

City of High Point

*Municipal Office Building
211 S. Hamilton Street
High Point, NC 27260*



Meeting Agenda

Thursday, October 29, 2020

4:00 PM

3rd Floor Conference Room

Finance Committee

***Britt Moore, Chair
Committee Members:
Michael Holmes
Monica Peters
Victor Jones***

***Jay Wagner, Mayor (Alternate)
Christopher Williams, Mayor Pro Tem
(Alternate)***

FINANCE COMMITTEE - Council Member Britt W. Moore, Chair

As part of the City of High Point's on-going COVID-19 Mitigation efforts, in-person attendance will not be allowed at this meeting. Instead, the meeting will be live-streamed and the public will be provided an opportunity to listen to the meeting once the meeting is in session.

<http://www.highpointnc.gov/VirtualPublicMeeting>

CALL TO ORDER**PRESENTATION OF ITEMS**

- [2020-410](#) Contract - HPU - Lease - Roy Culler Senior Center
City Council is requested to approve a lease with High Point University and relocate the Roy B. Culler, Jr. Senior Center for a temporary period while continuing the search and planning for a new permanent Senior Center, as approved in the 2019 General Obligation Bond Referendum.
Attachments: [FINAL Senior Center Lease](#)
- [2020-411](#) Resolution - Sale of Roy B. Culler Senior Center Property & Adjacent Properties to Nido & Mariana Qubein Children's Museum
City Council is requested to adopt a resolution approving the sale of the Roy B. Culler Senior Center property and adjacent properties identified as tax parcel numbers 189745 (600 N. Hamilton), 189756 (207 E. Ray Av.), 189755 (209 E. Ray Av.), 189754 (211 E. Ray Av.) in the amount of \$500,000 to the Nido & Mariana Qubein Children's Museum.
Attachments: [FINAL Sale of Roy B. Culler Senior Center Property to HPU](#)
- [2020-412](#) Contract - Wharton & Smith Inc. - Change Order No. 4 - Ward Water Treatment Plant Upgrades
City Council is requested to approve change order no. 4 with Wharton & Smith, Inc. in the amount of \$103,626.00 for the Ward Water Treatment Plant electrical and HVAC upgrades.
Attachments: [FINAL WARD upgrades COD 004107202](#)
- [2020-413](#) 2020 Edward Byrne Memorial Justice Assistance Grant Funding - JAG
City Council is requested to establish a public hearing date of Monday, November 16, 2020 at 5:30 p.m. for the purpose of receiving public comments on the funding for the 2020 Edward Byrne Memorial Justice Assistance Grant Funding (JAG).
Attachments: [FINAL PD 2020 JAG Set Public Hearing](#)
- [2020-414](#) Ordinance - High Point Fire Department Reimbursements & Grants
City Council is requested to adopt a budget ordinance to appropriate

certain reimbursements and grants in the amount of \$55,176 received by the High Point Fire Department.

Attachments: [FINAL](#) [HPFD Reimbursements & Grants Budget Amendment](#)

[2020-415](#)

Contract - S&S Contracting of NC - Oak Hollow Golf Course Bulkhead Replacement

City Council is requested to award a contract to S&S Contracting of NC in the amount of \$242,685.90 for the replacement of the wooden bulkhead section along Hole #4 at Oak Hollow Gold course.

Attachments: [FINAL](#) [Oak Hollow Bulkhead Replacement Nov 2020](#)

[2020-416](#)

Resolution - Housing Authority of High Point Multifamily Housing Revenue Bonds for Daniel Brooks Phase I

City Council is requested to adopt a resolution approving, for purposes of meeting the requirements of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Authority of the City of High Point in an aggregate amount of not to exceed \$11,000,000 of Multifamily Housing Revenue Bonds for Daniel Brooks Phase I.

Attachments: [FINAL](#) [HPHA](#) [Daniel Brooks Phase I](#)

[2020-417](#)

Resolution - Formal Acceptance of Highest Bid - 1114 Tipton Street

City Council is requested to adopt a resolution formally accepting the highest bid offer of \$28,500 by MLB Enterprises, LLC and directing sale of the property at 1114 Tipton Street to MB Enterprises, LLC in accordance with N.C.G.S. §160A-269.

Attachments: [FINAL](#) [1114 Tipton](#)

[2020-418](#)

Resolution - Sale of City Owned Property by Upset Bid - 622 Wesley Drive Council is requested to adopt a resolution accepting the offer of \$4,000.00 and authorizing the sale of the property 622 Wesley Drive, Parcel No. 175116 through the upset bid procedure of N.C.G.S. 160A-269 and direct the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.

Attachments: [FINAL](#) [622 Wesley Drive](#)

[2020-419](#)

Resolution - Sale of City Owned Property by Upset Bid - 652 Wesley Drive Council is requested to adopt a resolution accepting the offer of \$4,000.00 and authorizing the sale of the property 652 Wesley Drive, Parcel No. 176168 through the upset bid procedure of N.C.G.S. 160A-269 and direct the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.

Attachments: [FINAL](#) [652 Wesley Drive](#)

[2020-420](#)

Resolution - Conveyance of Property to CDC - 2111 Little Avenue

City Council is requested to adopt a resolution approving the conveyance of property located at 2111 Little Avenue to the Core City CDC and that the appropriate City official be authorized to execute all necessary documents.

Attachments: [\(3\)FINAL_2111 Little Conveyance of Property](#)

[2020-426](#)

Contract - Downtown Stadium Paving Project

Back up Documentation will be available at Finance Committee Meeting,
October 29, 2020 4:00pm

Attachments: [FINAL_Lindsay Street Parking Lot Paving project](#)

ADJOURNMENT

**RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING UPSET BID PROCESS FOR CITY PROPERTY
LOCATED AT 652 WESLEY DRIVE, HIGH POINT, NC**

WHEREAS, The City of High Point (“City”) owns a lot consisting of approximately 7405 square feet (0.17 acre) in size identified as Parcel No. 176168, 652 Wesley Drive, High Point, North Carolina (“Property”); and

WHEREAS, North Carolina Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, Sergio Hernandez and Rosio Hernandez Basurto have submitted an offer in the amount of \$4,000 (“Offer”) for the Property, and paid the required five percent (5%) deposit on their offer;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of High Point, North Carolina:

1. Authorizes sale of the Property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property, the amount of the offer, and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day notice period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier’s check, or certified check. The city will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that

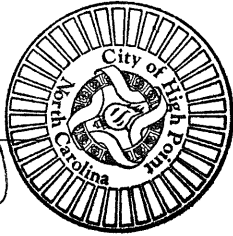
- the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed; and
- the buyer must pay with cash at the time of closing.

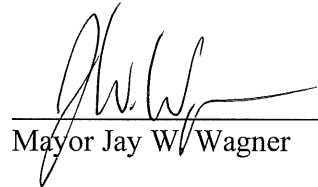
8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

9. If no qualifying upset bid is received after the initial public notice, the Offer set forth above is hereby accepted. The appropriate city officials are authorized to execute the instruments necessary to convey the Property to Sergio Hernandez and Rosio Hernandez Basurto.

Adopted this the 2nd day of November, 2020.


Lisa B. Vierling,
High Point City Clerk




Mayor Jay W. Wagner

AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE REIMBURSEMENTS & GRANTS

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The City of High Point Fire Department has received \$55,176 in reimbursements & grants

Section 2. The 2020-2021 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the following Fire Department revenues be amended as follows:

Donations & Contributions	\$ 1,663
Reimbursements	\$ 14,480
Intergovernmental Revenue	\$ 39,033

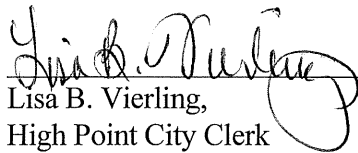
(B) That the following Fire Department expenditures be amended as follows:

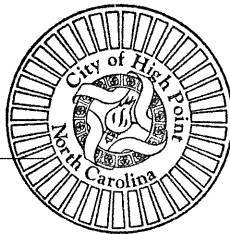
Expendable Tools & Equipment	\$ 1,663
Supplies, Parts & Tools	\$ 29,829
Equipment & Machinery	\$ 23,684

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted: November 2, 2020


Lisa B. Vierling,
High Point City Clerk



CITY OF HIGH POINT

AGENDA ITEM



Title: Multifamily Housing Revenue Bonds for Daniel Brooks Phase I

From: Randy McCaslin

Meeting Date: November 2, 2020

Public Hearing: Oct 12, 2020

Advertising Date /
Advertised By: Oct 4, 2020

Attachments: Affidavit of Publication High Point Enterprise
Certificate and Summary of Public Hearing
TEFRA Approval Resolution

PURPOSE:

City Council has been asked to approve the proposed issuance by the Housing Authority of the City of High Point (the "Authority") of not to exceed \$11,000,000 in multifamily housing revenue bonds (the "Bonds") for Daniel Brooks Phase I. Federal tax law requires that tax-exempt bonds issued to finance affordable housing be approved by the elected legislative body of the governmental unit that (a) controls the issuer of the bonds, and (b) has jurisdiction over the area in which the facility is to be located after a public hearing (Internal Revenue Code Section 147(f)). The City Council appoints the commissioners of the Authority under NCGS § 157-34, and the proposed facility is within the jurisdiction of the City. The Authority, at the request of Daniel Brooks Phase I, LLC (the "Company"), proposes to issue the Bonds to finance the acquisition by ground lease of the existing housing development known as Daniel Brooks Homes, which will be demolished, and the construction and equipping of a new 100-unit affordable housing complex (the "Development") on the property. The Authority and the Company have requested the City to approve the issuance of the Bonds for purposes of Section 147(f) of the Code.

