is a "motion to take a brief recess" rather than a "motion to recess." Since the number of council members is small, and procedures are available to limit debate, debate is allowed on this motion. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the presiding officer or a motion to adjourn is pending. Under these rules, the mayor also has the power to call a brief recess at any time [see Rule 7(d)].

Motion 4. Call to Follow the Agenda. The motion must be made at the first reasonable opportunity, or the right to make it is waived for the out-of-order item in question.

Comment: This motion is patterned on the call for the orders of the day in *RONR*. It differs in that it may be debated; also, unless the motion is made when the item of business that deviates from the agenda is proposed, the right to insist on following the agenda is waived for that item.

Motion 5. To Suspend the Rules. The council may not suspend provisions of the rules that state requirements imposed by law on the council. For adoption, the motion requires a vote equal to two-thirds of the actual membership of the council, excluding the mayor, unless he or she may vote in all cases, and vacant seats.

Comment: This motion is generally the same as the *RONR* motion to suspend the rules, except that it is debatable and amendable. It is in order when the council wishes to do something that it may legally do but

cannot accomplish without violating its own rules. The motion permits the council to exercise greater flexibility and perhaps informality than adhering strictly to the rules might allow. For example, the council might use this motion to allow it to consider an agenda item out of order, without formally amending the agenda that it had adopted.

A motion to suspend the rules requires approval by two-thirds of the actual membership of the council to pass. Note that the mayor is counted for purposes of determining two-thirds of the council only if he or she has the right to vote on all questions, and that vacant seats are excluded in making the two-thirds determination.

The two-thirds requirement is imposed since some council actions by statute require a two-thirds vote to pass. These actions could not be undone through a suspension of the rules unless two-thirds of the council wished to undo them.

The procedure described will pose some problems on a three-member council, because the rule can be manipulated so as to prevent one member from participating in the council's deliberations. Frequent use of the motion to prevent one member from presenting his or her proposals to the council or from speaking on an issue before the council is of doubtful legality. A three-member council may decide to require a unanimous vote for this motion to pass.

Motion 6. To Go into Closed Session. The council may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318.11(a). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. 143-318.11(a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318(a)(3) shall identify the parties in each existing lawsuit concerning which the council expects to receive advice during the closed session, if in fact such advice is to be received.

Comment: The requirements for this motion are found in G.S. 143-318.11(c). They include extra requirements for motions based on G.S. 143-318.11(a)(1), and for those motions based on G.S. 143-318.11(a)(3) that concern a closed session where the council expects to receive advice about an existing lawsuit or lawsuits. G.S. 143-318.11(a)(1), cited in the rule, allows closed sessions “[t]o prevent the disclosure of information that is privileged or confidential pursuant to the law of [North Carolina] or the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.” Part of G.S. 143-318.11(a)(3), also cited, allows the council in closed session to “consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.”

Motion 7. To Leave Closed Session.

Comment: This motion provides a procedural mechanism for returning from closed session to an open meeting. Under the open meetings law, public bodies probably must return to open session once they have concluded their closed session business, even if they have no other business to transact except adjourning the meeting.

Motion 8. To Divide a Complex Motion and Consider It by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Comment: This motion is the same as the two motions division of a question and consideration by paragraph in *RONR*, except that it is debatable.

Motion 9. To Defer Consideration. The council may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires [100] days thereafter

unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending (has not expired). A member who wishes to revisit the matter during that time must take action to revive consideration of the original motion [Rule 18(b), Motion 14], or else move to suspend the rules [Rule 18(b), Motion 5].

Comment: This motion allows the council temporarily to defer consideration of a proposal. It may be debated and amended. A motion that has been deferred dies if it is not taken up by the council (via a motion to revive consideration, Rule 18(b), Motion 14) within a specified number of days of the vote to defer consideration. One hundred days is merely a suggested period of time. Note the restriction on making a new motion with the same effect while a motion remains deferred.

This motion should be distinguished from the motion to postpone to a certain time or day (Rule 18, Motion 11). A matter that has been postponed to a certain time or day is brought up again automatically when that time arrives. Council action (approval of a motion to revive consideration) is required, however, before the council may again consider a substantive motion of which the consideration has been deferred under this motion.

Motion 10. Motion for the Previous Question. The motion is not in order until there have been at least [20] minutes of debate, and every member has had an opportunity to speak once.

Comment: This motion differs from the motion of a similar name in *RONR*. The *RONR* motion is always in order, is not debatable or amendable, and requires a two-thirds vote for adoption. Thus it may be used to compel an immediate vote on a proposal without any debate on the issue. Such a device may be necessary to preserve efficiency in a large assembly. With a small board, however, a minimum period of debate on every proposal that comes before it strikes a better balance between efficiency and effective representation by all council members. Since every member will have an opportunity to speak, the debate may be ended by a majority vote. Twenty minutes is merely a suggested period of time.

Note that this rule avoids the practice followed by some boards of allowing any member to end debate by simply saying “call the question,” without the council actually taking a vote on that procedural issue. Such a practice is contrary to regular parliamentary procedures. In addition, it allows individual members to impose their will unilaterally on the group, in defiance of the principle of majority rule on which these rules are based.

Motion 11. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A member who wishes to revisit the matter must either wait until the specified time, or move to suspend the rules [Rule 18(b), Motion 5].

Comment: This motion allows the council to postpone consideration to a specified time or day and is appropriate when more information is needed or the deliberations are likely to be lengthy. It should be distinguished from the motion to defer consideration (see *Comment* to Rule 18(b), Motion 9). Note the restriction on making a new motion with the same effect while a postponed motion remains pending.

Motion 12. To Refer a Motion to a Committee. The council may vote to refer a substantive motion to a committee for its study and recommendations. [Sixty] days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire council, whether or not the committee has reported the matter to the council.

Comment: This motion is the same as the motion of the same name in *RONR*, except that the right of the introducer to compel consideration by the full council after a specified period of time prevents using the

motion as a mechanism to defeat a proposal by referring it to a committee that is willing to “sit” on it. If the council does not use committees, this motion is unnecessary.

Motion 13. To Amend. (a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(c) Any amendment to a proposed ordinance [order] [policy] [resolution] shall be reduced to writing before the vote on the amendment.

Comment: This motion is similar to the motion to amend in *RONR* except for the additional requirement to write down amendments to longer, typically more complex items such as ordinances or resolutions, discussed below.

The restriction on amendments stated in part 13(a), second sentence, of the provisions concerning this motion should be read narrowly; it is intended only to prevent an amendment that merely negates the provisions of the original motion. The intent of such an amendment can be achieved in a simpler and more straightforward manner by the defeat of the original proposal. Pertinent amendments that make major substantive changes in the original motion are quite proper.

Some councils allow a “substitute motion” when major changes in a motion are proposed. Such a motion is in effect a type of amendment. To avoid confusion, “substitute motions” are not allowed under these rules. All proposals for changes in a motion or in an amendment are treated as motions to amend, no matter how major their potential effect.

Part 13(b) of the rules governing this motion limits the number of proposed amendments that may be pending at one time to two, in order to reduce confusion. Amendments are voted on in reverse order; that is, the last-offered amendment, which would amend the first amendment, is voted on first. Once the last-offered of the two pending amendments is disposed of, an additional amendment may be offered.

Part 13(c) of the rules for this motion imposes an additional writing requirement for amendments to ordinances and other, sometimes lengthy, documents such as orders, policies, or resolutions. While the council may choose the types of items to which it wishes the writing requirement to apply, the rule assumes that amendments to proposed ordinances, like the ordinances themselves, should be in written form before they are voted on, both because of the importance of ordinances and to make it easier to maintain the required ordinance book (see G.S. 160A-78) and the minutes of the council accurately [see G.S. 160A-72 and 143-318.10(e)]. Similarly, amendments to orders, policies, and resolutions should be in written form before they are voted on, because of their significance and to make it easier to record them in the minutes.

Some councils may have a practice of requiring the person making the original motion to approve of any proposed amendments to that motion. Such a practice is not recommended. Once a motion has been offered to the council, it is up to the council to decide whether or not it should be changed by amendment. If the person making the motion does not favor a proposed amendment, he or she is free to vote against it. And so long as the original motion has not been voted on and no amendment to it has passed, the introducer is free under these rules to withdraw it (see Rule 20). If a motion has been withdrawn, the council members are generally free to make their own separate motions on the same subject.

Motion 14. To Revive Consideration. The board may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9 of Rule 18(b). The motion is in order at any time within [100] days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires [100] days after the deferral unless a motion to revive consideration is adopted.

Comment: This motion replaces the motion “to take up from the table” in *RONR* and was renamed in order to avoid confusion. This motion may be debated and amended, whereas the motion in *RONR* may not. If the motion to revive consideration is not successful within the specified number of days of the date on which consideration was deferred, the substantive motion expires. Its subject matter may be brought forward again by a new motion. One hundred days is merely a suggested period of time; the number of days specified here should be the same as in Rule 18(b), Motion 9.

Motion 15. To Reconsider. The council may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the “nos” prevail) and at the meeting during which the original vote was taken, including any continuation of that meeting through recess [or adjournment] to a time and place certain. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.

Comment: According to *RONR*, the motion may be made at the same meeting as the vote being reconsidered or on the next legal day and may interrupt deliberation on another matter. To avoid placing a measure in limbo, these rules restrict the availability of the motion to the same meeting as the original vote, including any continuation of that meeting if it is recessed or adjourned to a time and place certain pursuant to Rule 2(c) and Rule 18(b), Motion 2. If a member wishes to reverse an action taken at a previous meeting, he or she may generally make a new motion having the opposite effect of the prior action. Note that in some cases reversal may not be possible; for example, where rights have vested because of the original vote, or where a binding contract has already been signed in reliance on that decision. The motion to reconsider is permitted under these rules only when action on a pending matter concludes.

Motion 16. To Rescind or Repeal. The council may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

Comment: Each meeting of a city council is in many respects a separate legal event. Unless prohibited by law, a council may at a subsequent meeting “undo” action taken at a previous meeting.

It should be noted for the sake of technical correctness that while *RONR* and these rules treat the motion to rescind as a procedural motion because it acts upon a substantive motion, it is probably more correct in many ways to regard the rescission motion as a new substantive motion in its own right. The motion that it changes is a substantive motion that was adopted at a previous meeting. The substantive action has been completed, and the motion is no longer really “alive” to be modified procedurally as it was at the meeting at which it was adopted.

The motion to rescind is in order only for those measures adopted by the council that can legally be repealed or rescinded. It is not intended to suggest that the council may unilaterally rescind a binding contract, or may repeal an action where a person’s rights have already vested.

Motion 17. To Prevent Reintroduction for [Six] Months. The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to two-thirds of the actual membership of the council excluding the mayor, unless he or she may vote in all cases, and vacant seats. If adopted, the restriction imposed by the motion remains in effect for [six] months or until the next organizational meeting of the council, whichever occurs first.

Comment: This is a “clincher” motion to prevent the same motion from being continually introduced when the subject has been thoroughly considered. There is no comparable motion in *RONR*, although the objection to consideration of a question accomplishes much the same purpose.

Because this motion curtails a member’s right to bring a matter before the council, the required vote is

two-thirds of the actual membership of the council, excluding the mayor, unless he or she is entitled to vote on all matters, and excluding vacant seats. This supermajority requirement is imposed because such a two-thirds vote is needed for the council to adopt certain items. The same number of votes should be required if the council is to forbid dealing further with such an issue. Thus if a council has seven members, a nonvoting mayor, and no vacant seats, five members (enough to equal two-thirds or more of seven) must vote for the motion. If the same council has one vacant seat, four members (two-thirds of six) must vote for it.

As with every other motion, a clincher motion may, in effect, be dissolved by a motion to suspend the rules [see Rule 18(b), Motion 5]. Six months is merely a suggested time; the council may shorten or lengthen the time as it sees fit. In order to give a new council a clean slate, the motion is not effective beyond the next organizational meeting of the council.

Rule 19. Renewal of Motion

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reintroduction has been adopted.

Comment: As noted in the *Comment* to Rule 18(b), Motion 16, in North Carolina each meeting of a city council is in many respects a separate, new event. Thus, while matters of old business may be carried over from one meeting to another, it is also the case that matters that are disposed of at one meeting may be brought up again at a subsequent meeting through a new motion, unless a motion to prevent reintroduction was previously adopted [Rule 18(b), Motion 17].

Rule 20. Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.

Comment: *RONR* provides that once a motion has been stated by the presiding officer for debate, it cannot be withdrawn without the assembly's consent. Such a procedure is unnecessary for a small board. However, this rule does prohibit withdrawing motions after they have been amended. Once a motion has been amended, it is no longer the same motion as was made by the introducer, so it is no longer his or hers to withdraw.

Rule 21. Duty to Vote

Every member must vote unless excused by the remaining members according to law. A member who wishes to be excused from voting shall so inform the presiding officer, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters involving the consideration of his or her own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present in the council chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

Comment: This rule states most of the requirements of the first paragraph of G.S. 160A-75.

Rule 22. Introduction of Ordinances

A proposed ordinance shall be deemed to be introduced on the date the subject matter is first voted on by the council.

Comment: G.S. 160A-75 provides that an ordinance may not be finally adopted at the meeting at which it is introduced except by a two-thirds vote of all the actual membership of the council, excluding vacant seats and not including the mayor unless he or she has the right to vote on all questions before the council. The statute also specifies that an ordinance is deemed to be introduced “on the date the subject matter is first voted on by the council.” A “vote on the subject matter” is not defined; some authorities think that a vote on the ordinance itself is required, while others think that any vote pertaining to the ordinance’s subject matter (for example, a vote to refer the subject of an ordinance to a committee for further study) is sufficient to satisfy the definition. The city attorney should be consulted for guidance on this matter.

Rule 23. Adoption of Ordinances and Approval of Contracts

(a) **Generally.** An affirmative vote equal to a majority of all the members of the council not excused from voting on the question in issue (including the mayor’s vote in case of an equal division) shall be required to adopt an ordinance, to take any action that has the effect of an ordinance, or to make, ratify, or authorize any contract on behalf of the city. In addition, no ordinance or action that has the effect of an ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two-thirds of all the actual membership of the council, excluding vacant seats, and not including the mayor unless he or she has the right to vote on all questions before the council. No ordinance shall be adopted unless it has been reduced to writing before a vote on adoption is taken.

Comment: This rule paraphrases the special voting requirements in the second paragraph of G.S. 160A-75 for adoption of ordinances and approval of contracts. (Special voting rules for authorizing or committing the expenditure of public funds are also found in this paragraph. In most cases, however, these latter requirements are superseded by the more specific provisions of G.S. 159-17 detailed in Rule 24.)

See Rule 22 and the accompanying *Comment* for the definition of “introduction” of an ordinance. Although it may seem obvious that ordinances should be in writing before they are voted on (see, for example, the requirements of Rule 4(a) concerning copies of proposed ordinances), this requirement is stated explicitly so that there can be no doubt on the matter. See also Procedural Motion 13 in Rule 18(b) concerning amendment of ordinances, and G.S. 160A-76(a) for requirements for franchises, including the requirement of adoption of franchise ordinances at two regular meetings.

b) **Zoning Protest Petitions.** An affirmative vote equal to three-fourths of all the members of the city council shall be required for an ordinance making a change in a zoning regulation, restriction, or boundary to become effective, if a valid protest petition is received in accordance with the requirements set out in G.S. 160A-385(a) and G.S. 160A-386. This rule shall not apply in those cases excepted by G.S. 160A-385(a).

Comment: This paragraph states the three-fourths vote requirement of G.S. 160A-385(a), which applies when neighboring property owners, as defined in the statute, protest a proposed rezoning and file a proper petition with the city clerk in a timely manner under G.S. 160A-386. Some zoning changes such as initial zonings of property added to the ordinance’s coverage, and certain amendments to adopted special or conditional use districts, are not covered by the three-fourths vote requirement. These exceptions are specified in G.S. 160A-385(a). The three-fourths rule applies to zoning ordinances *only*.

Rule 24. Adoption of the Budget Ordinance

Notwithstanding the provisions of any city charter, general law, or local act:

- (1) Any action with respect to the adoption or amendment of the budget ordinance may be taken at any regular or special meeting of the council by a simple majority of those present and voting, a quorum being present;
- (2) No action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the council; and
- (3) The adoption and amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any city charter or local act concerning initiative or referendum.

During the period beginning with the submission of the budget to the council and ending with the adoption of the budget ordinance, the council may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the open meetings law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as (a) each member of the board has actual notice of each special meeting called for the purpose of considering the budget, and (b) no business other than consideration of the budget is taken up. This rule does not allow, and may not be construed to allow, the holding of closed meetings or executive sessions by the council if it is otherwise prohibited by law from holding such a meeting or session.

Comment: This rule is G.S. 159-17 with minor modifications. G.S. 159-17 also provides that no general law, city charter, or local act that is enacted or takes effect after July 1, 1973, may be construed to modify, amend, or repeal any portion of this law unless it expressly so provides by specific reference to it. Since the notice requirements of the Open Meeting Law continue to apply to meetings held to work on the budget ordinance, the only practical effect of the second paragraph of this rule is to eliminate the need for any special notification of council members concerning such meetings. Many councils find it useful procedurally when working on the budget simply to recess or adjourn a single meeting several times until they have finished their work [see Rule 2(c)].

Rule 25. Special Rules of Procedure

The board may adopt its own special rules of procedure, to be specified here.

Comment: Some boards may wish to provide special rules for certain situations, either because of statutory requirements or other concerns.

Rule 26. Closed Sessions

The council may hold closed sessions as provided by law. The council shall only commence a closed session after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.11(a)(1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11(a)(3) (consultation with attorney; handling or settlement of claims, judicial actions, or administrative procedures), it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The motion to go into closed session must be approved by the vote of a majority of those present and voting. The council shall terminate the closed session by a

majority vote.

Only those actions authorized by statute may be taken in closed session. A motion to adjourn or recess shall not be in order during a closed session.

Comment: This rule states some of the requirements of G.S. 143-318.11(c) for calling closed sessions. In particular, note the special requirements for motions to call closed sessions that are based on G.S. 143-318.11(a)(1) or, in some cases, on G.S. 143-318.11(a)(3). No attempt is made here to set forth all of the provisions of the open meetings law concerning the purposes for which closed sessions may be held and the actions that may be taken in closed session; specific information can be found in G.S. 143-318.11(a). Note, however, that adjournment is not an action authorized by statute to be taken during a closed session. Minutes and general accounts of closed sessions are discussed in Rule 30.

Rule 27. Quorum

A majority of the actual membership of the council plus the mayor, excluding vacant seats, shall constitute a quorum. A majority is more than half. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

Comment: This is G.S. 160A-74, with the addition of the usual definition of “majority.” Note that the mayor is counted for quorum purposes regardless of whether he or she has the right to vote on all questions.

Rule 28. Public Hearings

Public hearings required by law or deemed advisable by the council shall be organized by a special order (adopted by a majority vote) that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time allotted for each speaker, and other pertinent matters. The rules may include, but are not limited to, rules (a) fixing the maximum time allotted to each speaker; (b) providing for the designation of spokespersons for groups of persons supporting or opposing the same positions; (c) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall (so long as arrangements are made, in the case of hearings subject to the open meetings law, for those excluded from the hall to listen to the hearing); and (d) providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirements of the open meetings law applicable to council meetings shall also apply to public hearings at which a majority of the council is present; such a hearing is considered to be part of a regular or special meeting of the council. These requirements also apply to hearings conducted by appointed or elected committees of the council, if a majority of the committee is present. A public hearing for which any notices required by the open meetings law or other provisions of law have been given may be continued to a time and place certain without further advertisement. The requirements of Rule 2(c) shall be followed in continuing a hearing at which a majority of the council is present.

The council may vote to delegate to city staff members, as appropriate, the authority to schedule, call, and give notice of public hearings required by law or the council. The council shall provide adequate guidelines to assist staff members in fulfilling this responsibility, and it shall not delegate the responsibility in cases where the council itself is required by law to call, schedule, or give notice of the hearing.

At the time appointed for the hearing, the mayor or his or her designee shall call the hearing to order and then preside over it. When the allotted time expires or when no one wishes to speak who has not done so, the presiding

officer shall entertain or make a motion to end the hearing.

Comment: City councils may be required or may desire to hold public hearings from time to time concerning particular matters. G.S. 160A-81 provides that public hearings may be held at any place within the city or within the county where the city is located. It also gives the council the authority to adopt reasonable rules governing the conduct of the hearing (specifically including the type of rules listed here) and to continue public hearings without further advertisement.

Public hearings, like other council meetings, are also subject to the notice, continuation, and other requirements of the open meetings law, if a majority of the council is present at the hearing, since legally such a hearing is part of a meeting of the board. Appointed or elected committees of the council are also covered by this law. These requirements are reflected in this rule. In keeping with the spirit of the open meetings law, the rule requires that all persons desiring to be present at a hearing covered by that law be given the opportunity to listen to the proceedings—outside the meeting room, if necessary—if the room is too small to accommodate all of them. Informational hearings that involve less than a majority of the council and that do not involve a council committee are discussed in the *Comment* to Rule 29.

Some councils allow staff members to schedule, call, and give notice of public hearings on the council's behalf. This rule allows for that practice, except where otherwise limited by law, but it also requires an explicit delegation of authority by the council and clear guidelines for the exercise of the delegated authority. Courts are often very particular about the procedural requirements for public hearings. It is important that the council insure that staff members are not acting “on their own” but with properly delegated authorization from the council, when they schedule, call, and give notice of public hearings.

Some councils vote to open and close public hearings, while others simply allow the mayor or other presiding officer to declare the hearing open and closed. Either practice is acceptable, and the council may choose either option as its rule.

Rule 29. Quorum at Public Hearings

A quorum of the council shall be required at all public hearings required by state law. If a quorum is not present at such a hearing, the hearing shall be continued until the next regular council meeting without further advertisement.

Comment: G.S. 160A-81 implies that a quorum of council members is necessary for a public hearing by providing that a hearing shall be deferred to the next regular meeting if a quorum is not present at the originally scheduled time. If, however, the council decided to hold a public hearing that was not required by state law to gather a consensus of public opinion on an issue, it could hold the hearing at several sites, with a few members in attendance at each place. Such a hearing would not be subject to the quorum requirement of G.S. 160A-81. Note also that if a majority of the council was not present at such a hearing, it would not be subject to the notice, continuation, and other requirements of the open meetings law, unless the council members conducting the hearing were a majority of an appointed or elected council committee (see Rule 32).

Rule 30. Minutes

Full and accurate minutes of the council proceedings, including closed sessions, shall be kept. The board shall also keep a general account of any closed session so that a person not in attendance would have a reasonable understanding of what transpired. These minutes and general accounts shall be open to inspection of the public, except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be

recorded in the minutes, and on the request of any member of the council, the “ayes” and “nos” upon any question shall be taken. Members’ and other persons’ comments may be included in the minutes if the council approves.

Minutes and general accounts of closed sessions may be sealed by action of the council. Such sealed minutes and general accounts may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session.

Comment: G.S. 160A-72 requires that full and accurate council minutes be maintained, and G.S. 143-318.10(e) requires that full and accurate minutes be kept of all official meetings of all public bodies, including closed sessions [G.S. 143-318.11(a)]. The minutes are the official legal record of council actions and are a matter of public record. To be “full and accurate,” they must include all actions taken by the council and must note the existence of conditions needed to take action, such as the existence of a quorum. However, the minutes need not record the council's discussion. Particular comments by members or other persons may be included in the minutes if the council so desires. Since the council usually takes action by motion (Rule 10), all motions that are made must be included in the minutes, along with a record of the motions’ disposition. G.S. 160A-72 also allows any member to request that the minutes include a record of how each member voted (the “ayes and noes”).

Under the open meetings law, the council must also keep a “general account” of what transpires in closed sessions, so that a person not in attendance would have a reasonable understanding of what transpired. This wording probably requires that a somewhat more detailed account of these sessions be kept than would typically be found in the minutes, especially if the minutes record only actions and conditions needed to take action. The council should consult the city attorney and the bulletins mentioned in the next paragraph concerning what general accounts of closed sessions should include.

Finally, the rule includes the permission granted in G.S. 143-318.11(e) to withhold minutes and general accounts of closed sessions from public inspection for as long as necessary to avoid frustrating the purpose of the closed session. The council should vote to seal these records if it wishes to do so or is advised to do so by its attorney. It must also provide for their unsealing, either by council action or by action of an agent of the council such as the city attorney, if and when the closed session's purpose would no longer be frustrated by making these records public. For a discussion of the legal requirements for minutes and general accounts of closed sessions, see the following publications by David M. Lawrence: “1997 Changes to the Open Meetings and Public Records Laws,” *Local Government Law Bulletin* 80 (August 1997) and “The Court of Appeals Addresses Closed Sessions for Attorney-Client Discussions,” *Local Government Law Bulletin* 93 (March 2000).

Rule 31. Appointments

The council may consider and make appointments to other bodies, including its own committees, if any, only in open session. The council may not consider or fill a vacancy among its own membership except in open session.

The mayor shall not have a right to vote on appointments.

Rather than proceeding by motion, the council shall use the following procedure to make appointments to various other boards and offices: The appointment committee of the council shall report on nominations received and reviewed, and make its appointment recommendations, if any. The mayor shall then open the floor for nominations, whereupon the names of other possible appointees may be put forward by the council members. The names submitted by the committee and by individual council members shall be debated. When the debate ends, the mayor shall call the roll of the members, and each member shall cast his or her vote.

The nominee(s) receiving the highest number of votes shall be appointed. If more than one appointee is to be selected, then each member shall have as many votes as there are slots to be filled. A member must cast all of his or her votes and cast them for different nominees.

The voting shall continue until one nominee receives a majority of the votes cast, whereupon he or she shall be

appointed. If more than one appointee is to be selected, then each member shall have as many votes in each balloting as there are slots to be filled, and votes from a majority of the members voting shall be required for appointment. During each balloting, a member may cast all of his or her votes or fewer than all of them, but he or she shall not cast more than one vote for a single candidate.

Comment: The first paragraph of this rule states some of the requirements of the open meetings law concerning appointments by the council. The options presented in the following paragraphs detail some of the possible methods that may be used to make appointments. If the council wishes to vote by written ballot, it should consult Rule 15, which states the requirements of the open meetings law for use of written ballots by public bodies.

As noted in the *Comment* to Rule 7, under G.S. 160A-69, mayors generally have the right to vote only when there are equal numbers of votes in the affirmative and the negative. In an election where appointees are being chosen, no “yes” and “no” votes are cast, and a mayor who votes only to break ties cannot vote. On the other hand, a mayor who is allowed by law to vote on all questions can vote for appointments, just as he or she can vote for anything else.

The procedure outlined uses nominations, rather than a motion and vote for each individual candidate. A nomination procedure allows all council members an opportunity both to propose and to vote for their preferred candidates, and it avoids situations such as the following.

Suppose that the Colorful City Council uses motions to appoint persons to various positions. After being recognized by the mayor, council member Smith moves to appoint candidate Green. This causes a quandary for council member Jones. She likes candidate Green, but her first preference is candidate Black. However, she is afraid that if candidate Green is defeated, another council member may be recognized to nominate candidate White, whom she dislikes intensely, before she is recognized to nominate candidate Black. Should she vote for candidate Green, improving his chances of winning, or hold out for the chance to do battle with White’s nominator in catching the mayor’s eye?

By contrast, if the Colorful Council were to follow the nomination and election procedure, it could avoid such fights and give everyone a chance to vote for the candidate of their choosing.

Several councils use an appointment committee. The committee receives nominations from the council members, reviews the nominees’ qualifications, and reports its recommendations to the full council. This procedure is provided for by the optional language in the second paragraph of the rule. Many councils also use public advertisements to solicit applications for appointment from citizens.

If an appointment committee is used, at least one other voting option besides those listed in the rule is available for multiple appointments to a single board. The council may require the appointment committee to submit a slate containing as many nominees as there are vacancies to be filled on a particular board. Each council member then votes for or against the slate as presented.

See Rule 32 concerning the applicability of the open meetings law to all council committees, including the appointment committee.

Rule 32. Committees and Boards (See Section 2-26 of City Code)

(a) Establishment and Appointment. The council or the mayor, if the mayor is delegated that power by the council, may establish and appoint members for such temporary and standing city committees and boards as are needed to help carry on the work of city government. Any specific provisions of law relating to particular committees and boards shall be followed.

(b) Open Meetings Law. The requirements of the open meetings law shall apply to all elected or appointed authorities, boards, commissions, councils, or other bodies of the city that are composed of two or more members and that exercise or are authorized to exercise legislative, policy-making, quasi judicial, administrative, or advisory functions. However, the law’s requirements shall not apply to a meeting solely among the city’s professional staff.

Comment: The city council is authorized by G.S. 160A-146 to “create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies of the city government . . .” subject to certain limitations. It is also customary in many communities for the mayor to appoint various committees to aid the council in its work, although it is up to the council to decide whether or not the mayor will be delegated this power. The only board that mayors have statutory power to appoint are housing authorities. G.S. 157-5. Other specific statutes govern some of these committees and boards; G.S. 160A-388(a), for example, regulates establishment of and appointments to boards of adjustment. The general requirements of Rule 31 for appointments by the council should also be kept in mind.

Rule 32(b) states requirements of G.S. 143-318.10(b) and (c) (parts of the open meetings law). In determining if a group is covered by the open meetings law, whether the group is called a commission, authority, or committee is generally not important, nor does it matter who within the city government established the group.

Some ambiguities exist concerning the open meetings law’s coverage with respect to cities. For example, the law does not apply to “a meeting solely among the professional staff of a public body.” The scope and meaning of this statutory phrase is unclear. For more information on the law, see David M. Lawrence, *Open Meetings and Local Governments in North Carolina: Some Questions and Answers*, 5th ed. (Chapel Hill: Institute of Government, 1998).

Rule 33. Amendment of the Rules

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, so long as the amendment is consistent with the city charter, general law, and generally accepted principles of parliamentary procedure. Adoption of an amendment shall require an affirmative vote equal to or greater than two-thirds of all the actual membership of the council, excluding vacant seats, and not including the mayor unless he or she has the right to vote on all questions before the council.

Comment: City councils may generally amend their rules of procedure whenever they choose, so long as the amendment, like the rules being amended, is consistent with the city charter, general law, and generally accepted principles of parliamentary procedure. G.S. 160A-71(c). Because certain board actions require a two-thirds vote (see, for example, some of the requirements in Rule 23(a), which implements G.S. 160A-75), that standard must also be met to approve an amendment to these rules, which are the guidelines under which such actions are taken.

Rule 34. Reference to *Robert’s Rules of Order Newly Revised*

To the extent not provided for in these rules, and to the extent it does not conflict with North Carolina law or with the spirit of these rules, the council shall refer to *Robert’s Rules of Order Newly Revised*, to answer unresolved procedural questions.

Comment: *RONR* was designed to govern a large legislative assembly, and many of its provisions may be inappropriate for small boards. Nevertheless, it is a good source of parliamentary procedure; care should simply be taken to adjust *RONR* to meet the needs of small governing boards such as city councils.

Appendix

Permitted Procedural Motions in Order of Precedence¹

Motion	Vote Required ²	Special Requirements
1. To Appeal a Procedural Ruling of the Presiding Officer	Majority	Is in order immediately after the presiding officer announces a procedural ruling, as specified in Rule 7, and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion if timely made may not be ruled out of order.
2. To Adjourn	Majority	May not interrupt deliberation of pending substantive matter. Motion to [recess] [adjourn] to a time and place certain must also comply with Rule 2(c).
3. To Take a Brief Recess	Majority	None
4. Call to Follow the Agenda	Majority	Must be made at first reasonable opportunity, or the right to make it is waived for the out-of-order item in question.
5. To Suspend the Rules	Two-Thirds	The council may not suspend provisions of the rules that state requirements imposed by law on the council.
6. To Go into Closed Session	Majority	Motion must cite one or more of the permissible purposes for closed sessions listed in G.S. 143-318.11(a) and must be adopted at an open meeting. A motion based on G.S. 143-318.11(a)(1) must also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318.11(a)(3) must identify the parties in each existing lawsuit concerning which the council expects to receive advice during the closed session, if in fact such advice is to be received.
7. To Leave Closed Session	Majority	
8. To Divide a Complex Motion	Majority	None

and Consider it
by Paragraph

- | | | |
|--|------------|--|
| 9. To Defer Consideration | Majority | A substantive motion the consideration of which has been deferred expires [100] days thereafter unless a motion to revive consideration (Motion 14) is adopted. While a deferred motion remains pending, a new motion with the same effect cannot be introduced. CAUTION: Do not confuse with Motion 11. |
| 10. Motion for the Previous Question | Majority | Not in order until there have been at least [20] minutes of debate, and every member has had an opportunity to speak once. |
| 11. To Postpone to a Certain Time or Day | Majority | None. While a postponed motion remains pending, a new motion with the same effect cannot be introduced. CAUTION: Do not confuse with Motion 9. |
| 12. To Refer a Motion to a Committee | Majority | [60] days or more after a motion is referred to a committee, the introducer may compel consideration of the measure by the council, regardless of whether the committee has reported the matter to the council. |
| 13. To Amend | Majority | (a) Amendments must be pertinent to the subject matter of the motion being amended. An amendment is improper if adoption of the motion with that amendment added has the same effect as rejection of the original motion. A proposal to substitute a different motion shall be treated as a motion to amend. (b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote. (c) Any amendment to a proposed ordinance must be reduced to writing before the vote on the amendment. |
| 14. To Revive Consideration | Majority | In order at any time within [100] days after the day of a vote to defer consideration (Motion 9). Failure to adopt Motion 14 within the [100] day period results in expiration of the deferred substantive motion. |
| 15. To Reconsider | Majority | Must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the “nos” prevail).
May only be made at the meeting at which the original vote was taken, including any continuation of that meeting through [recess] [adjournment] to a time and place certain. Cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting. |
| 16. To Rescind or Repeal | Majority | Not in order if rescission or repeal of an action is forbidden by law. |
| 17. To Prevent Reintroduction | Two-Thirds | In order immediately following defeat of a substantive motion |

for Six
Months

and at no other time. If adopted, the
restriction imposed by the motion remains in effect for six months or until
the next organizational meeting of the council, whichever occurs first.

1. Under these rules all procedural motions are debatable and none requires a second. All may be amended, subject to the stated limitations on motions to amend (Motion 13). Except where indicated otherwise, procedural motions may interrupt deliberations on a pending substantive matter.

2. The required vote for adoption of a procedural motion is generally a majority of the votes cast, a quorum being present. In a few cases, the required vote is a vote equal to two-thirds of the actual membership of the council, excluding the mayor, unless he or she may vote in all cases, and vacant seats.

Rules of procedures adopted by the Board of Aldermen on July 31, 2010.

