



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, April 5, 2016

5:00 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: 9 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Mike Barber, Councilmember Marikay Abuzuaiter, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

Also present were City Manager Jim Westmoreland, City Attorney Tom Carruthers, and City Clerk Elizabeth H. Richardson.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Councilmember Hightower recognized the members of the Dudley High School Advanced Vehicle Technology Team to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Angela Mitchell of Guilford Metro 911 who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

Mayor Vaughan explained the Council procedure for conduct of the meeting.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 16-0264](#) Resolution Recognizing the Dudley High School Advanced Vehicle Technology Team for its Participation in the 2016 Shell Eco-Marathon

Councilmember Hightower asked the members of the Dudley High School Advanced Vehicle Technology Team to come forward.

Councilmember Wilkins voiced concern with Items #13/ID16-0259 and #21/ID16-0321 being placed on the agenda without going through the committee structure.

City Manager Westmoreland and City Attorney Carruthers provided the explanation as to how the items were placed on the agenda.

Discussion ensued regarding items on the agenda without going through committee; committee rules; authority of the Mayor to place an item on the agenda without the consent of a majority of Council; and the process where items had not gone through work sessions prior to placement on the agenda.

Mayor Vaughan reminded Council that a resolution had been introduced; was on the floor; and suggested Council

address Councilmember Wilkins' concerns at the appropriate time.

Councilmember Hightower voiced apologies to the Dudley High School students; and recognized Mr. Ricky Lewis.

Mr. Lewis provided a short video on behalf of the Team that was an after school club; spoke to the work and mission of the Team; stated that Councilmember Outling had visited to see the work of the team; thanked Councilmember Hightower and the City Council for the resolution; the community partners and parents for their contributions to the Team; and spoke to manufacturing trips the students had been on.

Councilmember Hightower read the resolution into the record; explained why she had asked for the resolution; congratulated the students for their work and dedication; and recognized Dudley High School Principal Rodney Wilds.

Mayor Pro-Tem Johnson and Councilmember Abuzuaiter spoke to being Panther moms; stated that Mr. Joel Leonard sent his congratulations; and voiced their appreciation for the students work.

Joanna Zieglar a member of the team voiced what the team meant to her; spoke to the work and hours they had put into projects; stated there were few females in the engineering field; spoke to how she had benefited from being a member of the team; and thanked Council for their support.

Principal Wilds voiced that it was a honor to be here; thanked everyone for their support; spoke to what was great about public education; and encouraged the students to reach for the stars.

Councilmember Abuzuaiter asked for the contact information should members of the community wish to contribute for travel expenses.

Mr. Lewis stated contributions could be forwarded to Principal Wilds at Dudley High School; invited Council to come and see projects the Team was working on; and stated the students would leave for Detroit on April 18th.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

084-16 RESOLUTION RECOGNIZING THE DUDLEY HIGH SCHOOL ADVANCED VEHICLE TECHNOLOGY TEAM FOR ITS PARTICIPATION IN THE 2016 SHELL ECO-MARATHON

WHEREAS, the Dudley High School Advanced Vehicle Technology Team (AVTT) was developed by Mr. Ricky Lewis as an after school club and is made up of students from many different cultures and countries;

WHEREAS, the mission to come together as a team with the purpose of building vehicles has empowered members to learn new skills and develop talents they did not know they possessed;

WHEREAS, the AVTT provides a platform for students to learn and discover their talents that are not found in typical classroom experiences;

WHEREAS, students who have come through the program have gone on to universities, community colleges, trade schools and the military;

WHEREAS, the vehicles are built using recycled, re-used and re-purposed parts and materials such as used walkers, parts from a decommissioned wind turbine, scrap metal, items found on the side of the road, used parts from other vehicles and many other sources;

WHEREAS, the Shell Eco-marathon has two vehicle classes; the Prototype and Urban Concept;

WHEREAS, the first Shell Eco-marathon vehicle was constructed seven years ago and the 2016 Shell Eco-marathon event will be the sixth event for the AVTT;

WHEREAS, two vehicles will be entered in this year's event that will take place in Detroit, Michigan;

WHEREAS, the AVTT has competed in many events from Florida to Maryland; has had a vehicle on display at Disney World; and still competes in the EV Challenge in North Carolina.

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

That it recognizes the Dudley High School Advanced Vehicle Technology Team for its participation in the 2016 Shell Eco-Marathon.

(Signed) Sharon Hightower

2. [ID 16-0226](#) Resolution in Support of the 2016 National Mayor's Challenge for Conservation

Mayor Vaughan read the resolution into the record; spoke to the importance of conservation; and encouraged citizens to go online to register.

City Manager Westmoreland added that the City would submit a press release; and put information on the website to educate citizens on the process.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

069-16 RESOLUTION IN SUPPORT OF THE 2016 NATIONAL MAYOR'S CHALLENGE FOR CONSERVATION

WHEREAS, the Wyland Foundation in partnership with the National League of Cities and the U.S. EPA is holding the 5th Annual National Mayor's Challenge for Conservation during Earth Month (April 1-30);

WHEREAS, the competition encourages cities across the nation to see who can be the most water-wise by asking its residents to take a series of informative easy to use pledges online to conserve water, energy and other natural resources;

WHEREAS, the cities of Pittsburgh, Dallas, San Diego, Denver, Miami, Boise, Santa Fe, Pasadena, Gainesville, Tucson and many others participated in the 2015 Challenge;

WHEREAS, the challenge will take place April 1st through 30th with the purpose being to challenge Greensboro's residents to conserve water, energy and other natural resources by going to mywaterpledge.com and make pledges online throughout the month of April;

WHEREAS, the City's participation can help conservation-minded residents win more than \$50,000 in eco-friendly prizes including a Toyota Prius, water-saving home products, home improvement gift cards and more.

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

That it supports the 2016 National Mayor's Challenge for conservation.

(Signed) Yvonne Johnson

II. PUBLIC COMMENT PERIOD

Sallie Hayes Williams, 1101 North Elm Street spoke to meetings to begin dialogue for police and the community; provided an update on a kickoff event at the Carolina Theatre; spoke to district meetings that had taken place; announced the District 5 meeting tomorrow at New Garden Friends at 6:30, thanked Mayor Vaughan and Councilmembers for attending the meetings; stated there would be an upcoming Town Hall meeting; and thanked

Mayor Vaughan for recommending her to the Police Community Review Board.

John Fisher, 1362 Seminole Drive voiced concerns with electromagnetic readings as a result of the Duke Power line location in his neighborhood which fed Friendly Center and UNCG; stated the neighborhood had been put in harm's way; referenced a February 28 News and Record article; and referenced studies that had been done on the issue.

Ann Borden, 1362 Seminole Drive explained that she had ringing in her ears since last June as a result of the lines; outlined the conclusions of the studies; referenced the handout provided to Council; spoke to the toxic environment as a result of the outdated electrical system; and asked that the lines be transferred to the Benjamin Parkway area.

Mayor Pro-Tem Johnson recognized Davis Montgomery, District Manager for Duke Energy for a response.

Mr. Montgomery explained that this was not a new situation; spoke to studies going back 40 years on the electromagnetic fields; referenced components and results of the studies; confirmed that Duke Energy had been actively working with the neighbors for a solution; had done testing on the lots; emphasized that there were no guidelines or rules on the issue; and stated Duke Energy would do some modeling on the lines for a low cost or no cost solution.

Mayor Pro-Tem Johnson inquired about the time frame; referenced discussions on the landfill; and asked that Duke Energy do what they could to mitigate the situation.

Mr. Montgomery confirmed it would take approximately three weeks; and stated there was no cause and effect relationship.

Councilmember Abuzuaiter echoed Mayor Pro-Tem Johnson's sentiments; spoke to having had a child who survived cancer; emphasized that nothing should go into the environment that could cause cancer; and that the issue must be mitigated.

Mr. Montgomery confirmed that Duke Energy would continue to look at the issue; and spoke to the infrastructure in the area.

Carolyn Smith, 441 McAdoo Avenue requested an update on the City's minimum wage and sick leave policies.

City Manager Westmoreland stated Council had adopted resolutions last August; spoke to the intent of Council to advance a minimum wage increase; to the resolution for City employees to earn up to \$15 an hour; and to a proposed policy for parental leave.

