



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, September 20, 2016

5:30 PM

Council Chamber

Call to Order

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

Present: 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 Deputy City Clerk Angela R. Lord.

4. [ID 16-0759](#) Resolution Recognizing the Guilford College/New Garden Area as a Heritage Community

Mayor Vaughan requested a motion to postpone the item to the October 4th meeting of Council.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson, to postpone the item to the October 4, 2016 meeting of Council. The motion carried by voice vote.

26. [ID 16-0635](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 5812, 5908 and 5910 Lake Brandt Road and 2000 and 2020 Trosper Road - 16.78-Acres
27. [ID 16-0736](#) Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan
28. [ID 16-0734](#) Ordinance Establishing Original Zoning for Property Located at 5812, 5908 & 5910 Lake Brandt Road, 2000 & 2020 Trosper Road and a Portion of the Trosper Road Right-of-Way
29. [ID 16-0735](#) Ordinance Establishing Original Zoning for a Portion of Lake Brandt Road Right of Way

Mayor Vaughan requested a motion to postpone items #26, #27, #28 and #29.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to postpone items #26, #27, #28 and #29 to the October 18th meeting of Council without further advertising. The motion carried by voice vote.

Councilmember Fox asked if both parties were in agreement with the postponement; and if the information had been relayed to the community.

Mayor Vaughan confirmed both parties agreed to the item being postponed; and spoke to the actions being taken to alert the community.

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower
to go into closed session to preserve the attorney-client privilege and to**

consider and give instructions to legal counsel concerning the handling or settlement of the case of LaMonte Burton Armstrong v. City of Greensboro, et al. , pursuant to G.S. 143-318.11(a) (3); to prevent the disclosure of personnel information that is privileged or confidential under G.S. 160A-168 but which is necessary and essential to the proper function of Council to inspect and which is not considered a public record within the meaning of Chapter 132 of the General statutes pursuant to G.S. 143-318.11(a) (1) because it is also a criminal investigative record under G.S 132—1.4; and to consider the qualifications, competence, performance, character and fitness of public officer or an employee pursuant to N.C.G.S. Sections 143-318.11(a) (6). The motion carried by voice vote.

Council recessed to closed session at 5:05 p.m.

Council reconvened into open session at 7:15 p.m. with all members in attendance.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson to return to open session. The motion carried by voice vote.

Mayor Vaughan offered apologies for the length of time of the closed session.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Councilmember Hightower to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Kiran Purswani of the Information Technology Department 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 16-0644](#) Resolution Honoring the Memory of the Late Walta Mae Higgins Johnson

Mayor Pro-Tem Johnson read the resolution into the record; and presented the resolution to the family.

A representative of the family thanked Council; and expressed appreciation for the recognition.

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

301-16 RESOLUTION HONORING THE MEMORY OF THE LATE WALTA MAE HIGGINS JOHNSON

WHEREAS, on July 13, 2016, this community lost one of its outstanding community leaders with the passing of the late Walta Mae Higgins Johnson at the age of 84;

WHEREAS, Ms. Johnson, was a native of Waynesboro, Georgia and relocated to Greensboro where she

attended the Greensboro City Schools, graduating from James B. Dudley High School in 1948;

WHEREAS, she received a Bachelor of Science Degree in Elementary Education from North Carolina A&T State University in 1952; and began her 34 year career in education in the Greensboro City School system as an elementary teacher and reading specialist;

WHEREAS, Ms. Johnson was an active member of the North Carolina Association of Teachers during her teaching career;

WHEREAS, as a member of New Zion Missionary Baptist Church for over 50 years, Ms. Johnson served on various church organizations including Missionary Group #2, the Board of Directors, Women's Sunday School Class, W.D. Johnson Choir, Women's and Senior Choirs, W.D. Johnson Scholarship Committee, Trustee Board, Devotional Leader for Eleven o'clock Wednesday Bible Study, Member of the Voices of Vision and was the "2010 New Zion Mother of the Year";

WHEREAS, Ms. Johnson was a member of Les Joillettes, The Double Deckers and The Seidals;

WHEREAS, the City Council wishes to express its sense of loss and sincere appreciation and gratitude for the many years of dedicated public service rendered by Walta Mae Higgins Johnson, the outstanding contributions she has made to the community, and the legacy she leaves.

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

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

(Signed) Sharon Hightower

2. [ID 16-0325](#) Resolution Recognizing Doctor Gregory T. Headen on his Retirement from Genesis Baptist Church

This item was postponed to the October 4th meeting of Council.

3. [ID 16-0737](#) Be Greensboro Employee Recognition Campaign

City Manager Westmoreland recognized employees being honored; spoke to the nomination of employees by peers and/or citizens; providing excellence in service to the community; stated sixty-eight employees from fifteen departments were being honored; and that over 170 employees had been recognized during this year's campaign.

[ID 16-0791](#) Resolution with regard to Body Worn Camera Release

Mayor Vaughan addressed the item; and recognized City Attorney Tom Carruthers to speak to the item.

City Attorney Carruthers referenced arrests made in 2016; personnel concerns; stated Council had requested a resolution; two Greensboro Police officers had responded to the call; and recognized Police Chief Wayne Scott to present the full details of the incident.

Police Chief Scott spoke to a suspicious subject call on June 17, 2016 that Officer Travis Cole responded to; outlined the details of the incident; and spoke to the investigation concerning the use of force.

Councilmember Outling spoke to relaying the public facts; and inquired about the release of the body worn camera footage.

City Manager Westmoreland referenced the motion from the closed session; and confirmed the process for release of the video.

Councilmember Fox advised that he made a motion that was seconded by Mayor Pro-Tem Johnson to release all videos relating to this incident no later than October 1st.

Discussion took place regarding the release of videos on Monday, September 26th at 1 p.m.

City Attorney Carruthers outlined the recommendation of the City Manager to release the videos in order to maintain public confidence.

Councilmember Barber stated he would vote 'No' on the item; explained the reasoning behind his vote; spoke to the inappropriate behavior and resignation of the officer; the professionalism of the secondary officer; and voiced concern that Officer Jackson did not consent to the release of the video.

Mayor Vaughan voiced support for the motion; spoke to public interest and transparency; referenced a previously adopted policy; and voiced a desire that the situation had been handled differently.

Councilmember Hightower voiced support for the motion; spoke to building public trust; expressed that she was disturbed by the incident; voiced concern with the length of the process; and referenced incidents between the police and the community.

Councilmember Wilkins asked if there had been an injury as a result of the incident; if a complaint had been filed; reiterated the concerns expressed by Councilmember Barber; confirmed that the secondary officer had not agreed to the release of the videos; voiced concerns regarding liability to the City; and stated he would support release of only Officer Cole's body worn camera video.

Discussion continued regarding the interaction between Officer Cole and Mr. Yourse; and staff's recommendation.