Mayor

Attest:

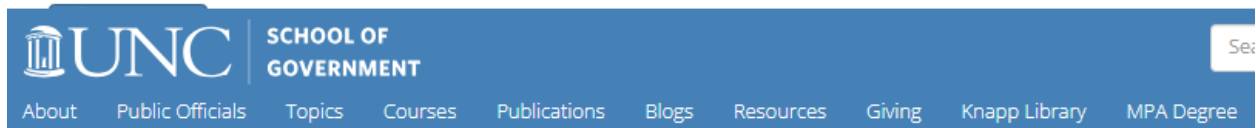
City Clerk

Suggested Rules of Procedure for a City Council, Fourth Edition, 2017

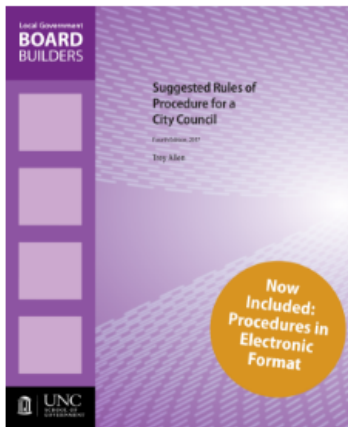
Trey Allen

Wednesday, May 24, 2017

Price: \$30.00



Overview Details Roles / Topics



Now in its fourth edition, this book provides city councils with model procedural rules for their meetings. The model rules cover, among many other topics, the organizational meeting, pertinent requirements of the open meetings law, the role of the presiding officer, agenda preparation and approval, substantive and procedural motions, voting rules, ordinance adoption, public hearings, and public comment periods. Legal and practical issues are analyzed in the comments that follow each rule.

The fourth edition differs from prior editions in important ways. It incorporates significant statutory changes that have occurred since a revised version of the third edition was published in 2007. Both the rules themselves and the comments have undergone extensive modifications in an effort to make the book even more useful to municipal governing boards. New appendixes include tables showing the numbers of members necessary to establish a quorum and the number of votes required to adopt an ordinance or approve a contract.

This book is a must for council members, city managers and administrators, city clerks, and city attorneys. Anyone with a general interest in local government or parliamentary procedure will also want a copy.

This publication is available in **print** and as an **eBook**. eBooks can be downloaded and read on your desktop, laptop, and/or a variety of mobile devices with an [e-reader application](#). eBooks are only licensed for use by one individual and cannot be shared. For more information about ebooks, click [here](#). To purchase the eBook version of this publication, click [here](#).

BONUS FEATURE: The book contains information to help readers download a digital version of the book's procedural rules that can be customized to fit a council's specific needs.

This book will be a great resource for reviewing best practices. There are a few copies in the office, and the electronic version is also available.



Coates' Canons NC Local Government Law

A Parliamentary Procedure Primer: Part 1 – The Overview

Published: 12/13/22

Author Name: Kristina Wilson

What do the General Statutes say about whether a motion at a board meeting was proper? When multiple motions are pending during a board meeting, which motion should the board address first? What laws govern how to rescind an action or reconsider a motion? What does it mean for something or someone to be “out of order”? Public officials often raise these questions, and the tricky answer is that these topics are most often **not** governed by law or statute. Instead, these are *procedural* issues that depend on each jurisdiction’s local rules. This series of blog posts will introduce parliamentary procedure and discuss some frequently asked procedural questions.

What is parliamentary procedure?

The procedural rules local governments use today date back to the sixteenth and seventeenth centuries and have their roots in English Parliament. (RONR (10th ed.), p. xxviii-xxvix). Because these rules originated from English Parliament, they are called “parliamentary procedures.” According to the National Association of Parliamentarians, parliamentary procedures are “the commonly accepted way a group of people come together, present and discuss possible courses of action, and make decisions.” More specifically, they are a body of rules that govern how deliberative bodies make decisions effectively and in a fair and consistent manner. Procedural rules therefore govern motion practice, who

can speak at meetings and when, whether there will be debate and its duration, the particulars surrounding agendas, and many other topics relevant to executing a meeting. In short, parliamentary procedure explains *how* to run a meeting.

Imagine that board meetings are like football games (that might be too apt of an analogy at times!). In football, there is a system for keeping score, calling penalties, and deciding whether something is out of bounds. It's these *rules* that give the game structure and meaning and ensure that teams can compete equally. The same is true for rules of parliamentary procedure in board meetings. They give all board members the same "playbook" so that board members can work together to conduct meetings and make decisions.

What procedural rules do local government boards follow?

So, what procedural playbook should local governments use? Statute empowers governing boards to adopt their own local rules of procedure with some restrictions. (G.S. 160A-71(c); 153A-41). These same statutes also allow governing boards to adopt procedural rules on behalf of the boards and committees they create. Alternatively, governing boards may delegate the power to enact rules of procedure to their created boards, meaning that many appointed boards or advisory committees adopt their own rules of procedure.

Local government boards may choose to adopt pre-existing standard rules of parliamentary procedure such as Robert's Rules of Order ("Robert's Rules"), the School of Government's Suggested Rules of Procedure for City Councils, the School of Government's Suggested Rules of Procedure for the Board of County Commissioners or the School of Government's Suggested Procedural Rules for Local Appointed Boards (collectively, "SOG's Suggested Rules"). Some local rules might be a mixture of these resources. Local rules differ from jurisdiction to jurisdiction, and they commonly have answers for questions that statutes do not address. Consequently, it is crucial for local government board members to become familiar with the local rules that apply in their particular jurisdiction.

What are the restrictions on adopting local procedural rules? Under statute, local rules of procedure for cities must be consistent with city charters, state and federal law, and with "general principles of parliamentary procedure." G.S. 160A-71(c). Cities therefore cannot enact local rules of procedure that violate their charters or state or federal law. Similarly, counties may adopt rules of procedure so long as they are consistent with the "spirit of generally accepted principles of parliamentary procedure." G.S.

153A-41. While Section 153A-41 does not explicitly state that county local rules of procedure cannot violate state or federal law, we should assume that local rules that violate the law are invalid in counties as well.

As noted above, both the city and county statutes require local rules to be consistent with “general parliamentary principles”. General parliamentary principles are the foundational ideas common to all sources of parliamentary procedure that embody the rules’ underlying purposes. General parliamentary principles exemplify the values that parliamentary procedure attempts to further – efficiency, fairness, and consistency. For example, the idea that a majority is required for a body to act is a foundational, bedrock principle of parliamentary procedure that relates to the value of fairness. ((RONR (10th ed.), p. 4, l. 5-7); (SOG Suggested Rules (Cities), 4th. Ed., p. 2); (SOG Suggested Rules (Counties), 4th ed., p. 2)). As a result, no local government boards can adopt a rule of procedure that allows for board action by minority or individual vote because that rule would violate a generally accepted principle of parliamentary procedure. Another example is the quorum requirement. A general, foundational rule of parliamentary procedure is that a quorum is required to conduct official business as a matter of efficiency and fairness. ((RONR (10th ed.), p. 20, l. 10-15); (SOG Suggested Rules (Cities), 4th. Ed., p. 2); (SOG Suggested Rules (Counties), 4th ed., p. 2)). A city or county board would therefore be unable to adopt a local rule dispensing with the quorum requirement. For a better understanding of what constitutes a general principle of parliamentary procedure, read up on Robert’s Rules or the SOG’s Suggested Rules.

How do boards adopt local procedural rules?

Local procedural rules can take any form. Some boards adopt their rules in the form of an ordinance, policy, or resolution. Some independently adopt the rules as their own document, without framing them as an ordinance, resolution, or policy. Any of those options is permissible, as long as the action is taken by majority vote. To formally adopt local rules, the board should vote on the rules at a properly noticed open meeting and should secure a majority vote in favor. Statute does not require a public hearing prior to adopting local procedural rules.

Bottom Lines

When a board member has a question that pertains to *how* a meeting should be run, the answer is often a matter of local procedure. As a result, local governments should adopt their own rules of procedure. Having a common playbook will make meetings more efficient and diminish conflicts so that officials can focus on the substance of government. Local governments can adopt pre-existing rules such as Robert’s Rules or the SOG’s Suggested Rules, develop their own, or enact some combination of pre-

existing and original rules. Local rules cannot violate state or federal law, city charters, or generally accepted principles of parliamentary procedure. To adopt local rules, boards should formally meet and hold a vote. A majority vote in favor is required to enact or adopt any local rules.

Next time, we'll discuss what parliamentary procedure tells us about motions. I know you're on the edge of your seat!

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[1] *Editor's Note: This ordinance superseded former Ch. A180, Town Council Rules of Procedure, adopted 1-7-1980, as last amended 2-19-2008.*

§ A180-1 Organization meeting.

Each newly elected Council shall meet for organization in the Town Hall at a time to be announced on the first Monday following the November Election in each odd-numbered year. The meeting shall be called to order by the Town Clerk, who shall administer the oath of office to all members, provided that in the absence of the Town Clerk, the meeting may be called to order and the oath administered by any citizen of Wethersfield authorized by law to administer oaths. The Council shall then proceed to the election of a Chairperson and Vice Chairperson to serve for the ensuing two years, who may also be known respectively as the "Mayor" and the "Deputy Mayor" (Charter, Sec. 304).

§ A180-2 Regular meeting.

[Amended 7-16-2018; 3-7-2022]

The Regular Town Council Meeting will be held the first and third Monday of each Month at 7:00 p.m. in the Town Council Chambers unless otherwise determined by the Council. If a meeting is adjourned to a date, time, and place certain, a notice of the same shall be conspicuously posted near the door of the meeting place, stating the date, time and place of the adjourned meeting or instructions for joining any adjournment to a regular meeting held solely by means of electronic equipment. The schedule of regular meetings for the ensuing year shall be filed in the Town Clerk's office as soon as possible after the organizational meeting.

§ A180-3 Special meeting.

[Amended 3-7-2022]

Special meetings of the Council may be called by the Chairperson or by not fewer than three members of the Council. If called by three members, each shall advise the Town Clerk, in writing, including electronic mail, by telephone, or in person, to that effect.

- A. Notice of a special meeting shall be prepared by the Town Clerk, and a copy shall be served electronically and by mail upon each member of the Council and the Town Manager or Acting Town Manager or left at their usual places of abode not less than 24 hours before the time of the meeting. The notice shall state the time and place of the meeting or contain instructions for joining a special meeting to be held solely by means of electronic equipment and the purpose for which the meeting is called. A copy of said notice shall also be posted on the Town Clerk's board at least 24 hours prior to the meeting.
- B. At a special meeting, no matter not included in the notice shall be considered.

§ A180-4 Public meetings and hearings.

- A. No ordinance or resolution shall be adopted or appointment or removal made except in a meeting of the Council open to the public (Charter, Sec. 305).
- B. At least one public hearing, not less than five days' notice of which shall be given by publication in a newspaper having general circulation in the Town and by posting on the Town Clerk's board, shall be held by the Council before any ordinance or resolution shall be acted upon (Charter, Sec. 308).
- C. Budget hearing. There shall be a public hearing at 7:00 p.m. on the third Monday in April at a place to be determined by the Council, at least five days' notice of which shall be given by publication in at least one newspaper which has a general circulation in the Town and by posting on the Town Clerk's board. At such hearing, any citizen or property owner who desires it shall be entitled to be heard by the Council on the Town and school budgets, and the hearing shall be recessed from day to day until all such persons have been heard (Charter, Sec. 705), provided that a notice of recess shall be conspicuously posted on the door of the meeting place, stating the date, time and place of the recessed meeting; provided, further, that any person who desires to speak at the subject budget hearings shall initially be heard for no longer than 10 minutes. After all persons who desire to speak have spoken at any one budget hearing, those persons wishing to speak for a second time shall be allowed to do so but shall not exceed 10 minutes. After all persons have had a second opportunity to speak, any person may thereafter speak.

D. Public comment.

[Amended 7-16-2018; 3-7-2022]

- (1) Public comment sections at Regular Meetings are allowed during each meeting for individual citizens' comments. During the public comment, citizens may speak pertaining to any item on the agenda or of concern to the Town.
- (2) (Reserved)
- (3) Each speaker shall limit his/her remarks to five minutes and shall be heard only once at the beginning of the meeting and once at the end of the meeting. This time restriction may be enforced by a timing device. If a speaker exceeds the time limitation, the Chair shall so notify the speaker and allow the speaker 30 seconds for summation. The Chair, at his/her discretion, may grant the speaker additional time. If a large number of citizens wish to speak, in the discretion of the Chair, the time limit may be reduced to three minutes to accommodate the crowd, and still allow the Council to conduct its business.

E. If the Council needs to make a decision or needs additional information, the Council should direct the Manager to get the facts, information and/or recommendations it needs to make an informed decision in the interest of all Town citizens. Citizens are encouraged to submit questions/concerns in writing.

F. Adjournment time: The Council establishes an adjournment time of regular meetings of 11:00 p.m. If the adjournment time requires an extension, it can be done via motion and a majority vote.

G. Town Council members shall be able to participate in Council meetings by telephone or electronic means; however, every effort should be made by members to be at all meetings in person, and the use of telephones or electronic means should only be used on when necessary. If a Councilor wishes to participate electronically in a meeting noticed as a nonvirtual meeting, the Councilor must notify the Town Manager or his/her designee in writing or email no less than eight hours prior to the scheduled time as indicated in the noticed meeting. When the Town Manager or his/her designee is notified of such request, he/she shall send to the requesting Councilor a link by which they may participate via video conference or other similar method. If a Councilor fails to notify the Town Manager or his/her designee in the time and manner prescribed, then he or she will not be permitted to participate in the meeting remotely. For Town Council meetings noticed as a virtual meeting, there shall be no notification requirements for any Councilor as described in this section.

[Amended 3-7-2022]

- (1) A member participating virtually shall be considered a person present at the meeting when determining a quorum under § A180-5. A councilor may speak and vote electronically in the same method and by the same procedure as they would as if they were there in person. It is the virtually participating Councilor's responsibility to have a strong primary connection and a secondary connection to the Town Manager or his/her designee (cell phone, land line, etc.) in case of disruption. If at the time of a vote of the Council a member participating virtually is disconnected or loses audio connection to the meeting, the Chair shall afford that member three minutes to reconnect or use the secondary connection into the meeting before concluding the vote on the pending question before the Council. The meeting will be held in a room open and accessible to members of the public, using teleconferencing equipment that enables everyone in the room to hear. Any printed materials, reports, graphs, etc., utilized by the person phoning in must be available in the meeting room.

- (2) These rules do not amend any Charter requirement regarding the number of affirmative votes required to pass certain measures.

§ A180-5 Quorum.

The presence of five members shall constitute a quorum, but no ordinance, resolution or vote, except a vote to adjourn or to fix the time and place of the next meeting of the Council, shall be adopted by fewer than five affirmative votes (Charter, Sec. 305).

§ A180-6 Executive sessions.

"Executive sessions" means a meeting of a public agency at which the public is excluded for one or more of the following purposes:

- A.** Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting;
- B.** Strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of the member's conduct as a member of such agency, is a party until such litigation or claim has been finally

adjudicated or otherwise settled;

- C. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security;
- D. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned; and
- E. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210.^[1]

[1] *Editor's Note: Refers to the FOIL statute: see C.G.S. § 1-210(b).*

§ A180-7 Chairperson.

- A. The Chairperson or, absent a Chairperson, the Vice Chairperson shall preside at all meetings. The Chairperson shall preserve order and decorum and shall decide all questions of order without debate, except at said Chairperson's request, but subject to appeal to the Council. The Chairperson may speak and shall vote on all questions as is provided in § A180-14 of these rules. The Chairperson shall be an ex officio member of all committees without the right to vote, except that the Chairperson shall have the right to vote in those committees to which the Chairperson is appointed a member.
- B. In the absence of both the Chairperson and the Vice Chairperson, the Town Clerk may call the meeting to order, and the Council may choose from its members a Chairperson Pro Tem who shall preside until the Chairperson or Vice Chairperson appears.
- C. The Chairperson or, absent a Chairperson, the Vice Chairperson shall represent the Town as titular head of the government at meetings of such officials representing other municipalities, ceremonies and public gatherings and upon such other occasions as said presence in such capacity may be required.

§ A180-8 Town Clerk.

The Town Clerk shall be the Clerk of the Council, keep a journal of its proceedings which shall be a public record and perform such other duties as may be assigned by the Charter or by action of the Council or state statute (Charter, Sec. 501).

§ A180-9 Town Manager.

The Town Manager shall attend all meetings of the Council with the right to speak but not to vote and shall perform such other duties as may be assigned by law or by the ordinances or resolutions of the Council (Charter, Sec. 403).

§ A180-10 Committees.

The Council may, from time to time, appoint such standing and special committees in the manner and for such purposes as the Council may designate.

§ A180-11 Order of business.

[Amended 7-16-2018; 3-7-2022]

- A. Regular Meetings.
 - (1) Pledge of Allegiance.
 - (2) Recording of attendance by the Town Clerk.
 - (3) Presentations.
 - (4) Additions/deletions and approval of the regular agenda.

[Added 10-17-2022^[1]

[1] *Editor's Note: This ordinance also redesignated former Subsections A(4) through A(14) as Subsections A(5) through A(15), respectively.*

- (5) Public hearings on ordinances and resolutions.
- (6) Public comments.
 - (a) Public.
 - (b) Council reports (report on Boards and Commissions).
 - (c) Council comments (comments on any topic and/or to pull items from consent agenda).
[Amended 10-17-2022]
 - (d) Town Manager's report.
 - (e) Town Clerk communications.
- (7) Council action.
 - (a) Bids.
[Added 10-17-2022]
 - (b) Consent agenda.
[Added 10-17-2022^[2]]
[2] *Editor's Note: This ordinance also redesignated former Subsections A(7)(a) through A(7)(c) as Subsections A(7)(c) through A(7)(e), respectively.*
 - (c) Acceptance of resignations from boards and commissions.
 - (d) Appointments to boards and commissions.
 - (e) Approval of ordinances and resolutions.
- (8) Unfinished business.
- (9) ^[3]New business.
[Amended 10-17-2022]
 - (a) Ordinances and resolutions for introduction.
[3] *Editor's Note: Former Subsections A(9) and (10), bids and other business, respectively, were repealed 10-17-2022. This ordinance also renumbered former Subsections A(11) through A(15) as Subsections A(9) through A(13), respectively.*
- (10) Minutes.
- (11) Public comments.
- (12) Executive Session (if required). (Provide reason and attendees)
- (13) Adjourn.

§ A180-12 Privilege of the floor.

- A. Except when a member of the Council has or desires the floor, the Town Manager shall have the privilege of the floor for the purpose of giving information to the Council on business and affairs of the Town, and the Town Attorney shall likewise have the privilege of the floor on the introduction or interpretation of any existing or proposed ordinance or resolution or on any question of legal procedure.
- B. Except at a public hearing or as otherwise provided in these rules, no person other than a member of the Council shall address the Council except by the majority consent of not fewer than five of the members of Council present.

§ A180-13 Motions.

- A. When a motion is made and seconded, it shall be stated by the Chairperson and then be in possession of the Council and subject to amendment or withdrawal, except that withdrawal cannot be made subsequent to a voted amendment without the consent of the Council.

- B. When a motion is under debate, no further motion shall be received except to adjourn, to recess, to table, for the previous question, to limit or extend debate, to postpone to time certain, to refer to committee, to amend or to postpone indefinitely, which motions shall have precedence in the order indicated.
- C. Motions to table, to postpone to time certain or to postpone indefinitely, once having been decided, shall not be reconsidered at the same meeting, whereas a motion to refer a matter to a committee can be reconsidered only at the meeting of the vote. Any other motion can be reconsidered only at the same or the next succeeding meeting of the Council.
- D. Any motion to reconsider shall be in order only upon motion by a member participating in the prevailing vote of the original motion, and there shall be no reconsideration of the vote upon motion to adjourn, for the previous question, or to reconsider.

§ A180-14 Voting.

The ayes and nays on each vote shall be recorded in the journal (Charter, Sec. 305), thereby recording the vote of each Council member or abstention.

§ A180-15 Introduction of ordinances and resolutions.

- A. All ordinances and resolutions shall be introduced in written form (Charter, Section 307).
- B. For purposes of this section, introduction shall mean the presentation in written form at any regular or special meeting of Council, either by a member of Council or by the Town Clerk, who shall present those ordinances and resolutions filed with the Town Clerk's office by a member of Council at any time prior to the meeting. Upon introduction, all ordinances and resolutions shall automatically be set for public hearing at the next regular or special meeting of Council, subject to the notice requirements being met (Charter, Sec. 307). The terms of this section shall not apply to emergency ordinances.
- C. It shall be the duty of the Town Clerk immediately upon the introduction of any ordinance or resolution to prepare at least 15 copies of such proposed ordinance or resolution. One copy shall be retained in the Town Clerk's office for public inspection and one copy posted on the Town signpost (Charter, Sec. 307). The Town Clerk shall also promptly furnish each member of the Council, the Town Manager and the Town Attorney with a copy of such ordinance or resolution.
- D. The copy of the proposed ordinance or resolution retained in the office of the Town Clerk shall have endorsed thereon the name or names of the member or committee introducing such document or filing the same with the Town Clerk or have attached thereto the electors' petition, as required under the Charter, Section 312, and at the end thereof, under the caption "Statement of Purpose," shall contain a brief statement of its purpose, which statement shall not be a part of the ordinance or resolution. Where such document is introduced by electors' petition, such copy shall be further endorsed by the Town Clerk, certifying that the requirements of the Charter, Section 312, have been satisfied. The statement of purpose and such endorsements shall be included on all copies of the document to be prepared by the Town Clerk prior to the final action taken on such document.
- E. Before any ordinance shall be acted upon, it shall be reviewed by and such corrections as may be necessarily made therein by the Town Attorney to ensure accuracy, clearness, conciseness and consistency of text and phraseology as well as its constitutionality and consistency with existing ordinances or statutes, and the copy of the ordinance upon which final action is based shall bear the Town Attorney's endorsement that such review has been made.

[Amended 3-7-2022]

§ A180-16 Passage of ordinances and resolutions.

- A. Notice of the passage of an ordinance or resolution shall be published once in a newspaper having general circulation in the Town, and an ordinance or resolution shall not become effective until 10 days after such notice is published. An ordinance or resolution need not be published in full but may be described by title or subject matter. The foregoing provisions of this section shall not apply to emergency ordinances (Charter, Sec. 308).
- B. All ordinances and resolutions, when passed, shall be endorsed by the Town Clerk indicating the date and method of its adoption, then recorded in a book kept for that purpose and the original copy filed as a permanent record (Charter, Sec. 308, modified).

§ A180-17 Emergency ordinances.

An emergency ordinance shall be only for the immediate preservation of the public peace, health and safety, shall contain an explicit statement of the nature of the emergency and shall be adopted by not fewer than six affirmative votes in the Council, and in no event shall the annual budget or any appropriation, except as hereinafter provided, constitute an emergency ordinance. For the purpose of meeting an emergency, as herein defined, or to prevent the breakdown of any essential service rendered by a department, board, commission or agency of the Town, the Council, by an affirmative vote of not less than six of its members, may appropriate, notwithstanding any other provision of the Charter, a sum not to exceed \$100,000. (Charter, Sec. 310).

§ A180-18 Parliamentary and Charter authority.

The Council will conduct its meeting according to Robert's Rules of Order. These rules may be revised as necessary, except that should any of these rules be inconsistent with the provisions of the Charter, then the Charter shall prevail.

§ A180-19 Suspension or amendment of rules.

- A.** Any of these rules may be suspended by the affirmative vote of not fewer than five members of the Council, provided that such action is not inconsistent with any provisions of the Charter.
- B.** Any amendment to these rules shall be submitted, in writing, at any meeting of the Council and may be adopted by the affirmative vote of not fewer than five members at a subsequent meeting of the Council.



BOARD AND COMMITTEE RULES OF PROCEDURE

Effective: February 17, 2022

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Applicability of Rules

These rules apply to all meetings of the Town boards and committees. For purposes of these rules, a meeting of the boards or committees occurs whenever a majority of the members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the boards and committees real or apparent jurisdiction. The term “majority” as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. The term “board” or “boards” when used in this policy shall include all boards and committees and task forces of the Town of Leland unless otherwise stated.

1 Regular Meetings

Rule 1: Regular Meetings

Boards shall hold regular meetings in accordance with the annual schedule adopted by each board. A copy of the current meeting schedule for all boards shall be filed with the Town Clerk.

2 Special and Recessed or Adjourned Meetings

Rule 2: Special and Recessed or Adjourned Meetings

Special Meetings. The chair or a majority of the members may at any time call a special meeting of the board. At least forty-eight hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (1) given to each board member; (2) posted on the board’s principal bulletin board or, if none, at the door of the board’s usual meeting room; and (3) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the Town Clerk.

A special meeting may also be called or scheduled by vote of the board in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least forty-eight hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (1) posted on the board’s principal bulletin board or, if none, at the door of the board’s usual meeting room and (2) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the Town Clerk. Such notice shall also be mailed or delivered at least forty-eight hours before the meeting to each board member not present at the meeting at which the special meeting was called or scheduled.

Only those items of business specified in the notice may be discussed or transacted at a special meeting, unless (1) all members are present and (2) the board determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

Recessed or Adjourned Meetings. A properly called regular or special, ~~or emergency~~ meeting may be recessed or adjourned to a time and place certain by a procedural motion made and adopted as provided in Rule 16(b), Motion 2, in open session during the regular or special, ~~or emergency~~ meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed or adjourned session of a properly called regular or special, ~~or emergency~~ meeting.

3 Organizational Meetings

Rule 3: Organizational Meeting

At the first regular meeting in July for both Planning and Parks and Recreation Boards, any newly appointed board members shall take and subscribe the oath of office as the first order of business. The second order of business for both Planning and Parks and Recreation Boards shall be to elect a chair and vice chair using one of the nomination and voting procedures set out in Rule 25.

Only members of the Planning and Parks and Recreation Boards shall take and subscribe the oath of office.

The other Committees shall elect a chair and vice chair at their first meeting after June 30 and shall be elected using one of the nomination and voting procedures set out in Rule 25. The chair for any other committee shall be appointed by the Board which oversees the committee.

4 Agenda

Rule 4: Agenda

Proposed Agenda. The Town Clerk shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any board member may, by a timely request, have an item placed on the proposed agenda. A copy of all proposed orders, policies, regulations, and resolutions shall be attached to the proposed agenda. An agenda package shall be prepared that includes for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each board member shall receive a copy of the proposed agenda and the agenda package, and they shall be available for public inspection and/or distribution when they are distributed to the board members.

Adoption of the Agenda. As its first order of business at each meeting, the board shall, as specified in Rule 6, discuss and revise the proposed agenda and adopt an agenda for the meeting. The board may by majority vote add items to or subtract items from the proposed agenda, except that the board may not add items to the agenda of a special meeting unless (a) all members are present and (b) the board determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the board may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all board members.

The board may designate certain agenda items “for discussion and potential action.” Such designation means that the board intends to discuss the general subject area of that agenda item before making any motion concerning that item.

Open Meetings Requirements. The board shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the board to understand what is being deliberated, voted, or acted on. However, the board may deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda—sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on—are available for public inspection at the meeting. A member who is not physically present for a Council board or committee meeting may not participate in the meeting by electronic means.

5 Public Address to the Board

Rule 5: Public Address to the Board

The public comment portion of the agenda provides a time for members of the public to address the board. Any individual or group who wishes to address the board during a meeting shall first make a request to the Town Clerk to be placed on the agenda under the public comment portion of the agenda. Each speaker or group that makes such a request will be allotted a maximum of three minutes to address the board during the public comments portion of the board Meeting. Board members should refrain from engaging in a debate with speakers during public comment.

The board may, upon motion and an affirmative vote of the majority the Board Members present and voting, recognize an individual or group and allow the individual / group to speak outside of the public comment portion of the board meeting. In such instances, the recognized speaker or group shall limit comments to the item then under consideration by the board. Any comments made unrelated to the matter under consideration are out of order and the presiding Board member should note the same.

6 Order of Business

Rule 6: Order of Business

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

- Call to Order
- Pledge of Allegiance
- Approval of the Agenda
- Approval of Minutes
- Public Comment
- Other Discussion
- Action Items
- Old/New Business
- Staff/Committee Monthly Reports
- Adjournment

By general consent of the board, items may be considered out of order.

7 Presiding Officer

Rule 7: Presiding Officer

The chair of the board shall preside at board meetings. The chair may vote in all cases. In order to address the board, a board member must be recognized by the chair. If the chair is absent, the vice-chair shall preside. If both the chair and vice-chair are absent, another member designated by vote of the board shall preside. If any member of the board determines another member continually seeks the floor and speaks out of turn, that member may be called to order and reminded of the proper rules of debate.

The presiding officer shall have the following powers:

- a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- b) To determine whether a speaker has gone beyond reasonable standards of courtesy in their remarks and to entertain and rule on objections from other members on this ground;

- c) To entertain and answer questions of parliamentary law or procedure;
- d) To call a brief recess at any time; and
- e) To adjourn in an emergency.

A decision by the presiding officer under any of the first three powers listed may be appealed to the board upon motion of any member, pursuant to Rule 16, Motion 1. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

8 Action by the Board

Rule 8: Action by the Board

The board shall proceed by motion, except as otherwise provided for in Rules 3, 4, and 25. Any member, including the chair, may make a motion.

9 Second Required

Rule 9: Second Required

Each motion requires a second.

10 One Motion at a Time

Rule 10: One Motion at a Time

A member may make only one motion at a time.

11 Substantive Motions

Rule 11: Substantive Motions

A substantive motion is out of order while another substantive motion is pending.

12 Adoption by Majority Vote

Rule 12: Adoption by Majority Vote

A motion shall be adopted by a majority of the votes cast, a quorum as defined in Rule 22 being present, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.

13 Voting by Written Ballot

Rule 13: Voting by Written Ballot

The board may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes of the board shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the Town Clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

14 Debate

Rule 14: Debate

The chair shall state the motion and then open the floor to debate. The chair shall preside over the debate according to the following general principles:

- The maker of the motion is entitled to speak first;
- A member who has not spoken on the issue shall be recognized before someone who has already spoken; and
- To the extent possible, the debate shall alternate between proponents and opponents of the measure.

15 Ratification of Actions

Rule 15: Ratification of Actions

To the extent permitted by law, the board may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

16 Procedural Motions

Rule 16: Procedural Motions

Certain Motions Allowed. In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

Order of Priority of Motions. In order of priority (if applicable), the procedural motions are

Motion 1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in their remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the board, as specified in Rule 7. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

Motion 2. To Adjourn. This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to adjourn to a time and place certain shall also comply with the requirements of Rule 2(c).

Motion 3. To Take a Brief Recess. Any member of the board may make a motion to take a brief recess for the purpose of causing the board to pause briefly in its proceedings.

Motion 4. Call to Follow the Agenda. The motion must be made at the first reasonable opportunity, or it is waived.

Motion 5. To Suspend the Rules. The board may not suspend provisions of the rules that state requirements imposed by law on the board. For adoption, the motion requires an affirmative vote equal to a majority of the entire membership of the board. A majority is more than half.

Motion 6. To Divide a Complex Motion and Consider It by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Motion 7. To Defer Consideration. The board may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has

been deferred, a new motion with the same effect cannot be introduced while the deferred motion (has not expired). A person who wishes to revisit the matter during that time must take action to revive consideration of the original motion (Rule 16(b), Motion 14), or else move to suspend the rules (Rule 16(b), Motion 5).

Motion 8. Motion for the Previous Question. The motion is not in order until there have been at least 20 minutes of debate and every member has had an opportunity to speak once.

Motion 9. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A person who wishes to revisit the matter must either wait until the specified time or move to suspend the rules (Rule 16(b), Motion 5).

Motion 10. To Refer a Motion to a Committee. The board may vote to refer a substantive motion to a committee for its study and recommendations. Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire board, whether or not the committee has reported the matter to the board.

Motion 11. To Amend.

- An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.
- A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.
- Any amendment to a proposed order, policy, or regulation shall be reduced to writing before the vote on the amendment.

Motion 12. To Revive Consideration. The board may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9 of Rule 16(b). The motion is in order at any time within 100 days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires 100 days after the deferral unless a motion to revive consideration is adopted.

Motion 13. To Reconsider. The board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the “no’s” prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

Motion 14. To Rescind or Repeal. The board may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

Motion 15. To Prevent Reintroduction for Six Months. The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to two-thirds of the entire membership of the board. If adopted, the restriction imposed by

the motion remains in effect for six months or until the next organizational meeting of the board, whichever occurs first.

17 Renewal of Motion

Rule 17: Renewal of Motion

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

18 Withdrawal of Motion

Rule 18: Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before it is amended or before the chair puts the motion to a vote, whichever occurs first.

19 Duty to Vote

Rule 19: Duty to Vote

Members who are absent from a meeting are considered absent and no vote of any kind is recorded for that absent member. If a member is absent at the beginning of a meeting but comes to the meeting before it adjourns, the clerk shall mark the member absent until such time as the member arrives at which point the member will be marked present. Every member physically present in the board chamber must vote unless excused by the remaining members of the board. A member who is physically present in the board chamber and wishes to be excused from voting shall so inform the chair, who shall take a vote of the remaining members.

No member who is physically present in the board chamber shall be excused from voting except when:

- G.S. § 14-234: Voting will result in a criminal penalty,
- G.S. § 14-234.3 Local public officials participating in contracts benefiting nonprofits with which associated,
- G.S. § 160A-75: The matter before the board/committee involves your official conduct or personal financial interest,
- G.S. § 160A-381(d): The matter before the board/committee is a zoning map or text amendments, and the vote is reasonably like to have a direct, substantial, or readily identifiable financial impact on you,
- G.S. § 160D-109 Legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on member,
- G.S. § 160D-109 Member's participation in quasi-judicial decision would violate affected person's right to an impartial decision maker, and
- The board is applying adopted policies to individual situations (hearing an appeal of a zoning ordinance, granting variances to a zoning ordinance, or granting a conditional use permit), and you have a fixed opinion on the matter, you have had secret communication with someone who may be affected by the decision, have a family or business relationship with someone who may be affected by the decision, or have a financial interest in the outcome of the decision,

Questions about whether a basis for excusal exists should be directed to the Town Attorney.

In all other cases, a failure to vote by a member who is physically present in the board chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be

recorded as an affirmative vote.

Once Excused. Any member excused from voting shall step down from the dais and exit the meeting room until such time as the matter necessitating the excusal is no longer under consideration.

20 Special Rules of Procedure

Rule 20: Special Rules of Procedure

The boards, committees and task forces may not adopt their own special rules of procedure. Each board or committee shall include a Council Liaison, a member of the Town Council, who is appointed by the Mayor. The Council Liaison attends the meetings and reports back to Council all happenings and outcomes of the meeting. The Council Liaison will not take part in board or committee debates, nor any vote taken during the meeting. If the board or committee has a question for the Town Council, the Chairman shall make a request to staff that they report such matters to the Council. In cases where the Councilmembers are considered active members of a board, committee or task force, the rules set forth herein limiting the participation of a Council Liaison shall not apply.

21 Quorum

Rule 21: Quorum

A majority of the actual membership of the board excluding vacant seats shall constitute a quorum. A majority is more than half. The chair shall be considered a member of the board in determining the number on which a majority is based and in counting the number of members actually present. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

22 Public Hearings

Rule 22: Public Hearings

Public hearings required by law or deemed advisable by the board shall be organized by a special order that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time allotted for each speaker, and other pertinent matters. The special order is adopted by a majority vote. Its specifications may include, but are not limited to, rules fixing the maximum time allotted to each speaker (three minutes); providing for the designation of spokespersons for groups of persons supporting or opposing the same positions; providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall (so long as arrangements are made, in the case of hearings subject to the open meetings law, for those excluded from the hall to listen to the hearing); and providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirements of the open meetings law applicable to board meetings shall also apply to public hearings at which a majority of the board is present; such a hearing is considered to be part of a regular or special meeting of the board. These requirements also apply to hearings conducted by appointed or elected committees of board members, if a majority of the committee is present. A public hearing for which any required notices have been given may be continued to a time and place certain without further advertisement. The requirements of Rule 2(c) shall be followed in continuing a hearing at which a majority of the board, or of a board committee, as applicable, is present.

At the time appointed for the hearing, the chair or his or her designee shall call the hearing to order and

then preside over it. When the allotted time expires, or earlier, if no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.

23 Minutes

Rule 23: Minutes

Full and accurate minutes of the board or committee proceedings shall be kept by the Town Clerk. These minutes and general accounts shall be open to inspection of the public, except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the board, the entire board shall be polled by name on any vote. Members' and other persons' comments may be included in the minutes if the board approves.

Minutes of proceedings of the board or committee which have not been fully approved by the board or committee, and which are considered in "draft" form will only be furnished upon request. When formally approved by the board or committee, such minutes shall be published and available for review by the public.

24 Broadcasting and Recording Meetings

Rule 24: Broadcasting and Recording Meetings

Right to Broadcast and Record. Any person may photograph, film, tape-record, or otherwise reproduce any part of a board or committee meeting that must take place in open session. Except as provided in the "Alternative Meeting Site" section of this rule, any radio or television station may broadcast any such part of a board or committee meeting.

Equipment Placement. The Town Manager may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a board/committee meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Town Manager determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the Town Manager may require the pooling of the equipment and the personnel operating it.

25 Appointments

Rule 25: Appointments

A board or committee may make appointments to a task force in open session. The board or committee may recommend an appointee to the Town Council for consideration of a vacant position on the board or committee.

The board shall use the following procedure to make appointments or recommendations to various other boards, committees, and task forces. The chair shall open the floor for nominations, whereupon the names of possible appointees may be put forward by the board members. The names submitted shall be debated. When the debate ends, the chair shall call the roll of the members, and each member shall cast his or her vote. Written ballots may be used as discussed in Rule 13.

The voting shall continue until one nominee receives a majority of the votes cast, whereupon he or she shall be appointed. If more than one appointee is to be selected, then each member shall have as many

votes in each balloting as there are slots to be filled, and votes from a majority of the members voting shall be required for appointment. During each balloting, a member may cast all of his or her votes or fewer than all of them, but he or she shall not cast more than one vote for a single candidate.

26 Committees and Boards

Rule 26: Committees and Boards

Establishment and Appointment. The board may establish and appoint members for such temporary and standing committees and boards as are required by law or needed to help carry on the board's work i.e., appoint a chairman if one is not present. Any specific provisions of law relating to particular committees and boards shall be followed.

Open Meetings Law. The requirements of the open meetings law shall apply to all elected or appointed authorities, boards, commissions, councils, or other bodies of a local governmental unit that are composed of two or more members and that exercise or are authorized to exercise legislative, policymaking, quasi-judicial, administrative, or advisory functions. However, the law's requirements shall not apply to a meeting solely among a unit's professional staff.

27 Amendment of the Rules

Rule 27: Amendment of the Rules

These rules may only be amended by the Town Council unless a state statute provides otherwise.

28 Reference to Robert's Rules of Order

Rule 28: Reference to Robert's Rules of Order

Boards shall refer to the current edition of *Robert's Rules of Order Newly Revised*, to answer procedural questions not resolved in these rules, so long as *RRONR* does not conflict with North Carolina law or with the spirit of these rules.

29 Miscellaneous Matters

Rule 29: Miscellaneous Matters

All references contained in these rules to the "Town Clerk" shall include the Town Clerk and her/his designees.

These rules are taken from and based on "Suggested Rules of Procedure for Small Local Government Boards" by A. Fleming Bell, II and published by the UNC School of Government.

THESE RULES OF PROCEDURE WERE APPROVED BY THE TOWN COUNCIL OF THE TOWN OF LELAND, N.C. AT A REGULAR MEETING HELD ON FEBRUARY 17, 2022.

Sabrena Reinhardt, Town Clerk
(SEAL)





BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: 12-4-2023

DEPARTMENT: Administration

PRESENTED BY: Everett Jones, Bartlett Tree Experts, and Bonnie Therrien, City Manager

ITEM SPONSORED BY: Administration

ITEM/TOPIC: Franklin Square Park Arborist Report

COST: \$15,000

BUDGET LINE ITEM: 23-23-7300-5800

JUSTIFICATION: As you are well aware, residents have expressed many concerns about the condition of Franklin Square Park and the number of events being held there, causing issues with the trees, azaleas, and the look of the Park itself. To try to decide the best way to move forward with the placement of events in the Park and what needs to be done to bring the Park back to what it used to look like, Downtown Southport, Inc. (DSI) agreed to pay the \$3900 for an arborist, Everett Jones, of Bartlett Tree Experts to come in and assess the condition of the growth in the Park. Bartlett's background includes being the arborist for years for Airle Gardens in Wilmington. He was highly recommended to me by many sources.

Mr. Jones and his staff came to the Park on November 6th and 7th and have compiled a thorough written report of the Park, which is attached for your review. As a part of this report, it is recommended that the city spend \$12,100 (I will be requesting \$15,000 as a cushion) to follow up on their severe tree risk assessment and cut down, prune, or conduct other work needed on those trees that are the most severely damaged. This equates to 22 out of 54 trees. I am asking for you to approve this out of the Capital fund.

At your meeting, Mr. Jones will address the condition of the azaleas and other growth in the Park and recommend how future events should be held in the Park and whether he recommends these events continue in the future. It is imperative for the Board to decide how to handle the Park and future functions so that after the first of the year, a schedule and location for events taking place in Southport can be solidified for 2024.

If we move forward with Mr. Jones's recommendation for further work in the Park, he will also be training our staff to enhance their skills in caring for the trees and other plants, which is a plus for the Public Services staff.

IMPACT IF NOT APPROVED: The Park will remain in the same condition, although the Public Services staff has certainly stepped up and made a lot of improvements to the Park already.

DEPARTMENT HEAD COMMENTS: Not applicable.

CITY MANAGER COMMENTS: I recommend that you approve the budget transfer for this project so they can begin eliminating any safety issues with dead trees and bushes that are not viable and prune back those dead limbs that need to be taken care of as soon as possible. After listening to Mr. Jones's recommendations for holding events on this property, I would ask that you decide in January whether events will be held in the Park location and, if so, what type of events these should be for the betterment of the Park and the City.

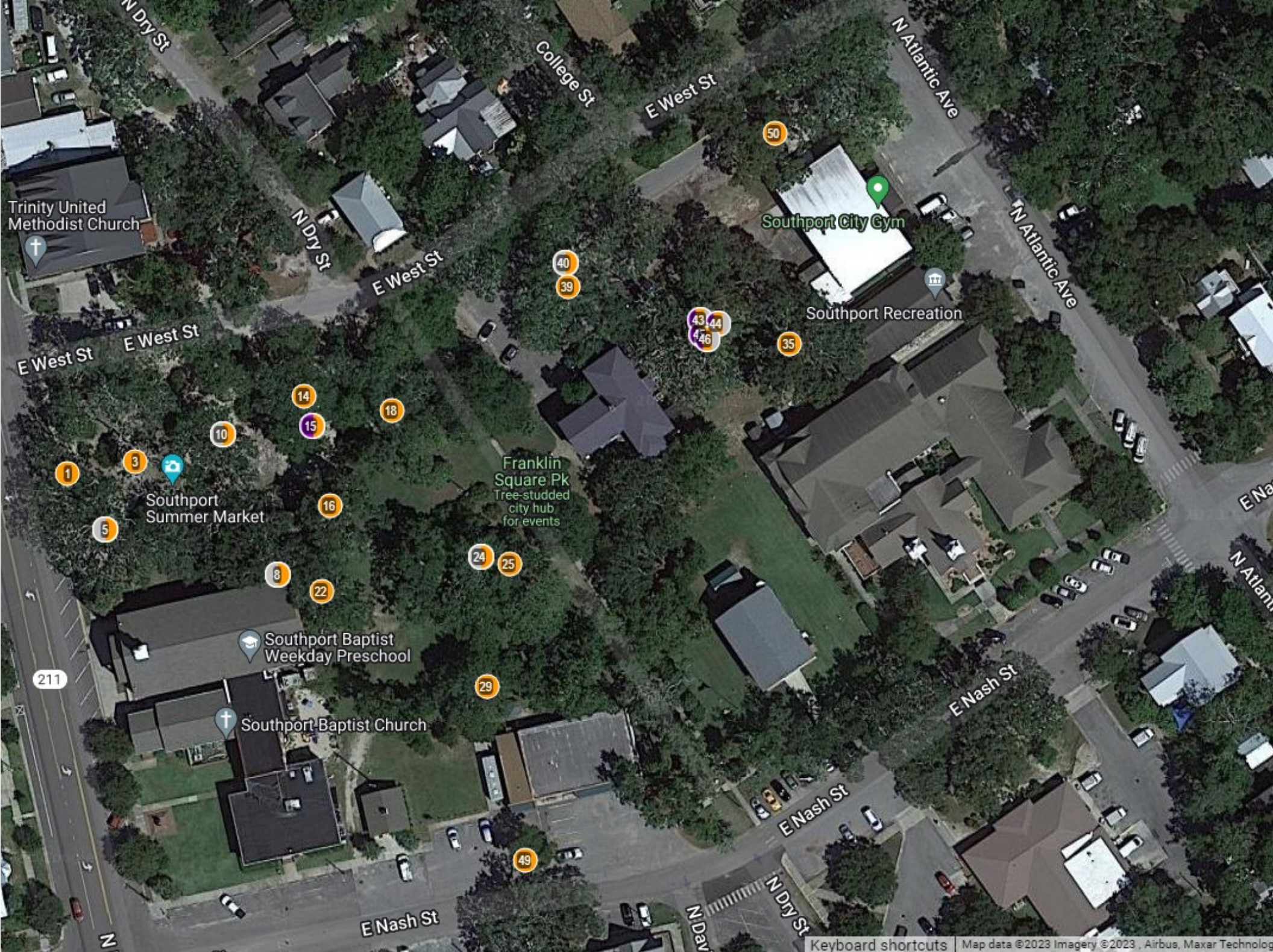
ATTACHMENTS: 1) Final Tree Assessment Report from Bartlett Tree Experts

**2) Proposal for Tree Care Services in the Park, Mapping for the Trees, and
Written Narrative**

REQUESTED ACTION: Approve the Budget Transfer from the Capital account for \$15,000

PROPOSED MOTION: Motion to approve the use of \$15,000 of Capital Improvement Funding (Account # 23-23-7300-5800) to move forward with the proposal from Bartlett Tree Experts for Tree Care Services of the recommended trees in Franklin Square Park.

Tree ID	Common Name	DBH	Tree and Shrub Work Phase	Overall Tree Risk Rating	Advanced Assessment Crown	Advanced Assessment Stem	Advanced Assessment Root	Tree Observation 1	Tree Observation 2	Tree Observation 3	Tree Observation 4
1	Oak-Live	32	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Dead branches >2	...
3	Oak-Live	40	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Dead branches >2	...
5	Oak-Live	47	1	Low	Yes	Yes	...	Crack-stem	Co-dominant stems	Fungi/conks	Dead branches >2
8	Oak-Live	53	1	Moderate	Yes	Yes	...	Cavity-stem	Co-dominant stems	Dead branches <=2	...
10	Oak-Live	32	ASAP	Low	Yes	Yes	...	Wound-stem	Cavity-branch	Dead branches >2	...
14	Oak-Live	47	1	Low	...	Yes	...	Cavity-suspected	Co-dominant stems	Dead branches >2	...
15	Oak-Live	29	1	Low	...	Yes	Yes	Fungi/conks	Co-dominant stems	Dead branches >2	...
16	Oak-Live	42	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Uneven crown	Dead branches >2
18	Oak-Live	28	1	Low	...	Yes	...	Uneven crown	Co-dominant stems	Dead branches >2	...
22	Oak-Live	33	1	Low	...	Yes	...	Cavity-suspected	Co-dominant stems	Dead branches >2	...
24	Oak-Live	35	ASAP	Low	Yes	Yes	...	Uneven crown	Cavity-stem	Crack-stem	...
25	Oak-Live	23	1	Low	...	Yes	...	Cavity-branch	Co-dominant stems	Uneven crown	Dead branches >2
29	Oak-Live	40	1	Low	...	Yes	...	Buried root collar	Co-dominant stems	Dead branches >2	...
35	Oak-Live	61	ASAP	Low	...	Yes	...	Co-dominant stems	Crack-stem	Cavity-stem	Dead branches >2
39	Oak-Live	40	1	Low	...	Yes	...	Pavement/curbing damage	Co-dominant stems	Dieback (moderate)	...
40	Oak-Live	28	1	Low	Yes	Yes	...	Fungi/conks	Wound-stem	Storm damage	...
43	Oak-Live	37	ASAP	Low	Yes	Yes	Yes	Cavity-stem	Lean	Dieback (severe)	...
44	Oak-Live	36	ASAP	Low	Yes	Yes	Yes	Cavity-stem	Dead branches >2	...	...
45	Oak-Live	43	ASAP	Moderate	Yes	Yes	Yes	Cavity-stem	Uneven crown	Dead branches >2	...
46	Oak-Live	34	ASAP	Low	Yes	Yes	Yes	Uneven crown	Cavity-stem	Dead branches >2	...
49	Oak-Sand L	33	1	Low	...	Yes	...	Buried root collar	Co-dominant stems	Dead branches >2	...
50	Oak-Live	53	1	Low	...	Yes	...	Cavity-stem	Co-dominant stems	Dead branches >2	...





Client: 6410890

Printed on: 11/20/2023

City of Southport
Attn: Bonnie Therrien
1029 N Howe Street
Southport, NC 28461

Bartlett Tree Experts
Everett Jones - Representative
5808 Triangle Drive
Raleigh, NC 27617

Proposal For Tree Care Services

Franklin Square Park, 130 E West Street, Southport, NC 28461

NOTICE TO CLIENT:

Bartlett Tree Experts has entered this property for the specific purpose of writing this proposal, pursuant to the owner's request. Bartlett Tree Experts makes no warranties and accepts no responsibility regarding the potential risks involving any trees on this property. Bartlett Tree Experts recommends having a qualified arborist inspect your property periodically to assist you in identifying potential risks or hazardous conditions related to your trees and shrubs. THIS IS NOT AN INVOICE.

As a result of the Level 2 Risk Assessment conducted on November 6th, 2023 The following trees are recommended for a level 3 Tree Risk Assessment. The Assessment report will include findings of each individual tree and risk mitigation options for each tree, however, there is no guarantee that the risk mitigation recommendation for some or all of the trees be that the tree(s) be removed, stump ground, and hole backfilled as the sole mitigation.

EXECUTIVE SUMMARY:

Work Group	Recommendation	Number of Trees	Amount
Consulting	Tree Risk Assessment	22	\$12,100.00
	TOTAL FOR 'Consulting'	22	\$12,100.00
	TOTAL AMOUNT:	22	\$12,100.00

Consulting:

Tree Risk Assessment

Perform a Level 3, Advanced Assessment to the following tree:

- 22 Live Oaks located at the Franklin Square Park

Client: 6410890

Printed on: 11/20/2023

A written report with results and recommendations will be provided following the assessment. The assessment will utilize the process described in the International Society of Arboriculture Best Management Practices for Tree Risk Assessment.

The following tools will be used to assess the condition of the tree:

- Resi™ Resistance Drill for Detecting Decay
- Arborsonic™ Decay Detector

An aerial inspection will be performed to assess the condition of major scaffold branches and crown.

Arborist Notes:

- An aerial inspection will be performed to assess the condition of stem, major scaffold branches, and crown . Trees 1,3,5,8,10,14,15,16,18,22,24,25,29,35,39,40,43,44,45,46,49, & 50

\$550/per tree includes report and findings data for each tree.

.....
Total Amount: \$12,100.00
.....

SCHEDULE OF WORK PROPOSED:

Once accepted and scheduled, Bartlett Tree Experts will coordinate all job planning and scheduling; equipment requirements, and work crew staffing and direction pertaining to safe, professional execution of the service or services offered.

Upon acceptance of this proposal, this work can be scheduled to take place during the week/weeks of 11/20/2023 and should be completed by 1/30/2024.

SCHEDULE OF PAYMENT:

Bartlett Tree Experts offers to perform the work specifications at the work location listed above at the following rates:

Owner agrees to pay a total price of: \$12,100.00

NOTICE OF RIGHT TO CANCEL:

You, the client, may cancel this transaction, without penalty or obligation, at any time prior to midnight of the third business day after the date of the acceptance of this proposal. To cancel your acceptance of this proposal within this time, you may notify Bartlett Tree Experts, in writing of your intent to do so, referencing the work location and project.

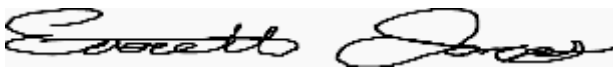
ADDITIONAL TERMS AND CONDITIONS:

After reviewing the terms and conditions attached, which become part of this agreement, please sign the enclosed copy and return in the enclosed envelope. In the event that the client should issue additional work authorization terms, if agreed upon, such terms will be incorporated into this agreement. In the event that such terms conflict with this agreement, then the terms of this agreement shall govern over any conflicting language. The original document should be retained for your reference. Should you have any questions or need further information, please contact me directly at <cell phone>.

OFFER:

Bartlett Tree Experts will perform the above referenced service in a safe, professional manner, in accordance with all laws, rules, regulations, and industry standards governing tree care.

Bartlett Representative Signature:



Date:

11/20/2023

Printed Name:

Everett Jones

AUTHORIZATION TO PROCEED:

I hereby authorize Bartlett Tree Experts to perform the above services. Unless otherwise agreed upon in writing by Bartlett Tree Experts, I agree to make total payment of the estimated costs and all authorized additional costs upon completion of the work.

Client's Signature:

Date:

Printed Name:



BOARD OF ALDERMEN AGENDA ITEM SUMMARY

DATE: 12-5-2023

DEPARTMENT: Administration and Finance

PRESENTED BY: Bonnie Therrien, City Manager

ITEM SPONSORED BY: Administration and Finance

ITEM/TOPIC: 2022-23 Audit Contract Extension

COST: No additional funds

BUDGET LINE ITEM: N/A

JUSTIFICATION: Based on the State Local Government Commission (LGC) policies, audits are due to them by the end of October. I have attached the explanation from our current Auditor, Jay Sharpe, as to why this did not happen in a timely manner. Based on the LGC rules, we now must have you vote on an extended contract with this company so they can finish the audit in December and send it to the LGC before the end of the year. The contract extension is until December 31, 2023. There is no charge for this. I have told Mr. Sharpe that if the LGC or the State tells us any financial penalties for this, I will be looking for those fees to be deducted from our final bill paying his company. He understands that.

I have already contacted LGC personnel to update them on our status.

IMPACT IF NOT APPROVED: We could be in violation of the Local Government Commission's Rules and Procedures.

DEPARTMENT HEAD COMMENTS: Not applicable.

CITY MANAGER COMMENTS: I recommend you approve the contract extension for Sharpe Patel PLLC so this year's audit can be completed by the end of the year.

ATTACHMENTS: 1) Contract Extension
2) Email from Mr. Sharpe explaining the delay in the firm's work.

REQUESTED ACTION: Approve the contract extension for Sharpe Patel PLLC

PROPOSED MOTION: Motion to approve the contract extension to December 31, 2023, for Sharpe Patel PLLC to finish the City audit.

Whereas	Primary Government Unit City of Southport
and	Discretely Presented Component Unit (DPCU) (if applicable)
and	Auditor Sharpe Patel PLLC

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/23	and originally to be submitted to the LGC on	Date 10/31/23
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hereby agree that it is now necessary that the contract be modified as follows.

☒ Modification to date submitted to LGC	Original date 10/31/23	Modified date 12/31/23
	Original fee	Modified fee
☐ Modification to fee		

Primary Other
(choose 1)(choose 0-2)

Reason(s) for Contract Amendment

- | | | |
|-----------------------|-------------------------------------|--|
| ☐ | ☐ | Change in scope |
| ☐ | ☒ | Issue with unit staff/turnover |
| ☐ | ☒ | Issue with auditor staff/workload |
| ☐ | ☐ | Third-party financial statements not prepared by agreed-upon date |
| ☐ | ☐ | Unit did not have bank reconciliations complete for the audit period |
| ☐ | ☐ | Unit did not have reconciliations between subsidiary ledgers and general ledger complete |
| ☐ | ☐ | Unit did not post previous years adjusting journal entries resulting in incorrect beginning balances in the general ledger |
| ☐ | ☐ | Unit did not have information required for audit complete by the agreed-upon time |
| ☐ | ☐ | Delay in component unit reports |
| ☐ | ☐ | Software - implementation issue |
| ☐ | ☐ | Software - system failure |
| ☐ | ☐ | Software - ransomware/cyberattack |
| ☐ | ☐ | Natural or other disaster |
| ☐ | ☒ | Other (please explain) |

Plan to Prevent Future Late Submissions

If the amendment is submitted to modify the date the audit will be submitted to the LGC, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years. Audits are due to the LGC four months after fiscal year end. Indicate NA if this is an amendment due to a change in cost only.

Perform preliminary work and receive documents sooner in future years.

Additional Information

Please provide any additional explanation or details regarding the contract modification.

Significant adjustments required

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Sharpe Patel PLLC	
Authorized Firm Representative* (typed or printed)	Signature*
Jay Sharpe	
Date*	Email Address
12/05/23	jay@sp.cpa

GOVERNMENTAL UNIT

Governmental Unit*	
City of Southport	
Date Primary Government Unit Governing Board Approved Amended Audit Contract* (If required by governing board policy)	
Mayor/Chairperson* (typed or printed)	Signature*
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT

(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer*	Signature*
Date of Pre-Audit Certificate*	Email Address*

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU	
Date DPCU Governing Board Approved Amended Audit Contract (If required by governing board policy)	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address

Dorothy Dutton

From: Bonnie Therrien
Sent: Tuesday, December 5, 2023 2:20 PM
To: Dorothy Dutton
Subject: FW: Amended Contract

Dorrie – Please include this in the packet with the audit contract extension. Just Jay's explanation below.

From: Jay Sharpe <jay@sharpepatelcpa.com>
Sent: Tuesday, December 5, 2023 2:02 PM
To: Bonnie Therrien <btherrien@cityofsouthport.com>
Subject: RE: Amended Contract

To the Board,

Concerning the audit timing for the year ended June 30, 2023.

As you already know, the 2022 audit was completed in late February / early March 2023. When submitting our proposal and talking with City management, our goal was to complete the 2023 audit in more timely fashion. While we are well ahead of last year, we are not on the timeline required by the LGC.

First year audits always take longer because we are essentially starting from scratch. We anticipated getting started on the audit late August / early September.

The majority of the items we initially requested were uploaded last week September. The initial trial balance we received was off balance by \$1.4 million. The City staff researched and it appears the accounting software produced the wrong trial balance. The updated and correct trial balance was then given to us and we were able to start the audit. We had already dedicated our staff to other audits and so there was some delays on our side. We were able to complete around 85 to 90% of our audit procedures as of November 30th and supplied a rough draft with inquiries on December 1st. As you know the financial officer director position turned over and essentially one person has been tasked with completing our request. As of December 5th, we still are waiting on some open requests including information to complete the financial statements. We should be able to wrap up the audit process in a couple of days upon receiving these open items.

Plan to remedy this next year.

1. Preliminary audit procedures will be conducted in the Spring / early summer.
2. We will set a concrete date to start the audit including on site fieldwork in advance to team is assigned at that time.
3. Natural time savings being the 2nd year working with the City.
4. No turnover in the finance department should make getting information more timely.

WE NOW HAVE A LOCATION IN WILMINGTON!!!



Jay E. Sharpe, CPA, CFE
Certified Public Accountant

Audit Partner

Sharpe Patel PLLC
5510 Six Forks Road, Suite 140
Raleigh, NC 27609

919-961-7496
jay@sharpepatelcpa.com



SHARPE
PATEL CPA



BEYOND THE NUMBERS

Raleigh – Charlotte - Wilmington

www.sharpepatelcpa.com

From: Bonnie Therrien <btherrien@cityofsouthport.com>
Sent: Tuesday, December 5, 2023 12:56 PM
To: Jay Sharpe <jay@sharpepatelcpa.com>; Brandon Stevens <bstevens@cityofsouthport.com>; Lance Flint <lflint@cityofsouthport.com>
Subject: RE: Amended Contract

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you! If you can give me a quick email with an explanation of why this is late, I will enter this into the cover sheet for the Board and that will save you the trip of coming here to appear at the Board meeting on 12/14. Bonnie

From: Jay Sharpe <jay@sharpepatelcpa.com>
Sent: Tuesday, December 5, 2023 12:54 PM
To: Bonnie Therrien <btherrien@cityofsouthport.com>; Brandon Stevens <bstevens@cityofsouthport.com>; Lance Flint <lflint@cityofsouthport.com>
Subject: Amended Contract

Attached is the amended contract as requested. Thank you.

WE NOW HAVE A LOCATION IN WILMINGTON!!!

Jay

Jay E. Sharpe, CPA, CFE
Certified Public Accountant
Audit Partner

Sharpe Patel PLLC
5510 Six Forks Road, Suite 140



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 12/14/2023

DEPARTMENT: Administration

PRESENTED BY: Mayor Alt

ITEM SPONSORED BY: Mayor Alt

ITEM/TOPIC: Comprehensive Plan Steering Committee

COST: n/a

BUDGET LINE ITEM: n/a

JUSTIFICATION: At the November 9, 2023, Staff requested the Board of Aldermen provide direction on the Steering Committee for the Comprehensive Master Plan project that will kick off in January. There was discussion about appointing the Planning Board as the Steering Committee, and Alderman Alt felt strongly that Steering Committee should be comprised of a broader base of citizens, but to include a representative of the Planning Board. A motion was made and carried 5-1, for the Planning Board to serve as the Steering Committee.

IMPACT IF NOT APPROVED: The Planning Board will serve as the Steering Committee.

DEPARTMENT HEAD COMMENTS: n/a

CITY MANAGER COMMENTS: n/a

ATTACHMENTS: (1) A copy of the bid packet from Stewart that describes the process. (2) UDO Section from Article 2 that discusses the Planning Board's role in the Comp Plan.

REQUESTED ACTION: Discussion, other action as needed.

PROPOSED MOTION: n/a



CITY OF SOUTHPORT COMPREHENSIVE PLAN

Stewart

223 S. West Street / Suite 1100 / Raleigh, NC 27603

☎ 919.380.8750

F 919.380.8752

stewartinc.com

AUGUST 15, 2023



STEWART



August 15, 2023

Travis Henley, Director | Development Services
City of Southport
1029 N. Howe Street
Southport, NC 28461

RE: Request for Qualifications - City of Southport Comprehensive Plan

Dear Mr. Henley:

The City of Southport is embarking on an important initiative to update the City's CAMA certified Comprehensive Plan. This is an exciting venture, one that will serve as an important tool to guide public and private decisions about the future of the City over both the short and long term.

On behalf of the Community Planning Practice at **Stewart**, I am pleased to submit this proposal to update the City's Comprehensive Plan. As you will see in this document, our planning process will be driven by a robust community engagement process involving residents, elected and appointed boards, business owners, staff, and other key stakeholders. We will use this input to develop a new user-friendly and highly visual plan that will guide and manage growth, land use, infrastructure, open space, tourism and recreational efforts for the next 10 years and beyond.

In addition to Stewart planners, landscape architects and engineers, we've partnered with **WK Dickson** to assist with long-range infrastructure planning with a focus on stormwater, water and sewer, and resiliency.

Strengthening our coastal communities is a priority for Stewart. We understand the importance of improving resiliency as our beloved coastal communities deal with climate change, sea level rise and increasing development pressure. We will leverage our interdisciplinary staff based out of Raleigh, Durham and Wilmington to ensure the City of Southport is positioned for success in the years to come.

STEWART | THE BEST TEAM FOR YOUR PROJECT

- **Experienced Planning and Landscape Architecture Team** - Our staff is proficient in comprehensive planning, zoning, and GIS mapping. We understand the interplay between land use, growth and neighborhood preservation, infrastructure needs, natural resources protection, CAMA requirements and other elements necessary to craft an effective plan.
- **Focus on Small to Mid-Size Communities** - Our team works almost exclusively with small to mid-size communities and understands the complexities of allocating financial resources to achieve large visions. Stewart will work with City staff to meet the project schedule and budget requirements of the project.
- **Core Values** - Stewart has developed a rich culture of servant leadership that closely aligns with the services that local governments provide. Our core values of Trust, Humility, Respect, Excellence, Accountability, and Discipline (THREAD) drive the way we interact with our clients, partners, and coworkers.
- **Local Knowledge** - The Stewart team has planning experience with the following coastal communities: Town of Duck, Town of Manteo, Pasquotank County, Town of Carolina Beach, Town of Beaufort, Town of Southern Shores, Town of Kill Devil Hills, City of Washington, Town of Kitty Hawk, and the Town of Swansboro so we have a deep understanding of the challenges faced by coastal communities like Southport.

We appreciate the opportunity to submit this RFQ response. We look forward to the prospect of working with you on this project. Please call me at **919.866.4812** or email at **jpetrosky@stewartinc.com** should you have any questions or need additional information.

Sincerely,
STEWART

Jake Petrosky, AICP

Associate Vice President | Practice Leader, Community Planning

Principal-in-Charge:

Jake Petrosky, AICP

919.866.4812 • jpetrosky@stewartinc.com

Project Manager:

Andrea Radford

919.866.4734 • aradford@stewartinc.com

PROJECT OVERVIEW





FIRM OVERVIEW

STRONGER BY DESIGN

STEWART

Stewart is located throughout the Carolinas, comprising nearly 200 employees with eight office locations. With a unique interdisciplinary collaborative approach that results in stronger and more creative design solutions, Stewart serves domestic and international clientele, offering a full range of services to meet the needs of our clients, including:

- Civil Engineering
- **Community Planning**
- Geomatics
- Geotechnical & Construction Services
- Landscape Architecture
- Structural Engineering
- Transportation

Founded in 1994 by Willy E. Stewart, PE, the firm is owned by a select group of professionals who are personally involved in our clients' success.

Stewart has developed a rich culture of servant leadership, summarized by the acronym, THREAD: Trust, Humility, Respect, Excellence, Accountability, Discipline. These core values are at the heart of how we work with each other, our clients, our partners, and our community. THREAD has evolved into a curriculum that is taught to employees through our THREAD Institute.



MISSION STATEMENT

Strengthening communities by serving, leading, and working in a creative and collaborative way.

OFFICE LOCATION

**Headquarters
Downtown Raleigh**
223 S. West Street
Suite 1100
Raleigh, NC 27603
919.380.8750

YEARS IN BUSINESS

29

Stewart is a certified Historically Underutilized Business (HUB) with the State of North Carolina. The company has been recognized multiple times as a Best Place to Work in the Triangle and Charlotte markets by American City Business Journals. *Engineering News-Record* has nationally recognized Stewart as a Top 500 Design Firm since 2019.

WK DICKSON

WK Dickson is a community infrastructure consulting firm specializing in the growth of municipalities since 1929. For 94 years, WK Dickson has been providing consulting services throughout the southeastern United States. We are an innovative, diversified organization of 215 professionals serving the total planning and design needs of clients in the public and private sectors. Founded in Charlotte, North Carolina, WK Dickson maintains twelve branch offices in North Carolina, South Carolina, Virginia, Georgia, and Tennessee.

WK Dickson has built a reputation in the industry for superior client satisfaction, technical competence, innovation, and integrity. The firm has maintained the policy of providing the highest quality of professional engineering services to our clients throughout its 94-year history. The success of this philosophy is evidenced by our clients. We are proud of the fact that we maintain a client retention rate of 98%.

We provide turnkey community solutions with services ranging from master planning and conceptual design through permitting, funding assistance, construction administration/ observation and project closeout - while guaranteeing the quality of our work.



CONSULTANT RESPONSIBILITIES

With the support of Stewart's planners, WK Dickson will lead the following plan components:

- **Infrastructure Planning**
 - Stormwater
 - Water/Sewer
 - Resiliency

HISTORY OF PAST COLLABORATION

Stewart and WK Dickson have worked together on dozens of projects in the past 29 years, including the Southport Wastewater Treatment Plant and the NC Resilient Coastal Communities Program. This strong relationship will enable the Stewart and WK Dickson team to provide the highest level of customer service and quality of work for the City of Southport. Additional projects include: Oak Island Crowell Street improvements, Oak Island Building 801, and North Topsail Beach Booster Pump Station.

COMMUNITY PLANNING OVERVIEW

Stewart's community planning team responds to our clients' needs for building healthy, equitable, resilient, and connected communities. Now, more than ever, our towns, cities, and counties are adapting to changing demographics, land use trends, environments, and technologies.

Many firms can write and update land use plans and development codes. Stewart is different in that we also utilize these documents on a daily basis. Stewart brings together planners, urban designers, landscape architects, and engineers to provide a data-driven and design-oriented approach that results in better plans and stronger communities. Our planners work with municipalities and counties across North Carolina and South Carolina, focusing on small to mid-sized communities and building on Stewart's firm-wide focus of interdisciplinary collaboration.

As former public sector planners, we also possess insight into the complexities of governing. Our experience allows us to manage competing interests, clearly explain complex concepts, and develop realistic implementation strategies. We consistently strive to build long-lasting relationships with our clients and the communities where we work.