Luther Falls, Jr., 1603 Lansdown Avenue referenced a message from Joel Leonard regarding the talents of the Dudley High School students; complemented the East Market Street Development Corporation Business Expo; stated he was working with Deputy Chief Hinson on the third Police Community Forum scheduled for Thursday April 21st at Saint Stephens Church of Christ from 7:00 – 9:00 p.m.; referenced what would be discussed at the forum; announced the one year anniversary of BOLT which met on the second Saturday of the month at Saint Stephens from 11:00 a.m. to 1:00 p.m.; invited young men to attend; and provided contact information.

Damon Williams, 4209 Lindsay Drive; voiced concern with Police Chief Scott's response to the New York Times article; spoke to the Hispanic population; referenced what electromagnetic pulse was equivalent to; and spoke to disparity among Duke Energy power rates.

McElroy Hughes, 705 Park Avenue voiced appreciation for Ms. Sallie Hayes' comments; referenced the history of the Police Review Board; voiced that he was interested on serving on the board; and concern that the people who needed to be at the table on the board were not there.

Mayor Vaughan recognized Representative Pricey Harrison and Representative Elect Amos Quick in the audience.

III. CONSENT AGENDA (One Vote)

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to adopt the Consent Agenda. The motion carried by voice vote.

3. [ID 16-0141](#) Resolution Calling a Public Hearing for April 19, 2016 on Annexing Territory into the Corporate Limits - 1.52-Acre Satellite Annexation for 1111 and 1111-near Strickland Court - Regular Annexation Petition

070-16 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 19, 2016 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 1111 AND 1111-NEAR STRICKLAND COURT – 1.52 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of April 2016, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 1111 AND 1111-NEAR STRICKLAND COURT – 1.52 ACRES

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 30, 2015), said point being on the eastern right-of-way line of Strickland Court and at the northwest corner of property of Four Grand, LLC at 1113 Strickland Court, as recorded at Deed Book 7556, Page 1387; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS along the northern line of said property S 84° 06' 47" E 400.34 feet to the northeast corner of said property; thence N 06° 59' 20" E 170.63 feet with the eastern line of another property of Four Grand, LLC, as recorded at Deed Book 7428, Page 1777, to the northeast corner of said property; THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS with the northern line of said property N 85° 15' 41" W 393.04 feet to a point on the eastern right-of-way line of Strickland Court; thence with said right-of-way line S 10° 27' 24" W 128.10 feet to a point; thence with said right-of-way line S 06° 38' 19" W 35.03 feet to the point and place of BEGINNING, containing 1.521 acres. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 19, 2016, the liability for municipal taxes for the 2015-2016 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due

date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

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

That Tuesday, April 19, 2016 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 9, 2016.

(Signed) Yvonne Johnson

4. [ID 16-0144](#) Resolution Calling a Public Hearing for April 19, 2016 on Annexing Territory into the Corporate Limits - 2.0-Acre Satellite Annexation for 5742 Ruffin Road - Regular Annexation Petition

071-16 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 19, 2016 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 5742 RUFFIN ROAD – 2.0 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of April, 2016, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 5742 RUFFIN ROAD – 2.0 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 30, 2015, said point being the northeast corner of property of William C. Pedigo, as recorded at Deed Book 5206, Page 1848; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS N 06° 17' 30" E 385.39 feet to an iron pipe; thence S 81° 44' 40" E 167.07 feet to an iron pipe; thence S 06° 17' 14" W 533.20 feet to a point; thence with the northern line of that property conveyed to Clayton J. Denny and wife Eva S. Denny, as recorded in Deed Book 3495, Page 1068, about N 82° 11' 01" W approximately 170 feet to its intersection with Pedigo's eastern line (or with the southwardly projection of said line); THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS N 02° 00' E approximately 128 feet along Pedigo's eastern line to the point and place of BEGINNING, containing approximately 2.0 acres. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 19, 2016, the liability for municipal taxes for the 2015-2016 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

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

That Tuesday, April 19, 2016 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 9, 2016.

(Signed) Yvonne Johnson

5. [ID 16-0145](#) Resolution Calling a Public Hearing for April 19, 2016 on Annexing Territory into the Corporate Limits - .392-Acre Satellite Annexation for the Right-of-Way for the 2200 Block of Chariot Drive

072-16 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 19, 2016 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS - FOR THE RIGHT-OF-WAY FOR THE 2200 BLOCK OF CHARIOT DRIVE - .392 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of April, 2016, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (FOR THE RIGHT-OF-WAY FOR THE 2200 BLOCK OF CHARIOT DRIVE - .392 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 30, 2015), said point being the northwest corner of Lot 9 of Kingsbury Estates, as recorded at Plat Book 37, Page 80; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS in a southerly direction with the eastern right-of-way line of Chariot Drive S 02° 12' 05" W 211.64 feet to the southwest corner of said Lot 9; thence N 88° 36' 15" W 3.45 feet to an iron pipe at the northeast corner of Thomas D. Smitherman and Ronnie L. Walker, Section 1, Map 2, as recorded at Plat Book 73, Page 127; thence S 06° 10' 04" W 95.0 feet to the northeast corner of Lot 3 on said plat, a point in the southern right-of-way line of Nelson Meadow Lane; THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS with said right-of-way line and the projection thereof N 72° 04' 06" W 55.34 feet to a point on the western right-of-way line of Chariot Drive; thence with said western right-of-way line along a curve to the left with a radius of 288.26 feet and a chord bearing and distance of N 09° 58' 09" E 79.84 feet to the northeast corner of Tract "A" of said Smitherman and Walker plat; thence with the southern line of Kingsbury Estates N 88° 33' 57" W 7.50 feet to the southeast corner of Lot 8 of said Kingsbury Estates; thence with said western right-of-way line N 02° 12' 05" E 212.80 feet to the northeast corner of said Lot 8; thence with the southern right-of-way line of Castleton Road S 87° 27' 50" E 60.00 feet to the point and place of BEGINNING, containing 0.392 acres. The plats referred to hereinabove are recorded in the Office of

the Register of Deeds of Guilford County.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 19, 2016, the liability for municipal taxes for the 2015-2016 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

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

That Tuesday, April 19, 2016 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 9, 2016.

(Signed) Yvonne Johnson

6. [ID 16-0147](#) Resolution Authorizing the Purchase of Property Located at 3223 Horse Pen Creek Road for the Horse Pen Creek Road Widening Project

073-16 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 3223 HORSE PEN CREEK ROAD FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT

WHEREAS, in connection with the Horse Pen Creek Road Widening project, the property owned by WLJ Investments, LLC, Parcel 0078216 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$20,490 but the property owner has agreed to settle for the price of \$30,000, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

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

That the agreed price of the above mentioned property in the amount of \$30,000 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 471-4502-08.6012 A14074.

(Signed) Yvonne Johnson

7. [ID 16-0148](#) Resolution Authorizing the Conveyance of Surplus Foreclosure Property Located at 1325 Tucker Street

074-16 RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 1325 TUCKER STREET

WHEREAS, the City of Greensboro owns residual property located at 1325 Tucker Street, Parcel 0033681, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, Property Management advertised the lot for sale and accepted a single bid in accordance with Section 4.122 of the Greensboro Charter;

WHEREAS, the property was appraised by Lynn B. Ritchy at a value of \$21,300, and the final highest bid of \$25,517 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this conveyance will be credited in General Fund Account No. 101-0000-00.0400.

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

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$25,517 is hereby approved and the sale of property located at 1325 Tucker Street is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Yvonne Johnson

8. [ID 16-0164](#) Resolution Authorizing Purchase of Property Located at 4305 Near Golden Eagle Way and 4300 Near Hanberry Drive For the Horse Pen Creek Road Widening Project

075-16 RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF PROPERTY LOCATED AT 4305 NEAR GOLDEN EAGLE WAY AND 4300 NEAR HANBERRY DRIVE FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT

WHEREAS, in connection with the Horse Pen Creek Road Widening project, the portion of property owned by Montibello Homeowner's Association, Parcels 0081164 and 0081161 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required portion of property has been appraised at a value of \$25,050 but the property owner has agreed to settle for the price of \$31,450, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

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

That the agreed price of the above mentioned portion of property in the amount of \$31,450 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 471-4502-08.6012, Activity A14074.

(Signed) Yvonne Johnson

9. [ID 16-0289](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Properties of Sampson Family Limited Partnership (D/B/A Guilford Business Park) Located at 101, 105, 107

and 113 Guilford College Road in Connection With the West Market St/
College Road Intersection & Sidewalk Project

076-16 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF SAMPSON FAMILT LIMITED PARTNERSHIP (D/B/A GUILFORD BUSINESS PARK) IN CONNECTION WITH THE W. MARKET ST/ COLLEGE RD INTERSECTION IMPROVEMENT & SIDEWALK PROJECT

WHEREAS, Sampson Family Limited Partnership (d/b/a Guilford Business Park) is the owner(s) of certain properties located at 101, 105, 107 and 113 Guilford College Rd, designated as Parcels # 0074838, #0074837, #0074836 and #0074827 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the W. Market St/College Rd Intersection Improvement Project;

WHEREAS, negotiations with the owner at the appraised value of \$89,047.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portions of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$89,047.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$89,047.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4547-01.6012 Activity #A11168.

(Signed) Yvonne Johnson

10. [ID 16-0258](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Properties of Hedgecock Builders Supply Company of Greensboro, located at 120, 110, 104B Guilford College Road in Connection with the West Market Street/College Road Intersection

077-16 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF HEDGECKOCK BUILDERS SUPPLY COMPANY OF GREENSBORO IN CONNECTION WITH THE W. MARKET ST/ COLLEGE RD INTERSECTION IMPROVEMENT & SIDEWALK PROJECT

WHEREAS, Hedgecock Builders Supply Company of Greensboro is the owner(s) of certain properties located at 120, 110, and 104B Guilford College Rd, designated as Parcels # 0074559, #0074568, and 0074567 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the W. Market St/College Rd Intersection Improvement Project;

WHEREAS, negotiations with the owner at the appraised value of \$53,685.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portions of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$53,685.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$53,685.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4547-01.6012 Activity #A11168.

(Signed) Yvonne Johnson

11. [ID 16-0255](#) Motion to Approve the Minutes of the Regular Meeting of March 1, 2016

Motion to approve the minutes of the Regular meeting of March 1, 2016 was adopted.

IV. PUBLIC HEARING AGENDA

12. [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

City Manager Westmoreland provided the history of the item; spoke to the committee makeup; and recognized Mr. Brent Christensen of the Greensboro Partnership.

Mayor Vaughan stated she would appoint Councilmember Jamal Fox as her alternate; that the meetings were open to anyone interested in attending; and clarified that in the event she could not attend, Councilmember Fox would sit in.

Councilmember Hightower voiced concern with the lack of diversity and meeting times for the advisory board; lack of representation for East Greensboro; asked if the board could meet quarterly; voiced the need for inclusion of people who had an investment in the community; and stated she would not support the item at this time.

Mr. Christensen provided his understanding of Councilmember Hightower's concerns; provided the diversity makeup of the board; voiced that he would like to see the board meet more than twice a year; verified the board would continue to work on issues; and referenced the proposed agreement.

Discussion took place regarding the need for advocacy and diversity on the board; and the need for changes to be made.

Mr. Christensen outlined the prescriptive makeup of the leadership team; stated they would look at adding members; and voiced the need for an agreement prior to making changes.

Councilmember Hightower reiterated that she would like to see an amendment within a couple of weeks.

City Manager Westmoreland stated a discussion would take place at the GCEDA Advisory Council meeting on April 28th; and that he would report the outcome to Council at the May 3rd meeting.

Moved by Mayor Pro-Tem Johnson, 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, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 1 - Sharon M. Hightower

078-16 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

WHEREAS, Guilford County, City of Greensboro and City of High Point officials believe that having one strong centralized economic development organization in Guilford County, to manage all aspects of economic

development within the county and region, would be beneficial in creating a unified effort toward the recruitment of corporations interested in making capital investments and creating jobs in Guilford County; and

WHEREAS, on November 20, 2015, Guilford County, the City of Greensboro, and the City of High Point, resolved to establish the Guilford County Economic Development Alliance (GCEDA) to serve as a coalition between Guilford County, the City of Greensboro, the City of High Point, the Greensboro Partnership, and the High Point economic Development Corporation to conduct economic development matters in a more unified manner; and

WHEREAS, it is the goal that all economic development marketing will be done jointly with the Greensboro Partnership and the High Point Economic Development Corporation with prior approval of the GCEDA Leadership Group, the GCEDA will also create an economic development strategic plan that will target industries that would likely have expansion projects within 1 to 3 years; and

WHEREAS, the GCEDA would be proactive in working with site location consultants and make strategic visits to corporations to familiarize them with Guilford County; and

WHEREAS, the Greensboro Partnership and the High Point Economic Development Corporation will share all client and prospect information and the Economic Development Partnership of North Carolina will be asked to direct any projects for Guilford County to the lead person of the GCEDA; and

WHEREAS, the GCEDA will have an annual budget of \$300,000 with each of the three local governments contributing \$100,000 to be used for joint marketing and to fund a staff person to conduct research for client proposals, collect data and work with local real estate professionals to maintain a data base of available buildings and sites for clients; and

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

That the Mayor and City Clerk are authorized to execute, on behalf of the City of Greensboro, the interlocal agreement known as the Guilford County Economic Development Alliance Agreement and to contribute \$100,000 to the Guilford County Economic Development Alliance on an annual basis.

(Signed) Yvonne Johnson

13. [ID 16-0259](#) Resolution Authorizing an Urban Development Investment Grant to Preservation Greensboro Development Fund, Inc. in an Amount up to \$300,000 to Assist in the Stabilization and Renovation of the Cascade Saloon

City Manager Westmoreland provided an overview of the item; and recognized the leadership team of Rentenbach Constructors (Rentenbach) to provide an update on the project.

Chairman and CEO of Christman Capital Development Company (Christman) Steve Roznowski outlined the company's 120 year history; expertise in preserving and restoring old buildings; spoke to the commitment to this project and of urban Downtowns; and reiterated the commitment of Christman.

Mike Cooke with Rentenbach stated the company had been located in Greensboro since 1971; highlighted local projects the company had been involved in; locations of the company; spoke to moving projects forward; and began the PowerPoint Presentation (PPP).

Marsh Prause with Preservation Greensboro spoke to the length of the process; continued the PPP; explained why they wanted to save the site that was a historic landmark; outlined what had transpired since 2013; commended staff for their work on the project; spoke to Christman's involvement in the project; provided an explanation for the financing gap; the background for the request; emphasized the outcome of the renovation; and verified that an anonymous donor had contributed \$250,000 towards the project.

Mr. Cooke added that the project had the power of a unique public/private partnership; emphasized that they had found people willing to step up and assist in the renovation; outlined the makeup of the company; spoke to the

partnership with North Carolina A&T State University (NCA&T); and elaborated on the programs the company was involved with NCA&T.

Anthony Pecchio with Christman provided an overview of the process when the company researched projects; provided the breakdown of the funding and financial commitments; verified Christman would take advantage of historic tax credits; outlined the timeline of events should Council adopt the resolution; timeframe for completion; and provided examples of historic buildings Christman had done work on.

Mayor Pro-Tem Johnson asked if a historical marker would be located on the site.

Mr. Pecchio responded in the affirmative.

Councilmember Wilkins asked if there was something specific that caused the gap; and where the funding would come from.

City Manager Westmoreland provided the reason for the gap due to restoration and rehabilitation costs being more than originally anticipated; and confirmed the funding would come out of the Capital Leasing Account.

Councilmember Outling commended the project; requested clarification that this was not a performance based incentive; inquired why the funding would not be provided up front; and asked about a clawback clause.

City Manager Westmoreland explained the City's legislative authority for Downtown rehabilitation projects; confirmed there would be an agreement with Preservation Greensboro that would include clawback provisions; and spoke to the performance requirements of the company.

City Attorney Carruthers outlined language that would be in the agreement; spoke to the fair market value of the site upon completion; verified that a historic covenant would be placed on the building; spoke to engineering studies that had taken place; and confirmed that this would be a performance based contract.

Discussion took place regarding the clawback clause; tax impact to Christman should the funding be given directly to them; process for the stabilization funding; M/WBE goals; and creation of jobs.

City Attorney Carruthers outlined the process to be used for the funding; ramifications should the conditions not be met and the regulations of the City not followed; and verified the company would need to pay the grant back should said requirements not be met.

Councilmember Hoffmann emphasized the need for the City to invest in the project; voiced concern with the destruction of historical buildings over the years; added that this was a very important historic building; stated that Christman was a company that specialized in renovation; and reminded Council that should the structure be demolished, nothing could go on the property to replace it.

Mayor Pro-Tem Johnson stated that she would support the item; that the building would become a permanent tax base for the City; preserve an important piece of Greensboro; voiced her confidence in Christman; and spoke to their work with minority contractors when renovating the Hayes Taylor Y.

Councilmember Fox echoed the comments of his colleagues; referenced comments made by Downtown residents; emphasized that there would be a regional headquarters on the site; and thanked everyone for their work in moving the project forward.

Mayor Vaughan asked if there had been any discussions with the railroad regarding the right-of-way; voiced concern with the railroad not being happy with the project; and asked if there had been clarification.

Mr. Prause spoke to the railroad's domain; provided the history of the railroad's ownership of the right-of-way; and added that the railroad had not pursued their rights.

City Attorney Carruthers confirmed that it would be a private dispute; stated he had not heard of any plans for the railroad in the area; and that he felt comfortable going forward.

Discussion took place regarding the railroad needing to demonstrate a need to take the right-of-way; asking for confirmation in writing from the railroad; the railroad being put on notice and being aware of the plans for the site; Amtrak possibly needing the tracks; the loan from First Citizens Bank on the property; and the property becoming private property once title was transferred from the City.

Councilmember Hightower asked if the company would acquire title insurance.

City Attorney Carruthers confirmed the railroad right-of-way would not be covered under title insurance; made reference to the Worx that is located in the same area; and stated that the City had a group of businessmen willing to go forward with the project.

Councilmember Wilkins voiced concern with the company needing an additional \$175,000; and wished the company well.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter to close the public hearing. The motion carried by voice vote.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 15, which is hereby referred to and made a part of these minutes.)

Moved by Councilmember Hoffmann, 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, Nancy Hoffmann and Justin Outling

Nays, 1 - Tony Wilkins

079-16 RESOLUTION AUTHORIZING AN URBAN DEVELOPMENT INVESTMENT GRANT TO PRESERVATION GREENSBORO DEVELOPMENT FUND, INC. IN AN AMOUNT UP TO \$300,000 TO ASSIST IN THE STABILIZATION AND RENOVATION OF CASCADE SALOON

WHEREAS, the property located at 408-410 South Elm Street is improved by a structure known as the Cascade Saloon;

WHEREAS, the Cascade Saloon was designated as an historic landmark by ordinance adopted December 19, 2006;

WHEREAS, the City of Greensboro acquired the Cascade Saloon by condemnation on February 22, 2014, to prevent demolition of the historic structure;

WHEREAS, the condition of the Cascade Saloon has continued to deteriorate and is in danger of collapse if not sufficiently stabilized;

WHEREAS, this deteriorating condition represents significant liability to the City and the estimated costs of demolition of the structure exceed \$300,000;

WHEREAS, if the Cascade Saloon structure collapses or is demolished, it is unlikely that the railroad will allow any new construction in such close proximity to tracks in active use;

WHEREAS, the City is authorized to appropriate funds pursuant to N.C.G.S. 160A-400.12 to aid in the preservation and restoration of historic structures;

WHEREAS, on August 4, 2014, by adoption of Resolution 0206-14, the City Council authorized the conveyance of the Cascade Saloon to Preservation Greensboro Development Fund, Inc. (PGDF) by private sale with appropriate preservation covenants, with funding in the amount of \$175,000 to locate a buyer willing to restore and preserve the property;

WHEREAS, a subsequent structural engineering report has estimated the cost of stabilization at \$850,000 which creates a gap in anticipated financing of the project, and but for an additional \$300,000, PGDF will not accept the conveyance and assume liability for the structure;

WHEREAS, the City Council believes public benefit will be derived from the enhancement of economic development and revitalization of the downtown portion of the City;

WHEREAS, the City Council believes this project will promote business investment in the downtown area that would not occur but for this grant;

WHEREAS, the efforts of Preservation Greensboro to locate a local company willing to renovate the building and preserve the historical façade will result in future tax revenues generated by the site;

WHEREAS, Rentenbach Constructors, Inc., a Christman Company, will invest \$2.925 million dollars in the purchase and renovation of the property, will relocate 25 existing jobs to the Cascade Saloon after purchase and renovation of the property, and will create 6 new full-time jobs with benefits at or above the current county average wage;

WHEREAS, after renovation, the Cascade Saloon will serve as a regional corporate headquarters for Rentenbach;

WHEREAS, PGDF will accept conveyance of the property on or before June 10, 2016, and will stabilize the structure on or before December 31, 2016;

WHEREAS, Rentenbach will provide adequate security to the City to repay the City the \$300,000 grant if PGDF fails to perform, or if Rentenbach fails to invest \$2.925 million by December 31, 2017, or if Rentenbach fails to maintain, create, and retain new jobs for 3 years after creation of the new jobs;

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

That in accordance with the findings above which are hereby adopted and City Charter § 4.55 and N.C.G.S. 158-7.1, the City Manager and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement with the Preservation Greensboro Development Fund, Inc for an Urban Development Investment Grant up to \$300,000 to support their efforts to stabilize the historic structure at 408-410 South Elm Street. No further City funds are to be provided to this property.

(Signed) Nancy Hoffmann

14. [ID 16-0267](#) Ordinance Amending the FY 15-16 Capital Leasing Fund and Economic Development Fund budgets for an Urban Development Investment Grant in an amount up to \$300,000 for Cascade Saloon Improvements.

Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson, 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, Nancy Hoffmann and Justin Outling

Nays, 1 - Tony Wilkins

16-029 ORDINANCE AMENDING THE FY 2015-16 CAPITAL LEASING FUND AND ECONOMIC DEVELOPMENT FUND BUDGETS FOR AN URBAN DEVELOPMENT INVESTMENT GRANT RELATING TO CASCADE SALOON IMPROVEMENTS

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

That the Capital Leasing Fund Budget of the City of Greensboro is hereby amended as follows:

Section 1

That the appropriation to the Capital Leasing Fund be increased as follows:

Account	Description	Amount
686-1001-02.6208	Transfer to Economic Development Fund	\$95,000
Total		\$95,000

And, that this increase be financed by an appropriation of fund balance:

Account	Description	Amount
686-0000-00.8900	Appropriated Fund Balance	\$95,000
Total		\$95,000

Section 2

That the appropriation to the Economic Development Fund be revised as follows:

Account	Description	Amount
208-0205-14.5931	Contributions to Non-Governmental Agencies	\$300,000
Total		\$300,000

And, that this increase be financed by a transfer from the Capital Leasing Fund as follows:

Account	Description	Amount
208-0205-14.9686	Transfer from Capital Leasing Fund	\$300,000
Total		\$300,000

Section 3

And that this ordinance shall be effective upon adoption.

(Signed) Jamal Fox

15. [ID 16-0208](#) Public Hearing to Receive Public Comment on Coliseum Improvements

Mayor Vaughan introduced Items #15/ID16-0208, #16/ID16-0205, #17/ID16-0206 and #18/ID16-0207; and stated there were speakers to the items.

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

Ted Oliver, 600 Waycross Drive stated he was Chair of the War Memorial Commission; provided an update on the Coliseum; expressed that the Greensboro Aquatic Center (GAC) had been a big success; referenced stories of swimmers who had participated in events at the GAC; highlighted the success of the 'Learn to Swim' program; spoke to the volunteer base and economic impact for events held at the GAC; and voiced the need for expansion to meet the demands of the Center.

Councilmember Fox left the meeting at 7:02 p.m. and returned at 7:05 p.m.

Virgil Cobb, 1922 Martin Luther King, Jr. Drive informed Council that he mentored five black contractors in the construction industry; spoke to serving on the M/WBE Goal Setting Committee; reminded Council of the mission of said Committee; voiced opposition to the goals set for the contract; to the way the program was presented;

spoke to the number of black contractors in the industry; and asked Council to look at employing some of those contractors in future projects..

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Barber to close the public hearing. The motion carried by voice vote.

V. GENERAL BUSINESS AGENDA

16. [ID 16-0205](#) Resolution Directing Filing of Application for Approval by Local Government Commission of \$20,000,000 Limited Obligation Bond Anticipation Notes to Finance Improvements to the War Memorial Coliseum Complex

Councilmember Hightower inquired about what projects the \$20 million would be spent on; for a breakdown for project costs; and spoke to her understanding of the figures.

Finance Director Rick Lusk outlined the projects that were involved in the funding.

Mayor Vaughan added that the attachment outlined the breakdown of the figures.

Councilmember Barber left the meeting at 7:11 p.m. and returned at 7:18 p.m.

City Manager Westmoreland suggested that Councilmember Hightower ask her questions when Council addressed Item #19.

Mayor Pro-Tem Johnson asked that Council amend the agenda to hear Item #21 before Item #20.

Moved by Councilmember Hoffmann, seconded by Councilmember Barber, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

080-16 Thereupon, 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 REGARDING THE PROPOSED INTERIM FINANCING FOR VARIOUS IMPROVEMENTS TO THE CITY'S COLISEUM COMPLEX THROUGH THE ISSUANCE OF LIMITED OBLIGATION BOND ANTICIPATION NOTES AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT

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

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

(a) There exists in the City a need to provide interim financing for various improvements to the City's coliseum complex (the "Project").

(b) After a public hearing and due consideration, the City Council has determined to enter into a Third Supplemental Trust Agreement, to be dated as of May 1, 2016 (the "Third Supplemental Trust Agreement"), between the City and U.S. Bank National Association, as trustee (the "Trustee"), supplementing and amending a Master Trust Agreement, dated as of July 1, 2012 (the "Master Trust Agreement" and, together with the Third Supplemental Trust Agreement, the "Trust Agreement"), between the City and the Trustee, to provide for the issuance of limited obligation bond anticipation notes thereunder in an aggregate principal amount not to exceed \$20,000,000 (the "Notes") to provide funds, together with any other available funds, to (i) pay the costs of the Project and (ii) pay certain fees and expenses incurred in connection with the sale and issuance of the Notes. The City anticipates that such Notes will be redeemed or paid at maturity with the proceeds of limited obligation

bonds to be issued pursuant to the Trust Agreement.

(c) In order to secure its obligations under the Trust Agreement, the City has executed and delivered a Deed of Trust, dated as of July 1, 2012 (as supplemented and amended, the "Deed of Trust"), granting a lien on a portion of the City's coliseum complex, together with all improvements and fixtures located or to be located thereon.

(d) It is in the best interest of the City to enter into the Third Supplemental Trust Agreement and to issue the Notes in that such plan of finance will result in providing interim financing for the Project in an efficient and cost effective manner.

(e) Entering into the Third Supplemental Trust Agreement and issuing the Notes is preferable to a general obligation bond and revenue bond issue in that (i) the City does not have sufficient constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the City has not retired a sufficient amount of debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the Project without an election; (ii) the nature of the financing does not allow for the issuance of revenue bonds to finance the Project; (iii) the cost of the Project exceeds the amount to be prudently provided from currently available appropriations and unappropriated fund balances; (iv) the circumstances existing require that funds be available to commence construction of the Project as soon as practicable and the time required for holding an election for the issuance of voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond Act will delay the commencement of construction of the Project by several months; and (v) there can be no assurances that the issuance of general obligation bonds to finance the Project would be approved by the voters and the necessity of the Project dictates that the Project be financed by a method that assures that the Project will be constructed in an expedient manner.

(f) Based upon information provided to the City Council, the costs of the financing described above is reasonably comparable to the costs associated with other alternative means of financing and is acceptable to the City Council.

(g) Bond counsel to the City will render an opinion to the effect that the proposed undertaking as described above is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.

(h) The debt management policies of the City have been carried out in strict compliance with law, and the City is not in default under any obligation for repayment of borrowed money.

(i) Any tax rate increase anticipated to be necessary to pay principal of and interest on the Notes will be reasonable.

Section 2. The City Council hereby authorizes and approves the filing of an application with the Local Government Commission for approval of the Notes and the Third Supplemental Trust Agreement and requests the Local Government Commission to approve the Notes and the Third Supplemental Trust Agreement and the proposed financing in connection therewith.

Section 3. 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 Council Member Hoffmann, seconded by Council Member Barber, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE PROPOSED INTERIM FINANCING FOR VARIOUS IMPROVEMENTS TO THE CITY'S COLISEUM COMPLEX THROUGH THE ISSUANCE OF LIMITED OBLIGATION BOND ANTICIPATION NOTES AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT" was adopted by the following vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmembers Abuzaiter, Barber, Fox, Hightower, Hoffmann, Outling, and Wilkins.

(Signed) Nancy Hoffmann

17. [ID 16-0206](#) Resolution Providing for Issuance of \$20,000,000 Limited Obligation Bond Anticipation Notes by the City of Greensboro, North Carolina to Finance up to \$20,000,000 in Improvements for the War Memorial Coliseum Complex, Approving Certain Documents and Actions

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

081-16 Thereupon, Council Member 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 APPROVING AND AUTHORIZING THE SALE AND ISSUANCE OF LIMITED OBLIGATION BOND ANTICIPATION NOTES AND THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL TRUST AGREEMENT AND RELATED DOCUMENTS BY THE CITY IN CONNECTION WITH THE INTERIM FINANCING OF VARIOUS IMPROVEMENTS TO THE CITY'S COLISEUM COMPLEX

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 desires to provide interim financing for various improvements to the City's coliseum complex (the "Project").

(b) After a public hearing and due consideration, the City Council has determined that the most efficient manner of financing the Project will be through the execution and delivery of a Third Supplemental Trust Agreement, to be dated as of May 1, 2016 (the "Third Supplemental Trust Agreement"), between the City and U.S. Bank National Association, as trustee (the "Trustee"), supplementing and amending a Master Trust Agreement, dated as of July 1, 2012 (the "Master Trust Agreement" and, together with the Third Supplemental Trust Agreement, the "Trust Agreement"), between the City and Trustee, pursuant to which the City will issue limited obligation bond anticipation notes thereunder in an aggregate principal amount not to exceed \$20,000,000 (the "Notes") to provide funds, together with any other available funds, to (i) pay the costs of the Project and (ii) pay certain fees and expenses incurred in connection with the sale and issuance of the Notes. The City anticipates that such Notes will be redeemed or paid at maturity with the proceeds of limited obligation bonds to be issued pursuant to the Master Trust Agreement.

(c) In order to secure its obligations under the Trust Agreement, the City has executed and delivered a Deed of Trust, dated as of July 1, 2012 (as supplemented and amended, the "Deed of Trust"), granting a lien on a portion of the City's coliseum complex, together with all improvements and fixtures located or to be located thereon (the "Mortgaged Property").

(d) The Notes will initially be sold to Wells Fargo Bank, National Association or an affiliate thereof (the "Purchaser") pursuant to the terms of a Note Purchase and Advance Agreement, to be dated the date of delivery thereof (the "Note Purchase and Advance Agreement"), between the City and the Purchaser.

(e) There have been presented to the City Council drafts of the following documents relating to the transaction hereinabove described:

(1) Third Supplemental Trust Agreement, together with the form of the Notes attached as Exhibit B thereto; and

(2) Note Purchase and Advance Agreement.

Section 2. In order to provide for the interim financing of the Project, the City is hereby authorized to enter into the

Third Supplemental Trust Agreement and issue the Notes thereunder in an aggregate principal amount not to exceed \$20,000,000. The Notes shall bear interest at a variable rate as more particularly described in the Third Supplemental Trust Agreement.

Section 3. The Notes shall be sold to the Purchaser pursuant to the Note Purchase and Advance Agreement. The final maturity date of the Notes shall not be later than six years from the date of issuance of the Notes.

Section 4. The City Council hereby approves the forms of the Third Supplemental Trust Agreement, the Notes and the Note Purchase and Advance Agreement in substantially the forms presented at this meeting. The Mayor, the City Manager and the Finance Director are each hereby authorized to execute and deliver on behalf of the City the Third Supplemental Trust Agreement, the Notes and the Note Purchase and Advance Agreement in substantially the forms presented at this meeting, containing such modifications as the person executing such documents shall approve, such execution and delivery to be conclusive evidence of approval by the City Council of any such changes. The City Clerk or any assistant or deputy City Clerk of the City is hereby authorized to affix the official seal of the City to each of said documents and to attest the same to the extent required.

Section 5. No deficiency judgment may be rendered against the City in any action for breach of any contractual obligation under the Trust Agreement, the Note Purchase and Advance Agreement or the Deed of Trust, and the taxing power of the City is not and may not be pledged directly or indirectly to secure any moneys due under the Trust Agreement or the Note Purchase and Advance Agreement.

Section 6. The Mayor, the City Manager, the Finance Director, the City Attorney and the City Clerk of the City, and any other officers, agents and employees of the City are hereby authorized and directed to take such actions and to deliver such documents, instruments, certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described in this resolution, including, without limitation, preparing, approving and executing any amendments or supplements related to the Deed of Trust.

Section 7. 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 Council Member Hoffmann, seconded by Council Member Fox, the foregoing resolution entitled "RESOLUTION APPROVING AND AUTHORIZING THE SALE AND ISSUANCE OF LIMITED OBLIGATION BOND ANTICIPATION NOTES AND THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL TRUST AGREEMENT AND RELATED DOCUMENTS BY THE CITY IN CONNECTION WITH THE INTERIM FINANCING OF VARIOUS IMPROVEMENTS TO THE CITY'S COLISEUM COMPLEX" was adopted by the following vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmembers Abuzuaiter, Barber, Fox, Hightower, Hoffmann, Outling, and Wilkins.

I, Elizabeth H. Richardson, City Clerk of the City of Greensboro, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on April 5, 2016, as it relates in any way to (a) the holding of a public hearing on a proposed issuance of limited obligation bond anticipation notes to provide interim financing for various improvements to said City's coliseum complex and (b) the passage of the foregoing resolutions regarding such financing and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said City this 5th day of April, 2016.

City Clerk
[SEAL]

(Signed) Nancy Hoffmann

18. [ID 16-0207](#) Ordinance Amending Coliseum Improvements Bond Fund Capital Project Budget (Series 2016) in the amount of \$15,600,000

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

16-030 ORDINANCE AMENDING COLISEUM IMPROVEMENTS BOND FUND CAPITAL PROJECT BUDGET (SERIES 2016)

Section 1

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

That the Coliseum Improvements Bond Fund Capital Project Budget (Series 2016) of the City of Greensboro is hereby amended as follows:

Account	Description	Amount
528-7501-01.6013	Building Improvements	\$ 851,000
528-7501-01.5410	Engineering & Design	\$ 86,000
528-7501-02.6019	Other Improvements	\$ 395,000
528-7501-02.5410	Engineering & Design	\$ 12,000
528-7501-03.6019	Other Improvements	\$ 1,047,000
528-7501-03.5410	Engineering & Design	\$ 69,760
528-7501-04.5613	Other Improvements	\$ 5,057,000
528-7501-04.5410	Engineering & Design	\$ 290,680
528-7501-05.6013	Building Improvements	\$ 4,012,000
528-7501-05.5410	Engineering & Design	\$ 232,540
528-7501-06.5235	Equipment	\$ 2,111,000
528-7501-06.5410	Engineering & Design	\$ 116,270
528-7501-07.5831	Costs of Issuance	\$ 69,750
528-7502-02.5831	Costs of Issuance	\$ 25,000
528-7502-01.6013	Building Improvements	\$ 1,225,000

Total: \$ 15,600,000

And, that the following revenue finance these appropriations:

Account	Description	Amount
528-7501-01.9206	Transfer from Hotel/Motel Tax Fund	\$ 15,600,000

Section 2

And, that the appropriations of the Hotel/Motel Tax Fund are increased as follows:

Account	Description	Amount
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206-1001-02.6528	Transfer to Coliseum Capital Project Fund	\$ 15,600,000
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and, that the following revenue finance these appropriations:

Account	Description	Amount
206-1001-02.9000	Installment Financing Agreement	\$ 15,600,000

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

19. [ID 16-0188](#) Resolution Approving Construction Contract with Samet Corporation/SRS, Inc. as the CMAR to Build the Coliseum Field House

Councilmember Hightower confirmed that she had the same concerns as Mr. Cobb; referenced the price of the contract; asked for clarification on the seating requirements; and inquired about the signage.

Coliseum Director Matt Brown provided an overview of the building codes; spoke to special allowances; to market conditions; voiced the need to ensure the new sound system was compatible with the existing systems; spoke to the funding components; and confirmed that the local company of Davis Sign would provide the signage.

City Attorney Carruthers referenced Councilmember Hightower's concerns regarding competitive bids; spoke to CMAR requirements; referenced the language he had added to the resolution; and outlined the role of the CMAR in the project.

Councilmember Hightower voiced concern regarding landscaping and signage; asked for clarification on the bidding process; if the work was billed to the City; and voiced the need for rotation and inclusion in the bidding process.

Mr. Brown explained the process utilized for the landscaping and signage; verified there was no cost to taxpayers for the landscaping; stated staff worked with North Carolina Landscaping Association for the annual landscaping maintenance; and provided an explanation as to why the signage had not gone through the normal bidding process.

Councilmember Hightower emphasized she was all about saving money but voiced that the City needed to help people; added that she had received many complaints from people who could not get business from the City; spoke to the need to look at where the City needed to open up the process when it could; voiced the importance of education for contractors; and expressed concern with contractors required to read addendums that were three inches thick.

Johnny Sigers, representing Samet Corporation/SRS, Inc. provided an explanation of what was included in the bids; spoke to the need for minority firms who missed several items in their bids to withdraw that caused the M/WBE participation to decline; added that it was a learning process; and verified they wanted to increase the contractor colleges to further educate contractors on the bid process.

Councilmember Hightower requested staff review options to implement a vendor rotation system at the coliseum complex to increase subcontractor participation on future landscaping and signage work; voiced the need to streamline the process to have qualified contractors participate in City projects that were exclusive of bidding; and stated she was excited about the D League but stated she wanted people to feel like they could get work as the project was community economic development.

City Attorney Carruthers stated he appreciated Councilmember Hightower's comments, spoke to the CMAR process requiring goal setting and good faith efforts; and confirmed that the procedures for state law were followed.

City Manager Westmoreland spoke to the solicitation process used by Samet Corporation/SRS, Inc.; agreed that

there were areas the City could improve on; and verified the company had demonstrated a good faith effort and met the City and State requirements.

Mr. Brown stated for the record, that Samet Corporation/SRS, Inc. had done one of the best jobs that he had seen to date regarding the recruitment and solicitation for the project; confirmed that a lot of efforts needed to be made in education and the bid process; that he wanted to make the public aware that the company's efforts were extraordinary; and that they did a fabulous job.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

082-16 RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF CONTRACT WITH SAMET CORPORATION/SRS, INC. FOR THE NEW COLISEUM FIELDHOUSE

WHEREAS, on December 15, 2015, the City Council authorized negotiations with the Evaluation & Ranking Committee's number one ranked firm, Samet Corporation/SRS, Inc., to serve as the City's Construction Manager-At-Risk (CMAR) for the Coliseum Fieldhouse Renovations Project and conduct pre-construction services to provide cost estimates for the new Coliseum Fieldhouse;

WHEREAS, the new Coliseum Fieldhouse will be the home venue for the Greensboro Swarm, the Charlotte Hornets' new NBA Development League franchise;

WHEREAS, Samet Corporation/SRS Inc. has submitted a cost estimate as CMAR for the Coliseum Fieldhouse Renovations Project in the total amount of \$5,482,424.00 and between the Architect/Engineers, Samet Corporation/SRS, Inc. and Coliseum staff, this is the best cost estimate from the standpoint of the City;

WHEREAS, the total amount of \$5,482,242.00 includes an Owner's Allowance for the Fieldhouse's sound system provided by SE Systems, Inc. for approximately \$73,000.00, bleachers and seating provided by Irwin Seating Company for approximately \$803,000.00, signage provided by Davis Sign Company for approximately \$33,000.00. These direct purchases are required due to the overriding requirement of standardization and compatibility in accordance with State bidding laws.

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

That the findings above are hereby adopted and the Contract between the City of Greensboro and Samet Corporation/SRS, Inc. is hereby formally approved and the 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 \$5,482,424.00 from Account No. 528-7502-01.6013.

(Signed) Nancy Hoffmann

Mayor Vaughan stated it was the consensus of Council to hear Item #21 before Item #20; that there were approximately 15 speakers; and declared a recess at 7:30 p.m.

21. [ID 16-0321](#) Resolution to Oppose House Bill 2: Public Facilities Privacy & Security (Session Law 2016-3)

Council reconvened at 8:13 p.m. with all members in attendance.

Mayor Vaughan recognized Representative John Blust who voiced his opposition to the item.

Mayor Vaughan asked the audience to remain respectful during the speakers portion of the item; and stated speakers would have two minutes each to speak.

The following speakers spoke in favor of the item: Drew Wafford, 310 South Elm Street; Tia Charella, 310 South Elm Street; Lindy Garnette, 720 Lipscomb Road, Ryan Butler, 337 Gorrell Street, Nhawndie Smith, 1409 Perkins Street, Alexandra Hillen, 507 Mayflower Drive, Raul Zamora, 1820-G Boulevard Street, Kari Thatcher, 1410 Adams Farm Parkway, Anthony Muro, Jr. 830 West Market Street, Chris Sgro, 337 Gorrell Street and Clarence Henderson, 604 Rodford Street.

The following speakers spoke in opposition of the item: Cameron Hodge, 1503-B West Friendly Avenue, Chris Hardin, 7354 Buckland Drive, Matt McCell, 134 Snow Fountain Lane, James Piedad, 2520 Fernwood Drive, and Lawrence Martin, Jr. 2521 DonLora Drive.

Councilmember Hightower voiced her disturbance with some of the comments that had been made; stated it was one of the worst discrimination bills; spoke to respecting people; referenced the Bible; the minimum wage and economic development portions of the bill; emphasized the need to raise people up to live better lives; and stated she would support the resolution.

Mayor Vaughan emphasized that there had been a lot of discussion about bathrooms; that lots of people had daughters; voiced concern that the transgender community would be the victims; referenced other cities that had similar legislation to Charlotte; added that bringing minimum wage and employment into the bill were an overreach of the State government; stated the State was letting the people of Greensboro down; and that she hoped the Legislature would redraft the bill.

Councilmember Abuzuaiter voiced agreement with many of the speakers; reiterated that the Legislature was elected to represent the people; referenced the rally on Sunday; emphasized it was not about bathrooms but the overreach into local government; voiced the bill was bad for business; spoke to the repercussions against the state as a result of the bill; and stated she would support the resolution.

Councilmember Hoffmann asked how you made sense of something that was not sensible; emphasized that the bill took away the rights of citizens, put Greensboro in a very unfavorable light nationally; spoke to the economic development being at risk with major companies; the definition of democracy; emphasized the Legislature was obligated to protect minority rights, not oppress them; stated that House Bill 2 did not reflect the goodness of the majority of North Carolinians; and read a statement issued by the Board of Temple Emmanuel.

Councilmember Outling thanked the US Congressional candidates for stating they were seeking election; stated that the law was bad, inaccurate, simply not good; voiced the need to recognize that many people disagreed on the issue; emphasized that discrimination was discrimination which was bad for business; stated that the law was bad for the North Carolina economy; reminded Council that politicians consistently said they were for jobs and economic development; stated that for the General Assembly to enact this law, belied the misplaced authorities of the General Assembly; and added that he would support the resolution.

Councilmember Fox stated the need for more love not hate in this world; reminded Council that Dr. Martin Luther King, Jr. was assassinated 48 years ago; voiced that he opposed House Bill 2; that two wrongs did not make a right; spoke to the overreach of the Legislature; stated Greensboro was going through a renaissance; that the bill would not help move Greensboro forward; added that many things were wrong with the bill that was embarrassing for the state of North Carolina; referenced the assembly on Sunday; emphasized the need to continue to lead the change; and the need to stand together and move forward in the right direction.

Mayor Pro-Tem Johnson voiced agreement with her fellow Councilmembers; commended the eloquent statement of Temple Emmanuel; stated she had been a member of the Civil Rights Movement; that the bill was unfair, unjust and biased; that she had no fear of transgender people going into bathrooms; that the State was putting itself in a very bad place; and that she would support the resolution.

Councilmember Wilkins referenced a statement from City Attorney Carruthers regarding the full impact of the legislation; and stated, for the record, he would be voting against this resolution based on the bathroom portion of the bill.

(A copy of the statement read by Councilmember Hoffmann is filed in Exhibit Drawer Y, Exhibit No. 15, which is hereby referred to and made a part of these minutes.)

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, Nancy Hoffmann and Justin Outling

Nays, 1 - Tony Wilkins

083-16 A RESOLUTION TO OPPOSE SESSION LAW 2016-3/HOUSE BILL 2

WHEREAS, on February 22, 2016, the Charlotte City Council approved a local ordinance that adds marital status, familial status, sexual orientation, gender identity, and gender expression to its list of categories protected from discrimination in city contracting and public accommodations; and

WHEREAS, on March 23, 2016, in response to the Charlotte ordinance, the North Carolina General Assembly in special session ratified, and Governor Pat McCrory signed, House Bill 2 (Session Law 2016-3), the Public Facilities Privacy & Security Act; and

WHEREAS, House Bill 2 repealed the Charlotte ordinance by establishing new statewide standards for what constitutes discriminatory practice in employment and public accommodations; and by establishing new statewide requirements for bathrooms and changing facilities in all public agencies, including schools; and

WHEREAS, the omission of sexual orientation, gender identity, gender expression, and other categories from the statewide list of categories protected from discrimination means that not only are protections on these bases not available through state law, but further, that local governments are preempted from offering these protections to their residents; and

WHEREAS, House Bill 2 diminishes the legislative authority of local governments to govern in the areas of anti-discrimination, minimum wage, minority and women's contract goals, labor, employment and public accommodation; and

WHEREAS, the legislation is inconsistent with Section 19, the Law of the Land of the North Carolina Constitution and the Equal Protection Clause of the United States Constitution; and

WHEREAS, the City of Greensboro is a community dedicated to the principles of equality, nondiscrimination, and full inclusion and engagement by any resident in the civil rights, benefits, and privileges of all residents; and

WHEREAS, Section 2-202 of the City of Greensboro Code of Ordinances provides, "It is the policy of the City that the City will not discriminate on the basis of sex, race, gender, color, ethnicity, national origin, age, familial status, military status, political affiliation, religion, physical or mental disability, genetic information, sexual orientation, gender expression, or gender identity in authorizing or making available the use of city facilities or in the delivery of city programs, services or activities;" and

WHEREAS, the City of Greensboro is a municipal corporation of the State of North Carolina enabled by the General Statutes of North Carolina to preside over the health, safety and welfare of its residents, and local control over its own affairs should not be superseded by the General Assembly;

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

SECTION 1. The City of Greensboro City Council reaffirms its support for protecting and advancing the constitutional rights and equitable treatment of all residents.

SECTION 2. The City of Greensboro affirms its prohibition against discrimination in City services and does not discriminate on the basis of sex, race, gender, color, ethnicity, national origin, age, familial status, military status, political affiliation, religion, physical or mental disability, genetic information, sexual orientation, gender expression, or gender identity in authorizing or making available the use of city facilities or in the delivery of city programs, services or activities.

SECTION 3. The City of Greensboro City Council opposes House Bill 2 because it removes local control over matters governing the welfare of its residents.

SECTION 4. The City of Greensboro City Council asks the City of Greensboro's City Clerk to send copies of this resolution to the members of the Guilford County delegation to the General Assembly.

(Signed) Sharon Hightower

20. [ID 16-0230](#) Body Worn Camera Policy Discussion

Councilmember Barber left the meeting at 9:17 p.m. and returned at 9:19 p.m.

City Manager Westmoreland stated the item was being presented this evening upon the recommendation of the Public Safety Committee; and recognized City Attorney Carruthers for a presentation.

City Attorney Carruthers began the PowerPoint Presentation (PPP); spoke to the learning curve for the City; stated that the American Civil Liberties Union of North Carolina (ACLU) was present; and introduced Police Officer Justin Flynt to speak to the item.

Councilmember Fox left the meeting at 9:18 p.m. and returned at 9:24 p.m.

Officer Flynt provided the number of and breakdown of units that utilized body worn cameras; spoke to the approximate 80 hours of video collected daily; outlined the retention categories; and the requirements for maintaining the data from said cameras.

City Attorney Carruthers provided an overview of the three intercepting statutes pertaining to body worn camera public records that circled but did not solve the problems created by the issue; commended Officer Flynt for his work; added that there were conflicting laws; confirmed that new technology was controlled by old laws; and spoke to the rights of citizens to obtain copies of footage as well as the foreseeable costs.

Councilmember Wilkins left the meeting at 9:23 p.m. and returned at 9:33 p.m.

City Attorney Carruthers outlined the personnel statute; spoke to who could release said video; content that could be released; voiced concern with right to privacy issues; and spoke to the review/redaction process.

Councilmember Barber left the meeting at 9:27 p.m. and returned at 9:33 p.m.

City Attorney Carruthers referenced the McDonald versus Suggs case regarding dashboard camera footage; reviewed the language that was on the City's Legislative Agenda in 2015; spoke to the review by criminal defendants; and provided the estimated cost for implementation.

Councilmember Outling confirmed that the estimates shown on the chart in the PPP were in accordance with the policy he and Mayor Vaughan had proposed, should Council elect to adopt it.

City Attorney Carruthers outlined the suggested path going forward; spoke to who had rights to review the footage; the potential to obtain a Declaratory Judgment; confirmed there were many conflicting interests and opinions; and recognized Susanna Birdsong with the ACLU.

General Counsel of the ACLU Susanna Birdsong thanked Council for their previous vote; provided a PowerPoint Presentation (PPP) that outlined the ACLU's interests; work to protect privacy and individual rights; spoke to the potential of body worn cameras impact on privacy; confirmed that the ACLU supported body worn cameras; had consulted with several law enforcement agencies around the state; provided an overview of how the body worn cameras could be a 'win-win'; spoke to the framework that would need to be in place; provided an overview and quotes for implementing a successful body worn camera framework; and outlined the ACLUs opinion on access to recordings.

Discussion took place regarding whether the ACLU had pursued a Declaratory Judgment; streaming video in real time should officers consent; North Carolina law limiting access and frustrating the purpose of body worn

cameras; and the ability and authority of the City Council and the City Manager to release information.

Mayor Pro-Tem Johnson left the meeting at 9:42 p.m. and returned at 9:46 p.m.

City Attorney Carruthers spoke to where the City differed from the ACLU; referenced comments by professors regarding disciplinary action; and release of information where a disciplinary action had been taken.

Discussion continued regarding there being no case law on point; differences of opinion; the need to maintain public confidence; types of access to video recordings; appreciation for the ACLU's presentation and opinion on the issue; and parental right to access video from school resource officers.

Mayor Vaughan stated Council would hear from speakers for the item.

Lewis Pitts, 129 Tate Street spoke to the lack of current case law; to fundamental policies that gave guidance; provided a handout which included a proposed draft ordinance; referenced the Public Records Act of the state; spoke to the general rule of the American political system; stated he wanted to ensure the policy enhanced public confidence; and spoke to footage gathered being public business and to holding government accountable.

Councilmember Hightower voiced concern with releasing information to anyone who requested it.

Discussion took place regarding the need for continued public discussion; possible impact on persons calling 911; length of time the item had been discussed in committee and by Council as a whole; impact on citizens; not rushing the item through; some members not being comfortable with only one full Council discussion on the issue; and the need for additional full Council discussion.

City Manager Westmoreland confirmed that the outcome of the discussion tonight would dictate the next steps moving forward for the issue.

Toni Etheridge, 929 D College Road commended the vote on the House Bill 2 resolution; spoke to having reasonable access to the recordings; to the rights of people of the state being consistent with the North Carolina Constitution; to community government's support of transparency; referenced the resolution authorizing use of the body cameras; emphasized the recordings should offer legitimacy and transparency; and voiced support for the removal of the privacy conditions.

Kahlil Perine, 5800 West Friendly Avenue stated relations between police and communities could be improved through the release of footage; spoke to the reasons why footage should be released; and asked that footage be made public record.

Naomi Madaras, 7065 West Friendly Avenue voiced support in making the recordings a public record; referenced comments by the author of the New Jim Crow; emphasized that the community had asked for this for quite some time; spoke to marginalized communities; and asked that the information be made available.

Roch Smith, Jr., 3605 Wilshire Drive spoke to the presumption in the proposed policy provided by Mayor Vaughan and Councilmember Outling; to Police Chief Scott's comments at the Public Safety Committee meeting; referenced a 2013 resolution adopted by Council; spoke to the video language in the proposed policy; confidentiality of personnel records; suggested that the videos were public record by default; added that federal law provided for privacy rights under certain instances; voiced concern with a policy that was secretive and restrictive; and asked Council to consider the proposal provided by Mr. Pitts.

Irving Allen, 1413 Blueberry Lane commended the discussion; suggested that the City take some of the public funding and give it towards community causes; stated he had been engaged in the conversation for almost two years; voiced the opportunity for the community to work together; stated he would not be against having a slower conversation; asked Council to consider the proposal by Mr. Pitts; and voiced appreciation for adoption of the resolution regarding House Bill 2.

Mayor Vaughan recognized Police Chief Scott who provided the history of the item; confirmed Greensboro was one of the first cities to have this conversation; verified the City's policies aligned with the ACLU

recommendations; emphasized that he wanted to make sure that everyone watching understood; that the Greensboro Police Department wanted to be transparent; spoke to discussions that had taken place; to being in violation with the current law; referenced possibly seeking a Declaratory Judgment; voiced the need to ensure the City moved forward in the correct way; and referenced the poor quality of live streaming video. Police Chief Scott reiterated the need to think more long term; emphasized that there was more to the redaction process than just faces; spoke to officers going into the most private parts of peoples' lives; added that Greensboro was having conversations that no one else was having; that he was not in favor of releasing any video that had not been reviewed; emphasized the need to put human eyes on every piece of video prior to redaction; and voiced concern with hindering public safety.

Councilmember Outling referenced the cost differences between what release of footage would look like; spoke to who would review the video; and the proposed policy requiring a Declaratory Judgment should Police Chief Scott be in favor of that.

Police Chief Scott verified that staff did not know how many people would request to see the video they were in; addressed staffing; the cost of adding a single employee; and confirmed he would be in favor of a Declaratory Judgment.

Councilmember Hightower asked for clarification on the Declaratory Judgment piece; and if it would be limited only to those in the video footage.

Discussion took place regarding the proposed policy; privacy concerns; who would be allowed to see the video; the need to have a finding by a majority of Council; the Declaratory Judgment not being part of the proposed policy; goal of the proposed policy; things that needed to be considered prior to adoption of the policy; whether Chief Scott had discussed the proposal with the patrol units; timeframe for adoption of the proposal; and the patrol units being comfortable with the proposal.

Councilmember Fox commended Mayor Vaughan and Councilmember Outling on their due diligence; and stated he hoped they would work with Councilmember Abuzuaiter on a draft that would include information suggested by Mr. Pitts.

Councilmember Abuzuaiter thanked those who worked on the proposed policy; emphasized the need for input from the community and the Police Department; voiced the importance in being fair and balanced; and appreciation for the discussion.

Mayor Vaughan spoke to what Council's intentions were; referenced the memo she had written several years ago; the decision by the legal staff; confirmed she stood by what she initially wrote; and added that technology had gotten ahead of public records.

City Manager Westmoreland stated the item would be added to the April 11, 2016 Public Safety Committee agenda; that staff would develop a framework for additional Council/public discussion; and help facilitate Council consecration of the item at the May 3rd meeting of Council.

Mayor Vaughan thanked Attorney Birdsong for coming.

(A copy of the PowerPoint Presentations are filed in Exhibit Drawer Y, Exhibit No. 15, which is hereby referred to and made a part of these minutes.)

22. [ID 16-0272](#) Boards and Commissions Listing for April 5, 2016

Mayor Vaughan stated board and commission appointments would be moved to the April 19th meeting of Council.

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

Mayor Pro-Tem Johnson stated that voting for Participatory Budgeting projects would take place on Monday, April 11th; encouraged citizens to vote; and stated a list of projects was located on the City website.

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 Councilmember Fox, seconded by Councilmember Hoffmann, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 10:34 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR