



# City of Greensboro

Melvin Municipal Building  
300 W. Washington Street  
Greensboro, NC 27401

## Meeting Minutes - Draft City Council

Monday, March 14, 2016

5:30 PM

Council Chamber

### Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Present: 8 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Mike Barber, Councilmember Marikay Abuzuaite, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Justin Outling and Councilmember Tony Wilkins

Absent: 1 - Councilmember Nancy Hoffmann

Also present were City Manager Jim Westmoreland, City Attorney Tom Carruthers, and Deputy City Clerk Angela R. Lord.

Moved by Councilmember Abuzuaite, seconded by Councilmember Barber to recess to closed session to preserve the attorney-client privilege between the City Attorney and Council and to discuss matters relating to the relocation or expansion of industries or other businesses, including potential economic development incentives that may be offered in negotiations, pursuant to N.C.G.S. 143-318.11(a) (3)& (a)(4).

Council recessed to closed session at 5:04 p.m. Moved by Councilmember Barber, seconded by Councilmember Abuzuaite to reconvene into open session at 5:50 p.m. with all members in attendance except Councilmember Hoffmann and Mayor Vaughan.

### Moment of Silence

The meeting opened with a moment of silence.

### Pledge of Allegiance to the Flag

Mayor Pro-Tem Johnson recognized Reverend Dr. Darryl Warren Aaron to lead the Pledge of Allegiance to the Flag.

Mayor Pro-Tem Johnson asked for a motion to excuse Mayor Vaughan until her arrival; and asked for a motion to excuse Councilmember Hoffmann from the meeting.

Moved by Councilmember Abuzuaite, seconded by Councilmember Hightower to excuse Mayor Vaughan until she arrived. The motion carried by voice vote.

Moved by Councilmember Hightower, seconded by Councilmember Abuzuaite to excuse Councilmember Hoffmann from the meeting. The motion carried by voice vote.

### Recognition of Courier

City Manager Jim Westmoreland recognized Katherine Croft of the Human Resources Department who served as Courier for the meeting.

### Council Procedure for Conduct of the Meeting

Mayor Pro-Tem Johnson explained the Council procedure for conduct of the meeting; stated and confirmed Councilmember Outling would be participating in the meeting by phone; and recognized Senator Gladys

Robinson, Commissioner Ray Trapp, Providence Baptist Church Reverend Dr. Darryl Warren Aaron; and Louise Chubbs that were in attendance.

## **I. CEREMONIAL AND/OR PRESENTATION ITEMS**

### 1. [ID 16-0197](#) Resolution Honoring the Memory of the Late Ralph K. Shelton

Mayor Pro-Tem Johnson read the resolution into the record; presented the resolution to Reverend Aaron; spoke to the service for Mr. Shelton; and stated he improved the quality of life in the City.

**Moved by Councilmember Hightower, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 7 - Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 2 - Nancy Vaughan and Nancy Hoffmann

#### 044-16 RESOLUTION HONORING THE MEMORY OF THE LATE RALPH K. SHELTON

WHEREAS, on February 19, 2016, this community lost one of its outstanding community leaders with the death of the late Ralph K. Shelton at the age of 73;

WHEREAS, Shelton, a native of Pittsylvania County graduated from Northside High School in 1960, received a B.S. Degree from North Carolina A&T State University in 1964, and later received an MBA Degree from Babcock School of Management at Wake Forest University;

WHEREAS, he furthered his education at the Darden School of Business at the University of Virginia and also received an Honorary Degree of Doctor of Humanities from North Carolina A&T State University;

WHEREAS, in 1984 Shelton founded Southeast Fuels in Greensboro where he served a Chairman and President/CEO until his retirement in 2013 and was recognized as marketer of coal servicing the eastern region of the United States;

WHEREAS, Shelton was a longtime community and civic leader involved in many activities which included chairman of the Board of Trustees of North Carolina A&T State University, member of the Board of Trustees of Bennett College, board member of Guilford Technical Community College Foundation, Wake Forest University Graduate School of Management Advisory Board, Joseph M. Bryan Business School at UNC – Greensboro Advisory Board and North Carolina A&T State University Aggie Athletic Foundation;

WHEREAS, additional community involvements included chairman of the Greensboro Area Chamber of Commerce, board member of the Weaver Foundation, Gateway University Research Park, First Citizens BankShares, Inc., Moses Cone Health System, Moses Cone Wesley Long Community Foundation, Hospice and Palliative Care of Greensboro, Greensboro Partnership, the National Conference for Community and Justice (NCCJ) and Hayes Taylor YMCA including fundraiser;

WHEREAS, among the numerous awards he received are National Conference of Community and Justice Brotherhood Award, Greensboro Chamber of Commerce Minority Business Award, and North Carolina A&T State University Distinguished Alumni Award;

WHEREAS, Shelton was a member of the Greensboro Men's Club, Alpha Phi Alpha Fraternity and Beta Epsilon Boule of Sigma Pi Phi Fraternity.

WHEREAS, Shelton served as past chairman of the Board of Deacons, Sunday School Teacher and in other various roles while a faithful member of Providence Baptist Church;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Ralph K. Shelton, the outstanding contributions he has made to the community, and the legacy he leaves.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Ralph K. Shelton.
2. That a copy of this resolution shall be delivered to the family of the late Ralph K. Shelton as a symbol of the gratitude of the people of Greensboro for his many contributions to this community.

(Signed) Sharon Hightower

**2. [ID 16-0083](#) Resolution Recognizing the Sesquicentennial, 150 Year Anniversary of Providence Baptist Church**

Councilmember Hightower read the resolution into record; invited Reverend Dr. Warren, Aaron, Senator Gladys Robinson and other representatives forward to receive the resolution; spoke to an event on Saturday; the new location of the church; to street signs recognizing Reverend Chubbs; and presented the resolution to the representatives.

Reverend Aaron voiced appreciation for the honors to Mr. Shelton and Reverend Chubbs; and spoke to the contributions made by the congregation.

Senator Robinson thanked Council for the resolution; Councilmember Hightower for her leadership in District 1; voiced appreciation for the street sign; and spoke to returning to the General Assembly.

**Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 7 - Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 2 - Nancy Vaughan and Nancy Hoffmann

**045-16 RESOLUTION RECOGNIZING THE SESQUICENTENNIAL, 150 YEAR ANNIVERSARY OF PROVIDENCE BAPTIST CHURCH**

WHEREAS, in 1866 a band of worshipers organized near East Market Street, a location that would become Greensboro's first Negro Baptist Church;

WHEREAS, on land donated by Zephaniah Mitchell, an ancestor of the present Dean Family the recipients gave it the name of God of the Universe, PROVIDENCE;

WHEREAS, in 1871, five years after its founding, the Reverend Abe Cowan built a one room frame building on the church's site;

WHEREAS, in 1876, the first brick church for Negroes was erected on the same site;

WHEREAS, the demolition of the old Providence Church site took place in the 1960s and the congregation met temporarily in the Richard Berry Harrison Auditorium located on the campus of North Carolina A&T State University on Sundays, with smaller groups meeting in the church parsonage in the evenings;

WHEREAS, in December of 1967 the congregation was able to move into the new edifice on Tuscaloosa Street;

WHEREAS, the new Providence facility was completed in 1986 at a cost of \$950,000;

WHEREAS, the church expanded in November of 2007 with the completion of the Howard Allen Chubbs Family Enrichment Center;

WHEREAS, the leadership of Providence Baptist Church includes the late Dr. James Scarlette, Pastor for 13 years; Dr. J. Walter Tynes, Pastor for 28 years; the Reverend Lorenzo Lynch Pastor for a brief period; Dr. Howard

Allen Chubbs, Pastor for 49 years, under whom the church established many programs and who mentored race relations in Greensboro; and the current Pastor, Dr. Darryl Warren Aaron;

WHEREAS, the City Council wishes to extend its congratulations to Providence Baptist Church on its Sesquicentennial, 150 Year Anniversary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That it hereby recognizes Providence Baptist Church on their 150 Year Anniversary.

(Signed) Jamal Fox

**3. [ID 16-0245](#) Resolution Recognizing Elizabeth "Liz" McKinnon**

Councilmember Hightower read the resolution into the record; stated the item marked a historical moment; referenced celebrating Ms. McKinnon for Black History and Women's History Month's as the first African American female bus driver; and presented the resolution to Ms. McKinnon.

Mayor Pro-Tem Johnson extended congratulations to Ms. McKinnon.

Councilmember Hightower stated she appreciated the 35 years of service; and recognized Lavern Lamb that brought the item to the attention of Council.

Ms. McKinnon received a standing ovation; and expressed thanks for the resolution.

**Moved by Councilmember Abuzuaiter, seconded by Councilmember Fox, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 7 - Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 2 - Nancy Vaughan and Nancy Hoffmann

**046-16 RESOLUTION RECOGNIZING ELIZABETH "LIZ" MCKINNON**

WHEREAS, McKinnon is a native of South Carolina and attended Dudley High School where she gained experience driving a school bus;

WHEREAS, in 1981 McKinnon was hired by Duke Transit when the transportation system was owned by Duke Power;

WHEREAS, McKinnon became the first African-American female bus operator for Greensboro at 22 years old;

WHEREAS, her first routes were along Friendly Avenue, Asheboro Street (Now Martin Luther King, Jr. Drive), and Irving Park;

WHEREAS, McKinnon has covered all 16 routes during her 35 years of service to the Greensboro Community where she has focused on building relationships with passengers;

WHEREAS, Elizabeth "Liz" McKinnon was honored by the Greensboro Transit Authority for her role in black history and continued service.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That it recognizes Elizabeth "Liz" McKinnon as the first African-American female bus operator, and her continued 35 years of dedicated service to the Greensboro Transit Authority and the citizens for which it serves.

(Signed) Marikay Abuzuaiter

4. [ID 16-0224](#) Recognition of Fourth Grade Class at Lindley Elementary School for Environmental Stewardship Outreach

Assistant City Manager Chris Wilson stated Mallory Morrow would speak to the item; spoke to letters received from the 4th grade class of Lindley Park Elementary; and to their passion for conservation.

Ms. Morrow spoke to a team focus; saving the environment; referenced the dangers of plastic bags; requested Council to consider the initiative; and thanked Council.

Assistant City Manager Wilson referenced reusable bags that had been provided to Council by the class; and thanked the class on behalf of the City on their efforts to educate citizens on the environment.

Councilmember Hightower expressed she had been touched by the letters; thanked the class for being considerate of the future; spoke to making the world environmentally safe; stated the letters were on display at Lindley Recreation Center; and thanked the students for bringing the item to Council's attention.

30. [ID 16-0189](#) Resolution Authorizing an Interlocal Agreement to Create the Guilford County Economic Development Alliance (GCEDA) and to Contribute \$100,000 for Shared Costs of the Organization

**Moved by Councilmember Fox, seconded by Councilmember Hightower to postpone item #30/ ID 16-0189 to the April 5th meeting of Council without further advertising. The motion carried by voice vote.**

5. [ID 16-0150](#) Resolution Adopting the 2016 Heritage Calendar

Councilmember Abuzuaiter read the resolution into the record; and presented the resolution to Human Resources Consultant Maria Hicks-Few.

**Moved by Councilmember Hightower, seconded by Councilmember Fox, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 7 - Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 2 - Nancy Vaughan and Nancy Hoffmann

047-16 RESOLUTION ADOPTING THE 2016 HERITAGE CALENDAR

WHEREAS, National Heritage Month observances are an integral part of the National Equal Employment Opportunity and Civil Rights Program.

WHEREAS, the purpose of these observances is to ensure that agencies take affirmative steps to provide equal opportunity to minorities, women and people with disabilities in all areas of employment and provide cultural awareness to everyone

WHEREAS, the City of Greensboro continues to not discriminate on the basis of sexual orientation, gender expression, gender identity on the basis of an applicant's suitability for the job and award them, with respect to compensation and opportunity for training and advancement, including upgrading and promotion.

WHEREAS, The City of Greensboro wants to officially celebrates our diversity by recognizing Nationally Recognized Heritage Months such as:

February

African American/Black History Month-(Read this line aloud only)

To recognize the contributions of African Americans and foster a better understanding of the African American

experience. Carter G. Woodson, who in 1926 spearheaded Negro History Week, started the observation. It was expanded to a month in 1976. February was chosen because of the birthdays of Frederick Douglas and Abraham Lincoln, two people who had a dramatic affect on the lives of African Americans.

March

National Women's History Month-(Read this line aloud only)

Women's History Month started as Women's History Week in 1978. In 1987, Congress was petitioned to expand the week to an entire month. The month recognizes the important contributions made by women through programs in school, workplaces and communities.

May

Asian/Pacific American Heritage Month-(Read this line aloud only)

Asian/Pacific American Heritage observation originally began as Asian/Pacific Heritage week on July 10, 1978. In 1992, President Bush signed legislation designated May as Asian/Pacific American Heritage Month. The term Asian/Pacific American includes many ethnic groups with diverse cultures. The month celebrates the collective achievements of the many different communities.

Jewish American Heritage Month-(Read this line aloud only)

Jewish American Heritage Month had its origins in 1980 when Congress passed Pub. L. 96-237 which authorized and requested the President to issue a proclamation designating a week in April or May as Jewish Heritage Week

Older Americans Month-(Read this line aloud only)

Older Americans Month was established by presidential proclamation to honor the contributions of older Americans to society. Begun in 1962, Older Americans Month is a time to celebrate and reflect on the unique contributions of older Americans in our society.