BACKGROUND:

On October 12, 2020, the Authority held a public hearing regarding the issuance of the Bonds. A report from the public hearing is attached hereto. The Authority has adopted a resolution giving preliminary approval for the issuance of the Bonds to finance the Development. The Tax Reform Allocation Committee and the North Carolina Housing Finance Agency have allocated bond volume cap to the financing of this Development. The Bonds are expected to be issued in early 2021. The Company will agree to repay the principal, premium, if any, and interest on the Bonds. Neither the Authority nor the City will have any liability whatsoever for the payment of principal or interest on the Bonds, and the Bonds will not affect the City's debt ratios or legal debt limit. Because no taxes or other revenues of the City are pledged to pay these Bonds, the staff of the City has made no financial analysis of the Bonds, the Company or the Development.

BUDGET IMPACT:

There is no direct budget impact by approving this resolution. The City of High Point is participating in this development by providing \$6.5 million in General Obligation bond funding that was approved by voters in November 2019.

RECOMMENDATION / ACTION REQUESTED:

City Council adopt a resolution approving, for purposes of meeting the requirements of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Authority of the City of High Point in an aggregate amount of not to exceed \$11,000,000 of Multifamily Housing Revenue Bonds for Daniel Brooks Phase I.

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY KNOWN AS DANIEL BROOKS PHASE I IN THE CITY OF HIGH POINT, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$11,000,000

WHEREAS, the City Council of the City of High Point (the “City”) met in High Point, North Carolina at 5:30 p.m. on the 2nd day of November, 2020; and

WHEREAS, the Housing Authority of the City of High Point (the “Authority”) has tentatively agreed to assist Daniel Brooks Phase I, LLC, a North Carolina limited liability company, or an affiliated or related entity (the “Company”), in the financing of the acquisition by ground lease of the existing housing development known as Daniel Brooks Homes located at 1407 West Avenue in the City of High Point, North Carolina, which will be demolished, and the construction and equipping of a new 100-unit affordable housing complex (the “Development”) on the subject property, through the issuance of its Multifamily Housing Revenue Bonds (Daniel Brooks), Series 2020, in an aggregate principal amount not to exceed \$11,000,000 (the “Bonds”); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires that any tax-exempt bonds issued by the Authority for the Development may only be issued after approval by the City after a public hearing with respect to such bonds; and

WHEREAS, on October 12, 2020, the Authority held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development, nor shall such approval in any event be construed to obligate the City for the payment of the principal of, premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority or the Company, or to constitute the Bonds or any of the agreements or obligations of the Authority an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever.

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

1. The proposed low and moderate income housing development consisting of the acquisition, construction and equipping of the Development described above in the City by the Company and the issuance of the Authority’s multifamily housing revenue bonds therefore in an amount not to exceed \$11,000,000 are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

Council member _____ moved the passage of the foregoing resolution and Council member _____ seconded the motion, and the resolution was passed by the following vote:

Ayes: Council members _____

Nays: _____

Not voting: _____

* * * * *

CERTIFICATION

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of High Point, North Carolina, in regular session convened on November 2, 2020, the reference having been in Minute Book _____, and recorded in full in Resolution Book _____ Pages _____.

WITNESS my hand and the corporate seal of the City of High Point, North Carolina, this the ____ day of November, 2020.

City Clerk

(SEAL)

Exhibit A

Certificate and Summary of Public Hearing

(Attached)

CERTIFICATE AND SUMMARY

The undersigned Chief Executive Officer and the designated hearing officer of the Housing Authority of the City of High Point hereby certifies:

1. Notice of a public hearing (the “Hearing”) to be held on October 12, 2020, with respect to the issuance of bonds by the Housing Authority of the City of High Point (the “Authority”) for the benefit of Daniel Brooks Phase I, LLC, a North Carolina limited liability company was published on October 4, 2020, in the *High Point Enterprise*. The proceeds of the bonds will be loaned to Daniel Brooks Phase I, LLC and used, together with equity from related 4% low income housing tax credits and other funds, to acquire, construct and equip a new multifamily residential rental development to replace the existing Daniel Brooks Homes.

2. I was the hearing officer for the Hearing.

3. The following is a list of the names and addresses of all persons who spoke at the Hearing: **None**

4. The following is a summary of the oral comments made at the Hearing:

IN WITNESS WHEREOF, my hand and the seal of the Housing Authority of the City of High Point this 12th day of October, 2020.

(SEAL)

By: Angela G. McGill
Angela G. McGill
Hearing Officer

AFFP

NOTICE OF PUBLIC HEARING

Affidavit of Publication

STATE OF NORTH SS
CAROLINA }
COUNTY OF GUILFORD }

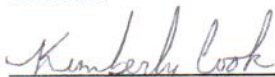
Kimberly Cook, being duly sworn, says:

That she is the billing clerk of the The High Point Enterprise, a daily newspaper of general circulation, printed and published in High Point, Guilford County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on

October 04, 2020

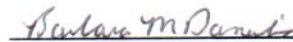
That said newspaper was regularly issued and circulated on those dates.

SIGNED:



the billing clerk

Subscribed to and sworn to me this 4th day of October 2020.



Barbara M Daniels, Notary, Guilford County, North Carolina

My commission expires: February 01, 2022

30140244 30915447

Sonna Green
McGuireWoods
434 Fayetteville Street
Suite 2600
Raleigh, NC 27601



**NOTICE OF PUBLIC
HEARING ON PROPOSED
Multifamily Housing
Revenue Bonds
FINANCING
BY THE HOUSING
AUTHORITY OF THE CITY
OF HIGH POINT**

Notice is hereby given that a Hearing Officer of the Board of Commissioners of the Housing Authority of the City of High Point (the "Authority") will hold a public hearing on its proposed plan to issue multifamily housing revenue bonds in an amount up to \$11,000,000 (the "Bonds") for the financing of the acquisition, construction and equipping by Daniel Brooks Phase I, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Company"), of a low and moderate income multifamily residential rental facility (the "Development") to replace the existing Daniel Brooks Homes located on the subject property, which will be demolished in connection with the development of the Development. The Development will consist of approximately 100 units located in 7 residential buildings on an approximately 9-acre site at 1407 West Avenue in the City of High Point, North Carolina.

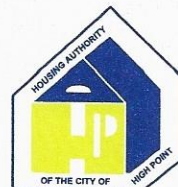
The housing bonds, when and if issued by the Authority, will be issued pursuant to Chapter 157 of the General Statutes of North Carolina and shall not be a debt of the State of North Carolina (the "State"), the Authority, the City of High Point, North Carolina (the "City") or any political subdivision thereof and none of the State, the Authority, the City or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds be payable out of any funds or properties other than those of the Authority derived solely from payments made by the Company.

The public hearing, which may be continued or adjourned, will be held on October 12, 2020, at 10:00 a.m. (or as soon thereafter as the hearing is held) at 500 East Russell Avenue, High Point, North Carolina. Any person interested in the issuance of the Bonds or the Development may appear and be heard at the public hearing. Any person wishing to comment in writing on the Development or the issuance of the Bonds should do so, within seven (7) days after the date of publication of this notice to Angela G. McGill, Chief Executive Officer, Housing Authority of the City of High Point, 500 East Russell Avenue, High Point, NC 27260.

**HOUSING AUTHORITY
OF THE CITY OF
HIGH POINT**

By: Angela G. McGill
Chief Executive Officer
Oct. 4, 2020

HOUSING AUTHORITY OF THE CITY OF HIGH POINT



Angela G. McGill
Chief Executive Officer

October 20, 2020

Randy McCaslin
Interim City Manager
City of High Point
211 S. Hamilton
P.O. Box 230
High Point, NC 27261

Subject: Adopt Bond Resolution Providing Approval of a Multifamily Housing Facility Known as Daniel Brooks Phase I in the City of High Point, North Carolina and the Financing thereof with Multifamily Housing Bonds in an Aggregate Amount not to Exceed \$11,000,000

Dear Mr. McCaslin:

The following background information is being provided in preparation for the adoption of the required Bond Resolution by the City Council of the City of High Point (the "City"), solely to satisfy the requirement of Section 147(f) of the Internal Revenue Code of 1986 for Daniel Brooks Phase I.

Executive Summary

The Housing Authority of the City of High Point ("HPHA") wishes to issue its tax-exempt multifamily housing bonds (the "Bonds") for the benefit of the Daniel Brooks Phase I affordable housing redevelopment project (the "Development"). The project will be spearheaded by HPHA and its private Developer-Partner, Laurel Street Residential, a Charlotte based affordable housing developer. HPHA has agreed to assist Daniel Brooks Phase I, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Company"), which is partially owned by an affiliate of HPHA. The project will utilize the Bonds, Low-Income Housing Tax Credit ("LIHTC") equity and funds of the City and HPHA. As a result of the project, 100 apartment units will be constructed and operated exclusively for low- and moderate-income residents of High Point, North Carolina.

HPHA is requesting that the City approve the Bonds in order to satisfy federal law. The Internal Revenue Code requires that the financing be approved by the City Council after HPHA holds a public hearing regarding the financing.

Participation

HPHA seeks the participation of the City and City Council by the adoption of the attached resolution by City Council, solely to satisfy the requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). In no event shall said adoption of the attached resolution constitute an endorsement of the Bonds or the Development, nor shall such approval in any event be construed to obligate the City for the payment of the principal of, premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the HPHA or the Company, or to constitute the

Bonds or any of the agreements or obligations of the HPHA as an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever.

This will assist HPHA in developing affordable housing within the City of High Point and begin the Daniel Brooks redevelopment project. In addition, the 100 affordable housing units will support the City's objective of increasing the supply of safe, sanitary, decent affordable housing within the City.

