



# City of Greensboro

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

## Meeting Minutes - Final City Council

Tuesday, January 21, 2020

5:30 PM

Council Chamber

### Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:38 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Present: 8 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzaiter, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Michelle Kennedy, Councilmember Justin Outling and Councilmember Tammi Thurm

Absent: 1 - Councilmember Goldie F. Wells

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower, to excuse Councilmember Wells from attendance at the meeting. The motion carried by voice vote.

### Moment of Silence

The meeting opened with a moment of silence.

### Pledge of Allegiance to the Flag

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

### Recognition of Courier

City Manager David Parrish recognized Kym Smith of the Transportation Department who served as Courier for the meeting.

### Council Procedure for Conduct of the Meeting

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

### I. CONSENT AGENDA (One Vote)

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

Mayor Vaughan reminded Council that any items removed from the consent agenda, other than for a recusal, or for the purpose of voting 'nay', the items would be placed on the next Business meeting agenda as a business item.

Councilmember Hightower requested Item #11/ID 20-0025 to be pulled for discussion. Mayor Vaughan stated the item would be postponed.

11. [ID 20-0025](#) Resolution Calling a Public Hearing for February 18, 2020, on the Annexation of Territory into the Corporate Limits for the Property Located at 389 Fairystone Drive - 18.67-Acres (Demetrios Dascalakis)

**This resolution was postponed to a future meeting of City Council.**

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

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to adopt the consent agenda as amended. The motion carried by voice vote 8-0.

1. [ID 20-0060](#) Resolution Authorizing Change Order #1 to Contract 2018-0540 with Davis-Martin-Powell and Associates in the Amount of \$27,300 for Additional Surveying and Design for the Voss Avenue Stream Relocation and Culvert Design Project

006-20 RESOLUTION AUTHORIZING CHANGE ORDER #1 TO CONTRACT 2018-0540 WITH DAVIS-MARTIN-POWELL AND ASSOCIATES IN THE AMOUNT OF \$27,300 FOR ADDITIONAL SURVEYING AND DESIGN FOR THE VOSS AVENUE STREAM RELOCATION AND CULVERT DESIGN PROJECT

WHEREAS, a stream relocation project has been undertaken along Voss Avenue to enhance water quality and address flooding concerns expressed by adjacent property owners;

WHEREAS, contract 2018-0540 with Davis-Martin-Powell and Associates for the design of the stream relocation and culvert design was executed in September 2019;

WHEREAS, the property owner at 4417 Voss Avenue approached Water Resources about extending the project limits to include the rear portion of their property where stream bank erosion has occurred;

WHEREAS, additional survey and design will need to be included to address this stream bank erosion; and

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

That the City Manager is authorized to execute on behalf of the City of Greensboro Change Order #1 to the above mentioned contract with Davis-Martin-Powell and Associates for additional surveying and design of stream bank stabilization at 4417 Voss Avenue and the associated budget adjustment.

(Signed) Yvonne Johnson

2. [ID 20-0065](#) Resolution Approving a Contract in the Amount of \$742,000 with CDM Smith, Inc. for Construction Administration and Resident Project Representative Services for the Townsend Water Treatment Plant New Solids Lagoon Project

007-20 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$742,000 WITH CDM SMITH, INC. FOR CONSTRUCTION ADMINISTRATION AND RESIDENT PROJECT REPRESENTATIVE SERVICES FOR THE TOWNSEND WATER TREATMENT PLANT NEW SOLIDS LAGOON PROJECT

WHEREAS, the Townsend Water Treatment Plant (WTP) New Solids Lagoon project consists of adding a second lagoon at the Townsend WTP;

WHEREAS, the Townsend WTP currently has a single lagoon which creates problems complying with National Pollutant Discharge Elimination System NPDES permit requirements and does not allow maintenance shutdowns for repairs;

WHEREAS, a second lagoon will allow maintenance and cleaning to assist with NPDES compliance and will also increase reliability of the plant;

WHEREAS, the pipe work for this project will allow parallel operation of the two lagoons so either one can be taken off-line for maintenance while the other remains in service;

WHEREAS, the project also includes grading, erosion control, hauling, electrical, miscellaneous piping, seeding

and mulching, concrete work, and disposal of sludge;

WHEREAS, CDM Smith, Inc. and John Davenport Engineering will team to provide CA and RPR Services for this project; and

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

That the City Manager is authorized to execute on behalf of the City of Greensboro a contract with CDM Smith, Inc. to provide CA and RPR Services for the Townsend WTP New Solids Lagoon project.

(Signed) Yvonne Johnson

3. [ID 20-0042](#) Resolution Approving Bid in the Amount of \$677,442.30 and Authorizing Execution of Contract 2017-086 with Ace/Avant Concrete Construction Company, Inc. for the Sandy Ridge Road Sewer Outfall Project

008-20 RESOLUTION APPROVING BID IN THE AMOUNT OF \$677,442.30 AND AUTHORIZING EXECUTION OF CONTRACT 2017-086 WITH ACE/AVANT CONCRETE CONSTRUCTION COMPANY, INC. FOR THE SANDY RIDGE ROAD SEWER OUTFALL PROJECT

WHEREAS, after due notice, bids have been received for the Sandy Ridge Road Sewer Outfall project;

WHEREAS, Ace/Avant Concrete Construction Company, Inc., a responsible bidder, has submitted the low base in the total amount of \$677,442.30 as general contractor for Contract No. 2017-086 which bid, in the opinion of the City Council, is the best bid from the standpoint of the City; 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 the contract for the Sandy Ridge Road Sewer Outfall Project with Ace/Avant Concrete Construction Company, Inc.

(Signed) Yvonne Johnson

4. [ID 20-0066](#) Resolution Approving a Contract in the Amount of \$127,373 with CITI, LLC for Instrumentation and Controls Resident Engineer Services for the T.Z. Osborne Water Reclamation Facility

009-20 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$127,373 WITH CITI, LLC FOR I&C RESIDENT ENGINEER SERVICES FOR THE T.Z. OSBORNE WATER RECLAMATION FACILITY

WHEREAS, the Water Reclamation Division is currently in the process of changing from Cimplicity, the legacy SCADA process control system, to Ignition, the new SCADA process control system;

WHEREAS, during this change, the plant needs help with some of the support functions;

WHEREAS, the I&C Engineer in this contract will spend their time maintaining the software and making minor changes to the computer system as operations makes requests;

WHEREAS, CITI has been involved in tying all of the equipment and process changes to the SCADA system for the TZO Water Reclamation Facility plant through several upgrade projects; and

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

That the City Manager is authorized to execute on behalf of the City of Greensboro a contract with CITI, LLC to

provide I&C Resident Engineer Services for the T.Z. Osborne Water Reclamation Facility.

(Signed) Yvonne Johnson

- 5. [ID 20-0046](#) Resolution Authorizing Amended Agreement #2 with NCDOT in the Amount of \$143,105 for Project EB-5716: Holden Road and Lindsay Street Sidewalk Project

010-20 RESOLUTION AUTHORIZING AMENDED AGREEMENT #2 IN THE AMOUNT OF \$143,105 FOR HOLDEN ROAD AND LINDSAY STREET SIDEWALK PROJECT

WHEREAS, Project EB-5716 was established to construct sidewalks and accessible curb ramps on west side of Holden Road from Spring Garden Street to south of Meadowview Road and on west side of Lindsay Street from Bessemer Avenue to north of Murrow Boulevard;

WHEREAS, the sidewalk improvements will improve accessibility and safety and will connect pedestrians to schools, commercial services, transit, places of worship, and parks;

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization submitted this project to NCDOT for funding consideration by NCDOT under the Strategic Transportation Investments Act prioritization process;

WHEREAS, based on actual contracted costs exceeding current available funds, NCDOT has agreed to cover 80% of additional costs using federal Transportation Alternatives Program funds with a 20% local match; and

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

That said project is hereby formally approved by the City Council of the City of Greensboro and the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with the NCDOT for the Holden Road and Lindsay Street Project EB-5716.

(Signed) Yvonne Johnson

- 6. [ID 20-0047](#) Ordinance in the Amount of \$143,105 Increasing the Budget for Amended Agreement #2 with NCDOT for Project EB-5716: Holden Road and Lindsay Street Sidewalk Project

20-003 ORDINANCE IN THE AMOUNT OF \$143,105 INCREASING THE BUDGET FOR AMENDED AGREEMENT #2 WITH NCDOT FOR PROJECT EB-5716: HOLDEN ROAD AND LINDSAY STREET SIDEWALK PROJECT

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

Section 1

That the appropriation for the Project EB-5716: Holden Road and Lindsay Street Sidewalk Improvements Project budget be increased as follows:

Account	Description	Amount
401-4567-02.6015	Sidewalk Construction	\$143,105
Total		\$143,105

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

Account	Description	Amount
401-4567-02.7100	Federal Grant	\$114,484
401-4567-02.9471	Transfer from Bond Account	\$ 28,621

Total \$143,105

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 7. [ID 20-0056](#) Resolution Authorizing Amended Agreement #4 in the Amount of \$436,025 with NCDOT for Project U-5306A  
Battleground-Benjamin-Cone Intersection Improvements

011-20 RESOLUTION AUTHROIZING AMENDED AGREEMENT #4 IN THE AMOUNT OF \$436,025 WITH NCDOT FOR PROJECT U-5306 A BATTLEGROUND-BENJAMIN-CONE INTERSECTION IMPROVEMENTS

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization submitted the Battleground – Benjamin - Cone Intersection Improvements Project for funding consideration by NCDOT under the Strategic Transportation Investments Act prioritization process;

WHEREAS, North Carolina Department of Transportation added the project to the Transportation Improvement Program and agreed to reimburse the City for 100% of right-of-way and construction costs up to \$4,400,000;

WHEREAS, actual right-of-way expenditures, construction contract costs, contracted inspections costs, and NCDOT administrative expenses will exceed that amount;

WHEREAS, NCDOT has agreed to reimburse the City an additional \$436,025 to cover 100% of actual eligible project costs;

WHEREAS, approval of this agreement will enable the City to gain an additional \$436,025 in reimbursements, will reduce the City share of the costs by an equal amount, and will allow the project to be closed out; and

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

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with the North Carolina Department of Transportation for Project U-5306A.

(Signed) Yvonne Johnson

- 8. [ID 20-0057](#) Ordinance in the Amount of \$436,025 Amending the Budget for Amended Agreement #4 with NCDOT for Project U-5306A  
Battleground-Benjamin-Cone Intersection Improvements

20-004 ORDINANCE IN THE AMOUNT OF \$436,025 AMENDING THE BUDGET FOR AMENDED AGREEMENT #4 WITH NCDOT FOR PROJECT U-5306A BATTLEGROUND / BENJAMIN / CONE INTERSECTION IMPROVEMENTS

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

Section 1

That the appropriation for the Project U-5306 A: Battleground/Benjamin/Cone Intersection Improvements Project budget be increased as follows:

Account	Description	Amount
220-4587-01.6014	Street Construction & Paving	\$436,025

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Total \$436,025

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

Account	Description	Amount
220-4587-01.7100	Federal Grant	\$348,820
220-4587-01.7110	State Grant	\$87,205
Total		\$436,025

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

9. [ID 20-0021](#) Resolution Authorizing Acceptance of Dedication of Eleven Drainageway and Open Space Parcels from Guilford Square Developments, LLC, Pierce Roif Corp., HSW Landmark I, Inc./Schaedle Worthington Hyde Properties, LP, O. Henry Construction Co., Robert M. Barefoot & Iris B. Barefoot, Anderson & Associates Contractors, Inc./Sandra Anderson Builders, Inc., CreekrIDGE Partners, LLC, Joseph H. Peele, Jr. & Annie Belle K. Peele / Heirs of Annie K. Peele, and Yanceyville Street, LLC/Chantille Place Homeowners Associations, Inc.

012-20 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION OF ELEVEN DRAINAGE WAY, FLOODPLAIN, AND OPEN SPACE PARCELS FROM GUILFORD SQUARE DEVELOPERS, LLC, PIERCE ROIF CORP., HSW LANDMARK I, INC. / SCHAEDEL WORTHINGTON HYDE PROPERTIES, LP, O. HENRY CONSTRUCTION CO., ROBERT M. BAREFOOT & IRIS B. BAREFOOT, ANDERSON & ASSOCIATES CONTRACTORS, INC. / SANDRA ANDERSON BUILDERS INC., CREEKRIDGE PARTNERS, LLC, JOSEPH H. PEELE, JR. & ANNIE BELLE K. PEELE / HEIRS OF ANNIE K. PEELE, YANCEYVILLE STREET, LLC / CHANTILLE PLACE HOMEOWNERS ASSOCIATION, INC.

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

WHEREAS, Parcel #114718 was dedicated by Guilford Square Developers, LLC to Guilford County, City of Greensboro, and the public as drainage way, open space and utility easement on the Final Plat of Guilford Commons recorded in Plat Book 165 Page 52 on June 30, 2006. This parcel, also known as 3105 YY Cedar Park Road, is approximately 4.69 acres, is zoned C-M, and is located in Council District 1;

WHEREAS, Parcel #68649 was dedicated by Pierce Roif Corp. to the City of Greensboro as drainage way and open space on the Final Plat of Kildare Woods Phase 2, Section 3 recorded in Plat Book 121 Page 85 on August 22, 1996. This parcel, also known as 1707 Near Kildare Woods Drive, is approximately 2.73 acres, zoned R-3, and is located in Council District 5;

WHEREAS, Parcel #95715 was dedicated by HSW Landmark I, Inc. to the City of Greensboro and the public for drainage way and open space or thoroughfare on the Final Plat for The Grove at Landmark recorded in Plat Book 128 Page 22 on March 12, 1998. This parcel, also known as 1402 Near Bridford Parkway, is approximately 0.94 acres, zoned CD-RM-12, and is located in Council District 5. This parcel was conveyed to Schaedle Worthington Hyde Properties, LP by Deed recorded in Book 4916 Page 1626;

WHEREAS, Parcel #51660 was dedicated by the O. Henry Construction Co. as flood plain and open space on the Plat of Section One Woodlea Lake recorded in Plat Book 45 Page 29 on January 14, 1971. This parcel, also known as 3300 Woodcreek Drive, is approximately 2.49 acres, zoned R-5, and is located in Council District 1;

WHEREAS, Parcel #52298 was dedicated by Robert M. Barefoot & Iris B. Barefoot to the City of Greensboro for flood plain and open space on the Plat of Map Two Evander Industrial Park also known as Four Seasons Industrial Services, Inc. recorded in Plat Book 99 Page 150 on November 9, 1990. This parcel, also known as 3107 R4 South Elm-Eugene Street, is approximately 1.93 acres, zoned HI, and is located in Council District 1;

WHEREAS, Parcel #69767 was dedicated by Anderson & Associates Contractors, Inc. to the City of Greensboro as drainage way, open space and parkland on the Final Plat of Bethany Woods Phase 2 Map 2 recorded in Plat Book 130 Page 49 on October 2, 1998. This parcel, also known as 301 Near Humble Road, is approximately 8.2 acres, zoned R-3, and is located in Council District 1. The Guilford County Tax Office lists the current owner as Sandra Anderson Builders Inc. as the successor corporation;

WHEREAS, Parcel #286722 was dedicated by Creekridge Partners, LLC to the City of Greensboro as drainage way and open space on the Final Plat of Creekridge Village Apartments recorded in Plat Book 134 Page 65 on September 10, 1999. This parcel, also known as 629 Rear Creek Ridge Road, is approximately 0.49 acres, zoned RM-18, and is located in Council District 1;

WHEREAS, Parcel #97091 was dedicated by Horsepen Creek Meadows Associates to the City of Greensboro and the public as flood plain and open space on the Plat of Horsepen Meadows recorded in Plat Book 81 Page 126 on January 11, 1986. This parcel, also known as 3521 Terrault Drive, is approximately 1.85 acres, zoned R-3, and is located in Council District 4;

WHEREAS, Parcel #93053 was dedicated by Joseph H. Peele, Jr. & Annie Belle K. Peele to the City of Greensboro and public for greenway and open space on the Final Plat for Joseph H. & Annie Belle K. Peele, Jr recorded in Plat Book 144 Page 94 on January 2, 2002. This parcel, also known as 2793 YY2 Green Crest Court, is approximately 0.96 acres, zoned PUD, and is located in Council District 1. The Guilford County Tax Office lists the current owners as the heirs of Annie K. Peele;

WHEREAS, Parcel #45810 was dedicated by Yanceyville Street, LLC to the City of Greensboro as drainage way and open space on the Tentative Building Locations Plat for Phase 2 (Buildings #10 - #13) for Chantille Place Townhouses recorded in Plat Book 173 Page 135 recorded on March 14, 2008. This parcel, also known as 112 R2 Swan Haven Lane, is approximately 0.71 acres, zoned CD-RM-8, and is located in Council District #2. The parcel was conveyed to Chantille Place Homeowners Association, Inc. with the common elements by General Warranty Deed recorded in Book 7049 Page 2734 on August 19, 2009;

WHEREAS, Parcel #45720 was dedicated by Yanceyville Street, LLC to the City of Greensboro as drainage way and open space on the Sheet 2 of 2 Tentative Building Locations Plat for Phase 1 (Buildings #1 - #9) for Chantille Place Townhouses recorded in Plat Book 169 Page 71 on April 23, 2007. This parcel, also known as 1430 Rear Whitesand Drive, is approximately 0.36 acres, zoned CD-RM-8, and is located in Council District #2. The parcel was conveyed to Chantille Place Homeowners Association, Inc. with the common elements by General Warranty Deed recorded in Book 7049 Page 2734 on August 19, 2009;

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, park, 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) Yvonne Johnson

10. [ID 20-0024](#) Resolution Calling a Public Hearing for February 18, 2020, on the Annexation of Territory into the Corporate Limits for the Property Located at 2117 and 2119 Sprucewood Drive - .6-Acres (Sedgefield Investment Partners, LLC)

013-20 RESOLUTION CALLING A PUBLIC HEARING FOR FEBRUARY 18, 2020 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 2117 AND 2119 SPRUCEWOOD DRIVE – .6-ACRES

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

WHEREAS, Chapter 160A, Section 58.1 (non-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 February 18, 2020, the following ordinance will be introduced; and

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 2117 AND 2119 SPRUCEWOOD DRIVE – .6-ACRES)

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

REMAINDER OF LOT 68A ON SPRUCEWOOD DRIVE: BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 31, 2016), said point being on the southwest right-of-way line of Sprucewood Drive, also being on the northeastern line of Lot 68A of Redivision of Part of Elsiewood Property of Sam Evans Estate, as recorded at Plat Book 21, Page 17; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS S 65° 15' 39" W 450.72 feet to a point on the western line of said Lot; THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS with the western line of said Lot N 00° 30' E approximately 11.05 feet to the northwest corner of said Lot; thence with the northwestern line of said Lot N 58° 59' E 397.66 feet to a point on the southwest right-of-way line of Sprucewood Drive; thence in a southeasterly direction with said right-of-way line approximately 50 feet to the point and place of BEGINNING, being the not-previously-annexed portion of said Lot 68A and containing approximately 0.3 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County.

AND

REMAINDER OF LOT 68B ON SPRUCEWOOD DRIVE: BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 31, 2016), said point being on the southwest right-of-way line of Sprucewood Drive, also being on the northeastern line of Lot 68B of Redivision of Part of Elsiewood Property of Sam Evans Estate, as recorded at Plat Book 21, Page 17; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS S 65° 15' 39" W 293.52 feet to a point; thence along a curve to the left with a radius of 125.00 feet, an arc length of 96.09 feet, and a chord bearing and distance of S 43° 14' 22" W 93.74 feet to a point on the southeastern line of said Lot; THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS with the southeastern line of said Lot N 66° 01' E approximately 360 feet to a point on the southwest right-of-way line of Sprucewood Drive; thence in a northwesterly direction with said right-of-way line approximately 40 feet to the point and place of BEGINNING, being the not-previously-annexed portion of said Lot 68B and containing approximately 0.3 acres. The plat referred to hereinabove is 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 February 18, 2020, the liability for municipal taxes for the 2019-2020 fiscal year shall be prorated on the basis of 4/12 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, 2020. Municipal ad valorem taxes for the 2020-2021 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, February 18, 2020 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 February 8, 2020.

(Signed) Yvonne Johnson

12. [ID 20-0034](#) Resolution Authorizing the Purchase of Property, in the Amount of \$68,000, in its Entirety Located at 2903 E. Market Street from GSO, LLC for the Lowdermilk Street/Sykes Avenue Realignment, Project #P05710-01

014-20 RESOLUTION APPROVING THE APPRAISAL AND AUTHORIZING THE PURCHASE OF PROPERTY, IN THE AMOUNT OF \$68,000, IN ITS ENTIRETY LOCATED AT 2903 E. MARKET STREET FROM GSO, LLC FOR THE LOWDERMILK STREET/SYKES AVENUE REALIGNMENT PROJECT, P05710-01

WHEREAS, in connection with the Lowdermilk Street/Sykes Avenue Realignment Project, property owned by GSO, LLC, Parcel 22032 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by D. Lynn Cable a value of \$68,000, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to sell said property to the City at the appraised price and it is deemed in the best interest of the City to acquire 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 GSO, LLC for the property located at 2903 Market Street.

(Signed) Yvonne Johnson

13. [ID 20-0082](#) Resolution Authorizing the Purchase of Property Located at 1061

Alamance Church Road from Ali Dib in the amount of \$83,190 for the Alamance Church Road Improvements Project, P-05187

015-20 RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 1061 ALAMANCE CHURCH ROAD FROM ALI DIB FOR \$83,190, FOR THE ALAMANCE CHURCH ROAD IMPROVEMENTS PROJECT, P-05187

WHEREAS, in connection with the Alamance Church Road Improvements Project, a portion of the property owned by Ali Dib, Parcel 0092977 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 \$69,325 but the property owner has agreed to settle for the price of \$83,190, 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 Ali Dib for the property located at 1061 Alamance Church Road.

(Signed) Yvonne Johnson

14. [ID 20-0045](#) Ordinance in the Amount of \$47,533 Amending Grant Budget for the FY2019 FTA Section 5339 Bus and Bus Facilities Grant

20-005 ORDINANCE IN THE AMOUNT OF \$47,533 AMENDING THE GRANT BUDGET FOR THE FISCAL YEAR 2019 FTA SECTION 5339 BUS AND BUS FACILITIES GRANT

Section 1

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

That the GTA Grant Fund Budget is hereby amended as follows to increase the City's project funding:

Account	Description	Amount
567-4532-01.6051	Licensed Vehicles	\$47,533
Total		\$47,533

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

Account	Description	Amount
567-4532-01.7100	Federal Grant	\$40,403
567-4532-01.9481	Transfer from Bond Account	\$ 7,130
Total		\$47,533

Section 2

That the GTA Grant Fund Budget is hereby amended as follows to decrease the Guilford County project:

Account	Description	Amount
567-4532-02.5928	Local In-Kind Service	\$10,101
567-4532-02.5932	Contributions to Governmental Agencies	\$40,403

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Total \$50,504

And, that this decrease be offset by the decreasing the following revenues:

Account	Description	Amount
567-4532-02.7100	Federal Grant	\$40,403
567-4532-02.8695	Local In-Kind Services	\$10,101
Total		\$50,504

Section 3

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

**15. [ID 20-0067](#) Ordinance to Amend Section 16-96 of the Greensboro Code of Ordinances with Respect to Traffic Regulations**

20-006 AN ORDINANCE TO AMEND SECTION 16-96 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO US 220 TRAFFIC REGULATIONS

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

Section 1. That Section 16-96 of the Greensboro Code of Ordinances is hereby amended by changing Schedule 2A (Speed Limits on State Highway System Streets) as follows:

Repeal 45 mph speed limit on US 220 (Battleground Ave) from a point 0.17 mile north of Westridge Road to SR 2337 (Owls Roost Road) in Greensboro;

Repeal 50 mph speed limit from SR 2337 (Owls Roost Road) to SR 2321 (Strawberry Road) in Greensboro;

Establish 45 mph speed limit on US 220 from a point 0.17 miles north of Westridge Road and Horse Pen Creek Road;

Repeal 55 mph speed limit on US 220 from south city limits of Greensboro to I-40;

Repeal 45 mph speed limit on Wendover Ave (US 220) from Battleground Ave (US 220) to O' Henry Boulevard (US 29-70-220);

Establish 45 mph speed limit on US 220 between North O'Henry Boulevard (US 29/US 70/US 220) and Battleground Ave.

Section 2. This ordinance is based upon an engineering and traffic investigation pursuant to authority granted by G.S. 20-141 (f) and (g) and shall become effective upon adoption of a concurring ordinance by the North Carolina Board of Transportation adopting the speed limits so fixed herein and signs are erected giving notice of the authorized speed limits.

Section 3. All ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Yvonne Johnson

**16. [ID 20-0064](#) Resolution Approving Update in Rules and Regulations for the Operation of the Water and Wastewater System of the City of**

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**Greensboro with Amendments Effective January 21, 2020**

016-20 RESOLUTION APPROVING UPDATE IN RULES AND REGULATIONS FOR THE OPERATION OF THE WATER AND WASTEWATER SYSTEM OF THE CITY OF GREENSBORO WITH AMENDMENTS EFFECTIVE JANUARY 21, 2020

WHEREAS, Section 6.81(b) of the Greensboro City Charter and Section 29-6 of the Greensboro Code of Ordinances authorizes the adoption of the Rules and Regulations for the Operation of the Water and Wastewater System of the City of Greensboro;

WHEREAS, the City Council has approved and adopted the Rules and Regulations for the operation of the Water and Wastewater System of the City of Greensboro with amendments through September 19, 2017;

WHEREAS, the changes proposed in the attached copy of the Rules and Regulations with amendments are needed to provide clarification to existing procedures and to bring the policy into alignment with State requirements;

WHEREAS, it is deemed in the best interest of the City to adopt the Rules and Regulations for the operation of the Water and Wastewater System of the City of Greensboro with amendments become effective January 21, 2020; and

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

That the Rules and Regulations for the operation of the Water and Wastewater System of the City of Greensboro with amendments to become effective January 21, 2020, as authorized by Section 6.81(b) of the City Charter and Section 29-6 of the Greensboro Code of Ordinances, and which is presented herewith this day, is hereby in all respects approved, and the City Manager is directed to place an official copy thereof in the office of the City Clerk.

(Signed) Yvonne Johnson

**17. [ID 20-0017](#) Resolution Listing Loans and Grants for City Council Approval**

017-20 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

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

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

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

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

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 Council meeting and the City Manager is authorized to execute agreements.

(Signed) Yvonne Johnson

**18. [ID 20-0050](#) Budget Adjustments Requiring Council Approval 12/31/2019 through 1/13/2020**

Motion to approve the Budget Adjustments Requiring Council Approval 12/31/2019 through 1/13/2020 was adopted.

(A copy of the report is filed in Exhibit Drawer C, Exhibit No.3, which is hereby referred to and made a part of these minutes.)

19. [ID 20-0051](#) Budget Adjustments Approved by Budget Officer 12/31/2019 through 1/13/2020

Motion to approve the Budget Adjustments Approved by Budget Officer 12/31/2019 through 1/13/2020 was adopted.

(A copy of the report is filed in Exhibit Drawer C, Exhibit No.3, which is hereby referred to and made a part of these minutes.)

20. [ID 20-0054](#) Motion to Approve the Minutes of the Regular Meeting of December 17, 2019

Motion to approve the minutes of the Regular Meeting of December 17, 2019 was adopted.

## **II. PUBLIC HEARING AGENDA**

21. [ID 20-0002](#) Ordinance Amending Chapter 30 of the Land Development Ordinance (LDO) With Respect to Zoning, Planning and Development - Permitted Uses in the Neighborhood Support (NS) Zoning District with Additional Use Standards, Including Hours Of Operation and Maximum Size

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #21/ID 20-0002 an Ordinance Amending Chapter 30 of the Land Development Ordinance (LDO) With Respect to Zoning, Planning and Development - Permitted Uses in the Neighborhood Support (NS) Zoning District with Additional Use Standards, Including Hours Of Operation and Maximum Size.

Planning Manager Mike Kirkman spoke to the High Point Road Corridor Plan; highlighted the development district; the central gateway partnership group; spoke to the recreation center restrictions on hours of operation; and stated that the Planning Board and staff had recommended approval of the text amendment.

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

Councilmember Hightower requested clarification on the indoor recreation component of the amendment; spoke to citywide coverage; and to noise requirements.

Mr. Kirkman explained the additional use standards; noise restrictions; provided usage examples per allotted square footage; and stated the property owners sought further investment potential.

**Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm, to adopt the ordinance. 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

20-007 AMENDING CHAPTER 30 (LDO) AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

(Editor's Note: Added text shown with underlines and deleted text shown with strikethroughs.)

Section 1. That Table 8-1, Permitted Uses, is hereby amended by inserting a "U" in the NS column and "30-8-10.3L" in the Standards column for the specific use labeled "All indoor recreation, except as listed below" in the Use Category Indoor Recreation.

Section 2. That Subsection (A) of Section 30-8-7.2, Indoor Recreation, is hereby amended to read as follows:

A. Typical Use Types

1. Bingo hall, billiard parlor, bowling alley, game arcade, skating rink, trampoline park, indoor mini-golf
2. Club and lodge
3. Coin operated amusement
4. Dance school
4. 5. Fortune teller, palm reader, astrologer
5. 6. Movie and other theaters
6. 7. Physical fitness center
7. 8. Shooting range
8. 9. Sports instructional school (e.g. gymnastic facility, martial arts academy, dance school, etc.)

Section 3. That Subsection (1) of Section 30-8-10.3(B), Clubs and Lodges, is hereby amended to read as follows:

1. Operations

Clubs or lodges may not be open after between the hours of 12:00 midnight and 7:00 a.m. when located adjacent to residentially zoned property.

Section 4. That Section 30-8-10.3, Recreational Uses, is hereby amended by adding a new Subsection (L), Indoor Recreation, to read as follows:

L. Indoor Recreation

Indoor recreation uses, except Physical Fitness Centers, Sports Instructional Schools, in NS districts are subject to the following standards:

1. No individual indoor recreation use may exceed 30,000 square feet in gross floor area.
2. Indoor recreation uses may not be open between the hours of 12:00 midnight and 7:00 a.m. when located adjacent to residentially zoned property.

Section 5. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 6. This ordinance shall become effective upon date of adoption.

(Signed) Marikay Abuzuaiter

**22. [ID 20-0003](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 5594-5598 Garden Village Way and a Portion of Garden Village Way - 1.725-Acres (Triad Real Estate Exploration, LLC)**

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #22/ID 20-0003 an Ordinance Annexing Territory into the Corporate Limits for Property Located at 5594-5598 Garden Village Way and a Portion of Garden Village Way - 1.725-Acres (Triad Real Estate Exploration, LLC), item #23/ID 20-0027 an Ordinance for Original Zoning at 5594 and 5598 Garden Village Way, Generally Described as Northwest of Garden Village Way and Northeast of Old Oak Ridge Road - Thomas E. Terrell, Jr. on behalf of Leoterra Development, Inc. for Triad Real Estate Exploration, LLC, and item #24/ID 20-0028 an Ordinance for Original Zoning for Portion of Garden Village Way Right of Way, Generally Described as the Eastern Right of Way Line of Old Oak Ridge Road Extending Eastward Approximately 500 Feet - City of Greensboro.

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

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

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

20-008 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 5594-5598 GARDEN VILLAGE WAY – 1.725-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 in the existing Greensboro city limits (as of September 30, 2019), said point being the western corner of Lot 3 of Recombination Plat for Lot #2 & Lot #3, New Garden Village, as recorded at Plat Book 196, Page 79; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the southwestern line of Lot 3 S 63° 02' 17" E 72.34 feet to a new iron pipe; thence with the southwestern line of Lot 3 S 69° 49' 38" E 147.73 feet to a new iron pipe at the southern corner of Lot 3; thence continuing S 69° 49' 38" E approximately 50 feet, crossing Garden Village Way (private street), to a point on the northwestern line of Lot 6 of New Garden Village, Section 1, as recorded at Plat Book 148, Page 69; thence in a southwesterly direction with the southeastern right-of-way line of Garden Village Way approximately 500 feet to the westernmost corner of Lot 19 as shown on Unified Development Plan for New Garden Village Lot 19, as recorded at Plat Book 182, Page 103; THENCE DEPARTING FROM THE EXISTING CITY LIMITS, crossing Garden Village Way, N 29° 11' 32" W 70.50 feet to the southernmost corner of Lot 1 of New Garden Village, Section 1; thence with the southwestern line of Lot 1 N 29° 11' 32" W 131.25 feet to the westernmost corner of Lot 1; thence with the northwestern line of Lot 1 N 29° 38' 04" E 93.21 feet to a right-of-way monument; thence with said northwestern line and the northwestern line of Lot 2 of said Recombination Plat N 22° 03' 40" E 225.37 feet to a right-of-way monument; thence with the northwestern line of Lot 2 N 25° 27' 40" E 31.50 feet to the point and place of BEGINNING, and containing approximately 2.35 acres, of which approximately 1.725 acres is outside the private street. All plats 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 21, 2020, the liability for municipal taxes for the 2019-2020 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, 2020. Municipal ad valorem taxes for the 2020-2021 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.

(Signed) Yvonne Johnson

- 23.** [ID 20-0027](#) Ordinance for Original Zoning at 5594 and 5598 Garden Village Way, Generally Described as Northwest of Garden Village Way and Northeast of Old Oak Ridge Road - Thomas E. Terrell, Jr. on behalf of Leoterra Development, Inc. for Triad Real Estate Exploration, LLC

**Moved by Councilmember Thurm, seconded by Councilmember Hightower, to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for the property located at 5594 and 5598 Garden Village Way from County CU-PD-M (Conditional Use – Planned Development - Mixed) to City CD-LI (Conditional District – Light Industrial) to be consistent with the adopted Connections 2025 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 Growth at the Fringe goal to support development at the fringe that follows a sound, sustainable pattern of land use, and provides for efficient provision of public services and facilities as the City expands; the request is also consistent with the Economic Development Goal to promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community; and the CD-LI zoning district, as requested, would allow uses consistent with the general pattern of land uses in the surrounding area. The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzwaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

20-009 AMENDING OFFICIAL ZONING MAP 5594 AND 5598 GARDEN VILLAGE WAY, GENERALLY DESCRIBED AS NORTHWEST OF GARDEN VILLAGE WAY AND NORTHEAST OF OLD OAK RIDGE 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 CU-PD-M (Conditional Use Planned Development Mixed) to City CD-LI (Conditional District Light Industrial).

The area is described as follows:

BEGINNING at a point in the existing Greensboro city limits (as of September 30, 2019), said point being the western corner of Lot 3 of Recombination Plat for Lot #2 & Lot #3, New Garden Village, as recorded at Plat Book 196, Page 79; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the southwestern line of Lot 3 S 63° 02' 17" E 72.34 feet to a new iron pipe; thence with the southwestern line of Lot 3 S 69° 49' 38" E 147.73 feet to a new iron pipe at the southern corner of Lot 3; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the northwestern right-of-way line of Garden Village Way (private street) S 18° 22' 13" W 44.87 feet to a point; thence continuing with said right-of-way line 118.41 feet along a curve to the right with a radius of 415.00 feet and a chord bearing of S 26° 34' 20" W to the easternmost corner of Lot 1 of New Garden Village, Section 1, as recorded at Plat Book 148, Page 69; thence continuing with said right-of-way line 73.27 feet along a curve to the right with a radius of 415.00 feet and a chord bearing of S 39° 50' 19" W to a point; thence continuing with said right-of-way line S 50° 23' 02" W 147.90 feet to a point; thence continuing with said right-of-way line S 47° 53' 23" W 74.71 feet to the southernmost corner of said Lot 1; thence with the southwestern line of Lot 1 N 29° 11' 32" W 131.25 feet to the westernmost corner of Lot 1; thence with the northwestern line of Lot 1 N 29° 38' 04" E 93.21 feet to a right-of-way monument; thence with said northwestern line and the northwestern line of Lot 2 of said Recombination Plat N 22° 03' 40" E 225.37 feet to a right-of-way monument; thence with the northwestern line of Lot 2 N 25° 27' 40" E 31.50 feet to the point and place of BEGINNING, and containing 1.725 acres.

All plats referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. That the zoning amendment from County CU-PD-M (Conditional Use Planned Development Mixed) to City CD-LI (Conditional District Light Industrial) is hereby authorized subject to the following use limitations and conditions:



1. All uses allowed in the LI zoning district except the following: manufactured home sales, truck stops, laundry and dry cleaning plants, car washes, sheet metal shops, tractor trailer leasing and service, welding, machine and tool repair shops, and convenience stores with or without fuel pumps.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-LI (Conditional District Light Industrial) 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 January 21, 2020.

(Signed) Tammi Thurm

24. [ID 20-0028](#) Ordinance for Original Zoning for Portion of Garden Village Way Right of Way, Generally Described as the Eastern Right of Way Line of Old Oak Ridge Road Extending Eastward Approximately 500 Feet - City of Greensboro

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter, to adopt the ordinance and stated that the Greensboro City Council believed that its action to recommend approval of the original zoning request, for a portion of Garden Village Way, generally described as Garden Village Way from the eastern right-of-way line of Old Oak Ridge Road extending eastward approximately 500 feet, from County CU-PD-M (Conditional Use – Planned Development - Mixed) to City LI (Light Industrial) to be consistent with the adopted Connections 2025 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 Growth at the Fringe goal to promote sound and sustainable patterns of land use at the City’s fringe; the request is consistent with the Community Facilities goal to provide community facilities, services, and infrastructure in a cost-effective manner to meet citizens’ needs, contribute to quality of life, and support desired land use patterns; and the proposed LI zoning district will permit supporting uses to both existing and planned large scale distribution centers in the surrounding area. 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

20-010 AMENDING OFFICIAL ZONING MAP - PORTION OF GARDEN VILLAGE WAY RIGHT OF WAY, GENERALLY DESCRIBED AS THE EASTERN RIGHT OF WAY LINE OF OLD OAK RIDGE ROAD EXTENDING EASTWARD APPROXIMATELY 500 FEET.

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 CU-PD-M (Conditional Use Planned Development Mixed) to City LI (Light Industrial).

The area is described as follows:

BEGINNING at a point in the existing Greensboro city limits (as of September 30, 2019), said point being the southern corner of Lot 3 of Recombination Plat for Lot #2 & Lot #3, New Garden Village, as recorded at Plat Book 196, Page 79; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the northwestern right-of-way line of Garden Village Way (private street) S 18° 22' 13" W 44.87 feet to a point; thence continuing with said right-of-way line 118.41 feet along a curve to the right with a radius of 415.00 feet and a chord bearing of S 26° 34' 20" W to the easternmost corner of Lot 1 of New Garden Village, Section 1, as recorded at Plat Book 148, Page 69; thence continuing with said right-of-way line 73.27 feet along a curve to the right with a radius of 415.00 feet and a chord bearing of S 39° 50' 19" W to a point; thence continuing with said right-of-way line S 50° 23' 02" W 147.90 feet to a point; thence continuing with said right-of-way line S 47° 53' 23" W 74.71 feet to the southernmost corner of said Lot 1; thence crossing Garden Village Way S 29° 11' 32" E 70.50 feet to the westernmost corner of Lot 19 as shown on the Unified Development Plan for New Garden Village Lot 19, as recorded at Plat Book 182, Page 103, a point in the existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northeasterly direction with the southeastern right-of-way line of Garden Village Way approximately 500 feet to a point on the northwestern line of Lot 6 of New Garden Village, Section 1; thence N 69° 49' 38" W approximately 50 feet to the point and place of BEGINNING, and containing approximately 0.63 acres.

All plats 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 LI (Light Industrial) 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 January 21, 2020.

(Signed) Yvonne Johnson

**25. [ID 20-0004](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 3819 Edgewood Terrace Road - .464 Acres (Robertson's Home Builders & Remodelers, Inc.)**

Mayor Vaughan stated this was the time and place set for a public hearing to consider item # 25/ID 20-0004 an Ordinance Annexing Territory into the Corporate Limits for Property Located at 3819 Edgewood Terrace Road - .464 Acres (Robertson's Home Builders & Remodelers, Inc.); and item #26/ID 20-0026 an Ordinance for Original Zoning Located at 3819 Edgewood Terrace Road - Adam Blane Robertson for Robertson's Home Builders & Remodelers, Inc.

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.

Councilmember Hightower asked for clarification on the number of houses to be built on the property.

Mr. Kirkman explained the applicant's request was for one residence.

Speaking in favor of the rezoning:

Adam Robertson referred to easement compliance; sewer services; current well and sewer access; and spoke to the current water services available to the next homeowner.

Speaking in opposition to the rezoning:

Judith Hellier voiced concerns with additional traffic; the notification letter; heavy equipment; property damages and values; and accountability.

Discussion ensued regarding Ms. Hellier's location in relation to the proposed rezone property; scope of property damage; zoning designation; residences to be built; and the type of zoning requested.

In rebuttal in favor to the rezoning:

Mr. Robertson reiterated the intention to only build a single family residence on 1/2 acre; and spoke to the need to move.

Discussion took place to clarify the zoning designation.

In rebuttal in opposition to the rezoning:

Ms. Hellier expressed concern regarding the annexation; and adherence to the speed limit.

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

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer C, Exhibit No.3, which is hereby referred to and made a part of these minutes.)

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

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

20-011 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 3819 EDGEWOOD TERRACE ROAD – .464 -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 in the existing Greensboro city limits (as of September 30, 2019), said point being the northwest corner of Lot 194 of Sharpe Acres, Section 3, as recorded at Plat Book 30, Page 16 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the northern line of said Lot 194 S 85° 46' E 180.06 feet to the northeast corner of said Lot 194, a point on the western right-of-way line of Edgewood Terrace Road; thence S 03° 18' 30" W 113 feet with said right-of-way line to the southeast corner of said Lot 194; thence with the southern line of Lot 194 N 85° 46' W 178.40 feet to the southwest corner of Lot 194, said corner being on the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the western line of Lot 194 N 02° 27' 30" E 113.01 feet to the point and place of BEGINNING, being all of said Lot 194 and containing approximately 0.464 acres.

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 21, 2020, the liability for municipal taxes for the 2019-2020 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, 2020. Municipal ad valorem taxes for the 2020-2021 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.

(Signed) Sharon Hightower

- 26. [ID 20-0026](#) Ordinance for Original Zoning Located at 3819 Edgewood Terrace Road - Adam Blane Robertson for Robertson’s Home Builders & Remodelers, Inc.

**Moved by Councilmember Hightower, seconded by Councilmember Thurm, to adopt the ordinance and stated that the Greensboro City Council believed that its action to recommend approval of the zoning amendment, for the property located at 3819 Edgewood Terrace Road from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family - 3) to be consistent with the adopted Connections 2025 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 Growth at the Fringe goal to provide a development framework for the fringe that guides sound, sustainable patterns of land use and provides for efficient provision of public services and facilities as the City expands; the request is consistent with the Comprehensive Plan’s Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities; and the proposed City R-3 district request permits uses consistent with the general pattern of land uses in the surrounding area. 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

20-012 AMENDING OFFICIAL ZONING MAP - 3819 EDGEWOOD TERRACE ROAD, GENERALLY DESCRIBED AS WEST OF EDGEWOOD TERRACE ROAD AND EDGEWOOD DRIVE

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-40 (Residential Single Family) to City R-3 (Residential Single Family - 3).

The area is described as follows:

BEGINNING at a point in the existing Greensboro city limits (as of September 30, 2019), said point being the northwest corner of Lot 194 of Sharpe Acres, Section 3, as recorded at Plat Book 30, Page 16 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the northern line of said Lot 194 S 85° 46’ E 180.06 feet to the northeast corner of said Lot 194, a point on the western right-of-way line of Edgewood Terrace Road; thence S 03° 18’ 30” W 113 feet with said right-of-way line to the southeast corner of said Lot 194; thence with the southern line of Lot 194 N 85° 46’ W 178.40 feet to the

southwest corner of Lot 194, said corner being on the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the western line of Lot 194 N 02° 27' 30" E 113.01 feet to the point and place of BEGINNING, being all of said Lot 194 and containing approximately 0.464 acres.

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 January 21, 2020.

(Signed) Sharon Hightower

**27. [ID 20-0029](#) Ordinance for Rezoning at 2424 and 2428 West Florida Street - Keramatolla Lashani and Junji Yokota**

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #27/ID 20-0029 an Ordinance for Rezoning at 2424 and 2428 West Florida Street - Keramatolla Lashani and Junji Yokota.

Mr. Kirkman made a 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:

Junji Yokota spoke to a motor vehicle state inspection station for cars and trucks.

Discussion ensued regarding the scope of the applicant's business; conditions in the zoning request; the Comprehensive Plan; neighborhood impact; standard buffers; permissible land use; high intensity area; and consistency in the zoning scheme.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter, to close the public hearing. The motion carried by voice vote.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer C, Exhibit No.3, which is hereby referred to and made a part of these minutes.)

**Moved by Councilmember Hightower, seconded by Councilmember Kennedy, to deny the ordinance and stated that the Greensboro City Council believed that its action to deny the zoning amendment, for the property located at 2424 and 2428 West Florida Street from R-5 (Residential Single-family - 5) and C-M (Commercial – Medium) to CD-C-M (Conditional District – Commercial – Medium) to be inconsistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is inconsistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; the request is inconsistent with the Economic Development goal to promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community; and the CD-C-M zoning district, as requested, would allow uses that are inconsistent with the general pattern of land uses in the surrounding**

**area. The motion carried on the following roll call vote:**

- Ayes,** 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy and Tammi Thurm
- Nays,** 1 - Justin Outling
- Absent,** 1 - Goldie F. Wells

**28. [ID 20-0077](#) Order Authorizing \$57,000,000 General Obligation Refunding Bonds**

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #28/ID 20-0077 an Order Authorizing \$57,000,000 General Obligation Refunding Bonds; item #29/ID 20-0078 a Resolution Providing for the Sale and Issuance of Not to Exceed \$14,000,000 Taxable General Obligation Housing and Refunding Bonds, Series 2020A; item #30/ID 20-0080 a Resolution Providing for the Sale and Issuance of Not to Exceed \$30,000,000 General Obligation Refunding Bonds, Series 2020C; item #31/ID 20-0081 a Resolution Providing for the Sale and Issuance of Not to Exceed \$21,000,000 General Obligation Refunding Bonds, Series 2020D; item #32/ID 20-0079 a Resolution Providing for the Sale and Issuance of Not to Exceed \$42,000,000 General Obligation Public Improvement Bonds, Series 2020B; and item #33/ID 20-0076 a Resolution Approving and Authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Second Supplemental Trust Agreement, a First Supplement and Amendment to Deed of Trust and Related Documents in Connection with the Financing of New Firefighting Facilities.

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

**Moved by Councilmember Hoffmann, seconded by Councilmember Abuzuaite, to adopt the order. The motion carried on the following roll call vote:**

- Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Tammi Thurm
- Absent,** 1 - Goldie F. Wells

018-20 Order Authorizing \$57,000,000 General Obligation Refunding Bonds

The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on January 21, 2020.

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

Absent: Council Members

Also Present:

\* \* \* \* \*

The Mayor announced that this was the hour and day fixed by the City Council for the public hearing upon the bond order entitled "ORDER AUTHORIZING \$57,000,000 GENERAL OBLIGATION REFUNDING BONDS" and that the City Council would immediately hear anyone who might wish to be heard on the questions of the validity of said bond order or the advisability of issuing said bonds.

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

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

Thereupon, upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the order introduced and adopted on first reading on December 17, 2019, entitled "ORDER AUTHORIZING \$57,000,000 GENERAL OBLIGATION REFUNDING BONDS" was read a second time and placed upon its final adoption. The vote upon the final adoption of said order was:

Ayes:

Noes:

The City Clerk was thereupon directed to publish the aforementioned order, together with the appended statement as required by The Local Government Bond Act, as amended, once in the News & Record.

\* \* \* \* \*

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 January 21, 2020, as it relates in any way to (a) the holding of a public hearing and the adoption of the foregoing bond order authorizing general obligation refunding bonds of said City and (b) the adoption of the foregoing resolutions authorizing the sale and issuance of general obligation bonds of said City, and that said proceedings are to be recorded in the minutes of said City Council.

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

WITNESS my hand and the official seal of said City this 21st day of January, 2020.

City Clerk  
[SEAL]

EXHIBIT A

[A list of any persons making comments and a summary of such comments to be attached. If no comments are made, please insert "None".]

(Signed) Nancy Hoffmann

**29. [ID 20-0078](#) Resolution Providing for the Sale and Issuance of Not to Exceed \$14,000,000 Taxable General Obligation Housing and Refunding Bonds, Series 2020A**

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

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

**Absent,** 1 - Goldie F. Wells

019-20 Resolution Providing for the Sale and Issuance of Not to Exceed \$14,000,000 Taxable General Obligation Housing and Refunding Bonds, Series 2020A

The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on January 21, 2020.

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

Absent: Council Members

Also Present:

\* \* \* \* \*

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

**RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$14,000,000 TAXABLE GENERAL OBLIGATION HOUSING AND REFUNDING BONDS, SERIES 2020A**

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

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

- (a) An order authorizing \$25,000,000 Housing Bonds (the "Housing Bonds") was adopted by the City Council of the City on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016. \$10,400,000 of the Housing Bonds have heretofore been issued by the City.
- (b) An order authorizing \$57,000,000 General Obligation Refunding Bonds (the "Refunding Bonds") was adopted by the City Council of the City on January 21, 2020, which order has taken effect.
- (c) No notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds and it is necessary to issue not to exceed \$8,000,000 of the Housing Bonds and not to exceed \$6,000,000 of the Refunding Bonds at this time.
- (d) The maximum period of usefulness of the housing facilities improvements to be provided with the proceeds of said bonds is estimated as a period of forty (40) years from March 3, 2020, the date of the bonds authorized hereby, and that such period expires on March 3, 2060.
- (e) The shortest period of time in which the outstanding General Obligation Housing and Redevelopment Bonds, Series 1998 - Taxable (the "1998 Bonds") of said City, dated March 3, 1998, to be refunded by said bonds can be finally paid without making it unduly burdensome on the taxpayers of the City as determined by the Local Government Commission of North Carolina (the "Commission") is a period which expires on April 1, 2022, and that the end of the unexpired period of usefulness of the housing and redevelopment facilities improvements financed by the 1998 Bonds is estimated as a period of at least forty (40) years from March 3, 1998, the date of the 1998 Bonds, and that such period expires on March 3, 2038.
- (f) It is in the best interest of the City to consolidate said bonds for the purposes of sale into a single issue of bonds designated "General Obligation Taxable Housing and Refunding Bonds, Series 2020A" (the "Bonds").

Section 2. Pursuant to said order, the City shall issue the Bonds in the aggregate principal amount of not to exceed \$14,000,000, and the Bonds shall be dated the date of delivery thereof. The Bonds shall be stated to mature annually on April 1 in the years and amounts determined by the Local Government Commission of North Carolina (the "Commission") and approved by the City; provided, however, that the aggregate principal amount of the Bonds shall not exceed \$14,000,000 and the final maturity of the Bonds shall not exceed April 1, 2024. The Bonds shall bear interest at a rate or rates to be determined by the Commission at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each April 1 and October 1, beginning October 1, 2020, until payment of such principal sum. The final aggregate principal amount of the Bonds and the principal amount of each maturity of the Bonds shall be evidenced by a certificate of the Finance Director of the City executed and delivered on or before the date of issuance of the Bonds, and the final aggregate principal amount of the Bonds and the final principal amount of each maturity of the Bonds shall also be set forth in the Final Official Statement (hereinafter defined).

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an interest payment date, in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from



its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

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

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

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

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

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

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

In case any officer of the City or the Commission whose manual or facsimile signature shall appear on any Bonds

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

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

The Bonds and the endorsements thereon shall be in substantially the following form:

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

No. RA-\_\_ \$\_\_\_\_\_

United States of America  
State of North Carolina  
County of Guilford  
CITY OF GREENSBORO  
TAXABLE GENERAL OBLIGATION HOUSING AND REFUNDING BOND  
SERIES 2020A  
Maturity Date      Interest Rate      CUSIP No.  
April 1, 20\_\_      \_\_\_\_% \_\_\_\_\_

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

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said City (the "Bond Registrar"), in Greensboro, North Carolina, the principal sum of \_\_\_\_\_ DOLLARS and to pay interest on such principal sum from the date hereof or from April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is April 1 or October 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each April 1 and October 1, beginning October 1, 2020, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on the bond registration books of said City; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "Taxable General Obligation Housing and Refunding Bonds, Series 2020A" (the "Bonds") and issued by said City for the purpose of providing funds, together with any other available funds, to finance various housing projects and to refund certain outstanding general obligation bonds of said City. The Bonds are issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, orders adopted by the City Council of said City, which orders have taken effect, and a resolution duly adopted by said City Council (the "Resolution").

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

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

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

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

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

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

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

IN WITNESS WHEREOF, the City of Greensboro, North Carolina, by resolution duly adopted by its City Council, has caused this bond to be manually signed by the [Mayor] [Mayor Pro Tem] and the [Deputy] City Clerk of said City and its official seal to be impressed hereon, all as of the \_\_\_\_ day of March, 2020.

[Do not sign]

[Mayor] [Mayor Pro Tem]  
[SEAL]  
[Do not sign]  
[Deputy] City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

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

[Do not sign]  
[Deputy] Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

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

[Do not sign]  
Finance Director, as Bond Registrar  
Date of authentication: \_\_\_\_\_

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints, attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

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

In the presence of:

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

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

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

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

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

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

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

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

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

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

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

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

(a) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information to be included under the headings "THE CITY - Debt Information and - Tax Information" (excluding any information on overlapping units) in Appendix A to the Final Official Statement and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above.

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

(1) principal and interest payment delinquencies;

- (2) non-payment related defaults, if material;
  - (3) unscheduled draws on debt service reserves reflecting financial difficulties;
  - (4) unscheduled draws on credit enhancements reflecting financial difficulties;
  - (5) substitution of credit or liquidity providers, or their failure to perform;
  - (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
  - (7) modification to the rights of the beneficial owners of the Bonds, if material;
  - (8) bond calls, if material, and tender offers;
  - (9) defeasances;
  - (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
  - (11) rating changes;
  - (12) bankruptcy, insolvency, receivership or similar event of the City;
  - (13) the consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
  - (14) appointment of a trustee or a successor or additional trustee or the change of name of a trustee, if material;
  - (15) incurrence of a financial obligation (as defined below) of the City, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation of the City, any of which affect beneficial owners of the Bonds, if material; and
  - (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the City, any of which reflect financial difficulties; and
- (d) in a timely manner, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

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

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

For the purposes of this Section, "financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12").

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

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

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

resolution may be amended from time to time, at the time of such amendment.

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

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

Section 8. Subject to the next succeeding sentence, the City hereby determines to refund all of the outstanding 1998 Bonds maturing on April 1, 2022 (the "Refunded Bonds"). If, on or prior to the sale date of the Bonds, the Finance Director of the City shall determine that it is in the best economic interests of the City not to refund all or any portion of the Refunded Bonds, the Finance Director is hereby authorized to make changes in the amounts and maturities of such Refunded Bonds to be refunded.

Subject to the issuance of the Bonds to refund the Refunded Bonds in accordance with this Section, all of the Refunded Bonds are hereby called for redemption on March 4, 2020 at a redemption price equal to 100% of the principal amount of such Refunded Bonds, all in the manner provided in the 1998 Bonds and the resolution authorizing the issuance of the 1998 Bonds. The Finance Director is hereby authorized and directed to provide a notice of such redemption at the time and in the manner set forth in the 1998 Bonds and the resolution authorizing the issuance of the 1998 Bonds.

Section 9. The Mayor, the Mayor Pro Tem, the City Manager, the City Attorney, the Finance Director and the City Clerk or any deputy or assistant City Clerk of the City are hereby authorized and directed to execute and deliver such closing and other documents and take such other actions as may be necessary for the purpose of facilitating the sale and issuance of the Bonds and the refunding of the Refunded Bonds in a manner consistent with the terms of this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and the Bonds.

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

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

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$14,000,000 TAXABLE GENERAL OBLIGATION HOUSING AND REFUNDING BONDS, SERIES 2020A" 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 January 21, 2020, as it relates in any way to (a) the holding of a public hearing and the adoption of the foregoing bond order authorizing general obligation refunding bonds of said City and (b) the adoption of the foregoing resolutions authorizing the sale and issuance of general obligation bonds of said City, and that said proceedings are to be recorded in the minutes of said City Council.

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

WITNESS my hand and the official seal of said City this 21st day of January, 2020.

City Clerk  
[SEAL]

(Signed) Sharon Hightower

**30. [ID 20-0080](#) Resolution Providing for the Sale and Issuance of Not to Exceed \$30,000,000 General Obligation Refunding Bonds, Series 2020C**

Councilmember Hightower inquired about the interest rate amount.

Deputy Finance Director Marlene Druga spoke to an approximate 1.7 % interest rate on the refunded portion of the bond.

**Moved by Councilmember Hoffmann, seconded by Councilmember Kennedy, 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

020-20 Resolution Providing for the Sale and Issuance of Not to Exceed \$30,000,000 General Obligation Refunding Bonds, Series 2020C

The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on January 21, 2020.

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

Absent: Council Members

Also Present:

\* \* \* \* \*

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

**RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$30,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020C**

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

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

- (a) An order authorizing \$57,000,000 General Obligation Refunding Bonds was adopted by the City Council on January 21, 2020, which order has taken effect.
- (b) None of said bonds have been issued, no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds and it is necessary to issue not to exceed \$30,000,000 of such refunding bonds at this time.
- (c) The shortest period of time in which the outstanding General Obligation Public Improvement Bonds, Series 2003B (the "2003B Bonds") of said City, dated February 19, 2003, to be refunded by said refunding bonds can be finally paid without making it unduly burdensome on the taxpayers of the City as determined by the North Carolina Local Government Commission (the "Commission") is a period which expires on February 1, 2023, and (i) the end of the unexpired usefulness of the fire station, law enforcement and library facilities projects financed by the 2003B Bonds, is estimated as a period of forty (40) years from February 19, 2003, the date of the 2003B Bonds, and that such period expires on February 19, 2043 and (ii) the end of the unexpired usefulness of the street improvement projects financed by the 2003B Bonds, is estimated as a period of twenty (20) years from February 19, 2003, the



date of the 2003B Bonds, and that such period expires on February 19, 2023.

(d) The shortest period of time in which the outstanding General Obligation Street Improvement Bonds, Series 2006 (the "2006 Bonds") of said City, dated February 9, 2006, to be refunded by said refunding bonds can be finally paid without making it unduly burdensome on the taxpayers of the City as determined by the Commission is a period which expires on February 1, 2026, and that the end of the unexpired usefulness of the street improvement projects financed by the 2006 Bonds, is estimated as a period of twenty (20) years from February 9, 2006, the date of the 2006 Bonds, and that such period expires on February 9, 2026.

(e) The shortest period of time in which the outstanding General Obligation Public Improvement Bonds, Series 2008B (the "2008B Bonds") of said City, dated February 1, 2008, to be refunded by said refunding bonds can be finally paid without making it unduly burdensome on the taxpayers of the City as determined by the Commission is a period which expires on February 1, 2028, and (i) the end of the unexpired usefulness of the fire station facilities project financed by the 2008B Bonds, is estimated as a period of forty (40) years from February 1, 2008, the date of the 2008B Bonds, and that such period expires on February 1, 2048 and (ii) the end of the unexpired usefulness of the street improvement projects financed by the 2008B Bonds, is estimated as a period of twenty (20) years from February 1, 2008, the date of the 2008B Bonds, and that such period expires on February 1, 2028.

Section 2. Pursuant to said order there shall be issued bonds in the aggregate principal amount not to exceed \$30,000,000 designated "General Obligation Refunding Bonds, Series 2020C" (the "Bonds") and dated the date of delivery thereof. The exact amount of the Bonds to be issued shall be determined by the City at the time the Bonds are sold pursuant to the Bond Purchase Agreement (hereinafter defined) as provided in Section 6 hereof and shall be an amount sufficient, together with any other available funds of the City, to (a) refund all or a portion of the Refunded Bonds (hereinafter defined) and (b) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds. Subject to the provisions of this resolution, the Bonds shall (a) mature on February 1 in such years and in such amounts and (b) bear interest at a rate or rates to be determined by the Commission, with the approval of the City, at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each February 1 and August 1, beginning August 1, 2020, until payment of such principal sum, all as shall be set forth in the Bond Purchase Agreement and the Final Official Statement (hereinafter defined).

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

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

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

principal of and interest on the Bonds shall be made to DTC in same-day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The City shall not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

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

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

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

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

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

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

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

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

No. RC-\_\_ \$\_\_\_\_\_

United States of America  
State of North Carolina  
County of Guilford

CITY OF GREENSBORO  
GENERAL OBLIGATION REFUNDING BOND  
SERIES 2020C

Maturity Date      Interest Rate      CUSIP No.  
February 1, 20\_\_      \_\_\_\_\_%      \_\_\_\_\_

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

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said City (the "Bond Registrar"), in Greensboro, North Carolina, the principal sum of \_\_\_\_\_ DOLLARS and to pay interest on such principal sum from the date hereof or from February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is February 1 or August 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each February 1 and August 1, beginning August 1, 2020, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of said City; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Refunding Bonds, Series 2020C" (the "Bonds") and issued by said City for the purpose of providing funds, together with any other available funds, to refund certain outstanding general obligation bonds of the City. The Bonds are issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the City Council of said City, which order has taken effect, and a resolution duly adopted by said City Council (the "Resolution").

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

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

participants.

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

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

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

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

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

IN WITNESS WHEREOF, the City of Greensboro, North Carolina, by resolution duly adopted by its City Council, has caused this bond to be manually signed by the [Mayor] [Mayor Pro Tem] and the [Deputy] City Clerk of said City and its official seal to be impressed hereon, all as of the \_\_\_\_ day of March, 2020.

[Do not sign]  
[Mayor] [Mayor Pro Tem]  
[SEAL]  
[Do not sign]  
[Deputy] City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

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

[Do not sign]  
[Deputy] Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

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

[Do not sign]  
Finance Director, as Bond Registrar  
Date of authentication: \_\_\_\_\_

ASSIGNMENT FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints, attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

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

In the presence of:

\_\_\_\_\_

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

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

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

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

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

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

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

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

another Bond Registrar, and as such shall keep at his office in the City, the books of the City for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The City proposes to sell the Bonds to Wells Fargo Bank, National Association and Loop Capital Markets, LLC (the "Underwriters") pursuant to the provisions of a Bond Purchase Agreement, to be dated as of the date of delivery thereof (the "Bond Purchase Agreement"), among the Commission, the City and the Underwriters, at such prices determined by the Commission, subject to the approval thereof by the City. There has been presented to City Council the form of the Bond Purchase Agreement. The proposal set forth in the Bond Purchase Agreement submitted by the Underwriters offering to purchase the Bonds at the aggregate purchase price and bearing interest at the rates determined by the Commission and approved by the City as hereinafter provided, such interest rates not to result in an aggregate true interest cost in excess of 2.50% per annum is hereby approved. The final maturity of the Bonds shall not be later than February 1, 2028. The Commission is hereby requested to sell and award the Bonds to the Underwriters on behalf of the City, subject to the approval of the City, in accordance with the terms and provisions set forth in the Bond Purchase Agreement. The Mayor, the City Manager and the Finance Director of the City are each hereby authorized to approve on behalf of the City the sale of the Bonds to the Underwriters at such interest rates, for such purchase price and upon such terms and conditions as the Mayor, the City Manager and the Finance Director of the City determine, subject to the provisions of this resolution. The Mayor, the City Manager and the Finance Director of the City are each hereby authorized and directed in the name and on behalf of the City to execute and deliver the Bond Purchase Agreement in substantially the form presented at this meeting, together with such modifications as the Mayor, the City Manager or the Finance Director of the City, with the advice of counsel, may deem necessary and appropriate, such execution and delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 7. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the Bonds will not be included in gross income of the owners of the Bonds for purposes of federal income tax.

Section 8. All actions of the Mayor, the City Manager, the Finance Director and the City Clerk of the City in applying to the Commission to sell the Bonds to the Underwriters are hereby authorized, ratified and approved, and the Commission is hereby requested to sell the Bonds to the Underwriters by private sale. The Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the sale of the Bonds, in substantially the form presented at this meeting, and the distribution and use thereof by the Underwriters in connection with the offering and sale of the Bonds, is hereby authorized and approved. The City hereby authorizes and consents to the preparation and distribution of a final Official Statement (the "Final Official Statement"), in substantially the form of the Preliminary Official Statement, together with such changes as are necessary to reflect the final terms of the Bonds and such other modifications as Mayor, the City Manager or the Finance Director, with the advice of counsel, may deem necessary and appropriate, the delivery of the Final Official Statement to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 9. The City hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking City Council (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information to be included under the headings "THE CITY - Debt Information and - Tax Information"

(excluding any information on overlapping units) in Appendix A to the Final Official Statement and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above.

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

- (1) principal and interest payment delinquencies;
  - (2) non-payment related defaults, if material;
  - (3) unscheduled draws on debt service reserves reflecting financial difficulties;
  - (4) unscheduled draws on credit enhancements reflecting financial difficulties;
  - (5) substitution of credit or liquidity providers, or their failure to perform;
  - (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
  - (7) modification to the rights of the beneficial owners of the Bonds, if material;
  - (8) bond calls, if material, and tender offers;
  - (9) defeasances;
  - (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
  - (11) rating changes;
  - (12) bankruptcy, insolvency, receivership or similar event of the City;
  - (13) the consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
  - (14) appointment of a trustee or a successor or additional trustee or the change of name of a trustee, if material;
  - (15) incurrence of a financial obligation (as defined below) of the City, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation of the City, any of which affect beneficial owners of the Bonds, if material; and
  - (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the City, any of which reflect financial difficulties; and
- (d) in a timely manner, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

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

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

For the purposes of this Section, "financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12").

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

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

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the City;
- (b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the Final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interests of the beneficial owners of the Bonds, as determined either by parties unaffiliated with the City (such as bond counsel), or by the approving vote of the

registered owners of a majority in principal amount of the Bonds pursuant to the terms of this resolution, as this resolution may be amended from time to time, at the time of such amendment.

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

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

Section 10. Subject to the next succeeding sentence, the City hereby determines to refund (a) all of the outstanding 2003B Bonds maturing on February 1, 2021 to 2023, inclusive (the "2003B Refunded Bonds"), (b) all of the outstanding 2006 Bonds maturing on February 1, 2026 (the "2006 Refunded Bonds") and (c) all of the outstanding 2008B Bonds maturing on February 1, 2028 (the "2008B Refunded Bonds" and, together with the 2003B Refunded Bonds and the 2006 Refunded Bonds, the "Refunded Bonds"). If, on the date of sale of the Bonds, the Finance Director of the City shall determine that it is in the best economic interests of the City not to refund all or any portion of the Refunded Bonds, the Finance Director is hereby authorized to make changes in the amounts and maturities of such Refunded Bonds to be refunded, such changes to be set forth in a certificate executed and delivered by the Finance Director of the City on the date of issuance of the Bonds.

Subject to the refunding of the Refunded Bonds as provided above, the Refunded Bonds are hereby called for redemption on April 1, 2020 in accordance with the respective provisions of the Refunded Bonds, the resolutions authorizing the issuance of the Refunded Bonds and this resolution. The Finance Director of the City, as bond registrar and paying agent for the Refunded Bonds, is hereby directed to provide notices of such redemption at the times and in the manner set forth in the Refunded Bonds and the resolutions authorizing the issuance of the Refunded Bonds.

Section 11. The Mayor, the Mayor Pro Tem, the City Manager, the City Attorney, the Finance Director and the City Clerk or any deputy or assistant City Clerk of the City are hereby authorized and directed to execute and deliver such closing and other documents and to take such other actions as may be necessary or appropriate for the purpose of facilitating the sale and issuance of the Bonds and the redemption of the Refunded Bonds in a manner consistent with the terms of this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and the Bonds.

Section 12. This resolution shall take effect upon its adoption.

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

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$30,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020C" 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 January 21, 2020, as it relates in any way to (a) the holding of a public hearing and the adoption of the foregoing bond order authorizing general obligation refunding bonds of said City and (b) the adoption of the foregoing resolutions authorizing the sale and issuance of general obligation bonds of said City, and that said proceedings are to be recorded in the minutes of said City Council.

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



Carolina law.

WITNESS my hand and the official seal of said City this 21st day of January, 2020.

City Clerk

[SEAL]

(Signed) Nancy Hoffmann

**31. [ID 20-0081](#) Resolution Providing for the Sale and Issuance of Not to Exceed \$21,000,000 General Obligation Refunding Bonds, Series 2020D**

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

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

**Absent,** 1 - Goldie F. Wells

021-20 Resolution Providing for the Sale and Issuance of Not to Exceed \$21,000,000 General Obligation Refunding Bonds, Series 2020D

The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on January 21, 2020.

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

Absent: Council Members

Also Present:

\* \* \* \* \*

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

**RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$21,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020D**

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

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

(a) An order authorizing \$57,000,000 General Obligation Refunding Bonds was adopted by the City Council on January 21, 2020, which order has taken effect.

(b) None of said bonds have been issued, no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds and it is necessary to issue not to exceed \$21,000,000 of such refunding bonds at this time.

(c) The shortest period of time in which the outstanding General Obligation Public Improvement Bonds, Series 2010B (Federally Taxable Direct Subsidy Build America Bonds) (the "2010B Bonds") of said City, dated November 2, 2010, to be refunded by said refunding bonds can be finally paid without making it unduly burdensome on the taxpayers of the City as determined by the North Carolina Local Government Commission (the "Commission") is a period which expires on October 1, 2030, and (i) the end of the unexpired usefulness of the parks and recreation, library, fire station and natural science center projects financed by the 2010B Bonds, is estimated as a period of forty (40) years from November 2, 2010, the date of the 2010B Bonds, and that such period expires on November 2, 2050 and (ii) the end of the unexpired usefulness of the streets and public transportation system projects financed by the 2010B Bonds, is estimated as a period of twenty (20) years from November 2, 2010, the date of the 2010B

Bonds, and that such period expires on November 2, 2030.

Section 2. Pursuant to said order there shall be issued bonds in the aggregate principal amount not to exceed \$21,000,000 designated "General Obligation Refunding Bonds, Series 2020D" (the "Bonds") and dated the date of delivery thereof. The exact amount of the Bonds to be issued shall be determined by the City at the time the Bonds are sold pursuant to the Bond Purchase Agreement (hereinafter defined) as provided in Section 6 hereof and shall be an amount sufficient, together with any other available funds of the City, to (a) refund all or a portion of the Refunded Bonds (hereinafter defined) and (b) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds. Subject to the provisions of this resolution, the Bonds shall (a) mature on October 1 in such years and in such amounts and (b) bear interest at a rate or rates to be determined by the Commission, with the approval of the City, at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each April 1 and October 1, beginning October 1, 2020, until payment of such principal sum, all as shall be set forth in the Bond Purchase Agreement and the Final Official Statement (hereinafter defined).

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

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

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

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City identifies another qualified securities depository to replace DTC, the City will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or

its nominee. If the City fails to identify another qualified securities depository to replace DTC, the City shall deliver replacement Bonds in the form of fully-registered certificates in denominations of \$5,000 or any whole multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the City may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

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

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

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

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

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

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

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

No. RD-\_\_ \$\_\_\_\_\_

United States of America  
State of North Carolina  
County of Guilford  
CITY OF GREENSBORO  
GENERAL OBLIGATION REFUNDING BOND  
SERIES 2020D  
Maturity Date    Interest Rate    CUSIP No.  
October 1, 20\_\_    \_\_\_\_% \_\_\_\_\_

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

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said City (the "Bond Registrar"), in Greensboro, North Carolina, the principal sum of \_\_\_\_\_ DOLLARS and to pay interest on such principal sum from the date hereof or from February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is April 1 or October 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each April 1 and October 1, beginning October 1, 2020, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of said City; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Refunding Bonds, Series 2020D" (the "Bonds") and issued by said City for the purpose of providing funds, together with any other available funds, to refund certain outstanding general obligation bonds of the City. The Bonds are issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the City Council of said City, which order has taken effect, and a resolution duly adopted by said City Council (the "Resolution").

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

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

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

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

The Bond Registrar shall keep at his office the books of said City for the registration of transfer of Bonds. The transfer of this bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new Bond or Bonds, registered in

the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the principal amount of this bond, of the same maturity and bearing interest at the same rate.

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

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

IN WITNESS WHEREOF, the City of Greensboro, North Carolina, by resolution duly adopted by its City Council, has caused this bond to be manually signed by the [Mayor] [Mayor Pro Tem] and the [Deputy] City Clerk of said City and its official seal to be impressed hereon, all as of the \_\_\_\_ day of July, 2020.

[Do not sign]  
[Mayor] [Mayor Pro Tem]  
[SEAL]  
[Do not sign]  
[Deputy] City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

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

[Do not sign]  
[Deputy] Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

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

[Do not sign]  
Finance Director, as Bond Registrar  
Date of authentication: \_\_\_\_\_

ASSIGNMENT FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints, attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

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

In the presence of:

\_\_\_\_\_

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

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

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

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

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

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

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

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

Section 6. The City proposes to sell the Bonds to Wells Fargo Bank, National Association and Loop Capital Markets, LLC (the "Underwriters") pursuant to the provisions of a Forward Delivery Bond Purchase Agreement, to be dated as of the date of delivery thereof (the "Bond Purchase Agreement"), among the Commission, the City and the Underwriters, at such prices determined by the Commission, subject to the approval thereof by the City. There has been presented to City Council the form of the Bond Purchase Agreement. The proposal set forth in the Bond Purchase Agreement submitted by the Underwriters offering to purchase the Bonds at the aggregate purchase price and bearing interest at the rates determined by the Commission and approved by the City as hereinafter provided, such interest rates not to result in an aggregate true interest cost in excess of 2.75% per annum is hereby approved. The final maturity of the Bonds shall not be later than October 1, 2030. The Commission is hereby requested to sell and award the Bonds to the Underwriters on behalf of the City, subject to the approval of the City, in accordance with the terms and provisions set forth in the Bond Purchase Agreement. The Mayor, the City Manager and the Finance Director of the City are each hereby authorized to approve on behalf of the City the sale of the Bonds to the Underwriters at such interest rates, for such purchase price and upon such terms and conditions as the Mayor, the City Manager and the Finance Director of the City determine, subject to the provisions of this resolution. The Mayor, the City Manager and the Finance Director of the City are each hereby authorized and

directed in the name and on behalf of the City to execute and deliver the Bond Purchase Agreement in substantially the form presented at this meeting, together with such modifications as the Mayor, the City Manager or the Finance Director of the City, with the advice of counsel, may deem necessary and appropriate, such execution and delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 7. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the Bonds will not be included in gross income of the owners of the Bonds for purposes of federal income tax.

Section 8. All actions of the Mayor, the City Manager, the Finance Director and the City Clerk of the City in applying to the Commission to sell the Bonds to the Underwriters are hereby authorized, ratified and approved, and the Commission is hereby requested to sell the Bonds to the Underwriters by private sale. The Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the sale of the Bonds, in substantially the form presented at this meeting, and the distribution and use thereof by the Underwriters in connection with the offering and sale of the Bonds, is hereby authorized and approved. The City hereby authorizes and consents to the preparation and distribution of a final Official Statement, including any updated, amended or supplemental official statement that may be delivered prior to the issuance of the Bonds (collectively, the "Final Official Statement"), in substantially the form of the Preliminary Official Statement, together with such changes as are necessary to reflect the final terms of the Bonds and such other modifications as Mayor, the City Manager or the Finance Director, with the advice of counsel, may deem necessary and appropriate, the delivery of the Final Official Statement to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 9. The City hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking City Council (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information to be included under the headings "THE CITY - Debt Information and - Tax Information" (excluding any information on overlapping units) in Appendix A to the Final Official Statement and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above.

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

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;

- (11) rating changes;
  - (12) bankruptcy, insolvency, receivership or similar event of the City;
  - (13) the consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
  - (14) appointment of a trustee or a successor or additional trustee or the change of name of a trustee, if material;
  - (15) incurrence of a financial obligation (as defined below) of the City, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation of the City, any of which affect beneficial owners of the Bonds, if material; and
  - (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the City, any of which reflect financial difficulties; and
- (d) in a timely manner, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

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

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

For the purposes of this Section, "financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12").

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

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

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

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

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

Section 10. U.S. Bank National Association is hereby selected as the escrow agent (the "Escrow Agent") in connection with the refunding of the outstanding 2010B Bonds as described in Section 11 hereof, subject to the right of the City Council to appoint another Escrow Agent as provided in the Escrow Deposit Agreement (hereinafter defined), and as such shall perform its responsibilities as provided in the Escrow Deposit Agreement. The Escrow Deposit Agreement, to be dated as of July 1, 2020, or some other mutually agreeable date (the "Escrow Deposit Agreement"), between the City and the Escrow Agent, in substantially the form presented at this meeting, and the creation of the Escrow Fund thereunder and the other arrangements to accomplish such refunding, is hereby



approved, and the Mayor, the City Manager, the Finance Director and the City Clerk or any deputy or assistant City Clerk of the City are each hereby authorized to execute and deliver the Escrow Deposit Agreement for and on behalf of the City with such modifications as the Mayor, the City Manager or the Finance Director, with the advice of counsel, deem necessary or appropriate, such execution and delivery to be conclusive evidence of the approval thereof by the City.

Section 11. Subject to the next succeeding sentence, the City hereby determines to refund all of the outstanding 2010B Bonds maturing on October 1, 2021 to 2030, inclusive (the "Refunded Bonds"). If, on the date of sale of the Bonds, the Finance Director of the City shall determine that it is in the best economic interests of the City not to refund all or any portion of the Refunded Bonds, the Finance Director is hereby authorized to make changes in the amounts and maturities of such Refunded Bonds to be refunded, such changes to be set forth in a certificate executed and delivered by the Finance Director of the City on the date of issuance of the Bonds.

Subject to the refunding of the Refunded Bonds as provided above, the Refunded Bonds are hereby called for redemption on October 1, 2020 in accordance with the provisions of the Refunded Bonds, the resolution authorizing the issuance of the Refunded Bonds, this resolution and the Escrow Deposit Agreement. The Escrow Agent hereby directed to provide notices of such redemption at the times and in the manner set forth in the Refunded Bonds, the resolution authorizing the issuance of the Refunded Bonds and the Escrow Deposit Agreement.

Section 12. The Mayor, the Mayor Pro Tem, the City Manager, the City Attorney, the Finance Director and the City Clerk or any deputy or assistant City Clerk of the City are hereby authorized and directed to execute and deliver such closing and other documents and to take such other actions as may be necessary or appropriate for the purpose of facilitating the sale and issuance of the Bonds and the redemption of the Refunded Bonds in a manner consistent with the terms of this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and the Bonds.

Section 13. This resolution shall take effect upon its adoption.  
The City Attorney then announced that he had approved the foregoing resolution as to form.

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$21,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020D" 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 January 21, 2020, as it relates in any way to (a) the holding of a public hearing and the adoption of the foregoing bond order authorizing general obligation refunding bonds of said City and (b) the adoption of the foregoing resolutions authorizing the sale and issuance of general obligation bonds of said City, and that said proceedings are to be recorded in the minutes of said City Council.

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

WITNESS my hand and the official seal of said City this 21st day of January, 2020.

City Clerk

[SEAL]

(Signed) Michelle Kennedy

**32. [ID 20-0079](#) Resolution Providing for the Sale and Issuance of Not to Exceed \$42,000,000 General Obligation Public Improvement Bonds, Series 2020B**

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Kennedy, 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

022-20 Resolution Providing for the Sale and Issuance of Not to Exceed \$42,000,000 General Obligation Public Improvement Bonds, Series 2020B

The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on January 21, 2020.

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

Absent: Council Members

Also Present:

\* \* \* \* \*

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

**RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$42,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2020B**

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

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

(a) An order authorizing \$38,500,000 Community and Economic Development Bonds (the "Community and Economic Development Bonds") was adopted by the City Council on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016. \$6,670,000 of the Community and Economic Development Bonds have heretofore been issued by the City.

(b) An order authorizing \$34,500,000 Parks and Recreation Bonds (the "Parks and Recreation Bonds") was adopted by the City Council on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016. \$10,300,000 of the Parks and Recreation Bonds have heretofore been issued by the City.

(c) An order authorizing \$28,000,000 Transportation Bonds (the "Transportation Bonds") was adopted by the City Council on August 1, 2016, which order was approved by the vote of a majority of the qualified voters of the City who voted thereon at a referendum duly called and held on November 8, 2016. \$10,740,000 of the Transportation Bonds have heretofore been issued by the City.

(d) No notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds, and it is necessary to issue not to exceed \$20,000,000 of the Community and Economic Development Bonds, \$13,500,000 of the Parks and Recreation Bonds and \$8,500,000 of the Transportation Bonds at this time.

(e) (i) The maximum period of usefulness of the public improvements to be provided with the proceeds of the Parks and Recreation Bonds is estimated as a period of forty (40) years from March 3, 2020, the date of the bonds authorized hereby, and that such period expires on March 3, 2060; and (ii) the maximum period of usefulness of the public improvements to be provided with the proceeds of the Community and Economic Development Bonds and the Transportation Bonds is estimated as a period of twenty (20) years from March 3, 2020, the date of the bonds authorized hereby, and that such period expires on March 3, 2040.

(f) It is in the best interest of the City to consolidate said bonds for the purposes of sale into a single issue of bonds designated "General Obligation Public Improvement Bonds, Series 2020B" (the "Bonds").

Section 2. Pursuant to said order, the City shall issue the Bonds in the aggregate principal amount of not to exceed \$42,000,000, and the Bonds shall be dated the date of delivery thereof. The Bonds shall be stated to mature annually on April 1 in the years and amounts determined by the Local Government Commission of North Carolina (the "Commission") and approved by the City; provided, however, that the aggregate principal amount of the Bonds shall not exceed \$42,000,000 and the final maturity of the Bonds shall not exceed April 1, 2040. The Bonds shall bear interest at a rate or rates to be determined by the Commission at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each April 1 and October 1, beginning October 1, 2020, until payment of such principal sum. The final aggregate principal amount of the Bonds and the principal amount of each maturity of the Bonds shall be evidenced by a certificate of the Finance Director of the City executed and delivered on or before the date of issuance of the Bonds, and the final aggregate principal amount of the Bonds and the final principal amount of each maturity of the Bonds shall also be set forth in the Final Official Statement (hereinafter defined).

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

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

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

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

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

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

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

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

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

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

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

No. RB-\_\_ \$\_\_\_\_\_

United States of America  
State of North Carolina  
County of Guilford  
CITY OF GREENSBORO  
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND  
SERIES 2020B  
Maturity Date      Interest Rate      CUSIP No.

April 1, 20\_\_ \_\_\_\_\_% \_\_\_\_\_

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

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said City (the "Bond Registrar"), in Greensboro, North Carolina, the principal sum of \_\_\_\_\_ DOLLARS and to pay interest on such principal sum from the date hereof or from the April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is April 1 or October 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each April 1 and October 1, beginning October 1, 2020, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on the bond registration books of said City; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Public Improvement Bonds, Series 2020B" (the "Bonds") and issued by said City for the purpose of providing funds, together with any other available funds, to finance various community and economic development, parks and recreation and transportation projects for said City, and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, orders adopted by the City Council of said City, which orders were approved by the vote of a majority of qualified voters of said City who voted thereon at a referendum duly called and held, and a resolution duly adopted by said City Council (the "Resolution").

The Bonds maturing on or prior to April 1, 2030 are not subject to redemption prior to maturity. The Bonds maturing on April 1, 2031 and thereafter will be subject to redemption prior to their maturity, at the option of said City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than April 1, 2030, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

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

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, said City shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in

whole or in part to his address appearing upon the registration books of said City, provided that such notice to Cede & Co. shall be given by certified or registered mail or otherwise as prescribed by DTC. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date and, if moneys for payment of such redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to Cede & Co. or its legal representative upon the surrender hereof.

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

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

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

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

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

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

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and

have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said City, including this bond, does not exceed any constitutional or statutory limitation thereon.

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

IN WITNESS WHEREOF, the City of Greensboro, North Carolina, by resolution duly adopted by its City Council, has caused this bond to be manually signed by the [Mayor] [Mayor Pro Tem] and the [Deputy] City Clerk of said City and its official seal to be impressed hereon, all as of the \_\_\_\_ day of March, 2020.

[Do not sign]  
[Mayor] [Mayor Pro Tem]  
[SEAL]  
[Do not sign]  
[Deputy] City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

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

[Do not sign]  
[Deputy] Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

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

[Do not sign]  
Finance Director, as Bond Registrar  
Date of authentication: \_\_\_\_\_

ASSIGNMENT FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints, attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

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

In the presence of:

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

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

Section 4. The Bonds maturing on or prior to April 1, 2030 are not subject to redemption prior to maturity. The Bonds maturing on April 1, 2031 and thereafter will be subject to redemption prior to maturity, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than April 1, 2030, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed,

plus accrued interest thereon to the date fixed for redemption.

Notwithstanding the foregoing, the Finance Director of the City may modify the redemption provisions set forth above if the Finance Director of the City determines that it is in the best interests of the City to modify the same for purposes of marketing and sale of the Bonds, such modified redemption provisions to be set forth in the Notice of Sale relating to the Bonds. In such case, the Finance Director is authorized and directed to take all actions necessary to conform the terms of the Bonds to reflect such modified redemption provisions.

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

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

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

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

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of



such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest thereon to such redemption date.

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

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

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

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

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

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

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

Section 6. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent

necessary so that interest on the Bonds will not be included in gross income of the owners of the Bonds for federal income tax purposes.

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

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

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

(a) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, beginning with the fiscal year ending June 30, 2020, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the headings "THE CITY - Debt Information and - Tax Information" (excluding any information on overlapping units) in Appendix A to the Final Official Statement and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

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

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

of default, remedies, priority rights or other similar terms of a financial obligation of the City, any of which affect beneficial owners of the Bonds, if material; and

(16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the City, any of which reflect financial difficulties; and

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

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

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

For the purposes of this Section, "financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b) above. The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12").

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

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

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

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

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

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

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

Section 9. The Mayor, the Mayor Pro Tem, the City Manager, the City Attorney, the Finance Director and the City Clerk or any deputy or assistant City Clerk of the City are hereby authorized and directed to execute and deliver such closing and other documents necessary for the purpose of facilitating the sale and issuance of the Bonds in a manner consistent with the terms of this resolution. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and the Bonds.

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

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

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$42,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2020B" 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 January 21, 2020, as it relates in any way to (a) the holding of a public hearing and the adoption of the foregoing bond order authorizing general obligation refunding bonds of said City and (b) the adoption of the foregoing resolutions authorizing the sale and issuance of general obligation bonds of said City, and that said proceedings are to be recorded in the minutes of said City Council.

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

WITNESS my hand and the official seal of said City this 21st day of January, 2020.

City Clerk  
[SEAL]

(Signed) Yvonne Johnson

**33. [ID 20-0076](#) Resolution Approving and Authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Second Supplemental Trust Agreement, a First Supplement and Amendment to Deed of Trust and Related Documents in Connection with the Financing of New Firefighting Facilities**

Councilmember Hightower requested a highlight of future initiatives.

Assistant City Manager Trey Davis explained a Dudley High School program involving students in vocational trades such as mechanical, electrical, and plumbing.

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

- Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Tammi Thurm
- Absent,** 1 - Goldie F. Wells

023-20 Resolution Approving and Authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Second Supplemental Trust Agreement, a First Supplement and Amendment to Deed of Trust and Related Documents in Connection with the Financing of New Firefighting Facilities

The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers of the Melvin Municipal Office Building located at 300 W. Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on January 21, 2020.

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

Absent: Council Members

Also Present:

\* \* \* \* \*

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

RESOLUTION APPROVING AND AUTHORIZING THE SALE AND ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL TRUST AGREEMENT, A FIRST SUPPLEMENT AND AMENDMENT TO DEED OF TRUST AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF NEW FIREFIGHTING 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 (the "First Supplemental Trust Agreement"), 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 "Original 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) The City has now determined to finance the 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 has determined to issue a second series of the Bonds pursuant to the Master Trust Agreement and a Second Supplemental Trust Agreement, to be dated as of February 1, 2020 (the "Second Supplemental Trust Agreement" and, together with the Master Trust Agreement and the First Supplemental Trust Agreement, the "Trust Agreement"), between the City and the Trustee in an aggregate principal amount not to exceed \$15,250,000 (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 connection with the issuance of the 2020A Bonds, the City intends to execute and deliver a First Supplement and Amendment to Deed of Trust, to be dated as of February 1, 2020 (the "First Supplement to Deed of Trust" and, together with the Original Deed of Trust, the "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 certain permitted encumbrances. The 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 series of Bonds hereafter issued pursuant to the Master Trust Agreement.
- (i) The 2020A 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.

(j) In connection with the offering and sale of the 2020A 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 2020A Bonds and the Official Statement (hereinafter defined).

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

- (1) the Second Supplemental Trust Agreement, together with the form of the 2020A Bonds attached as Exhibit A thereto;
- (2) the First Supplement to Deed of Trust;
- (3) the Bond Purchase Agreement; and
- (4) the Preliminary Official Statement.

Section 2. In order to provide for the financing of the 2020A Project, the City is hereby authorized to enter into the Second Supplemental Trust Agreement and issue the 2020A Bonds thereunder in an aggregate principal amount not to exceed \$15,250,000. The actual principal amount of the 2020A 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 2020A Bonds as set forth in the Bond Purchase Agreement. The principal amount of the 2020A 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 2020A Project and (b) the fees and expenses incurred in connection with the sale and issuance of the 2020A Bonds. The interest rates on the 2020A 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 3.50% per annum, such execution and delivery of the Bond Purchase Agreement to constitute approval by the City of the interest rates on the 2020A Bonds.

Section 3. The 2020A Bonds shall be sold to the Underwriters pursuant to the Bond Purchase Agreement. The 2020A Bonds may be sold to the Underwriters at a discount below the amount of the principal amount of the 2020A Bonds, such discount not to exceed 98% of the principal amount of the 2020A Bonds; provided, however, that if all or any of the 2020A 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 2020A Bonds), then the 2020A Bonds may be sold at a further discount in the amount necessary to cover such original issue discount. The final maturity of the 2020A Bonds shall not be later than November 1, 2039.

Section 4. The City Council hereby approves the forms of the 2020A Bonds, the Second Supplemental Trust Agreement, the First Supplement to Deed of Trust and the Bond Purchase Agreement in substantially the forms presented at this meeting. The Mayor, the City Manager and the Finance Director are each hereby authorized to execute and deliver on behalf of the City the 2020A Bonds, the Second Supplemental Trust Agreement, the First Supplement to Deed of Trust and the Bond Purchase Agreement in substantially the forms presented at this meeting, containing such modifications as the person executing such documents shall approve, such execution to be conclusive evidence of approval by the City Council of any such changes. The City Clerk or any assistant or deputy City Clerk is hereby authorized to affix the official seal of the City to each of said documents and to attest the same to the extent so required.

Section 5. The City Council hereby approves the Preliminary Official Statement in substantially the form presented at this meeting and hereby approves the distribution thereof by the Underwriters in connection with the offering and sale of the 2020A Bonds. Upon the sale of the 2020A 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 2020A 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 2020A Bonds.

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

obligation under the 2020A 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 2020A 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 2020A 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:

\* \* \* \* \*

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 January 21, 2020, as it relates in any way to the adoption of foregoing resolution relating to the sale and issuance of limited obligation bonds by the City to finance new firefighting facilities 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.

WITNESS my hand and the official seal of said City this 21st day of January, 2020.

City Clerk  
[SEAL]

(Signed) Michelle Kennedy

**34. [ID 20-0015](#) Resolution to Approve Financial Support for a Station Alerting System for GM911 and all GFD Fire Stations in the Amount of \$1,394,129.81, with US Digital Designs**

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #34/ID 20-0015 a Resolution to Approve Financial Support for a Station Alerting System for GM911 and all GFD Fire Stations in the Amount of \$1,394,129.81, with US Digital Designs; and item #35/ID 20-0018 an Ordinance in the Amount of \$1,370,370 Amending the Fire Stations Bond Fund (Series 2019) Capital Project Budget.

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

- Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Tammi Thurm
- Absent,** 1 - Goldie F. Wells

024-20 RESOLUTION TO APPROVE FINANCIAL SUPPORT FOR A STATION ALERTING SYSTEM FOR GM911 AND ALL GFD FIRE STATIONS IN THE AMOUNT OF \$1,394,129.81, WITH US DIGITAL DESIGNS

WHEREAS, Guilford Metro 911 and the Greensboro Fire Department are undergoing upgrades that will reduce dispatch times and overall response times to emergency incidents;

WHEREAS, Guilford Metro 911 Dispatchers use the Phoenix G2 system to improve the customer experience for the caller by never putting the caller on hold. Within seconds, the correct fire station(s) is alerted and on their way, and the dispatcher can stay on the line if needed until responders arrive;

WHEREAS, First responders receive automated dispatch announcements throughout the station via audio and visual alerting devices called peripherals. As firefighters make their way to the fire apparatus, they can view scrolling message signs, and listen to the alert on the speakers;

WHEREAS, Fire administration professionals rely on the Phoenix G2 system to improve their average emergency response times, thus improving their ISO ratings and maintaining our International Accreditation;

WHEREAS, The Phoenix G2 Fire Station Alerting System will be purchased and installed in the GM911 Center and all GFD Fire Stations in the amount not to exceed \$1,394,129.81; and

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

That the Greensboro Fire Department is authorized to enter into agreement with US Digital Designs for the purchase and installation of the Phoenix G2 Station Alerting System to be installed in all fire stations and GM911 Center.

(Signed) Marikay Abuzuaite

**35. [ID 20-0018](#) Ordinance in the Amount of \$1,370,370 Amending the Fire Stations Bond Fund (Series 2019) Capital Project Budget**

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

- Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling and Tammi Thurm
- Absent,** 1 - Goldie F. Wells

20-013 ORDINANCE AMENDING FIRE STATIONS BOND FUND (SERIES 2019) CAPITAL PROJECT BUDGET

Section 1

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

That the Fire Stations Bond Fund Capital Project Budget of the City of Greensboro is hereby amended as follows:

Account No.	Description	Amount
491-4002-01.6058	Capital Software & Services	\$ 22,248



491-4002.01-6059	Equipment	1,348,122
And, that this increase is financed by the following revenue:		\$1,370,370

Account No.	Description	Amount
491-4002-01.8633	Reimbursements – Contract Agreement	\$33,962
491-0000-00.9012	Limited Obligation Bond Proceeds	1,336,408
Total		\$1,370,370

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Michelle Kennedy

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

- 36. [ID 20-0040](#)** Resolution Authorizing Change Order in the Amount of \$44,610.25 for Contract No. 2017-055B with A Vogt Construction for Renovation of 2305 Soabar Street

Councilmember Hightower spoke to Minority and Women's Business Enterprise (M/WBE) concerns; and to the contractor's participation level.

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

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

**Absent,** 1 - Goldie F. Wells

025-20 RESOLUTION AUTHORIZING CHANGE ORDER IN THE AMOUNT OF \$44,610.25 FOR CONTRACT 2017-055B WITH A VOGT CONSTRUCTION FOR 2305 SOABAR STREET PROJECT

WHEREAS, Contract No. 2017-055B with A Vogt Construction provides for the renovation of 2305 Soabar Street;

WHEREAS, the location is in need of a fire sprinkler system and other items outside of the original contract thereby necessitating a change order; 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 the change order in the above mentioned contract with A Vogt Construction for renovation of 2305 Soabar Street.

(Signed) Sharon Hightower

- 37. [ID 20-0041](#)** Ordinance Amending State, Federal, and Other Grants Fund Budget in the Amount of \$45,000 for Change Order to Contract 2017-055B with A Vogt Construction

**Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter, to adopt the ordinance. 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

20-014 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET IN THE AMOUNT OF \$45,000 FOR CHANGE ORDER TO CONTRACT 2017-055B WITH A VOGT CONSTRUCTION

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	Description	Amount
220-3579-03.6013	Building	\$45,000
Total:		\$45,000

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

Account	Description	Amount
220-3579-03.7123	State Drug Excise Tax	\$45,000
Total:		\$45,000

And, that this ordinance should become effective upon adoption.

(Signed) Tammi Thurm

- 38. [ID 20-0030](#)** Resolution Authorizing Grant Application and Execution of a Memorandum of Understanding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2019

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

- Ayes,** 3 - Marikay Abuzuaiter, Nancy Hoffmann and Justin Outling
- Nays,** 5 - Nancy Vaughan, Yvonne J. Johnson, Sharon M. Hightower, Michelle Kennedy and Tammi Thurm
- Absent,** 1 - Goldie F. Wells

Hester Petty voice concerns with Immigration and Customs Enforcement (ICE); impacts of deportation; spoke to local policies; and to jeopardizing safety of the immigrant community.

Rachel Wieselquist, Working Class and Homeless Organizing Alliance (WHOA) member, voiced concerns with ICE.

Sean Brandt, WHOA member, spoke to accepting grant funds; referenced the last City Council meeting; and provided examples of current struggles within the immigrant community.

Cameron Crowder, WHOA member, reiterated concerns from the last City Council meeting; and with the Greensboro Police Department (GPD) budget allocations.

Discussion ensued regarding previous grants; ICE compliance provisions; safety of the immigrant and refugee community; purpose of grant funds; crime prevention; and consequences of denying grants.

39. [ID 20-0031](#) Ordinance in the Amount of \$250,102 Amending the State, Federal, and Other Grants Fund Budget for the Appropriation of Federal Grant Funds for Edward Byrne Memorial Justice Assistance Grant (JAG) FY19

**Item #39/ID 20-0031 was denied in conjunction with item #38/ID 20-0030.**

40. [ID 20-0039](#) Resolution Authorizing Execution of Contract 2019-093 (B-5553) in the Amount of \$325,962.29 to Volkert, Inc. for the Construction Inspections of the Ballinger Road Bridge #98 Replacement Project

Councilmember Hightower asked for clarification regarding the M/WBE exemption; and participation percentages.

Discussion took place regarding the parameters between federal and state funding guidelines; M/WBE participation requirements; good faith efforts; and the federal review process.

**Moved by Mayor Pro-Tem Johnson, 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, Michelle Kennedy, Justin Outling and Tammi Thurm

**Nays,** 1 - Sharon M. Hightower

**Absent,** 1 - Goldie F. Wells

026-20 RESOLUTION AUTHORIZING AWARD OF CONTRACT 2019-093, IN THE AMOUNT OF \$325,962.29, FOR THE CONSTRUCTION INSPECTION OF THE BALLINGER ROAD BRIDGE #98 REPLACEMENT PROJECT TO VOLKERT, INC.

WHEREAS, the Construction Inspections of the Ballinger Road Bridge #98 Replacement Project is ready for implementation;

WHEREAS, the construction inspection work is to be for bridge replacement along with roadway widening, asphalt overlay, and associated erosion control items;

WHEREAS, the proposal from the consulting firm was reviewed and agreed to with the participation of the Greensboro Department of Transportation and Engineering & Inspections Department;

WHEREAS, Volkert, Inc. was selected on the strength of their construction inspections experience; 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 the above mentioned contract with Volkert, Inc.

(Signed) Yvonne Johnson

41. [ID 20-0008](#) Resolution Approving Bid in the Amount of \$3,967,500.00 and Authorizing Execution of Contract 2017-039A with D.H. Griffin Infrastructure, LLC for Townsend WTP Solids Lagoon Construction Project

Councilmember Hightower spoke to the M/WBE goal; and requested an update on the hiring process for compliance officers.

Assistant City Manager Kim Sowell advised of a review process; bids received; and a letter of determination sent to the contractor.

**Moved by Councilmember Abuzuaiter, seconded by Councilmember Hoffmann, 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

027-20 RESOLUTION APPROVING BID IN THE AMOUNT OF \$3,967,500.00 AND AUTHORIZING EXECUTION OF CONTRACT 2017-039A WITH D.H. GRIFFIN INFRASTRUCTURE, LLC FOR TOWNSEND WTP SOLIDS LAGOON CONSTRUCTION PROJECT

WHEREAS, after due notice, bids have been received for the Townsend WTP Solids Lagoon Construction project;

WHEREAS, D.H. Griffin Infrastructure, LLC, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$3,967,500.00 as general contractor for Contract No. 2017-039A which bid, in the opinion of the City Council, is the best bid from the standpoint of the City; 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 the contract for Townsend WTP Solids Lagoon Construction with D.H. Griffin Infrastructure, LLC and the associated budget adjustment.

(Signed) Marikay Abuzuaiter

**42. [ID 20-0043](#)** Resolution Approving Bid in the Amount of \$1,485,525 and Authorizing Execution of Contract 2019-048 with Mainlining America, LLC for the Water Valve Replacement Project

Mayor Vaughan extended appreciation to Water Resources Director Steve Drew on his years of service; recognized his upcoming retirement; and mentioned his work on the sustainability project.

**Moved by Councilmember Abuzuaiter, seconded by Councilmember Hoffmann, 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, Justin Outling and Tammi Thurm

**Absent,** 1 - Goldie F. Wells

028-20 RESOLUTION APPROVING BID IN THE AMOUNT OF \$1,485,525 AND AUTHORIZING EXECUTION OF CONTRACT 2019-048 WITH MAINLINING AMERICA, LLC FOR THE WATER VALVE REPLACEMENT PROJECT

WHEREAS, after due notice, bids have been received for the Water Valve Replacement Project;

WHEREAS, Mainlining America, LLC, a responsible bidder, has submitted the low base bid in the total amount of \$1,485,525 as general contractor for Contract No. 2019-048 which bid, in the opinion of the City Council, is the best bid from the standpoint of the City; 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 the contract for the

Water Valve Replacement Project with Mainlining America, LLC and the associated budget adjustment.

(Signed) Marikay Abuzuaiter

- 43.** [ID 20-0058](#) Resolution Authorizing Amended Agreement #5 in the Amount of \$2,394,475 with NCDOT for Project U-5306B Battleground-Westridge Intersection Improvements

**Moved by Councilmember Hoffmann, seconded by Councilmember Abuzuaiter, 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, Justin Outling and Tammi Thurm
- Absent,** 1 - Goldie F. Wells

029-20 RESOLUTION AUTHORIZING AMENDED AGREEMENT #5 IN THE AMOUNT OF \$2,394,475 WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR U-5306B BATTLEGROUND AVENUE AND WESTRIDGE ROAD INTERSECTION IMPROVEMENTS

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization submitted the Battleground - Westridge Road Intersection Improvements Project for funding consideration by NCDOT under the Strategic Transportation Investments Act prioritization process;

WHEREAS, North Carolina Department of Transportation added the project to the Transportation Improvement Program and agreed to reimburse the City for 100% of right-of-way and construction costs up to \$7,035,313;

WHEREAS, actual right-of-way expenditures, construction contract costs, contracted inspections costs, and NCDOT administrative expenses will exceed that amount;

WHEREAS, NCDOT has agreed to reimburse the City an additional \$2,394,475 to cover 100% of actual eligible project costs; and

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

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with the North Carolina Department of Transportation for Project U-5306 B.

(Signed) Nancy Hoffmann

- 44.** [ID 20-0059](#) Ordinance in the Amount of \$2,394,475 Amending the Budget for Amended Agreement #5 with NCDOT for Project U-5306B Battleground-Westridge Intersection Improvements

**Moved by Councilmember Hoffmann, seconded by Councilmember Thurm, to adopt the ordinance. 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, Justin Outling and Tammi Thurm
- Absent,** 1 - Goldie F. Wells

20-015 ORDINANCE IN THE AMOUNT OF \$2,394,475 AMENDING THE BUDGET FOR AMENDED AGREEMENT #5 WITH NCDOT FOR U-5306B BATTLEGROUND / WESTRIDGE INTERSECTION IMPROVEMENTS

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

Section 1

That the appropriation for the U-5306 B: Battleground/Westridge Intersection Improvements Project budget be increased as follows:

Account	Description	Amount
220-4588-01.6014	Street Construction & Paving	\$2,394,475
Total		\$2,394,475

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

Account	Description	Amount
220-4588-01.7100	Federal Grant	\$1,915,580
220-4588-01.7110	State Grant	\$478,895
Total		\$2,394,475

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

**45. [ID 20-0052](#) Boards and Commissions Listing for January 21, 2020**

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

Moved by Mayor Vaughan, seconded by Councilmember Thurm, to appoint Mayor Pro-Tem Johnson and Councilmember Hoffmann to the Stephen Tanger Performing Arts Center Board. The motion carried by voice vote.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson, to reschedule the March 3, 2020 City Council meeting to March 2, 2020 to accommodate for the Atlantic Coast Conference (ACC) Tournament "March Madness" kick-off events. The motion carried by voice vote.

Moved by Councilmember Kennedy, seconded by Mayor Pro-Tem Johnson, to transfer Jay Web, Kay Brown, Quinton Brown, and D.J. O'Brian from the Police Community Review Board (PCRB) to the Greensboro Criminal Justice Advisory Commission (GCJAC), with Jay Web replacing David Sevier as Chair and Kay Brown replacing Michelle Gethers-Clark on the GCJAC.

Discussion took place regarding diversity of the GCJAC; and the composition of the PCRB.

Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson, to appoint Amy Murphy to the Redevelopment Commission to replace Dawn Cheney. The motion carried by voice vote.

Councilmember Kennedy voiced concerns with car thefts; spoke to NextDoor.com message board; and requested a public safety meeting be scheduled in the future.

Mayor Pro-Tem Johnson spoke to a figure skating event at the Greensboro Coliseum; participation at the Human Relations' MLK, Jr. Breakfast; and to the St. James Presbyterian Church service.

Mayor Vaughan spoke to the figure skating event; and extended appreciation to Coliseum staff.

Councilmember Abuzuaiter spoke to community watch groups; participation at a Temple Emmanuel service; and

extended appreciation for the Human Relations Department's efforts with the MLK, Jr. Breakfast.

Councilmember Outling spoke to appointments to the Participatory Budgeting Committee; and to events attended.

Councilmember Thurm commended Assistant City Manager Trey Davis and the Greensboro Fire Department (GFD) for the Emergency Action Plan (EAP); and requested an update on the consent to search policy research project.

Councilmember Hightower added the name of Cheskesha Cunningham Dockery to the databank for consideration to a Board or Commission; spoke to reinstating the iRide program; to the naming of the new Fire Stations; requested a M/WBE economic impact study in conjunction with the disparity study; and spoke to MLK, Jr. events.

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

Council Comments were combined with Board and Commission appointments.

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

There were no items for discussion by the City Manager.

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

There were no items for discussion by the City Attorney.

**Adjournment**

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

THE CITY COUNCIL ADJOURNED AT 8:16 P.M.

TEBONY C. ROSA  
DEPUTY CITY CLERK

NANCY VAUGHAN  
MAYOR