June

Gay and Lesbian Pride Month-(Read this line aloud only)

Gay and Lesbian Americans have made important and lasting contributions to our nation in every field of endeavor. In June of 2000, William J. Clinton, President of the United States of America proclaimed June as Gay and Lesbian Pride Month. All Americans are encouraged to observe this month with appropriate programs, ceremonies, and activities that celebrate our diversity and recognize the gay and lesbian Americans who have contributed and enriched our national life.

Caribbean American Heritage Month-(Read this line aloud only)

On June 5, 2006, President George W. Bush signed a proclamation making June officially Caribbean American Heritage Month. This month has been established to recognize the historic relationship between the people of the Caribbean and the people of the United States as well as to recognize the many contributions Caribbean immigrants and their descendants have made to the well-being of America.

September/October

Hispanic Heritage Month-(Read this line aloud only)

The first Hispanic Heritage Week was approved on September 15, 1968. The month gives people the opportunity to plan and participate in ceremonies and activities that recognize the contributions of the many diverse cultures within the Hispanic community. In 1988, the celebration was expanded to a month and goes from September 15 to October 15.

October

National Disability Employment Awareness Month-(Read this line aloud only)

In 2003, previously known as National Employ the Handicapped Week, President George W. Bush proclaimed October as National Disability Employment Awareness Month. During this month, we recognize the many contributions citizens with disabilities make to our society, and we reaffirm our commitment to helping them achieve their full inclusion in our workforce.

National American Indian Heritage Month-(Read this line aloud only)

National American Indian (or Native American) Month was enacted with a presidential proclamation in 1990. During the month, all Americans are encouraged to participate in programs ceremonies and activities that celebrate American Indian and Alaskan Native peoples' important contribution to the United States.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Greensboro that we observe the preceding nationally recognized Heritage Months throughout 2016.

(Signed) Sharon Hightower

## **II. PUBLIC COMMENT PERIOD**

Madison Carroll, 201 North Elm Street stated she represented the Leadership Greensboro Class of 2016; recognized other team members in attendance; invited everyone to the Junior Achievement Day Blitz on April 20th; provided event information for the program; and outlined the participating schools.

Council asked about getting an informational email for the event; and for confirmation that they could attend the event at any of the participating schools.

Ms. Carroll confirmed Council would receive an email; and that they could attend at any of the participating schools.

Adamou Mohamed, 5801 Battery Drive, thanked Council for the opportunity to speak; stated he was the Chair of the International Advisory Committee (IAC); referenced inclusion of IAC members in the Participatory Budgeting process; provided details for an event on March 18th for an International Expo from 4 pm - 6 pm; and invited the Council and the community to attend.

Devon King, 3315 Martin Street spoke to the Primary elections on Tuesday; the Connect NC Bond; to future generations paying high taxes; referenced the needs for K-12 schools; stated teachers were handicapped by curriculum; and voiced concerns with a Charlotte ordinance.

Councilmember Wilkins thanked Mr. King for his comments; and asked about the local bond language regarding property taxes.

City Attorney Carruthers spoke to language requirements based on State Statute.

City Manager Westmoreland spoke to including deliberate bond language; and to providing additional information regarding the debt service to Council.

Councilmember Barber referenced a previous school bond; and a repayment schedule that had been provided to the public.

## **III. CONSENT AGENDA (One Vote)**

Mayor Pro-Tem Johnson asked if anyone wished to remove any items from the Consent Agenda.

**Moved by Councilmember Fox, seconded by Councilmember Abuzuaiter, to**

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adopt the consent agenda. The motion carried by voice. vote.

7. [ID 16-0090](#) Resolution Authorizing Encroachment Agreement between the City of Greensboro and Crown GHO, LLC

048-16 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND CROWN GHO, LLC.

WHEREAS, Crown GHO, LLC has requested that the City permit the installation of 237 linear feet of fiber optic lines in City right-of-way to provide fiber optic connectivity on Tri-City Blvd and Norwalk Street from State right-of-way on W. Wendover Ave;

WHEREAS, Crown GHO LLC has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the fiber optic lines being located within said City right-of-way;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said fiber optic lines in accordance with the terms and conditions of an Agreement presented herewith this day;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Encroachment Agreement with Crown GHO, LLC to permit the installation of 237 linear feet of fiber optic lines in City right-of-way to provide fiber optic connectivity on Tri-City Blvd and Norwalk Street from State right-of-way on W. Wendover Ave. in accordance with the terms and conditions set out therein.

(Signed) Mike Barber

8. [ID 16-0191](#) Resolution Authorizing Encroachment Agreement between the City of Greensboro and Union Square Campus, Inc.

049-16 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND UNION SQUARE CAMPUS, INC

WHEREAS, Union Square Campus, Inc has requested that the City permit the proposed installation of 4,962 linear feet of fiber optic lines in City right-of-way to provide fiber optic connectivity beginning at Union Square Campus; in the 500 block of Arlington Street, and ending at an existing communication manhole located in the northwest corner of the intersection of Gorrell Street and Bennett Street;

WHEREAS, Union Square Campus, Inc has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the fiber optic lines being located within said City right-of-way;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said fiber optic lines in accordance with the terms and conditions of an Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Encroachment Agreement with Union Square Campus, Inc to permit the installation of 4,962 linear feet of fiber optic lines in City right-of-way to provide fiber optic connectivity beginning at Union Square Campus, in the 500 block of Arlington Street, and ending at an existing communication manhole located in the northwest corner of the intersection of Gorrell Street and Bennett Street, all in accordance with the terms and conditions set out therein.

(Signed) Mike Barber

9. [ID 16-0179](#) Resolution Authorizing Global Encroachment Agreement between the City of Greensboro and Weston Solutions, Inc.

050-16 RESOLUTION AUTHORIZING GLOBAL ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND WESTON SOLUTIONS, INC INTO THE CITY'S RIGHT-OF-WAY ON VARIOUS STREETS TO INSTALL ENVIRONMENTAL MONITORING WELLS

WHEREAS, Weston Solutions, Inc., has requested that the City permit the construction for the installation of monitoring wells on various City right-of-way throughout the City to conduct environmental testing pursuant to the North Carolina Department of Environment and Natural Resources and Guilford County Department of Health and Human Services. This Global Encroachment Agreement will allow Weston Solutions, Inc to place these monitoring wells in City right-of-way and also allow staff review and approval of potential future proposed locations;

WHEREAS, Weston Solutions, Inc is requesting that the Global Encroachment Agreement be approved so that future placement and testing may be performed without repeated City Council approval subject to the approval of City staff;

WHEREAS, Weston Solutions, Inc. has agreed to enter into this Global Encroachment Agreement with the City which, among other things, will indemnify the City from any claim or damages that may occur due to the installations of the monitoring wells;

WHEREAS, it is deemed in the best interest of the City to permit the Global Encroachment of said environmental monitoring wells by entering into the Global Encroachment Agreement presented herewith this day;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Global Encroachment Agreement with Weston Solutions, Inc, for the installation of monitoring wells on various City right-of-way throughout the City to conduct environmental testing pursuant to the North Carolina Department of Environment and Natural Resources and Guilford County Department of Health and Human Services. This Global Encroachment Agreement will allow Weston Solutions, Inc to place these monitoring wells in City right-of-way and also allow staff review and approval of potential future proposed locations in accordance with the terms and conditions set out therein and in the executed Global Encroachment Agreement.

(Signed) Mike Barber

10. [ID 16-0212](#) Resolution Approving Encroachment Agreement Between The City Of Greensboro And Downtown Greensboro, Inc. To Allow the Installation of Engraving/Etchings of "Love Greensboro" Marks In City Sidewalks

051-16 RESOLUTION APPROVING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND DOWNTOWN GREENSBORO, INC. TO ALLOW THE INSTALLATION OF ENGRAVING/ETCHINGS OF "LOVE GREENSBORO" MARKS IN CITY SIDEWALKS

WHEREAS, Downtown Greensboro, Inc. is sponsoring a grassroots marketing campaign named "Love Greensboro;"

WHEREAS, the purpose of the Downtown Greensboro, Inc.'s "Love Greensboro" marketing campaign is to generate strong and lasting community pride and loyalty, educate people about Greensboro, stimulate new, interesting and unique businesses, and stimulate tourism and economic growth and development.

WHEREAS, as part of its marketing campaign, Downtown Greensboro, Inc. has asked the City of Greensboro for permission to install "Love Greensboro" marks in City sidewalks by means of engraving and/or etching, and these marks will be flush with the sidewalk and read in the direction of the flow of traffic so that they will not pose any additional risks to the public.

WHEREAS, Downtown Greensboro, Inc. will pay the costs to design and install these marks from donations

made by donors to the Love Greensboro campaign.

WHEREAS, the City has approved the design of the mark which is attached as Exhibit A to this Resolution, and this design will include the name of the donor and the date of the donation only. Only the name of the donor as listed on the donor's birth certificate will be approved, and the City has the full discretion as to whether to approve any such name.

WHEREAS, the City will own these marks once installed in the City's sidewalks and the City shall have complete discretion as to when or how to maintain, repair, or replace the design in the event it is damaged or defaced.

WHEREAS, The Director of Transportation approves the installation of these design marks in the City's sidewalks.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council authorizes the City Manager to execute an Encroachment Agreement in conformity with this Resolution between the City of Greensboro and Downtown Greensboro, Inc. to install etchings/engravings of "Love Greensboro" marks in City sidewalks to promote its Love Greensboro Campaign.

(Signed) Mike Barber

**11. [ID 16-0136](#) Resolution Authorizing Extension of Software and Hardware Maintenance Agreement with TechLogic, Inc.**

052-16 RESOLUTION AUTHORIZING EXTENSION OF SOFTWARE AND HARDWARE MAINTENANCE AGREEMENT WITH TECHLOGIC, INC.

WHEREAS, The Libraries Department has owned its current proprietary system since 1998 to automate book processing for the Libraries; and

WHEREAS, the Library wishes to extend the existing software and hardware maintenance agreement with the firm Tech Logic for one year for the annual cost of \$21,100.00 plus \$1,424.25 taxes for a total of \$22,524.25, plus any additional repairs; and

WHEREAS, the cumulative total of this contract with the current year renewal will exceed \$100,000 which requires City Council approval; and

WHEREAS, Maintenance and repair services continue to be covered annually under a renewable maintenance agreement; and

WHEREAS, due to the age of the proprietary system, which qualifies this contract for the attached MWBE Program Waiver, the Libraries Department plans to renew the contract from year to year; and

WHEREAS, the current rate for the one year contract is \$21,100.00 plus \$1,424.25 taxes for a total of \$22,524.25. In addition to the regularly scheduled maintenance services provided for in the maintenance agreement, equipment such as a conveyer belt may require a repair that may range from minor to substantial in expense; and

WHEREAS, a repair rate is established at \$225/hour to cover repairs outside the normal scope of maintenance services. Repairs in the currently expiring contract totaled \$750.00; and

WHEREAS, the total contract value for the new contract year period is estimated to cost \$21,100.00 plus \$1,424.25 taxes for a total of \$22,524.25, with the potential for additional repair expenses; and

WHEREAS, funds are currently available in the annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE GREENSBORO CITY COUNCIL

That the resolution authorizing extension of software and hardware maintenance agreement under the terms

described herein with TechLogic, Inc. is hereby approved.

(Signed) Mike Barber

**12. [ID 16-0204](#) Resolution Approving a Contract with Cox Utility Services, Inc. for Underground Utility Locating Services**

053-16 RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH COX UTILITY SERVICES, INC. FOR UNDERGROUND UTILITY LOCATION SERVICES

WHEREAS, the City of Greensboro was required by the North Carolina General Statute; Article 8A "Underground Utility Safety and Damage Prevention Act" to become a member of NC811 in September of 2014, and membership requires the City to receive and process all locate requests received by NC811 that are within 10 feet of our infrastructure;

WHEREAS, the City maintains over 1,492 miles of water mains and 1,485 miles of sewer mains, serving approximately 103,480 homes and businesses, and professional underground locating services are needed to accommodate the increased volume of locates received through the NC811 service;

WHEREAS, Cox Utility Services, Inc. was one of three firms that submitted for the work and was selected to perform underground utility locate services over a three-year period in the amount of \$587,440.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a three-year contract with Cox Utility Services, Inc. for underground utility locate services is hereby authorized. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$1,762,320 from account 501-7071-01.5419, with the amount for each fiscal year as follows: \$146,860 in FY 15-16, \$587,440 in FY 16-17, \$587,440 in FY 17-18 and \$440,580 in FY 18-19, provided that sufficient appropriations are approved by City Council in succeeding fiscal years.

(Signed) Mike Barber

**13. [ID 16-0156](#) Resolution Approving the Bid in the Amount of \$450,579.94 and Authorizing Execution of Contract 2013-129 (U-5532B) with Yates Construction Company for the Phillips Avenue Sidewalk Installation**

054-16 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2013-129 (U-5532B) WITH YATES CONSTRUCTION COMPANY FOR THE SIDEWALK INSTALLATION FOR PHILLIPS AVENUE

WHEREAS, after due notice, bids have been received for sidewalk installation for the Phillips Avenue project.

WHEREAS, Yates Construction Company a responsible bidder, has submitted the low base and alternate bid in the total amount of \$450,579.94 as general contractor for Contract No. 2013-129, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Yates Construction Company is hereby accepted, and the City is authorized to enter into a contract with Yates Construction Company for the sidewalk installation for Phillips Avenue project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$450,579.94 from accounts 401-4563-01.6015 and 471-4502-15.6015.

(Signed) Mike Barber

**14. [ID 16-0218](#) Resolution Authorizing the Greensboro Fire Department to Sell Equipment to Volunteer Fire Departments**

055-16 RESOLUTION RATIFYING CONTRACTS PREVIOUSLY EXECUTED WITH THE CLIMAX FIRE DEPARTMENT, THE OAK RIDGE FIRE DEPARTMENT, FIRE DISTRICT #13 AND THE PINECROFT-SEDFIELD FIRE DEPARTMENT

WHEREAS, the Greensboro Fire Department had used fire equipment that was no longer needed and four volunteer fire departments that could use the equipment;

WHEREAS, the City has statutory authority to sell excess used fire equipment to other fire departments and fire districts pursuant to Section 160A-274(c) of the North Carolina General Statutes;

WHEREAS, on November 12, 2015, the City sold the following used fire equipment to the following fire departments: (1) the Climax Fire Department purchased two RIT Paks 012 Serial # 0845022 and 013 Serial #0912018L and twelve Interspiro SCBA Air Paks Serial Nos. 0703203,0703208, 0703250, 0703200, 0703182, 0703161, 0703181, 0703173, 0703270, 0703261, 0703185 and 0714056; (2) the Oak Ridge Fire Department purchased two Interspiro RIT Paks 001 Serial # 0523021 and 011 Serial #0451056; (3) Fire District #13 purchased two Interspiro RIT Paks 002 Serial #0511098 and 003 Serial #0511081; and (4) the Pinecroft-Sedgefield Fire Department purchased three Interspiro RIT Paks 007 Serial # 0511002, 009 Serial #0511058 and 010 Serial #0511068. The sale of the aforementioned equipment is authorized by North Carolina General Statutes section 160A-274(c).

WHEREAS, the aforementioned used fire equipment was sold as is and the purchasers assumed all risk from the use of the equipment and no claims or any further disposition shall be made against the City of Greensboro and the employees of the Greensboro Fire Department;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That the sale of the used fire equipment to the Climax Fire Department, the Oak Ridge Fire Department, Fire District #13 and the Pinecroft-Sedgefield Fire Department is hereby ratified.

Section 2. That this resolution shall be effective upon its adoption.

(Signed) Mike Barber

**15. [ID 16-0152](#) Resolution Authorizing Municipal Agreement with the North Carolina Department of Transportation for Lovett Street Sidewalk Project: EB-5712**

056-16 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR THE LOVETT STREET SIDWALK PROJECT: EB-5712

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization in its effort to support and implement multi-modal transportation needs in the Greensboro area submitted the Lovett Street Sidewalk Project for consideration for construction funding reimbursements by NCDOT under the Prioritization 3.0 Process; and

WHEREAS, the project scored very well under Prioritization 3.0 and the North Carolina Department of Transportation has since agreed to fund this project and taken steps to do so under the adopted FY 2016-2025 State Transportation Improvement Program; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation seek to enter into a Municipal Agreement in order to provide for \$369,903 in federal funding to support the project; and,

WHEREAS, the City of Greensboro is not required to provide a local match; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the North Carolina Department of Transportation for Project EB-5712.

(Signed) Mike Barber

**16. [ID 16-0151](#) Ordinance in the Amount of \$369,903 Amending the Street and Sidewalk Capital Project Fund for Project EB-5712: Lovett Street Sidewalk Project**

16-021 ORDINANCE AMENDING THE STREET AND SIDEWALK CAPITAL PROJECT FUND FOR PROJECT EB-5712: LOVETT STREET SIDEWALK PROJECT

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Street and Sidewalk Capital project Fund budget of the City of Greensboro be amended as follows for Project EB-5712: Lovett Street Sidewalk Project:

Account	Description	Amount
401-4566-01.5410	Professional Svcs-Capital Projects	\$7,400
401-4566-01.6015	Sidewalk Construction	\$362,503
TOTAL		\$369,903

And, that this appropriation be financed by increasing the following account:

Account	Description	Amount
401-4566-01.7100	Federal Grant	\$369,903
TOTAL		\$369,903

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Mike Barber

**17. [ID 16-0157](#) Resolution Authorizing Municipal Agreement with the North Carolina Department of Transportation for Project EB-5716: Holden Road and Lindsay Street Sidewalks**

057-16 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR PROJECT EB-5716: HOLDEN ROAD AND LINDSAY STREET SIDEWALKS

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization in its effort to support and implement multi-modal transportation needs in the Greensboro area submitted the Holden Road and Lindsay Street Sidewalk Project for consideration for construction funding reimbursements by NCDOT under the Prioritization 3.0 Process; and

WHEREAS, the project scored very well under Prioritization 3.0 and the North Carolina Department of Transportation has since agreed to fund this project and taken steps to do so under the adopted FY 2016-2025 State Transportation Improvement Program; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation are to enter into a Municipal Agreement in order to provide for \$424,000 in federal funding to support the project; and

WHEREAS, the City of Greensboro is not required to provide a local match; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the North Carolina Department of Transportation for Project EB-5716.

(Signed) Mike Barber

**18. [ID 16-0160](#) Ordinance in the Amount of \$424,000 Amending the Street and Sidewalk Capital Project Fund Budget for Project Eb-5716: Holden Road and Lindsay Street Sidewalks**

16-022 ORDINANCE AMENDING THE STREET AND SIDEWALK CAPITAL PROJECT FUND BUDGET FOR PROJECT EB-5716: HOLDEN ROAD AND LINDSAY STREET SIDEWALKS

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Street and Sidewalk Capital Project Fund Budget of the City of Greensboro be amended as follows for Project EB-5716: Holden Road and Lindsay Street Sidewalks:

Account	Description	Amount
401-4567-01.5410	Professional Svcs-Capital Projects	\$8,480
401-4567-01.6015	Sidewalk Construction	\$415,520
TOTAL		\$424,000

And, that this appropriation be financed by increasing the following account:

Account	Description	Amount
401-4567-01.7100	Federal Grant	\$424,000
TOTAL		\$424,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Mike Barber

**19. [ID 16-0161](#) Resolution Authorizing Municipal Agreement with the North Carolina Department of Transportation for Project U-5532 C: Rudd Station Road Sidewalk**

057-16 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR PROJECT U-5532 C: RUDD STATION ROAD SIDEWALK

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization Transportation Advisory Committee, in cooperation with NCDOT, established STP-DA funding for the Rudd Station Road Sidewalk Project; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation have established an agreement to direct federal funding to the Rudd Station Road Sidewalk Project in 2016; and

WHEREAS, STP-DA funds of \$296,000 have been secured requiring an additional \$74,000 in local funds for construction; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the North Carolina Department of Transportation for Project U-5532 C: Rudd Station Road Sidewalk.

(Signed) Mike Barber

**20. [ID 16-0162](#) Ordinance in the Amount of \$370,000 Amending the Street and Sidewalk Capital Project Fund Budget for Project U-5532 C: Rudd Station Road Sidewalk**

16-023 ORDINANCE AMENDING THE STREET AND SIDEWALK CAPITAL PROJECT FUND BUDGET FOR PROJECT U-5532 C: RUDD STATION ROAD SIDEWALK

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Street and Sidewalk Capital Project Fund Budget of the City of Greensboro be amended as follows for the Project U-5532 C: Rudd Station Road Sidewalk:

Account	Description	Amount
401-4568-01.5410	Professional Svcs-Capital Projects	\$7,400
401-4568-01.6015	Sidewalk Construction	\$362,600
TOTAL		\$370,000

And, that this appropriation be financed by increasing the following accounts:

Account	Description	Amount
401-4568-01.7110	State Grant	\$296,000
401-4568-01.9471	Local Matching Funds	\$74,000
TOTAL		\$370,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Mike Barber

**21. [ID 16-0163](#) Resolution Authorizing Municipal Agreement with the North Carolina Department of Transportation for Project U-5532 D: General Sidewalk Projects**

058-16 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR PROJECT U-5532 D: GENERAL SIDEWALK PROJECTS

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization Transportation Advisory Committee, in cooperation with NCDOT, established STP-DA funding for the General Sidewalk Improvements Project; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation have established an agreement to direct federal funding to the General Sidewalk Improvements Project in 2016; and

WHEREAS, STP-DA funds of \$451,040 have been secured requiring \$112,760 in local funds for construction; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the North Carolina Department of Transportation for Project U-5532 D: General Sidewalk Projects.

(Signed) Mike Barber

**22. [ID 16-0165](#) Ordinance in the Amount of \$563,800 Amending the Street and Sidewalk Capital Project Fund Budget for Project U-5532 D: General Sidewalk Projects**

16-024 ORDINANCE AMENDING THE STREET AND SIDEWALK CAPITAL PROJECT FUND BUDGET FOR PROJECT U-5532 D: GENERAL SIDEWALK PROJECTS

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Street and Sidewalk Capital Project Fund Budget of the City of Greensboro be amended as follows for the Project U-5532 D: General Sidewalk Projects:

Account	Description	Amount
401-4569-01.5410	Professional Svcs-Capital Projects	\$11,276
401-4569-01.6015	Sidewalk Construction	\$552,524
TOTAL		\$563,800

And, that this appropriation be financed by increasing the following accounts:

Account	Description	Amount
401-4569-01.7110	State Grant	\$451,040
401-4569-01.9471	Local Matching Funds	\$112,760
TOTAL		\$563,800

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Mike Barber

**23. [ID 16-0143](#) Ordinance in the Amount of \$24,975 Establishing State, Federal and Other Grants Fund Budget for the Appropriation of FY 2015 Fair Housing Training Program Grant Funds**

16-025 ORDINANCE ESTABLISHING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FY 2015 FAIR HOUSING TRAINING PROGRAM GRANT FUNDS

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby established as follows:

Account	Description	Amount
220-0307-01.4110	Salaries and Wages	\$1,100
220-0307-01.5212	Computer Software	\$1,000
220-0307-01.5431	In-house Printing (FH brochures used during	\$2,000

	education and outreach)	
220-0307-01.5520	Seminar/Training Expenses	\$17,875
220-0307-01.5221	Advertising (FH advertisement; newspapers & bus wrap)	\$3,000
TOTAL		\$24,975

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

Account	Description	Amount
220-0307-01.7100	Federal Grant	\$24,975
TOTAL		\$24,975

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Mike Barber

**24. [ID 16-0203](#) Ordinance in the Amount of \$775,000 Amending the FY 2015-2016 Parking Operations Fund Budget to Appropriate Funds for Construction of Temporary Parking for the Union Square Campus**

16-026 ORDINANCE AMENDING THE FY 2015-2016 PARKING OPERATIONS FUND BUDGET TO APPROPRIATE FUNDS FOR CONSTRUCTION OF TEMPORARY PARKING FOR THE UNION SQUARE CAMPUS

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Parking Operations Fund Budget of the City of Greensboro be amended as follows for construction of temporary parking for the Union Square Campus:

Account	Description	Amount
543-4530-01.5931	Contributions to Non-Governmental Agencies	\$775,000
TOTAL		\$775,000

And, that this appropriation be financed by increasing the following revenue accounts:

Account	Description	Amount
543-0000-00.8900	Appropriated Fund Balance	\$775,000
TOTAL		\$775,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Mike Barber

**25. [ID 16-0254](#) Resolution to Amend Resolution 0382-15 Authorizing Contract Number 2010-015 with Pillar Design Studios, LLC for the City of Greensboro Skate Park to add Team Members Artisan Skateparks, Inc. and Adira Construction Inc. and to Amend the Account Number**

059-16 RESOLUTION TO AMEND RESOLUTION 0382-15 AUTHORIZING CONTRACT NUMBER 2010-015

WITH PILLAR DESIGN STUDIOS, LLC FOR THE CITY OF GREENSBORO SKATE PARK TO ADD TEAM MEMBERS ARTISAN SKATEPARKS, INC. AND ADIRA CONSTRUCTION INC. AND TO CORRECT THE ACCOUNT NUMBER

WHEREAS, the need and demand for more diverse and non-traditional recreational activities such as a skate park was first recommended by the Parks and Recreation Comprehensive Master Plan (1998) and again in the updated (2005) plan;

WHEREAS, funding for the project was approved by residents with the November 2006 Bond Referendum and became available in 2014;

WHEREAS, public input was established and an advisory team of community stakeholders was created to assist staff with developing criteria for the evaluation and selection of a qualified design/build firm;

WHEREAS, based on criteria such as existing parking, lighting, access, visibility, and other infrastructure considerations, Latham Park and Glenwood Recreation Center were recommended;

WHEREAS, the public advisory team, Parks and Recreation, the M/WBE office, and Engineering and Inspections staff co-developed criteria such as M/WBE participation, previous design and / or construction experience, community/public agency collaboration, and design creativity for the development of an RFQ;

WHEREAS, on June 10, 2015, the Parks and Recreation Commission unanimously approved the recommended skate park/ spot/dot locations, along with the criteria established for evaluation and selection of a qualified design/build firm for the project;

WHEREAS, at its August 13, 2015 City Council Work Session, Council authorized staff to proceed with the recommended skate park and spot/dot locations, as well as, issuing the Request for Qualifications (RFQ) to solicit proposals from qualified skate park design/build teams for the project;

WHEREAS, on November 30, 2015, proposals were received and evaluated by the team, in terms of meeting goals, criteria and cost; the team of Artisan Skateparks, Inc., Pillar Design Studios, LLC, and Adira Construction Inc. was the unanimous preferred selection by the advisory team.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City is authorized to enter into a contract with Artisan Skateparks Inc., Pillar Design Studios, LLC and Adira Construction for the design and construction of the skate park at Latham Park and the skate spot at Glenwood Recreation Center. The City Manager and staff are hereby authorized to enter into negotiations and execute a contract with Artisan Skateparks Inc., Pillar Design Studios LLC, and/or Adira Construction, Inc. in an amount not to exceed \$575,000 based on agreed upon terms of the contract, payment to be made from Account Nos. 453-5007-01.5410 and 453-5007-01.6019.

(Signed) Mike Barber

**26. [ID 16-0219](#) Budget Adjustments Requiring Council Approval 1/26/16-2/22/16**

Motion to approve the budget adjustments of January 26 through February 22, 2016 over the amount of \$50,000 was adopted.

(A copy of the budget adjustments report is filed in Exhibit Drawer Y, Exhibit No. 12 which is hereby referred to and made a part of these minutes)

**27. [ID 16-0220](#) Budget Adjustments Approved by Budget Officer 1/26/16-2/22/16**

Motion to accept the report of budget adjustments of January 26 through February 22, 2016 was adopted.

(A copy of the budget adjustments report is filed in Exhibit Drawer Y, Exhibit No. 12 which is hereby referred to and made a part of these minutes)

28. [ID 16-0235](#) Motion to Approve the Minutes of the Regular Meeting of February 16, 2016

Motion to approve the minutes of the Regular meeting of February 16, 2016 was adopted.

#### **IV. PUBLIC HEARING AGENDA**

29. [ID 16-0146](#) Resolution Closing an Approximately 755-foot Portion of Rankin Avenue from its Intersection with Huffine Mill Road Westward and Northward to its Intersection with East Wendover Avenue

Planning Manager, Mike Kirkman made a PowerPoint presentation; provided a history of the item; stated the site development plan had not been submitted; spoke to the requirements for the street closure; outlined the recommendation of the Technical Review Committee (TRC) that included two required findings; reviewed the recommendation by the Planning Board; spoke to the notification to property owners; stated there had not been any speakers to the item at the hearing; and referenced the public hearing being held.

Councilmember Fox inquired about traffic concerns; and asked if tractor trailers used the street.

Mr. Kirkman stated Rankin Avenue was not a public street; spoke to a private driveway; and stated he was not aware of tractor trailers using the street.

Councilmember Hightower asked about street frontage; if it was a dirt road; the purpose of the road closing; voiced concern with maintenance issues; and asked for additional information regarding the petitioner.

Mr. Kirkman confirmed there would be street frontage for other property owners; the street was a gravel road that was not currently maintained by the City; spoke to combining taxed lots as the purpose for the closure; provided an image of the street and surrounding properties; referenced a sewer line that would need to be maintained; highlighted accesses for the commercial businesses in the area; and reiterated that one lot was currently separate would be combined.

Frederick Curl, 5763 Bethel Church Road; voiced concerns with access to a loading dock on his property; with the potential of a fence being installed; sewer clean outs established by the City that were gone; and stated he needed access to the lines and the property.

Councilmember Hightower inquired as to when he received notification about the road closure; and asked for confirmation that the closure would lock him out of his property.

Mr. Curl stated he received a letter for the February 17 meeting of the Planning Board; and referenced a conversation with the petitioner regarding access to the property.

Mayor Pro-Tem Johnson referenced a similar situation on Eugene Court; asked if there would be an avenue to assist Mr. Curl legally.

City Attorney Carruthers suggested Council continue the item without further advertising to allow the parties time to come to an agreement.

Moved by Councilmember Wilkins, seconded by Councilmember Hightower to continue the item to the April 19th meeting of Council without further advertising. The motion carried by a show of hands.

Mayor Pro-Tem Johnson referenced the situation with Eugene Court in which the parties were able to come to an agreement.

Councilmember Abuzuaiter asked about the zoning in the area.

Mr. Kirkman clarified the zoning was a combination of commercial and single family residential.

Mr. Curl provided images of the area; reiterated his concerns regarding access to the sewer lines; and stated he would not be available on April 19th.

Councilmember Fox referenced the trucks shown in the images; and confirmed that they were the trucks he had referred to earlier.

City Attorney Carruthers suggested the continuation be moved to the May 3rd meeting of Council for the convenience of Mr. Curl. It was the consensus of Council to do so and to leave the public hearing open.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 12 which is hereby referred to and made a part of these minutes)

## **V. GENERAL BUSINESS AGENDA**

### **31. [ID 16-0247](#) Resolution to Re-Organize the Appointment Procedure for Greensboro's Boards and Commissions**

City Manager Westmoreland outlined the history of the item; spoke to Council members that had participated in the Committee; and recognized City Attorney Carruthers to speak to the item.

City Attorney Carruthers spoke to what the Committee recommended; provided an overview that would be in accordance with the current ordinance; spoke to the number of members for various committees; current expiration dates; stated the Clerk had prepared a roster of the committees showing upcoming appointments; spoke to increased positions; to specific needs of the committees; alteration to attendance requirements; stated the Police Community Review Board (PCRB) would be in accordance with the new system; referenced the Human Relations Commission (HRC) appointments needed to be made this evening to meet training requirements; spoke to the placement of names into the databank; and to a rolling method of appointments to ensure equity among the boards.

Councilmember Barber voiced appreciation for the time and work by Council, the Committee members, and staff; spoke to a collective effort; to a good committee system; to creating diversity and equity among the boards; and extended special thanks to the HRC Chair Zac Engle.

Moved by Councilmember Wilkins, seconded by Councilmember Barber to appoint Ed Cobbler to the HRC. The motion carried by voice vote.

Moved by Councilmember Barber, seconded by Councilmember Wilkins to appoint Tom Phillips to the HRC. The motion carried by voice vote.

Discussion took place regarding verifying the appointments needed for the PCRB training; placement of Sallie Hays-Williams to a board; appointments made from HRC Chair Engle to the PCRB; and making an additional appointment if needed.

**Moved by Councilmember Abuzuaiter, seconded by Councilmember Wilkins, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 7 - Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 2 - Nancy Vaughan and Nancy Hoffmann

060-16 RESOLUTION TO RE-ORGANIZE THE APPOINTMENT PROCEDURE FOR THE CITY OF GREENSBORO'S BOARDS AND COMMISSIONS

WHEREAS, Section 2-136 of Greensboro Code of Ordinances provides, "It is the policy of the city council of the City of Greensboro to select citizens from the entire community to serve on boards and commissions taking into consideration gender, race and residence on a geographical basis;" and

WHEREAS, Section 2-136 further provides, "It is the intent to select members to boards and commissions on an equitable and proportionate basis representing each of the five (5) councilmanic districts and each of the three (3) at-large seats and the office of the mayor;" and

WHEREAS, The Boards and Commissions Committee members met on February 8, 2016 to discuss the best process for ensuring each of the nine (9) council members has an equal opportunity to make appointments to Greensboro's various boards and commissions; and

WHEREAS, The Boards and Commissions Committee members agreed to give effect to the intent of Section 2-136 of the Code of Ordinances and agreed to recommend to the full city council a reorganization of City's appointment system.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

THAT for the purpose of ensuring there is an equitable distribution of appointments among the nine (9) council members, the following changes shall be adopted for the City's current appointment system:

1. Direct the City Clerk to track all appointments by keeping a spreadsheet noting that each board has 9 possible appointment slots which are assigned to each of the 9 council members. When a board/commission has 18 members, each council member shall have 2 appointment slots.
2. All current assignments will remain in effect. Upon approval of this new system, all appointments will be made in accordance with the new method.
3. When there is a 9 member board/commission and a council district has more than one appointment, that additional appointment will be assigned to the mayor, mayor pro tem, and an at-large member.
4. When the membership of a board is increased, there will be a rolling order of appointments for the at large members. For example the first board requiring additional appointments will begin with the mayor, then mayor pro tem, then at-large #3, and at-large #4. For the next board requiring appointments, the order will shift to mayor pro tem, at-large #3, at-large #4, mayor. For the third board, the order will shift to at-large #3, at-large #4, mayor, mayor pro tem, and so on.
5. The rolling expiration dates of appointments will be noted in order to track which of the 9 council members is next in line to make the appointment. Council members will consult the chart regularly and will work closely with each other to ensure the fair distribution of appointments.
6. In the event a question arises as to which council member gets the next appointment, appointments will be assigned in order beginning with district 1 and ending with at-large #4. That is, the successive order will be: district 1, 2, 3, 4, 5, mayor, mayor pro tem, at-large #3, at-large #4.
7. Add 2 alternates to the Redevelopment Commission, with the appointments made by at-large council member #3 (Abuzuaite) and at-large council member #4 (Barber).
8. Add 2 alternates to the Minimum Housing Commission, with the appointments made by at-large council member #3 (Abuzuaite) and at-large council member #4 (Barber).
9. Increase the membership on the Human Relations Commission from 15 members to 18 members.
10. Allow the membership of the Community Sustainability Council to reduce from 10 members to 9 members through attrition.
11. Allow the membership of the Commission on the Status of Women to reduce from 15 members to 9 members through attrition.
12. For Airport Authority, the council will nominate 2 people, and the mayor will appoint one of those nominees.
13. Boards and commissions with memberships up to and including 9 members shall have no more than 2 appointments per council seat, and boards with membership of 10 or more members shall have no more than 3 appointments per council seat unless exemptions apply. Exemptions to this policy can occur in circumstances when a board requires particular appointments (such as Historic Preservation Commission) or upon the consent of a council member whose district may become underrepresented as a result of a desired appointment. In the event a board is over-represented in a district, and if the redistribution of appointments doesn't balance the appointments, that situation will be resolved through attrition.
14. Attendance policy: appointees will be allowed 3 absences per rolling 12 month period, after which the appointee will be subject to dismissal.
15. People may be appointed to 2 boards/commissions at a time because this matter is governed by NCGS § 128 1.1 which allows people to hold up to 2 appointments concurrently.
16. Re-align the PCRB membership in accordance with this new system. With 9 members on the PCRB, there

will be 5 members from the HRC (which will have 18 members – see above) and 4 members who are non-HRC. The council member who has not had an appointment will nominate 2 people, one of whom must be from the HRC. The chairman of the HRC will decide the final appointments. The chairman's appointments will precede the rollout of this reorganization. Current nominations by council will be reviewed and recommendations will be made to advance some of these nominees to the enlarged HRC.

17. Continue the current process of placing names in the data bank at the second meeting of the month and making appointments at the first meeting of the month. This allows time to vet candidates, foster discussion among council members, and ensure the equal distribution of appointments.

(Signed) Marikay Abuzuaiter

**32. [ID 16-0209](#) Resolution Directing Filing of Application for Approval by Local Government Commission of \$50,000,000 Combined Enterprise System Revenue Bond Anticipation Notes, Series 2016 (Water and Wastewater System Capital Improvements) and Approval of the Financing Team**

Mayor Pro-Tem Johnson stated items #32, #33, and #34 would be introduced together.

City Attorney Carruthers stated the items had been approved as to form.

Mayor Vaughan entered the meeting at 7:01 p. m.

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 1 - Nancy Hoffmann

061-16 The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers in the Melvin Municipal Office Building located at 300 West Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on March 14, 2016.

Present: Mayor Nancy B. Vaughan, presiding, and Council Members Marikay Abuzuaiter, Mike Barber, Jamal Fox, Sharon Hightower, Yvonne J. Johnson, Justin Outling, and Tony Wilkins

Absent: Council Member Nancy Hoffmann

Also Present: Jim Westmoreland, City Manager, Rick Lusk, Finance Director, Thomas D. Carruthers, Esq., City Attorney, and Angela R. Lord, Deputy City Clerk

\* \* \* \* \*

Mayor Vaughan introduced the following resolution the title of which was read and summarized by the Finance Director and a copy of which had been previously distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL REVENUE BOND ANTICIPATION NOTES AT A PRIVATE SALE IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS AND REVENUE BOND ANTICIPATION NOTES BY THE CITY OF GREENSBORO, NORTH CAROLINA

BE IT RESOLVED by the City Council (the "City Council") of the City of Greensboro, North Carolina (the "City"):

Section 1. The City Council does hereby find and determine as follows:

(a) The City currently operates a water system and a sanitary sewer system, both of which provide service to the

residents of the City and its environs.

(b) Pursuant to a Trust Agreement, dated as of June 1, 1995 (as supplemented and amended, the "Trust Agreement"), between the City and Branch Banking and Trust Company (succeeded by U.S. Bank National Association), as trustee (the "Trustee"), the City has created a combined enterprise system (the "Combined Enterprise System"), currently consisting of the City's water system and sanitary sewer system. The Trust Agreement provides for the issuance of revenue bonds or revenue bond anticipation notes thereunder secured by the Net Receipts (as defined in the Trust Agreement) of the Combined Enterprise System as set forth therein, to finance improvements to the Combined Enterprise System and to refund all or a portion of any bonds or notes issued under the Trust Agreement. Revenue bond anticipation notes issued pursuant to the Trust Agreement constitute "Parity Debt" within the meaning of the Trust Agreement.

(c) In order to better serve and provide for the future needs of the residents of the City and its environs, the City intends to acquire, construct and equip various improvements to the City's water system and sanitary sewer system, including, without limitation, improvements to the T.Z. Osborne Wastewater Treatment Plant (the "2016 Project").

(d) The 2016 Project is necessary to secure adequate and reliable water and sanitary sewer service and to promote the present and future welfare of the residents of the City and its environs.

(e) The City wishes to commence procedures at this time for the issuance of revenue bond anticipation notes for the purpose of providing funds, together with any other available funds, to (i) pay the costs of the 2016 Project and (ii) pay the fees and expenses incurred in connection with the sale and issuance of such revenue bond anticipation notes, which notes are expected to be paid or prepaid from revenue bonds to be subsequently issued by the City.

(f) The amount of the proposed revenue bond anticipation notes to be issued will be sufficient, but not excessive, for the purpose of paying the costs associated with the 2016 Project.

(g) The proposed 2016 Project is feasible.

(h) The annual audits of the City show the City to be in strict compliance with debt management policies, and the budgetary and fiscal management policies of the City are in compliance with law.

(i) The proposed revenue bond anticipation notes can be marketed at a reasonable interest cost to the City.

(j) The projected rate increases for water and sanitary sewer service, if any, in connection with the issuance of the proposed revenue bond anticipation notes and subsequent revenue bonds will be reasonable.

Section 2. The City Manager and the Finance Director of the City are each hereby authorized and directed to file an application with the Local Government Commission for approval of the issuance of revenue bonds in an aggregate principal amount not to exceed \$50,000,000 and, in anticipation of the issuance of such revenue bonds, the issuance of revenue bond anticipation notes in an aggregate principal amount of not to exceed \$50,000,000 for the purpose of providing funds, together with any other available funds, to (a) pay the costs of the 2016 Project and (b) pay the fees and expenses incurred in connection with the sale and issuance of such revenue bond anticipation notes and revenue bonds. Any such action heretofore taken in connection with the filing of such application is hereby authorized, ratified and approved.

Section 3. The Local Government Commission is hereby requested to sell the proposed revenue bond anticipation notes at a private sale without advertisement.

Section 4. The following financing team members are hereby approved by the City in connection with the proposed revenue bond anticipation notes:

Bond Counsel: Womble Carlyle Sandridge & Rice, LLP  
Purchaser: Bank of America, N.A. or an affiliate thereof  
Purchaser's Counsel: Hunton & Williams LLP  
Trustee/Note Registrar: U.S. Bank National Association  
Financial Advisor: DEC Associates, Inc.

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

The City Attorney then announced that he had approved the foregoing resolution as to form.

Upon motion of Mayor Pro-Tem Yvonne Johnson, seconded by Council Member Fox, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING

OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL REVENUE BOND ANTICIPATION NOTES AT A PRIVATE SALE IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS AND REVENUE BOND ANTICIPATION NOTES BY THE CITY OF GREENSBORO, NORTH CAROLINA" was adopted by the following vote:

Ayes: Councilmembers Abuzuaiter, Barber, Fox, Johnson, Hightower, Outling, Vaughan and Wilkins

Noes: None

Absent: Councilmember Hoffmann

(Signed) Yvonne J. Johnson

**33. [ID 16-0210](#) Bond Order Authorizing the Issuance and Private Sale of \$50,000,000 Combined Enterprise System Revenue Bonds, Series 2016 (Water and Wastewater System Capital Improvements)**

Mayor Vaughan introduced items #33 and #34.

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to adopt the order. The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 1 - Nancy Hoffmann

062-16 Thereupon, the Mayor introduced the following order the title of which was read and summarized by the Finance Director and a copy of which had been previously distributed to each Council Member:

ORDER AUTHORIZING THE ISSUANCE BY THE CITY OF GREENSBORO, NORTH CAROLINA OF NOT TO EXCEED \$50,000,000 COMBINED ENTERPRISE SYSTEM REVENUE BONDS AND OTHER ACTIONS IN CONNECTION THEREWITH

BE IT ORDERED by the City Council of the City of Greensboro, North Carolina (the "City"):

Section 1. The City Council does hereby find and determine as follows:

(a) The City has determined to authorize the issuance of its combined enterprise system revenue bonds (the "Bonds") in an aggregate principal amount not to exceed \$50,000,000, for the purpose of providing funds, together with any other available funds, to (i) pay the costs of various improvements to the City's water system and sanitary sewer system, including, without limitation, improvements to the T.Z. Osborne Wastewater Treatment Plant (the "2016 Project") and (ii) pay the fees and expenses incurred in connection with the with the issuance of the Bonds. The proceeds of the Bonds may also be applied to the payment or redemption of any bond anticipation notes issued by the City to pay the costs of the 2016 Project and related financing costs in anticipation of the issuance of the Bonds.

(b) The Bonds are to be issued pursuant to a Trust Agreement, dated as of June 1, 1995 (as supplemented and amended, the "Trust Agreement"), between the City and Branch Banking and Trust Company (succeeded by U.S. Bank National Association), as trustee (the "Trustee"), and a supplemental trust agreement, the form of which shall be approved by the City Council prior to the sale and issuance of the Bonds (the "Supplemental Trust Agreement"), between the City and the Trustee.

(c) The Commission is expected to approve the application of the City for the issuance of the Bonds in an aggregate principal amount not to exceed \$50,000,000 at its April 5, 2016 meeting in accordance with G.S. 159-86.

(d) The Bonds may be sold in such manner as set forth in a resolution to be adopted by the City Council of the City prior to the issuance of the Bonds, at such prices as are determined by the Local Government Commission, subject to the approval of the City.

Section 2. Capitalized words and terms used in this Order and not defined herein shall have the same meanings given such words and terms in the Trust Agreement.

Section 3. Pursuant to the provisions of The State and Local Government Revenue Bond Act, as amended (the "Act"), the City hereby authorizes the issuance of the Bonds in an aggregate principal amount not exceeding \$50,000,000. The Bonds shall mature at such times and in such amounts as shall be set forth in the Supplemental Trust Agreement, subject to the provisions of this Order. The Bonds shall be designated as shall be set forth in the Supplemental Trust Agreement. No Bonds shall mature later than thirty (30) years after the date of the initial issuance of the Bonds.

Section 4. The terms of the Bonds shall be as set forth in a resolution adopted by the City Council prior to the sale and issuance of the Bonds or in the Supplemental Trust Agreement.

Section 5. The proceeds of the Bonds shall be applied as provided in the Supplemental Trust Agreement in accordance with this Order.

Section 6. The Bonds, together with any Parity Indebtedness heretofore or hereafter incurred pursuant to the provisions of the Trust Agreement, shall be secured on a parity basis by a pledge, charge and lien upon the Net Receipts and the money and Investment Obligations held in the accounts and subaccounts of the Bond Fund in the manner and to the extent provided in the Trust Agreement and the Supplemental Trust Agreement.

Section 7. The Mayor, the City Manager, the Finance Director, the City Attorney and the City Clerk, or any of them or their deputies, are authorized and directed (without limitation except as may be expressly set forth in this Order) to take such action and to execute and deliver such certificates, agreements, instruments or other documents as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this Order. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this Order for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 8. This Order shall take effect immediately upon its passage.

The City Attorney then announced that he had approved the foregoing order as to form.

Upon motion of Mayor Pro-Tem Johnson, seconded by Councilmember Fox, the foregoing order entitled "ORDER AUTHORIZING THE ISSUANCE BY THE CITY OF GREENSBORO, NORTH CAROLINA OF NOT TO EXCEED \$50,000,000 COMBINED ENTERPRISE SYSTEM REVENUE BONDS AND OTHER ACTIONS IN CONNECTION THEREWITH" was adopted by the following vote:

Ayes: Councilmembers Abuzuaiter, Barber, Fox, Johnson, Hightower, Outling, Vaughan and Wilkins

Noes: None

Absent: Councilmember Hoffmann

(Signed) Yvonne Johnson

- 34. [ID 16-0211](#)** Resolution on the Issuance and Private Sale of \$50,000,000 Combined Enterprise System Revenue Bond Anticipation Notes, Series 2016 (Water and Wastewater System Capital Improvements)

**Moved by Councilmember Hightower, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 1 - Nancy Hoffmann

063-16 Thereupon, the Mayor introduced the following resolution the title of which was read and summarized by the Finance Director and a copy of which had been previously distributed to each Council Member:

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**RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF A NOT TO EXCEED \$50,000,000 COMBINED ENTERPRISE SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2016**

BE IT RESOLVED by the City Council of the City of Greensboro (the "City"):

Section 1. The City Council has determined and does hereby find and declare as follows:

(a) The City Council has heretofore authorized the filing of an application with the North Carolina Local Government Commission (the "Commission") requesting approval of the issuance of revenue bonds in an aggregate principal amount not to exceed \$50,000,000 and, in anticipation of the issuance of such revenue bonds, the issuance of revenue bond anticipation notes in an aggregate principal amount of not to exceed \$50,000,000 for the purpose of providing funds, together with any other available funds, to (a) pay the costs of various improvements to the City's water system and sanitary sewer system, including, without limitation, improvements to the T.Z. Osborne Wastewater Treatment Plant (the "2016 Project") and (b) pay the fees and expenses incurred in connection with the sale and issuance of such revenue bond anticipation notes and revenue bonds.

(b) The City Council, by resolution, also requested the Commission to sell the bond anticipation notes at private sale without advertisement.

(c) The City Council has also heretofore adopted an order authorizing the issuance of its combined enterprise system revenue bonds (the "Bonds") for the purpose of providing funds, together with other available funds, to: (i) pay the costs of the 2016 Project and (ii) pay certain fees and expenses incurred in connection with the issuance of the Bonds. The proceeds of the Bonds may also be applied to the payment or redemption of any bond anticipation notes issued by the City to pay the costs of the 2016 Project and related financing costs in anticipation of the issuance of the Bonds.

(d) The Bonds are expected to be issued pursuant to a Trust Agreement, dated as of June 1, 1995 (as supplemented and amended, the "Trust Agreement"), between the City and Branch Banking and Trust Company (succeeded by U.S. Bank National Association), as trustee (the "Trustee"), and a supplemental trust agreement, the form of which shall be approved by the City Council prior to the sale and issuance of the Bonds, between the City and the Trustee. Capitalized terms used herein that are not otherwise defined herein shall have the meanings given such terms in the Trust Agreement.

(e) The City has determined that it is necessary to provide for the issuance of a revenue bond anticipation note in a principal amount not to exceed \$50,000,000 (the "Note") at this time in anticipation of the receipt of the proceeds of the sale of the Bonds for the purpose of providing funds, together with any other available funds, to (i) pay costs of the 2016 Project and (ii) pay the fees and expenses incurred in connection with the sale and issuance of the Note.

(f) Bank of America, N.A. (the "Purchaser") has offered to purchase the Note pursuant to a Note Purchase and Advance Agreement, to be dated as of the date of delivery thereof Purchaser (the "Note Purchase Agreement"), among the Commission, the City, and the Purchaser, a form of which has been presented at this meeting, pursuant to which the Purchaser will agree to purchase the Note by advancing the proceeds thereof as described in Section 2 hereof.

Section 2. Pursuant to the provisions of The State and Local Government Revenue Bond Act, as amended (the "Act"), and Section 159-161 of the General Statutes of North Carolina, as amended, in anticipation of the receipt of the proceeds of the sale of the Bonds, the City hereby authorizes and approves the issuance of the Note in a principal amount not to exceed \$50,000,000. The Note shall be in the form of a single note designated "City of Greensboro, North Carolina Combined Enterprise System Revenue Bond Anticipation Note, Series 2016." The Note shall be registered as to principal and interest in the name of the Purchaser, shall evidence the advance of funds by the Purchaser in amounts to be determined by the Finance Director of the City from time to time, shall be dated as of the date of delivery thereof, shall mature, subject to the right of prior redemption, on April 14, 2020 (the "Maturity Date"), and shall bear interest at a variable rate as hereinafter provided. Both principal of and the interest on the Note, when due, shall be payable in lawful money of the United States of America.

The City may request the Purchaser to make advances of the proceeds of the Note to the City from time to time in accordance with the terms set forth in the Note Purchase Agreement up to the aggregate principal amount of \$50,000,000 (such amounts advanced from time to time being hereinafter sometimes referred to as the "Amount Advanced"). The proceeds of each advance of Note proceeds shall be applied to pay or reimburse the City for costs of the 2016 Project or fees and expenses incurred in connection with the sale or issuance of the Note. The

City shall not submit requests for advances of Note proceeds to the Purchaser more frequently than once during any calendar month, and no requests for advances of Note proceeds shall be submitted later than thirty (30) days prior to the last day of the Initial Term Period (hereinafter defined). The Note shall constitute a non-revolving line of credit. Any proceeds advanced by the Purchaser under the Note that are subsequently repaid shall permanently reduce the amount remaining available to be advanced under the Note.

The City hereby authorizes the Purchaser to endorse on the schedule attached to the Note the amount of each advance made by the Purchaser to the City thereunder and the date that such advance is made (which notation may either be made on the physical note certificate held by the Purchaser or electronically in the Purchaser's system); provided, however, that any failure by the Purchaser to make any such endorsement shall not affect the obligations of the City under the Note with respect to repayment of the Amount Advanced. Unless otherwise redeemed in whole or in part prior to the Maturity Date as hereinafter provided, the City shall pay to the Purchaser on the Maturity Date the Amount Advanced to the City pursuant to the Note Purchase Agreement.

The Note shall bear, and the City shall pay interest from the date of the Note on the outstanding principal amount thereof (equal to the Amount Advanced less any portion of the Amount Advanced that had previously been paid or redeemed) at the Interest Rate (hereinafter defined), calculated on the basis of a year of 360 days and the actual days elapsed.

Accrued (and theretofore unpaid) interest on the outstanding principal of the Note shall be due and payable (i) in arrears on the first Business Day of each calendar month, commencing May 2, 2016, and (ii) on the date when the principal of the Note shall be due (whether at maturity or by redemption prior to maturity), but only to the extent accrued. Each such date for the payment of interest is hereinafter called an "Interest Payment Date."

In addition to term defined elsewhere in this resolution, the following terms shall have the following meanings as used in this resolution:

"Business Day" means a day on which the Purchaser, at its principal corporate offices in Charlotte, North Carolina, is required or authorized by law to remain closed.

"Closing Date" means the date of initial execution and delivery of the Note.

"Default Rate" means a per annum rate of interest equal to the Term Loan Interest Rate plus three percent (3.00%).

"Index Rate" means a per annum rate of interest established on the Closing Date and on each LIBOR Index Reset Date equal to the sum of (a) the product of (i) the LIBOR Index multiplied by (ii) 0.70 plus (b) thirty-three basis points (0.33%).

"Initial Term Interest Rate" means with respect to each Interest Rate Period, a per annum rate of interest equal to the Index Rate; provided, however, that upon the occurrence and during the continuation of an Event of Default (as defined in the Note Purchase Agreement), the Initial Term Interest Rate shall be a per annum rate of interest equal to the Default Rate; and provided further that in no event shall the Initial Term Interest Rate exceed the Maximum Rate during any Interest Rate Period.

"Initial Term Period" means the period commencing on the Closing Date and ending on April 14, 2019.

"Interest Rate" means with respect to each Interest Rate Period, (i) during the Initial Term Period, a per annum rate of interest equal to the Initial Term Interest Rate, and (ii) during the Term Loan Interest Period, the Term Loan Interest Rate; provided, however, that upon a Determination of Taxability (as defined in the Note Purchase Agreement), the Note shall bear interest during the Taxable Period (as defined in the Note Purchase Agreement) at a rate equal to the Taxable Rate.

"Interest Rate Period" means the period commencing on the Closing Date and ending on the day preceding the first LIBOR Index Reset Date, and thereafter commencing on each LIBOR Index Reset Date and ending on the day preceding the next succeeding LIBOR Index Reset Date.

"LIBOR Index" means for any date, the rate per annum equal to the London Interbank Offered Rate (or a comparable or successor rate which is approved by the Purchaser), as published by Bloomberg (or other

commercially available source providing quotations of such rate as selected by the Purchaser from time to time) as determined for each LIBOR Index Reset Date at approximately 11:00 a.m. London time two (2) London Banking Days prior to such LIBOR Index Reset Date, for U.S. Dollar deposits (for delivery on the first day of such interest period) with a term of one month, as adjusted from time to time in the Purchaser's sole discretion for reserve requirements, deposit insurance assessment rates and other regulatory costs; provided that (i) to the extent a comparable or successor rate is approved by the Purchaser in connection herewith, the approved rate shall be applied in a manner consistent with market practice; and provided further that to the extent such market practice is not administratively feasible for the Purchaser, such approved rate shall be applied in a manner otherwise reasonably determined by the Purchaser and (ii) if the LIBOR Index shall be less than zero, such rate shall be deemed zero for purposes hereof. For purposes of this definition, a "London Banking Day" is a day on which banks in London are open for business and dealing in offshore dollars.

"LIBOR Index Reset Date" means the first Business Day of each calendar month commencing May 2, 2016.

"London Business Day" means any day on which dealings in U.S. Dollar deposits are conducted by and between banks in the London interbank Eurodollar market.

"Maturity Date" means April 14, 2020.

"Maximum Rate" means twenty-five percent (25%) per annum.

"Prime Rate" means on any day, the rate of interest in effect for such day as publicly announced from time to time by the Purchaser as its "prime rate." The "prime rate" is a rate set by the Purchaser based on various factors including the Purchaser's costs and desired return, general economic conditions and other factors, and is used as a reference point for pricing some loans, which may be priced at, above, or below such announced rate. Any change in such rate announced by the Purchaser shall take effect at the opening of business on the day specified in the public announcement of such change.

"Taxable Rate" means a per annum rate of interest equal to the product of the Interest Rate multiplied by the Taxable Rate Factor.

"Taxable Rate Factor" means the amount by which the Interest Rate must be multiplied to achieve the equivalent taxable rate, assuming that the interest on the Note is subject to federal income tax at the highest marginal corporate tax rate then in effect. The determination of the Taxable Rate Factor by the registered owner of the Note shall be deemed conclusive and binding on the City absent manifest error.

"Term Loan Interest Rate" means for any day, a fluctuating rate of interest per annum equal to the greater of (i) the Prime Rate in effect at such time plus one and one-half percent (1.50%) and (ii) seven and one-half percent (7.50%); provided that, the Term Loan Interest Rate shall not exceed the Maximum Rate.

"Term Loan Period" means the period, if any, commencing on April 14, 2019 and ending on the earlier of the Maturity Date, or the date the Note has been redeemed if whole prior to maturity.

The principal of the Note shall be payable to the registered owner of the Note as shown on the registration books of the City as hereinafter provided as the same shall become due and payable on the Maturity Date or any prior redemption date. The interest on the Note shall be payable to the registered owner of the Note as the same shall become due and payable on the respective Interest Payment Dates, as herein provided. Upon the final payment of principal of the Note, the Note shall be presented and surrendered to the Note Registrar for cancellation.

Unless otherwise instructed by the registered owner of the Note, the City shall pay the principal of and the interest on the Note as they become due and payable by 5:00 P.M. Eastern Time on the respective payment dates by wire transfer of immediately available funds in accordance with wire transfer instructions to be provided to the City by the registered owner of the Note, or as otherwise may be agreed between the City and the registered owner of the Note.

Section 3. The City shall provide to the Purchaser and the Trustee on a date that is not less than five (5) Business Days and not more than ten (10) Business Days prior to the expiration of the Initial Term Period a certificate stating that (a) no Event of Default has occurred and is continuing under the Note Purchase Agreement, and (b) all representations and warranties of the City set forth in the Note Purchase Agreement are

true and correct as of the date of such certificate. In the event that the City does not deliver to the Purchaser and the Trustee such certificate as provided in the immediately preceding sentence, the Note shall be subject to special mandatory redemption in whole on the last calendar day of the Initial Term Period at a redemption price equal to 100% of the outstanding principal amount of the Note, plus accrued interest thereon to the redemption date. In the event that the principal of the Note is not redeemed in whole on or prior to the last calendar day of the Initial Term Period, such unpaid principal balance shall be due and payable on the Maturity Date and shall bear interest during the Term Loan Interest Rate Period at the Term Loan Interest Rate.

Section 4. During the Initial Term Period, the Note shall be subject to redemption at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any Interest Payment Date at a redemption price equal to 100% of the outstanding principal of the Note to be redeemed, plus accrued interest thereon to the redemption date upon the Note Registrar giving not less than seven (7) days prior written notice of such redemption to the registered owner of the Note by electronic mail, confirmed by first-class mail, postage prepaid. During the Term Loan Period, the Note shall be subject to redemption at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any Business Day at a redemption price equal to 100% of the outstanding principal of the Note to be redeemed, plus accrued interest thereon to the redemption date upon the Note Registrar giving not less than three (3) days prior written notice of such redemption to the registered owner of the Note by electronic mail, confirmed by first-class mail, postage prepaid.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Note Registrar on or prior to the redemption date of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and the Note or portion thereof to be redeemed shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price of and interest on the Note are not received by the Note Registrar on or prior to the redemption date, the redemption shall not be made, and the Note Registrar shall within a reasonable time thereafter give notice to the registered owner of the Note, in the manner in which the notice of redemption was given, that such moneys were not so received.

Section 5. The Note shall constitute Parity Debt within the meaning of the Trust Agreement, and this resolution shall constitute a Parity Debt Resolution within the meaning of the Trust Agreement. A copy of this resolution and a specimen copy of the Note shall be provided to the Trustee on or prior to the Closing Date in accordance with Section 501 of the Trust Agreement.

Section 6. The City covenants that it will promptly pay the principal of and the interest on the Note issued under the provisions of this resolution at the places, on the dates and in the manner provided herein and in the Note, according to the true intent and meaning thereof. The City represents and covenants that it is duly authorized under the Constitution and laws of the State, including the Act, to issue the Note authorized hereby and to pledge the Net Receipts in the manner and to the extent provided in the Trust Agreement; that all action on its part of the issuance of the Note has been duly and effectively taken; and that the Note will be a valid and binding special obligation of the City payable in accordance with its terms.

Section 7. The Note shall bear the manual or facsimile signatures of the Mayor or City Manager and the City Clerk or any Deputy City Clerk of the City, and the corporate seal or a facsimile of the corporate seal of the City shall be impressed or printed, as the case may be, on the Note.

The certificate of the Commission to be endorsed on the Note shall bear the manual or facsimile signature of the Secretary of the Commission and the certificate of authentication of the Note Registrar to be endorsed on the Note shall be executed as provided hereinafter.

In case any officer of the City or the Commission whose manual or facsimile signature shall appear on any Note shall cease to be such officer before the delivery of such Note, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Note may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Note shall be the proper officers to sign the Note although at the date of the Note such persons may not have been such officers.

The Note shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under

this resolution until it shall have been authenticated by the execution by the Note Registrar of the certificate of authentication endorsed thereon.

The Note and the endorsements thereon shall be in substantially the following form:

NO OFFERING CIRCULAR OR MEMORANDUM, OFFICIAL STATEMENT OR OTHER DISCLOSURE DOCUMENT HAS BEEN PREPARED OR PROVIDED BY THE CITY IN CONNECTION WITH THE OFFERING AND SALE OF THIS NOTE. THIS NOTE MAY BE TRANSFERRED ONLY TO (I) A BANK, INSURANCE COMPANY OR SIMILAR FINANCIAL INSTITUTION OR ANY OTHER ENTITY APPROVED BY THE LOCAL GOVERNMENT COMMISSION OF NORTH CAROLINA OR (II) A TRUSTEE FOR THE PURPOSE OF ISSUING CERTIFICATES OF PARTICIPATION OR OTHER FORMS OF CERTIFICATES EVIDENCING AN UNDIVIDED INTEREST IN THIS NOTE, PROVIDED SUCH CERTIFICATES ARE SOLD ONLY TO A BANK, INSURANCE COMPANY OR SIMILAR FINANCIAL INSTITUTION OR OTHER ENTITY APPROVED BY THE LOCAL GOVERNMENT COMMISSION OF NORTH CAROLINA. ANY TRANSFEREE TO WHOM A TRANSFER HAS BEEN MADE PRIOR TO THE PREPARATION AND PROVISION OF AN OFFERING CIRCULAR OR MEMORANDUM, OFFICIAL STATEMENT OR OTHER DISCLOSURE DOCUMENT SHALL BE DEEMED TO HAVE REPRESENTED TO THE CITY THAT (A) IT IS A BUYER DESCRIBED ABOVE, (B) IT HAS PURCHASED THIS NOTE FOR INVESTMENT PURPOSES AND NOT AS AN UNDERWRITER AND DOES NOT PRESENTLY INTEND TO TRANSFER, OTHERWISE DISTRIBUTE OR SELL THIS NOTE, AND (C) IT IS FAMILIAR WITH THE CONDITION, FINANCIAL AND OTHERWISE, OF THE CITY OF GREENSBORO, NORTH CAROLINA, HAS OBTAINED ALL INFORMATION THAT IT REGARDS AS NECESSARY FOR ITS DECISION TO PURCHASE THIS NOTE, AND HAS MADE ITS OWN CREDIT EVALUATION OF THE CITY AND THE COMBINED ENTERPRISE SYSTEM OF THE CITY AND HAS NOT RELIED ON THE CITY OR THE LOCAL GOVERNMENT COMMISSION OF NORTH CAROLINA IN THIS REGARD.

No. R-\_\_

United States of America

State of North Carolina

CITY OF GREENSBORO, NORTH CAROLINA

COMBINED ENTERPRISE SYSTEM REVENUE BOND ANTICIPATION NOTE

SERIES 2016

The City of Greensboro (the "City"), a municipal corporation existing under the laws of the State of North Carolina, is justly indebted and for value received hereby promises to pay, but solely from the sources and in the manner hereinafter provided, to Bank of America, N.A. (the "Purchaser"), or registered assigns or legal representative, the principal sum of \$50,000,000 or so much thereof as may be advanced and remains outstanding from time to time hereafter as the Amount Advanced (hereinafter defined) on April 14, 2020 (the "Maturity Date") or the date of any redemption of any portion of this Note prior to the Maturity Date, together with interest thereon from the date hereof until paid in full at the Interest Rate (hereinafter defined). The Amount Advanced shall be endorsed on the schedule attached hereto and incorporated by reference herein on each date that an advance is made by the Purchaser; provided, however, that any failure by the Purchaser to make any such endorsement shall not affect the obligation of the City to repay the amount so advanced with interest thereon as provided herein. Interest on the outstanding principal of this Note from time to time outstanding shall accrue as set forth in the Resolution (hereinafter defined) and shall be due and payable (i) in arrears on the first Business Day of each calendar month, commencing May 2, 2016, and (ii) on the date when the principal of this Note shall be due (whether at maturity or upon prior redemption hereof), but only to the extent accrued. Both the principal and interest on this Note shall be payable, when due, in any lawful money of the United States of America. Upon the final payment of principal of this Note, this Note shall be presented and surrendered to the office of the Finance Director of the City in Greensboro, North Carolina (the "Note Registrar") for cancellation.

This Note is given for money borrowed in the amount of the Amount Advanced in anticipation of the receipt of the proceeds of the sale by the City of its combined enterprise system revenue bonds in an amount sufficient to pay the principal amount hereof, which have been duly authorized by an order adopted by the City Council of the City on March 14, 2016. This Note is issued pursuant to and in full compliance with Constitution and laws of the State of North Carolina, including the Act, and a resolution duly adopted by said City Council on March 14, 2016 (the "Resolution"). This Note is being issued pursuant to a Trust Agreement, dated as of June 1, 1995 (as supplemented and amended, the "Trust Agreement"), between the City and Branch Banking and Trust Company

(succeeded by U.S. Bank National Association), as trustee the "Trustee"), for the purpose of providing funds, together with any other available funds, to (i) pay the costs of certain improvements to the City's water and sanitary sewer system and (ii) pay the fees and expenses incurred in connection with the sale and issuance of this Note. This Note constitutes "Parity Debt" within the meaning of the Trust Agreement. All capitalized terms used herein and not otherwise defined shall have the meanings given such terms in the Resolution and the Trust Agreement.

This Note is a special obligation of the City secured by a pledge, charge and lien upon the Net Receipts on a parity with the City's Combined Enterprise System Revenue Refunding Bonds, Series 2006, Combined Enterprise System Revenue Bonds, Series 2007A, Combined Enterprise System Revenue Bonds, Series 2009A, Combined Enterprise System Revenue Refunding Bonds, Series 2012A, Combined Enterprise System Revenue Refunding Bonds, Series 2014A, Combined Enterprise System Revenue Refunding Bonds, Series 2015 and Combined Enterprise System Revenue Refunding Bonds, Series 2016 heretofore issued and Outstanding under the Trust Agreement. The City is not obligated to pay the principal of or the interest on this Note except as provided in the Trust Agreement from Net Receipts or certain other monies made available therefor under the Trust Agreement, and neither the faith and credit nor the taxing power of the State of North Carolina or any political subdivision thereof or the City is pledged to the payment of the principal of and the interest on this Note.

The Trust Agreement provides for the issuance or incurrence from time to time under the conditions, limitations and restrictions set forth therein of additional Bonds and Parity Debt secured *pari passu* as to the pledge of Net Receipts with the outstanding Bonds and Parity Debt and any additional Bonds or Parity Debt hereafter issued or incurred pursuant to the Trust Agreement.

Reference is made to the Trust Agreement and the Resolution for a more complete statement of the provisions thereof and of the rights of the City, the Trustee and the registered owner of this Note. Copies of the Trust Agreement and the Resolution shall be available for inspection by the registered owner hereof at all reasonable times at the principal corporate trust office of the Trustee or at the office of the Note Registrar. By the purchase and acceptance of this note, the registered owner hereof signifies assent to all of the provisions of the Trust Agreement and the Resolution.

The City shall provide to the Purchaser and the Trustee on a date that is not less than five (5) Business Days and not more than ten (10) Business Days prior to the expiration of the Initial Term Period a certificate stating that (a) no Event of Default has occurred and is continuing under the Note Purchase Agreement, and (b) all representations and warranties of the City set forth in the Note Purchase Agreement are true and correct as of the date of such certificate. In the event that the City does not deliver to the Purchaser and the Trustee such certificate as provided in the immediately preceding sentence, this Note shall be subject to special mandatory redemption in whole on the last calendar day of the Initial Term Period at a redemption price equal to 100% of the outstanding principal amount of this Note, plus accrued interest thereon to the redemption date. In the event that the principal of this Note is not redeemed in whole on or prior to the last calendar day of the Initial Term Period, such unpaid principal balance shall be due and payable on the Maturity Date and shall bear interest during the Term Loan Interest Rate Period at the Term Loan Interest Rate.

During the Initial Term Period, this Note shall be subject to redemption at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any Interest Payment Date at a redemption price equal to 100% of the outstanding principal of this Note to be redeemed, plus accrued interest thereon to the redemption date upon the Note Registrar giving not less than seven (7) days prior written notice of such redemption to the registered owner of this Note by electronic mail, confirmed by first-class mail, postage prepaid. During the Term Loan Period, this Note shall be subject to redemption at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any Business Day at a redemption price equal to 100% of the outstanding principal of this Note to be redeemed, plus accrued interest thereon to the redemption date upon the Note Registrar giving not less than three (3) days prior written notice of such redemption to the registered owner of this Note by electronic mail, confirmed by first-class mail, postage prepaid.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Note Registrar on or prior to the redemption date of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect

and this Note or portion thereof to be redeemed shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price of and interest on this Note are not received by the Note Registrar on or prior to the redemption date, the redemption shall not be made, and the Note Registrar shall within a reasonable time thereafter give notice to the registered owner of this Note, in the manner in which the notice of redemption was given, that such moneys were not so received.

The Note Registrar shall keep at his office the books of the City for the registration of transfer of this Note. The transfer of this Note may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Note Registrar, together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Note Registrar. Upon any such registration of transfer, the Note Registrar shall deliver in exchange for this Note a new Note, registered in the name of the transferee in an aggregate principal amount equal to the unpaid principal amount of this Note. Notwithstanding the foregoing, this Note may only be transferred to (i) a bank, insurance company or similar financial institution or any other entity approved by the Local Government Commission of North Carolina, or (ii) a trustee for the purpose of issuing certificates of participation or other forms of certificates evidencing an undivided interest in this Note, provided such certificates are sold only to a bank, insurance company or similar financial institution or other entity approved by the Local Government Commission of North Carolina, which executes and delivers to the City an Investor Letter in substantially the form of Exhibit A to the Note Purchase Agreement.

This Note shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Note shall have been authenticated by the execution by the Note Registrar of the certificate of authentication endorsed hereon.

All acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of this note have happened, exist and have been performed as required.

IN WITNESS WHEREOF, the City, pursuant to the Resolution, has caused this Note to be manually signed by its [Mayor][City Manager] and its [Deputy] City Clerk and the corporate seal of the City to be impressed or imprinted hereon, all as of the \_\_\_ day of April, 2016.

[Mayor][City Manager]  
[SEAL]

[Deputy] City Clerk  
CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within note has been approved under the provisions of The State and Local Government Revenue Bond Act.

\_\_\_\_\_  
Secretary, Local Government Commission  
CERTIFICATE OF AUTHENTICATION

This note is the note of the series designated therein and issued under the provisions of the within mentioned Resolution.

Finance Director, as Note Registrar  
Date of authentication: \_\_\_\_\_

ASSIGNMENT  
FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_  
PLEASE INSERT SOCIAL SECURITY NUMBER  
OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

\_\_\_\_\_  
----- PLEASE  
PRINT OR TYPEWRITE NAME AND ADDRESS OF TRANSFEREE

the within note and all right thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to transfer the within note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature on this assignment must correspond with the name as it appears upon the face of the within note in every particular, without alteration or enlargement or any change whatever.

Signature Guaranteed:

NOTICE: Signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

SCHEDULE

DATE	AMOUNT ADVANCED	AMOUNT REDEEMED PRIOR TO MATURITY	OUTSTANDING	AMOUNT ADVANCED
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April 14, 2016

Section 8. The transfer of the Note may be registered only upon the registration books of the City upon the surrender thereof to the Note Registrar, together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Note Registrar. Upon any such registration of transfer, the Note Registrar shall deliver in exchange for the Note a new Note, registered in the name of the transferee, in an aggregate principal amount equal to the unpaid principal amount of the Note. Notwithstanding the foregoing, the Note may only be transferred in an Authorized Denomination to (a) a bank, insurance company or similar financial institution or any other entity approved by the Commission, or (b) a trustee for the purpose of issuing certificates of participation or other forms of certificates evidencing an undivided interest in the Note, provided such certificates are sold only to a bank, insurance company or similar financial institution or other entity approved by the Commission, which executes and delivers to the City an Investor Letter in substantially the form of Exhibit A to the Note Purchase Agreement.

In all cases in which the transfer of the Note shall be registered hereunder, the Note Registrar shall authenticate and deliver at the earliest practicable time a new Note in accordance with the provisions of this resolution. The Note surrendered in any such registration of transfer shall forthwith be canceled by the Note Registrar. The City or the Note Registrar may make a charge for shipping and out-of-pocket costs for every such registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such registration of transfer, but no other charge shall be made by the City or the Note Registrar for registering the transfer of the Note under this resolution.

The person or entity in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of the Note and the interest thereon shall be made only to or upon the order of the registered owner thereof or his or its legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Note and interest thereon to the extent of the sum or sums so paid.

The City shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration and registration of transfer of the Note within a reasonable time according to then current commercial standards and for the timely payment of principal and interest with respect to the Note. The Finance Director of the City, or any person at any time acting in such capacity, is hereby appointed the registrar, transfer agent and paying agent for the Note (collectively the "Note Registrar"), subject to the right of the City Council of the City to appoint another Note Registrar, and as such shall keep at his office in the City, the books of the City for the registration, registration of transfer and payment of the Note as provided in this resolution.

Section 9. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986 (the "Code"), as amended or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the Note will not be included in gross income of the owner of the Note for purposes of federal income tax.

Section 10. The Commission is hereby requested to sell the Note at private sale without advertisement to the Purchaser, subject to the approval of the Finance Director of the City in accordance with the Note Purchase Agreement. The Note Purchase Agreement is hereby approved in substantially the form set forth in this resolution, and the City Manager or the Finance Director of the City are each hereby authorized to execute and deliver the Note Purchase Agreement in substantially such form, with such modification, with the advice of

counsel, as may be approved by the City Manager or the Finance Director of the City, such approval to be conclusively evidenced by such execution and delivery.

Section 11. In the event that it is necessary to modify the terms and provisions of this resolution as it relates to the particular terms and provisions of the Note, the City Manager and the Finance Director of the City shall be authorized to approve any such modifications, which modifications shall be evidenced by a certificate executed and delivered by the City Manager or the Finance Director on the Closing Date; provided, however, that any such modifications shall be consistent with the general tenor of this resolution; and provided further that such modifications shall not increase the authorized principal amount of the Note, extend the final Maturity Date of the Note or materially increase the interest rate to be borne by the Note.

Section 12. The Mayor, the City Manager, the Finance Director, the City Clerk and the City Attorney, and their respective deputies or assistants, are hereby authorized and directed to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as may be necessary or appropriate to effectuate the sale issuance of the Note in a manner consistent with the terms of this resolution.

Section 13. This resolution shall take effect upon its passage.

The City Attorney then announced that he had approved the foregoing resolution as to form.

Upon motion of Councilmember Hightower, seconded by Councilmember Abuzuaiter, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF A NOT TO EXCEED \$50,000,000 COMBINED ENTERPRISE SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2016" was adopted by the following vote:

Ayes: Councilmembers Abuzuaiter, Barber, Fox, Johnson, Hightower, Outling, Vaughan and Wilkins

Noes: None

Absent: Councilmember Hoffmann

(Signed) Sharon Hightower

**35. [ID 16-0166](#) Resolution Approving the Bid in the Amount of \$1,768,849 and Authorizing Execution of Contract 2013-031 with Breece Enterprises, Inc. for Lindsay Street Waterline Replacement.**

Councilmember Hightower asked for confirmation on M/WBE participation; and voiced concerns with doing a better job on the M/WBE participation.

Assistant City Manager Parrish spoke to the M/WBE goals; and stated that Good Faith efforts had been met.

**Moved by Councilmember Fox, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 6 - Nancy Vaughan, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Justin Outling and Tony Wilkins

**Nays,** 2 - Yvonne J. Johnson and Sharon M. Hightower

**Absent,** 1 - Nancy Hoffmann

064-16 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2013-031 WITH BREECE ENTERPRICES, INC. FOR THE WATERLINE REPLACEMENT FOR LINDSAY STREET

WHEREAS, after due notice, bids have been received for waterline replacement for the Lindsay Street project.

WHEREAS, Breece Enterprises, Inc. a responsible bidder, has submitted the low base and alternate bid in the

total amount of \$1,768,849.00 as general contractor for Contract No. 2013-031 which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Breece Enterprises, Inc. is hereby accepted, and the City is authorized to enter into a contract with Breece Enterprises, Inc. for the waterline replacement for the Lindsay Street project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$1,768,849.00 from Account Nos. 503-7025-03.6016 and 6017.

(Signed) Jamal Fox

**36. [ID 16-0167](#) Resolution Authorizing Award in the Amount of \$1,206,400 to HDR Engineering, Inc. for the Summit Avenue and Yanceyville Street Streetscape Planning Study and Concept Plan Development Contract**

Councilmember Wilkins inquired about the bidding process; spoke to the on call professional service firms; asked if other bids would be made available to review; and if this had been the lowest bid.

Staff confirmed the vendor had been selected based on qualifications; explained that a bid had not been determined; that the negotiation process could not begin until a vendor had been selected; and the requirements of the Mini-Brooks Act.

**Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson to adopt the resolution. The motion carried by was adopt**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 1 - Nancy Hoffmann

065-16 RESOLUTION AUTHORIZING AWARD OF THE SUMMIT AVENUE AND YANCEYVILLE STREET STREETScape PLANNING STUDY AND CONCEPT PLAN DEVELOPMENT CONTRACT TO HDR ENGINEERING, INC.

WHEREAS, the Summit Avenue and Yanceyville Street Streetscape are ready for planning and design;

WHEREAS, the planning study and concept limits are Summit Avenue from the North Boulevard Interchange to Sullivan Street and Yanceyville Street from Summit Avenue to East Lindsay Street;

WHEREAS, proposals from three consulting firms were reviewed and a selection was made with the participation of the Transportation and Engineering & Inspections Departments, and the M/WBE Office;

WHEREAS, HDR Engineering, Inc. was selected on the strength of their roadway planning and design experience, their extensive work on roadway, storm water and transportation engineering, and their use of local firms, including minority and women-owned firms;

WHEREAS, funding for the contract in the amount of \$1,206,400 will be available in the 2008 Bond Funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the award of the Summit Avenue and Yanceyville Street Streetscape planning study concept plan development contract to HDR Engineering, Inc. is hereby authorized with funding in the amount of \$1,126,900 to come from Account No. 471-4502-26.5410 and \$79,500 to come from Account No. 503-7025-01.5410.

(Signed) Jamal Fox

- 37. [ID 16-0153](#) Resolution Authorizing Amended Municipal Agreement with the North Carolina Department of Transportation for Market - College - Guilford College Intersection Improvements: Project U-5326

Mayor Vaughan introduced items #37 and #38 together.

**Moved by Councilmember Hightower, seconded by Councilmember Abuzaiter to adopt the resolution. The motion carried by the following roll call vote:**

066-16 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR PROJECT U-5326: MARKET – GUILFORD – COLLEGE INTERSECTION IMPROVEMENTS

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization in its effort to support and implement multi-modal transportation needs in the Greensboro area has received State funding for the Market – College – Guilford College Intersection Improvements Project; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation are to enter into an Amended Municipal Agreement in order to receive \$8,200,000 in State funding; and

WHEREAS, the City of Greensboro is not required to provide a local match; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with the North Carolina Department of Transportation for Project U-5326: Market – College – Guilford College Intersection Improvements Project.

(Signed) Sharon Hightower

- 38. [ID 16-0154](#) Ordinance Amending the Street and Sidewalk Capital Project Fund Budget For Project U-5326: Market - College - Guilford College Intersection Improvements Project

**Moved by Councilmember Hightower, seconded by Councilmember Abuzaiter to adopt the ordinance. The motion carried by the following roll call vote:**

16-027 ORDINANCE AMENDING THE STREET AND SIDEWALK CAPITAL PROJECT FUND BUDGET FOR PROJECT U-5326: MARKET – COLLEGE – GUILFORD COLLEGE INTERSECTION IMPROVEMENTS PROJECT

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation to the Street and Sidewalk Capital Project Fund be increased as follows for Project U-5326: Market – College – Guilford College Intersection Improvements:

Account	Description	Amount
401-4547-01.5410	Professional Svcs – Capital Projects	\$164,000
401-4547-01.6014	Street Construction & Paving	\$7,736,000
401-4547-01.6015	Sidewalk Construction	\$300,000
TOTAL		\$8,200,000

And, that this appropriation be financed by increasing the following account:

Account	Description	Amount
401-4547-01.7110	State Grant	\$8,200,000
TOTAL		\$8,200,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Sharon Hightower

**39. [ID 16-0183](#) Resolution Authorizing Amended Agreement with the North Carolina Department of Transportation for the Downtown Greenway Phase II (Project EL-5101 DJ)**

Mayor Vaughan introduced items #39 and #40 together.

Councilmember Hightower inquired about the funding for the project; voiced concern with the project jumping ahead of other projects and putting projects out another two or three years; and spoke to the importance of the Greenway.

Assistant City Manager Parrish spoke to prioritizing projects; local bond dollars; and stated the item was a state project.

Discussion took place regarding the State Transportation Improvement Program; priorities identified by Council; potential Economic Development; the current phase of the Greenway project; and to public comment regarding public art for the area.

**Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 1 - Nancy Hoffmann

067-16 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR PROJECT EL-5101 DJ: DOWNTOWN GREENWAY PHASE 2

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization in its effort to support and implement multi-modal transportation needs in the Greensboro area has directed federal STP-DA funding to the City of Greensboro for Downtown Greenway Phase 2 Project; and

WHEREAS, based on a request from the Metropolitan Planning Organization the NCDOT evaluated the project for additional funding under Prioritization 3.0, and

WHEREAS, based on the results of Prioritization 3.0 NCDOT determined to provide additional federal TAP funding to the project; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation are to enter into a Amended Agreement in order to receive \$4,000,000 in federal funding; and,

WHEREAS, the City of Greensboro shall provide required local match of \$1,000,000; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with

the North Carolina Department of Transportation for Project EL-5101 DJ.

(Signed) Jamal Fox

- 40. [ID 16-0184](#) Ordinance in the Amount of \$5,000,000 Amending Street and Sidewalk Capital Project Fund Budget for Project EL-5101 DJ: Downtown Greenway Phase II Project

**Moved by Councilmember Fox, seconded by Councilmember Hightower, to adopt the ordinance. The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 1 - Nancy Hoffmann

16-028 ORDINANCE AMENDING STREET AND SIDEWALK CAPITAL PROJECT FUND BUDGET FOR PROJECT EL-5101 DJ: DOWNTOWN GREENWAY PHASE II PROJECT

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Street and Sidewalk Capital Project Fund Budget of the City of Greensboro be amended as follows for the Project EL-5101 DJ: Downtown Greenway Phase II

Account	Description	Amount
401-4542-01.6014	Roadway Construction and Paving	\$2,500,000
401-4542-01.6015	Sidewalk Construction	\$2,500,000
TOTAL		\$5,000,000

And, that this appropriation be financed by increasing the following revenue accounts:

Account	Description	Amount
401-4542-01.7110	State Grant	\$4,000,000
401-4542-01.9471	Local Match	\$1,000,000
TOTAL		\$5,000,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Jamal Fox

- 41. [ID 16-0239](#) Resolution Approving Mutual Assistance Agreement with Cleveland Division of Police for 2016 RNC Assistance

Councilmember Fox asked Police Chief Wayne Scott to provide information regarding the item.

Police Chief Scott referenced previous support for the Democratic National Convention by the Greensboro Police Department; spoke to funding by the Federal Government; outlined the benefits to the City; and stated there would not be any impact to local patrol units.

**Moved by Councilmember Wilkins, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Justin Outling and Tony Wilkins

**Absent,** 1 - Nancy Hoffmann

068-16 RESOLUTION AUTHORIZING EXECUTION OF A MUTUAL ASSISTANCE AGREEMENT WITH THE CITY OF CLEVELAND FOR SECURITY AND LAW ENFORCEMENT ASSISTANCE DURING THE 2016 REPUBLICAN NATIONAL CONVENTION

WHEREAS, the City of Cleveland, through its Director of the Department of Public Safety, desires the assistance of the City (Greensboro Police Department) in providing additional security and law enforcement presence during the 2016 Republican National Convention to be held in Cleveland, Ohio during the week of July 18, 2016; and

WHEREAS, the RNC has been designated a National Special Security Event (NSSE) due to the event's significance to the United States and the inherent challenge of ensuring the safety and security of all event participants; and

WHEREAS, pursuant to this NSSE classification, the United States Secret Service is the authorized lead for the design and implementation of the official operational security plan pertaining to the RNC; and

WHEREAS, the City and the Cleveland Division of Police believe that the provisions of the temporary security and law enforcement assistance requested in the Mutual Aid Agreement presented to the City is of great importance to the City, State and Nation; and

WHEREAS, under this Mutual Assistance Agreement, the City will provide the services and equipment of the Greensboro Police Department in exchange for compensation as defined therein; and

WHEREAS, the staff of the Greensboro Police Department supports entering into this Mutual Assistance Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, OF THE CITY OF GREENSBORO:

That the City is authorized to execute the Mutual Assistance Agreement between the City of Cleveland and the City of Greensboro for the temporary provision of personnel and equipment in order to provide security and law enforcement services during the 2016 Republican National Convention, in exchange for compensation to the City in the amount of \$175,000 (FY 16-17), to be paid in reimbursements, as funded by a Justice Assistance Grant.

(Signed) Tony Wilkins

**6. [ID 16-0253](#) Greensboro Police Department Update - Chief Wayne Scott**

Mayor Vaughan voiced appreciation that the item had been delayed until her arrival.

Police Chief Scott spoke to creating reports for the database; contracting outside researchers; and recognized Greensboro Police Department (GPD), Manager of Information Services, Dr. Lee Hunt to speak to the item.

Dr. Hunt made a PowerPoint Presentation (PPP); provided a history of traffic stops and racial profiling; referenced research done for the last 20 years; spoke to skills and resources needed for the research; recognized members of the research team; stated reports were available online; outlined racial disparity in traffic stops; stated disparities existed across the country; and that data was not sufficient to answer questions regarding bias.

Councilmember Wilkins asked for confirmation on disparities information; and if officers knew the race of a driver prior to making a stop.

Dr. Hunt acknowledged that disparity did exist; spoke to two different sets of data; the basis of analysis being concluded after a stop; the various aspects of the process; the wide variety of variables; different methods used across the country; and to errors in the data.

Mayor Vaughan inquired about a higher police presence; and higher percentages of minorities.

Dr. Hunt confirmed; and spoke to addressing crime areas.

Councilmember Hightower expressed there were huge disparities in the numbers; spoke to targeting certain areas; racial profiling; and asked about the number of officers in minority areas as compared to other parts of town.

Police Chief Scott requested Council to be patient while staff completed the presentation; and stated the issues would be addressed in the action plans for moving forward.

Mayor Vaughan requested Council hold their questions until the end of the presentation.

Dr. Hunt continued the PPP by explaining various ways in which errors were generated; spoke to researchers using the State published data; outlined the traffic stop flow chart; reviewed the Bivariate and Multivariate models; referenced a complete report that could be made available; spoke to understanding limitations; outlined research findings by Dr. Karen Jackson of North Carolina A & T State University; spoke to census and socio-economic variables; and referenced the term of the "veil of darkness".

Councilmember Barber left the meeting at 7:37 p.m. and returned at 7:44 p.m.

Dr Hunt spoke to complaints from citizens; increased patrol presence in high crime areas; identifying crime problems; provided maps that outlined 911 service calls; outlined a research summary; spoke to definitive evidences of bias; and deferred to Police Chief Scott to continue the presentation.

Police Chief Scott spoke to the GPD action's going forward; to the police being on the leading edge for the community; confirmed the department's commitment to address issues; spoke to recent efforts by the GPD; referenced the special order put into place in November 2015; the Neighborhood Oriented Policing program; the Police Summit held in December 2015; addressed the need for change in policy; spoke to short and long term problem solving; outlined the five focus areas; referenced concerns nationwide; spoke to proper documentation; the need for a case report policy; and expanding training and community outreach. Police Chief Scott spoke to the creation of a monthly newsletter; Community Engagement Office; and to the promotion of a Building Bridges Campaign. Police Chief Scott addressed meeting state requirements; spoke to a monitoring system; local and state level Legislative suggestions; emphasizing problem-solving; recognized problems that have been around for an extended time; spoke to the need for long term solutions; remaining committed to understanding and reducing bias; engagement with the Biased-Based Policing Committee; revised Police Academy and State curriculums; continued participation with the Police Chief Summit; the need to seek additional tools and resources; referenced a grant to work with outside researchers; and quoted the vision statement for the GPD.

Discussion took place regarding a 60-90 day update; a break down in data in 30 day increments; effectiveness in traffic stops; and following procedures as required by law.

Mayor Pro-Tem Johnson left the meeting at 8:11 p.m. and returned at 8:14 p.m.

Councilmember Fox left the meeting at 8:14 p.m. and returned at 8:16 p.m.

Discussion continued regarding the procedures for traffic stops; probable cause; investigative reasoning; differences in short and long term goals; comparing other police departments to Greensboro; the oath taken by officers to uphold the law; addressing bias based actions; the definition of disparity; the identification of race prior to traffic stops; officer identification numbers; training provided to educate officers; expected implementation dates for new policies; disparity percentages; CrimeStoppers; eliminating bias; creating a system of checks and balances; economic development; and the availability of the 78 page research report on line.

Council requested additional details on the traffic stop disparity research with regard to statistics of minorities vs. whites; and to provide the full report and GPD presentation.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 12 which is hereby referred to and made a part of these minutes)

Matters to be discussed by the Mayor and Members of the Council

There were no items for discussion by the Councilmembers.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

**Adjournment**

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Barber, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 8:40 P.M.

ANGELA R. LORD  
DEPUTY CITY CLERK

NANCY VAUGHAN  
MAYOR