SERVICES

Long Range Services

- Comprehensive and Land Use Plans
- Small Area Plans
- Urban Design
- Downtown and Streetscape Plans
- CAMA Land Use Plans
- GIS Mapping
- Scenario Planning / Land Use Suitability Analysis

- Transit Oriented Development
- Community Engagement and Meeting Facilitation

Current Planning Services

- Land Development Ordinance Assessments
- Unified Development Ordinances
- Code Writing
- Development Plan Compliance Review



Fountain Inn Public Engagement

MEET THE TEAM



JAKE PETROSKY, AICP
Practice Leader, Community Planning
jpetrosky@stewartinc.com
919.866.4812



ANDREA RADFORD
Project Manager
aradford@stewartinc.com
919.866.4743



JENNIFER GANSER, AICP
Senior Planner
jganser@stewartinc.com
919.866.4731



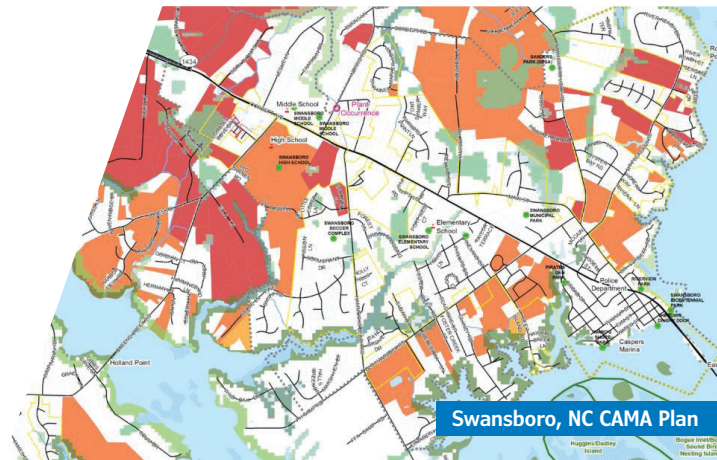
JAQUASHA COLON, AICP
Planner I
jcolon@stewartinc.com
919.866.4780



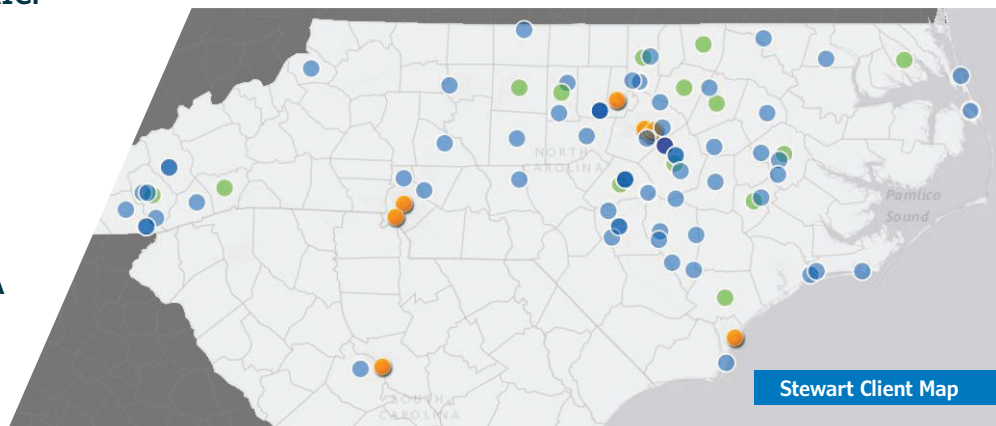
BECCA MOUNTZ
Planner I
bmountz@stewartinc.com
919.866.4785



STEPHEN FABER, PLA
Landscape Architect
sfaber@stewartinc.com
919.866.4755



Swansboro, NC CAMA Plan



Stewart Client Map

PROJECT UNDERSTANDING

We understand that a strategic update of the Comprehensive Plan can help guide the City of Southport into its next phase of growth while preserving the City's historic character and shoreline vista.

The City of Southport has experienced remarkable growth and development over the years, transforming from a quaint coastal community into a sought after and thriving City. The expansion of tourism and the influx of visitors have played a significant role in driving economic growth in the area. The City's picturesque waterfront and historic charm have attracted both tourists and new residents alike.

Infrastructure development has also been a key focus, with State Funding to provide resources for waterfront stabilization and for the paving of Howe Street. The preservation of historic treasures like the Fort Johnson Southport Museum, NC Maritime Museum and Old Brunswick County Jail coupled with the small-town charm of tree lined streets, unique boutiques and local restaurants contribute to an improved quality of life for both residents and visitors.

The City's commitment to preserving its rich history is evident in the meticulous restoration and maintenance of its historic buildings and landmarks. This harmonious blend of old-world charm and contemporary progress has added to the unique character of Southport.

The growth in Southport has also fostered a sense of community engagement, with local organizations and initiatives focusing on sustainable practices, environmental conservation, and cultural events. As Southport continues to grow, community leaders are working to strike a balance between development and preserving the City's natural beauty and heritage. Maintaining this delicate equilibrium will play a crucial role in ensuring a prosperous and vibrant future for Southport, NC.

Overall, this plan update provides a chance to continue the captivating story of Southport and write the next chapter of how this community will honor its deep historic roots and accomodate context appropriate growth and development to remain a desired location for residents, business and industry.

In order to develop this plan, the Stewart team will review and analyze the CAMA Core Land Use Plan, Unified Development Ordinance, Code of Ordinances, Brunswick County Comprehensive Transportation Plan, Comprehensive Bike/Ped Master Plan, Southeastern North Carolina Regional Hazard Mitigation Plan, Emergency Operations Plan, and Parks and Recreation Master Plan, and conduct in-depth public engagement to facilitate a community conversation in order to gauge the needs and preferences of residents, staff and stakeholders. Our team will work closely with staff and officials to address priorities and update a framework of policies and strategies that chart a course for the next 5-10 years.

The next section of this approach will detail our specific methods of addressing Natural Resources, Historic, Cultural & Heritage Preservation & Enhancement, Land Use and Community Design, Economic Development, Housing, Transportation, and Utilities & Infrastructure in the Comprehensive Plan Update.



SECTION 2

QUALIFICATIONS



PERSONNEL QUALIFICATIONS

PROJECT LEADERSHIP



JAKE PETROSKY AICP | Principal-in-Charge | \$200/hour | 40% Involvement

As Practice Leader of Community Planning, Jake is responsible for Land Use Planning and Urban Design at Stewart. He has worked across the southeast for towns, counties and regional governments on projects of varying scales. Jake enjoys delving into a community's resources, history and priorities to ensure future plans reflect the character of the Town or City as it prepares for growth. He has a professional interest in how well-designed, connected places and open spaces can improve quality of life and create stronger, more resilient communities.



20 Years of Experience
6 Years with Stewart



Plans Developed



2023 PENC Conference
Presenter



ANDREA RADFORD | Project Manager | \$110/hour | 70% Involvement

Andrea is Community Planning Lead at Stewart with a combined 6 years of experience in planning and over 10 years of experience in adaptive reuse and historic preservation. She serves on the Town of Wake Forest Historic Preservation Commission and served several years as a Board of Directors member for a downtown development non-profit organization. Her research focuses on sustainable place-making, community building, and civic engagement. She has a strong background in data collection, analytical research, and public outreach to develop effective comprehensive plans with actionable land use policies and strategies to increase community resilience.

PROJECT HIGHLIGHT



RESILIENT COASTAL COMMUNITIES PROGRAM | BEAUFORT, NC

The Resilient Coastal Communities Program is a novel technical and financial assistance program designed to assist coastal resilience efforts throughout the state's 20 coastal counties.

Stewart was competitively chosen to lead this inaugural state program related to identifying and mitigating coastal hazard vulnerability in the Town of Beaufort. This effort involved creating a community-driven prioritization of potential local projects to reduce exposure.

The results of this planning effort will be used to pursue design interventions to reduce vulnerability of public and community assets to storm surge, high tide flooding, sea level rise, and the stronger storms that are predicted in the future. The best available predictive data of future climatic conditions was utilized down to estimate the most likely local impacts over the next 50 years.

PROJECT TEAM



JENNIFER GANSER AICP | Senior Planner | \$150/hour | 65% Involvement

Jennifer Ganser, AICP, is a Senior Planner at Stewart. She is excited to work on consulting projects around North Carolina. Previously, she was the Assistant Director of Community Development at the Village of Lombard for ten years, where she worked on traditional zoning cases, and small business grants. This intimate knowledge of utilizing comprehensive planning documents in the municipal decision making process, will enable her to ensure the final plan deliverable is clear, concise and easy to implement. She is on the board for the American Planning Association North Carolina Chapter.



JAQUASHA COLON AICP | Planner I | \$95/hour | 55% Involvement

Jaquasha is a planner with a background in urban, landscape, and architectural design, and believes all communities deserve a standard of great design. Part of any planning process should include robust engagement that educates and empowers the community to make decisions best suited to their needs. She has over six years experience in planning and design, focusing primarily on complete streets retrofits, corridor studies, land use planning, and urban design. She has participated in and facilitated over ten multi-day project charrettes and dozens of public meetings, both in person and virtually.



BECCA MOUNTZ | Planner I | \$95/hour | 45% Involvement

Becca graduated from ECU with a B.S. in Urban and Regional Planning, with a minor in Geography and a certificate in Geographic Information Sciences. She joined the team as an intern in 2019, and came on as a full time employee in 2022. She specializes in GIS Mapping and Analysis for coastal communities to fulfill the CAMA requirements, including Natural Resources, Environmental Conditions, Coastal Erosion Rates, and Impacts of Natural Hazards. She has a deep knowledge and understanding of the processes required to balance population fluctuation between year round residents and peak season tourism.



STEPHEN FABER PLA | Design/Graphics | \$175/hour | 30% Involvement

Stephen has more than 14 years of experience across multiple project types. Through research, design and real estate advisory services, Stephen combines design and strategic planning to drive positive outcomes for clients, users, and the environment in projects of varying scales from residential design to large master-planned communities. Stephen's work includes education planning and design, urban infill design, residential design, resort planning, brownfield reclamation, public open space and park design, greenways and roadway corridors, community master-planning, and ecological restoration.

SUBCONSULTANTS



MARC HORSTMAN PE, PH, CFM | Stormwater/Resiliency | \$231/hour | 20% Involvement

Marc has extensive experience related to municipal stormwater infrastructure, including planning and design, hydraulic and hydrologic modeling, innovative and sustainable site design, and stormwater BMP design. In a little over ten years with WK Dickson, Marc has managed approximately \$7.6 Million worth of municipal infrastructure improvements, including several large infrastructure projects. Marc's expertise includes planning and designing innovative water quality devices for Capital Improvement Projects (CIPs), Low Impact Development (LID) and infrastructure upgrade projects.



CARTER HUBARD PE | Water/Wastewater | \$200/hour | 20% Involvement

Carter has served as project manager for a diverse list of municipal clients. He has water and wastewater engineering experience spanning system rehabilitation, water line planning and permitting, hydraulic analysis, route analysis, and construction. Over the past decade, Carter has managed dozens of projects within southeastern North Carolina, including numerous projects for the CFPWA. He also has broad project management experience, with specific expertise in coastal and NCDOT regulatory and permitting requirements. Carter also has experience investigating sites for reclaimed water application, rates to specific soil types, and sizing storage ponds.

BEAUFORT COMPREHENSIVE AND CAMA LAND USE PLAN AND ORDINANCE UPDATE



LOCATION

Beaufort, NC

CLIENT/OWNER

Town of Beaufort
Kyle Garner, Planning Director
701 Front Street
Beaufort, NC 28516
252.728.2141
k.garner@Beaufortnc.org

DATES

Start: November 2020
Completion: Adopted Dec. 2022

DISCIPLINES

Municipal Planning
Civil Engineering
Landscape Architecture

TEAM

Jake Petrosky, AICP
Principal in Charge
Andrea Radford
Project Manager
Jaquasha Colon, AICP
Planner I
Stephen Faber, PLA
Design/Graphics

PROJECT OVERVIEW

Stewart assisted the Town of Beaufort with a project to create a Comprehensive and CAMA Land Use Plan and Ordinance Update. The existing Comprehensive Land Use Plan for the Town was developed in 2007, with few updates since. There had been significant changes to the Town and surrounding areas since the plan's original inception. Their previous Land Development Ordinance was adopted in 2013, and though there had been amendments over the years, the Town desired to update the Town's Land Development Ordinance, Subdivision Ordinance to assure NCGS Chapter 160D compliance.

STEWART RESPONSIBILITIES

The Stewart Team approached the Beaufort Comprehensive Plan and Ordinance update with a community-driven and data-informed planning process that prioritized local issues and refined the Town's vision while also meeting the requirements of a CAMA land use plan. The update was informed by past planning efforts and trends, but looks to current stakeholders and future trends for context and guidance. It includes policies and strategies to guide land use regulations, promote economic development, and direct public policy related to services and investments. The subsequent ordinance and updates are compliant with the state's 160D regulations and implement the vision and goals established in the comprehensive plan.



ONE WASHINGTON: CITY OF WASHINGTON CAMA COMPREHENSIVE LAND USE PLAN



LOCATION

Washington, NC

CLIENT/OWNER

City of Washington
Mike Dail, Community & Cultural
Services Director
102 E. Second Street
Washington, NC 27889
252.975.9383
mdail@washingtonnc.gov

DATES

Start: 2022
Completion: Adopted June 2023,
CAMA certification in process

DISCIPLINES

Land Use Planning
Public Engagement
GIS

TEAM

Jake Petrosky, AICP
Principal in Charge
Andrea Radford
Project Manager
Jennifer Gasner, AICP
Senior Planner
Jaquasha Colon, AICP
Planner I
Becca Mountz
Planner I
Stephen Faber, PLA
Design/Graphics

PROJECT OVERVIEW

The Stewart team led the City of Washington through the process of combining their current Comprehensive Land Use Plan and CAMA Land Use Plan into one document. The update included extensive outreach throughout the community. The Plan's Future Land Use Map encourages enhancing major corridors and focuses on adaptation of areas likely to be inundated by future sea level rise. Plan recommendations include increasing active and passive recreation, preservation of environmentally sensitive land, improvements to stormwater management, updating zoning districts in vulnerable areas, and continuing investments in the downtown.

STEWART RESPONSIBILITIES

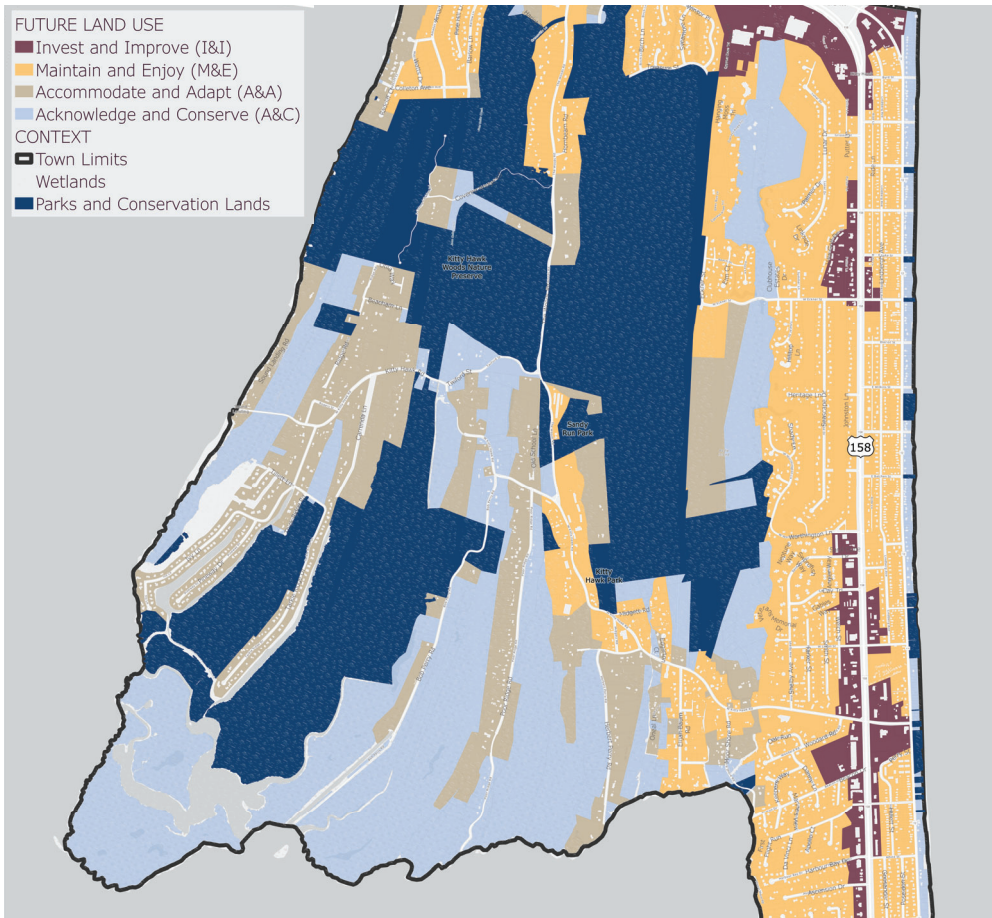
The Stewart team worked closely with staff and the community to prioritize local issues while meeting the requirements for a Coastal Area Management Act Land Use Plan. The Stewart team was responsible for project management, community engagement and thorough review of existing plans and conditions to create a community-driven plan with a focus on resilience, economic development, diversity and equity, and protection of historic resources.

PROJECT CHALLENGES & SOLUTIONS

Analysis of sea level rise and future floodplains revealed the need to discourage development in areas likely to be inundated in the next 30 years.



IMAGINE KITTY HAWK 2050 CAMA LAND USE PLAN



LOCATION

Kitty Hawk, NC

CLIENT/OWNER

Rob Testerman, AICP, CFM, CZO
Director of Planning and Inspections
101 Veterans Memorial Drive
252.261.3552
rob.testerman@kittyhawktown.net

DATES

Start: Fall 2022
Completion: September 2023, Est.

DISCIPLINES

Land Use Planning
Public Engagement
GIS
Urban Design / Landscape
Architecture

TEAM

Jake Petrosky, AICP
Principal in Charge
Andrea Radford
Lead Planner
Jaquasha Colon, AICP
Planner I
Becca Mountz
Planner I

PROJECT OVERVIEW

The Stewart team led the development of a CAMA Land Use Plan for the Town of Kitty Hawk which will function as the town's Comprehensive Plan. The update included a significant update of the Town's future land use map that was informed by a detailed analysis of land use suitability which factored in sea level rise and an analysis of vulnerable infrastructure. Land Use Compatibility was an emphasis area in the plan. Recommendations for maintaining town character, encouraging workforce housing and reinforcing the Village Center were crafted based on an analysis of the existing zoning framework and public input. Other priorities including managing stormwater, improving pedestrian and bicycle connections and concepts for improving recreation access were also addressed the plan.

STEWART RESPONSIBILITIES

Stewart led the planning process and worked closely with town staff, especially the planning department and public works.

Community Planning

Stewart's Community Planning Team was responsible for project management, public engagement, land use and resiliency planning, document production, and presentation to boards.

Landscape Architecture

Stewart's Landscape Architecture Team assisted with graphics development and the creation of a conceptual design for a new nature trail and other recreational improvements on the Town Hall property.

PROJECT CHALLENGES & SOLUTIONS

The CAMA mapping and analysis tasks revealed that a 2-foot sea level rise scenario will greatly impact properties and access on the backbay of Kitty Hawk. This resulted in a unique approach to the development of the Future Land Use Map, which acknowledges future constraints to development including accommodating impacts of rising seas while identifying areas that should be maintained and improved.

PROPOSAL



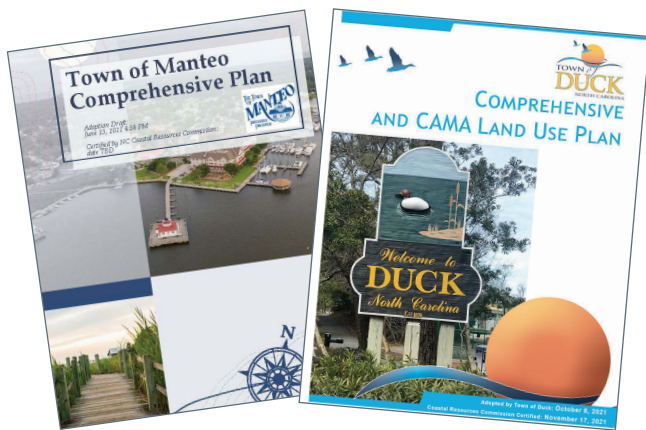
One of Stewart's innovative public engagement techniques included hot-air balloon rides at a community engagement event in Kernersville to garner excitement about a future park. We are adept at finding innovative ways to gain public input.

PROJECT APPROACH

The Stewart team will facilitate the creation of a well-organized, user-friendly plan guided by community engagement and input. We will accomplish this by executing a three-phase project scope that can be customized to meet the City's expectations.

PHASE I - PROJECT INITIATION & ANALYSIS PHASE II - VISIONING & PLAN DEVELOPMENT PHASE III - IMPLEMENTATION & ADOPTION

Communication is a key part of any successful planning project. Throughout this project, our team will hold bi-weekly coordination calls with City staff. Our team will work together with The City of Southport staff in all facets of the project including identification of stakeholders, data analysis and mapping, and the creation of policies and implementation strategies that are actionable, attainable, and tied to responsible parties and budgetary implications.



Examples of previous Comprehensive Plans the Stewart team has recently completed.

PHASE I - PROJECT INITIATION & ANALYSIS

Prior to beginning the planning process, our team will meet with staff to refine the work plan, milestones, deliverables, community engagement process, schedule, and communication methods. The team will work with staff to identify and assemble relevant background documents for review. Spatial data and adopted plans will be collected from the City, State, and regional and federal agencies as appropriate. Assessments of past planning efforts and the existing regulatory framework will be vital to understanding challenges, opportunities, and recent successes. This information will also be useful later in the process when crafting a feasible approach to implementation.

To initiate the planning process, the Stewart team will conduct an initial round of meetings with staff, the Steering Committee, and stakeholders to help identify key issues to be addressed in the Comprehensive Plan and to understand expectations. The meetings will include the following:

- Kick-off Meeting & Community Tour
- Stakeholder Interviews
- Steering Committee Meeting

Public Participation Plan

As part of this project, a public participation & engagement plan will be created. Two rounds of public engagement will be planned. The first will include a visioning workshop or pop-up event. The second round will include meetings to present draft recommendations and gather input.

Community Profile

During this phase, Stewart will prepare a Community Profile (CP), incorporating updated statistics and findings from recent City efforts. The CP will include the City history, baseline demographic and economic data (population, employment, income, socioeconomic data, retail trends, etc). We will use data from The City of Southport, Brunswick County, US Census Bureau, State of North Carolina, ESRI and other available sources. Information collected regarding the economy, business patterns, employment and demographics will provide insight into potential issues and opportunities. The data will be studied to benchmark progress and provide context to policy recommendations developed later in the process.

Community Survey

The team will work closely with City staff to develop a Community Survey to gather feedback from the public regarding community vision, goals, and key issues to be addressed by plan policies, future regulatory efforts, and priority investments. The survey may include a visual preference survey that provides images of a variety of different development types or elements. The Community Survey can be made available on-line, in print form, and as a component of a public meeting. Optionally, the Project Team could work with a third-party provider (e.g. PublicInput.com) to create an interactive website and survey that could include a community forum and/or map-based activities to identify land use preferences.

PHASE II - VISIONING & PLAN DEVELOPMENT

Community Visioning

We believe that a concentrated effort focused on community visioning and concept development will build excitement and create momentum. Following the completion of Phase 1, key team members will conduct two public workshop(s) that will focus developing priorities and understanding issues

in different areas of the City. Based on the public input received from public meetings, community survey, staff and stakeholders, we will prepare draft vision and goals as well as a framework for recommendations in the Comprehensive Plan.

Natural Resources and Resiliency

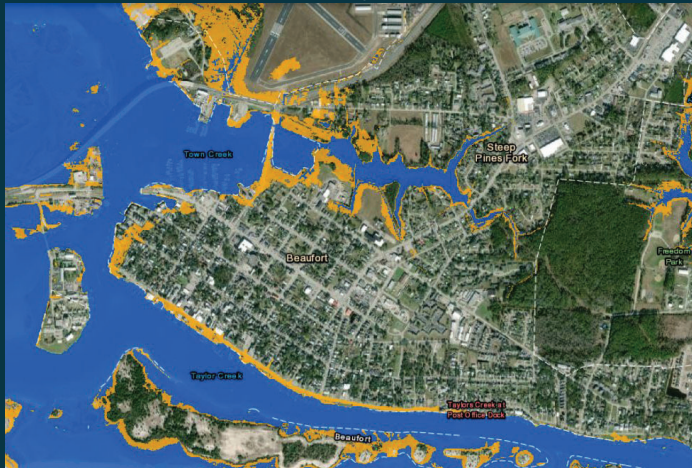
In the past 5 years, Hurricanes Matthew and Florence caused significant damage to the Southeast Coast Line of North Carolina. Comprehensive Plans should recognize threats and address resiliency as an element of the plan.

The Resiliency element considers the impacts of natural hazards on individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, and public health, safety and welfare. While an understanding of all risks is important, our focus will be on critical vulnerable

assets that keep the City operating safely and effectively during the aftermath of significant weather events and other disruptions.

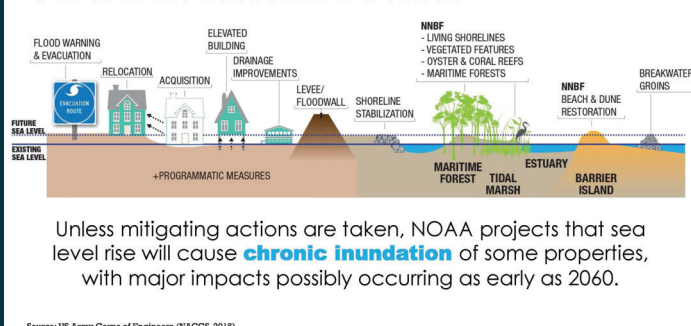
Natural hazards and flooding can interrupt day-to-day life in communities, planning for these hazards and developing community and science-driven solutions are a vital step to ensuring the well-being of communities. The resiliency element of the plan will consider impacts of flooding, high water, and other natural hazards on critical facilities, such as schools, emergency response facilities, water and sewer infrastructure, transportation systems, stormwater systems, and vulnerable communities and businesses. Recommendations for this element may address actions to enhance the resilience of housing, infrastructure, and other critical assets that may be particularly vulnerable to natural hazards, sea level rise or flooding.

Sea Level Rise Vulnerability



Coastal Risk Reduction Strategies

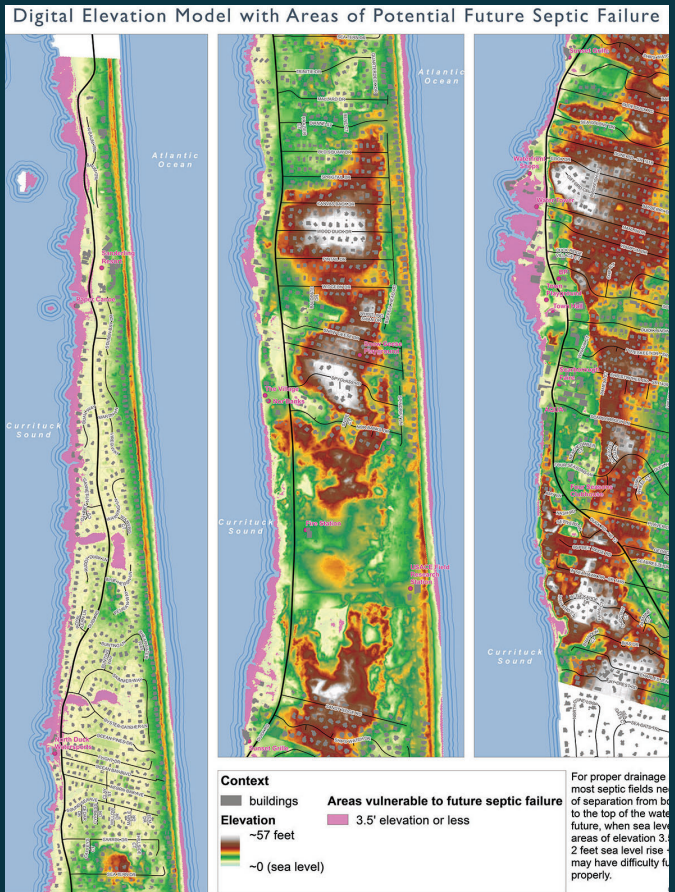
COASTAL RISK REDUCTION



The project team can conduct analyses similar to these to communicate environmental vulnerabilities related to sea level rise and other climate change related hazards. Stewart has the creativity and expertise to anticipate, communicate, plan for, and mitigate these challenges.

From top-left, clockwise, Beaufort's sea level rise projection, preliminary septic vulnerability analysis in Duck, and a selection of USCAE coastal risk reduction interventions.

Septic System Vulnerability to Rising Seas



Historic, Cultural & Heritage Preservation & Enhancement

Southport has a significant history dating back to the 1740's when Governor Gabriel Johnston established Fort Johnston to protect the area from Spanish and French attacks and the City of Southport developed around the fort's borders. Fast forward to 2023 and the City is booming with historic attractions and destinations for residents and visitors to enjoy.

The Southport Historic District is home to 161 buildings, over half of which date back to the 1900's including the Fort Johnston Officers Quarters, the Walker Pike House and the former Brunswick County Court House.

Project Manager, Andrea Radford, specializes in Historic Preservation and will prioritize the preservation and enhancement of the City's rich historic features in every aspect of the planning process.

Land Use and Community Design Capacity & Land Use Suitability

We will conduct analysis of existing land use and land supply to understand capacity for growth in key areas of the City. A suitability analysis will determine areas most suitable for different types of development based on a variety of inputs. It is anticipated that suitability maps will be created for residential, commercial, industrial and conservation/open space. Exact land use types and inputs will be determined based on consultation with City staff. Typical inputs include proximity to existing and proposed roadways and utility infrastructure; proximity to schools, parks, and commercial areas; adjacent land uses; and understanding of existing land use patterns and environmental constraints.

The suitability analysis, survey and input from public meetings will be utilized by the Steering Committee, City staff, and the consultant team to inform future land use preferences including use-mix, scale, and design character. Deliverables for this task will be utilized to formulate the future land use map and associated character area recommendations.

Future Land Use

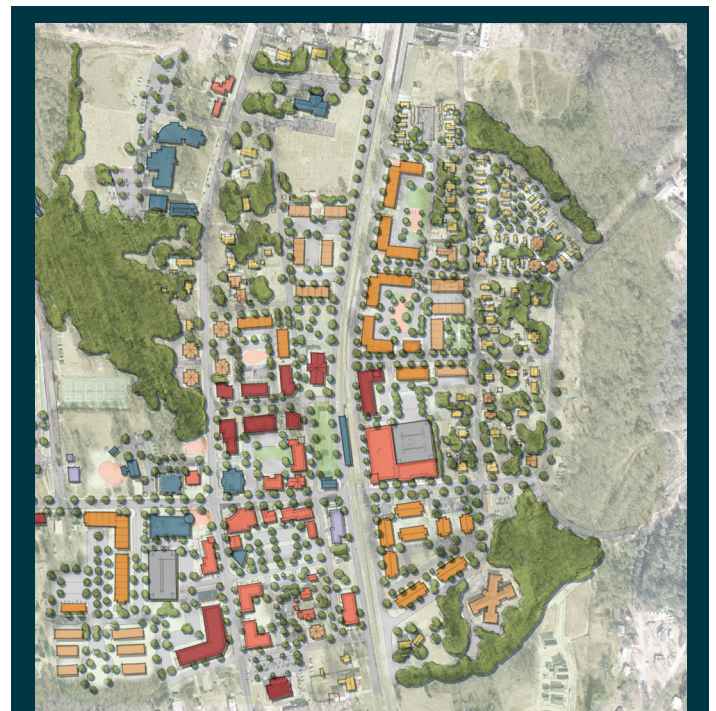
The project team will provide guidance on the future land use recommendations for different areas of the City. A growth framework map will be developed and revised to update the adopted Future Land Use Map. This will be a graphic representation of the City's vision as to where growth should occur as well as how established neighborhoods and natural resources can be protected from development.

Character Areas

The map will be supplemented with descriptions of land use character areas that will be brought to life using precedent imagery and/or conceptual diagrams that specify intended use mix, scale, density, and other physical design characteristics. Development of the Future Land Use Map and associated

character areas will be guided and informed by local goals, technical analysis, staff, and Steering Committee perspective. Ultimately, these character areas might be used to update existing development ordinances, overlay districts or achieve economic or conservation goals. Regional and national best practices will be reviewed and recommendations will provide guidance for future updates to the City's land use and development regulations.

Stewart will analyze and develop character area descriptions for the Central Business District/Downtown, Yacht Basin, Howe Street Corridor, and others which arise in the planning process.



The above graphic was created for the Town of Huntersville 2040 Community Plan Update. As part of the Comprehensive Planning process Stewart's planners and landscape architects will analyze key sections of the City and develop recommendations for context-sensitive infill and public realm improvements to add long-term value and address local priorities.

Economic Development

The plan will address the characteristics of the workforce, local and regional employment factors, recent trends, and an assessment of the local tax base. Recommendations will focus on supporting the long-term financial health of the City.

Housing

This element will assess the location, type, age and condition of existing housing stock, including demand for new housing, density, and occupancy characteristics. We expect to learn

about additional issues, including the role of second homes, vacation rentals, accessory dwellings, and affordability. Stewart understands the City's desire to preserve its residential areas and desire to create strong neighborhoods that support lifelong housing needs, including attainable, "affordable" or "workforce" housing strategies.

Transportation

The Transportation element of the plan will analyze the existing street network and previous plans related to roadway capacity and planned projects. Seasonal fluctuations in traffic and hot spots will be documented. Bicycle and pedestrian priorities will be identified. This will include confirming or updating priority projects from the City's pedestrian plan. Custom cross-section or facility type recommendations may be needed as well as guidance related to phasing and next steps.

Infrastructure and Services

This element of the comprehensive plan will include analysis and identification of priority infrastructure for water and wastewater; stormwater; solid waste disposal; police and fire protection; as well as medical, governmental and educational facilities.

PHASE III - IMPLEMENTATION & ADOPTION

Implementation

After the plan is in draft format, the Stewart team will conduct a work-session with planning staff and other City departments to discuss strategic goals, capital resources, and implementation steps. Potential amendments to existing development regulations and other design standards recommended during the Plan process may also be discussed. An implementation memo or table will be prepared noting time frame, prioritization, and projected cost of each

recommended action and will be used to inform the City's budgeting activities.

Plan Adoption

Plan adoption will be a collaboration between City staff and the Stewart Team to work through the Comprehensive Growth Plan adoption process. Key members of the Stewart team will be available to attend a Planning Board meeting to present the Draft Plan. We will also attend one Board of Alderman meeting to provide a plan status update and one meeting to present the final version of the plan recommended for adoption. Following the City's endorsement, the project team will advise the City in the submission of the plan for review by the Coastal Resources Commission.

Final Plan Document & Executive Summary

Following the public hearing process, a final set of plan documents will be provided to the City including plan document, executive summary, appendices, maps and map data, public engagement summaries, etc. The plan and key deliverables will be provided in an editable, electronic format. A minimum of 5 hard copies will also be provided.

