



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, August 21, 2018

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:40 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 Marikay Abuzuaiter, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Michelle Kennedy, Councilmember Justin Outling, Councilmember Tammi Thurm and Councilmember Goldie F. Wells

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

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Mayor Pro-Tem Johnson to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager David Parrish recognized Laine Roberts of the Field Operations 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.

1. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda.

Mayor Pro-Tem Johnson inquired about item #15 in which Councilmember Hightower confirmed the portion of the road to change names.

Councilmember Hightower requested Item #6 be removed for discussion.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter, to adopt the consent agenda as amended. The motion carried by voice vote.

1. [ID 18-0467](#) Resolution to Amend Contract Between the Greensboro Police Department and Fields Consulting Group, Inc.

193-18 RESOLUTION AUTHORIZING AMENDMENT OF CONTRACT BETWEEN THE GREENSBORO POLICE DEPARTMENT AND FIELDS CONSULTING GROUP, INC

WHEREAS, the Greensboro Police Department requires the use of specialized promotional process services; and

WHEREAS, the Greensboro Police Department has been satisfied with the services of Fields Consulting Group, Inc since 2012; and

WHEREAS, Field Consulting Group, Inc has and will continue to provide the necessary services for the promotional processes of eligible police candidates for the ranks of Corporal, Sergeant and Lieutenant; and

WHEREAS, the annual contract cost is estimated at approximately \$35,000 per year over the three-year contract term (three year total of \$105,000); and

WHEREAS, the current agreement allows for a three year extension which the Police Department wishes to invoke, ending June 15, 2021; and

WHEREAS, funding is subject to City Council approval of future fiscal year budget appropriations.

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

That the Police Department is hereby authorized to amend the contract with Fields Consulting Group, Inc to continue their contract for three years (June 15, 2018 through June 15, 2021).

(Signed) Yvonne Johnson

2. [ID 18-0448](#) Resolution Authorizing Amendment of Agreement with Kellin Foundation for the Child Response Initiative Program Governor's Crime Commission Grant FY 2017-19

194-18 RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH KELLIN FOUNDATION FOR THE CHILD RESPONSE INITIATIVE PROGRAM GOVERNOR'S CRIME COMMISSION GRANT FY 2017-19

WHEREAS, The Greensboro Child Response Initiative (CRI) provides a coordinated community response to children and their families who have experienced any type of trauma or violence, with the goals of reducing the likelihood of child witnesses and victims becoming later violent offenders, as well as decreasing mental health symptoms and other negative outcomes;

WHEREAS, the Governor's Crime Commission Crime Victims' Services Committee has awarded a two-year federal grant award totaling \$310,574 for the Greensboro Child Response Initiative Program;

WHEREAS, the Police Department and the Kellin Foundation wish to enter into an Amended Agreement to substitute a victim's advocate in the place of the program director;

WHEREAS, the contract amendment requires the additional funding of the contract by \$1,032 for training for the advocates listed within the expense contract;

WHEREAS, the funds are available within the City grant account #220-3585-01 and #220-3585-01;

WHEREAS, a change order will be executed for Contract # 2018-5069 to increase the funds by \$1,032.

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

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

(Signed) Yvonne Johnson

3. [ID 18-0473](#) Resolution Authorizing Contract Between the Greensboro Police Department and Bode Cellmark Forensics, Inc

195-18 RESOLUTION AUTHORIZING CONTRACT BETWEEN THE GREENSBORO POLICE DEPARTMENT AND BODE CELLMARK FORENSICS, INC.

WHEREAS, the Greensboro Police Department requires the use of DNA testing and analysis investigative tools for homicides and other critical investigations; and

WHEREAS, Bode Cellmark Forensics, Inc. will also provide local databasing service for analysis, storage, search, match and retrieval of DNA profiles; and

WHEREAS, the Greensboro Police Department has been satisfied with the services of Bode Cellmark Forensics, Inc.; and

WHEREAS, the annual contract cost is estimated at approximately \$50,000 per year and is renewable for one year periods thereafter to be encumbered upon and paid by police budget funds; and

WHEREAS, the total value of the new and prior contracts with this vendor will exceed \$100,000; and

WHEREAS, under the City's current policy, professional contracts totaling \$100,000 or more require City Council approval; and

WHEREAS, funding is subject to City Council approval of future fiscal year budget appropriations

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

That the Police Department is hereby authorized to amend the contract with Bode Cellmark Forensics, Inc by continuing their contract for one year (July 1, 2018 through June 30, 2019) with the option to renew at one year increments.

(Signed) Yvonne Johnson

4. [ID 18-0449](#) Resolution Approving a Change Order in the Amount of \$64,440 to Contract 2017-5170 with the City of Reidsville for Additional Funding of Operational Needs Required to Support the Purchase of Treated Drinking Water

196-18 RESOLUTION APPROVING A CHANGE ORDER IN THE AMOUNT OF \$64,440 TO CONTRACT 2017-5170 WITH THE CITY OF REIDSVILLE FOR ADDITIONAL FUNDING OF OPERATIONAL NEEDS REQUIRED TO SUPPORT THE PURCHASE OF TREATED DRINKING WATER

WHEREAS, the City of Reidsville and the City of Greensboro entered into an Agreement dated May 26, 1999 that established the terms and conditions for an upgrade to the Reidsville Water Treatment, the construction of a water transmission line connecting Reidsville to Greensboro, and the terms and conditions for the sale of treated water to Greensboro by Reidsville;

WHEREAS, City Council approved an amendment to the agreement on August 16 of 2016 that increased the minimum purchase to 1 million gallons per day;

WHEREAS, the amendment contained the same purchase water rate basis as the previous agreement and the parties set the rate for Greensboro to sell water to Reidsville in the event that Reidsville needs operational flexibility;

WHEREAS, the parties extended the contract to June 30, 2024;

WHEREAS, a condition of the agreement, required the installation of a variable speed motor controller and associated electrical and instrumentation to meet operational needs;

WHEREAS, according to the agreement, Reidsville shall pay the upfront cost and Greensboro would reimburse for the cost of the infrastructure;

WHEREAS, City Council approved a reimbursement agreement for \$1,419,893 for the construction cost of the new pump enclosure, variable speed motor controller and associated electrical instrumentation;

WHEREAS, during construction, additional items need to be addressed which will result in a change order.

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

That the City is authorized to approve a change order to the Reimbursement Agreement with the City of Reidsville for additional funding of infrastructure to meet operational needs required to support the purchase of treated drinking water 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 agreement into effect, payment to be made in the amount of \$64,440 from account 503-7028-04.5932 and the associated budget adjustment.

(Signed) Yvonne Johnson

5. [ID 18-0491](#) Resolution Approving a Contract in the Amount of \$497,300 with Arcadis G&M of North Carolina, Inc. for Bidding and Construction Phase Services Associated with the Young's Mill Outfall Project

197-18 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$497,300 WITH ARCADIS G&M OF NORTH CAROLINA, INC. FOR BIDDING AND CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE YOUNG'S MILL OUTFALL PROJECT

WHEREAS, the Young's Mill Outfall will replace the Young's Mill Lift Station which is currently operating close to its rated pumping capacity and is serving a sewer basin that is experiencing increased flow due to development;

WHEREAS, the Young's Mill Outfall will convey wastewater to the new Stewart Mill Lift Station, providing sewer service access for approximately 4,000 additional acres, and capable of conveying Y2050 wastewater flows;

WHEREAS, the City authorized professional services design contract 2012-1130 with Arcadis G&M Of North Carolina, Inc. to perform the design of the project;

WHEREAS, the project design included approximately 23,800 linear feet of new sanitary sewer gravity line, consisting of 11,100 linear feet of 42-inch gravity sewer, 11,000 linear feet of 36-inch gravity sewer, and 1,700 linear of various pipe sizes ranging from 8-inch gravity sewer to 24 -inch gravity sewer;

WHEREAS, the proposed Bidding and Construction Phase services will be provided by Arcadis G&M of North Carolina because of their knowledge and experience with the design of the project;

WHEREAS, Arcadis G&M of North Carolina, Inc., is one of the ten firms selected for the Professional Services Water Resource On-call Services Agreement;

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 Arcadis, G&M of North Carolina to provide Bidding and Construction Phase services associated with the Young's Mill Outfall 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 \$497,300 from

Water Resources Water and Sewer Extension Fund account 507-7012-03.5410 (Professional Services) and the associated budget adjustment.

(Signed) Yvonne Johnson

7. [ID 18-0520](#) Resolution Authorizing Execution of a Multi-Year Contract with ADP (Automatic Data Processing) for the Event Payroll Services at the Greensboro Coliseum Complex

198-18 RESOLUTION AUTHORIZING EXECUTION OF A MULTI-YEAR CONTRACT WITH ADP (AUTOMATIC DATA PROCESSING) FOR THE EVENT PAYROLL SERVICES AT THE GREENSBORO COLISEUM COMPLEX

WHEREAS, ADP (Automatic Data Processing) is one of the world's largest providers of business outsourcing and human capital management solutions which provides basic payroll services for the event staff at the Greensboro Coliseum Complex including time clock services and payroll reporting;

WHEREAS, a proposed five-year term contract with ADP in the estimated amount of \$60,600.36 per year from August 2018 through August 2023 with no price increase for the first two years on all current listed codes per the agreement and any future codes that may be added during this period. In addition, there is a nominal 1% -1.5% increase for the next three years.

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

That the multi-year contract between the City of Greensboro and ADP subject to the terms outlined above are hereby approved each year with payments from Account No. 521-7510-01.5419.

(Signed) Yvonne Johnson

8. [ID 18-0453](#) Resolution Authorizing the Purchase of Property Located at 823 Cole Street from Kiet Nguyen Trust for the Fire Station #56 Expansion

199-18 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED 823 COLE STREET FROM KIET NGUYEN TRUST FOR FIRE STATION #56 EXPANSION

WHEREAS, in connection with the expansion of Fire Station #56, the property owned by Kiet Nguyen Trust, Parcel 0079609 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 \$62,000 but the property owner has agreed to settle for the price of \$70,000, 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 portion of property in the amount of \$70,000 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. 455-4008-01.6011. A Budget Adjustment will be needed.

(Signed) Yvonne Johnson

9. [ID 18-0454](#) Resolution Authorizing the Purchase of Property Located at 825 Cole Street from East White Oak Properties, LLC for the Fire Station #56

Expansion

200-18 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED 825 COLE STREET FROM EAST WHITE OAK PROPERTIES, LLC FOR FIRE STATION #56 EXPANSION

WHEREAS, in connection with the expansion of Fire Station #56, the property owned by East White Oak Properties, LLC, Parcel 0079610 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 \$67,000 but the property owner has agreed to settle for the price of \$84,000, 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 portion of property in the amount of \$84,000 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. 455-4008-01.6011.

(Signed) Yvonne Johnson

10. [ID 18-0455](#) Resolution Authorizing the Sale of Surplus Foreclosure Property Located at 305 East Whittington Street to Rosalyn Reid

201-18 RESOLUTION AUTHORIZING THE SALE OF FORECLOSURE PROPERTY LOCATED AT 305 EAST WHITTINGTON STREET TO ROSALYN REID

WHEREAS, the City of Greensboro owns residual property located at 305 East Whittington Street, Parcel 0001348 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 Ritchy, at a value of \$13,000, and the final highest bid of \$25,079 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 the Foreclosure Accounts Receivable 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 \$25,079 is hereby approved and the sale of property located at 305 East Whittington 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

11. [ID 18-0511](#) Resolution Authorizing the Sale of Surplus Foreclosure Property Located at 4502 Sellers Avenue to The HEN Group, LLC

202-18 RESOLUTION AUTHORIZING THE SALE OF FORECLOSURE PROPERTY LOCATED AT 4502 SELLERS

AVENUE TO THE HEN GROUP, LLC

WHEREAS, the City of Greensboro owns residual property located at 4502 Sellers Avenue, Parcel 0030055 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 Ritchy, at a value of \$128,000, and the final highest bid of \$115,200 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 the Foreclosure Accounts Receivable 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 \$115,200 is hereby approved and the sale of property located at 4502 Sellers Avenue 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

12. [ID 18-0465](#) Resolution Rescinding Resolution No. 141-17 Authorizing the Sale of Surplus Foreclosure Property Located at 223 Guerrant Street to Billy R. Graham

203-18 RESOLUTION RESCINDING RESOLUTION 141-17 ADOPTED BY THE CITY COUNCIL ON JUNE 20, 2017

WHEREAS, on June 20, 2017, the City Council authorized the conveyance of 223 Guerrant Street;

WHEREAS, the buyer, Billy R. Graham, was unable to complete the purchase;

WHEREAS, the \$792.00 that was deposited into Account No. 101-0000-00.3345 will be refunded to him;

WHEREAS, in the opinion of City Council, it is deemed in the best interest of the City of Greensboro to rescind resolution 141-17 adopted on June 20, 2017.

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

That the resolution 141-17 adopted by the City Council on June 20, 2017, authorizing conveyance of 223 Guerrant Street is hereby in all respects rescinded.

(Signed) Yvonne Johnson

13. [ID 18-0509](#) Resolution to Amend the Guilford County and the Piedmont Triad Regional Council Contract for the Management of County HOME Consortium Funds for Homeowner Rehabilitations

204-18 RESOLUTION AUTHORIZING THE THIRD AMENDMENT TO THE CONTRACT WITH GUILFORD COUNTY AND THE PIEDMONT TRIAD REGIONAL COUNCIL FOR THE MANAGEMENT OF COUNTY HOME CONSORTIUM FUNDS FOR HOMEOWNER REHABILITATION

WHEREAS, the City of Greensboro serves as the lead agency of the Greensboro HOME Consortium that also includes Guilford County, the City of Burlington and Alamance County;

WHEREAS, Guilford County and the Piedmont Triad Regional Council (PTRC) entered into a HOME Program Subrecipient Agreement dated June 19, 2014, for the purpose of completing single family housing rehabilitations in Guilford County outside of the entitlement cities of Greensboro and High Point;

WHEREAS, the PTRC will be responsible for program administration including application processing and income eligibility determination, work write-ups, bid notices and analysis, work inspections, processing payments to selected contractors based on work performed, and providing the required accomplishment data to the City of Greensboro for reporting to the U.S. Department of Housing and Urban Development (HUD);

WHEREAS, as the lead HOME Consortium agency, the City of Greensboro has the authority to disperse HUD granted HOME funds among the Consortium members;

WHEREAS, Guilford County, PTRC, and the City of Greensboro amended the Subrecipient Agreement September 17, 2015 to allow the City of Greensboro to act on behalf of Guilford County, administer the program according to city rehabilitation program standards and the Guilford County HOME Rehabilitation Assistance Policy;

WHEREAS, Guilford County will approve an extension to the existing contract and revisions to the Guilford County HOME Rehabilitation Assistance Policy at the August 16, 2018 meeting of the Guilford County Board of Commissioners;

WHEREAS, the existing contract total is \$833.472;

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

That it hereby authorizes the City Manager to execute an amended contract with Guilford County and the Piedmont Triad Regional Council to extend the existing contract through December 31, 2018 and the revised Guilford County HOME Rehabilitation Assistance Policy.

(Signed) Yvonne Johnson

14. [ID 18-0478](#) Ordinance Amending Chapter 28 of the Greensboro Code of Ordinances with Respect to the Taxicabs and Buses

18-104 ORDINANCE AMENDING CHAPTER 28 WITH RESPECT TO TAXICABS AND BUSES

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

Section 1. Chapter 28, Section 28-68 is hereby amended as follows:

Sec. 28-68. - Persons eligible.

A person is ineligible to apply for the permit required by this division for one (1) year following the date of any revocation or suspension of sixty (60) days or more of his driver's license for convictions of moving violations and for five (5) years following the date of conviction for driving under the influence of alcohol or drugs, or a substantially equivalent statute.

Section 2. Severability. If any provision of this article is declared invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall be severable and shall continue in full force and effect.

Section 3. This ordinance shall become effective upon adoption.

(Signed) Yvonne Johnson

15. [ID 18-0481](#) Ordinance to Change Name of Dans Road in Barber Park to Barber Park

Drive

18-105 AN ORDINANCE CHANGING NAME OF STREET

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

That the following street name change is hereby authorized to become effective October 1, 2018:

PRESENT NAME	NEW NAME
Dans Road	Barber Park Drive

(Signed) Yvonne Johnson

16. [ID 18-0483](#) Ordinance in the Amount of \$204,984 Establishing FY2019 NCDOT Advanced Technology Grant

18-106 ORDINANCE AMENDING THE GTA GRANT FUND BUDGET FOR THE FISCAL YEAR 2019 NCDOT ADVANCED TECHNOLOGY GRANT

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

Section 1

That the GTA Grant Fund budget be amended as follows to establish the FY 2019 NCDOT Advanced Technology Grant:

Account	Description	Amount
567-4523-01.5235	Small tools and equipment	\$ 204,984
Total		\$204,984

And, that this increase be financed by increasing the following revenues:

Account	Description	Amount
567-4523-01.7110	State Grant	\$ 184,485
567-4523-01.9564	Transfer from Transit Fund	\$ 20,499
Total		\$204,984

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

17. [ID 18-0517](#) Report to Inform City Council of North Carolina Department of Labor (NCDOL), Occupational Safety and Health Division (OSH) Citations

Report to Inform City Council of North Carolina Department of Labor (NCDOL), Occupational Safety and Health Division (OSH) Citations was accepted.

18. [ID 18-0508](#) Resolution Listing Loans and Grants for City Council Approval

205-18 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at the March 1, 2005 meeting of City Council, the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

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

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 Council meeting.

(Signed) Yvonne Johnson

19. [ID 18-0503](#) Budget Adjustments Requiring Council Approval 7/17/18 - 8/13/18

Motion to approve the budget adjustments of July 17 - August 13, 2018 over the amount of \$50,000 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 19, which is hereby referred to and made a part of these minutes.)

20. [ID 18-0504](#) Budget Adjustments Approved by Budget Officer 7/10/18 - 8/13/18

Motion to accept the report of budget adjustments of July 10 - August 13, 2018 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 19, which is hereby referred to and made a part of these minutes.)

21. [ID 18-0492](#) Motion to Make a Part of the Official Record the 2011-2013 Better Buildings Destruction Project Listing of Contracts that are Currently Eligible for Destruction as per the City Clerk's Office

The motion to make a part of the official record the listing of the 2011-2013 Better Buildings contracts that are currently eligible for destruction as per the City Clerk's office was adopted.

22. [ID 18-0485](#) Motion to Approve the Minutes of the Regular Meeting of July 10, 2018

Motion to approve the minutes of the Regular meeting of July 10, 2018 was adopted.

23. [ID 18-0505](#) Motion to Approve the Minutes of the Regular meeting of July 17, 2018

Motion to approve the minutes of the Regular meeting of July 17, 2018 was adopted.

24. [ID 18-0519](#) Motion to Approve the Minutes of the Regular Meeting of July 24, 2018

Motion to approve the minutes of the Regular meeting of July 24, 2018 was adopted.

6. [ID 18-0515](#) Resolution Authorizing a Software and Hardware Maintenance Contract in the Amount of \$349,448.11 with Cisco Capital to Provide Annual SmartNet Support for Greensboro's Unified Communications (VOIP phone system) Platform for a Period of Five (5) Years

Councilmember Hightower inquired about Minority/Women Business Enterprise (M/WBE) participation; and spoke to the makeup of the workforce.

City Attorney Tom Carruthers referenced work session discussions; House Bill 2; and read from the bill regarding regulating private employment.

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

Ayes, 5 - Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling and Tammi Thurm

Nays, 4 - Yvonne J. Johnson, Sharon M. Hightower, Michelle Kennedy and Goldie F. Wells

206-18 RESOLUTION APPROVING CISCO CAPITAL TO PROVIDE SMARTNET MAINTENANCE AND SUPPORT FOR CITY'S UC PLATFORM FOR FIVE YEARS FOR \$349,448.11

WHEREAS, the City currently has a Unified Communications (UC) platform which is maintained and supported by using SmartNet services from Cisco. SmartNet coverage gives us access to 24-hour technical assistance, hardware replacement as well as software updates so that our UC products remain up-to-date with current software and support.

WHEREAS, This is a five year contract for hardware and software support and maintenance. We have purposely structured the contract this way to allow the City to save over \$25,000 per year without any escalation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO: That the City is authorized to sign an ELA contract with Cisco Capital through the year 2023. Payments are authorized from the Telecom Division of the Information Technology Department. 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.

(Signed) Marikay Abuzuaiter

II. PUBLIC HEARING AGENDA

25. [ID 18-0470](#) Public Hearing to Receive Public Comments on an Application for the 2017 Justice Assistance Grant

Mayor Vaughan stated this was the time and place set for a public hearing to consider a Public Hearing to Receive Public Comments on an Application for the 2017 Justice Assistance Grant.

There being no speakers to the item it was moved by Councilmember Thurm, seconded by Councilmember Hightower to close the public hearing. The motion carried by voice vote.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

207-18 RESOLUTION TO CONDUCT A PUBLIC HEARING FOR AUGUST 21, 2018 TO RECEIVE PUBLIC COMMENTS ON AN APPLICATION FOR THE 2017 JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$209,245

WHEREAS, in accordance with public safety funding federal regulation, 42 U.S.C. § 3751(a), the City of Greensboro wishes to apply for a formula based grant allocation through the Edward Byrne Memorial Justice Assistance Grant (JAG), CFDA#16.738; and

WHEREAS, the City is required to conduct a public hearing for the governing body to consider public input in a decision authorizing grant application and a Memorandum of Understanding between the City of Greensboro, City of

High Point, and Guilford County that reflects agreement on the allocations; and

WHEREAS, the Greensboro Police Department, High Point Police Department and Guilford County Sheriff's Department will propose the following grant allocation based on the grant solicitation requirements and formula that allows Cities to receive a higher allocation than Counties, even when Counties have the greater financial obligation; and

WHEREAS, the allocation totals \$209,245 and the planned application amounts for each jurisdiction are:

- Guilford County: \$ 53,206
- City of Greensboro: \$113,616
- City of High Point: \$ 42,423; and

WHEREAS, the City of Greensboro's Police Department plans to serve as the lead/fiscal agent for the grant in FY 2017.

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

That the request to conduct a public hearing for SEPTEMBER 19, 2017 to receive public comments on the proposed 2017 Justice Assistance Grant application in the total amount of \$209,245 to be divided between the Greensboro Police Department (\$113,616); Guilford County Sheriff's Department (\$53,206); and the High Point Police Department (\$42,423).

(Signed) Marikay Abuzuaiter

26. [ID 18-0494](#) Resolution Making Certain Findings and Determinations Regarding the Proposed Financing of New Parking Facilities and Requesting the Local Government Commission to Approve the Financing Arrangement

Mayor Vaughan stated this was the time and place set for a public hearing to consider a Resolution Making Certain Findings and Determinations Regarding the Proposed Financing of New Parking Facilities and Requesting the Local Government Commission to Approve the Financing Arrangement; and stated there was a speaker for the item.

Councilmember Outling voiced concerns regarding a conflict of interest; and requested clarification from the City Attorney.

City Attorney Carruthers explained indirect conflicts; and stated recusal for Councilmember Outling would be appropriate.

Councilmember Outling requested Council excuse him from voting on the item; and staff to individualize Local Government Commission financing arrangement resolutions going forward.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter to excuse Councilmember Outling from voting on Item #26. The motion carried by voice vote.

Hester Petty, 3402 Canterbury Street, voiced opposition to the funding for parking decks; concerns with Council satisfaction with the item; spoke to affordable housing; and voiced concerns with the drinking water.

Councilmember Hightower reiterated Councilmember Outling's request for the separation of financing arrangements; voiced concerns regarding the February One Parking Deck portion; and stated she would not support the item.

It was the consensus of Council to close the public hearing.

City Attorney Carruthers stated the item was approved as to form.

Moved by Councilmember Hoffmann, seconded by Councilmember Thurm, to

adopt the resolution. The motion carried on the following roll call vote:

Ayes, 6 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Tammi Thurm and Goldie F. Wells

Nays, 2 - Sharon M. Hightower and Michelle Kennedy

Excused, 1 - Justin Outling

208-18 The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on August 21, 2018.

Present: Mayor Nancy B. Vaughan, presiding, and Council Members

Absent: Council Members

Also Present:

* * * * *

The Mayor announced that this was the hour and day of the public hearing on a trust agreement or similar installment financing agreement (the "Agreement") to be entered into by the City of Greensboro, North Carolina (the "City") pursuant to Section 160A-20 of the General Statutes of North Carolina providing for the issuance of limited obligation bonds thereunder in an aggregate principal amount not to exceed \$43,000,000 for the purpose of providing funds, together with any other available funds, to (a) pay the costs of designing, acquiring, constructing and equipping two parking decks and appurtenant facilities to be owned and operated by the City for public parking (the "Project") and (b) pay certain financing costs relating thereto. If the City enters into the Agreement, it will secure its obligations thereunder by executing and delivering a deed of trust granting a lien on all or a portion of the site of the Project, together with all improvements or fixtures located or to be located thereon, subject to permitted encumbrances.

Section 160A-20(g) of the General Statutes of North Carolina requires that the City hold a public hearing prior to entering into the Agreement.

The Mayor acknowledged due publication of the notice of public hearing in a newspaper with a general circulation in said City and directed the City Clerk to attach the affidavit showing publication in said newspaper on a date at least ten (10) days prior to the date hereof as Exhibit A.

The Mayor then announced that the City Council would immediately hear anyone who might wish to be heard on the Agreement as described above.

A list of all persons making comments and a summary of such comments are attached as Exhibit B.
The public hearing was closed.

All statements and comments by participants of the public hearing were duly considered by the City Council. Thereupon, Council Member _____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE PROPOSED FINANCING OF NEW PARKING FACILITIES 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) The City has determined to finance the costs of designing, acquiring, constructing and equipping two parking

decks and appurtenant facilities to be owned and operated by the City for public parking (the "Project").

(b) After a public hearing and due consideration, the City has determined to enter into a Master Trust Agreement and a First Supplemental Trust Agreement (collectively, the "Trust Agreement") between the City and U.S. Bank National Association, as trustee (the "Trustee"), pursuant to which the City will issue taxable limited obligation bonds thereunder in an aggregate principal amount not to exceed \$43,000,000 (the "Bonds") to provide funds, together with any other available funds, to (i) pay the costs of the Project and (ii) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds.

(c) In order to secure its obligations under the Trust Agreement, the City will execute and deliver a Deed of Trust (the "Deed of Trust") for the benefit of the Trustee granting a lien on all or a portion of the site of the Project (including related air rights), together with any improvements or fixtures located or to be located thereon, subject to permitted encumbrances.

(d) It is in the best interest of the City to enter into the Trust Agreement and to issue the Bonds pursuant thereto in that such plan of finance will result in the financing of the Project in an efficient and cost effective manner.

(e) Entering into the Trust Agreement and issuing the Bonds pursuant thereto is preferable to a general obligation bond issue or 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 general obligation debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the financing of the Project; (ii) the revenues to be generated by the Project are not sufficient to allow for the issuance of revenue bonds to finance the costs of the Project; (iii) the costs of the Project exceed 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 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 would delay 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 current interest rate environment dictates the financing of the Project be accomplished in a timely and expedient manner.

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

(g) 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) No valorem tax rate increase is currently expected to be necessary to pay principal of and interest on the Bonds.

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

Section 3. The following financing team members are hereby approved by the City in connection with the proposed financing:

Co-Bond Counsel: Womble Bond Dickinson (US) LLP

McKenzie & Associates

Underwriters: Wells Fargo Bank, National Association

Loop Capital Markets LLC

Underwriters' Counsel: Robinson, Bradshaw & Hinson, P.A.

Trustee: U.S. Bank National Association

Financial Advisor: First Tryon Advisors

Section 4. This resolution shall take effect immediately upon its adoption.

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

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was adopted by the following vote:

Ayes:

Noes:

(Signed) Nancy Hoffmann

27. [ID 18-0495](#) Resolution Making Certain Findings and Determinations Regarding the Proposed Financing and Refinancing of Various Improvements to the City's Coliseum Complex and Requesting the Local Government Commission to Approve the Financing Arrangement

Mayor Vaughan stated this was the time and place set for a public hearing to consider a Resolution Making Certain Findings and Determinations Regarding the Proposed Financing and Refinancing of Various Improvements to the City's Coliseum Complex and Requesting the Local Government Commission to Approve the Financing Arrangement.

Being no one to speak to the item, it was the consensus of Council to close the public hearing.

City Attorney Carruthers stated the item was approved as to form.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

209-18 The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on August 21, 2018.

Present: Mayor Nancy B. Vaughan, presiding, and Council Members

Absent: Council Members

Also Present:

* * * * *

The Mayor announced that this was the hour and day of the public hearing on a trust agreement or similar installment financing agreement (the "Agreement") to be entered into by the City of Greensboro, North Carolina (the "City") pursuant to Section 160A-20 of the General Statutes of North Carolina providing for the issuance of one or more series of limited obligation bonds thereunder in an aggregate principal amount not to exceed \$56,000,000 for the purpose of providing funds, together with any other available funds, to (a) refinance certain outstanding limited obligation notes previously issued by the City to provide interim financing for various improvements to the City's coliseum complex, (b) pay the costs of various improvements to the City's coliseum complex, (c) refinance certain outstanding indebtedness previously incurred by the City to finance improvements to the City's coliseum complex and (d) pay certain financing costs relating thereto. If the City enters into the Agreement, it will secure its obligations thereunder by an existing deed of trust granting a lien on a portion of the site of the City's coliseum complex, together with all improvements and fixtures located or to be located thereon, subject to permitted encumbrances.

Section 160A-20(g) of the General Statutes of North Carolina requires that the City hold a public hearing prior to entering into the Agreement.

The Mayor acknowledged due publication of the notice of public hearing in a newspaper with a general circulation in

said City and directed the City Clerk to attach the affidavit showing publication in said newspaper on a date at least ten (10) days prior to the date hereof as Exhibit A.

The Mayor then announced that the City Council would immediately hear anyone who might wish to be heard on the Agreement as described above.

A list of all persons making comments and a summary of such comments are attached as Exhibit B.

The public hearing was closed.

All statements and comments by participants of the public hearing were duly considered by the City Council.

Thereupon, Council Member _____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE PROPOSED FINANCING AND REFINANCING OF VARIOUS IMPROVEMENTS TO THE CITY'S COLISEUM COMPLEX 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) The City has determined to (i) refinance the City's outstanding Limited Obligation Note, Series 2016A and Taxable Limited Obligation Note, Series 2016B (collectively, the "2016 Notes") previously issued by the City to provide interim financing for various improvements to the City's coliseum complex (the "2016 Project"), (ii) pay the remaining costs of the 2016 Project and pay the costs of various additional improvements to the City's coliseum complex (the "2018 Project" and, together with the 2016 Project, the "Projects") and (iii) refinance certain outstanding indebtedness previously incurred by the City to finance improvements to the City's coliseum complex evidenced by (A) Certificates of Participation (Greensboro Public Improvement Project), Series 2010 (the "2010 Certificates") previously executed and delivered by the Greensboro Center City Corporation and (B) Limited Obligation Bonds, Series 2014 (the "2014 Bonds") previously issued by the City.

(b) After a public hearing and due consideration, the City has determined to enter into a Fourth Supplemental Trust Agreement, to be dated as of November 1, 2018 (the "Fourth 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 Fourth Supplemental Trust Agreement, the "Trust Agreement"), between the City and the Trustee, to provide for the issuance by the City of one or more series of limited obligation bonds thereunder in an aggregate principal amount not to exceed \$56,000,000 (the "Bonds") to provide funds, together with any other available funds, to (i) refinance the 2016 Notes, (ii) pay the remaining costs of the 2016 Project and the costs of the 2018 Project, (iii) refund all of the outstanding 2010 Certificates, (iv) if deemed advisable to the City, refund all or a portion of the 2014 Bonds and (v) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds.

(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 26, 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, subject to permitted encumbrances.

(d) It is in the best interest of the City to enter into the Trust Agreement and to issue the Bonds pursuant thereto in that such plan of finance will result in the refinancing of the 2016 Notes, the financing of the Projects and the refunding of the 2010 Certificates and the 2014 Bonds in an efficient and cost effective manner.

(e) Entering into the Trust Agreement and issuing the Bonds pursuant thereto is preferable to a general obligation bond issue or 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 general obligation debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the purposes described above; (ii) the revenues to be generated by the City's coliseum complex are not sufficient to allow for the issuance of revenue bonds for the purposes described above; (iii) the costs related to the proposed financing and refinancing exceed 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 the proposed financing and refinancing 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 would delay the proposed financing and refinancing by several months; and (v) there can be no assurances that the issuance of general obligation bonds for the purposes described above would be approved by the voters and the current interest rate environment dictates the proposed financing and refinancing be accomplished in a timely and 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) 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) No valorem tax rate increase is currently expected to be necessary to pay principal of and interest on the Bonds.

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

Section 3. The following financing team members are hereby approved by the City in connection with the proposed financing:

Co-Bond Counsel: Womble Bond Dickinson (US) LLP
McKenzie & Associates

Underwriters: Wells Fargo Bank, National Association
Loop Capital Markets LLC

Underwriters' Counsel: Robinson, Bradshaw & Hinson, P.A.

Trustee: U.S. Bank National Association

Financial Advisor: First Tryon Advisors

Section 4. This resolution shall take effect immediately upon its adoption.

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

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was adopted by the following vote:

Ayes:

Noes:

(Signed) Nancy Hoffmann

28. [ID 18-0496](#) Resolution Approving and Authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Master Trust Agreement, a First Supplemental Trust Agreement, a Deed of Trust and Related Documents in Connection with the Financing of New Parking Facilities

Mayor Vaughan stated items #28 - # 34 were related to the above items but did not require a public hearing.

Councilmember Outling spoke to a conflict of interest; and requested to be recused from voting on the item.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter to excuse Councilmember Outling from voting on the item. The motion carried by voice vote.

City Attorney Carruthers stated the item was approved as to form.

Moved by Councilmember Hoffmann, seconded by Councilmember

Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 6 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Tammi Thurm and Goldie F. Wells

Nays, 2 - Sharon M. Hightower and Michelle Kennedy

Excused, 1 - Justin Outling

210-18 Thereupon, Council Member _____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION APPROVING AND AUTHORIZING THE SALE AND ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A MASTER TRUST AGREEMENT, A FIRST SUPPLEMENTAL TRUST AGREEMENT, A DEED OF TRUST AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF NEW PARKING FACILITIES

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

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

(a) There exists in the City a need to finance the costs of designing, acquiring, constructing and equipping two parking decks and appurtenant facilities to be owned and operated by the City for public parking (collectively, 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 Master Trust Agreement, to be dated as of November 1, 2018 or other mutually agreeable date (the "Master Trust Agreement"), between the City and U.S. Bank National Association, as trustee (the "Trustee"), and a First Supplemental Trust Agreement, to be dated as of November 1, 2018 or other mutually agreeable date (the "First Supplemental Trust Agreement," and, together with the Master Trust Agreement, the "Trust Agreement"), between the City and the Trustee, pursuant to which the City will issue taxable limited obligation bonds thereunder in an aggregate principal amount not to exceed \$43,000,000 (the "Bonds") to provide funds, together with any other available funds, to (i) pay the costs of the Project and (ii) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds.

(c) In order to secure the payment of principal of and interest on the Bonds and the performance of the City's obligations under the Trust Agreement, the City will execute and deliver a Deed of Trust, to be dated as of November 1, 2018 or other mutually agreeable date (the "Deed of Trust"), to the deed of trust trustee named therein for the benefit of the Trustee, granting a lien on all or a portion of the site of the Project (including related air rights), together with all improvements and fixtures located or to be located thereon, subject to permitted encumbrances.

(d) The Bonds will be initially sold to Wells Fargo Bank, National Association and Loop Capital Markets LLC (collectively, the "Underwriters") pursuant to the terms of a Bond Purchase Agreement, to be dated the date of delivery thereof (the "Bond Purchase Agreement"), between the City and the Underwriters.

(e) In connection with the offering and sale of the Bonds by the Underwriters, there will be prepared and distributed to potential purchasers a Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the offering and sale of the Bonds and the Official Statement (hereinafter defined).

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

- (1) the Master Trust Agreement;
- (2) the First Supplemental Trust Agreement, together with the form of the Bonds attached as Exhibit B thereto;
- (3) the Deed of Trust;
- (4) the Bond Purchase Agreement; and
- (5) the Preliminary Official Statement.

Section 2. In order to provide for the financing of the Project, the City is hereby authorized to enter into the Master Trust Agreement and the First Supplemental Trust Agreement and issue the Bonds thereunder in an aggregate principal amount not to exceed \$43,000,000. The actual principal amount of the Bonds shall be determined by the City at the time of execution of the Bond Purchase Agreement, such execution and delivery of the Bond Purchase

Agreement to constitute approval by the City of the principal amount of the Bonds as set forth in the Bond Purchase Agreement. The principal amount of the Bonds shall be the amount that, in the best judgment of the person executing the Bond Purchase Agreement, shall be the amount necessary to provide sufficient funds, together with any other available funds, to (a) pay the costs of the Project and (b) the fees and expenses incurred in connection with the sale and issuance of the Bonds. The interest rates on the Bonds shall be determined by the City at the time of the execution by the City of the Bond Purchase Agreement; provided, however, that such interest rates shall not result in a true interest cost in excess of 6.00% per annum, such execution and delivery of the Bond Purchase Agreement to constitute approval by the City of the interest rates on the Bonds.

Section 3. The Bonds shall be sold to the Underwriters pursuant to the Bond Purchase Agreement. The Bonds may be sold to the Underwriters at a discount below the amount of the principal amount of the Bonds, such discount not to exceed 98% of the principal amount of the Bonds; provided, however, that if all or any of the Bonds are to be sold to the public by the Underwriters at original issue discount (resulting in lower interest costs of the interest on the Bonds), then the Bonds may be sold at a further discount in the amount necessary to cover such original issue discount. The final maturity of the Bonds shall not be later than May 1, 2048.

Section 4. The City Council hereby approves the forms of the Bonds, the Master Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust and the Bond Purchase 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 Bonds, the Master Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust and the Bond Purchase Agreement in substantially the forms presented at this meeting, containing such modifications as the person executing such documents shall approve, such execution to be conclusive evidence of approval by the City Council of any such changes. The City Clerk or any assistant or deputy City Clerk is hereby authorized to affix the official seal of the City to each of said documents and to attest the same to the extent so required.

Section 5. The City Council hereby approves the Preliminary Official Statement in substantially the form presented at this meeting and hereby approves the distribution thereof by the Underwriters in connection with the offering and sale of the Bonds. Upon the sale of the Bonds to the Underwriters, a final Official Statement, to be dated as of the date of the Bond Purchase Agreement (the "Official Statement"), will be prepared substantially in the form of the Preliminary Official Statement and will contain such information relating to the pricing terms of the Bonds and such additional information as may be necessary. The City Council hereby approves the distribution of the Official Statement by the Underwriters in connection with the offering and sale of the Bonds.

Section 6. No deficiency judgment may be rendered against the City in any action for breach of any contractual obligation under the Bonds or the Trust Agreement, and the faith and credit and taxing power of the City is not and may not be pledged directly or indirectly to secure any moneys due under the Bonds or the Trust Agreement.

Section 7. The Mayor, the City Manager, the Finance Director and the City Attorney are hereby authorized to cooperate with the Underwriters in preparing and filing such filings under state securities or "blue sky" laws as the Underwriters may request; provided, however, that the City shall not be required to consent to the jurisdiction of any state in which it is not now subject unless the City Attorney shall determine that such consent is in the best interest of the City.

Section 8. The Mayor, the City Manager, the Finance Director, the City Attorney and the City Clerk, and any other officers, agents and employees of the City, are hereby authorized and directed to take such actions and to deliver such certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described in this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants and provisions of the Bonds, the Trust Agreement, the Deed of Trust and the other documents contemplated by this resolution.

Section 9. This resolution shall take effect immediately upon its adoption.

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

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was adopted by the following vote:

Ayes:

Noes:

(Signed) Nancy Hoffmann

29. [ID 18-0497](#) Resolution Approving and Authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Fourth Supplemental Trust Agreement and Related Documents in Connection with the Financing and Refinancing of Various Improvements to the City's Coliseum Complex

Councilmember Outling requested to be recused from the item but withdrew the request.

City Attorney Carruthers stated the item was approved as to form.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

211-18 Thereupon, Council Member _____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION APPROVING AND AUTHORIZING THE SALE AND ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A FOURTH SUPPLEMENTAL TRUST AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING AND REFINANCING OF VARIOUS IMPROVEMENTS TO THE CITY'S COLISEUM COMPLEX

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

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

(a) There exists in the City a need to (i) refinance the City's outstanding Limited Obligation Note, Series 2016A and Taxable Limited Obligation Note, Series 2016B (collectively, the "2016 Notes") previously issued by the City to provide interim financing for various improvements to the City's coliseum complex (the "2016 Project"), (ii) pay the remaining costs of the 2016 Project and pay the costs of various additional improvements to the City's coliseum complex (the "2018 Project" and, together with the 2016 Project, the "Projects") and (iii) refinance certain outstanding indebtedness previously incurred by the City to finance improvements to the City's coliseum complex evidenced by (A) Certificates of Participation (Greensboro Public Improvement Project), Series 2010 (the "2010 Certificates") previously executed and delivered by the Greensboro Center City Corporation and (B) Limited Obligation Bonds, Series 2014 (the "2014 Bonds") previously issued by the City

(b) After a public hearing and due consideration, the City Council has determined that the most efficient manner of accomplishing the proposed financing and refinancing as described above will be through the execution and delivery of a Fourth Supplemental Trust Agreement, to be dated as of November 1, 2018 or other mutually agreeable date (the "Fourth 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 Fourth Supplemental Trust Agreement, the "Trust Agreement"), between the City and Trustee, pursuant to which the City will issue one or more series of limited obligation bonds thereunder in an aggregate principal amount not to exceed \$56,000,000 (the "Bonds") to provide funds, together with any other available funds, to (i) refinance the 2016 Notes, (ii) pay the remaining costs of the 2016 Project and the costs of the 2018 Project, (iii) refund all of the outstanding 2010 Certificates, (iv) if deemed advisable to the City, refund all or a portion of the 2014 Bonds and (v) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds.

(c) In order to secure the payment of principal of and interest on the Bonds and the performance of the City's obligations under the Trust Agreement, the City has executed and delivered a Deed of Trust, dated as of July 26,

2012 (as modified, 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, subject to permitted encumbrances.

(d) The Bonds will be initially sold to Wells Fargo Bank, National Association and Loop Capital Markets LLC (collectively, the "Underwriters") pursuant to the terms of a Bond Purchase Agreement, to be dated the date of delivery thereof (the "Bond Purchase Agreement"), between the City and the Underwriters.

(e) In connection with the offering and sale of the Bonds by the Underwriters, there will be prepared and distributed to potential purchasers a Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the offering and sale of the Bonds and the Official Statement (hereinafter defined).

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

(1) the Fourth Supplemental Trust Agreement, together with the form of the Bonds attached as Exhibit B thereto;

(2) the Escrow Deposit Agreement, to be dated as of November 1, 2018 or other mutually agreeable date (the "Escrow Deposit Agreement"), between the City and U.S. Bank National Association, as escrow agent, relating to the refunding of the outstanding 2010 Certificates;

(3) the Bond Purchase Agreement; and

(4) the Preliminary Official Statement.

Section 2. In order to provide for the financing and refinancing as described above, the City is hereby authorized to enter into the Fourth Supplemental Trust Agreement and issue the Bonds thereunder in an aggregate principal amount not to exceed \$56,000,000. The actual principal amount of the Bonds shall be determined by the City at the time of execution of the Bond Purchase Agreement, such execution and delivery of the Bond Purchase Agreement to constitute approval by the City of the principal amount of the Bonds as set forth in the Bond Purchase Agreement. The principal amount of the Bonds shall be the amount that, in the best judgment of the person executing the Bond Purchase Agreement, shall be the amount necessary to provide sufficient funds, together with any other available funds, to (a) refinance the 2016 Notes, (b) pay the remaining costs of the 2016 Project and the costs of the 2018 Project, (c) refund all of the outstanding 2010 Certificates, (d) refund all or a portion of the 2014 Bonds and (e) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds. The interest rates on the Bonds shall be determined by the City at the time of the execution by the City of the Bond Purchase Agreement; provided, however, that such interest rates shall not result in a true interest cost in excess of 5.00% per annum (with respect to any of the Bonds that are exempt from federal income taxation) or 6.00% (with respect to any of the Bonds that are subject to federal income taxation), such execution and delivery of the Bond Purchase Agreement to constitute approval by the City of the interest rates on the Bonds.

Section 3. The Bonds shall be sold to the Underwriters pursuant to the Bond Purchase Agreement. The Bonds may be sold to the Underwriters at a discount below the amount of the principal amount of the Bonds, such discount not to exceed 98% of the principal amount of the Bonds; provided, however, that if all or any of the Bonds are to be sold to the public by the Underwriters at original issue discount (resulting in lower interest costs of the interest on the Bonds), then the Bonds may be sold at a further discount in the amount necessary to cover such original issue discount. The final maturity of the Bonds shall not be later than April 1, 2044.

Section 4. The City Council hereby approves the forms of the Bonds, the Fourth Supplemental Trust Agreement, the Escrow Deposit Agreement and the Bond Purchase 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 Bonds, the Fourth Supplemental Trust Agreement, the Escrow Deposit Agreement and the Bond Purchase Agreement in substantially the forms presented at this meeting, containing such modifications as the person executing such documents shall approve, such execution to be conclusive evidence of approval by the City Council of any such changes. The City Clerk or any assistant or deputy City Clerk is hereby authorized to affix the official seal of the City to each of said documents and to attest the same to the extent so required.

Section 5. The City Council hereby approves the Preliminary Official Statement in substantially the form presented at this meeting and hereby approves the distribution thereof by the Underwriters in connection with the offering and sale of the Bonds. Upon the sale of the Bonds to the Underwriters, a final Official Statement, to be dated as of the date of the Bond Purchase Agreement (the "Official Statement"), will be prepared substantially in the form of the Preliminary Official Statement and will contain such information relating to the pricing terms of the Bonds and such additional information as may be necessary. The City Council hereby approves the distribution of the Official Statement by the Underwriters in connection with the offering and sale of the Bonds.

Section 6. No deficiency judgment may be rendered against the City in any action for breach of any contractual

obligation under the Bonds or the Trust Agreement, and the faith and credit and taxing power of the City is not and may not be pledged directly or indirectly to secure any moneys due under the Bonds or the Trust Agreement.

Section 7. The Mayor, the City Manager, the Finance Director and the City Attorney are hereby authorized to cooperate with the Underwriters in preparing and filing such filings under state securities or "blue sky" laws as the Underwriters may request; provided, however, that the City shall not be required to consent to the jurisdiction of any state in which it is not now subject unless the City Attorney shall determine that such consent is in the best interest of the City.

Section 8. The Mayor, the City Manager, the Finance Director, the City Attorney and the City Clerk, and any other officers, agents and employees of the City, are hereby authorized and directed to take such actions and to deliver such certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described in this resolution, including the execution and delivery of an escrow deposit agreement relating to the refunding of any of the 2014 Bonds in substantially the form of the Escrow Deposit Agreement with appropriate modifications to reflect the terms of the refunding of such 2014 Bonds. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants and provisions of the Bonds, the Trust Agreement, the Deed of Trust, the Escrow Deposit Agreement and the other documents contemplated by this resolution.

Section 9. This resolution shall take effect immediately upon its adoption.

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

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was adopted by the following vote:

Ayes:

Noes:

(Signed) Marikay Abuzuaiter

30. [ID 18-0498](#) Ordinance in the Amount of \$5,408,504 Amending the Coliseum Improvements Bond Fund

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

18-107 ORDINANCE AMENDING COLISEUM IMPROVEMENTS BOND FUND

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

Section 1

That the Coliseum Capital Improvements Bond Fund of the City of Greensboro is hereby amended, and:

That the appropriations be increased as follow:

Account	Description	Amount
528-7501-03.5410	Professional Services	\$ 100,000
528-7501-03.6013	Buildings	400,000
528-7501.03.6019	Other Improvements	1,000,000

528-7501.07.5821	Interest Payments	508,504
528-7501.10.5613	Maintenance & Repair - Buildings	1,000,000
528-7501.11.5235	Equipment	2,400,000
Total		\$5,408,504

and, that the following revenue finance these appropriations:

Account	Description	Amount
528-7501-01.9206	Transfer from Hotel/Motel Tax Fund	\$3,798,504
528-0000-00.8670	Sales Tax – State	290,000
528-0000-00.8671	Sales Tax – County	120,000
528-0000-00.8500	Interest Income	200,000
528-0000-00.8620	Donations	1,000,000
Total		\$5,408,504

Section 2

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

Account	Description	Amount
206-1001-02.6528	Transfer to Coliseum Capital Project Fund	\$3,798,504
206-1001-02.5831	Bond Issue Expense	75,000
206-1001-02.5899	Payment to Escrow Agent	45,525,000
Total		\$49,398,504

and, that the following revenue finance these appropriations:

Account	Description	Amount
206-1001-02.9000	Installment Financing Agreement	\$43,798,504
206-1001-02.9004	Proceeds from Refunding Bonds	5,600,000
Total		\$49,398,504

Section 3

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

31. [ID 18-0532](#) Resolution Approving Capital Fund Expenditures from a Portion of the Occupancy Tax for the Greensboro Aquatic Center

City Attorney Carruthers stated the item was approved as to form.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

212-18 RESOLUTION APPROVING CAPITAL FUND EXPENDITURES FROM A PORTION OF THE SEVENTY PERCENT (70%) NET PROCEEDS OF THE OCCUPANCY TAX RECEIVED BY THE GREENSBORO/GUILFORD COUNTY TOURISM DEVELOPMENT AUTHORITY FROM THE ORIGINAL GUILFORD COUNTY THREE PERCENT (3%) ROOM OCCUPANCY TAX FOR THE GREENSBORO AQUATIC CENTER

WHEREAS, in 1989 the General Assembly amended an act permitting Guilford County to levy a three percent (3%) room occupancy and tourism development tax;

WHEREAS, after allocating \$170,000.00 for specific tourist-related events or activities, the remaining portion of twenty percent (20%) of the seventy percent (70%) net proceeds of the occupancy tax received by the Authority shall go to the City of Greensboro for convention and tourism capital improvements;

WHEREAS, in the opinion of the Greensboro/Guilford County Tourism Development Authority, existing and future revenues, not to exceed \$1,000,000.00 in this capital fund should be expended on construction of a fourth pool at the Greensboro Aquatic Center:

1. That improvements to the Greensboro Aquatic Center of \$1,000,000.00 for the fiscal year 2018-2019 will be covered from this capital fund.

WHEREAS, by law, the approval of such expenditures shall be a joint decision by the Greensboro City Council, the Guilford County Commissioners and the Greensboro/Guilford County Tourism Development Authority.

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

1. That the City Council of the City of Greensboro hereby approves the expenditure of existing and future revenues, not to exceed \$1,000,000.00 from the above mentioned capital fund for the purpose of improvements to the Greensboro Aquatic Center for the fiscal year 2018-2019.

2. That the Authority is authorized to enter into a Memorandum of Understanding with the Greensboro City Manager to implement the above-mentioned improvements. All transactions pursuant to this resolution shall be undertaken in strict compliance with applicable laws and this approval is subject to applicable laws.

(Signed) Nancy Hoffmann

32. [ID 18-0499](#) Resolution Providing For the Sale and Issuance of \$10,400,000 Taxable General Obligation Public Improvement Bonds, Series 2018A

City Attorney Carruthers stated the item was approved as to form.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

213-18 The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers in the Melvin Municipal Office Building located at 300 West Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on August 21, 2018.

Present: Mayor Nancy B. Vaughan, presiding, and Council Members

Absent: Council Members

Also Present:

* * * * *

_____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF \$10,400,000 TAXABLE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2018A

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

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

- (a) An order authorizing \$25,000,000 Housing Bonds (the "Housing Bonds") was adopted by the City Council of the City on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016.
- (b) An order authorizing \$38,500,000 Community and Economic Development Bonds (the "Community and Economic Development Bonds") was adopted by the City Council of the City on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016.
- (c) None of said bonds have heretofore been issued, and there is outstanding \$5,325,000 Taxable General Obligation Public Improvement Bond Anticipation Notes, Series 2018B, dated June 27, 2018, maturing October 18, 2018, and bearing interest at the rate of 3.25% per annum (the "2018B Notes"), which 2018B Notes were issued in anticipation of the receipt of the proceeds of the sale of \$4,625,000 of the Housing Bonds and \$700,000 of the Community and Economic Development Bonds.
- (d) It is necessary to issue \$10,400,000 of the Housing Bonds at this time to be designated as "Taxable General Obligation Public Improvement Bonds, Series 2018A" (the "Bonds") for the purpose of providing funds, together with any other available funds, to (i) pay at maturity \$4,625,000 of the outstanding principal balance of the 2018B Notes, (ii) pay the costs of the various projects authorized to be financed by the Housing Bonds and (iii) pay certain financing costs relating thereto.
- (e) The maximum period of usefulness of the capital projects to be provided with the proceeds of the Bonds is estimated as a period of at least forty (40) years from June 27, 2018, the date of the 2018B Notes, and that such period expires on June 27, 2058.
- (f) Simultaneously with the issuance of the Bonds, the City intends to issue its \$146,600,000 General Obligation Public Improvement Bonds, Series 2018B" (the "Series 2018B Bonds"). The Bonds and the Series 2018B Bonds shall be treated as a single issue for purposes of Section 159-65(a)(3) and (4) of the General Statutes of North Carolina, as amended.

Section 2. Pursuant to the order authorizing the Housing Bonds, the City shall issue the Bonds in the aggregate principal amount of \$10,400,000, to be dated as of the date of delivery thereof and designated "Taxable General Obligation Public Improvement Bonds, Series 2018A." The Bonds shall be stated to mature annually, October 1, \$7,750,000 2019 and \$2,650,000 2020, and shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina (the "Commission") at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each April 1 and October 1, beginning April 1, 2019, until payment of such principal sum.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an interest payment date, in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds shall be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), shall be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the City hereinafter provided for as the registered owner of such Bond or her registered assigns or legal representative at such office of

the Bond Registrar (hereinafter defined) or such other place as the City may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on such registration books; provided, however, that for so long as the Bonds are deposited with DTC, the payment of the principal of and interest on the Bonds shall be made to DTC in same-day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The City shall not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City shall discontinue the book-entry system with DTC. If the City identifies another qualified securities depository to replace DTC, the City shall make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the City fails to identify another qualified securities depository to replace DTC, the City shall deliver replacement Bonds in the form of fully-registered certificates in denominations of \$5,000 or any whole multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the City may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Mayor and the City Clerk or any deputy or assistant City Clerk of the City, and the official seal or a facsimile of the official seal of the City shall be impressed or imprinted, as the case may be, on the Bonds.

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

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

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. and the endorsements thereon shall be in substantially the following form:

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO THE CITY OF GREENSBORO, NORTH CAROLINA OR ITS AGENT FOR REGISTRATION OR TRANSFER, EXCHANGE, OR PAYMENT, AND ANY BOND ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

No. RA-__ \$_____
United States of America

State of North Carolina

County of Guilford

CITY OF GREENSBORO

TAXABLE GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND

SERIES 2018A

Maturity Date Interest Rate CUSIP No.

October 1, 20__ % _____

The City of Greensboro, a municipal corporation duly organized and validly existing under the laws of the State of North Carolina, is justly indebted and for value received hereby promises to pay to CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said City (the "Bond Registrar"), in Greensboro, North Carolina, the principal sum of

DOLLARS

and to pay interest on such principal sum from the date hereof or from April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is April 1 or October 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each April 1 and October 1, beginning April 1, 2019, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on the bond registration books of said City; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "Taxable General Obligation Public Improvement Bonds, Series 2018A" (the "Bonds") and issued by said City for the purpose of providing funds, together with any other available funds, for various housing projects, and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the City Council of said City, which order was approved by the vote of a majority of qualified voters who voted thereon at a referendum duly called and held, and a resolution duly adopted by said City Council (the "Resolution").

The Bonds are not subject to redemption prior to their respective maturities.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., as nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. Said City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, said City will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any whole multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized

denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his or her office the books of said City for the registration of transfer of Bonds. The transfer of this bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his or her attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said City, including this bond, does not exceed any constitutional or statutory limitation thereon.

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

IN WITNESS WHEREOF, the City of Greensboro, North Carolina, by resolution duly adopted by its City Council, has caused this bond to be manually signed by the Mayor and the City Clerk of said City and its official seal to be impressed hereon, all as of the ____ day of October, 2018.

[Do not sign]

Mayor

[SEAL]

[Do not sign]

City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Do not sign]

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

[Do not sign]

Finance Director, as Bond Registrar

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program. The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration of enlargement or any change whatever.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to

Certificated Bonds.

Section 4. The Bonds are not subject to redemption prior to their respective maturities.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his or her attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the City upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his or her attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

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

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

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

Section 6. All actions of the Mayor, the City Manager, the Finance Director and the City Clerk of the City in applying to the Commission to advertise and sell the Bonds are hereby approved, ratified and confirmed, and the Commission is hereby requested to ask for sealed bids for the Bonds by publishing notices and printing and distributing a Preliminary Official Statement, to be dated as of the date of delivery thereof, relating to the offering and sale of the Bonds. The printing and distribution of such Preliminary Official Statement, in substantially the form presented at this meeting, is hereby ratified, authorized and approved.

The preparation of a final Official Statement (the "Final Official Statement"), which will be in the form of the Preliminary Official Statement, but will include certain pricing and other information to be made available to the successful bidder for the Bonds by the Commission, is hereby approved, and the Mayor, the City Manager and the Finance Director of the City are hereby authorized to execute and deliver the Final Official Statement for and on the behalf of the City, and such execution shall be conclusive evidence of the approval of the City Council of the Final Official Statement.

Section 7. The City hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking City Council (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ended June 30, 2018, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ended June 30, 2018, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the headings "THE CITY - Debt Information and - Tax Information" (excluding any information on overlapping units) in the Final Official Statement and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above.

(c) in a timely manner not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) Bond calls, except for a mandatory sinking fund redemption, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the City;
- (13) the consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) appointment of a trustee or a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

All information provided to the MSRB as described in this Section shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The City may meet the continuing disclosure filing requirement described above by complying with any other procedure that may be authorized or required by the United States Securities and Exchange Commission.

If the City fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The City reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the City, provided that:

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the City;
- (b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interests of the beneficial owners of the Bonds, as determined either by parties unaffiliated with the City (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this resolution, as this resolution may be amended from time to time, at the time of such amendment.

In the event that the City makes such a modification, the annual financial information containing the modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 8. Womble Bond Dickinson (US) LLP is hereby approved to serve as bond counsel to the City and DEC Associates, Inc. is hereby approved to serve as financial advisor to the City in connection with the authorization, sale and issuance of the Bonds.

Section 9. The Mayor, the City Manager, the Finance Director, the City Clerk and the City Attorney, and their respective deputies or assistants, are hereby authorized and directed to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as may be necessary or appropriate to effectuate the sale and issuance of the Bonds and the payment of the 2018B Notes in a manner consistent with the terms of this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and the Bonds.

Section 10. This resolution shall take effect upon its adoption.

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

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF \$10,400,000 TAXABLE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2018A" was adopted by the following vote:

Ayes:

Noes:

(Signed) Sharon Hightower

33. [ID 18-0500](#) Resolution Providing for the Sale and Issuance of \$144,600,000 General Obligation Public Improvement Bonds, Series 2018B

City Attorney Carruthers stated the item was approved as to form.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

214-18 Thereupon, _____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$144,600,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2018B

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

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

(a) An order authorizing \$134,000,000 Street Bonds of the City (the "Street Bonds") was adopted by the City Council of the City on July 16, 2008, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 4, 2008. The City Council of the City adopted an order on February 4, 2014 extending the time to issue the Street Bonds from seven to ten years from November 4, 2008, which order has taken effect.

(b) An order authorizing \$20,000,000 Parks and Recreational Facilities Bonds of the City (the "Park Bonds") was adopted by the City Council of the City on July 16, 2008, which order was approved by the vote of a majority of the

qualified voters of the City who voted thereon at a referendum duly called and held on November 4, 2008. The City Council of the City adopted an order on February 4, 2014 extending the time to issue the Park Bonds from seven to ten years from November 4, 2008, which order has taken effect.

(c) An order authorizing \$20,000,000 Natural Science Center Bonds of the City (the "Natural Science Center Bonds") was adopted by the City Council of the City on June 16, 2009, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 3, 2009. The City Council of the City adopted an order on September 6, 2016 extending the time to issue the Natural Science Center Bonds from seven to ten years from November 3, 2009, which order has taken effect.

(d) An order authorizing \$25,000,000 Housing Bonds (the "Housing Bonds") was adopted by the City Council of the City on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016.

(e) An order authorizing \$38,500,000 Community and Economic Development Bonds (the "Community and Economic Development Bonds") was adopted by the City Council of the City on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016.

(f) An order authorizing \$34,500,000 Parks and Recreation Bonds (the "Parks and Recreation Bonds") was adopted by the City Council of the City on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016.

(g) An order authorizing \$28,000,000 Transportation Bonds (the "Transportation Bonds") was adopted by the City Council of the City on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016.

(h) The City has heretofore issued \$27,963,152 of the Street Bonds, \$14,759,464 of the Park Bonds and \$11,795,698 of the Natural Science Center Bonds, and there remains \$106,036,848 of the Street Bonds, \$5,240,536 of the Park Bonds and \$8,204,302 of the Natural Science Center Bonds that are authorized to be issued. None of the Housing Bonds, the Community and Economic Development Bonds, the Parks and Recreation Bonds or the Transportation Bonds have been issued.

(i) There is outstanding a not to exceed \$50,000,000 General Obligation Public Improvement Bond Anticipation Note, Series 2017A, dated April 12, 2017, maturing on November 1, 2018 and bearing interest at a variable rate (the "2017 Note"), which 2017 Note was issued in anticipation of the receipt of proceeds of the sale of not to exceed \$37,500,000 of the Street Bonds, not to exceed \$5,000,000 the Park Bonds and not to exceed \$7,500,000 of the Natural Science Center Bonds.

(j) There is outstanding \$9,245,000 General Obligation Public Improvement Bond Anticipation Notes, Series 2018A, dated June 27, 2018, maturing October 18, 2018, and bearing interest at the rate of 3.00% per annum (the "2018A Notes"), which 2018A Notes were issued in anticipation of the receipt of the proceeds of the sale of \$730,000 of the Community and Economic Development Bonds, \$5,425,000 of the Parks and Recreation Bonds and \$3,090,000 of the Transportation Bonds.

(k) There is outstanding \$5,325,000 Taxable General Obligation Public Improvement Bond Anticipation Notes, Series 2018B, dated June 27, 2018, maturing October 18, 2018, and bearing interest at the rate of 3.25% per annum (the "2018B Notes"), which 2018B Notes were issued in anticipation of the receipt of the proceeds of the sale of \$4,625,000 of the Housing Bonds and \$700,000 of the Community and Economic Development Bonds.

(l) It is necessary to issue not to exceed \$102,500,000 of the Street Bonds, \$5,000,000 of the Park Bonds, \$7,500,000 of the Natural Science Center Bonds, \$7,125,000 of the Community and Economic Development Bonds, \$11,000,000 of the Parks and Recreation Bonds and \$11,475,000 of the Transportation Bonds at this time for the purpose of providing funds, together with any other available funds, to (i) redeem the outstanding principal balance of the 2017 Note, (ii) pay at maturity the outstanding principal balance of the 2018A Notes, (iii) pay at maturity \$700,000 of the outstanding principal balance of the 2018B Notes, (iv) pay the costs of the various projects authorized to be financed by said bonds and (v) pay certain financing costs relating thereto.

(m) It is in the best interest of the City to consolidate the Park Bonds, the Street Bonds, the Natural Science Center Bonds, the Community Economic Development Bonds, the Parks and Recreation Bonds and the Transportation Bonds to be issued for the purposes of sale into a single issue of bonds designated "General Obligation Public Improvement Bonds, Series 2018B" (the "Bonds").

(n) (i) The maximum period of usefulness of the capital projects to be provided with the proceeds of the Park Bonds, the Natural Science Center Bonds and the Parks and Recreation Bonds is estimated as a period of at least forty (40) years from April 12, 2017, the date of the 2017 Note, and that such period expires on April 12, 2057, and (ii) the

maximum period of usefulness of the capital projects to be provided with the proceeds of the Street Bonds, the Community and Economic Development Bonds and the Transportation Bonds is estimated as a period of at least twenty (20) years from June April 12, 2017, the date of the 2017 Note, and that such period expires on April 12, 2037.

(o) Simultaneously with the issuance of the Bonds, the City intends to issue its \$10,400,000 Taxable General Obligation Public Improvement Bonds, Series 2018A" (the "Series 2018A Bonds"). The Bonds and the Series 2018A Bonds shall be treated as a single issue for purposes of Section 159-65(a)(3) and (4) of the General Statutes of North Carolina, as amended.

Section 2. Pursuant to said orders, the City shall issue the Bonds in the aggregate principal amount not to exceed \$144,600,000, to be dated as of the date of delivery thereof and designated "General Obligation Public Improvement Bonds, Series 2018B." The Bonds shall be stated to mature annually on October 1 in the years and amounts determined by the Local Government Commission of North Carolina (the "Commission") and approved by the City; provided, however, that the aggregate principal amount of the Bonds shall not exceed \$144,600,000 and the final maturity of the Bonds shall not exceed October 1, 2038. The Bonds shall bear interest at a rate or rates to be determined by the Commission at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each April 1 and October 1, beginning April 1, 2019, until payment of such principal sum. The final aggregate principal amount of the Bonds and the principal amount of each maturity of the Bonds shall be evidenced by a certificate of the Mayor, the City Manager or the Finance Director of the City executed and delivered on or before the date of issuance of the Bonds, and the final aggregate principal amount of the Bonds and the final principal amount of each maturity of the Bonds shall also be set forth in the Final Official Statement (hereinafter defined).

Notwithstanding the foregoing, the principal due on October 1 of each year as provided above may be made to come due on account of the maturity of Bonds on such date or pursuant to mandatory sinking fund redemption, all as provided in the Notice of Sale relating to the Bonds. Bonds to be retired on multiple dates on account of mandatory sinking fund redemptions and a final maturity are herein referred to as "Term Bonds." The Finance Director of the City may take all actions necessary, including modification of the form of Bonds set forth in Section 3 of this resolution and the redemption provisions set forth in Section 4 of this resolution, in order to conform any Bonds to the requirements for Term Bonds.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an interest payment date, in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds shall be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), shall be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the City hereinafter provided for as the registered owner of such Bond or her registered assigns or legal representative at such office of the Bond Registrar (hereinafter defined) or such other place as the City may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on such registration books; provided, however, that for so long as the Bonds are deposited with DTC, the payment of the principal of and interest on the Bonds shall be made to DTC in same-day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Transfer of principal and interest payments to

participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The City shall not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City shall discontinue the book-entry system with DTC. If the City identifies another qualified securities depository to replace DTC, the City shall make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the City fails to identify another qualified securities depository to replace DTC, the City shall deliver replacement Bonds in the form of fully-registered certificates in denominations of \$5,000 or any whole multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the City may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Mayor and the City Clerk or any deputy or assistant City Clerk of the City, and the official seal or a facsimile of the official seal of the City shall be impressed or imprinted, as the case may be, on the Bonds.

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

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

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. and the endorsements thereon shall be in substantially the following form:

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO THE CITY OF GREENSBORO, NORTH CAROLINA OR ITS AGENT FOR REGISTRATION OR TRANSFER, EXCHANGE, OR PAYMENT, AND ANY BOND ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

No. RB-__ \$_____

United States of America

State of North Carolina

County of Guilford

CITY OF GREENSBORO

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND

SERIES 2018B

Maturity Date Interest Rate CUSIP No.

October 1, 20__ % _____

The City of Greensboro, a municipal corporation duly organized and validly existing under the laws of the State of

North Carolina, is justly indebted and for value received hereby promises to pay to CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said City (the "Bond Registrar"), in Greensboro, North Carolina, the principal sum of

DOLLARS

and to pay interest on such principal sum from the date hereof or from April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is April 1 or October 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each April 1 and October 1, beginning April 1, 2019, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on the bond registration books of said City; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Public Improvement Bonds, Series 2018B" (the "Bonds") and issued by said City for the purpose of providing funds, together with any other available funds, for street and sidewalk, parks and recreational facilities, natural science center, community and economic development and transportation improvements, and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, orders adopted by the City Council of said City, which orders were approved by the vote of a majority of qualified voters who voted thereon at referenda duly called and held, and a resolution duly adopted by said City Council (the "Resolution").

The Bonds maturing on or prior to October 1, 20__ are not subject to redemption prior to maturity. The Bonds maturing on October 1, 20__ and thereafter will be subject to redemption prior to their maturity, at the option of said City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than October 1, 20__, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

[If any Bonds are Term Bonds, the following paragraph(s) shall be applicable:

The Bonds maturing October 1, ____ shall be subject to mandatory redemption in part by lot on October 1 in the years and amounts set forth below at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption:

Year	Amount
------	--------

* Maturity

The Bonds maturing October 1, ____ shall be subject to mandatory redemption in part by lot on October 1 in the years and amounts set forth below at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption:

Year	Amount
------	--------

*Maturity]

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as said City in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of

\$5,000 or any whole multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. So long as a book-entry system with The Depository Trust Company ("DTC"), is used for determining beneficial ownership of Bonds, if less than all of the Bonds within the maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in such manner as said City may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, said City shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his or her address appearing upon the registration books of said City, provided that such notice to Cede & Co. shall be given by certified or registered mail or otherwise as prescribed by DTC. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date and, if moneys for payment of such redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to Cede & Co. or its legal representative upon the surrender hereof.

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

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., as nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. Said City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, said City will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any whole multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his or her office the books of said City for the registration of transfer of Bonds. The transfer of this bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his or her attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption

in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said City, including this bond, does not exceed any constitutional or statutory limitation thereon.

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

IN WITNESS WHEREOF, the City of Greensboro, North Carolina, by resolution duly adopted by its City Council, has caused this bond to be manually signed by the Mayor and the City Clerk of said City and its official seal to be impressed hereon, all as of the ____ day of October, 2018.

[Do not sign]

Mayor

[SEAL]

[Do not sign]

City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Do not sign]

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

[Do not sign]

Finance Director, as Bond Registrar

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program. The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration of enlargement or any change whatever.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 4. The Bonds maturing on or prior to October 1, 2028 are not subject to redemption prior to their maturity. The Bonds maturing on October 1, 2029 and thereafter will be subject to redemption prior to their maturity, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than October 1, 2028, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Notwithstanding the foregoing, the Finance Director of the City may modify the redemption provisions set forth above if the Finance Director of the City determines that it is in the best interests of the City to modify the same for purposes of marketing and sale of the Bonds, such modified redemption provisions to be set forth in the Notice of

Sale relating to the Bonds. In such case, the Finance Director is authorized and directed to take all actions necessary to conform the terms of the Bonds to reflect such modified redemption provisions.

If the Finance Director of the City determines that all or a portion of the Bonds shall be Term Bonds, then such Term Bonds shall be subject to mandatory sinking fund redemption in the amount necessary to retire principal of the Bonds on each October 1 as set forth in Section 2 of this resolution at a redemption price equal 100% of the principal amount to be so redeemed, plus accrued interest to the date fixed for redemption. In the event that any of the Term Bonds are redeemed in part pursuant to the optional redemption provisions set forth in the immediately preceding paragraph, the mandatory redemption requirements for the remaining Term Bonds of the same maturity shall be reduced in an aggregate amount equal to the amount of Term Bonds of the same maturity so redeemed in the years and amounts designated by the Finance Director of the City to the Bond Registrar.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the City in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or any whole multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. So long as a book-entry system with DTC, is used for determining beneficial ownership of Bonds, if less than all of the Bonds within the maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in such manner as the City may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the City shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his or her address appearing upon the registration books of the City, provided that such notice to Cede & Co. shall be given by certified or registered mail or otherwise as prescribed by DTC. Failure to mail such notice or any defect therein shall not affect the validity of the redemption with regard to registered owners to whom such notice was properly given. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. In the event that Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

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

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to such redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest thereon to such redemption date.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his or her attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his or her legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his or her attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the City upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his or her attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

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

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

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.

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

Section 6. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the Bonds will not be included in gross income of the owners of the Bonds for federal income tax purposes.

Section 7. All actions of the Mayor, the City Manager, the Finance Director and the City Clerk of the City in applying to the Commission to advertise and sell the Bonds are hereby approved, ratified and confirmed, and the Commission is hereby requested to ask for sealed bids for the Bonds by publishing notices and printing and distributing a Preliminary Official Statement, to be dated as of the date of delivery thereof, relating to the offering and sale of the Bonds. The printing and distribution of such Preliminary Official Statement, in substantially the form presented at this meeting, is hereby ratified, authorized and approved.

The preparation of a final Official Statement (the "Final Official Statement"), which will be in the form of the Preliminary Official Statement, but will include certain pricing and other information to be made available to the

successful bidder for the Bonds by the Commission, is hereby approved, and the Mayor, the City Manager and the Finance Director of the City are hereby authorized to execute and deliver the Final Official Statement for and on the behalf of the City, and such execution shall be conclusive evidence of the approval of the City Council of the Final Official Statement.

Section 8. The City hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking City Council (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ended June 30, 2018, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ended June 30, 2018, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the headings "THE CITY - Debt Information and - Tax Information" (excluding any information on overlapping units) in the Final Official Statement and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above.

(c) in a timely manner not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) Bond calls, except for a mandatory sinking fund redemption, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the City;
- (13) the consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) appointment of a trustee or a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

All information provided to the MSRB as described in this Section shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The City may meet the continuing disclosure filing requirement described above by complying with any other procedure that may be authorized or required by the United States Securities and Exchange Commission.

If the City fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The City reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the City, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the City;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners of the Bonds, as determined either by parties unaffiliated with the City (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this resolution, as this resolution may be amended from time to time, at the time of such amendment.

In the event that the City makes such a modification, the annual financial information containing the modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 9. Womble Bond Dickinson (US) LLP is hereby approved to serve as bond counsel to the City and DEC Associates, Inc. is hereby approved to serve as financial advisor to the City in connection with the authorization, sale and issuance of the Bonds.

Section 10. The Mayor, the City Manager, the Finance Director, the City Clerk and the City Attorney, and their respective deputies or assistants, are hereby authorized and directed to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as may be necessary or appropriate to effectuate the sale and issuance of the Bonds and the payment of redemption of the 2017 Note, the 2018A Notes and the 2018B Notes in a manner consistent with the terms of this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and the Bonds.

Section 11. This resolution shall take effect upon its adoption.

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

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$144,600,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2018B" was adopted by the following vote:

Ayes:

Noes:

(Signed) Goldie Wells

34. [ID 18-0510](#) Ordinance in the Amount of \$64,570,000 Amending the FY 18-19 Debt Service Fund

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-108 ORDINANCE AMENDING FY 18-19 DEBT SERVICE FUND

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

Section 1

That the FY 18-19 Debt Service Fund Budget of the City of Greensboro is hereby amended, and:

That the appropriations be increased as follow:

Account	Description	Amount
301-1004-01.5899	Payment to Escrow Agent	\$64,570,000

and, that the following revenue finances these appropriations:

Account	Description	Amount
301-1004-01.9004	Proceeds from Refunding Bonds	\$64,570,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

III. GENERAL BUSINESS AGENDA

35. [ID 18-0484](#) Boards and Commissions Listing for August 21, 2018

Councilmember Hightower stated she would make an appointment at a future meeting but did not have the information this evening.

Moved by Councilmember Thurm, seconded by Mayor Pro-Tem Johnson to appoint Dave Blackman to the Planning Commission. The motion carried by voice vote. Moved by Councilmember Thurm, seconded Councilmember Abuzuaiter to reappoint Cheryl McQuerry to the Greensboro Transit Authority. The motion carried by on an 8-1 voice vote with Councilmember Hightower voting 'No'. Moved by Councilmember Thurm, seconded by Councilmember Outling to appoint Jamie Silvers to the Arts Council. The motion carried by voice vote.

Moved by Councilmember Outling, seconded by Councilmember Abuzuaiter to appoint Zac Engle to the Zoning Commission. The motion carried by voice vote.

With the permission of Mayor Vaughan, Councilmember Abuzuaiter made a motion, seconded by Mayor Pro-Tem Johnson to move Vicki Foust to the District 4 position and to appoint Jonathan King for the At Large position on the Community Sustainability Committee. The motion carried by voice vote. Councilmember Abuzuaiter spoke to the resignation of Mr. McNeil; and confirmed Mr. King would fulfill the at large under 30 position.

Mayor Pro-Tem Johnson placed the name of Marion Dansby Byrd into the databank for future use on the Zoning Commission.

Councilmember Wells placed the names of Kay Brown and Danielle Brame into the databank for future use on a board or commission.

36. [ID 18-0490](#) Resolution Approving a Change Order in the Amount of \$123,145 to Contract 2016-039 with Hazen and Sawyer, PC, for the Townsend Water Treatment Facility Basin and Gravity Filter Improvements Project Construction Administration and Inspection Services

Councilmember Hightower commended Water Resources on their efforts to meet M/WBE goals.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

215-18 RESOLUTION APPROVING A CHANGE ORDER IN THE AMOUNT OF \$123,145 TO CONTRACT 2016-039 WITH HAZEN AND SAWYER, PC, FOR THE TOWNSEND WATER TREATMENT FACILITY BASIN AND GRAVITY FILTER IMPROVEMENTS PROJECT CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES

WHEREAS, on December 20, 2016 the City authorized professional services construction administration and inspection services contract 2016-039 with Hazen & Sawyer, PC in the amount of \$1,537,000 to support the Townsend Water Treatment Facility Basin and Gravity Filter Improvements Project;

WHEREAS, Change Order No. 1 approved by City Council on July 18, 2017, increased the contract amount to \$1,726,155 and adjusted the original estimated construction timeframe three months (from 24 to 27 months);

WHEREAS, Change Order No. 2 will allow the engineering team to extend their on-site observation evaluation and technical guidance of the work necessary for the completion of the project due additional three months (up to 30 months) due to operational challenges.

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

That a change order in the above-mentioned contract with Hazen and Sawyer, PC, in the amount of \$123,145 for the Townsend Water Treatment Facility Basin and Gravity Filter Improvements Project Construction Administration and Inspection Services and additional work 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 \$123,145 from Account 515-7025-01.5410 and the associated budget adjustment.

(Signed) Marikay Abuzuaiter

- 37. [ID 18-0482](#)** Resolution Approving Contract Number 2018-031 with Recreation Ventures, Inc. (dba Court One) for the Renovation of Seven Community Tennis Court Sites-Peeler Community Park, Smith Community Park, Woodlea Acres, Dudley High School, Page High School, Lake Daniel Park and Sunset Hills

Discussion took place regarding previous tennis court renovations.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

216-18 RESOLUTION APPROVING THE AWARD OF CONTRACT 2018-031 TO RECREATIONAL VENTURES (DBA COURT ONE) FOR RENOVATION OF SEVEN COMMUNITY TENNIS COURT SITES-PEELER COMMUNITY PARK, SMITH COMMUNITY PARK, WOODLEA ACRES, DUDLEY HIGH SCHOOL, PAGE HIGH SCHOOL, LAKE DANIEL PARK AND SUNSET HILLS

WHEREAS, the City Council is being requested to approve the award of the contract to Recreational Venture, Inc. (dba Court One) for the renovation and/reconstruction of seven community tennis court sites for the Parks and Recreation Department;

WHEREAS, the reconstruction and ADA accessibility will be completed at Peeler Community Park (2 courts), Smith Community Park (2 courts), Woodlea Acres (2 courts), Dudley High School (8 courts) and Page High School

(8 courts)

WHEREAS, the reconstruction of existing tennis site located at Lake Daniel Park (3 courts) and Sunset Hills (1 court).

WHEREAS, it is recommended by the Facilities Division of the City of Greensboro that City Council approve the award of this contract to Recreational Ventures, Inc (dba Court One) for the renovation of seven community tennis court sites.

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

That a contract with Recreational Ventures, Inc. (dba Court One) for the renovation of seven community tennis court sites (Peeler Community Park, Smith Community Park, Woodlea Acres, Dudley High School, Page High School, Lake Daniel Park and Sunset Hills) renovation project is hereby authorized at a total cost of \$ 1,446,720.00, payment of said additional amount to be made from Account No. 482-5001-04.6019.

(Signed) Tammi Thurm

38. [ID 18-0466](#) Resolution Approving the Sale, as Recommended by The Redevelopment Commission Of Greensboro, to Greenline Holdings II, LLC of that Property Lying and Being in the South Elm Redevelopment Area of the City of Greensboro and Generally Known as 125 West Gate City Boulevard, 123 West Gate City Boulevard, 121 West Gate City Boulevard, 700 South Elm Street, 728 South Elm Street, 702-714 South Elm Street, 724 South Elm Street, 730 South Elm Street, and 734 South Elm Street for Redevelopment in Accordance with the South Elm Street Redevelopment Plan

Mayor Vaughan introduced the item; and requested a staff presentation.

Senior Planner Dyan Arkin made a PowerPoint Presentation (PPP); provided the history of the redevelopment agreement; outlined the proposed development plans; spoke to three phases of construction; outlined the timeline for construction to begin in February 2019; the proposed completion date in 2021; provided community benefits and value; and recognized those in attendance from the Redevelopment Commission.

Mayor Vaughan asked about conveyance of the land; the timeframe for build-out; and asked for confirmation about potential land sales.

Ms. Arkin highlighted the agreement performance goals; parcel restrictions when conveyed to the developer; clarified that any future land sales would have to have the approval of the Redevelopment Commission; and recognized the development team in attendance.

Mayor Pro-Tem Johnson voiced appreciation for low income housing; and encouraged developers to utilize minority contractors.

Councilmember Hightower inquired about public investment; reiterated the need for M/WBE participation; and requested staff to research contractors that exceed aspirational goals.

Ms. Arkin spoke to anticipated public investments; estimated funding for infrastructure and street scape; to work that had been completed; relocation of water lines; stated the master development team aspired to 20% M/WBE participation; and spoke to the M/WBE process for funded contracts.

Councilmember Abuzuaiter commended the development team and the Redevelopment Commission; and recognized Chuck McQueary and Dawn Chaney in attendance.

Councilmember Wells voiced appreciation for the District 2 project.

Councilmember Hoffmann spoke to the of investment into Downtown; and voiced appreciation for the project.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No.19, which is hereby referred to and made a part of these minutes.)

Mayor Vaughan recognized Mr. Isner in the audience; and spoke to tennis matches.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

217-18 RESOLUTION APPROVING THE SALE, AS RECOMMENDED BY THE REDEVELOPMENT COMMISSION OF GREENSBORO, TO GREENLINE HOLDINGS II, LLC OF THAT PROPERTY LYING AND BEING IN THE SOUTH ELM REDEVELOPMENT AREA OF THE CITY OF GREENSBORO AND GENERALLY KNOWN AS 125 WEST GATE CITY BOULEVARD, 123 WEST GATE CITY BOULEVARD, 121 WEST GATE CITY BOULEVARD, 700 SOUTH ELM STREET, 728 SOUTH ELM STREET, 702-714 SOUTH ELM STREET, 724 SOUTH ELM STREET, 730 SOUTH ELM STREET, AND 734 SOUTH ELM STREET FOR REDEVELOPMENT IN ACCORDANCE WITH THE SOUTH ELM STREET REDEVELOPMENT PLAN.

WHEREAS, the Redevelopment Commission of Greensboro (the "Redevelopment Commission") entered into that certain Master Development dated June 12, 2013 with South Elm Development Group, LLC ("SEDG"), to negotiate redevelopment of the South Elm Street Redevelopment Area site in accordance with the approved South Elm Street Redevelopment Plan and the terms of said Master Development Agreement;

WHEREAS, on August 11, 2017, the South Elm Development Group, LLC delivered to the Redevelopment Commission a Letter of Intent from Greenline Holdings II, LLC ("Greenline") for the development of for-sale residential units and a mixed-used building inclusive of for-rent residential units and commercial/retail space on approximately three acres of land within the South Elm Street Redevelopment Area;

WHEREAS, said three acres of land is generally known as 125 West Gate City Boulevard, 123 West Gate City Boulevard, 121 West Gate City Boulevard, 700 South Elm Street, 728 South Elm Street, 702-714 South Elm Street, 724 South Elm Street, 730 South Elm Street, and 734 South Elm Street;

WHEREAS, the parties worked toward plan development and on August 1, 2018, the Redevelopment Commission, Greenline, and SEDG have agreed to the terms and conditions of a Sale and Development Agreement, which include the following terms:

- Agreement contingent upon City Council approval;
- Sales price of \$455,135.89 per acre;
- Property shall be developed as a mix of residential for-sale (approximately sixty) and for-rent (approximately thirty-nine) units and commercial/retail use, which plan and development shall be subject to approval by the Redevelopment Commission of Greensboro;
- Property shall be conveyed to Greenline by special warranty deed;
- All site plans and building plans shall be subject to approval by the Redevelopment Commission of Greensboro;
- All site plans and building plans shall further be subject to approval as required by the City, the North Carolina Department of Environmental Quality (hereinafter "DEQ") under the Brownfields Notice; and
- Buyer shall be required to commence construction of approved improvements within two (2) months of closing and complete development within three (3) years of the effective date of the Purchase Contract;

WHEREAS, the Redevelopment Commission of Greensboro approved execution of the said Sale and Development

Agreement with Greenline and SEDG upon finding that the proposed redevelopment of the above described three-acre site will not be prejudicial to the sale of other parts of the South Elm Street Redevelopment Area or in any other way prejudicial to the realization of the South Elm Street Redevelopment Plan and authorized initiation of the upset bid process in conformity with North Carolina redevelopment law; and

WHEREAS, the intent to sell and the terms and conditions were advertised in accordance with state redevelopment law, and no upset bids were received;

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

That the sale of approximately three acres of land generally known as 125 West Gate City Boulevard, 123 West Gate City Boulevard, 121 West Gate City Boulevard, 700 South Elm Street, 728 South Elm Street, 702-714 South Elm Street, 724 South Elm Street, 730 South Elm Street, and 734 South Elm Street, (which land more fully described in a survey and property description attached as Exhibits C and D to the Sale and Development Agreement), in accordance with the terms of the above referenced Sale and Development to Greenline Holdings II, LLC, is hereby approved.

(Signed) Sharon Hightower

39. [ID 18-0527](#) Ordinance Amending Section 21-8 of the Greensboro Code of Ordinances with Respect to Personnel

Mayor Vaughan stated staff requested the item be withdrawn from the agenda. It was the consensus of Council to withdraw the item.

40. [ID 18-0531](#) Resolution Authorizing Sale of One Hundred Forty Square Feet of Real Property to the Abutting Property Owner, N Club, LLC for purposes of Recombining Said Real Property with the Adjacent Real Property Located at 117-119 S. Elm Street

Councilmember Outling referenced a previous settlement item; and spoke to a conflict of interest.

Moved by Councilmember Wells, seconded by Councilmember Abuzuaiter to excuse Councilmember Outling from voting on the item. The motion carried by voice vote.

Mayor Vaughan voiced concern with the resolution; and stated she would not support the item if it was part of the original agreement.

City Attorney Carruthers spoke to the settlement agreement; to the use of air space; and to the approval of the item.

Councilmember Outling voiced concerns with the language of the item; and spoke to the need for clarity on his recusal.

City Attorney Carruthers explained the language used on the item; spoke to the appraised value of the air space; and stated it would be appropriate for Councilmember Outling to vote.

Councilmember Outling expressed the request for recusal would be appropriate; and spoke to the connection to the settlement.

Moved by Mayor Vaughan, seconded by Mayor Pro-Tem Johnson to make a friendly amendment to include a requirement for all paperwork to be completed within 7 days of the adoption of the resolution.

Discussion ensued regarding air rights; exchange of properties; appraisals; fair market value; a potential postponement of the item; effective use of the property; a private sale; and low value transactions.

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

Ayes, 7 - Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Tammi Thurm and Goldie F. Wells

Nays, 1 - Nancy Vaughan

Excused, 1 - Justin Outling

218-18 RESOLUTION AUTHORIZING SALE OF ONE HUNDRED FORTY SQUARE FEET OF REAL PROPERTY TO THE ABUTTING PROPERTY OWNER, N CLUB, LLC, FOR PURPOSES OF RECOMBINING SAID REAL PROPERTY WITH THE ADJACENT REAL PROPERTY LOCATED AT 117-119 S. ELM ST.

WHEREAS, the City of Greensboro ("City") was approached by N Club, LLC based on its desire to expand its business in connection with the proposed development of the February One Downtown Development Project;

WHEREAS, pursuant to the Settlement and Release of All Claims dated April 24, 2018 (the "Settlement Agreement") by and between N Club, LLC, GGEG, LLC and the City, N Club, LLC agreed to exchange its interest in an access easement over City property for title to real property comprising 17 by 20 feet that abutted its property at 117-119 S. Elm St.;

WHEREAS, as a result of N Club, LLC submitting proposals of its design for expansion on that 17 by 20 foot tract to the City for building code compliance review, N Club, LLC determined that additional property was necessary to construct its desired expansion;

WHEREAS, N Club, LLC requested the City consider sale of the one hundred and forty square feet of real property (the "Tract") adjacent to the aforementioned 17 by 20 foot tract, with appropriate restrictions running with the land so that N Club, LLC could construct its desired expansion and the City's desired function for the Tract would also be maintained;

WHEREAS, this expansion will expand the tax base;

WHEREAS, City's sale of the Tract would be subject to a "no build" easement for the first fifteen feet in height of the Tract (the "No Build Area") in order to preserve the easement rights granted by City Council to preserve pedestrian and vehicular access;

WHEREAS, the air rights above the No Build Area are of no additional public purpose and it is desirable to sell the Tract subject to the no build easement as excess;

WHEREAS, this sale will promote a more orderly and coordinated system of development by allowing the abutting property owner at 117-119 S. Elm St. to expand its business while maintaining a pedestrian pathway for patrons entering and exiting the back of the buildings along the east side of the 100 block of S. Elm St.;

WHEREAS, Fair Market Value at Eight Hundred and Forty Dollars (\$840) was determined and computed on the basis of a competent and disinterested appraisal by Dick Foster, MAI of Foster Appraisal Services, Inc., which valued the appraised property at Six Dollars per square foot;

WHEREAS, N Club, LLC has offered to pay said Fair Market Value, as determined by the aforementioned disinterested appraisal, to the City for title to the said tract subject to the development restriction recited herein above and all other restrictions necessary for the City to comply with its development of the February One Parking Deck; and

WHEREAS, the City desires for this sale to be contingent upon receipt and recordation of all outstanding documents from N Club, LLC and GGEG, LLC pursuant to the Settlement Agreement within seven days from the

adoption hereof.

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

That, the above recitals are incorporated herein by reference and the City Manager is hereby authorized to execute any necessary closing documents in conformity herewith and the Mayor is authorized to execute a deed to effectuate the said transfer of property on the condition that, within seven days of the adoption hereof, all outstanding documents from N Club, LLC and GGEG, LLC pursuant to the Settlement Agreement shall be received and recorded.

(Signed) Nancy Hoffmann

41. [ID 18-0533](#) Resolution Creating the Greensboro Criminal Justice Advisory Commission

Councilmember Hightower asked for clarification on the Police Community Review Board (PCRB); requested oversight of the Commission to fall under the Human Relations Department; and inquired as to when the Commission would be effective.

City Attorney Carruthers confirmed the PCRB would be under the Greensboro Criminal Justice Advisory Commission (GCJAC) that would report to the City Manager's Office.

Assistant City Manager Barbara Harris spoke to staffing to support the GCJAC; funding allocation; training; and the support of the Human Relations Department as needed.

Discussion took place regarding responsibilities and duties of the position.

Mayor Pro-Tem Johnson called the question.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

219-18 RESOLUTION CREATING THE GREENSBORO CRIMINAL JUSTICE ADVISORY COMMISSION

WHEREAS, the Greensboro Criminal Justice Advisory Commission (GCJAC) was initially proposed following an in-depth review of the previous Police Community Review Board (PCRB). This review also focused on the citizen complaint process for alleged police misconduct of sworn law enforcement officer with the Greensboro Police Department.

WHEREAS, the purpose of GCJAC is to Monitor (identify and address issues across justice continuum), Review (follow, evaluate, and assess cases), Analyze (conduct studies as well as identify patterns and systemic issues), Educate (advocate across community, regional and national environment / engage with institutions and agencies / identify alternative approaches to criminalization and develop navigation process) Advise (work throughout justice system, including GPD, and the courts), and Report or Communicate (regularly report and interact with the public).

WHEREAS, on June 26, 2018, the North Carolina Legislature passed Session Law 2018-105 (House Bill 1080) which modifies the Local Act applicable to the City of Greensboro's citizen complaint review process with regard to sworn law enforcement officers of the Greensboro Police Department.

WHEREAS, pursuant to this modification, in order to facilitate citizen review of the police disciplinary process, the city manager or the chief of police, or their designees, may release the disposition of disciplinary charges against a police officer and the facts relied upon in determining that disposition to the GCJAC and its sub-committee, the

PCRB, designated by the city council to provide citizen review of the police disciplinary process.

WHEREAS, the GCJAC will receive the support of City staff. Support staff will be housed in the Legislative/Executive Departments and will report directly to the City Manager's office.

WHEREAS, the GCJAC will consist of nine members, representative of City demographics, with leadership and criminal justice experience. Three of those members will make up the Commission's Executive Committee. The Executive Committee will nominate the remaining six members, to be appointed by the mayor (with City Council approval). Each member will serve three-year, non-concurrent terms, and will be required to execute and abide by a confidentiality agreement.

WHEREAS, the PCRB will consist of seven members. Four of those members will be appointed by the GCJAC Chair (from the current GCJAC membership), and the remaining three members will be appointed by the mayor (with City Council approval). Each member will serve three-year, non-concurrent terms.

WHEREAS, City Council shall retain authority to appoint any member, or remove any member of the GCJAC or PCRB pursuant to Sec. 2-140 of the City's Code of Ordinances,

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

The above recitals are incorporated herein by reference, and the Greensboro Criminal Justice Advisory Commission is hereby created, with the Police Community Review Board being a sub-committee of the Commission, independent of the Human Relations Commission.

(Signed) Marikay Abuzuaiter

Moved by Councilmember Wells, seconded by Councilmember Kennedy to appoint the following persons to serve as members of the Greensboro Criminal Justice Advisory Commission Executive Committee: David Sevier, Irving Allen, and Tom Phillips. The motion carried by the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

Moved by Councilmember Wells, seconded by Councilmember Hightower to appoint the following persons to serve as members of the Greensboro Criminal Justice Advisory Commission: Charizar Crippen, Michelle Gethers-Clark, Steven Friedland, Franca Jalloh, Jaye Webb, and Suzanne Nazim. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Moved by Councilmember Hightower, seconded by Councilmember Kennedy to appoint the following persons to serve as members of the Police Community Review Board (PCRB) Sub-Committee: Brantly Grier, Crystal Black, and DJ O'Brian. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

42. [ID 18-0534](#) Resolution Accepting And Approving the FY 2012-FY 2016 Disparity Study and its Recommendations to Remove Identified Barriers to the

Participation of Minority and Women-Owned Businesses in City Contracting Procedures and Policies

Mayor Vaughan stated there were speakers for the item.

Gayland Oliver, 4214 Lord Jeff Drive spoke to accepting recommendations; ending discrimination; referenced comments by Councilmember Abuzuaiter; voiced concerns with economical issues; spoke to exoffenders needing jobs; to enforcement of rules; and to Council follow through.

Councilmember Abuzuaiter clarified comments regarding the contract with Griffin and Strong; and spoke to the acceptance and implementation of the recommendations.

Councilmember Kennedy spoke to discussions in a work session; explained the approach of Council; spoke to the acceptance of the recommendations; and to the next steps.

Hurley Derrickson, 1614 Summit Avenue spoke to civil and human rights; voiced concerns with the M/WBE program; spoke to statistical information; the need for minority contractors; and to the implementation of Griffin and Strong and the Greensboro Business League (GSO Business League) recommendations.

Gerry McCants, 1101 North Elm Street voiced support for the Griffin and Strong recommendations; spoke to implementation; contract funding; M/WBE participation; enforcement of the the program; and to the GSO Business League recommendations.

Discussion ensued regarding a letter received by Council; clarification of the current contract with Griffin and Strong; implementation of the Disparity Study report; and the next steps as outlined by staff.

Hester Petty, 3402 Canterbury Street requested Council to accept the Griffin and Strong recommendations; spoke to delays; equality; prioritization of the M/WBE program; voiced concerns with previous studies; spoke to the GSO Business League recommendations; and to the need for legislative action.

Earl Jones, 21 Loney Circle provided a handout to Council; referenced work session discussions; the need for priorities; the recommendations by the GSO Business League; spoke to Griffin and Strong's reputation; referenced his time on Council; and spoke to funding for consultants.

Councilmember Thurm spoke to the committee working on the M/WBE plan; the need to know terms of a contract in order to hire a firm; the proposed implementation of recommendations; and to the next steps in moving forward with the item.

Councilmember Abuzuaiter voiced agreement with Councilmember Thurm; spoke to the process of implementation; to providing direction to staff; and to working with due diligence.

Councilmember Hightower referenced previous concerns; spoke to the need to listen to the M/WBE staff; to the need for outreach; referenced a staff position approved for the GCJAC; spoke to implementation of the GSO Business League recommendations; program enforcement; M/WBE experts; the importance of the program; and reiterated the need for additional staffing.

City Manager Parrish requested a copy of the GSO Business League recommendations; and stated staff would review the recommendations.

Councilmember Hightower requested the item to be placed on the Legislative agenda.

City Attorney Carruthers spoke to Council direction for a legislative item.

Councilmember Wells voiced concerns with references to past Council's and past Council action; concern for the item; spoke to priorities set by the current Council; advocating for the M/WBE program; the need to discuss and vet

GSO Business League recommendations; and requested staff provide a status update on Council goals set at the Council retreat.

Mayor Pro-Tem Johnson referenced previous Councils and Mayors decisions; spoke to the efficiency of the City Manager and City Attorney; referenced institutional racism; and spoke to compliance.

Councilmember Hoffmann spoke to the commitment by Council and staff; the approval of past Disparity Studies; stated she took exception to comments regarding characterization; spoke to the intent of Council; and to the structure and enhancement of the M/WBE program.

Councilmember Kennedy spoke to Council priorities; the need to take responsibility; referenced discussions at the work session; compliance and functionality of the M/WBE program; vetting the recommendations; spoke to the community holding Council accountable; and voiced there were critical issues to be addressed.

Councilmember Outling spoke to availability of funding; review of a staffing increase and the funding for said position; monitoring out in the field; investment in priorities; building support; and to the work to be done by Council.

Mayor Vaughan referenced the public hearings for the budget; the request for M/WBE funding; an overlap of positions with those recommended; spoke to the need for outreach; for capacity building; legislative restrictions on the M/WBE program reporting to Council; the work session update; and to continued conversations.

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, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

220-18 RESOLUTION ACCEPTING AND APPROVING THE FY 2012-FY 2016 DISPARITY STUDY AND ITS RECOMMENDATIONS TO REMOVE IDENTIFIED BARRIERS TO THE PARTICIPATION OF MINORITY AND WOMEN-OWNED BUSINESSES IN CITY CONTRACTING PROCEDURES AND POLICIES

WHEREAS, the City of Greensboro, hereinafter referred to as City, since 1986, has operated a Minority and Women Business Enterprise (M/WBE) Plan to provide minorities and women equal opportunity for participating in all aspects of City contracting, including but not limited to construction, procurement, and professional services consistent with federal, state and local laws;

WHEREAS, consistent with legal standards established by the U.S. Supreme Court in the case of City of Richmond v. J. A. Croson, and its progeny, the City of Greensboro has periodically sought to update the factual predicate for its M/WBE Plan, and by way of its most recent disparity study completed by Griffin & Strong P.C. in March 2018, has once again established a strong basis in evidence to support consideration of narrowly tailored race- and gender-conscious remedies for the ongoing effects of marketplace discrimination upon the contract participation of M/WBE firms on City contracts;

WHEREAS, the Disparity Study Final Report dated March 12, 2018, was thereafter presented to City Council in 2018, and after full consideration of the Disparity Study, the City hereby accepts the Disparity Study which established a factual predicate and compelling interest for action by the City to remedy the ongoing effects of marketplace discrimination adversely affecting the participation of ready, willing, and able M/WBE firms on City contracts;

WHEREAS, the Disparity Study recommended numerous race- and gender-neutral and race- and gender-conscious remedial policy elements to enhance the participation of small, minority, and women-owned businesses on City contracts;

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

1. That the City Council hereby accepts the FY 2012-FY 2016 Greensboro Disparity Study and its recommendations;
2. Further, the City Council authorizes the City Manager to seek additional public and internal City staff input regarding the Disparity Study Recommendations and the best, most efficient and effective implementation of these recommendations, and based upon such feedback, to draft an Ordinance for City Council's consideration that incorporates these recommendations into the City's M/WBE Program Plan to enhance opportunities for small, minority, and women-business enterprises in City contracts as are legally defensible, effective, and feasible; and
3. Finally, that the City Council shall convene a public hearing for purposes of receiving the Amended Ordinance revising the City of Greensboro M/WBE Plan, for publicly disseminating such draft Ordinance, and for receiving additional public comment for a period of 30 days prior to final action by City Council.

(Signed) Yvonne Johnson

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

Mayor Vaughan stated Council would have a closed session.

Moved by Councilmember Kennedy, seconded by Mayor Pro-Tem Johnson to allocate \$45,000 to the Community Foundation for Summit Avenue resident relocation assistance. The motion carried by voice vote 9-0.

Mayor Vaughan spoke to matching funds.

Councilmember Outling inquired about fund allocation.

City Manager Parrish confirmed the reallocation of Nassbuam funds.

Councilmember Hightower spoke to the Cure the Violence program; requested a work session on the item; spoke to the need for implementation; and requested staff work with Guilford County for funding.

Discussion took place regarding meetings with county officials; an item on an upcoming work session; use of a national model; financing commitments; ownership of the project; funding for parking decks; defining the areas of focus; the Street Crimes Task Force; stats and trends; a police driven program; and preventing violence.

Councilmember Outling requested staff provide information on the program.

Councilmember Abuzuaiter spoke to the success of Operation Pass; and referenced a previous motion to reduce the number of Human Relations Commission (HRC) members.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Outling to reduce the number of commission members for the Human Relations Commissions from 18 members to 9 members. The motion carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

Councilmember Hightower voiced opposition to the reduction of the HRC board members.

City Clerk Betsey Richardson confirmed the reduction would be through the attrition process.

Discussion ensued regarding changes in Boards and Commissions appointments with the creation of the GCJAC.

Mayor Pro-Tem Johnson offered congratulations to Mr. and Mrs. James Rosa on the renewal of their wedding vows;

highlighted the Campbell family reunion; and recognized students returning to school.

Councilmember Wells spoke to attending an event for Children in Crisis; to SAT preparation courses being offered at Providence Baptist; and to donations for those affected by the tornado.

Councilmember Kennedy spoke to conversations with Human Relations Department regarding the Language Access Program (LAP); and requested staff provide an update.

City Manager Parrish confirmed an item would be included on a future work session.

Councilmember Abuzuaiter referenced discussions with Assistant City Manager Harris; and to working with the International Advisory Committee.

Mayor Vaughan stated her daughter would be a Senior in High School; and asked the public to remember children returning to school.

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.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Kennedy to go into closed session to preserve the attorney-client privilege between the City Attorney and Council pursuant to N.C.G.S. 143-318.11 (a) (3) and to discuss matters relating to the relocation or expansion of industries or other businesses, including potential economic development incentives that may be offered in negotiations, pursuant to G.S. 143-318.11 (a)(4). The motion carried by voice vote.

Council recessed to closed session at 8:05 p.m. Council reconvened into open session at 8:43 p.m. with all members in attendance.

Moved by Councilmember Kennedy, seconded by Councilmember Hightower to return to open session. The motion carried by voice vote.

Adjournment

Moved by Councilmember Kennedy, seconded by Councilmember Thurm, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 8:43 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR