



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, December 18, 2018

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:30 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, Interim City Attorney Jim Hoffman, 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 Kelly Tranter-Moore of the Greensboro Police 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.

35. [ID 18-0760](#) Ordinance Rezoning Portion of Property Located at 1703 East Wendover Avenue - Benjamin D. Ridings, for Mema II, LLC

Mayor Vaughan stated Council had been requested to postpone item #35/18-0760 to the January 15th meeting of Council without further advertising.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter, to postpone the ordinance to the January 15, 2019 meeting of Council without further advertising. 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

36. [ID 18-0777](#) Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan for Property at 2737 and 2745-2763 Horse Pen Creek Road

37. [ID 18-0761](#) Ordinance Rezoning Property Located at 2737 and 2745-2767 Horse Pen Creek Road - Judy Stalder, for Keystone at Horse Pen Creek, LLC

Mayor Vaughan introduced items #36/18-0777 and #37/18-0761 together; stated Council had been requested to postpone the items to the January 15 or the February 19, 2019 meeting of Council without further advertising; and that each side would be allowed 5 minutes each to speak to the request.

Speaking in opposition of the postponement:

Judy Stalder, 665 North Main Street, High Point representing Keystone at Horse Pen Creek, LLC provided the history of the item; spoke to neighborhood meetings; to an agreement for a 30-day continuance; and to contract obligations.

Speaking in favor of the postponement:

Jerry Pike, 2736 Horse Pen Creek Road outlined the need for a 60-day continuance; provided images; spoke to stakeholders; to homes outside the zone; areas affected by development; to the need for a traffic study; voiced concerns with a road widening project; with delays due to the snow storm and the holidays; spoke to being at a disadvantage with a 30-day continuance; and reiterated the request for a postponement to the February 19th meeting of Council.

Moved by Councilmember Hoffmann, seconded by Councilmember Thurm, to postpone item #36/18-0777 and item #37/18-0761 to the January 15th meeting of Council without further advertising. 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

I. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda; and stated staff had requested item #9 be removed from the agenda.

Councilmember Outling spoke to a possible conflict of interest on item #7; and requested advisement from Interim City Attorney Jim Hoffman.

Interim City Attorney Hoffman explained the requirements for recusal; and stated Councilmember Outling had no basis for a recusal.

Councilmember Hightower requested items #2, #3, #4, and #7 be removed for the purpose of voting 'No'; and voiced concerns with Minority/Women Business Enterprise (M/WBE) participation.

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

1. [ID 18-0724](#) Resolution Authorizing Contract with Gannett Fleming, Inc. in the Amount of \$280,000 to Provide Professional Services Associated with Phase II of Gate City Boulevard Streetscape Project

306-18 RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO AGREEMENT WITH GANNETT FLEMING FOR DESIGN SERVICES ASSOCIATED WITH PHASE II STREETScape IMPROVEMENTS TO WEST GATE CITY BLVD

WHEREAS, the City of Greensboro has identified a need to study Phase II Streetscape improvements along West

Gate City Blvd between South Chapman Street and Eugene Street; and

WHEREAS, the City would investigate the feasibility of relocating utility lines, the development of a conceptual streetscape design, and safety improvements for pedestrians; and

WHEREAS, the City proposes to utilize the on-call Engineering Consultant contract with Gannett Fleming for design services; and

WHEREAS, the contract will be for an amount up to \$280,000; and

WHEREAS, the City will direct Gannett Fleming to sub-contract at least 13.2% of design services to one or more MWBE design firms; and

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

That, the City Manager is authorized to enter into an agreement with Gannett Fleming for Phase II Streetscape Improvements on West Gate City Blvd.

(Signed) Yvonne Johnson

5. [ID 18-0781](#) Resolution Approving a Contract in the Amount of \$375,000 with WithersRavenel, Inc. for Professional Services Contract for the Reedy Fork Sewer Line Extension Project

307-18 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$375,000 WITH WITHERSRAVENEL, INC. FOR A PROFESSIONAL SERVICES CONTRACT FOR THE REEDY FORK SEWER LINE EXTENSION PROJECT

WHEREAS, the Reedy Fork Sewer Line Extension project includes the installation of sewer lines to support commercial/industrial development northeast of the City;

WHEREAS, approximately 6,200 linear feet of 24-inch line will be installed parallel to Reedy Fork Creek and connect to an existing 24-inch sewer near Summit Ave;

WHEREAS, in addition, approximately 5,000 linear feet of 8-inch and 12-inch gravity sewer will connect to the existing 24-inch sewer outfall to serve existing properties;

WHEREAS, work under this contract consists of surveying, engineering design, permitting and, bid preparation services for the construction of the sewer line extensions;

WHEREAS, the professional services of WithersRavenel, an on-call consultant, are recommended for this project based on their knowledge and previous design experience with the City's water and sewer collection system;

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 WithersRavenel, Inc. to provide design services for the Reedy Fork Sewer Line Extension project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$375,000 from Water Resources Capital Fund Account No. 503-7028-02.5410 and the associated budget adjustment.

(Signed) Yvonne Johnson

6. [ID 18-0757](#) Resolution Approving The City of Greensboro Local Water Supply Plan

308-18 RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355(l) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the City of Greensboro has been developed and submitted to City Council for approval; and

WHEREAS, the City Council of the City of Greensboro finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355(l) and that it will provide appropriate guidance for the future management of water supplies for the City of Greensboro as well as useful information to the Department of Environment and Natural Resources for the development of a State water supply plan as required by statute.

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

That the City of Greensboro 2017 Local Water Supply Plan, submitted in October 2018 to the Department of Environmental Quality, Division of Water Resources is hereby adopted; and

BE IT FURTHER RESOLVED that the City Council of the City of Greensboro intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

(Signed) Yvonne Johnson

8. [ID 18-0747](#) Resolution Authorizing the Sale of Surplus Foreclosure Property Located at 4807 Troxler Road to Javier Saldana

309-18 RESOLUTION AUTHORIZING THE SALE OF SURPLUS FORECLOSURE PROPERTY LOCATED AT 4807 TROXLER ROAD TO JAVIER SALDANA

WHEREAS, the City of Greensboro owns surplus foreclosure property located at 4807 Troxler Road, Parcel 0047076 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 the highest bid in accordance with Section 4.122 of the Greensboro Charter;

WHEREAS, the property was appraised by LR Appraisals, at a value of \$5,600, and the final highest bid of \$5,600 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this sale 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 surplus property in the amount of \$5,600 is hereby approved and the sale of property located at 4807 Troxler Road 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 sell said property.

(Signed) Yvonne Johnson

10. [ID 18-0748](#) Resolution Authorizing Purchase of Property in its Entirety Located at 2901 E. Market Street from Triman, LLC for the Lowdermilk Street/Sykes

Avenue Realignment Project

310-18 RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 2901 E. MARKET STREET FROM TRIMAN, LLC FOR THE LOWDERMILK STREET/SYKES AVENUE REALIGNMENT PROJECT

WHEREAS, in connection with the Lowdermilk Street/Sykes Avenue Realignment Project, a portion of the property owned by Triman, LLC, Parcel 0022033 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Colvin, Sutton, Winters and Associates at a value of \$90,000 but the property owner has agreed to settle for the price of \$175,000, 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 \$175,000 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 471-4503-02.6012, Activity A18052.

(Signed) Yvonne Johnson

- 11. [ID 18-0785](#)** Resolution Rescinding Resolution No. 124-17 Authorizing the Purchase of Property Located at 5450 Millstream Road from Previous Owner, Resnick in North Carolina, LP, and Authorizing the Purchase of Property Located at 5450 Millstream Road from LB-UBS 2007-C2 Millstream Road, LLC, a Delaware Limited Liability Company, for the Stewart Mill Force Main Sewer Line Project

311-18 RESOLUTION RESCINDING RESOLUTION NO. 124-17 AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 5450 MILLSTREAM ROAD FROM PREVIOUS OWNER, RESNICK IN NORTH CAROLINA, LP, AND AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 5450 MILLSTREAM ROAD FROM LB-UBS 2007-C2 MILLSTREAM ROAD, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR THE STEWART MILL FORCE MAIN SEWER LINE PROJECT

WHEREAS, on June 6, 2017, the City Council authorized the purchase of property located at 5450 Millstream Road;

WHEREAS, the property was foreclosed on before a deed was recorded for the sale of property from Resnick in North Carolina, LP;

WHEREAS, approval of City Council for the sale of property to LB-UBS 2007-C2 Millstream Road, LLC, a Delaware Limited Liability Company;

WHEREAS, in the opinion of City Council, it is deemed in the best interest of the City of Greensboro to rescind resolution 124-17 adopted on June 6, 2017.

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

That the resolution 124-17 adopted by the City Council on June 6, 2017, authorizing the purchase of property at 5450 Millstream Road is hereby in all respects rescinded and that City Council approve the sale of the property to LB-UBS 2007-C2 Millstream Road, LLC, a Delaware Limited Liability Company, payment to be made in the amount of \$95,000 from account 503-7028-02.6012 A19045 and the associated budget adjustment.

(Signed) Yvonne Johnson

12. [ID 18-0793](#) Resolution Rescinding Resolution No. 288-18 Authorizing the Purchase of Property Located at 5417 Sapp Road from Wendover, LLC and Authorize the Purchase of Property for the Correct Amount from Wendover, LLC for the W. Wendover/Sapp Road Sidewalk Project

312-18 RESOLUTION RESCINDING RESOLUTION NO. 288-18 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 20, 2018 AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 5417 SAPP ROAD FROM WENDOVER, LLC FOR THE CORRECTED AMOUNT FOR THE W. WENOVER/SAPP ROAD SIDEWALK PROJECT

WHEREAS, on November 20, 2018, the City Council authorized the purchase of 5417 Sapp Road;

WHEREAS, the amount of the purchase by Wendover, LLC was incorrectly stated as \$35,300 in Resolution 288-18 and should be \$35,350;

WHEREAS, the correct payment amount of \$35,350 to Wendover, LLC will be made from Account No. 471-4502-15.6012, Activity #A11171;

WHEREAS, in the opinion of City Council, it is deemed in the best interest of the City of Greensboro to rescind resolution 288-18 adopted on November 20, 2018.

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

That the Resolution 288-18 adopted by the City Council on November 20, 2018, authorizing the purchase of 5417 Sapp Road is hereby in all respects rescinded and City Council approval for the corrected amount from Wendover, LLC is requested.

(Signed) Yvonne Johnson

13. [ID 18-0764](#) Resolution Authorizing Acceptance of Dedication of Ten Floodplain, Drainageway and Open Space Parcels from Innkeeper of Durham South, Inc./HE Greensboro Airport, Inc., Springfield Properties, Inc., Triad Investment Company, Cornwallis Development Co/CIPSO S.C. Inc., The New Fortis Corporation, Westminster Homes of North Carolina, Inc./Lakeshore Village Homeowners Associations, Inc., Westminster Homes, Inc./Lakeshore Village Homeowners Association, Inc., Granite Horsepen Creek, LLC/CPGCCM Battleground, LLC

313-18 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION OF TEN FLOOD PLAIN, DRAINAGE WAY AND OPEN SPACE PARCELS FROM INNKEEPER OF DURHAM SOUTH, INC/HE GREENSBORO AIRPORT INC. SPRINGFIELD PROPERTIES, INC. TRIAD INVESTMENT COMPANY CORNWALLIS DEVELOPMENT CO/CIPSO S.C. INC. THE NEW FORTIS CORPORATION/K. HOVNANIAN HOMES OF NORTH CAROLINA, INC. WESTMINSTER HOMES OF NORTH CAROLINA INC/LAKESHORE VILLAGE HOMEOWNERS ASSOCIATION INC. WESTMINSTER HOMES, INC/LAKESHORE VILLAGE HOMEOWNERS ASSOCIATION INC. GRANITE-HORSEPEN CREEK LLC/CPGCCM BATTLEGROUND LLC

WHEREAS, pursuant to North Carolina General Statutes Section 160A-374, the approval of a plat does not constitute the acceptance by a city or the public of the dedication of any street or other ground or public facility shown on the plat; however, a city council may by resolution accept the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes;

WHEREAS, Parcel #0098305 was dedicated by Innkeeper of Durham South, Inc. to the City of Greensboro and the public for drainage way and open space on the IMUD Final Plat for Property of Innkeeper of Durham South, Inc. in Plat Book 173 Page 62 recorded on February 1, 2008. This parcel, also known as 625 YY2 S. Regional Road, is approximately 1.92 acres, zoned CD-LI, and is located in Council District 5. The property is currently owned by HE Greensboro Airport Inc.;

WHEREAS, Parcel #0081922 was dedicated by Springfield Properties, Inc. to the public and the City of Greensboro as greenway, open space, and floodplain on the Dedication of Greenway, Open Space & Flood Plain Plat for Sullivan's Lake in Plat Book 98 Page 58 recorded on May 25, 1990, and subsequently re-dedicated by Springfield Properties, Inc. to the public and the City of Greensboro on the Dedication of Common Area & Open Space Plat for Sullivan's Lake in Plat Book 103 Page 108 recorded on December 18, 1991. This parcel, also known as 4301 YY Waters Edge Lane, is approximately 1.15 acres, zoned CD-RM-5, and is located in Council Districts 4 and 5;

WHEREAS, Parcel #00114608 was dedicated by Triad Investment Company to the City of Greensboro and the public as flood plain and open space on the Plat for Property of Triad Investment Company in Plat Book 92 Page 58 recorded on November 10, 1988. This parcel, also known as 3208 E. Gate City Boulevard, is approximately 2.39 acres, zoned LI, and is located in Council District 1;

WHEREAS, Parcel #0062638 was dedicated by Cornwallis Development Company to the City of Greensboro for flood plain and open space on the Plat for Map 1 Section 1 Lake Jeanette Subdivision in Plat Book 79 Page 93 recorded on November 25, 1985. This parcel, also known as 3601 Open Regents Park Lane, is approximately 10.74 acres, zoned R-3, and is located in Council District 3;

WHEREAS, Parcel #0068433 was dedicated by The New Fortis Corporation to the City of Greensboro for drainage way, open space, and utility easement on the Final Plat of Section 4, Map 2 Westridge Valley in Plat Book 114 Page 91 recorded on December 12, 1994, and re-recorded in Plat Book 116 Page 49 on May 18, 1995. This parcel, also known as 1841 Bearhollow Road, is approximately 0.59 acres, zoned R-3, and is located in Council District 4;

WHEREAS, Parcel #0068462 was dedicated by The New Fortis Corporation to the City of Greensboro for drainage way, open space, and utility easement on the Final Plat of Section 4, Map 2 Westridge Valley in Plat Book 114 Page 91 recorded on December 12, 1994, and re-recorded in Plat Book 116 Page 49 on May 18, 1995. This parcel, also known as 1838 Bearhollow Road, is approximately 5.68 acres, zoned R-3, and is located in Council District 4;

WHEREAS, Parcel #0092086 was dedicated by Westminster Homes of North Carolina, Inc. to the City of Greensboro and Guilford County for drainage way, open space, and utility easement on the Final Plat for Section 1 – Phase 1 Lakeshore Village in Plat Book 114 Page 130 recorded on January 5, 1995. This parcel, also known as 611 Near Summerwalk Road, is approximately 0.89 acres, zoned R-3, and is located in Council District 3. The Guilford County Tax Department lists the current owner of this parcel as the Lakeshore Village Homeowners Association Inc.;

WHEREAS, Parcel #0092087 was dedicated by Westminster Homes, Inc. to the City of Greensboro and Guilford County for drainage way, open space, and utility easements on the Final Plat for Section 2A Lakeshore Village in Plat Book 121 Page 58 recorded on August 5, 1996. This parcel, also known as 609 Near Summerwalk Road, is approximately 7.07 acres, zoned R-3, and is located in Council District 3. The Guilford County Tax Department lists the current owner of this parcel as the Lakeshore Village Homeowners Association Inc.;

WHEREAS, Parcel #0080375 was dedicated by Granite/Horsepen Creek, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat of the Battleground North Planned Development Site in Plat Book 164 Page 15 recorded on March 30, 2006, and subsequently on the Private Sanitary Sewer Easement Plat recorded in Plat Book 172 Page 83 recorded on November 26, 2007. This parcel, also known as 4058 Battleground Avenue, is approximately 6.79 acres, zoned Planned Unit Development, and is located in Council District 3. The Guilford County Tax Department lists the current owner of this parcel as CPGCCM Battleground LLC.;

WHEREAS, Parcel #0080440 was dedicated by Granite/Horsepen Creek, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat of the Battleground North Planned Development Site (Phase I/Apartment Site) in Plat Book 164 Page 15 recorded on March 30, 2006. This parcel, also known as 4032 Battleground Avenue, is approximately 8.68 acres, zoned Planned Unit Development, and is located in Council District 3. The Guilford County Tax Department lists the current owner of this parcel as CPGCCM Battleground LLC.;

WHEREAS, the indicated flood plain, drainage way and open space areas on the recorded subdivision plats have been reviewed and recommended for acceptance by the Greensboro Parks and Recreation Commission;

WHEREAS, it is deemed in the best interest of the City to formally accept the dedication of these drainage way and open space parcels;

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

That the City of Greensboro accepts the dedication of the flood plain, drainage way and open space parcels referenced above.

(Signed) Yvonne Johnson

14. [ID 18-0775](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Telly S. Wright Located at 2531 Pear Street in Connection with the Pear Street Sidewalk Project

314-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF TELLY S. WRIGHT IN CONNECTION WITH THE PEAR STREET SIDEWALK PROJECT

WHEREAS, Telly S. Wright is the owner of certain property located at 2531 Pear Street, designated as Parcel # 0023102 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Pear Street Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$275.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$275.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$275.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-15.6012 Activity #A11171.

(Signed) Yvonne Johnson

15. [ID 18-0776](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of New Tabernacle Community Church, Inc. Located at 2529 Pear Street in Connection with the Pear Street Sidewalk Project

315-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF NEW TABERNACLE COMMUNITY CHURCH, INC. IN CONNECTION WITH

THE PEAR STREET SIDEWALK PROJECT

WHEREAS, New Tabernacle Community Church, Inc. is the owner of certain property located at 2529 Pear Street, designated as Parcel # 0023110 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Pear Street Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$250.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$250.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$250.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-15.6012 Activity #A 11171.

(Signed) Yvonne Johnson

16. [ID 18-0778](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of New Tabernacle Soul Saving Station in Christ, Inc. Located at 2537 and 2539 Pear Street in Connection with the Pear Street Sidewalk Project

316-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF NEW TABERNACLE SOUL SAVING STATION IN CHRIST, INC. IN CONNECTION WITH THE PEAR STREET SIDEWALK PROJECT

WHEREAS, New Tabernacle Soul Saving Station in Christ, Inc. is the owner of certain property located at 2537 and 2539 Pear Street, designated as Parcel #0023104 and #0023105 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Pear Street Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$125.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$125.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$125.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-15.6012 Activity #A 11171.

(Signed) Yvonne Johnson

17. [ID 18-0779](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Hoyle Whitworth, James Whitworth and Timothy Whitworth Located at 4101 Spring Garden Street in Connection with the Spring Garden Street Sidewalk Improvement Project

317-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF HOYLE WHITWORTH, JAMES WHITWORTH AND TIMOTHY WHITWORTH IN CONNECTION WITH THE SPRING GARDEN STREET SIDEWALK IMPROVEMENT PROJECT

WHEREAS, Hoyle Whitworth, James Whitworth and Timothy Whitworth are the owners of certain property located at 4101 Spring Garden Street, designated as Parcel # 0042450 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Spring Garden Street Sidewalk Improvement Project;

WHEREAS, negotiations with the owners at the appraised value of \$700.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$700.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$700.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-15.6012 Activity #A 11171.

(Signed) Yvonne Johnson

18. [ID 18-0782](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by Max Ballinger and Emily Ballinger Located at 6312 Ballinger Road in Connection with the Ballinger Road Bridge No. 98 Replacement Project

318-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF MAX BALLINGER AND EMILY BALLINGER IN CONNECTION WITH THE BALLINGER ROAD BRIDGE NO. 98 REPLACEMENT PROJECT

WHEREAS, Max Ballinger and Emily Ballinger are the owners of certain property located at 6312 Ballinger Road, designated as Parcel #0075442, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Ballinger Road Bridge No. 98 Replacement Project;

WHEREAS, negotiations with the owner at the appraised value of \$29,860.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portions of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner in the amount of \$29,860.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute eminent domain proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$29,860.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4562-01.6012 Activity #A15077.

(Signed) Yvonne Johnson

19. [ID 18-0783](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by Max D. Ballinger, Trustee Located at 6306 Ballinger Road in Connection with the Ballinger Road Bridge No. 98 Replacement Project

319-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF MAX D. BALLINGER, TRUSTEE IN CONNECTION WITH THE BALLINGER ROAD BRIDGE NO. 98 REPLACEMENT PROJECT

WHEREAS, Max D. Ballinger, Trustee is the owner of certain property located at 6306 Ballinger Road, designated as Parcel #0075449, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Ballinger Road Bridge No. 98 Replacement Project;

WHEREAS, negotiations with the owner at the appraised value of \$8,325.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portions of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner in the amount of \$8,325.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute eminent domain proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$8,325.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4562-01.6012 Activity #A 15077.

(Signed) Yvonne Johnson

20. [ID 18-0784](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by Jan Wood, Trustee Located at 6308 Ballinger Road in Connection with the Ballinger Road Bridge No. 98 Replacement Project

320-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF JAN WOOD, TRUSTEE, IN CONNECTION WITH THE BALLINGER ROAD BRIDGE NO. 98 REPLACEMENT PROJECT

WHEREAS, Jan Wood, Trustee, is the owner of certain property located at 6308 Ballinger Road, designated as Parcel #0075443, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Ballinger Road Bridge No. 98 Replacement Project;

WHEREAS, negotiations with the owner at the appraised value of \$3,975.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portions of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner in the amount of \$3,975.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute eminent domain proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$3,975.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4562-01.6012 Activity #A 15077.

(Signed) Yvonne Johnson

21. [ID 18-0794](#) Ordinance Amending Section 28-34 of the Greensboro Code of Ordinances with Respect to the Taxicabs and Buses

18-144 Ordinance to Amend Chapter 28 of the Greensboro Code of Ordinances with Respect to Taxicabs and Buses

Section 1. Chapter 29, Article II, Division 2, Sec. 28-34 (a), (c) and (d) shall be amended to read as follows:

Sec. 28-34. - Issuance standards and procedures.

(a) In determining whether public convenience and necessity require the operation of a taxicab or taxicabs and in issuing certificates for which applications are made, the council shall consider in addition to the information set forth in the applications:

- (1) Whether the demand of the public requires additional taxicab service.
- (2) The adequacy of existing mass transportation, and taxicab service.
- (3) The financial responsibility, experience and quality of service being rendered, if any, by each applicant.
- (4) The total number of certificates held by each applicant.
- (5) The ability to provide continuity of service regarding certificates surrendered by associates of applicant.
- (6) The ability of each applicant to earn a fair return on the capital invested.
- (7) The number, kind and type of equipment.
- (8) The ability of each applicant to provide an efficient level of service.
- (9) The survey and recommendation of the chief of police.
- (10) Any other considerations as in the opinion of the council will tend to improve taxicab service in the city and which will assist in determining whether public necessity and convenience require the operation of additional taxicabs.
- (11) In order to operate a taxicab business or firm, an owner shall have a minimum of seven (7) cabs in rotation.

* * *

(c) The issuance of new certificates of convenience and necessity shall be done as the need arises. All of those persons interested in obtaining a certificate of convenience and necessity shall submit an application under section 28-32. Council or its designee shall review the applicants to determine whether or not the applicants meet the requirements of this chapter. If it is determined that an applicant meets the requirements of this chapter, the applicant will be placed on a list in chronological order.

(d) If the council or its designee finds that one (1) is more qualified than the other applicants after considering the requirements of this chapter, then the applicant who is more qualified shall be awarded the certificate of convenience and necessity. However, if after reviewing the applications the council or its designee feels that some of the applicants are equally qualified, a list of the equally qualified applicants shall be maintained in prioritized order based upon the date and time of application, and each certificate will be awarded according to the sequence of a certificate of convenience and necessity available. Any certificate of convenience and necessity available shall be

awarded according to the priority of the applicant on the list, when council or its designee finds the applicants to be equally qualified.

* * *

Section 2. That all sections not amended herein shall remain in full force and effect.

Section 3. This ordinance shall become effective upon adoption.

(Signed) Yvonne Johnson

22. [ID 18-0768](#) Ordinance to Change the Name of Greenway Park to Sunset Hills Park

18-145 AN ORDINANCE CHANGING NAME OF PARK

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

That the following park name change is hereby authorized to become effective January 1, 2019:

PRESENT NAME	NEW NAME
Greenway Park	Sunset Hills Park

(Signed) Yvonne Johnson

23. [ID 18-0780](#) Ordinance in the Amount of \$37,989.06 Amending FY18-19 Housing Fund and Neighborhood Development Fund Budgets

18-146 ORDINANCE AMENDING FY 18-19 HOUSING PARTNERSHIP REVOLVING FUND & NEIGHBORHOOD DEVELOPMENT REVOLVING LOAN FUND BUDGETS

Section 1

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

That the FY 18-19 Housing Partnership Revolving Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be increased, as follows:

Account	Description	Amount
211-2101-12.5282	Real Estate Loans	\$37,989.00

And, that the following revenue finance these appropriations:

Account	Description	Amount
211-0000-00.9209	Transfer from Neighborhood Development Fund	\$37,989.00

Section 2

That the FY 18-19 Neighborhood Development Revolving Loan Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be increased, as follows:

Account	Description	Amount
209-2101-01.6211	Transfer to Housing Fund	\$37,989.00

And, that the following revenue finance these appropriations:

Account	Description	Amount
209-0000-00.8900	Appropriated Fund Balance	\$37,989.00

Section 3

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 24. [ID 18-0750](#) Ordinance in the Amount of \$200,000 Amending State, Federal and Other Grants Fund Budget for a NC Drug Excise Tax Grant for the Greensboro Police Department

18-147 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR A NC DRUG EXCISE TAX GRANT FOR GREENSBORO POLICE DEPARTMENT

Section 1

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

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

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

Account name- Greensboro Police Toughbook Dock Grant 2018

Account	Description	Amount
220-3589-01.5235	Small Tools & Equipment	\$ 200,000
Total		\$ 200,000

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

Account	Description	Amount
220-3589-01.7123	State Drug Excise Tax	\$ 200,000
Total		\$ 200,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 25. [ID 18-0774](#) Ordinance in the Amount of \$53,433 Amending GTA Grant Fund Budget for the FY2018 FTA Section 5339 Bus and Bus Facilities Grant

18-148 ORDINANCE AMENDING GTA GRANT FUND BUDGET TO ADD GUILFORD COUNTY PROJECT TO THE FEDERAL FISCAL YEAR 2018 FTA SECTION 5339 BUS AND BUS FACILITIES GRANT

Section 1

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

That the GTA Grant Fund Budget is hereby amended as follows for funds allocated to Guilford County for a vehicle purchase:

Account	Description	Amount
567-4527-02.5932	Contributions to Gov Agencies	\$45,418
567-4527-02.5928	In Kind Services	\$ 8,015
Total		\$53,433

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

Account	Description	Amount
567-4527-02.7100	Federal Grant	\$45,418
567-4527-02.8695	Local In-Kind Services	\$ 8,015
Total		\$53,433

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

26. [ID 18-0789](#) Ordinance in the Amount of \$384,864 Amending the General Fund Budget for FY 2018-2019 for Greensboro Fire Department Deployment Reimbursements

18-149 ORDINANCE AMENDING GENERAL FUND BUDGET FOR FY 2018-2019 FOR GREENSBORO FIRE DEPARTMENT FEMA REIMBURSEMENTS

Section 1

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

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

That the appropriation to the General Fund be increased as follows:

Account	Description	Amount
101-4004-08.4211	Overtime-Public Safety Sworn	\$312,797
101-4004-08.5235	Small Tools & Equipment	\$ 72,067
Total		\$384,864

And, that this increase is financed by increasing the following General Fund accounts:

Account	Description	Amount
101-4004-08.8690	All Other Revenue	\$384,864
Total		\$384,864

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

27. [ID 18-0790](#) Ordinance in the Amount of \$536,715 Amending the FY 18-19 Equipment Services Fund to Increase Funding for Capital Outlay

18-150 ORDINANCE AMENDING THE FY 18-19 EQUIPMENT SERVICES FUND BY \$536,715 TO INCREASE FUNDING FOR CAPITAL OUTLAY

Section 1

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

That the Equipment Services Fund of the City of Greensboro is hereby amended as follows:

That the appropriation to the Equipment Services Fund FY 18-19 Budget be increased as follows:

Account	Description	Amount
680-1005-18.6051	Licensed Vehicles	\$ 280,000
680-1005-18.6052	Non-Licensed Vehicles	\$ 256,715
Total		\$ 536,715

And, that this increase be financed by increasing the following Equipment Services Fund FY 18-19 Budget accounts:

Account	Description	Amount
680-0000-00.7920	Automotive Services – City Garage	\$ 484,715
680-0000-00.8900	Appropriated Fund Balance	\$ 52,000
Total		\$ 536,715

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

28. [ID 18-0791](#) Resolution Authorizing a Contract in the Amount of \$198,000 with Moses H. Cone Memorial Hospital Operating Corporation for a Contract Physician Provider

321-18 RESOLUTION AUTHORIZING CONTRACT WITH MOSES H CONE MEMORIAL HOSPITAL OPERATING CORPORATION FOR A CONTRACT PHYSICIAN PROVIDER

WHEREAS, on December 4th, 2018, City Council approved a contract for Moses H Cone Memorial Hospital Operating Corporation to provide a contract physician to oversee the occupational health clinic for the City of Greensboro

WHEREAS, the contract physician will provide onsite and offsite physician services such as police, fire and general placement physicals, worker’s comp injury management, return to work approvals and other occupational health surveillance. The contract physician will also act as the Medical Review Officer (MRO) for the City’s Commercial Driver’s License (CDL) program.

WHEREAS, the contract will be executed on January 1st, 2019 for the amount of \$198,000. The Contract will be for a 3 year term with 2 one year renewal options.

WHEREAS, Moses Cone Health Systems (Dr. Mary Ruth Hunt) has been selected for her wealth of knowledge and experience in occupational medicine and her excellent customer service.

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

That the Contract with Moses H Cone Memorial Hospital Operating Corporation is hereby approved and the Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper extension.

(Signed) Yvonne Johnson

29. [ID 18-0798](#) Resolution Approving the Recommended Salary for the City Of Greensboro ABC Board General Manager

322-18 RESOLUTION APPROVING THE RECOMMENDED SALARY FOR THE CITY OF GREENSBORO ABC BOARD GENERAL MANAGER

WHEREAS, the City of Greensboro ABC Board wishes to increase the salary of the general manager up to and including \$155,000 annually effective December 18, 2018;

WHEREAS, N.C.G.S. 18B-700(g1) states that the salary authorized for the general manager, as defined in G.S. 18B-101, of a local board shall not exceed the salary authorized by the General Assembly for the clerk of superior court of the county in which the appointing authority was originally incorporated unless such compensation is otherwise approved by the appointing authority;

WHEREAS, in accordance with N.C.G.S. 18B-700(g1), City Council is being requested to approve said salary increase.

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

That it hereby approves the recommended salary increase of the general manager of the Greensboro ABC Board up to and including \$155,000 annually effective December 18, 2018 in accordance with N.C.G.S. 18B-700(g1).

(Signed) Yvonne Johnson

30. [ID 18-0769](#) Resolution Listing Loans and Grants for City Council Approval

323-18 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

31. [ID 18-0770](#) Budget Adjustments Requiring Council Approval 11/15/18 - 12/11/18

Motion to approve the budget adjustments of 11/15/18-12/11/18 over the amount of \$50,000 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 26, which is hereby referred to and made a part of these minutes.)

32. [ID 18-0771](#) Budget Adjustments Approved by Budget Officer 11/13/18 - 12/11/18

Motion to accept the report of budget adjustments of 11/13/18 - 12/11/18 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 26, which is hereby referred to and made a part of these minutes.)

33. [ID 18-0796](#) Motion to Approve the Minutes of the Work Session of November 20, 2018

Motion to approve the minutes of the Work Session of November 20, 2018 was adopted.

34. [ID 18-0772](#) Motion to Approve the Minutes of the Regular Meeting of November 20, 2018

Motion to approve the minutes of the Regular meeting of November 20, 2018 was adopted.

2. [ID 18-0759](#) Resolution Authorizing Amendment to Contract with Transportation Management and Design, Inc. for Mobility Greensboro 2040 Long Range Transportation Plan (2017-5056)

Mayor Pro-Tem Johnson asked if the item had low minority participation to which Councilmember Hightower responded in the affirmative.

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

Ayes, 6 - Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 3 - Yvonne J. Johnson, Sharon M. Hightower and Michelle Kennedy

324-18 RESOLUTION AUTHORIZING AMENDMENT TO THE PROFESSIONAL CONSULTANT SERVICES CONTRACT WITH TRANSPORTATION MANAGEMENT AND DESIGN, INC. FOR THE MOBILITY GREENSBORO 2040 LONG RANGE PUBLIC TRANSPORTATION PLAN

WHEREAS, on October 10, 2016, the Greensboro Transit Authority issued a Request for Proposal to develop a comprehensive long range public transportation plan for the City of Greensboro called "Mobility Greensboro 2040 Long Range Public Transportation Plan" to be completed in two phases; and

WHEREAS, on March 7, 2017, the Greensboro City Council, pursuant to a January 24, 2017 Resolution by the Greensboro Transit Authority Board recommending that the City enter into a contract with Transportation Management and Design, Inc. (TMD) as the most responsive, responsible Proposer, authorized the execution of a contract with Transportation Management and Design, Inc. (TMD) to develop Phase 1 of the "Mobility Greensboro 2040 Long Range Public Transportation Plan; and

WHEREAS, in the October 17, 2017 City Council meeting, the Council authorized the implementation of Phase 2 of the Project with Transportation Management and Design, Inc. (TMD); and

WHEREAS, the City intends to initiate additional transit network refinement and implementation support with Transportation Management and Design, Inc. (TMD) at an additional cost not to exceed \$45,162.00 and for a period of performance extended through December 31, 2018.

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

That the City Manager is authorized to execute an amendment to the contract with Transportation Management and Design, Inc. (TMD) adding an additional \$45,162 to the contract and extending the period of performance to December 31, 2018 to complete additional work for the "Mobility Greensboro 2040 Long Range Public Transportation Plan."

(Signed) Marikay Abuzuaiter

3. [ID 18-0693](#) Resolution Authorizing Execution of a Multi-Year Lease Agreement with Mobile Communications, Inc. for the Radio Communication System at the Greensboro Coliseum Complex.

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

Ayes, 6 - Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 3 - Yvonne J. Johnson, Sharon M. Hightower and Michelle Kennedy

325-18 RESOLUTION AUTHORIZING EXECUTION OF A MULTI-YEAR LEASE AGREEMENT WITH MOBILE COMMUNICATIONS, INC. FOR THE RADIO COMMUNICATION SYSTEM AT THE GREENSBORO COLISEUM COMPLEX

WHEREAS, Mobile Communications, Inc. provides hand held radios along with complementary equipment, maintenance and repair services for the full operation of the communication system at the Coliseum Complex:

WHEREAS, the lease agreement between the City of Greensboro and Mobile Communications, Inc. indicates a five year term from January 2019 through December 2023;

WHEREAS, the lease agreement has a five-year cash value of \$330,000: Each year has an annual value of \$66,000. In addition, there is a \$10,000 Marketing/Promotion trade value at \$2,000 per year. The total value of the lease agreement is \$340,000.

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

That the multi-year lease agreement between the City of Greensboro and Mobile Communications, Inc. in the annual amounts above are hereby approved.

(Signed) Tammi Thurm

4. [ID 18-0756](#) Resolution Approving a Maintenance Agreement in the Amount of \$501,568.88 with Systems and Software, Inc. for the City's Customer Information and Billing Software

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

Ayes, 6 - Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 3 - Yvonne J. Johnson, Sharon M. Hightower and Michelle Kennedy

326-18 RESOLUTION APPROVING A MAINTENANCE AGREEMENT IN THE AMOUNT OF \$501,568.88 WITH SYSTEMS AND SOFTWARE, INC. FOR THE CITY'S CUSTOMER INFORMATION AND BILLING SOFTWARE

WHEREAS, in 2003 the City purchased the Customer Information and Billing System (enQuesta) from Systems and Software;

WHEREAS, the original Contract No. 2003-1295 requires annual maintenance agreements for continued use of the software;

WHEREAS, Systems and Software is the only company that can provide the maintenance;

WHEREAS, the cost of the annual maintenance agreement will be \$501,568.88 and includes technical support and maintenance releases;

WHEREAS, a sole source purchase from Systems and Software is being requested to ensure maintenance to the enQuesta system used by the City.

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

That the sole source purchase of \$501,568.88 for the upgrade to the enQuesta system used by the City is hereby approved with payment of said amount to be made from Account No. 501-7012-01.5415.

(Signed) Tammi Thurm

7. [ID 18-0751](#) Resolution Granting a Permanent Utility Easement to Duke Energy to Install Duct Bank and Three Transformers at 112 East Market Street for the February One Parking Deck

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

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 2 - Sharon M. Hightower and Michelle Kennedy

327-18 RESOLUTION GRANTING A PERMANENT UTILITY EASEMENT TO DUKE ENERGY TO INSTALL DUCT BANK AND THREE TRANSFORMERS AT 112 EAST MARKET STREET TO PROVIDE ELECTRICAL SERVICE TO THE FEBRUARY ONE PARKING DECK

WHEREAS, the installation of approximately 75 feet of duct bank and three transformers for the existing load, new parking deck load, load for future impacts and below ground electrical service is necessary for The February One Parking Deck located at 112 East Market Street;

WHEREAS, a permanent utility easement will need to be granted to Duke Energy for the installation and maintenance of said electrical equipment;

WHEREAS, in the opinion of the City Council, such easement will not interfere with the proper use by the City of the property in which such easement is granted and that the City has no governmental or other public need which would be in conflict with the easements granted therein or the use made thereof.

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

That a permanent utility easement to Duke Energy for the installation of electrical equipment for the February One Parking Deck is hereby granted.

(Signed) Nancy Hoffmann

9. [ID 18-0788](#) Resolution Authorizing the Sale of a Portion of Surplus Property Located at 1700 McConnell Road to Daniel C. Mark and Patricia C. Mark

Staff requested this item be removed from the agenda.

II. PUBLIC HEARING AGENDA

Public Hearing Items for this Agenda were postponed to the January 15, 2019 meeting of Council without further advertising.

III. GENERAL BUSINESS AGENDA

38. [ID 18-0691](#) Presentation on the Greensboro Transit Authority (GTA) Updates and Changes

Councilmember Hightower referenced a previous request for an update on the Greensboro Transit Authority (GTA); and spoke to the passing of a frequent rider.

City Manager Parrish recognized Transportation Director Adam Fischer to present the item.

Mr. Fischer provided a PowerPoint Presentation (PPP); an overview of the transportation system; spoke to agreements with Duke Energy; to the annual budget of approximately \$23 million; outlined the bus fleet; fixed routes; additional services provided; spoke to Federal law requirements; to service enhancements; to the implementation of the Mobility Greensboro in 2005; university grants for higher education area transit; to city wide paratransit services; expansion of routes; referenced a decrease in ridership; and spoke to other modes of transportation. Mr. Fischer spoke to cost per trip; to a decrease in revenues; reviewed ridership trends; spoke to funding sources; highlighted the Mobility Greensboro 2040 draft network plan; outlined the four main building blocks; spoke to efficiency; outlined a timeline for the long range plan; provided images of redesigned routes; spoke to weekend services; hub systems; voiced concerns with an aging fleet; reviewed enhancements to include electric buses; and extended an invitation to a ribbon cutting tentatively scheduled for January 28th. Mr. Fischer spoke to reduced costs; the need to replace about 27 buses over the next 5 years; to competitive grants and Federal funds; provided an overview for USERV an on demand project and Micro-Transit for late night operations; spoke to planned bus shelter enhancements; and reiterated the focus on GTA goals.

Mayor Pro-Tem Johnson left the meeting at 6:22 p.m. and returned at 6:25 p.m.

Councilmember Thurm inquired about estimated costs for new routes; and about funding ideas.

Mr. Fischer explained the cost per year; spoke to diving into funding aspects during the next phase of the project; and referenced a sales tax that other communities had implemented.

Councilmember Kennedy spoke to creating connections between employees and employers; voiced concerns with transportation for shift workers; with GTA requirements for identification cards; inquired about researching micro-transit; and requested staff research a better system.

Councilmember Abuzuaiter voiced appreciation for the update; spoke to evolving routes; highlighted Greensboro as one of the few cities in North Carolina to have electric buses; and spoke to the use of federal and matching funds to purchase the buses.

Mr. Fischer confirmed Greensboro was the first city in North Carolina with electric buses; and highlighted reduced maintenance associated with electric buses.

Councilmember Hightower spoke to the challenges of the GTA system; voiced appreciation to staff; inquired about

cost associates with running a bus; about requirements for bond fund use; requested staff research the use of sales tax; and to research partnerships with private entities to improve the system.

Mr. Fischer spoke to the cost of drivers, operation and maintenance; to needed renovations; to matching of Federal funds; and voiced appreciation for Council support.

Councilmember Wells spoke to proposed university partnerships; to citizens that relied on public transportation; voiced concern with the restrictions of identification cards; with the quality of life of residents; and requested staff research the limitation on the number of bags allowed on buses.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 26 which is hereby referred to and made a part of these minutes)

39. [ID 18-0799](#) Resolution Adopting the Cultural Arts Master Plan

Councilmember Hoffmann recognized Greensboro Cultural Arts Plan Co-Chair Jacquie Gilliam to speak to the item.

Ms. Gilliam spoke to the importance of the arts and the quality of life; to integrating arts and culture into the city; and voiced appreciation to the Arts Task Force.

Councilmember Hoffmann spoke to successful partnerships; to the achievement of goals; to a two year process; voiced appreciation to staff, Task Force members, and citizens; spoke to a worthwhile strategy; analysis and characteristics of a great city; referenced statements from Mayor Knox of Greenville and Mayor Riley of Charleston; and recognized the Cultural Planning Group representatives Martin Cohen and Linda Flynn to make a presentation.

Mr. Cohen made a PowerPoint Presentation (PPP); spoke to triangulation methodology; the vision of citizens; provided the history of town hall meetings and discussion groups; outlined six primary themes; spoke to equality, inclusion, and access; to providing an environment for artists and organizations; to elevating creativity; outlined the development plan; implementation steps; spoke to the use of resources through community partners; and to long term sustainability.

Mayor Pro-Tem Johnson voiced support for the project.

Task Force and Board member Josephus Thompson III, 3850 Jade Court spoke to access for opportunities; to the need for change; to diversity; and to the platform the plan provided.

Councilmember Hightower asked for clarification on access and equity.

Mr. Thompson confirmed there were steps taken to offer diversity for the community.

GreenHill Executive Director Laura Way, 311 Isabel Street requested Council adopt the plan as presented; spoke to the importance of the plan in the community; highlighted the arts in various communities; spoke to creativity to attract developers; the intentionality of the plan; to being inclusive; and to Council leadership and staff support.

Downtown Greensboro, Inc. President Zack Mathany, 536 South Elm Street referenced conversations about the arts and culture; spoke to an effective plan; stated the arts correlated into job growth; and spoke to recruitment of companies to the area.

Marty Kotis, 1410 Mill Street spoke to his involvement in the arts; to quality of life; to an increase in tourism; stated cultural arts would be part of development recruitment; spoke to the importance of support by the private sector; and local artist.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 26 which is hereby referred to and made a part of these minutes)

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

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

328-18 RESOLUTION FOR ADOPTING GREENSBORO'S CULTURAL ARTS MASTER PLAN BY THE CITY OF GREENSBORO

WHEREAS, the City Council created a 21-member task force co-chaired by Councilwoman Nancy Hoffmann and Jacquie Gilliam, a community volunteer, to examine the financial needs and sustainability of local arts groups.

WHEREAS, the Task Force worked with consultants from the Cultural Planning Group (CGP) to create a comprehensive road map that enhances and supports the arts in Greensboro building on an amazing network of cultural and arts organizations and venues that currently exist in our City.

WHEREAS, this was an extensive process anchored by a range of community engagement activities to receive input from the residents of Greensboro. Nearly 700 individuals participated in a series of Town Halls, discussion groups, pop-up booths at two farmers markets and in individual interviews. An additional 1,100-plus participated in an on-line survey.

WHEREAS, The four main goals of the plan are to 1) provide sustained support for arts and culture by enhancing and expanding resources, 2) foster cultural equity and arts participation for all, 3) create a prosperous environment for artists and arts and culture organizations and 4) support development of a vibrant City by raising awareness and enhancing the visibility of the arts.

WHEREAS, City Council shall retain final authority over project and funding decisions; and

NOW, THEREFORE, BE IT ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA:

That the proposed Cultural Arts Master Plan presented herewith this day is to be hereby adopted.

(Signed) Yvonne Johnson

40. [ID 18-0648](#) Resolution Approving a Bid and Authorizing Execution of Contract 2010-034 (U-5306 B) in the Amount of \$7,698,094.62 with Triangle Grading & Paving, Inc. for Construction of the Battleground Avenue at Westridge Road Intersection Improvements Project

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

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

329-18 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2010-034 (U-5306 B) WITH TRIANGLE GRADING & PAVING, INC. FOR THE CONSTRUCTION OF THE BATTLEGROUND AVENUE AT WESTRIDGE ROAD INTERSECTION IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the Battleground Avenue at Westridge Road Intersection Improvements project;

WHEREAS, Triangle Grading & Paving, Inc., a responsible bidder, has submitted the low base and alternate bid in

the total amount of \$7,698,094.62 as general contractor for Contract No. 2010-034, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

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

That the bid hereinabove mentioned submitted by Triangle Grading & Paving, Inc. is hereby accepted, and the City is authorized to enter into a contract with Triangle Grading & Paving, Inc. for the Battleground Avenue at Westridge Road Intersection Improvements 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 \$7,698,094.62 the following accounts:

\$847,924	220-4588-01.6014 A12083 (State and Federal Grant Funds)
\$6,850,171	471-4502-23.6014 A17135 (2008 GDOT Bond Funds)
\$7,698,095	

(Signed) Sharon Hightower

41. [ID 18-0741](#) Resolution Approving Bid in the Amount of \$3,349,064.00 and Authorizing Execution of Contract 2013-081 with Yates Construction Company, Inc. for the Construction of the English Street Sidewalk Improvements - Part B (EL-5101DL).

Discussion took place regarding M/WBE participation.

Moved by Councilmember Wells, 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

330-18 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2013-081 WITH YATES CONSTRUCTION COMPANY, INC. FOR THE CONSTRUCTION OF THE ENGLISH STREET SIDEWALK IMPROVEMENTS – PART B (EL-5101DL)

WHEREAS, after due notice, bids have been received for the English Street Sidewalk Improvements Part B (EL-5101DL) project;

WHEREAS, Yates Construction Company, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$3,349,064.00 as general contractor for Contract No. 2013-081, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

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

That the bid hereinabove mentioned submitted by Yates Construction Company, Inc. is hereby accepted, and the City is authorized to enter into a contract with Yates Construction Company, Inc. for the English Street Sidewalk Improvements – Part B (EL-5101DL) 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 \$3,349,064.00 from Street and Sidewalk Capital Project Fund Account 401-4546-01.6015 A19071.

(Signed) Goldie Wells

42. [ID 18-0762](#) Resolution Authorizing Interlocal Agreement Between the Greensboro Public Library and Guilford County Schools

Nate Rosenberger, 819 Granite Street spoke to the population that used the library system; and referenced the Marcus Smith incident.

Mayor Vaughan stated the speaker needed to stay on the agenda item topic.

City Manager Parrish commended the Greensboro Libraries for being recognized as the first outstanding library in the state.

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

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

331-18 RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH THE GUILFORD COUNTY BOARD OF EDUCATION FOR PROVIDING ACCESS TO PUBLIC LIBRARY MATERIALS, RESOURCES, AND SERVICES

WHEREAS, the City and GCS have agreed to cooperate with each other in order to develop a comprehensive, strategic and sustainable collaboration that will strengthen both organizations and benefit the community by increasing literacy and educational success, the City and GCS seek to build a strong relationship at the administrative level in order to work together more collaboratively and demonstrate measurable impact; and

WHEREAS, Part 1 of Article 20 of Chapter 160A of the North Carolina General Statutes empowers any unit of local government to enter into an interlocal agreement in order to execute an undertaking whereby a unit of local government exercises any power, function, public enterprise, right, privilege, or immunity either jointly with or on behalf of another unit of local government; and

WHEREAS, by developing an infrastructure that will allow all GCS students to access and use the Greensboro Public Library's ("Public Library") materials, the City and GCS will leverage the collaboration for innovative and cost-effective ways to better utilize the Public Library's resources to serve GCS students, their families, and staff; and

WHEREAS, GCS and the City desire to work together as educational partners, with the Public Library serving as an extension of the classroom—providing students with access to books, computers, reading programs, and dozens of other important educational resources during out-of-school time. Additionally, both organizations have aligned around a focus on literacy and are committed to creating a community of readers, empowering individuals with free access to information, building a welcoming place where reading, learning and imagination thrive, maximizing academic achievement, and preparing every child to lead a rich and productive life; and

WHEREAS, Both GCS and the City understand that such services shall be provided at no cost to GCS or its students.

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

That the Greensboro Public Library is hereby authorized to execute a contract with the Guilford County Board of Education to provide access to Public Library materials, resources, and services.

(Signed) Sharon Hightower

- 43.** [ID 18-0755](#) Resolution Authorizing Contract Between the Greensboro Police Department and the Guilford County Board of Education Schools School Safety Resource Officer Contract FY 2018-19

Mayor Vaughan introduced the item; and stated that speakers should keep comments on the agreement between

the School Resource Officers (SRO) and the City of Greensboro.

Calvin Deutschbeh, 1105 NC-54 Route 10, Chapel Hill referenced an incident with Greensboro police at the University of North Carolina at Chapel Hill; and voiced concern for the homeless.

Mayor Vaughan reiterated comments needed to be regarding the agreement.

Mr. Deutschbeh spoke to Council engagement; to safety for public schools; requested the Greensboro Police Department (GPD) not be allowed in schools; and spoke to a community driven form of public safety.

Ryan Tardiff, 830 West Market Street spoke to the reliance of police in schools; to use of funds for nurses and counselors; and referenced Marcus Smith.

Mayor Vaughan reminded speakers to keep to the topic of the item.

Reverend Sadie Lansdale, 701 South Chapman Street voiced concerns with police in schools; spoke to clergy dealing with death; and referenced the Marcus Smith incident.

Mayor Vaughan commended the actions of the SRO and school administrators regarding an incident at Smith High School; spoke to saving lives; to the potential fire power of the gunman; and to officers that provided safety daily.

Councilmember Thurm called the question.

Councilmember Abuzuiater spoke to the prevention of a tragedy; to the training of the SRO and school staff; and to the importance of SROs in the school.

Councilmember Thurm called the question which was seconded by Councilmember Outling.

Councilmember Hightower voiced opposition to the item; spoke to proper training; and to racism.

Discussion took place regarding protocol for calling the question on an item.

Mayor Pro-Tem Johnson stated she would abstain from voting on the item.

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

Ayes, 7 - Nancy Vaughan, Marikay Abuzaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

Abstain, 1 - Yvonne J. Johnson

332-18 RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH THE GUILFORD COUNTY BOARD OF EDUCATION FOR THE SCHOOL SAFETY RESOURCE OFFICER PROGRAM

WHEREAS, the Guilford County Board of Education desires assistance of the City (Greensboro Police Department) in providing School Safety Resource Officers for additional police services to create safe and crime free educational campuses;

WHEREAS, there is a need to maintain the School Safety Resource Officer Program (SRO) jointly operated by the Greensboro Police Department and the Guilford County Board of Education in select public schools;

WHEREAS, the City and the Guilford County Board of Education believe that the continued operation of the SRO program is vital in protecting and safeguarding these campuses;

WHEREAS, under this contract, the City agrees that the services rendered by the assigned personnel of the Greensboro Police Department under this agreement to provide seventeen (17) officers for eleven months to the program are in addition to baseline police services;

The Guilford County Board of Education shall reimburse the City for \$1,061,054 for the salaries and equipment of the officers assigned to the program for the period of July 1, 2018 through June 30, 2019.

The Greensboro Police Department and the Guilford County Board of Education shall continue to work together to ensure the successful protection of those educational campuses.

WHEREAS, the Greensboro Police Department would like to enter into a contract with the Guilford County Board of Education for School Safety Resource Officers;

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

That the Greensboro Police Department is hereby authorized to execute a contract with the Guilford County Board of Education for the School Safety Resource Officer program in Greensboro, NC for payment of \$1,061,054 (FY 2018-19) to be paid in reimbursements, to be funded with Guilford County Board of Education funds.

(Signed) Marikay Abuzuaiter

- 44. [ID 18-0786](#)** Resolution Approving Bid in the Amount of \$5,212,350 and Authorizing Execution of Contract with Muter Construction, LLC for the Renovations of 2305 Soabar Street and the Kitchen Operations Center

Moved by Councilmember Hoffmann, 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

333-18 RESOLUTION APPROVING BID IN THE AMOUNT OF \$5,212,350 AND AUTHORIZING EXECUTION OF CONTRACT WITH MUTER CONSTRUCTION, LLC FOR THE RENOVATIONS OF 2305 SOABAR STREET AND THE KITCHEN OPERATIONS CENTER

WHEREAS; after due notice, bids have been received for the renovation of the Kitchen Renovation Center and the property located at 2305 Soabar Street of the City of Greensboro;

WHEREAS; Muter Construction, LLC, a responsible bidder, has submitted the low base bid in the total amount of \$5,212,350, as a general contractor, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

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

That the bid hereinabove mentioned submitted by Muter Construction. is hereby accepted, and the City is authorized to enter into a contract with Muter Construction for the renovation of renovation of the property located at 2305 Soabar Street and the Kitchen Operation Center 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 \$5,212,350 from account number 503-7028-08.6019 and associated budget adjustment.

(Signed) Nancy Hoffmann

- 45. [ID 18-0787](#)** Resolution Awarding Contract 2017-055B in the Amount of \$964,947

for the Renovations of 2305 Soabar Street for District 2 Police Patrol Division to A Vogt Construction

Councilmember Hightower spoke to 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, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Goldie F. Wells

Nays, 2 - Sharon M. Hightower and Tammi Thurm

334-18 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT WITH A VOGT CONSTRUCTION FOR RENOVATIONS OF 2305 SOABAR STREET OF THE CITY OF GREENSBORO

WHEREAS; after due notice, bids have been received for the renovation of District 2 Police Patrol Division located at 2305 Soabar Street of the City of Greensboro;

WHEREAS; A Vogt Construction, a responsible bidder, has submitted the low base bid in the total amount of \$964,947, as a general contractor for Contract No. 2017-055B, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

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

That the bid hereinabove mentioned submitted by A Vogt Construction. is hereby accepted, and the City is authorized to enter into a contract with A Vogt Construction for the renovation of the District 2 Police Patrol Division located at 2305 Soabar Street 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 \$964,947 from account numbers 220-3579-01, 220-3579-02, and 503-7028-08 and budget adjustment.

(Signed) Marikay Abuzuaiter

Mayor Pro-Tem Johnson requested staff to schedule a viewing of the Marcus Smith body worn camera video at the earliest convenience as she was absent previously.

Mayor Vaughan declared a recess at 7:29 p.m. Council reconvened at 7:58 p.m. with all members in attendance.

46. [ID 18-0753](#) Ordinance Amending State, Federal, and Other Grants Fund Budget in the Amount of \$100,000 Police Federal Forfeiture for Renovation of 2305 Soabar Street

Moved by Councilmember Abuzuaiter, 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

18-151 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR IN THE AMOUNT OF \$100,000 POLICE FEDERAL FORFEITURE FOR RENOVATION OF 2305 SOABAR STREET

Section 1 (Federal Forfeiture- Department of Justice)

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

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

Section 2 (Federal Forfeiture- US Department of Treasury)

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

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

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account	Description	Amount
220-3579-02.6013	Building	\$100,000
Total		\$100,000

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

Account	Description	Amount
220-3579-02.7104	Federal Forfeiture	\$100,000
Total		\$100,000

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

- 47. [ID 18-0797](#) Resolution Approving (1) the Use of the Construction Manager at Risk Delivery Method to Construct the Eugene Street Parking Deck Project; (2) Approve the Evaluation and Ranking Committee’s Final Ranking of the Five Firms to Serve as the City’s Construction Manager at Risk for the Eugene Street Parking Deck Project; (3) Authorize the City Manager to Negotiate a Contract for Pre-Construction Services with the Evaluation and Ranking Committee’s Most Qualified Firm, Samet Corporation/ SRS, Inc., and (4) Authorize the City Manager to Execute a Contract for Construction Management Services with Samet Corporation/ SRS, Inc. if the Guaranteed Maximum Price Submitted to the City Manager at the Conclusion of the Pre-Construction Services plus the Total Costs of the Pre-Construction Services is Equal to or Less than Twenty-Two Million Dollars (\$22,000,000)

Hester Petty, 3402 Canterbury Street spoke to the need for clarification; and voiced concern with the City Manager's authorization to negotiate the contract.

Councilmember Hightower referenced a previous Construction Manager at Risk (CMAR) project; voiced concern with M/WBE participation; and spoke to a mentor/protege and joint venture project.

Discussion ensued regarding a contract to be equal to or less than \$22 million; the CMAR process; required criteria; previous projects; use of local firms; percentage of participation; and the involvement of the M/WBE office.

Virgil Cobb spoke to participation in the project; referenced meetings in which an employee had been embedded in the Samet office; spoke to a unique opportunity; and to innovation.

Moved by Councilmember Wells, 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 Abuzwaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

335-18 RESOLUTION (1) APPROVING THE USE OF THE CONSTRUCTION MANAGER AT RISK DELIVERY METHOD TO CONSTRUCT THE EUGENE STREET PARKING DECK PROJECT; (2) APPROVING THE EVALUATION AND RANKING COMMITTEE'S FINAL RANKING OF THE FIVE FIRMS WHO SUBMITTED PROPOSALS TO SERVE AS THE CITY'S CONSTRUCTION MANAGER AT RISK FOR THE EUGENE STREET PARKING DECK PROJECT; (3) AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR PRE-CONSTRUCTION SERVICES WITH THE EVALUATION AND RANKING COMMITTEE'S MOST QUALIFIED FIRM, SAMET CORPORATION/ SRS, INC.; AND (4) AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES WITH SAMET CORPORATION/ SRS, INC. IF THE GUARANTEED MAXIMUM PRICE SUBMITTED TO THE CITY MANAGER AT THE CONCLUSION OF THE PRE-CONSTRUCTION SERVICES PLUS THE TOTAL COSTS OF THE PRE-CONSTRUCTION SERVICES IS EQUAL TO OR LESS THAN TWENTY-TWO MILLION DOLLARS (\$22,000,000)

WHEREAS, the City proposes to construct a City owned and operated parking deck to address parking needs identified in Downtown Greensboro;

WHEREAS, City staff has analyzed the advantages and disadvantages of using the Construction Manager at Risk ("CMAR") delivery method in lieu of the separate prime, single prime and dual bidding delivery methods authorized by N.C.G.S. 143-128 (a1)(1) through (a1)(3). City staff has concluded that the six advantages to using the CMAR delivery method in this project outweigh its few disadvantages, and City staff is already taking steps to mitigate the impact of these disadvantages.

WHEREAS, the six advantages of using the CMAR delivery method are: (1) Reduction in Significant Change Orders; (2) Cost Control; (3) Fast Tracking; (4) The Construction Manager is Selected by Qualifications, Not Price; (5) Increased Opportunities for M/WBE Participation; and (6) The Experience of Other Municipalities;

WHEREAS, these advantages are particularly important in this project as the CMAR delivery is the best method to expedite this significant construction project, keep costs within a projected budget, and increase opportunities for M/WBE Participation.

WHEREAS, the disadvantages of using the CMAR delivery method are: (1) Requires a high level of communication between the City, the project's designers, and the Construction Manager; and (2) Project's designers contracts were not specifically drafted to address all of the unique communications challenges that can arise in this CMAR project between the CMAR and the project's designers.

WHEREAS, despite these disadvantages, the City Council finds that (1) Kimley-Horn and Associates, the designer for this project, has ample experience working with the CMAR delivery method, and it has also worked with the City on numerous other City projects; and (2) City staff will strive to minimize any communication issues between Kimley-Horn and Associates, City Staff, and the Construction Manager.

WHEREAS, the City Council concludes that due to the time and cost constraints on this project, the specific advantages of Fast Tracking, Cost Control, Increased Opportunities for M/WBE Participation, and Reduction in Significant Change Orders in using the CMAR delivery method far outweigh the disadvantages of having potential communications issues between the designer and the Construction Manager and City staff.

WHEREAS, on October 16, 2018, the Greensboro Department of Transportation (GDOT) formally issued a Request for Qualifications (RFQ) for firms to serve as the Construction Manager at Risk (CMAR) to construct the Eugene Street Parking Deck.

WHEREAS, on November 7, 2018, the City timely received proposals from five firms.

WHEREAS, the City formed a four-member Evaluation and Ranking Committee ("ERC") to review each CMAR

proposal.

WHEREAS, on November 15, 2018, the ERC evaluated and ranked the five proposals using a weighted point scale rating system based on the nine (9) criteria defined in the RFQ. The five firms received the following scores:

1. Samet Corporation / SRS, Inc.- 93.4%;
2. Barnhill Contracting Co. – 92.8%;
3. Whiting-Turner Contracting Co. – 92.8%
4. JM Thompson Co. - 82.8%;
5. Landmark Builders – 73.7%

WHEREAS, the City Council hereby affirms and approves of the ERC's ranking of these five firms.

WHEREAS, the ERC determined that Samet Corporation/ SRS, Inc. was most qualified firm to serve as the City's CMAR for the Eugene Street Parking Deck Project;

WHEREAS, City staff requests that the City Council authorize the City Manager to negotiate a contract for Pre-Construction Services with Samet Corporation/ SRS, Inc., and if the GMP submitted to the City Manager at the conclusion of the Pre-Construction Services plus the total costs of the Pre-Construction Services is equal to or less than Twenty-Two Million Dollars (\$22,000,000), authorize the City Manager to execute a contract for Construction Management Services with Samet Corporation/ SRS, Inc. for the amount of the GMP.

WHEREAS, Samet Corporation/ SRS, Inc. is a joint venture firm between a non-M/WBE firm, Samet Corporation, and an MBE firm, SRS, Inc. This joint venture arrangement provides SRS, Inc. a 20% stake in the entire Eugene Street Parking Deck Project. Additionally, during the Pre-Construction Phase Contract, Samet Corporation/ SRS, Inc. has also committed to participate in the City's M/WBE Mentor-Protégé Program by hiring the Cinda Corporation as a Protégé on the Pre-Construction Phase Services for approximately 10% of the Pre-Construction fee.

WHEREAS, in the Pre-Construction Phase Contract, Samet Corporation/ SRS, Inc. will work with Kimley-Horn and Associates and City staff to review constructability issues during the design phase to reduce change orders in the field and manage the projected costs of the project during design. This will help ensure that the project costs are as accurate as possible to prepare a GMP to offer the City Manager to construct the Eugene Street Parking Deck.

WHEREAS, the City Manager will have the authority to accept the GMP if the costs of the Pre-Construction services and the GMP are Twenty-Two Million Dollars (\$22,000,000) or less.

WHEREAS, if the City Manager accepts the GMP, the City Manager will execute a contract with Samet Corporation/ SRS, Inc. for Construction Management Services to construct the parking deck.

WHEREAS, upon the execution of the Construction Management contract, Samet Corporation/ SRS, Inc. will be required to go to the City's Goal Setting Committee to have M/WBE Project Participation Goals assigned to the contract. Samet Corporation/ SRS, Inc. will then be required to use Good Faith Efforts as defined by the City's M/WBE Program plan to meet these M/WBE Project Participation Goals.

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

- (1) The City Manager is authorized to use the Construction Manager at Risk Delivery Method to construct the Eugene Street Parking Deck Project;
- (2) The City Council approves the ERC's final rankings of the five (5) firms to serve as the City's Construction Manager at Risk for the Eugene Street Parking Deck Project;
- (3) The City Manager is authorized to negotiate a contract for Pre-Construction Services with the ERC's most

qualified firm, Samet Corporation/ SRS, Inc.; and

(4) The City Manager is authorized to execute a contract for Construction Management Services with Samet Corporation/ SRS, Inc. if the Guaranteed Maximum Price submitted to the City Manager at the conclusion of the Pre-Construction Services plus the total costs of the Pre-Construction Services is equal to or less than Twenty-Two Million Dollars (\$22,000,000). Funds for this project are available in account 546-4520-01.6019.

(Signed) Goldie Wells

48. [ID 18-0758](#) Boards and Commissions Listing for December 18, 2018

Mayor Vaughan stated Council would provide Council Comments along with Boards and Commission appointments.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint Katredia Martin to the Commission of the Status of Women to replace Fanta Dorley. The motion carried by voice vote. Moved by Councilmember Hightower, seconded by Councilmember Abuzuaiter to reappoint Kim Alexander Henderson to the Parks and Recreation Commission. The motion carried by voice vote. Councilmember Hightower extended congratulations to North Carolina A & T State University (A & T) for the 2018 Celebration Bowl; voiced appreciation for shirts provided by Ray Trapp; support for Bennett College; concern for events in the community; spoke to procedures following a motion to call the question; and requested staff research the elimination of the Ripp Hobble method.

Discussion took place regarding modifications to the procedure; a review process that had been implemented; and the removal of binding hands to feet.

Councilmember Hightower voiced the need to remove the procedure entirely.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter to reappoint Kevin McDonald to the Community Sustainability Council. The motion carried by voice vote. Moved by Councilmember Thurm, seconded by Councilmember Outling to appoint Leah Necas to the Board of Adjustment. The motion carried by voice vote.

Moved by Councilmember Outling, seconded by Mayor Pro-Tem Johnson to reappoint Benton Boyce to the Solid Waste Commission. The motion carried by voice vote. Moved by Councilmember Outling, seconded by Councilmember Abuzuaiter to reappoint Kathy Sevier to the Commission on the Status of Women. The motion carried by voice vote.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm to reappoint Tony Davies to the Solid Waste Commission. The motion carried by voice vote.

Mayor Vaughan voiced appreciation to staff for the snow removal; spoke to city weather events of 2018; highlighted efforts by all city departments; spoke to recognition of Greensboro as the most giving city in North Carolina; and to a giving workforce.

Mayor Pro-Tem Johnson echoed the appreciation to staff; spoke to the financial issues of Bennett College; provided the address of 900 East Washington Street for donations; and extended wishes for a happy and safe holiday.

Mayor Vaughan spoke to the procedures for loose leaf collections.

Councilmember Wells congratulated A & T; spoke to an event at Peeler Center; and to the Guilford County Workforce luncheon. Moved by Councilmember Wells, seconded by Councilmember Thurm to appoint Tiffany Rudd to the Fireman Relief Fund Board. The motion carried by voice vote. Moved by Councilmember Wells, seconded by Councilmember Thurm to reappoint Jacques Pierre to the Community Sustainability Council. The motion carried by voice vote.

Moved by Councilmember Kennedy, seconded by Councilmember Thurm to appoint Summer Foster to the War

Memorial Commission. The motion carried by voice vote. Councilmember Kennedy stated the Homeless Memorial Walk would begin at the Interactive Resource Center.

Councilmember Hoffmann extended well wishes for the holiday season; referenced the Christmas lights at Sunset Hills; thanked Council for support on the Arts Master Plan; and voiced appreciation to the citizens that were involved in the process.

Councilmember Wells highlighted a Healing Service that had been sponsored by Pulpit Forum; and reminded citizens to support the Renaissance Co-Op.

Councilmember Hightower spoke to the lights on Gateway Boulevard; to a planned Festival of Lights in east Greensboro next year; and to a community building to open in Barber Park.

Councilmember Kennedy commended Jim Robinson for tracking and making notifications on weather that would impact Greensboro.

Councilmember Outling recognized students that had recently graduated from college; spoke to giving the Commencement speech; and to students improving themselves.

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

Council comments were included with the Board and Commission appointments.

Matters to be presented by the City Manager

City Manager Parrish voiced appreciation to staff; spoke to the historic snow fall; to a challenging year with regard to natural events; recognized employees as a tremendous asset; spoke to improvements in 2019; to an organization that was purpose driven, data informed, and people centered; thanked Council for their support; and extended wishes for a happy holiday.

Matters to be presented by the City Attorney

There were no items for discussion by the Interim City Attorney.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 8:35 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR