

AGENDA

FINANCE COMMITTEE

4:00 p.m., Monday, June 13, 2016

COMMITTEE ROOM

Room 239, City Hall

*COMMITTEE MEMBERS: Council Member Robert C. Clark, Chair
Council Member Denise D. Adams, Vice Chair
Council Member Vivian H. Burke
Council Member Derwin L. Montgomery*

GENERAL AGENDA

- G-1. RESOLUTION AUTHORIZING THE CITY OF WINSTON-SALEM TO PARTICIPATE IN THE SUBMISSION OF A CHOICE NEIGHBORHOODS PLANNING GRANT WITH THE HOUSING AUTHORITY OF WINSTON-SALEM.
- G-2. INFORMATION REGARDING A REQUEST FOR ASSISTANCE FROM THE HOUSING AUTHORITY OF WINSTON-SALEM FOR THE REDEVELOPMENT OF NEW HOPE MANOR APARTMENTS.
- G-3. RESOLUTION APPROVING VARIOUS LEASE AGREEMENTS AND ESTOPPELS NECESSARY TO EFFECTUATE THE SALE OF THE DOWNTOWN MARRIOTT AND EMBASSY SUITES HOTELS TO HOSPITALITY VENTURES MANAGEMENT GROUP.
- G-4. REPORT ON DEMOLITION ASSESSMENT AT 4640 INDIANA AVENUE.
- G-5. REVIEW OF PROPOSED FISCAL YEAR 2016-2017 BUDGET.

CONSENT AGENDAProperty Matters

- C-1. RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY AT 2619 BETHABARA ROAD FOR NEW PARK CONSTRUCTION (NORTH WARD).
- C-2. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 426 WEST CLEMMONSVILLE ROAD UNDER THE UPSET BID PROCEDURE N.C.G.S. 160A-269 (SOUTHEAST WARD). [*\$35,000*].

Community and Economic Development

- C-3. RESOLUTION DESIGNATING WHITAKER PARK DEVELOPMENT AUTHORITY, INC. AS THE BEST QUALIFIED DEVELOPER AND ESTABLISHING A PUBLIC HEARING DATE FOR APPROVAL OF THE PUBLIC-PRIVATE PARTNERSHIP CONTRACT IN ACCORDANCE WITH G.S. 143-128.1C. *Public Hearing: August 15, 2016.*
- C-4. CONSIDERATION OF ITEMS RELATING TO THE DOWNTOWN WINSTON-SALEM BUSINESS IMPROVEMENT DISTRICT:
 - a. RESOLUTION AWARDED A CONTRACT WITH THE DOWNTOWN WINSTON-SALEM PARTNERSHIP TO PROVIDE SERVICES WITHIN THE DOWNTOWN WINSTON-SALEM BUSINESS IMPROVEMENT DISTRICT.
 - b. ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION".
- C-5. RESOLUTION AUTHORIZING UP TO \$236,000 IN ADDITIONAL PERMANENT FINANCING FOR THE DEVELOPMENT OF 64 UNITS OF RENTAL HOUSING FOR FAMILIES, TO BE KNOWN AS ROCKWOOD AT OLIVER'S CROSSING APARTMENTS (SOUTH WARD). *Items continued from the April and May meetings of the Finance and Community Development/Housing/General Government Committees.*

Finance/Budget

- C-6. CONSIDERATION OF ITEMS RELATED TO CONTRACTS:
 - a. RESOLUTION APPROVING A CONTRACT WITH DATA NETWORK SOLUTIONS, INC. FOR COMPUTER STORAGE EQUIPMENT- *Data Network Solutions, Inc. \$309,754.00.*
 - b. RESOLUTION AWARDED CONTRACT FOR DITCH MAINTENANCE - *Carolina Asphalt Paving, Inc. - \$361,250 (Estimated Amount).*

- c. RESOLUTION AWARDING CONTRACT FOR STRUCTURE ADJUSTMENTS - *Ascent Construction Solutions, LLC - \$149,875.00 (Estimated Amount)*.
- d. RESOLUTION AWARDING CONTRACT FOR SIDEWALK CONSTRUCTION ALONG OLD TOWN DRIVE - *Dalton Contracting, LLC - \$122,789 (Estimated Amount)*.
- e. RESOLUTION AWARDING CONTRACT FOR CONCRETE BASE STREETS REHABILITATION - *APAC-Atlantic, Inc., Thompson-Arthur Division - \$3,097,298 (Estimated Amount)*.
- f. RESOLUTION AWARDING CONTRACT FOR ROAD SALT - *The Detroit Salt Company, LLC - \$202,440 (Estimated Amount)*.
- g. RESOLUTION AWARDING PURCHASE ORDER FOR CONVENTIONAL CAB TRUCK WITH HOOK LIFT HOIST BODY - *White's Tractor and Truck Co., LLC - \$128,540.67 (Estimated Amount)*.
- h. RESOLUTION AWARDING A PURCHASE ORDER FOR VEHICLE PARTS AND SUPPLIES - *NAPA Auto Parts, Inc. - \$150,000 (Estimated Amount)*.
- i. RESOLUTION AWARDING PURCHASE ORDERS FOR AUTO AND TRUCK TIRES - *Goodyear Tire & Rubber Company - \$100,000 (Estimated Amount)*; *Parrish Tire Company, Inc. - \$120,000 (Estimated Amount)*; *Mock Tire & Automotive, Inc. - \$70,000 (Estimated Amount)*; and *Snider Tire Company - \$160,000 (Estimated Amount)*.
- j. RESOLUTION AWARDING PURCHASE ORDERS FOR EQUIPMENT FOR THE FLEET DEPARTMENT WITH CERTAIN SOLE SOURCE VENDORS - *Various Vendors - \$982,000 (Estimated Amount)*.
- k. RESOLUTION AWARDING A PURCHASE ORDER FOR AUTO AND TRUCK PARTS AND SUPPLIES - *Auto Supply Company, Inc.- \$130,000 (Estimated Amount)*; *Carquest Auto Parts - \$90,000 (Estimated Amount)*; and *Auto Zone Stores, LLC - \$35,000 (Estimated Amount)*.
- l. RESOLUTION AWARDING PURCHASE ORDER FOR TOWING SERVICES - *Davis Garage, Inc. - \$120,000 (Estimated Amount)*.
- m. RESOLUTION AWARDING CONTRACT FOR SPRAYGROUND AT REYNOLDS PARK POOL - *DreamBuilt Construction, Inc. - \$297,250 (Estimated Amount)*.
- n. RESOLUTION AWARDING CONTRACT FOR SPRAYGROUND AT SEDGE GARDEN PARK.

- C-7. CONSIDERATION OF ITEMS RELATED TO CONTRACT FOR WINSTON LAKE AQUATIC PARK:
- a. RESOLUTION AWARDED CONTRACT FOR WINSTON LAKE AQUATIC PARK - *Bar Construction Company* - \$4,713,000 (Estimated Amount).
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2015-2016.
- C-8. RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE BONDING REQUIREMENTS BELOW THE STATUTORY LIMITS.
- C-9. CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2015-2016 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA:
- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2015-2016.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2015-2016.

Transportation

- C-10. CONSIDERATION OF ITEMS RELATED TO THE BUSINESS 40 PROJECT BETTERMENTS:
- a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR PEDESTRIAN AND SIDEWALK IMPROVEMENTS ON CLOVERDALE AVENUE AND MILLER STREET.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2015-2016.

General Government

- C-11. APPROVAL OF FINANCE COMMITTEE SUMMARY OF MINUTES - *May 9, 2016*.

City Council – Action Request Form

Date: May 16, 2016

To: The City Manager

From: D. Ritchie Brooks, Community & Business Development Director

Council Action Requested:

Adoption of a Resolution Authorizing the City of Winston-Salem to Participate in the Submission of a Choice Neighborhoods Implementation Grant Application with the Housing Authority of Winston-Salem.

Summary of Information:

At the May meeting of the Finance Committee, the Housing Authority of Winston-Salem (HAWS) presented information related to its pursuit of a Choice Neighborhoods Implementation Grant from the U.S. Department of Housing and Urban Development (HUD). In 2013, HAWS was awarded a Choice Neighborhoods Planning Grant from HUD which was used to develop a Transformation Plan for the Cleveland Avenue Corridor. HAWS intends to apply for approximately \$30,000,000 in Choice Neighborhoods Implementation Grant funding. Should HAWS be awarded the grant, funds would be used to begin implementation of the Transformation Plan that was developed after award of the Choice Neighborhoods Planning Grant in 2013.

HAWS is seeking to secure a commitment from the City on three items related to its pursuit of the Choice Neighborhoods Implementation Grant. Firstly, HAWS requests that the City serve as a co-applicant on the grant. The co-applicant signs the grant agreement along with the applicant and is jointly responsible for implementing the activities in the Transformation Plan. The grant requires that the local government of jurisdiction serve as the co-applicant in the event that it is not the lead applicant.

Secondly, HAWS is requesting that the City serve as the “Neighborhood Lead.” Choice Neighborhoods Implementation Grants support the implementation of comprehensive neighborhood revitalization plans that are expected to achieve core goals in three distinct areas: housing, people and neighborhoods. The role of the agency serving as the “neighborhood lead” is to create the conditions necessary for public and private reinvestment in distressed areas to

Committee Action:

Committee		Action	
For		Against	
Remarks:			

offer the kinds of amenities and assets, including safety and commercial activity that are important to families' choices about their community.

Lastly, HAWS is requesting a commitment from the City to invest \$4.5 million dollars over the 6-year grant period within the boundaries of the choice neighborhood planning area. The funds committed by the City would be used as leverage in the Critical Community Improvement category of the grant. Funds spent in this category are to be used for community and economic development activities to enhance the neighborhood outcomes proposed in the Transformation Plan. They must be used for physical community and economic development projects that enhance and accelerate the transformation of the neighborhood and the target housing being redeveloped. Possible uses of funds include, but are not limited to:

- Financing for commercial and economic development projects;
- Neighborhood business façade improvement programs;
- Place-making projects;
- Neighborhood broadband;
- Revolving loan funds for business attraction and retention;
- Streetscape improvements above and beyond the City's norm;
- Programs to improve housing in the neighborhood surrounding the target housing subject of the grant application; and
- Acquisition of underutilized land for new parks, community gardens or community facilities.

Funds to carry out the above mentioned activities can be secured from a variety of sources. City funding would only be committed in future budget years in the event that HAWS is awarded the grant.

RESOLUTION AUTHORIZING THE CITY OF WINSTON-SALEM TO PARTICIPATE IN THE SUBMISSION OF A CHOICE NEIGHBORHOODS PLANNING GRANT WITH THE HOUSING AUTHORITY OF WINSTON-SALEM

WHEREAS, in 2013, the Housing Authority of Winston-Salem (HAWS) was awarded a Choice Neighborhoods Planning Grant from the U.S. Department of Housing and Urban Development; and

WHEREAS, HAWS used this grant to develop a Transformation Plan for the Cleveland Avenue Corridor; and

WHEREAS, HAWS intends to apply for \$30,000,000 in Choice Neighborhoods Implementation Grant funding in order to begin implementation of the Transformation Plan that was developed after award of the Choice Neighborhoods Grant in 2013; and

WHEREAS, HAWS is seeking to secure a commitment from the City on three items related to its pursuit of the Choice Neighborhoods Implementation Grant; and

WHEREAS, firstly, HAWS requests the City agree to serve as a co-applicant on the grant application; and

WHEREAS, secondly, HAWS requests that the City serve as the “Neighborhood Lead” agency responsible for creating the conditions necessary for public and private reinvestment in the Transformation Plan area; and

WHEREAS, lastly, HAWS requests the City to commit to invest \$4.5 million dollars over the 6-year grant period within the boundaries of the Choice Neighborhood planning area for purposes including, but not limited to: neighborhood business façade improvement programs, place-making projects, revolving loan funds for business

attraction and retention and streetscape improvements above and beyond the City's norm;
and

WHEREAS, funds to carry out the above mentioned activities can be secured from a variety of sources.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the City Manager is authorized to sign as a co-applicant on the Choice Neighborhoods Implementation Grant application.

BE IT FURTHER RESOLVED that City funding to support these initiatives would only be committed in future budget years in the event that HAWS is awarded the grant.



June 8, 2016

VIA U.S. & ELECTRONIC MAIL

City of Winston-Salem
Attn.: Mr. D. Ritchie Brooks, Director
Community and Business Development
PO Box 2511
Winston-Salem, NC 27102-2511

Re: Displaced Resident Relocation

Dear Mr. Brooks:

As you know, our agency is seeking the City's support in pursuit of Choice Neighborhood Implementation Grant funding, to include the acquisition and rehabilitation of properties located within the grant area. The grant funding would provide approximately \$30 million to facilitate implementation of revitalization efforts in the Cleveland Avenue corridor.

We understand that, with rehabilitation, comes resident relocation. I want to take this opportunity to reiterate my agency's commitment to providing relocation services to any resident who is displaced as a result of our redevelopment efforts. With respect to any redevelopment projects undertaken as part of the Choice Neighborhood grant, we will be legally required to provide case management services to displaced residents. United Way is the lead agency in this respect; and United Way will be coordinating with other providers to ensure sufficient case management services are delivered. We are adept at developing individualized relocation plans to assist residents in identifying suitable alternative living arrangements during the pendency of rehabilitation efforts at their former community. Certainly we would continue to develop and implement such plans in response to any relocations arising out of the Choice Neighborhood implementation (including the pre-award acquisition and rehabilitation of properties located within the grant area).

I hope that this letter will assuage any concerns that the City may have with respect to our commitment to the current residents of the Cleveland Avenue corridor. If you have any additional questions or concerns – or if there is any other information that would assist the City in its assessment of our request – please do not hesitate to contact us.

Thank you in advance for your time and consideration concerning this matter.

Sincerely,

Larry C. Woods,
Chief Executive Officer

So Much More

Memorandum



Community and Business
Development Department

P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2878

TO: Mayor Joines and Members of City Council
FROM: D. Ritchie Brooks, Director of Community and Business
Development
DATE: May 24, 2016
SUBJECT: Housing Authority of Winston-Salem Request for Assistance
CC: Lee Garrity, City Manager
Derwick Paige, Assistant City Manager
Evan Raleigh, Deputy Director of Community and Business
Development

This is to advise that staff will present an item to the Mayor and City Council in August for action regarding a request from Housing Authority of Winston-Salem (HAWS) for financial assistance to acquire, demolish, and abate (as applicable) New Hope Manor Apartments (formerly Burke Village). The complex is in the northern end of both the HAWS Master Plan area and Choice Neighborhoods grant area. Additionally, it is in close proximity to the Cleveland Avenue Homes community which is owned by HAWS, and its potential management of the target property could be easily facilitated. Per HAWS, the vacancy rate is nearly 70% and there is over \$2.5M in outstanding bank debt. There is an increase in crime in the area and the current owner has expressed an unwillingness to continue to “throw good money after bad” in the form of lease enforcement, maintenance, and/or rehab.

HAWS has recently communicated with the lender, who is willing to dispose of the property at a significant loss, potentially allowing acquisition of the property for as little as \$1.5M. HAWS believes this could provide an appealing opportunity for an absentee investor to purchase the property, do some minimal rehab, and then continue to operate the property as untenable multifamily housing, perpetuating the blight and inhibiting the development of the surrounding area. HAWS has expressed a strong desire to acquire the property, and acknowledge that acquiring it is only the beginning. There is also a need to demolish and abate several of the buildings, and undertake rehab in the remaining buildings in order to bring them into a state of livability.

HAWS believes \$1.7M in assistance will permit it to acquire, demolish, abate, rehab, and operate the property in a sustainable manner. City staff will work with HAWS to prepare a presentation for Committee Meetings in August accompanied by an appropriate Council Action Request.

If there is any additional information that staff can provide, please contact Derwick Paige at (336) 747-7473 or derwickp@cityofws.org.

City Council – Action Request Form

Date: June 1, 2016

To: The City Manager

From: Ben Rowe, Assistant City Manager

Council Action Requested:

Consideration of a Resolution Approving Various Lease Agreements and Estoppels Necessary to Effectuate the Sale of the Downtown Marriott and Embassy Suites Hotels to Hospitality Ventures Management Group.

Summary of Information:

In February 2004, the Mayor and City Council approved a Memorandum of Understanding (MOU) between the City and Noble Investments, LLC (now Noble Investment Group, LLC) regarding the acquisition of the Adam’s Mark Hotel and its management of the Benton Convention Center. Noble Investment Group, LLC acquired the Adam’s Mark Hotel and repositioned the property into two separate hotels—a Marriott and an Embassy Suites. Under the MOU, the City purchased for \$10 million the 38,000 square feet of renovated meeting/support space in the lower level of the Embassy Suites, as well as the Grand Pavilion Ballroom (formerly Beneath The Elms). The City currently leases the meeting and ballroom space to Noble Winston-Salem Associates West, LLC, the Embassy Suites owner, for \$600,000 per year to cover the City’s annual debt payment from financing the purchase of the space.

Recently, Noble Investment Group, LLC has been in negotiations with Hospitality Ventures Management Group to sell the two hotels and transfer management of the Benton Convention Center. Hospitality Ventures Management Group was formed in 2001 and currently owns and/or operates 30 full-service, select service, and extended stay branded and independent properties and resorts in 14 states, totaling more than 6,451 guest rooms. The company currently owns and operates the Marriott Greensboro Airport Hotel, near Piedmont Triad International Airport. The companies are scheduled to close the sale in June.

This Council Action Request Form includes a resolution approving the various lease agreements and estoppels required to effectuate the sale of the hotels. Descriptions of each agreement are provided below.

Committee

Action

For

Against

Remarks:

Declaration of Condominium of Winston-Salem Convention Center Condominium. This document certifies there are no issues (e.g., defaults, additional assignments) related to the condominium space in the Embassy Suites hotel property that is jointly owned by Noble Winston Salem Associates – West, LLC (current owner of the Embassy Suites) and the City.

Estoppel and Lease Agreement for Ballroom and Conference Center Lease. This document certifies there are no issues (e.g., defaults, additional assignments) related to the existing lease agreement for the Embassy Suites Conference Center and Grand Pavilion Ballroom. The document also assigns the lease to HV Winston-Salem II, LLC, which is the corporation established as the owner of the Embassy Suites hotel property. In addition, the document provides certain protections for the lender, RB Investment Services, LLC. The sale will also require the City’s consent to the assignment of the reciprocal easement agreement.

City staff will prepare a separate action item for consideration and approval by the Public Assembly Facilities Commission to assign the Qualified Management Agreement for the Benton Convention Center to Hospitality Ventures Management Group. The Commission will consider this action at its regularly scheduled meeting on June 20th.

City staff recommends approval of the attached resolution authorizing the execution of the various agreements necessary to effectuate the sale of the downtown Marriott and Embassy Suites.

RESOLUTION APPROVING VARIOUS LEASE AGREEMENTS AND ESTOPPELS NECESSARY TO EFFECTUATE THE SALE OF THE DOWNTOWN MARIOTT AND EMBASSY SUITES HOTELS TO HOSPITALY VENTURES MANAGEMENT GROUP

WHEREAS, in February 2004, the Mayor and City Council approved a Memorandum of Understanding (MOU) between the City and Noble Investments, LLC (now Noble Investment Group, LLC) regarding the acquisition of the Adam's Mark Hotel and their management of the Benton Convention Center; and

WHEREAS, Noble Investment Group, LLC acquired the Adam's Mark Hotel and repositioned the property into two separate hotels—a Marriott and an Embassy Suites; and

WHEREAS, under the MOU, the City purchased for \$10 million the 38,000 square feet of renovated meeting/support space in the lower level of the Embassy Suites, as well as the Grand Pavilion Ballroom (formerly Beneath The Elms); and

WHEREAS, the City currently leases the meeting and ballroom space to Noble Winston-Salem Associates West, LLC, the Embassy Suites owner, for \$600,000 per year to cover the City's annual debt payment from financing the purchase of the space; and

WHEREAS, recently, Noble Investment Group, LLC has been in negotiations with Hospitality Ventures Management Group to sell the two hotels and transfer management of the Benton Convention Center; and

WHEREAS, Hospitality Ventures Management Group was formed in 2001 and currently owns and/or operates 30 full-service, select service, and extended stay branded and independent properties and resorts in 14 states, including the Marriott Greensboro Airport Hotel, near Piedmont Triad International Airport; and

WHEREAS, City staff will prepare a separate action item for consideration and approval by the Public Assembly Facilities Commission to assign the management agreement for the Benton Convention Center to Hospitality Ventures Management Group; and

WHEREAS, various lease agreements and estoppels necessary to effectuate the sale of the downtown Winston-Salem Marriott and Embassy Suites have been prepared and must be executed between the City and Hospitality Ventures Management Group after their finalization and approval by the City Attorney as to form and substance; and

WHEREAS, the sale will necessitate the City's consent to the assignment of the reciprocal easement agreement, which the City hereby consents to.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council upon the recommendation of the Finance Committee, do hereby approve the various lease agreements and estoppels, all in form and substance to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the Public Assembly Facilities Commission has considered and approved the assignment of the Convention Center Qualified Management Agreement to Hospitality Ventures Management Group, and the Mayor and City Council acknowledges the Commission's approval of the assignment.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all leases and agreements on behalf of the Mayor and City Council, and the Public Assembly Facilities Commission after their approval by the City Attorney.

BE IT FURTHER RESOLVED that this resolution shall be effective on the date of its adoption.

Memorandum



Winston-Salem

Community and Business
Development Department

P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2878

TO: Mayor Joines and Members of the Finance Committee
FROM: D. Ritchie Brooks, Director of C&BD
DATE: April 25, 2016
SUBJECT: 4640 Indiana Ave. Demolition Assessment
CC: Derwick Paige, Assistant City Manager
Evan Raleigh, Deputy Director of C&BD

The following information is provided in response to City Council's request to remove the subject demolition assessment from its April 18, 2016 Consent Agenda and send it back to the Community Development/Housing/General Government Committee (CD/H/GG) for further staff investigation and Committee review.

On January 31, 2013, a letter was sent to the property owner, George Richardson, at 2505 Lewis St., Winston-Salem, NC 27107 informing him that the subject property would be considered for demolition by the CD/H/GG Committee at its March 19, 2013 meeting. The letter directed Mr. Richardson to arrange a meeting no later than February 25, 2013 if he "wished to be heard or to present any evidence concerning whether or not the referenced dwelling should be demolished" and advised that said meeting would provide him an opportunity to avoid the possibility of his property being demolished.

On February 8, 2013, Mr. Richardson came to the Community and Business Development Office and spoke with Bruce Bailiff, at which time he advised there was a No Trespassing Sign placed on the property and advised that Inspector Brown was not to enter upon the property. Mr. Bailiff explained the ordinance adoption and demolition process to Mr. Richardson, and informed him about the upcoming CD/H/GG Committee meeting.

The case was presented to the CD/H/GG Committee in March, 19, 2013. Mr. Richardson, was present at the meeting and stated that a lis pendens had been filed against the property before he purchased it in 2012 and that he intended to live in the dwelling once he had completed repairs. Council Member Adams asked how much time it would take to repair the structure, and Mr. Richardson indicated it would take more than three months to repair it and requested an extension until November to complete the repairs. Council Member Adams expressed concern about the safety of the structure, noting that neighbors grew weary of living near substandard properties. Council Member Taylor asked if the structure was secure, and Mr. Bailiff explained the side of the house needed to be enclosed and doors and windows should be installed to secure the structure. Mr. Richardson indicated he could cover the open portion of the structure within a week. Council Member Adams made a motion to allow Mr. Richardson 90 days to make improvements to the property and the motion was carried unanimously. The extension was due to expire in June 2013.

No repairs were made on the property within the extension period granted. A

CityLink311

Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

demolition ordinance was adopted on the property on June 17, 2013. On July 10, 2013, a letter was mailed to George Richardson at 2505 Lewis St, Winston-Salem, NC 27107, notifying him that the property must be repaired or demolished within 90 days after June 17, 2013. A copy of the demolition ordinance was sent with the letter, which also informed Mr. Richardson that he should remove all items of personal property from the dwelling within 15 days of the expiration of the 90-day demolition period.

On June 4, 6, and 11, 2013, Mr. Bailiff called Mr. Richardson at the telephone number he provided in order to gain access to the property to determine if the violations had been brought into compliance, but was unable to make contact. On November 15, 2013, from an adjoining property, a reinspection revealed that the structure was unsecure (the front door was open and allowed visibility through the house) and no work was completed. Reinspections occurred on January 10, March 26, June 2, August 8, and December 1 of 2014, all of which showed no changes to the condition of the structure.

Staff checked with the Inspections Department, and found that a permit for an addition to a single-family dwelling was issued March 3, 2013. The only inspection after the permit was obtained occurred on July 24, 2013. As per Inspection's procedure, the permit was closed July 29, 2014 due to no work having been done since the previous inspection.

On December 9, 2014, Mr. Richardson was notified vial mail that since he had failed to repair or demolish the dwelling as prescribed by the demolition ordinance adopted by City Council, that he should remove any items of personal property from the dwelling within 15 days' receipt of this notification and that the dwelling would then be demolished and the cost of the demolition would be placed against the property. Reinspections occurred on February 20, May 7, and July 27, 2015, all of which showed no changes to the condition of the structure.

Mr. Richardson came into the office on September 23, 2015 and spoke with Mr. Bailiff advising that he had funding in place to begin repairs. Mr. Bailiff advised he would need additional details about funding and when the repairs would be completed. Mr. Richardson advised he would have the information no later than September 25, 2015.

Mr. Richardson did not provide the requested information and the structure was demolished on November 19, 2015.

Attached are copies of letters sent pertaining to the demolition process and photos of the structure during its inspection history.

Reinspection Report

INSPECTOR: OLA BROWN

G-4.**DRAFT**

CDPR4005 - Reinspection Report

CASE STATUS: CLOSE

ADDR NBR: 1268 PIN: 6827-57-7518.00 CASE NBR: 2010040245 TYPE:HSE
CASE OPEN DATE: 04/06/2010 FUNDING: OCCUPANCY: INSP AREA: SA-15
PROPERTY ADDR: 4640 INDIANA AV BLOCK: 2263 LOT: 102C
HEARING DATE: 5/24/2010 ORDER DATE: 5/27/2010 Ward: NORTH

IMPORTANT NAMES AND NUMBERS

OWNER NAME 1: GEORGE RICHARDSON
OWNER NAME 2:
OWNER ADDRESS: 2505 LEWIS ST , WINSTON-SALEM, NC 27107
TENANT:
CONTACT:
VIOLATOR:

NOTIFY:

NOTIFY

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>FAX</u>
TRIAD RESIDENTIAL SC		(336)473-5866	

REMARKS RICHARDSONGEORGE4@GMAIL.COM

VISITS:

<u>VISIT NBR</u>	<u>VISIT DATE</u>	<u>INSPECTOR</u>	<u>SCHEDULED</u>	<u>STATUS</u>	<u>REMARKS</u>
784551	04/06/2010	OLAB	4/6/2010	CLOSE	
784570	04/15/2010	TIFFANYT	4/6/2010	CLOSE	no pni
788293	04/22/2010	CATHYC	4/15/2010	CLOSE	SENT RNOH - R/C/P/LP; 10M1823 FILED 5/6/10
790789	05/24/2010	HEARING	5/24/2010	CLOSE	hrg...rvo30...no contact srvc cmrr
802776	05/27/2010	NICOLEW	5/25/2010	CLOSE	30 DAY RRVO SENT R/C/P
803896	07/16/2010	OLAB	7/12/2010	CLOSE	VAC; NO REPAIRS; RCL
814866	10/21/2010	OLAB	10/14/2010	CLOSE	VAC; NO REPAIRS; RCL
840503	01/20/2011	OLAB	1/19/2011	CLOSE	VAC; NO WRK; DEMO ELIGI
852861	10/27/2011	RESEARCH	1/20/2011	CLOSE	REINSPECTION. SND ORDER TO CLOSE AND SECURE
925288	11/09/2011	CANDYD	10/27/2011	CLOSE	REINSPECTION. SND LTR TO CLOSE AND SECURE
928218	12/07/2011	CANDYD	11/9/2011	CLOSE	SEND ORDER TO SECURE
933233	12/12/2011	CATHYJ	12/8/2011	CLOSE	OTS-7011 1570 0002 3118 7903
934295	01/11/2012	OLAB	1/11/2012	CLOSE	REINSPECTION. HAS NOT BEEN SECURED. WINDOWS UP
939592	02/21/2012	TIFFANYT	1/11/2012	CLOSE	mailed civil citation courtesy letter
947287	03/23/2012	OLAB	3/22/2012	CLOSE	REINSPECTION. NOT SECURED
953200	06/22/2012	RESEARCH	3/23/2012	CLOSE	
981586	12/20/2012	CIVIL	10/22/2012	CLOSE	taking to council
1028559	02/01/2013	TIFFANYT	5/29/2013	CLOSE	mailed letter regarding demolition consideration
1040871	02/22/2013	OLAB	2/22/2013	CLOSE	INSP BROWN GAVE DEMO NOTIFICATION POSTING TO D. GREEN FOR POSTING; POSTED
1036210	02/22/2013	OLAB	6/3/2013	CLOSE	02-08-13 4:31 OFFC VISIT. GEORGE RICHARDSON. 575-2417. ADVISED NO TRESP SIGN ON PROPERTY. BROWN TO NOT ENTER UPON PROPERTY. XPLND PROCESS THROUGH DEMO AMP; CMTE, CC MTG WBB
1040872	06/04/2013	BRUCEB	6/24/2013	CLOSE	06.04.13 1229. CALLED GEORGE RICHARDSON. 336-575-2417. NEED ACCESS TO STR TO DETERMINE COMPLIANCE WITH MHC & CC ORDER. NO ANSWER.
1076281	06/06/2013	BRUCEB	6/24/2013	CLOSE	06.06.13 0919 CALLED GEORGE RICHARDSON AT575-2417. NEED ACCESS TO PROPERTY FOR RI. NO ANSWER. NO VM.
1077238	06/11/2013	BRUCEB	6/24/2013	CLOSE	06.11.13 1055 CALLED GEORGE RICHARDSON AT 575-2417. NEED ACCESS TO PROPERTY FOR RI. NO ANSWER. NO VM.

Reinspection Report

INSPECTOR: OLA BROWN

CDPR4005 - Reinspection Report

CASE STATUS: CLOSE

ADDR NBR: 1268 PIN: 6827-57-7518.00 CASE NBR: 2010040245 TYPE:HSE
CASE OPEN DATE: 04/06/2010 FUNDING: OCCUPANCY: INSP AREA: SA-15
PROPERTY ADDR: 4640 INDIANA AV BLOCK: 2263 LOT: 102C
HEARING DATE: 5/24/2010 ORDER DATE: 5/27/2010 Ward: NORTH

IMPORTANT NAMES AND NUMBERS

OWNER NAME 1: GEORGE RICHARDSON
OWNER NAME 2:
OWNER ADDRESS: 2505 LEWIS ST , WINSTON-SALEM, NC 27107
TENANT:
CONTACT:
VIOLATOR:

1078580	07/10/2013	CANDYD	6/24/2013	CLOSE	ltr mailed to owner ref council approval
1089053	11/15/2013	OLAB	11/7/2013	CLOSE	REINSPECTION. PICS OF REAR TAKEN FROM ADJOINING PROPERTY NEXT DOOR
1127725	12/11/2013	CANDYD	11/15/2013	CLOSE	REINSPECTION. PICS TAKEN FROM LOT AT REAR WHILE COLLECTING WEEDED LOT POSTING SIGNS; ENTERED FROM TOBACCO STREET
1131246	01/10/2014	OLAB	1/10/2014	CLOSE	REINSPECTION. NO EVIDENCE OF FURTHER WRK; INSPEC FROM STREET; PICS; PROPERTY NOT SECURED (FRONT DOOR OPEN ALLOWING VISIBILITY THROUGH REAR TO OUTSIDE OF HOUSE)
1134931	01/24/2014	CANDYD	1/13/2014	CLOSE	waiting on demo
1137183	03/26/2014	OLAB	3/25/2014	CLOSE	REINSPECTION. NO CHANGES TO PROPERTY
1148074	06/02/2014	OLAB	5/27/2014	CLOSE	REINSPECTION. SAME CONDITION
1170989	08/01/2014	OLAB	8/1/2014	CLOSE	REINSPECTION. VACANT. UNSECURED.
1185731	12/01/2014	OLAB	12/1/2014	CLOSE	REINSPECTION. VACANT. UNSECURED. RECOMMEND DEMO
1209670	12/09/2014	CANDYD	12/1/2014	CLOSE	15 day ltr mailed to owner
1211057	02/20/2015	OLAB	2/9/2015	CLOSE	REINSPECTION. VACANT. UNSECURED. NO REPAIRS
1221467	03/01/2015	TIFFANYT	2/20/2015	CLOSE	
1222433	05/07/2015	CANDYD	4/30/2015	CLOSE	check list before demolition
1238825	07/27/2015	OLAB	7/27/2015	CLOSE	REINSPECTION. NO WRK. REMAINS IN VIOLATION. VACANT. UNSECURED.
1259325	07/31/2015	TIFFANYT	7/27/2015	CLOSE	
1260780	09/23/2015	BRUCEB	10/5/2015	CLOSE	RICHARDSON, PROPERTY OWNER, OFFICE VISIT. STATES FUNDING IN PLACE. BEGIN REPAIRS. ADVISED NEED DETAILS, FUNDING AND COMPLETION DATE. STATED WOULD HAVE INFO NO LATER THAN 25SEP20215.
1278953	10/16/2015	CATHYJ	10/5/2015	CLOSE	on hold per bruce
1284824	11/19/2015	OLAB	12/15/2015	CLOSE	final demo by city

LETTERS:

REF TYPE	LETTER NAME	SEND DATE	CERT LTR ID	REMARKS
CC	RNOH	04/22/2010		
CC	LIS PENDENS FOR	04/22/2010		10M1823 FILED 5/6/10
CC	POSTING VERIFIC	04/22/2010		
CC	SERVICE BY CERT	04/22/2010		
CC	HEARING VERIFIC	05/24/2010		
CC	RRVO	06/02/2010		
CC	POSTING VERIFIC	06/02/2010		
CC	SERVICE BY CERT	06/02/2010		
CC	POSTING VERIFIC	12/12/2011		

Reinspection Report

INSPECTOR: OLA BROWN

G-4. DRAFT

CDPR4005 - Reinspection Report

CASE STATUS: CLOSE

ADDR NBR: 1268 PIN: 6827-57-7518.00 CASE NBR: 2010040245 TYPE:HSE
CASE OPEN DATE: 04/06/2010 FUNDING: OCCUPANCY: INSP AREA: SA-15
PROPERTY ADDR: 4640 INDIANA AV BLOCK: 2263 LOT: 102C
HEARING DATE: 5/24/2010 ORDER DATE: 5/27/2010 Ward: NORTH

IMPORTANT NAMES AND NUMBERS

OWNER NAME 1: GEORGE RICHARDSON
OWNER NAME 2:
OWNER ADDRESS: 2505 LEWIS ST , WINSTON-SALEM, NC 27107
TENANT:
CONTACT:
VIOLATOR:

CC	SERVICE BY CERT	12/12/2011
CC	ORDER TO RECLOS	12/12/2011
CC	IMPORTED LETTER	03/10/2016
CC	CERT MAIL RECET	03/10/2016
CC	BOARD ACTION DE	
CC	BOARD ACTION EX	
CC	BOARD ACTION HI	
CC	CHECK LIST BEFO	
CC	CHECK LIST BEFO	
CC	CIVIL CITATION	
CC	DEMOLITION LETT	
CC	DEMOLITION LETT	
CC	DEMOLITION LETT	
CC	DEMOLITION PROC	
CC	EXHIBIT A CODE	

VIOLATIONS:

<u>GROUP</u>	<u>CODE</u>	<u>CURR COND</u>	<u>COMPLY DATE</u>	<u>VIOL. DATE</u>	<u>DESCRIPTION/REMARKS</u>
17	0500	UNFIT		04/06/2010	PROVIDE R-19 CEILING INSULATION
17	0600	UNFIT		04/06/2010	PROVIDE OPERABLE SMOKE DETECTOR
13	0700	UNFIT		04/06/2010	REPAIR PORCH COLUMNS DECAY
06	0700	UNFIT		04/06/2010	REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS
02	0300	UNFIT		04/06/2010	REPLACE BROKEN WINDOW PANES
03	0300	UNFIT		04/06/2010	PROVIDE SAFE STEPS TO SERVE EXITS @ REAR-SIDE ENTRANCE
02	0700	UNFIT		04/06/2010	OTHER PROVIDE WINDOW UNIT @ REAR
06	0600	UNFIT		04/06/2010	REPAIR DEFECTIVE LIGHT FIXTURES
03	0400	UNFIT		04/06/2010	PROVIDE SAFE HANDRAILS TO SERVE EXITS @ FRONT (DECAY)

Reinspection Report

INSPECTOR: OLA BROWN

CDPR4005 - Reinspection Report

CASE STATUS: CLOSE

ADDR NBR: 1268 PIN: 6827-57-7518.00 CASE NBR: 2010040245 TYPE:HSE
 CASE OPEN DATE: 04/06/2010 FUNDING: OCCUPANCY: INSP AREA: SA-15
 PROPERTY ADDR: 4640 INDIANA AV BLOCK: 2263 LOT: 102C
 HEARING DATE: 5/24/2010 ORDER DATE: 5/27/2010 Ward: NORTH

IMPORTANT NAMES AND NUMBERS

OWNER NAME 1: GEORGE RICHARDSON
 OWNER NAME 2:
 OWNER ADDRESS: 2505 LEWIS ST , WINSTON-SALEM, NC 27107
 TENANT:
 CONTACT:
 VIOLATOR:

07	0300	UNFIT	04/06/2010	REPAIR FOUNDATION
08	0100	UNFIT	04/06/2010	REPAIR DEFECTIVE FLOORING
10	0100	UNFIT	04/06/2010	REPAIR HOLES IN WALLS AND CEILINGS
13	0300	UNFIT	04/06/2010	REPAIR OR REPLACE FRONT PORCH RAILINGS

NOTES:

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2010040245
PROPERTY ADDRESS 4640 INDIANA AV
TAX BLOCK 2263 **LOT(s)** 102C
WARD NORTH
PROPERTY OWNER(s) GEORGE RICHARDSON
LIS PENDENS 10m1823 **FILED** 5/6/2010

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 4/22/2010 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 4/24/2010. The hearing was held on 5/24/2010 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes ___ no .
2. The **Finding and Order** was issued on 6/2/2010 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 6/4/2010. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 7/4/2010. The dwelling was found vacated and closed on 7/16/2010.
3. The dwelling became eligible for demolition under the six (6) month rule on 1/16/2011.
4. The notification letter was sent 1/31/2013 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 3/19/2013. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair **\$3,628**

Fair market value **\$10,000**

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum**

Housing Code with City Council approval.

**CITY OF WINSTON-SALEM
COMMUNITY & BUSINESS DEVELOPMENT DEPT.
(336) 727-8000**

**STUART MUNICIPAL BUILDING
100 E. FIRST ST., SUITE 423
WINSTON-SALEM, NC 27101**

1/31/2013

GEORGE RICHARDSON
2505 LEWIS ST
WINSTON-SALEM, NC27107

**RE: 4640 INDIANA AV
BLOCK 2263, LOT 102C, PIN #6827-57-7518.00, CASE NO:2010040245**
Pursuant to the 6 month vacancy Provision Section 10-203(f) (1)/(2)

Dear GEORGE RICHARDSON:

You are hereby advised that an Ordinance ordering the repair or demolition of the above referenced dwelling will be considered by the Community Development/Housing/General Government Committee of the City Council of the City of Winston-Salem on **March 19, 2013**. The meeting will be held at 6:00 pm in the City Council's Committee Room on the 2nd floor of City Hall, Room 239.

Pursuant to an ordinance adopted in December 1989, amended in December 1991, the City Council of the City of Winston-Salem may consider the adoption of a dwelling where (1) the owner has vacated and closed said dwelling and kept it vacated and closed for a period of one (1) year pursuant to an order and (2) the city Council of the City of Winston-salem finds, among other things, that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the City and (3) it is shown that the repairs necessary to render the building fit for human habitation would cost less than fifty percent (-50%) of the present value of the dwelling.

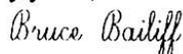
If you wish to be heard or to present any evidence concerning whether or not the referenced dwelling should be demolished, you shall arrange a meeting with the Community and Business Development Director, D. Ritchie Brooks, for no later than **February 25, 2013**. Mr. Brooks' office is located at 100 E. 1st Street, and his telephone number is (336) 734-1250. If you want to request an extension, you should present evidence to Mr. Brooks of your intention to repair the structure, demolish the structure yourself, or sell the structure. A construction contract, demolition permit or a sales contract are examples of the types of evidence that are acceptable. **This does not prohibit you from attending the Council meeting and requesting an extension from the Council, and responding to their questions.**

Please be advised that the City Council of the City of Winston-Salem's Community Development/Housing/General Government Committee does not grant extensions except in extraordinary situations.

The meeting with the Community and Business Development Director is being provided to allow you an opportunity to avoid the possibility of your property being demolished. **If you fail to take advantage of this opportunity, the City Council Committee will consider this when your case is presented to them, and in past hearings they have not been very sympathetic to last minute presentations.**

Should you have any questions, please do not hesitate to call me at (336) 734-1257.

Very truly yours,



Bruce Bailiff
Housing Conservation Administrator

CC:

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2010040245
NEIGHBORHOOD CONSERVATION OFFICER:
Ola Brown - (336)734-1260
4640 INDIANA AV

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>	<u>STATUS/ORDINANCE</u>
672396	PROVIDE R-19 CEILING INSULATION UNFIT V-10-197(I)	-
672400	PROVIDE OPERABLE SMOKE DETECTOR UNFIT V-10-197(L)(1)	-
672407	REPAIR PORCH COLUMNS UNFIT V-10-197(G)(7)	- DECAY
672408	REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS UNFIT V-10-197(F)(1)	-
672367	REPLACE BROKEN WINDOW PANES UNFIT V-10-197(B)(4)	-
672368	PROVIDE SAFE STEPS TO SERVE EXITS ENTRANCE UNFIT V-10-197(C)(2)	- @ REAR-SIDE
672371	OTHER UNFIT V-10-197	- PROVIDE WINDOW UNIT @ REAR
672374	REPAIR DEFECTIVE LIGHT FIXTURES UNFIT V-10-197(F)(1)	-
672376	PROVIDE SAFE HANDRAILS TO SERVE EXITS UNFIT V-10-197(C)(2)	- @ FRONT (DECAY)
672380	REPAIR FOUNDATION UNFIT V-10-197(G)(1)	-
672383	REPAIR DEFECTIVE FLOORING UNFIT V-10-197(G)(2)	-
672385	REPAIR HOLES IN WALLS AND CEILINGS UNFIT V-10-197(G)(4)	-
672390	REPAIR OR REPLACE FRONT PORCH RAILINGS UNFIT V-10-197(G)(7)	-

Date: 5/7/2015

Inspection Area SA-15

Assigned Inspector **OLAB**

Case # 2010040245 Block 2263 Lot 102C

Property Address 4640 INDIANA AV

Date of inspection _____

Please inspect this property and indicate whether or not the following conditions still exist: Please return to Candace Dobson within three (3) days of receipt.

____vacant ____ unsecured ____ 65% violation ____violations corrected _____violations exist

Please identify any violations that have been corrected and write completed on the exhibit A code deficiencies sheet below:

CODE DEFICIENCIES - EXHIBIT A

**CASE NO: 2010040245
CONSERVATION OFFICER:**

NEIGHBORHOOD

4640 INDIANA AV

Ola Brown - (336)734-1260

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>	<u>STATUS/ORDINANCE</u>
672396	PROVIDE R-19 CEILING INSULATION UNFIT V-10-197(I)	-
672400	PROVIDE OPERABLE SMOKE DETECTOR UNFIT V-10-197(L)(1)	-
672407	REPAIR PORCH COLUMNS UNFIT V-10-197(G)(7)	- DECAY
672408	REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS UNFIT V-10-197(F)(1)	-
672367	REPLACE BROKEN WINDOW PANES UNFIT V-10-197(B)(4)	-
672368	PROVIDE SAFE STEPS TO SERVE EXITS UNFIT V-10-197(C)(2)	- @ REAR-SIDE ENTRANCE
672371	OTHER UNFIT V-10-197	- PROVIDE WINDOW UNIT @ REAR

G-4. DRAFT

- 672374 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)
- 672376 PROVIDE SAFE HANDRAILS TO SERVE EXITS - @ FRONT (DECAY)
UNFIT V-10-197(C)(2)
- 672380 REPAIR FOUNDATION -
UNFIT V-10-197(G)(1)
- 672383 REPAIR DEFECTIVE FLOORING -
UNFIT V-10-197(G)(2)
- 672385 REPAIR HOLES IN WALLS AND CEILINGS -
UNFIT V-10-197(G)(4)
- 672390 REPAIR OR REPLACE FRONT PORCH RAILINGS -
UNFIT V-10-197(G)(7)

CITY OF WINSTON-SALEM
COMMUNITY & BUSINESS DEVELOPMENT DEPT.
(336) 727-8000

STUART MUNICIPAL BUILDING
100 E. FIRST ST., SUITE 423
WINSTON-SALEM, NC 27101

7/10/2013

GEORGE RICHARDSON
2505 LEWIS ST
WINSTON-SALEM, NC 27107

Re: Condemnation of Dwelling at 4640 INDIANA AV
Tax Block 2263 Lot(s) 102C File No. 2010040245

Dear: GEORGE RICHARDSON:

You are hereby advised that on June 17, 2013, the Winston-Salem City Council adopted an Ordinance ordering the repair or demolition of the above reference dwelling within ninety (90) days from said date. A copy of the Ordinance is enclosed herein.

You are further advised that if the subject dwelling is not demolished within the above time frame, a public officer of the City of Winston-Salem will cause said dwelling to be demolished and a lien for said cost, less the proceeds from the sale of salvageable materials, will be assessed against your property. **Before the subject property is demolished you will have an opportunity to remove any and all personal property, fixtures or appurtenances found in or attached to the dwelling; however, this removal effort must be completed within fifteen (15) days of the expiration of the aforementioned 90 day demolition period. This is the only notice you will receive regarding your right to remove any and all personal property, fixtures or appurtenances found in or attached to the dwelling prior to demolition by the City or contractors retained by the City. To the extent there are any salvageable materials remaining in or attached to the subject property, said items will be subject to sale in accordance with Chapter 10, Article V of the City Code.**

Should you have any questions, please do not hesitate to call me at (336) 734-1257.

Very truly yours,

Bruce Bailiff

Bruce Bailiff
Housing Conservation Administrator

Enclosure

cc:

CODE DEFICIENCIES - EXHIBIT A

**CASE NO: 2010040245
CONSERVATION OFFICER:**

NEIGHBORHOOD

Ola Brown - (336)734-

**1260
4640 INDIANA AV**

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>	<u>STATUS/ORDINANCE</u>
672396	PROVIDE R-19 CEILING INSULATION UNFIT V-10-197(I)	-
672400	PROVIDE OPERABLE SMOKE DETECTOR UNFIT V-10-197(L)(1)	-
672407	REPAIR PORCH COLUMNS UNFIT V-10-197(G)(7)	- DECAY
672408	REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS UNFIT V-10-197(F)(1)	-
672367	REPLACE BROKEN WINDOW PANES UNFIT V-10-197(B)(4)	-
672368	PROVIDE SAFE STEPS TO SERVE EXITS ENTRANCE UNFIT V-10-197(C)(2)	- @ REAR-SIDE
672371	OTHER UNFIT V-10-197	- PROVIDE WINDOW UNIT @ REAR
672374	REPAIR DEFECTIVE LIGHT FIXTURES UNFIT V-10-197(F)(1)	-
672376	PROVIDE SAFE HANDRAILS TO SERVE EXITS UNFIT V-10-197(C)(2)	- @ FRONT (DECAY)
672380	REPAIR FOUNDATION UNFIT V-10-197(G)(1)	-
672383	REPAIR DEFECTIVE FLOORING UNFIT V-10-197(G)(2)	-
672385	REPAIR HOLES IN WALLS AND CEILINGS UNFIT V-10-197(G)(4)	-

672390 REPAIR OR REPLACE FRONT PORCH RAILINGS
197(G)(7)

- UNFIT V-10-

CITY OF WINSTON-SALEM
COMMUNITY & BUSINESS DEVELOPMENT DEPT.
(336) 727-8000

STUART MUNICIPAL BUILDING
100 E. FIRST ST., SUITE 423
WINSTON-SALEM, NC 27101

12/9/2014

GEORGE RICHARDSON
2505 LEWIS ST
WINSTON-SALEM, NC 27107

**RE: Condemnation of Dwelling at 4640 INDIANA AV
Tax Block 2263, Lot 102C, File # 2010040245**

Dear GEORGE RICHARDSON:

You are here hereby advised that on June 17, 2013, the Winston-Salem Council of the City of Winston-Salem adopted an Ordinance ordering the demolition of the above referenced structure within ninety (90) days from said date. A copy of the Ordinance is enclosed herein.

Because you have failed to demolish said dwelling within the prescribed time period, the city will proceed to demolish said dwelling pursuant to the ordinance adopted by the Council. You are hereby advised to remove any and all articles of personal property, fixtures or appurtenances found in or attached to the aforementioned dwelling within fifteen (15) days of receipt of this notice. If you fail to remove said items, they shall be deemed abandoned and shall be subject to sale by the City in accordance with Section 10-203(g) of the City Code. The dwelling will then be demolished and the cost of the demolition, less the proceeds from the sale, will be placed against the property.

Should you have any questions, please do not hesitate to call me at (336) 734-1272.

Very truly yours,

Stephanie M. Stimpson

Stephanie M. Stimpson
Acting Housing Conservation Administrator

cc:

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2010040245
 CONSERVATION OFFICER:

NEIGHBORHOOD

Ola Brown - (336)734-

1260
 4640 INDIANA AV

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>	<u>STATUS/ORDINANCE</u>
672396	PROVIDE R-19 CEILING INSULATION UNFIT V-10-197(I)	-
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672390 REPAIR OR REPLACE FRONT PORCH RAILINGS -
UNFIT V-10-197(G)(7)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2010040245 2/25/2013

IMAGE DESCRIPTION
4640 Indiana Avenue



CODE CASE NBR IMAGE DATE
2010040245 2/25/2013

IMAGE DESCRIPTION
4640 Indiana Avenue



CODE CASE NBR IMAGE DATE
2010040245 2/25/2013

IMAGE DESCRIPTION
4640 Indiana Avenue



G-4. DRAFT

CODE CASE NBR IMAGE DATE
2010040245 2/25/2013

IMAGE DESCRIPTION
4640 Indiana Avenue



CODE CASE NBR IMAGE DATE
2010040245 2/25/2013

IMAGE DESCRIPTION
4640 Indiana Avenue



CODE CASE NBR IMAGE DATE
2010040245 2/25/2013

IMAGE DESCRIPTION
4640 Indiana Avenue



CODE CASE NBR IMAGE DATE
2010040245 3/19/2013

IMAGE DESCRIPTION

DESCRIPTION FOR 108_6458[1].JPG



CODE CASE NBR IMAGE DATE
2010040245 3/19/2013

IMAGE DESCRIPTION

DESCRIPTION FOR 108_6459[1].JPG



CODE CASE NBR IMAGE DATE
2010040245 3/19/2013

IMAGE DESCRIPTION

DESCRIPTION FOR 108_6457[1].JPG



G-4. DRAFT

CODE CASE NBR IMAGE DATE
2010040245 11/15/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC01968.JPG



CODE CASE NBR IMAGE DATE
2010040245 11/15/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC01970.JPG



CODE CASE NBR IMAGE DATE
2010040245 11/15/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC01969.JPG



CODE CASE NBR IMAGE DATE
2010040245 12/11/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC02367.JPG



CODE CASE NBR IMAGE DATE
2010040245 12/11/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC02371.JPG



CODE CASE NBR IMAGE DATE
2010040245 12/11/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC02368.JPG



G-4. DRAFT

CODE CASE NBR IMAGE DATE
2010040245 12/11/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC02369.JPG



CODE CASE NBR IMAGE DATE
2010040245 12/11/2013

IMAGE DESCRIPTION

DESCRIPTION FOR DSC02370.JPG



CODE CASE NBR IMAGE DATE
2010040245 1/10/2014

IMAGE DESCRIPTION

DESCRIPTION FOR DSC02566.JPG



CODE CASE NBR IMAGE DATE
2010040245 1/10/2014

IMAGE DESCRIPTION

DESCRIPTION FOR DSC02565.JPG



CODE CASE NBR IMAGE DATE
2010040245 7/27/2015

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2010040245 7/27/2015

IMAGE DESCRIPTION



G-4. DRAFT

CODE CASE NBR IMAGE DATE
2010040245 7/27/2015

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2010040245 7/27/2015

IMAGE DESCRIPTION





FY 2016-2017 Budget Overview

Finance Committee Budget Workshop

June 13, 2016

Community Agency Funding Recommendations

Grants to Community Agencies

General Fund, Occupancy Tax, Housing Finance Assistance Fund (HFF)

	FY 15-16 Budget	FY 16-17 Requested	FY 16-17 Proposed	% Change
Arts/Culture/Human Services				
Arts Council – Operating	\$217,360	\$250,000	\$217,360	0%
Arts Council – Capital	52,540	52,540	52,540	0%
Center for Creative Economy	0	50,000	25,000	N/A
District Attorney Domestic Violence Unit	45,000	86,500	45,000	0%
Experiment in Self-Reliance	85,230	125,000	85,230	0%
HARRY Veterans Community Outreach Services	25,000	25,000	25,000	0%
Institute for Dismantling Racism	33,350	35,196	33,350	0%
Mediation Services	7,500	7,500	7,500	0%
National Black Theatre Festival	85,000	85,000	85,000	0%
National Association for Black Veterans (NABVETS)	10,000	10,000	10,000	0%
Old Salem*	\$116,070	\$250,000	\$175,000	50.8%
Piedmont Triad Film Commission	30,800	35,000	32,310	4.9%
RiverRun International Film Festival	40,000	50,000	40,000	0%

* FY 16-17 grant to Old Salem includes \$135,000 for operating assistance, \$25,000 for one-time contribution for Community Day in August 2016, and a reimbursement of \$15,000 for leaf collection and street sweeping services provided in the historic district by Old Salem.

Continued on next slide



Grants to Community Agencies

General Fund, Occupancy Tax, Housing Finance Assistance Fund (HFF)

	FY 15-16 Budget	FY 16-17 Requested	FY 16-17 Proposed	% Change
Arts/Culture/Human Services (Continued)				
SciWorks - Operating	\$172,360	\$222,360	\$172,360	0%
SciWorks – Capital	50,000	50,000	50,000	0%
The Sergei Foundation	5,000	10,000	5,000	0%
The Shepherd's Center of Greater Winston-Salem	0	20,000	15,000	N/A
Work Family Resource Center	10,450	50,000	25,450	143.5%
YMCA – Youth Incentive Program	66,000	66,000	66,000	0%
Youth in Transition	0	40,000	18,350	N/A
Arts/Culture/Human Services Subtotal	\$1,051,660	\$1,520,096	\$1,185,450	12.7%
Successful Outcomes After Release (SOAR)				
Eureka Ministry	\$20,000	\$25,000	\$20,000	0%
Piedmont Triad Regional Council	0	20,000	10,000	N/A
The Salvation Army	5,000	0	0	-100.0%
Self-Empowerment Last Forever (SELF)	10,000	20,000	10,000	0%
YWCA (Hawley House and Project New Start)	0	52,480	10,000	N/A
SOAR Subtotal	\$35,000	\$117,480	\$50,000	42.9%
TOTAL (General Fund, Occupancy Tax, HFF)	\$1,086,660	\$1,637,576	\$1,235,450	13.7%

Grants to Community Agencies

Community Development Block Grant (CDBG), HOME Fund, Housing Finance Assistance Fund (HFF), Emergency Solutions Grant (ESG)

	FY 15-16 Budget	FY 16-17 Requested	FY 16-17 Proposed	% Change
Federal Housing Grant-Funded Agencies				
AIDS Care Service, Inc.	\$68,370	\$68,370	\$60,850	-11.0%
Bethesda Center: Case Management	160,000	160,000	160,000	0%
Consumer Credit Counseling Service: Center for Homeownership *	71,220	75,000	66,750	-6.3%
Experiment in Self-Reliance:				
Income Tax Preparation Assistance	30,000	40,000	35,600	18.7%
Transitional Housing Program *	91,150	100,265	89,250	-2.1%
Habitat For Humanity of Forsyth County (HOME)	138,000	236,800	142,000	2.9%
Housing Authority of Winston-Salem: Tenant Based Rental Assistance	240,000	240,000	240,000	0%
Liberty East Redevelopment	31,150	31,650	31,150	0%
North Carolina Housing Foundation:				
The Commons	200,000	200,000	200,000	0%
The Commons Case Management	0	13,350	13,350	N/A
Veterans Helping Veterans Heal *	12,450	16,000	14,250	14.5%
Piedmont Triad Regional Council: Project Re-Entry *	17,500	35,000	31,150	78.0%
Southside United Health Center	0	18,000	16,020	N/A

* Denoted CDBG-funded public service agencies

Continued on next slide



Grants to Community Agencies

Community Development Block Grant (CDBG), HOME Fund, Housing Finance Assistance Fund (HFF), Emergency Solutions Grant (ESG)

	FY 15-16 Budget	FY 16-17 Requested	FY 16-17 Proposed	% Change
Federal Housing Grant-Funded Agencies (Continued)				
United Way of Forsyth County:				
Continuum of Care Strategic Plan	0	25,000	22,250	N/A
Coordinated Intake Center	34,120	34,120	30,400	-10.9%
Ten-Year Plan to End Chronic Homelessness	20,750	30,000	26,700	28.7%
Winston-Salem Urban League: Summer Youth Employment Program	125,000	125,000	125,000	0%
Federal Housing Grant-Funded Agencies Subtotal	\$1,239,710	\$1,448,555	\$1,304,720	5.2%
Emergency Solutions Grant				
Bethesda Center:				
Women’s Shelter	\$32,690	\$35,000	\$32,690	0%
Day Shelter	25,910	20,000	19,600	-24.4%
Men’s Shelter	25,480	25,000	23,890	-6.2%
Experiment in Self-Reliance: Transitional Housing	13,930	13,052	13,060	-6.2%
Family Services: Women’s Shelter	31,340	30,636	30,640	-2.2%
The Salvation Army: Emergency Shelter	46,230	46,223	44,600	-3.5%

-44-



Winston-Salem

Grants to Community Agencies

Community Development Block Grant (CDBG), HOME Fund, Housing Finance Assistance Fund (HFF), Emergency Solutions Grant (ESG)

	FY 15-16 Budget	FY 16-17 Requested	FY 16-17 Proposed	% Change
Emergency Solutions Grant (Continued)				
Samaritan Ministries: Emergency Shelter	\$46,230	\$44,600	\$44,600	-3.5%
United Way:				
Data Evaluation	38,650	38,650	38,650	0%
Goodwill	46,860	120,000	38,540	-17.8%
Overflow Shelter	11,500	11,500	11,500	0%
Rapid Re-Housing Collaborative	69,860	100,000	72,590	3.9%
Emergency Solutions Grant Subtotal	\$388,680	\$484,661	\$370,360	-4.7%
TOTAL (CDBG, HOME, HFF, ESG)	\$1,628,390	\$1,933,216	\$1,675,080	2.9%

-45-



Grants to Community Agencies

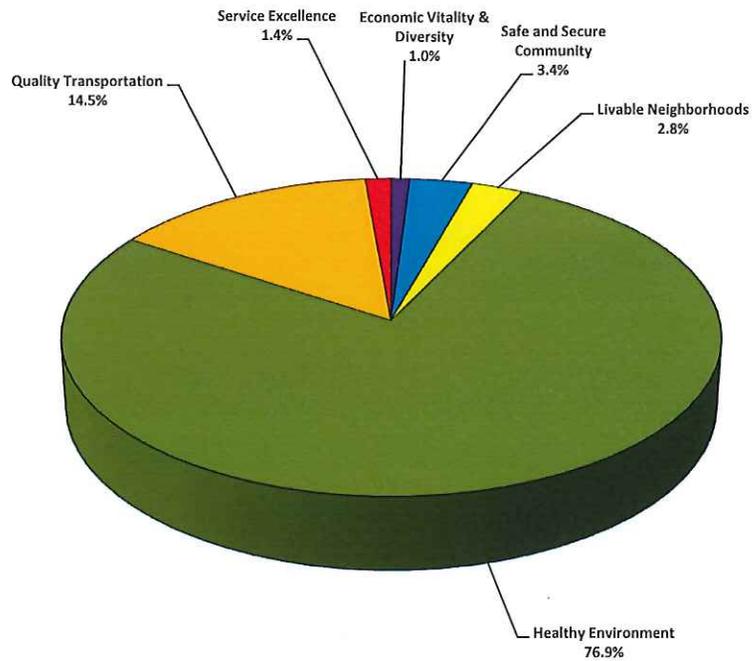
	FY 15-16 Budget	FY 16-17 Requested	FY 16-17 Proposed	% Change
New Requests Unfunded				
Freedom Tree	\$0	\$116,725	\$0	NA
Josh Howard Foundation	0	20,000	0	NA
Women of Wisdom	0	30,000	0	NA
Whole Man Ministries	0	25,000	0	NA
Winston-Salem Industries for the Blind	0	303,500	0	NA
Unfunded Requests Subtotal	\$0	\$495,225	\$0	NA
ALL GRANTS TOTAL	\$2,715,050	\$4,066,017	\$2,910,530	7.2%

Overview of 2017-2022 Capital Plan

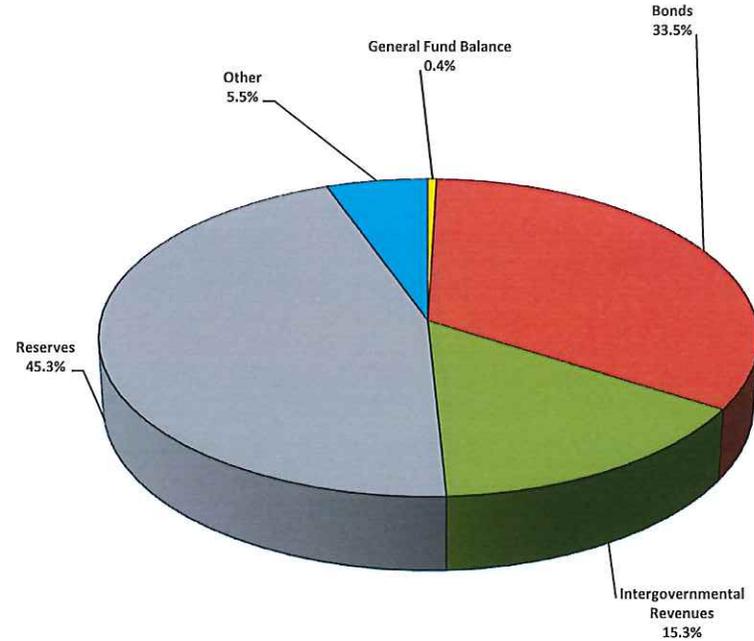


2017-2022 Capital Plan Summary

Expenditures



Funding Sources



Six-Year Total: \$369.5 Million

2017-2022 Capital Plan Overview

- **Six-year plan total of \$369.5 million**
 - Healthy Environment projects (i.e., water, sewer, solid waste disposal, stormwater management, and recreation and parks) represent 77% of six-year plan.
 - Appropriation of \$17.2 million in two-thirds general obligation bonds for major maintenance of recreation and fire facilities, street resurfacing, and bridge repairs
 - Two-thirds bonds proposed for FY 18, FY 20, and FY 22

- **FY 16-17 capital budget of \$67.2 million—mainly due to investments in water and sewer infrastructure**
 - Proposed use of \$1.65 million in general fund balance for major maintenance needs at recreation facilities, Fire Station #5, and City Yard and completion of City fiber network
 - Includes \$2.0 million in new financing for major maintenance needs at the Winston-Salem Fairgrounds

Potential 2018 Bond Package



PROJECT	AMOUNT
GENERAL OBLIGATION BONDS:	
ECONOMIC DEVELOPMENT	
Economic Development Sites/Infrastructure*	\$10,000,000
Revitalizing Urban Commercial Area (RUCA) Projects*	2,000,000
<i>Economic Development Total:</i>	
\$12,000,000	
HOUSING	
Housing/Neighborhood Development*	\$6,000,000
Transforming Urban Residential Neighborhoods (TURN)*	2,000,000
<i>Housing Development Total:</i>	
\$8,000,000	
PUBLIC SAFETY FACILITIES	
Fire Station Renovations	\$10,000,000
Fire Skills Enhancement Facility	1,000,000
Public Safety Driver Training Facility	1,000,000
Fire Maintenance Facility Expansion	1,000,000
Police Fleet Operations Facility	1,000,000
<i>Public Safety Total:</i>	
\$14,000,000	
PARKS AND RECREATION	
Happy Hill Park Master Plan	\$3,000,000
Former Quarry Property Park Development - Phase II	3,000,000
Salem Lake Park Renovations/Improvements - Phase II	2,000,000
Winston Lake Park Renovations - Phase II	2,000,000
Hanes Park Improvements	2,000,000
Miller Park Renovations/Redevelopment - Phase II	2,000,000
Neighborhood Park Enhancements	2,000,000
Corpening Plaza Renovations	1,500,000
Park Land Acquisition*	1,300,000
Reynolds Park Golf Course Improvements	1,000,000
Bolton Park Improvements	600,000
<i>Parks And Recreation Total:</i>	
\$20,400,000	

Potential 2018 Bond Package Continued



PROJECT	AMOUNT
STREETS AND SIDEWALKS	
Street Resurfacing*	\$12,000,000
Sidewalk Construction and Repairs *	10,000,000
Business 40 Multi-use Path	8,000,000
Downtown Street Improvements	7,000,000
Business 40 Betterments	3,500,000
Concrete Street Rehabilitation	3,100,000
Old Salem Infrastructure - Phase II	3,000,000
Bicycle and Pedestrian Projects*	2,000,000
Greenways *	1,000,000
Streets and Sidewalks Total: \$49,600,000	
GENERAL OBLIGATION BONDS TOTAL: \$104,000,000	
LIMITED OBLIGATION BONDS:	
PUBLIC ASSEMBLY FACILITIES	
Winston-Salem Fairgrounds Master Plan	\$10,000,000
Public Assembly Facilities Total: \$10,000,000	
LIMITED OBLIGATION BONDS TOTAL: \$10,000,000	
GRAND TOTAL: \$114,000,000	
* Final locations for projects will be determined by City Council.	
** Estimated costs are preliminary.	

-51-



Next Steps

- Public Safety Committee Meeting, June 13, 6:00 p.m.
- Finance Committee Workshop, June 14, 2:00-4:00 p.m.
- City Council Meeting, June 20, 7:00 p.m.
 - Budget Adoption

City Council – Action Request Form

Date: June 13, 2016

To: The City Manager

From: S. Kirk Bjorling, Real Estate Administrator
Courtney Driver, Assistant to the City Manager

Council Action Requested:

Consideration of a Resolution Authorizing Acquisition of Property at 2619 Bethabara Road for New Park Construction (North Ward)

Summary of Information:

A search has been conducted for a new park location in the North Ward. Two public meetings were held to solicit community feedback on park location and amenities. Property has been identified at 2619 Bethabara Road that could serve as a new park in the North Ward. The lot contains 3.96 acres and it is further identified as Tax PIN 6818-13-8670. The tax value is \$206,500. The property is owned by LPT Development Company, Inc., 6221 Hackers Bend Court, Winston-Salem, North Carolina 27103. The owner has agreed to a negotiated purchase price of \$158,000.

This acquisition would provide an opportunity for needed expansion of the park system into the North Ward. The Recreation and Parks Director and Recreation and Parks Commission are supportive of the acquisition.

The attached resolution authorizes the acquisition of property at 2619 Bethabara Road Tax PIN 6818-13-8670 for \$158,000.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		

**RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY AT
2619 BETHABARA ROAD FOR NEW PARK CONSTRUCTION**

WHEREAS, a search has been conducted for a site for a new park in the North Ward;
and

WHEREAS, property has been located which would serve this purpose at 2619
Bethabara Road; and

WHEREAS, the lot contains 3.96 acres and it is further identified as Tax PIN 6818-13-
8670; and

WHEREAS, the property is owned by LPT Development Company, Inc., 6221 Hackers
Bend Court, Winston-Salem, North Carolina 27103; and

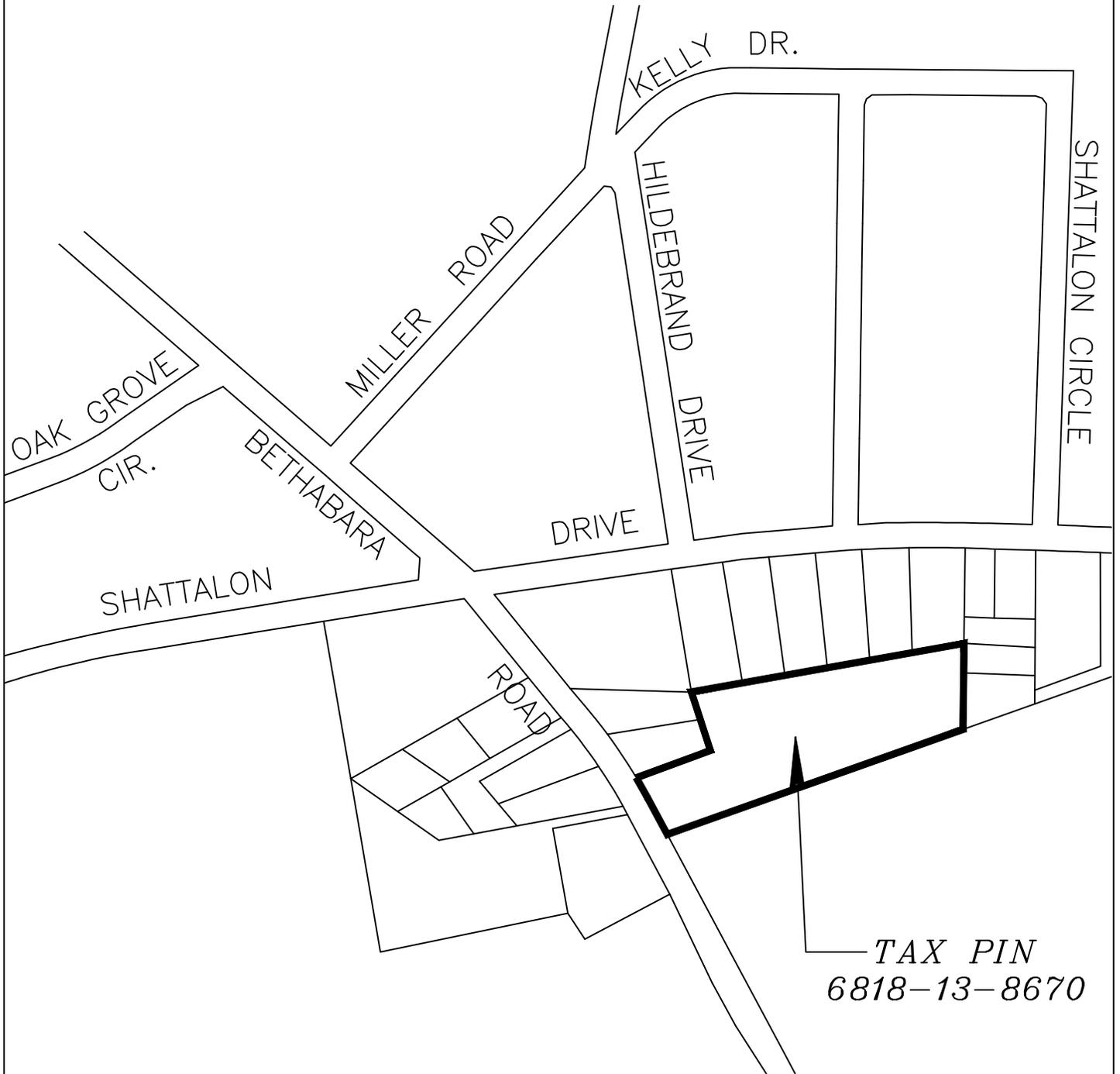
WHEREAS, the owner has agreed to a negotiated purchase price of \$158,000; and

WHEREAS, this acquisition would provide an opportunity for needed expansion of the
park system into the North Ward; and

WHEREAS, the Recreation and Parks Director and Recreation and Parks Commission
are supportive of the acquisition.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the
City of Winston-Salem hereby authorize acquisition of property at 2619 Bethabara Road, further
identified as Tax PIN 6818-13-8670, from LPT Development Company, Inc. for the sum of
\$158,000 and that the appropriate City officials are authorized to take the necessary steps to
effectuate the acquisition of the property, including a purchase contract, which shall be in a form
approved by the City Attorney.

PROPERTY ACQUISITION



NOT TO
SCALE



City Council – Action Request Form	
Date:	June 13, 2016
To:	The City Manager
From:	S. Kirk Bjorling, Real Estate Administrator
Council Action Requested:	
Consideration of a Resolution Authorizing the Sale of Certain City-owned Property at 426 West Clemmons Road Under the Upset Bid Procedure (N.C.G.S. 160A-269) (Southeast Ward)	
Summary of Information:	
<p>The City owns a single-family lot and a house situated thereon identified as Tax PIN 6833-18-8068 located at 426 West Clemmons Road. The lot is zoned residential, contains approximately 35,283.6 sq. ft., and the four room house contains 756 sq. ft. (living room, kitchen, two bedrooms, and one bath). The property was acquired for the Clemmons Road widening project, which is now complete. The tax value is \$53,544 based on the exterior appearance, but the interior has been vandalized and stripped of metal. It is in poor condition with many repairs needed. For this reason, all reasonable offers were considered.</p> <p>Carmen Taveras and J. Eli Mojica Garcia, 1629 East Sprague Street, Winston-Salem, NC 27107 have submitted an offer along with the required deposit to purchase the property. The offer is \$35,000. The property is being purchased “As Is/Where Is and With All Faults”. The buyer proposes to rehab the house and be an owner/occupant. Staff believes that due to the poor condition of the house, this is a reasonable offer and the best offer that can be obtained. If this vacant property is not disposed of it will continue to deteriorate further and at some point the City will have to pay for the demolition of the house and the future upkeep of the lot. By selling this property, it will also be placed back on the tax rolls and greater revenue will be realized for the City. For the reasons previously mentioned, Staff recommends that the City sell the property for \$35,000.</p> <p>Under the provisions of N.C.G.S. 160A-269, the City Secretary shall cause a notice of proposed sale, containing a general description of the property, the amount and terms of the offer, and a</p>	
Committee Action:	
Committee	Action
For	Against
Remarks:	

notice that within ten days any person may raise the bid by not less than 10% of the notice that within ten days any person may raise the bid by not less than 10% of the first \$1,000 and 5% of the remainder, to be published, and without further authorization of the City Council, shall re-advertise the offer at the increased bid; and this procedure shall be repeated until no further qualifying bids are received, at which time the City Council may accept the offer and sell the property to the highest bidder or reject any and all offers. In the event that no upset bid is received, the property will be sold to Carmen Taveras and J. Eli Mojica Garcia without further City Council action. If raised bids are received, City Council confirmation is required.

The attached resolution authorizes the sale of Tax PIN 6826-82-6818, known as 426 West Clemmons Road under the upset bid procedure to Carmen Taveras and J. Eli Mojica Garcia or their assigns as herein stated.

**RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY
AT 426 WEST CLEMMONSVILLE ROAD UNDER THE UPSET BID PROCEDURE
(N.C.G.S. 160A-269)**

WHEREAS, the City is the owner of a single family lot and house situated thereon located at 426 West Clemmons ville Road, further identified as Tax PIN 6833-18-8068, Forsyth County Tax Map, that is surplus to the City’s needs; and

WHEREAS, the City has received an offer to purchase such property and advertise it for upset bids all in accordance with N.C.G.S. 160A-269; and

WHEREAS, said offer in the amount of \$35,000 was submitted by Carmen Taveras and J. Eli Mojica Garcia, 1629 East Sprague Street, Winston-Salem, NC 27107 and the required 5% deposit has been paid; and

WHEREAS, the property has been vandalized, stripped of metal, and is in poor condition with many repairs needed; and

WHEREAS, no warranty of merchantability, fitness for a particular purpose, or condition is made by the City relating to the sale of the property and the property is purchased “As Is/Where Is and With All Faults”.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council upon the recommendation of the Finance Committee, hereby authorize the sale for \$35,000 of property herein referenced, as Tax Pin 6833-18-8068 to Carmen Taveras and J. Eli Mojica Garcia under the provisions of N.C.G.S. 160A-269; that the City Secretary shall cause a notice of proposed sale, containing a general description of the property, amount and terms of the offer, and a notice that within ten days any person may raise the bid by not less than 10% of the first \$1,000 and 5% of the remainder, be published, without further authorization of the Mayor and the City Council, shall re-advertise the offer at the increased bid; and this procedure shall be repeated

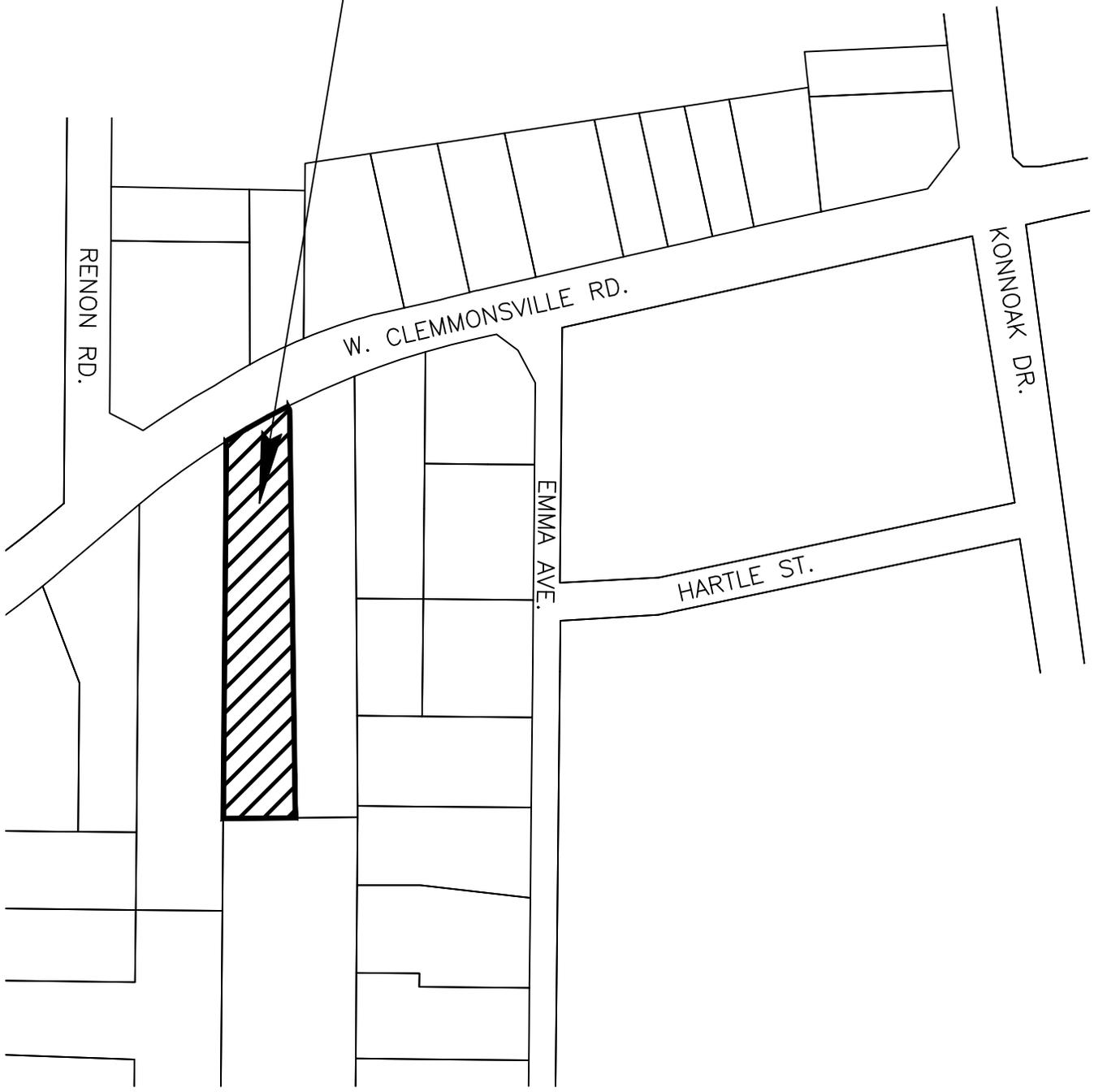
until no further qualifying bids are received, at which time the Mayor and the City Council may accept the offer and sell the property to the highest bidder or reject any and all offers.

BE IT FURTHER RESOLVED, in the event that no raised bid is received, the offer set forth above is hereby accepted, and that the appropriate City officials are hereby authorized to execute instruments required to complete the conveyance to Carmen Taveras and J. Eli Mojica Garcia or their assigns as stated herein and if the sale is not completed, the bid deposit submitted with the offer may be returned to the offeror.

BE IT FURTHER RESOLVED, the purchase of the property is voided and the refund of the earnest money or bid deposit is authorized if it is requested by the buyer within the due diligence period as specified in the Offer to Purchase Contract or the Bid Purchase of City Property Offer.

PROPOSED SALE
426 W. CLEMMONSVILLE RD

TAX PIN 6833-18-8068



NOT TO
SCALE



City Council – Action Request Form

Date: May 25, 2016

To: The City Manager

From: Derwick L. Paige, Assistant City Manager

Council Action Requested:

Adopt Resolution Designating WPDA, Inc. as the Best Qualified Developer and Establishing A Public Hearing Date for Approval of the Public-Private Partnership Contract in accordance with G.S. 143-128.1C.

Summary of Information:

On March 28, 2016, City Council adopted a resolution finding there is a critical need: (i) for the City to acquire easements and rights-of-way for infrastructure (water, sewer and road) purposes and (ii) for City participation in enhancements to various buildings within the Whitaker Park Development project area utilizing its public-private partnership authority set forth in G.S. 143-128.1C, all in an effort to spur economic development.

As the next step in the process to enter into a public-private partnership for the development of Whitaker Park, the City issued a request for qualifications. Any private developer capable of undertaking the project was eligible to submit a proposal. The proposals then were evaluated based upon the private developer being in a position to: (i) acquire the necessary land in Whitaker Park for the development project, (ii) convey to the City the real estate interest (easements and rights-of-way) desired by the City for public infrastructure purposes; (iii) convey to the City a security interest in certain buildings as collateral for a City loan; (iv) undertake or cause to be completed the entire project as outlined in the resolution adopted on March 28, 2016, and the request for qualifications; (v) contribute at least fifty 50% of the financing for the total cost necessary to deliver the project; the value of the land contributed to the project by the developer may be considered as part of the developer’s contribution; and (vi) comply with the requirements set forth in G.S. 143-128.1C.

Two proposals were received from the solicitation. One proposal was submitted by Whitaker Park Development Authority, Inc. (WPDA) which is a nonprofit corporation created for economic and redevelopment purposes with representatives from Winston-Salem Business Inc., Winston-Salem Alliance, Wake Forest University, Piedmont Triad Partnership, Forsyth County, City of Winston-Salem and other at-large representation. The other proposal was submitted by

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks:

Samet Corporation and Stimmel Associates PA. While the latter proposal was competitive for several of the criteria, it failed to respond to how Samet had the ability: 1) to acquire, in fee simple, the property necessary for the public infrastructure improvements and to transfer title and ownership of the same to the City; 2) to acquire, in fee simple, the land and buildings necessary to complete the Whitaker Park Development project; or 3) to obtain and convey to the City the security interest in the 601 Buildings based upon a Developer Loan.

As a result, the attached resolution designates WPDA, Inc. as the best qualified developer and authorizes, following a public hearing, the City to enter into a contract with WPDA, Inc., with terms and conditions that provide, amongst other things for: (i) the acquisition by the City of certain easements and rights-of-way for infrastructure (water, sewer and roads) that will become public infrastructure and additional land, later in the project, for open space/green space in Whitaker Park, (ii) a \$2 million dollar loan with an interest rate of at least 3% but no more than 5%, and (iii) installation, repair and upgrade of public infrastructure that is not reimbursed by the County, as further described in Exhibit A attached hereto and incorporated herein.

The attached resolution also establishes a public hearing date of August 15, 2016 for the City Council to approve the contract between WPDA and the City of Winston-Salem. Per G.S. 143-128.1C, notification and advertisement of the proposed terms of the contract must be published in a local general circulation newspaper at least 30 days prior to the public hearing date.

**RESOLUTION DESIGNATING WPDA, INC. AS THE BEST
QUALIFIED DEVELOPER AND ESTABLISHING A PUBLIC HEARING
DATE FOR APPROVAL OF THE PUBLIC-PRIVATE PARTNERSHIP
CONTRACT IN ACCORDANCE WITH G.S. 143-128.1C**

WHEREAS, on March 28, 2016, City Council adopted a resolution finding there is a critical need: (i) for the City to acquire easements and rights-of-way for infrastructure (water, sewer and road) purposes and (ii) for City participation in enhancements to various buildings within the Whitaker Park Development Project area utilizing its public-private partnership authority set forth in G.S. 143-128.1C, all in an effort to spur economic development; and

WHEREAS, the City issued a request for qualifications for any private developer capable of undertaking the project to submit a proposal outlining their qualifications; and

WHEREAS, proposals were evaluated based upon the private developer being in a position to: (i) acquire the necessary land in Whitaker Park for the development project, (ii) convey to the City the real estate interest (easements and rights-of-way) desired by the City for public infrastructure purposes; (iii) convey to the City a security interest in certain buildings as collateral for a City loan; (iv) undertake or cause to be completed the entire project as outlined in the resolution adopted on March 28, 2016, and the request for qualifications; (v) contribute at least fifty 50% of the financing for the total cost necessary to deliver the project; the value of the land contributed to the project by the developer may be considered as part of the developer's contribution; and (vi) comply with the requirements set forth in G.S. 143-128.1C.; and

WHEREAS, proposals were received and reviewed from Whitaker Park Development Authority, Inc. (WPDA) and Samet Corporation and Stimmel Associates PA; and

WHEREAS, based upon a review of these proposals, it is determined that WPDA is the best qualified developer for the Whitaker Park Development Project; and

WHEREAS, following a public hearing, the City may enter into a contract with WPDA, Inc., with terms and conditions that provide, amongst other things for: (i) the acquisition by the City of certain easements and rights-of-way for infrastructure (water, sewer and roads) that will become public infrastructure and additional land, later in the project, for open space/green space in Whitaker Park, (ii) a \$2 million dollar loan with an interest rate of at least 3% but no more than 5% and (iii) installation, repair and upgrade of public infrastructure that is not reimbursed by the County, as further described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, per G.S. 143-128.1C, notification and advertisement of the proposed terms of the contract must be published in a local general circulation newspaper at least 30 days prior to the public hearing date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council hereby designate WPDA, Inc. as the best qualified developer for the Whitaker Park Development Project.

BE IT FUTHER RESOLVED, that pursuant to G.S. 143-128.1C a public hearing date of August 15, 2016 is hereby established for the City Council to approve the contract between WPDA, Inc. and the City of Winston-Salem.

EXHIBIT A

Terms and Conditions for Public-Private Partnership (P3) between
Whitaker Park Development Authority, Inc. (WPDA) and the
City of Winston-Salem

1. Acquisition and Development of the Project Site

- a. WPDA shall become the fee simple owner of record of the 120 acre site within Whitaker Park ("Project Site") on or before January 31, 2018.
- b. WPDA pursuant to this P3 Agreement shall convey, on or before June 30, 2018, all of the required easements, rights-of-way and other property interest that is necessary for the City to own the infrastructure designated as public infrastructure. Additionally, WPDA shall also convey green space and stormwater infrastructure to the City on or before June 30, 2018. Should WPDA fail to acquire the Project Site and convey the aforementioned infrastructure and property interest by the dates set forth herein, WPDA shall repay the City all city funds invested in the Project within ninety (90) days from receipt of a demand letter for repayment from the City.
- c. WPDA will engage architects and engineers as necessary to prepare plans and specifications necessary for the design, development and construction of the Project (the "Construction Plans"). All Construction Plans and any material change orders affecting the use and quality of the Project, where City funds are used, shall be subject to the prior review and approval of the Office of the City Manager, which approval shall not be unreasonably withheld, conditioned or delayed.
- d. WPDA will enter into a contract (the "GC Contract") with a general contractor (the "Contractor") for the construction of the Project that sets either a fixed price or a guaranteed maximum price. Said General Contractor shall be responsible for the construction of both the public infrastructure and the non-public portions of the Project. During the construction of the Project, City representatives shall be invited to construction progress meetings every month with WPDA, the Contractor and the architect.

In general, the Contractor will conduct and oversee all of the work related to the public infrastructure and the renovations, equipment and fixture installations to Buildings 601-1 and 601-11 within Whitaker Park ("601 Buildings") as well as any additional buildings within Whitaker Park including the 605-1, 7 and 10-13 Buildings and the 2-1 and 2-2 Buildings ("Additional Buildings"). The renovations regarding the 601 Buildings include, but are not limited to: (i) separating and disconnecting the existing HVAC and related systems along with the steam system of the 601 Buildings from the building being retained by Reynolds; (ii) disconnecting the central fire protection loop in the 601 Buildings from the building being retained by Reynolds and installing a new one in the 601 Buildings; (iii) separating the electrical system of the 601 Buildings from the building being retained by Reynolds and installing new transformers and related systems in the 601 Buildings; (iv) renovating the single tenant space in the 601 Buildings into facilities that will accommodate multiple tenants; (v) repairing or replacing, as necessary, the roofs on the 601 Buildings and (vi) such additional work necessary to facilitate the occupancy of the 601 Buildings.

An additional aspect of the Project includes the conversion of the steam heating system in the Additional Buildings to a heating source that is more economical. The City shall not be responsible for any Project cost overruns unless additional funding is expressly agreed to by the Winston-Salem City Council in compliance with G.S 143-128.1C.

- e. WPDA shall be responsible for the purchase of all materials and equipment at a reasonable cost.
- f. It is anticipated that the Project will be completed by January 1, 2020. In the event the Project is not completed by said date, the Developer agrees to make a non-confidential written report to the City at least thirty (30) days in advance of the projected January 1, 2020 completion date to explain the delay and the revised construction schedule. Upon satisfactory completion of the Public Infrastructure, as determined by the City, the Developer shall deed said Public Infrastructure to the City, at no additional cost to the City.

2. Project Financing Structure and Disbursement of City Funds

a. Public Sources of Funding

- (i) Forsyth County (“County”) will provide funding for public infrastructure in an amount not to exceed \$2.3 million.
- (ii) Provided WPDA owns the required fee simple interest in the Project Site by January 31, 2018, and is in a position to execute the required loan documents for the City loan, the City will provide a subordinate loan in an amount not to exceed \$2 million. The loan documents shall include a promissory note, subordinate deed of trust and security agreement and UCC Financing Statement (“Loan Documents”) to be executed no later than June 30, 2018. In the event that WPDA does not own the 601 Buildings within the Project Site at the time the loan funds are needed, but there is need to undertake work related to the separation of systems within the Project Site and thus expend loan funds prior to January 31, 2018, the City will accept a temporary, subordinate deed of trust for the property located at 95 W. 32nd Street, Winston-Salem, NC 27105 (Building 630-2) within the Project Site. Said temporary subordinate deed of trust will be released upon the execution of a permanent deed of trust and other loan documents on the 601 Buildings within the Project Site. The loan funds will be disbursed within thirty (30) days of execution of the Loan Documents. The loan, which shall bear an interest rate of no less than 3% but no greater than 5%, shall be repaid, in full, upon the sale of either of the 601 Buildings identified in the P3 Agreement. If the 601 Buildings are subject to a lease, Borrower shall provide the City with an agreed upon percentage of the lease payments after reasonable deductions for expenses including any maintenance reserve. Said lease payments shall be applied towards the loan and be used to reduce the outstanding balance. Unless paid sooner, the loan shall be repaid not later than 10 years from the date of execution of the Loan Documents.
- (iii) Provided WPDA owns the required fee simple interest in the Project Site by January 31, 2018 and is in a position to convey to the City the easements, rights-of-way and other desired property interest by June 30, 2018, the City shall purchase the easements and rights-of-way for public infrastructure and

green space in an amount not to exceed \$1 million. Said funds will be disbursed at the closing for the acquisition of the easements, rights-of-way and other property interest desired by the City.

- (iv) The final \$1 million of the City's \$4 million dollar contribution to the Project will be for installation of the public infrastructure that is not reimbursed by the County. This \$1 million for installation of public infrastructure shall be disbursed to the Developer within thirty (30) days of the execution of this P3 Agreement. The City's entire contribution to the project shall not exceed \$4 million.

b. Private Sources of Funding

- (i) WPDA has in current assets and cash more than \$8.0 million to contribute to the project. WPDA will contribute said amount to the Project.
- (ii) When WPDA acquires the Project Site, it will have assets valued in excess of \$30 million.

3. Other Provisions

- a. WPDA and its Contractor will be required to adhere to the good faith efforts to recruit and select minority and women businesses and small business entities as set forth in G.S. 143-128.2, 143-128.4, 143-128.1C.
- b. WPDA will be required to adhere to the payment bond requirements set forth in G.S. 143-128.1C.
- c. WPDA/General Contractor will be required to obtain and maintain Commercial General Liability Insurance.



Budget and Evaluation

City of Winston-Salem
 P.O. Box 2511
 Winston-Salem, NC 27102
 CityLink 311 (336-727-8000)
 Fax 336-734-1224
www.cityofws.org

TO: Mayor Allen Joines and Members of the City Council
FROM: Stephen M. Hawryluk, City Manager's Designee, Downtown Winston-Salem Business Improvement District Advisory Committee
DATE: 6/8/2016
SUBJECT: Oversight and Controls for the Downtown Winston-Salem Business Improvement District Services
CC: Lee D. Garrity, City Manager
 Ben Rowe, Assistant City Manager

There are several mechanisms for oversight for the Downtown Winston-Salem Business Improvement District and for the contract the City has with the Downtown Winston-Salem Partnership to provide these services. When the Downtown Winston-Salem Business Improvement District was created, the Mayor and City Council approved the creation of the Downtown Winston-Salem Business Improvement District Advisory Committee. This committee is appointed by City Council upon recommendation from the Mayor and the duties and responsibilities of this committee include:

- 1) Prepare the annual work plan.
- 2) Recommend an annual budget to City Council.
- 3) Provide financial, program, and staff oversight with regards to the Downtown Winston-Salem Business Improvement District.

The Committee is comprised of eleven members representing various stakeholder interests within downtown and meets at least once per quarter. The attached ordinance includes an amendment to the city code designating the Budget and Evaluation Office as the secretary and staff support to the Downtown Winston-Salem Business Improvement District Advisory Committee.

The contract between the City of Winston-Salem and the Downtown Winston-Salem Partnership for providing services within the Downtown Winston-Salem Business Improvement District also includes mechanisms for oversight and controls. The City may, without cause, and in its discretion, terminate the contract for convenience by giving the Downtown Winston-Salem Partnership a written notice at least 120 days. The contract also includes reporting requirements for the Downtown Winston-Salem Partnership. Each quarter, a report shall be submitted to the City that includes a detailed description of the services performed within the district, updated performance measures, and expenditure spending history. This information is included in a quarterly memo that is provided to the Mayor and City Council. The Downtown Winston-Salem Partnership is also required to prepare an annual report of all program activities and accomplishments, and have an annual audit completed and submitted to the City, after the close of the fiscal year.

The final mechanism for oversight of the Downtown Winston-Salem Business Improvement District is the annual budget. The tax rate, budget, and work plan of the Downtown Winston-Salem Business Improvement District are approved by the Mayor and City Council as part of the annual budget process. Any contract for services is contingent on the availability and final approval of these funds.

If you have any questions or need additional information, please do not hesitate to contact me at 747-7093.

C-4. DRAFT

Due to the new legislative requirements found in North Carolina General Statute 160A-536 relating to the awarding and renewal of contracts for business improvement district services, a new agency could be awarded the contract for services in future years. Currently, the Downtown Winston-Salem Business Improvement District Advisory Committee receives staff support from the Downtown Winston-Salem Partnership. The proposed ordinance amending the City Code changes the staff support for the Downtown Winston-Salem Business Improvement District Advisory Committee to the Budget and Evaluation Office.

**RESOLUTION OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA
AWARDING A CONTRACT WITH THE DOWNTOWN WINSTON-SALEM
PARTNERSHIP TO PROVIDE SERVICES WITHIN THE DOWNTOWN WINSTON-
SALEM BUSINESS IMPROVEMENT DISTRICT**

WHEREAS, pursuant to North Carolina General Statute 160A-536, a public input session was held on Wednesday, March 23, 2016 at the M.C. Benton, Jr. Convention & Civic Center and a Statement of Qualifications/Letter of Interest was advertised on April 8, 2016 with proposals due on April 29, 2016; and

WHEREAS, the City received one proposal, from the Downtown Winston-Salem Partnership, and a team of City staff from the City Manager's Office, the Community and Business Development Department, and the Budget and Evaluation Office evaluated and scored the proposal and the Downtown Winston-Salem Partnership's proposal received an average of 94.3 out of a possible total of 100 points; and

WHEREAS, a public hearing was held on June 6, 2016 to receive citizen input prior to renewing or entering into a contract with an agency to provide services within the Downtown Winston-Salem Business Improvement District; and

WHEREAS, City staff recommends that the City enter into a contract period of five years with the Downtown Winston-Salem Partnership to provide services within the Downtown Winston-Salem Business Improvement District.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council that the contract for providing services within the Downtown Winston-Salem Business Improvement District be awarded to the Downtown Winston-Salem Partnership.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute the aforementioned contract, after review by the City Attorney, with the Downtown Winston-Salem Partnership.

**ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED
“ADMINISTRATION”**

BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem as follows:

Section 1. Sec. 2-175. Officers. is hereby amended to read as follows

The Mayor shall designate the initial chairperson of the Downtown Winston-Salem Business Improvement District Advisory Committee, who shall serve one year. Thereafter, the committee shall elect its own chairperson each to serve one year. The committee shall also elect from its number a vice-chairperson who shall serve as chairperson in the chairperson’s absence. ~~The president of the Downtown Winston-Salem Partnership shall serve as secretary to the committee, not as a member of the advisory committee.~~ The chairperson and vice-chairperson shall serve one-year terms. Both are eligible to serve multiple one-year terms as long as they are members of the committee. The budget and evaluation office shall serve as secretary to the committee and provide staff support and meeting place to the committee as needed.

Section 2. This ordinance shall be effective upon the date of adoption.

Memorandum



Community and Business
Development Department

P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2878

TO: Mayor and Members of City Council
FROM: D. Ritchie Brooks, Community and Business Development
Department Director
DATE: May 26, 2016
SUBJECT: Rockwood at Oliver's Crossing Additional Funds
CC: Lee Garrity, City Manager
Derwick Paige, Assistant City Manager

The Finance Committee considered a request for \$236,000 in additional HOME funds for Rockwood at Oliver's Crossing, a multifamily rental development located at 5180 Peters Creek Parkway, at its meeting on May 9, 2016. The following are responses to Council Member questions.

Options for Buried Material – See separate memo from City Attorney Angela Carmon.

Environmental Review – All projects using federal funds are required to pass an environmental review. For large-scale new construction projects, this is an Environmental Assessment with receipt of a Release of Funds from the U.S. Department of Housing and Urban Development (HUD). The developer contracted with an environmental consulting firm to complete a Phase I Environmental Site Assessment (ESA) in accordance with the Standard Practice for Environmental Site Assessments of the American Society for Testing and Materials. In doing the ESA, the consultant observed the property and reviewed records related to the property, but did not do soil borings. The ESA found no environmental conditions that would indicate the buried debris found by the developer. Staff in the City/County Planning Board reviewed the ESA, consulted with other City departments and federal and state agencies, published its finding that the project would have no significant impact on the environment, and received a Release of Funds from HUD.

Affordability Period – The primary source of funding for Rockwood at Oliver's Crossing is Low Income Housing Tax Credits. Under Tax Credit requirements, all 64 units must be affordable for a 30-year period. Thirty-one (31) units will be affordable to households earning at or below 60% of area median income (AMI), 17 units will be affordable to households earning at or below 50% AMI, and 16 units will be affordable to household earning at or below 30% AMI.

The HOME program requires that newly constructed HOME-assisted units are affordable for a 20-year period. HUD will monitor the City for compliance with all HOME regulations during the affordability period, and if the units do not comply the City will have to repay the HOME funds. The agreement provides for eight HOME-assisted units, four two-bedroom units and four three-bedroom units. Tenants must be at or below 60% AMI, of which two units must be affordable to households at or below 50% AMI. If additional funds are approved, the number of HOME-assisted units will

CityLink311

Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

be increased to nine.

Rents – Both the Tax Credit and HOME programs restrict the rents that can be charged. The following are contract rents. (HOME contract rents take the maximum HOME program rent and subtract a utility allowance of \$135 for a two-bedroom unit and \$162 for a three-bedroom unit.)

	2-Bedroom	3-Bedroom
Tax Credit – 60%	611	698
Tax Credit – 50%	535	611
Tax Credit – 30%	267	302
HOME – 60%	543	816
HOME – 50%	543	644

HOME Funds – HOME funds are available to meet this request and will be added to the existing loan. The City’s loan is currently in second lien position behind a construction loan and will be subordinate to bank permanent financing.

Payments from the HOME funds must be repaid to the HOME account for use in other HOME-assisted projects that meet all of the HOME requirements. The funds will also contribute towards the City meeting HUD’s June 30th expenditure deadline for HOME funds. Any shortfall in expenditures will be recaptured by HUD.

Memorandum



TO: Finance Committee Members
FROM: Angela I. Carmon, City Attorney
DATE: June 1, 2016
SUBJECT: Rockwood at Oliver's Crossing
CC: Lee Garrity, City Manager

City Attorney's Office

P.O. Box 2511
 Winston-Salem, NC 27102
 CityLink 311 (336.727.8000)
 Fax 336.748.3816

During the Finance Committee's discussion of Item G-3 Resolution Authorizing Up to \$236,000 in Additional Permanent Financing for the Development of 64 Units of Rental Housing for Families to be Known as Rockwood Oliver's Crossing Apartments, questions arose regarding the debris such as tires, parts and other items ("tires and auto parts") buried beneath the surface of the soil of the property located at 5180 Peters Creek Parkway ("Subject Property") and the applicable City Code revisions prohibiting such activity.

City Code Section 62-7 "Depositing or burying offensive matter" makes it unlawful for any "...person to.....bury beneath the surface of the soil, or for the property owner to allow to remain on his property, within the city limits, any dead animal carcass, human body or part thereof, carrion, offal, human excrement, filth, manure, putrid or decaying animal matter, or other substance or matter offensive to the smell or injurious to health; provided that nothing in this section shall be construed to prevent the property burial of dead persons as provided in chapter 14 nor the use of manure on the surface as fertilizer." It is my understanding that the bulk of the materials buried beneath the surface of the soil would not have been covered by this particular code provision. However, North Carolina law makes it unlawful to discard, deposit or dispose of a scrap tire except at a site or facility permitted to receive scrap tires. Chapter 130A, Part 2B regarding scrap tires states that "This Part preempts any local ordinance regarding the disposal of scrap tires to the extent the local ordinance is inconsistent with this Part or the rules adopted pursuant to this Part".

Because the tires and auto parts were buried well beneath the surface of the soil, such parts were not discovered during the initial environmental testing phase. The same was discovered only after the grading commenced. Rockwood at Oliver's Crossing LLC ("Rockwood") discussed the matter with its predecessor in title Virginia Hill, who appeared to be unaware of the tires and auto parts buried beneath the surface when she conveyed the property to Rockwood on April 25, 2014. Apparently, Rockwood contacted various entities at the time for financial assistance. However, due to time constraints on the project, Rockwood proceeded to remove, at its costs, the tires and auto parts.

Rockwood did institute a lawsuit against Ms. Hill. Said lawsuit settled for \$40,000, well below the removal cost which exceeded \$280,000, due to several factors: (i) it was difficult to attribute knowledge of the tires and auto parts to Ms. Hill, who owned the property, but never lived or conducted any business there, (ii) Rockwood did not have privity of contract with the son, whom operated a used car business on the property, and whom Rockwood believed to be responsible for burying the tires and auto

parts beneath the surface of the Subject Property, (iii) the strongest claim, which would have been for fraudulent concealment, had significant legal hurdles under North Carolina Real Property Law, and (iv) at the day long mediation, it appeared very clear that the Hills would not be able to respond in damages, even if a judgment was obtained for the full cost of cleanup. The settlement award was applied towards the removal costs.

Following the Committee's discussion, I did reach out to Peter Juran, the attorney that represented Rockwood in the aforementioned lawsuit and NC DENR. At this time, it does not appear that there are any alternative funding sources that Rockwood could avail itself of to minimize the financial impact of the cost associated with removal of the tires and auto parts from the Subject Property.

Should you have any additional questions, please do not hesitate to let me know.

City Council – Action Request Form

Date: April 25, 2016

To: The City Manager

From: D. Ritchie Brooks, Director, Community and Business Development

Council Action Requested:
 Authorization of up to \$236,000 in additional permanent financing for development of 64 units of rental housing for families, to be known as Rockwood at Oliver’s Crossing Apartments (South Ward).

Summary of Information:
 On April 15, 2013, the Mayor and City Council approved up to \$550,000 for Rockwood at Oliver’s Crossing, to be derived from the HOME funds and Housing Finance Assistance Funds. On April 21, 2014, the Mayor and City Council approved an additional \$100,000 in HOME funds to cover cost overruns based largely on additional site costs required to develop the property and meet all City and Department of Transportation design standards. These included additional retaining walls, boring under Peters Creek Parkway to bring water and sewer to the property, and installing a turn lane. Construction of the project, located at 5180 Peters Creek Parkway and consisting of 64 rental units for families, is now complete and fully leased.

The developer, Rockwood at Oliver’s Crossing, LLC, its affiliates or assigns, which Majority Managing Member is Bradley Queener and Minority Managing Member is Traci Dusenbury, has requested an additional \$236,000 to address unforeseen costs, namely burial of debris that was undetected prior to start of the project and replacement of soil. The total project cost is \$9.1 million, compared to \$8.1 million originally. The developer is responsible for the remaining costs.

A resolution and project budget ordinance providing an additional \$236,000 in HOME funds, which would bring the total HOME funds to \$736,000 and the total loan to \$886,000, is presented for consideration. The total loan is an amortizing loan from cash flow at 2% annual interest for 20 years. Of the existing loan funds, 9% have been disbursed, and 10% will be disbursed once the developer has complied with HOME and North Carolina Housing Finance Agency’s requirements.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		

C-5. DRAFT

The development consists of 32 two-bedroom and 32 three-bedroom units, and serves families with incomes below 60% of area median income, with 33 of the units targeted to households with incomes below 50% of area median income. Amenities include a community room with kitchen, computer center with high-speed internet, laundry room, playground, tot lot, gazebo, and picnic area with grill. In addition to the City's funds, project funding includes \$5.2 million in federal tax credits, a \$1.65 million bank loan, a \$680,000 state tax credit loan, \$396,000 in owner investment, and \$340,000 in deferred developer fees.

**RESOLUTION AUTHORIZING ADDITIONAL PERMANENT FINANCING
FOR A 64-UNIT FAMILY RENTAL DEVELOPMENT
KNOWN AS ROCKWOOD AT OLIVER'S CROSSING**

WHEREAS, on April 21, 2013 the Mayor and City Council of the City of Winston-Salem approved \$550,000 in permanent financing to Rockwood at Oliver's Crossing, LLC, its affiliates or assigns, as the borrowing entity, and Bradley Queener, as Majority Managing Member, and Traci Dusenbury, as Minority Managing Members, to develop a 64-unit family rental development at 5180 Peters Creek Parkway, to be known as Rockwood at Oliver's Crossing; and

WHEREAS, on April 21, 2014, the Mayor and City Council approved an additional \$100,000 in HOME funds for the project to cover cost overruns; and

WHEREAS, the developers have requested additional funds to cover cost overruns, including burial of debris that was undetected at prior to the start of the project and replacement of soil.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Winston-Salem authorize up to \$236,000 in additional permanent financing for Rockwood at Oliver's Crossing to be added to the loan previously approved.

BE IT FURTHER RESOLVED, that the Mayor and City Council authorize the City Manager to review and approve final loan terms and conditions, negotiate permanent loan agreements, and execute contracts and documents necessary to carry out the activities herein authorized.

City Council – Action Request Form

Date: May 27, 2016
To: The City Manager
From: Thomas Kureczka, Chief Information Officer

Council Action Requested:

Consideration of a Resolution Approving a Contract with Data Network Solutions, Inc. for Computer Storage Equipment.

Summary of Information:

The Information Systems Department manages a computer storage network composed of a large quantity of disk drives within the City’s two data centers. Each data center has two storage controllers used to manage the communications between the disk drives and the computer applications servers. The servers and storage network combined support the City’s enterprise and departmental business applications. The controllers are also used by staff to administer the disk space allocations.

These storage controllers are in the fifth year of service, and some of the disk drives are at end of life with no vendor support. With the rapid changes in technology, replacement of the controllers and disk drives is needed to remain consistent with the technology used in the newer servers. The FY15-16 maintenance and support contract for the controllers and disk drives cost \$112,821. With age being a factor, the cost for the maintenance and support contract for FY16-17 will be \$134,000. In less than three years, the total support cost for the existing equipment will be greater than an actual replacement with new equipment and three years of warranty and support.

The Information Systems Department worked with Purchasing to issue a Request for Quote (RFQ) for the replacement of the controllers and drives with new equipment. The RFQ stated that the new equipment must integrate with our servers and be certified by the manufacturer, Network Appliance. Network Appliance requires that all equipment must be new for the warranty to apply and for them to support the devices. Therefore, there was also a requirement in the RFQ that all vendor responses must represent new certified equipment, with no used or refurbished equipment. An additional requirement was that all responses must include three years of support.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____

C-6.a. DRAFT

The City received only one response to the RFQ. This vendor is not a local or M/WBE certified provider, but they do have a strong presence in the Triad area.

The responding vendor and their pricing information is as follows:

Vendor	Price
Data Network Solutions, Inc.	\$309,754.00

The total one-time cost is \$309,754.00. Data Network Solutions, Inc. provides the City's current support, as a Network Appliance partner, with very satisfying results, and their familiarity with the City's environment will prove valuable with the migration to the new equipment. Funding is available in the proposed FY16-17 Information Systems capital projects budget. It is recommended that the City enter into an agreement with Data Network Solutions, Inc. for the purchase of computer storage controllers, disk drives, and three years of warranty and support, contingent upon approval of the FY16-17 budget by the City Council.

Exhibit A includes workforce demographics for Data Network Solutions, Inc.

RESOLUTION APPROVING A CONTRACT WITH DATA NETWORK SOLUTIONS, INC. FOR COMPUTER STORAGE EQUIPMENT

WHEREAS, the Information Systems Department manages a computer storage network composed of controllers and disk drives within two data centers to support the City’s enterprise and departmental business applications; and

WHEREAS, the controllers are in the fifth year of service, and some of the disk drives are at end of life with no vendor support; an upgrade is needed to remain consistent with the technology used in our computer application servers; and

WHEREAS, in less than three years the total support cost for the existing equipment will be greater than an actual replacement with new equipment and three years of warranty and support; and

WHEREAS, a Request for Quote was issued for the replacement of the controllers and drives with new equipment and support, with only one vendor, Data Network Solutions, Inc., responding; and

WHEREAS, funding is available in the proposed FY16-17 Information Systems capital projects budget, contingent upon approval by the City Council; and

WHEREAS, it is recommended that the City enter into an agreement with Data Network Solutions, Inc. for the purchase of computer storage equipment.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council authorize the City Manager to enter into a contract with Data Network Solutions Inc. for computer storage equipment for a one-time amount of \$309,754.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract on behalf of the City.

Exhibit A

Project/Bid/ Description:	<u>Contract for Computer Storage Equipment</u>
Bidder's Company Name:	<u>Data Network Solutions, Inc.</u>
City/State:	<u>Chapin, SC</u>

WORKFORCE DEMOGRAPHICS

Gender		Race/Ethnic Identification						Total
Male	Female	White	African-American	Hispanic	Asian	Native-American	Two or More Races	Total
26	7	31	1	1				33
% of								
Total	79%	21%	94%	3%	3%			

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

City Council – Action Request Form				
Date:	June 20, 2016			
To:	The City Manager			
From:	Jerry Bates, Purchasing Director			
Council Action Requested:				
Adoption of Resolution Awarding Contract for Ditch Maintenance.				
Summary of Information:				
<p>The Department of Transportation Streets Division has periodic needs to provide ditch maintenance across the City. The scope of work normally involves cleaning of drainage ditches and pipes, reshaping drainage ditches, cutting new shoulders, seeding and mulching, and occasionally, pipe replacement under driveways. Bids based on historical usage and projected needs with a significant inflation factor for quantities were accepted on May 20, 2016. Below is a summary of the only bid offered with the itemized summary of this bid shown on Exhibit B following the resolution:</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <tr> <td style="text-align: left; padding-right: 20px;">Carolina Asphalt Paving, Inc.</td> <td style="text-align: center; padding-right: 20px;"><u>City/State</u> Browns Summit, NC</td> <td style="text-align: right;"><u>Sum of Unit Prices</u> \$361,250</td> </tr> </table> <p>This annual contract runs from July 1, 2016 to June 30, 2017. Terms of the bid allow the City the right to extend the contract for as many as two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose. Unit prices may be adjusted at the beginning of each additional annual period by an amount not to exceed the latest available Consumer Price Index for All Urban Consumers.</p> <p>The City’s annual budget includes \$90,000 for these services; therefore, it is recommended that a contract for ditch maintenance be awarded to Carolina Asphalt Paving, Inc., the lowest responsive, responsible bidder meeting specifications, in the estimated annual total amount of \$90,000 and the right to extend the contract for as many as two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose making the total award possible over three years is the estimated amount of \$270,000.</p> <p>M/WBE comment: Notices were sent to 30 local area landscapers and site contractors, including nine minority and seven woman-owned businesses, who perform this type of work. No M/WBE businesses responded to this opportunity.</p> <p>Workforce Demographics: See Exhibit A</p>		Carolina Asphalt Paving, Inc.	<u>City/State</u> Browns Summit, NC	<u>Sum of Unit Prices</u> \$361,250
Carolina Asphalt Paving, Inc.	<u>City/State</u> Browns Summit, NC	<u>Sum of Unit Prices</u> \$361,250		
Committee Action:				
Committee	Action			
For	Against			
Remarks:				

RESOLUTION AWARDING CONTRACT FOR DITCH MAINTENANCE

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 3:00 p.m. on Friday, May 20, 2016, for ditch maintenance as needed during the annual period from July 1, 2016 through June 30, 2017; and the following bid was received:

	<u>City/State</u>	<u>Sum of Unit Prices</u>
Carolina Asphalt Paving, Inc.	Browns Summit, NC	\$361,250

WHEREAS, terms of the bid allow the City the right to extend the contract for as many as two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose, and unit prices may be adjusted at the beginning of each additional annual period by an amount not to exceed the latest available Consumer Price Index for All Urban Consumers; and

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded for ditch maintenance as needed during the annual period from July 1, 2016, through June 30, 2017, to Carolina Asphalt Paving, Inc., the lowest responsive bidder meeting specifications, in the estimated annual amount of \$90,000 with the option to extend for two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose, making the total award possible over three years in the estimated amount of \$270,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the contract for ditch maintenance is hereby awarded to Carolina Asphalt Paving, Inc., in the estimated amount of \$90,000 with the option to extend for two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose, making the total award possible over three years in the estimated amount of \$270,000 and that the City

C-6.b. DRAFT

Manager and City Secretary are hereby authorized to execute the contract on behalf of the City, contract forms to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal year 2016-17 budget and available in account no. 56-5630-5272 to cover the cost of this contract.

Exhibit B

			Carolina Asphalt Paving	
<i>Item Description</i>	<i>Qty</i>	<i>Unit</i>	<i>unit cost</i>	<i>subtotal</i>
Ditching (cleaning & reshaping)	7,500	LF	\$15.00	\$112,500
Ditching (cleaning, reshaping, cutting shoulders)	7,500	LF	\$22.50	\$168,750
Cutting Shoulders (0'-4' wide)	5,000	LF	\$10.00	\$50,000
Pipe Installation <24" dia.	100	EA	\$50.00	\$5,000
Pipe Cleaning	1,000	EA	\$25.00	\$25,000
TOTAL EST. COST				\$361,250

Exhibit B

DITCH MAINTENANCE

Bid Opening 3:00 pm, May 20, 2016

Bid Tabulation

				Carolina Asphalt Paving	
<i>Item #</i>	<i>Item Description</i>	<i>Qty</i>	<i>Unit</i>	<i>unit cost</i>	<i>subtotal</i>
1	Ditching (cleaning & reshaping)	7,500	LF	\$15.00	\$112,500
2	Ditching (cleaning, reshaping, cutting shoulders)	7,500	LF	\$22.50	\$168,750
3	Cutting Shoulders (0'-4' wide)	5,000	LF	\$10.00	\$50,000
4	Pipe Installation <24" dia.	100	EA	\$50.00	\$5,000
5	Pipe Cleaning	1,000	EA	\$25.00	\$25,000
Total Estimated Cost					\$361,250

Exhibit A

Project/Bid Description: Contract for Ditch Maintenance
 Bidder's Company Name: Carolina Asphalt Paving, Inc.
 City/State: Brown Summit, NC

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	3	1	4	0	0	0	0	4
% of Total	75.0%	25.0%	100.0%	0.0%	0.0%	0.0%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

City Council – Action Request Form													
Date:	June 20, 2016												
To:	The City Manager												
From:	Jerry Bates, Purchasing Director												
Council Action Requested:													
Adoption of a Resolution Awarding Contract for Structure Adjustments.													
Summary of Information:													
<p>The Department of Transportation Streets Division has periodic needs to provide structure adjustments as needed on City streets. The scope of work may involve raising manholes, water valves, or inlet grates during street resurfacing. Bids for an annual service contract based on historical usage and projected needs with a significant inflation factor for quantities were accepted on May 24, 2016. Below is a summary of the bids received with the itemized summary of this bid shown on Exhibit B following the resolution:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 20%; text-align: center;"><u>City/State</u></th> <th style="width: 30%; text-align: center;"><u>Sum of Unit Prices</u></th> </tr> </thead> <tbody> <tr> <td>Ascent Construction Solutions, LLC</td> <td style="text-align: center;">Winston-Salem, NC</td> <td style="text-align: right;">\$149,875.00</td> </tr> <tr> <td>Cooper Construction Service, LLC</td> <td style="text-align: center;">Winston-Salem, NC</td> <td style="text-align: right;">236,250.00</td> </tr> <tr> <td>Mayes Landscaping & Concrete, Inc.</td> <td style="text-align: center;">Winston-Salem, NC</td> <td style="text-align: right;">255,993.75</td> </tr> </tbody> </table> <p>This annual contract runs from July 1, 2016, to June 30, 2017. Terms of the bid allow the City the right to extend the contract for as many as two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose. Unit prices may be adjusted at the beginning of each additional annual period by an amount not to exceed the latest available Consumer Price Index for All Urban Consumers.</p> <p>The City’s annual budget includes \$100,000 for these services; therefore it is recommended that a contract to provide structure adjustments on City streets be awarded to Ascent Construction Solutions, LLC, the lowest responsive, responsible bidder meeting specifications, in the estimated annual total amount of \$100,000 and the right to extend the contract for as many as two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose making the total award possible over three years is the estimated amount of \$300,000.</p> <p>M/WBE comment: Notices were sent to 15 local area contractors, including five minority and three woman-owned businesses, who perform this type of work. Ascent Construction Solutions, LLC and Mayes Landscaping & Concrete, Inc. are minority-owned businesses.</p> <p>Workforce Demographics: See Exhibit A</p>			<u>City/State</u>	<u>Sum of Unit Prices</u>	Ascent Construction Solutions, LLC	Winston-Salem, NC	\$149,875.00	Cooper Construction Service, LLC	Winston-Salem, NC	236,250.00	Mayes Landscaping & Concrete, Inc.	Winston-Salem, NC	255,993.75
	<u>City/State</u>	<u>Sum of Unit Prices</u>											
Ascent Construction Solutions, LLC	Winston-Salem, NC	\$149,875.00											
Cooper Construction Service, LLC	Winston-Salem, NC	236,250.00											
Mayes Landscaping & Concrete, Inc.	Winston-Salem, NC	255,993.75											
Committee Action:													
Committee	Action												
For	Against												
Remarks:													

RESOLUTION AWARDING CONTRACT FOR STRUCTURE ADJUSTMENTS

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 3:00 P.M. on Tuesday, May 24, 2016, for structure adjustments as needed during the annual period from July 1, 2016 through June 30, 2017; and the following bids were received:

	<u>City/State</u>	<u>Sum of Unit Prices</u>
Ascent Construction Solutions, LLC	Winston-Salem, NC	\$149,875.00
Cooper Construction Service, LLC	Winston-Salem, NC	236,250.00
Mayes Landscaping & Concrete, Inc.	Winston-Salem, NC	255,993.75

WHEREAS, terms of the bid allow the City the right to extend the contract for as many as two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose, and unit prices may be adjusted at the beginning of each additional annual period by an amount not to exceed the latest available Consumer Price Index for All Urban Consumers; and

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded for structure adjustments as needed during the annual period from July 1, 2016, through June 30, 2017, to Ascent Construction Solutions, LLC, the lowest responsive bidder meeting specifications, in the estimated annual amount of \$100,000 with the option to extend for two additional annual periods (until June 30, 2019), if both parties agree and funds are made available for that purpose, making the total award possible over three years in the estimated amount of \$300,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem, that the contract for structure adjustments is hereby awarded to Ascent Construction Solutions, LLC, in the estimated amount of \$100,000 and that the City Manager and City Secretary are hereby authorized to execute the contract on behalf of the City, contract forms to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal year 2016-17 budget and available in account no. 014620-5272-9999 to cover the cost of this contract.

Exhibit A

Project/Bid Description: Contract for Structure Adjustments
 Bidder's Company Name: Ascent Construction Solutions, LLC
 City/State: Winston-Salem, NC

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	10	1	0	9	2	0	0	11
% of Total	90.9%	9.1%	0.0%	81.8%	18.2%	0.0%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

Exhibit B

STRUCTURE ADJUSTMENTS SERVICE CONTRACT

**Bid Opening 2:00 pm, May 24, 2016
Bid Tabulation**

<i>Item</i>	<i>Item Description</i>	<i>Qty</i>	<i>Unit</i>	Ascent Construction Solutions, LLC		Cooper Construction Co.		Mayes Landscaping & Concrete, Inc.	
				<i>unit cost</i>	<i>subtotal</i>	<i>unit cost</i>	<i>subtotal</i>	<i>unit cost</i>	<i>subtotal</i>
1	Adjust Water Valve Boxes	400	EA	\$145.00	\$58,000	\$200.00	\$80,000	\$249.75	\$99,900
2	Adjust Manholes	600	EA	\$145.00	\$87,000	\$250.00	\$150,000	\$249.75	\$149,850
3	Inlet Grates	25	LF	\$195.00	\$4,875	\$250.00	\$6,250	\$249.75	\$6,243.75
Total Estimated Cost					\$149,875		\$236,250		\$255,993.75

**RESOLUTION AWARDING CONTRACT FOR
SIDEWALK CONSTRUCTION ALONG OLD TOWN DRIVE**

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 3:00 p.m., Tuesday, May 24, 2016, for sidewalk construction along Old Town Drive and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
Dalton Contracting, LLC	Winston-Salem, NC	\$122,789
Yates Construction Co., Inc.	Stokesdale, NC	143,290
D.E. Walker Construction Co.	Charlotte, NC	143,614
Carolina Asphalt Paving, Inc.	Browns Summit, NC	238,760

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded to Dalton Contracting, LLC, the low bidder meeting specifications, for sidewalk construction along Old Town Drive in the estimated total amount of \$122,789.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem that the contract for sidewalk construction along Old Town Drive is hereby awarded to Dalton Contracting, LLC in the estimated total amount of \$122,789. The City Manager and City Secretary are authorized to execute the contract on behalf of the City, with contract and performance and payment bonds to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualifications of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City.

BE IT FURTHER RESOLVED that funds have been previously appropriated and will be made available in account nos. 304-533102-541206 and 8131-533102-661004 to cover the cost of this contract.

Exhibit A

Project/Bid Description: Contract for Construction of Old Town Drive Project
 Bidder's Company Name: Dalton Contracting, LLC
 City/State: Clemmons, North Carolina

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	7	0	4	1	2	0	0	7
% of Total	100.0%	0.0%	57.1%	14.3%	28.6%	0.0%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

City Council – Action Request Form							
Date:	June 20, 2016						
To:	The City Manager						
From:	Jerry Bates, Purchasing Director						
Council Action Requested:							
Adoption of Resolution Awarding Contract for Concrete Base Streets Rehabilitation.							
Summary of Information:							
<p>The City has several streets that were built with concrete having substandard curbs and gutters. Subsequent resurfacing with asphalt has left them with inadequate gutters to drain stormwater and the thin layer of surface asphalt is continually eroding. This project will rehabilitate 11 segments of five streets listed on Exhibit A.</p> <p>Bids were scheduled to be received May 18, 2016, for the concrete base streets rehabilitation project and on May 6, 2016, staff held a mandatory pre-bid conference to discuss the City’s Minority and Women Business Enterprise Program and the scope of work as it relates to the project. Only one contractor attended the required meeting. North Carolina General Statute (N.C.G.S.) bidding laws state that only those attending the mandatory pre-bid meeting are eligible to offer a bid for the project and considering N.C.G.S.143-132(a) requires a minimum of three bids for formal construction and repair contracts, as authorized by N.C.G.S. 143-129, a second mandatory meeting was advertised and scheduled for May 19, 2016. Again, only one contractor attended the required meeting. As allowed by N.C.G.S. 143-129, the one bid received May 26, 2016, for the concrete base streets rehabilitation project follows:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 30%; text-align: center;"><u>City/State</u></th> <th style="width: 30%; text-align: center;"><u>Bid</u></th> </tr> </thead> <tbody> <tr> <td>APAC-Atlantic, Inc., Thompson-Arthur Division</td> <td style="text-align: center;">Winston-Salem, NC</td> <td style="text-align: right;">\$3,097,298</td> </tr> </tbody> </table> <p>The low bidder, APAC-Atlantic, Inc., Thompson-Arthur Division has agreed to the goals established for this project of 5% with minority owned businesses and 5% with women-owned businesses. It is recommended that a contract be awarded to APAC-Atlantic, Inc., Thompson-Arthur Division., the low bidder meeting specifications, in the estimated amount of \$3,097,298.</p> <p>M/WBE comment: Notices of this opportunity were sent directly to 14 contractors including four certified woman owned business who are licensed to provide this work.</p> <p>Workforce Demographics: See Exhibit B</p>			<u>City/State</u>	<u>Bid</u>	APAC-Atlantic, Inc., Thompson-Arthur Division	Winston-Salem, NC	\$3,097,298
	<u>City/State</u>	<u>Bid</u>					
APAC-Atlantic, Inc., Thompson-Arthur Division	Winston-Salem, NC	\$3,097,298					
Committee Action:							
Committee	Action						
_____	_____						
For	Against						
_____	_____						
Remarks:							

**RESOLUTION AWARDING CONTRACT FOR
CONCRETE BASE STREETS REHABILITATION**

WHEREAS, a mandatory pre-bid conference for the concrete base streets rehabilitation project was held at 10:00 a.m. May 6, 2016, to discuss the City’s Minority and Women Business Enterprise Program and the scope of work as it relates to the project; however, only one contractor attended the required meeting; and

WHEREAS, a second mandatory pre-bid conference was advertised and held at 10:00 a.m., May 19, 2016, and only one contractor attended the required meeting; and

WHEREAS, North Carolina General Statute (N.C.G.S.) 143-132(a) requires a minimum of three bids for formal construction and repair contracts and N.C.G.S. 143-129 authorizes the project to be readvertised and awarded with less than three bids; and

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 2:00 p.m., Thursday, May 26, 2016, for the concrete base streets rehabilitation project and the following bid was received:

	<u>City/State</u>	<u>Bid</u>
APAC-Atlantic, Inc., Thompson-Arthur Division	Winston-Salem, NC	\$3,097,298

WHEREAS, it is the recommendation of the Finance Committee that a contract for the concrete base streets rehabilitation project be awarded to APAC-Atlantic, Inc., Thompson-Arthur Division, the low bidder meeting specifications, in the estimated amount of \$3,097,298.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that a contract for the concrete base streets rehabilitation project is hereby awarded to APAC-Atlantic, Inc., Thompson-Arthur Division, in the estimated amount of \$3,097,298, and that all other bids are rejected, and that the City Manager and City Secretary are authorized to execute the contract

on behalf of the City, contract forms to be approved by the City Attorney, and bid deposit retained until the successful bidder has delivered satisfactory contract, performance, and labor and materials payment bonds.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualifications of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City. The bid deposit shall be retained if the bidder fails to execute the contract or give satisfactory surety as required by N.C.G.S. 143-129.

BE IT FURTHER RESOLVED, that APAC-Atlantic, Inc., Thompson-Arthur Division, will be required to subcontract 5.5% of this contract with certified minority owned businesses and 5% with certified women-owned businesses as indicated on Affidavit "C" submitted by the company.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal year 2016-17 approved budget and available in account no. 30-304-533116-541701 to cover the cost of this contract.

Canterbury Trail	From Windsor Road to Plymouth Avenue
Fairfax Drive	From Plymouth Avenue to Canterbury Trail
Fairfax Drive	From Canterbury Trail to Windsor Road
S. Pine Valley Road	From Country Club Road to N. Bitting Road
S. Pine Valley Road	From N. Bitting Road to Windsor Road
N. Pine Valley Road	From Country Club Road to Reynolds Drive
N. Pine Valley Road	From Reynolds Drive to Club Park Road
N. Pine Valley Road	From Club Park Road to Wellington Road
Windsor Road	From Westview Drive to N. Pine Valley Road
Windsor Road	From Pine Valley Road to Canterbury Trail
Windsor Road	From Canterbury Trail to Fairfax Drive

Exhibit A

Exhibit B

Project/Bid Description: Contract for concrete base streets rehabilitation project
 Bidder's Company Name: APAC-Atlantic, Inc., Thompson-Arthur Division
 City/State: Winston-Salem, NC

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	221	21	155	52	35	0	0	242
% of Total	91.3%	8.7%	64.0%	21.5%	14.5%	0.0%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

City Council – Action Request Form

Date: June 20, 2016

To: The City Manager

From: Jerry Bates, Purchasing Director

Council Action Requested:

Adoption of Resolution Awarding Contract for Road Salt

Summary of Information:

On May 17, 2016, bids were received for an estimated 2,000 tons of road salt for use by the Department of Transportation’s Streets Division to be ordered as needed during the period of November 1, 2016, through October 31, 2017. Below is a summary of the bids received:

	<u>City/State</u>	<u>Per Ton</u>	<u>Total</u>
The Detroit Salt Company, LLC	Detroit, MI	\$101.22	\$202,440
Cargill, Inc.-Deicing Technology	North Olmsted, OH	119.17	238,340
Compass Minerals America Inc	Overland Park, KS	120.20	240,400
Morton Salt, Inc.	Chicago, IL	121.31	242,620

Terms of the bid reserves the right to extend the contract for as many as four additional 12 month terms with the opportunity to adjust the cost per ton by an amount not to exceed the Producer Price Index, if both parties agree and funds are made available for that purpose.

It is recommended that a contract be awarded to The Detroit Salt Company, LLC for an estimated 2,000 tons of road salt at a unit cost of \$101.22 per ton for a total amount of \$202,440 with the option to extend for as many as four additional 12 month terms, if both parties agree, and funds are made available making the total possible award over five years in the estimated amount of \$1,012,200.

DELIVERY: as needed

M/WBE COMMENT: There are no known local minorities or woman-owned companies that sell this product.

Workforce Demographics: See Exhibit A

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		

RESOLUTION AWARDING CONTRACT FOR ROAD SALT

WHEREAS, after due advertisement, bids were received and publicly opened by the Purchasing Department at 10:00 a.m. on Tuesday, May 17, 2016, for 2,000 tons of road salt for use by the Department of Transportation's Streets Division to be ordered as needed during the period from November 1, 2016, through October 31, 2017, and the following bids were received:

	<u>City/State</u>	<u>Per Ton</u>	<u>Total</u>
The Detroit Salt Company, LLC	Detroit, MI	\$101.22	\$202,440
Cargill, Inc.-Deicing Technology	North Olmsted, OH	119.17	238,340
Compass Minerals America Inc	Overland Park, KS	120.20	240,400
Morton Salt, Inc.	Chicago, IL	121.31	242,620

WHEREAS, terms of the bid reserves the right to extend the contract for as many as four additional 12 month terms with the opportunity to adjust the cost per ton by an amount not to exceed the Producer Price Index, if both parties agree, and funds are made available for that purpose; and

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded to The Detroit Salt Company, LLC for 2,000 tons of road salt at a unit cost of \$101.22 per ton for a total amount of \$202,440 with the option to extend for as many as four additional 12 month terms, if both parties agree, and funds are made available for that purpose making the total possible award over five years in the estimated amount of \$1,012,200.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the contract for 2,000 tons of road salt to be ordered as needed from November 1, 2016, through October 31, 2017, is hereby awarded to The Detroit Salt Company, LLC for 2,000 tons of road salt at a unit cost of \$101.22 per ton for a total amount of \$202,440 with the option to extend for as many as four additional 12 month terms, if both parties agree, and funds are made available for that purpose making the total possible award over five years in the estimated amount of

C-6.f. DRAFT

\$1,012,200, and that the City Manager and City Secretary are hereby authorized to execute the contract on behalf of the City, contract forms to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City.

BE IT FURTHER RESOLVED that funds have been previously appropriated and are available in account no. 014620-5261 to cover the cost of this contract.

Exhibit A

Project/Bid Description: Contract for road salt

Bidder's Company Name: The Detroit Salt Company, LLC

City/State: Detroit, Michigan

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	52	6	48	1	0	9	0	58
% of Total	89.7%	10.3%	82.8%	1.7%	0.0%	15.5%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

City Council – Action Request Form																
Date:	June 20, 2016															
To:	The City Manager															
From:	Jerry Bates, Purchasing Director															
Council Action Requested:																
Adoption of Resolution Awarding Purchase Order for Conventional Cab Truck with Hook Lift Hoist Body																
Summary of Information:																
<p>Bids were received May 10, 2016, for the purchase of a conventional cab truck with hook lift hoist body to be used by the Vegetation Management Division of the Property and Facilities Maintenance Department. This truck is a scheduled replacement for vehicle 8524, a 1991 Chevrolet 7000 with 62,400 miles, acquisition cost of \$28,278.60 and accumulated maintenance and repair costs of \$10,575.55. This truck carries a 1000 gallon water tank and pumping system from Spring through Fall and is used for watering new vegetation. The truck is used for hauling during the remainder of the year. Summary of bids accepted:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="text-align: center;"><u>City/State</u></th> <th style="text-align: center;"><u>Total Bid</u></th> </tr> </thead> <tbody> <tr> <td>White's Tractor and Truck Co., LLC</td> <td style="text-align: center;">Greensboro, NC</td> <td style="text-align: right;">\$128,540.67</td> </tr> <tr> <td>Transource, Inc.</td> <td style="text-align: center;">Greensboro, NC</td> <td style="text-align: right;">128,898.00</td> </tr> <tr> <td>Triad Freightliner of Greensboro, Inc.</td> <td style="text-align: center;">Greensboro, NC</td> <td style="text-align: right;">134,267.00</td> </tr> <tr> <td>Piedmont Peterbilt, LLC</td> <td style="text-align: center;">Greensboro, NC</td> <td style="text-align: right;">137,456.00</td> </tr> </tbody> </table>			<u>City/State</u>	<u>Total Bid</u>	White's Tractor and Truck Co., LLC	Greensboro, NC	\$128,540.67	Transource, Inc.	Greensboro, NC	128,898.00	Triad Freightliner of Greensboro, Inc.	Greensboro, NC	134,267.00	Piedmont Peterbilt, LLC	Greensboro, NC	137,456.00
	<u>City/State</u>	<u>Total Bid</u>														
White's Tractor and Truck Co., LLC	Greensboro, NC	\$128,540.67														
Transource, Inc.	Greensboro, NC	128,898.00														
Triad Freightliner of Greensboro, Inc.	Greensboro, NC	134,267.00														
Piedmont Peterbilt, LLC	Greensboro, NC	137,456.00														
<p>The City's FY 2015-16 capital equipment budget includes \$145,000 for this purchase; therefore, it is recommended that a purchase order be awarded to White's Tractor and Truck Co., LLC for the purchase of a conventional cab truck with hook lift hoist body in the amount of \$128,540.67.</p>																
<p>The purchase of these vehicles will be financed through the North Carolina Municipal Leasing Corporation. Funding for the lease payments is available in the General Fund FY 2015-16 budget.</p>																
<p>M/WBE comment: There are no known area minority or woman-owned companies that sell these vehicles.</p>																
<p>Workforce Demographics: See Exhibit A</p>																
Committee Action:																
Committee	Action															
For	Against															
Remarks:																

**RESOLUTION AWARDING PURCHASE ORDER FOR
CONVENTIONAL CAB TRUCK WITH HOOK LIFT HOIST BODY**

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 12:00 Noon, Tuesday, May 10, 2016, for the purchase of a conventional cab truck with hook lift hoist body to be used by the Vegetation Management Division of the Property and Facilities Maintenance Department; and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
White's Tractor and Truck Co., LLC	Greensboro, NC	\$128,540.67
Transource, Inc.	Greensboro, NC	128,898.00
Triad Freightliner of Greensboro, Inc.	Greensboro, NC	134,267.00
Piedmont Peterbilt, LLC	Greensboro, NC	137,456.00

WHEREAS, the City's FY 2015-16 capital equipment budget includes \$145,000 for this purchase; therefore, it is the recommendation of the Finance Committee that a purchase order be awarded to White's Tractor and Truck Co., LLC, low bidder meeting specifications, for the purchase of conventional cab truck with hook lift hoist body in the amount of \$128,540.67.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that a purchase order for a conventional cab truck with hook lift hoist body is hereby awarded to White's Tractor and Truck Co., LLC in the total amount of \$128,540.67 and that all other bids are rejected.

BE IT FURTHER RESOLVED that the award of this purchase order constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the purchase until the purchase order is duly executed by the City.

C-6.g. DRAFT

BE IT FURTHER RESOLVED that the purchase is included in the FY 2015-16 capital budget and will be financed through the North Carolina Municipal Leasing Corporation with funding for the lease payments available in the FY 2015-16 General Fund budget.

BE IT FURTHER RESOLVED that the City may reimburse itself for the capital expenditures identified herein with the proceeds from the sale of tax-exempt obligations.

Exhibit A

Project/Bid Description: Conventional Cab Truck with Hooklift Hoist Body
 Bidder's Company Name: White's Truck and Tractor Company, LLC
 City/State: Greensboro, NC

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	42	8	41	5	3	1	0	50
% of Total	84.0%	16.0%	82.0%	10.0%	6.0%	2.0%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

City Council – Action Request Form

Date: June 20, 2016
To: The City Manager
From: Jerry Bates, Purchasing Director

Council Action Requested:

Adoption of Resolution Awarding a Purchase Order for Vehicle Parts and Supplies.

Summary of Information:

The Winston-Salem Fleet Services Department has regular needs to purchase vehicle parts and supplies and the department utilizes several different local businesses for these purchases. After receiving bids, the National Joint Powers Alliance (NJPA) awarded contract #031212-GPC for vehicle parts and supplies to NAPA Auto Parts, Inc.

It is recommended to award a purchase order for vehicle parts and supplies for the period of July 1, 2016 through June 30, 2017, to NAPA Auto Parts, Inc. in the estimated amount of \$150,000, under and in accordance with the NJPA awarded contract #031212-GPC.

N.C.G.S. 143-129(e)(3) authorizes “purchases made through a competitive bidding group purchasing program, which is a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies.”

M/WBE COMMENT: NAPA Auto Parts, Inc. was awarded contract #031212-GPC by NJPA as an approved business for vehicle parts and supplies.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		

**RESOLUTION AWARDING A PURCHASE ORDER FOR
VEHICLE PARTS AND SUPPLIES**

WHEREAS, the Winston-Salem Fleet Department has regular needs to purchase vehicle parts and supplies; and

WHEREAS, after receiving bids, National Joint Powers Alliance (NJPA) awarded contract #031212-GPC for vehicle parts and supplies to NAPA Auto Parts, Inc.; and

WHEREAS, N.C.G.S. 143-129(e)(3) authorizes “purchases made through a competitive bidding group purchasing program, which is a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies.”; and

WHEREAS, NAPA Auto Parts, Inc. was awarded contract #031212-GPC to provide vehicle parts and supplies at discount prices; and

WHEREAS, it is recommended to award a purchase order for vehicle parts and supplies for the period of July 1, 2016 through June 30, 2017, to NAPA Auto Parts, Inc. in the estimated amount of \$150,000, under and in accordance with the NJPA awarded contract #031212-GPC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that a purchase order for vehicle parts and supplies for the period of July 1, 2016 through June 30, 2017, is hereby awarded to NAPA Auto Parts, Inc. in the estimated amount of \$150,000, under and in accordance with the NJPA awarded contract #031212-GPC.

BE IT FURTHER RESOLVED that the award of this purchase order constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the contract until the order is duly executed by the City.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal year 2016-17 budget and available in various accounts to cover the cost of these purchase orders.

City Council – Action Request Form

Date: June 20, 2016
To: The City Manager
From: Jerry Bates, Purchasing Director

Council Action Requested:

Adoption of a Resolution Awarding Purchase Orders for Auto and Truck Tires.

Summary of Information:

The Winston-Salem Fleet Services Department has regular needs to purchase auto and truck tires. After receiving bids, the State of North Carolina awarded term contract 863A for the period of March 1, 2014 through February 28, 2017. Goodyear Tire & Rubber Company, Parrish Tire Company, Inc., Mock Tire & Automotive, Inc., and Snider Tire Company (all Winston-Salem businesses) were selected as authorized to provide vehicle tires at state contract pricing.

It is recommended to award purchase orders for auto and truck tires from the period of July 1, 2016, through June 30, 2017, to Goodyear Tire & Rubber Company in the estimated amount of \$100,000, Parrish Tire Company, Inc. in the estimated amount of \$120,000, Mock Tire & Automotive, Inc. in the estimated amount of \$70,000, and Snider Tire Company in the estimated amount of \$160,000, under and in accordance with the North Carolina State Contract.

This recommendation is in accordance with N.C.G.S 143-129(e)(9): "The [bidding] requirements of this article do not apply to...Purchases from contracts established by the State or any agency of the State, if the contractor is willing to extend to a political subdivision of the State the same or more favorable prices, terms, or conditions as established in the State contract."

M/WBE comment: Goodyear Tire & Rubber Company, Parrish Tire Company, Inc., Mock Tire & Automotive, Inc., and Snider Tire Company were selected by the State of North Carolina as approved dealers for these tire purchases.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:			

**RESOLUTION AWARDING PURCHASE ORDERS FOR
AUTO AND TRUCK TIRES**

WHEREAS, the Winston-Salem Fleet Department has regular needs to purchase auto and truck tires; and

WHEREAS, after receiving bids, the State of North Carolina awarded term contract 863A for auto and truck tires for the period of March 1, 2014 through February 28, 2017; and

WHEREAS, N.C.G.S 143-129(e)(9): "The [bidding] requirements of this article do not apply to...Purchases from contracts established by the State or any agency of the State, if the contractor is willing to extend to a political subdivision of the State the same or more favorable prices, terms, or conditions as established in the State Contract."; and

WHEREAS, Goodyear Tire & Rubber Company, Parrish Tire Company, Inc., Mock Tire & Automotive, Inc., and Snider Tire Company were selected as businesses authorized to provide auto and truck tires at the state contract pricing; and

WHEREAS, it is recommended to award purchase orders for auto and truck tires from the period of July 1, 2016, through June 30, 2017, to Goodyear Tire & Rubber Company in the estimated amount of \$100,000, Parrish Tire Company, Inc. in the estimated amount of \$120,000, Mock Tire & Automotive, Inc. in the estimated amount of \$70,000, and Snider Tire Company in the estimated amount of \$160,000, under and in accordance with the North Carolina State Contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that purchase orders for auto and truck tires from the period of July 1, 2016, through June 30, 2017, are hereby awarded to Goodyear Tire & Rubber Company in the estimated amount of \$100,000, Parrish Tire Company, Inc. in the estimated amount of \$120,000, Mock Tire & Automotive, Inc.

C-6.i. DRAFT

in the estimated amount of \$70,000, and Snider Tire Company in the estimated amount of \$160,000, under and in accordance with the North Carolina State Contract.

BE IT FURTHER RESOLVED that the award of these purchase orders constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the contract until the order is duly executed by the City.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal year 2016-17 budget and available in various accounts to cover the cost of these purchase orders.

City Council – Action Request Form	
Date:	June 20, 2016
To:	The City Manager
From:	Jerry Bates, Purchasing Director
Council Action Requested:	
Adoption of Resolution Awarding Purchase Orders for Certain Sole Source Vendors.	
Summary of Information:	
<p>The Winston-Salem Fleet Department is requesting the approval to award purchase orders to equipment vendors for parts, repairs, and maintenance of equipment used in City operations which is only available through the authorized distributor or by the manufacturer of the equipment. The complete list of vendors is available on Exhibit A following the resolution.</p> <p>It is recommended that purchase orders for equipment vendors supplying parts, repairs, and maintenance of equipment used in City operations from the period of July 1, 2016, through June 30, 2017, be awarded to each vendor based on historical spend data as identified on Exhibit A.</p> <p>These recommendations are based upon provisions of N.C.G.S. 143-129(e) which provides that the formal bid requirements “do not apply to purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply.”</p> <p>M/WBE comment: There are no known minority or women owned businesses that are authorized distributors or manufacturers of this equipment.</p>	
Committee Action:	
Committee	Action
For	Against
Remarks:	

**RESOLUTION AWARDING PURCHASE ORDERS FOR
CERTAIN SOLE SOURCE VENDORS**

WHEREAS, the Winston-Salem Fleet Department is requesting the approval to award purchase orders with equipment vendors for parts, repairs, and maintenance of equipment used in City operations which is only available through the authorized dealer/distributor or by the manufacturer of the equipment; and

WHEREAS, N.C.G.S. 143-129(e) provides that formal bid procedures “shall not apply to purchases of apparatus, supplies, materials, or equipment when performance or price competition for a product are not available; when a needed product is available from only one source of supply”; and

WHEREAS, equipment vendors supplying parts, repairs, and maintenance of equipment used in City operations listed on Exhibit A have been identified as the only authorized distributor or manufacturer of the equipment; and

WHEREAS, it is the recommendation of the Finance Committee that purchase orders for equipment vendors supplying parts, repairs, and maintenance of equipment used in City operations from the period of July 1, 2016, through June 30, 2017, be awarded to each vendor based on historical spend data as identified on Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that purchase orders for equipment vendors supplying parts, repairs, and maintenance of equipment used in City operations from the period of July 1, 2016, through June 30, 2017, are hereby awarded to each vendor based on historical spend data as identified on Exhibit A.

BE IT FURTHER RESOLVED that the award of these purchase orders constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to

perform the contract until the order is duly executed by the City.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal year 2016-17 budget and available in various accounts to cover the cost of these purchase orders.

Exhibit A

Sole Source Vendor	City/State	Brand	Estimated Annual Spend
Advantage Truck Center, LLC	Kernersville, NC	Volvo	\$15,000
ASC Construction Equipment USA, Inc.	Charlotte, NC	Volvo, construction equipment	\$2,500
Bobco, Inc., dba Winston Tractor Company	Winston-Salem, NC	Ford/New Holland Tractors	\$4,000
Bruder/Sharpe, Inc	Madison, NC	Camel, Sewer Equipment of America	\$2,500
Carolina Environment Systems, Inc.	Kernersville, NC	Heil compacting system	\$100,000
Carolina Industrial Equipment, Inc.	Charlotte, NC	Cushman, Vantage	\$1,000
Carolina Tractor & Equipment Company	Greensboro, NC	Cat/Prentice	\$85,000
Clarke Power Services, Inc.	Greensboro, NC	Allison Transmission	\$27,000
Cummins Atlantic, LLC	Greensboro, NC	Cummins Engines	\$5,000
Flow Chevrolet, LLC	Winston-Salem, NC	Chevrolet	\$62,000
Godwin Manufacturing Co., Inc.	Dunn, NC	Godwin Dump bodies, Good Roads	\$4,000
James River Equipment Carolina, LLC	Greensboro, NC	John Deere	\$150,000
Map Enterprises, Inc.	Graham, NC	VersaLift, Effer crane	\$25,000
Modern Toyota, Inc.	Winston-Salem, NC	Toyota	\$3,000
North Point Chrysler Jeep, Inc	Winston-Salem, NC	Chrysler, Dodge, Jeep	\$25,000
Old Dominion Brush Company, Inc.	Richmond, VA	ODB	\$165,000
Parkway Ford, Inc.	Winston-Salem, NC	Ford/Lincoln	\$31,000
Piedmont Ford Truck Sales, Inc.	Greensboro, NC	Ford F550-7500, Sterling	\$51,000
Scruggs Equipment Company, Inc.	Mineral Springs, NC	Valk, Do-All	\$7,000
Terry Labonte, Inc.	Greensboro, NC	Chevrolet 550 and up	\$83,000
Transource, Inc.	Kernersville, NC	Mack	\$106,000
Triad Freightliner of Greensboro, Inc.	Greensboro, NC	Freightliner	\$3,000
Whites Tractor & Trucks Co., LLC	Greensboro, NC	International	\$25,000
Total Estimated spend			\$982,000

City Council – Action Request Form	
Date:	June 20, 2016
To:	The City Manager
From:	Jerry Bates, Purchasing Director
Council Action Requested:	
Adoption of Resolution Awarding Purchase Orders for Auto and Truck Parts and Supplies.	
Summary of Information:	
<p>The Winston-Salem Fleet Services Department has daily requirements for auto and truck parts and supplies used to perform repairs and maintenance on City vehicles and equipment. The department utilizes several different Winston-Salem businesses for these purchases and is requesting purchase orders based upon historical spend data be awarded to Auto Supply Company, Inc. in the estimated amount of \$130,000, Carquest Auto Parts of Winston-Salem, Inc. in the estimated amount of \$90,000, and Auto Zone Stores, LLC in the estimated amount of \$35,000.</p> <p>It is recommended to award a purchase orders for vehicle parts and supplies from the period of July 1, 2016, through June 30, 2017, Auto Supply Company, Inc. in the estimated amount of \$130,000, Carquest Auto Parts of Winston-Salem, Inc. in the estimated amount of \$90,000, and Auto Zone Stores, LLC in the estimated amount of \$35,000.</p> <p>M/WBE comment: There are no known minority or women-owned businesses that provide these parts or supplies.</p>	
Committee Action:	
Committee	Action
For	Against
Remarks:	

**RESOLUTION AWARDING A PURCHASE ORDER FOR
AUTO AND TRUCK PARTS AND SUPPLIES**

WHEREAS, Winston-Salem Fleet Services Department has daily requirements for auto and truck parts and supplies used to perform repairs and maintenance on City vehicles and equipment; and

WHEREAS, the department utilizes several different Winston-Salem businesses for these purchases and is requesting purchase orders based upon historical spend data be awarded to Auto Supply Company, Inc. in the estimated amount of \$130,000, Carquest Auto Parts of Winston-Salem, Inc. in the estimated amount of \$90,000, and Auto Zone Stores, LLC in the estimated amount of \$35,000; and

WHEREAS, it is recommended to award a purchase orders for vehicle parts and supplies from the period of July 1, 2016, through June 30, 2017, Auto Supply Company, Inc. in the estimated amount of \$130,000, Carquest Auto Parts of Winston-Salem, Inc. in the estimated amount of \$90,000, and Auto Zone Stores, LLC in the estimated amount of \$35,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that purchase orders for vehicle parts and supplies from the period of July 1, 2016, through June 30, 2017, are hereby awarded to Carquest Auto Parts of Winston-Salem, Inc. in the estimated amount of \$90,000, and Auto Zone Stores, LLC in the estimated amount of \$35,000.

BE IT FURTHER RESOLVED that the award of these purchase orders constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the contract until the order is duly executed by the City.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal year 2016-17 budget and available in various accounts to cover the cost of these purchase orders.

City Council – Action Request Form	
Date:	June 20, 2016
To:	The City Manager
From:	Jerry Bates, Purchasing Director
Council Action Requested:	
Adoption of Resolution Awarding Purchase Order for Towing Services.	
Summary of Information:	
<p>The Winston-Salem Fleet Services Department has regular needs for equipment towing services. The department utilizes several towing services for light duty vehicles but Davis Garage, Inc. is the primary provider for heavy equipment towing services. Davis provides excellent service, quick response time, and offers the most economical cost per tow to the City. Historical spend information indicates that the Fleet Department spends an estimated \$120,000 per year for these heavy equipment towing services.</p> <p>It is recommended to award a purchase order for heavy equipment towing services from the period of July 1, 2016, through June 30, 2017, to Davis Garage, Inc. in the estimated amount of \$120,000.</p> <p>M/WBE comment: There are no known minority or women owned businesses that provide heavy equipment towing services.</p>	
Committee Action:	
Committee	Action
For	Against
Remarks:	

RESOLUTION AWARDING PURCHASE ORDER FOR TOWING SERVICES

WHEREAS, the Winston-Salem Fleet Department has regular needs for equipment towing services; and

WHEREAS, the department utilizes several towing services for light duty vehicles but Davis Garage, Inc. is the primary provider for heavy equipment towing services; and

WHEREAS, historical spend information indicates that the Fleet Department spends an estimated \$120,000 per year for these heavy equipment towing services; and

WHEREAS, it is recommended to award a purchase order for heavy equipment towing services from the period of July 1, 2016, through June 30, 2017, to Davis Garage, Inc. in the estimated amount of \$120,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that a purchase order for heavy equipment towing services from the period of July 1, 2016, through June 30, 2017, is hereby awarded to Davis Garage, Inc. in the estimated amount of \$120,000.

BE IT FURTHER RESOLVED that the award of this purchase order constitutes a preliminary determination as to the qualification of the bidder. The City is not legally bound to perform the contract until the order is duly executed by the City.

BE IT FURTHER RESOLVED that funds will be appropriated in the fiscal 2016-17 budget and available in various accounts to cover the cost of this contract.

City Council – Action Request Form

Date: June 20, 2016
To: The City Manager
From: Jerry Bates, Purchasing Director

Council Action Requested:

Adoption of Resolution Awarding Contract for Construction of Sprayground at Reynolds Park Pool (Southeast Ward)

Summary of Information:

Bids were received May 26, 2016, for construction of a sprayground at Reynolds Park Pool. The project involves installing Vortex interactive water play features, a concrete splash pad with water collection drains, underground water tank and piping, recirculation pump and electrical, a small pump house addition, concrete walkways, grading and site modifications. Below is a summary of the bids accepted:

	<u>City/State</u>	<u>Total Bid</u>
DreamBuilt Construction, Inc.	Advance, NC	\$297,250
Crest Construction Corp., Inc.	Charlotte, NC	317,000

Included in each contractor’s bid was an allowance of \$77,381 for the purchase of Vortex sprayground equipment. The City has determined that it is in their best interests to remove that item from the bid and purchase this equipment to accelerate the construction completion. It is recommended that a contract be awarded to DreamBuilt Construction, Inc., the low bidder meeting specifications, in the remaining amount of \$220,139. The construction estimate was \$259,144.

M/WBE comment: Notices were sent to fourteen general and pool contractors, including six minority-owned and three woman-owned businesses, who requested bidding documents or bid on past sprayground projects. Crest Construction Corp., Inc. is a minority-owned business and DreamBuilt Construction, Inc. is a woman-owned business.

Workforce Demographics: See Exhibit A

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____

**RESOLUTION AWARDING CONTRACT FOR
SPRAYGROUND AT REYNOLDS PARK POOL**

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 11:00 AM, Thursday, May 26, 2016, for construction of a sprayground at Reynolds Park Pool and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
DreamBuilt Construction, Inc.	Advance, NC	\$297,250
Crest Construction Corp., Inc.	Charlotte, NC	317,000

WHEREAS, included in each contractor’s bid was an allowance of \$77,381 for the purchase of Vortex sprayground equipment and the City has determined to remove that item from the bid and purchase this equipment to accelerate the construction completion; and

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded to DreamBuilt Construction, Inc., the low bidder meeting specifications, for construction of a sprayground at Reynolds Park Pool in the estimated total amount of \$220,139.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem that the contract for construction of a sprayground at Reynolds Park Pool is hereby awarded to DreamBuilt Construction, Inc., in the estimated total amount of \$220,139. The City Manager and City Secretary are authorized to execute the contract on behalf of the City, with contract to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualifications of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City.

BE IT FURTHER RESOLVED that funds have been previously appropriated and will be made available in account nos. 305-533109-563103 to cover the cost of this contract.

Exhibit A

Project/Bid Description: Contract for Sprayground at Reynolds Park Pool
 Bidder's Company Name: Dreambuilt Construction, Inc.
 City/State: Advance, NC

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	2	3	5	0	0	0	0	5
% of Total	40.0%	60.0%	100.0%	0.0%	0.0%	0.0%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

**RESOLUTION AWARDING CONTRACT FOR
SPRAYGROUND AT SEDGE GARDEN PARK**

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 11:00 AM, Thursday, May 26, 2016, for construction of a sprayground at Sedge Garden Park; and the following bids were received:

	<u>City/State</u>	<u>Base Bid</u>
Crest Construction Corp., Inc.	Winston-Salem, NC	\$325,000.00
DreamBuilt Construction, Inc.	Advance, NC	325,826.00
W.C. Construction Co., LLC	Advance, NC	367,709.71
Construction Concepts and Design, Inc.	Winston-Salem, NC	376,325.00

WHEREAS, included in each contractor’s bid was an allowance of \$87,324.71 for the purchase of Vortex sprayground equipment and the City has determined to remove that item from the bid and purchase this equipment to accelerate the construction completion; and

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded to Crest Construction Corp., Inc., the low bidder meeting specifications, for construction of a sprayground at Sedge Garden Park in the estimated total amount of \$237,675.29.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem that the contract for construction of a sprayground at Sedge Garden Park is hereby awarded to Crest Construction Corp., Inc., in the estimated total amount of \$237,675.29. The City Manager and City Secretary are authorized to execute the contract on behalf of the City, with contract to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualifications of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City.

BE IT FURTHER RESOLVED that funds have been previously appropriated and will be made available in account no. 305-533109-563101 to cover the cost of this contract.

Exhibit A

Project/Bid Description: Contract for Sprayground at Sedge Garden Park
 Bidder's Company Name: Crest Construction Corp., Inc.
 City/State: Charlotte, NC
(also Enterprise Center, Winston-Salem, NC)

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	31	4	4	14	16	1	0	35
% of Total	88.6%	11.4%	11.4%	40.0%	45.7%	2.9%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

City Council – Action Request Form

C-7. DRAFT

Date: June 20, 2016
To: The City Manager
From: Jerry Bates, Purchasing Director

Council Action Requested:
 Consideration of Items Related to Awarding Contract for Winston Lake Aquatic Park
 A. Adoption of Resolution Awarding Contract for Winston Lake Aquatic Park. (East Ward)
 B. Project Budget Ordinance Amendment to Appropriate Additional Funds.

Summary of Information:

Bids were scheduled to be received May 10, 2016, for the Winston Lake Aquatic Park project. North Carolina General Statute (N.C.G.S.) 143-132(a) requires a minimum of three bids for formal construction and repair contracts; however, only two bids were offered. Therefore, as authorized by N.C.G.S. 143-129, the project was readvertised and bids were then opened on May 19, 2016.

The project scope includes new site construction of an Aquatic Center containing a recreational swimming pool with water slide, a lazy river, a zero-entry wading pool with a water-play structure, a splash area with waterfall, an equipment building, and a pool house containing men’s and women’s dressing rooms, an administrative room, concessions and storage. Bids received summary follows:

	<u>City/State</u>	<u>Total Base Bid</u>
Bar Construction Company, Inc.	Greensboro, NC	\$4,713,000
New Atlantic Contracting, Inc.	Winston-Salem, NC	5,343,450

The low bidder, Bar Construction Company, Inc., has agreed to the subcontract goals established for this project of 10% with minority-owned businesses and 10% with women-owned businesses. It is recommended that a contract be awarded to Bar Construction Company, Inc., the low bidder meeting specifications, in the estimated total base bid amount of \$4,713,000. The construction budget for this project is \$4,747,140.

An amendment to the Project Budget Ordinance is attached which appropriates additional funds to supplement the funds currently available in the project budget to complete this project.

M/WBE comment: This project was advertised on the City’s website, iSQFT electronic plan room, and 46 general contractors and 11 M/WBE subcontractors were notified directly of this opportunity.

Workplace Demographics: See Exhibit A

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks:

Exhibit A

Project/Bid Description: Contract for Winston Lake Aquatic Park

Bidder's Company Name: Bar Construction Company, Inc

City/State: Greensboro, NC

WORKFORCE DEMOGRAPHICS

	Gender		Race/Ethnic Identification					Total
	Male	Female	White	African-American	Hispanic	Asian	Native-American	
	25	7	28	1	3	0	0	32
% of								
Total	78.1%	21.9%	87.5%	3.1%	9.4%	0.0%	0.0%	

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.

**RESOLUTION AWARDING CONTRACT FOR
WINSTON LAKE AQUATIC PARK**

WHEREAS, bids were scheduled to be received May 10, 2016, for the Winston Lake Aquatic Park project but only two bids were offered; and

WHEREAS, North Carolina General Statute (N.C.G.S.) 143-132(a) requires a minimum of three bids for formal construction and repair contracts and N.C.G.S. 143-129 authorizes the project to be readvertised; and

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 2:00 p.m., Thursday, May 19, 2016, for the Winston Lake Aquatic Park project; and the following bids were received:

	<u>City/State</u>	<u>Total Base Bid</u>
Bar Construction Company, Inc.	Greensboro, NC	\$4,713,000
New Atlantic Contracting, Inc.	Winston-Salem, NC	5,343,450

WHEREAS, it is the recommendation of the Finance Committee that a contract for construction of the Winston Lake Aquatic Park project be awarded to Bar Construction Company, Inc., the low bidder meeting specifications, in the estimated total base bid amount of \$4,713,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that a contract for construction of the Winston Lake Aquatic Park project is hereby awarded to Bar Construction Company, Inc., the low bidder meeting specifications, in the estimated total base bid amount of \$4,713,000, and that all other bids are rejected, and that the City Manager and City Secretary are authorized to execute the contract on behalf of the City, contract forms to be approved by the City Attorney and bid deposit retained until the successful bidder has provided satisfactory contract, performance and labor and materials payment bonds.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to qualifications of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City. The bid deposit shall be retained if the bidder fails to execute the contract or give satisfactory surety as required by N.C.G.S. 143-129.

BE IT FURTHER RESOLVED that Bar Construction Company, Inc., will be required to subcontract 10.89% of this contract with certified minority-owned firms and 10.06% with certified women-owned firms as indicated on Affidavit "C" submitted by the company.

BE IT FURTHER RESOLVED that funds have been previously appropriated and are available in account no. 305-532102-563203 to cover the cost of this contract.

**ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE
CITY OF WINSTON-SALEM, NORTH CAROLINA
FOR THE FISCAL YEAR 2015-2016**

BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem that the Project Budget Ordinance for the Fiscal Year 2015-2016 be amended to reallocate previously approved bond funds for the Winston Lake Aquatics Facility.

SECTION 1. That the Project Budget Ordinance of the City of Winston-Salem, adopted on June 15, 2015 and amended on July 20, 2015, August 17, 2015, September 21, 2015, October 26, 2015, November 16, 2015, December 21, 2015, January 19, 2016, February 15, 2016, March 28, 2016, April 18, 2016, and May 16, 2016, shall be further amended by changing the expenditure appropriations in the following funds.

Capital Projects Fund

Recreation Projects	
2014 GO Bond – Happy Hill Park Renovations	-\$1,000,000
2014 GO Bond – Winston Lake Aquatics Facility	1,000,000
Total Capital Projects Fund Expenditures	\$0

SECTION 2. That this amendment to the Project Budget Ordinance shall become effective as of the date of adoption.

City Council – Action Request Form	
Date:	June 20, 2016
To:	The City Manager
From:	Derwick Paige, Assistant City Manager Jerry Bates, Purchasing Director
Council Action Requested:	
Adoption of Resolution Authorizing the City Manager to Waive Bonding Requirements Below the Statutory Limits.	
Summary of Information:	
<p>North Carolina General Statute 143-129(b) requires bidders to provide a 5% Bid Guarantee with their bid on formal construction/repair projects exceeding \$500,000. The purpose of the Bid Guarantee is to ensure the low bidder honors its bid and executes the contract. A default by the low bidder means the City can retain the 5% amount and apply it toward the difference in awarding to the next low bidder. Surety companies charge bidders a small premium to provide the 5% Bid Guarantee, or bidders can submit a certified check equal to 5% of their bid.</p> <p>North Carolina General Statute (N.C.G.S.) 44A-26 requires that the awarded contractor provide 100% Performance and Payment Bonds for construction/repair projects exceeding \$300,000. The performance bond guarantees completion of the project if the contractor defaults. The payment bond pays subcontractors and suppliers if the contractor defaults or refuses to pay them. Bidder cost to provide the 100% performance and payment bonds typically ranges from 1.5% to 3.5% of the project's cost, but can be proportionally higher for companies the surety considers a greater risk.</p> <p>In 2009, a member of Council suggested requiring 100% Performance and Payment Bonds on all contracts exceeding \$100,000 in order to mitigate risk to the City. Also, the City's current business practice is to require a 5% Bid Guarantee whenever 100% Performance and Payment Bonds are required. While these practices have been in place such a policy has never been formally adopted by Council.</p> <p>It has come to the attention of City staff that these bonding requirements are preventing smaller companies from bidding on City projects for which they may be qualified and/or interested. It is recommended that the City Manager be given the authority to waive the above bonding requirements when below statutory limits, on a project specific basis, where it is found or believed that the cost to provide such bonds creates a barrier to bidding by local and M/WBE companies and where a project is judged to have less risk to the City.</p>	
Committee Action:	
Committee	Action
For	Against
Remarks:	

**RESOLUTION AUTHORIZING THE CITY MANAGER WAIVE BONDING
REQUIREMENTS BELOW THE STATUTORY LIMITS**

WHEREAS, N.C.G.S. 143-129(b) requires bidders to provide a 5% Bid Guarantee with their bid on formal construction/repair projects exceeding \$500,000; and

WHEREAS, N.C.G.S. 44A-26 requires that the awarded contractor provide 100% Performance and Payment Bonds for construction/repair projects exceeding \$300,000; and

WHEREAS, in 2009, a member of Council suggested requiring 100% Performance and Payment Bonds on all contracts exceeding \$100,000 and the City's current business practice is to require a 5% Bid Guarantee whenever 100% Performance and Payment Bonds are required in order to mitigate risk to the City; and

WHEREAS, while these practices have been in place such a policy has never been formally adopted by Council.

WHEREAS, it has come to the attention of City staff that these bonding requirements are preventing smaller companies from bidding on City projects for which they may be qualified and/or interested; and

WHEREAS, it is recommended that the City Manager be given the authority to waive the above bonding requirements when below statutory limits, on a project specific basis, where it is found or believed that the cost to provide such bonds creates a barrier to bidding by local and M/WBE companies and where a project is judged to have less risk to the City

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council that the City Manager be given the authority to waive the above bonding requirements when below statutory limits, on a project specific basis, where it is found or believed that the cost to provide such bonds creates a barrier to bidding by local and M/WBE companies and where a project is judged to have less risk to the City.

BE IT FURTHER RESOLVED, that this resolution shall become effective as of the date of adoption.

City Council – Action Request Form

Date: June 1, 2016

To: The City Manager

From: Ben Rowe, Assistant City Manager

Council Action Requested:

Consideration of Amendments to the FY 15-16 Budget Ordinances for the City of Winston-Salem, North Carolina.

Summary of Information:

The proposed amendments to the FY 15-16 budget ordinances authorize adjustments for the following purposes.

Appropriation of Grants and Other Revenues Received

- o Final payment has been received from the North Carolina Department of Transportation for eligible expenses for the conversion of 4th Street to two way. The proposed amendment appropriates \$57,130 in order to proceed with final close out of the project.
- o The Police Department has received additional federal forfeiture funds from the United States Department of Justice totaling \$44,090 and additional state controlled substance tax receipts from the Office of the State Auditor totaling \$22,020 for the following: officer training (\$19,400), K-9 supplies including food and veterinarian expenses (\$19,400), and the purchase of equipment (\$27,310).
- o The Police Department has received donations in the amount of \$1,000 from the Forsyth County Kennel Club for the purchase of protective vests for K-9 dogs and \$7,110 from Waughtown Business Associates for the purchase of a police K-9. The proposed amendment appropriates these contributions.

Committee

Action

For

Against

Remarks:

- The City has received additional property settlements from the City Yard land sale. The proposed amendment appropriates \$854,930 in settlement funds for the Lowery Street Facility construction project. These funds will allow for the purchase of furniture, connection of city-owned fiber, and additional security controls to be installed.
- The proposed amendment appropriates \$39,730 in contributions from businesses and individuals received during the fiscal year to support the Recreation and Parks Department's programs and centers.
- The proposed amendment appropriates \$7,890 in additional revenue from contributions and sponsorships received by the Human Relations Department during the fiscal year for the funding of specific programs of the department, which will cover additional authorized expenditures.
- The Human Relations Department has received two additional grants for the Youth Advisory Council. One grant is from the State of North Carolina Department of Administration Youth Advocacy Office for \$400 and the other grant is in the amount of \$250 from the Youth Grantmakers with the Winston-Salem Foundation. These funds will be used for the end-of-year Community Service Leadership Projects for the Youth Advisory Council.
- The proposed amendment appropriates \$3,050 in additional revenue from contributions and sponsorships for the Fair Housing Summit event that was coordinated for the Fair Housing Program. These contributions have been received by the Human Relations Department.

Center City West Parking Deck Debt Service

- On March 28, 2016, the Mayor and City Council authorized the sale of the Center City West Parking Deck in the amount of \$2,275,000 to Center City West Associates, LLC. The proposed amendment appropriates a portion of these proceeds for debt service costs, in the amount of \$917,360. The debt service costs reflect the retirement of outstanding debt following the sale of the deck.

Winston-Salem Fairgrounds

- The proposed amendment appropriates \$135,000 in additional operating expenditures for the Winston-Salem Fairgrounds for non-fair events. To date, operating revenues for non-fair events have exceeded the budget by \$102,400, and events are estimated to generate additional revenues necessary to cover this increase in event-related expenses. The amendment appropriates these revenues in order to

provide sufficient funding for the contractual expenses associated with the events that generate this revenue.

Technical Adjustments to Operating and Capital Projects Budgets

- The proposed amendment transfers \$550,000 in general fund appropriations from the Transportation Service Area to the Public Safety Service Area to cover operating expenses for the Fire Department. Fire Department personnel expenses are projected to exceed budget due to the timing of an additional recruit class and increases in callback overtime to meet minimum staffing requirements.
- On March 28, 2016, the Mayor and Council approved the substitution of Urban Development Action Grant (UDAG) funds with economic development funds for the Southeast Gateway Plaza project. This was to maintain compliance with standards from the Davis-Bacon Act. The Finance Department has discovered that the funds were not originally UDAG funds, but capital reserves from the sale of property. The proposed amendment includes a technical adjustment reversing the ordinance amendment approved in March.

**ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY
ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA
FOR THE FISCAL YEAR 2015-2016**

BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem that the Annual Appropriation and Tax Levy Ordinance for the Fiscal Year 2015-2016 be amended to cover changes in the following funds as described herein.

SECTION 1. That the Annual Appropriation and Tax Levy Ordinance of the City of Winston-Salem, adopted on June 15, 2015 and amended on August 17, 2015, September 21, 2015, October 26, 2015, November 16, 2015, January 19, 2016, February 15, 2016, March 28, 2016, April 18, 2016, and May 16, 2016, shall be amended by changing the expenditure appropriations in the following funds.

General Fund

Public Safety		
Fire Department Personnel Expenditures		\$550,000
Transportation		
Supplies and Services		-550,000
General Government		
Human Relations		
Student Banquet		3,940
Fair Housing Summit		3,650
Youth Advisory Council Fundraiser		50
College Advisory Board		250
Youth Advisory Council		650
		<hr/> 8,540
Total General Fund Expenditures		\$8,540

Enterprise Funds

Parking Fund		
Center City West Parking Deck		
Final Debt Payment		\$917,360

C-9.a. DRAFT

Winston-Salem Fairgrounds	
Non-Fair Events	135,000
Total Enterprise Funds Expenditures	\$1,052,360

SECTION 2. That the following revenues will be available to meet the above listed appropriations.

General Fund

Human Relations	
Contributions	\$8,540
Total General Fund Revenues	\$8,540

Enterprise Funds

Parking Fund	
Sale of Property (Center City West Parking Deck)	\$917,360
Winston-Salem Fairgrounds	
Operating Revenues – Rent and Concessions	135,000
Total Enterprise Funds Revenues	\$1,052,360

SECTION 3. That this amendment to the Annual Appropriation and Tax Levy Ordinance shall become effective as of the date of adoption.

**ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE
CITY OF WINSTON-SALEM, NORTH CAROLINA
FOR THE FISCAL YEAR 2015-2016**

BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem that the Project Budget Ordinance for the Fiscal Year 2015-2016 be amended to cover changes in the following funds as described herein.

SECTION 1. That the Project Budget Ordinance of the City of Winston-Salem, adopted on June 15, 2015 and amended on July 20, 2015, August 17, 2015, September 21, 2015, October 26, 2015, November 16, 2015, December 21, 2015, January 19, 2016, February 15, 2016, March 28, 2016, April 18, 2016, and May 16, 2016, shall be further amended by changing the expenditure appropriations in the following funds.

Special Revenue Funds

Grants Fund	
Recreation Grants	
Recreation Trust Accounts	\$39,370
Fair Housing Grants	
Fair Housing Summit	3,050
	<hr/>
	42,420
Urban Development Action Grant (UDAG) Fund	
Southeast Plaza Revitalizing Urban Commercial Areas (RUCA) Project	250,000
Economic Development Project Fund	
Transfer to Capital Projects Fund	-90,180
Forfeiture Funds	
Training	19,400
K-9	19,400
Equipment	27,310
Police Contributions (K-9 supplies)	8,110
	<hr/>
	74,220
Total Special Revenue Funds Expenditures	\$276,460

Capital Projects Fund

Transportation Projects	
Conversion of 4 th Street to Two Way	\$57,130

Economic Development Projects	
Southeast Plaza Shopping Center	-250,000
RUCA Infrastructure	159,820
	<hr/>
	-90,180

Total Capital Projects Fund Expenditures **-\$33,050**

Leasing Capital Projects Fund

General Government Projects	
Lowery Street Facility	\$854,930

Total Leasing Capital Projects Fund Expenditures **\$854,930**

SECTION 2. That the following revenues will be available to meet the above listed appropriations.

Special Revenue Funds

Grants Fund	
Recreation Grants	
Contributions	\$39,370
Fair Housing Grants	
Contributions and Sponsorships	3,050
	<hr/>
	42,420

Urban Development Action Grant (UDAG) Fund	
Fund Balance Appropriation	250,000

Economic Development Projects Fund	
Fund Balance Appropriation	-90,180

Forfeiture Funds	
United States Department of Justice	44,090
State Controlled Substance Tax Receipts	22,020
Contributions	8,110
	<hr/>
	74,220

Total Special Revenue Funds Revenues **\$276,460**

Capital Projects Fund

Transportation Projects	
North Carolina Department of Transportation	\$57,130

Economic Development Projects	
Transfer from Economic Development Project Fund	-90,180
Total Capital Projects Fund Expenditures	-\$33,050

Leasing Capital Projects Fund

General Government Projects	
Property Settlements	\$854,930
Total Leasing Capital Projects Fund Revenues	\$854,930

SECTION 3. That this amendment to the Project Budget Ordinance shall become effective as of the date of adoption.

City Council – Action Request Form	
Date:	June 13, 2016
To:	The City Manager
From:	Gregory M. Turner, Assistant City Manager
Council Action Requested:	
<p>Consideration of Items Related to the Business 40 Project Betterments:</p> <ul style="list-style-type: none"> a) Consideration of a Resolution Authorizing the City Manager to Enter into An Agreement with the North Carolina Department of Transportation for Pedestrian and Sidewalk improvements on Cloverdale Avenue and Miller Street; b) Project Budget Ordinance Amendment to Appropriate Additional Funds. 	
Summary of Information:	
<p>In February 2016, Council authorized the City Manager to enter into an agreement with The North Carolina Department of Transportation (NCDOT) to participate in the cost of Pedestrian and Sidewalk improvements on the Cloverdale Avenue Pedestrian Improvements Phase 1 and Phase 2 and the Miller Street Sidewalk projects for \$1,250,000. Staff has since discovered the total amount allocated to the City is \$1,500,000 from the Secretary of Transportation’s statewide contingency funds for Federal Fiscal Year 2016 and Federal Fiscal Year 2017. These funds can be spent on non-state system roads and will remain city streets throughout construction.</p> <p>These projects are scheduled to be complete by Winter 2018. Funds from the 2014 Bonds were previously approved for these projects.</p> <p>Using NCDOT funding for the Cloverdale Road project will allow \$1,500,000 in 2014 Transportation Bonds to be reallocated to the Business 40 Improvement project.</p>	
Committee Action:	
Committee	Action
For	Against
Remarks:	

This Council Action package includes:

- 1) A resolution authorizing the City Manager to enter into agreements with the NCDOT for acceptance of the \$1,500,000 in contingency funds for the design and construction cost of Cloverdale Avenue Pedestrian Improvements Phase 1 and Phase 2 and the Miller Street Sidewalk projects.
- 2) A Project Budget Ordinance to reallocate an additional \$250,000 in previously approved bond funds to improvements to the Business 40 (US 421) project in downtown Winston-Salem.

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR PEDESTRIAN AND SIDEWALK IMPROVEMENTS ON CLOVERDALE AVENUE AND MILLER STREET

WHEREAS, the North Carolina Department of Transportation (NCDOT) will participate in the cost of improvements for the Cloverdale Avenue Pedestrian Improvements Phase 1 and Phase 2 and the Miller Street Sidewalk project; and

WHEREAS, the NCDOT will appropriate \$750,000 over two fiscal years for a total of \$1,500,000 to be used for the cost of these projects; and

WHEREAS, the funds for these projects were previously approved in the 2014 Bonds; and

WHEREAS, the previously approved bond funds for these projects will be reallocated to the Business 40 Improvement projects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council authorize the City Manager and City Secretary to sign and execute a municipal agreement with the NCDOT for the design and construction improvements for the Cloverdale Avenue Pedestrian Improvements Phase 1 and Phase 2 and the Miller Street Sidewalk project.

**ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE
CITY OF WINSTON-SALEM, NORTH CAROLINA
FOR THE FISCAL YEAR 2015-2016**

BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem that the Project Budget Ordinance for the Fiscal Year 2015-2016 be amended to appropriate funds from the North Carolina Department of Transportation for pedestrian and sidewalk improvements on Cloverdale Avenue and Miller Street and to reallocate previously approved bond funds for Business 40 corridor improvements.

SECTION 1. That the Project Budget Ordinance of the City of Winston-Salem, adopted on June 15, 2015 and amended on July 20, 2015, August 17, 2015, September 21, 2015, October 26, 2015, November 16, 2015, December 21, 2015, January 19, 2016, February 15, 2016, March 28, 2016, April 18, 2016, and May 16, 2016, shall be further amended by changing the expenditure appropriations in the following fund.

Capital Projects Fund

Transportation Projects	
Pedestrian and Sidewalk Improvements (Cloverdale Ave and Miller St)	\$250,000
2014 GO Bond STP-DA Bicycle and Pedestrian Projects	-250,000
2014 GO Bond Business 40 Corridor Improvements	250,000
Total Capital Projects Fund Expenditures	\$250,000

SECTION 2. That the following revenues will be available to meet the above listed appropriations.

Capital Projects Fund

Transportation Projects	
North Carolina Department of Transportation	\$250,000
Total Capital Projects Fund Revenues	\$250,000

SECTION 3. That this amendment to the Project Budget Ordinance shall become effective as of the date of adoption.

SUMMARY OF MINUTES

FINANCE COMMITTEE

4:00 P.M., MONDAY, MAY 9, 2016
COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: Mayor Allen Joines
Council Member Robert Clark, Chair
Council Member Denise D. Adams, Vice Chair
Council Member Vivian H. Burke
Council Member Derwin L. Montgomery

OTHERS PRESENT: Council Member Molly Leight
Council Member Jeff MacIntosh
Council Member James Taylor, Jr.
Council Member Dan Besse

Chair Clark called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. Council Member Montgomery removed Items C-5, C-6, C-8 and Council Member Adams removed Item C-10 for discussion. No other items were removed.

Council Member Clark made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member Adams and carried unanimously.

CONSENT AGENDA

Property Matters

- C-1. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 630 BROOKWOOD BUSINESS PARK DRIVE UNDER THE UPSET BID PROCEDURE (N.C.G.S. 160A-269) (NORTHEAST WARD).
- C-2. RESOLUTION GRANTING PERMANENT UTILITY EASEMENTS PURSUANT TO N.C.G.S. 160-273 TO DUKE ENERGY CAROLINAS, LLC FOR THE SITE OF POLICE DISTRICT ONE AT 7836 NORTH POINT BOULEVARD (NORTHWARD).
- C-3. RESOLUTION TO ACCEPT THE PROPOSAL OR TRIAD ECO ADVENTURES TO PURCHASE THE CITY’S TWO BUS TROLLEYS.

C-4. REPORT ON DEMOLITION ASSESSMENT AT 4640 INDIANA AVENUE.

Finance/Budget

- C-7. RESOLUTION AWARDING PURCHASE ORDER FOR A FIRE PUMPER TRUCK
-The Sutphen Corporation - \$521,424.65.
- C-9. CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2015-2016
BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH
CAROLINA:
- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY
ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA
FOR THE FISCAL YEAR 2015-2016.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE
CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR
2015-2016.
- C-11. RESOLUTION AUTHORIZING THE ACCEPTANCE BY DONATION OF SURPLUS
RIGHT-OF-WAY FROM THE NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION (NORTHWEST WARD).
- C-12. RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE PROPERTY,
BOILER/MACHINERY INSURANCE FROM BERKLEY INSURANCE COMPANY
THROUGH SURRY INSURANCE. [*\$344,433*]
- C-13. APPROVAL OF FINANCE SUMMARY OF MINUTES – *April 11, 2016.*
- C-5. RESOLUTION REJECTING ALL BIDS FOR FIRE STATIONS 7 AND 9
RENOVATIONS.
- C-6. RESOLUTION REJECTING ALL BIDS FOR CONSTRUCTION OF
SPRAYGROUNDS AT REYNOLDS PARK POOL AND SEDGE GARDEN PARK.

Mr. Jerry Bates, City-County Purchasing Director, presented Items C-5 and C-6 together because they had similar issues. For Item C-5, the lowest responsible bidder did not achieve the M/WBE goals established for the project and the other bids were rejected due to being substantially over budget. The recommendation is that the projects be rebid.

For Item C-6, Mr. Bates explained the lowest responsible bidder failed to follow bidding instructions. The vendor submitted a bid with their own specifications and therefore the bid was rejected based on not following the guidelines.

In response to Council Member Montgomery, Mr. Bates stated the law requires the vendor to advertise for 10 days.

Council Member Burke requested staff invite vendors to attend Finance Committee meetings and staff should test the system with the given issues.

Council Member Adams stated that some businesses may have already been contracted for other jobs. She requested a periodic compliance check be performed and staff provide Council with a report. She also requested a report on how this will delay the timeline for the proposed structures.

In response to Council Member Clark, Mr. Bates stated staff has spoken with the contractors on numerous occasions. Approval from the State has been given for the City of Winston-Salem to award points for providing the information to vendors in their advertisements for bidding.

Council Member Clark requested Mr. Bates inquire with the low-bidder to provide more information about the bonding process where it relates to the financial statuses and credit lines.

In response to Council Member MacIntosh, Mr. Bates stated the information concerning the four points awarded by the State came from the City Advisory Board which was held by Ms. Tiesha Hinton.

Council Member Burke made a motion to adopt resolutions C-5 and C-6; rejecting all bids. The motion was duly seconded by Council Member Adams and carried unanimously.

C-8. RESOLUTION AUTHORIZING MODIFICATIONS TO REQUEST FOR FINANCIAL ASSISTANCE FROM WEXFORD SCIENCE & TECHNOLOGY (WEXFORD) FOR THE BAILEY POWER PLANT REDEVELOPMENT UNDER DOWNTOWN DEVELOPMENT PROVISIONS (N.C.G.S. 160A-458.3).

Mr. Derwick Paige, Assistant City Manager, stated the resolution was originally approved by City Council in December 2015. The grant was for \$3,000,000 and the amount did not change; however, three issues have been identified that need to be modified. Bailey Power Plant has been sold to Wexford so Wake Forest Innovation Quarter is no longer included in the ownership. The timing changed from a 10 year deal to a 12 year due to construction phasing and a catch up provision is being requested in case taxes come in less than projected over some period of time and an extra two years is being requested.

In response to Council Member Burke, Mr. Paige stated the original agreement committed to the concept of developing a minority business initiative of the incubator.

Council Member Burke made a motion to approve the item. The motion was duly seconded by Council Member Clark and unanimously carried.

Council Member Adams made a motion to approve the item. The motion was duly seconded by Council Member Burke and carried unanimously.

- C-10. CONSIDERATION OF ITEMS RELATING TO THE 28TH STREET STORMWATER DRAINAGE IMPROVEMENTS SAND WATER AND SEWER REPLACEMENT:
- a. RESOLUTION AUTHORIZING A CHANGE TO CHARLES D. LOWDER INC. IN THE AMOUNT OF \$308,000 FOR WORK ON THE 28TH STREET STORMWATER DRAINAGE IMPROVEMENTS AND WATER AND SEWER REPLACEMENT PROJECT (NORTHEAST WARD).
 - b. ORDINANCE AMENDING THE PROJECT BUDGET FOR THE CITY OF INSTON-SALEM FOR THE FISCAL YEAR 2015-2016.

In response to Council Member Adams, Stormwater Director Mr. Keith Huff reported, there were several different components concerning the \$308,000 for the project. First, the shut-down of the 28th Street project resulted in the ingress/egress modes for the project. The traffic fair routes were congesting the work areas. So with the fair in conjunction to Wake Forest sporting activities it was ideal to shut down the project. Second, to avoid the traffic impacts the contractor had to demobilize and eventually another mobilization fee was accessed. The trenches of water/sewer contained unsuitable soil which caused a back fill and led to PCE/TCE soil vapor contamination and had to be monitored for safety of the employees.

Council Member Burke made a motion to approve this item. The motion was duly seconded by Council Member Adams and carried unanimously.

GENERAL AGENDA

- G-1. RESOLUTION APPROVING THE FISCAL YEAR 2016-2017 OPERATING MEMORANDUM BETWEEN THE CITY OF WINSTON-SALEM AND THE RISK ACCEPTANCE MANAGEMENT CORPORATION.

Chief Financial Officer, Lisa Saunders gave a presentation on this item.

In response to Council Member Burke, Ms. Saunders stated staff includes a Worker's Compensation Claims Adjuster, Worker's Compensation Nurse (case nurse manager) and a Wellness Nurse; all paid from the Worker's Compensation program.

In response to Council Member MacIntosh, Ms. Saunders stated in the event claims are above \$250,000, the Worker's Compensation fund supplements the excess cost. City employees pay 2% into the funds to supplement and anything over and above and RAMCO reimburses the City.

Council Member Adams made a motion to approve the item. The motion was duly seconded by Council Member Montgomery and carried unanimously.

- G-2. CONSIDERATION OF ADDITIONAL FINANCING FOR THE DEVELOPMENT OF SINGLE-FAMILY HOUSING IN RIDGEWOOD PLACE (SOUTHEAST WARD).
- a. RESOLUTION AUTHORIZING ADDITIONAL FINANCING FOR DEVELOPMENT IN THE RIDGEWOOD PLACE SUBDIVISION TO S.G. ATKINS COMMUNITY DEVELOPMENT CORPORATION. [\$1,325,000.]
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH FOR THE FISCAL YEAR 2015-2016.

Community Business & Development Director Ritchie Brooks gave a presentation on the item.

In response to Council Member Montgomery, Mr. Brooks stated the recycling of the HOME funds will stay under the same regulation as the bonds. The housing finance and general obligation loans are handled by the Council as it sees fit.

In response to Council Member Clark, Ms. Carol Davis Director of Simon G. Atkins Community Development Corporation reported, the completion on the development agreement of Ridgewood and the five units was in February/March 2016. Since then, a general contractor has been hired and has surveyed the first two lots. The paperwork has been submitted.

Council Member Adams made a motion to approve the item. The motion was duly seconded by Council Member Burke and carried unanimously.

- G-3. RESOLUTION AUTHORIZING UP TO \$236,000 IN ADDITIONAL PERMANENT FINANCING FOR THE DEVELOPMENT OF 64 UNITS OF RENTAL HOUSING FOR FAMILIES, TO BE KNOWN AS ROCKWOOD AT OLIVER'S CROSSING APARTMENTS (SOUTH WARD).

Council Member Burke requested information concerning the responsibility of previous homeowners to new homeowners if dirt has been buried on the property.

Representative for the developer, Ms. Carolyn Scroggins reported the seller of the property was an elderly woman and her son, unbeknownst to her had been utilizing the property as a business. He had buried debris which included car parts, tree parts, oil, etc. From the lawsuit filed, funds were recovered for damages in the amount of \$40,000, which the son contributed to.

Council Member Burke made recommendation to review this item more extensively.

In response to Council Member Adams, Ms. Scroggins stated due to the HOME funds being used for this project; environmental clearance was required. Nothing came back out of the ordinary and HUD signed off on that clearance. The grading commenced and the developer opted to pay costs incurred out-of-pocket, to get the project placed in service at the projected time. The project was already behind due to unpredicted tax credits and as of December 31, 2015 the Certificate of Occupancy was completed.

In response to Council Member Montgomery, Ms. Scoggins stated the City loan is for 20 years at 2% interest and with a cash flow pay back. There are currently 64 units and half of them are at 60% and under, while the other half are at 50% and under. The percentages are based on income qualifications. Currently there is a total of eight homes on the property and due to federal tax credits, the overall restriction is 30 years.

By consensus, the Committee agreed to hold this item for discussion in June.

G-4. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2015-2016.

Council Member Clark made a motion to excuse Council Member Montgomery from this item due to conflict of interest. The motion was duly seconded by Council Member Adams and carried with two in favor, one excused, and one abstaining from the vote.

Assistant City Manager, Ben Rowe gave a presentation on this item.

Council Member Adams requested information on criteria for agencies to surpass funds for the emergency solutions.

Council Member Adams made a motion to approve this item. The motion was duly seconded by Council Member Burke and carried unanimously.

G-5. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTER-LOCAL AGREEMENT WITH THE AIRPORT COMMISSION OF FOR-OF FORSYTH COUNTY FOR INFRASTRUCTURE AND HANGAR.

Mr. Rowe gave a presentation on this item.

Mr. Scott Piper, Airport Commission Chair, reported it is a good time for the airport, and being a part of the Innovation Quarter would be a positive outcome for the Airport.

Council Member Burke commended Mr. Piper.

Council Member Adams made a motion to approve this item. This motion was duly seconded by Council Member Burke and carried unanimously.

G-6. PRESENTATION FROM THE HOUSING AUTHORITY OF WINSTON-SALEM REGARDING THE CHOICE NEIGHBORHOODS IMPLEMENTATION GRANT.

Mr. Larry Woods, Chief Executive Officer HAWS, gave a presentation on this item.

Council Member Adams requested information on the financial status of Hope VI for Happy Hills and Kimberly Park housing developments.

In response to Council Member Montgomery, Mr. Woods stated HAWS is completing the developments in the community as related to Piedmont Park. The larger development will be divided into four smaller developments.

ADJOURNMENT: 6:05 p.m.

