



COMMITTEE OF THE WHOLE
NOVEMBER 22, 2010
5:30 PM

Opening of Meeting

Nondenominational Invocation

Roll Call

Approval/Amendments to Agenda

1. Approve and Authorize – City Manager to execute Lease Agreement with NC Wildlife Resources Commission for the Havens Gardens Boat Ramp Area
2. Presentation – US Cellular
3. Update – Police Facility Progress
4. Discussion – Load Management Campaign
5. Discussion – Code of Ethics Policy
6. Approve - Interim City Manager Contract
7. Discussion - Strategic Planning Budget Session
8. Closed Session – Under NCGS 143-318.11(a)(3) Attorney/Client Privilege
9. Adjourn – Until Monday, December 13, 2010 at 5:30pm in the Council Chambers at the Municipal Building.



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Philip Mobley, Dir. Parks and Recreation
Date: November 22, 2010
Subject: Approve and Authorize the City Manager to execute Lease Agreement with NC Wildlife Resources Commission
Applicant Presentation: None
Staff Presentation: Philip Mobley

RECOMMENDATION:

I move that Council approve and authorize the City Manager to execute a lease agreement with the NC Wildlife Resources Commission for the Havens Gardens Boat Ramp Area.

BACKGROUND AND FINDINGS:

For the past two years, the Washington Parks and Recreation Department has been in negotiations with the NC Wildlife Resources Commission (WRC) for the possibility of the WRC Maintaining the Havens Gardens Boat Ramp Area.

The result is a 50 year lease for this area. A copy is attached for City Council to review and approve.

I have met with the owners of Back Water Jacks and Inner Banks Outfitters to show them maps of the proposed lease site and to answer questions about parking.

We have met on several occasions with the local kayak group to explain the city's proposed new role at the site if the lease agreement is approved.

The Washington Recreation Advisory Committee has discussed the WRC proposal at numerous meetings and is in-favor of the upgrade and lease agreement with the WRC.

On November 8, City Council tabled this agreement in order to hold a public meeting to give the public an opportunity to comment on the project.

On November 16, a Public Meeting was held and public input was received. Members of NC Wildlife were in attendance and offered the City other options to consider. This new agreement is the result of that meeting.

PREVIOUS LEGISLATIVE ACTION

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

- Map of site
- Lease Agreement

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: _____ Concur _____ Recommend Denial _____ No Recommendation _____ Date

MEMORANDUM OF AGREEMENT

AGREEMENT TO REPAIR, IMPROVE, AND OPERATE A PUBLIC BOATING ACCESS FACILITY

This agreement is made and entered into this the _____ day of _____, 2010, by and between the **NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**, hereinafter referred to as the **COMMISSION**, and the **City of Washington**, hereinafter referred to as the **CITY**.

I. PURPOSE OF THE AGREEMENT

It is mutually agreed that the COMMISSION and the CITY will cooperate to provide free public boating access to the Pamlico River on Runyon Creek North of NC 32 near where Runyon Creek enters the Pamlico River.

II. Whereas

The parcel or project property ownership remains with the CITY.

And therefore, all parking enforcement and regulations of the activity at the site will be the responsibility of the CITY.

III. RESPONSIBILITIES

A. The COMMISSION agrees to:

1. Provide design development for repairs and improvements to the public boat landing, including the parking area.
2. Obtain all regulatory permits required for repairs and improvements.
3. Construct all repairs and improvements to the boat landing and adjacent courtesy docks.

B. The CITY agrees to:

1. Provide free public boat access including vehicle and trailer parking, open 24 hours a day 7 days a week with no closure of the site, except for repair and improvements or emergency situations.
2. Maintain the grounds surrounding the site keeping the grass mowed at regular intervals year round and litter removed regularly.

3. Maintain the landing, in a serviceable condition, as a free public boating access area, with no closure of the site, except for repair purposes or emergency situations.
4. Allow the COMMISSION to install a partnership sign displaying the contribution at the site.

IV. TERMINATION

It is mutually agreed that either party may terminate its involvement in this agreement by written notice to the other at least 120 days in advance of the date on which termination is to become effective. At said time of termination, the CITY will reimburse the COMMISSION for a prorated amount of the improvements to the site based on a 50 year amortization.

V. TERM OF AGREEMENT

This agreement shall become effective upon full execution and shall continue in effect for a period equal to 50 years.

IN TESTIMONY WHEREOF, this Cooperative Agreement has been executed by the parties hereto, in duplicate originals, as of the date first above written.

City of Washington

Jim Smith, City Manager

ATTEST

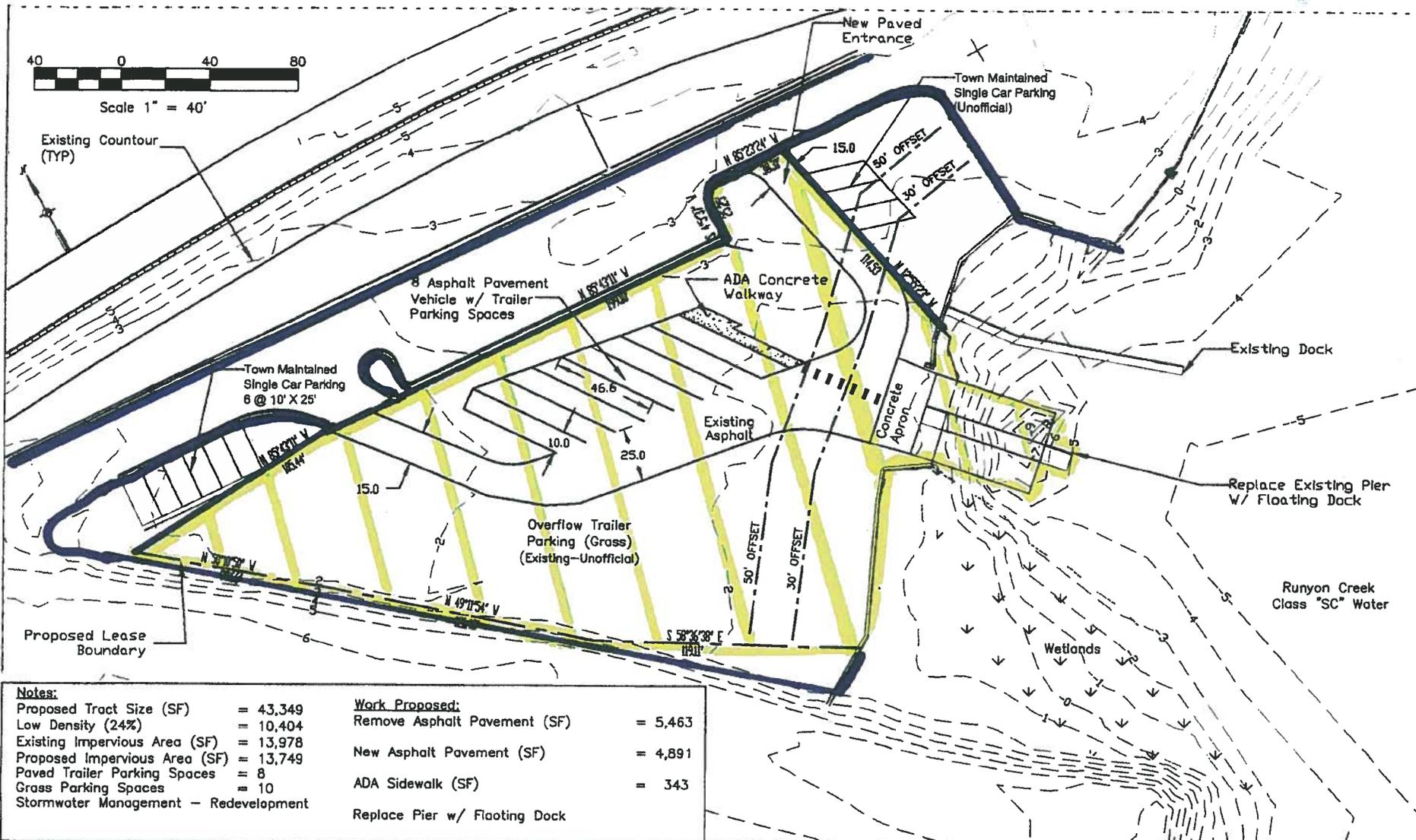
Name, Title

NORTH CAROLINA WILDLIFE RESOURCES
COMMISSION

Gordon S. Myers, Executive Director

ATTEST

Erik Christofferson, Engineering Services
Division Chief



Notes:		Work Proposed:	
Proposed Tract Size (SF)	= 43,349	Remove Asphalt Pavement (SF)	= 5,463
Low Density (24%)	= 10,404	New Asphalt Pavement (SF)	= 4,891
Existing Impervious Area (SF)	= 13,978	ADA Sidewalk (SF)	= 343
Proposed Impervious Area (SF)	= 13,749	Replace Pier w/ Floating Dock	
Paved Trailer Parking Spaces	= 8		
Grass Parking Spaces	= 10		
Stormwater Management - Redevelopment			

 NORTH CAROLINA WILDLIFE RESOURCES COMMISSION DIVISION OF ENGINEERING SERVICES <small>REGULATORY GROUP</small> <small>PLANNING & DESIGN GROUP</small>	Haven Garden Washington, NC Tar River Conceptual Improvements		DESIGN ENGINEER: <i>dec</i> APPROVED: REVISION: CAD FILE ID: <i>haven garden.dwg</i>	DATE: <i>October 2010</i> DATE: DATE:	SHEET 1 OF 1
	<small>REGISTERED PROFESSIONAL ENGINEER</small>	<small>REGISTERED PROFESSIONAL ENGINEER</small>			

Yellow is the proposed 25 yr lease area at Havens Gardens Boat Ramp area by WRC.

Blue the remaining area of HGBR area to be retained by the City of Washington