Councilmember Outling spoke to the exceptional job of the Greensboro Police Department; to a future resolution to address the issue; public safety; Council moving in the right direction; the wrongful conduct of the officer; voiced disagreement with Councilmembers Barber and Wilkins; spoke to public confidence; and to balancing the views of the officers.

Councilmember Fox spoke to the release of both videos to give the full picture; a zero tolerance; voiced concern with the process; requested staff to communicate similar incidents to Council going forward; and to reduce the timeframe for investigating incidents.

Police Chief Scott confirmed the process would be reviewed; and that there were no additional incidents that Council needed to be made aware of.

Mayor Pro-Tem Johnson voiced agreement with Councilmembers Fox and Outling; spoke to the history of the body worn cameras; stated she was disturbed by the video; referenced the incident in Ferguson; and spoke to being more effective and taking precautions.

Councilmember Hoffmann stated she would vote to release the footage for public trust and confidence; spoke to the inappropriate actions of the officer; reiterated that Police Chief Scott would be reducing the investigation timeline; spoke to an opportunity for additional training; the need for patience and understanding by police officers; and commended staff on the use of updated technology.

Councilmember Abuzuaiter spoke to the percentage of officers that were courteous; voiced support of the release of the video; spoke to the mistreatment of citizens; and voiced appreciation to Police Chief Scott for working to resolve the issue.

Discussion ensued regarding commendation of the Greensboro Police Department; public safety; disclosure of the video; a Chicago incident; the policy Council adopted regarding release of body worn camera footage; future legislative action; communication concerns; a responsibility to the citizens; Council being tasked with providing leadership; tolerance of police behaviors; a suspect's compliance to officers; physical confrontations; and

inappropriate police action.

Councilmember Barber called the question.

Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson, to release all body worn camera videos associated with the incident that occurred on June 17, 2016 no later than October 1, 2016. The motion carried on the following roll call vote:

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann and Justin Outling

Nays, 2 - Mike Barber and Tony Wilkins

302-16 RESOLUTION FOR DISCLOSURE OF BODY WORN CAMERA VIDEO

Re: Involving Interaction Between Officer Travis Cole and Citizen Dejuan Yourse

WHEREAS, on June 17, 2016, a use of force by Greensboro Police Officer T. Cole involving citizen Dejuan Yourse was recorded by body worn cameras (BWC) used by Officer Cole and a second officer in accordance with the policies of the Greensboro Police Department (GPD); and

WHEREAS, under current State law and City policy the recordings of the encounter with Mr. Yourse are part of the personnel records of municipal employees and therefore declared a confidential record; and

WHEREAS, Officer Cole was placed on administrative duty on August 10, 2016 and resigned from GPD on August 19, 2016; and

WHEREAS, any further disclosure of the BWC footage may only be made if the City Manager, with concurrence of the Council, determines in writing that the disclosure of the body worn camera recordings and related necessary information are essential to maintaining public confidence in the administration of city services where such records relate to the employment, transfer, reinstatement or other disciplinary action of a city employee, and the reasons for these actions under G.S. § 160A-168, and that any disclosure would not otherwise violate state law; and

WHEREFORE, the City Manager has submitted these necessary findings which are adopted and incorporated;

ACCORDINGLY, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. City Council concurs with the City Manager and determines that in order to maintain public confidence in the actions of the Greensboro Police Department, it is essential to release all body worn camera recordings depicting Officer Travis Cole's interaction with Dejuan Yourse on June 17, 2016, and all disciplinary actions and personnel actions related to GPD's interaction with Dejuan Yourse. Chief of Police Wayne Scott is directed to prepare and disseminate, on Monday, September 26, 2016, at 1:00 p.m., a press briefing which will include disclosure of all body worn camera recordings, and related necessary information, of Officer Cole's interaction with Dejuan Yourse on June 17, 2016. This press briefing will be posted on the City website.

(Signed) Jamal Fox

II. PUBLIC COMMENT PERIOD

Councilmembers Barber and Wilkins left the meeting at 8:01 p.m. and returned at 8:05 p.m.

Laura Lorenz, 8 Forest Hill Court provided details for the 7th Annual Run for the Greenway event in Cumberland Park; thanked the Police and Transportation Departments for support; provided handouts and t-shirts to Council; stated Councilmember Outling and his family would be participating in the run; and provided plans for the Greenway with proceeds from the event.

J.P. Swisher provided a brief history of attendance to past National Collegiate Athletic Association (NCAA) events;

voiced concerns with NCAA not honoring an agreement with the City for political reasons; highlighted the recent Folk Festival; expressed that Greensboro and Charlotte were being punished as a result of HB 2; and voiced disappointment that the Atlantic Coast Conference (ACC) had also pulled events from Greensboro.

City Attorney Carruthers spoke to the terms of contracts; the right to terminate; the long standing partnerships; and stated the entities had indicated they would return for future events.

Discussion took place regarding the cancellation of Bruce Springsteen and the Cirque du Soleil; and the retaining of deposits for events.

Councilmember Barber voiced concerns with the ordinance that had been adopted in Charlotte; spoke to an overreaching legislature; the need to repeal House Bill (HB) 2; the effect on citizens in North Carolina; jokes made regarding the issue at a youth sporting event; and stated someone needed to take the first step.

Councilmember Hightower thanked the speaker for his comments; referenced conversations with staff at the Coliseum; spoke to the impact on local restaurants and hotels; and asked about the deposit made by promoters.

City Attorney Carruthers spoke to a \$5000 deposit.

Mayor Vaughan spoke to the news regarding the NCAA and the ACC; a scheduled soccer championship that was to take place at the University of North Carolina at Greensboro; the impact of losing pending bids; provided a personal history that tied her family to the ACC; stated Greensboro was a tournament town; and spoke to the impact on facilities, the budget, and the community of workers.

Discussion ensued regarding the Steven Tanger Center; the need to invest in the City; assurance from the Community Foundation regarding pledges; the state legislature repealing the law; and to the reduction of damage.

Nancy Poulos, 3308 North Hampton Drive representing Saint Barnabas Episcopal Church voiced concerns regarding the impact of homelessness on the City; spoke to people with mental illness; referenced budget allocations; spoke to housing for people with disabilities; and requested Council support on the housing bonds.

Mayor Vaughan advised James Womack that the Council could not engage in discussions regarding a business plan.

Mr. Womack voiced concerns with the current state of Maplewood Cemetery; stated it was the oldest cemetery in Greensboro; spoke to a Veteran's section; and to pressure washing monuments.

Councilmembers Abuzuaiter and Hightower expressed concerns with pressure washing the monuments.

Mr. Womack confirmed areas would be tested prior to the use of chemicals or pressure washing; and referenced previous attempts by volunteers.

Councilmember Hightower requested Parks and Recreation cemetery staff work with Mr. Womack regarding the Maplewood cemetery proposal.

Peter Boyd-Bowman, 909 King George Drive spoke to illegally posted signage; provided a history of efforts by himself and his wife to remove said signage; referenced conversations with Councilmember Wilkins; spoke to enforcement of the law; an opportunity to beautify the City; limited resources; and the need to collect signs monthly.

Councilmember Wilkins confirmed that the City had addressed the issue with the top four violators; outlined requirements for removal of said signs; and stated that fine revenues were allocated to the School Board.

Discussion took place regarding changes to a fee based penalty; and offenders not being residents of Greensboro.

Zack Matheny, 122 North Elm spoke to the importance of investing in the community; highlighted a Bond

Campaign event; and invited the Council and community to attend.

Discussion continued regarding plans for the Downtown area; the time of the meeting; an annual meeting on October 19th; signage for "Say Yes for Bonds"; information on website; and the marketing campaign.

Sheik Martin El, 501 Creek Ridge Road, representing the Morrish Science Temple Of America spoke to community outreach; promoting a better understanding with groups that cause misunderstandings; referenced an email sent to Mayor Vaughan; spoke to social unrest; the need for comfort, peace, and safety; and to resolving issues.

Cardes Brown, 6106 Longbrandt Court spoke to Council efforts to restore public confidence; the incident involving Officer Cole; the need for representation of the citizens; referenced a current Charlotte Police involved shooting; and stated the importance of transparency.

Mayor Vaughan reiterated thanks for the speakers from the floor waiting for Council to return from the closed session.

III. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda; and stated staff had requested item #10 to be postponed to a future meeting of Council.

Councilmember Hightower requested items #8 and #9 to be removed for discussion.

Moved by Councilmember Fox, seconded by Councilmember Abuzuaiter, to adopt the consent agenda as amended. The motion carried by the following 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

5. [ID 16-0762](#) Resolution Approving a Grant to Greensboro Boxwood Associates, Incorporated for the Reconstruction of a Historic Street Wall at 110 South Mendenhall Street in the College Hill Historic District

303-16 RESOLUTION APPROVING A GRANT TO GREENSBORO BOXWOOD ASSOCIATES, INCORPORATED. FOR THE RECONSTRUCTION OF A HISTORIC STREET WALL AT 110 SOUTH MENDENHALL STREET IN THE COLLEGE HILL HISTORIC DISTRICT

WHEREAS, the College Hill Municipal Service District Plan recognizes the importance of the historic street walls to the character of the Historic District;

WHEREAS, many of the historic street walls are not in good condition and are at risk of being lost, diminishing the special character of the Historic District;

WHEREAS, recognizing the high cost of properly repairing historic street walls, a reimbursement program using Municipal Service District tax revenue was established to encourage their preservation;

WHEREAS, College Hill property owners are eligible for a grant of up to 50% of the cost of repairing historic street walls, up to \$10,000;

WHEREAS, the granite street wall in front of 110 South Mendenhall Street is particularly important to the character of the Historic District and is in very poor condition.

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

That the grant to Greensboro Boxwood Associates, Incorporated for the Repair of the Granite Street Wall at 110 South Mendenhall Street is hereby approved.

(Signed) Jamal Fox

6. [ID 16-0773](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Alex Ritchy Located at 500 E. Washington Street in connection with the Downtown Greenway Phase 2 Project.

304-16 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF ALEX RITCHY, IN CONNECTION WITH THE DOWNTOWN GREENWAY PHASE 2 PROJECT

WHEREAS, Alex Ritchy, is the owner(s) of certain property located 500 E. Washington Street, designated as Parcel # 0002624 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Downtown Greenway Phase 2 Project;

WHEREAS, negotiations with the owner at the appraised value of \$1,300.00 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 portion 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 \$1,300.00.

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 portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$1,300.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-18.6012 Activity #A15130.

(Signed) Jamal Fox

7. [ID 16-0774](#) Authorization for the City Manager to Approve the Mutual Settlement Agreement and Release Between AT&T and the City of Greensboro in the Amount of \$68,726.54 for AT&Ts Installations in the City's Rights-of-Way

305-16 RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE MUTUAL SETTLEMENT AGREEMENT AND RELEASE BETWEEN AT&T AND THE CITY OF GREENSBORO IN THE AMOUNT OF \$68,726.54 FOR AT&TS INSTALLATIONS IN THE CITY'S RIGHTS-OF-WAY

WHEREAS, AT&T has facilities located within the City's rights-of-way and may seek to place facilities within the rights-of-way in the future;

WHEREAS, the City possesses jurisdiction as provided by state law over its public rights-of-way within the corporate boundaries of the City;

WHEREAS, the City of Greensboro invoiced AT&T for its installations in the City's right-of-way, and the invoices totaled \$131,006.16 for the past two years;

WHEREAS, a dispute arose between the City and AT&T regarding the fees for which the City invoiced AT&T, and the City and AT&T entered into a Tolling Agreement on August 30, 2013;

WHEREAS, subsequent negotiations resulted in the parties entering into a Mutual Settlement Agreement and Release in the amount of \$68,726.54 to settle disputed claims;

WHEREAS, in 2015, City Council reduced the per-linear-foot fee from \$1.50 per-linear-foot to \$0.30 per linear foot;

WHEREAS, the settlement amount of \$68,726.54 reflects the revised \$0.30 per linear foot fee as applied to the past two years of billing.

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

The City Council authorizes the City Manager to approve the Mutual Settlement Agreement and Release between AT&T and the City of Greensboro in the amount of \$68,726.54.

(Signed) Jamal Fox

11. [ID 16-0711](#) Resolution Authorizing Contract # 2015-10274 Amendment #2 with Motorola Solutions, Inc. for Radio Repair Bank Services

306-16 RESOLUTION AUTHORIZING CONTRACT # 2015-10274 AMENDMENT #2 WITH MOTOROLA SOLUTIONS, INC. FOR RADIO REPAIR BANK SERVICES

WHEREAS, Guilford Metro 911 is responsible for maintaining the Guilford County-wide Motorola Radio System; and

WHEREAS, the current contract extends through the Migration Assurance Program (MAP) upgrade project scheduled for completion in 2019; and

WHEREAS, the contract, in its second of four years, will exceed \$100,000, which requires City Council approval; and

WHEREAS, On July 1, 2014 City Council established a capital improvement project budget for new radio tower installations and radio equipment installations; and

WHEREAS, a master agreement, Contract # 2014-5294 with Motorola, provides support through a Migration Assurance Program; this program assures that all legal and technical requirements will be met through the duration of the project; and

WHEREAS, additional contracts, including the Radio Repair Bank contract, are also necessary to support the capital project; and

WHEREAS, Motorola performs repairs on radio equipment for radios the technical staff is unable to repair themselves; and

WHEREAS, radio repairs may also include radios of other regional emergency service providers, who use Guilford Metro 911 for their radio maintenance; and

WHEREAS, only Motorola Solutions (Motorola) and their recommended vendors provide services on the proprietary Motorola system, which includes radios, other equipment and radio towers, and

WHEREAS, Motorola's Radio Repair Bank Program requires a pre-payment of \$72,000 annually, which they match with an annual \$8,000 credit for additional radio repair services, and

WHEREAS, the current contract value is estimated at \$99,000 for the prior year and a portion of the current fiscal year; and

WHEREAS, the balance of funding needed for the current fiscal year is estimated at \$45,000 and is available in account # 681-3904-04.5419; the estimated increase of an additional \$144,000 is requested to cover years three and four of the contract; this total contract amendment is estimated not to exceed \$189,000 for a total estimated contract value of \$288,000.

WHEREAS, future fiscal year funding is subject to appropriations by City Council through the annual budget process.

NOW THEREFORE BE IT RESOLVED BY THE GREENSBORO CITY COUNCIL

That this Resolution Authorizing Contract # 2015-10274 Amendment # 2 with Motorola Solutions, Inc. for Radio Repair Bank Services is hereby approved.

(Signed) Jamal Fox

12. [ID 16-0522](#) Resolution Authorizing Contract # 2016-10454 With First Point Collection Resources, Inc. for Collection of Delinquent Parking and Utility Fines and Fees Services

307-16 RESOLUTION AUTHORIZING CONTRACT # 2016-10454 FOR COLLECTION OF DELINQUENT PARKING AND UTILITY FINES AND FEES SERVICES

WHEREAS, the Collections Division of the Financial & Administrative Services Department is responsible for collecting a variety of delinquent fees including parking tickets and non-lienable utility balances;

WHEREAS, the Collections Division has outsourced the collections for delinquent parking ticket and utility balances since February 2012 while maintaining various other collection services in-house;

WHEREAS, the City's outstanding delinquent parking ticket and utility balances is estimated at \$2.6 million (11 years of tickets) and \$300,000, respectively;

WHEREAS, the current average collection rate for parking ticket revenue per year is 76% (87% of tickets issued);

WHEREAS, the rate for overall water utilities is 99% and graphs representing parking dollars collected versus outstanding balances, historical progression of parking ticket collections, and parking fines collected from the NC Debt Set-Off program were provided for additional information;

WHEREAS, at the request of the Collections Division, the Centralized Contracting Division conducted an on-line competitive Request for Proposals for Parking Ticket and Utility Collections Services through the Greensboro Electronic Procurement System (GePs);

WHEREAS, responses were reviewed by a Selection Committee, who recommended FirstPoint Collection Resources, Inc. based on the best value standard of award;

WHEREAS, FirstPoint's estimated collection rate is 40% for parking and 30% for utility debts; the collection agency's fee is 20% of the collected balances;

WHEREAS, the Collections Division and Centralized Contracting Division concur in their recommendation to award the contract to First Point Collection Resources, Inc., with offices located in Greensboro, NC;

WHEREAS, the estimated annual contract cost is \$75,000; the cost for the three-year term is estimated at \$225,000; the estimated total cost including two potential additional one-year renewals is \$375,000; the overall proposed net revenue from the collections service on the current outstanding debt is estimated at \$904,000 (after contracted service costs) over the three year contract term.

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

That this resolution authorizing Contract # 2016-10493 for collection of delinquent parking and utility fines and fees services is hereby approved.

(Signed) Jamal Fox

13. [ID 16-0769](#) Resolution Approving a Contract with HDR Engineering, Inc. of the Carolinas for Professional Services Contract for the Old Battleground Water Line Extension Project

308-16 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$109,200 HDR ENGINEERING, INC. OF THE CAROLINAS FOR PROFESSIONAL SERVICES CONTRACT FOR THE OLD BATTLEGROUNDS WATER LINE EXTENSION PROJECT

WHEREAS, the Old Battleground Water Line Extension project consists on the installation of approximately 2,650 feet of 24-inch water main along Old Battleground Ave. to an existing line 500 feet north of British Lake Drive;

WHEREAS, the project will improve pressure and flow around Battleground Ave. and Westridge Road;

WHEREAS, work under this contract consists of engineering design, permitting, bid preparation and construction administration services for the construction of the water line extension;

WHEREAS, the professional services of HDR Engineering, Inc. of the Carolinas (HDR), an on-call consultant, with Crittek Engineering Group, PC. a Minority Business Enterprise within the ten county MSA and part of the HDR on-call services team, will be utilized to provide design and construction administration services for the installation of the water line extension;

WHEREAS, the anticipated MBE utilization for this design services contract is 85.8% of the total contract amount.

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

That the City is authorized to enter into a contract with HDR Engineering, Inc. of the Carolinas to provide Professional Services for the design of the Old Battleground Water Line Extension project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$109,200 from Water Resources Capital Fund Account No. 503-7026-04.5410.

(Signed) Jamal Fox

14. [ID 16-0714](#) Resolution Authorizing the Award of Contract 2016-10474 to Kleen It Up, Inc. for Janitorial Services at the Greensboro Transit Authority Administrative Building

309-16 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10474 TO KLEEN IT UP, INC. FOR JANITORIAL SERVICES AT THE GREENSBORO TRANSIT AUTHORITY ADMINISTRATIVE BUILDING

WHEREAS, the Transportation Department requires janitorial cleaning services at the GTA Administrative Building that will be managed by the Engineering & Inspections Department; and

WHEREAS, the proposed contract award exceeds \$100,000; and

WHEREAS, in accordance with current City policy, contracts exceeding \$100,000 in value require City Council approval; and

WHEREAS, the Transportation Department requested that the Centralized Contracting Division conduct an on-line competitive Request for Bids (RFB) for Janitorial Services at the GTA Administration Facility through the Greensboro Electronic Procurement System (GePS) in Event #8252; and

WHEREAS, the Centralized Contracting Division, Transportation Department and Engineering & Inspections Department concur in this recommendation to award the contract to Kleen It Up, Inc., a corporation with offices located in Greensboro, NC; and

WHEREAS, the recommendation for selection is based on the lowest responsive, responsible bidder standard of

award; and

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The estimated amount is for \$58,800 annually; \$176,400 for the three-year term; and \$294,000 for the potential five-year term; and

WHEREAS, funding for this agreement is available in the current fiscal-year budget; and

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget; and

NOW THEREFORE BE IT APPROVED BY THE CITY COUNCIL OF GREENSBORO

That the resolution authorizing the award of Contract 2016-10474 to Kleen It Up, Inc. for Janitorial Services at the Greensboro Transit Authority Administrative Building is hereby approved.

(Signed) Jamal Fox

15. [ID 16-0715](#) Resolution Authorizing the Award of Contract 2016-10485 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Loose Leaf Collections Services in the Field Operations Department

310-16 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10485 TO HIRE QUEST, LLC DBA TROJAN LABOR FOR TEMPORARY LABOR SERVICES FOR LOOSE LEAF COLLECTIONS IN THE FIELD OPERATIONS DEPARTMENT

WHEREAS, the Field Operations Department contracts with temporary labor staffing firms to ensure that it delivers services in an efficient and effective manner; and

WHEREAS, the services that utilize temporary labor include loose leaf collections; and

WHEREAS, prior to the cancellation of multiple temporary labor contracts, the Field Operations Department requested that the Centralized Contracting Division conducted an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8242.

WHEREAS, in accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services; and

WHEREAS, based on the lowest responsive, responsible bidder standard of award, the Field Operations Department and Centralized Contracting Division concur in this recommendation to award this contract for temporary labor services for loose leaf collections to Hire Quest, LLC dba Trojan Labor.

The contracted service and amount are listed as follows:

	Contract	Estimated	Estimated	Estimated
Service Description	Number	Annual	3-year	5-Year
		Amount	Amount	Amount
Loose Leaf Collections	2016-10485	\$ 175,000	\$ 525,000	\$ 875,000

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$875,000; and

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

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

That the resolution authorizing the award of Contract 2016-10485 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Loose Leaf Collections Services in the Field Operations Department is hereby approved.

(Signed) Jamal Fox

16. [ID 16-0740](#) Resolution Authorizing the Award of Contract 2016-10486 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Litter/CBD/Special Events Services in the Field Operations Department

311-16 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10486 TO HIRE QUEST, LLC DBA TROJAN LABOR FOR TEMPORARY LABOR SERVICES FOR LITTER/ CBD/ SPECIAL EVENTS IN THE FIELD OPERATIONS DEPARTMENT

WHEREAS, the Field Operations Department contracts with temporary labor staffing firms to ensure that it delivers services in an efficient and effective manner; and

WHEREAS, the services that utilize temporary labor include Litter/ CBD/ Special Events; and

WHEREAS, prior to the cancellation of multiple temporary labor contracts, the Field Operations Department requested that the Centralized Contracting Division conducted an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8242.

WHEREAS, in accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services; and

WHEREAS, based on the lowest responsive, responsible bidder standard of award, the Field Operations Department and Centralized Contracting Division concur in this recommendation to award this contract for temporary labor services for Litter/ CBD/ Special Events to Hire Quest, LLC dba Trojan Labor.

The contracted service and amount are listed as follows:

	Contract	Estimated	Estimated	Estimated
Service Description	Number	Annual	3-year	5-Year
		Amount	Amount	Amount
Litter/ CBD/ Special Events	2016-10486	\$ 100,000	\$ 300,000	\$ 500,000

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$500,000; and

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

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

That the resolution authorizing the award of Contract 2016-10486 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Litter/ CBD/ Special Events in the Field Operations Department is hereby approved.

(Signed) Jamal Fox

17. [ID 16-0626](#) Resolution Authorizing the Award of Contract 2016-10490 to Hire Quest, LLC for Temporary Labor Services for Athletic Field Maintenance Operations Services in the Parks and Recreation Department

312-16 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10490 TO HIRE QUEST, LLC, LLC

FOR TEMPORARY LABOR SERVICES FOR ATHLETIC FIELD MAINTENANCE OPERATIONS IN THE PARKS AND RECREATION DEPARTMENT

WHEREAS, the Parks and Recreation Department contracts with temporary labor staffing firms to ensure that it delivers services in an efficient and effective manner;

WHEREAS, the services that utilize temporary labor include athletic field maintenance;

WHEREAS, prior to the cancellation of multiple temporary labor contracts, the Parks and Recreation Department requested that the Centralized Contracting Division conducted an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8242;

WHEREAS, in accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services;

WHEREAS, based on the lowest responsive, responsible bidder standard of award, the Parks and Recreation Department and Centralized Contracting Division concur in this recommendation to award this contract for temporary labor services for Athletic Field Maintenance Operations to Hire Quest, LLC, LLC;

The contracted service and amount are listed as follows:

	Contract	Estimated	Estimated	Estimated
Service Description	Number	Annual	3-year	5-Year
		Amount	Amount	Amount
Athletic Field Maintenance	2016-10490	\$ 20,300	\$ 60,900	\$ 101,500

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$101,500;

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

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

That the resolution authorizing the award of Contract 2016-10490 to Hire Quest, LLC, LLC for Temporary Labor Services for Athletic Field Maintenance Operations in the Parks and Recreation Department is hereby approved.

(Signed) Jamal Fox

- 18. [ID 16-0741](#)** Resolution Authorizing the Award of Contract 2016-10487 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Mowing and Landscape Maintenance Services in the Field Operations Department

313-16 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10487 TO HIRE QUEST, LLC DBA TROJAN LABOR FOR TEMPORARY LABOR SERVICES FOR MOWING AND LANDSCAPE MAINTENANCE IN THE FIELD OPERATIONS DEPARTMENT

WHEREAS, the Field Operations Department contracts with temporary labor staffing firms to ensure that it delivers services in an efficient and effective manner; and

WHEREAS, the services that utilize temporary labor include mowing and landscaping; and

WHEREAS, prior to the cancellation of multiple temporary labor contracts, the Field Operations Department requested that the Centralized Contracting Division conducted an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8242.

WHEREAS, in accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services; and

WHEREAS, based on the lowest responsive, responsible bidder standard of award, the Field Operations Department and Centralized Contracting Division concur in this recommendation to award this contract for temporary labor services for mowing and landscape maintenance to Hire Quest, LLC dba Trojan Labor.

The contracted service and amount are listed as follows:

	Contract	Estimated Annual Amount	Estimated 3-year Amount	Estimated 5-Year Amount
Service Description	Number			
Mowing and Landscape Maintenance	2016-10487	\$ 58,000	\$ 174,000	\$ 290,000

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$290,000; and

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

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

That the resolution authorizing the award of Contract 2016-10487 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Mowing and Landscape Maintenance in the Field Operations Department is hereby approved.

(Signed) Jamal Fox

19. [ID 16-0754](#) Resolution Authorizing the Award of Contract 2016-10488 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for White Street Landfill Operations Services in the Field Operations Department

314-16 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10488 TO HIRE QUEST, LLC DBA TROJAN LABOR FOR TEMPORARY LABOR SERVICES FOR WHITE STREET LANDFILL OPERATIONS IN THE FIELD OPERATIONS DEPARTMENT

WHEREAS, the Field Operations Department contracts with temporary labor staffing firms to ensure that it delivers services in an efficient and effective manner; and

WHEREAS, the services that utilize temporary labor include white street landfill operations; and

WHEREAS, prior to the cancellation of multiple temporary labor contracts, the Field Operations Department requested that the Centralized Contracting Division conducted an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8242.

WHEREAS, in accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services; and

WHEREAS, based on the lowest responsive, responsible bidder standard of award, the Field Operations Department and Centralized Contracting Division concur in this recommendation to award this contract for temporary labor services for white street landfill operation services to Hire Quest, LLC dba Trojan Labor.

The contracted service and amount are listed as follows:

	Contract	Estimated Annual	Estimated 3-year	Estimated 5-Year
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Service Description	Number	Amount	Amount	Amount
White Street Landfill Operations Services	2016-10488	\$192,000	\$576,000	\$960,000

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$960,000; and

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

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

That the resolution authorizing the award of Contract 2016-10488 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for White Street Landfill Operations in the Field Operations Department is hereby approved.

(Signed) Jamal Fox

20. [ID 16-0765](#) Resolution Authorizing Encroachment Agreement between the City of Greensboro and ZCD II, LLC

315-16 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND ZCD II, LLC

WHEREAS, ZCD II, LLC has requested that the City permit the proposed installation of one canopy to provide overhead shelter and shade at 120 W Lewis Street;

WHEREAS, the owner has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the installation of said canopy into the City right-of-way;

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

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment agreement with ZCD II, LLC to permit the installation of one (1) canopy at 120 W Lewis Street in accordance with the terms and conditions set out therein.

(Signed) Jamal Fox

21. [ID 16-0766](#) Resolution Authorizing Encroachment Agreement between the City of Greensboro and The Lofts at Greensborough Court, LLC

316-16 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND THE LOFTS AT GREENSBOROUGH COURT, LLC

WHEREAS, The Lofts at Greensborough Court, LLC has requested that the City permit the proposed installation of six (6) canopies to provide overhead shelter and shade at 327 and 319 S Elm Street;

WHEREAS, the owner has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the installation of said canopies into the City right-of-way;

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

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment agreement with The Lofts at Greensborough Court, LLC to permit the installation of six (6) canopies at 327 and 319 S Elm Street in accordance with the terms and conditions set out therein.

(Signed) Jamal Fox

22. [ID 16-0669](#) Ordinance in the Amount of \$100,000 Amending FY 16-17 Nussbaum Fund Budget

016-98 ORDINANCE AMENDING FY 16-17 NUSSBAUM FUND BUDGET

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

Section 1

That the FY 16-17 Nussbaum Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be increased, as follows:

Account	Description	Amount
211-2101-02.5289	Property Foreclosure	\$40,000
211-2103-01.5283	Real Estate Grants	\$30,000
211-2103-14.5413	Consultant Services	\$20,000
211-2103-04.5931	Contrib To Nongovernmental Agencies	\$10,000

And, that this increase is financed by the following revenue:

Account	Description	Amount
211-0000-00.8900	Appropriated Fund Balance	\$100,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Jamal Fox

23. [ID 16-0770](#) Budget Adjustments Requiring Council Approval 7/26/16-9/1/16

Motion to approve the budget adjustments of July 26 - September 1, 2016 over the amount of \$50,000 was adopted.

(A copy of the Report is filed in Exhibit Drawer Y, Exhibit No. 34 which is hereby referred to and made a part of these minutes)

24. [ID 16-0771](#) Budget Adjustments Approved by Budget Officer 7/26/16-8/29/16

Motion to accept the report of budget adjustments of July 26 - August 29, 2016 was adopted.

(A copy of the Report is filed in Exhibit Drawer Y, Exhibit No. 34 which is hereby referred to and made a part of these minutes)

25. [ID 16-0781](#) Motion to Approve the Minutes of the Regular Meeting of August 16, 2016

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

8. [ID 16-0739](#) Resolution Authorizing Change Order in the amount of \$30,000 for Construction Inspections on Contract No. 2015-048 with Alley, Williams, Carmen & King, Inc. (AWCK) for Lovett Street Water and Sewer Line Replacement and Holts Chapel Road Sewer Outfall

Councilmember Hightower voiced concerns with contract change orders for items #8, #9 and #10; not building enough money into contracts; inquired about M/WBE participation; location of the project; spoke to the woman owned business that was not within the ten county guideline; requested staff provide mentor/protegee contracts moving forward; and the M/WBE report to Council.

Mayor Pro-Tem Johnson left the meeting at 8:58 p.m. and returned at 9:00 p.m.

Assistant City Manager Parrish spoke to a construction based project; challenges associated with the project; requirements for the on-site inspection services; extension of the project for the southeastern part of the county; outlined the benefits of the item; spoke to requirements for design work; and stated information would be provided to Council.

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

317-16 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2015-048 WITH ALLEY, WILLIAMS, CARMEN & KING, INC. (AWCK) FOR CONSTRUCTION INSPECTIONS ON LOVETT STREET WATER AND SEWER LINE REPLACEMENT AND HOLTS CHAPEL ROAD SEWER OUTFALL

WHEREAS, Contract No. 2015-048 with Alley, Williams, Carmen & King, Inc. provides construction inspections;

WHEREAS, during construction, the installation of water and sewer lines experienced unexpected delays which resulted in the need for AWCK to be onsite for an extended amount of time thereby necessitating a change order in the contract in the amount of \$30,000.00.

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

That a change order in the above-mentioned contract with Alley, Williams, Carmen & King, Inc. (AWCK) for the water and sewer line replacement and sewer outfall is hereby authorized at a total cost of \$30,000.00 payment of said additional amount to be made from Account Nos.: Water Resources Capital Improvement Fund: 503-7026-01.5410 for \$30,000.00.

(Signed) Sharon Hightower

9. [ID 16-0758](#) Resolution Approving Change Order in the Amount of \$84,145 to Contract 2014-0030 with CH Engineering, PLLC. for the Forest Oaks Loop Feed Water Line Extension Project

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

318-16 RESOLUTION AUTHORIZING CHANGE ORDER IN THE AMOUNT OF \$84,145 TO CONTRACT NO. 2014-0030 WITH CH ENGINEERING, PLLC FOR THE FOREST OAKS LOOP FEED WATER LINE EXTENSION PROJECT

WHEREAS, the City authorized professional services contract 2014-0030 with CH Engineering, PLLC. in the amount of \$103,114.98 to provide engineering design services for the Forest Oaks Loop Feed Extension project;

WHEREAS, the Forest Oaks Loop Feed will support the water needs within the Forest Oaks Area of Southeast Greensboro and is needed to address fire protection and on-going water quality issues;

WHEREAS, the original Scope of Services for the agreement included the design, surveying, SCADA integration and construction administration as related to the construction of the proposed waterline extension;

WHEREAS, as a result of numerous utility conflicts on the south side of Millpoint Rd., the water line alignment, originally proposed within the south side of the right of way, was moved to the north side of Millpoint Rd. and outside the right of way;

WHEREAS, additional design scope, surveying, and easement mapping are needed to cover the cost of the water line relocation due to the fiber optic and gas conflicts;

WHEREAS magnetic flow meters need to be installed as part of the project to accurately measure and monitor flow is being distributed to each pressure zone;

WHEREAS, the M/WBE Office reviewed the proposed scope of service and provided a memo confirming the M/WBE utilization for the project.

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

That the City is authorized to enter into a contract change order for contract 2014-0030 with CH Engineering, PLLC for the Forest Oaks Loop Feed Water Line Extension in the amount of \$84,145 subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$84,145 from Account No. 503-7026-01.5410 (Professional Services).

(Signed) Sharon Hightower

10. [ID 16-0763](#) Resolution Approving Change Order 1 in the Amount of \$10,640 to Contract 2008-046 with Withers Ravenel, Inc. for Lynwood Lakes Water & Sewer project

Mayor Vaughan stated staff had requested item #10 to be postponed to a future meeting of Council.

IV. PUBLIC HEARING AGENDA

All Public Hearing items were postponed.

V. GENERAL BUSINESS AGENDA

30. [ID 16-0742](#) Resolution Authorizing the Award of Contract 2016-10489 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Solid Waste Collections Services in the Field Operations Department

Mayor Pro-Tem Johnson asked about M/WBE participation.

Assistant City Manager Parrish explained the company was a non-M/WBE firm.

Discussion took place regarding the item being a self-performing project; bids received; Request for Proposal (RFP) requirements; and a majority of diverse employees for the company.

Moved by Mayor Pro-Tem Johnson, 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

319-16 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10489 TO HIRE QUEST, LLC DBA TROJAN LABOR FOR TEMPORARY LABOR SERVICES FOR SOLID WASTE COLLECTIONS IN THE FIELD OPERATIONS DEPARTMENT

WHEREAS, the Field Operations Department contracts with temporary labor staffing firms to ensure that it delivers services in an efficient and effective manner; and

WHEREAS, the services that utilize temporary labor include solid waste collections; and

WHEREAS, prior to the cancellation of multiple temporary labor contracts, the Field Operations Department requested that the Centralized Contracting Division conducted an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8242.

WHEREAS, in accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services; and

WHEREAS, based on the lowest responsive, responsible bidder standard of award, the Field Operations Department and Centralized Contracting Division concur in this recommendation to award this contract for temporary labor services for solid waste collections services to Hire Quest, LLC dba Trojan Labor.

The contracted service and amount are listed as follows:

	Contract	Estimated	Estimated	Estimated
Service Description	Number	Annual	3-year	5-Year
Solid Waste Collections	2016-10489	\$ 215,000	\$ 645,000	\$ 1,075,000

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$1,075,000; and

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

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

That the resolution authorizing the award of Contract 2016-10489 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Solid Waste Collections in the Field Operations Department is hereby approved.

(Signed) Yvonne Johnson

- 31. [ID 16-0746](#)** Resolution Approving Bid in the Amount of \$1,185,500 and Authorizing Contract #2016-031 With Bar Construction Company Inc. for The Police Headquarters Renovation of the City of Greensboro

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hightower, 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

320-16 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT WITH BAR CONSTRUCTION COMPANY, INC FOR THE POLICE HEADQUARTER'S 3RD AND 5TH FLOOR

RENOVATIONS OF THE CITY OF GREENSBORO

WHEREAS; after due notice, bids have been received for the renovation of the Police Headquarters of the City of Greensboro;

WHEREAS; Bar Construction Company Inc, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,185,500, as a general contractor for Contract No. 2016-031, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

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

That the bid hereinabove mentioned submitted by Bar Construction Company Inc. is hereby accepted, and the City is authorized to enter into a contract with Bar Construction Company Inc for the renovation of the Police Headquarters' 3rd and 5th floors subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$1,185,500 from Account No. 411-3514-01.6013.

(Signed) Marikay Abuzuaiter

32. [ID 16-0780](#) Resolution to Approve the Protection of Civil Liberties

Mayor Vaughan referenced previous discussions on body worn cameras and transparency; and reaffirming a commitment to the City.

Councilmember Outling spoke to prohibiting racial profiling; to forward thinking; explained the drafting of a resolution; state and federal regulations; stated Greensboro continued to lead the way regarding to the topic; recommended additional training; and voiced pride in the City for the direction of leadership.

Police Chief Scott spoke to bias-based policing; the review of policies; expressed appreciation for Council leadership; and spoke to endorsement of the policy.

Councilmember Hightower recognized committee members that drafted the resolution; and spoke to setting high standards.

**Moved by Mayor Pro-Tem Johnson, 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

321-16 RESOLUTION ON THE PROTECTION OF CIVIL LIBERTIES DATE

WHEREAS, the City of Greensboro has long aspired to protect civil liberties and provide equal protection under the law to all persons in the city which includes a diverse population of many races, religions, national and ethnic origins, genders, sexual orientation, mental or physical disabilities, political opinions or activities, veterans and those currently in military service; including tourists, students, undocumented immigrants, and the homeless, whose contributions to the community's economy, culture and civic character are vast and important, and affirms its strong support for the fundamental constitutional rights of every person and recognizes that the preservation of civil liberties is essential to the well-being of a democratic society with respect to other jurisdictions within North Carolina and the United States of America; and

WHEREAS, the City Council wishes to make it clear that the City of Greensboro is committed to protecting the civil liberties of all members of the community by treating all people in a dignified and respectful manner; and

WHEREAS, the City Council opposes any measures or practices which originate from bias-based stereotyping or arbitrary profiling of any person. The City of Greensboro is committed to the equal and fair treatment of all members of the public, and will act responsibly in every capacity to continuously enhance public trust and support the ideals of a democratic and free society; and

WHEREAS, the Chief of Police of the City of Greensboro has implemented campaigns such as Neighborhood Oriented Policing (NOP) practices that seek to reframe and improve the relationship between law enforcement personnel and the public; and

THEREFORE, BE IT RESOLVED by the City of Greensboro that the City Council calls upon all City officials and employees to respect the civil rights and liberties of all members of our community, including those who are citizens of other nations, and also calls upon all members of the public – including residents, visitors, educators, employers and business owners – to similarly respect the rights and liberties of their fellow members of the community, and to respect the employees of the City of Greensboro who work on their behalf to improve our City.

Section 1. Definitions.

A. Arbitrary Profiling: describes any activity motivated by race, gender, ethnicity, religion, age, citizenship, sexual orientation, gender identity, or any stereotype rather than the behavior of an individual or information that leads to a particular individual that is reasonably suspected to be, or to have been engaged in, specific criminal activity.

B. Bias: prejudice in favor of or against one thing, person, or group compared with another.

C. Civil Liberties: outlines those personal guarantees and freedoms that the government cannot abridge, either by law or by judicial interpretation without due process.

D. Law Enforcement Technology: as defined by 6 U.S. Code §163, this term refers to investigative and forensic technologies, corrections technologies, and technologies that support the judicial process. More specifically, we highlight CSI evidence gathering techniques, forensics laboratory processes, traffic and security cameras, license plate readers, mobile and stationary recording devices, body-worn cameras, dash board cameras and other electronic equipment.

E. Probable Cause: Knowledge of objective facts or circumstances that is sufficient for a reasonable person to believe that an individual has committed, or is committing a criminal offense. Under United States law, probable cause is the standard by which law enforcement authorities have reason to obtain a warrant for the arrest of a suspected criminal, or to conduct personal or property searches.

F. Procedural Fairness: A process characterized by the following tenants: (1) treating everyone with dignity and respect; (2) giving all parties a voice; (3) neutrality in decision making (e.g. unbiased and trustworthy); and (4) understanding the criminal justice process.

G. Reasonable Suspicion: Knowledge of objective facts or circumstances that is sufficient for a reasonable person to believe that an individual has committed, or is committing, a criminal offense. Under United States law this legal standard of proof is less than probable cause. Reasonable suspicion is more than a mere hunch, and serves as the legal standard for detention and further investigation.

H. Symbiotic: having an interdependent relationship. A relationship of mutual benefit.

Section 2. City Council and All City Employees

A. In accordance with City of Greensboro Policy, the Mayor and members of City Council, and all City Employees are to conduct themselves with dignity at all times while providing excellent customer service and are to respect all persons regardless of social views, political affiliation, religious denomination, socio-economic status and/or individual association.

B. By recognizing and appreciating our differences, we serve at the will of the people – being the voice and face of this great city; adhering to our Core Values of Honesty, Integrity, Respect and Stewardship in our daily interactions in and outside of our employment.

Section 3. The Greensboro Community

A. From the archives of history to present day, the Greensboro community plays a leading role in civil rights and civil liberties, consistently promoting the fundamentals of non-violent protest, unyielding tolerance and encouraging respect of all peoples in the city we call home. The multitude of languages and cultural differences makes Greensboro unique in many aspects.

B. Members of the community agree to fair and equal treatment of each other as the foundation of successful coexistence within our neighborhoods. This is accomplished by understanding our biases, learning to be cooperative, engaging in truthfulness and honesty, and adhering to the reciprocity of The Golden Rule; treating others in a similar manner that one would like to be treated.

Section 4. The City of Greensboro Police Department

A. GPD Values. In addition to the Core Values of the City of Greensboro, the Greensboro Police Department incorporates Respect, Trust and Accountability to align with the mission and vision of having a safer city through selfless public service and effective community partnerships.

B. Symbiotic Relationship. The primary roles of police officers are: (1) protect constitutional freedoms, (2) safeguard lives and property and (3) enforce the law. In kind, it is prudent that members of the community cooperate in the investigative process. The community should strive to maintain a viable and livable city by reporting suspicious activity and inform the Department of neighborhood safety concerns. To build good sustainable relationships, the community and police must continue to engage in dialogue, develop programs that create positive interactions, and explore methods to foster trust between each other.

C. Unbiased Policing. The Greensboro Police Department will continue in its efforts to promote procedural fairness and not engage in arbitrary profiling that will impede an individual's constitutional rights. The Department opposes enforcement measures designed to have a disparate impact on members of the community. To serve as a catalyst for change, the Department implemented Neighborhood Oriented Policing (NOP), the Greensboro Police Citizens' Academy (GPCA), the Ride-Along Program, National Night Out as well as other social and civic endeavors.

1. Protecting Individual Rights. Whether a member of the community is a victim, witness or suspect in a criminal matter, police officers will respond appropriately, effectively carry out the objectives of law enforcement, and perform their duties according to local, state, and federal laws; as well as Departmental policies and directives.

2. Voluntary Encounters. A tenant of the Greensboro Police Department is to have positive and effective community interactions between police and the community. An individual in a consensual dialogue with an officer has the right to terminate the contact, and the officer will not prevent the individual from leaving.

3. Stops, Searches and Arrests. The Greensboro Police Department opposes arbitrary profiling to establish reasonable suspicion and/or probable cause in order to carry out a government action that will deprive an individual of his or her constitutional rights.

4. First Amendment Activities. The Greensboro Police Department, in accord with the state and federal constitution, will not impede the rights of individuals to engage in passive protests and demonstrations. Enforcement is necessary when the activity infringes upon the constitutional protections of others. The Greensboro Police Department, along with City of Greensboro officials, will work with organizers to ensure safety of the public and protection of property.

D. Use of Technology. The collection of video and audio footage shall at all times adhere to Department policy and follow the mandates of North Carolina state law and United States federal law. The Greensboro Police Department maintains a considerable lead in its implementation of body-worn camera equipment and governing policy, and strives to maintain its cutting-edge position in this field.

1. Individual Recording. An individual has a right to record and observe police activities as long as that person's physical presence does not interfere with an investigation.

2. Law Enforcement Recording. The Greensboro Police Department shall follow Departmental policy and North

Carolina state law when it comes to the collection and retention of data, dissemination of audio and/or video footage for investigatory purposes, or for adjudication in the courtroom.

E. Public Accountability.

1. The Greensboro Police Department shall provide training to its sworn and non-sworn employees regarding the provisions in this resolution. Such training will be incorporated into the Police Academy and in-service instruction modules.

2. There shall be open lines of communication between the Chief of Police, the Assistant City Manager of Public Safety, the Mayor, members of City Council and the City Manager to address any issues that may arise within the Department and surrounding community.

BE IT FURTHER RESOLVED that this day forward, the City of Greensboro shall foster trust, protect civil liberties, and promote and support positive and collaborative relations on behalf of this fine city and its diverse population.

(Signed) Yvonne Johnson

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

Councilmember Hightower provided information regarding an event at Cone Health for Doctor Alvin Blunt; spoke to the 1979 Truth and Reconciliation issue; requested Council to consider a resolution; and spoke to the Minority Enterprise Development (MED) events September 26-30, 2016.

Councilmember Abuzuaiter spoke to the recent gas shortages; Piedmont Authority Transportation designating free fee days; an arm wrestling event; and gave a "shout out" to family visiting from Katar.

Moved by Councilmember Outling, seconded by Mayor Pro-Tem Johnson to reappoint Marc Isaacson to the Planning Board. The motion carried by voice vote.

Mayor Pro-Tem Johnson stated she had attended the event for Dr. Blunt; spoke to the YWCA (Y) unveiling of the Shirley Taylor Frye "Y"; inquired about a marker she had requested; and expressed condolences to the Barbie family.

Assistant City Manager Parrish outlined the location of the marker at LaBauer Park.

Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson to appoint Frankie Jones to the Piedmont Triad Water Regional Authority to replace Councilmember Outling. The motion carried by voice vote.

Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson to appoint Michelle Kennedy to the Human Relations Commission. The motion carried by voice vote.

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

THE CITY COUNCIL ADJOURNED AT 9:21 P.M.

ANGELA R. LORD

DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR