



# City of Greensboro

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

## Meeting Minutes - Draft City Council

Tuesday, December 15, 2020

5:30 PM

VIRTUAL

VIRTUAL

### Call to Order

This virtual City Council meeting of the City of Greensboro was called to order at 5:30 p.m. Mayor Vaughan took a roll call to confirm the following members were present:

Present: 9 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzuaiter, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Michelle Kennedy, Councilmember Justin Outling, Councilmember Tammi Thurm and Councilmember Goldie F. Wells

Also present were City Manager David Parrish, City Attorney Chuck Watts, and City Clerk Angela Lord.

### Council Procedure for Conduct of the Meeting

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

### I. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda; reminded Council that any items removed from the consent agenda, other than for a recusal or for the purpose to vote 'No' would be placed on the next business meeting agenda as a business item; stated a speaker had signed up for Item #2/ID 20-0836; and that the item would be placed on the business portion of the January 19, 2021 Council agenda.

Discussion took place regarding Council hearing the item this evening.

Councilmember Outling requested Item #16/ID 20-0826 be removed for the purpose to be recused due to a conflict of interest.

**Moved by Councilmember Hoffmann, seconded by Councilmember Kennedy, to adopt the consent agenda as amended. The motion carried by the following 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

1. [ID 20-0866](#) Ordinance Amending State, Federal and Other Grants Fund Budget for the Appropriation of CFGG Housing Preservation Fund Design Grant in the Amount of \$10,000

20-157 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FY 20-21 CFGG HOUSING PRESERVATION FUND DESIGN GRANT

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

Account name – FY 20/21 CFGG Housing Preservation Fund Design Grant

Account	Description	Amount
220-2108-01.5413	Consultant Services	\$10,000
TOTAL:		\$10,000

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

Account	Description	Amount
220-2108-01.7170	Local Government Grant	\$10,000
TOTAL:		\$10,000

## Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

### 3. [ID 20-0847](#) Ordinance Amending the FY 20-21 Community Development Block Grant (CDBG) Project Budget Ordinance in the Amount of \$344

20-158 ORDINANCE AMENDING THE FY 20-21 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT BUDGET

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

## Section 1

That the FY 20-21 CDBG Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be decreased, as follows:

Account	Description	Amount
212-2121-40.5419	Homeowner Rehabilitation	\$344.00

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

Account	Description	Amount
212-2121-01.7100	Federal Grant	\$344.00

## Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

### 4. [ID 20-0848](#) Ordinance Amending the FY 20-21 HOME Investment Partnership Act (HOME) Project Budget Ordinance in the Amount of \$374

20-159 ORDINANCE AMENDING THE FY 20-21 HOME INVESTMENT PARTNERSHIP ACT (HOME) PROJECT BUDGET

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

Section 1

That the FY 20-21 HOME Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be decreased, as follows:

Account	Description	Amount
213-9020-02.5282	Real Estate Loans	\$374

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

Account	Description	Amount
213-9020-01.7100	Federal Grant	\$374

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

5. [ID 20-0865](#) Ordinance in the Amount of \$1,000 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of 2021 Dick's Sporting Goods Community Grant

20-160 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE 2021 DICK'S SPORTING GOODS COMMUNITY GRANT FUND

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

Account name –Dick's Sporting Goods Community Grant

Account	Description	Amount
220-5001-01.5237	Program Supplies	\$1,000
TOTAL:		\$1,000

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

Account	Description	Amount
220-5001-01.8620	Donations & Private Contributions	\$1,000
TOTAL:		\$1,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

6. [ID 20-0856](#) Resolution Authorizing the Purchase of Microsoft Enterprise Support Services in the Amount of \$149,107.18

328-20 RESOLUTION AUTHORIZING THE PURCHASE OF MICROSOFT ENTERPRISE SUPPORT SERVICES

WHEREAS, The Network Services Division of the Information Technology department is responsible for providing "up-to-date" applications, support and maintenance to over 3000 city employees;

WHEREAS, the Microsoft Enterprise Support Services agreement is necessary in ensuring continuous technological support to staff;

WHEREAS, the current Microsoft Enterprise Support Services agreement expires on Nov. 30, 2020;

WHEREAS, the new Microsoft Enterprise Support Services agreement shall be in effect as of December 21, 2020, and will expire November 30, 2021;

WHEREAS, funds have been budgeted in the Information Technology Fund and shall not exceed \$149,107.18; and

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 Microsoft Inc., to provide the purchase of Microsoft Enterprise Support Services.

(Signed) Nancy Hoffmann

7. [ID 20-0801](#) Resolution Authorizing a Three Year Contract for the Greensboro Transit Administrative Building Janitorial Services between B&B Enterprises and the City of Greensboro for the Transportation Department in the Total Amount of \$ 140,400.00.

329-20 RESOLUTION APPROVING THE THREE YEAR CONTRACT FOR THE GTA ADMINISTRATIVE BUILDING JANITORIAL CONTRACT WITH B&B ENTERPRISES

WHEREAS, on October 9, 2020, the Procurement Services Division conducted an open solicitation through the Greensboro E-Procurement System under event number 9948, the State Interactive Purchasing site (IPS) and the State HUB site;

WHEREAS, the standard of award is based on the best scoring on the overall proposal;

WHEREAS, the proposals were evaluated and graded by a committee consisting of members from the City's Transportation Department, the M/WBE and the Engineering & Inspections Department, which concluded the result of the best overall scored proposal;

WHEREAS, the three year total contract cost will be \$ 140,400.00, it is required that City Council's approval is obtained;

WHEREAS, the Transportation Department is requesting City Council's approval before entering into the janitorial contract agreement; and

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

That the City Manager is authorized to enter into a contract for the Janitorial Contract Agreement with B & B Enterprises for the Transportation Department.

(Signed) Nancy Hoffmann

8. [ID 20-0832](#) Ordinance in the Amount of \$734 Reducing Grant Budget for the Fiscal Year 2018 FTA Section 5339 Bus and Bus Facilities Grant

20-161 ORDINANCE IN THE AMOUNT OF \$734 REDUCING GRANT BUDGET FOR THE FISCAL YEAR 2018 FTA SECTION 5339 BUS AND BUS FACILITIES GRANT

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

Section 1

That the GTA Grant Fund Budget of the City of Greensboro is hereby decreased as follows to reduce the local match for the FY 2018 Section 5339 Bus and Bus Facilities Grant:

Account	Description	Amount
567-4527-02.5928	In-Kind Services	\$734
Total		\$734

And, that this decrease be balanced by decreasing the following revenue:

Account	Description	Amount
567-4527-02.8695Local	In-Kind Services	\$734
Total		\$734

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

9. [ID 20-0833](#) Ordinance in the Amount of \$250,000 for Air-Purifying Respirators

20-162 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET IN THE AMOUNT OF \$250,000 FOR FY 21 GREENSBORO POLICE AIR-PURIFYING RESPIRATOR GRANT

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- FY 21 Greensboro Air-Purifying Respirator Grant

Account	Description	Amount
220-3506-01.5235	Small Tools & Equipment	\$250,000
Total		\$250,000

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

Account	Description	Amount
220-3506-01.7104	Federal Forfeiture	\$250,000
Total		\$250,000

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

**10. [ID 20-0837](#) Resolution Approving an Annual Maintenance Agreement in the Amount of \$539,808.37 with Systems and Software, Inc. for the City's Customer Information and Billing Software**

330-20 RESOLUTION APPROVING AN ANNUAL MAINTENANCE AGREEMENT IN THE AMOUNT OF \$539,808.37 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 \$539,808.37 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; and

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

That the City Manager is authorized to enter into a contract with Systems and Software for annual software maintenance in the amount of \$539,808.37 for the enQuesta billing system used by the City.

(Signed) Nancy Hoffmann

**11. [ID 20-0854](#) Ordinance Amending the Greensboro Code of Ordinances to Modify Any and All Masculine and/or Feminine Language to Gender Neutral Pronouns; Providing for Conflicts; and Providing an Effective Date**

20-163 AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES TO MODIFY ANY AND ALL MASCULINE AND/OR FEMININE LANGUAGE TO GENDER NEUTRAL PRONOUNS; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Greensboro Code contains mostly masculine pronouns;

WHEREAS, all genders are created equal;

WHEREAS, amending the Greensboro Code to include gender-neutral pronouns by eliminating any gender preference language within the Greensboro Code will promote equality; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Greensboro:

SECTION 1. The recitals and findings contained in the preamble to this ordinance are adopted by reference and incorporated as if fully set forth in this section.

SECTION 2. The pronouns throughout the Greensboro Code are amended to promote gender-neutral pronouns.

SECTION 3. Subject to final approval by the City Attorney, the Municipal Code Corporation has authority to

degenderize the Greensboro Code and update pronouns when appropriate, which authority includes the updating of future ordinances, by making changes such as the following:

Changing the term "he" to "he/she;"  
Changing the term "she" to "he/she;"  
Changing the term "his" to "his/her;"  
Changing the term "her" to "his/her;"  
Changing the term "him" to "him/her;"  
Changing the term "himself" to "himself/herself;"  
Changing the term "herself" to "himself/herself;"  
Changing the term "policeman" to "police officer;"  
Changing the term "policewoman" to "police officer;"  
Changing the term "policemen" to "police officers;"  
Changing the term "policewomen" to "police officers;"  
Changing the term "workman" to "worker;"  
Changing the term "workmen" to "workers;"  
Changing the term "fireman" to "firefighter;"  
Changing the term "firemen" to "firefighters;"  
Changing the term "man or woman" to "person;"  
Changing the term "men or women" to "persons."  
Changing the term "chairman" to "chairperson."  
Changing the term "patrolman" to "patrol officer"

SECTION 4. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. That this ordinance shall become effective upon adoption.

(Signed) Nancy Hoffmann

\*\*\* For the full Ordinance, please see final formatted minutes in the Minute Book in the City Clerk's office.

**12. [ID 20-0849](#) Resolution Authorizing the Purchase of Property Located at 2101 Willow Road, 1301, 1321, 1323, and 1324-A Alamance Church Road from Mt. Zion Baptist Church of Greensboro, Inc. in the Amount of \$148,810 for the Alamance Church Road Improvements Project, P-05187**

331-20 RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 2101 WILLOW ROAD, 1301, 1321, 1323, AND 1324-A ALAMANCE CHURCH ROAD FROM MT. ZION BAPTIST CHURCH OF GREENSBORO, INC. FOR \$148,810.00 FOR THE ALAMANCE CHURCH ROAD IMPROVEMENTS PROJECT, P05187

WHEREAS, in connection with The Alamance Church Road Improvements project, the property owned by Mt. Zion Baptist Church of Greensboro, Inc., Parcels 0079832, 0079833, 0079865, 0079866, and 0079870 is required by the City for said Project, said property being shown on the attached maps;

WHEREAS, the required property has been appraised at a value of \$125,721.00 but the property owner has agreed to settle for the price of \$148,810.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to sell said property to the City at the agreed price and it is deemed in the best interest of the City to purchase said property; and

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

That the City Manager is authorized to enter into agreement with Mt. Zion Baptist Church of Greensboro, Inc. for the property located at 2101 Willow Road, 1301, 1321, 1323, and 1324-A Alamance Church Road.

(Signed) Nancy Hoffmann

**13. [ID 20-0859](#) Resolution Authorizing the Sale of Surplus Foreclosure Property Located at 1823 Larkin Street to John and Margie Lennon in the Amount of \$5,000.00**

332-20 RESOLUTION AUTHORIZING THE SALE OF SURPLUS FORECLOSURE PROPERTY LOCATED AT 1823 LARKIN STREET TO JOHN AND MARGIE LENNON IN THE AMOUNT OF \$5000.00

WHEREAS, the City of Greensboro owns surplus foreclosure property located at 1823 Larkin Street, Parcel 0011081, 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 from John and Margie Lennon in accordance with Section 4.122 of the Greensboro Charter;

WHEREAS, the property was appraised by Lynn Ritchy, at a value of \$5000.00, and the final highest bid of \$5000.00 was accepted, which amount, in the opinion of the City Council is fair and reasonable; and

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

That the City Manager is authorized to enter into agreement with John and Margie Lennon for the aforementioned foreclosure property in the amount of \$5000.00.

(Signed) Nancy Hoffmann

**14. [ID 20-0796](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Simon Investments NC, LLC Located at 4701 W. Market Street in Connection with the Spring Garden Street Sidewalk Project**

333-20 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF SIMON INVESTMENTS NC, LLC IN CONNECTION WITH THE SPRING GARDEN STREET SIDEWALK PROJECT

WHEREAS, Simon Investments NC, LLC is the owner of certain property located at 4701 West Market Street, designated as Parcel No. 42427, 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 Project;

WHEREAS, negotiations with the owner at the appraised value of \$19,650.00 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 \$19,650.00; and

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 \$19,650.00 to the Clerk of Superior Court as compensation to the



owner(s).

(Signed) Nancy Hoffmann

**15. [ID 20-0816](#) Resolution Authorizing an Encroachment Agreement between the City of Greensboro and Leoterra Development, Inc. at the Eastern End of Brass Cannon Court**

334-20 RESOLUTION AUTHORIZING AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND LEOTERRA DEVELOPMENT, INC. AT THE EASTERN END OF BRASS CANNON COURT

WHEREAS, Leoterra Development, Inc. has requested that the City permit installation of a sanitary sewer force main within City right-of-way. Leoterra Development, Inc. is requesting that the Encroachment Agreement be approved;

WHEREAS, Leoterra Development, Inc. has agreed to enter into this Encroachment Agreement with the City, which, among other things, will indemnify the City from any claim or damages that may occur due to the installation, operation, and maintenance of the sanitary sewer force main;

WHEREAS, and it is deemed in the best interest of the City to permit the Encroachment of said sanitary sewer force main by entering into the Encroachment Agreement presented herewith this day; and

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

That the Mayor and City Manager is hereby authorized to execute on behalf of the City of Greensboro an appropriate Encroachment Agreement with Leoterra Development, Inc. for the installation of a sanitary sewer force main within City right of way.

(Signed) Nancy Hoffmann

**17. [ID 20-0812](#) Resolution Calling a Public Hearing for January 19, 2021 on the Annexation of Territory into the Corporate Limits for the Property Located at a Portion of 112 Maxfield Road - 11.819-Acres (Dubose Properties, LLC)**

335-20 RESOLUTION CALLING A PUBLIC HEARING FOR JANUARY 19, 2021 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT A PORTION OF 112 MAXFIELD ROAD – 11.819-ACRES

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

WHEREAS, Chapter 160A, Section 31 (contiguous) of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the January 19, 2021, the following ordinance will be introduced; and

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT A PORTION OF 112 MAXFIELD ROAD – 11.819-ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

BEGINNING at a point, said point being the southeast corner of Lot 1 of the "Exclusion Plat for the Properties of JGJ, LLC" as recorded in Plat Book 153 on Page 81, said point also being along the western right-of-way for Maxfield Road (55.15-foot width), and said point being along the existing Greensboro City Limit line as per Map #D-2817A with an effective date of September 31, 2007; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS and the western right-of-way for Maxfield Road in a southerly direction a distance of approximately 570 feet to a point, said point being the northeast corner of Lot 2 of the "Recombination Plat for Maxfield Road Industrial Park" as recorded on Plat Book 188 on Page 87; thence proceeding along the northern line of said Lot 2 S 89°50'09" W a distance of 765.03 feet to a point, said point being #4 rebar at NC Grid Coordinate NAD83(2011) of N:850,248.12' E:1,787,509.67'; thence proceeding N 00°10'31" W a distance of 571.38 feet to a point; thence proceeding N 89°55'35" W a distance of 149.14 feet to a point, said point being the southeast corner of the property of TJG Realty of Rockland, LLC as recorded in Deed Book 7913 on Page 2795; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the eastern line of said TJG Realty of Rockland N 16°33'21" E a distance of 357.06 feet to a point, said point being along the southern right-of-way for Burlington Road and said point being along the existing Greensboro City Limit line as per map #D-2676 with an effective date of June 20, 2003: THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a easterly direction a distance of 93.77 feet to a point, said point being the northeast corner of Lot 1 of said "Recombination Plat for Maxfield Road Industrial Park;" THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the eastern line of said Lot 1 S 01°20'41" W a distance of 339.50 feet to a point; thence proceeding along the north line of said Lot 1 S 89°55'35" E a distance of 125.35 feet to a point, said point being the southwest corner of the existing Greensboro City Limit line as per map #D-2572 with an effective date of June 30, 2001; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 89°55'35" E a distance of 100 feet to a point, said point being the southwest corner of Lot 1 of said "Exclusion Plat for the Properties of JGJ, LLC"; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the southern line of said Lot 1 S 87°17'50" E a distance of 500 feet to the POINT AND PLACE OF BEGINNING, containing an area of 11.819 acres, more or less. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after January 19, 2021, the liability for municipal taxes for the 2020-2021 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2021. Municipal ad valorem taxes for the 2021-2022 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, January 19, 2021 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than January 9, 2021.

(Signed) Nancy Hoffmann

18. [ID 20-0813](#) Resolution Calling a Public Hearing for January 19, 2021 on the Annexation of Territory into the Corporate Limits for the Property Located

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at 3714 Desmond Drive - .64 Acres (David Lopez and Brenda Vazquez)

336-20 RESOLUTION CALLING A PUBLIC HEARING FOR JANUARY 19, 2021 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 3714 DESMOND DRIVE – .64-ACRES

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

WHEREAS, Chapter 160A, Section 31 (contiguous) of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the January 19, 2021, the following ordinance will be introduced; and

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 3714 DESMOND DRIVE – .64-ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

BEGINNING at a point, said point being the northeast corner of Lot 9 of the "Victory Heights Subdivision" as recorded in Plat Book 13 on Page 72, thence proceeding along a new line crossing Lot 9 and Lot 8 of said Victory Height S 19°13'55" W a distance of 199.77 feet to a point, said point being along the northern line of Lot 7 of said Victory Heights; thence proceeding along the northern line of said Lot 7 N 56°05' W a distance of 200.24 feet to a point, said point being along the eastern right-of-way for Desmond Drive (60-foot width); said point also being along the eastern boundary of Annexation D-2737 (effective on November 30, 2004); THENCE PROCEEDING WITH THE EXISTING CITY LIMITS and along the eastern right-of-way for Desmond Drive N 07°36' E a distance of 80.40 feet to a point, said point being the northwest corner of said Lot 8 and said point also being the southwest corner of Lot 54 of said Victory Heights; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the southern line of said Lot 54 S 89°17' E a distance of 221.38 feet to the POINT AND PLACE OF BEGINNING, containing an area of .64 acres, more or less. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after January 19, 2021, the liability for municipal taxes for the 2020-2021 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2021. Municipal ad valorem taxes for the 2021-2022 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, January 19, 2021 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than January 9, 2021.

(Signed) Nancy Hoffmann

**19. [ID 20-0814](#) Resolution Calling a Public Hearing for January 19, 2021 on the Annexation of Territory into the Corporate Limits for the Property at 4490 Chickasha Drive and Kiowa Court - 6.86-Acres (Chickasha I, LLC)**

337-20 RESOLUTION CALLING A PUBLIC HEARING FOR JANUARY 19, 2021 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 4490 CHICKASHA DRIVE AND KIOWA COURT – 6.86-ACRES

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

WHEREAS, Chapter 160A, Section 31 (contiguous) of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the January 19, 2021, the following ordinance will be introduced; and

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4490 CHICKASHA DRIVE AND KIOWA COURT – 6.86-ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

BEGINNING at a point, said point being the northwest corner of Lot 2 of the "Final Plat: Redivision of Lots 4, 5 and 6, Brown Summit Industrial Park" as recorded in Plat Book 158 on Page 122, thence proceeding with the western line of said Lot 2 S 01°19'27" W a distance of 586.95 feet to a point, said point being the southeast corner of Lot 1 of said Redivision plat, and said point being along the northern line for Lot 2 of said Redivision plat; thence proceeding along the northern line of said Lot 2 N 89°29'36" W a distance of 430.89 feet to a point, said point being along the eastern right-of-way for Kiowa Court (60-foot width); thence proceeding along the eastern right-of-way for Kiowa Court S 02°34'59" E a distance of 144.47 feet to a point, said point also being along the northern boundary of Annexation D-2521 (effective on April 30, 2000); THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 89°41'21" W a distance of 60 feet to a point, said point being along the western right-of-way for Kiowa Court, said point also being along the eastern boundary of Annexation D-2520 (effective on April 30, 2000); thence proceeding with the western right-of-way for Kiowa Court N 02°02'24" W a distance of 673.80 feet to a point, said point being along the southern right-of-way line for Chickasha Drive (60-foot width); THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the southern right-of-way for Chickasha Drive N 87°25'01" E a distance of 530.26 feet to the POINT AND PLACE OF BEGINNING, containing an area of 6.86 acres, more or less. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after January 19, 2021, the liability for municipal taxes for the 2020-2021 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2021. Municipal ad valorem taxes for the 2021-2022 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, January 19, 2021 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than January 9, 2021.

(Signed) Nancy Hoffmann

**20. [ID 20-0815](#) Resolution Calling a Public Hearing for January 19, 2021 on the Annexation of Territory into the Corporate Limits for the Property at a Portion of 5281 Mackay Road - 5.76 Acres (Lea Family Limited Partnership)**

338-20 RESOLUTION CALLING A PUBLIC HEARING FOR JANUARY 19, 2021 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT A PORTION OF 5281 MACKAY ROAD – 5.76-ACRES

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

WHEREAS, Chapter 160A, Section 31 (contiguous) of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the January 19, 2021, the following ordinance will be introduced; and

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT A PORTION OF 5281 MACKAY ROAD – 5.76-ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

Beginning at a point, said point being the northeast corner of Lot 3 of the "Property of J.E. Chadwick, Est. Plat" as recorded in Plat Book 43 on Page 66, said point also being along the southern right-of-way for Chadwick Drive; thence proceeding along the southern right-of-way for Chadwick Drive S 72°17'59" E 234.73 feet to a point, said point being along the west line of "Bordeaux" (a townhome development) as recorded in Plat Book 172 on Pages 73-74, said point also being along the western boundary of Annexation D-2808 (effective on January 31, 2006); THENCE PROCEEDING WITH THE EXISTING CITY LIMITS and the western line of "Bordeaux" as recorded in Plat Book 172 on Pages 73-74, in Plat Book 172 on Page 76, and in Plat Book 170 on Page 93 S 4°03'44" W 1,091.73 feet to a point, said point being along the northern boundary of Annexation D-3257 (effective on July 21, 2020); thence proceeding N 85°52'30" W 230.16 feet to a point, said point being the northeast corner of a lot labeled "To be recombined with Lea Family Partnership property" as recorded in Plat Book 169 on Page 144 and being the

southeast corner of Lot 6 of the "Hickory – Hollow Subdivision" as recorded in Plat Book 51 on Page 17; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the east line of Lot 6 and Lot 5 of said Hickory – Hollow Subdivision N 4°46'04" E 498.34 feet to a point, said point being the southeast corner of Lot 3 of said Chadwick Plat (Plat Book 43 / Page 66); thence proceeding with the east line of said Lot 3 N 3°53'23" E 634.14 feet to the POINT AND PLACE OF BEGINNING, containing an area of 5.76 acres, more or less. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after January 19, 2021, the liability for municipal taxes for the 2020-2021 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2021. Municipal ad valorem taxes for the 2021-2022 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, January 19, 2021 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than January 9, 2021.

(Signed) Nancy Hoffmann

**21. [ID 20-0868](#) Accept the Downtown Greensboro 2030 Strategic Vision Plan**

Acceptance of the Downtown Greensboro 2030 Strategic Vision Plan approved.

**22. [ID 20-0738](#) Budget Adjustments Requiring Council Approval 11/21/2020 through 12/7/2020**

Motion to approve the budget adjustments of 11/21/2020 through 12/7/2020 over the amount of \$50,000 was adopted.

**23. [ID 20-0739](#) Budget Adjustments Approved by Budget Officer 11/21/2020 through 12/7/2020**

Motion to accept the report of budget adjustments of 11/21/2020 through 12/7/2020 was adopted.

**24. [ID 20-0858](#) Motion to Approve the Minutes of the Work Session Meeting of November 2, 2020**

Motion to approve the minutes of the Work Session of November 2, 2020 was adopted.

25. [ID 20-0857](#) Motion to Approve the Minutes of the Regular Meeting of November 2, 2020

Motion to approve the minutes of the Regular meeting of November 2, 2020 was adopted.

2. [ID 20-0836](#) Resolution Authorizing a Contract Extension with HR&A Advisors in the Amount of \$60,000 for Design and Implementation of a Housing Preservation Fund and Modification of City Rehabilitation Programs

Mayor Vaughan introduced the item; and called upon the speaker.

Bulent Bediz voiced concerns regarding public access to the information on the item; and requested the item be postponed to the next business meeting.

Neighborhood and Development Director, Stanley Wilson spoke to the preservation fund; to affordable housing; to a partnership with a consultant to implement a plan; and to program guidelines.

Discussion ensued regarding community participation; previous Council discussions and actions; the need to move forward; authorization for a plan design; and processes for preservation fund development.

Mayor Pro-Tem Johnson requested staff to meet with Mr. Bediz to provide clarity of the program.

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

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

339-20 RESOLUTION AUTHORIZING A CONTRACT EXTENSION WITH HR&A ADVISORS IN THE AMOUNT OF \$60,000 FOR DESIGN AND IMPLEMENTATION OF A HOUSING PRESERVATION FUND AND MODIFICATION OF CITY REHABILITATION PROGRAMS

WHEREAS, the City issued a request for proposals from qualified firms to develop a Ten-Year Affordable Housing Plan;

WHEREAS, HR&A Advisors is the vendor selected as the consultant to provide the services;

WHEREAS, the City and HR&A Advisors, Inc. entered into an agreement dated May 20, 2019;

WHEREAS, the Housing GSO, 10-year affordable housing plan, was adopted by City Council on October 20, 2020;

WHEREAS, an additional \$60,000 of Housing Bond funds and Grant funds will be added to this agreement ending September 30, 2021 for design and implementation of a housing preservation fund and modification of City rehabilitation programs per Housing GSO recommendations; and

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

That the City Manager is authorized to execute an amended contract with HR&A Advisors, Inc. for consultant services in substantial conformity herewith.

(Signed) Sharon Hightower

16. [ID 20-0826](#) Resolution Authorizing Acceptance of Dedication of Twelve Drainageway and Open Space Parcels from Sunline USA Group, Inc.; Paradigm Development, LLC; Fred L. Clapp, Jr; Joseph N. Callicott,

James E. Moore, and O.B. Teague, Jr; Cornwallis Development Corporation, SCD I, LLC; Starmount Company; Hummingbird Development Group, LLC; Westminster Homes of North Carolina, Inc.; Kavanagh Associates, Inc./Green Crest Homeowners Associations, Inc.

Moved by Councilmember Thurm, seconded by Councilmember Hightower, to excuse Councilmember Outling from voting on the item due to a conflict of interest. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Thurm, and Councilmember Wells.

Excused: Councilmember Outling.

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

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Tammi Thurm and Goldie F. Wells

**Excused,** 1 - Justin Outling

340-20 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION OF TWELVE DRAINAGE WAY, FLOODPLAIN, AND OPEN SPACE PARCELS FROM SUNLINE USA GROUP INC.; PARADIGM DEVELOPMENT LLC; FRED L. CLAPP, JR., JOSEPH N. CALLICOTT, JAMES E. MOORE, AND O.B. TEAGUE, JR.; CORNWALLIS DEVELOPMENT CORPORATION; SCD I LLC; STARMOUNT COMPANY; HUMMINGBIRD DEVELOPMENT GROUP LLC; WESTMINSTER HOMES OF NORTH CAROLINA, INC.; KAVANAGH ASSOCIATES INC. / GREEN CREST HOMEOWNERS ASSOCIATION INC.

WHEREAS, pursuant to North Carolina General Statutes Section 160A-374 (now codified as Section 160D-806), 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 #79170 was dedicated by Sunline USA Group Inc. to the City of Greensboro and the public for drainage way and open space on the Final Plat for Phase 1 Brown Industrial Park recorded in Plat Book 149 Page 10 on December 27, 2002. This parcel, also known as 2318 Near Joe Brown Drive, is approximately 1.11 acres, zoned LI, and is located in Council District 2;

WHEREAS, Parcel #58627 was dedicated by the Rhein Company to the City of Greensboro for flood plain and open space in Plat Book 74 Page 88 on August 23, 1984, as part of the Oaks West Section 12 subdivision. This parcel, also known as 1997 YY Creekwood Drive, is approximately 0.91 acres, zoned R-3, and is located in Council District 5;

WHEREAS, Parcel #59659 was dedicated by Key Homes, Inc. for flood plain, open space, or thoroughfare in Plat Book 72 Page 54 recorded on August 13, 1982, as part of the Oaks West Section 12 subdivision. This parcel, also known as 1997 Creekwood Drive, is approximately 2.72 acres, zoned R-3, and is located in Council District 5;

WHEREAS, Parcel #53351 was dedicated by Paradigm Development, LLC to the City of Greensboro for drainage way and open space on the Final Plat for Cedar Trace West Apartments recorded in Plat Book 119 Page 138 on April 1, 1996. This parcel, also known as 1814 YY Boulevard Street, is approximately 0.59 acres, zoned RM-18, and is located in Council District 5;

WHEREAS, Parcel #32768 was dedicated by Fred L. Clapp, Jr., Joseph N. Callicott, James E. Moore, and O.B. Teague, Jr. to the City of Greensboro as flood plain and open space on the Plat for Dogwood Creek Apartments recorded in Plat Book 88 Page 36 on November 23, 1987. This parcel, also known as 3237 YY Yanceyville Street,



is approximately 2.53 acres, zoned RM-12, and is located in Council District 2;

WHEREAS, Parcel #65997 was dedicated by Cornwallis Development Corporation to the City of Greensboro as flood plain and open space on the Plat of Map 1 of 2 Irving Park – Section 43 recorded in Plat Book 90 Page 110 on June 27, 1988. This parcel, also known as 3501 R1 Primrose Avenue, is approximately 4.2 acres, zoned R-3, and is located in Council District 3;

WHEREAS, Parcel #65998 was dedicated by Cornwallis Development Corporation to the City of Greensboro as flood plain and open space on the Plat of Map 2 of 2 Irving Park – Section 43 recorded in Plat Book 90 Page 111 on June 27, 1988. This parcel, also known as 3521 R1 Primrose Avenue, is approximately 1.28 acres, zoned R-3, and is located in Council District 3;

WHEREAS, Parcel #26767 was dedicated by SCD I, LLC to the City of Greensboro for public drainageway and open space on the Final Plat for Maple One recorded in Plat Book 168 Page 22 on January 5, 2007. This parcel, also known as 1412 Yanceyville Street, is approximately 4.57 acres, zoned LI, and is located in Council District 2;

WHEREAS, Parcel #35770 was dedicated by Starmount Company as a park on the Plat entitled Map of Guilford Hills recorded in Plat Book 36 Page 57 on October 7, 1964. This parcel, also known as 1601 N. Holden Street, is approximately 0.52 acres, zoned R-5, and is located in Council District 4;

WHEREAS, Parcel #27891 was dedicated by Hummingbird Development Group LLC to the City of Greensboro and the public for drainage way and open space on the Final Plat for The Village at Northside Phase 2 – Section recorded in Plat Book 152 Page 84 on November 20, 2003. This parcel, also known as 1715 YY Kay Street, is approximately 0.21 acres, zoned RM-18, and is located in Council District 2;

WHEREAS, Parcel #50568 was dedicated by Westminster Homes of North Carolina, Inc. to the City of Greensboro for drainage way and open space on the Final Plat Section 1, Phase 2 Chadbury Subdivision recorded in Plat Book 115 Page 39 on February 20, 1995. This parcel, also known as 2618 Kilbourne Drive, is approximately 0.34 acres, zoned R-5, and is located in Council District 1;

WHEREAS, Parcel #55176 was dedicated by Kavanagh Associates, Inc. to the City of Greensboro and public for drainage way and open space on the Final Plat for Green Crest recorded in Plat Book 159 Page 120 on May 10, 2005. This parcel, also known as 3005 YY Verdant Way, is approximately 0.33 acres, zoned PUD, and is located in Council District 1. The Guilford County Tax Office lists the current owner as Green Crest Homeowners Association Inc. by a Quit Claim Deed from Ellen Kavanagh recorded at Book 8204 Page 709;

WHEREAS, the indicated drainage way, floodplain, 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, floodplain, and open space parcels; and

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

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

(Signed) Tammi Thurm

## **II. PUBLIC HEARING AGENDA**

26. [ID 20-0810](#) Public Hearing for an Ordinance Annexing Territory into the Corporate Limits for Property Located at 162 Birch Creek Road and a Portion of Right-of-Way for Woodhollow Road - .83-Acres (Eastcoast Plumbing

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Mechanics, Inc)

Mayor Vaughan stated this was the time and place set for a public hearing to consider item # 26/ID 20-0810 a Public Hearing for an Ordinance Annexing Territory into the Corporate Limits for Property Located at 162 Birch Creek Road and a Portion of Right-of-Way for Woodhollow Road - .83-Acres (Eastcoast Plumbing Mechanics, Inc) and item #27/ID 20-0845 a Public Hearing for Ordinance for Original Zoning Located at 162 Birch Creek Road and a Portion of the Woodhollow Road Right-of-Way from Birch Creek Road Extending Westward for Approximately 200 feet - Catalina Espinoza and Miguel O. Hernandez for Eastcoast Plumbing Mechanics, Inc.; and recognized Planning Manager Mike Kirkman.

Mr. Kirkman made a PowerPoint Presentation (PPP); reviewed the request; presented maps; aerial photographs and diagrams to illustrate the site and surrounding property; read the conditions attached to the zoning request; and stated that the Zoning Commission and staff had recommended approval of the request.

Speaking in favor of the rezoning:

Miguel Hernandez recognized Erik Olvera in attendance; and voiced the request was to receive water and sewer connections.

Speaking in opposition to the rezoning:

There were no speakers in opposition to the item.

Moved by Councilmember Wells, seconded by Councilmember Hightower to close the public hearing. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer C, Exhibit No. 30, which is hereby referred to and made a part of these minutes.)

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wells, 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

20-164 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 162 BIRCH CREEK ROAD AND A PORTION OF THE RIGHT-OF-WAY FOR WOODHOLLOW ROAD - .83-ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

Beginning at a point, said point being the southwest corner of Lot 9 of the Birch Creek Ridge Subdivision (Phase 1) as recorded in Plat Book 102 on Page 75, said point being along the eastern line of Lot 10 of the Birch Creek Ridge Subdivision (Section A, Phase 2) as recorded in Plat Book 136 on Page 76, said point also being along the existing corporate limits for the City of Greensboro as depicted on Map D-2580 with an effective date of June 30, 2001: THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 03°48'05" E 110.5 feet to a point along the southern right-of-way of Woodhollow Road, said point also being the northeast corner of Lot 10 of said Birch Creek Ridge (Section A, Phase 2) and the northwest corner of Lot 9 of said Birch Creek Ridge Subdivision (Phase 1); thence proceeding in a northerly direction 80 feet to a point along the northern right-of-way of Woodhollow Road, said point being the southeast corner of Lot 195 of said Birch Creek Ridge (Section A, Phase 2) and the southwest corner of Lot 111 of said Birch Creek Ridge Subdivision (Phase 1); THENCE DEPARTING FROM THE EXISTING CITY LIMIT along the northern right-of-way of Woodhollow Road and the southern line of said Lot 111 S 83°45'47" E 195 feet to

a point, said point being along the western right-of-way of Birch Creek Drive (SR 2826 / 60-foot ROW); thence proceeding along the western right-of-way of Birch Creek Drive S 06°14'13" W 189.36 feet to a point, said point being the southeast corner of Lot 9 of said Birch Creek Ridge Subdivision (Phase 1); thence proceeding N 84°04'56" W 187.32 feet to the point and place of beginning, containing .83 acres more or less. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after December 15, 2020, the liability for municipal taxes for the 2020-2021 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2021. Municipal ad valorem taxes for the 2021-2022 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption on December 15, 2020.

(Signed) Yvonne Johnson

27. [ID 20-0845](#) Public Hearing for Ordinance for Original Zoning Located at 162 Birch Creek Road and a Portion of the Woodhollow Road Right-of-Way from Birch Creek Road Extending Westward for Approximately 200 feet - Catalina Espinoza and Miguel O. Hernandez for Eastcoast Plumbing Mechanics, Inc.

**Moved by Councilmember Wells, seconded by Mayor Pro-Tem Johnson, to adopt the ordinance and stated the Greensboro City Council believed that its action to recommend approval of the original zoning request for the property described as 162 Birch Creek Road and a portion of the Woodhollow Road right-of-way from Birch Creek Road extending westward for approximately 200 feet from County RS-20 (Residential Single-family) to R-3 (Residential Single-family - 3) to be consistent with the adopted GSO 2040 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; the uses permitted within the proposed zoning district are of a similar scale, intensity, or off-site impact as existing nearby uses; the proposed City R-3 zoning district allows uses that fit the context of surrounding area; and the request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. 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

## 20-165 AMENDING OFFICIAL ZONING MAP

162 BIRCH CREEK ROAD AND A PORTION OF THE WOODHOLLOW ROAD RIGHT OF WAY FROM BIRCH CREEK ROAD EXTENDING WESTWARD FOR APPROXIMATELY 200 FEET, GENERALLY DESCRIBED AS WEST OF BIRCH CREEK ROAD AND SOUTH OF WOODHOLLOW ROAD

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

Section 1. The Official Zoning Map is hereby amended by original zoning from County RS-20 (Residential Single Family) to City R-3 (Residential Single Family - 3).

The area is described as follows:

Beginning at a point, said point being the southwest corner of Lot 9 of the Birch Creek Ridge Subdivision (Phase 1) as recorded in Plat Book 102 on Page 75, said point being along the eastern line of Lot 10 of the Birch Creek Ridge Subdivision (Section A, Phase 2) as recorded in Plat Book 136 on Page 76, said point also being along the existing corporate limits for the City of Greensboro as depicted on Map D-2580 with an effective date of June 30, 2001: THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 03°48'05" E 110.5 feet to a point along the southern right-of-way of Woodhollow Road, said point also being the northeast corner of Lot 10 of said Birch Creek Ridge (Section A, Phase 2) and the northwest corner of Lot 9 of said Birch Creek Ridge Subdivision (Phase 1); thence proceeding in a northerly direction 80 feet to a point along the northern right-of-way of Woodhollow Road, said point being the southeast corner of Lot 195 of said Birch Creek Ridge (Section A, Phase 2) and the southwest corner of Lot 111 of said Birch Creek Ridge Subdivision (Phase 1); THENCE DEPARTING FROM THE EXISTING CITY LIMIT along the northern right-of-way of Woodhollow Road and the southern line of said Lot 111 S 83°45'47" E 195 feet to a point, said point being along the western right-of-way of Birch Creek Drive (SR 2826 / 60-foot ROW); thence proceeding along the western right-of-way of Birch Creek Drive S 06°14'13" W 189.36 feet to a point, said point being the southeast corner of Lot 9 of said Birch Creek Ridge Subdivision (Phase 1); thence proceeding N 84°04'56" W 187.32 feet to the point and place of beginning, containing .83 acres more or less. The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the R-3 (Residential Single Family - 3) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 3. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 4. This ordinance shall be effective on December 15, 2020.

(Signed) Goldie Wells

28. [ID 20-0811](#) Public Hearing for an Ordinance Annexing Territory into the Corporate Limits for Property Located at 2126 and 2146 Scott Road - 47.76-Acres (Robert, Michelle and Denise McCuiston, and Judy Shreve)

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #28/ID20-0811 a Public Hearing for an Ordinance Annexing Territory into the Corporate Limits for Property Located at 2126 and 2146 Scott Road - 47.76-Acres (Robert, Michelle and Denise McCuiston, and Judy Shreve); and item #29/ID 20-0846 a Public Hearing for Ordinance for Original Zoning Located at 2126 and 2146 Scott Road - Bob Dunston, Charter Development Company, LLC; on behalf of Robert W. Mccuiston, Denise R. Mccuiston and Michele V. Mccuiston; stated there were speakers in favor of the items with none in opposition; and recognized Mr. Kirkman.

Mr. Kirkman made a PowerPoint Presentation (PPP); reviewed the request; presented maps; aerial photographs and diagrams to illustrate the site and surrounding property; provided drone footage of the property; read the conditions attached to the zoning request; and stated that the Zoning Commission and staff had recommended approval of the request.

Speaking in favor of the rezoning:

Bob Dunston spoke on behalf of the Summit Creek School Board; made a PPP; recognized additional team members in attendance; provided the history of the item; spoke to previous public concerns; to streams and buffers; to grading and site clearing; to preservation of trees and natural features; to compatible conditions to the area and land use map; and commended staff for their assistance.

Discussion took place regarding minority contractor participation opportunities; and considerations outside the scope of Council authority.

Karen Martin spoke to a petition received by City Clerk, Angela Lord; to the location of the project to her home; referenced potential other development in the area; acknowledged the support of the State Board of Education; an expected traffic increase; and voiced support for the project.

Speaking in opposition to the rezoning:

There were no speakers in opposition to the item.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter to close the public hearing. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Mayor Vaughan voiced appreciation for the conditional rezoning; and spoke to the sub-divided property.

Councilmember Hightower inquired about road improvement funding.

Transportation Director Hannah Cockburn spoke to a traffic impact study; and to North Carolina Department of Transportation requirements to fund improvements.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer C, Exhibit No.30, which is hereby referred to and made a part of these minutes.)

**Moved by Councilmember Thurm, seconded by Councilmember Wells, to adopt the ordinance. 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

20-166 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 2126 AND 2146 SCOTT ROAD – 47.76-ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing 1 inch iron pipe marking the southwestern corner of Robert William McCuiston, et al having NC Grid Coordinate NAD83(2011) of N:874,899.61' E:1,780,013.82', said point also being along the northern

Greensboro City Limit line as per Annexation D-2810 (effective on February 28, 2006); THENCE DEPARTING FROM THE EXISTING CITY LIMITS North 13°16'46" West a distance of 1394.02 feet to an existing 1 inch iron pipe in the Southern right of way of Scott Road (SR 2561), a 60' wide public R/W; thence proceeding along the Southern right of way line of said Scott Road the following four calls: 1) North 76°42'30" East a distance of 327.89 feet to a point; 2) North 74°56'43" East a distance of 100.55 feet to a point; 3) North 69°58'41" East a distance of 101.50 feet to a point; 4) North 65°34'03" East a distance of 8.66 feet to an existing 1/2 inch iron pipe on the southern R/W of Scott Road; thence leaving the southern R/W of Scott Road South 23°43'55" East a distance of 228.11 feet to an existing iron pipe; thence North 53°21'40" East a distance of 247.41 feet to an existing 1/2 inch iron pipe; thence North 53°21'36" East a distance of 214.18 feet to an existing 1/2 inch iron pipe; thence North 50°07'33" East a distance of 114.99 feet to an existing 1/2 inch iron pipe; thence North 50°08'49" East a distance of 99.88 feet to an existing 1/2 inch iron pipe; thence North 39°52'57" West a distance of 201.52 feet to an existing 1/2 inch iron pipe on the southern R/W of Scott Road; thence proceeding along the southern right of way for said Scott Road North 50°09'46" East a distance of 50.02 feet to an existing iron pipe on the southern R/W of Scott Road; thence leaving the southern R/W of Scott Road South 39°52'44" East a distance of 200.96 feet to an existing 1/2 inch iron pipe; thence South 63°45'38" East a distance of 239.46 feet to an existing 1/2 inch iron pipe; thence North 04°21'50" East a distance of 355.33 feet to an existing 1 inch iron pipe iron; thence South 88°23'03" East a distance of 251.11 feet to an existing planted stone; thence South 02°37'13" West a distance of 397.46 feet to an existing 1 inch iron pipe; thence South 87°25'08" East a distance of 242.56 feet to an iron pipe set; thence South 01°46'11" East a distance of 530.87 feet to an iron pipe set, said point also being in the western Greensboro City Limit line as per Annexation D-2956 (Effective on August 31, 2008), THENCE PROCEEDING WITH THE EXISTING CITY LIMITS South 62°24'30" West a distance of 116.22 feet to an iron pipe set; thence South 58°47'29" West a distance of 113.80 feet to an iron pipe set; thence North 89°49'49" West a distance of 43.70 feet to an existing pk nail; thence South 20°24'02" West a distance of 35.53 feet to an iron pipe set; thence South 54°13'09" West a distance of 94.42 feet to an iron pipe set; thence South 61°25'13" West a distance of 178.73 feet to an iron pipe set; thence South 46°12'54" West a distance of 127.96 feet to an iron pipe set; thence South 54°05'12" West a distance of 225.87 feet to an iron pipe set; thence South 55°45'16" West a distance of 67.56 feet to an existing pk nail; thence South 72°13'46" West a distance of 103.00 feet to an existing pk nail; thence South 02°15'09" East a distance of 132.80 feet to an existing pk nail; thence South 60°13'02" West a distance of 35.73 feet to an existing pk nail; thence South 17°50'22" East a distance of 50.84 feet to an existing iron pipe; thence South 38°54'40" West a distance of 129.23 feet to an existing pk nail; thence South 44°04'32" West a distance of 133.84 feet to an iron pipe set; thence North 86°39'46" West a distance of 46.64 feet to an iron pipe set; thence South 15°17'24" West a distance of 32.63 feet to an existing pk nail; thence South 72°46'32" West a distance of 51.74 feet to an iron pipe set; thence South 08°02'32" West a distance of 53.39 feet to an existing iron pipe, said point also being along the northern Greensboro City Limit line as per Annexation D-2810 (effective on February 28, 2006); THENCE CONTINUING WITH THE EXISTING CITY LIMITS North 84°59'34" West a distance of 383.46 feet to the point of BEGINNING, containing an area of 47.76 acres, more or less.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after December 15, 2020, the liability for municipal taxes for the 2020-2021 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2021. Municipal ad valorem taxes for the 2021-2022 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption on December 15, 2020.

(Signed) Tammi Thurm

29. [ID 20-0846](#) Public Hearing for Ordinance for Original Zoning Located at 2126 and 2146 Scott Road - Bob Dunston, Charter Development Company, LLC; on behalf of Robert W. Mccuiston, Denise R. Mccuiston and Michele V. Mccuiston

**Moved by Councilmember Thurm, seconded by Councilmember Abuzuaite, to adopt the ordinance and stated the Greensboro City Council believed that its action to recommend approval of the original zoning request for the properties described as 2126 and 2146 Scott Road from County AG (Agricultural) to City CD-R-3 (Conditional District - Residential Single-family - 3) to be consistent with the adopted GSO 2040 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; the proposed City CD-R-3 zoning district allows uses that fit the context of surrounding area; and the request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. The motion carried on the following roll call vote:**

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

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

#### 20-167 AMENDING OFFICIAL ZONING MAP

2126 AND 2146 SCOTT ROAD, GENERALLY DESCRIBED AS EAST OF SCOTT ROAD AND WEST OF SUMMIT AVENUE

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

Section 1. The Official Zoning Map is hereby amended by original zoning from County AG (Agricultural) to City CD-R-3 (Conditional District Residential Single Family - 3).

The area is described as follows:

BEGINNING at an existing 1 inch iron pipe marking the southwestern corner of Robert William McCuiston, et al having NC Grid Coordinate NAD83(2011) of N:874,899.61' E:1,780,013.82', said point also being along the northern Greensboro City Limit line as per Annexation D-2810 (effective on February 28, 2006); THENCE DEPARTING FROM THE EXISTING CITY LIMITS North 13°16'46" West a distance of 1394.02 feet to an existing 1 inch iron pipe in the Southern right of way of Scott Road (SR 2561), a 60' wide public R/W; thence proceeding along the Southern right of way line of said Scott Road the following four calls: 1) North 76°42'30" East a distance of 327.89 feet to a point; 2) North 74°56'43" East a distance of 100.55 feet to a point; 3) North 69°58'41" East a distance of 101.50 feet to a point; 4) North 65°34'03" East a distance of 8.66 feet to an existing 1/2 inch iron pipe on the southern R/W of Scott Road; thence leaving the southern R/W of Scott Road South 23°43'55" East a distance of 228.11 feet to an existing iron pipe; thence North 53°21'40" East a distance of 247.41 feet to an existing 1/2 inch iron pipe; thence North 53°21'36" East a distance of 214.18 feet to an existing 1/2 inch iron pipe; thence North 50°07'33" East a distance of 114.99 feet to an existing 1/2 inch iron pipe; thence North 50°08'49" East a distance of 99.88 feet to an existing 1/2 inch iron pipe; thence North 39°52'57" West a distance of 201.52 feet to an existing 1/2 inch iron pipe on the southern R/W of Scott Road; thence proceeding along the southern right of way for said Scott Road North 50°09'46" East a distance of 50.02 feet to an existing iron pipe on the southern R/W of Scott Road; thence leaving

the southern R/W of Scott Road South 39°52'44" East a distance of 200.96 feet to an existing 1/2 inch iron pipe; thence South 63°45'38" East a distance of 239.46 feet to an existing 1/2 inch iron pipe; thence North 04°21'50" East a distance of 355.33 feet to an existing 1 inch iron pipe iron; thence South 88°23'03" East a distance of 251.11 feet to an existing planted stone; thence South 02°37'13" West a distance of 397.46 feet to an existing 1 inch iron pipe; thence South 87°25'08" East a distance of 242.56 feet to an iron pipe set; thence South 01°46'11" East a distance of 530.87 feet to an iron pipe set, said point also being in the western Greensboro City Limit line as per Annexation D-2956 (Effective on August 31, 2008), THENCE PROCEEDING WITH THE EXISTING CITY LIMITS South 62°24'30" West a distance of 116.22 feet to an iron pipe set; thence South 58°47'29" West a distance of 113.80 feet to an iron pipe set; thence North 89°49'49" West a distance of 43.70 feet to an existing pk nail; thence South 20°24'02" West a distance of 35.53 feet to an iron pipe set; thence South 54°13'09" West a distance of 94.42 feet to an iron pipe set; thence South 61°25'13" West a distance of 178.73 feet to an iron pipe set; thence South 46°12'54" West a distance of 127.96 feet to an iron pipe set; thence South 54°05'12" West a distance of 225.87 feet to an iron pipe set; thence South 55°45'16" West a distance of 67.56 feet to an existing pk nail; thence South 72°13'46" West a distance of 103.00 feet to an existing pk nail; thence South 02°15'09" East a distance of 132.80 feet to an existing pk nail; thence South 60°13'02" West a distance of 35.73 feet to an existing pk nail; thence South 17°50'22" East a distance of 50.84 feet to an existing iron pipe; thence South 38°54'40" West a distance of 129.23 feet to an existing pk nail; thence South 44°04'32" West a distance of 133.84 feet to an iron pipe set; thence North 86°39'46" West a distance of 46.64 feet to an iron pipe set; thence South 15°17'24" West a distance of 32.63 feet to an existing pk nail; thence South 72°46'32" West a distance of 51.74 feet to an iron pipe set; thence South 08°02'32" West a distance of 53.39 feet to an existing iron pipe, said point also being along the northern Greensboro City Limit line as per Annexation D-2810 (effective on February 28, 2006); THENCE CONTINUING WITH THE EXISTING CITY LIMITS North 84°59'34" West a distance of 383.46 feet to the point of BEGINNING, containing an area of 47.76 acres, more or less.

Section 2. That the zoning amendment from County AG (Agricultural) to City CD-R-3 (Conditional District Residential Single Family - 3) is hereby authorized subject to the following use limitations and condition:

1. Uses limited to a school and associated facilities and single family dwellings.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-R-3 (Conditional District Residential Single Family - 3) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on December 15, 2020.

(Signed) Tammi Thurm

**30. [ID 20-0808](#) Public Hearing for an Ordinance Amending the Landmark Designation of Weaver-Sherwin Building, 603 S. Elm Street, Owned by Eric Robert, QUB Studios LLC**

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #30/ID 20-0808 a Public Hearing for an Ordinance Amending the Landmark Designation of Weaver-Sherwin Building, 603 S. Elm Street, Owned by Eric Robert, QUB Studios LLC.

There being no speakers to the item it was the consensus of City Council to close the public hearing.

**Moved by Councilmember Wells, seconded by Councilmember Abuzuaiter, 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

20-168 ORDINANCE AMENDING THE GUILFORD COUNTY HISTORIC LANDMARK DESIGNATION FOR THE WEAVER-SHERWIN BUILDING

WHEREAS, the Weaver-Sherwin Building, 603 South. Elm Street, Tax Parcel Number 7864634719, is owned by Eric Robert, QUB Studios LLC. Built in 1903, it is a two-story brick commercial building located in the Downtown Greensboro National Register Historic District;

WHEREAS, all the prerequisites to the adoption of the ordinance amending the Landmark designation, as prescribed by Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes, have been met;

WHEREAS, the Guilford County Historic Preservation Commission has submitted a revised report, which is incorporated herein by reference, and recommended in a public hearing that the Landmark designation be amended as described below;

WHEREAS, appropriate notice has been given of the public hearing as required by law;

WHEREAS, the Guilford County Historic Preservation Commission finds that the interior of the main building retains its early configuration of the floor plan and elements dating to between 1905 and 1913 and the upper floor plan indicates the layout of a former hotel/boarding house which accommodated passengers from the nearby train station, and the open plan of the lower floor retains the front-and-center stairway; and

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

1. The City Council of the City of Greensboro accepts the findings of the Guilford County Historic Preservation Commission and adopts the recommendation of the Commission to amend the Landmark designation by the authority set forth in Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and local ordinance adopted pursuant thereto.
2. The original designation included the entire exterior of the building and the following interior components: all original wood flooring upstairs and downstairs, skylights, and the front, central stairwell, not including handrails. The amended designation will include the entire exterior and entire interior with the exception of the later rear-most addition.
3. A certified copy of this ordinance is to be appropriately recorded with the Register of Deeds, the Guilford County Tax Department and City of Greensboro Engineering and Inspections Department in accordance with provisions of Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and the local ordinance adopted pursuant thereto.
4. This ordinance shall be effective from and after its adoption.

(Signed) Goldie Wells

- 31. [ID 20-0830](#)** Public Hearing for a Resolution Ordering the Making of Certain Local Improvements - A Proposed 8 Inch Sewer Line Extension from a Proposed Sewer Manhole Located at the Southwest Intersection of Cude Road and Pleasant Ridge Road, Running Approximately 70 Feet Northwest Serving 1801 Cude Road, then Running Approximately 100 Feet West Serving the 1199 Pleasant Ridge Road Property

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #31/ID 20-0830 a Public

Hearing for a Resolution Ordering the Making of Certain Local Improvements - A Proposed 8 Inch Sewer Line Extension from a Proposed Sewer Manhole Located at the Southwest Intersection of Cude Road and Pleasant Ridge Road, Running Approximately 70 Feet Northwest Serving 1801 Cude Road, then Running Approximately 100 Feet West Serving the 1199 Pleasant Ridge Road Property.

Samier Hamoush voiced the need for sewer service.

Moved by Councilmember Thurm, seconded by Mayor Pro-Tem Johnson to close the public hearing. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

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

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

#### 341-20 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

A PROPOSED 8 INCH SEWER LINE EXTENSION FROM A PROPOSED SEWER MANHOLE LOCATED AT THE SOUTHWEST INTERSECTION OF CUDE ROAD AND PLEASANT RIDGE ROAD, RUNNING APPROXIMATELY 70 FEET NORTHWEST SERVING 1801 CUDE ROAD, THEN RUNNING APPROXIMATELY 100 FEET WEST SERVING THE 1199 PLEASANT RIDGE ROAD PROPERTY

WHEREAS, due notice has been given that on the 15th day of December, 2020 at 5:30 p.m. the City Council will hold a virtual public hearing on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing;

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements; and

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

A. That the Street or streets hereinabove set out is/are:

A PROPOSED 8 INCH SEWER LINE EXTENSION FROM A PROPOSED SEWER MANHOLE LOCATED AT THE SOUTHWEST INTERSECTION OF CUDE ROAD AND PLEASANT RIDGE ROAD, RUNNING APPROXIMATELY 70 FEET NORTHWEST SERVING 1801 CUDE ROAD, THEN RUNNING APPROXIMATELY 100 FEET WEST SERVING THE 1199 PLEASANT RIDGE ROAD PROPERTY

B. That the local improvements to be made set out above are as follows:

(a) Sanitary Sewer Improvements. A proposed 8 inch sewer line extension from a proposed sewer manhole located at the southwest intersection of Cude Rd and pleasant Ridge Rd, running approximately 70 feet northwest serving 1801 Cude Rd, then running approximately 100 feet west serving the 1199 Pleasant Ridge Rd property.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Proposed Local Improvements which was served on the owners of the property to be assessed.

D. Assessments shall be held in abeyance until such time as the abutting property connects to the utility.

E. Terms of Payment. The assessments will be payable in ten equal annual installments, which installments will bear interest at the rate of six percent per annum from the date of confirmation of the assessment roll; provided, that any such assessment may be paid in full in cash without the addition of interest within thirty days from the date of publication of the notice of the confirmation of the assessment roll.

F. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) Yvonne Johnson

Mayor Vaughan explained public comments on public hearing items would be accepted via the City Website for 24 hours following the public hearings.

### **III. GENERAL BUSINESS AGENDA**

**32. [ID 20-0867](#) Resolution Providing for Certain Modifications to the City's Outstanding Not to Exceed \$85,000,000 Combined Enterprise System Revenue Bond Anticipation Note, Series 2020**

Mayor Vaughan introduced the item; and called on City Manager David Parrish.

City Manager Parrish spoke to the Water and Sewer enterprise system; a delay due to the market; and a proposal to move forward.

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

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

342-20 RESOLUTION PROVIDING FOR CERTAIN MODIFICATIONS TO THE CITY'S OUTSTANDING NOT TO EXCEED \$85,000,000 COMBINED ENTERPRISE SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2020

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

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

- (a) The City has heretofore issued its not to exceed \$85,000,000 Combined Enterprise System Revenue Bond Anticipation Note, Series 2020 (the "Note") for the purpose of providing funds, together with any other available funds, to (i) pay the costs of various improvements to the City's water system and sanitary sewer system (the "2020 Project") and (ii) pay the fees and expenses incurred in connection with the sale and issuance of the Note.
- (b) The sale and issuance of the Note was authorized by a resolution duly adopted by the City Council on May 19, 2020 (the "Note Resolution").
- (c) The Note was initially sold to PNC Bank, National Association (the "Purchaser") by private negotiated sale, and the Purchase is the current holder of the Note.
- (d) The City and the Purchaser have agreed to certain modifications to the Note and the Note Resolution which will (i) reduce the interest rate on the Note, (ii) extend the initial term period for the Note by one year and (iii) eliminate the unused fee currently being charged by the Purchaser with respect to the undrawn proceeds of the Note, all of which modifications are beneficial to the City.
- (e) The City has determined to adopt this resolution for the purpose of authorizing and approving certain modifications to the Note and the Note Resolution as provided for herein.

Section 2. The definitions of "Index Rate," "Initial Term Period" and "Term Loan Period" in Section 2 of the Note Resolution are hereby amended to read as follows:

"Index Rate" means a per annum rate of interest established on the Closing Date and on each LIBOR Index Reset Date equal to the sum of (a) the product of (i) the LIBOR Index multiplied by (ii) 0.811 plus (b) sixty-eight basis points (0.68%).

"Initial Term Period" means the period commencing on the Closing Date and ending on June 30, 2023.

"Term Loan Period" means the period, if any, commencing on June 30, 2023 and ending on the earlier of the Maturity Date or the date the Note has been redeemed in whole prior to maturity.

Section 3. Section 3 of the Note Resolution is hereby amended to read as follows:

Section 3. The City shall provide to the Holder and the Trustee on a date that is not less than five (5) Business Days and not more than ten (10) Business Days prior to the expiration of the Initial Term Period a certificate stating that (a) no Event of Default has occurred and is continuing under the Note Purchase Agreement, and (b) all representations and warranties of the City set forth in the Note Purchase Agreement are true and correct as of the date of such certificate. In the event that the City does not deliver to the Holder and the Trustee such certificate as provided in the immediately preceding sentence, the Note shall be subject to special mandatory redemption in whole on the last day of the Initial Term Period at a redemption price equal to 100% of the outstanding principal amount of the Note, plus accrued interest thereon to the redemption date. In the event that the City delivers such certificate and the principal of the Note is not redeemed in whole on or prior to the last calendar day of the Initial Term Period, such unpaid principal balance shall be redeemed in part in forty-eight (48) equal principal installments payable on the first Business Day of each month, beginning with the first Business Day of the month immediately following the last day of the Initial Term Period, with a final payment of the remaining outstanding principal amount of the Note being due and payable on the Maturity Date, all at a redemption price equal to 100% of the principal amount of the Note to be redeemed on each such date.

Section 4. The City shall execute and deliver to the Purchaser in the manner provided in the Note Resolution a new Note in substitution and exchange for the existing Note, which shall reflect the amendments and modifications set forth in this resolution. The new Note and the endorsements thereon shall be in substantially the following form:

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

No. R-\_\_

United States of America

State of North Carolina

CITY OF GREENSBORO, NORTH CAROLINA

COMBINED ENTERPRISE SYSTEM REVENUE BOND ANTICIPATION NOTE

SERIES 2020

The City of Greensboro (the "City"), a municipal corporation existing under the laws of the State of North Carolina, is

justly indebted and for value received hereby promises to pay, but solely from the sources and in the manner hereinafter provided, to PNC Bank, National Association, or registered assigns or legal representative (the "Holder"), the principal sum of \$85,000,000 or so much thereof as may be advanced and remains outstanding from time to time hereafter as the Amount Advanced (hereinafter defined) on June 30, 2027 (the "Maturity Date") or the date of any redemption of any portion of this Note prior to the Maturity Date, together with interest thereon from the date hereof until paid in full at the Interest Rate (as defined in the Note Resolution hereinafter mentioned) or otherwise as provided in the Note Resolution. The Amount Advanced shall be endorsed on the schedule attached hereto and incorporated by reference herein on each date that an advance is made by PNC Bank, National Association, as the initial purchaser of the Note (the "Purchaser"); provided, however, that any failure by the Purchaser to make any such endorsement shall not affect the obligation of the City to repay the amount so advanced with interest thereon as provided herein. Interest on the outstanding principal of this Note from time to time outstanding shall accrue as set forth in the Note Resolution and shall be due and payable (i) in arrears on the first Business Day of each calendar month, commencing August 3, 2020, and (ii) on the date when the principal of this Note shall be due (whether at maturity or upon prior redemption hereof), but only to the extent accrued. Both the principal and interest on this Note shall be payable, when due, in any lawful money of the United States of America. Upon the final payment of principal of this Note, this Note shall be presented and surrendered to the office of the Finance Director of the City in Greensboro, North Carolina (the "Note Registrar") for cancellation.

This Note is given for money borrowed in the amount of the Amount Advanced in anticipation of the receipt of the proceeds of the sale by the City of its combined enterprise system revenue bonds in an amount sufficient to pay the principal amount hereof, which have been duly authorized by an order adopted by the City Council of the City on May 19, 2020. This Note is issued pursuant to and in full compliance with Constitution and laws of the State of North Carolina, including the Act, and a resolution duly adopted by said City Council on May 19, 2020, as supplemented and amended on December 15, 2020 (the "Note Resolution"). This Note is being issued pursuant to a Trust Agreement, dated as of June 1, 1995 (as supplemented and amended, the "Trust Agreement"), between the City and Branch Banking and Trust Company (succeeded by U.S. Bank National Association), as trustee the "Trustee", for the purpose of providing funds, together with any other available funds, to (i) pay the costs of certain improvements to the City's water and sanitary sewer system and (ii) pay the fees and expenses incurred in connection with the sale and issuance of this Note. This Note constitutes "Parity Debt" within the meaning of the Trust Agreement. All capitalized terms used herein and not otherwise defined shall have the meanings given such terms in the Note Resolution and the Trust Agreement.

This Note is a special obligation of the City secured by a pledge, charge and lien upon the Net Receipts on a parity with all other Bonds and Parity Debt that is Outstanding under the Trust Agreement. The City is not obligated to pay the principal of or interest on this Note except as provided in the Trust Agreement from Net Receipts or certain other monies made available therefor under the Trust Agreement, and neither the faith and credit nor the taxing power of the State of North Carolina or any political subdivision thereof or the City is pledged to the payment of the principal of and the interest on this Note.

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

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

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

certificate. In the event that the City does not deliver to the Holder and the Trustee such certificate as provided in the immediately preceding sentence, this Note shall be subject to special mandatory redemption in whole on the last day of the Initial Term Period at a redemption price equal to 100% of the outstanding principal amount of this Note, plus accrued interest thereon to the redemption date. In the event that the City delivers such certificate and the principal of this Note is not redeemed in whole on or prior to the last calendar day of the Initial Term Period, such unpaid principal balance shall be redeemed in part in forty-eight (48) equal principal installments payable on the first Business Day of each month, beginning with the first Business Day of the month immediately following the last day of the Initial Term Period, with a final payment of the remaining outstanding principal amount of this Note being due and payable on the Maturity Date, all at a redemption price equal to 100% of the principal amount of this Note to be redeemed on each such date.

This Note shall be subject to redemption at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any Business Day at a redemption price equal to 100% of the outstanding principal of this Note to be redeemed, plus accrued interest thereon to the redemption date, upon the Note Registrar giving not less than thirty (30) days' prior written notice of such redemption to the Holder by electronic mail, confirmed by first-class mail, postage prepaid (unless otherwise waived by the Holder).

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

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

The registered owner of this Note shall have no right to enforce the provisions of the Trust Agreement or to institute action to enforce the covenants therein, or to take any action with respect to any event of default under the Trust Agreement, or to institute, appear in or defend any suit or other proceeding with respect thereto, except as provided in the Trust Agreement.

Upon the occurrence of certain events, and on the conditions, in the manner and with the effect set forth in the Trust Agreement, the principal of all bonds and debt secured on a parity therewith by the pledge of Net Receipts then outstanding under the Trust Agreement may become or may be declared due and payable before the respective stated maturities thereof.

This Note, notwithstanding the provisions for registration of transfer stated herein and contained in the Trust Agreement, at all times shall be, and shall be understood to be, an investment security within the meaning of and for all the purposes of Article 8 of the Uniform Commercial Code of North Carolina. This Note is issued with the intent that the laws of the State of North Carolina shall govern its construction.

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

Note Resolution until this Note shall have been authenticated by the execution by the Note Registrar of the certificate of authentication endorsed hereon.

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

IN WITNESS WHEREOF, the City, pursuant to the Note Resolution, has caused this Note to be manually signed by its [Mayor] [City Manager] and its [Deputy] City Clerk and the corporate seal of the City to be impressed or imprinted hereon, all as of the \_\_\_\_ day of December, 2020.

[Do not sign]

[Mayor] [City Manager]

[SEAL]

[Do not sign]

[Deputy] City Clerk

#### CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

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

[Do not sign]

Secretary, Local Government Commission

#### CERTIFICATE OF AUTHENTICATION

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

[Do not sign]

Finance Director, as Note Registrar

Date of authentication: \_\_\_\_\_

#### ASSIGNMENT

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

\_\_\_\_\_  
PLEASE INSERT SOCIAL SECURITY NUMBER

OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

\_\_\_\_\_  
PLEASE PRINT OR

TYPEWRITE NAME AND ADDRESS OF TRANSFEREE

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

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

Signature Guaranteed:

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

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

#### SCHEDULE

DATE	AMOUNT ADVANCED	AMOUNT REDEEMED PRIOR TO MATURITY	OUTSTANDING	AMOUNT ADVANCED
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Section 5. The Amendment Number One to the Note Purchase and Advance Agreement, to be dated as of the date of delivery (the "Amendment"), between the City and the Purchaser, and consented to and acknowledged by the North Carolina Local Government Commission, is hereby approved in substantially the form presented at this meeting, and the Mayor, the Mayor Pro Tempore, the City Manager, any Assistant City Manager, the Finance

Director and any Deputy Finance Director of the City are each hereby authorized to execute and deliver the Amendment in substantially the form so presented, together with such modifications as the person executing the Amendment, with the advice of counsel, may approve, such approval to be conclusively evidenced by such execution and delivery.

Section 6. A certified copy of this resolution, a specimen of the new Note and an executed copy of the Amendment shall be provided to the Trustee in accordance with Section 501 of the Trust Agreement.

Section 7. The Mayor, the City Manager, the Finance Director, the City Clerk and the City Attorney, and their respective deputies or assistants, are each hereby authorized and directed, individually or collectively, to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as may be necessary or appropriate to effectuate the transactions contemplated by this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and the Note.

Section 8. Except as modified by the provision of this resolution, the terms and provisions of the Note Resolution and the Note shall remain in full force and effect.

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

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

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution entitled "RESOLUTION PROVIDING FOR CERTAIN MODIFICATIONS TO THE CITY'S OUTSTANDING NOT TO EXCEED \$85,000,000 COMBINED ENTERPRISE SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2020" was adopted by the following vote:

Ayes:

Noes:

\* \* \* \* \*

I, Angela R. Lord, City Clerk of the City of Greensboro, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on December 15, 2020, as it relates in any way to the adoption of foregoing resolution relating to the modification of an outstanding revenue bond anticipation note of said City and that said proceedings are to be recorded in the minutes of said City.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law, including the notice of the holding of such meeting by electronic means as may be required by Section 143-318.13 and Section 166A-19.24 of the General Statutes of North Carolina, as amended.

WITNESS my hand and the official seal of said City this 15th day of December, 2020.

City Clerk

[SEAL]

(Signed) Tammi Thurm

**33. [ID 20-0798](#) Resolution Making Certain Findings and Determinations Regarding the Proposed Financing of Parking Facilities and Requesting the Local Government Commission to Approve the Financing Arrangement**

Mayor Vaughan introduced items #33/ID 20-0798, #34/ID 20-0799 and #35/ID 20-0851 together; and called on City Manager Parrish.

Councilmember Outling requested to be recused from the items due to a conflict of interest with his firm.



Moved by Councilmember Thurm, seconded by Councilmember Hightower to recuse Councilmember Outling from Items #33/ID 20-0798, #34/ID 20-0799 and #35/ID 20-0851. The motion carried by the following roll call vote:

**Ayes:** Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Thurm, and Councilmember Wells.

**Excused:** Councilmember Outling.

City Manager Parrish provided the history of the parking decks; public hearings held in 2019; spoke to the issue of debt for the Eugene Street parking deck; to a complex project with additional cost for capitalized interest; to an approximate cost of \$36 million; to the design, footings and construction; and stated a physical structure would be seen beginning in early 2021.

Mayor Vaughan referenced a vote in October 2019; outlined cost on design services, land, easements, and construction that had been invested; spoke to revenues to pay the bonds; to the parking demands downtown; explained ownership of the decks; leased spaces; and stated there was a speaker for the item.

Hester Petty voiced concern with the spending of taxpayer money; spoke to a problematic project; to the need for affordable housing; voiced concern for future pandemics and climate change; and requested Council to vote no on the parking deck.

Councilmember Kennedy spoke to her history with the items; voiced opposition to both parking decks; and stated she would not support the items.

Councilmember Hightower spoke to funds already paid; requested staff to provide the Minority Women Business Enterprise (M/WBE) percentages; spoke to the vetting of the project; voiced opposition to the items; and stated she would not support the parking decks.

City Manager Parrish explained the items were for the debt; and stated the information would be provided.

Discussion ensued regarding affordability in downtown; family oriented free events; public programming; the concerns and success of the Greensboro Aquatic Center (GAC); housing dollars; M/WBE contracts; parking deck assessments; aging decks; and parking decks space demand.

**Moved by Councilmember Abuzuaiter, 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

**343-20 RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE PROPOSED FINANCING OF PARKING FACILITIES AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT**

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

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

(a) At a meeting of the City Council held on August 20, 2019, the City determined to finance the costs of acquiring, constructing and equipping (i) two downtown parking decks and appurtenant facilities to be owned and operated by the City for public parking and (ii) two fire stations, fire training facilities and emergency alerting systems for the City (collectively, the "Project").

(b) After a public hearing and due consideration at such meeting, the City determined to enter into a Master Trust Agreement, dated as of October 1, 2019 (the "Master Trust Agreement"), between the City and U.S. Bank National

Association, as trustee (the "Trustee"), pursuant to which the City is authorized to issue one or more series of limited obligation bonds thereunder (the "Bonds") in an aggregate principal amount not to exceed \$82,000,000 to provide funds, together with any other available funds, to pay (i) the costs of the Project, (ii) all or a portion of the interest on the Bonds during construction of the Project and (iii) the fees and expenses incurred in connection with the sale and issuance of the Bonds.

(c) The City further determined to initially finance the costs of acquiring, constructing and equipping one of the two downtown parking decks known as the Eugene Street Parking Deck (the "2019 Project"), which 2019 Project constitutes a portion of the Project.

(d) In furtherance thereof, the City issued a first series of the Bonds pursuant to the Master Trust Agreement and a First Supplemental Trust Agreement, dated as of October 1, 2019, between the City and the Trustee in the aggregate principal amount of \$29,685,000 (the "2019 Bonds") to provide funds, together with any other available funds, to pay (i) the costs of the 2019 Project, (ii) interest on the 2019 Bonds during construction of the 2019 Project and (iii) the fees and expenses incurred in connection with the sale and issuance of the 2019 Bonds.

(e) In order to secure its obligations under the Master Trust Agreement, the City executed and delivered a Deed of Trust, dated as of October 1, 2019 (the "Deed of Trust"), for the benefit of the Trustee granting a lien on the site of the 2019 Project, together with any improvements or fixtures located or to be located thereon, subject to permitted encumbrances.

(f) At a meeting of the City Council held on December 17, 2019, the City further determined to finance the costs of acquiring, constructing and equipping two fire stations, fire training facilities and emergency alerting systems for the City (the "2020A Project"), which 2020A Project constitutes a portion of the Project.

(g) In furtherance thereof, the City issued a second series of the Bonds pursuant to the Master Trust Agreement and a Second Supplemental Trust Agreement, dated as of February 1, 2020, between the City and the Trustee in the aggregate principal amount of \$12,755,000 (the "2020A Bonds") to provide funds, together with any other available funds, to pay (i) the costs of the 2020A Project and (ii) the fees and expenses incurred in connection with the sale and issuance of the 2020A Bonds.

(h) In order to further secure its obligations under the Master Trust Agreement, the City executed and delivered a First Supplement and Amendment to Deed of Trust, dated as of February 1, 2020 (the "First Supplement to Deed of Trust"), for the benefit of the Trustee granting a lien on the sites of the 2020A Project (in addition to the lien on the site of the 2019 Project), together with any improvements or fixtures located or to be located thereon, subject to permitted encumbrances. The Deed of Trust, as supplemented and amended by the First Supplement to Deed of Trust, will secure all of the obligations of the City under the Master Trust Agreement, including the 2019 Bonds, the 2020A Bonds and any other bonds issued thereunder.

(i) The City has now determined to finance the second of the two downtown parking decks known as the February One Parking Deck (the "2021 Project"), which 2021 Project constitutes a portion of the Project.

(j) In furtherance thereof, the City has determined to issue a third series of the Bonds pursuant to the Master Trust Agreement and a Third Supplemental Trust Agreement, to be dated as of February 1, 2021 or other mutually agreeable date (the "Third Supplemental Trust Agreement" and, together with the Master Trust Agreement, the "Trust Agreement"), between the City and the Trustee in an aggregate principal amount not to exceed \$37,000,000 (the "2021 Bonds") to provide funds, together with any other available funds, to pay (i) the costs of the 2021 Project, (ii) pay all or a portion of the interest on the 2021 Bonds during construction of the 2021 Project and (iii) the fees and expenses incurred in connection with the sale and issuance of the 2021 Bonds.

(k) It is in the best interest of the City to enter into the Third Supplemental Trust Agreement and to issue the 2021 Bonds pursuant thereto and the Master Trust Agreement in that such plan of finance will result in the financing of the 2021 Project in an efficient and cost effective manner.

(l) Entering into the Trust Agreement and issuing the 2021 Bonds pursuant thereto is preferable to a general obligation bond issue or revenue bond issue in that (i) the City does not have sufficient constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the City has not retired a sufficient amount of general obligation debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the financing of the 2021 Project; (ii) the revenues to be generated by the 2021 Project are not sufficient to allow for the issuance of revenue bonds to finance the costs of the 2021 Project; (iii) the costs of the 2021 Project exceed the amount to be prudently provided from currently available appropriations and unappropriated fund balances; (iv) the circumstances existing require that funds be available to commence the 2021 Project as soon as practicable and the time required for holding an election for the issuance of voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond

Act would delay the 2021 Project by several months; and (v) there can be no assurances that the issuance of general obligation bonds to finance the 2021 Project would be approved by the voters and the current interest rate environment dictates the financing of the 2021 Project be accomplished in a timely and expedient manner.

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

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

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

(p) No valorem tax rate increase is currently expected to be necessary to pay principal of and interest on the 2021 Bonds.

Section 2. The City Council hereby authorizes and approves the filing of an application with the Local Government Commission for approval of the 2021 Bonds and the Trust Agreement and requests the Local Government Commission to approve the 2021 Bonds and the Trust Agreement and the proposed financing in connection therewith.

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

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

McKenzie & Associates

Underwriters: Wells Fargo Bank, National Association

Loop Capital Markets LLC

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

Trustee: U.S. Bank National Association

Financial Advisor: First Tryon Advisors

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

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

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

Ayes:

Noes:

(Signed) Marikay Abuzuaiter

**34. [ID 20-0799](#)** Resolution Approving and Authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Third Supplemental Trust Agreement and Related Documents in Connection with the Financing of Parking Facilities

**Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter, 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

344-20 RESOLUTION APPROVING AND AUTHORIZING THE SALE AND ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL TRUST AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF PARKING FACILITIES

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

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

(a) At a meeting of the City Council held on August 20, 2019, the City determined to finance the costs of acquiring, constructing and equipping (i) two downtown parking decks and appurtenant facilities to be owned and operated by the City for public parking and (ii) two fire stations, fire training facilities and emergency alerting systems for the City (collectively, the "Project").

(b) After a public hearing and due consideration at such meeting, the City determined to enter into a Master Trust Agreement, dated as of October 1, 2019 (the "Master Trust Agreement"), between the City and U.S. Bank National Association, as trustee (the "Trustee"), pursuant to which the City is authorized to issue one or more series of limited obligation bonds thereunder (the "Bonds") in an aggregate principal amount not to exceed \$82,000,000 to provide funds, together with any other available funds, to pay (i) the costs of the Project, (ii) all or a portion of the interest on the Bonds during construction of the Project and (iii) the fees and expenses incurred in connection with the sale and issuance of the Bonds.

(c) The City further determined to initially finance the costs of acquiring, constructing and equipping one of the two downtown parking decks known as the Eugene Street Parking Deck (the "2019 Project"), which 2019 Project constitutes a portion of the Project.

(d) In furtherance thereof, the City issued a first series of the Bonds pursuant to the Master Trust Agreement and a First Supplemental Trust Agreement, dated as of October 1, 2019, between the City and the Trustee in the aggregate principal amount of \$29,685,000 (the "2019 Bonds") to provide funds, together with any other available funds, to pay (i) the costs of the 2019 Project, (ii) interest on the 2019 Bonds during construction of the 2019 Project and (iii) the fees and expenses incurred in connection with the sale and issuance of the 2019 Bonds.

(e) In order to secure its obligations under the Master Trust Agreement, the City executed and delivered a Deed of Trust, dated as of October 1, 2019 (the "Deed of Trust"), for the benefit of the Trustee granting a lien on the site of the 2019 Project, together with any improvements or fixtures located or to be located thereon, subject to permitted encumbrances.

(f) At a meeting of the City Council held on December 17, 2019, the City further determined to finance the costs of acquiring, constructing and equipping two fire stations, fire training facilities and emergency alerting systems for the City (the "2020A Project"), which 2020A Project constitutes a portion of the Project.

(g) In furtherance thereof, the City issued a second series of the Bonds pursuant to the Master Trust Agreement and a Second Supplemental Trust Agreement, dated as of February 1, 2020, between the City and the Trustee in the aggregate principal amount of \$12,755,000 (the "2020A Bonds") to provide funds, together with any other available funds, to pay (i) the costs of the 2020A Project and (ii) the fees and expenses incurred in connection with the sale and issuance of the 2020A Bonds.

(h) In order to further secure its obligations under the Master Trust Agreement, the City executed and delivered a First Supplement and Amendment to Deed of Trust, dated as of February 1, 2020 or other mutually agreeable date (the "First Supplement to Deed of Trust"), for the benefit of the Trustee, granting a lien on the sites of the 2020A Project (in addition to the lien on the site of the 2019 Project), together with any improvements or fixtures located or to be located thereon, subject to permitted encumbrances. The Deed of Trust, as supplemented and amended by the First Supplement to Deed of Trust, will secure all of the obligations of the City under the Master Trust Agreement, including the 2019 Bonds, the 2020A Bonds and any other bonds issued thereunder.

(i) The City has now determined to finance the second of the two downtown parking decks known as the February One Parking Deck (the "2021 Project"), which 2021 Project constitutes a portion of the Project.

(j) In furtherance thereof, the City has determined to issue a third series of the Bonds pursuant to the Master Trust Agreement and a Third Supplemental Trust Agreement, to be dated as of February 1, 2021 or other mutually agreeable date (the "Third Supplemental Trust Agreement" and, together with the Master Trust Agreement, the "Trust Agreement"), between the City and the Trustee in an aggregate principal amount not to exceed \$37,000,000 (the "2021 Bonds") to provide funds, together with any other available funds, to pay (i) the costs of the 2021 Project, (ii) all or a portion of the interest on the 2021 Bonds during construction of the 2021 Project and (iii) the fees and expenses incurred in connection with the sale and issuance of the 2021 Bonds.

(k) The 2021 Bonds will be initially sold to Wells Fargo Bank, National Association and Loop Capital Markets LLC (collectively, the "Underwriters") pursuant to the terms of a Bond Purchase Agreement, to be dated the date of delivery thereof (the "Bond Purchase Agreement"), between the City and the Underwriters.

(l) In connection with the offering and sale of the 2021 Bonds by the Underwriters, there will be prepared and distributed to potential purchasers a Preliminary Official Statement, to be dated as of the date of delivery thereof

(the "Preliminary Official Statement"), relating to the offering and sale of the 2021 Bonds and the Official Statement (hereinafter defined).

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

- (1) the Third Supplemental Trust Agreement, together with the form of the 2021 Bonds attached as Exhibit A thereto;
- (2) the Bond Purchase Agreement; and
- (3) the Preliminary Official Statement.

Section 2. In order to provide for the financing of the 2021 Project, the City is hereby authorized to enter into the Third Supplemental Trust Agreement and issue the 2021 Bonds thereunder in an aggregate principal amount not to exceed \$37,000,000. The actual principal amount of the 2021 Bonds shall be determined by the City at the time of execution of the Bond Purchase Agreement, such execution and delivery of the Bond Purchase Agreement to constitute approval by the City of the principal amount of the 2021 Bonds as set forth in the Bond Purchase Agreement. The principal amount of the 2021 Bonds shall be the amount that, in the best judgment of the person executing the Bond Purchase Agreement, shall be the amount necessary to provide sufficient funds, together with any other available funds, to pay (a) the costs of the 2021 Project and (b) the fees and expenses incurred in connection with the sale and issuance of the 2021 Bonds. The interest rates on the 2021 Bonds shall be determined by the City at the time of the execution by the City of the Bond Purchase Agreement; provided, however, that such interest rates shall not result in a true interest cost in excess of 4.00% per annum, such execution and delivery of the Bond Purchase Agreement to constitute approval by the City of the interest rates on the 2021 Bonds.

Section 3. The 2021 Bonds shall be sold to the Underwriters pursuant to the Bond Purchase Agreement. The 2021 Bonds may be sold to the Underwriters at a discount below the amount of the principal amount of the 2021 Bonds, such discount not to exceed 98% of the principal amount of the 2021 Bonds; provided, however, that if all or any of the 2021 Bonds are to be sold to the public by the Underwriters at original issue discount (resulting in lower interest costs of the interest on the 2021 Bonds), then the 2021 Bonds may be sold at a further discount in the amount necessary to cover such original issue discount. The final maturity of the 2021 Bonds shall not be later than November 1, 2045.

Section 4. The City Council hereby approves the forms of the 2021 Bonds, the Third Supplemental Trust Agreement and the Bond Purchase Agreement in substantially the forms presented at this meeting. The Mayor, the Mayor Pro Tempore, the City Manager, any Assistant City Manager, the Finance Director and any Deputy Finance Director are each hereby authorized to execute and deliver on behalf of the City the 2021 Bonds, the Third Supplemental Trust Agreement and the Bond Purchase Agreement in substantially the forms presented at this meeting, containing such modifications as the person executing such documents shall approve, such execution to be conclusive evidence of approval by the City Council of any such changes. The City Clerk or any assistant or deputy City Clerk is hereby authorized to affix the official seal of the City to each of said documents and to attest the same to the extent so required.

Section 5. The City Council hereby approves the Preliminary Official Statement in substantially the form presented at this meeting and hereby approves the distribution thereof by the Underwriters in connection with the offering and sale of the 2021 Bonds. Upon the sale of the 2021 Bonds to the Underwriters, a final Official Statement, to be dated as of the date of the Bond Purchase Agreement (the "Official Statement"), will be prepared substantially in the form of the Preliminary Official Statement and will contain such information relating to the pricing terms of the 2021 Bonds and such additional information as may be necessary. The City Council hereby approves the distribution of the Official Statement by the Underwriters in connection with the offering and sale of the 2021 Bonds.

Section 6. No deficiency judgment may be rendered against the City in any action for breach of any contractual obligation under the 2021 Bonds or the Trust Agreement, and the faith and credit and taxing power of the City is not and may not be pledged directly or indirectly to secure any moneys due under the 2021 Bonds or the Trust Agreement.

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

Section 8. The Mayor, the City Manager, the Finance Director, the City Attorney and the City Clerk, and any other officers, agents and employees of the City, are hereby authorized and directed to take such actions and to deliver such certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described in this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants and provisions of the 2021 Bonds, the Trust Agreement, the Deed of Trust and the other documents contemplated by this resolution.

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

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

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

Ayes:

Noes:

(Signed) Tammi Thurm

**35. [ID 20-0851](#) Ordinance in the Amount of \$5,020,000 Amending the Parking Facilities Bond Fund Budget**

**Moved by Councilmember Thurm, seconded by Councilmember Hoffmann, to adopt the ordinance. 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

**20-169 ORDINANCE AMENDING THE PARKING FACILITIES BOND FUND BUDGET**

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

Section 1:

That the Parking Facilities Bond Fund Budget of the City of Greensboro is hereby amended as follows:

Account	Description	Amount
546-4510-01.5831	Bond Issuance Expense	\$610,843
546-4510-01.5821	Capitalized Interest	1,184,157
546-4510-01.6011	Land	176,328
546-4510-01.6019	Capital Improvements	914,913
546-4510-01.6545	Transfer to Capital Project Fund	2,133,759
Total		\$5,020,000

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

Account	Description	Amount
546-0000-00.9012	Limited Obligation Bond Proceeds	\$5,020,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Tammi Thurm

36. [ID 20-0840](#) Ordinance Establishing the Grant Project Budget in the Amount of \$2,698,441 for the City of Greensboro Lead Hazard Reduction Grant

**Moved by Councilmember Kennedy, seconded by Councilmember Hightower, 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

20-170 ORDINANCE ESTABLISHING THE GRANT PROJECT BUDGET IN THE AMOUNT OF \$2,698,441 FOR THE CITY OF GREENSBORO LEAD HAZARD REDUCTION GRANT

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for Lead-Based Paint Hazard Control and Healthy Homes Grant, it is deemed in the best interest of the City to establish a special grant project ordinance, with the revenues and expenditures being established as shown below; and

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

Section 1. That the grant project budget for Lead-Based Paint Hazard Control and Healthy Homes Grant be established and appropriated for the life of the project as follows:

Description	Estimated Expenditures	Estimated Revenues
Administration	228,723	
Lead Remediation	1,962,426	
Other Direct Costs	107,292	
Healthy Homes	400,000	
Total	2,698,441	
Lead Hazard Reduction Grant - Federal Grant		2,298,441
Healthy Homes Supplement- Federal Grant		400,000
Total		2,698,441

Section 2. That this Ordinance shall be effective upon adoption.

(Signed) Michelle Kennedy

37. [ID 20-0820](#) Resolution Authorizing a Change Order in the Amount of \$1,250,000.00 on Contract 2013-094 for Youngs Mill Road Sanitary Sewer Outfall with Jimmy R. Lynch & Sons, Inc.

Mayor Vaughan introduced items #37/ID 20-0820 and #38/ID 20-0829 together.

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

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

345-20 RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$1,250,000.00 FOR CONTRACT 2013-094 WITH JIMMY R. LYNCH & SONS, INC. FOR THE YOUNGS MILL ROAD SANITARY SEWER OUTFALL PROJECT

WHEREAS, Contract 2013-094 with Jimmy R. Lynch & Sons, Inc. provides for the installation of the Youngs Mill Road Sanitary Sewer Outfall;

WHEREAS, this change order is needed in the amount of \$1,250,000.00 for additional work and unforeseen costs needed to complete this project; and

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

That the City Manager is hereby authorized to execute on behalf of the City of Greensboro a change order in the above mentioned contract with Jimmy R. Lynch & Sons, Inc.

(Signed) Sharon Hightower

- 38. [ID 20-0829](#)** Ordinance in the Amount of \$1,250,000 Amending the Water Resources Capital Project Revenue Bond Fund Budget to Establish Funding for the Change Order on Contract 2013-094 for Youngs Mill Road Sanitary Sewer Outfall with Jimmy R. Lynch & Sons, Inc.

**Moved by Councilmember Hightower, seconded by Councilmember Thurm, 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

20-171 ORDINANCE AMENDING THE WATER RESOURCES CAPITAL PROJECT REVENUE BOND FUND BUDGET IN THE AMOUNT OF \$1,250,000 TO ESTABLISH FUNDING FOR THE CHANGE ORDER FOR YOUNGS MILL ROAD SANITARY SEWER OUTFALL

Section 1

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

That the Water Resources Capital Project Revenue Bond Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Water Resources Capital Project Revenue Fund be increased as follows:

Account	Description	Amount
516-7044-02.6019	Youngs Mill Road Outfall Construction	\$1,250,000
Total		\$1,250,000

And, that this increase be financed by increasing the following Water Resources Capital Project Revenue Fund accounts:

Account	Description	Amount
516-0000-00.9005	Revenue Bond Proceeds	\$1,250,000
Total		\$1,250,000



## Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sharon Hightower

**39. [ID 20-0839](#) Resolution Approving a Contract in the Amount of \$28,964,028.20 with Sensus USA, Inc. for the Advanced Metering Infrastructure Implementation Project**

Mayor Vaughan introduced items #39/ID 20-0839, #40/ID 20-0838, #41/20-0841, #42/ID 20-0863, and #43/ID 20-0864 together.

Councilmember Hightower inquired about the in perpetuity service agreement language; voiced concern with up-charges; and spoke to the specialty work.

Assistant City Manager Kim Sowell explained the utilization of the vendor meter equipment; the in perpetuity services and maintenance associated with the equipment; termination language included in the agreement; maintenance renew cost; and outlined the Request for Proposal (RFP) process.

Discussion ensued regarding annual escalating costs; negotiations; authority granted to staff; and cost savings to customers.

Councilmember Outling voiced support for the items; inquired as to why Council would not approve the renewal contracts to which Assistant City Manager Sowell explained implementation of a routine and efficient process.

Councilmember Outling spoke to comparable renewable contracts; and to the need for a clear policy on items for Council approval.

Water Resources Director Mike Borchers spoke to the average meter life time; to comparable equipment in peer municipalities; and to aging infrastructure.

Discussion took place regarding the City Manager's authorization threshold for contract approval; budget review for renewal expenditures; escalation clauses in agreements; a combined effort with the meters, network and software program; standardization of processes; notification of leaks sooner with the system; and appreciation to staff.

Moved by Councilmember Outling, seconded by Councilmember Kennedy to have staff provide a policy granting authority to the City Manager to execute agreements with a greater value. Mayor Vaughan offered a friendly amendment for staff to include an escalation clause in agreements, to which Councilmember Outling accepted. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

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

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

346-20 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$28,964,028.20 WITH SENSUS USA, INC FOR THE ADVANCED METERING INFRASTRUCTURE IMPLEMENTATION PROJECT

WHEREAS, water meters have been read with drive-by automated meter reading technology using battery powered encoder receiver transmitters (ERTs) since 2006;

WHEREAS, the Water Resources Department is currently experiencing battery power end-of-life to our ERTs and need to transition to updated technology;

WHEREAS, a feasibility study conducted in 2019 recommended moving to Advanced Metering Infrastructure (AMI) to support Greensboro's vision of providing exceptional customer service, improving communication and transparency, and creating a sustainable and resilient community;

WHEREAS, on June 2, 2020 the Water Resources Department issued a Request for Proposals (RFP) for Implementation of Advanced Metering Infrastructure;

WHEREAS, Sensus USA was selected as the best-qualified firm to implement its solution for Advanced Metering Infrastructure; and

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

That the City Manager is authorized to enter into a contract in the amount of \$28,964,028.20 with Sensus USA, Inc. for the Advanced Metering Infrastructure Implementation Project.

(Signed) Sharon Hightower

40. [ID 20-0838](#) Resolution Approving a Contract in the Amount of \$1,912,836 with C2 Contractors, LLC for Advanced Metering Infrastructure Project Management and Consulting Services

**Moved by Councilmember Thurm, seconded by Councilmember Kennedy, 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

347-20 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$1,912,836 WITH C2 CONTRACTING, LLC FOR ADVANCED METERING INFRASTRUCTURE IMPLEMENTATION SERVICES

WHEREAS, the City's meter assets are approaching the end of the life cycle;

WHEREAS, the Water Resources Department analyzed the current metering technology and recommended the implementation of advanced metering infrastructure technology;

WHEREAS, the Water Resources Department wishes to use C2 Contracting, LLC during the implementation of the Advanced Metering Infrastructure Project to provide project management, technical guidance, quality assurance, and organizational change management services; and

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

That the City Manager is authorized to enter into a contract in the amount of \$1,912,836 with C2 Contracting, LLC for advanced metering infrastructure implementation services.

(Signed) Tammi Thurm

41. [ID 20-0841](#) Ordinance in the Amount of \$30,876,865 Amending the Water

Resources Capital Project Revenue Bond Fund Budget to Establish  
Funding for the Advanced Metering Infrastructure Implementation  
Project

**Moved by Councilmember Thurm, seconded by Councilmember Hightower,  
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

20-172 ORDINANCE AMENDING THE WATER RESOURCES CAPITAL PROJECT REVENUE BOND FUND  
BUDGET IN THE AMOUNT OF \$30,876,865 TO ESTABLISH FUNDING FOR THE ADVANCED METERING  
INFRASTRUCTURE IMPLEMENTATION SERVICES AND PROJECT

Section 1

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

That the Water Resources Capital Project Revenue Bond Fund Budget of the City of Greensboro is hereby amended  
as follows:

That the appropriation to the Water Resources Capital Project Revenue Fund be increased as follows:

Account	Description	Amount
516-7012-01.6059	AMI.Other Capital Equipment	\$25,671,660
516-7012-01.5410	AMI.Professional Svs-Capital Projects	\$4,975,955
516-7012-01.6058	AMI.Capital Software and Services	\$229,250
Total		\$30,876,865

And, that this increase be financed by increasing the following Water Resources Capital Project Revenue Fund  
accounts:

Account	Description	Amount
516-0000-00.9005	Revenue Bond Proceeds	\$30,876,865
Total		\$30,876,865

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tammi Thurm

- 42. [ID 20-0863](#)** Resolution Approving Annual Subscription and Maintenance Contracts  
for the Sensus Network-as-a-Service to Support the Advanced  
Metering Infrastructure Solution in the Estimated Annual Cost at Full  
Implementation of \$550,000

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

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

348-20 RESOLUTION APPROVING ANNUAL SUBSCRIPTION AND MAINTENANCE CONTRACTS FOR THE

SENSUS NETWORK-AS-A-SERVICE TO SUPPORT THE ADVANCED METERING INFRASTRUCTURE SOLUTION IN THE ESTIMATED ANNUAL COST AT FULL IMPLEMENTATION OF \$550,000

WHEREAS, the City of Greensboro Water Resources Department wishes to implement advanced metering infrastructure;

WHEREAS, Sensus USA was selected through a request for proposals process to implement its solution for Advanced Metering Infrastructure, which provides a network-as-a-service solution;

WHEREAS, the annual subscription and maintenance for the Sensus network-as-a-service is estimated at approximately \$500,000 for the first year after full implantation with cost escalations as the number of water meters increase, and therefore requires City Council's approval; and

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

That the City Manager is authorized to enter into annual subscription and maintenance contracts with Sensus USA, Inc. in perpetuity provided that sufficient appropriations are approved by City Council in succeeding fiscal years.

(Signed) Michelle Kennedy

- 43. [ID 20-0864](#)** Resolution Approving Annual Software Subscription and Maintenance Contracts for the WaterSmart Customer Billing Information Portal in the Estimated Annual Cost at Full Implementation of \$110,000

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

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

349-20 RESOLUTION APPROVING ANNUAL SOFTWARE SUBSCRIPTION AND MAINTENANCE CONTRACTS FOR THE WATERSMART CUSTOMER BILLING INFORMATION PORTAL IN THE ESTIMATED ANNUAL COST AT FULL IMPLEMENTATION OF \$110,000

WHEREAS, the City of Greensboro Water Resources Department wishes to provide Greensboro residents the ability to access daily water consumption data collected by advanced metering infrastructure, the ability to request services, and other customer service enhancements;

WHEREAS, WaterSmart was proposed as the customer engagement solution by Sensus USA for the Advanced Metering Infrastructure Project;

WHEREAS, the annual subscription and software maintenance for WaterSmart is estimated at approximately \$110,000 at full implementation with cost escalations as the number of water meters increase, and therefore requires Council's approval; and

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

That the City Manager is authorized to enter into annual subscription and software maintenance contracts with WaterSmart Software, Inc. in perpetuity provided that sufficient appropriations are approved by City Council in succeeding fiscal years.

(Signed) Tammi Thurm

- 44. [ID 20-0823](#)** Boards and Commissions Listing for December 15, 2020

Mayor Pro-Tem Johnson inquired if Council could reconsider an item on the sale of property located on Gregory Street.

Mayor Vaughan spoke to statute requirements for reconsideration of items.

City Attorney Chuck Watts referenced previous public comments from a meeting earlier in the month; provided a history of the item that had been denied; and explained a reconsideration would violate Council rules.

Taking the prerogative of the Chair Mayor Vaughan combined Boards and Commissions appointments with Council Comments.

Mayor Vaughan spoke to the Covid-19 vaccine; encouraged the public to wear mask, to wash hands, and to keep social distance; and to personal responsibilities.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Thurm to appoint Ivan Cutler to the Human Rights Commission. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm to appoint Doug Heberle to the Redevelopment Commission to replace Wayne Durham. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Councilmember Abuzuaiter voiced support for the Covid-19 vaccine; encouraged residents to practice the 3 W's (Wear, Wash, Wait); and extended congratulations for the award of the Silver Leadership in Energy and Environmental Design (LEED) certification.

Moved by Councilmember Hightower, seconded by Councilmember Hoffmann to reappoint Daniel Lyons to the ABC Board. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

\*\*\* Following the meeting, City Clerk Angela Lord verified Mr. Lyons had served 2 terms, therefore, making him ineligible to serve an additional term. Upon the directive of Mayor Vaughan, the appointment was placed on hold.

Councilmember Hightower voiced concern with Minority Women Business Enterprise (M/WBE) participation on contracts approved during the meeting; and with violent crime.

Discussion ensued regarding capturing all M/WBE participation; and setting goals for the procurement process.

Mayor Vaughan requested staff to schedule a work session to review the M/WBE program; and to invite Griffin and Strong to participate in the work session.

Greensboro Police Department (GPD) Chief Brian James reviewed staffing shortfalls within the department; spoke to the approval of overtime; to a partnership with Workforce Development Director Chris Rivera; to a focus on violent crimes; and to the need for supplemental GPD budget for the Fiscal Year 2021-2022.

Discussion continued regarding hire backs; the addition of permanent positions; and an additional presence in neighborhoods.

Councilmember Hightower requested staff to provide an update; voiced concerns with the number of homicides in District 1; and spoke to assessment of high crime areas.

Mayor Vaughan requested staff research holding regular press conferences to update the public.

Councilmember Hoffmann voiced appreciation to Downtown Greensboro Inc, (DGI) for events; and extended holiday greetings.

Councilmember Kennedy spoke to the Covid-19 vaccine; to the TransGender Task Force; and to White Flag Shelters.

Moved by Councilmember Kennedy, seconded by Councilmember Thurm to appoint Skylar Mearing to the Commission on the Status of Women. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuiater, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Councilmember Outling voiced concern with the homicide count; and requested a manpower study; information be provided for items requiring Council action; an update on the Cone Health merger; and extended holiday greetings.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuiater to appoint Shon Smith to the Human Rights Commission. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuiater, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuiater to appoint Pamela Turner to the Redevelopment Commission in the position formerly held by Charles McQueary. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuiater, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Councilmember Thurm provided information for a toy and coat give-away.

Moved by Councilmember Wells, seconded by Councilmember Thurm to appoint Carolyn Clifton to the Library Board of Trustees in the position formerly held by Dianna Walker. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuiater, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Moved by Councilmember Wells, seconded by Mayor Pro-Tem Johnson to reappoint Frankie Jones to the ABC Board. The motion carried by the following roll call vote:

Ayes: Mayor Vaughan, Mayor Pro-Tem Johnson, Councilmember Abuzuiater, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

\*\*\* Following the meeting, City Clerk Angela Lord verified Mr. Jones had served 2 terms, therefore, making him ineligible to serve an additional term. Upon the directive of Mayor Vaughan, the appointment was placed on hold.

Councilmember Wells extended congratulations to Councilmember Abuzuaiter for her appointment as the Piedmont Authority for Regional Transportation (PART) Board Chair.

Mayor Vaughan requested staff to provide an update on the Take Me Home Initiative at a work session; and an update on the Entertainment Ordinance.

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

Taking the prerogative of the Chair Mayor Vaughan combined Council Comments with the Boards and Commissions appointments.

#### Matters to be presented by the City Manager

City Manager Parrish commended Water Resources staff for work during recent water main breaks; referenced an upcoming Economic Development update in January; and highlighted Library Director Brigitte Blanton for being named North Carolina Public Library Director of the Year.

Mayor Vaughan provided information for a winter coat drive for the Rosa Foundation.

Councilmember Hightower extended appreciation to community groups feeding children since the beginning of the pandemic.

#### Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

### **Adjournment**

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

THE CITY COUNCIL ADJOURNED AT 8:22 P.M.

ANGELA R. LORD  
CITY CLERK

NANCY VAUGHAN  
MAYOR