

City of High Point

*Municipal Office Building
211 South Hamilton Street
High Point, NC 27261*



Meeting Agenda

Monday, May 6, 2013

4:45 PM

Council Chambers

City Council

*Bernita Sims, Mayor
Britt W. Moore, Mayor Pro Tem
James C. Davis, Foster L. Douglas
Jason P. Ewing, Jeffrey J. Golden,
Judith P. Mendenhall, Rebecca R. Smothers,
Jay W. Wagner*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**REGULAR MEETING ITEMS****FINANCE ITEMS - Council Member Moore, Chair**

- [130120](#) Contract - Bid No. 32 - Existing Water & Sewer Maintenance Contract
Approval of contract awarding Bid No. 32 for Existing Water & Sewer Maintenance Contract. Purchasing and Engineering Services recommends that contract be awarded to Breece Enterprises, Inc. in the amount of \$369,405.00 which is the lowest responsible and responsive bid meeting specifications.
- [130121](#) Contract - Bid No. 21 - Short Range Transit Plan
Approval of contract awarding Bid No. 21 for consultant services for the development of the Short Range Transit Plan. Purchasing and the Transportation Department recommends that contract be awarded to HDR Engineering, Inc. in the amount of \$182,180.00 which is the lowest responsible and responsive bid meeting specifications.
- [130122](#) Contract Extension - Badger Water Meters
Approval of extension to contract to purchase Badger Water Meters. Purchasing and the Customer Service Department recommends that contract with Carolina Meter and Supply be extended to purchase 2,000 new meters at the total amount of \$244,000.00 which is the lowest responsible and responsive bid meeting specifications.
- [130123](#) Contract Amendment - Hazen & Sawyer, P.C. - Eastside WWTP
Council is requested to approve Amendment No. 1 for engineering services related to Eastside WWTP Solids Handling Facilities and Design of Incinerator Emissions Treatment Equipment in the amount of \$769,480.00.
- [130129](#) Municipal Agreement - NCDOT - Traffic Signal System Upgrades
Council is requested to authorize staff to execute a Municipal Agreement proposed by the North Carolina Department of Transportation (NCDOT) for improvements and enhancements to the City's traffic signal control system.
- [130130](#) Municipal Agreement - NCDOT - E. Lexington Avenue Bridge Replacement
Council is requested to authorize staff to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) in the amount of \$98,000.00 for the re-design and the additional cost for the E. Lexington Avenue Bridge replacement located approximately two hundred feet of east of McGuinn Drive.

**COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE -
Council Member Douglas, Chair**

- [130125](#) Community Development & Housing Department -Annual Action Plan 2013-2014
Consideration of final approval of the Community Development and Housing Department 2013-2014 Annual Action Plan.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers,
Chair

- [130126](#) Ordinance - Reimbursement Agreement
Approval of a Reimbursement Agreement Ordinance to facilitate development in unserved areas and allow for an equitable system for developers to partially recover their costs for making improvements that will serve areas larger than what is needed for their individual development.

PUBLIC COMMENT PERIOD - 5:15 P.M.

PUBLIC HEARINGS - 5:30 P.M.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers,
Chair

- [130127](#) Ordinance - Text Amendment 13-04 - City of High Point
Consideration of a request to amend the Development Ordinance to permit certain setback encroachments for uses in the Heavy Industrial (HI) zoning district, subject to approval of a modification by the Technical Review Committee.
- [120302](#) Rezoning Case 12-11 - 350 South Land Holdings, LLC
A request by 350 South Land Holdings, LLC to rezone approximately 510 acres from the Agricultural (AG), Residential Single Family-40 (RS-40) and Light Industrial (LI) Districts, within Guilford County's zoning jurisdiction, to a Planned Unit Development-Mixed (PDM) District. The property is generally lying south of I-40, west of Sandy Ridge Road, north of Boylston Road and east of Bunker Hill Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request for an approximately 79 acres portion of the zoning site fronting along Sandy Ridge Road.
- [120303](#) Development Agreement - 350 South Land Holdings, LLC
A request by 350 South Land Holding, LLC; Bland Property Investments, LLC; James S. Hedgecock and wife Elizabeth A. Hedgecock; and Michael Raymond Hedgecock and wife Christy M. Hedgecock to enter into a Development Agreement with the City of High Point for properties associated with Zoning Case 12-11, pursuant to N.C. General Statute 160A-400.20 et. seq., for a proposed multi-phased 510-acre development consisting of corporate park, industrial and commercial uses. A copy of the proposed development agreement is available for public inspection in the office of the Planning &

Development Department.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

[130128](#)

Approval of the following Minutes:

Finance Committee meeting held Monday, April 15th @ 3:30 p.m.

High Point City Council Regular Meeting held Monday, April 15th @ 4:45/5:30 p.m.

Comprehensive Planning Committee meeting held Tuesday, April 16th @ 4:00 p.m.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

[120229](#)

Boards and Commissions - Vacancies

Attached is the current list of vacancies for all Boards and Commissions.

ADJOURNMENT



MEMORANDUM

TO: Strib Boynton, City Manager

FROM: JoAnne Carlyle

RE: Reimbursement Agreement Ordinance

DATE: April 30, 2013

I'm requesting the City Council's consideration of the attached ordinance at their May 6, 2013 meeting. The adoption of this ordinance will allow for the establishment of basic procedures and terms under which the City may enter into agreements to reimburse portions of the costs paid by a private developer or property owner to extend or expand the City's facilities within a defined area.

Approval of this ordinance will facilitate development in unserved areas and allow for an equitable system for developers to partially recover their costs for making improvements that will serve areas larger than what is needed for their individual development.

**AN ORDINANCE TO PERMIT THE CITY OF HIGH POINT
TO ENTER INTO REIMBURSEMENT AGREEMENTS
PURSUANT TO N.C.G.S. SECTION 160A-499**

WHEREAS, North Carolina General Statutes (“N.C.G.S.”) Section 160A-499(a) provides that cities may enter into reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure, including, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities, that is included on the city’s capital improvement plan and serves the developer or property owner; and

WHEREAS, N.C.G.S. Section 160A-499(b) requires that cities enact ordinances setting forth procedures and terms under which such reimbursement agreements may be approved; and

WHEREAS, the High Point City Council desires to adopt an ordinance setting forth the procedures and terms under which the City may enter into such reimbursement agreements; and

WHEREAS, based upon the consideration taken by the High Point City Council in connection with defining procedures and terms for reimbursement agreements, the City Council, although not required by law, makes the following legislative findings:

A. The above recitals are incorporated as legislative findings by the High Point City Council.

B. Reimbursement agreements offer the opportunity for careful integration between public capital facilities planning and private implementation of such facilities on an accelerated schedule, facilitating economic development and industry in the City of High Point by addressing the impacts of such development and industry with adequate and necessary municipal infrastructure, to the mutual benefit of the City and its citizens.

C. Adoption of an ordinance setting forth the procedures and terms under which the City of High Point may enter into such reimbursement agreements is authorized by law and is, after careful review and consideration by the High Point City Council, in the best interests of the City and its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE HIGH POINT CITY COUNCIL:

That TITLE 6 – PUBLIC SERVICES, CHAPTER 1 - STREETS & SIDEWALKS be amended to add the following:

“ARTICLE E: REIMBURSEMENT AGREEMENTS

Sec. 1 – Infrastructure reimbursement agreements.

- (a) Pursuant to G.S. 160A-499, this section authorizes and sets forth the procedures and terms under which the City may approve reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure that is included on the City's capital improvement plan and serves the developer or property owner. For the purpose of this section, municipal infrastructure includes, but is not limited to, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities.
- (b) The City manager, or designee, is authorized to negotiate municipal infrastructure reimbursement agreements with private developers and property owners pursuant to this section. In negotiating such agreements, the City manager, or designee, shall determine that either:
 - (1) The cost to the City will not exceed the estimated cost of providing for the municipal infrastructure through either eligible force account qualified labor or through a public contract awarded pursuant to G.S. 143-128, et seq., or
 - (2) The coordination of separately constructed municipal infrastructure with the associated private development would be impracticable.
- (c) City approval authority for agreements under this section shall be governed by general City contracting authorizations and delegations.
- (d) Reimbursements under this Article, if any, may be paid from any lawful source if approved by the City Council.
- (e) A municipal infrastructure reimbursement agreement approved pursuant to this section shall not be subject to G.S. Ch. 143, Art. 8, unless the award of a contract for work would have required competitive bidding if the contract had been awarded by the City. If the City would have been required to follow G.S. Ch. 143, Art. 8, then the developer or property owner is required to comply with the requirements of G.S. Ch. 143, Art. 8.
- (f) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with all of the City's rules, regulations and ordinances and be current on all debts, fees or taxes owed to the City."

Be it hereby ordained by High Point City Council on this the __day of _____, 2013.

Mayor Bernita Sims

ATTEST:

Lisa Vierling, City Clerk



May 2, 2013

MEMORANDUM

AGENDA ITEM

TO: Randy McCaslin
Assistant City Manager

FROM: Mark McDonald, P.E. 
Transportation Director

RE: Municipal Agreement for Traffic Signal System Upgrades
C-5558
WBS 55063.1.1, 55063.2.1, 55063.3.1

Attached is a Municipal Agreement proposed by the North Carolina Department of Transportation (NCDOT) for improvements and enhancements to the City's traffic signal control system (3 originals for execution).

The City's current traffic signal system consists of 218 signalized intersections and 37 closed circuit television (CCTV) cameras interconnected to our Traffic Control Center by a dedicated fiber optic network. Most of this system was installed in the mid-to-late 1990s and is nearing the end of its normal life cycle. Design for new system components is scheduled to begin in late 2013, with construction slated for FFY 2016. The project will replace all existing traffic signal cabinets, install new IP-addressable control equipment with Ethernet over fiber optic communications, and implement new central system software. In addition, the system will replace all of the existing analog CCTV cameras with digital IP high definition cameras, and will add 12-15 new camera assemblies. These cameras are essential tools in our efforts to manage traffic and respond to incidents along our busiest corridors.

Federal funding for this project in the amount of \$7,600,000 is being provided to NCDOT through the Congestion Mitigation and Air Quality (CMAQ) program. This amount represents approximately 80% of project costs. NCDOT will cover the remaining 20% (\$1,900,000), with the City reimbursing the State for 15% of this total. This percentage is based on the ratio of City-owned traffic signals to those owned by NCDOT. Applying these cost-sharing percentages, the City's financial commitment to qualifying project expenses is estimated at \$285,000.

Non-qualifying expenses, such as utility relocations and system features and technologies desired by the City that are not typically covered by NCDOT in their standard system upgrade projects, will be the City's



May 2, 2013

responsibility. At this time we are estimating that utility adjustments and other desirable assets to be included in the project will be approximately \$200,000. This amount also includes a modest contingency to cover the possibility of cost overruns.

Payment of the City's share of the project will not be due until the project is completed and accepted by NCDOT. This is anticipated in 2018. It is recommended that the City set aside General Fund and/or Unauthorized General Obligation Bond Funds totaling \$500,000 beginning in FY 2014-15 in preparation of these expenditures. The Department of Transportation has included this project in our Capital Improvement Program requests for FY 13-18.

Approval of this Municipal Agreement by the City Council is recommended. Please include it on the Monday May 6 agenda for consideration and action. I will be available to address questions from the Council regarding the project and our recommendations.

Attachments

c	Greg Fuller, P.E.	State ITS and Signals Engineer
	J.M. Mills, P.E.	Division Engineer
	Dawn McPherson	Division Traffic Engineer
	Patty Eason, P.E.	Division Construction Engineer
	Donnie Huffines	Division Project Manager
	Strib Boynton	City Manager
	Pat Pate	Assistant City Manager
	Eric Olmedo	Budget and Performance Manager
	Jeff Moore	Financial Services Director
	File	

NORTH CAROLINA
GUILFORD COUNTY

TRAFFIC AGREEMENT

DATE: 3/15/2013

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: C-5558

AND

WBS Elements: PE 55063.1.1
ROW 55063.2.1
CON 55063.3.1

CITY OF HIGH POINT

FEDERAL-AID NUMBER: CMS-0710 (29)

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of High Point, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, Section 1808 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA – LU), establishes CMAQ funds, which require that federal funds be available for certain specified transportation activities; and,

WHEREAS, the Municipality has requested federal funding for modernization/rehabilitation/expansion of the existing computerized traffic signal system in the City of High Point, hereinafter referred to as the Project, in Guilford County, North Carolina; and,

WHEREAS, the Department and the Municipality are authorized by the following legislation: General Statutes of North Carolina, Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to provide adequate traffic operation controls and control devices for the safe and efficient utilization of highways; and,

WHEREAS, the Department and the Municipality, recognizing the mutual benefit to be derived from the modernization/rehabilitation and expansion of the existing computerized traffic signal system have mutually agreed to participate in the cost of the design and construction of said modernization/rehabilitation and expansion project, subject to the conditions hereinafter set forth:

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

1. SCOPE OF PROJECT

The Project consists of the modernization/rehabilitation and expansion project which shall contain new state-of-the-art equipment and shall include, but not be limited to:

Fiber optic communications media

CCTV equipment at selected locations

New system detectors for traffic responsive operation

Pedestrian countdown displays at locations with existing pedestrian signals

Emergency vehicle preemption at existing locations

Type 2070L controller and cabinet assemblies

Preparation of new traffic signal plans for all system intersections

Implementation of flashing yellow left turn operation at applicable intersections

The Department's funding participation in the Project shall be restricted to the following eligible items:

- Preliminary Engineering (PE)
- Environmental Documentation
- ROW (Utility Adjustments)
- Railroad Encroachments
- Construction (CON)

as further set forth in this Agreement.

2. FUNDING

Estimated project cost is \$9,500,000.

FUNDING TABLE

Fund Source	CMAQ (Statewide)	MATCHING	TOTAL
Federal (80%)	\$7,600,000	\$1,900,000	\$9,500,000
State (85% of 20%)	\$0	\$1,615,000	\$1,615,000
Local (15% of 20%)	\$0	\$ 285,000	\$ 285,000
Total Estimated Cost		\$9,500,000	

Any costs that exceed the \$9,500,000 will be shared by the Department and the Municipality at the pro-rata share amount at the same percentage rate as shown in the chart above.

3. DESIGN

RESPONSIBILITY

The Department, or its agent, shall be responsible for the preparation of the plans, specifications and estimates required for the modernization/rehabilitation and expansion of the Department's and Municipality's existing computerized traffic signal system. The Department shall be responsible for evaluating, preparing recommendations, and for the development of revised signal plans and electrical details to bring signal head displays into compliance with the current MUTCD and the North Carolina Supplement.

CONTENT OF PLAN PACKAGE

All decisions related to the content of the plans and specifications for said signal system modernization/rehabilitation and expansion shall be made jointly by the Department and the Municipality. In the event a decision cannot be reached mutually, the Municipality agrees the Department will render a final decision regarding project elements that are on the State Highway System. The Department and the Municipality further agree that all written correspondence and submittals shall be first directed to the Department.

INFORMATION BY THE MUNICIPALITY

The Municipality shall, upon request, make available to the Department all accessible documentation for the existing signals and signal system. Such documentation shall include, but not be limited to, twelve (12) hour traffic counts, base mapping, all existing cable, street, cabinet and controller inventory, and all available signal designs which are not available within the Department.

DESIGNATION/EDUCATION OF PERSONNEL

The Municipality will designate personnel for use on an as-needed basis for the identification and location of existing facilities and for the technical review of materials submitted by the Department. If a consultant is used, the Department shall notify and invite appropriate representatives of the Municipality to attend all meetings during the consultant selection process, and solicit the Municipality's input during the design and review phase of the plan's preparation. These meetings will take place in either Raleigh or High Point.

FIBER OPTIC

The project shall be designed to install fiber optic communications cable along routes, which minimize construction costs. However, special consideration will be given to routes which provide sufficient utility clearances or are aesthetically context sensitive (e.g. historical, environmental, downtown, etc.). Additional fiber optic cable and hardware may be installed at the request of the Municipality with all cost being borne by the Municipality.

4. ENVIRONMENTAL DOCUMENTATION

The Department shall prepare the environmental document, including any environmental permits, needed to construct the Project in accordance with the National Environmental Policy Act (NEPA) and all other appropriate environmental laws and regulations.

5. PROJECT LIMITS AND RIGHT OF WAY (ROW)

PROJECT LIMITS

All construction of the project shall be contained within the existing right-of-way limits whenever possible. Any costs for additional right-of-way or easements required for the traffic signal system modernization/rehabilitation and expansion project shall be considered an eligible project cost.

RIGHT OF WAY GUIDANCE

The Municipality shall accomplish all right of way (ROW) activities, including acquisition and relocation, in accordance with the following: Federal Aid Policy Guide, Title 23 of the Code of Federal Regulations, Part 710, Subpart B, and Title 49 of the Code of Federal Regulations, Part 24, [Uniform Act] incorporated by reference at www.fhwa.dot.gov/legregs/directives/fapgtoc.htm; North Carolina General Statutes, Chapter 133, Article 2, Sections 133-5 through 133-18, Relocation Assistance, incorporated by reference at www.ncleg.net/gascripts/Statutes/Statutes.asp; and the North Carolina Department of Transportation Right of Way Manual.

6. UTILITIES

The Municipality shall cause to be adjusted, changed, or relocated, any utilities under franchise within the municipal corporate limits of High Point, to provide the proper utility clearance for the construction of the project. Such utility clearances shall be completed prior to the date of availability of the construction contract. Any utility work costs incurred that are not provided for under franchise agreements shall be an eligible project cost.

All utility work shall be performed in a manner satisfactory to and in conformance with State and Federal rules and regulations. The Municipality shall submit a request, in writing, to all utility owners to relocate or adjust their facilities in accordance with the Right of Way Acquisition Policy contained in the Federal-Aid Policy Guide, Title 23 of the Code of Federal Regulations, Part 710, Subpart B, incorporated by reference at www.fhwa.dot.gov/legisregs/directives/fapgtoc.htm.

The Municipality shall secure all telephone drops that may be required on the project. The cost to secure these telephone/broad band connections drops is an eligible project cost.

ENCROACHMENT AGREEMENT

The Department shall, enter into and execute Encroachment Agreements with any effected Railroad Company for the clear right-of-way for the installation of communications cable, over or under existing railroad facilities as the case may be. Said agreements shall provide for the installation of communications cable by the Municipality, the Department, or either's authorized representative. Any cost incurred for encroachment agreements shall be an eligible project cost.

7. CONSTRUCTION

The Department shall construct, or cause to be constructed, said project in accordance with the plans and specifications as prepared by the Department or its agent, and reviewed and approved by the Municipality. The Department shall be responsible for the overall administration of the project, including the advertising of the project for bids, the opening of bids, the awarding of the contract to the successful bidder, and the contract administration with input from the Municipality.

MUTUAL COOPERATION

Construction of said project shall require mutual cooperation and shared participation by the Department and the Municipality. All decisions related to the construction of the project shall be made jointly by the Department and the Municipality. In the event a decision cannot be reached

mutually, the Municipality agrees the Department will render a final decision regarding project elements that are on the State Highway System.

SOFTWARE

For the construction taking place at Municipal owned intersections not on the State system, the Municipality agrees to secure any required local software licenses. Costs incurred by the Municipality for procurement of local software and associated central software licenses shall be eligible project costs.

TRAINING/INSPECTION/COMMUNICATION/TESTING

- The Department shall notify and invite appropriate representatives of the Municipality to attend all conferences regarding any phase of the project.
- The Municipality shall have full inspection access to all phases of construction and implementation. However, the Municipality agrees that communications relative to construction of the project by the Contractor shall be directed to the Department.
- The Municipality shall designate personnel to assist with the design and inspection of the project, the technical review of material submittals, and for any review of computer software.
- The Municipality shall also assist in coordinating the testing for the physical takeover and control of the system. Costs incurred by the Municipality's personnel shall be an eligible project cost.
- The Department shall arrange for Municipal personnel the opportunity to attend any demonstrations of new equipment and any schools of instruction on the operation of the new signal system sponsored by the Contractor and/or his suppliers. The Municipality will assist the Department in the review and approval of all technical submissions and of a training program for signal system personnel to be provided by the Department's Contractor for the physical operation of the system. Costs incurred by the Department and the Municipality personnel to attend approved equipment demonstrations and schools of instruction on the operation of the signal system shall be an eligible project cost.

Note: Labor costs incurred by the Municipality's Signal System Supervisor and Signal System Technician are being reimbursed under the NCDOT Schedule D Maintenance Agreement. Any project-related cost incurred by the Municipality's

personnel other than the Signal System Supervisor and Signal System Technician shall be an eligible project cost.

CHANGE ORDERS

If any changes in the Project plans are necessary, the Department must approve such changes prior to the work being performed.

8. EQUIPMENT OWNERSHIP

All existing signal equipment that is to be replaced by new equipment, and which was originally purchased by the Department, shall remain the property of the Department. All existing signal equipment that is to be replaced by new equipment, but was originally purchased by the Municipality, shall remain the property of the Municipality. All CCTV equipment removed shall remain the property of the Municipality.

9. MAINTENANCE

The Municipality shall assume all maintenance responsibilities for the Traffic Signal System Upgrades, or as required by an executed maintenance agreement.

The Municipality and the Department agree to enter into separate Municipal Agreements for the sharing of future costs for the operation and maintenance of the central facility (Schedule D) and for the system hardware (Schedule C) on the State Highway System.

The Municipality shall maintain staffing sufficient to provide for the proper maintenance and operation of the completed improvements. The Municipality shall agree to make available for future training all the system's operating staff for any state or FHWA sponsored courses or workshops related to the enhancement of the Computerized Traffic Signal System both at the hardware and software level.

The Municipality shall maintain the traffic signal improvements in accordance with North Carolina General Statutes, the Department's current policies and guidelines, and all-local codes and ordinances. If, in the opinion of the Department, the Municipality does not maintain the signal system in accordance with the specified criteria, the Department shall have the right to enter into a separate maintenance agreement with a private contractor and deduct the cost of said maintenance from the Municipality's funds allocated under G.S. 136-41.1 and Municipal Maintenance Agreements Schedule C and D.

During construction of the Project, the Municipality shall continue to maintain all traffic signal equipment that is not being affected by the proposed improvement covered in this Agreement.

HOUSING OF TRAFFIC SIGNAL CONTROL CENTER

The Municipality shall provide a location to house the traffic signal system control center and make any necessary building modifications, at no cost to the Department. Reasonable access to the control center both during and after normal working hours shall be provided by the Municipality for both Department and Contractor personnel during periods of construction. Both parties understand that the Municipality, at no expense to the Department, shall continue to provide said location to house the control center after completion of said project. Any expansion and/or relocation of the traffic signal system control center will be the responsibility of the Municipality and is not an eligible project cost.

10. REIMBURSEMENT

SCOPE OF REIMBURSEMENT

Activities eligible for funding reimbursement for this Project shall include:

- Preliminary Engineering (PE)
- Environmental Documentation
- ROW (Utility Adjustments)
- Railroad Encroachments
- Construction (CON)

PAYMENT TERMS

The Municipality shall reimburse the Department fifteen percent (15%) of the 20% Match upon completion of the project. The estimated project cost is \$9,500,000. Any costs that exceeds the \$9,500,000 will be shared by the Department and the Municipality at the defined pro-rata shares. Approved Municipal expenditures will be deducted from any monies due and payable to the Department. Costs incurred by the Municipality and the Department as specified in this Agreement for the use of their personnel on the Project shall be an allowable project cost.

It is understood by all parties that this is an estimate and is subject to change. Project cost shall include, but not be limited to: design and construction engineering; railroad encroachment agreements, utility make-ready engineering and adjustments; environmental documentation, engineering support for data collection; inspections; construction cost; any consultant fees; supplemental agreements; verified claims; and administrative costs incurred by the Department.

11. OTHER PROVISIONS

RIGHT TO TERMINATE PROJECT

Prior to construction of the project, the Municipality shall have the right to terminate this agreement. It is understood by both parties, that if the Municipality elects to terminate this agreement at any point prior to letting of the construction contract, the Municipality shall reimburse the Department one hundred percent (100%) of the actual cost of all work performed by the Department. Reimbursement shall be made in one lump-sum payment within thirty days of billing by the Department. The Department shall charge a late payment penalty and interest on any unpaid balance due.

CONTRACTOR'S CLAIMS

The Municipality, excluding unforeseeable delays, shall be totally responsible for any reasonable (as determined by the Department) claims by the Contractor due to delays caused by the Municipality's failure to accomplish work in time for the Contractor to perform his work, including delays regarding utility clearance work.

POWELL BILL

In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided; the Municipality hereby authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1, until such time as the Department has received payment in full.

DEBARMENT POLICY

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the Municipality certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements

with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

HOLD HARMLESS

The Municipality will indemnify and hold harmless the Department from any and all claims for damage and/or liability in connection with the project activities performed.

FAILURE TO COMPLY

Failure on the part of the Municipality to comply with any of these provisions will be grounds for the Department to terminate participation in the costs of the project.

GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation , and the Office of the Governor).

12.SUNSET PROVISION

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement, and that no expenditures of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

Public Services Department

Wm. Scott Cherry

PUBLIC SERVICES CIVIL ENGINEER II



MEMORANDUM

DATE: April 22, 2013
TO: Pat Pate, Assistant City Manager
W. Chris Thompson, PE, Director of Public Services
FROM: Wm. Scott Cherry *Wm. Scott Cherry*
SUBJECT: Agenda Item – E. Lexington Avenue Bridge Replacement Municipal Agreement

I respectfully request that the following be included for consideration on the next City Council Agenda:

Consideration and approval of a Municipal Agreement with the North Carolina Department of Transportation in the amount of \$98,000 for the re-design and the additional costs for the E. Lexington Avenue Bridge replacement located approximately two hundred feet east of McGuinn Drive.

The re-design resulted in a larger culvert that would accommodate the City's future E. Lexington Avenue road widening.

The first installment of the Municipal Agreement will be paid by June 30, 2014, and the second installment will be paid by June 30, 2015.

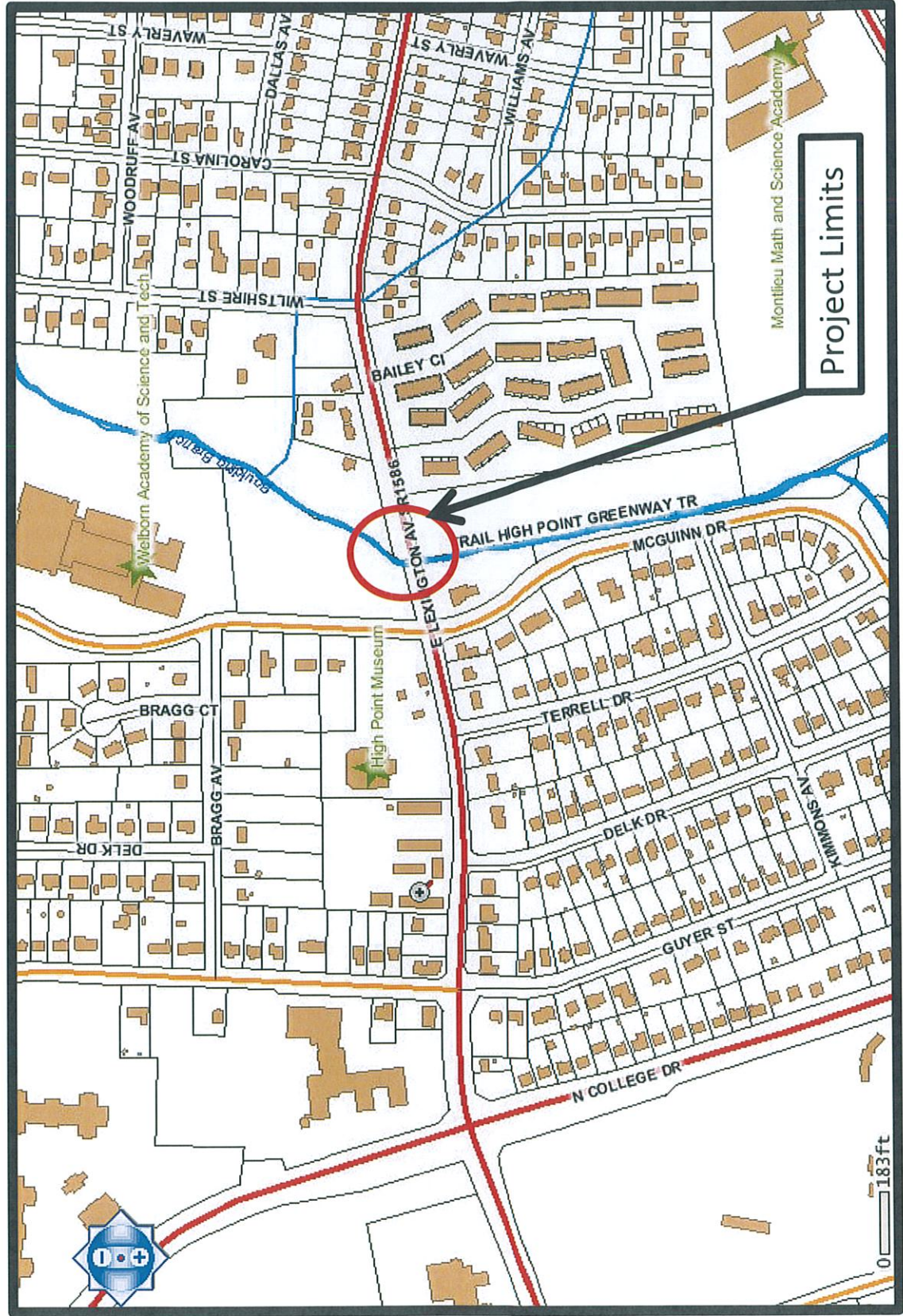
Funding for this payment will be made from the following account:

401710 – 533701 – 401141022705 – 40201

If you have any questions, please contact me.

pc: Jeff Moore, Finance Director
Mark McDonald, Transportation Director
Patty Sykes, Purchasing Director
Terry Houk, Assistant Director of Public Services
Tracey Adams, Purchasing
File

E Lexington Ave Bridge Replacement Project Location



Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: City of High Point

County: Guilford

TIP / WBS Element:

WBS Element: 17BP.7.R.22

Scope: The Project consists of replacing Bridge #400895 with culvert on Lexington Avenue. The Municipality has requested to extend a new culvert in order to accommodate future widening of roadway to be done by the Municipality.

Funding:

Type: Payable

Funding for: Betterment

Responsibilities:

The Department shall be responsible for all aspects of the project.

Maintenance: Upon completion of the project, excluding the sidewalks, the Department shall be responsible for maintenance. The City of High Point shall be responsible for sidewalks maintenance and liability.

NORTH CAROLINA

**TRANSPORTATION IMPROVEMENT PROJECT –
MUNICIPAL AGREEMENT**

GUILFORD COUNTY

DATE: 1/22/2013

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

WBS Elements: 17BP.7.R.22

CITY OF HIGH POINT

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of High Point, a local government entity, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, the Department has plans to make certain street and highway constructions and improvements within the Municipality under Project 17BP.7.R.22, in Guilford County; and,

WHEREAS, the Department and the Municipality have agreed that the municipal limits, as of the date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly, including but not limited to, the following legislation: General Statutes of North Carolina, Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to participate in the planning and construction of a Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF THE PROJECT

1. The Project consists of replacing Bridge #400895 with culvert on Lexington Avenue. The Municipality has requested to extend a new culvert in order to accommodate future widening of roadway to be done by the Municipality.

PLANNING, DESIGN AND RIGHT OF WAY

2. The Department and/or its Consultant shall prepare the environmental and/or planning document, and obtain any environmental permits needed to construct the Project, and prepare the Project plans and specifications needed to construct the Project. All work shall be done in accordance with departmental standards, specifications, policies and procedures.
3. The Department and/or its Consultant shall be responsible for acquiring any needed right of way required for the Project. Acquisition of right of way shall be accomplished in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

UTILITIES

4. The Municipality, without any cost or liability whatsoever to the Department, shall relocate and adjust all municipally-owned utilities in conflict with the Project and shall exercise any rights which it may have under any franchise to and relocations of telephone, telegraph, and electric power lines; underground cables, gas lines, and other pipelines or conduits; or any privately- or publicly-owned utilities.
 - A. Said work shall be performed in a manner satisfactory to the Department prior to the Department beginning construction of the Project. The Municipality shall make every effort to promptly relocate said utilities in order that the Department will not be delayed in the construction of the Project.
 - B. The Municipality shall make all necessary adjustments to house or lot connections or services lying within the right of way or construction limits, whichever is greater, of the Project.
 - C. The Department, where necessitated by construction, will make vertical adjustments of two (2) feet or less to the existing manholes, meter boxes, and valve boxes at no expense to the Municipality.

- D. If applicable, the Department shall reimburse the Municipality in accordance with the Municipally Owned Utility Policy of the Department approved by the Board of Transportation.

CONSTRUCTION AND MAINTENANCE

- 5. The Department shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The Department shall administer the construction contract for said Project.
- 6. It is further agreed that upon completion of the Project, the Department shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and departmental criteria.
- 7. Upon completion of the Project, the improvement(s) shall be a part of the State Highway System and owned and maintained by the Department.

FUNDING

- 8. The Municipality shall participate in the Betterment costs of the Project as follows:
 - A. Upon completion of the work, the Municipality shall reimburse the Department one hundred percent (100%), of the actual cost, including administrative costs, of the work associated with the construction. The estimated cost of the construction is \$98,000. The estimated cost to the Municipality is \$98,000. Both parties understand that this is an estimated cost and is subject to change.
 - B. Reimbursement to the Department shall be made in two payments upon completion of the work. The first installment shall be paid by June 30, 2014 and the second installment and final payment shall be made by June 30, 2015 upon invoicing by the Department.
 - C. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment herein above provided, North Carolina General Statute 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1 until such time as the Department has received payment in full under the

reimbursement terms set forth in this Agreement. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23.

ADDITIONAL PROVISIONS

9. At the request of the Municipality, and in accordance with the Department's "Guidelines for Planning Pedestrian Facilities", the Department shall include provisions in its construction contract for the construction of sidewalks on/or along Bridge #400895 on Lexington Avenue. Said work shall be performed in accordance with Departmental policies, procedures, standards and specifications, and the following provisions.
 - A. It is understood by both parties that all sidewalk work shall be performed within the existing right of way. However, should it become necessary, the Municipality, at no expense or liability whatsoever to the Department, shall provide any needed right of way and or construction easements for the construction of the sidewalks, and remove from said rights of way all obstructions and encroachments of any kind or character. Acquisition of any needed right of way shall be performed in accordance with the following state and federal policies and procedures, "Right of Way Acquisition Policy and Land Acquisition Policy, contained in the Federal-Aid Policy Guide, Part 712, Subpart B", and the North Carolina Right of Way Manual (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970). The Department shall be indemnified and held harmless from any and all damages and claims for damages associated with the acquisition of any construction easements and/or right of way.
 - B. Upon completion of the work, the Municipality shall reimburse the Department in accordance with Provision #8 stated hereinabove.
 - C. The Municipality, at no expense to the Department, shall assume all maintenance responsibilities for the sidewalks and release the Department from all liability relating to such maintenance.
10. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.

11. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.
12. All terms of this Agreement are subject to available departmental funding and fiscal constraints.
13. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED upon that the approval of the Project by the Department is subject to the conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

CITY OF HIGH POINT

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ of the local governing body of the City of High Point

as attested to by the signature of Clerk of said governing body on _____ (Date)

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

BY: _____
(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of High Point

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

SCOTT CHERRY

From: MARK MCDONALD
Sent: Wednesday, October 03, 2012 11:31 AM
To: Eason, Patty P
Cc: Mills, James M; tpowers@ncdot.gov; STRIB BOYNTON; RANDY McCASLIN; PAT PATE; JEFF MOORE; Keith Pugh; SCOTT CHERRY
Subject: East Lexington culvert, High Point

Hi Patty,

Thanks for speaking with me earlier today about the Lexington Avenue culvert project in High Point (Bridge #400895). To confirm our discussion, NCDOT will proceed with the design and construction of a larger (14x10) double barrel culvert that may be extended should Lexington Avenue be widened in the future. It is our understanding that the additional construction cost for this oversizing is approximately \$98,000.

The City is willing to enter into a municipal agreement with the Department for this additional cost, to be paid in two (2) equal installments: the first in FY 13-14, and the second in FY 14-15. Pursuant to execution of this agreement by the Board of Transportation and the High Point City Council, the City will provide funding for these payments in our capital FY 13-14 and 14-15 budgets. Please have this agreement prepared and sent to my attention at your earliest convenience.

Thank you again for working with us on this arrangement.

m

MARK V. MCDONALD, P.E.
TRANSPORTATION DIRECTOR
CITY OF HIGH POINT, NC

Customer Services Department

T. Robert Martin
DIRECTOR



MEMORANDUM

DATE: May 2, 2013
TO: Pat Pate, Assistant City Manager
FROM: T. Robert Martin, Director of Customer Services
SUBJECT: Agenda Item – Extension of Water Meter Contract

I respectfully request that the following be included for consideration on the next City Council Agenda:

Consideration and approval of an extension to the Contract for purchase of 5/8" residential water meters from Carolina Meter and Supply in the amount of \$244,000.00

Funding for this payment will be made from the following accounts:

421779-533701-421001010705-40202 \$ 150,000
631257-526101 \$ 130,727

This renewal is the second of four allowed extensions and is for the purchase of 5/8"x3/4" Badger water meters at \$ 122 each. The initial bid was awarded to low bidder and this is the second renewal at no price increase. Carolina Meter and Supply has provided excellent service and quality over the last two years.

If you have any questions, please contact me.

pc: Jeff Moore, Finance Director
Tracey Adams, Purchasing
File



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Customer Service Department**

COUNCIL AGENDA DATE: **May 6, 2013**

BID NO.: **EXTEND CONTRACT** CONTRACT NO.: **35-050411** DATE OPENED: **EXTENSION**

DESCRIPTION:

This contract was originally approved by Council May 16, 2011. This renewal is the 2nd of 4 allowed extensions. The contract is for the purchase of 5/8" x 3/4" Badger Water Meters @ \$122 each.

PURPOSE:

To replace old and install new water meters as needed.

COMMENTS:

Bid Tabulation is attached. NOTE: Total Price is based on the purchase of 2,000 meters. Our Customer Service Department anticipates purchasing approximately 2,000 meters in FY 2013-2014.

RECOMMEND AWARD TO: **Carolina Meter & Supply, Inc.** AMOUNT: **\$244,000**

JUSTIFICATION:

The initial bid was awarded to low bidder and this is the second renewal at no price increase despite new regulations on decreased lead content effective 1/1/2014. Carolina Meter and Supply provided excellent service and quality over the previous two years.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
631257	526101			\$130,727
421779	533701	421001010705	40202	\$150,000
TOTAL BUDGETED AMOUNT				\$280,727

DEPARTMENT HEAD: **T. Robert Martin** Digitally signed by T. Robert Martin
DN: cn=T. Robert Martin, o=City of High Point, ou=Customer
Service Dept, email=rob.martin@highpointnc.gov, c=US
Date: 2013.04.30 10:43:52 -0400 DATE: **Apr 29, 2013**

The Purchasing Division concurs with recommendation submitted by the **Customer Service Dept.** and recommends award to the lowest responsible, responsive bidder **Carolina Meter & Supply** in the amount of \$ **244,000.00**.

PURCHASING MANAGER: **Jeffrey Moore** Digitally signed by Jeffrey Moore 20130424-210213
DN: cn=Jeffrey Moore, o=Bank of America Global City and A Investment Banking,
ou=Bank of America Global City and A Investment Banking, email=jeff.moore@bancofamerica.com, c=US
Date: 2013.04.24 21:02:13 -0400 DATE: **Apr 30, 2013**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore** Digitally signed by Jeffrey Moore 20130424-210213
DN: cn=Jeffrey Moore, o=Bank of America Global City and A Investment Banking,
ou=Bank of America Global City and A Investment Banking, email=jeff.moore@bancofamerica.com, c=US
Date: 2013.04.24 21:02:13 -0400 DATE: **Apr 30, 2013**

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point,
email=cindy.smith@highpointnc.gov, c=US
Date: 2013.04.30 15:34:36 -0400 DATE: **Apr 30, 2013**

BID #35-050411

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[illegible]

**COMPREHENSIVE PLANNING COMMITTEE
(COMMITTEE OF THE WHOLE)
APRIL 16, 2013 – 4:00 P.M.
THIRD FLOOR CONFERENCE ROOM**

MINUTES

PRESENT:

Committee Chair Smothers, Mayor Sims, Council Members Davis, Ewing, Golden, Moore, Mendenhall and Wagner

ABSENT:

Council Member Douglas

STAFF PRESENT:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Jeron Hollis, Public Information; Lee Burnette, Director of Planning; JoAnne Carlyle, City Attorney, Lisa Vierling, City Clerk; Dawn Sparks, Deputy City Clerk

OTHERS PRESENT:

Cynthia Davis, Planning & Zoning Commission
Tom Terrell – Smith Moore Leatherwood
Jeff Moffit – D.H. Griffin
Glen Chavis

MEDIA PRESENT:

Paul Clark – *Rhinoceros Times*

World War II Memorial Plaque Language

Council Member Smothers stated that on December 2, 2012 at the Public Comment Period of City Council Meeting, Council Member Pugh introduced a Resolution Honoring the African-American Casualties of World War I and World War II. At that meeting there was not a lot of time for discussing the content of the resolution. Council Member Smothers noted that this was an action that was incomplete. Through the research of Glen Chavis and Council Member Pugh initiating this action the council did adopt the resolution. The city manager enlisted the help of the Mr. Chavis and Jeron Hollis. The resolution stated that some type of memorial would be placed in City Council Chambers at City Hall, and through discussion it was decided that a better location for the memorial would be at Veteran's Plaza where the other recognitions have taken place over the years.

Jeron Hollis advised that the plaque would be made out of cast aluminum bronze and according to Capital Metals, who manufactures the plaque, it will be able to withstand the weather and keep the look it is supposed to have.

Council Member Smothers noted that when action was taken back in 1944 there was a plaque presented to those American Servicemen that had lost their lives to their families.

Glen Chavis stated it bothered him that city council money was used for the old memorial, but no black soldiers were recognized. Mr. Chavis stated that his uncle, Carl Chavis, was the first black soldier killed from High Point. Mr. Chavis felt a need to bring this forward and let the public know that this happened in 1944. Mr. Chavis stated his purpose was not to embarrass anyone.

Jeron Hollis stated that the location of the memorial will be on High Street. Physically the memorial will be 18 inches wide and 27 inches tall and will be mounted onto a stand. Mr. Hollis stated that they do need to go ahead and get this submitted this week since Memorial Day is coming on the 27th of May.

The suggested language leaves the date as May 2013, rather than May 27, 2013, because the Mayor had indicated that there might be an interest in having a special dedication ceremony just for this plaque, which would be better done before Memorial Day.

Mayor Sims stated she does not have a problem with the recommended language.

Mr. Chavis stated they would like to have a memorial service for the plaque, and stated that it didn't need a lot of fanfare. Mr. Chavis suggested that they hold the memorial service on the 25th which is a Saturday.

Council Member Mendenhall made a motion, seconded by Council Member Wagner to use the wording in Suggestion 2. The motion passed unanimously.

Mr. Chavis offered his thanks on behalf of the Chavis Family and the other black soldiers. Mr. Chavis noted that in researching the minutes from 1859 to 1971 and out of those minutes only 250 pages mentioned blacks. In 1899 A.W. Horney went before Council and asked that two colored graves be moved that were too close to the confederate memorial. The Junior League requested Mr. Horney to do this. Council did approve it. There is no record of the names of the soldiers or where their graves were moved to.

350 South Agreement

Mr. Boynton stated that over the years the city has made a concerted effort to improve the infrastructure in three basic basins. One is towards Randleman, the Deep River

Outfall Line, most of which is pretty much completed. The City is now working in the west side fulfilling the commitments to improve the outfall lines and eliminate the leakage and all the environmental problems. They have completed the first two of three phases for Westside and waiting to start the third phase.

Mr. Boynton stated that in the last few years they started looking up in the northwest quadrant of the city, recognizing the growth was going to happen there, that it was appropriate and necessary, but to do it as a city some infrastructure improvements would have to be made.

Mr. Boynton advised that the 350 South Project addresses two city investments, the Atkins Outfall Line and the Outback Outfall Line. There has been discussion in the last fifteen years of going under I-40 and doing something with Greensboro. Those discussions have run hot and cold dependent upon what the priorities are in Greensboro at the particular time.

Council Member Smothers added that one of the things that council identified is the priority to look at the overall growth plan, which is something council has not got around to talking about yet, but this (the 350 South Development) is part of the puzzle that has been assembled over the years and it was driven by annexation agreements, it was also driven by actual development that took place and the fact that the City wants to protect the headwaters of the water supply, which cannot be done without zoning authority, and if you have that you have got to have the infrastructure.

Council Member Smothers stated that she thought that it shows the growth in time of reasonable types of partnerships that can develop between a municipality and developers, because the reimbursement potential that exists there is something that Lewis Price brought when he came to High Point as City Manager, and it was further refined later when the City built Premier Drive and got land credits.

Mr. Boynton stated that when discussions began the City was looking at something in the range of \$10 to \$12 million dollar range. As they have negotiated D. H. Griffin has come to the table. The City's financial commitment involves putting in the Atkins Outfall Line (\$80,000,00). At some time in the future the City would put in the major regional outfall line. In looking at it over the next three to five years in how fast this can develop the City is looking at a commitment of a total of \$800,000 versus the \$10 to \$12 million.

Council Member Moore asked when looking at the commitment in just raw numbers how the return on investment is calculated. Mr. Boynton stated that without any outfall lines nothing would be happening.

Highlights of the Agreement

- The agreement divides the project into two phases.
- The agreement provides for the City financing the major sewer improvements such as the Atkins Outfall Line and the Outback Outfall Line, which comes in Phase II.
- The Developer financing is constructing the road, water and other infrastructure improvements.
- The Agreement provides for land credits.
- In terms of the City's money it will come back in the form of utility bills as well as property tax revenues from the increased growth.
- It is not known how much growth is going to occur or when it will occur, but do know that there is interest in this area of town and also interest in the Idol Farm Property.
- The Developer would recover his costs through the incremental increase in the value of the real estate and what could be collected in taxes (45% of what is collected from the incremental increase) to cover his costs up to whatever the costs are. Once he has recovered it the payment would stop.
- The Agreement is for twenty years. There is a provision in the agreement that it can be modified by mutual consent.

Questions from Council

Council Member Wagner asked how they know how much the developer has spent. Mr. Boynton stated the developer will be required to provide that information. JoAnne Carlyle stated that it is periodic in their accounting. There are at least two different reviews, one annual and one from a fiscal standpoint and then from a development standpoint too.

Mayor Sims asked that based on the agreement, how does it impact any future incentives that come in that are locating within this project. Mr. Boynton stated that would be a decision of the council and he felt that they were making a commitment in terms of the outfall line and the developer is making a commitment in terms of land values and road improvements, but it will not preclude someone coming in and asking for an incentive. JoAnne Carlyle noted that with regards to the incentive there is nothing in the document that will bind the council to providing incentives for someone that

develops in that area. The land credit language in the agreement reserves that as one of the options should the city chose to do that in addition to incentives, which would be through a completely separate agreement.

Council Member Davis asked if the city makes any transportation improvements, stormwater improvements, water and sewer can it trade that for land credit. Tom Terrell stated of there is a commitment that falls to 350 South, such as a transportation improvements on Sandy Ridge Road, the City at its expense may concur those costs in exchange for land credits.

Tom Terrell stated that the city has not done a development agreement before. When two private parties enter into a significant business transaction where there are millions of dollars being invested in capital costs, sometimes the documents can go to into the 100s of pages, and in rare occasions thousands of pages for certain types of business acquisition and mergers. This is one of those very rare developments that most cities never have the opportunity to engage in. If this were a garden variety zone, where zoning comes in this month and development starts next month, and everything is complete within its calendar year, it would be entirely different. But this is a long-term multi-tract multi-phase development. Based upon everybody's experience with the Piedmont Center, this could easily be a 20 year build out of the entire deal. The City will be reimbursing 350 South for roads that are internal just in sight, the fact is the primary roads they are talking about, especially in Phase I, have been lines across the map for years, even before this was a development project. The developer will be building not just internal roads but a portion of a broader network and that it why it makes sense for 350 South to have participation in that respect. Mr. Terrell made a point to emphasize that road construction costs are entirely 100% at the developer's risk. The developer has to build these roads to city specs or NCDOT and turns that road over to the City. The City has spent absolutely nothing and the reimbursement comes from the increased wealth that the developer will help to create. For it to work for the developer there has to be a lot of development on the front end and starting out early so that the costs can be reimbursed. Whether it does or not, once again, is at the developer's risk.

Council Member Ewing asked if the City is building these improvements and there is a specific bidding process, when it comes to the reimbursements is the same style bidding process going to be acknowledged. Mr. Terrell stated it would. Mr. Terrell further stated that the real issue is if the city is going to be reimbursed from tax dollars what assurances do they have that you are reimbursing true cause. They have to follow all the public bidding. D.H. Griffin Company maybe potential bidders, but they would have to go through the same process as the public.

Council Member Smothers stated that Mr. Terrell made the comment last night that deferment until today had to do with cleaning up some of the language and some technical items, and asked if there is anything that could be identified as being a critical deviation from what had previously been in the agreement. Mr. Boynton stated he that Jeff Moore, Pat Pate, JoAnne Carlyle, Chris Thompson and Lee Burnette were involved

in the changes and there is no major deviation, in fact they just tightened up the agreement to both the developers benefit and to the City's benefit.

Mr. Boynton stated that the funding may come out of the bond package or it could come out of what the City has in reserve.

Tom Terrell stated that the development statute requires the developer to initiate the five year increments and it is probably very likely to be ten years. If a large big business decides before Phase II begins to come in and locate and the property is there, they will be communicating immediately with the City. It would require modification to the development agreement on those timelines for planning purposes. The development agreement acknowledges that this could be expanded and would expand in an ideal world, and some of these tracts would be filled in.

Council Member Mendenhall stated that there comes a time when you make an investment because you believe in what you can provide for the future of the City and she felt that this document has so much safeguard in it for the City and the potential is so great that Council would be remiss if they didn't follow through with the agreement.

Mr. Boynton stated that they will be checking the agreement one final time for typos, and there will not be any major changes in it. Based upon Council's action on Monday night, they are basically on go to come back with formal approval on May the 6th.

ADJOURNMENT

The meeting adjourned at 5:07 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Smothers,
Committee Chair



MEMORANDUM

Date: April 30, 2013

To: Pat Pate, Assistant City Manager

From: Terry Houk, Assistant Director of Public Services (T.H.)

Re: Agenda Item

I respectfully request that the following be included for consideration on the next Council Agenda:

Acceptance of Amendment No. 1 for engineering services related to Eastside WWTP Solids Handling Facilities and Design of Incinerator Emissions Treatment Equipment between the City of High Point and Hazen and Sawyer, P. C.
(Engineers)

This amendment modifies the original engineering services agreement entered into on May 2011 related to the Eastside WWTP Solids Handling Facilities to include design of Incinerator Emissions Treatment Equipment to meet new EPA Maximum Achievable Control Technology (MACT) standards

Public Services is recommending this amendment be accepted for:

Engineering Services for design of Emissions Equipment \$769,480.00

Funding for this amendment will come from 421779-527105-421111025220-40205.

Cc: Chris Thompson
Jeff Moore
Patty Sykes
File

PLANNING AND ZONING COMMISSION RECOMMENDATION

On April 23, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd and Mr. Ed Spivey

City of High Point, City Manager's Office

Text Amendments Case 13-04

Consideration of a request to amend the Development Ordinance to permit certain setback encroachments for uses in the Heavy Industrial (HI) zoning district, subject to approval of a modification by the Technical Review Committee.

Mr. Doug Loveland presented Text Amendment Case 13-04 and recommended approval as outlined in the staff report.

Speaking on behalf of the request was Mr. Loren Hill, President of the High Point Economic Development Corporation, 211 S. Hamilton Street, Suite 200, High Point.

No one spoke in opposition to the request.

The Planning & Zoning Commission recommended **approval** of Text Amendment Case 13-04, by a vote of 7-0.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
TEXT AMENDMENT CASE 13-04
April 23, 2013**

Request	
Applicant: City of High Point, City Manager's Office	Affected Ordinance Sections: Section 9-4-12 (e), entitled <i>Encroachments into Required Setbacks</i> ; and Section 9-9-10 (d), entitled <i>Sections Affected</i>
Proposal: Consideration of a request to amend the Development Ordinance to permit certain setback encroachments for uses in the Heavy Industrial (HI) zoning district, subject to approval of a modification by the Technical Review Committee.	

Background

The City Manager's office requested this text amendment to enable the placement of outdoor storage tanks on existing industrial property located at the intersection of Courtesy Road and South West Point Avenue. The Planning and Development Department was informed that the tenant at this location wishes to construct the storage tanks partially within the required street setbacks. There previously was a building over the proposed tank location, but that has been demolished.

Details of Proposal

This text amendment would permit an applicant to request a modification from the Technical Review Committee (TRC) to allow the placement of outdoor equipment within the required street setback for local or collector streets. The modification request is limited to equipment, such as storage tanks, piping or similar equipment, which is accessory to a permitted nonresidential use in the HI district.

Analysis

This amendment would require TRC review of a modification request to ensure that the request does not pose any technical problems, such as hindering site visibility for motorists on adjacent streets, or conflicts with utilities. To obtain a modification an applicant is required to demonstrate to TRC that the alternate standards requested would yield equal or better performance in furtherance of the purpose of the Development Ordinance. The applicant would present such a request by submitting a site plan to TRC showing the existing site location, and clearly illustrating the proposed encroachments. The Development Ordinance allows an applicant to appeal TRC's decision to City Council, should they so desire.

Recommendation

Staff recommends approval.

The proposed amendment would allow TRC to authorize the encroachment of exterior equipment into local or collector street setbacks where no technical issues result from the encroachment. This would enable the review and approval of requests such as the placement of the exterior storage tanks at the Courtesy Road location, as requested by the City Manager's office.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with staff's findings, by adoption of its own statement.

City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, by adoption of its own statement.

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) It will allow greater flexibility for the placement of necessary equipment associated with more intense industrial uses; and 2) a review of such requests is required to ensure that they do not pose any hazards to public safety. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

This report was prepared by Planning and Development Department staff member Douglas Loveland, AICP and reviewed by Robert L. Robbins, AICP (Development Services Administrator) and Lee Burnette, AICP, (Director).

**NOTICE OF APPROVED AMENDMENT
TO THE CODE OF ORDINANCES
OF THE CITY OF HIGH POINT, NORTH CAROLINA**

TEXT AMENDMENT: 13-04

Ordinance # _____ / _____

APPLICANT: City of High Point _____.
(City Manager's Office)

AN ORDINANCE AMENDING TITLE 9 OF THE CODE OF ORDINANCES, PURSUANT TO SECTION 9-3-15, TEXT AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted the "City of High Point Development Ordinance" on January 7, 1992, with an effective date of March 1, 1992, and subsequently amended; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on April 23, 2013 and before the City Council on May 6, 2013 regarding **Text Amendment 13-04**; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 14, 2013 for the Planning and Zoning Commission public hearing and April 24, 2013 and May 1, 2013 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, this amendment was adopted by the City Council of the City of High Point on _____;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

Part A.

Section 9-4-12 (e) *Encroachments into Required Setbacks* shall be amended to add subsection (6) as follows:

(6) Outdoor Equipment located in a Heavy Industrial Zoning District: Outdoor equipment, such as storage tanks, pipes, tubing (or other conveyances), pumps and similar equipment, that is accessory to a nonresidential use that is permitted in the HI district may encroach into the street setback for Local, Subcollector & Collector Streets subject to approval of a modification by the Technical Review Committee.

Part B.

Section 9-9-10 (d) *Sections Affected* shall be amended to add the following subsection:

(11) Subsection 9-4-12 (e) (6): Outdoor Equipment in a Heavy Industrial Zoning District

The remaining subsections shall be re-numbered accordingly.

SECTION 2.

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina

The ____ day of _____ 2013

Lisa B. Vierling, City Clerk

**AN ORDINANCE TO PERMIT THE CITY OF HIGH POINT
TO ENTER INTO REIMBURSEMENT AGREEMENTS
PURSUANT TO N.C.G.S. SECTION 160A-499**

WHEREAS, North Carolina General Statutes ("N.C.G.S.") Section 160A-499(a) provides that cities may enter into reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure, including, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities, that are included on the city's capital improvement plan and serves the developer or property owner; and

WHEREAS, N.C.G.S. Section 160A-499(b) requires that cities enact ordinances setting forth procedures and terms under which such reimbursement agreements may be approved; and

WHEREAS, the High Point City Council desires to adopt an ordinance setting forth the procedures and terms under which the City may enter into such reimbursement agreements; and

WHEREAS, based upon the consideration taken by the High Point City Council in connection with defining procedures and terms for reimbursement agreements, the City Council, although not required by law, makes the following legislative findings:

A. The above recitals are incorporated as legislative findings by the High Point City Council.

B. Reimbursement agreements offer the opportunity for careful integration between public capital facilities planning and private implementation of such facilities on an accelerated schedule, facilitating economic development and industry in the City of High Point by addressing the impacts of such development and industry with adequate and necessary municipal infrastructure, to the mutual benefit of the City and its citizens.

C. Adoption of an ordinance setting forth the procedures and terms under which the City of High Point may enter into such reimbursement agreements is authorized by law and is, after careful review and consideration by the High Point City Council, in the best interests of the City and its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE HIGH POINT CITY COUNCIL:

That TITLE 6 – PUBLIC SERVICES, CHAPTER 1 - STREETS & SIDEWALKS be amended to add the following:

"ARTICLE E: REIMBURSEMENT AGREEMENTS

Sec. 1 – Infrastructure reimbursement agreements.

- (a) Pursuant to G.S. 160A-499, this section authorizes and sets forth the procedures and terms under which the City may approve reimbursement agreements with private developers and property owners for the design and construction of municipal

infrastructure that is included on the City's capital improvement plan and serves the developer or property owner. For the purpose of this section, municipal infrastructure includes, but is not limited to, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities.

- (b) The City manager, or designee, is authorized to negotiate municipal infrastructure reimbursement agreements with private developers and property owners pursuant to this section. In negotiating such agreements, the City manager, or designee, shall determine that either:
- (1) The cost to the City will not exceed the estimated cost of providing for the municipal infrastructure through either eligible force account qualified labor or through a public contract awarded pursuant to G.S. 143-128, et seq., or
 - (2) The coordination of separately constructed municipal infrastructure with the associated private development would be impracticable.
- (c) City approval authority for agreements under this section shall be governed by general City contracting authorizations and delegations.
- (d) Reimbursements under this Article, if any, may be paid from any lawful source if approved by the City Council.
- (e) A municipal infrastructure reimbursement agreement approved pursuant to this section shall not be subject to G.S. Ch. 143, Art. 8, unless the award of a contract for work would have required competitive bidding if the contract had been awarded by the City. If the City would have been required to follow G.S. Ch. 143, Art. 8, then the developer or property owner is required to comply with the requirements of G.S. Ch. 143, Art. 8.
- (f) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with all of the City's rules, regulations and ordinances and be current on all debts, fees or taxes owed to the City."

Be it hereby ordained by High Point City Council on this the 6th day of May, 2013.


Mayor Bernita Sims



ATTEST:


Lisa Vierling, City Clerk



MEMORANDUM

DATE: **April 8, 2013**

TO: Randy McCaslin, Assistant City Manager

FROM: Michael E. McNair, Director

SUBJECT: Public Hearing for the 2013-14 Annual Action Plan

The Community Development and Housing Department requests a public hearing for the 2013-14 Annual Action Plan during Council's regularly scheduled meeting on April 15th. The Department has completed necessary activities for preparation and submission of the Plan to the Department of Housing and Urban Development (HUD). The final steps prior to submission are a public hearing and Council approval. A draft of the Plan describing the activities and programs proposed for the 2013-14 program year will be provided for Council's review. The plan must be submitted to HUD no later than May 15, 2013.

As of this writing, the 2013-14 HUD allocations have not been released. In accordance with guidance from HUD, the action plan budget reflects a 5% reduction from last year totaling \$56,689 (CDBG - 39,749 and HOME - 16,940). However, the final allocations are expected to be announced by month's end. Staff will monitor progress of the final allocations and make adjustments as needed.

The Annual Action Plan is designed to implement strategies and programs that accomplish objectives identified in the City's five year Consolidated Plan. The goals and measurable objectives for the proposed projects in the Plan are consistent with federal regulatory requirements. The process to develop the Plan included the following:

- Two community meetings were held to discuss programs and seek citizen input;
- The Citizen Advisory Council (CAC) received presentations from public service grant applicants in February 2013;
- A draft of the proposed Plan was released for public comment from March 11th through April 10th; and
- The CAC conducted a public hearing for the Action Plan on March 28th and voted to recommend that Council approve the plan.

The action plan process has met HUD citizen participation requirements for plan development such as public availability of the proposed Plan, public hearings on the Plan, and the public comment period. We ask that Council favorably consider approval of the 2013-14 Annual Action Plan.

DRAFT COPY

2013-14

Annual Action Plan

Community Development & Housing

City of High Point



2013-2014 Annual Action Plan

**CDBG/HOME Programs
July 1, 2013 – June 30, 2014**

**Bernita Sims, Mayor
Strib Boynton, City Manager**

City Council Members:

**Britt Moore, At-Large, Mayor Pro Tem
Jeff Golden, Ward 1
Judy Mendenhall, Ward 3
Jim Davis, Ward 5**

**Becky Smothers, At-Large
Foster Douglas, Ward 2
Jay Wagner, Ward 4
Jason Ewing, Ward 6**



**Submitted by
Community Development & Housing Department**

**Michael E. McNair, Director
211 South Hamilton Street, Suite 312
High Point, North Carolina 27261
(336) 883-3349**

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I. Executive Summary

The City of High Point's 2013-2014 Annual Action Plan, the fourth of a 5-year period from 2010 - 2014, describes activities proposed for funding and implementation during FY 2013-2014. The Action Plan sets forth a description of proposed activities, establishing goals and objectives for each of them. The Plan is based on the housing and community priority needs as defined in the Consolidated Plan¹ along with the anticipated financial resources available to address those needs. The Plan also contains goals and measurable objectives for projects and activities which implement strategies established in the Consolidated Plan. The 2013-2014 Annual Action Plan complies with regulations issued by the U.S. Department of Housing and Urban Development (HUD) in 1995. HUD requires Entitlement² communities such as High Point to consolidate its planning, application and reporting requirements for HUD programs including the Community Development Block Grant (CDBG) and the HOME Investment Partnership Grant programs (HOME). The Action Plan must be prepared each year. It is presented for approval to the Citizens Advisory Council and City Council. It must be submitted to HUD by May 15, 2013. A final Plan will be made available for review on the City's website, www.high-point.net/cd and in print form at the Community Development and Housing Department's office, 211 S. Hamilton Street, Suite 312, High Point, NC 27261.

II. Community Development and Housing Department Overview

The City of High Point's Community Development and Housing Department (CD&H) is committed to providing the highest level of service and a broad range of opportunities to its customers. Recognizing that neighborhoods cannot be strengthened simply with "sticks and bricks," the Department implements a diverse but coordinated mixture of programs ranging from affordable housing activities to public services to various neighborhood improvement activities and community-capacity building.

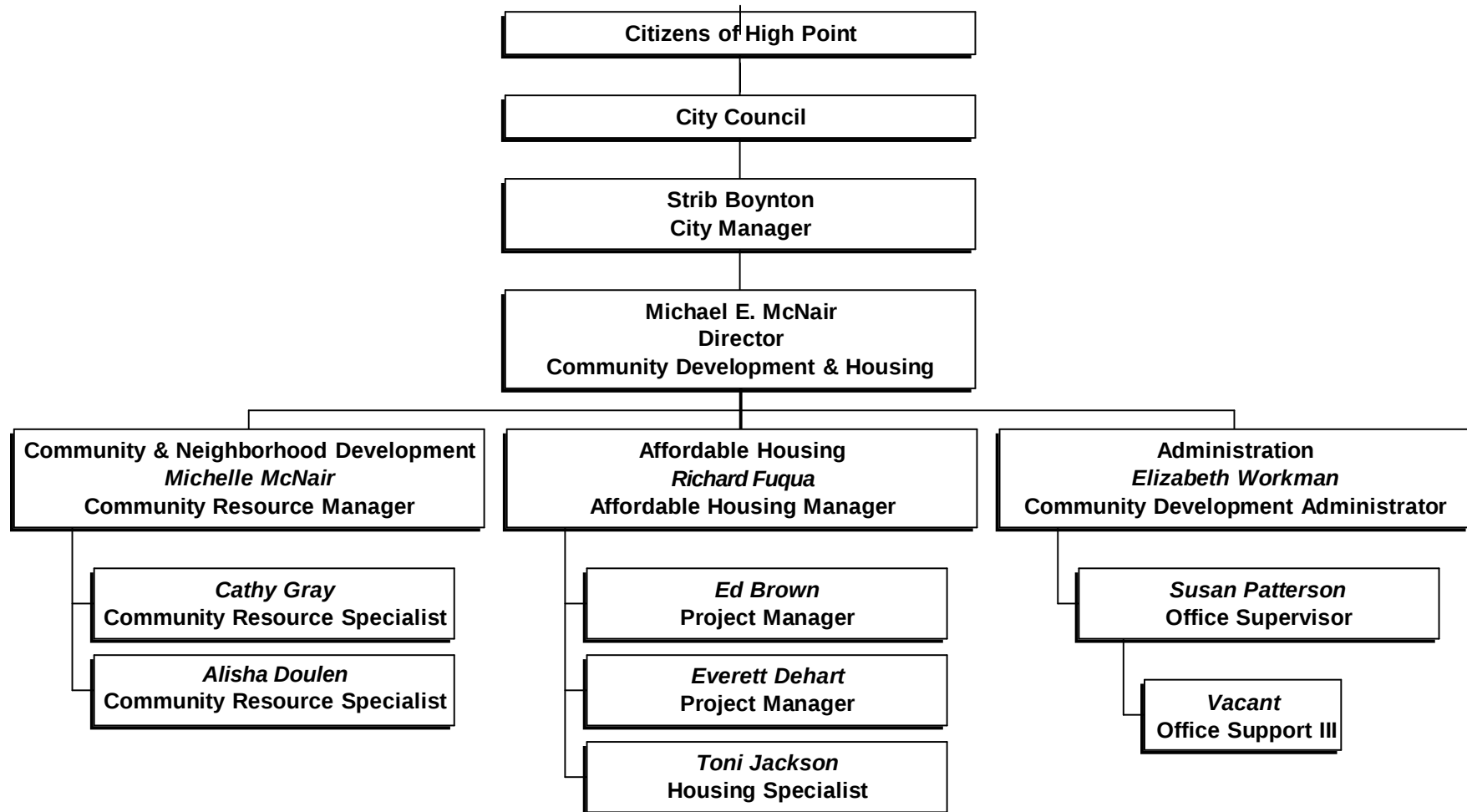
CD&H is responsible for program administration, monitoring, compliance and evaluation. It prepares the 5-year Consolidated Plan, the Analysis of Impediments to Fair Housing choice, and the One-Year Action Plan. The Department also manages the citizen participation process; makes program documents available for public inspection/comment; assists the Citizens Advisory Council; and seeks City Council approval of the Action Plan. Each year the Department prepares a Consolidated Annual Performance and Evaluation Report³ (CAPER) to inform citizens of the use and impact of community development funds. CD&H staff provide progress reports to the City Manager, the Citizens Advisory Council and City Council. These reports include recommendations on reallocation of funds as appropriate. The Department's organization chart is shown on the next page.

¹ A five-year plan that describes a community's needs, resources, priorities, and proposed activities to be undertaken with HUD funding, primarily CDBG and HOME program funds. The Consolidated Plan is updated annually

² A city which, based on factors such as its population, age of housing and poverty levels, is entitled to receive CDBG funds directly from HUD.

³ A CAPER reports how jurisdictions carried out housing and community strategies, projects and activities in the past year.

Community Development and Housing Organizational Chart



A. Citizens Advisory Council

The Citizens Advisory Council (CAC), a nine-member volunteer entity composed of city residents, plays a key role in the planning process. CAC members are appointed by the Mayor and City Council, and are limited to two consecutive two-year terms. The CAC was established in April 1974 to function as the primary citizen participation mechanism for projects planned and implemented with HUD funds. CD&H is responsible for providing administrative and technical support to the CAC. The CAC meets once a month; all meetings are conducted in an open manner, with freedom of access for all interested persons. Current members are:

Jerry Mingo, Chair At large	Jeffrey Golden, Ward 1	Jermaine Dawson, Ward 2
Jeffery Sypole, Ward 3	Myra Clodfelter, Ward 4	Thomas Kak, Ward 5
Scott Niebauer, Ward 6	Teresa Jones-Echard, At-Large	Yvonne Short, At-Large
	Jason Ewing, City Council Liaison	

B. The Planning Process

Participation of the general public and of public organizations is extremely important to the development of the Annual Action Plan. To maximize citizen participation, CD&H staff conducts a series of community meetings to discuss the planning process and solicit input. Community meetings are advertised in local newspapers at least 14 days in advance. This year's meetings were held as follows:

High Point Public Library	March 7, 2013
High Point Public Library	March 14, 2013

During these meetings, staff reviewed HUD national objectives as well as ongoing department activities, and facilitated a discussion of community needs along with suggestions for improving programs. Meeting with the community gives the department the best opportunities to interact with residents and receive feedback. Staff regularly attend neighborhood group and association meetings in the Core City throughout the year which builds partnerships, maintains meaningful and productive relationships in the community, and enhances the Department's ability to develop responsive, relevant programs.

C. Public Hearings

Two public hearings were conducted on the proposed Action Plan. The Citizens Advisory Council conducted the first public hearing at 6:30 PM on Thursday, March 28, 2013 at the Community & Neighborhood Development Center, 201 Fourth Street, High Point. The second public hearing was conducted by City Council during its regularly scheduled meeting on Monday, April 15, 2013 in City Council chambers on the third floor of City Hall, 211 South Hamilton Street.

D. Public Notice

The Community Development and Housing Department published a draft of the proposed 2012-2013 Annual Action Plan for public review and comment. The period of public review was for 30 days beginning March 11th ending April 12th, 2013. The proposed plan was available for review at the following locations:

- City of High Point Parks & Recreation Dept., 136 Northpoint Avenue
- Community Development & Housing Department, Room 312, City Hall, 211 S. Hamilton Street
- Community & Neighborhood Development Center, 201 Fourth Street
- Fairview Family Resource Center, 401 Taylor Avenue
- Macedonia Family Resource Center, 401 Lake Avenue
- West End Community Center, 901 English Road
- Washington Terrace Recreation Park, 108 Gordon Street
- Morehead Recreation Center, 101 Price Street
- High Point Housing Authority, 500 E. Russell Street
- Department of Social Services, 325 East Russell
- Carl Chavis YMCA, 2357 Granville Street

The Annual Action Plan describes housing and community development activities proposed by the City between July 1, 2013 and June 30, 2014 with a blend of HOME, CDBG Entitlement, program income, and local funds. The Plan also identifies other activities funded by a Lead Hazard Control grant, Health and Human Services, North Carolina Housing Finance Agency; HUD Section 108; Neighborhood Stabilization Program; US DOJ; the IRS/Volunteer Income Tax Assistance and Shelter Plus Care. For more information, please call or write: Community Development & Housing Department, City of High Point, PO Box 230, High Point NC 27261 or visit our website: www.high-point.net/cd. The City of High Point's meeting facilities are accessible to people with disabilities; those needing special accommodations may call (336) 883-3298 (voice) or (336) 883-8517 (TDD) to make prior arrangements.

E. Projected Sources of Funding

The CDBG program was created to plan and implement projects that foster revitalization of eligible communities throughout the United States. High Point is an Entitlement city, eligible to receive an annual CDBG allocation directly from HUD. Title I of the Housing and Community Development Act of 1974, as amended, is the legislation that authorizes the federal government to disburse block grant funds. The primary goal of this legislation is the development of viable urban communities. Program objectives include the provision of decent housing, a suitable living environment and expanded opportunities principally for low to moderate-income individuals and families.

The City of High Point has been an Entitlement city for 37 years. CDBG-funded projects and activities must meet one of three broad national objectives; all of High Point's CDBG-funded activities in the Annual Action Plan meet at least one of these national objectives:

1. Benefit low and moderate income persons
2. Aid in the prevention and/or elimination of slums or blight
3. Meet community development needs having a particular urgency

HUD also allocates HOME program funding to assist in implementing affordable housing strategies that address local housing needs. This program strives to meet both the short-term goal of increasing the supply and availability of affordable housing and the long-term goal of building partnerships between state and local governments and non-profit housing providers. It was created under the auspices of the National Affordable Housing Act of 1990. The HOME program affirms the federal government's commitment to:

- Provide decent, safe and affordable housing to all Americans
- Alleviate the problems of excessive rent burdens
- Alleviate and/or eliminate homelessness
- Eliminate deteriorating housing stock

Funds to operate the program are allocated by formula. Grantees must spend their allocations within five years, otherwise funds are subject to recapture by HUD. In the past the City of High Point received its HOME funds allocation as part of a consortium that included the cities of Greensboro and Burlington as well as Alamance and Guilford counties. The City exited the Greensboro Consortium and gained its status as a Participating Jurisdiction in July 2005. The 2013-2014 Annual Action Plan represents the eighth year that High Point has been a Participating Jurisdiction⁴, receiving HOME funds directly from HUD. Normally HUD requires a 25% cash match from the City; however, the City qualified for a match reduction according to HUD calculations this past year, and we anticipate a renewal in the next fiscal year.

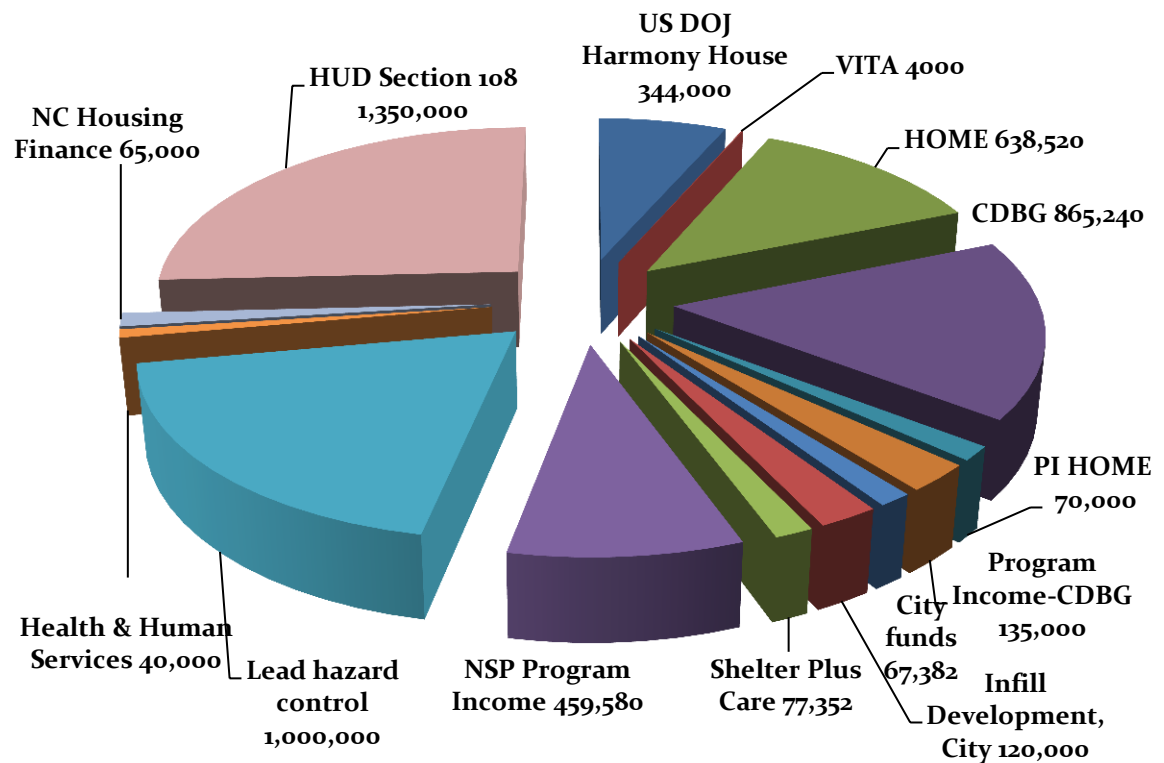
HUD regulations require the City to identify all resources expected to be available to implement activities identified in this Annual Action Plan. These funds, enumerated in the chart on the next page, will be used to develop a coordinated, comprehensive approach to the core goals identified in the Plan.

⁴ HUD designation as a participating jurisdiction occurs if a State or local government meets funding thresholds, notifies HUD that it intends to participate in the program, and obtains approval by HUD of a Consolidated Plan.

Anticipated Funding & Source

	HOME	CDBG	City Funds	Other Funds	Total
CDBG Program Funds 2013-2014 & Prior year			\$865,240		
CDBG Program Income			135,000		
HOME Program Funds 2013-2014 & Prior	\$ 638,520				
HOME Program Income	20,000				
Consortium Program Income	50,000				
City Infill Development Funds				120,000	
City funds, 1 salary/operating expense				67,382	
LEAD Hazard Control					1,000,000
NSP Program Income					459,580
Health & Human Services - IDA					40,000
Shelter Plus Care					77,352
NC Housing Finance					65,000
HUD Section 108					1,350,000
VITA					4,000
US DOJ Harmony House					<u>344,000</u>
TOTALS	\$708,520	\$1,000,240	\$187,382	\$3,527,314	\$5,236,074

The 2013-14 Annual Plan budget is illustrated on the right. HUD's CDBG and HOME funds provide the bulk of funds used to provide affordable housing, neighborhood revitalization, emergency repairs, down payment assistance and community programs. Lead poison remediation and HUD Section 108 funds constitute the largest sources of funds this budget year. Program income (loan repayment) is added to the budget as well. The City also provides one staff salary, infill development funds, and some operating funds.



F. Proposed Uses of Funding

Affordable Housing

Program Delivery	420,805	Delivery costs to provide affordable housing
CHDO	464,978	Affordable housing development
Emergency Repair	179,925	Home repairs
Homebuyer Assistance	100,000	Home purchase, loans/grants
Infill	55,000	Acquisition and new construction
Individual Development Accounts	57,500	Finance/household management skills
Southside Revitalization	109,355	Neighborhood improvement
NSP	459,580	Purchase/lease foreclosed renovated homes
Multi-family LIHTC	1,350,000	Multi-family units
Construction Partnership	130,000	Construction training program
Lead Hazard Control	1,000,000	Lead-based paint remediation

Total \$4,241,316

CNDD

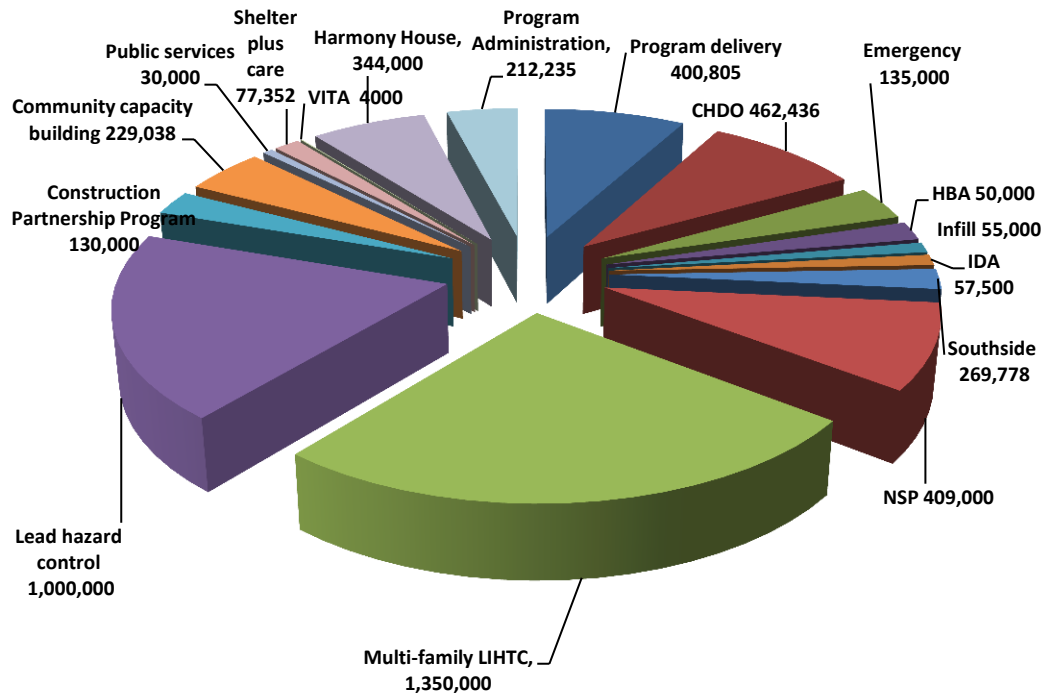
Community Capacity Building & Projects	241,344	Community capacity-building programs
Public Service Grants	30,000	Public Service grants
Shelter Plus Care	77,352	Permanent housing for homeless persons w/disabilities
VITA	4,000	Volunteer Income Tax Assistance
Harmony House	344,000	

Total \$696,696

Program Administration

Total \$212,235

GRAND TOTAL \$5,236,074

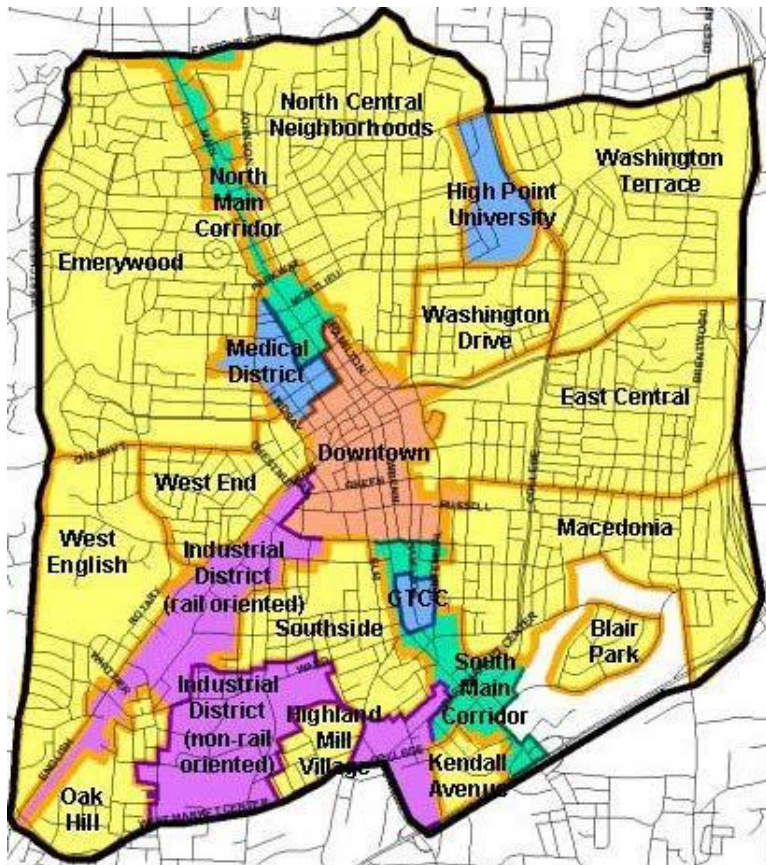


In accordance with HUD regulations, the Department designs and implements various affordable housing, community and neighborhood development strategies to meet identified needs.

Affordable housing strategies are designed to increase the supply of affordable housing, improve the condition of existing low-income housing stock, and enhance the accessibility of affordable housing to low-to-moderate income homebuyers.

Community & Neighborhood Development (CNDD) strategies focus on community capacity-building, enhancing provision of public services and assisting implementation of the Guilford County 10-year Plan to End Homelessness.

G. Geographic Priorities and Core City Plan



The Core City Plan is a major initiative of the High Point City Council. On September 8, 2005, a contract was awarded to the Walker Collaborative to conduct the planning process as well as prepare a Vision and Plan. After the Plan was completed, the Community Growth Vision Statement and Core City Plan were adopted by the High Point City council on February 8, 2007. The Plan's purpose is to provide a clear blueprint for improving the physical, economic and social facets of High Point's central core area: it reflects the collective vision of the community. With adoption of the Plan, other City policies will be adapted for consistency with the plan including zoning, development regulations, and capital improvement projects. In addition to the main focus on the Core City, this project also forged a community-wide vision as a framework into which the Core City Plan and other future plan can fit. As the City moves toward implementation of the Core City Plan, CD&H will continue to re-evaluate its progress and practices to ensure the Department is aligned with Council priorities as articulated in the Plan. The Department will utilize the Plan for guidance on its development, redevelopment and revitalization activities in the City's core area. The Core City area is defined as "downtown and the surrounding neighborhoods, commercial/industrial areas and gateway corridors," illustrated to the left.

A key objective of the Core City Plan is to stabilize and strengthen Core City's neighborhoods by minimizing existing negative conditions while reinforcing positive qualities. The Plan goes further to identify specific improvements in our targeted Core City area. The neighborhoods most commonly have one or more of the following characteristics:

- Natural or man-made boundaries
- Legal subdivision
- Shared development patterns
- Common economic conditions

A common theme expressed throughout neighborhood discussions was that the City largely represented a more post-war suburban feel with houses set back and larger front yards. Most homes were constructed over 50 years ago and are now aging, which represents a great need in the Core City environment. Because of this need, the Core City Plan makes a common recommendation throughout: rehabilitate existing homes, and develop appropriate infill housing on vacant parcels. The Core City Plan lays out specific challenges and recommendations for each affected neighborhood. CD&H programs focus on target areas in the heart of Core City.

Due to the concentration of low-to-moderate income households in the heart of Core City, CD&H has historically targeted neighborhoods in that area. Current targeted neighborhoods are Washington Drive, East Central, Macedonia, Southside and West End, all of which contain the traditional urban land uses of residential, commercial and industrial. Significant residential uses exist in the Washington Drive, East Central and West End sub-neighborhoods. Commercial uses straddle Main Street and the area's historical business corridor. Industrial uses, primarily textile and furniture manufacturing plants, are sprinkled throughout with concentrations in Southside and Macedonia. Violent crime has historically been pervasive but significant impact has been made by the police department's Focused Deterrent Initiative in Southside, West End, East Central and Washington Drive. Targeted areas have a large number of vacant lots and boarded up houses that are a blighting influence. In recent years the City has made a concerted effort to demolish substandard houses that blight Core City neighborhoods.

In an effort to facilitate the construction of infill housing in the Core City, the Department of Planning and Development and the Community Development & Housing Department co-sponsored a text amendment to the City of High Point's development ordinance which establishes a new zoning category known as RS-5, Residential Single Family District. This zoning category is primarily intended to accommodate high-density single family detached dwellings in the Core City where public water and sewer service is required. Overall gross density in RS-5 will typically be 7.0 units per acre or less. This category allows for the construction of homes on lots as small as 5,000 square feet. Utilization of the RS-5 category will require Council approval to rezone all affected properties. The text amendment was unanimously recommended to Council and approved at its regularly scheduled meeting on March 3, 2008. The first application of the RS-5 zoning was in the Southside community. The Graves Avenue area was rezoned to RS-5 as well.

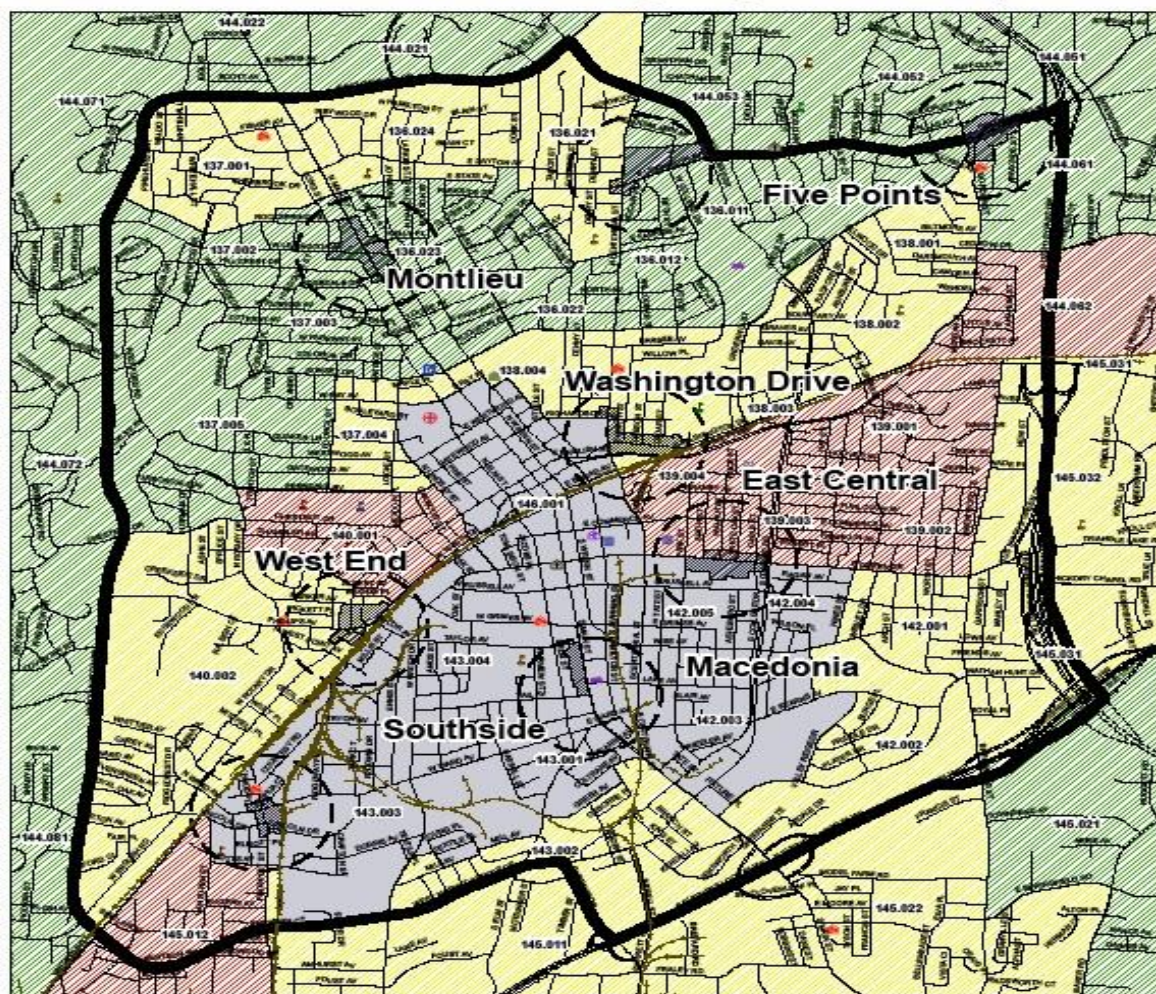
H. Neighborhood Revitalization Strategy Area (NRSA)

The extreme concentration of low-to-moderate income families in the heart of the Core City qualified High Point to obtain Neighborhood Revitalization Strategy Area (NRSA) designations for specific construction projects. This designation is possible due to HUD's desire to create communities of opportunity in distressed neighborhoods. Entitlement communities such as High Point may define a NRSA that meets the threshold for low/moderate income residents and is primarily residential. Within the NRSA the City receives much greater flexibility in the use of CDBG funds to stimulate the reinvestment of human and economic capital by economically empowering low-income residents. In order to enhance the impact of its community development programs in Core City neighborhoods, the Department successfully submitted an application for NRSA designation from HUD in specific Core City areas. The area submitted to HUD for NRSA approval is shown in grey on the map on the following page.

Continuing decline, widespread disinvestment in many communities, and the spillover effects in surround areas all point to the need for a different approach to rebuilding communities. HUD specifies that at least 70% of households in the NRSA must have low-to-moderate incomes, or LMI. The map on the next page depicts LMI household percentages in High Point by census block groups.⁵ Block groups in red have LMI percentages in excess of 70%; yellow areas have LMI percentages of 50-70%; green areas have LMI percentages of less than 50%. Clearly, the greatest concentration of LMI households is in the heart of the Core City. The NRSA designation will be used to enhance revitalization projects in the Macedonia and Southside communities.

⁵ A census block group is a subdivision of a census tract, and is the smallest geographic unit for which the Census Bureau tabulates 100% data. Many blocks correspond to individual city blocks bounded by street but blocks, especially in rural areas, may include many square miles and may have non-street boundaries.

Low / Moderate Percentages by Block Group



Legend



The purple/grey areas shown on this map show the boundaries of the NRSA in the City of High Point.

I. Income Guidelines

HUD is required by law to set income limits in determining eligibility of applicants for assisted housing programs which use HUD funds. The income guidelines provided to High Point reflect incomes for the Greensboro-High Point Metropolitan Statistical Area (MSA).⁶ The table below contains 2013 income limits with breakdowns by family size and income categories for High Point. These guidelines form the basis of eligibility criteria for the City's CDBG and HOME- funded projects. According to the 2010-2014 Consolidated Plan, High Point families with incomes at or below 30% of the area median income are at the greatest risk for housing problems.

2013 Income Levels (Source: HUD)				
	Extremely Low Income	Very Low Income	Low Income	Area Median Income
Persons in Household	30% Median	50% Median	80% Median	100% Median
1	\$11,450	\$19,100	\$30,550	\$38,150
2	\$13,100	\$21,800	\$34,900	\$43,600
3	\$14,750	\$24,550	\$39,250	\$49,050
4	\$16,350	\$27,250	\$43,600	\$54,500
5	\$17,700	\$29,450	\$47,100	\$58,850
6	\$19,000	\$31,650	\$50,600	\$63,200
7	\$20,300	\$33,800	\$54,100	\$67,600
8	\$21,600	\$36,000	\$57,600	\$71,950

These families also have the greatest risk of exposure to lead-based paint hazards. The 2013 Median Family income in High Point is \$54,500. Census median family income (MFI) estimates are updated with county-level Bureau of Labor Statistics earnings data and Census American Community Survey (ACS) state-level MFI estimates or ACS local area MFI estimates. Separate HUD MFI estimates are calculated for all MSAs and nonmetropolitan counties. HUD uses the Section 8 program's Fair Market Rent (FMR) area definitions in developing median family income estimates for a given area. HUD income limits are calculated for every FMR area with adjustments for family size and for areas with unusually high or low income-to-housing cost relationships. HUD sets income limits to determine eligibility for each Entitlement's programs and services. FY 2010-2011 MFI estimates are based on data generated by the census for that community, and are updated annually.

⁶ The US Office of Management and Budget designates MSAs according to published standards that are applied to Census Bureau data. The general concept of MSAs is that of a core area containing a substantial population nucleus, together with adjacent communities having a high degree of economic and social integration with that core

J. Fair Market Rents and Affordable Housing

Fair market rents are set annually by HUD to identify the amount needed to rent modest housing in an area⁷. They are affordability indicators of the general housing market for an area. One way to evaluate rental-housing costs is to compare the Housing Wage⁸ to the estimated mean rental wages⁹. According to the National Low Income Housing Coalition, the Fair Market Rent (FMR) for a two bedroom apartment is \$709. In order to afford this level of rent and utilities---without paying more than 30% of income on housing---a household must earn \$2,363 monthly or \$28,351 annually. Assuming a 40-hours work week, 52 weeks per year, 2080 hours, this level of income translates into a housing wage of \$13.63/hour¹⁰.

The minimum wage in North Carolina is \$7.25. To afford the FMR for a two bedroom apartment, at minimum wage a worker must work 75 hours per week, 52 weeks per year. Or a household must include 1.9 minimum wage earners working 40 hours per week year-round to be able to afford an apartment at Fair Market Rent rates. In North Carolina the estimated mean or average wage for a renter is \$12.11. In order to afford the FMR for a two bedroom apartment at this wage (\$12.11/hour), a renter must work 45 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 1.1 workers earning the mean renter wage in order to make the two bedroom FMR affordable.

Lower income families in High Point have great difficulty securing affordable housing and are driven toward older neighborhoods where housing stock is often not well maintained. Housing quality and affordability are intertwined, with one factor often forcing the acceptance of undesirable levels of the other. Low-income families who are unable to afford market rate rents are also unable to access Section 8 vouchers and often find themselves with housing cost burdens that force choices between paying the rent, paying the utilities, buying food, or paying for health needs/expenses. Often the poor opt to cut back on medicine, resulting in decreased quality of life and ultimately higher health care costs for them and the community at large, eventually. The inability to pay market rate forces low income families to seek lower cost and lower quality housing in older homes of Core City neighborhoods. Since Core City neighborhoods have the greatest concentration of older housing and consequently the greatest threat of lead poison contamination, a vicious cycle is put in motion which forces low income families to accept low quality housing which is all they can afford, exposing them to hazardous living conditions.

2013 Fair Market Rents (source: Federal Register)

Efficiency	1 bedroom	2 bedroom	3 bedroom	4 bedroom
\$516	\$591	\$701	\$953	\$1,075

⁷ It also establishes the maximum rent that could be provided for Section 8 recipients.

⁸ A "housing wage" is a term used to describe the average hourly wage needed to rent a two-bedroom dwelling at fair market rent.

⁹ Estimated mean renter wage is based on Bureau of Labor Statistics data and adjusted using the ratio of renter to total household income reported in the 2000 census.

¹⁰ The hourly wage needed to afford (at no more than 30% of gross income) a 2-bedroom apartment at Fair Market Rent.

III. Affordable Housing Activities

According to the City's 2010-14 Consolidated Plan, a large percentage of extremely low-income and very low-income households in High Point experience one or more housing problems. Households with housing problems are those households occupying units without a complete kitchen or bathroom, that contain more than one person per room, or that pay more than 30 percent of their income to cover housing expenses. More than one-quarter of all households in our community (at any income level) experience a housing problem, and over one-quarter experience a cost burden of 30 percent or more. Many very low-income and extremely low-income individuals experience severe cost burdens. More than ten percent of all households in High Point experience a cost burden of 50 percent or more, while more than one-half of all extremely low-income households fall into this category. The availability of affordable housing is a local as well as national issue.

Many low-income families in High Point are faced with multiple undesirable choices when seeking housing. They must choose between paying more than they can afford, living in substandard housing, or living in overcrowded housing. These choices have corresponding negative impact in their quality of life. The scarcity of affordable housing in our community is reflected in the extreme concentration of low-income families in older areas of the Core City and in the substantial waiting list maintained by the High Point Housing Authority. Unfortunately, public health records indicate these areas also have the greatest risk for lead based paint hazards and other unhealthy conditions (e.g., asbestos contamination). In response to housing needs identified in the Consolidated Plan, Community Development & Housing's affordable housing strategies are focused in three areas (programs in response to these areas are given below each area):

- ❖ Increasing the supply of safe, sanitary and decent affordable housing (single family and multifamily housing development)
 - Infill development through partnership with non-profit developers (CHDOs)
 - Partnership with multifamily housing developers in support of LIHTC projects (e.g., Admiral Pointe)
 - Neighborhood Stabilization Program (NSP) to acquire and repair vacant foreclosed properties and sell to income-eligible persons
- ❖ Improving the condition of the existing low income housing stock (housing rehabilitation)
 - Lead Hazard Control (remediate lead-based paint hazards)
 - Southside Revitalization
 - Emergency Repair (associated with Lead Hazard Control)
- ❖ Improving the accessibility to affordable housing (homebuyer education and down payment assistance)
 - Homebuyer Education
 - Down Payment Assistance
 - Individual Development Accounts

A. Community Housing Development Organization (CHDO) Activities



Budget:	\$447,436
Activity:	Construction of Affordable Housing
Source:	HOME Investment Partnerships Program
National Objective:	Affordable Housing
Eligibility Citation:	24 CFR Part 92.300
Goal:	Provide affordable homeownership opportunities
Objective:	Providing Affordable Housing (10 homes)
Outcome:	Affordability
Performance Measures:	10 affordable homes

Community Housing Development Organizations (CHDO) are nonprofit organizations whose purpose is to provide decent and affordable housing for low to moderate-income persons. The City is required to set aside fifteen percent of its HOME funds for CHDO activities.

Currently the City has two active certified CHDOs: Habitat for Humanity of High Point, Trinity and Archdale (Habitat); and Unity Builders, Inc. Habitat has been contracted to build (17) seventeen single family homes in the 1700 block of Graves Avenue, an area directly adjacent to Washington Terrace Park. Habitat has constructed and sold 12 homes on Graves Avenue area with an additional 6 currently underway. CD&H has contracted with Unity Builders, Inc. to construct 18 single family homes in Southside. Unity Builders has constructed and sold 7 single family homes in Southside and has 4 lease-purchase properties under construction.

The City facilitates the development of affordable housing by identifying project sites, property assemblage and gap financing that is used to attract construction financing from local banks. The City also makes available down payment assistance to income-eligible CHDO customers buying houses. Additional CHDO information is available at www.HabitatHP.org and www.unitybuildersinc.org.

B. Emergency Repair Program



Budget:	\$179,925
Activity:	Rehabilitation
Source:	CDBG
National Objective:	Low and Moderate Income Housing
Eligibility Citation:	24 CFR Part 570.202 (a) (1)
Goal:	To provide emergency housing rehabilitation services to 32 LMI homeowners; improve quality of existing LMI housing stock; acquire dilapidated housing for repair and/or demolition; mitigate blight and lead-based paint hazards
Objective:	Provide Decent Housing
Outcome:	Affordability
Performance Measures:	32 emergency repairs

Rehabilitation of the City's aging housing stock is geared towards ensuring the continued livability and viability of High Point's limited affordable housing units. Due to continued scarcity of resources, the City has committed its emergency repair funds as a match for its Lead Hazard Control grant. Consequently, emergency repairs are generally performed in conjunction with a lead remediation project. Exceptions may be made in extreme cases. The Emergency Repair Program is designed to provide quick action to homeowners experiencing a system failure that may endanger health such as heating systems failure in the winter. Emergency repairs typically completed include the following:

Roofing: Roofing repairs made in a timely manner can prevent further loss from damage to the structure, reduce the incidence of childhood lead poisoning and improve indoor air quality by eliminating moisture intrusion into the living spaces.

HVAC: Heating, air-conditioning and ventilation repairs done in a timely manner can prevent loss of life (due to hypothermia), improve indoor air quality, measurably increase the efficiency of outdated equipment, reduce the burden of high utility bills and ensure a greater degree of affordability for strapped homeowners.

Electrical: Electrical service upgrades to distribution panels and new wiring when necessary improve safety and allow for additional load to be added when replacing and modernizing HVAC systems.

Plumbing/Sewer: Hot water heating failures are addressed to meet minimum housing requirements. Additional plumbing modifications and repairs are sometimes needed to repair broken water and sewer lines.

Collapsing floor systems: Structural (framing) problems incurred primarily as a result of plumbing failures can have repair costs beyond many homeowners' resources. If it is determined that substantial failure is imminent, repairs will be undertaken.

Since CDBG funds are scarce, the Department closely monitors clients' income and asset eligibility criteria to focus resources on the lowest income groups. The City will continue to act as the owner's representative to ensure repairs are performed properly and customer expectations met. Project management services include:

- Intake and qualification of applicants
- Inspection and assessment of required repairs
- Preparation of the work write-up
- Manage bid-letting process
- Compliance with HUD and local regulations
- Supervision of work performed and contractor payment

C. Homebuyer Assistance



Budget:	\$100,000
Source:	HOME
National Objective:	Low & Moderate Income
Eligibility Citation:	24 CFR 92.205 (a) (1)
Goal:	Assist low-to-moderate income families purchase homes
Objective:	Assist low-to-moderate income homebuyers purchase homes
Outcome:	Affordability
Performance Measures:	10 homebuyers assisted

Homebuyer assistance is vital to the Department's goal of providing decent, safe, sanitary and affordable housing. The program provides down payment and closing cost assistance to homebuyers to reduce out of pocket costs in the form of a deferred low-interest rate loan. Homebuyer assistance is offered to buyers who purchase homes in the city limits of High Point. Traditionally, assistance is up to \$5,000 that can be used for closing costs and/or lowering of the down payment. The department offers additional incentives in the form of homebuyer assistance in Macedonia up to \$7,500 and assistance up to \$10,000 for targeted properties in the West End community. Down payment assistance in the amount of \$7,500 is also available for targeted properties in the Southside community currently under a development contract by the City. These assistance packages are designed to attract homebuyers to these neighborhoods. Basic program requirements include:

- Completion of an 8-hour Homebuyer Education class offered by a HUD-approved Housing Counseling Agency sponsored by CD&H
- Obtaining a loan to purchase the house from a participating lender
- Meeting income eligibility requirements established for the program
- Purchasing a home within the city limits of High Point
- Post-purchase counseling consisting of two 2-hour individual counseling sessions within the first 12 months of ownership and
- A minimum cash investment of \$500 toward the home purchase

Homebuyers meeting these basic program requirements are assisted during the homebuyer process by various professionals who demonstrate an interest in ensuring first time homebuyers receive decent, safe, sanitary and affordable housing. As the economy improves, we anticipate increased demand for homebuyer assistance.

In accordance with HUD guidance participating jurisdictions are authorized to use either the Section 203 (b) mortgage limits established as of February, 2008 or the actual 95 percent of median sales price limits for their areas, whichever is higher. The City of High Point has elected to use the Section 203 (b) mortgage limit as the maximum (\$200,160). The Section 203 (b) mortgage limit establishes maximum purchase prices. Loans are secured by a promissory note and deed of trust that outlines recapture provisions in accordance with 24 CFR Part 92.254. Liens coinciding with the loan terms are placed on all properties.

Homebuyer Education

*Realizing the Dream*¹¹ education workshops are being offered monthly at rotating locations throughout High Point to assist future first time homebuyers with the home purchasing process. Locations include the Macedonia Family Resource Center, Roy B. Culler Jr. Senior Center, Southside Recreation Center, Morehead Recreation Center, Oakview Recreation Center, Greater First United Baptist Church, Allen Jay Recreation Center and the Community & Neighborhood Development Center.

A HUD-approved housing counseling agency will partner with the City of High Point to offer this valuable training. The classes are eight hours in length, free to the public and all participants receive a certificate when completed. The classes comprehensively cover the home purchasing process. Topics covered include a homeownership overview, financing a home, budgeting, saving and credit counseling, working with a real estate professional, predatory lending, fair housing and foreclosure prevention. Participants requiring more extensive financial management training may be eligible for the Individual Development Accounts program.

Lender Participation

In order to purchase a house, an applicant must be able to obtain a loan. CD&H is committed to ensure low to moderate-income applicants receive quality loan products and has partnered with the local lending community to help homebuyers obtain an affordable first mortgage. In order to prevent home buyers from being victimized by predatory lenders, the department conducts a free lender certification workshop for mortgage lenders who are interested in working with low income, first time homebuyers. The mortgage lender must complete the workshop in order to become a Participating Lender for the Homebuyer Assistance Program. These workshops equip lenders with the information and forms necessary to submit a complete package for underwriting. A Participating Lender is a lending institution that cooperates with CD&H in the Homebuyer Assistance Program.

Participating lenders must meet the following criteria:

- Offer confirming loans with 1% or less origination fee;
- Charge no brokers fees or costs for providing the loan or other associated charges;
- CLTV not to exceed 100% of the value of the house;
- Maximum loan amount cannot exceed FHA Mortgage limit;
- Offer market interest rate
- Inform, educate, and facilitate the application process; and
- Ensure applicant's income eligibility.

Certification is granted to the individual loan officer attending the lender certification workshop. Currently there are thirty-one individual mortgage loan officers from twelve lending institutions certified to facilitate and submit a package for the down payment and closing costs assistance program on behalf of an eligible first time homebuyer. These certifications provide a common groundwork to help streamline the application process¹² and ensure the access of low to moderate-income families to affordable mortgage products. Participating lenders agree to refrain from predatory lending practices in accordance with guidelines established by the Community Reinvestment Association of North

¹¹ The HUD-approved curriculum, *Realizing the American Dream Trainer's Manual*, 4th Edition and its complementing *Homebuyer's Manual* are the definitive resources for homebuyer training and education. Updated in late 2009, both manuals are available in English, Spanish, Mandarin Chinese and Vietnamese. Developed by industry experts, the manuals cover the entire homeownership process and are organized in 6 modules presented in a format that de-mystifies the complexities of home buying. New features in the 4th edition include more photos and graphics with many useful "green" tips and the latest information on changes in credit and mortgage financing. Also included are valuated teaching tools, participatory activities, worksheets and a CD PowerPoint presentation for each module.

¹² Since participating lenders agree to submit down payment and closing costs assistance packages to the Department, prospective homebuyers will only have to fill out one application for approval.

Carolina (CRA-NC)¹³. The Community Development & Housing website maintains a list of local real estate agents who receive training and dedicate their time and effort to assisting low-to-moderate income first-time homebuyers obtain fair, decent and affordable housing. A list of participating lenders and down payment assistance information can be found at www.highpointnc.gov/cd/downpaymentassistance/index.cfm.

D. Infill Housing



Budget:	\$120,000
Activity:	Property Acquisition
Source:	General Fund
National Objective:	Affordable Housing
Goal:	Encourage Core City housing development to mitigate blight for improved quality of life
Objective:	To promote the construction of new units of affordable housing
Outcome:	Affordability
Performance Measures:	6 properties

High Point City Council has maintained a commitment to build affordable housing through the annual appropriation of \$120,000 in general fund resources. These funds are used to acquire strategically located properties and preparing them for redevelopment by affordable housing producers. CD&H previously focused on acquiring property in Southside & Graves Avenue areas for the development of affordable housing by CHDOs. Over the last 2 years the City has expanded its focus to acquire properties in the vicinity of Park Terrace to facilitate redevelopment by the High Point Housing Authority. As HOME funds cannot be used to assist the Housing Authority, the City will utilize general fund resources for property acquisition.

¹³ The Community Reinvestment Association of North Carolina's mission is to promote and protect community wealth. They advocate for change in the lending practices of financial institutions to promote wealth building for underserved communities and to end predatory lending practices that strip wealth.

E. Southside Revitalization Plan



Budget:	\$146,650
Source:	HOME
Activity:	Affordable Housing Infrastructure
National Objective:	Affordable Housing
Eligibility Citation:	24 CFR 92.205(a) (1)
Goal:	Implement Phase I of the Southside Revitalization Plan through 4 units of affordable housing
Objective:	Provide decent housing; suitable living environment
Outcome:	Affordability
Performance Measures:	4 new units of affordable housing

Like so many inner-city neighborhoods across the country, Southside began to decline after World War II when suburban development was the main focus. Southside has transitioned significantly in the last couple of decades from a flourishing, vibrant, and diverse neighborhood to one with acute socio-economic problems. Issues identified in Southside by residents, businesses, property owners, and community groups are:

1. Old, dilapidated buildings next to residential buildings
2. Abandoned and boarded-up houses
3. Lack of sidewalks and other pedestrian amenities
4. Inadequate recreational facilities
5. High crime rate

To address identified issues, the Department commissioned Neighboring Concepts to study the area in the summer of 2004 to provide a guide for development and redevelopment in the Community, providing a framework to guide future public and private sector decision-making towards long-term objectives. The Southside Revitalization Plan was completed and submitted to the neighborhood association for review and was included in the Core City Plan and approved by Council in February 2007. The Southside Revitalization Plan can be found at www.highpointnc.gov/cd/docs/SSrevitalizationPlans.pdf. Since the beginning of the construction of Phase 1 of the Southside Redevelopment Project, Unity Builders has completed and sold 7 homes to income eligible first-time homebuyers and currently has 4 under construction. As CD&H prepares for Phase 2, we will continue to focus on acquisition of land and demolition of dilapidated housing near the development site. CD&H will look to acquire properties on George Place, Vail Avenue, and Mobile Street in order to broaden the construction area.

IV. Community and Neighborhood Development Activities

A. Community Capacity-Building Programs



Budget:	\$241,344
Activity:	Community capacity-building
Source:	CDBG & General Fund
National Objective:	Low-to-moderate Income Area
Eligibility Citation:	570.201 (o)(p)
Goal:	To facilitate capacity-building activities for community-based organizations
Objective:	To conduct twelve capacity building activities by June 30, 2013 (Suitable Living Environment)
Projected Outcome:	Sustainability
Public Service Access:	Improved
Performance Measures:	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146

The Community and Neighborhood Development Center (CNDD) is located at 201 Fourth Street. The facility contains a 12-station computer center; two conference rooms; staff offices; a greeting area; and kitchen facilities. CNDD is charged with developing and implementing the Department's non-housing strategies through community capacity development activities that promote stronger neighborhoods. The Division will continue to focus on community-building activities such as leadership development, youth development, basic skill training and homelessness. Special emphasis will be place on leader and youth development. The Division partners with various organizations to enhance services to low/mod neighborhoods, homeless individuals and coordinates community programs. Additional services include providing neighborhood capacity building opportunities; helping residents acquire needed skills; administering public services; providing resource coordination; assisting in homelessness reduction activities; and assisting residents in preparing yearly income taxes.

The Division will continue to be responsible for managing CDBG funds (public service grants), the Shelter Plus Care (SPC) program funds for chronic homeless individuals and Supervised Visitation Program for Women of Domestic Violence. The CNDD budget includes program delivery costs necessary to implement community and neighborhood development activities. The computer lab will continue to provide computer service for public use. The computers are also used in the Volunteer Income Tax Assistance (VITA) program. CNDD will continue to partner with Guilford Technical Community College to provide GED classes to individuals who have not completed their high school degree. Capacity-building and technical support for neighborhood associations still remains one of the most important services provided by CNDD. CNDD supports the Neighborhood Leaders Council which consist of ten neighborhoods will continue to allow them to discuss issues of concern related to each

neighborhood and the city as a whole. Members learn about local government, address crime issues in their areas, create strategies for youth development, organize around citywide issues and develop a plan of action as a group. The Neighborhood Leader's Council will focus on youth development, boarded-up houses, neighborhood clean ups, and recruiting new members in their association

CNDD continues to streamline operations. The division will continue to focus on strengthening neighborhoods and transferring the SPC program to Housing Authority. This will provide SPC clients the opportunities for permanent housing. Coordinating multiple programs from HUD at one location allows the Division to optimize effectiveness to the benefit of low to moderate-income neighborhoods. The Division is responsible for providing technical and analytical support to the Citizen's Advisory Council as well as the Neighborhood Leader's Council. This year the Division is looking to add two additional neighborhood associations to the existing ten.

B. Neighborhood Associations:

Burns Hill Neighborhood Association

The Burns Hill Neighborhood Association continues to be actively involved in issues of crime, planned neighborhood activities, increasing membership, neighborhood beautification and youth development. Plans for the year is to prioritize monthly events,

Burns Hill Neighborhood Association will focus on these activities:

- Removing Blight
- Great American Cleanup in the Spring
- Community Commitment Award Dinner
- Yard of the Month Award
- Back-To-School celebration for the youths, providing free school supplies
- National Night Out participation
- Clean Sweep America Fall Cleanup
- Safe and Secure: Report Thefts



Cedrow Neighborhood Association

Residents of the Cedrow Neighborhood are continually involved in neighborhood issues and activities. The Association participates in numerous events held in their community.

- Home Fire and Safety Prevention
- Community Block party
- Participate in the Washington Street Easter parade
- National Night Out Activities---won a national award
- Seniors in the Community Thanksgiving Dinner
- Community Luminaries
- Christmas Parade



Five Points Neighborhood Association

The Five Points Neighborhood Association has many goals for the coming year. These goals include:

- Recruiting new members, residents and businesses
- Solidify meeting location
- Hold a pecan sale, and a yard sale to raise funds
- Participate in National Night Out
- Be involved in planning of Daniel Brooks/High Point Housing Authority project
- Forge partnerships with community members and businesses interested in helping the community

Highland Mills Neighborhood Association

Highland Mills Neighborhood Association will continue to increase awareness of community and city issues. Their plans for this year include:

- Organizing a community garden
- Partnering the High Point Police Department to address crime issues
- Continuing to beautify and clean up the neighborhood
- Creating a safe place for children to play in the neighborhood

Macedonia Neighborhood Watch

The Macedonia Neighborhood Association will focus on increasing membership, allowing the Association to form committees to work on issues and concerns. CNDD staff will continue to assist with this process. The Association will continue involvement with the Macedonia baseball league designed to offer a high quality sports league for a very low participation fee. Association members volunteer time at the park working the concession stand as well as cleaning up after each game. The Macedonia Family Resource Center will continue to provide daily programs to address needs of those living in the area. Programs will include:

- Food pantry
- Free computer classes
- GED classes
- Technology Access Point allowing residents to access the main library database to reserve books and have them delivered to the Center
- Youth-centered programs and activities
- English as second language classes
- VITA (Volunteer Income Tax Assistance) site

Oakview Neighborhood Watch

Oakview's overall goal is to continue to get community members involved in their neighborhood and increase awareness of issues concerning the community. More specific goals include:

- Increasing membership
- National Night Out
- Fundraising
- Continued partnership with Police Department to mitigate crime
- Increased involvement from City Council representative and other public officials

Pershing Street Neighborhood Watch

The Pershing Street Neighborhood Watch continues to focus on crime and safety issues in their community. Residents are actively involved in eliminating negative elements that affect the quality of life in the community. Members of the Neighborhood Watch are scheduled to participate in a Door Knocking campaign to include Community & Neighborhood Development staff and Neighborhood Leaders. The intent is to increase membership and to make residents aware of the Pershing Street Neighborhood Watch activities.

Scheduled activities include:

- Invite encouraging & motivational speakers to Association meetings
- Door knocking campaign
- National Night Activities
- Neighborhood Watch Christmas dinner

Southside Neighborhood Association

The Southside Neighborhood Association is excited about scheduling another successful year with the Neighborhood Community Garden that serves residents of the community throughout the summer and fall months with a surplus of healthy fruits and vegetables. Family Service of the Piedmont will again work with the Southside Neighborhood Association, Fairview Street School, Boys & Girls Club, High Point Parks & Recreation and residents of Southside Neighborhood to celebrate National Family Night. The goals of the Association are to include resident participation of activities and scheduled events within the community.

Southside scheduled events for the upcoming year include:

- Neighborhood garden planting
- Door knocking to increase membership
- Neighborhood spring clean-up
- National Night Out Activities
- Partner with Family Service of the Piedmont for National Family Night

West End Neighborhood Association

The West End Neighborhood Association and West End Ministries will try to help people who live and work in West End to make the community the best it can be.

Scheduled activities and goals include:

- Increased involvement and recruitment of community members
- National Night Out
- VITA (Volunteer Income Tax Assistance) site: free tax preparation
- Youth-centered programs and activities
- Community projects for area residents
- Hold elections
- Continue to increase safety and awareness, especially for our elderly and youth



Washington Street Neighborhood Association

The Washington Street Neighborhood Association plans include seeking new officers for the upcoming year. It also incurs upcoming events that will include a substantial increase of resident participations to become more visible within the community. Area events will also be scheduled to increase resident participation and to become more active and visible within the community. The Association will work diligently with local businesses, the City of High Point Police Department, Community & Neighborhood Development Division, and area Churches to assist in eliminating crime, drugs and theft amongst residents of the Washington Street Neighborhood. In addition, several new businesses and a local church have assumed residence within the Washington Street community.

Washington Street Neighborhood Association will focus on the following activities:

- Spring Neighborhood cleanup
- Neighborhood garden
- Fresh vegetable stand
- Children's theater/activities
- National Night Out
- Fall neighborhood cleanup
- Washington Street Fall Festival



Highland Mills Neighborhood Association

Highland Mills Neighborhood Association will continue to increase awareness of things that are happening in their community and the City. Plans for this year include:

- Organizing a community garden
- Partnering the High Point Police Department to address crime issues
- Continuing to beautify and clean up the neighborhood
- Creating a safe place for children to play in the neighborhood

C. Public Service Grants

The City of High Point annually sets aside a portion of its Community Development Block Grant entitlement to fund public service activities provided by local community based organizations and non-profits for the benefit of low to moderate-income residents. Eligible activities include labor, supplies and materials, employment, crime prevention, child-care; health; drug abuse; education; fair housing counseling; and energy conservation. The funds are allocated through a competitive process and the Citizens Advisory Council (CAC) reviews all applications and makes recommendations to the City Council. The following 6 grants were chosen for funding:

Budget	\$30,000
Activity	CDBG Public Service Subrecipient
Source	CDBG
National Objective	Low to moderate income clientele
Eligibility Citation	570.201(e); 570.208(a)(1) 570.208(a)(2)
Goal	Provide public services benefitting low-to-mod income residents
Objectives	Suitable Living Environment
Outcome	Sustainability
Public Service Access	Improved
Performance Measures	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146

Applicant	Amount Requested	Amount Allocated
Family Promise of Guilford (HP)	\$4,000	\$4,000
Mary's House, Inc.	\$2,250	\$2,250
Helping Hands Ministry	\$6,000	\$6,000
HP Heat Track & Field	\$4,950	\$4,950
HP Housing Authority	\$5,000	\$5,000
YWCA of High Point	\$12,400	\$7,800
	\$34,600	\$30,000

Helping Hands



Here when you need us!

Helping Hands Ministry provides emergency food, rent and utility assistance. These funds will be used for 20 hours per week salary for a case manager to work one-on-one with clients to secure licenses/documents needed to drive and work, budgeting classes and help with resumes.

Budget	\$6,000
Activity	CDBG Public Service Subrecipient
Source	CDBG
National Objective	Low to moderate income clientele
Eligibility Citation	570.201(e); 570.208(a)(1) 570.208(a)(2)
Goal	Provide case management
Objectives	Suitable Living Environment
Outcome	Sustainability
Public Service Access	Improved
Performance Measures	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146 Number to be served: 100



Mary's House, Inc. is a fully licensed therapeutic agency providing transitional and permanent housing, life skills, training and support for homeless women who are in recovery from substance abuse. The program is one of few in the United States that allows women to raise their children while in treatment for addiction. This project will help an expansion project providing 6 permanent housing vouchers so mothers can be with their children; CDBG funds will be used for office supplies, space, fuel, bus passes and partial case-management salary.

Budget	\$2,250
Activity	CDBG Public Service Subrecipient
Source	CDBG
National Objective	Low to moderate income clientele
Eligibility Citation	570.201(e); 570.208(a)(1) 570.208(a)(2)
Goal	Provide permanent housing for homeless recovering mothers & their children
Objectives	Suitable Living Environment
Outcome	Sustainability
Public Service Access	Improved
Performance Measures	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146 Number to be served: 6



YWCA of High Point is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom and dignity for all. This project, ***Making Proud Choices Pregnancy Prevention***, is an evidence-based, safer-sex approach to teen pregnancy, STDFs and HIV prevention curriculum that will be with middle and high school youths. Classes are one hour for 8 weeks, teaching youngsters how to make choices about sexual behaviors. CDBG funds will be used for staff, curriculums, supplies and graduation expenses.

Budget	\$7,800
Activity	Pregnancy prevention instruction
Source	CDBG
National Objective	Low to moderate income clientele
Eligibility Citation	570.201(e); 570.208(a)(1) 570.208(a)(2)
Goal	Provide safe sex education for low-to-mod income residents
Objectives	Suitable Living Environment
Outcome	Availability/accessibility
Public Service Access	Improved
Performance Measures	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146 Number to be served: 80

Family Promise of Greater Guilford County coordinates a volunteer network of faith groups and community organizations to provide nightly shelter and meals for homeless families. The High Point chapter currently has commitments from approximately 14 groups who will provide over 1600 volunteers for this endeavor, hoping to serve approximately 50 homeless families during 2013. CDBG funds will provide shelter, meals, supportive education and counseling services.

Budget	\$4,000
Activity	CDBG Public Service Subrecipient
Source	CDBG
National Objective	Low to moderate income clientele
Eligibility Citation	570.201(e); 570.208(a)(1)& (2)
Goal	Provide shelter for homeless families in High Point
Objectives	Suitable Living Environment
Outcome	Availability/Accessibility
Public Service Access	Improved
Performance Measures	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146 Number to be served: 50 families



High Point HEAT Track & Field Club will provide athletic, educational and spiritual conditioning and training to help them become successful athletes, students and citizens. This project will teach respect for other people's differences and opinions, religion, race, gender and social status. CDBG funds will be used for athletic scholarships, transportation and nutrition for track meets.

High Point Housing Authority will offer the *Family Self-Sufficiency Occupational Training Project* which is unique because it provides opportunities for participants to obtain marketable skills. It offers a major step toward achieving gainful employment, taking charge of their future and becoming economically self-reliant. CDBG funds will be used for registration fees, books and supplies.

Budget	\$4,950
Activity	CDBG Public Service Subrecipient
Source	CDBG
National Objective	Low to moderate income clientele
Eligibility Citation	570.201(e); 570.208(a)(1) 570.208(a)(2)
Goal	Provide youth with athletic/educational training
Objectives	Suitable Living Environment
Outcome	Sustainability
Public Service Access	Improved
Performance Measures	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146 Numbers to be served: 8-13

Budget	\$30,000
Activity	CDBG Public Service Subrecipient
Source	CDBG
National Objective	Low to moderate income clientele
Eligibility Citation	570.201(e); 570.208(a)(1) 570.208(a)(2)
Goal	Provide public services benefitting low-to-mod income residents
Objectives	Suitable Living Environment
Outcome	Sustainability
Public Service Access	Improved
Performance Measures	Projected Census Tracts to be served: 136.01, 136.02, 138, 139, 140, 142, 143, 144.06, 144.08, 145.01, 145.02, 145.03, 146

D. Reducing Homelessness

Partners Ending Homelessness (www.partnersendinghomelessness.org)



As the lead agency for Guilford County's Continuum of Care, Partners Ending Homelessness (PEH) is responsible for actively implementing, evaluating and updating Guilford County's Strategic Plan to End Homelessness. The organization is a groundbreaking, collaborative partnership that includes over 80 community partners that work to generate housing, strengthen prevention and supportive service efforts, and increase coordination, collaboration and access through the continuum of care in our community. Partners Ending Homelessness encourages public understanding of the causes and conditions of homelessness and leads a strong and stable system of care for individuals and families to reduce homelessness in Guilford County. The organization fulfills its mission to prevent and end homelessness in the Guilford County area through three core areas of focus:

- **Connect** with individuals and organizations to enhance awareness or and increase access to our system of care
- **Support** development of an effective service system by functioning as the hub for information sharing and training about issues related to homelessness
- **Restore** lives in our community by securing and administering major funding with continuous oversight of services and resources

Under the 2009 Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) Act, the U.S. Department of Housing and Urban Development strongly encourages communities of homeless service providers, agencies, and advocates, known as regional Continuums of Care, to work more collaboratively to increase effectiveness, maximize resources, and eliminate duplication of work when possible. The creation of Partners Ending Homelessness was motivated by the desire to have one coordinated effort with one voice in Guilford County to address the issue of housing and homelessness. Therefore, Partners Ending Homelessness is responsible for fostering relationships between the Non-Profit Sector, Business Community, Faith Community, Government Entities, Philanthropic Sector, Community Advocates, and those who are experiencing or have experienced homelessness.

As an organization, Partners Ending Homelessness works to:

- Consolidate efforts to increase resources for ending homelessness in Guilford County
- Effectively leverage funds
- Create an objective and fair process to distribute funds
- Avoid duplication of efforts and foster interagency collaboration in securing grants and other resources
- Ensure that all areas of need are being addressed

To ensure that the aforementioned objectives are met, Partners Ending Homelessness:

- Oversees annually the competitive process for Federal Homeless Assistance grants and any other funding whose guidelines request public/private partnership or delegate this process to Partners Ending Homelessness
- Increases resources for affordable housing, permanent housing, prevention/ supportive services by creating jointly funded initiatives
- Reviews the progress and impact of priorities and strategies of Guilford County's Strategic Plan to End Homelessness

The organization is developing long-term solutions to help those living below “self-sufficiency” levels to get the additional education and skills to become self-sufficient, attain safe and secure housing, as well as helping service providers to further develop our homeless delivery system. Homelessness is a critical issue for communities across North Carolina and in Guilford County, the issue is a complex one, as homeless people are diverse and the factors that led them to become homeless are equally diverse and vary over time. No one sector or level of government can alone address the problem of homelessness in our community. Through strategic partnerships, Partners Ending Homelessness is tackling the issues that matter most in our community through:

- Increasing resources for affordable housing, permanent housing, prevention and supportive services
- Increasing awareness of homelessness issues among the general population and among leaders in business, government and philanthropy
- Creating stronger case management services to help households who are struggling financially to access resources in the community and housing providers; fostering collaboration and creating new partnerships between service providers and expanding the coordinated portal of entry system
- Building provider capacity through training, education and technical assistance based on data and results-based best practices
- Increasing data collection and reporting capability through coordinating agencies into a seamless system for homeless consumers, easing access to housing and services and working towards full implementation of the Carolina Homeless Information Network (CHIN)
- Implementing action steps identified in the Ten-year Plan
- Pooling of resources by all groups and coordination of efforts by strengthening existing partnerships and creating new ones

Fund Sources

Annual Continuum of Care (CoC) Grant Administration: Partners Ending Homelessness currently secures and administers funding for the largest single source of funding for Guilford County's homeless service delivery system through HUD McKinney-Vento funds. HUD issues an annual "Super NOFA" (Notice of Funds Availability) to solicit competitive applications from localities nationwide. In response, Partners Ending Homelessness compiles and submits a lengthy application to HUD, totaling 201 pages in 2011. HUD funding for Guilford County in 2011 totaled more than \$1.5 million and supported 14 programs across the County. Other Continuum of Care grant duties include monitoring awarded grants, conducting an annual Point in Time Count and Housing Inventory, and providing annual performance reports to HUD.

Emergency Solutions Grants: Partners Ending Homelessness currently secures and administers funding from the NC Department of Health and Human Services and the City of Greensboro. The Emergency Solutions Grants provide funding for Guilford County's homeless service delivery system. 2012 marks the first year that Partners Ending Homelessness has been required to submit an application as the lead agency for Guilford County's Continuum of Care for the Emergency Solutions Grant. In 2012, Guilford County received \$500,000 in ESG funds to be dedicated primarily to rapid re-housing and traditional shelter services.

Other Fund Sources: Partners Ending Homelessness makes direct funding decisions for other funding sources whose guidelines request a public/private partnership, require the support or endorsement of the local Continuum of Care or who delegate this process to Partners Ending Homelessness.

The City of High Point is a founding member of PEH and has a representative on the Board of Directors.

Budget:	\$212,235
Activity:	Administration
Source:	HOME, CDBG and General Funds
National Objective:	N/A
Eligibility Citation:	24 CFR 92.206, 570.200 (a) (3) (i)

Administrative costs that are necessary for program planning and management of the CDBG and HOME programs are charged to program administration. The Community Development and Housing Department is responsible for ensuring program implementation in compliance with national objectives of both programs as well as adherence to state and local requirements. Reasonable administrative and planning costs include, but are not limited to:

- Preparation of the Consolidated Plan & Analysis of Impediments to Fair Housing Choice
- General management, oversight and coordination
- Salaries, wages and related costs of the participating jurisdiction's staff
- Monitoring progress and compliance with program requirements
- Preparing reports and other documents related for submission to HUD
- Coordination of audit and monitoring findings resolutions
- Evaluation of program results against stated objectives
- Travel costs incurred for official business in carrying out the program
- Administrative services performed under third party contracts or agreements
- Capacity building and training activities for staff and non-profits
- Fair housing and activities to affirmatively further fair housing

HUD regulations permit the City to use up to twenty percent of the CDBG grant and up to ten percent of its HOME grant for reasonable administrative and planning costs.

A. HOME Matching Requirements

Generally, jurisdictions participating in the HOME program are required to make contributions or match to housing that qualifies as affordable housing. During a fiscal year, match must total not less than 25 percent of the HOME funds drawn from the jurisdiction's HOME Investment Trust Fund Treasury account in that fiscal year for project costs, ***unless the participating jurisdiction has received a reduction in the match requirement, which was the case for High Point for October 2012-September 2013.*** Due to prevailing economic conditions the City anticipates receiving a reduction in the match requirement for the 2013-14 program year.

B. Recapture Provisions

The City's Homebuyer Assistance Program assists homebuyers through direct down payment, closing cost, principal buy down assistance and/or a reduction of the sales price below the market value (as verified with appraisal) to make the unit affordable. Homebuyers will satisfy the affordability period if they remain in their home for the full required period of affordability as determined by the amount of assistance received (five to fifteen years). The actual required period of affordability will be based on the total amount of the direct HOME assistance provided, as noted below.

HOME Program Assistance Amount	Minimum Required Affordability Period in Years
\$1,000 - \$14,999.99	5
\$15,000 - \$40,000	10
Over \$40,000	15

Under Recapture (ref: 24 CFR 92.254(a)(5)(ii)(5)), the homebuyer(s) may sell to any willing buyer at any price during the affordability period; however, a portion of the net sales proceeds from the sale, if any, will be returned to the City as program income to be used for other eligible HOME activities. If the home is SOLD prior to the end of the affordability period, the portion of net sales proceeds returned to the City is equal to the amount of HOME funds invested in the property less the amount forgiven to that point (see chart below).

Affordability Period	% Forgiven Per Month
5 years	1.67%
10 years	0.83%
15 years	0.56%

In instances where the home has been rented or leased, refinanced, or the initial homebuyer(s) is/are no longer physically occupying the property as his/her/their principal residence, the total amount of the HOME assistance provided shall be immediately due and payable to the City. Additional information regarding "Recapture" provisions is detailed in the written policies and procedures of the City.

C. Local Monitoring and Compliance

The City of High Point Community Development and Housing Department primarily disburses its Community Development Block Grant (CDBG) and HOME funds in two ways:

1. Acquisition and rehabilitation projects and homeownership opportunities that expand the city's supply of affordable housing; and,
2. Awarding grants to sub-recipients to implement programs/provide services to low and moderate-income residents in Core City areas.

The Department determines the types of activities that can be funded, and the households or individuals who are eligible to receive these benefits. The Department has developed special procedures to ensure sub-recipients are in compliance with applicable regulations. All applicants are required to submit an application that is reviewed by staff.

Public Services: Once funding is approved for a project, staff coordinates allocation of funds. Organizations and non-profits receiving funds must enter into a detailed performance contract with the City. It describes all federal laws and regulations, and defines reporting and project management responsibilities of the sub-recipient. This contract also states performance goals that the organization is expected to meet. As a project progresses, grantees are required to submit monthly reports. Staff makes quarterly on-site visits to each funded project. They discuss the project's progress with managers and examine records. All CDBG funded sub-recipient projects are required to demonstrate a minimum of low to moderate-income benefit ratio of 70%. To ensure grantees achieve this, the City requires them to focus on providing services to residents of officially designated community development target areas with high concentrations of low-to-moderate income residents. Sub-recipients are also required to make a mid-year report and/or appearance before the Citizen Advisory Council (CAC) at one of its regular meetings to ensure performance measures are being met and funds are expended in a timely manner.

Procedures have been developed by the Department to ensure that all projects and programs funded with CDBG and HOME funds meet required regulations. Households or individuals receiving assistance through a housing program must submit an application that is reviewed by the department's staff to verify eligibility. Examples of specific compliance requirements are given below.

Affordable Housing: Admiral Pointe - In order to verify compliance with property standards and the information submitted by owners on tenants' incomes, rents and other HOME rental requirements during the project's period of affordability, HOME rules require on-site inspections of HOME properties according to the total number of units in a project. Because Admiral Pointe is comprised of a total of 54 units, annual inspections are required. A minimum of 20% of the HOME-assisted units in the project is inspected and a minimum of one unit in every building. CD&H plans to utilize the Guide for Review of Rental Projects checklist provided by HUD as a resource during monitoring to ensure adequate recordkeeping is in accordance with all federal requirements.

CHDOs – To address new requirements specified in HUD Notice CPD-12-007, CHDOs shall be evaluated on an annual basis by the Affordable Housing Manager (or his designee) to determine the organization's fiscal soundness and staff underwriting/development experience. The evaluation criteria shall include, but not limited to, the following:

1. Progress on development projects to date;
2. Capacity of staff to accomplish contract goals;
3. Fiscal management; and
4. Continued good standing with the State.

Lead Hazard Control – A primary goal of the City’s Lead-Based Paint Hazard Control Program is the elimination and/or control of identified lead hazards. Housing for low to very-low income families with children under six years of age (with a priority given to units occupied by children with an Elevated Blood Lead Level) is given highest priority. To ensure that this program is compliant with its Notice of Funding Availability (NOFA) and HUD regulations, CD&H shall do the following:

- Review work write-ups to ensure that the prescribed work addresses components that are found to be lead hazards. Any additional work required (e.g., to meet minimum housing inspection standards) will be addressed with CDBG, HOME or General Funds.
- Other compliance items such as income verification, income eligibility, affordability period, and procurement shall follow the department’s standard operating procedures.

D. Fair Housing

Fair housing is the right of individuals to obtain the housing of their choice, free from discrimination based on race, color, religion, sex, disability, familial status, national origin, and, depending on the circumstances, age. This right is assured by the Federal Fair Housing Acts of 1968 and 1988, as amended, which make it unlawful to discriminate in the sale, rental, financing, and insuring of housing. Under the Fair Housing Act an aggrieved person may, not later than one year after an alleged discriminatory housing practice has occurred, file a complaint directly with the U.S. Department of Housing and Urban Development (HUD), or a state or local agency that enforces laws that are “substantially equivalent” to the Fair Housing Act. Upon the filing of such a complaint, HUD has the responsibility to serve notice of the complaint and conduct an investigation into the alleged discriminatory housing practice. The Fair Housing Act declares, “It is the policy of the United States to provide, within Constitutional limitations, for fair housing throughout the United States.” In addition, the law directs all executive departments and agencies to administer their programs and activities related to housing and urban development in a manner that affirmatively furthers the purposes of the Act.

The U. S. Department of Housing and Urban Development requires that all state and local governments participating in their programs submit an analysis of impediments to fair housing (AI). The City of High Point has completed this requirement with assistance from Mullin & Lonergan, Assoc. (M&L). Mullin & Lonergan’s services were engaged to assure HUD and the community that the City is working to ensure that efforts are being made to “affirmatively further fair housing” as set forth in the regulations governing the Community Development Block Grant Program and Title VIII of the Fair Housing Act. The analysis of impediments to fair housing choice identified several impediments that could play a role in prohibiting fair housing choice in High Point. Based on these findings, the City must take appropriate actions to overcome the effects of the impediments identified through the analysis. In conducting the analysis of fair housing choice for the City of High Point, M&L completed a comprehensive review of policies, practices, and procedures that affect the location, availability, and accessibility of housing and current residential patterns and conditions. The analysis includes an examination of existing studies and literature along with a review of public policies from a fair housing perspective. M&L evaluated all the data for effectiveness of existing fair housing activities and examined barriers to fair housing choice for protected classes. Based upon the analysis, M&L provided this report of the findings and recommendations for remedies. The current analysis of impediments to fair housing identifies the following issues which impede the City’s ability to affirm fair housing choice and equal opportunity:

- Lack of appropriate local legislation to address fair housing issues;
- Concentrated fair housing complaints that affect the disabled;
- Lack of cooperation and coordination between public and private agencies on fair housing matters;
- Lack of appropriate training and education for residents about the meaning of fair housing and fair housing rights;

- Zoning regulations preclude the development of affordable housing for affected populations;
- Lack of affordable housing in various types and price ranges;
- Lack of public policy in support of affordable housing

In the fall of 2007, High Point's City Council voted to enact Fair Housing in High Point. The Human Relations Commission has voted to expand its Fair Housing Committee (FHC) to include members of the public sector who do not sit as human relations commissioners. Last year, invitations for membership to the FHC were issued to the High Point Housing Authority, High Point Housing Coalition, and the Triad Apartment Association (TAA). Fair Housing committee members are Ron Butler, Angela McGill, Cam Cridlebaugh, Steve Key, Mary Gwyn, and Milagros Amaro.

The Human Relations Department celebrates Fair Housing Month each April. The Department will be working closely with the City of High Point's Community Development & Housing Department to implement the educational component of lead abatement, recognizing that potential fair housing concerns exist related to properties containing lead-based paint hazards.

E. Discharge Policy

The City of High Point does not expend funds directly or indirectly to public institutions and/or systems of care that may discharge persons resulting in homelessness of such persons. The City, however, provides technical assistance to organizations that serve the homeless. The city's Community Development and Housing Department works closely with the High Point Housing Coalition, a task force of homeless shelters and supportive service providers. The city played a leading role in establishing the Housing Coalition and a department staff member continues to provide technical assistance and other support to the group. The City also utilizes its CDBG program to fund public service activities that are available to Homeless Service Providers.

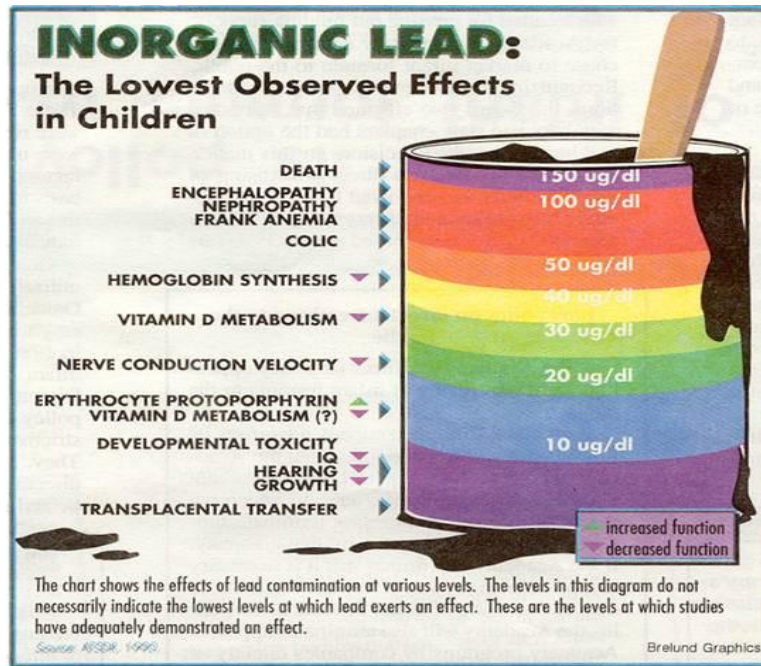
VI. Other Activities

The next several pages detail programs funded by additional grants awarded to the City of High Point for administration by the Community Development & Housing Department.

Housing:	Lead Hazard Control Funds	\$ 1,000,000
	Individual Development Accounts	40,000
	NSP Lease Purchase	459,000
	Section 108 Loan Guarantee Program	1,350,000
	Construction Training Partnership	65,000
CNDD:	Shelter Plus Care	77,352
	VITA	4,000
	Harmony House (US DOJ)	344,000
TOTAL:		\$ 3,339,352

The City successfully applied for competitive grants that fund additional activities. These funds enable enhancement and expansion of current efforts to create safe, healthy and sustainable neighborhoods. Lead Hazard grant funds will fund education materials and activities; inspections and risk assessments; remediation services, and clearance of lead in homes built before 1978. The Construction Partnership will offer on-the-job training leading to a stable career while Individual Development Account funds educate residents to build wealth through saving and planning, leading ultimately to the purchase of their own home. Shelter Plus Care addresses the needs of the of the chronically homeless in collaboration with Open Door Ministries as part of CD&H's involvement with Guilford County's 10-year Plan to End Homelessness. The Section 108 Loan Guarantee program will enable additional housing to benefit low-to-moderate-income residents. Harmony House provides a neutral visitation site for victims of crime/abuse and their families; VITA offers free tax preparation to area residents.

A. Lead-Based Paint Hazard Remediation



Budget:	\$1,000,000
Activity:	Lead Hazard Control
Source:	HUD
National Objective:	Low and Moderate Income Housing
Eligibility Citation:	24 CFR Part 35, "Lead-based paint poisoning prevention in certain residential structures"
Goal:	Conduct lead hazard control work activities
Objective:	Conduct lead hazard control activities on 109 units
Outcome:	Lead-safe residences
Performance Measures:	64 housing units remediated

During the course of most rehabilitation activities, whether emergency, limited or comprehensive in scope, it is likely that painted surfaces will be disturbed. The department conforms to the federal mandate established by Title X of the 1992 Housing and Community Development Act that HUD funded programs, including Housing Rehabilitation Programs; incorporate lead-based paint hazard evaluation, remediation/reduction strategies and

clearance requirements for all housing structures built before 1978. Over 85 % of United States residential housing built before 1978 contains some lead-based paint. The estimated number of affected households in the US is believed to exceed 60 million. At the time of the 2010 Census, the City of High Point's housing demographics indicated approximately 69% of local housing stock, approximately 20,970 residential structures, was built before 1978.

Lead is a dangerous and pervasive poison. Anyone at any age, even pets, can become poisoned by lead. Because lead is harmful to the developing brain and nervous system, exposure to lead is especially dangerous to fetuses and young children. Research conducted by Duke University's Nicholas School of the Environment and Earth Sciences demonstrates that lead causes irreversible, asymptomatic effects far below levels previously considered safe. Low-level lead exposure, including prenatal exposure, has been linked to decreased performance on standardized IQ tests and end-of-grade testing for school-aged children.

Children are not uniformly exposed to lead. The age of the child, race/ethnicity, socioeconomic status, and age of housing all play a role in the risk of exposure to and development of childhood lead poisoning. Children living in poverty are four times more likely to have elevated blood lead levels than children from wealthier families. Children with elevated blood lead levels are not distributed evenly; rather, they are disproportionately located in older neighborhoods. Due to their overrepresentation in lower income neighborhoods, African-American children are four times more likely to have elevated blood lead levels than white children. Nationwide, more than one-third of African-American children living in large central cities have elevated blood lead levels.

To reduce the potential for adverse health effects attributable to the rehabilitation of deteriorated lead-based paint surfaces, the City provides educational material to all rehab customers. All customers receiving housing rehabilitation assistance from the city are informed about the potential health hazards posed by the presence of deteriorated lead-based paint. They are provided with information about protecting their families from this hazardous substance. Project Managers, who oversee rehabilitation projects, are trained to incorporate proper hazard reduction techniques into the treatment of lead-based paint.

HUD Lead-Based Paint Hazard Control Grant Award

On September 15, 2011 HUD announced a \$2.475 million Lead-Based Paint Hazard Control Grant award to the City of High Point to continue the Department's on-going Lead-based Paint Remediation Program on private residential housing serving very low to moderate income families. The City's on-going lead remediation program begun in 2008 has resulted in 267 residential units made "lead safe."

Goals and Objectives: the City's primary goal is the elimination and/or control of identified lead hazards in one hundred eighty (180) housing units involving very low to moderate families with children under six years of age, with a priority given to units occupied by children with an Elevated Blood Lead Level. Other ongoing objectives include:

- 1) Increase the number of children screened for lead poisoning;
- 2) Increase public awareness of lead-based paint prevention through a *Lead Safe High Point* Initiative;
- 3) Promote primary prevention strategies for families with children under six years of age who have low-level lead poisoning of $5 \mu\text{g}/\text{dL} < 9 \mu\text{g}/\text{dL}$ (micro grams per deciliter);
- 4) Promote NC Department of Public Health's Preventative Maintenance Program;
- 5) Provide EPA certified Lead Supervisor/Worker and Renovation, Repair and Painting Rule training to contractors, management companies, building inspectors and others;
- 6) Promote comprehensive fair housing initiatives, in cooperation with the City Human Relations Department, to housing providers, civic and community-based organizations, and elected and appointed officials;
- 7) Updates to the city web-based Safe Housing Registry.

Eligible Residential Housing Units: the program is available to all housing units City-wide occupied by income eligible families. However, six census tracts/neighborhoods located in the Core-City that have socioeconomic and environmental risk factors which demonstrate the likely prevalence of lead-based paint exposure (including age of housing, poverty, crime, low educational scores, and concentrated ethnicity) will be targeted as follows: Tract Number (Neighborhood) 136.02 (Five Points & Montlieu); 138 (Washington Street); 139 (East Central); 140 (Southside & West End); 142 (Macedonia), and 143 (Highland Mills & Ward Avenue). Current data confirms a higher concentration of children with blood lead poisoning within these tracts. Applicants must meet each of the following criteria: 1) Residential building was constructed prior to 1978; 2) occupied by very low to moderate income person or family; 3) contains lead-based paint, dust or soil.

The following free services will be available to eligible applicants:

1. **Lead Inspection:** an analysis of all coated surfaces to confirm the presence of lead paint coatings (paint, varnish, shellac) in a dwelling for lead with an x-ray fluorescence analyzer – an electronic device used to find lead-based paint.
2. **Risk Assessment:** an analysis report explaining the results of the inspection and to confirm the presence of lead-based paint hazards.
3. **Remediation Services:** activity which eliminates or controls lead paint hazards that have/can cause poisoning.

4. **Clearance:** an environmental test to confirm, by a visual inspection (exterior) and taking dust samples (interior) that lead-based paint hazards have been remediated and that proper clean up using Lead Safe Work Practices has occurred.

The City of High Point has established the following prioritization schedule for identified units:

- referrals from the Guilford County Health Department confirming presence children less than six years of age identified with elevated blood lead levels
- presence of children less than six years of age as part of a Primary Prevention Program, a proactive approach to control lead hazards before children are poisoned
- housing units located in the identified targeted areas;
- Cost Value Benefit (remediation vs. structure value);
- degree of lead hazards;
- housing units earmarked for existing rehabilitation programs; and
- housing units located outside of the targeted areas.

The City of High Point Community Development & Housing Department has affirmed support of Healthy People 2020, a national initiative comprised of state and federal goals to improve the state of health for all US citizens and to end lead-based paint poisoning by 2020.

Additional information on the City's Lead Safe High Point program can be found at www.highpointnc.gov/LeadSafe_high_point/index.cfm

B. North Carolina Construction Training Partnership Program

Since 1995 the North Carolina Home Builders Association (NCHBA), the North Carolina Housing Finance Agency (NCHFA) and units of government have conducted this successful occupational training program for jobs in construction while also providing much needed housing rehabilitation and new construction services in communities. A pre-apprentice completes an 8-week class, concentrating on framing, tools use, blueprint reading, building materials, job safety and other construction techniques. The City of High Point allows pre-apprentices to work on affordable housing being constructed or renovated for low-to-moderate income residents. NCHFA matches the City's investment dollar for dollar.

This program is for two 8-week occupational training classes (one held in the fall 2013 and one in the spring of 2014), one in Southside and one in the Graves Street area. Adult students learn work ethic, safety, math, green building, weatherization, framing techniques and other construction tasks using the Pre-Apprenticeship Certificate Training (PACT) curriculum. Graduates earn an industry-recognized Pre-Apprenticeship Certificate. PACT includes theory and practice of home building with focus on safety. PACT teaches craft skills combining classroom and hands-on training on the jobsite.

C. Individual Development Accounts Program

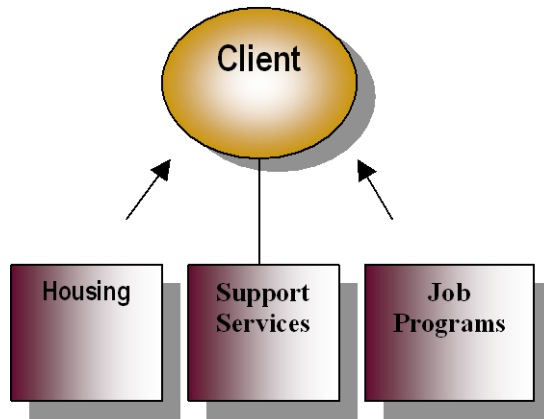


Budget:	\$57,500
Activity:	Assistance toward home purchase
Source:	CDBG
National Objective:	Low-Mod Benefit
Eligibility Citation:	570.201 (n)
Goal:	Personal financial literacy; homeownership
Objective:	Assist 10 households (Create Economic Opportunities)
Outcome:	Affordability
Public Service Access	Improved

According to the NC Housing Coalition, the idea for Individual Development Accounts (IDA) was created by author Michael Sherraden in his 1992 book, *Assets and the Poor*. It was further advanced by the Corporation for Enterprise Development in the mid 1990's. One half of all Americans own less than \$1,000 in net financial assets, and one third of American children grow up in households with zero or negative financial assets. Individual Development Accounts (IDAs) are part of an asset-building strategy that concentrates on building family security by improving long-term economic well-being and emphasizing beneficial behaviors rather than merely offering temporary assistance. The homebuyer makes a contribution to their IDA account that is then matched with private and/or public resources. Under legislation CDBG and HOME funds can be used as the required match as long as the homebuyer qualifies as a low- and moderate-income household at the time the CDBG and HOME assistance is provided. IDAs can be used to reward the monthly savings of working-poor families who are building towards purchasing an asset, most commonly buying their first home, paying for post-secondary education, or starting a small business. The City's focus with the IDA program is home ownership. IDAs are savings accounts established in the homebuyer's name, held at local financial institutions, and usually managed by a community organization. CD&H records indicate that most graduates of the Homebuyer Education Program have not purchased a home over the last three years, indicating that additional financial training is needed to help potential low-to-moderate income homebuyers in High Point. The City will partner with Guilford County Homeownership Center (GCHC) to continue an IDA program specifically for High Point. Financial literacy classes will be held for potential homebuyers who have attended the homebuyer education classes and who realize they need additional training in financial management.

In response to the higher lending standards as a result of the economic downturn, the Department determined the IDA Program needs to increase focus on spending patterns, the ability to maintain a monthly budget, the ability to save money monthly, and the establishment of an emergency fund to enhance the homebuyer's ability to get a home loan. The habit of saving and planning for unexpected events is imperative to the future success of the IDA graduates. In an effort to allow for other innovative housing opportunities, GCHC along with CD&H will begin to partner homes acquired through the Neighborhood Stabilization Program with potential homeowners who receive education through IDA. Families participating in Lease Purchase Program facilitated by CHDO Unity Builders have also been identified as IDA participants. The IDA program provides these families with the tools necessary to become mortgage ready by lease end. Making homeownership tangible to participants will allow for greater successes.

D. Shelter Plus Care



Budget:	\$77,352
Activity:	Permanent Supportive Housing for the Homeless
Source:	Homeless Assistance Programs
National Objective:	Low to Moderate-Income Limited Clientele
Eligibility Citation:	24 CFR 570.201(p), 208(a)(2) and 582
Goal:	Provide long-term housing and supportive services homeless persons with disabilities
Objective:	Provide permanent shelter for homeless individuals for 5 years. (Creating Economic Opportunities)
Outcome:	Sustainability
Public Service Access:	Improved
Performance Measures:	Projected number of persons to be served- 11

The City of High Point serves as the fiscal agent for the Shelter Plus Care Program with Open Door Ministries serving as the service provider. The program is entering its seventh year and currently assists 12 homeless individuals with disabilities to obtain housing stability and address their supportive service needs. This year the program will successfully graduate two individuals who will exit the program to permanent housing. One client has obtained a Section 8 voucher and is no longer in need of supportive services. Another client has become stable and has obtained multiple federal benefits and he now believes that he is ready to move out on his own. Open Door Ministries will continue to provide ongoing supportive services from obtaining furniture to ensuring clients receive proper medical care.

The City provides yearly inspections at each residence to ensure compliance with HUD quality standards, processes rent, utility, and gas payments. Open Door Ministries will provide case management, direct supportive services, and maintain the services provided documentation for each client. Clients who receive disability payments from the federal government are required to make prorated rent payments. Anticipated revenue for the next fiscal year is approximately \$5,897.00 from four clients. Open Door Ministries will be assisting remaining clients to apply for Social Security Disability payments. If Open Door Ministries succeeds in securing these disability payments, the revenue will be added to the program funds. When this revenue amount is substantial, another client will be added to the program. To provide a more direct door to permanent housing, the High Point Housing Authority is expected to take over as fiscal agent for the grant this coming year. The City of High Point will be working to ensure a smooth transition for our clients and service providers.

E. NSP Lease Purchase Program

\$459,580



Budget:	\$459,580
Activity:	Rehabilitation
Source:	Neighborhood Stabilization Program
National Objective:	Affordability
Eligibility Citation:	24 CFR 570
Goal:	Provide affordable housing
Objective:	Provide affordable housing
Outcome:	Affordability
Performance Measures:	8 homes in the program/5 sold

In the summer of 2009 the City of High Point's application for Neighborhood Stabilization Program (NSP) funding was approved. The program, authorized under the Housing and Economic Recovery Act of 2008, was established for the purpose of stabilizing communities that have suffered from foreclosures and abandonment. NSP provided grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and prevent the further decline of house values of neighboring homes.



The City of High Point realized the goal of the program was more than a means to acquire and redevelop foreclosed properties: it was an opportunity to help rebuild neighborhoods hardest hit by foreclosure with new qualified and able homeowners. An important aspect of the program is that all homebuyers are required to attend homebuyer education classes. These classes help ensure that buyers gain a strong financial foundation and prevent mortgage defaults, and foreclosures, in the future.

The City used NSP funds to purchase 9 homes with the intent to sell to very low income, first-time homebuyers but has had difficulty

selling the single family homes due to insecurity in the job market coupled with potential buyers who unable to meet criteria currently set by the lending industry. Under NSP program guidelines, if the City is unable to sell NSP-assisted homes, alternatives such as lease purchasing or rentals must be considered to ensure the properties benefit low income families. Consequently, the City will make the remaining properties available to income eligible buyers on a lease-purchase basis. Eight future homeowners are presently participating in this program and it is anticipated that a majority of them will close on their homes before their one-year lease expires.



F. HUD Section 108 Loan funds/LIHTC (Low Income Housing Tax Credit)



Budget:	\$1,350,000
Source:	Section 108/CDBG
Activity:	Public Improvements
National Objective:	Benefiting low- and moderate-income persons
Eligibility Citation:	24 CFR 570.703
Goal:	Construction of 58 units for low-income residents
Objective:	Provide decent housing; suitable living
Outcome:	Affordability
Performance Measure:	58 Units

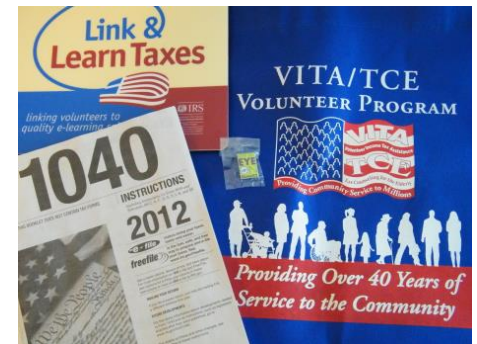
Section 108 is the loan guarantee provision of the Community Development Block Grant (CDBG) program. Section 108 provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. The program allows local governments to transform a small portion of their CDBG funds into large, federally guaranteed loans for eligible projects such as funding public improvements in support of Low Income Housing Tax Credit (LIHTC) projects.

In 2010, the City received a \$3,907,000 Section 108 loan guarantee to leverage private funding from local banking institutions to create and maintain a Small Business Loan program. However, due to market demand, the City is in the process of modifying its Section 108 application to expand the utilization of these proceeds to further benefit low- and moderate-income residents of High Point to finance public improvements to support multi-family housing initiatives.

The City will partner with experienced for-profit and non-profit developers of multi-family housing, particularly those with experience in securing LIHTC for proposed projects. For example, the City partnered with High Point-based Wynnefield Properties to construct and manage Admiral Pointe, a 54-unit affordable housing development for the elderly (age 55 & up), which completed construction in December 2012. As a follow up to Admiral Pointe, the City proposes to partner with Wynnefield to support the development of another affordable housing facility that will serve low- to moderate-income beneficiaries. Wynnefield has submitted a preliminary LIHTC application to the NC Housing Finance Agency and intends to submit a final LIHTC application to be considered in the upcoming funding round (application due date of May 2013).

G. Volunteer Income Assistance Program (VITA) \$4,000

C&NDD continues to offer free tax preparation for low-to moderate-income individuals. The IRS Volunteer Income Tax Assistance (VITA) program offers services six days a week free of charge to High Point and surrounding areas. It expects to file over 400 total federal returns this year. Partnerships include: the United Way of High Point, High Point University, Guilford Technical Community College, West End Ministries, and Macedonia Family Resource Center. The program also provides college students with hands-on experience in tax preparation and volunteer service and will increase awareness of the Earned Income Tax Credit and Child Tax Credit. The three VITA sites this year are Community and Neighborhood Development Center at 201 Fourth Street, West End Community Center at 901 English Road, and Macedonia Family Resource Center at 401 Lake Avenue. Based on current activities CNDD expects to assist 500 families realize approximately \$700,000 in federal refunds. Over the past seven years the average adjusted gross income has been approximately \$13,886.



H. Harmony House \$344,000

This program, awarded to Family Service of the Piedmont in partnership with the City of High Point (oversight by CNDD), provides a safe, neutral and family-friendly means of supervised visitation and safe exchange service for victims of domestic violence, child abuse, sexual assault, teen dating violence, and stalking. The program will serve families in Guilford County and surrounding counties as appropriate. The US Department of Justice Office on Violence Against Women will play a substantial role in shaping and monitoring the program. The City of High Point will work collaboratively in planning implementation phases along with Harmony House, Family Service of the Piedmont and the 18th Judicial District Court. The City serves as the pass-through for funds, with CNDD overseeing day-to-day grant management/fiscal responsibilities for the City. Phase I of the program is complete and Phase 2 will be submitted to the US Department of Justice by the end of May, 2013.

Affordable Housing: Affordable Housing is generally defined as housing where the occupant, who is low to moderate income, is paying no more than 30 percent of his or her income for gross housing costs, including utilities.

Community Development Block Grant Program (CDBG): Authorized by the Housing and Community Development Act of 1974 replacing several community development categorical grant programs. CDBG provides eligible metropolitan cities and urban counties (called "entitlement communities") with annual direct grants that they can use to revitalize neighborhoods, expand affordable housing and economic opportunities, and/or improve community facilities and services, principally to benefit low- and moderate-income persons.

Community and Housing Development Organization (CHDO): A federally defined type of nonprofit housing provider that must receive a minimum of 15 percent of all Federal HOME Investment Partnership funds. The primary difference between CHDO and other nonprofits is the level of low-income resident participation on the Board of Directors.

Consolidated Plan: Developed by local and state governments with the input from citizens and community groups, the Consolidated Plan serves four functions:

- it is a planning document for each state and community, built upon public participation and input;
- it is the application for funds under HUD's formula grant programs (CDBG, HOME, ESG, and HOPWA);
- it outlines out local priorities; and
- it provides a 3-5 year strategy the jurisdiction will follow in implementing HUD programs.

Down Payment: The part of the purchase price of a property that the buyer pays in cash and does not finance with a mortgage.

Debt-to-income ratio: Percentages lenders use to decide whether a loan applicant can afford to make payments on a certain mortgage loan. Lenders may allow first-time homebuyers to use 33% of monthly income for housing costs, and a total of 38% for housing costs and all other debt.

Entitlement: An underlying formula governing the allocation of Block Grant funds to eligible recipients. Entitlement grants are provided to larger urban cities (i.e., population greater than 50,000) and larger urban counties (greater than 200,000).

Extremely low-income family: Family whose income is between 0 and 30 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Fair Market Value: The highest price that a buyer, willing but not compelled to buy, would pay, and the lowest a seller, willing but not compelled to sell, would accept.

Fair Market Rents (FMR): Rent Schedules published in the Federal Register that establishes maximum eligible rent levels allowed under the Section 8 program by geographic area.

Family: All persons living in the same household who are related by birth, marriage or adoption.

Gross income: The total amount of money that a person receives, before taxes and other deductions. This income may include funds from a job or jobs; interest or dividends; alimony; disability payments; or public assistance.

HOME: Provides funds to local governments and states for new construction, rehabilitation, acquisition of standard housing, assistance to homebuyers, and tenant-based rental assistance.

Housing expense ratio: The percentage of a person's gross monthly income that it takes to pay a mortgage loan payment plus interest, property taxes, and insurance. Lenders use this ratio to decide whether or not to make mortgage loans.

Household: All the persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

Low-income families: Low-income families whose incomes do not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of HUD's findings. Such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Low- and moderate-income household: A household having an income equal to or less than the Section 8 low-income limit established by HUD (80% of the median family income).

Low- and moderate-income person: A member of a family having an income equal to or less than the Section 8 low-income limit established by HUD (80% of the median family income). Unrelated individuals will be considered as one-person families for this purpose.

Mixed-Income: Refers to a resident mix that includes families with various income levels within one development. Mixed-income developments combine public housing families with other residents in order to decrease the economic and social isolation of these families.

Moderate-income: Households whose incomes do not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families.

Monthly housing costs: The total of a homeowner's mortgage loan payment and expenses for utilities, general home repair, and upkeep.

Program income: gross income received by recipient or subrecipient directly generated from use of CDBG funds and HOME funds.

Property inspection: The examination of a house by a licensed inspector to see if its structure is sound and if its mechanical systems, such as plumbing and heating, are working.

Public Housing Agency (PHA): Organization created by local government, which administers HUD's Low-Income Public Housing Program and other HUD programs.

Rehab: Short for "rehabilitation." Rebuild an existing house or building, to make the space more livable or usable and more valuable.

Second mortgage: A mortgage that has rights that are subordinate to the rights of the first mortgage holder.

Section 8: HUD assists low- and very low income families in obtaining decent, safe, and sanitary housing in private accommodations by making up the difference between what they can afford and the approved rent for an adequate housing unit.

Specifications: A detailed description of the size, shape, materials, and other details of a building or remodeling project.

Total monthly debt: Total amount of monthly credit card, car loan and other debt payments. Used to determine debt-to-income ratios.

Total monthly income: The amount of money that comes into a household every month from a job or jobs, interest or dividends, alimony, disability payments, and public assistance. A lender uses the total monthly income figure to decide how much house payment a loan applicant can afford. Also called gross monthly income.

Transitional housing: Housing that is designed to provide housing and appropriate supportive services to persons, including (but not limited to) de-institutionalized individuals with disabilities, homeless individuals with disabilities, and homeless families with children; and has as its purpose facilitating the movement of individuals and families to independent living within a time period that is set by the participating jurisdiction or project owner before occupancy.

U.S. Department of Housing and Urban Development (HUD): A federal government agency responsible for managing many of the nation's housing programs and for protecting rights of homebuyers, homeowners, sellers, and renters.

Underwriting: The process of analyzing a borrower's finances and credit in order to decide whether or not to make a loan. The underwriter is the person who has authority to approve a loan.

Unsecured credit: Credit not secured by property (such as a house). A credit card is unsecured debt; Deed of Trust secures a mortgage loan.

VA loans: A loan that is guaranteed by the Veterans Administration.

Very low-income families: Low-income families whose annual incomes do not exceed 50% of HUD-determined median family for the area.

Warranty: A guarantee by a seller or manufacturer that a product is what it is claimed to be, that it is in working order, and, in some cases, that the seller or maker will repair the product.

Zoning: A body of public law that regulates the use, placement and height of improvements, size of lots in subdivisions, off-street parking, and other planned uses of private property.

- What can be done about street addresses not being placed on housing units at Chatham Woods and Oakview Terrace. Emergency vehicles are going to the wrong addresses? Katherine Bossi has been contacted.
- What can be done about the Southside community, the housing and can additional recreation facilities be placed there?
- Are there any public funds to assist private investors to rehabilitate their commercial real estate properties?
- Neighborhood residents have concerns about housing code enforcement when a lead remediation or rehab request is turned down. Would they be responsible for housing code enforcement?
- What can be done about the dangerous foot traffic at Burton Road and the surrounding areas?
- Why were sidewalks built on Phillips Avenue when the city supposedly doesn't have funds for sidewalks?
- Burton Road and Triangle Lake are no brainers concerning sidewalks!! Suggestion made to check with the Police Dept. to search for reporting accidents of pedestrians being hit on Burton Road.
- What can be done about the abandoned Church at 608 James Road (previously reported)?
- What type of assistance can the First Baptist Church receive, as it is an Historical site?
- Will there be a walking trail in the park in the Southside area?
- Are funds available or can anything be done to add additional lighting in the Washington Street area?
- Who informs the City if lights are out in your neighborhood?
- Who is responsible for tearing down condemned properties?
- Who owns the property at the corner of Amos and Vail Street?
- When will the branch at Vail and Langford be cleaned out?



CITY OF HIGH POINT NORTH CAROLINA



DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION DIVISION

AGENDA ITEM

To: Randy McCaslin, Assistant City Manager
From: Mark McDonald, P.E., Transportation Director
Date: April 29, 2013
Subject: City Council Contract Award – Consultant Services for the Development of the Short Range Transit Plan – RFP # 21-022113

On February 21, 2013 the City of High Point received nine (9) proposals for Consultant Services for the Development of the Short Range Transit Plan – RFP # 21-022113. The evaluation committee ranked the top three firms submitting proposals as:

1. HDR Engineering, Inc.
2. Parsons Brinckerhoff, Inc.
3. URS Corporation

The transportation consultant will review and evaluate the operations and performance of the fixed-route transit system and paratransit Dial-a-Lift service. Specifically, the outcome of this evaluation will provide High Point Transit with a detailed report on the performance of its existing system, identify areas and opportunities for route improvement or optimization, and identify and prioritize areas in the community where modified or expanded transit services could enhance citizen access to jobs and other community places/services.

Staff recommends that the City Council award the contract for Consultant Services for the Development of the Short Range Transit Plan – RFP # 21-022113 to **HDR Engineering, Inc.** at the price of **\$182,180**. The funding for this project is available in 641622 527101 641134451531 P4424 and 301610 527101 301131121305 53010.

cc: Ms. Patty Sykes, Purchasing Division
Mr. Buddy Cox, Hi tran
Mrs. Angela Wynes, Hi tran

716 West Kivett Drive, High Point, North Carolina 27262
Phone (336) 889-7433 • TDD Phone (336) 883-8517
Fax (336) 883-3425 • www.high-point.net/hitrans



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: Transportation / Mass Transit

COUNCIL AGENDA DATE: May 6, 2013

BID NO.: 21-022113 CONTRACT NO.: DATE OPENED: Feb 21, 2013

DESCRIPTION:

Proposals for the development by outside contractors of a five year plan for the transit system.

PURPOSE:

The outside consulting firm will develop a five year plan for the transit system detailing improvements to existing services and potential additional services along with financing mechanisms.

COMMENTS:

RECOMMEND AWARD TO: HDR Engineering, Inc AMOUNT: \$182,180

JUSTIFICATION:

HDR was deemed the most qualified firm by the selection committee. The proposed team has years of experience in transit operations, finance, and public outreach, and has performed numerous similar studies recently in North Carolina. The team is familiar with the Triad area and specifically High Point.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
301610	527101	301131121305	53010	92,000
641622	527101	641134451531	P4424	158,000
TOTAL BUDGETED AMOUNT				250,000

DEPARTMENT HEAD: Mark V. McDonald Digitally signed by Mark V. McDonald
DN: cn=Mark V. McDonald, o=City of High Point, NC, ou=Department of Transportation, email=mark.mcdonald@highpointnc.gov, c=US
Date: 2013.04.29 16:27:56 -0400 DATE: Apr 29, 2013

The Purchasing Division concurs with recommendation submitted by the Transportation Dept. and recommends award to the lowest responsible, responsive bidder HDR Engineering, Inc. in the amount of \$ 182,180.00.

PURCHASING MANAGER: Jeffrey Moore Digitally signed by Jeffrey Moore 2013.04.30 12:03:13
DN: cn=Jeffrey Moore, o=Bank of America Global Corporate & Institutional Banking, ou=High Point, City of High Point, NC, email=jmoore@highpointnc.gov, c=US
Date: 2013.04.30 12:03:13 -0400 DATE: Apr 30, 2013

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: Jeffrey Moore Digitally signed by Jeffrey Moore 2013.04.30 12:03:13
DN: cn=Jeffrey Moore, o=Bank of America Global Corporate & Institutional Banking, ou=High Point, City of High Point, NC, email=jmoore@highpointnc.gov, c=US
Date: 2013.04.30 12:03:13 -0400 DATE: Apr 30, 2013

CITY MANAGER: Strib Boynton Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point, email=cindy.smith@highpointnc.gov, c=US
Date: 2013.04.30 09:25:44 -0400 DATE: Apr 30, 2013

**FINANCE COMMITTEE
APRIL 15, 2013 – 3:30 P.M
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Chairman Moore, Council Member Wagner, Davis, and Sims

OTHERS PRESENT:

Council Members Ewing, Golden, Mendenhall, and Smothers

STAFF PRESENT:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Eric Olmedo, Budget Officer; Jeff Moore, Director of Finance; Chris Thompson, Director of Public Services; Jeron Hollis, Public Information; David Hyder, Transportation Planning Administrator; Mike McNair, Director of Community Development; Mark McDonald, Director of Transportation; JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk, Dawn Sparks, Deputy City Clerk

MEDIA PRESENT:

Paul Clark; *Rhinoceros Times*
Pat Kimbrough, *High Point Enterprise*

OTHERS PRESENT:

Cynthia Davis, Planning & Zoning Commission

Finance Items

130103 Request for Public Hearing Date – FY 2014 FTA Grant

Council is requested to establish the date of Monday, May 20, 2013 at 5:30 p.m. to receive public comments on the filing of the FY2014 FTA Section 5307 operating, capital and planning grant application for High Point Transit, the Thomasville portion of Davidson County Transportation System, and the area within High Point served by the Guilford County Transportation System, and the area within High Point served by the Guilford County Transportation System.

Mark McDonald advised that May 20, 2013 is the set public hearing date for the annual FTA Grant for HiTran Mr. McDonald stated that Angela Wynes will be at that hearing as well to answer any of council’s questions.

A motion was made by Council Member Moore, seconded by Mayor Smothers to forward this matter to Council with a favorable recommendation to establish the date of Monday, May 20, 2013 at 5:30 to receive public comments regarding the FY 2014 FTA Grant. Motion passed unanimously.

130104 Memorandum of Understanding – Metropolitan Planning Organization

Council is requested to adopt a Revised Memorandum of Understanding for the Metropolitan Organization (MPO).

David Hyder stated that because of the census the MPO has had to add two members which will require a revision to the Memorandum of Understanding. Council Member Smothers noted that Denton and Lexington have been added to our MPO, expanding the jurisdiction.

A motion was made by Council Member Wagner, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of adoption of the Revised Memorandum of Understanding for the Metropolitan Organization. Motion passed unanimously.

130105 Resolution – Opposing Legislation – Forced Taking of Municipal Utility Systems

Council is requested to adopt a resolution opposing legislation that provides for the forced taking of municipal utility systems.

Strib Boynton stated that in discussions with the Managers of Greensboro and Winston-Salem he has learned that they too are adopting a similar resolution opposing the legislation. Mayor Sims asked if the other members in the Randleman Project have been spoken to. Mr. Boynton stated that he knows that Thomasville has adopted a similar resolution. Mayor Sims suggested that the city reach out to others to join in the opposition. Mr. Boynton advised that they will verify that the surrounding members are on top of this matter. Council Member Smothers noted that the bill has already passed two meetings in the House.

A motion was made by Council Member Moore, seconded by Council Member Wagner to forward this matter to Council with a favorable recommendation to adopt the resolution opposing legislation that provides for the forced taking of municipal utility systems. Motion passed unanimously.

130106 Resolution – Preserving Balanced Municipal Revenues

Council is requested to adopt a resolution urging the North Carolina General Assembly to amend Senate Bill 394 and any other related bills as necessary to preserve balanced municipal revenues.

Mr. Boynton stated that he included the 55 page resolution in the agenda packet to give council an idea of what the legislators are considering. Mr. Boynton stated that every time a decision is made by somebody else, it boils down to a shifting of the cost of government to the local taxpayers. Council Member Smothers asked what would be the reaction of the public when the options given for additional revenues of the local governments will impact recreation and leisure. Council Member Davis stated that golf will really be impacted.

Mayor Sims stated that it is great that we adopt these resolutions, but she felt it takes more than that, and council members need to be calling representatives in Raleigh who are making these decisions and letting them know personally how they feel about this. Mayor Sims stated that they really want to hear from people in the community expressing to them how serious this is and the impact it will make on the City.

A motion was made by Council Member Moore, seconded by Mayor Sims to forward this matter to Council with a favorable recommendation of adoption of the resolution urging the NCGA to amend Senate Bill 394. Motion passed unanimously.

130119 Resolution – Support of Renovation of the Allen Jay Rock Gymnasium

Council is requested to adopt a Resolution of support for the renovation of the Allen Jay Middle School Rock Gymnasium.

Council Member Mendenhall stated that Linda Welborn, who is the School Board Member who serves this Allen Jay area, was at the Allen Jay Neighborhood Meeting last Monday night. This is on the priority list, but she encouraged the people there and also asked if Council could let the School Board know that we also support keeping it as a priority.

Council Member Smothers stated her concern that they have been resistant to dedicate it to anybody else, but they will not renovate it. Council Member Mendenhall stated that there were two or three contractors that went out to the gym and gave their estimate then they met with the school system and it is now on the list, but the idea is to keep it on the list.

Mayor Sims asked if they had indicated what they intend to use the gym for. Council Member Mendenhall stated that they had talked about using the gym itself, but one of the ideas that came up from some of the members of the alumni is to use it not just as a gathering place but to use it almost as a mini museum because there is so much history there.

A motion was made by Mayor Sims, Seconded by Council Member Wagner to forward this matter to Council with a favorable recommendation of adoption of the Resolution of support for the renovation of the Allen Jay Middle School Rock Gymnasium. Motion passed unanimously.

130112 Public Comment Period – Outside Agency Funding Requests FY 2013-2014

Monday, April 15, 2013 is the date and time established to receive public comments on the outside agency funding requests for the City of High Point annual budget for FY 2013-2014.

Mr. Boynton stated that every year at this time outside agencies come in and make their pitch to council for funding. This year an extra \$256,000.00 over current funding levels has been requested. Mr. Boynton encouraged council to resist the urge in making too many commitments until they receive the budget.

Other Items

Annual Action Plan – Randy McCaslin advised that he has asked Mike McNair to be at tonight's meeting for any questions council may have on the Annual Action Plan.

350 South – Mr. Boynton stated that the 350 Agreement is the sort of agreement we have with many other businesses that locate in High Point and want to expand on how the City will partner and work together with them. Mr. Boynton advised that they have been going over all the details of the Agreement with Tom Terrell, the representative of D.H. Griffin, and our staff and are very close on it. Tomorrow afternoon at the committee meeting they hope to review the final draft with council.

Mr. Boynton also advised that tonight he asks that Council defers the vote until May 6, 2013.

ADJOURNMENT

The meeting adjourned at 3:52 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Mayor Bernita Sims

**NOTICE OF APPROVED AMENDMENT
TO THE CODE OF ORDINANCES
OF THE CITY OF HIGH POINT, NORTH CAROLINA**

TEXT AMENDMENT: 13-04

Ordinance #6991 / 13-23

APPLICANT: City of High Point.
(City Manager's Office)

AN ORDINANCE AMENDING TITLE 9 OF THE CODE OF ORDINANCES, PURSUANT TO SECTION 9-3-15, TEXT AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted the "City of High Point Development Ordinance" on January 7, 1992, with an effective date of March 1, 1992, and subsequently amended; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on April 23, 2013 and before the City Council on May 6, 2013 regarding **Text Amendment 13-04**; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 14, 2013 for the Planning and Zoning Commission public hearing and April 24, 2013 and May 1, 2013 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, this amendment was adopted by the City Council of the City of High Point on May 6, 2013;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

Part A.

Section 9-4-12 (e) *Encroachments into Required Setbacks* shall be amended to add subsection (6) as follows:

(6) Outdoor Equipment located in a Heavy Industrial Zoning District: Outdoor equipment, such as storage tanks, pipes, tubing (or other conveyances), pumps and similar equipment, that is accessory to a nonresidential use that is permitted in the HI district may encroach into the street setback for Local, Subcollector & Collector Streets subject to approval of a modification by the Technical Review Committee.

Part B.

Section 9-9-10 (d) *Sections Affected* shall be amended to add the following subsection:

(11) Subsection 9-4-12 (e) (6): Outdoor Equipment in a Heavy Industrial Zoning District

The remaining subsections shall be re-numbered accordingly.

SECTION 2.

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina

The 6th day of May, 2013

Lisa B. Vierling, City Clerk

Engineering Services Department

B. Keith Pugh, P.E.

DIRECTOR



Date: May 1, 2013

To: Pat Pate, Assistant City Manager

From: Keith Pugh, Engineering Services *BKP*

Re: City Council Agenda – Award of Existing Water and Sewer Maintenance Contract (2013) – City Contract ENG-2013-006

On Wednesday, April 17, 2013 the City of High Point received and opened bids for Contract ENG-2013-006, Existing Water and Sewer Maintenance Contract (2013). We received two bids:

Breece Enterprises, Inc.	\$369,405.00
Yates Construction Company	\$509,920.75

Bids were originally planned for opening on April 3, 2013. However, only one bid was received and we re-advertised. The availability date of this contract is immediately upon execution of the contract documents. The completion date for the contract work is November 1, 2013.

The purpose of this contract is to perform regular maintenance and emergency repairs on existing water and sewer mains in the City of High Point's system. Typical work performed under this contract includes, but is not necessarily limited to replacing and or repairing: water service lines, meter yokes, meter boxes, fire hydrants, water valves, water mains, sewer service lines and cleanouts, sewer manholes, inverters and castings, sanitary sewer mains, storm sewer lines. This contract also covers the installation of new water and sewer service lines. This contract contains an extension clause that allows the City to extend this contract up to 100 percent beyond the original contract amount.

Engineering Services recommends City Council approval of the bids and authorizes Contract ENG-2013-006 for existing water and sewer maintenance to Breece Enterprises, Inc. at the contract bid amount of \$369,405.00.

Funding is available in the following account:

421779-533701-421001010205-40201	\$ 369,405.00
----------------------------------	---------------

/bkp

Ec: Mr. Jeff Moore, Finance Director	Mrs. Tracey Adams, Purchasing Division
Mr. Chris Thompson, Public Services	Mr. Terry Houk, Public Services
Mr. Leon Adams, Adams and Clark Enterprises, Inc.	



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: Engineering Services

COUNCIL AGENDA DATE: May 6, 2013

BID NO.: 32-041713 CONTRACT NO.: ENG2013-006 DATE OPENED: Apr 24, 2013

DESCRIPTION:

Existing Water and Sewer Maintenance Contract

PURPOSE:

To establish unit pricing and a relationship with contractor to assist with maintenance and emergency repair items on our water and sewer systems.

COMMENTS:

Typical work performed under this contract includes replacing and or repairing: water service lines, meter yokes, meter boxes, fire hydrants, water valves, water mains, sewer service lines and cleanouts, sewer manholes, inverts and castings, sanitary sewer mains, storm sewer lines.

RECOMMEND AWARD TO: Breece Enterprises, Inc. AMOUNT: \$369,405.00

JUSTIFICATION:

We received one bid on the initial attempt. Re-advertised and received bids a week later. Yates construction was second with a bid of \$509,920.75

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
421779	533701	421001010205	40201	\$369,405.00
TOTAL BUDGETED AMOUNT				\$369,405.00

DEPARTMENT HEAD: B.K. Pugh Digitally signed by B.K. Pugh
DN: cn=B.K. Pugh, o=City of High Point, ou=Engineering Services, email=keith.pugh@highpointnc.gov, c=US
Date: 2013.04.29 09:23:50 -0400 DATE: Apr 29, 2013

The Purchasing Division concurs with recommendation submitted by the Engineering and recommends award to the lowest responsible, responsive bidder Breece Enterprises, Inc. in the amount of \$ 369,405.00

PURCHASING MANAGER: Jeffrey Moore Digitally signed by Jeffrey Moore 2013.04.29 13:11
DN: cn=Jeffrey Moore, o=Bank of America USA & International Banking, ou=High Point, City of High Point, email=jeffrey.moore@highpointnc.gov, c=US
Date: 2013.04.29 13:11:33 -0400 DATE: Apr 29, 2013

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: Jeffrey Moore Digitally signed by Jeffrey Moore 2013.04.29 13:11
DN: cn=Jeffrey Moore, o=Bank of America USA & International Banking, ou=High Point, City of High Point, email=jeffrey.moore@highpointnc.gov, c=US
Date: 2013.04.29 13:11:33 -0400 DATE: Apr 29, 2013

CITY MANAGER: Strib Boynton Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point, email=cindy.smith@highpointnc.gov, c=US
Date: 2013.04.29 15:31:04 -0400 DATE: Apr 29, 2013

Bidders List

Bid Number 32-041713
Existing Water & Sewer Maintenance

<u>BIDDERS</u>	<u>BID</u>
Breece Enterprises	\$369,405.00
Yates Construction	\$509,920.75

Customer Services Department

T. Robert Martin

DIRECTOR



MEMORANDUM

DATE: May 2, 2013
TO: Pat Pate, Assistant City Manager
FROM: T. Robert Martin, Director of Customer Services
SUBJECT: Agenda Item – Extension of Water Meter Contract

I respectfully request that the following be included for consideration on the next City Council Agenda:

Consideration and approval of an extension to the Contract for purchase of 5/8" residential water meters from Carolina Meter and Supply in the amount of \$244,000.00

This renewal is the second of four allowed extensions and is for the purchase of 5/8"x3/4" Badger water meters at \$ 122 each. The initial bid was awarded to low bidder and this is the second renewal at no price increase. Carolina Meter and Supply has provided excellent service and quality over the last two years.

If you have any questions, please contact me.

pc: Jeff Moore, Finance Director
Tracey Adams, Purchasing
File



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Customer Service Department**

COUNCIL AGENDA DATE: **May 6, 2013**

BID NO.: **EXTEND CONTRACT** CONTRACT NO.: **35-050411** DATE OPENED: **EXTENSION**

DESCRIPTION:

This contract was originally approved by Council May 16, 2011. This renewal is the 2nd of 4 allowed extensions. The contract is for the purchase of 5/8" x 3/4" Badger Water Meters @ \$122 each.

PURPOSE:

To replace old and install new water meters as needed.

COMMENTS:

Bid Tabulation is attached. NOTE: Total Price is based on the purchase of 2,000 meters. Our Customer Service Department anticipates purchasing approximately 2,000 meters in FY 2013-2014.

RECOMMEND AWARD TO: **Carolina Meter & Supply, Inc.** AMOUNT: **\$244,000**

JUSTIFICATION:

The initial bid was awarded to low bidder and this is the second renewal at no price increase despite new regulations on decreased lead content effective 1/1/2014. Carolina Meter and Supply provided excellent service and quality over the previous two years.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
631257	526101			\$130,727
421779	533701	421001010705	40202	\$150,000
TOTAL BUDGETED AMOUNT				\$280,727

DEPARTMENT HEAD: **T. Robert Martin** Digitally signed by T. Robert Martin
DN: cn=T. Robert Martin, o=City of High Point, ou=Customer Service Dept, email=rob.martin@highpointnc.gov, c=US
Date: 2013.04.30 10:43:52 -0400 DATE: **Apr 29, 2013**

The Purchasing Division concurs with recommendation submitted by the **Customer Service Dept.** and recommends award to the lowest responsible, responsive bidder **Carolina Meter & Supply** in the amount of \$ **244,000.00**.

PURCHASING MANAGER: **Jeffrey Moore** Digitally signed by Jeffrey Moore 20130424-210213
DN: cn=Jeffrey Moore, o=Bank of America Global City and International Banking, ou=Bank of America Global City and International Banking, email=jeff.moore@bancofamerica.com, c=US
Date: 2013.04.24 21:02:13 -0400 DATE: **Apr 30, 2013**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore** Digitally signed by Jeffrey Moore 20130424-210213
DN: cn=Jeffrey Moore, o=Bank of America Global City and International Banking, ou=Bank of America Global City and International Banking, email=jeff.moore@bancofamerica.com, c=US
Date: 2013.04.24 21:02:13 -0400 DATE: **Apr 30, 2013**

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point, email=cindy.smith@highpointnc.gov, c=US
Date: 2013.04.30 15:34:36 -0400 DATE: **Apr 30, 2013**

BID #35-050411

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[illegible]

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS, HIGH POINT MUNICIPAL BUILDING
APRIL 15, 2013 – 4:45/5:30 P.M.**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Council Member Golden offered the invocation; the Pledge of Allegiance followed.

Mayor Bernita Sims, Mayor Pro Tem Britt Moore (At-Large), Council Member Rebecca Smothers (At-Large); Council Member Jeffrey Golden (Ward 1), Council Member Judy Mendenhall (Ward 3), Council Member Jay Wagner (Ward 4), Council Member James Davis (Ward 5), and Council Member Jason Ewing (Ward 6)

Absent: Council Member Foster Douglas (Ward 2)

REGULAR MEETING ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair
Committee Members: Wagner, Davis and Sims

(all were present)

130103 Request for Public Hearing Date - FY 2014 FTA Grant

Council is requested to establish the date of Monday, May 20, 2013 at 5:30 p.m. to receive public comments on the filing of the FY2014 FTA Section 5307 operating, capital and planning grant application for High Point Transit, the Thomasville portion of Davidson County Transportation System, and the area within High Point served by the Guilford County Transportation System.

Attachments: [FY 2014 FTA Grant Application - Public Hearing Request](#)

This matter was briefly discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval.

Established the date of Monday, May 20, 2013 at 5:30 p.m. as the date and time to receive public comments on the filing of the FY 2014 FTA Section 5307 operating, capital and planning grant application for the High Point Transit, the Thomasville portion of Davidson County Transportation System, and the area within High Point served by the Guilford County Transportation System.

A motion was made by Council Member Ewing, seconded by Council Member Mendenhall, that Monday, May 20, 2013 at 5:30 p.m. be approved as the date and time to hold a public hearing on the filing of the FY2014 FTA Grant. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130104 Memorandum of Understanding - Metropolitan Planning Organization

Council is requested to adopt a Revised Memorandum of Understanding for the Metropolitan Planning Organization (MPO).

Attachments: [MEMORANDUM OF UNDERSTANDING-2013 - Transportation Planning](#)

This matter was discussed briefly during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval.

Adopted a Revised Memorandum of Understanding for the Metropolitan Planning Organization (MPO).

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that this Revised Memorandum of Understanding be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130105 Resolution - Opposing Legislation - Forced Taking of Municipal Utility Systems

Council is requested to adopt a resolution opposing legislation that provides for the forced taking of municipal utility systems.

Attachments: [Resolution - Opposing Legislation - Forced Taking of Municipal Utility Systems](#)
[signed copy of reso opposing legislation re forced taking of municipal utility systems.pdf](#)

This matter was briefly discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended adoption.

Adopted resolution opposing legislation that provides for the forced taking of municipal utility systems.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1297/13-20
Introduced 4/15/2013; Adopted 4/15/2013
Resolution Book, Volume XVIII, Page 20**

130106 Resolution - Preserving Balanced Municipal Revenues

Council is requested to adopt a resolution urging the North Carolina General Assembly to amend Senate Bill 394 and any other related bills as necessary to preserve balanced municipal revenues.

Attachments: [Resolution - Preserve Balance Municipal Revenues](#)
[signed copy of reso to amend sb 394.pdf](#)

This matter was briefly discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended adoption.

Adopted resolution urging the North Carolina General Assembly to amend Senate Bill 394 and any other related bills as necessary to preserve balanced municipal revenues.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1298/13-21
Introduced 4/15/2013; Adopted 4/15/2013
Resolution Book Volume XVIII, Page 21**

- 130119 Resolution - Support of Renovation of the Allen Jay Rock Gymnasium**
Council is requested to adopt a Resolution of support for the renovation of the Allen Jay Middle School Rock Gymnasium.

Attachments: [Resolution - Renovations to Allen Jay Rock Gymnasium
signed resolution supporting renovation of the allen jay rock gym.pdf](#)

This matter was briefly discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended adoption.

Adopted resolution of support for the renovation of the Allen Jay Middle School Rock Gymnasium.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1299/13-22
Introduced 4/15/2013; Adopted 4/15/2013
Resolution Book Volume XVIII, Page 22**

- 130112 Public Comment Period - Outside Agency Funding Requests FY 2013-2014**
Monday, April 15, 2013 is the date and time established to receive public comments on the outside agency funding requests for the City of High Point annual budget for FY 2013-2014.

Attachments: [Outside Agency Funding Requests 2013-2014](#)

Chairman Moore opened the floor for public comments from the outside agencies.

FRIENDS OF JOHN COLTRANE

Patrick Harman with the Hayden-Harman Foundation, 1214 Woodland Place, High Point, addressed council on behalf of The Friends of John Coltrane. He thanked the city for its past support and noted he has served as the Treasurer for the Friends of John Coltrane for the last several years. The Friends of John Coltrane organized in 2009 and is an all-volunteer organization that has been putting on the John Coltrane International Jazz and Blues

Festival. They have hosted two festivals thus far with the third festival being planned for this coming Labor Day weekend. Mr. Harman mentioned some of the headliner artists who would be performing at this year's festival. He shared that an estimated 2,400 people have attended the past festivals and pointed out that it takes about five years to establish a festival. He asked the city for support this year of \$50,000 to assist them in making the John Coltrane International Jazz and Blues Festival a successful festival.

NC SHAKESPEARE FESTIVAL

Pedro Silva, 4105 Pennfield Way, High Point, representing the NC Shakespeare Festival, approached Council for continued support of an in-kind grant that allows them access to the High Point Theatre where they have been performing since 1977. He then introduced Courtney McClellan, who is a member of their artistic acting company, to share a few words about the nature of the city's support and the Shakespeare Festival's service in the he High Point community.

Courtney McClellan, asked Council to continue providing NC Shakes with annual grant support associated with its rental of the High Point Theatre. She then shared some statistics of attendance at performances produced by the Shakespeare Festival's renowned productions: Romeo & Juliet, A Christmas Carol, as well as the Shakespeare to Go School Tour. The programs and tour stops benefit schools in the High Point community, The Ritz Theatre on Washington Street, the Roy B. Culler Senior Center, etc Additionally, the NC Shakes budget supports a full complement of youth camps, classes, workshops--al of which provide scholarship support to guarantee virtually that any High Point child can benefit from these extraordinary learning opportunities. She explained that the City of High Point's support plays a vital role in the Shakespeare's festival commitment to serve High Point's diverse population with cultural, artistic, and educational programming that enriches the community and makes it a wonderfully place in which to live and work.

HIGH POINT AREA ARTS COUNCIL

Debbie Lumpkins, representing the High Point Area Arts Council, introduced Chair Elect Jeanette McNeill, Dean of GTCC and Joe Gray and noted that Past Chair Jim Morgan sends his regrets and could not attend due to a prior commitment. On behalf of the Arts Council, Ms. Lumpkins asked Council for sustained funding at the level they had last year for their Arts Programs. She noted they have moved into Centennial Station in November and are also requested a one-time capital campaign grant of \$200,000 from the city to match the grant they received from the county. She explained they have been working for many years to try to have an Arts Center in this part of Guilford County specifically for High Point residents since High Point is one of the only cities of its size in North Carolina not to have an Arts Center. The Arts Council was able to purchase a building valued at \$3,000,000 for less than \$1,000,000 and although they have only been at the Centennial Station for six months, they have already burned their first note for \$250,000. In addition to the arts programming already in place, Ms. Lumpkins shared their plans to introduce a new entertainment series called "Third Thursdays" and they plan to start a dinner theatre in May. Ms. Lumpkins pointed out that the arts do have an economic impact and are an economic stimulus for the city. She offered to provide a copy of a national study on the arts and economic prosperities conducted in partnership with Americans for the Arts, which incorporated Guilford County's results.

Jeanette McNeill, Chair Elect for the Arts Council, reiterated the importance of arts to the economic viability for the diversity within the community and stressed the importance that they finally have a place they can call "home" for the arts. She asked Council for positive consideration of support for their funding request.

THEATRE ARTS GALLERIES (TAG)

Jeff Horney, Executive Director for the Theatre Arts Galleries, distributed some literature for TAG. He focused on the many exhibits and education that TAG provides throughout the year. Mr. Horney noted that this year, they have doubled their annual giving from individuals in the community and they are reaching out to corporate sponsors for the first time. He expressed appreciation for the city's support and encouraged the city to continue that support.

SOUTHWEST RENEWAL FOUNDATION

Dorothy Darr, representing the Southwest Renewal Foundation, asked for the city's help to eliminate kudzu in the southwest quadrant of High Point. She noted they brought goats here for three weeks this past fall and explained goats choke out economic development. Ms. Darr pointed out the kudzu prevents the creek from being seen and this was a public health issue as well because it runs into the Randleman Reservoir where the drinking water is. Ms. Darr felt with very little money, they could do a lot of good and reiterated that before one can visualize the greenway, one has to be able to see the creek. The goats cost about \$1,200 and the Southwest Renewal Foundation would like to put the goats in the same 4-acre area they've already grazed to weaken the kudzu plants even more which would result in less manpower efforts, and allow them to graze an additional four acres.

PIEDMONT TRIAD AMBULANCE & RESCUE- PTAR

Gart Evans, Chairman of the PTAR's Board of Directors, addressed Council on behalf of the Piedmont Triad Ambulance & Rescue (PTAR). He introduced Paula Lineberry, who is the Chief of this agency. PTAR is an ambulance and rescue association, a non-profit company that is franchised by Guilford County and they provide emergency and non-emergency ambulance transportation for High Point citizens. He summed it up by informing Council that PTAR is proud to have served the city and community for over 40 years and they are still going strong to help the city fulfill their vision "to make our city the single most livable, safe and prosperous community in America."

Council Member Smothers asked Mr. Evans about the status of the situation with Guilford County since it was a critical issue last year in terms of their sustainability. Mr. Evans reported that the relationship has considerably improved and they are working very diligently to continue work on the relationship. He explained they have just completed a new franchise agreement which they are taking under advisement, but have not yet received the franchise, so they have basically been operating without one for the past one and a half years. He noted that their call volume last year was down approximately 6,000 calls because of changes in the county's protocol, but those numbers in 2013 have started back on the rise. Council Member Golden asked if it would affect PTAR's operability if they do not get this funding and Mr. Evans replied in the affirmative and further explained that this funding is the only funding they have that helps them provide those services they donate. Council Member Golden then asked who would take those 6,000 calls from their reduced call volume from last

year. Mr. Evans explained that PTAR is the only agency that is franchised in Guilford County to assist Guilford County.

Mayor Sims thanked all the agencies for the presentations on their funding requests and expressed appreciation for all the work they do and all the services they provide to the community. She noted Council would be taking all of these funding requests under advisement as they move through the budget.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Douglas, Chair

130107 Ordinance - Demolition of Dwelling- 524 Radford Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 524 Radford Street belonging to Macy A. McGill, heirs.

Attachments: [Ord to Demolish - 524 Radford Street](#)

Council Member Mendenhall chaired this portion of the meeting due to the absence of Chairman Douglas.

Katherine Bossi, Local Codes Enforcement Supervisor, reported staff conducted the first inspection for this property in September of 2012 which was in response to a citizen complaint regarding the condition of the property; the dwelling has been vacant since 2004. Some of the major violations include: electric system, heating system and some plumbing has been removed from the property. There's some structural damage and a high concentration of mold on the ceiling as well. The property belongs to three heirs who reside in Charlotte and did not attend the hearing. Based on the condition of the property and the numerous Minimum Housing Code violations, the estimated repairs (\$44,200) do exceed 50% of the tax value (\$11,800). Ms. Bossi reported there have been no permits, no repairs to the property.

Adopted ordinance ordering the inspector to effectuate the demolition of a dwelling located at 524 Radford Street.

A motion was made by Council Member Mendenhall, seconded by Council Member Ewing, that this Ordinance be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Ordinance No. 6986/13-18
Introduced 4/15/2013; Adopted 4/15/2013
Ordinance Book, Volume XVIII, Page 18**

130108 Ordinance - Demolition of Dwelling - 1103 Pegram Avenue

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 1103 Pegram Avenue belonging to Henry J. York, III.

Attachments: [Ord to Demolish - 1103 Pegram Avenue](#)

Council Member Mendenhall chaired this portion of the meeting due to the absence of Chairman Douglas.

Katherine Bossi, Local Codes Enforcement Supervisor, advised that this inspection was done at the request from some neighbors because the structure had been vacant for some time and there was a problem with kids in the neighborhood as well as vagrants getting into the structure. The first inspection was conducted April of 2012 which showed that the electrical system, plumbing, heating have all been removed and vandalized from the unit. Ms. Bossi reported that the property owner did not appear for the hearing, but staff did have several conversations with him. Since that time the property owner has been trying to put funds together to make the repairs, but has not been successful. Staff issued the order to repair or demolish with a compliance date of August 10, 2013. The Guilford County tax value is \$19,600 with an estimate of repairs \$38,050, which does exceed 50% of the current tax value. Ms. Bossi informed Council that she did talk to the property owner prior to this meeting and the property owner informed her that the bank/lender has given him the authorization to proceed with the demolition of the structure and he hopes to have it removed within 30 days.

Council Member Moore pointed out the pictures show that the property owner had attempted to fix the structure, and felt it was unfortunate that things going on in the community with thefts and vagrants kept him from carrying his intentions through. He felt the property owner was being forced into doing the demolition at the taxpayer's expense. Council Member Mendenhall pointed out the property owner intends to take care of the demolition.

Adopted ordinance ordering the inspector to effectuate the demolition of a dwelling located at 1103 Pegram Avenue.

A motion was made by Council Member Mendenhall, seconded by Council Member Ewing, that this Ordinance be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Ordinance No. 6987/13-19
Introduced 4/15/2013; Adopted 4/15/2013
Ordinance Book, Volume XVIII, Page 19**

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

130109 Resolution of Intent- Street Abandonment Case 13-02

Approval of a Resolution of Intent that establishes a public hearing date of May 20, 2013 at 5:30 p.m. to consider the following street abandonment requests from West-Locke, Ltd and the Technical Review Committee:

- a. A request by West-Locke, Ltd to abandon the northern portion of an unimproved 7-foot wide alley, running in a north to south direction, within the western portion of the block bounded by Westwood Avenue, N. Lindsay Street, Gatewood Avenue and Lock Street.

- b. A request by the Technical Review Committee to abandon the southern portion of an unimproved 7-foot wide alley, running in a north to south direction, within the western portion of the block bounded by Westwood Avenue, N. Lindsay Street, Gatewood Avenue and Lock Street.
- c. A request by the Technical Review Committee to abandon a 10-foot wide unimproved alley, running in an east to west direction, within middle of the block bounded by Westwood Avenue, N. Lindsay Street, Gatewood Avenue and Lock Street.
- d. A request by the Technical Review Committee to abandon 12-foot wide alley, partially improved with a private driveway, running in a north to south direction within the eastern portion of the block bounded by Westwood Avenue, N. Lindsay Street, Gatewood Avenue and Lock Street.

Attachments: [02. Resol of Intent Street Abandonment 13-02](#)

Adopted Resolution of Intent establishing a public hearing date of Monday, May 20, 2013 at 5:30 p.m. as the date and time to solicit comments regarding the preceding street abandonment requests.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1300/13-23
Introduced 4/15/2013; Adopted 4/15/2013
Resolution Book, Volume XVIII, Page 23**

130110 Resolution of Intent - Annexation Case ANX13-02

Approval of a Resolution of Intent that establishes a public hearing date of May 20, 2013 at 5:30 p.m. to consider a voluntary contiguous annexation of approximately 66.8 acres lying at the southwest corner of Johnson Street and Sandy Ridge Road.

Attachments: [03. Resol of Intent Annex 13-02](#)

Adopted a Resolution of Intent establishing a public hearing date of May 20, 2013 at 5:30 p.m. to consider a voluntary contiguous annexation of approximately 66.8 acres lying at the southwest corner of Johnson Street and Sandy Ridge Road.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1301/13-24
Introduced 4/15/2013; Adopted 4/15/2013
Resolution Book, Volume XVIII, Page 24**

130111 Minor Amendment to Conditional Use Permit Case 02-34 - Mike Carr

Approval of a Minor Amendment to CUP 02-34 to allow one additional access point to Old Plank Road for property on the north side of Old Plank Road between N. Main St. and Ashebrooke Drive.

[04. Minor Amendment 02-34 - Mike Carr](#)

Attachments:

Note: Staff report for this minor amendment is hereby attached in Legistar as a permanent part of these proceedings.

Approved a Minor Amendment to CUP 02-34 to allow one additional access point to Old Plank Road for property on the north side of Old Plank Road between N. Main Street and Ashebrooke Drive, based on staff's analysis as contained in the staff report and staff's determination that the applicant's request is found to result in equal or better performance relative to the objectives and purposes of the original CUP condition.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Amendment be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

PUBLIC HEARINGS - 5:30 P.M.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Douglas, Chair

130113 Public Hearing - Annual Action Plan 2013-2014 - Community Development and Housing

Monday, April 15, 2013 at 5:30 p.m. is the date and time established to receive public comments on the 2013-2014 Annual Action Plan for the City of High Point Community Development and Housing Department.

Attachments: [Annual Action Plan - Community Development](#)

Note: The power point presentation is hereby attached in Legistar as a permanent part of these proceedings.

Mayor Sims announced that this is the date and time set for the second reading of the Annual Action Plan by the Community Development & Housing Department. [The first public hearing was held on April 15, 2013]

Council Member Mendenhall chaired this portion of the meeting due to the absence of Council Member Douglas.

Mike McNair, Director of Community Development & Housing, presented the information contained in the Annual Action Plan. The Annual Action Plan process has met HUD citizen participation requirements for plan development such as public availability of the proposed Plan, public hearings on the Plan, and the public comment period.

Mayor Sims asked if the city would be able to reapply for the other funding sources. Mr. McNair explained the city would be able to reapply for the Lead Hazard Control Program funding every second year and would be eligible to reapply this upcoming round. He reported that the Neighborhood Stabilization Program funding was uncertain, and depends on what Congress approves. He mentioned that the Shelter Plus Care Program will be transferred to the High Point Housing Authority at their request because it was felt they could provide a greater opportunity for permanent housing to allow folks to get out of the temporary situations into permanent situations. Mayor Sims then inquired as to how the income limits and rents compare to other areas in the State. Mr. McNair explained the income limits are received by HUD and based on Census data and the numbers are specific to the High Point, Greensboro MSA which determine the standards or the eligibility limits that are used for people seeking assistance. Regarding the rents, Mr. McNair noted the income limits and rents drive the calculations of the fair market rents and HUD looks at the prevailing rents in the area and compares that to prevailing incomes.

Council Member Ewing questioned the infill development. Mr. McNair explained the infill development funds allow the city to purchase property so it's ready to build on when an opportunity arises. He noted HOME funds are leveraged for the actual construction and shared that staff tries to use the HOME funds for strategic acquisition throughout the community.

Regarding the Public Service Grants, Mr. McNair reported that the Citizens Advisory Council (CAC) received requests from agencies in the amount of \$85,750 and the CAC spent a good eight hours deliberating, hearing the presentations from the recipients, etc.... He explained the Affordable Housing Program basically helps the city do one of three things: either improving the condition of housing; helping someone access housing; or constructing housing. He mentioned the amendment to the Section 108 Loan Fund for the Addington Ridge development which has been submitted to HUD for review/approval. Mr. McNair also reported that through the Lead Hazard Control program the city has helped over 120 children who now live in lead-free environments.

Following the conclusion of Mr. McNair's presentation, Chairwoman Mendenhall opened the floor for comments from the public. There being none, the public hearing was declared closed.

Acknowledgement that the second and final public hearing was held on the 2013-2014 Annual Action Plan. The Annual Action Plan will be on the agenda for the May 6, 2013 meeting for action. Staff is recommending Council's favorable recommendation for approval of the Plan.

A motion was made by Council Member Mendenhall, seconded by Council Member Smothers, acknowledging that the required public hearing was held for the 2013-2014 Annual Action Plan. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

130114 Ordinance - Text Amendment 13-03 - City of High Point

A request by the City of High Point City Manager's Office to amend Table 4-7-1 (Permitted Use Schedule) of the Development Ordinance to add Fabricated Sheet Metal Work as a permitted use in the Light Industrial (LI) District and in the Heavy Industrial (HI) District.

Attachments: [05. Text Amendment 13-03 - City of HP](#)

The public hearing regarding this matter was held on Monday, April 15, 2013 at 5:30 p.m.

Bob Robbins of Planning & Development provided an overview of the staff report which is hereby attached as a permanent part of these proceedings.

Mr. Robbins explained this is a simple text amendment affecting Table 4-7-1 and staff was basically adding a use (Fabricated Sheet Metal Work) to the permitted use schedule. The request came about as a result of an economic development issue that came before staff for this use to exist within a property that is zoned LI currently, but has a CU-LI designation on the property as well. Staff made a determination that the use as described is permitted in the HI District currently, but not the LI District, so staff is recommending it be added to the LI District so the applicant can proceed with their plans for the property. The Planning & Zoning Commission heard this matter at their March 26, 2013 meeting and unanimously recommended approval.

Council Member Ewing asked if there are any LI zones that could possibly be negatively impacted if this is approved. Mr. Robbins explained staff did review all the uses within this particular group industrial classification and was of the opinion there would be nothing that would result in a negative impact in terms of an LI type application.

At this time, Chairwoman Smothers, opened the public hearing and asked if there were any comments in support of or in opposition to this request. There being none, the public hearing was closed.

Adopted Ordinance approving Text Amendment 13-03 amending Table 4-7-1 (Permitted Use Schedule) of the Development Ordinance to add Fabricated Sheet Metal Work as a permitted use in the Light Industrial (LI District and in the Heavy Industrial (HI) District) based on consistency with the City's Land Use Plan and adoption of staff's findings as contained in the staff report.

Additionally, the City Council considers this action to be reasonable and in the public interest because: 1) it is a minor change that is consistent with the definition of the Light Industrial district; 2) the use is more closely related to other permitted LI district uses; and 3) it will assist certain businesses by expanding potential for locating within the city.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Ordinance approving Text Amendment 13-03 be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Ordinance No. 6988/13-20
Introduced 4/15/2013; Adopted 4/15/2013
Ordinance Book, Volume XVIII, Page 20**

130115 Resolution - Street Abandonment Case 13-01 - City of High Point

- a. A request by the Technical Review Committee to abandon an unimproved right-of-way lying along the east side of Hodgkin Street, approximately 410 feet north of Elgin Avenue.
- b. A request by the Technical Review Committee to abandon a portion of an unimproved right-of-way lying along the north side of Elgin Avenue, between Hodgkin Street and Westchester Drive.

Attachments: [06. Resol - Street Abandonment 13-01 - CHP](#)

The public hearing for this matter was held on Monday, April 15, 2013 at 5:30 p.m.

Herb Shannon of Planning & Development provided an overview of the staff report for Street Abandonment Case 13-01. Mr. Shannon pointed out these right-of-ways were never improved mainly due to the proximity of a stream running along it and the steep terrain and flood zones association with this area. Abandonment of the right-of-way should not prohibit any abutting property owners from having access to their property. The Planning & Zoning Commission reviewed these street abandonments at the March 26, 2013 meeting and recommended approval.

Following the conclusion of the staff report, Chairwoman Smothers opened the public hearing for comments. There being none, the public hearing was closed.

Adopted Resolution approving Street Abandonment Case 13-01 based on the findings outlined in the staff report that the abandonment is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution authorizing the abandonment of an unimproved right-of-way lying along the east side of Hodgkin Street, approximately 410 feet north of Elgin Avenue and abandonment of an unimproved right-of-way lying along the north side of Elgin Avenue, between Hodgkin Street and Westchester Drive be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1302/13-25
Introduced 4/15/2013; Adopted 4/15/2013
Resolution Book, Volume XVIII, Page 25**

130116 Ordinance - Annexation Case 13-01 - 350 South Land Holdings, LLC

A request by 350 South Land Holdings, LLC, to consider a voluntary non-contiguous annexation of approximately 79 acres lying along the west side of Sandy Ridge Road, approximately 375 feet south of National Service Road.

Attachments: [07. Ord - Annexation 13-01 - 350 South Land Holdings](#)

The joint public hearing for this matter and related matters 120302 Rezoning Case 12-11-350 South Land Holdings, LLC and 120303 Development Agreement- 350 South Land Holdings, LLC was held on Monday, April 15, 2013.

Transcript: Public Hearing- April 15, 2013

Chairwoman Smothers: *There are three different items tonight for public hearing that are interrelated. The first is a voluntary petition for annexation Case 13-01 and that is related to 79 acres lying along the westside of Sandy Ridge Road. This is adjacent to a previous annexation that was petitioned and heard and approved by City Council in November of 2012. The effective date of that annexation is May 19th of this year. In order, just to make it easier for all to understand the information about this case, we will hear some summaries of these three public hearings pretty much as a body together. The first is the annexation. The second would be the rezoning, which again, is a continuation of what had been heard previously with the addition of the 79 acres. Also in that rezoning, is an application that has been submitted. There is an amendment that has been passed out this evening that contained some additional language that everybody has in front of them. And then, the third item as part of the overall package is a development agreement with 350 South Land Holdings and the city. This has been a document that has been worked on long and hard. And, in fact, I think you'll probably hear from staff and from the developer that there's still some further definition of some of the technical terms to be detailed. However, it is in consultation with the mayor and staff, it is the intent of Council to go ahead and have the public hearing on the annexation tonight and that hearing will probably be closed at the end. The rezoning and the development agreement public hearings will be continued until May 6th and this relates back again to the further refinement of the definitions and the matters pertaining to the development ordinance....I mean the development agreement that will be revealed this evening. So just know that we're talking about 79 acres, not the rest of the 510. So, Mr. Robbins, Mr. Burnette, Mr. Shannon. I'm not sure who's on first on this one. Okay, the annexation. Then if you want to go ahead and*

I'm not sure if they need a timeline.

Herb Shannon: *I can briefly touch base on that. The first item is.....let's back up one moment. Herb Shannon, City of High Point Planning Department. I'll brief you on the annexation and the rezoning case. The annexation application 13-01 is a voluntary non-contiguous annexation application. That is for this area highlighted in red and as you have noted, that is associated with the overall business park development. And the previous annexation, which you reviewed and approved in November that is Case 12-05 which is highlighted in the purple color. Just to note to everyone, the general location, you have I-40 to the north and Sandy Ridge Road along the eastern boundary of the annexation site. This is a request to annex approximately 79 acres. It is a voluntary annexation request. It is associated with the request the Council reviewed in November for approximately 431 acres. The applicant is proposing a business/industrial park in the northwestern portion of the city's planning area. The Planning & Zoning Commission and the City Council reviewed the annexation and its associated rezoning application in November of 2012. The annexation Case 12-05, that area highlighted in purple, was approved with an effective date of May 19, 2013. No action was taken on the rezoning at that time. The 79 acres that's under consideration this evening for a voluntary annexation is proposed to be part of that business/industrial park and provides access for that development to Sandy Ridge Road.*

Key items to note as far as annexation policy as it relates to that 79 acres. First proximity to the existing city limits. The areas that you see highlighted in gray are in the county. Those areas you see highlighted in white are properties that had been annexed by the City of High Point. Further to the south, you have an existing subdivision Saddlebrook and south of that Presbyterian Home development. You have an existing annexation or corporate limits to the north at the intersection

of Sandy Ridge and Tyner Loop Road and also to the east. City utilities are available in this area and there are existing city service vehicles that are currently traveling up and down this section of Sandy Ridge Road.

As far as the rezoning application, as you recall in November of last year, you did review the 431 acres for a rezoning. No action was taken. The applicants amended that request to add the 79 acres. That is why it's proceeding back through the public hearing process. Just some key items to note regarding the rezoning request....it's pretty much the same proposal that the Council reviewed in November. The main difference as far as conditions is regarding transportation conditions. The applicants transportation engineer revised their traffic study and they have been meeting with the city's transportation department and have updated those transportation-related conditions. And a copy of the transportation department memorandum is included in your packet.

Just a quick summary of the proposed zoning-it's proposed to be a PUD zoning, a planned unit development. PUDs are floating districts. They are permitted anywhere within the city limits. Their development is governed by a Master Plan which is included in your packet in the conditions of the Conditional Zoning Ordinance. The proposed PUD zoning will be split into two phases. Bob, if you can bring up the next item. I believe it's going to be....the next group of items on the bottom. You had this in your packet. No, it's the Zoning Case 12-11. The conditions of the Zoning Ordinance proposed by the applicant divides the site into two phases: Phase One and Phase Two. The area to be added is highlighted in yellow. That provides access frontage along Sandy Ridge Road. The Phase One area generally lying to the south and east of Adkins Road....this area. The ordinance proposed by the application notes development that uses are permitted in the Agriculture District, the Corporate Park District, and the Light Industrial District. Those higher intensity uses that you find in the Heavy Industrial District have not been proposed. Phase two, that's the area lying to the north and west of Adkins Road. The only uses permitted in that area at this time are Agricultural uses. That will serve as a temporary holding zone for that area until such time as utility expansions and road improvements are provided to support Corporate Park and Light Industrial uses in that area.

I would note that the city's planning area extends up to I-40 and west just over the Guilford/Forsyth County line. The city has annexation agreements with abutting cities with Greensboro, Kernersville that highlights our boundary areas and the city Land Use Map designates all this area as Restricted Industrial. I would also note that this area is within the Airport Overlay Zone 2 which prohibits any residential development. I would point out that prohibition on residential development is specifically for property within the city limits. It does not apply to property that is not within the city limits within Guilford County's jurisdiction. There's been some confusion on that about property owners not within the city that those regulations on prohibiting residential uses only apply for property annexed into the city. And based upon studies that the City Council has adopted the past twelve years with the expansion of FedEx and nighttime noise, this area was granted a Restricted Industrial land use designation and the Airport Overlay Zone prohibits new residential development for land areas annexed into the city into this area.

Key items to point regarding rezoning....first, there have been changes in this area. The FedEx expansion, the noise impact impacted this area so the Land Use Plan designates this area for Restricted Industrial Use. Second, I would note Unified Development....having all this area under one Unified Development, one Master Plan allows for the ability Master Plan this area and not have scattered individual industrial developments and also provides the opportunity to higher development standards as conditioned in the Conditional Zoning Ordinance to be imposed on

development for this area. And finally, I would note that the applicant's list of permitted uses excludes a majority of the higher intensity uses and the LI and CP proposed are consistent with other restricted industrial areas that have been zoned in this northern portion of the city's planning area. As addressed in the staff analysis section of the report, conditions offered by the applicant address the objectives of the Land Use Plan and staff is recommending approval of this request. This item was reviewed by the Planning & Zoning Commission at their March public hearing and they recommended approval by a vote of 4 to 3. That is a quick overview of both the annexation and the rezoning. Are there any questions?

Chairwoman Smothers: Thank you, Mr. Shannon. Are there any questions from staff at this point? If not, thank you. Would the petitioner like to make comments at this time?

Tom Terrell: Thank you, Ms. Smothers, members of Council. I'm Tom Terrell, 529 W. Parkway. It's my privilege to be here tonight representing 350 South Land Holding. 350 South Land Holding is owned by Mr. D. H. Griffin, a man who has done quite a bit for this community. He's certainly somebody who has done a lot for this economy in terms of job creation. Mr. Griffin, would you just raise your hand or stand up so everybody can see you? Thank you. Also with me here tonight working with 350 South Land Holding is Mr. Bob Dischinger from Evans Engineering. Many of you have seen quite a few maps of this tract. That's Mr. Dischinger's handiwork. If you have an engineering question, I'm going to step aside very quickly and ask him to take the podium. Also here is Frank Amenya with Davenport Transportation. Sometimes the issues will boil down to transportation. We worked very closely with staff, but if you get into any details, I will ask Mr. Amenya to step forward. Broad speaking, with the addition of this 79 acres right here in yellow, we are now creating what I am told is the largest annexation in the City of High Point's history. When this proposal was considered last November, there was one critical piece missing and that critical piece is right here-this yellow tract that we're looking at-because that critical piece provides access to Sandy Ridge Road. That tract is now owned by 350 South Land Holding. With the addition of this 79 acres and the acquisition by 350 South, we have enabled the City of High Point are creating the pathway for the City of High Point to have another high quality industrial park that's close to an interstate. It's two miles from an airport that will allow the city to continue to increase its tax base. It will allow the city to continue to increase jobs as we move forward year-to-year and into the next decade. It is in the right location. Now, based upon our experience and previous public hearings, I can almost predict that there will be one or two people who will come up tonight and encourage you to leave this tract in some form of low density residential development, but I can assure you that every single study and every single growth plan, comprehensive plan and land use plan adopted by the City of High Point City Council calls for this land right here to be some form of corporate park or industrial park for its ideal use.

We have met, just late last week, I think some of you may have gotten some communications from the Maple Creek Homeowner's Association. It was a very collaborative, very positive meeting. We sat down with them. And we would like to add two conditions. You have those in front of you, but very quickly describe....if you will look right off Joe Drive, this is the Maple Creek Subdivision and this is the tract of land we're talking about. There will be a 50-foot buffer right there. They have asked that we enhance the buffer with a solid row of evergreens. We are delighted to do that. And also, there is no one with a totally clear crystal ball. We don't know what would or could develop in this small area because there's a stream that crosses right here. It actually creates a small tract. But there's a possibility there could be parking or outdoor lights and they've asked that however it develops, that the lighting has the kind of design so that they

don't broadcast broadly outward into neighbor's homes. We are very quickly and gladly to offer that condition.

Moving to the Development Agreement-this is a wonderful tool that we now have in the North Carolina toolbox. We did not have this prior to 2005. What it does is allows developers and municipalities to work collaboratively for complex, multi-tract, long-range development so that you can very carefully plan your infrastructure growth to meet the projects needs and the city's needs and you can work together. Because this is talking about the payment of millions of dollars and you want to make sure the cash flow in and the cash flow out are not creating any problems for anybody. But it's a wonderful tool for that. And a lot of it deals with timing. There are a few details as Ms. Smothers said....that we're working on. These are all very technical. We're tightening some definitions. We are clarifying some dates in this agreement. We want to make sure that the state statutory definitions and the local zoning ordinance definitions are entirely consistent. It's that level of detail. So that over the next twenty years when other people are here in our place, they know exactly what they are looking at. We do ask for your approval on that. We do support continuing this until May 6th, but we do hope that we will have every detail planned for a committee meeting by tomorrow. I'm delighted to answer questions. Also Mr. Amenity and Mr. Dischinger are here as well.

Chairwoman Smothers: Are there any questions for Mr. Terrell?

Mayor Pro Tem Moore: Not directly I think to Tom, but it does relate to the part about what you said. Herb, what was the restriction in this area that you were stating about that's currently....as far as residential development? Could you refresh that statement for me please?

Herb Shannon: This northwestern portion of the city planning area is in Zone 2 of the Airport Overlay. Any new land area in the city, residential uses would be prohibited. So any annexations within this area could not be zoned residential.

Mayor Pro Tem Moore: Now....that was as a result of the expansion of the FedEx and the noise cones which went into place when?

Herb Shannon: I believe it was in 2003 and was updated two years ago.

Council Member Smothers: Further questions? If not, I presume there are probably some folks here who would like to make comments tonight. Is there anyone who would like to comment on the annexation of this 79 acres or either on the rezoning issue? If so, would you please come up and give us your name and address and we would hope that you could possibly confine your comments to three minutes or so. The mic is open.

Dennis Robinson: Thank you to the Council. I'm Dennis Robinson. Mr. Shannon if I could use your pointer just a moment. I live at 2611 Sandy Ridge Road which basically is right here. The property right there I own as well, as well as 2525 Sandy Ridge Road. My sister owns the property at 26, correction...2521 Sandy Ridge Road which basically if you'll look everything that borders between Sandy Ridge Road and the outlined area there is either owned by she or I. She wasn't able to be here tonight to speak and asked that I speak on her behalf. I'm certainly not here to oppose it. I've talked to Mr. Griffin several times. I've spoken to Mr. Terrell and I'm not here opposing whatsoever. I would like for consideration be given to the same as Maple Creek there. Mr. Terrell and I have actually spoke of that. I have not had the opportunity to speak to Mr. Griffin on it. Basically just as a privacy buffer consideration.

Again, I'm not opposing whatsoever. We know growth is inevitable and for those obviously that have lived in the community as many years as we have and basically 2525 Sandy Ridge Road is where my sister and I both were raised. We've always heard that at any point in time, Greensboro, High Point, Kernersville and Winston Salem are all going to touch and we all thought that would never happen, but we are certainly seeing that happen now. So, again, that's the only thing I'd like to say. I'm not opposing whatsoever. I would just like to see the consideration given to us with that property around there that's been given to Maple Creek.

Council Member Smothers: *Mr. Robinson, when did you....you mention you haven't spoken to Mr. Griffin. When did you speak to Mr. Terrell?*

Dennis Robinson: *Three weeks ago probably.*

Tom Terrell: *Two and half.*

Dennis Robinson: *I had spoke to Mr. Griffin prior to that. We did not actually discuss the buffer at that time because we were waiting to see what the actual outcome would be. Thank you.*

Tom Terrell: *May I make that offer?*

Council Member Smothers: *You may.*

Tom Terrell: *If we could put it in the record and I will follow this up with a writing, but that's a very reasonable request. You're referring to the entrance right here. We will make sure that there is a solid row of evergreens to protect Mr. Robinson and his sister from that entrance right there and I will make that a written commitment.*

Dennis Robinson: *Also, in addition to that if you could come along the back line. There are a row of Leylands there already to the point of where they come to and do the same with the lighting there that you did for Maple Creek.*

Tom Terrell: *We will make that same commitment.*

Chairwoman Smothers: *We will need, then, in writing that addition to Item B and I guess it would be number 4 on page 11 which is right after the Maple Creek Subdivision inclusion that you have. And this will be continued, Mr. Robinson, so there will be time for that to be added. But it is on the record that has been offered.*

Dennis Robinson: *Thank you.*

Chairwoman Smothers: *Is there anyone else who would like to speak?*

Rick Moody: *My name is Rick Moody. I'm at 2503 Sandy Ridge Road. My property is adjacent to the Sampson's property. I'd like to propose the same as a buffer.*

Tom Terrell: *I didn't hear where your property is.*

Rick Moody: *My property....*

Chairwoman Smothers: What is the address again, Mr. Moody?

Rick Moody: 2503 Sandy Ridge. My property starts right here. All this section right here is my property. Those two tracts and this other section.

Tom Terrell: Evergreens? Okay, we will make the same offer.

Chairwoman Smothers: Between now and May 6th.

Tom Terrell: We'll put that in writing.

Rick Moody: Thank you.

Chairwoman Smothers: Thank you.

Susan Koger: My name is Susan Koger and I live in High Point, Eastchester Drive, but we own property at 611 Lakedale which is my step-father's property that we still own. My question is....the last time when I asked Mr. Terrell what was a floating zone and what exactly does that mean...I never got an answer. My thing is I know you're going to widen the roads and I want to know what roads you're going to widen and I'm sure you're going to widen quite a few other than just Sandy Ridge. We're just right off of Sandy Ridge and I think the map says Adkins, but I think that's really Endicott and then it turns into Lakedale and then you turn onto Adkins and that's where our property is. Our property is close to Phase One. I didn't bring my map, sorry.

Chairwoman Smothers: Could you give us that address again?

Susan Koger: 611 Lakedale.

Chairwoman Smothers: And that is your step-fathers?

Susan Koger: Deceased, yes. It's still our property.

Mayor Pro Tem Moore: Herb, can you hit that with a pointer?

Susan Koger: I didn't bring my map. Actually after Sandy Ridge, that's Endicott, then it goes to Lakedale, then to Adkins.

Chairwoman Smothers: Well is it in the subdivision?

Susan Koger: I don't know the name of the subdivision. I don't think it is. It's on Lakedale. Like I said, I didn't bring my map. I think ours is right there where it kind of dips down. It's near Phase One. Sorry I didn't bring a map. But I just wanted to know what roads you were going to be widening and I think I brought up last time, the fear of decreasing our property because if you do widen the road where our house is, it's going to go closer to our front door which, of course, will decrease the property value. I just want to know which roads. I'm sure you're going to be increasing some roads because they are only two lanes. I'm curious as far as which ones you're going to do. Those are my concerns. Thank you.

Chairwoman Smothers: So your questions relate to the expansion of the roadway. I don't know that all the internal roads have been finally engineered.

Tom Terrell: *I can address that. Herb, I think we might want to leave this up here on the podium. First of all, we do not know what the internal roads are going to be. There are solid prospects that this development has been speaking with over the many months. No one has committed. When there is a commitment, then the internal roads will be cast in some way. This is Adkins Road. There is no access to Adkins Road until there is a full-blown traffic study that discussed development in Phase Two....that is a provision written into the Development Agreement. So there will not be traffic coming here for any type of Adkins Road widening at any time for Phase One. The discussions right now are for, at some point, for Gallimore Dairy Road which is right here, to come across this tract to Boylston or possibly Clinard Farm Road to cross right here and come up to Boylston. Now those roads would be created newly. They would not be widened. Now there is a State NCDOT widening project for Sandy Ridge. That has been an on-going effort prior to the city even thinking about this being an industrial area. I learned a couple of weeks ago that Mr. McDonald actually worked on this when he was with Kimley-Horne and was actually doing studies on Sandy Ridge Road widening. And that is a widening that this development is participating in to the extent that there will be a dedication of right-of-way or anything like that. If you want to get into this layer of detail, the traffic study has submitted several different types of improvements that the developer shall make along this area as part of that road widening. There would be some addition of medians and some signalization requirements that are in the memo from the Transportation Department. I don't know if those are the roads that you are talking about. If you're thinking that there's going to be a widening of Adkins Road at any time....does that really get down to your question?*

Susan Koger: *Very closely. That and you've got Endicott and Lakedale. Lakedale is right in the curve.*

Tom Terrell: *The only other discussed roads that have been in long-term discussion....this is Phase Two. At some future time it will be a potential realignment at Endicott to go up to where Norcross is. But this is just one of those things in a discussion among people who may or may not have any impact on that 15-20 years from now. So that's where that is. At this point, the best thing to know is Phase Two is something that we're not planning, except maybe on a long-term basis. There will be no traffic out at Adkins.*

Susan Koger: *Lakedale is....*

Tom Terrell: *Right here?*

Chairwoman Smothers: *It doesn't sound like there's any roads going near that that are planned.*

Tom Terrell: *As to the floating district, I don't know....Mr. Burnette might be the one you want to hear that answer from. She asked about a floating zoning district.*

Lee Burnette: *Basically what it means is the applicant has a right to apply for it. The City Council doesn't apply. The applicant requests that the City Council consider it. That's the difference. Whereas all the other zoning districts, they can be applied for.*

Chairwoman Smothers: *Is there anyone else who would like to speak either for or against? If not, I'm going to continue....first of all, I'm going to close the public hearing on the*

annexation and I would make a motion that the petition for annexation be effective with an effective date of May 19, 2013.

Mayor Sims: *I have a motion for the annexation to be approved with an effective date of May 19, 2013. Is there a second to this motion?*

Council Member Mendenhall: **Second.**

Mayor Sims: *We have a motion and a second. Is there any further discussion on the part of Council regarding the motion?*

Chairwoman Smothers: *I would presume in that motion that the petitioner who has asked for the annexation would make it subject to the approval of the zoning and the....*

Tom Terrell: *May I ask for an amendment to your motion, Ms. Smothers? We were expecting that there would be a continuation of the hearing and the decision until May 6th on all matters. There are some underlying contract issues on the acquisition of some remaining tracts and if all of the decisions are made tonight even if they are effective later, it triggers some acquisition prior to some development agreement finality.*

City Attorney JoAnne Carlyle: *This is the same language that we discussed earlier. It matches up with the prior....the bigger parcel. It's exactly the same.*

Tom Terrell: *Okay, so this is...*

City Attorney JoAnne Carlyle: *Approve tonight, but with the effective date.*

Tom Terrell: *On the annexation of the 79 acres only?*

Chairwoman Smothers: *Yes. Does everybody understand that? It's just consistent with what had been done previously.*

Mayor Sims: *Is there any other discussion on the part of the Council or questions concerning the motion?*

Council Member Wagner: *What was done previous was contingent on the approval of the agreement?*

Mayor Sims: *Absolutely.*

Chairwoman Smothers: *Right, and those will be continued and voted on at the same time.*

Council Member Mendenhall: *So this is also contingent on the other stuff?*

City Attorney JoAnne Carlyle: *Yes, you may want to put that in your motion. Do you want that also, Tom?*

Chairwoman Smothers: *That's why I edited that while ago.*

Tom Terrell: *Contingent upon the development agreement and the rezoning.*

Chairwoman Smothers: Well we don't annex without establishing zoning anyway.

City Attorney JoAnne Carlyle: Right, with those being effective on May 6th.

Mayor Sims: Do you want to restate the motion so that everybody is clear about what they are voting on?

Council Member Smothers: I move that the petition for voluntary annexation be accepted for the 79 acres that is on the agenda tonight effective date of May 19th, subject to rezoning and the development agreement that we will hear in a minute that will have an action date of May 6th.

Then we have the rezoning and the development agreement which I will move, the public hearings will be continued until May 6th.

In the fullness of disclosure I will also say that it is the intent of Council to discuss the development agreement tomorrow at the Comprehensive Planning Committee. These are the details that Mr. Terrell referenced earlier that were still being defined. There will not be action, there will be discussion and those particular items that would change from what draft we have before us would be finalized. But here again, the public hearing on those particular items will still be on for May 6th as continued.

[end of transcript]

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that the Ordinance providing for the annexation of this property be adopted (annexation effective on May 19, 2013). The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Ordinance No. 1689/13-21
Introduced 4/15/2013; Adopted 4/13/2013
Ordinance Book, Volume XVIII, Page 21**

120302

Rezoning Case 12-11 - 350 South Land Holdings, LLC

A request by 350 South Land Holdings, LLC to rezone approximately 510 acres from the Agricultural (AG), Residential Single Family-40 (RS-40) and Light Industrial (LI) Districts, within Guilford County's zoning jurisdiction, to a Planned Unit Development-Mixed (PDM) District. The property is generally lying south of I-40, west of Sandy Ridge Road, north of Boylston Road and east of Bunker Hill Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request for an approximately 79 acres portion of the zoning site fronting along Sandy Ridge Road.

Attachments: [Rezoning Case 12-11 - 350 South Land Holdings - Amended Staff Report \(04-30-13\)](#)

The joint public hearing for this matter and related matters 130116 Annexation Case 13-01-350 South Land Holdings, LLC and 120303 Development Agreement- 350 South Land Holdings, LLC was held on Monday, April 15, 2013.

For specific comments made at the public hearing, please refer to 130116 Annexation Case 13-01- South Land Holdings, LLC.

Continued the public hearing to Monday, May 6, 2013 at 5:30 p.m. for Rezoning Case 12-11- 350 South Land Holdings, LLC.

Chairwoman Smothers announced that it is the intent of the City Council for this matter to be discussed in a Comprehensive Planning Committee meeting tomorrow, April 16th at 4:00 p.m.

A motion was made by Council Member Smothers, seconded by Council Member Wagner, that the public hearing for this Rezoning Case be continued to Monday, May 6, 2013 at 5:30 p.m.. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

120303 Development Agreement - 350 South Land Holdings, LLC

A request by 350 South Land Holding, LLC; Bland Property Investments, LLC; James S. Hedgecock and wife Elizabeth A. Hedgecock; and Michael Raymond Hedgecock and wife Christy M. Hedgecock to enter into a Development Agreement with the City of High Point for properties associated with Zoning Case 12-11, pursuant to N.C. General Statute 160A-400.20 et. seq., for a proposed multi-phased 510-acre development consisting of corporate park, industrial and commercial uses. A copy of the proposed development agreement is available for public inspection in the office of the Planning & Development Department.

Attachments: [350 South Land Development Agreement \(May 6 final\)](#)

The joint public hearing for this matter and related matters 130116 Annexation Case 13-01- 350 South Land Holdings, LLC and 120302 Rezoning Case 12-11- 350 South Land Holdings, LLC was held on Monday, April 15, 2013 at 5:30 p.m.

Continued the public hearing for this Development Agreement- 350 South Land Holdings, LLC to Monday, May 6, 2013 at 5:30 p.m..

Chairwoman Smothers announced that it is the intent of the City Council for this matter to be discussed in a Comprehensive Planning Committee meeting tomorrow, April 16th at 4:00 p.m.

A motion was made by Council Member Smothers, seconded by Council Member Wagner, that the public hearing on this Development Agreement be continued to Monday, May 6, 2013 at 5:30 p.m. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130117 Approval of the following Minutes:

- Community Housing & Neighborhood Development Committee meeting held Tuesday, March 26th @ 9:00 a.m.
- High Point City Council Regular Meeting held Monday, April 1st @ 4:45/5:30 p.m.

Attachments: [March 26 2013 Comm. Housing & Neighborhood Development Committee.pdf](#)
[April 1 2013 High Point City Council.pdf](#)

Approved the preceding minutes as submitted.

A motion was made by Council Member Mendenhall, seconded by Mayor Pro Tem Moore, that the preceding minutes be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

120229 Boards and Commissions - Vacancies

Attached is the current list of vacancies for all Boards and Commissions.

Attachments: [term expirations 2013 \(April 15 2013 agenda\).pdf](#)

This information is attached for informational purposes only. No action is required on this item.

ADJOURNMENT

At 6:35 p.m., upon motion duly made and seconded, the meeting was adjourned to Tuesday, April 16, 2013 at 4:00 p.m.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk



MEMORANDUM

DATE: May 1, 2013

TO: Randy McCaslin, Assistant City Manager

FROM: Michael E. McNair, Director

SUBJECT: 2013-14 Annual Action Plan

The Community Development and Housing Department has completed necessary activities for preparation and submission of the 2013-14 Annual Action Plan to the Department of Housing and Urban Development (HUD). A public hearing for the Plan was held during Council's regularly scheduled meeting on April 15th. The final step prior to submission is Council approval. The plan must be submitted to HUD no later than May 15, 2013.

As of this writing, the 2013-14 HUD allocations have not been released. In accordance with guidance from HUD, the Plan budget reflects a 5% reduction from last year totaling \$56,689 (CDBG - 39,749 and HOME - 16,940). Announcement of the final allocations is expected to be announced in the near term. Staff will monitor progress of the final allocations and make adjustments as needed.

The 2013-14 Annual Action Plan is designed to implement strategies and programs that accomplish objectives identified in the City's five year Consolidated Plan. The goals and measurable objectives for the proposed projects in the Plan are consistent with federal regulatory requirements. The process to develop the Plan included the following:

- Two community meetings were held to discuss programs and seek citizen input;
- The Citizen Advisory Council (CAC) received presentations from public service grant applicants in February 2013;
- A draft of the proposed Plan was released for public comment from March 11th through April 10th;
- The CAC conducted a public hearing for the Plan on March 28th and voted to recommend Council approval of the plan;
- Council conducted a public hearing for the Plan on April 15th.

The action plan process has met HUD citizen participation requirements for plan development such as public availability of the proposed Plan, public hearings on the Plan, and the public comment period. We ask that Council favorably consider approval of the 2013-14 Annual Action Plan.