

SUMMARY OF MINUTES

FINANCE COMMITTEE

5:00 P.M., MONDAY, NOVEMBER 8, 2010

COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: Mayor Allen Joines
Council Member Wanda Merschel, Chair
Council Member Molly Leight, Vice Chair
Council Member Vivian H. Burke
Council Member Robert C. Clark (in at 5:03 p.m.)

OTHERS PRESENT: Council Member Derwin L. Montgomery (in at 5:13 p.m.)
Council Member Denise D. Adams (out at 5:53 p.m.)
Council Member James Taylor, Jr.

Chair Merschel called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. Council Member Burke requested to pull Items C-3, C-10 and C-12. Council Member Leight requested to pull Item C-5. Council Member Taylor requested to pull Item C-4. No other items were pulled.

Council Member Leight made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member Burke and unanimously carried.

CONSENT AGENDA

Property Matters

- C-1. CONSIDERATION OF ITEMS RELATING TO THE ACQUISITION/SALE OF PROPERTY:
- a. RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY FOR CLEMMONSVILLE ROAD WIDENING BY DEED OR CONDEMNATION - *Property located at 3204 Stavangar Court. [\$2,025.]*
 - b. RESOLUTION AUTHORIZING ACQUISITION OF PROPERTIES FOR PEACE HAVEN ROAD AND POLO ROAD INTERSECTION IMPROVEMENTS BY DEED OR CONDEMNATION - *Properties located at 3026 Polo Road and 2189 Peace Haven Road. [\$9,050.]*

- c. RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY LOCATED ON SALEM AVENUE AS PART OF THE BATH BRANCH STORMWATER MANAGEMENT PROJECT - *Lot located on Salem Avenue. [\$40,000.]*
 - d. RESOLUTION AUTHORIZING A LEASE AMENDMENT FOR PROPERTY LOCATED AT 2000 LOWERY STREET.
 - e. RESOLUTION AUTHORIZING THE PARTIAL RELEASE OF CERTAIN SEWER EASEMENTS RELATED TO THE HOFFMAN BRANCH OUTFALL - *Properties located east of Shore Road.*
- C-2. RESOLUTION VOIDING PREVIOUSLY APPROVED SALE OF PROPERTIES AND RESPONDING TO A REQUEST BY LIBERTY COMMUNITY DEVELOPMENT CORPORATION TO REFUND THE BID DEPOSIT ASSOCIATED WITH THE SALE - *Properties located on Liberty Street.*

Finance/Budget

- C-6. ORDINANCE AMENDING THE FISCAL YEAR 2010-2011 PROJECT BUDGET ORDINANCE TO APPROPRIATE FUNDING FOR SUBDIVISION INFRASTRUCTURE IMPROVEMENTS.
- C-7. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011.
- C-8. CONSIDERATION OF ITEMS RELATING TO CONTRACTS:
- a. RESOLUTION AWARDED CONTRACT FOR ENGINEERING SERVICES FOR SHATTALON LAKES DAM - *Schnabel Engineering - \$125,000 (Estimated Amount).*
 - b. CONSIDERATION OF A RESOLUTION APPROVING A CONTRACT FOR HDR ENGINEERING OF THE CAROLINAS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF A CONCRETE IMPOUNDMENT AS PART OF THE PIEDMONT TRIAD RESEARCH PARK STORMWATER PROJECT - *Amount Not to Exceed \$125,000.*
 - c. RESOLUTION AWARDED PURCHASE ORDER FOR POLICE PURSUIT VEHICLES - *Capital Ford, Inc. - \$312,120.60.*

Transportation

- C-9. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR SURFACE TRANSPORTATION PROGRAM-DIRECT ATTRIBUTABLE FUNDS FOR INTERSECTION IMPROVEMENTS AT PEACE HAVEN ROAD AND POLO ROAD.

General Government

- C-11. CITIZENS' BASEBALL STADIUM REVIEW COMMITTEE REPORT TO THE CITY COUNCIL.
- C-13. APPROVAL OF FINANCE COMMITTEE SUMMARY OF MINUTES - *October 11, 2010.*

Community and Economic Development

- C-3. RESOLUTION AUTHORIZING FINANCING FOR DEVELOPMENT OF PERMANENT SUPPORTIVE HOUSING AT EAST FIFTH STREET AND DUNLEITH AVENUE.

Council Member Clark in at 5:03 p.m.

Mr. Derwick Paige, Deputy City Manager, stated that the North Carolina Housing Foundation (NCHF) will build eight permanent supportive housing units at the corner of Dunleith Avenue and Fifth Street, through a partnership with Experiment in Self Reliance (ESR). The first four will be funded through this item and the second four will potentially be funded through the State. Assuming that funding is approved, City funds will be used as a match for the second four units. This action also involves restructuring of the loan provided to the NCHF several years ago, in the amount of \$213,000 for acquisition and remediation of that property, a portion of which will be forgiven and approximately \$160,000 will be repaid to the City.

In response to Council Member Burke's question, Ms. Twana Wellman-Roebuck, ESR, 1515 University Court, noted that the existing properties on Fifth Street have permanent residents and those individuals have been successful in gaining employment within the area and also receive housing counseling and assistance from Centerpoint Services.

Council Member Burke requested statistics regarding the length of time individuals remain in the housing and the successes of the program from Ms. Wellman-Roebuck. She made a motion for approval of the item. The motion was duly seconded by Council Member Clark and unanimously carried.

Public Safety

- C-4. UPDATE ON CELL TOWER LEASES.

Council Member Taylor questioned if the City had any input in selecting RCC Consultants, Inc. since ownership of the towers is split between the City and County.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, stated that as the County is responsible for the ongoing operation of the cell towers, it was within their right to select a consultant for the work or a vendor to submit contracts to. The City was informed of the selection but was not asked to confirm the selection of their consultant.

Council Member Taylor requested to know if RCC Consultants, Inc. is a local company and when the lease agreement will have to be signed.

Mr. Turner noted that if use of towers within the city are requested and an offer is made, it will be brought forward to the City Council for consideration.

Council Member Burke made a motion for approval of the item. The motion was duly seconded by Council Member Clark and carried unanimously.

Human Resources

C-5. RESOLUTION AMENDING ARTICLE I CONDITIONS OF EMPLOYMENT, SECTION 14 REDUCTION IN FORCE OF THE CITY OF WINSTON-SALEM PERSONNEL RESOLUTION.

Council Member Leight requested an overview of the item and how an employee at the lowest end of the spectrum would be affected.

Mrs. Martha Wheelock, Assistant City Manager, noted that a reduction in force policy (RIF) was most recently employed in 2004 as part of the budget process and in 2008 related to the formation of City Link and the transfer of resources from one or more departments into that department. The policy is outlined in the Personnel Resolution, and addresses how a RIF plan is developed, who is subject to a RIF, how employees will be assisted through a RIF, how they are notified, what benefits they continue to have, what assistance is offered and other aspects. One significant provision is a severance package provided to employees subject to a RIF, which is two weeks of pay for every full year of service to the City. Through a comparison with other counties and cities, it was determined that the City's RIF severance offerings are considerably higher than its counterparts so staff recommends an adjustment to the severance provision of the RIF policy. This will allow benefits to be paid aligning more with years of service versus what is currently in place and is more comparable to what other cities offer. Staff proposes categories for various years of service and a cap for employees with 20 or more years of service.

Council Member Montgomery in at 5:13 p.m.

Chair Merschel noted that in recent budget years, neighboring municipalities had to RIF employees and given the long-range economic forecast, this is preventative tool and she congratulated staff on developing a thoughtful policy.

In response to Council Member Clark's question, Mr. Lee Garrity, City Manager, stated that were a RIF to occur, middle management areas would be most directly affected, in an effort to maintain services and frontline employees. In the event a RIF is considered, it will first be discussed with City Council.

Council Member Burke noted that this item is the reality of the current economic climate and questioned if soon-to-be retirees will be considered.

Mr. Garrity stated that staff will review employee performance within the same classification and there is no reason to single out a specified group based upon their years of service. He also stated that staff will first seek to find other positions for employees prior to implementing a RIF.

Council Member Clark made a motion for approval of the item. The motion was duly seconded by Council Member Burke and carried unanimously.

Transportation

C-10. RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF WINSTON-SALEM AND GREYHOUND LINES, INC. FOR THE LEASE OF DESIGNATED AREAS OF THE CLARK CAMPBELL TRANSPORTATION CENTER.

In response to Council Member Burke's questions, Mr. Art Barnes, Winston-Salem Transit Authority (WSTA), stated that Greyhound Lines, Inc. (Greyhound) has been a good tenant and while there have been some issues within its operations, its riders do not seem to have generated any concerns. He also stated that the previous concerns with loitering have been addressed and have reduced drastically.

In response to Mayor Joines' inquiry regarding the shortage of space, Mr. Barnes noted that if the City chose to terminate the five-year lease prior to its end, WSTA could break the contract but it would be difficult. He also noted that funds have been identified to create an additional bay on Trade Street and a contractor will be visiting the location Wednesday to provide a cost estimate.

In response to Council Member Adams' question, Mr. Barnes indicated that the \$26,500 lease amount is in line with other municipal leases with Greyhound and that he cannot speak for downtown business owners but they seem to agree that area has improved and he invited Council Members to speak with them.

Council Member Adams noted that previously, several business owners approached the City Council and requested that staff follow up with them to see how the situation has improved.

Council Member Taylor noted that he visits that area regularly and in speaking with business owners, he feels that their concerns have been addressed, with the exception of Camel Pawn Shop and its owner's concerns.

Council Member Burke requested that the Public Safety Committee review the concerns of those business owners.

In response to Chair Merschel's questions, Mr. Barnes confirmed that breaking the contract with Greyhound would be difficult but doable and Greyhound would have to cease its lease payments for the City to end its contract. Staff also worked with the City Attorney's office in preparing the contract and various stipulations have been included to protect the City. He also stated that the lease amount adequately covers the cost of Greyhound occupying that space as there has been no significant deterioration due to its tenancy there. The transportation center is at capacity and the Piedmont Authority for Regional Transportation (PART) is using Liberty Street to load and unload

passengers, so staff is considering the possibility of removing a wall on Trade Street to install an additional bus bay. Staff has made a representative at the Southeastern Center for Contemporary Arts aware of this intention.

In response to Council Member Burke's inquiry, Mr. Barnes confirmed that the transportation center is outgrowing the space.

Mr. Garrity noted that staff will bring an item to Public Works Committee considering the installation of an additional bay.

Council Member Clark expressed concern that space appears to be running out at the transportation center as there are no more riders currently than there were ten years ago, even with the addition of PART and Greyhound.

Chair Merschel stated that by consensus, this item will remain in committee until next month, allowing the Public Works Committee an opportunity to review the information as well.

General Government

C-12. MONTHLY REPORT ON ECONOMIC STIMULUS PROJECTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT.

Mr. Turner stated that report is a revised version of previous reports which is easier to follow. The information provides details on what stimulus projects the City has been designated to be eligible for and how much money has been received for each project, as well as any funds requested by the City.

Council Member Burke requested to know the total amount of funds spent and the total amount requested.

In response to Council Member Clark's question regarding the new fire station near Glenn High School, Mr. Turner stated that staff is in the process of completing the environmental assessment required prior to the release of funds, but staff has been informed that funding will be granted as long as each step is followed.

In response to Chair Merschel's inquiries, Mr. Turner indicated that the LED Street and Pedestrian Lighting Pilot Program does not include the area of Business Interstate 40. He also indicated that updates or replacements of lighting fixtures along the area referenced between Stratford Road and Peters Creek Parkway, has been included in the Capital Improvement Plan but due to budget constraints, it has not been included as a funded project. It is included as a departmental request or within the unmet need category. These funds will be utilized along Fourth Street downtown, and some additional areas downtown where the City maintains the streets.

Council Member Burke made a motion for approval of the item. The motion was duly seconded by Council Member Clark and carried unanimously.

GENERAL AGENDA

G-1. PRESENTATION BY WINSTON-SALEM BUSINESS, INC. REGARDING CALL CENTERS.

Mr. Bob Leak, President of Winston-Salem Business, Inc. (WSBI), 1080 West Fourth Street, presented information on what the City can do to attract these types of businesses. He noted that there are various types of call centers, such as inbound call taking, outbound telemarketing, service centers, and data centers, which is one of the fastest growing types. Characteristics of a call center are that they employ a large number of people within a small space, have a higher than average need for parking so suburban locations with abundant parking are best, seek a plug and play space, possibly where a call center was previously located, a furnished building, computers and/or telecom system already in place, have high turnover, have a tendency to be transient, and require quick setup allowing them to easily complete a contract and move on. Within a community, call centers are looking for workforce capability, preferably in an area with a concentration of colleges or universities, quick training abilities, redundant telecom with various providers, and the availability of plug and play space. The cost of startup is important and call centers look for Class B office space in a decent location at an affordable price, giving a relatively moderate total operating cost, with reduced costs of operation. Call centers also seek areas with a low risk of natural disasters and local incentives. WSBI promotes a variety of available Class B space, urban and suburban, within a competitive community, an abundant labor force, competitive cost of operation and telecom redundancy availability. Language skill sets are important, dependent upon the target market. Many times, the south is not seen as a viable market and many centers are located in the midwest. Regarding incentives, the City or a private sector entity could review locating a suitable facility, upgrading its telecom service, and having a workspace which is move-in ready.

In response to Council Member Leight's questions, Mr. Leak stated that it depends upon the developer as to who owns Class B office space within the community. Many times, the space is built by a developer and leased to another entity. He also stated that there are some vacant spaces previously used for call centers, but many have been gutted and are not move-in ready. Some of these buildings have telecom capabilities within but parking may be an issue. He further stated that the key to usable buildings is having an interior upfit, and the availability telecom hookups at multiple workstations. Mr. Leak noted that he is unsure if any of the local colleges or universities have language programs to make a southern accent less noticeable.

Council Member Clark requested a copy of the Class B property brochure Mr. Leak referred to.

In response to Council Member Clark's comments, Mr. Leak noted that the old Hanes facilities and Madison Park off of University Parkway would be good call center sites because they have the facility space and parking space that is needed. He also noted that rent in a Class B strip center is around \$10 to \$14 per foot dependent upon size and amenities. Grocery stores are also good locations for call centers because they are already wired and prepared, but outdoor security can be an issue. He further confirmed that target companies are those that need a permanent call center for ongoing operations.

Council Member Clark requested the proposed cost for preparing a building for a future call center, perhaps in Madison Park. He indicated that he would be interested in meeting or speaking with a group who would be willing to prepare a space.

In response to Chair Merschel's inquiry, Mr. Leak stated that Madison Park has had some ownership changes and other issues, and various owners have removed some of the amenities it once had. He also stated that the Lowes datacenter is there and US Air call center was once housed there. It would not be a huge expense, but it would be a significant time commitment to get the facility ready. Mr. Leak introduced Mr. Garret Owens, a new associate with WSBI, and recent graduate of the University of Georgia.

Council Member Adams out at 5:53 p.m.

Chair Merschel requested to know if there are any incentives tailored toward call centers rather than based upon the investment, with a longer incentive period, as call centers can be transient. She also requested to know if there was any assistance for linguistic training.

Mr. Paige noted that when the economic development guidelines were revised earlier in the year, Council Members did include a component for job creation which could be expanded.

Council Member Clark expressed concern that should Madison Park be considered as a call center site, it is situated as such that employees could come from multiple counties, which could present a challenge as to where incentives will come from.

- G-2. CONSIDERATION OF ITEMS RELATING TO ECONOMIC DEVELOPMENT ASSISTANCE TO CATERPILLAR, INC.:
- a. RESOLUTION APPROVING ECONOMIC DEVELOPMENT ASSISTANCE TO CATERPILLAR, INC.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011.

Mr. Paige stated that as part of the Caterpillar, Inc. (Caterpillar) Economic Development deal, the City was also able to apply for a Golden Leaf Foundation (GLF) Grant to assist with the purchase of equipment on behalf of Caterpillar and this grant was approved. Equipment will be leased to Caterpillar for at least two years and in return, the City will receive all the proceeds back from the purchase of the equipment. As those proceeds come in, the City will make grants to WSBI and to the Millennium Fund, up to \$500,000 each, over the term of the loan, to be used for future economic development purposes related to 501(c)(3) agencies. Additional dollars earned will be deposited into the City's Economic Development Fund and also used for 501(c)(3) purposes.

Council Member Clark made a motion for approval of the item. The motion was duly seconded by Council Member Leight and carried unanimously.

- G-3. CONSIDERATION OF ITEMS RELATING TO BIDS FOR CONSTRUCTION OF PLAYGROUNDS AT OLD TOWN PARK AND LITTLE CREEK PARK:
- a. RESOLUTION ALLOWING WITHDRAWAL OF A BID FOR CONSTRUCTION OF PLAYGROUNDS AT OLD TOWN PARK AND LITTLE CREEK PARK - *Davie Construction Co., Inc.*
 - b. RESOLUTION AWARDED CONTRACT FOR CONSTRUCTION OF PLAYGROUNDS AT OLD TOWN PARK AND LITTLE CREEK PARK - *Triad Builders of King, Inc.* - \$260,219.

Council Member Clark noted that the only change was the addition of a performance bond, which he was in support of, even though it may cost a little more. He made a motion to award the contract to Triad Builders of King, Inc. for the construction projects. The motion was duly seconded by Council Member Leight and unanimously carried.

- G-4. CONSIDERATION OF LEGISLATIVE PACKAGE FOR THE NORTH CAROLINA GENERAL ASSEMBLY SESSION THAT BEGINS ON JANUARY 26, 2011.
- a. RESOLUTION ADOPTING THE CITY OF WINSTON-SALEM'S LEGISLATIVE PROGRAM FOR THE 2011 LEGISLATIVE SESSION.
 - b. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA SUPPORTING THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES EFFORTS REGARDING ANNEXATION.
 - c. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA SUPPORTING THE ISSUANCE OF LOCAL PRIVILEGE LICENSES.
 - d. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA SUPPORTING PEDESTRIAN AND BICYCLE FRIENDLY PROJECTS.
 - e. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA FINDING THAT A LOCAL PREFERENCE ON CONTRACTS LET BY INFORMAL AND FORMAL BIDS IS NECESSARY TO STIMULATE THE LOCAL ECONOMY.
 - f. AN ACT AMENDING STATE ENABLING LEGISLATION FOR CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND WINSTON-SALEM, NORTH CAROLINA.
 - g. AN ACT AMENDING N.C.G.S. § 40A-42 FOR THE CITY OF WINSTON-SALEM TO INCLUDE PUBLIC TRANSPORTATION SYSTEMS.

- h. AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO ESTABLISH A LOCAL PREFERENCE FOR CONTRACTS LET ON BIDS.
- i. AN ACT TO EXTEND THE POLICE JURISDICTION OF THE CITY OF WINSTON-SALEM TO ENCOMPASS INCORPORATED MUNICIPALITIES WITHIN THE COUNTY OF FORSYTH.
- j. AN ACT AUTHORIZING CERTAIN CHANGES TO N.C.G.S. §158-7.1 RELATING TO LOCAL DEVELOPMENT FOR THE CITY OF WINSTON-SALEM.
- k. AN ACT AMENDING N.C.G.S. §159-32 AUTHORIZING WEEKLY DEPOSITS.
- l. AN ACT AMENDING N.C.G.S. §160-319 REGARDING UTILITY FRANCHISES.
- m. AN ACT AMENDING SESSION LAW 2006-246, SENATE BILL 1566 TO ALLOW THE CITY TO FOLLOW THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S BEST MANAGEMENT PRACTICES FOR LINEAR TRANSPORTATION PROJECTS SUCH AS ROADS AND GREENWAYS.

ADDITIONAL RESOLUTION FOR LEGISLATIVE PACKAGE

RESOLUTION SUPPORTING THE N.C. METROPOLITAN MAYORS' COALITION
2011 ADVOCACY AGENDA

Mrs. Angela I. Carmon, City Attorney, reviewed the resolutions presented in the legislative package and noted that it was for discussion only today and would be presented for a vote at the December meeting.

Mayor Joines noted that the additional resolution presented supporting the Metropolitan Mayors' Coalition 2011 Advocacy Agenda is consistent with what the City would like to accomplish and recommends that Council Members support it.

In response to Council Member Clark's question, Mrs. Carmon stated that the resolution regarding local preference on contracts set forth by the City Council specifies the need for a local act which authorizes the local preference policy, and certain findings in the resolution establish the need for the act, as the two are related.

In response to Council Member Leight's concern, if the City has local preference over other municipalities, Mrs. Carmon noted that she was in contact with other municipalities who are considering similar local acts but she does not know what impact it will ultimately have.

Chair Merschel noted that only requiring bids to be within 5% or \$10,000 of the lowest responsible, responsive bid may enhance the City's efforts toward Minority and Women Business Enterprise (MWBE) participation. She also noted that at that price point, it should not be an issue with regional development and small businesses need all the support, help and acknowledgement they can receive.

Mrs. Carmon then reviewed the various local acts included in the legislative packet.

Council Member Clark expressed concern with the local preference act and does not think the local delegation will support it because it prohibits other cities within the County from participating in bids. He also expressed concern that it limits bids to local companies and how those are defined, as well as how the act will interface with State contracts. He further noted that he will not support this act as it could start a trade war within Forsyth County.

Mrs. Carmon provided the definition of a local bidder as defined on page 38 of the Agenda book.

In response to Mayor Joines' comment that the act will only apply to bids of \$200,000 or less, Mrs. Carmon noted that it applies to informal bids, formal bids and service contracts, but staff could modify the language to only apply to certain items.

In response to Chair Merschel's question, Mr. Garrity stated that his authority for awarding is limited to \$100,000.

Chair Merschel noted that this act will probably only apply to smaller contracts which should not encroach municipal city lines, and would be beneficial to small businesses and allow staff to review more MWBE opportunities.

Council Member Clark requested to know how many bids within the last year have had local participation that were not awarded, whose bid was within 5% or \$10,000 of the lowest responsible, responsive bid.

Mrs. Carmon noted that she could include a dollar limit in the act.

Chair Merschel questioned if there was time to review the bids as Council Member Clark alluded to and see if there is a way to modify the language of this act.

Mrs. Carmon indicated that staff would take on that task and bring back recommendations next month prior to Council's vote on the packet.

In response to Council Member Taylor's question regarding the act for weekly deposits, Mrs. Denise Bell, Chief Financial Officer, stated that current technology allows for remote electronic deposits into a cash vault, and similar to an ATM machine, the City can deposit money into this vault and automatically get credit for the deposit at a bank even though it is not at that physical location. Current state statutes do not cover this technology so staff is writing this verbiage into the Fiscal Control Act.

In response to Council Member Clark's question regarding the utility franchises act, Mr. Turner stated that this item will require the City to approve a line outside of another municipality's corporate jurisdiction, within Forsyth County.

In response to Council Member Leight's inquiry, Mr. Turner noted that for linear transportation projects, it is not feasible to construct pond devices, and other, appropriate devices will need to be constructed. The statute as currently written does not allow for appropriate devices to be constructed

by cities for use in their systems, only by North Carolina Department of Transportation systems. Staff is making amends to comply with the stormwater ordinances and statutes but did not anticipate that linear transportation systems would be managed and do not have the correct tools. This act requests that the legislation include these tools. Other cities who may want to construct greenways and comply with stormwater ordinances will experience the same issue.

ADJOURNMENT: 6:30 p.m.