Continuing Service Promise

As part of our Continuing Service promise, Stewart will be available by phone or email for six months following plan adoption to assist staff with questions about the plan and associated implementation. This continuing service is included in our base fee and is not an additional cost to the City. This service stems from Stewart's desire to remain a community partner, even after the contract has been fulfilled.



Cut-through and vacationer traffic is a seasonal issue in Coastal North Carolina. Stewart has worked with a number of communities in the Carolinas to address signage, street retrofits, and other multimodal improvement options.

PROJECT SCHEDULE

PROJECT SCHEDULE	2023					2024							2025											
	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4			
PHASE I - PROJECT APPROACH, INITIATION & ANALYSIS																								
Plan Assessment																								
Public Involvement Schedule																								
Project Brand																								
Existing Conditions Analysis																								
Survey																								
Steering Committee Meetings																								
PHASE II - VISIONING & PLAN DEVELOPMENT																								
Public Workshops																								
Draft Visions & Goals																								
Policy Recommendations																								
Draft Plan																								
Steering Committee Meetings																								
PHASE III - IMPLEMENTATION & ADOPTION																								
Implementation Strategies																								
Plan Adoption																								
Steering Committee Meetings																								
PHASE IV - CONTINUED SERVICES																								

● indicates meeting

PROPOSED WORKPLAN

Typically, a plan update of this scope and magnitude can be completed in 10-14 months, not including any associated Coastal Resources Commission review or certification time. The Stewart Team will work with the City staff to identify a timeline that is mutually agreeable, with the anticipation that 10-12 months as a target. The following timeline milestones are tentatively proposed, subject to further discussion with City staff.

START	MONTH 1	MONTH 3	MONTH 6	MONTH 10	MONTH 11	AFTER CRC CERTIFICATION
Contract Execution and Notice to Proceed	Administrative Kickoff Meeting Stakeholder Interviews Community Tour	Public Survey Draft Background Chapters	Public Workshop #2 Draft Plan Recommendations and Future Land Use Map	Planning Board Review and Recommendation	Board of Alderman Adoption Hearing and Referral to CRC for Review	Transfer Final Plan Document and Associated Deliverables Including Bound Plan Copies

COMMUNITY ENGAGEMENT PLAN

Community engagement is an ongoing, collaborative process between the consultant team, staff, and the citizens of The City of Southport. Ultimately, a successful public involvement process enhances community support and buy-in and bolsters the confidence of City leaders to implement future projects and prioritize resources. The Stewart team will support the City's efforts to involve residents, business owners, and other stakeholders using engaging and transparent methods to ensure all are aware of the comprehensive plan project and are given multiple opportunities to ask questions, voice preferences and priorities, and be part of the process.

Our approach begins with refining the community engagement process during the project kickoff in conjunction with staff. Visual branding of the project will be reflected in outreach materials and a specially created website or web page on the City website to raise awareness of the process and garner excitement throughout the community. Our team will assist with the formation of a diverse and balanced Steering Committee and stakeholder groups. In addition to, creating a customized public participation and engagement plan to ensure equitable community participation.

Updated recommendations for the plan topic areas, including Natural Resources, Historic, Cultural & Heritage Preservation & Enhancement, Land Use and Community Design, Economic

Development, Housing, Transportation, and Utilities & Infrastructure will be drafted based on feedback from staff, the steering committee and elected officials. Actionable items to be completed within the next 3 to 5 years will be crafted and collected in the implementation plan.



Stewart hosted a pop up booth at Siler City's Chicken Fest to solicit public input for the Comprehensive Plan Update.

STEWART'S PUBLIC ENGAGEMENT TECHNIQUES

LEADERSHIP & STAKEHOLDER INTERVIEWS One-on-one discussions within strategic groups 	STEERING COMMITTEE Creating a diverse committee composed of members of elected and appointed boards, citizens, business owners, and other key stakeholders is recommended to meet five times during the planning process and assist in developing the plan 	MULTI-MEDIA & ONLINE PUBLIC ENGAGEMENT Online and multi-media content can better engage stakeholders who may not be able to attend in person. Stewart has the capacity to conduct live, online events and create concise, engaging video clips to create and record public involvement efforts and capture comments	 SurveyMonkey 24/7 SURVEYS Ensure a complete cross-selection of the citizenry is polled
 FOCUS GROUP WORK SESSIONS Targeted meetings with community members at key stages of the planning process will guide the development of the plan and associated recommendations	INFO BOOTH/POP UP AT COMMUNITY EVENTS Pop up events are organized throughout the planning process to meet the community in a natural, relaxed environment and assess public feedback		MULTI-DAY VISIONING WORKSHOP/ CHARRETTES Design-oriented workshops, organized with leadership and staff, to gather public input on issues, priorities, recommendations and conceptual designs through an interactive, iterative design process
	PROJECT WEBSITE & SOCIAL MEDIA Provide materials and "post-able" updates to staff for the project web page, Facebook, Instagram, and/or Twitter	COMMUNITY OPEN HOUSE ONLINE MEETINGS Online meeting(s) where draft plan elements will be presented, and feedback documented to help guide plan development and implementation steps	

COST ESTIMATE

Stewart agrees to provide the planning consulting services outlined above for the following compensation:

DESCRIPTION: SCOPE OF SERVICES		FEE
COMPREHENSIVE PLAN		
PHASE I	Project Initiation and Analysis	\$26,000
	Initial Meetings (Kickoff & Tour)	\$3,000
	Data Collection and Plan Review	\$3,500
	Community Profile, Mapping and Analysis	\$4,500
	Public Participation Plan, Survey and Coordination	\$5,000
	Stakeholder Interviews and Board Meeting	\$4,000
	Steering Committee Meetings (2)	\$6,000
PHASE II	Visioning and Plan Development	\$55,000
	Public Workshops	\$10,000
	Vision and Goals	\$3,500
	Future Land Use and Concept Design	\$12,000
	Other Plan Elements	\$13,000
	Steering Committee Meetings (2)	\$6,000
	Draft Plan Document	\$6,500
	Status Updates and Coordination	\$4,000
PHASE III	Implementation and Adoption	\$18,500
	Implementation	\$4,500
	Adoption	\$5,000
	Final Plan Document and Executive Summary	\$6,000
	Status Updates and Coordination	\$3,000
EXPENSES		\$5,000
	TOTAL	\$104,500
ADDITIONAL TASKS		
	Additional Conceptual Designs	\$8,000 - \$10,000
	CommunityViz and/or ArcGIS Urban Modeling	\$10,000 - \$30,000
	Additional Public Meeting	\$6,000
	Enhanced Website/Survey Platform (i.e. PublicInput.com)	\$10,000-15,000
	Additional In-person Meetings	\$1,750 per person
	Additional Virtual Meetings	\$400 per person



STRONGER BY DESIGN
stewartinc.com

E. COMPREHENSIVE PLAN

1. The comprehensive plan, with the accompanying maps, charts, and descriptive matter, shall be the Planning Board's recommendations to the Board of Aldermen for the development of such territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals; and the most desirable patterns of land use within the area.
2. The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements and the improvement of the community social and economic attributes.

F. ZONING AND SUBDIVISION REGULATIONS

1. The Planning Board may initiate, from time to time, proposals for amendment of this ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the Board of Aldermen concerning all proposed amendments to this ordinance.
2. The Planning Board shall review, from time to time, the need for regulations for the control of land subdivision in the area and submit to the Board of Aldermen its recommendations, if any, for adoption or revision of such regulations.

G. PLANNING BOARD PROCEDURES FOR REPORTING TO THE BOARD OF ALDERMEN

The Planning Board will submit copies of all minutes of its regular and special meetings to the Board of Aldermen. Minutes shall be submitted to the city clerk within seven (7) days of approval of the minutes by the Planning Board.

H. ADVISORY COUNCIL AND SPECIAL COMMITTEES

1. The Planning Board may establish an unofficial advisory council and may cooperate with this council to the end that its investigations and plans may



**City of Southport
Historic Preservation Commission
Minutes November 1, 2023
Indian Trail Meeting Hall 4:30 p.m.**

Present: Chairman Charles Drew, Alexis-Gore Graves, Josh Cline McGee, Joanne Wesson, Jim McKee, Tal West, and Bonner Herring

Absent: Bonnie Bray and Rick Pukenas

Staff: City Planner Mo Meehan, Deputy Clerk Tanya Shannon, and Parks and Rec Director Heather Hemphill.

Liaison: Alderman Robert Carrol

- A. Chairman Drew called the meeting to order at 4:00 p.m.
- B. Alexis-Gore Graves gave the Invocation.
- C. Chairman Drew led the Pledge of Allegiance.
Mr. West was appointed as a voting member in the absence of Mr. Pukenas.
- D. Motion to approve the Agenda by Mr. McGee and second by Mr. Herring. **Unanimous Vote; Motion Carried.**
- E. Motion to approve the October 16, 2023, Minutes by Mr. McGee and second by Ms. Graves. **Unanimous Vote; Motion Carried.**
- F. **Public Comment:**
 - 1. Ms. Pat Kirkman thanked the Commission for an outstanding job at the Public Input Forum.
 - 2. Mr. Adam Steadman thanked the Commission for including his proposal for the Sabal Palms in the Draft Standards and Guidelines.

G. Old Business: Update Review and Discussion on Draft Standards:

Ms. Meehan gave an overview of the recent updates and revisions based on the feedback from the public input forum. She said one of the main concerns was paint colors, and it was decided to remove specifics from the language.

- 6.1.3 changed to allow different types of material on roofs and removed the substitutes.
- 6.2.8 and 6.2.12 have been consolidated.
- 6.1.1 Mr. McGee stated that grills would be allowed, but not inside the glass.
- 6.7.1 Ms. Meehan questioned if the Board would like to see the language for paint colors removed or the paint standards altogether. Mr. Herring recommended leaving it in so that it would encourage the owner to assimilate with the existing surroundings.
- 6.9.9 removed due to inconsistency with other standards.
- 9.9.10 removed due to redundancy.
- 7.1.1 removed due to no chapter 5.
- 7.3.2 Mr. Herring asked what would happen if they remodeled the house and needed to replace the siding. She wondered if it would be possible to use vinyl siding instead. Mr. Herring liked the word "occurs." Mr. McGee asked if the original siding was still underneath. He suggested that preserving the original siding would protect the house. He would like to encourage people not to destroy the original and said that vinyl siding could be used to protect the original history as long as it doesn't remove the original. Mr. Herring agreed that preserving the original siding was important and suggested that new vinyl siding should only be allowed where it doesn't remove the original. Ms. Meehan will redraft the plan to allow for this. Jim said that if something is put on that preserves the original fabric, it should be allowed. Bonner didn't think that people would use vinyl siding for new construction. Chairman Drew said it should be allowed to repair the existing siding if it already exists.

In section 7.3.2, Mr. McGee suggested discouraging flat roofs and making the average roof pitch 4/12. Landscaping standards from Mr. Steadman were also discussed and read out loud. New sentence planting in the native palms. MS. Meehan will include Sable Palmetto and Needle Palms, as permitted. Mr. McKee asked if those could be combined. Ms. Meehan said one is preserving, and the other is planting.

It was the consensus of the Board to strike through signage standards for non-residential uses that do not meet the current standards found in the Unified Development Ordinance - 8.8.6 signage standards.

There was discussion about docks, piers, and standards; it was suggested to have a simple dock built with the same standards, processes, and permits. Some members had differing opinions, with Mr. West mentioning nontraditional cables and Ms. Meehan emphasizing the importance of design. Mr. Herring stressed the need to adhere to standards and build docks that are durable and long-lasting. Ultimately, it was agreed to remove the language in question.

Mr. McGee expressed his reluctance to dictate the use of guardrails, while Chairman Drew clarified that docks are not required to have them. Mr. McGee recommended not adding anything regarding guardrails.

G. 2. Discussion on the November Public Input Meeting

Ms. Gore-Graves suggested addressing the feedback from the comments received. Chair Drew suggested creating a PowerPoint presentation to showcase the changes made. There will be a question and answer session following the presentation, with the same format. Ms. Meehan will explain the changes and present the newest draft. The next Public Open Forum Meeting is scheduled for November 13 at 6 pm, and it will be held at the community building.

H: 1. Discussion about Franklin Square Park/ Historic Registry

During the meeting, Chairman Drew mentioned that Franklin Square Park has been on the National Registry since 1980. Ms. Meehan will be providing information to make it a Historic Landmark. Ms. Graves asked if the Friends of Franklins have made any progress on the usage of the Park. Chairman Drew informed everyone that they had hired an Arborist. Parks and Recreation Director Hemphill added that Bartlett Tree Service will be assessing the park and working with her to protect it and determine how it will be used. Ms. Hemphill said that the report will be provided to the Board of Aldermen in January. Chairman Drew suggested that the Commission should focus on continuing to designate the Park as a Historical Landmark.

2. Discussion about the Brunswick County Courthouse

Chairman Drew gave an update on the building and its condition. Mr. McGee said it needs to be protected as soon as possible. Is there money in the budget to have it cleaned? There was a discussion on how to take inventory of the priorities of what needs to be done immediately to preserve the building from complete destruction. Chairman Drew said that he would draft up a letter of recommendation for the Board to review for support of the preservation.

3. Discussion on Public Comments from the October 16th Public Input Meeting.

During the meeting, Mr. Haislip suggested providing a list of permissible standards. Mr. McGee mentioned that Ms. Mimi Vargo had raised concerns about standing for all residents during the COA process. However, it was clarified by Ms. Meehan that since it is a quasi-judicial proceeding, only those with standing can make comments and express their opinions during the hearing.

- I. **Other business:** Two member's terms are expiring. Due to a newly revised Ordinance on appointments to Committees and Boards are now staggered and appointed in the Spring of each year.
- J. **Announcements: Public Input Forum #2 November 13, 2023 at 6 pm.**

Being that there were no further questions or concerns Mr. West was appointed back to the Alternate position and Chairman Drew asked for a Motion to adjourn.

A Motion by Ms. Wesson was made to Adjourn and seconded by Mr. McGee. ***Unanimous Vote; Motion Carried.***

Adjourn: 5:28 p.m.

Chairman, Charles Drew

Deputy Clerk, Tanya Shannon

NOVEMBER 2023 SALES DATA COMPARISON AND SAVINGS

SALES TYPE	2022 Sales	2023 SALES	DIFFERENCE	% CHANGE
RETAIL	\$ 392,855.70	\$ 399,186.10	\$ 6,330.40	1.61
MXB SALES	\$ 93,271.61	\$ 96,320.90	\$ 3,049.29	3.27
TOTAL	\$ 486,127.31	\$ 495,507.00	\$ 9,379.69	1.93
Customers	8922	9009	87	0.98
Bottles Sold	23,931	24,745	814	3.40
			0	
SPA SAVINGS		\$ 7,644.48		
Credit Cards	\$ 363,018.27			
TOTAL SALES INC. TAX	\$ 427,137.46			
	2019 Sales	2023 Sales	Difference	
Retail 2019	\$ 271,530.90	\$ 399,186.10	127,655.20	47.01
MXB 2019	\$ 59,251.03	\$ 96,320.90	37,069.87	62.56
	\$ 330,781.93	\$ 495,507.00	164,725.07	49.80
SALES TYPE	2020 SALES	2023 SALES	DIFFERENCE	% CHANGE
RETAIL	\$ 312,798.75	\$ 399,186.10	\$ 86,387.35	27.62
MXB SALES	\$ 48,330.33	\$ 96,320.90	\$ 47,990.57	99.30
TOTAL	\$ 361,129.08	\$ 495,507.00	\$ 134,377.92	37.21
SALES TYPE	2021 Sales	2023 SALES	DIFFERENCE	% CHANGE
RETAIL	\$ 339,625.40	\$ 399,186.10	\$ 59,560.70	17.54
MXB SALES	\$ 86,726.21	\$ 96,320.90	\$ 9,594.69	11.06
TOTAL	\$ 426,351.61	\$ 495,507.00	\$ 69,155.39	16.22

City of Southport ABC Board Minutes

Date: Nov 8, 2023 Minutes taken by: Harold Todd Dunn

Location: Indian Trail Meeting Hall

Quorum determined: Meeting called to order by Chairman Davis at: 6:30pm

No Conflict of interest

In Attendance: Board Chairman- William Davis, Board Members – Zach Zuehlke , Angela Wadsworth, Adam Steadman, Jim Poppe GM – Harold Todd Dunn ABC Liaison – Absent

Absent – None

Guests: None

Open Comment and Discussion – None

Approval of Oct 11, 2023 Minutes: Minutes amended, approved by Angela and seconded by Jim

1. Old Business

- A. Updated Board on Trees for the front of the store
- B. Updated Board on status of handbook
- C. Updated the Board on Assistant Manager Search

2. New Business

- A. Discussed Next Meeting Date to be Dec 5th 11am
- B. Board Approved extra 1000 for GM Bonus

3. Business Reports

- A. Presented and went over Monthly Sales Report

4. Employee Issues

None

Adjourned: Motion was made and seconded to adjourn the meeting

Next Regular meeting: Dec 5th, 2023 at 11AM

APPROVED BY AND DATE

City of Southport Beautification Committee Minutes

Date: October 16th Minutes taken by: Lynne Geiman, typed up by Karen Pasquale

Location: Indian Trail Meeting Hall

Quorum determined: Meeting called to order by Lynne Geiman at: 5:00pm

In Attendance: Ken and Lynne Geiman, Robert Thatcher, Larry Ashley, Joe Fikentscher, Tom Lombardi, Randy Jones, Scott Bushman

Absent: Karen Pasquale

Guests: Karen Brennan

Public Comment: None

Approval of September 18th, 2023 Minutes: Minutes amended, approved and seconded.

1. Committee Reports

a. Native Plant Pollinator Garden (NPPG): Lynne

- Kate Singley is away therefore no report.
- Randy gave Lynne a pamphlet on “Butterfly Highway” which is from the Wildlife Preservation along with some native plant seeds.
- Lynne will pass it onto Kate and discuss.

b. Communication Report: Larry Ashley

- Larry submitted information and photos on SBC’s latest projects (staining efforts around town).

c. Planting/Garden/Steward Program: Lynne

- Nothing to report.

d. Financial Report: Lynne

- Balance as of 10/16/23 is \$3,000.00.

2. Old Business

a. History Marker Auction Final Results: Lynne

- Lynne is keeping a spreadsheet for accounting for the SBC share of auction profit. A handout was given at the meeting showing \$3,709.33 as the SBC share.
- \$2,301.69 was spent on Christmas bulbs for the sailboat wreaths.
- Balance in account as of 10/16/23 is \$1,407.64.

b. Waterfront Mag Painting Project: Joe Fikentscher/Scott Bushman

- This project has been put on hold.
- More information is needed as to whether we should proceed on this right now.
- At this point in time, we will paint the cleats near the map.

c. Rudder Project: Ken Geiman/Larry Ashley

- Ken finished the new rudder using parts from the old rudder.
- Ken and Larry installed the completed rudder on 10/15/23.

d. Marsh Walk Sign Update: Lynne

- No decision has yet to be made on whether SBC has the okay to make a new sign.
- If we get the okay, it will be in line with the sign standardization colors.

e. SBC Board Candidates: Lynne

- Three interviews will be held on 10/19/23.
- A fourth interview will be held the following week.

f. 10/7/23 Workday: Lynne

- 13 people attended (7 board members and 6 other volunteers).
- JC Building was mulched.
- Northwood Cemetery was weeded and mulched.
- Community Building was weeded.
- 2 benches on Dry Street and 2 tables at Franklin Sq Park were stained and 3 benches on Moore Street.

3. New Business

a. Library Project: Rob Thatcher/Lynne

- Carol from the library reached out to Rob to see if SBC might be interested in putting up a fence in the back of the library.
- Lynne emailed Carol saying she will discuss with the board and asked if we could have more specific details.
- At the time of this meeting, no information had been provided, therefore no further discussion was held among the board.

b. Christmas Trees: Lynne

- A few board members will meet on 10/17/23 to put the artificial trees in the Community Building.

c. Holiday Decoration Planning Dates: Lynne

- Joe and Scott will start to tag poles.
- Wreaths will arrive on 10/23/23.
- Bulbs will be put in place on the wreaths from 10/23 to 11/17.
- Wreaths will go up in the eve on 11/26 and will be done by the morning of the 27th.
- Garland and bows will be put up around 11/27th.
- Town workers will check all bulbs and string lights for the city buildings.
- SBC will check Christmas trees and tag for location spots.
- Big City tree will go up 11/27.
- Tree lighting on 12/1.
- All dates to be confirmed.
- We need to get more Christmas bulbs for the large tree downtown.

d. Future Work: Lynne

- Garrison posts.
- Caviness stage.
- Painting of yacht basin boat using rust encapsulated metal paint.
- Oliver's parking lot garden spot.

e. November 4th workday: Lynne

- Holiday related work.
- Randy may have contact for possible student help for workday.

f. Any Other Business: Lynne

- None.

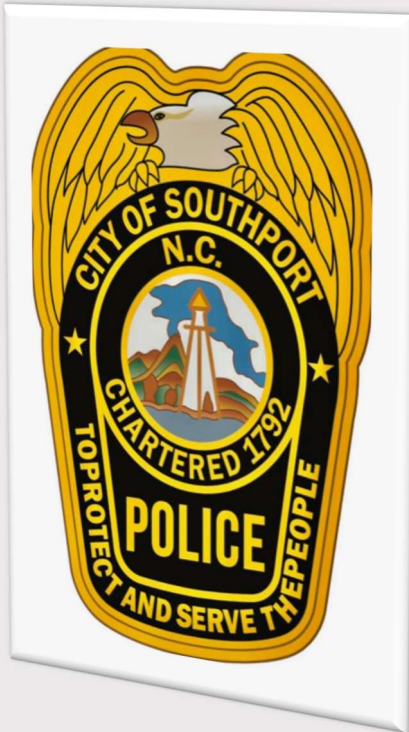
4. Adjourned: 6pm

Next meeting: November 20, 2023



POLICE

ANIMAL PROTECTIVE SERVICES



Monthly Summary

NOVEMBER 2023

Chief Todd Coring
910-457-7913

tcoring@cityofsouthport.com

Southport Police Department

INCIDENT / OFFENSES

Total Calls for Service: 1127

General Calls (some)

Alarms – 27

Meet Complainant – 31

Suspicious Persons/Activity – 36

APS Calls for Service – 10

Shoplifter – 4

Disturbance & Domestic Calls – 18

911 Hang-Ups – 17

Traffic Calls

Traffic Stops – 56

Motor Vehicle Accidents – 17

Hit/Runs – 4

Drunk Driver/C&R/ATL – 14

Assist EMS – 53

Assist Fire – 18

Special Events/Checks/Patrols – 735

ARREST / CITATION / CHARGES

Arrest – 10

Citations & Warnings – 45



Our 2023 "Pet Pictures with Santa" event was held Dec.3 at the Indian Trail Meeting Hall. Record 79 Pets photographed with Santa and \$560.00 raised for Pawsability.

Golf Cart Registrations: 559 Registered Golf Carts

Community, Professionalism & Integrity

SOUTHPORT FIRE

OFFICE OF THE FIRE CHIEF

NOVEMBER 2023 MONTHLY SUMMARY



Divisions of the Fire Department

Fire Division Calls for Service

Structural: 32 Vehicle: 2 MV Crash: 12
Woods/Brush: 3 Gas Spill/Leak: 3 Trash: 1
Water Rescue: 1 Electric: 2 Good Intent: 5
Mutual Aid: 1 Medical/CPR: 16 Other: 1

Totals

79

EMS Division Calls for Service

EMS Calls: 179 E- Transports: 76 NE- Transports: 16

195

Fire Prevention & Inspections

Permits: 12 Inspections: 30 Batteries: 23
Plan Reviews: 12 Smoke Alarm Installs: 12
Car Seats: 24 CPR Classes: 2 Tours: 42

147

Total Number of Fire Department Actions: 421

UPCOMING PROJECTS, GOALS, & EVENTS

The Awards Banquet was very well attended. Plans are going great for Winterfest, we have several entries for the parade, and we plan to participate in the Craft Fair and the Flotilla. The paramedic program is going well. The FD has adopted a family and 2 seniors for the Holidays. We are also sponsoring Power Walking Ministry Christmas Shoe Drive. At the close of events on the night of the parade we will raffle off a golf cart for a fundraiser. All the new turnout gear and AEDs have arrived and are being placed in inventory and use. I have an Officer's Retreat scheduled to set our new goals for the new year that is quickly approaching. Fall citizens academy closed and went very well.

Southport Parks and Recreation Department

November 2023 Monthly Report

On-Going Activities

Before and After School

M-F 6:45AM and 3:00-5:30pm

Athletics

Open gym Thursday-Monday 5 – 9PM.

Senior Activities

Senior Preventative Exercise

No impact stretching held at the Senior Building every MWF at 9AM

Senior Crafts

Craft classes held every Monday at 10AM at the Senior Building

Saturday Morning

Seniors meet every Saturday morning for coffee and light breakfast at the building for fellowship.

Senior Luncheon

Potluck lunch is held on the 2nd Wednesday of every month.

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Fitness Classes

Martial Arts

Held at the Jaycee Building Tuesdays at 4:30pm

Core & Body Sculpting

Held at the Jaycee Building Tuesday at 8:30am and Wednesdays at 5:30PM

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Buildings and Facilities Utilized and Rented out by Parks and Recreation

Franklin Square Park	Caviness Park	Historic Riverwalk
City Pier	Ft. Johnston Tennis Courts	Lowe/White Park
Kinglsey Park	City Gym	Garrison Lawn
Central Office	Jaycee Building	Keziah Park
Waterfront Park	Ft. Johnston Playground	Senior Building
Riverwalk Gazebo	City Dock	Bay Street Overloo
Atlantic Street Park	Taylor Field Park	

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*2023 Fall concert Series held on Thursday evenings in Franklin Square Park concluded on November 16th.

*Youth Basketball registration was held in the month of November for the 2024 season. The draft will be held on December 16th.

*Arborist inspected Franklin Square Park on Monday November 6th. The report takes 30 to 45 days to complete.

*Met with the Inclusive Playground committee and Unlimited Play on November 14th to unveil and view the proposed park at Taylor Field. It will go to the BOA as a presentation at the December meeting.

*Received the stamped engineer drawings for Kingsley Pier project. City staff approved them. Adjacent property owner notifications were sent out on November 16th and the CAMA permit application was submitted on November 22nd.

*Mandatory OSHA training on November 21st.

*Teacher workday activities were held on November 6th and November 22nd for the kids.

*Recreation Advisory committee meetings was held on Tuesday, November 21st.

*Divers inspected the underwater structures of the City Pier on November 16th. The report was received and verified by the city engineers.

*Staff has been working with Morning Star Marina to relocate the easement for the kayak launch. Going to the Board at the December meeting.

*General permit from CAMA for the Bay Street emergency revetment rip rap project was received on November 28th. Project should begin December 11th.

*Final preparations for the Parks and Recreation Winterfest 2023 activities completed.

*Security doors at the Parks and Recreation building was installed by city staff.

*New Park ordinances were adopted at the November board meeting.

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DEPARTMENT OF COMMUNITY RELATIONS

December Report 2023

November 2023:

Allayna Dail,
Assistant Director of Community Relations

Number of Visitors **2,343**

Visitors' Center Donations (FYTD)	\$ 2,273.00
Film Permit Revenue (FYTD)	\$ 0.00
Special Events Revenue (FYTD)	\$ 501.00
Community Building (FYTD)	\$ 80,059.51
Occupancy Tax (FYTD)	\$ 97,171.77
Fiscal Year Total	\$ 180,005.28

- The Southport Concert Series had it's final two pre-scheduled Thursday events, and a Rain date on Sunday November 12th. Unfortunately, the Rain date was also rained out.
- The Southport Sign Project was brought before the board of alderman on November 3rd. We will be moving forward with a community survey to gather feedback on the proposed designs, then issuing an RFP for companies to submit their interpretation(s) of the feedback we gather from the community and to price the designs.
- The Beautification Committee held their "This is Our Town" clean up on November 4th.
- The Wooden Boat Show was on November 4th. This was one of the largest turn outs we've seen, and the committee plans to meet December 8th to discuss pros and cons from the year and to set the meeting schedule for 2024.
- Seasonal decorating went off without a hitch in November, thanks to Public Works and the Beautification committee for their work putting all of it together. Thanks to the Garden Club and public works for making Fort Johnston as beautiful as always.
- Allayna attended the Southport Historical Society meeting on November 8th.
- Allayna attended the first meeting of the Center for Creative Arts – Southport (formerly Up Your Arts – Save the Hall Yall campaign.)
- Allayna attended the VisitNC monthly virtual meeting. This month we discussed excel and it's uses for Tourism/ visitor number tracking.
- The DSI monthly meeting was on November 10th. The department did not attend due to the holiday.
- The Department of Community Relations, DSI and Up Your Arts are moving forward with the second year of the Southport Pole Banner Project. More information can be found here: <https://www.upyourarts.org/news/opportunity/southport-pole-banner-project-2/>
- ChyAnn and Allayna met to discuss and plan for the yearly social media campaigns on November 14th.
- ChyAnn and Allayna met with Polco and started creating our first poll – the Winterfest Storefront Showcase!
- The Winterfest Tea Committee met November 15th.
- Allayna attended the first WILMA Leadership Initiative Meeting – her assigned mentor is Kim Hufham with Wilmington NC River District & Island Beaches President/CEO.
- The Beautification Committee held their monthly meeting November 20th.
- Allayna attended the OSHA training on November 21st.
- The Community relations Department, Permitting Office, and Office of the Fire Marshal met to discuss and streamline Food Truck permitting, specifically in regard to city-sponsored events.
- The North Carolina Fourth of July Committee held their monthly meeting on November 21st.
- Allayna attended the first sub-committee meeting of the Center for Creative Arts – Southport Government division on November 27th.

DEPARTMENT OF COMMUNITY RELATIONS

December Report 2023

- Southport Historical Society Home Tour Tickets went on sale Tuesday, November 28th. They sold out online in 4 minutes (!) and in person in an hour and a half. The Historical Society is so thankful for the tremendous response to their largest fundraiser of the year.
- Allayna attended the Winterfest Flotilla meeting on November 28th.
- A student in the Tourism and Recreation department at UNCG interviewed Allayna on November 29th to discuss how Southport breaks down their tourist initiatives.
- On November 28th WWAY came to film several of the Winterfest activities for 2023, and they will be back to film the Light up the Night Parade.
- The Southport Concert Series Committee met November 30th to discuss how the previous year went, . We have had a lot of response for having these concerts on Sunday afternoons, and the Committee will take that into consideration in planning for 2024.

Community Building

- The Community Building was scheduled for fifteen events in November, including:
 - Three city meetings
 - Two city events
 - Six non-wedding events
 - Four weddings
- We hosted six walkthroughs this month.

UPCOMING CITY MEETINGS

Historic Preservation Commission
December 6 @ 4:00 pm - 5:30 pm - ITMH

Forestry Committee Meeting
December 12 @ 5:00 pm - 6:00 pm - ITMH

ABC Board Meeting
December 13 @ 6:30 pm - ITMH

Board of Aldermen Meeting
December 14 @ 6:00 pm - SCB

Park and Recreation Advisory Board Meeting
December 19 @ 6:00 pm - ITMH

Planning & Zoning Board Meeting
December 21 @ 6:00 pm - SCB

City offices Closed for Holiday
December 25
December 26
December 27

UPCOMING EVENTS

Winterfest activities and events!
December 1-10
cityofsouthport.com/winterfest-2023

Sensory Saturday, Penguin Party
December 2 @ 9:00 am - 11:00 am
NC Maritime Museum

Sea Notes Choral Society Presents Christmas Concert
2023
December 2 & 3 @ 3:00 pm
Odell Williamson Auditorium

SHS: Christmas Dinner Traditions
from Charles Dickens
Presented by Desiree Bridge
December 11 @ 10:00 am
Harper Library

NC Maritime Museum at Southport, Third Tuesdays
December 19 @ 7:00 pm - 9:00 pm
Southport Community Building



Allayna Dail
Assistant Director of Community Relations
Work: 910-457-7927
Cell: 910-368-5055
Email: adail@cityofsouthport.com



NCEMPA
1427 MEADOW WOOD BLVD.
RALEIGH, NC 27604

Power Billing Statement

North Carolina Eastern Municipal Power Agency

MEMBER	BILL DATE	DUE DATE	FOR SERVICE	TOTAL DUE
SOUTHPORT	12/10/23	12/20/23	11/01/23 - 11/30/23	\$396,346.49

Wholesale Power Service Schedule FR-8

DESCRIPTION	RATE	QTY	AMOUNT
Demand Charges:			
All Demand	\$21.17/kW	10,912	231,007.04
Energy Charges:			
Monthly Energy Charge	\$.02673/kWh	4,328,771	115,708.05

Additional Charges

DESCRIPTION	RATE	QTY	AMOUNT
Rider 1 FRPPA True-Up Charge/(Credit)			0.00
Rider 2 Delivery Surcharge	\$0.06/kW	10,912	654.72
Rider 3B Leased Facilities Surcharge	\$0.88/kW	12,938	11,385.44
Rider 6A NCEMPA Generation Credit			(2,102.98)
Rider 6B NCEMPA Generation Credit			(2,966.37)
Rider 7A Power Agency Service (PAS) Charge			9,493.20
Rider 7B Renewable Energy Portfolio Standards (REPS) Charge			1,807.79
Rider 8 Debt Defeasance Support Charge			31,359.60
Other Charges/(Credits)			0.00

Power Bill payment made by ACH Debit

TOTAL AMOUNT DUE

\$396,346.49

If you have any questions concerning this bill, call Gail Duke at 919-760-6212



Power Billing Statement
North Carolina Eastern Municipal Power Agency

MEMBER	BILL DATE	FOR SERVICE	MEMBER NCP	MEMBER CP
SOUTHPORT	12/10/23	11/01/23 - 11/30/23	11/30 @ 0800 / 12,938 kW	10,912 kW

DEP System Peak = 11/29/23 @ 0800 11,902 Megawatts

DEMAND DATA

(A)	(B)	(C)	(D)	(E)	(F=D-E)
DELIVERY POINT	NCP Date & Time	NCP kW	CP kW	SEPA kW	BILLED DEMAND
SOUTHPORT DP	11/30/23 @ 0800	12,938	10,912	0	10,912
TOTAL			10,912	0	10,912

ENERGY DATA

	(G)	(H)	(I=G-H)		
DELIVERY POINT	METERED kWh	SEPA kWh	BILLED kWh	METERED KVAR	EXCESS KVAR
SOUTHPORT DP	4,328,771	0	4,328,771	1,273,894	0
TOTAL	4,328,771	0	4,328,771	1,273,894	0



MEMBER	BILL DATE	FOR SERVICE
SOUTHPORT	12/10/23	11/01/23 - 11/30/23

Billing Summary

	CALENDAR YEAR (JAN23 - NOV23)	FISCAL YEAR (JUL23 - NOV23)
Total Bill	\$4,438,108.72	\$2,168,500.28
Metered Energy (Includes SEPA kWh)	55,408,431	28,292,040
SEPA Energy	0	0



MEMBER	BILL DATE	FOR SERVICE
SOUTHPORT	12/10/23	11/01/23 - 11/30/23

Summary of Billing Determinants at Metering Point

DEP ID	METERING POINT	NCP DATE TIME	NCP kW	CP kW	METERED kWh	MAX. LAGGING kVAR	EXCESS kVAR	MAX. LEADING kVAR
240	SOUTHPORT MP	11/30 @ 800	12,938	10,912	4,328,771	3,940	0	0
TOTAL				10,912	4,328,771			



Power Billing Statement
North Carolina Eastern Municipal Power Agency

MEMBER	BILL DATE	FOR SERVICE
SOUTHPORT	12/10/23	11/01/23 - 11/30/23

Summary of Distributed Generation Credits

	Rider 6A	Rider 6B
Total CP kW	17,777	22,138
Total Transmission kW	17,777	22,138
Total Energy (kWh)	190,367	227,963
Member % of Revenue	0.7826%	0.8961%
CP Demand (kW)	140	198
Transmission (kW)	140	198
Energy (kWh)	1,490	2,043
CP Demand Credit(\$)	(2,635.50)	(3,727.35)
Transmission Demand Credit(\$)	(287.42)	(406.49)
Energy Credit(\$)	(39.20)	(53.75)
Distributed Generation Credit(\$)	(2,962.12)	(4,187.59)
Power Agency Expense(\$)	859.14	1,221.22
TOTAL MONTH CREDIT(\$)	(2,102.98)	(2,966.37)



MEMBER	BILL DATE	FOR SERVICE
SOUTHPORT	12/10/23	11/01/23 - 11/30/23

Rider 7A - Power Agency Services (PAS) Charge

The Power Agency Service Charge on the wholesale power billing statement is based on costs and services approved by the North Carolina Eastern Municipal Power Agency Board of Commissioners and by the ElectriCities Board of Directors and is undertaken and operated by the Power Agency for the benefit of the Members. These costs include: NERC and SERC compliance activities; APPA dues; legislative, financial, and legal support, including territorial issues and other member services; Power Agency operations, billing activities, and rate support, economic development, communications, training and Power Agency administrative and general expenses.

The Power Agency Services charge 2023 projection is reflected in the January 2023 billing data.

The Power Agency Services charge 2022 True-Up adjustment of \$ (181.65) is applied to the April 2023 through March 2024 billing data.

Power Agency Service Charge(\$)	\$9,493.20
Power Agency Service %	0.82 %

Rider 7B - Renewable Energy Portfolio Standards (REPS) Charge

The Renewable Energy Portfolio Standards (REPS) Charge 2023 projection is reflected in the January 2023 billing data.

The Renewable Energy Portfolio Standards (REPS) Charge 2022 True-Up adjustment of \$ (1,285.90) is applied to the April 2023 through March 2024 billing data.

Renewable Energy Portfolio Standards Charge(\$)	\$1,807.79
Renewable Energy Portfolio Standards %	0.82 %

Rider 8 - Debt Defeasance Support Charge

The Defeasance Debt Service Support Charge line on the wholesale power billing statement is the Member's share of monthly support costs, as defined in the Debt Service Support Contract. This monthly debt charge will be assigned to and recovered from the Member in accordance with the terms and conditions of the Full Requirements Power Sales Agreement and the Debt Service Support Contract. The planned repayment term of the defeasance bond is ten years.

Debt Service Support Charge(\$)	\$31,359.60
Debt Service Support %	0.74 %



Development Services Highlights – November 2023

Planning Board: The Southport Planning Board met for their regularly scheduled meeting on November 16, 2023. Items covered included:

- Applicant requested text amendment to Section 3.9.B.5 – Setback Exceptions and Encroachments. Specifically requesting an increased encroachment allowance for heating and air conditioning units, generators, and pool equipment. The Planning Board considered draft language for three (3) different scenarios and recommended denial of this application.
- The Board of Adjustment requested that Staff bring forward a text amendment to Section 3.12. Transportation and Street Access exempting single- and two-family homes from driveway standards. The Planning Board considered a nonresidential and a residential setback for driveways and recommended approval of an amendment that keeps the 10' driveway setback for nonresidential uses and creates a 2' driveway setback for single- and two – family residences.
- Staff provided an update on the comprehensive plan consultant and timing for commencement.

The next meeting of the Planning Board is scheduled for December 21, 2023.

Zoning Board of Adjustment: The Board of Adjustment met for their regular meeting on November 28, 2023. Items covered included:

- Variance request for a reduced front yard setback on a legal nonconforming vacant lot located at 605 W Brown Street. The variance was granted.
- Special Use Permit – Accessory Dwelling Unit request for property located at 112 N Caswell Avenue. The special use permit was approved.

There are no cases for the December 28, 2023 regular meeting, the first meeting of 2024 is scheduled for January 23, 2024.

Historic Preservation Commission: The Historic Preservation Commission held the second of 2 public input meetings on November 13, 2023, and their regularly scheduled meeting on December 6, 2023. The draft design standards were updated to include public comment and sent to the State Historic Preservation Office for comments. Upon receipt of the comments any updates will be made, and a joint meeting of the Historic Preservation Commission and Planning Board will be scheduled.

101 E Moore (Bullfrog Corner) Major Site Plan: Staff received a parking maneuverability plan for this project following our last sending of comments to the applicant. Once the plan is reviewed and all site plans are finalized, another review committee meeting will be scheduled.

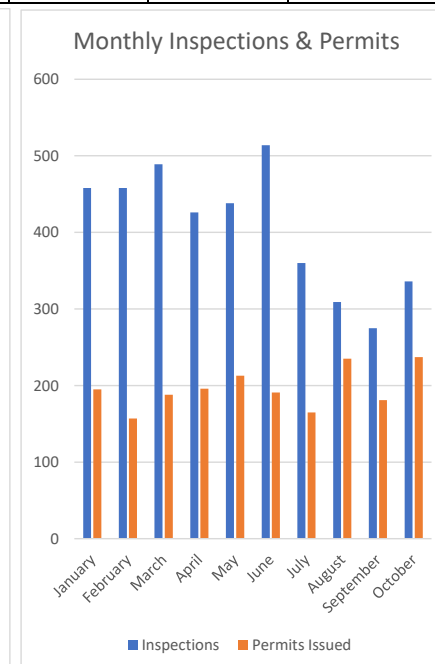
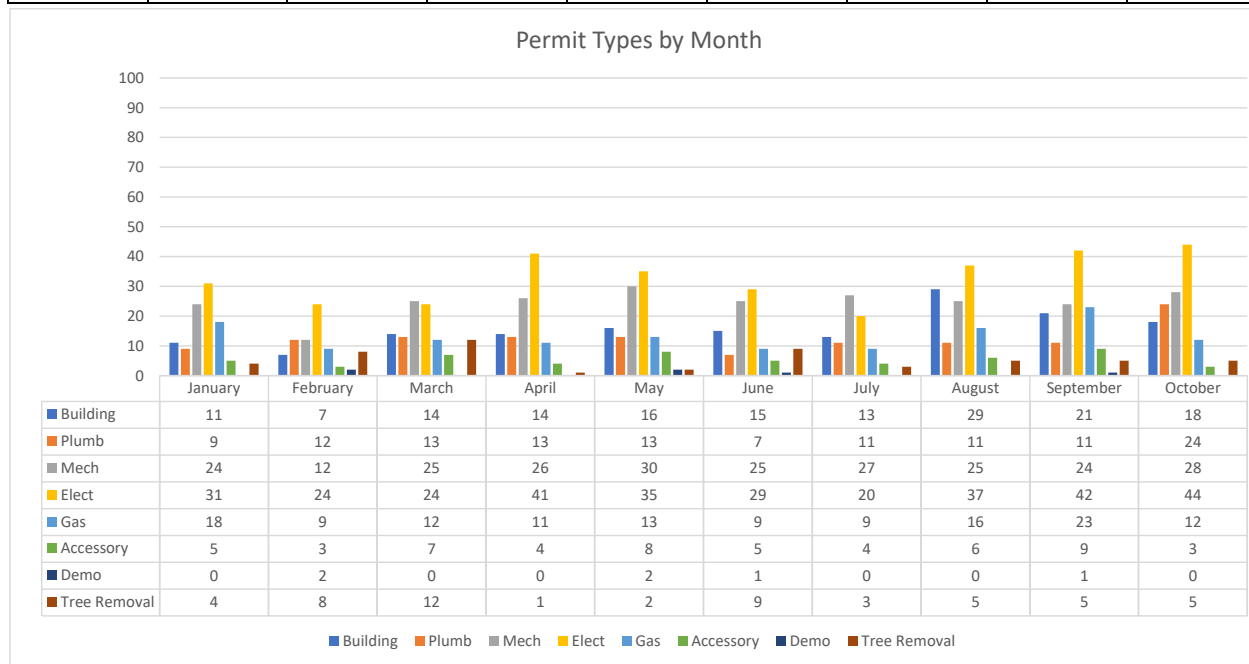
Technical Review Committee: A technical review committee meeting was not held in November due to lack of cases. There is a TRC meeting scheduled for December 19 to review a Planned Unit Development/Rezoning application for property located on River Road.

Code Enforcement: Harlan “HP” Pyles has joined the Development Services Department and will work in conjunction with Derek Mabe, Alliance Code Enforcement to manage the City’s code enforcement efforts. All Staff remain available to assist anyone with code enforcement-related questions. Monthly reports specific to Code Enforcement are provided separately.

Staffing Update: Michael Lavezzo accepted the position of Building Inspector and started on December 5, 2023. Harlan “HP” Pyles accepted the position of Code Enforcement Officer and started on December 5, 2023. Development Services/ Planning Director interviews continue, and applications are being accepted until December 29, 2023.

Other Notes: Staff continue to assist citizens with questions regarding signs, zoning, annexations, minor subdivisions, CAMA Minor Permits, tree permits, special flood hazard areas, and any other items that come to the Department.

Month	Building	New Construction	Plumb	Mech	Elect	Gas	Accessory	Demo	Tree Removal	Inspections	Permits Issued
January	11	5	9	24	31	18	5	0	4	458	195
February	7	1	12	12	24	9	3	2	8	458	157
March	14	6	13	25	24	12	7	0	12	489	188
April	14	9	13	26	41	11	4	0	1	426	196
May	16	5	13	30	35	13	8	2	2	438	213
June	15	2	7	25	29	9	5	1	9	514	191
July	13	4	11	27	20	9	4	0	3	360	165
August	29	17	11	25	37	16	6	0	5	309	235
September	21	5	11	24	42	23	9	1	5	275	181
October	18	7	24	28	44	12	3	0	5	336	237
November	14	6	7	23	59	19	5	0	6	352	169
December											



**COLLECTIONS MONTHLY TOTALS REPORT
BRUNSWICK COUNTY
11 Nov2023 MonthEnd Run Date: Dec 1 2023 3:03AM**

CI21ADVL TAX - SOUTHPORT MOTOR VEHICLE TAX REPORT

TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2010	\$39,986.22		\$0.00	\$39,986.22	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2011	\$56,588.70		\$0.00	\$56,588.70	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2012	\$66,577.93		\$135.31	\$66,713.24	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2013	\$39,000.09		\$281.30	\$39,281.39	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2014	\$0.00		\$199.02	\$199.02	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2015	\$0.00		\$339.73	\$339.73	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2016	\$0.00		\$115.42	\$115.42	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2022	\$0.00		\$33.23	\$33.23	\$0.00	\$0.00	\$0.00	\$0.00	100.00
TOTAL	\$202,152.94		\$1,104.01	\$203,256.95	\$0.00	\$0.00	\$0.00	\$0.00	100.00
TOTAL INTEREST COLLECTED									

CI21ADVL TAX - SOUTHPORT PROPERTY TAX REPORT

TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2011	\$1,774,724.46	\$853.88	\$0.00	\$1,775,578.34	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2012	\$1,688,037.74	\$1,118.81	\$5,634.34	\$1,694,790.89	\$0.00	\$1,669.39	\$0.00	\$0.00	100.00
2013	\$1,696,968.97	\$663.08	\$5,642.58	\$1,703,274.63	\$0.00	\$19.61	\$0.00	\$1,715.31	99.90
2014	\$1,741,170.53	\$974.86	\$15,048.68	\$1,757,194.07	\$0.00	\$31.09	\$0.00	\$1,607.64	99.91
2015	\$1,725,593.21	\$1,606.70	\$8,008.53	\$1,735,208.44	\$0.00	\$18.87	\$0.00	\$1,097.48	99.94
2016	\$1,820,832.09	\$2,730.04	\$18,965.09	\$1,842,527.22	\$0.00	\$18.12	\$0.00	\$1,530.69	99.92
2017	\$2,319,187.36	\$2,803.03	\$11,820.85	\$2,333,811.24	\$0.00	\$19.26	\$0.00	\$2,989.36	99.87
2018	\$2,360,474.90	\$1,746.79	\$1,906.02	\$2,364,127.71	\$0.00	\$9.34	\$0.00	\$1,014.86	99.96
2019	\$2,902,214.84	\$2,330.39	\$4,575.41	\$2,909,120.64	\$0.00	\$9.34	\$0.00	\$2,252.23	99.92
2020	\$3,013,421.42	\$5,692.80	\$22,461.51	\$3,041,575.73	\$0.00	\$0.00	\$0.00	\$1,695.74	99.94
2021	\$3,103,177.33	\$3,492.77	\$23,431.70	\$3,130,101.80	\$0.00	\$0.00	\$186.13	\$4,315.43	99.86
2022	\$4,265,852.43	\$6,274.90	\$49,272.76	\$4,321,400.09	\$0.00	\$0.00	\$349.04	\$15,155.56	99.65
2023	\$4,195,158.38	\$4,289.27	\$22,607.57	\$4,222,055.22	\$0.00	\$11.16	\$1,072,588.31	\$2,083,020.39	50.66
TOTAL	\$32,606,813.66	\$34,577.32	\$189,375.04	\$32,830,766.02	\$0.00	\$1,806.18	\$1,073,123.48	\$2,116,394.69	93.55
TOTAL INTEREST COLLECTED				\$1,477.93					
GRAND TOTAL	\$32,808,966.60	\$34,577.32	\$190,479.05	\$33,034,022.97	\$0.00	\$1,806.18	\$1,073,123.48	\$2,116,394.69	93.59
GRAND TOTAL INTEREST COLLECTED				\$1,477.93					

**COLLECTIONS MONTHLY TOTALS REPORT
BRUNSWICK COUNTY
11 Nov2023 MonthEnd Run Date: Dec 1 2023 3:03AM**

FR14FFEEFEE - SOUTHPORT FIRE PROPERTY TAX REPORT

TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2010	\$617,230.00		\$0.00	\$617,230.00	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2011	\$624,470.00		\$0.00	\$624,470.00	\$0.00	\$0.00	\$0.00	\$0.00	100.00
2012	\$630,950.00		\$290.00	\$631,240.00	\$0.00	\$100.00	\$0.00	\$0.00	100.00
2013	\$639,550.00		\$0.00	\$639,550.00	\$0.00	\$0.00	\$0.00	\$110.00	99.98
2014	\$652,650.00		\$0.00	\$652,650.00	\$0.00	\$0.00	\$0.00	\$110.00	99.98
2015	\$674,560.00		\$0.00	\$674,560.00	\$0.00	\$0.00	\$0.00	\$120.00	99.98
2016	\$702,680.00		\$0.00	\$702,680.00	\$0.00	\$0.00	\$0.00	\$120.00	99.98
2017	\$897,246.88		\$290.00	\$897,536.88	\$0.00	\$0.00	\$0.00	\$162.50	99.98
2018	\$1,006,111.57		\$0.00	\$1,006,111.57	\$0.00	\$0.00	\$0.00	\$308.60	99.97
2019	\$1,027,492.82		\$0.00	\$1,027,492.82	\$0.00	\$0.00	\$0.00	\$453.75	99.96
2020	\$1,059,241.57		\$55.00	\$1,059,296.57	\$0.00	\$0.00	\$4.57	\$907.15	99.91
2021	\$1,082,561.57		\$0.00	\$1,082,561.57	\$0.00	\$0.00	\$287.19	\$2,155.92	99.80
2022	\$1,602,106.25		\$420.00	\$1,602,526.25	\$0.00	\$0.00	\$974.69	\$10,485.45	99.35
2023	\$1,645,695.00		\$0.00	\$1,645,695.00	\$0.00	\$0.00	\$420,580.28	\$763,751.10	53.59
TOTAL	\$12,862,545.66		\$1,055.00	\$12,863,600.66	\$0.00	\$100.00	\$421,846.73	\$778,684.47	93.95
TOTAL INTEREST COLLECTED									
GRAND TOTAL	\$12,862,545.66		\$1,055.00	\$12,863,600.66	\$0.00	\$100.00	\$421,846.73	\$778,684.47	93.95
GRAND TOTAL INTEREST COLLECTED									

COLLECTIONS MONTHLY TOTALS REPORT
BRUNSWICK COUNTY
11 Nov2023 MonthEnd Run Date: Dec 1 2023 3:03AM

CI21LIENFEE - CI21LIENFEE SOUTHPORT PROPERTY TAX REPORT									
TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2020	\$0.00		\$1,750.00	\$1,750.00	\$0.00	\$0.00	\$0.00	\$0.00	100.00
TOTAL	\$0.00		\$1,750.00	\$1,750.00	\$0.00	\$0.00	\$0.00	\$0.00	100.00
TOTAL INTEREST COLLECTED									
GRAND TOTAL	\$0.00		\$1,750.00	\$1,750.00	\$0.00	\$0.00	\$0.00	\$0.00	100.00
GRAND TOTAL INTEREST COLLECTED									

**COLLECTIONS MONTHLY TOTALS REPORT
BRUNSWICK COUNTY
11 Nov2023 YTDMonthEnd Run Date: Dec 1 2023 5:23AM**

CI21ADVL TAX - SOUTHPORT MOTOR VEHICLE TAX REPORT

TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2010	\$39,986.22		\$0.00	\$39,986.22	\$359.75	\$801.93	\$38,824.54	\$0.00	100.00
2011	\$56,588.70		\$0.00	\$56,588.70	\$1,100.98	\$1,089.50	\$54,398.22	\$0.00	100.00
2012	\$66,577.93		\$135.31	\$66,713.24	\$1,307.35	\$1,104.48	\$64,301.41	\$0.00	100.00
2013	\$39,000.09		\$281.30	\$39,281.39	\$627.45	\$833.06	\$37,820.88	\$0.00	100.00
2014	\$0.00		\$199.02	\$199.02	\$0.00	\$51.44	\$147.58	\$0.00	100.00
2015	\$0.00		\$339.73	\$339.73	\$0.00	\$0.00	\$339.73	\$0.00	100.00
2016	\$0.00		\$115.42	\$115.42	\$0.00	\$0.00	\$115.42	\$0.00	100.00
2022	\$0.00		\$33.23	\$33.23	\$0.00	\$0.00	\$33.23	\$0.00	100.00
TOTAL	\$202,152.94		\$1,104.01	\$203,256.95	\$3,395.53	\$3,880.41	\$195,981.01	\$0.00	100.00
TOTAL INTEREST COLLECTED				\$7,214.97					

CI21ADVL TAX - SOUTHPORT PROPERTY TAX REPORT

TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2011	\$1,774,724.46	\$853.88	\$0.00	\$1,775,578.34	\$130,557.11	\$1,984.77	\$1,643,036.46	\$0.00	100.00
2012	\$1,688,037.74	\$1,118.81	\$5,634.34	\$1,694,790.89	\$11,714.66	\$1,873.28	\$1,681,202.95	\$0.00	100.00
2013	\$1,696,968.97	\$663.08	\$5,642.58	\$1,703,274.63	\$7,143.40	\$230.53	\$1,694,185.39	\$1,715.31	99.90
2014	\$1,741,170.53	\$974.86	\$15,048.68	\$1,757,194.07	\$4,226.49	\$221.85	\$1,751,138.09	\$1,607.64	99.91
2015	\$1,725,593.21	\$1,606.70	\$8,008.53	\$1,735,208.44	\$4,672.15	\$94.41	\$1,729,344.40	\$1,097.48	99.94
2016	\$1,820,832.09	\$2,730.04	\$18,965.09	\$1,842,527.22	\$1,005.08	\$102.90	\$1,839,888.55	\$1,530.69	99.92
2017	\$2,319,187.36	\$2,803.03	\$11,820.85	\$2,333,811.24	\$2,076.09	\$75.85	\$2,328,669.94	\$2,989.36	99.87
2018	\$2,360,474.90	\$1,746.79	\$1,906.02	\$2,364,127.71	\$2,584.47	\$58.38	\$2,360,470.00	\$1,014.86	99.96
2019	\$2,902,214.84	\$2,330.39	\$4,575.41	\$2,909,120.64	\$3,741.06	\$56.84	\$2,903,070.51	\$2,252.23	99.92
2020	\$3,013,421.42	\$5,692.80	\$22,461.51	\$3,041,575.73	\$4,995.16	\$47.85	\$3,034,836.98	\$1,695.74	99.94
2021	\$3,103,177.33	\$3,492.77	\$23,431.70	\$3,130,101.80	\$2,864.46	\$60.66	\$3,122,861.25	\$4,315.43	99.86
2022	\$4,265,852.43	\$6,274.90	\$49,272.76	\$4,321,400.09	\$3,053.67	\$44.48	\$4,303,146.38	\$15,155.56	99.65
2023	\$4,195,158.38	\$4,289.27	\$22,607.57	\$4,222,055.22	\$359.62	\$60.18	\$2,138,615.03	\$2,083,020.39	50.66
TOTAL	\$32,606,813.66	\$34,577.32	\$189,375.04	\$32,830,766.02	\$178,993.42	\$4,911.98	\$30,530,465.93	\$2,116,394.69	93.55
TOTAL INTEREST COLLECTED				\$154,090.45					
GRAND TOTAL	\$32,808,966.60	\$34,577.32	\$190,479.05	\$33,034,022.97	\$182,388.95	\$8,792.39	\$30,726,446.94	\$2,116,394.69	93.59
GRAND TOTAL INTEREST COLLECTED				\$161,305.42					

COLLECTIONS MONTHLY TOTALS REPORT
BRUNSWICK COUNTY
11 Nov2023 YTDMonthEnd Run Date: Dec 1 2023 5:23AM

FR14FFEEFEE - SOUTHPORT FIRE PROPERTY TAX REPORT

TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2010	\$617,230.00		\$0.00	\$617,230.00	\$910.00	\$338.88	\$615,981.12	\$0.00	100.00
2011	\$624,470.00		\$0.00	\$624,470.00	\$720.00	\$130.85	\$623,619.15	\$0.00	100.00
2012	\$630,950.00		\$290.00	\$631,240.00	\$120.00	\$100.00	\$631,020.00	\$0.00	100.00
2013	\$639,550.00		\$0.00	\$639,550.00	\$210.00	\$0.00	\$639,230.00	\$110.00	99.98
2014	\$652,650.00		\$0.00	\$652,650.00	\$210.00	\$0.00	\$652,330.00	\$110.00	99.98
2015	\$674,560.00		\$0.00	\$674,560.00	\$160.00	\$0.00	\$674,280.00	\$120.00	99.98
2016	\$702,680.00		\$0.00	\$702,680.00	\$110.00	\$0.00	\$702,450.00	\$120.00	99.98
2017	\$897,246.88		\$290.00	\$897,536.88	\$137.50	\$0.00	\$897,236.88	\$162.50	99.98
2018	\$1,006,111.57		\$0.00	\$1,006,111.57	\$27.50	\$0.08	\$1,005,775.39	\$308.60	99.97
2019	\$1,027,492.82		\$0.00	\$1,027,492.82	\$192.50	\$0.00	\$1,026,846.57	\$453.75	99.96
2020	\$1,059,241.57		\$55.00	\$1,059,296.57	\$0.00	\$0.00	\$1,058,389.42	\$907.15	99.91
2021	\$1,082,561.57		\$0.00	\$1,082,561.57	\$123.75	\$0.00	\$1,080,281.90	\$2,155.92	99.80
2022	\$1,602,106.25		\$420.00	\$1,602,526.25	\$1,162.50	\$0.00	\$1,590,878.30	\$10,485.45	99.35
2023	\$1,645,695.00		\$0.00	\$1,645,695.00	\$0.00	\$0.00	\$881,943.90	\$763,751.10	53.59
TOTAL	\$12,862,545.66		\$1,055.00	\$12,863,600.66	\$4,083.75	\$569.81	\$12,080,262.63	\$778,684.47	93.95
TOTAL INTEREST COLLECTED									
GRAND TOTAL	\$12,862,545.66		\$1,055.00	\$12,863,600.66	\$4,083.75	\$569.81	\$12,080,262.63	\$778,684.47	93.95
GRAND TOTAL INTEREST COLLECTED									

RUN DATE: 12/1/2023 4:41 PM

COLLECTIONS MONTHLY TOTALS REPORT
BRUNSWICK COUNTY
11 Nov2023 YTDMonthEnd Run Date: Dec 1 2023 5:23AM

CI21LIENFEE - CI21LIENFEE SOUTHPORT PROPERTY TAX REPORT									
TAX YEAR	ORIGINAL LEVY	+LATE LIST	+DISCOVERIES	=CURRENT LEVY	-RELEASES	-WRITE-OFFS	-PRINCIPLE	=BALANCE	% COLL
2020	\$0.00		\$1,750.00	\$1,750.00	\$0.00	\$0.00	\$1,750.00	\$0.00	100.00
TOTAL	\$0.00		\$1,750.00	\$1,750.00	\$0.00	\$0.00	\$1,750.00	\$0.00	100.00
TOTAL INTEREST COLLECTED									
GRAND TOTAL	\$0.00		\$1,750.00	\$1,750.00	\$0.00	\$0.00	\$1,750.00	\$0.00	100.00
GRAND TOTAL INTEREST COLLECTED									

General Ledger

Expenditures vs Budget with

Encumbrances by Depart



User: bstevens
 Printed: 12/7/2023 3:03:18 PM
 Period 05 - 05
 Fiscal Year 2024

Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
10	General Fund							
00	General Government							
10-00-4110-0000	Full-Time Employees	26,973.00	2,249.77	10,606.06	16,366.94	0.00	16,366.94	60.68
10-00-4110-0900	F.I.C.A.	2,063.43	121.64	573.45	1,489.98	0.00	1,489.98	72.21
10-00-4110-1100	HealthLifeDental Insurance	1,050.00	5.45	153.98	896.02	0.00	896.02	85.34
10-00-4110-1400	Workers Compensation Insurance	250.00	0.00	180.75	69.25	0.00	69.25	27.70
10-00-4110-1800	Professional Fees	31,000.00	0.00	1,166.67	29,833.33	0.00	29,833.33	96.24
10-00-4110-2600	Departmental Supplies	16,615.65	757.40	1,697.16	14,918.49	0.00	14,918.49	89.79
10-00-4110-3100	Travel & Training	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00	100.00
10-00-4110-3200	Communications	1,500.00	115.11	199.36	1,300.64	0.00	1,300.64	86.71
10-00-4110-3900	Other Services	300.00	0.00	200.00	100.00	0.00	100.00	33.33
10-00-4110-4400	Contract Services	75,000.00	8,534.22	57,145.53	17,854.47	14,285.99	3,568.48	4.76
10-00-4110-4500	Insurance & Bonding	5,500.00	0.00	3,645.08	1,854.92	0.00	1,854.92	33.73
10-00-4110-5600	Capital Outlay - Weather tower	37,440.00	500.00	500.00	36,940.00	0.00	36,940.00	98.66
10-00-4110-6000	Donations	30,600.00	0.00	0.00	30,600.00	0.00	30,600.00	100.00
10-00-4110-6800	Election Expense	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00	100.00
00	General Government	238,292.08	12,283.59	76,068.04	162,224.04	14,285.99	147,938.05	62.08

General Ledger

Expenditures vs Budget with

Encumbrances by Depart



User: bstevens
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 Period 05 - 05
 Fiscal Year 2024

Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
01	Administration							
10-01-4120-0000	Full-Time Employees	100,268.00	13,611.22	48,730.06	51,537.94	0.00	51,537.94	51.40
10-01-4120-0001	Employee Overtime	1,281.56	56.69	210.07	1,071.49	0.00	1,071.49	83.61
10-01-4120-0700	401K Retirement Supplement	5,077.50	624.64	2,370.46	2,707.04	0.00	2,707.04	53.31
10-01-4120-0900	F.I.C.A.	7,768.57	1,036.56	3,721.71	4,046.86	0.00	4,046.86	52.09
10-01-4120-1000	LGERS Retirement	13,099.95	1,611.58	6,115.77	6,984.18	0.00	6,984.18	53.31
10-01-4120-1100	HealthLifeDental Insurance	18,434.00	318.40	4,914.89	13,519.11	0.00	13,519.11	73.34
10-01-4120-1400	Workers Compensation Insurance	1,500.00	0.00	1,084.49	415.51	0.00	415.51	27.70
10-01-4120-2500	Vehicle Supplies	261.00	268.46	422.05	-161.05	0.00	-161.05	-61.70
10-01-4120-2600	Departmental Supplies	22,000.00	2,166.61	8,564.06	13,435.94	1,161.04	12,274.90	55.80
10-01-4120-3100	Travel & Training	11,000.00	817.47	6,734.77	4,265.23	362.39	3,902.84	35.48
10-01-4120-3200	Communications	4,800.00	558.26	2,084.55	2,715.45	709.80	2,005.65	41.78
10-01-4120-3300	Utilities	6,100.00	417.00	2,129.19	3,970.81	0.00	3,970.81	65.10
10-01-4120-3400	Emergency Preparedness	2,000.00	0.00	1,434.37	565.63	0.00	565.63	28.28
10-01-4120-3900	Other Services	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00	100.00
10-01-4120-4400	Contract Services	210,000.00	17,957.91	42,914.74	167,085.26	296.09	166,789.17	79.42
10-01-4120-4500	Insurance & Bonding	8,766.45	0.00	5,809.59	2,956.86	0.00	2,956.86	33.73
10-01-4120-5000	Capital Purchases Under \$5000	0.00	0.00	36,318.62	-36,318.62	0.00	-36,318.62	0.00
10-01-4120-5400	Capital Outlay - Vehicles	7,000.00	576.67	2,883.35	4,116.65	4,036.69	79.96	1.14
10-01-4120-7100	Debt Service	118,367.00	0.00	113,472.71	4,894.29	0.00	4,894.29	4.13
10-01-4120-9700	Contingency	200,000.00	0.00	0.00	200,000.00	0.00	200,000.00	100.00
01	Administration	739,724.03	40,021.47	289,915.45	449,808.58	6,566.01	443,242.57	59.92

General Ledger

Expenditures vs Budget with

Encumbrances by Depart



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 Period 05 - 05
 Fiscal Year 2024

Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
02	Finance							
10-02-4140-0000	Full-Time Employees	150,930.00	13,530.53	50,125.85	100,804.15	0.00	100,804.15	66.79
10-02-4140-0001	Employee Overtime	2,248.00	3.40	267.81	1,980.19	0.00	1,980.19	88.09
10-02-4140-0200	Part Time Employees	25,593.00	1,412.71	15,577.71	10,015.29	0.00	10,015.29	39.13
10-02-4140-0700	401K Retirement Supplement	7,789.90	613.53	2,456.51	5,333.39	0.00	5,333.39	68.47
10-02-4140-0900	F.I.C.A.	13,876.41	1,118.45	4,967.69	8,908.72	0.00	8,908.72	64.20
10-02-4140-1000	LGERS Retirement	20,097.94	1,582.93	6,337.85	13,760.09	0.00	13,760.09	68.47
10-02-4140-1100	HealthLifeDental Insurance	30,288.30	670.32	8,836.99	21,451.31	0.00	21,451.31	70.82
10-02-4140-1400	Workers Compensation Insurance	1,800.00	0.00	1,301.39	498.61	0.00	498.61	27.70
10-02-4140-2600	Departmental Supplies	18,903.15	986.41	3,942.28	14,960.87	4,888.05	10,072.82	53.29
10-02-4140-3100	Travel & Traning	12,000.00	0.00	1,723.28	10,276.72	0.00	10,276.72	85.64
10-02-4140-3200	Communications	5,612.25	978.05	2,708.42	2,903.83	1,892.75	1,011.08	18.02
10-02-4140-3300	Utilities	3,098.55	215.23	1,163.04	1,935.51	0.00	1,935.51	62.47
10-02-4140-3901	Community Garden Expenses	7,200.00	72.27	110.68	7,089.32	0.00	7,089.32	98.46
10-02-4140-4400	Contract Services	37,925.00	2,770.97	15,146.61	22,778.39	2,173.50	20,604.89	54.33
10-02-4140-4410	Property Tax Fees	40,000.00	1,618.87	8,158.32	31,841.68	0.00	31,841.68	79.60
10-02-4140-4411	Motor Vehicle Fees	10,000.00	0.00	3,270.12	6,729.88	0.00	6,729.88	67.30
10-02-4140-4500	Insurance & Bonding	2,800.00	0.00	2,874.22	-74.22	0.00	-74.22	-2.65
10-02-4140-5000	Capital Purchases Under \$5000	8,000.00	1,647.59	4,325.37	3,674.63	0.00	3,674.63	45.93
02	Finance	398,162.50	27,221.26	133,294.14	264,868.36	8,954.30	255,914.06	64.27