Background

Daniel Brooks Phase I is the first phase of the Daniel Brooks Redevelopment Project. Daniel Brooks Phase I will consist of 100 one, two, and three-bedroom units with rents structured to serve households with incomes at or below 60% of area medium income and below with 28 units set aside as Rental Assistance Demonstration ("RAD") units. The demand for units will naturally come from relocated residents coming back to the property and other citizens of the area that need an affordable unit. The unit mix will consist of 32 one-bedroom, 56 two-bedroom, and 12 three-bedroom units targeted to family households at or below 60% AMI with 28 units designated as project-based voucher units through the RAD program.

The site is serviced by the High Point Transit System which has two routes within a quarter of a mile from the site. These routes provide transportation to places of interest such as schools, shopping centers, and the public library. The Daniel Brooks Homes redevelopment is located in a neighborhood experiencing significant private investment that is demonstrably improving the economic character of the area. This investment is coming from the City of High Point, HPHA, and High Point University (HPU).

The project will be financed with a mixture of private and public funds including \$6,513,058 in LIHTC equity, a \$6,500,000 grant from the City of High Point, a \$5,300,000 permanent loan from a private lender, and a \$109,200 loan from HPHA. The projected total development cost is \$18,422,258.

Daniel Brooks Phase I, LLC will be the Borrower/Owner Entity for this phase of the development. The Owner Entity will be composed of an affiliate of the private Developer, an affiliate of HPHA and the LIHTC investor.

HPHA requests that the City authorize this resolution approving the issuance of the multifamily revenue bonds. HPHA preliminarily approved the project on March 11, 2020 by passing an inducement resolution, and HPHA held a public hearing on October 12, 2020.

If additional information is required, please contact me at (336) 878-2375.

Sincerely,



Angela G. McGill
Chief Executive Officer

Enclosures

**RESOLUTION of the HIGH POINT CITY COUNCIL
AUTHORIZING DISPOSAL OF PROPERTY BY PRIVATE SALE**

WHEREAS, the City of High Point (hereinafter the "City") is the owner of real property located at 600 N Hamilton Street, parcel number 189745; 207 E Ray Avenue, parcel number 189756; 209 E Ray Avenue, parcel number 189755; and 211 E Ray Avenue, parcel number 189754 (hereinafter collectively the "Property"); and

WHEREAS, Section 160A-267 of the North Carolina General Statutes sets forth the procedures whereby the City may dispose of property by private negotiation through the adoption of a Resolution and publication of its contents; and

WHEREAS, North Carolina General Statute §160A-267 requires the resolution to be adopted at a regular meeting; and

WHEREAS, North Carolina General Statute §160A-267 states the resolution shall identify the property to be sold; and

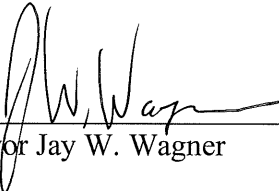
WHEREAS, the City desires to sell the above described property by private sale at a price of \$500,000.00;

THEREFORE, THE HIGH POINT CITY COUNCIL RESOLVES AS FOLLOWS

1. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

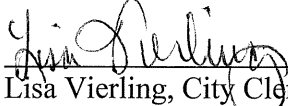
2. The Manager is authorized to execute the document necessary for the private sale of the Property at a price of \$500,000.00, but no sooner than ten (10) days after said publication.

ADOPTED this 2nd day of November, 2020.

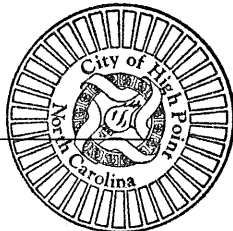


Mayor Jay W. Wagner

Attested to:



Lisa Vierling, City Clerk



CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution Formal Acceptance of Highest Bid – 1114 Tipton Street

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, November 2, 2020

Public Hearing: Not Required

Advertising Date: N/A

Advertised By: N/A

Attachments: Resolution

Purpose/Background:

On August 17, 2020, the City Council adopted a resolution approving the initial bid of \$22,000 and authorizing the upset bid process for the sale property located at 1114 Tipton Street in accordance with §160A-269. Two more bids were made on the property with the highest bid offered by MB Enterprises, LLC in the amount of \$28,500.00.

Budget Impact: None

Recommendation:

Council is requested to adopt a resolution formally accepting the highest bid offer of \$28,500 by MB Enterprises, LLC and directing sale of the property to MB Enterprises, LLC in accordance with N.C.G.S. §160A-269.

**RESOLUTION OF HIGH POINT CITY COUNCIL
FORMALLY ACCEPTING THE HIGHEST BID OFFER
TO PURCHASE 1114 TIPTON STREET**

WHEREAS, The City of High Point (“City”) owns property located at 1114 Tipton Street, High Point, North Carolina, identified as Parcel No. 187490, consisting of approximately 6,098 square feet (0.14 acre) which has a house in need of repairs; (“Property”); and

WHEREAS, the City has previously declared this Property surplus and the City received an offer for the Property in the amount of \$22,000.00 on August 17, 2020, and the proposed buyer made the required deposit with the City; and

WHEREAS, following advertisement for upset bid in accordance with N.C.G.S. 160A-269, the City timely received the following upset bids:

<u>Date Advertised</u>	<u>Date Bid Received</u>	<u>Amount of Bid</u>
August 20, 2020	August 25, 2020	\$26,500.00
September 2, 2020	September 8, 2020	\$28,500.00

WHEREAS, no further upset bids have been made or received since September 8, 2020; and

WHEREAS, the City Council is of the opinion that it is in the best interests of the citizens and residents of the City to formally accept the offer of \$28,500.00 and sell this Property in the matter prescribed by N.C.G.S. §160A-269.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of High Point, North Carolina:

1. hereby accepts the offer of MB Enterprises, LLC to purchase the Property described above in the amount of \$28,500.00.
2. authorizes and directs the Mayor and the City Manager, or either one of them, to do any and all acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to complete this sales transaction in accordance with N.C.G.S. 160A-269.
3. all acts and doings of officers, employees, and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with an in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects, ratified, approved and confirmed.

4. this resolution shall be effective upon its adoption.

Adopted this the 2nd day of November 2020.

Mayor Jay W. Wagner

Lisa B. Vierling,
High Point City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Budget Amendment for Reimbursements & Grants

From: Roslyn McNeill, Budget Analyst

Meeting Date: November 2, 2020

Public Hearing: N/A

Advertising Date /
Advertised By: N/A

Attachments: Budget Ordinance

PURPOSE:

A budget amendment is required to appropriate certain reimbursements and grants received by the Fire Department.

BACKGROUND:

The City of High Point Fire Department has received several reimbursements and grants.

FM Global Fire Prevention grant in the amount of \$1,663 to purchase a hydrocarbon detector.

Insurance reimbursement for a hazardous material call where all equipment and material required disposal in the amount of \$14,480.

CARES Act funding from Guilford County for use at Deep River Fire Station in the amount of \$23,684.

Reimbursement for PPE, chemicals, thermometers, and fogging machines from NC Department of Public Safety in the amount of \$15,349.

BUDGET IMPACT:

There is no City match for this funding.

RECOMMENDATION/ACTION REQUESTED:

The Budget Department recommends and asks the Council to approve the budget amendment.

AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE REIMBURSEMENTS & GRANTS

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The City of High Point Fire Department has received \$55,176 in reimbursements & grants

Section 2. The 2020-2021 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the following Fire Department revenues be amended as follows:

Donations & Contributions	\$ 1,663
Reimbursements	\$ 14,480
Intergovernmental Revenue	\$ 39,033

(B) That the following Fire Department expenditures be amended as follows:

Expendable Tools & Equipment	\$ 1,663
Supplies, Parts & Tools	\$ 29,829
Equipment & Machinery	\$ 23,684

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted: November 2, 2020

CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution Sale of City Owned Property – 652 Wesley Drive

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, November 2, 2020

Public Hearing: Not Required

Advertising Date:

Advertised By:

Attachments: Resolution
Map

Purpose/Background:

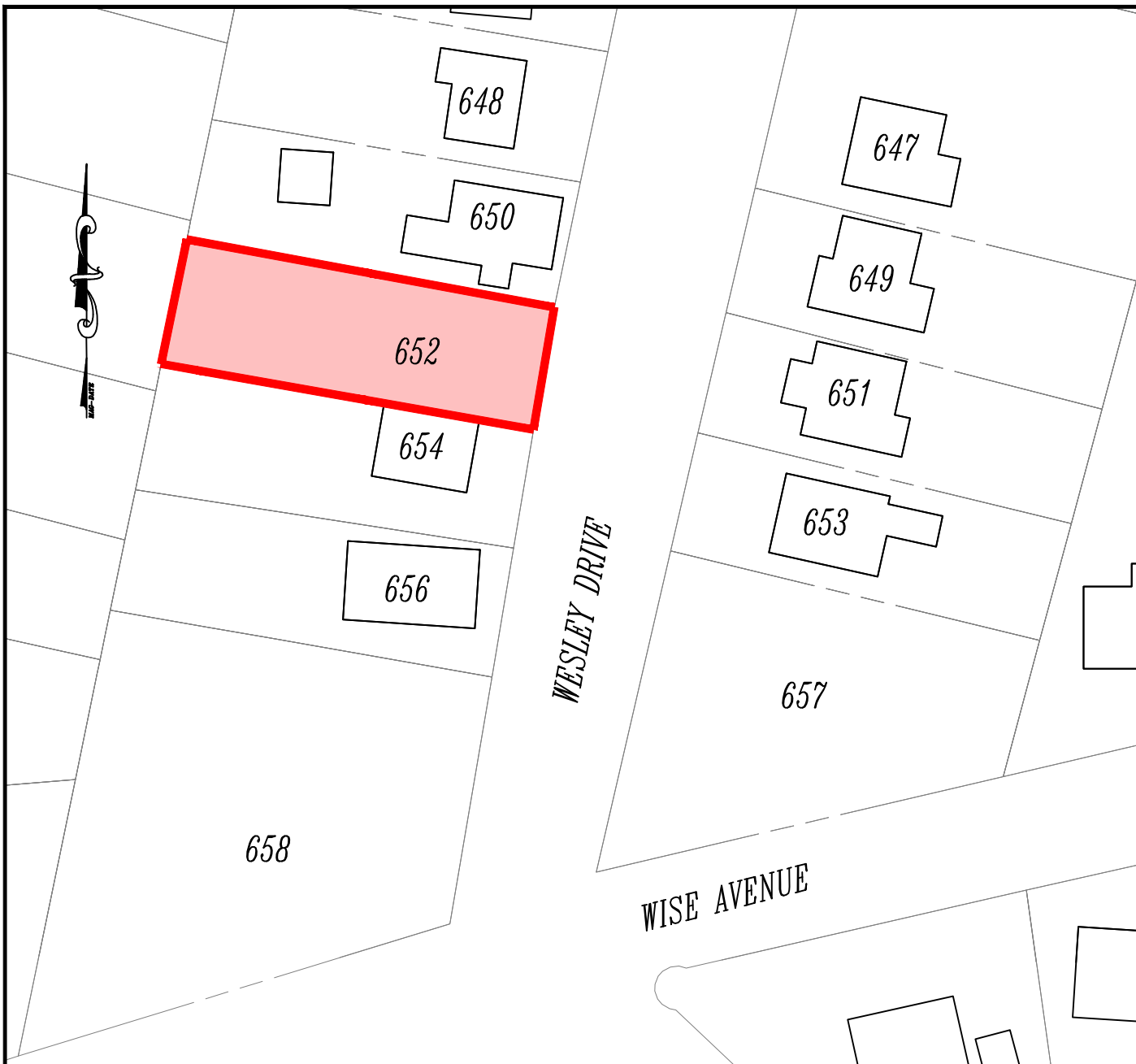
Sergio Hernandez and Rosio Hernandez Basurto have offered a bid of \$4,000 for City owned lot located at 652 Wesley Drive, Parcel No. 176168. The property is approximately 7405 square feet (0.17) acre) in size. The property was recently received by the City from a tax foreclosure. There has been no use by the City since then. The buyer owns the property next door and plans to use as supplemental property to that lot.

Budget Impact:

None

Recommendation:

Council is requested to adopt a resolution accepting the offer of \$4,000.00 and authorizing the sale of the property through the upset bid procedure of N.C.G.S. 160A-269, and direct the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.



VICINITY MAP
N.T.S.



LEGEND

 = PROPERTY BEING SOLD:
652 WESLEY DRIVE

OWNER INFORMATION:

TM: 58-06-11
CITY OF HIGH POINT
DB 8336 PG 719
LOT 26 PB 5 PG 364
GUILFORD REID NO. 176168

THE INFORMATION ON THIS MAP WAS
PREPARED USING DATA FROM THE
CITY OF HIGH POINT GIS SYSTEM

CITY OF HIGH POINT
NORTH CAROLINA
ENGINEERING SERVICES DEPARTMENT

SALE OF PROPERTY OWNED BY
CITY OF HIGH POINT
652 WESLEY DRIVE

SCALE: N.T.S.

BY: JKF

PROJECT: 2560

DATE: OCTOBER 2020

**RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING UPSET BID PROCESS FOR CITY PROPERTY
LOCATED AT 652 WESLEY DRIVE, HIGH POINT, NC**

WHEREAS, The City of High Point (“City”) owns a lot consisting of approximately 7405 square feet (0.17 acre) in size identified as Parcel No. 176168, 652 Wesley Drive, High Point, North Carolina (“Property”); and

WHEREAS, North Carolina Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, Sergio Hernandez and Rosio Hernandez Basurto have submitted an offer in the amount of \$4,000 (“Offer”) for the Property, and paid the required five percent (5%) deposit on their offer;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of High Point, North Carolina:

1. Authorizes sale of the Property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property, the amount of the offer, and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day notice period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier’s check, or certified check. The city will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that

- the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed; and
- the buyer must pay with cash at the time of closing.

8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

9. If no qualifying upset bid is received after the initial public notice, the Offer set forth above is hereby accepted. The appropriate city officials are authorized to execute the instruments necessary to convey the Property to Sergio Hernandez and Rosio Hernandez Basurto.

Adopted this the 2nd day of November, 2020.

Mayor Jay W. Wagner

Lisa B. Vierling,
High Point City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Contract Award: Contract for Lindsay Street Parking Lot Paving Project.

From: Tim McKinney, Facility Services

Meeting Date: November 2, 2020

Public Hearing: N/A

Advertising Date: October 5, 2020

Advertised By:
COHP Website

Attachments: Departmental
Recommendation/Bid Tabulation

PURPOSE:

City Council is asked to award a contract to Sharpe Bros. for the paving of the Lindsay Street parking area that is presently a gravel lot in the amount of \$83,057.61.

BACKGROUND:

Paving the lot will provide approximately 130 parking spaces to include ADA parking and will provide a more permanent parking area for stadium and downtown use.

BUDGET IMPACT:

Funds are available for this project from the City.

RECOMMENDATION / ACTION REQUESTED:

The Facility Maintenance Services Department requests that Council approve the contract award to Sharpe Bros. in the amount of **\$83,057.61**

Bid Tabulation

City of High Point, North Carolina
Lindsay Street Parking Lot Paving Project
Bid 7015-102820 / Wednesday, 10/28/20 2:00 PM

Contractor	Addendum	Bid Bond	Proposal Form	Total Bid
APAC - Atalntic, Inc.	Yes	Yes	Yes	\$83,838.00
Hanes Construction	Yes	Yes	Yes	\$85,984.75
Ruston Paving Co. Inc.	Yes	Yes	Yes	\$88,000.50
Sharpe Bros.	Yes	Yes	Yes	\$83,057.61
Triangle Grading and Paving	Yes	Yes	Yes	\$106,568.00
Trull Conatracting, LLC	Yes	Yes	Yes	\$104,511.00
Turner Asphalt	Yes	Yes	Yes	\$104,217.00



DEPARTMENT RECOMMENDATION
Informal Bid(s)

DEPARTMENT:

COUNCIL DATE:

BID #:

DATE OPENED:

DESCRIPTION:

PURPOSE:

COMMENTS:

RECOMMEND AWARD TO:

AMOUNT:

JUSTIFICATION:

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD:

DATE:

PURCHASING MANAGER:

DATE:

FINANCIAL SERVICES DIRECTOR:

DATE:

(\$30,000 - \$89,999)

CITY MANAGER:

DATE:

(\$90,000+)

**RESOLUTION OF HIGH POINT CITY COUNCIL
FORMALLY ACCEPTING THE HIGHEST BID OFFER
TO PURCHASE 1114 TIPTON STREET**

WHEREAS, The City of High Point (“City”) owns property located at 1114 Tipton Street, High Point, North Carolina, identified as Parcel No. 187490, consisting of approximately 6,098 square feet (0.14 acre) which has a house in need of repairs; (“Property”); and

WHEREAS, the City has previously declared this Property surplus and the City received an offer for the Property in the amount of \$22,000.00 on August 17, 2020, and the proposed buyer made the required deposit with the City; and

WHEREAS, following advertisement for upset bid in accordance with N.C.G.S. 160A-269, the City timely received the following upset bids:

<u>Date Advertised</u>	<u>Date Bid Received</u>	<u>Amount of Bid</u>
August 20, 2020	August 25, 2020	\$26,500.00
September 2, 2020	September 8, 2020	\$28,500.00

WHEREAS, no further upset bids have been made or received since September 8, 2020; and

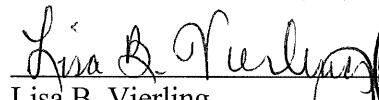
WHEREAS, the City Council is of the opinion that it is in the best interests of the citizens and residents of the City to formally accept the offer of \$28,500.00 and sell this Property in the matter prescribed by N.C.G.S. §160A-269.

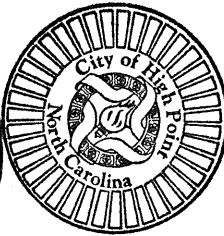
NOW THEREFORE BE IT RESOLVED that the City Council of the City of High Point, North Carolina:

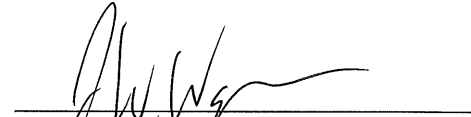
1. hereby accepts the offer of MB Enterprises, LLC to purchase the Property described above in the amount of \$28,500.00.
2. authorizes and directs the Mayor and the City Manager, or either one of them, to do any and all acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to complete this sales transaction in accordance with N.C.G.S. 160A-269.
3. all acts and doings of officers, employees, and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with an in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects, ratified, approved and confirmed.

4. this resolution shall be effective upon its adoption.

Adopted this the 2nd day of November 2020.


Lisa B. Vierling,
High Point City Clerk




Mayor Jay W. Wagner

CITY OF HIGH POINT

AGENDA ITEM



Title: Sale of City property currently housing the Roy B. Culler, Jr. Senior Center

From: Greg Ferguson, Assistant City Manager

Meeting Date: November 2, 2020

Public Hearing: NA

Advertising Date /
Advertised By: NA

Attachments: Memorandum

PURPOSE:

The City of High Point has identified a larger and more modern space to relocate the Roy B. Culler, Jr. Senior Center (Center) for a temporary period while continuing the search and planning for a new permanent Senior Center, as approved in the 2019 General Obligation Bond Referendum.

Upon relocation to a new temporary space, the City does not plan to reoccupy the current facility. The property has been identified for expansion of certain space needed by the Nido & Mariana Qubein Children's Museum (Museum).

City Council must approve any sale of City property.

BACKGROUND:

The existing Senior Center is lacking in space and function and is planned to be replaced with a permanent center funded by the proceeds from the 2019 General Obligation Bond Referendum. The search is ongoing for the right location.

High Point University has agreed to lease the High Point University Community Center, located at Oak Hollow Mall to the City of High Point for a temporary location for the Senior Center. This lease would be for a period of up to five years, to allow the City time to locate, plan and construct a permanent facility. The lease would be at no cost to the City, except for operational and utility costs, to be paid directly by the City.

The Museum wishes to purchase the lots shown that are part of the current Center property and that are identified as tax parcel numbers 189745 (600 N. Hamilton), 189756 (207 E. Ray Av.), 189755 (209 E. Ray Av.), 189754 (211 E. Ray Av.).

The combined tax value of the four parcels is \$793,600 according to Guilford County.

BUDGET IMPACT:

\$500,000 payment to the City of High Point.

RECOMMENDATION / ACTION REQUESTED:

City Council is requested to approve by resolution, the sale of the property to the Nido & Mariana Qubein Children’s Museum, consistent with the terms as reflected above to allow for the expansion of the museum space.

Additional background information

Value of leased space at HPU Community Center

The space is roughly 35,000 sf at a lease rate of \$4 = \$140,000/yr.

The lease would be for five years = \$700,000

The Senior Center and surrounding parcels listed as:

- 600 N Hamilton Street, parcel #189745 consisting of ± 1.03 acres and ±11,400sf
- 207 E Ray Avenue, parcel #189756 consisting of ±.23 acres
- 209 E Ray Avenue, parcel #189755 consisting of ±.21 acres
- 211 E Ray Avenue, parcel #189754 consisting of ±.20 acres

Tax value for the above is approximately \$793,600

Summary: The lease has a value of \$700,000 with proposed sale price of \$500,000 for existing facility.

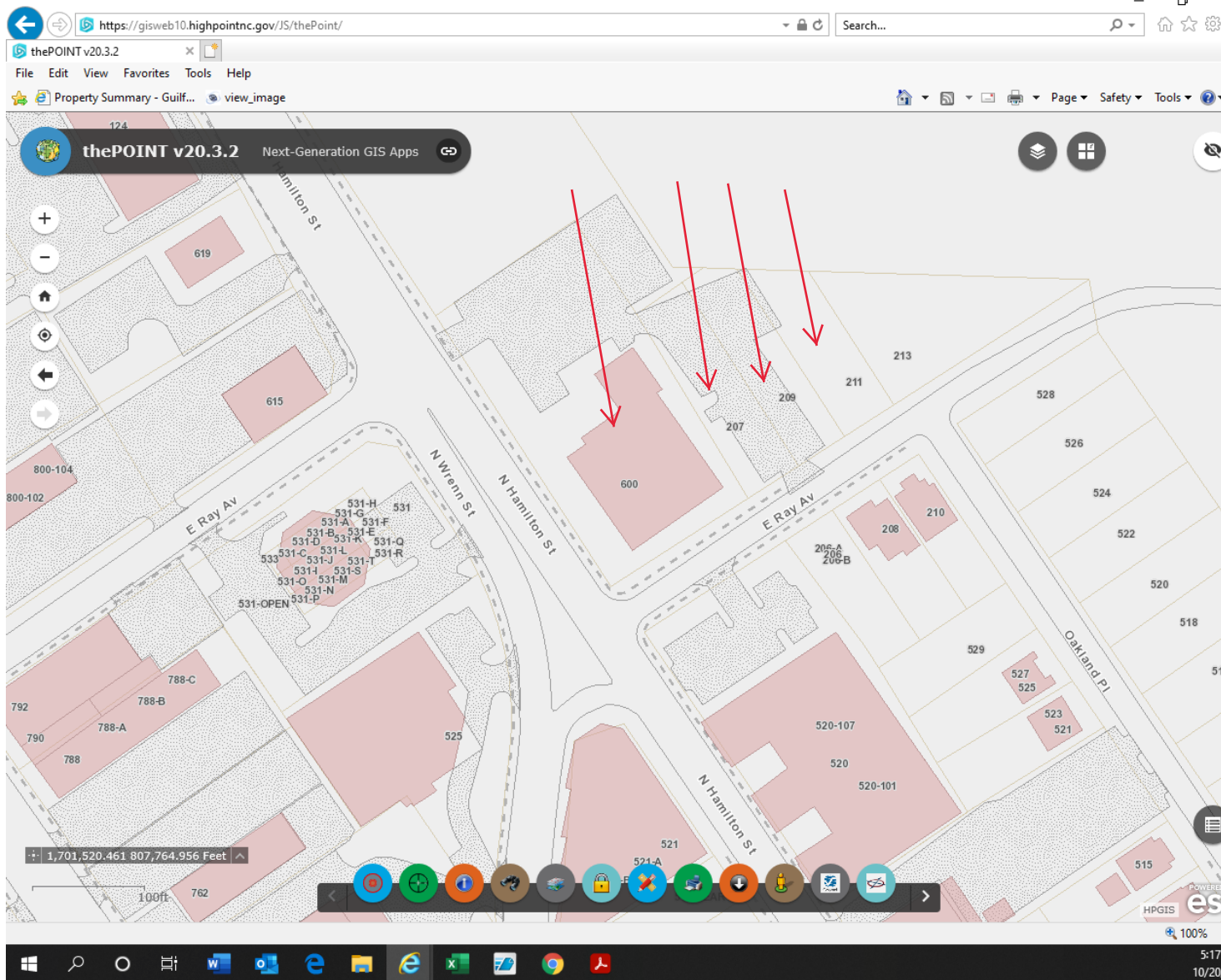
Operating costs for both facilities should be comparable with the exception of utilities, due to the larger total square footage. Utility costs will likely be about double on a yearly basis; however this is only a portion of the annual total operating, programming and maintenance costs that average about \$129,000 during a typical year.

Utility costs at HPU Community Center vs. Current Center

Monthly avg	4,407.03	for 31 months
Yearly avg.	\$52,884.39	

Three-year cost for utilities at current Senior Center

\$27,021	\$25,549	\$23,933
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**RESOLUTION of the HIGH POINT CITY COUNCIL
AUTHORIZING DISPOSAL OF PROPERTY BY PRIVATE SALE**

WHEREAS, the City of High Point (hereinafter the “City”) is the owner of real property located at 600 N Hamilton Street, parcel number 189745; 207 E Ray Avenue, parcel number 189756; 209 E Ray Avenue, parcel number 189755; and 211 E Ray Avenue, parcel number 189754 (hereinafter collectively the “Property”); and

WHEREAS, Section 160A-267 of the North Carolina General Statutes sets forth the procedures whereby the City may dispose of property by private negotiation through the adoption of a Resolution and publication of its contents; and

WHEREAS, North Carolina General Statute §160A-267 requires the resolution to be adopted at a regular meeting; and

WHEREAS, North Carolina General Statute §160A-267 states the resolution shall identify the property to be sold; and

WHEREAS, the City desires to sell the above described property by private sale at a price of \$500,000.00;

THEREFORE, THE HIGH POINT CITY COUNCIL RESOLVES AS FOLLOWS

1. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

2. The Manager is authorized to execute the document necessary for the private sale of the Property at a price of \$500,000.00, but no sooner than ten (10) days after said publication.

ADOPTED this 2nd day of November, 2020.

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution Sale of City Owned Property – 622 Wesley Drive

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, November 2, 2020

Public Hearing: Not Required

Advertising Date:

Advertised By:

Attachments: Resolution
Map

Purpose/Background:

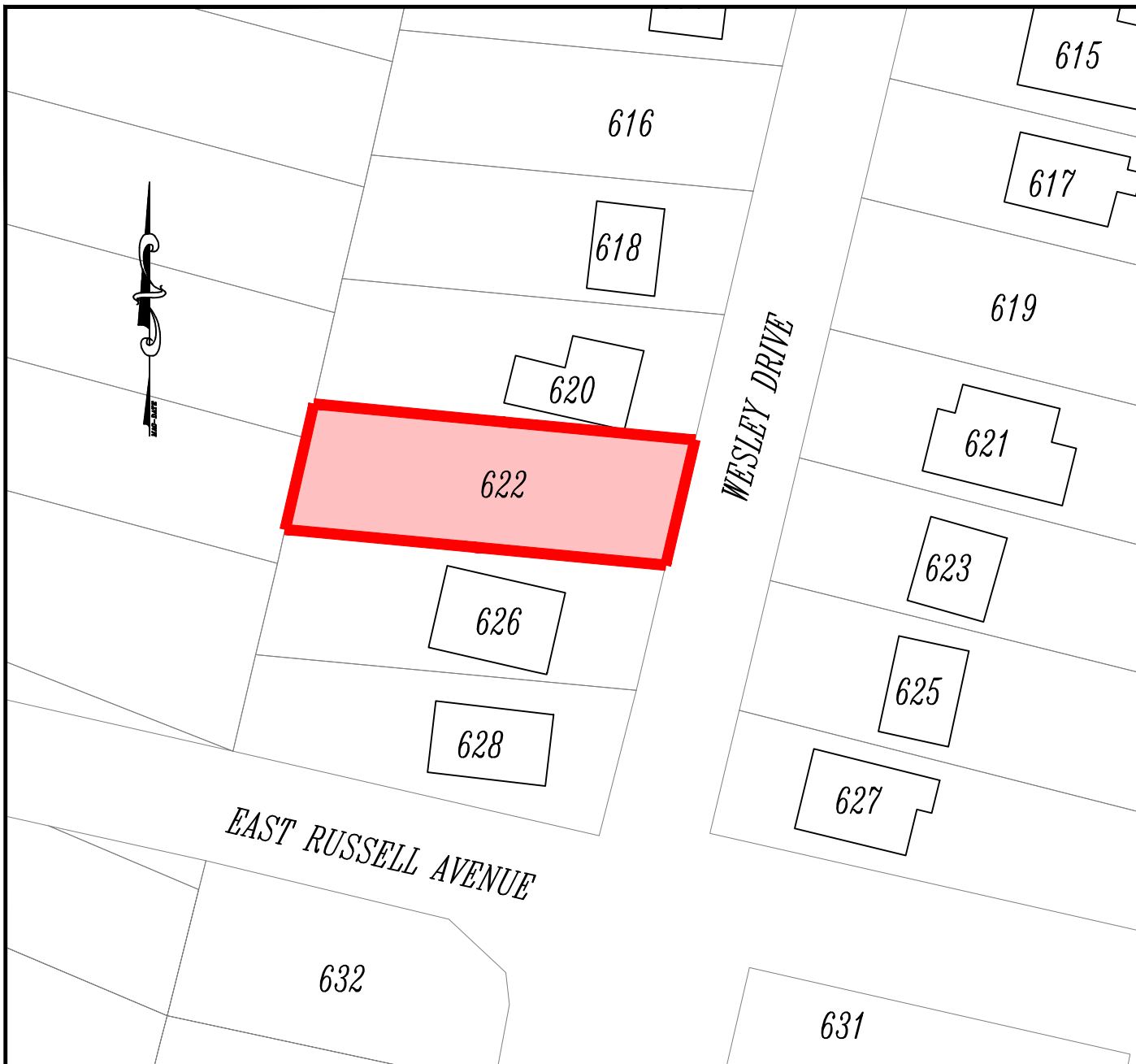
Jeffrey and Karen Harmon have offered a bid of \$4,000 for City owned lot located at 622 Wesley Drive, Parcel No. 175116. The property is approximately 7840 square feet (0.18) acre) in size. The property was received by the City in 1940 from a tax foreclosure. There has been no use by the City since then. The buyer owns the property next door and plans to use as supplemental property to that lot.

Budget Impact:

None

Recommendation:

Council is requested to adopt a resolution accepting the offer of \$4,000.00 and authorizing the sale of the property through the upset bid procedure of N.C.G.S. 160A-269, and direct the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.



VICINITY MAP
N.T.S.



LEGEND

- PROPERTY BEING SOLD:
622 WESLEY DRIVE

OWNER INFORMATION:

TM: 48-18-16
CITY OF HIGH POINT
DB 909 PG 107
LOT 12 PB 5 PG 364
GUILFORD REID NO. 175116

THE INFORMATION ON THIS MAP WAS
PREPARED USING DATA FROM THE
CITY OF HIGH POINT GIS SYSTEM

CITY OF HIGH POINT
NORTH CAROLINA
ENGINEERING SERVICES DEPARTMENT

SALE OF PROPERTY OWNED BY
CITY OF HIGH POINT
622 WESLEY DRIVE

SCALE: N.T.S.

BY: JKF

PROJECT: 2559

DATE: OCTOBER 2020

**RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING UPSET BID PROCESS FOR CITY PROPERTY
LOCATED AT 622 WESLEY DRIVE, HIGH POINT, NC**

WHEREAS, The City of High Point (“City”) owns a lot consisting of approximately 7840 square feet (0.18 acre) in size identified as Parcel No. 175116, 622 Wesley Drive, High Point, North Carolina (“Property”); and

WHEREAS, North Carolina Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, Jeffrey and Karen Harmon have submitted an offer in the amount of \$4,000.00 (“Offer”) for the Property, and paid the required five percent (5%) deposit on their Offer;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of High Point, North Carolina:

1. Authorizes sale of the Property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property, the amount of the offer, and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day notice period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier’s check, or certified check. The city will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that

- the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed; and
- the buyer must pay with cash at the time of closing.

8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

9. If no qualifying upset bid is received after the initial public notice, the Offer set forth above is hereby accepted. The appropriate city officials are authorized to execute the instruments necessary to convey the Property to Jeffrey and Karen Harmon.

Adopted this the 2nd day of November, 2020.

Mayor Jay W. Wagner

Lisa B. Vierling,
High Point City Clerk

ORDINANCE

AN ORDINANCE REQUIRING THE BUILDING INSPECTOR OF THE CITY OF HIGH POINT TO DEMOLISH CERTAIN PROPERTY PURSUANT TO ARTICLE 19 OF THE GENERAL STATUTES OF NORTH CAROLINA; AND, TITLE 9, CHAPTER 11, ARTICLE E, OF THE MINIMUM HOUSING CODE OF THE CITY OF HIGH POINT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1: That the City Council of the City of High Point finds as a fact that the following described property has been ordered to be demolished, and it further finds as a fact that the owner has been ordered to demolish said building at his expense and said Owner has failed to comply with said order.

SECTION 2: That the Inspector of the City of High Point is hereby authorized and directed to proceed with the demolition of the following described building in accordance with code of Ordinances: and, Article 19 of Chapter 160A of the General Statutes of North Carolina.

PROPERTY LOCATION

OWNER (S)

1220 Carter St.

T & S Investment Properties
1 Hinkle St.
Thomasville, NC 27360

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

SECTION 4: That this ordinance shall become effective from and after its passage as by Law provided.

Adopted by City Council,
This the 3rd day of February, 2020

Lisa B. Vierling, City Clerk

ORDINANCE

AN ORDINANCE REQUIRING THE BUILDING INSPECTOR OF THE CITY OF HIGH POINT TO DEMOLISH CERTAIN PROPERTY PURSUANT TO ARTICLE 19 OF THE GENERAL STATUTES OF NORTH CAROLINA; AND, TITLE 9, CHAPTER 11, ARTICLE E, OF THE MINIMUM HOUSING CODE OF THE CITY OF HIGH POINT.

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SECTION 2: That the Inspector of the City of High Point is hereby authorized and directed to proceed with the demolition of the following described building in accordance with code of Ordinances: and, Article 19 of Chapter 160A of the General Statutes of North Carolina.

PROPERTY LOCATION

OWNER (S)

1220 Carter St.

T & S Investment Properties
1 Hinkle St.
Thomasville, NC 27360

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

SECTION 4: That this ordinance shall become effective from and after its passage as by Law provided.

Adopted by City Council,
This the 3rd day of February, 2020

Lisa B. Vierling, City Clerk

City Clerk's Office

Mary Brooks

DEPUTY CITY CLERK



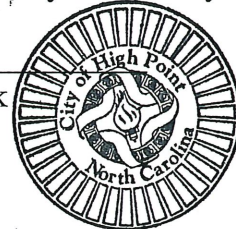
City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Ordinance adopted by the City Council in official Session on February 3, 2020 and upon approval by City Council will be recorded in Book 95 of the Official Minute Books and Ordinance Book Volume XXI, Ordinance No. 7592/20-008, page 8, Legislative File No. 2020-41 of this City, under my care, custody and control. As of this date, action to adopt said Ordinance has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 4th day of February 2020.

Lisa B. Vierling
Lisa B. Vierling, City Clerk

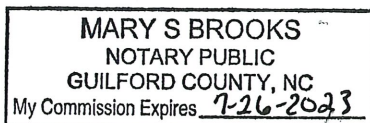


ACKNOWLEDGEMENT

I, Mary S. Brooks, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling, is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 4th day of February 2020.

Mary S. Brooks
Mary S. Brooks, Notary Public



Commission Expires: 7/26/2023

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY KNOWN AS DANIEL BROOKS PHASE I IN THE CITY OF HIGH POINT, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$11,000,000

WHEREAS, the City Council of the City of High Point (the "City") met in High Point, North Carolina at 5:30 p.m. on the 2nd day of November, 2020; and

WHEREAS, the Housing Authority of the City of High Point (the "Authority") has tentatively agreed to assist Daniel Brooks Phase I, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Company"), in the financing of the acquisition by ground lease of the existing housing development known as Daniel Brooks Homes located at 1407 West Avenue in the City of High Point, North Carolina, which will be demolished, and the construction and equipping of a new 100-unit affordable housing complex (the "Development") on the subject property, through the issuance of its Multifamily Housing Revenue Bonds (Daniel Brooks), Series 2020, in an aggregate principal amount not to exceed \$11,000,000 (the "Bonds"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any tax-exempt bonds issued by the Authority for the Development may only be issued after approval by the City after a public hearing with respect to such bonds; and

WHEREAS, on October 12, 2020, the Authority held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development, nor shall such approval in any event be construed to obligate the City for the payment of the principal of, premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority or the Company, or to constitute the Bonds or any of the agreements or obligations of the Authority an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever.

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

1. The proposed low and moderate income housing development consisting of the acquisition, construction and equipping of the Development described above in the City by the Company and the issuance of the Authority's multifamily housing revenue bonds therefore in an amount not to exceed \$11,000,000 are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

Council member Britt Moore moved the passage of the foregoing resolution and Council member Wesley Hudson seconded the motion, and the resolution was passed by the following vote:

Ayes: Mayor Jay Wagner, Mayor Pro Tem Christopher Williams, and Council members: Britt W. Moore, Tyrone E. Johnson, Cyril Jefferson, Monica Peters, Wesley Hudson, Victor Jones, and Michael A. Holmes

Nays: None

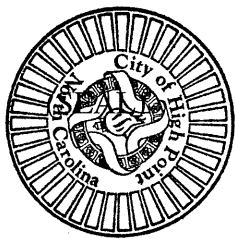
Not voting: 0

* * * * *

CERTIFICATION

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of High Point, North Carolina, in regular session convened on November 2, 2020, the reference having been in Minute Book 95, and recorded in full in Resolution Book XX Pages 169, Resolution No. 1940/20-29.

WITNESS my hand and the corporate seal of the City of High Point, North Carolina, this the 2nd day of November, 2020.



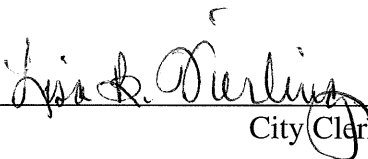

City Clerk

Exhibit A

Certificate and Summary of Public Hearing

(Attached)

CERTIFICATE AND SUMMARY

The undersigned Chief Executive Officer and the designated hearing officer of the Housing Authority of the City of High Point hereby certifies:

1. Notice of a public hearing (the "Hearing") to be held on October 12, 2020, with respect to the issuance of bonds by the Housing Authority of the City of High Point (the "Authority") for the benefit of Daniel Brooks Phase I, LLC, a North Carolina limited liability company was published on October 4, 2020, in the *High Point Enterprise*. The proceeds of the bonds will be loaned to Daniel Brooks Phase I, LLC and used, together with equity from related 4% low income housing tax credits and other funds, to acquire, construct and equip a new multifamily residential rental development to replace the existing Daniel Brooks Homes.

2. I was the hearing officer for the Hearing.

3. The following is a list of the names and addresses of all persons who spoke at the Hearing: **None**

4. The following is a summary of the oral comments made at the Hearing:

IN WITNESS WHEREOF, my hand and the seal of the Housing Authority of the City of High Point this 12th day of October, 2020.

(SEAL)

By: Angela H. McGill

Angela G. McGill
Hearing Officer

AFFP

NOTICE OF PUBLIC HEARING

Affidavit of Publication

STATE OF NORTH SS
CAROLINA }
COUNTY OF GUILFORD }

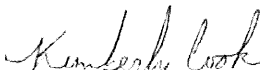
Kimberly Cook, being duly sworn, says:

That she is the billing clerk of the The High Point Enterprise, a daily newspaper of general circulation, printed and published in High Point, Guilford County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on

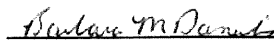
October 04, 2020

That said newspaper was regularly issued and circulated on those dates.

SIGNED:


the billing clerk

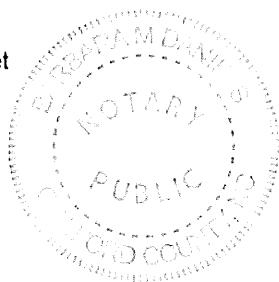
Subscribed to and sworn to me this 4th day of October 2020.


Barbara M Daniels, Notary, Guilford County, North Carolina

My commission expires: February 01, 2022

30140244 30915447

Sonna Green
McGuireWoods
434 Fayetteville Street
Suite 2600
Raleigh, NC 27601



NOTICE OF PUBLIC
HEARING ON PROPOSED
Multifamily Housing
Revenue Bonds
FINANCING
BY THE HOUSING
AUTHORITY OF THE CITY
OF HIGH POINT

Notice is hereby given that a Hearing Officer of the Board of Commissioners of the Housing Authority of the City of High Point (the "Authority") will hold a public hearing on its proposed plan to issue multifamily housing revenue bonds in an amount up to \$11,000,000 (the "Bonds") for the financing of the acquisition, construction and equipping by Daniel Brooks Phase I, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Company"), of a low and moderate income multifamily residential rental facility (the "Development") to replace the existing Daniel Brooks Homes located on the subject property, which will be demolished in connection with the development of the Development. The Development will consist of approximately 100 units located in 7 residential buildings on an approximately 9-acre site at 1407 West Avenue in the City of High Point, North Carolina.

The housing bonds, when and if issued by the Authority, will be issued pursuant to Chapter 157 of the General Statutes of North Carolina and shall not be a debt of the State of North Carolina (the "State"), the Authority, the City of High Point, North Carolina (the "City") or any political subdivision thereof and none of the State, the Authority, the City or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds be payable out of any funds or properties other than those of the Authority derived solely from payments made by the Company.

The public hearing, which may be continued or adjourned, will be held on October 12, 2020, at 10:00 a.m. (or as soon thereafter as the hearing is held) at 500 East Russell Avenue, High Point, North Carolina. Any person interested in the issuance of the Bonds or the Development may appear and be heard at the public hearing. Any person wishing to comment in writing on the Development or the issuance of the Bonds should do so, within seven (7) days after the date of publication of this notice to Angela G. McGill, Chief Executive Officer, Housing Authority of the City of High Point, 500 East Russell Avenue, High Point, NC 27260.

HOUSING AUTHORITY
OF THE CITY OF
HIGH POINT

By: Angela G. McGill
Chief Executive Officer
Oct. 4, 2020

Angela G. McGill
Chief Executive Officer

HOUSING AUTHORITY OF THE CITY OF HIGH POINT



October 20, 2020

Randy McCaslin
Interim City Manager
City of High Point
211 S. Hamilton
P.O. Box 230
High Point, NC 27261

Subject: Adopt Bond Resolution Providing Approval of a Multifamily Housing Facility Known as Daniel Brooks Phase I in the City of High Point, North Carolina and the Financing thereof with Multifamily Housing Bonds in an Aggregate Amount not to Exceed \$11,000,000

Dear Mr. McCaslin:

The following background information is being provided in preparation for the adoption of the required Bond Resolution by the City Council of the City of High Point (the "City"), solely to satisfy the requirement of Section 147(f) of the Internal Revenue Code of 1986 for Daniel Brooks Phase I.

Executive Summary

The Housing Authority of the City of High Point ("HPHA") wishes to issue its tax-exempt multifamily housing bonds (the "Bonds") for the benefit of the Daniel Brooks Phase I affordable housing redevelopment project (the "Development"). The project will be spearheaded by HPHA and its private Developer-Partner, Laurel Street Residential, a Charlotte based affordable housing developer. HPHA has agreed to assist Daniel Brooks Phase I, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Company"), which is partially owned by an affiliate of HPHA. The project will utilize the Bonds, Low-Income Housing Tax Credit ("LIHTC") equity and funds of the City and HPHA. As a result of the project, 100 apartment units will be constructed and operated exclusively for low- and moderate-income residents of High Point, North Carolina.

HPHA is requesting that the City approve the Bonds in order to satisfy federal law. The Internal Revenue Code requires that the financing be approved by the City Council after HPHA holds a public hearing regarding the financing.

Participation

HPHA seeks the participation of the City and City Council by the adoption of the attached resolution by City Council, solely to satisfy the requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). In no event shall said adoption of the attached resolution constitute an endorsement of the Bonds or the Development, nor shall such approval in any event be construed to obligate the City for the payment of the principal of, premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the HPHA or the Company, or to constitute the

Bonds or any of the agreements or obligations of the HPHA as an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever.

This will assist HPHA in developing affordable housing within the City of High Point and begin the Daniel Brooks redevelopment project. In addition, the 100 affordable housing units will support the City's objective of increasing the supply of safe, sanitary, decent affordable housing within the City.

Background

Daniel Brooks Phase I is the first phase of the Daniel Brooks Redevelopment Project. Daniel Brooks Phase I will consist of 100 one, two, and three-bedroom units with rents structured to serve households with incomes at or below 60% of area medium income and below with 28 units set aside as Rental Assistance Demonstration ("RAD") units. The demand for units will naturally come from relocated residents coming back to the property and other citizens of the area that need an affordable unit. The unit mix will consist of 32 one-bedroom, 56 two-bedroom, and 12 three-bedroom units targeted to family households at or below 60% AMI with 28 units designated as project-based voucher units through the RAD program.

The site is serviced by the High Point Transit System which has two routes within a quarter of a mile from the site. These routes provide transportation to places of interest such as schools, shopping centers, and the public library. The Daniel Brooks Homes redevelopment is located in a neighborhood experiencing significant private investment that is demonstrably improving the economic character of the area. This investment is coming from the City of High Point, HPHA, and High Point University (HPU).

The project will be financed with a mixture of private and public funds including \$6,513,058 in LIHTC equity, a \$6,500,000 grant from the City of High Point, a \$5,300,000 permanent loan from a private lender, and a \$109,200 loan from HPHA. The projected total development cost is \$18,422,258.

Daniel Brooks Phase I, LLC will be the Borrower/Owner Entity for this phase of the development. The Owner Entity will be composed of an affiliate of the private Developer, an affiliate of HPHA and the LIHTC investor.

HPHA requests that the City authorize this resolution approving the issuance of the multifamily revenue bonds. HPHA preliminarily approved the project on March 11, 2020 by passing an inducement resolution, and HPHA held a public hearing on October 12, 2020.

If additional information is required, please contact me at (336) 878-2375.

Sincerely,



Angela G. McGill
Chief Executive Officer

Enclosures

CITY OF HIGH POINT

AGENDA ITEM



Title: Lease of space for the temporary relocation of the Roy B. Culler, Jr. Senior Center

From: Greg Ferguson, Assistant City Manager

Meeting Date: November 2, 2020

Public Hearing: NA

**Advertising Date /
Advertised By:** NA

Attachments: Memorandum

PURPOSE:

The City of High Point has identified a larger and more modern space to relocate the Roy B. Culler, Jr. Senior Center (Center) for a temporary period while continuing the search and planning for a new permanent Senior Center, as approved in the 2019 General Obligation Bond Referendum. City Council must approve any lease of temporary space.

BACKGROUND:

The existing Center is lacking in space and function and is planned to be replaced with a permanent center funded by the proceeds from the 2019 General Obligation Bond Referendum. The search is ongoing for the right location.

High Point University has agreed to lease the High Point University Community Center, located at Oak Hollow Mall (921 Eastchester Dr.) to the City of High Point for a temporary location for the Senior Center. This lease would be for a period of up to five years, to allow the City time to locate, plan and construct a permanent facility.

The lease would be at no cost to the City, except for operational and utility costs, to be paid directly by the City.

BUDGET IMPACT:

Increase in operating costs as detailed in memorandum.

RECOMMENDATION / ACTION REQUESTED:

City Council is requested to approve the signing of a lease with High Point University consistent with the terms as reflected above.

Additional background information

Value of leased space at HPU Community Center

The space is roughly 35,000 s.f. at a lease rate of \$4 = \$140,000/yr.