General Ledger

Expenditures vs Budget with

Encumbrances by Depart



User: bstevens
 Printed: 12/7/2023 3:03:18 PM
 Period 05 - 05
 Fiscal Year 2024

Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
03	Buildings & Grounds							
10-03-4190-0000	Full-Time Employees	616,416.00	51,041.35	219,679.37	396,736.63	0.00	396,736.63	64.36
10-03-4190-0001	Employee Overtime	15,848.50	0.00	2,434.31	13,414.19	0.00	13,414.19	84.64
10-03-4190-0700	401K Retirement Supplement	31,744.23	2,221.79	10,775.41	20,968.82	0.00	20,968.82	66.06
10-03-4190-0900	F.I.C.A.	48,568.66	3,818.20	16,571.51	31,997.15	0.00	31,997.15	65.88
10-03-4190-1000	LGERS Retirement	81,900.10	5,732.25	27,800.53	54,099.57	0.00	54,099.57	66.06
10-03-4190-1100	HealthLifeDental Insurance	174,355.00	1,918.71	47,655.68	126,699.32	0.00	126,699.32	72.67
10-03-4190-1400	Workers Compensation Insurance	13,503.00	0.00	9,762.57	3,740.43	0.00	3,740.43	27.70
10-03-4190-2100	Uniforms & Protective Gear	10,000.00	475.51	3,844.77	6,155.23	6,200.85	-45.62	-0.46
10-03-4190-2500	Vehicle Supplies	16,000.00	1,060.82	6,579.25	9,420.75	293.98	9,126.77	57.04
10-03-4190-2600	Departmental Supplies	20,000.00	1,856.18	9,785.09	10,214.91	6,316.31	3,898.60	19.49
10-03-4190-3100	Travel & Training	1,500.00	0.00	20.00	1,480.00	220.88	1,259.12	83.94
10-03-4190-3200	Communications	2,200.00	175.25	1,105.63	1,094.37	0.00	1,094.37	49.74
10-03-4190-3300	Utilities	14,100.00	1,263.28	5,962.70	8,137.30	1,274.29	6,863.01	48.67
10-03-4190-3500	RM Equipment	5,200.00	361.08	3,880.50	1,319.50	0.00	1,319.50	25.38
10-03-4190-3501	RM Vehicles	5,000.00	250.99	359.20	4,640.80	144.95	4,495.85	89.92
10-03-4190-3502	RM Facilities	203,000.00	8,936.11	37,621.87	165,378.13	3,715.18	161,662.95	79.64
10-03-4190-3503	RM Cemetery	86,670.00	0.00	12,841.25	73,828.75	0.00	73,828.75	85.18
10-03-4190-3504	Forestry Projects	5,250.00	0.00	426.83	4,823.17	276.89	4,546.28	86.60
10-03-4190-3900	Other Services	28,000.00	0.00	14,903.11	13,096.89	0.00	13,096.89	46.77
10-03-4190-4400	Contract Services	21,000.00	60.00	10,636.93	10,363.07	1,972.32	8,390.75	39.96
10-03-4190-4500	Insurance & Bonding	54,000.00	0.00	35,788.05	18,211.95	0.00	18,211.95	33.73
10-03-4190-5000	Capital Purchases Under \$5000	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00	100.00
10-03-4190-5400	Capital Outlay - Vehicles	22,000.00	1,726.58	8,632.90	13,367.10	12,086.06	1,281.04	5.82
03	Buildings & Grounds	1,481,255.49	80,898.10	487,067.46	994,188.03	32,501.71	961,686.32	64.92

General Ledger

Expenditures vs Budget with

Encumbrances by Depart



User: bstevens
 Printed: 12/7/2023 3:03:18 PM
 Period 05 - 05
 Fiscal Year 2024

Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
04	Garage							
10-04-4250-0000	Full-Time Employees	123,770.00	12,169.65	50,462.93	73,307.07	0.00	73,307.07	59.23
10-04-4250-0001	Employee Overtime	2,025.11	0.00	373.80	1,651.31	0.00	1,651.31	81.54
10-04-4250-0700	401K Retirement Supplement	6,420.75	554.34	2,487.70	3,933.05	0.00	3,933.05	61.26
10-04-4250-0900	F.I.C.A.	9,823.75	926.09	3,865.37	5,958.38	0.00	5,958.38	60.65
10-04-4250-1000	LGERS Retirement	16,565.53	1,430.19	6,418.23	10,147.30	0.00	10,147.30	61.26
10-04-4250-1100	HealthLifeDental Insurance	34,184.00	302.78	11,448.68	22,735.32	0.00	22,735.32	66.51
10-04-4250-1400	Workers Compensation Insurance	3,800.00	0.00	2,747.37	1,052.63	0.00	1,052.63	27.70
10-04-4250-2100	Uniforms & Protective Gear	3,500.00	87.20	663.08	2,836.92	2,709.06	127.86	3.65
10-04-4250-2500	Vehicle Supplies	4,109.70	155.68	1,209.67	2,900.03	0.00	2,900.03	70.57
10-04-4250-2600	Departmental Supplies	7,750.00	116.64	921.85	6,828.15	0.00	6,828.15	88.11
10-04-4250-2602	Other Equipment	4,800.00	0.00	3,899.99	900.01	0.00	900.01	18.75
10-04-4250-3100	Travel & Training	1,500.00	0.00	0.00	1,500.00	0.00	1,500.00	100.00
10-04-4250-3200	Communications	1,350.00	102.60	409.74	940.26	0.00	940.26	69.65
10-04-4250-3300	Utilities	8,200.00	467.97	1,911.37	6,288.63	0.00	6,288.63	76.69
10-04-4250-3500	RM Equipment	900.00	0.00	0.00	900.00	0.00	900.00	100.00
10-04-4250-3501	RM Vehicles	3,000.00	0.00	0.00	3,000.00	0.00	3,000.00	100.00
10-04-4250-4400	Contract Services	4,200.00	0.00	833.11	3,366.89	1,666.89	1,700.00	40.48
10-04-4250-4500	Insurance & Bonding	2,000.00	0.00	1,325.48	674.52	0.00	674.52	33.73
10-04-4250-5400	Capital Outlay - Vehicles	12,000.00	992.72	4,963.60	7,036.40	6,949.04	87.36	0.73
04	Garage	249,898.84	17,305.86	93,941.97	155,956.87	11,324.99	144,631.88	57.88

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05	Streets							
10-05-4511-0000	Full-Time Employees	130,987.00	14,582.15	60,463.92	70,523.08	0.00	70,523.08	53.84
10-05-4511-0001	Employee Overtime	7,357.00	333.06	2,918.65	4,438.35	0.00	4,438.35	60.33
10-05-4511-0200	Part-Time Employees	60,200.00	6,764.06	32,895.13	27,304.87	0.00	27,304.87	45.36
10-05-4511-0700	401K Retirement Supplement	7,048.20	664.55	3,087.04	3,961.16	0.00	3,961.16	56.20
10-05-4511-0900	F.I.C.A.	15,389.05	1,641.02	7,283.49	8,105.56	0.00	8,105.56	52.67
10-05-4511-1000	LGERS Retirement	18,184.36	2,153.75	8,403.71	9,780.65	0.00	9,780.65	53.79
10-05-4511-1100	HealthLifeDental Insurance	39,682.50	597.22	13,283.25	26,399.25	0.00	26,399.25	66.53
10-05-4511-1400	Workers Compensation Insurance	4,000.00	0.00	2,891.97	1,108.03	0.00	1,108.03	27.70
10-05-4511-2100	Uniforms & Protective Gear	4,500.00	0.00	0.00	4,500.00	0.00	4,500.00	100.00
10-05-4511-2500	Vehicle Supplies	8,754.90	458.93	3,850.56	4,904.34	0.00	4,904.34	56.02
10-05-4511-2600	Departmental Supplies	50,000.00	389.88	4,033.19	45,966.81	2,706.92	43,259.89	86.52
10-05-4511-3200	Communications	800.00	75.45	725.06	74.94	0.00	74.94	9.37
10-05-4511-3300	Utilities	112,000.00	8,946.09	36,167.74	75,832.26	0.00	75,832.26	67.71
10-05-4511-3500	RM Equipment	10,000.00	6.30	6.30	9,993.70	0.00	9,993.70	99.94
10-05-4511-3501	RM Vehicles	2,800.00	0.00	190.69	2,609.31	240.00	2,369.31	84.62
10-05-4511-4400	Contract Services	20,850.00	0.00	1,762.50	19,087.50	0.00	19,087.50	91.55
10-05-4511-4500	Insurance & Bonding	25,000.00	0.00	16,568.54	8,431.46	0.00	8,431.46	33.73
10-05-4511-5400	Capital Outlay - Vehicles	6,100.00	481.51	2,407.55	3,692.45	3,370.57	321.88	5.28
10-05-4511-5800	Capital Outlay- Capital Improv	18,000.00	0.00	0.00	18,000.00	5,000.00	13,000.00	72.22
05	Streets	541,653.01	37,093.97	196,939.29	344,713.72	11,317.49	333,396.23	61.55

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06	Animal Protective Services							
10-06-4600-0000	Full Time Employees	64,131.00	2,353.39	21,358.86	42,772.14	0.00	42,772.14	66.69
10-06-4600-0200	Part-time Employees	4,200.00	0.00	697.00	3,503.00	0.00	3,503.00	83.40
10-06-4600-0700	401k Retirement Supplement	3,206.55	117.67	1,067.95	2,138.60	0.00	2,138.60	66.69
10-06-4600-0900	F.I.C.A	5,227.32	174.26	1,638.39	3,588.93	0.00	3,588.93	68.66
10-06-4600-1000	LGERS Retirement	8,272.90	303.59	2,755.31	5,517.59	0.00	5,517.59	66.69
10-06-4600-1100	HeathLifeDental Insurance	12,000.00	99.11	4,270.61	7,729.39	0.00	7,729.39	64.41
10-06-4600-1400	Workers Compensation Insurance	1,078.59	0.00	988.69	89.90	0.00	89.90	8.33
10-06-4600-2100	Uniforms & Protective Gear	450.00	0.00	90.40	359.60	209.60	150.00	33.33
10-06-4600-2500	Vehicle Supplies	1,500.00	0.00	195.34	1,304.66	0.00	1,304.66	86.98
10-06-4600-2600	Departmental Supplies	8,600.00	2.10	231.21	8,368.79	1,179.56	7,189.23	83.60
10-06-4600-2602	Animal Care	12,000.00	0.00	2,010.01	9,989.99	989.99	9,000.00	75.00
10-06-4600-3100	Travel & Training	4,000.00	0.00	3,349.18	650.82	0.00	650.82	16.27
10-06-4600-3200	Communications	1,000.00	89.83	358.96	641.04	0.00	641.04	64.10
10-06-4600-3300	Utilities	0.00	35.78	35.78	-35.78	264.22	-300.00	0.00
10-06-4600-4400	Contract Services	2,700.00	0.00	0.00	2,700.00	0.00	2,700.00	100.00
10-06-4600-5400	Capital Outlay - Vehicles	5,976.00	498.14	2,490.70	3,485.30	3,485.30	0.00	0.00
06	Animal Protective Services	134,342.36	3,673.87	41,538.39	92,803.97	6,128.67	86,675.30	64.52

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07	Human Resources							
10-07-4700-0000	Full-Time Employees	28,853.00	2,445.83	10,996.19	17,856.81	0.00	17,856.81	61.89
10-07-4700-0700	401K Retirement Supplement	1,442.65	113.26	540.77	901.88	0.00	901.88	62.52
10-07-4700-0900	F.I.C.A.	2,207.25	182.96	820.52	1,386.73	0.00	1,386.73	62.83
10-07-4700-1000	LGERS Retirement	3,722.04	292.23	1,395.22	2,326.82	0.00	2,326.82	62.51
10-07-4700-1100	HealthLifeDental Insurance	3,996.00	36.36	1,218.08	2,777.92	0.00	2,777.92	69.52
10-07-4700-1400	Workers Compensation Insurance	200.00	0.00	144.60	55.40	0.00	55.40	27.70
10-07-4700-2600	Departmental Supplies	1,000.00	0.00	27.27	972.73	73.87	898.86	89.89
10-07-4700-3100	Travel & Training	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00	100.00
10-07-4700-3150	Tuition Reimbursement	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00	100.00
10-07-4700-3200	Communications	600.00	42.71	170.70	429.30	0.00	429.30	71.55
10-07-4700-3900	Other Services	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00	100.00
10-07-4700-4400	Contract Services	31,400.00	0.00	5,375.00	26,025.00	0.00	26,025.00	82.88
07	Human Resources	85,420.94	3,113.35	20,688.35	64,732.59	73.87	64,658.72	75.69

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10	Police							
10-10-4310-0000	Full-Time Employees	950,377.00	78,162.70	343,647.64	606,729.36	0.00	606,729.36	63.84
10-10-4310-0001	Employee Overtime	37,296.00	3,856.51	20,576.71	16,719.29	0.00	16,719.29	44.83
10-10-4310-0200	Part time Salaries	70,376.00	1,916.93	11,751.28	58,624.72	3,995.00	54,629.72	77.63
10-10-4310-0400	Separation Allowance-Leo	12,819.00	986.08	4,789.53	8,029.47	0.00	8,029.47	62.64
10-10-4310-0700	401K Retirement Supplement	49,514.65	3,722.00	17,789.85	31,724.80	0.00	31,724.80	64.07
10-10-4310-0900	F.I.C.A.	82,121.83	6,426.53	28,842.86	53,278.97	0.00	53,278.97	64.88
10-10-4310-1000	LGERS Retirement	147,923.78	10,466.07	49,821.56	98,102.22	0.00	98,102.22	66.32
10-10-4310-1100	HealthLifeDental Insurance	244,031.50	2,358.20	64,817.88	179,213.62	0.00	179,213.62	73.44
10-10-4310-1400	Workers Compensation Insurance	38,249.40	0.00	27,984.35	10,265.05	0.00	10,265.05	26.84
10-10-4310-1800	Professional Services	577.50	0.00	0.00	577.50	0.00	577.50	100.00
10-10-4310-2100	Uniforms & Protective Gear	25,000.00	0.00	2,311.24	22,688.76	4,334.45	18,354.31	73.42
10-10-4310-2500	Vehicle Supplies	52,000.00	3,407.55	20,352.01	31,647.99	0.00	31,647.99	60.86
10-10-4310-2600	Departmental Supplies	16,000.00	1,046.82	2,388.05	13,611.95	1,655.06	11,956.89	74.73
10-10-4310-3100	Travel & Training	15,750.00	0.00	531.47	15,218.53	125.00	15,093.53	95.83
10-10-4310-3101	Community Resource Program	25,200.00	10,000.00	10,000.00	15,200.00	0.00	15,200.00	60.32
10-10-4310-3200	Communications	24,213.00	2,300.26	8,377.08	15,835.92	3,366.71	12,469.21	51.50
10-10-4310-3300	Utilities	3,098.55	215.22	1,163.04	1,935.51	0.00	1,935.51	62.47
10-10-4310-3500	RM Equipment	4,500.00	69.28	269.28	4,230.72	0.00	4,230.72	94.02
10-10-4310-3501	RM Vehicles	12,943.56	1,324.25	10,780.25	2,163.31	0.00	2,163.31	16.71
10-10-4310-4400	Contract Services	111,794.00	4,077.01	16,652.42	95,141.58	32,511.48	62,630.10	56.02
10-10-4310-4500	Insurance & Bonding	48,183.45	0.00	33,792.15	14,391.30	0.00	14,391.30	29.87
10-10-4310-5000	Capital Purchases Under \$5000	0.00	0.00	1,170.45	-1,170.45	0.00	-1,170.45	0.00
10-10-4310-5400	Capital Outlay - Vehicles	135,167.40	9,626.01	47,978.05	87,189.35	67,078.05	20,111.30	14.88
10-10-4310-5500	Capital Outlay - Equipment	246,720.00	0.00	0.00	246,720.00	246,394.88	325.12	0.13
10	Police	2,353,856.62	139,961.42	725,787.15	1,628,069.47	359,460.63	1,268,608.84	53.89

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11	Fire							
10-11-4340-0000	Full-Time Employees	809,327.00	72,889.76	299,345.42	509,981.58	0.00	509,981.58	63.01
10-11-4340-0001	Employee Overtime	75,671.00	7,745.94	30,095.08	45,575.92	0.00	45,575.92	60.23
10-11-4340-0100	Volunteer Fire Fees	109,500.00	7,400.00	40,591.07	68,908.93	0.00	68,908.93	62.93
10-11-4340-0200	Employee Volunteer Stipend	80,000.00	50,800.00	50,800.00	29,200.00	0.00	29,200.00	36.50
10-11-4340-0700	401K Retirement Supplement	44,249.90	3,652.82	16,065.51	28,184.39	0.00	28,184.39	63.69
10-11-4340-0900	F.I.C.A.	82,199.10	10,599.34	31,901.89	50,297.21	0.00	50,297.21	61.19
10-11-4340-1000	Fire Fighter Pension Plan Cont	110,302.00	9,372.59	41,397.43	68,904.57	0.00	68,904.57	62.47
10-11-4340-1002	Payments To Retirees	24,180.00	2,015.00	9,499.29	14,680.71	0.00	14,680.71	60.71
10-11-4340-1100	HealthLifeDental Insurance	120,000.00	1,158.10	40,139.94	79,860.06	0.00	79,860.06	66.55
10-11-4340-1400	Workers Compensation Insurance	25,597.00	0.00	18,506.44	7,090.56	0.00	7,090.56	27.70
10-11-4340-1800	Professional Fees	8,000.00	0.00	2,526.99	5,473.01	50.00	5,423.01	67.79
10-11-4340-2100	Uniforms & Protective Gear	25,000.00	0.00	11,272.54	13,727.46	0.00	13,727.46	54.91
10-11-4340-2500	Vehicle Supplies	49,368.00	6,077.23	22,735.14	26,632.86	1,046.72	25,586.14	51.83
10-11-4340-2600	Departmental Supplies	25,000.00	375.40	7,076.71	17,923.29	2,665.98	15,257.31	61.03
10-11-4340-2604	Fire Prevention	16,000.00	5,624.01	17,793.07	-1,793.07	674.57	-2,467.64	-15.42
10-11-4340-3100	Travel & Training	30,000.00	0.00	8,191.62	21,808.38	272.35	21,536.03	71.79
10-11-4340-3200	Communications	15,000.00	2,022.93	9,380.06	5,619.94	2,839.06	2,780.88	18.54
10-11-4340-3300	Utilities	25,000.00	3,241.47	14,832.34	10,167.66	2,826.99	7,340.67	29.36
10-11-4340-3500	RM Equipment	8,000.00	4,597.78	5,125.99	2,874.01	338.77	2,535.24	31.69
10-11-4340-3501	RM Vehicles	35,000.00	6,753.62	32,653.17	2,346.83	2,346.41	0.42	0.00
10-11-4340-3502	RM Facilities	18,000.00	0.00	4,842.45	13,157.55	5,016.29	8,141.26	45.23
10-11-4340-3503	Substation Lease	15,000.00	1,250.00	6,250.00	8,750.00	7,500.00	1,250.00	8.33
10-11-4340-4400	Contract Services	30,000.00	1,784.93	23,872.57	6,127.43	4,358.58	1,768.85	5.90
10-11-4340-4500	Insurance & Bonding	45,000.00	0.00	23,005.00	21,995.00	0.00	21,995.00	48.88
10-11-4340-5500	Capital Outlay - Equipment	271,505.00	10,228.45	10,228.45	261,276.55	114,634.22	146,642.33	54.01
10-11-4340-7100	Debt Service	305,000.00	0.00	285,402.96	19,597.04	0.00	19,597.04	6.43
11	Fire	2,401,899.00	207,589.37	1,063,531.13	1,338,367.87	144,569.94	1,193,797.93	49.70

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12	Rescue							
10-12-4370-0000	Full-Time Employees	163,408.00	16,595.52	41,926.14	121,481.86	0.00	121,481.86	74.34
10-12-4370-0001	Employee Overtime	18,643.00	2,731.53	8,629.03	10,013.97	0.00	10,013.97	53.71
10-12-4370-0200	Volunteer Rescue Fees	260,000.00	20,152.57	97,799.02	162,200.98	0.00	162,200.98	62.38
10-12-4370-0700	401K Retirement Supplement	9,102.55	885.15	2,446.57	6,655.98	0.00	6,655.98	73.12
10-12-4370-0900	F.I.C.A.	33,816.90	2,930.92	11,177.96	22,638.94	0.00	22,638.94	66.95
10-12-4370-1000	RetirementState Shared	23,484.88	2,283.66	6,312.09	17,172.79	0.00	17,172.79	73.12
10-12-4370-1100	HealthLifeDental Insurance	33,728.30	486.22	4,584.60	29,143.70	0.00	29,143.70	86.41
10-12-4370-1400	Workers Compensation Insurance	2,400.00	0.00	1,735.18	664.82	0.00	664.82	27.70
10-12-4370-2100	Uniforms & Protective Gear	10,000.00	0.00	2,760.00	7,240.00	0.00	7,240.00	72.40
10-12-4370-2500	Vehicle Supplies	8,000.00	2,285.92	10,602.74	-2,602.74	0.00	-2,602.74	-32.53
10-12-4370-2600	Departmenta Supplies	12,000.00	0.00	986.27	11,013.73	2,695.00	8,318.73	69.32
10-12-4370-2601	Medical Supplies	23,000.00	1,415.59	17,739.13	5,260.87	3,464.62	1,796.25	7.81
10-12-4370-3100	Travel & Training	7,000.00	0.00	174.15	6,825.85	134.55	6,691.30	95.59
10-12-4370-3200	Communications	8,000.00	187.20	4,116.48	3,883.52	0.00	3,883.52	48.54
10-12-4370-3300	Utilities	9,000.00	0.00	0.00	9,000.00	0.00	9,000.00	100.00
10-12-4370-3500	RM Equipment	12,000.00	0.00	96.13	11,903.87	0.00	11,903.87	99.20
10-12-4370-3501	RM Vehicles	5,000.00	1,907.99	2,272.87	2,727.13	3,639.04	-911.91	-18.24
10-12-4370-3502	RM Facilities	7,000.00	165.00	165.00	6,835.00	0.00	6,835.00	97.64
10-12-4370-4400	Contract Services	50,000.00	3,571.21	18,770.66	31,229.34	1,484.12	29,745.22	59.49
10-12-4370-4500	Insurance & Bonding	45,000.00	0.00	0.00	45,000.00	0.00	45,000.00	100.00
10-12-4370-5400	Capital Outlay - Vehicles	6,000.00	0.00	0.00	6,000.00	0.00	6,000.00	100.00
10-12-4370-5500	Capital Outlay - Equipment	40,000.00	0.00	42,550.60	-2,550.60	1,756.13	-4,306.73	-10.77
10-12-4370-7100	Debt Service	53,000.00	26,363.06	26,363.06	26,636.94	0.00	26,636.94	50.26
12	Rescue	839,583.63	81,961.54	301,207.68	538,375.95	13,173.46	525,202.49	62.56

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40	Planning and Permitting							
10-40-4350-0000	Full-Time Employees	223,313.53	6,053.92	32,098.69	191,214.84	0.00	191,214.84	85.63
10-40-4350-0001	Employee Overtime	3,423.00	198.00	1,027.53	2,395.47	0.00	2,395.47	69.98
10-40-4350-0700	401K Retirement Supplement	11,467.83	285.53	1,629.24	9,838.59	0.00	9,838.59	85.79
10-40-4350-0900	F.I.C.A.	17,545.77	471.92	2,503.58	15,042.19	0.00	15,042.19	85.73
10-40-4350-1000	LGERS Retirement	29,586.99	736.65	4,203.43	25,383.56	0.00	25,383.56	85.79
10-40-4350-1100	HealthLifeDental Insurance	43,329.76	524.12	9,005.81	34,323.95	0.00	34,323.95	79.22
10-40-4350-1400	Workers Compensation Insurance	2,650.00	0.00	1,915.93	734.07	0.00	734.07	27.70
10-40-4350-2500	Vehicle Supplies	800.00	161.96	317.78	482.22	0.00	482.22	60.28
10-40-4350-2600	Departmental Supplies	4,875.00	544.17	380.35	4,494.65	1,054.70	3,439.95	70.56
10-40-4350-3100	Travel & Training	11,000.00	-25.00	835.00	10,165.00	0.00	10,165.00	92.41
10-40-4350-3200	Communications	4,300.00	694.20	2,300.53	1,999.47	1,182.96	816.51	18.99
10-40-4350-3300	Utilities	1,700.00	231.50	1,242.56	457.44	110.48	346.96	20.41
10-40-4350-3500	RM Equipment	80.00	0.00	0.00	80.00	0.00	80.00	100.00
10-40-4350-3501	RM Vehicles	250.00	21.36	70.26	179.74	0.00	179.74	71.90
10-40-4350-4400	Contract Services	15,000.00	5,239.26	23,254.15	-8,254.15	614.67	-8,868.82	-59.13
10-40-4350-4500	Insurance & Bonding	6,000.00	0.00	3,976.45	2,023.55	0.00	2,023.55	33.73
10-40-4350-5400	Capital Outlay - Vehicles	7,000.00	1,153.36	5,766.80	1,233.20	1,233.20	0.00	0.00
10-40-4350-5500	Capital Outlay - Equipment	3,000.00	0.00	0.00	3,000.00	0.00	3,000.00	100.00
40	Planning and Permitting	385,321.88	16,290.95	90,528.09	294,793.79	4,196.01	290,597.78	75.42

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41	DEPT							
10-41-4380-0000	Full-Time Employees	268,456.69	15,062.71	66,881.05	201,575.64	0.00	201,575.64	75.09
10-41-4380-0001	Employee Overtime	7,911.12	151.73	660.88	7,250.24	0.00	7,250.24	91.65
10-41-4380-0200	Part-Time Employees	41,210.92	167.41	738.57	40,472.35	0.00	40,472.35	98.21
10-41-4380-0700	401K Retirement Supplement	14,274.39	679.52	3,295.92	10,978.47	0.00	10,978.47	76.91
10-41-4380-0900	F.I.C.A.	24,992.45	1,164.30	5,161.66	19,830.79	0.00	19,830.79	79.35
10-41-4380-1000	LGERS Retirement	36,827.93	1,753.14	8,503.39	28,324.54	0.00	28,324.54	76.91
10-41-4380-1100	HealthLifeDental Insurance	55,891.59	714.92	8,866.07	47,025.52	0.00	47,025.52	84.14
10-41-4380-1400	Workers Compensation Insurance	2,650.00	0.00	1,915.93	734.07	0.00	734.07	27.70
10-41-4380-2500	Vehicle Supplies	1,600.00	0.00	212.23	1,387.77	0.00	1,387.77	86.74
10-41-4380-2600	Departmental Supplies	4,875.00	1,677.59	3,725.74	1,149.26	55.00	1,094.26	22.45
10-41-4380-3100	Travel & Training	3,000.00	480.27	2,429.77	570.23	733.80	-163.57	-5.45
10-41-4380-3200	Communications	2,000.00	185.33	1,016.71	983.29	0.00	983.29	49.16
10-41-4380-3300	Utilities	1,700.00	16.29	79.54	1,620.46	110.46	1,510.00	88.82
10-41-4380-3500	RM Equipment	80.00	0.00	0.00	80.00	0.00	80.00	100.00
10-41-4380-3501	RM Vehicles	250.00	0.00	0.00	250.00	0.00	250.00	100.00
10-41-4380-4400	Contract Services	22,500.00	1,592.81	15,447.94	7,052.06	614.67	6,437.39	28.61
10-41-4380-4500	Insurance & Bonding	5,000.00	0.00	3,313.71	1,686.29	0.00	1,686.29	33.73
10-41-4380-5400	Capital Outlay - Vehicles	14,000.00	0.00	0.00	14,000.00	0.00	14,000.00	100.00
10-41-4380-5500	Capital Outlay - Equipment	6,000.00	0.00	0.00	6,000.00	0.00	6,000.00	100.00
41	DEPT	513,220.09	23,646.02	122,249.11	390,970.98	1,513.93	389,457.05	75.88

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80	Parks & Recreation							
10-80-6120-0000	Full-Time Employees	218,784.00	21,621.97	80,565.65	138,218.35	0.00	138,218.35	63.18
10-80-6120-0001	Employee Overtime	9,436.00	476.78	4,909.35	4,526.65	0.00	4,526.65	47.97
10-80-6120-0200	Part Time Salaries	125,143.00	5,238.31	40,672.66	84,470.34	0.00	84,470.34	67.50
10-80-6120-0700	401K Retirement Supplement	11,411.00	996.66	4,131.46	7,279.54	0.00	7,279.54	63.79
10-80-6120-0900	F.I.C.A.	18,331.77	2,038.60	9,394.59	8,937.18	0.00	8,937.18	48.75
10-80-6120-1000	LGERS Retirement	29,440.38	2,741.99	10,829.71	18,610.67	0.00	18,610.67	63.21
10-80-6120-1100	HealthLifeDental Insurance	54,958.00	846.48	10,210.60	44,747.40	0.00	44,747.40	81.42
10-80-6120-1400	Workers Compensation Insurance	9,797.76	0.00	7,083.88	2,713.88	0.00	2,713.88	27.70
10-80-6120-2100	Uniforms & Protective Gear	3,000.00	0.00	236.32	2,763.68	0.00	2,763.68	92.12
10-80-6120-2500	Vehicle Supplies	6,500.00	217.81	2,311.87	4,188.13	0.00	4,188.13	64.43
10-80-6120-2600	Departmental Supplies	52,000.00	-1,166.61	19,409.69	32,590.31	8,962.15	23,628.16	45.44
10-80-6120-3100	Travel & Training	5,000.00	0.00	1,597.85	3,402.15	0.00	3,402.15	68.04
10-80-6120-3200	Communications	5,250.00	768.52	2,194.46	3,055.54	1,807.94	1,247.60	23.76
10-80-6120-3300	Utilities	46,200.00	2,923.66	21,359.87	24,840.13	0.00	24,840.13	53.77
10-80-6120-3500	RM Equipment	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00	100.00
10-80-6120-3501	RM Vehicles	3,150.00	0.00	12.59	3,137.41	351.36	2,786.05	88.45
10-80-6120-3502	RM Facilities	39,000.00	2,729.94	18,729.59	20,270.41	4,940.23	15,330.18	39.31
10-80-6120-4400	Contract Services	29,000.00	1,519.76	12,456.49	16,543.51	1,677.27	14,866.24	51.26
10-80-6120-5000	Capital Purchases Under \$5000	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00	100.00
10-80-6120-5400	Capital Outlay - Vehicles	25,281.00	3,100.55	5,312.15	19,968.85	3,870.30	16,098.55	63.68
10-80-6120-5600	Capital ProjectLowe White Prk	220,000.00	0.00	0.00	220,000.00	0.00	220,000.00	100.00
80	Parks & Recreation	918,682.91	44,054.42	251,418.78	667,264.13	21,609.25	645,654.88	70.28

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81	Community Building							
10-81-6150-0000	Full-Time Employees	51,336.50	1,769.39	15,607.10	35,729.40	0.00	35,729.40	69.60
10-81-6150-0001	Employee Overtime	0.00	17.36	288.39	-288.39	0.00	-288.39	0.00
10-81-6150-0200	Part-Time Employees	50,000.00	3,625.67	13,969.87	36,030.13	0.00	36,030.13	72.06
10-81-6150-0700	401K Retirement Supplement	2,566.83	89.34	767.92	1,798.91	0.00	1,798.91	70.08
10-81-6150-0900	F.I.C.A.	7,752.24	413.49	2,248.16	5,504.08	0.00	5,504.08	71.00
10-81-6150-1000	LGERS Retirement	6,622.41	230.49	1,981.25	4,641.16	0.00	4,641.16	70.08
10-81-6150-1100	HealthLifeDental Insurance	12,000.00	99.11	1,384.16	10,615.84	0.00	10,615.84	88.47
10-81-6150-1400	Workers Compensation Insurance	2,281.44	0.00	1,649.15	632.29	0.00	632.29	27.71
10-81-6150-2600	Departmental Supplies	3,000.00	70.15	1,039.37	1,960.63	419.21	1,541.42	51.38
10-81-6150-2700	Marketing	3,500.00	0.00	152.36	3,347.64	0.00	3,347.64	95.65
10-81-6150-3200	Communications	1,500.00	320.31	1,022.59	477.41	473.16	4.25	0.28
10-81-6150-3300	Utilities	12,500.00	886.76	4,768.66	7,731.34	0.00	7,731.34	61.85
10-81-6150-4400	Contract Services	5,500.00	33.00	58.00	5,442.00	0.00	5,442.00	98.95
10-81-6150-5000	Capital Purchases Under \$5000	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00	100.00
81	Community Building	160,559.42	7,555.07	44,936.98	115,622.44	892.37	114,730.07	71.46

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82	Tourism							
10-82-6170-0000	Full-Time Employees	198,103.00	8,637.15	64,022.53	134,080.47	0.00	134,080.47	67.68
10-82-6170-0001	Employee Overtime	2,500.00	0.00	186.99	2,313.01	0.00	2,313.01	92.52
10-82-6170-0700	401K Retirement Supplement	10,161.15	404.78	3,183.39	6,977.76	0.00	6,977.76	68.67
10-82-6170-0900	F.I.C.A.	15,546.56	650.51	4,831.61	10,714.95	0.00	10,714.95	68.92
10-82-6170-1000	LGERS Retirement	26,215.77	1,044.35	8,213.19	18,002.58	0.00	18,002.58	68.67
10-82-6170-1100	HealthLifeDental Insurance	37,728.00	198.22	11,161.64	26,566.36	0.00	26,566.36	70.42
10-82-6170-1400	Workers Compensation Insurance	3,368.41	0.00	2,636.75	731.66	0.00	731.66	21.72
10-82-6170-2600	Departmental Supplies	18,000.00	0.00	1,989.18	16,010.82	5,484.94	10,525.88	58.48
10-82-6170-2601	Beautification Committee	3,000.00	0.00	0.00	3,000.00	780.62	2,219.38	73.98
10-82-6170-2710	Tourism Community Events	10,000.00	3,742.04	4,335.99	5,664.01	328.58	5,335.43	53.35
10-82-6170-2711	Special Marketing Opps	10,000.00	1,865.00	3,448.86	6,551.14	1,087.73	5,463.41	54.63
10-82-6170-2712	Grant Matching Funds	10,000.00	0.00	0.00	10,000.00	0.00	10,000.00	100.00
10-82-6170-3100	Travel & Training	5,000.00	0.00	1,422.69	3,577.31	1,046.75	2,530.56	50.61
10-82-6170-3200	Communications	5,000.00	395.55	1,281.05	3,718.95	1,313.02	2,405.93	48.12
10-82-6170-3300	Utilities	11,500.00	720.05	5,388.36	6,111.64	0.00	6,111.64	53.14
10-82-6170-4400	Contract Services	26,000.00	487.15	4,562.40	21,437.60	7,050.55	14,387.05	55.33
10-82-6170-4500	Insurance & Bonding	5,000.00	0.00	3,313.71	1,686.29	0.00	1,686.29	33.73
82	Tourism	397,122.89	18,144.80	119,978.34	277,144.55	17,092.19	260,052.36	65.48

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96	Solid Waste							
10-96-4170-4400	Contract Services	0.00	40,990.83	135,333.42	-135,333.42	179,252.06	-314,585.48	0.00
96	Solid Waste	0.00	40,990.83	135,333.42	-135,333.42	179,252.06	-314,585.48	0.00

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		11,838,995.69	801,805.89	4,194,423.77	7,644,571.92	832,912.87	6,811,659.05	57.5358
10	General Fund	11,838,995.69	801,805.89	4,194,423.77	7,644,571.92	832,912.87	6,811,659.05	57.54

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
20	Powell Bill Fund							
20	Powell Bill							
20-20-4510-5500	Capital Outlay - Equipment	362,041.00	0.00	608.00	361,433.00	101,183.96	260,249.04	71.88
20	Powell Bill	362,041.00	0.00	608.00	361,433.00	101,183.96	260,249.04	71.88

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		362,041.00	0.00	608.00	361,433.00	101,183.96	260,249.04	71.8839
20	Powell Bill Fund	362,041.00	0.00	608.00	361,433.00	101,183.96	260,249.04	71.88

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
21	Firemen's Fund							
11	Fire							
21-11-4340-3000	Southport Firemen'S Expenses	64,876.00	3,339.72	20,332.49	44,543.51	3,189.56	41,353.95	63.74
11	Fire	64,876.00	3,339.72	20,332.49	44,543.51	3,189.56	41,353.95	63.74

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		64,876.00	3,339.72	20,332.49	44,543.51	3,189.56	41,353.95	63.7431
21	Firemen's Fund	64,876.00	3,339.72	20,332.49	44,543.51	3,189.56	41,353.95	63.74

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
23	Capital Project Fund							
23	DEPT							
23-23-7300-5800	Capital Outlay -Capital Improv	2,502,394.00	39,938.99	147,180.49	2,355,213.51	348,984.20	2,006,229.31	80.17
23	DEPT	2,502,394.00	39,938.99	147,180.49	2,355,213.51	348,984.20	2,006,229.31	80.17

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		2,502,394.00	39,938.99	147,180.49	2,355,213.51	348,984.20	2,006,229.31	80.1724
23	Capital Project Fund	2,502,394.00	39,938.99	147,180.49	2,355,213.51	348,984.20	2,006,229.31	80.17

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
30	Electric Fund							
93	Electric							
30-93-7210-0000	Full-Time Employees	414,868.00	34,937.75	143,386.74	271,481.26	0.00	271,481.26	65.44
30-93-7210-0001	Employee Overtime	8,174.00	60.09	1,035.34	7,138.66	0.00	7,138.66	87.33
30-93-7210-0200	Part-Time Employees	45,030.00	1,412.71	15,578.26	29,451.74	0.00	29,451.74	65.40
30-93-7210-0700	401K Retirement Supplement	21,152.10	1,501.03	6,536.60	14,615.50	0.00	14,615.50	69.10
30-93-7210-0900	F.I.C.A.	35,807.51	2,657.02	11,665.23	24,142.28	0.00	24,142.28	67.42
30-93-7210-1000	LGERS Retirement	54,572.42	3,872.73	16,864.59	37,707.83	0.00	37,707.83	69.10
30-93-7210-1100	HealthLifeDental Insurance	74,300.00	1,116.34	19,294.53	55,005.47	0.00	55,005.47	74.03
30-93-7210-1400	Workers Compensation Insurance	2,000.00	0.00	1,445.99	554.01	0.00	554.01	27.70
30-93-7210-1800	Professional Fees	13,959.75	0.00	6,139.16	7,820.59	0.00	7,820.59	56.02
30-93-7210-2100	Uniforms & Protective Gear	1,800.00	51.84	217.82	1,582.18	1,158.27	423.91	23.55
30-93-7210-2500	Vehicle Supplies	650.00	21.58	165.65	484.35	0.00	484.35	74.52
30-93-7210-2600	Departmental Supplies	22,000.00	0.00	3,281.85	18,718.15	4,406.64	14,311.51	65.05
30-93-7210-2700	Power Purchase	5,899,956.00	315,487.99	1,351,659.28	4,548,296.72	3,335,098.21	1,213,198.51	20.56
30-93-7210-2701	Utility Sales Tax	576,000.00	39,912.02	185,864.46	390,135.54	0.00	390,135.54	67.73
30-93-7210-3100	Travel & Training	10,000.00	0.00	875.00	9,125.00	0.00	9,125.00	91.25
30-93-7210-3200	Communications	4,000.00	515.43	1,459.77	2,540.23	946.33	1,593.90	39.85
30-93-7210-3300	Utilities	1,229.55	110.35	569.50	660.05	0.00	660.05	53.68
30-93-7210-3501	RM Vehicles	1,300.00	0.00	0.00	1,300.00	0.00	1,300.00	100.00
30-93-7210-3502	Install Load Mgt Switches	45,000.00	500.00	6,109.51	38,890.49	18,936.85	19,953.64	44.34
30-93-7210-4400	Contract Services	68,800.00	11,062.17	47,588.95	21,211.05	25,489.76	-4,278.71	-6.22
30-93-7210-4500	Insurance & Bonding	11,700.00	0.00	7,754.08	3,945.92	0.00	3,945.92	33.73
30-93-7210-4800	Billing Contract	216,703.20	0.00	85,115.48	131,587.72	0.00	131,587.72	60.72
30-93-7210-4900	Operations & Maintenance BEMC	586,100.10	0.00	196,324.32	389,775.78	390,694.32	-918.54	-0.16
30-93-7210-5400	Capital Outlay - Vehicles	7,100.00	558.67	2,793.35	4,306.65	3,910.69	395.96	5.58
30-93-7210-5500	Capital Outlay - Equipment	80,000.00	1,038.62	3,620.66	76,379.34	6,551.95	69,827.39	87.28
30-93-7210-5800	Capital Outlay -Capital Improv	179,143.06	0.00	20,310.09	158,832.97	70,429.05	88,403.92	49.35
30-93-7210-5900	Capital Outlay - System	3,490,000.00	17,418.83	52,526.42	3,437,473.58	2,052,244.22	1,385,229.36	39.69
30-93-9990-0000	Depreciation	9,839.00	0.00	0.00	9,839.00	0.00	9,839.00	100.00
93	Electric	11,881,184.69	432,235.17	2,188,182.63	9,693,002.06	5,909,866.29	3,783,135.77	31.84

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Expense Total		11,881,184.69	432,235.17	2,188,182.63	9,693,002.06	5,909,866.29	3,783,135.77	31.8414
30	Electric Fund	11,881,184.69	432,235.17	2,188,182.63	9,693,002.06	5,909,866.29	3,783,135.77	31.84

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Expenditures vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
31	Water & Sewer Fund							
91	WaterSewer							
31-91-7130-0000	Full-Time Employees	841,466.00	65,370.80	273,828.21	567,637.79	0.00	567,637.79	67.46
31-91-7130-0001	Employee Overtime	13,240.00	1,313.27	8,417.70	4,822.30	0.00	4,822.30	36.42
31-91-7130-0200	Part-Time Employees	135,195.00	11,559.27	64,925.14	70,269.86	0.00	70,269.86	51.98
31-91-7130-0700	401K Retirement Supplement	42,735.30	2,912.10	13,255.46	29,479.84	0.00	29,479.84	68.98
31-91-7130-0900	F.I.C.A.	75,727.43	5,856.90	25,989.81	49,737.62	0.00	49,737.62	65.68
31-91-7130-1000	LGERS Retirement	65,385.01	8,171.99	34,857.62	30,527.39	0.00	30,527.39	46.69
31-91-7130-1100	HealthLifeDental Insurance	137,854.50	2,492.32	48,441.46	89,413.04	0.00	89,413.04	64.86
31-91-7130-1400	Workers Compensation Insurance	13,053.60	0.00	9,437.95	3,615.65	0.00	3,615.65	27.70
31-91-7130-1800	Professional Fees	16,800.00	0.00	1,166.67	15,633.33	0.00	15,633.33	93.06
31-91-7130-2100	Uniforms & Protective Gear	15,500.00	807.68	3,606.12	11,893.88	6,985.24	4,908.64	31.67
31-91-7130-2500	Vehicle Supplies	30,000.00	2,222.37	13,105.05	16,894.95	0.00	16,894.95	56.32
31-91-7130-2600	Departmental Supplies	46,000.00	477.87	9,926.90	36,073.10	12,316.36	23,756.74	51.65
31-91-7130-2606	Sewer SuppliesColl System	205,000.00	90.54	18,619.31	186,380.69	51,386.46	134,994.23	65.85
31-91-7130-2700	Water Purchase	1,590,000.00	84,289.88	641,426.42	948,573.58	158,573.58	790,000.00	49.69
31-91-7130-3100	Travel & Training	14,000.00	273.79	2,616.47	11,383.53	407.77	10,975.76	78.40
31-91-7130-3200	Communications	13,200.00	1,448.86	5,362.65	7,837.35	3,439.33	4,398.02	33.32
31-91-7130-3300	Utilities	54,000.00	3,906.40	16,707.47	37,292.53	3,150.14	34,142.39	63.23
31-91-7130-3500	RM Equipment	19,500.00	633.71	1,638.09	17,861.91	807.00	17,054.91	87.46
31-91-7130-3501	RM Vehicles	22,050.00	599.67	1,064.47	20,985.53	877.81	20,107.72	91.19
31-91-7130-3506	Sewer System R&M Coll System	690,000.00	13,797.53	36,565.40	653,434.60	32,424.52	621,010.08	90.00
31-91-7130-3900	Other Services	4,500.00	2,410.00	2,410.00	2,090.00	0.00	2,090.00	46.44
31-91-7130-3910	Neighbors 4 Neighbors	13,650.00	1,120.00	5,728.00	7,922.00	612.00	7,310.00	53.55
31-91-7130-4400	Contract Services	1,259,655.00	234,933.10	561,656.43	697,998.57	751,695.25	-53,696.68	-4.26
31-91-7130-4500	Insurance & Bonding	65,000.00	0.00	44,078.21	20,921.79	0.00	20,921.79	32.19
31-91-7130-5400	Capital Outlay - Vehicles	89,000.00	3,018.23	15,091.15	73,908.85	21,127.61	52,781.24	59.30
31-91-7130-5500	Capital Outlay - Equipment	115,000.00	0.00	78,050.00	36,950.00	0.00	36,950.00	32.13
31-91-7130-5800	Capital Outlay -Capital Improv	138,500.00	0.00	0.00	138,500.00	0.00	138,500.00	100.00
31-91-7130-5900	Capital Outlay - System	358,000.00	81,250.00	162,798.00	195,202.00	99,073.00	96,129.00	26.85
31-91-7130-7100	Bond Retirement	766,000.00	2,258.48	30,430.10	735,569.90	0.00	735,569.90	96.03
31-91-7130-9700	Contingency	750,988.00	0.00	0.00	750,988.00	0.00	750,988.00	100.00
31-91-9990-0000	Depreciation	400,000.00	0.00	0.00	400,000.00	0.00	400,000.00	100.00
91	WaterSewer	8,000,999.84	531,214.76	2,131,200.26	5,869,799.58	1,142,876.07	4,726,923.51	59.08

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		8,000,999.84	531,214.76	2,131,200.26	5,869,799.58	1,142,876.07	4,726,923.51	59.0792
31	Water & Sewer Fund	8,000,999.84	531,214.76	2,131,200.26	5,869,799.58	1,142,876.07	4,726,923.51	59.08

General Ledger

Expenditures vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
32	System Development Fee Fund							
92	DEPT							
32-92-7135-9600	Sewer Development Fee Transfer	700,000.00	0.00	0.00	700,000.00	0.00	700,000.00	100.00
32-92-7135-9700	Water Development Fee Transfer	100,000.00	0.00	0.00	100,000.00	0.00	100,000.00	100.00
92	DEPT	800,000.00	0.00	0.00	800,000.00	0.00	800,000.00	100.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		800,000.00	0.00	0.00	800,000.00	0.00	800,000.00	100
32	System Development Fee Fund	800,000.00	0.00	0.00	800,000.00	0.00	800,000.00	100.00

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Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
42	Part F Grant. Capital Projects							
42	DEPT							
42-42-8111-5800	Capital Outlay -Capital Improv	529,287.00	0.00	44,862.48	484,424.52	5,167.00	479,257.52	90.55
42	DEPT	529,287.00	0.00	44,862.48	484,424.52	5,167.00	479,257.52	90.55

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		529,287.00	0.00	44,862.48	484,424.52	5,167.00	479,257.52	90.5478
42	Part F Grant. Capital Projects	529,287.00	0.00	44,862.48	484,424.52	5,167.00	479,257.52	90.55

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
50	ARP SLFRF Funding							
50	ARPA Funding							
50-50-8111-4400	Contract Services	0.00	0.00	8,812.50	-8,812.50	0.00	-8,812.50	0.00
50	ARPA Funding	0.00	0.00	8,812.50	-8,812.50	0.00	-8,812.50	0.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		0.00	0.00	8,812.50	-8,812.50	0.00	-8,812.50	0
50	ARP SLFRF Funding	0.00	0.00	8,812.50	-8,812.50	0.00	-8,812.50	0.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
51	P Station Rehab SRP-D-ARP-0105							
51	DEPT							
51-51-8111-4400	Contract Services	0.00	51,104.64	56,157.16	-56,157.16	0.00	-56,157.16	0.00
51	DEPT	0.00	51,104.64	56,157.16	-56,157.16	0.00	-56,157.16	0.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		0.00	51,104.64	56,157.16	-56,157.16	0.00	-56,157.16	0
51	P Station Rehab SRP-D-ARP-0105	0.00	51,104.64	56,157.16	-56,157.16	0.00	-56,157.16	0.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
53	Sewer I&I SRP-W-ARP-0308							
53	DEPT							
53-53-8111-4400	Contract Services	0.00	0.00	7,970.00	-7,970.00	392,030.00	-400,000.00	0.00
53	DEPT	0.00	0.00	7,970.00	-7,970.00	392,030.00	-400,000.00	0.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		0.00	0.00	7,970.00	-7,970.00	392,030.00	-400,000.00	0
53	Sewer I&I SRP-W-ARP-0308	0.00	0.00	7,970.00	-7,970.00	392,030.00	-400,000.00	0.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
55	Mulberry Branch CS370714-03							
55	DEPT							
55-55-8111-4400	Contract Services	0.00	0.00	500.00	-500.00	0.00	-500.00	0.00
55	DEPT	0.00	0.00	500.00	-500.00	0.00	-500.00	0.00

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Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		0.00	0.00	500.00	-500.00	0.00	-500.00	0
55	Mulberry Branch CS370714-03	0.00	0.00	500.00	-500.00	0.00	-500.00	0.00

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
56	Sewer Replacement							
56	DEPT							
56-56-8111-4400	Contract Services	0.00	46,030.13	46,780.13	-46,780.13	0.00	-46,780.13	0.00
56	DEPT	0.00	46,030.13	46,780.13	-46,780.13	0.00	-46,780.13	0.00

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Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		0.00	46,030.13	46,780.13	-46,780.13	0.00	-46,780.13	0
56	Sewer Replacement	0.00	46,030.13	46,780.13	-46,780.13	0.00	-46,780.13	0.00

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Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
60	Waterfront Stabilization Fund							
60	DEPT							
60-60-8111-5800	Capital Outlay -Capital Improv	5,000,000.00	0.00	12,399.38	4,987,600.62	0.00	4,987,600.62	99.75
60	DEPT	5,000,000.00	0.00	12,399.38	4,987,600.62	0.00	4,987,600.62	99.75

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		5,000,000.00	0.00	12,399.38	4,987,600.62	0.00	4,987,600.62	99.752
60	Waterfront Stabilization Fund	5,000,000.00	0.00	12,399.38	4,987,600.62	0.00	4,987,600.62	99.75

General Ledger

Expenditures vs Budget with

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Department	Description	Annual Budget	Period Amt	Yr to Date	Variance	Encumbered POs	Available	% Available
Expense Total		40,979,778.22	1,905,669.30	8,859,409.29	32,120,368.93	8,736,209.95	23,384,158.98	57.0627

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining Uncollected	%Remaining
10	General Fund							
10-00-3100-1100	Ad Valorem Taxes	3,920,271.00	214,438.78	1,065,944.80	2,854,326.20	0.00	2,854,326.20	72.81
10-00-3100-1200	Motor Vehicles Tax Collections	250,000.00	0.00	93,600.17	156,399.83	0.00	156,399.83	62.56
10-00-3100-1700	InterestPenalties -Taxes	5,600.00	85.25	1,671.87	3,928.13	0.00	3,928.13	70.15
10-00-3100-1710	Motor Vehicle Interest	1,500.00	0.00	663.55	836.45	0.00	836.45	55.76
10-00-3102-0000	Ad Valorem Tax Prior Years	30,000.00	1,325.07	22,227.78	7,772.22	0.00	7,772.22	25.91
10-00-3230-0000	Local Option Sales Tax	1,900,000.00	0.00	671,217.68	1,228,782.32	0.00	1,228,782.32	64.67
10-00-3260-0000	Privilege Licenses	150.00	0.00	60.00	90.00	0.00	90.00	60.00
10-00-3260-0800	ItinerantPeddler Permit	300.00	0.00	50.00	250.00	0.00	250.00	83.33
10-00-3322-0000	Beer & Wine Tax	18,900.00	0.00	0.00	18,900.00	0.00	18,900.00	100.00
10-00-3324-0000	Utility Franchise Tax	400,000.00	0.00	89,451.99	310,548.01	0.00	310,548.01	77.64
10-00-3420-0200	FEMA Reimbursement	0.00	139,568.66	139,568.66	-139,568.66	0.00	-139,568.66	0.00
10-00-3474-0000	Cemetery Lot Sales & Fees	0.00	50.00	699.00	-699.00	0.00	-699.00	0.00
10-00-3810-0000	Interest Earned	250,000.00	0.00	357,491.19	-107,491.19	0.00	-107,491.19	-43.00
10-00-3833-0005	Donations	1,000.00	0.00	300.00	700.00	0.00	700.00	70.00
10-00-3833-0100	Forestry Committee Donations	700.00	0.00	0.00	700.00	0.00	700.00	100.00
10-00-3836-0000	Community Garden	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00	100.00
10-00-3837-0000	Southport ABC Distribution	650,000.00	175,000.00	370,000.00	280,000.00	0.00	280,000.00	43.08
10-00-3839-0100	Miscellaneous Revenues	9,392.00	1,074.18	2,062.03	7,329.97	0.00	7,329.97	78.04
10-00-3839-0200	Insurance Recovery	0.00	0.00	809.00	-809.00	0.00	-809.00	0.00
10-00-3930-0910	Inactive Accounts	0.00	30.00	11.00	-11.00	0.00	-11.00	0.00
10-00-3991-0000	Appropriated Fund Balance	42,440.00	0.00	0.00	42,440.00	0.00	42,440.00	100.00
00	General Government	7,482,253.00	531,571.94	2,815,828.72	4,666,424.28	0.00	4,666,424.28	62.37

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-06-3210-0000	Civil Penalties	180.00	25.00	25.00	155.00	0.00	155.00	86.11
10-06-3220-0000	Pet license & tags	1,000.00	30.00	906.07	93.93	0.00	93.93	9.39
06	Animal Protective Services	1,180.00	55.00	931.07	248.93	0.00	248.93	21.10

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-10-3437-0600	Misc. ReceiptsPolice Dept.	7,943.56	90.00	8,033.56	-90.00	0.00	-90.00	-1.13
10-10-3437-0601	Police Shop with a Cop	16,622.00	3,655.00	3,814.00	12,808.00	0.00	12,808.00	77.05
10-10-3437-0602	Golf Cart Fees	6,000.00	225.00	3,850.00	2,150.00	0.00	2,150.00	35.83
10-10-3443-0300	Police Misc Grants	246,720.00	0.00	0.00	246,720.00	0.00	246,720.00	100.00
10-10-3838-0000	ABC Revenue for Law Enf.	26,542.00	8,000.00	15,400.00	11,142.00	0.00	11,142.00	41.98
10	Police	303,827.56	11,970.00	31,097.56	272,730.00	0.00	272,730.00	89.76

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-11-3434-0100	Fire District Fees	1,941,455.00	0.00	1,446,998.67	494,456.33	0.00	494,456.33	25.47
10-11-3434-0200	Duke Energy For Fire Dept	75,000.00	0.00	0.00	75,000.00	0.00	75,000.00	100.00
10-11-3434-0300	Misc. Grants For Fire Dept	240,505.00	0.00	50,000.00	190,505.00	0.00	190,505.00	79.21
10-11-3434-0400	Fire Response Fees	30,000.00	1,044.00	4,034.08	25,965.92	0.00	25,965.92	86.55
10-11-3434-0500	Fire - Miscellaneous Revenue	50,000.00	0.00	0.00	50,000.00	0.00	50,000.00	100.00
10-11-3434-0700	Fire Inspections & Permit Fees	20,000.00	500.00	12,403.55	7,596.45	0.00	7,596.45	37.98
10-11-3810-0000	Interest Income Fire Dept	10.00	0.00	0.00	10.00	0.00	10.00	100.00
11	Fire	2,356,970.00	1,544.00	1,513,436.30	843,533.70	0.00	843,533.70	35.79

General Ledger Revenues vs Budget with Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-12-3437-0300	RescueEMS Grant	110,000.00	0.00	0.00	110,000.00	0.00	110,000.00	100.00
10-12-3437-0400	Rescue DeptMisc. Receipts	40,000.00	0.00	0.00	40,000.00	0.00	40,000.00	100.00
10-12-3437-0500	Rescue Squad Fees	371,000.00	0.00	93,803.23	277,196.77	0.00	277,196.77	74.72
12	Rescue	521,000.00	0.00	93,803.23	427,196.77	0.00	427,196.77	82.00

General Ledger Revenues vs Budget with Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-40-3343-0000	Inspection Permits	900,000.00	31,165.00	343,766.50	556,233.50	0.00	556,233.50	61.80
10-40-3343-0100	Home Owners Recovery Fund	1,000.00	20.00	160.00	840.00	0.00	840.00	84.00
10-40-3343-0400	Planning & Zoning Fees	25,000.00	3,450.00	9,960.00	15,040.00	0.00	15,040.00	60.16
40	Planning and Permitting	926,000.00	34,635.00	353,886.50	572,113.50	0.00	572,113.50	61.78

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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 Period 05 - 05
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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-80-3410-0200	City Pier FEMA	220,000.00	0.00	0.00	220,000.00	0.00	220,000.00	100.00
10-80-3437-0700	Rent Recreation Facilities	11,000.00	1,925.00	4,895.00	6,105.00	0.00	6,105.00	55.50
10-80-3612-0000	Recreation Programs Receipts	36,000.00	3,170.00	10,520.00	25,480.00	0.00	25,480.00	70.78
10-80-3612-0200	Parks & Recreation Donations	1,200.00	0.00	1,650.00	-450.00	0.00	-450.00	-37.50
80	Parks & Recreation	268,200.00	5,095.00	17,065.00	251,135.00	0.00	251,135.00	93.64

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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 Period 05 - 05
 Fiscal Year 2024

Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-81-3834-0000	Community Bldg Rental	175,000.00	10,988.00	86,547.51	88,452.49	0.00	88,452.49	50.54
81	Community Building	175,000.00	10,988.00	86,547.51	88,452.49	0.00	88,452.49	50.54

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-82-3270-0000	Local Occupancy Tax	210,000.00	16,256.77	113,428.54	96,571.46	0.00	96,571.46	45.99
10-82-3617-0000	Tourism Special Events	11,105.00	0.00	601.00	10,504.00	0.00	10,504.00	94.59
10-82-3834-0300	Tourism - Misc Revenue	7,500.00	2,094.00	4,367.42	3,132.58	0.00	3,132.58	41.77
10-82-3839-0501	Tourism - Filming Fees	6,500.00	0.00	0.00	6,500.00	0.00	6,500.00	100.00
82	Tourism	235,105.00	18,350.77	118,396.96	116,708.04	0.00	116,708.04	49.64

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
10-96-3325-0000	Solid Waste Disposal Tax	3,500.00	0.00	847.40	2,652.60	0.00	2,652.60	75.79
10-96-3500-0000	Refuse Revenue	330,000.00	29,324.05	144,672.31	185,327.69	0.00	185,327.69	56.16
96	Solid Waste	333,500.00	29,324.05	145,519.71	187,980.29	0.00	187,980.29	56.37

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		12,603,035.56	643,533.76	5,176,512.56	7,426,523.00	0.00	7,426,523.00	58.9265
10	General Fund	12,603,035.56	643,533.76	5,176,512.56	7,426,523.00	0.00	7,426,523.00	58.93

General Ledger Revenues vs Budget with Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
20	Powell Bill Fund							
20-20-3316-0000	NC Powell Bill Funds	145,000.00	0.00	71,645.91	73,354.09	0.00	73,354.09	50.59
20-20-3991-0000	Appropriated Fund Balance	217,041.00	0.00	0.00	217,041.00	0.00	217,041.00	100.00
20	Powell Bill	362,041.00	0.00	71,645.91	290,395.09	0.00	290,395.09	80.21

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		362,041.00	0.00	71,645.91	290,395.09	0.00	290,395.09	80.2106
20	Powell Bill Fund	362,041.00	0.00	71,645.91	290,395.09	0.00	290,395.09	80.21

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
21	Firemen's Fund							
21-11-3290-0000	Interest Earned	200.00	0.00	874.13	-674.13	0.00	-674.13	-337.07
21-11-3434-8400	Southport Firemen'S Revenues	80,000.00	0.00	31,283.48	48,716.52	0.00	48,716.52	60.90
11	Fire	80,200.00	0.00	32,157.61	48,042.39	0.00	48,042.39	59.90

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		80,200.00	0.00	32,157.61	48,042.39	0.00	48,042.39	59.9032
21	Firemen's Fund	80,200.00	0.00	32,157.61	48,042.39	0.00	48,042.39	59.90

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
23	Capital Project Fund							
23-23-3970-0000	Transfer in General Fund	2,502,394.00	0.00	0.00	2,502,394.00	0.00	2,502,394.00	100.00
23	DEPT	2,502,394.00	0.00	0.00	2,502,394.00	0.00	2,502,394.00	100.00

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		2,502,394.00	0.00	0.00	2,502,394.00	0.00	2,502,394.00	100
23	Capital Project Fund	2,502,394.00	0.00	0.00	2,502,394.00	0.00	2,502,394.00	100.00

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
30	Electric Fund							
30-93-3710-0000	Sale Of Electricity	7,700,000.00	99,731.12	3,029,899.42	4,670,100.58	0.00	4,670,100.58	60.65
30-93-3720-0100	Utility Sales Tax	539,000.00	6,828.66	211,156.69	327,843.31	0.00	327,843.31	60.82
30-93-3720-0300	Service Charges	1,000.00	0.00	0.00	1,000.00	0.00	1,000.00	100.00
30-93-3720-0326	Electric late Charges	11,649.00	0.00	4,797.98	6,851.02	0.00	6,851.02	58.81
30-93-3720-0327	Electric Meter Tampering	10,027.00	0.00	3,630.00	6,397.00	0.00	6,397.00	63.80
30-93-3720-0330	Electric Agreements	1,000.00	0.00	470.00	530.00	0.00	530.00	53.00
30-93-3720-0331	Electric ReconnectDisconnect	5,900.00	0.00	0.00	5,900.00	0.00	5,900.00	100.00
30-93-3831-0000	Interest Earned	250,000.00	0.00	33.36	249,966.64	0.00	249,966.64	99.99
30-93-3839-0000	Miscellaneous Revenues	0.00	0.00	5,078.20	-5,078.20	0.00	-5,078.20	0.00
30-93-3991-0000	Appropriated Fund Balance	3,362,609.00	0.00	0.00	3,362,609.00	0.00	3,362,609.00	100.00
93	Electric	11,881,185.00	106,559.78	3,255,065.65	8,626,119.35	0.00	8,626,119.35	72.60

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		11,881,185.00	106,559.78	3,255,065.65	8,626,119.35	0.00	8,626,119.35	72.6032
30	Electric Fund	11,881,185.00	106,559.78	3,255,065.65	8,626,119.35	0.00	8,626,119.35	72.60

General Ledger

Revenues vs Budget with

Encumbrances by Depart



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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
31	Water & Sewer Fund							
31-91-3720-0000	Water Sales	2,700,000.00	215,434.12	1,258,243.40	1,441,756.60	0.00	1,441,756.60	53.40
31-91-3720-0100	WaterSewer Tap Fees	175,000.00	3,500.00	34,450.00	140,550.00	0.00	140,550.00	80.31
31-91-3720-0200	Sewer Impact Fees	0.00	15,847.00	176,329.00	-176,329.00	0.00	-176,329.00	0.00
31-91-3720-0300	Water Impact Fees	0.00	19,247.00	41,347.00	-41,347.00	0.00	-41,347.00	0.00
31-91-3720-0400	Service Charges	50,000.00	3,230.00	25,306.54	24,693.46	0.00	24,693.46	49.39
31-91-3740-0000	Sewer Sales	4,000,000.00	336,189.36	1,727,870.45	2,272,129.55	0.00	2,272,129.55	56.80
31-91-3780-0000	Transfer From System Dev Cap	800,000.00	0.00	0.00	800,000.00	0.00	800,000.00	100.00
31-91-3831-0000	Interest Earned	250,000.00	0.00	0.00	250,000.00	0.00	250,000.00	100.00
31-91-3833-0005	Donations UB	1,000.00	65.00	325.00	675.00	0.00	675.00	67.50
31-91-3839-0000	Miscellaneous Revenues	25,000.00	200.78	200.78	24,799.22	0.00	24,799.22	99.20
31-91-3839-0500	Credit Card Fee	0.00	2,051.10	10,018.17	-10,018.17	0.00	-10,018.17	0.00
91	WaterSewer	8,001,000.00	595,764.36	3,274,090.34	4,726,909.66	0.00	4,726,909.66	59.08

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		8,001,000.00	595,764.36	3,274,090.34	4,726,909.66	0.00	4,726,909.66	59.079
31	Water & Sewer Fund	8,001,000.00	595,764.36	3,274,090.34	4,726,909.66	0.00	4,726,909.66	59.08

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
32	System Development Fee Fund							
32-92-3720-0200	Sewer Development Fees	700,000.00	0.00	0.00	700,000.00	0.00	700,000.00	100.00
32-92-3720-0300	Water Development Fees	100,000.00	0.00	0.00	100,000.00	0.00	100,000.00	100.00
92	DEPT	800,000.00	0.00	0.00	800,000.00	0.00	800,000.00	100.00

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		800,000.00	0.00	0.00	800,000.00	0.00	800,000.00	100
32	System Development Fee Fund	800,000.00	0.00	0.00	800,000.00	0.00	800,000.00	100.00

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
42	Part F Grant. Capital Projects							
42-42-3910-0100	Part F Grant	0.00	0.00	421,193.88	-421,193.88	0.00	-421,193.88	0.00
42	DEPT	0.00	0.00	421,193.88	-421,193.88	0.00	-421,193.88	0.00

General Ledger

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		0.00	0.00	421,193.88	-421,193.88	0.00	-421,193.88	0
42	Part F Grant. Capital Projects	0.00	0.00	421,193.88	-421,193.88	0.00	-421,193.88	0.00

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
50	ARP SLFRF Funding							
50-50-3910-0100	Grant Revenue	1,263,954.00	0.00	0.00	1,263,954.00	0.00	1,263,954.00	100.00
50	ARPA Funding	1,263,954.00	0.00	0.00	1,263,954.00	0.00	1,263,954.00	100.00

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		1,263,954.00	0.00	0.00	1,263,954.00	0.00	1,263,954.00	100
50	ARP SLFRF Funding	1,263,954.00	0.00	0.00	1,263,954.00	0.00	1,263,954.00	100.00

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
60	Waterfront Stabilization Fund							
60-60-3910-0100	Grant Revenue	5,000,000.00	0.00	0.00	5,000,000.00	0.00	5,000,000.00	100.00
60	DEPT	5,000,000.00	0.00	0.00	5,000,000.00	0.00	5,000,000.00	100.00

General Ledger

Revenues vs Budget with

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Department	Description	Annual Budget	Period Amt	YR to Date	Variance	Encumbered	Remaining / Uncollected	%Remaining
Revenue Total		5,000,000.00	0.00	0.00	5,000,000.00	0.00	5,000,000.00	100
60	Waterfront Stabilization Fund	5,000,000.00	0.00	0.00	5,000,000.00	0.00	5,000,000.00	100.00

General Ledger

Revenues vs Budget with

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<u>Department</u>	<u>Description</u>	<u>Annual Budget</u>	<u>Period Amt</u>	<u>YR to Date</u>	<u>Variance</u>	<u>Encumbered</u>	<u>Remaining / Uncollected</u>	<u>%Remaining</u>
Revenue Total		42,493,809.56	1,345,857.90	12,230,665.95	30,263,143.61	0.00	30,263,143.61	71.2178

Communications/Public Information Report

December 2023

- Projects
 - Have been in contact with two separate AV representatives for upgrading the remote participation set up in the Community Building, as well as the sound system in Indian Trail Meeting Hall. I anticipate these enhancements to take place within the next few months.
- Website
 - [2024 Application Period for Low-Income Energy Assistance Program Available until March 31](#)
 - Updated Minutes
 - [Historic Preservation Commission](#)
 - [Forestry](#)
 - [Updated HR Employee Resources, Benefits, and Calendar](#)
 - [Build-Out Study Presentation](#)
 - [Updated Capital Projects List](#)
 - [How to Search for Active Permits Video](#)
 - New Development Services Tabs
 - [Exterior Lighting Ordinance](#)
 - [Street Light Policy](#)
- Filming
 - November 3: Board of Aldermen (ChyAnn)
 - November 9: Board of Aldermen (ChyAnn)
 - November 13: Southport Symposium featuring Public Services
 - November 13: Historic Preservation Commission Public Input Meeting
 - November 16: Planning Board (Allayna)
 - November 21: OSHA and Hazard Communication Staff Training (ChyAnn)
- Miscellaneous
 - November 1: Out of the Box Learning with Southport-Oak Island Chamber of Commerce
 - November 7: The EOC Team hosted NWS Wilmington Meteorologist Steven Pfaff for a training on Emergency Communication
 - November 14: Webinar, Perspectives on Tornado Safety and Building Survivability
 - November 15: Brunswick County Leadership
- Important Notices
 - Board of Aldermen Special Closed Session, December 11
 - Special Planning Board Review Committee Meeting, December 8
 - [Upcoming Road Closure, W. Bay Street](#)
 - [Job Posting: City Clerk, closes December 29, 2023](#)
 - [Press Release: Southport Flotilla Celebrates 29th Year Lighting Up the Waterfront](#)
 - [Press Release: Staff Completes OSHA and Hazard Communication Training](#)
 - [Stormwater Mapping Survey to Begin, Crews Present December-February](#)
 - [Brunswick County Public Notice: Chlorine to Chloramines Switch](#)
 - [NCEMPA Board of Commissioners Opportunity, closes December 30](#)

- [RFP: Valuation of Wastewater Collection and Water Distribution Systems, due by December 29](#)
- [NWS Public Notice: Winter Weather Warnings](#)
- Notice of Canceled Board of Aldermen Meeting, December 7, 2023
- Upcoming Pier Closure, November 16
- [Job Posting: Planning Services Director, closes December 29](#)
- Job Posting: Firefighter, closes December 8
- Southport Fire Department Conducting Live Burn Trainings, November 18 and 21
- [NCDOT Crews Present, beginning November 8](#)
- RFQ: Information Technology Services, closes December 6
- [Press Release: Third Annual Storefront Showcase](#)
- [Press Release: City of Southport Statement Regarding Employee Suspension](#)
- [W. Bay Street Sidewalk Closure](#)
- [Press Release: City of Southport Water Utility Launches Program to Identify, Replace Lead Water Lines](#)
- [Lead Service Line Identification and Replacement Program Webpage](#)