The lease would be for five years = \$700,000

The Senior Center and surrounding parcels listed as:

- 600 N Hamilton Street, parcel #189745 consisting of ± 1.03 acres and $\pm 11,400$ sf
- 207 E Ray Avenue, parcel #189756 consisting of $\pm .23$ acres
- 209 E Ray Avenue, parcel #189755 consisting of $\pm .21$ acres
- 211 E Ray Avenue, parcel #189754 consisting of $\pm .20$ acres

Tax value for the above is approximately \$793,600

Summary: The lease has a value of \$700,000 with proposed sale price of \$500,000 for existing facility.

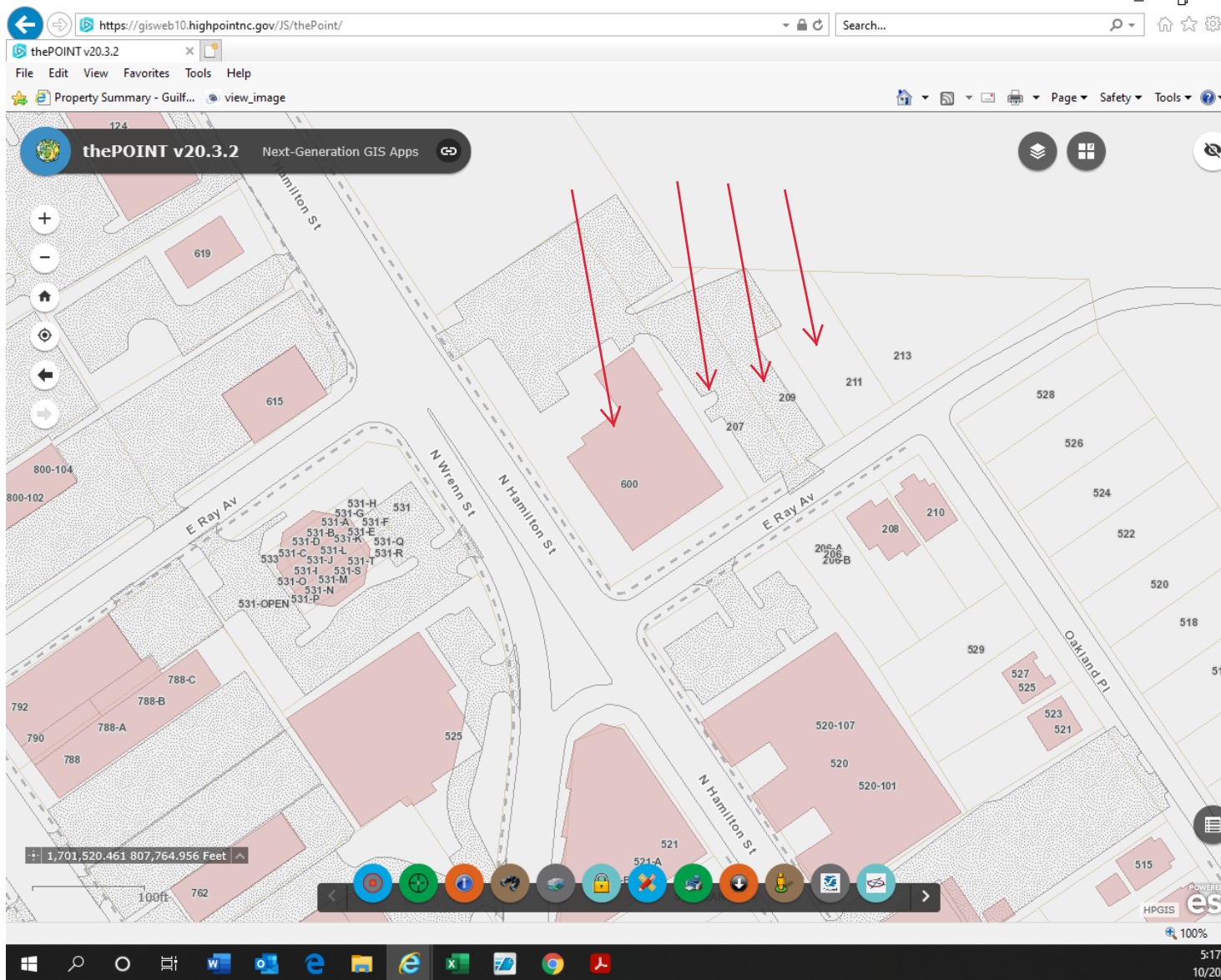
Operating costs for both facilities should be comparable with the exception of utilities, due to the larger total square footage. Utility costs will likely be about double on a yearly basis, however this is only a portion of the annual total operating, programming and maintenance costs that average about \$129,000 during a typical year.

Utility costs at HPU Community Center vs. Current Center

Monthly avg	4,407.03	for 31 months
Yearly avg.	\$52,884.39	

Three-year cost for utilities at current Senior Center

\$27,021	\$25,549	\$23,933
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CITY OF HIGH POINT

AGENDA ITEM



Title: Conveyance of Property to Core City CDC – 2111 Little Avenue

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, November 2, 2020

Public Hearing: Not Required

Advertising Date:

Advertised By:

Attachments: Resolution

Purpose:

In order to continue infill housing development, Council is requested to approve the conveyance of 2111 Little Avenue to Core City CDC (“CDC”). The Council’s approval of the conveyance will contain two restrictions: (1) The CDC cannot convey the 2111 Little Avenue property to a for-profit entity and (2) the CDC must reimburse the City for any costs which the City has paid related to the construction of the property, exclusive of the cost of the land.

Budget Impact:

There is no budget impact.

Recommendation:

Adoption of the Resolution of Conveyance of the real property located at 2111 Little Avenue to the Core City CDC with the restrictions that the CDC not convey the 2111 Little Avenue property to a for-profit entity and that the CDC must reimburse the City for any costs which the City has paid related to the construction of the property, exclusive of the cost of the land. In addition, Council is requested to provide authorization that the appropriate City official and/or employee be authorized to execute any and all necessary documents.

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns the real property located at 2111 Little Avenue in the City of High Point and more particularly described in Deed Book 8095, Page 3005 of the Guilford County Registry (“Property”); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds;

WHEREAS, the City of High Point has negotiated with Core City CDC and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point and the Core City CDC’s agreement to: (1) not convey the Property to a for-profit entity and (2) to reimburse the City for any costs which the City has paid related to the construction of the property, exclusive of the cost of the land; and

WHEREAS, the City of High Point

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 2111 Little Avenue in the City of High Point, and is more particularly described in Deed Book 8095, Page 3005 of the Guilford County Registry.

2. The consideration of the conveyance is Core City CDC’s agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. Further consideration is the Core City CDC’s agreement to: (1) not convey the Property to a for-profit entity and (2) to reimburse the City for any costs which the City has paid related to the construction of the property, exclusive of the cost of the land. If for any reason the property ceases to be used for a “public” purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice and the fulfillment of the Core City CDC’s requirements as above set forth in Paragraph 2.

ADOPTED this the 2nd day of November, 2020.

CITY OF HIGH POINT

By

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Funding

From: J. Travis Stroud, Interim Chief of Police

Meeting Date: November 2, 2020

Public Hearing: N/A

Advertising Date /

Advertised By: N/A

Attachments: In-car camera /Body-Worn Camera Images

PURPOSE:

Establish a public hearing date of Monday, November 16, 2020 at 5:30p.m. for the purpose of receiving public comments on the funding for the 2020 Edward Byrne Memorial Justice Assistance Grant.

BACKGROUND:

The City of High Point is proposing to use the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) as pledged for a portion of the City's current Municipal Lease agreement of WatchGuard 4RE/VISTA In-car camera / body-worn camera systems with Motorola Solutions. The Municipal Lease Agreement was approved by City Council on June 1, 2020.

Funding will be presented to City Council in the form of public hearing and comment on Monday, November 16, 2020. The grant allotment of \$241,872 is a multi-agency award distributed between the City of Greensboro, High Point, and Guilford County. The City of Greensboro will serve as the lead and fiscal agent to administer the funding. The City of Greensboro will receive funding totaling \$133,029.60; The Guilford County Sheriff's Department will receive funding in the amount of \$59,544.80; and the City of High Point will receive funding in the amount of \$49,297.60.

These cameras are beneficial for not only capturing evidence of criminal acts, but also used for addressing citizen complaints.

BUDGET IMPACT:

There are no funds required for match of this grant. The City of High Point entered into the lease agreement on June 26, 2020 with the first least payment not coming due until fiscal year 2021-22 on July 1, 2021 and future payments being made on an annual basis through July 1, 2024.

Year 1 – No payment required

Year 2 - \$345,109.00

Year 3 - \$345,109.00

Year 4 - \$345,109.00

Year 5 - \$345,109.00

RECOMMENDATION / ACTION REQUESTED:

Council is requested to establish a public hearing date of Monday, November 16, 2020_at 5:30 p.m. for the purpose of receiving public comments on the High Point Police Department's use of funding awarded under the 2020 Edward Byrne Memorial Justice Assistance Grant.

J. Travis Stroud
Interim Chief of Police

Vista Body Camera:



In-Car Camera System:

ZERO SIGHTLINE (ZSL) CAMERA SPECS



8.88" Wide x 1.4" High x 1.33" Deep

Resolution	1280x1024 (1280x1024 Progressive Scanning)
Image Sensor Type	Dual Exposure Progressive Scan CMOS Ultra-Pixel Dynamic Range
Field of View	100 Degree Fisheye Hemispherical Viewing Angle
Optics	F1.7 Road Noct. Wide-Aperture Glass Lens
Connective Type	Locking Mini HDMI, Shielded Cable
Weight	2.5 lbs (approx)
Dimensions	1.88" x 1.33"

STATE OF NORTH CAROLINA

KNOW ALL BY THESE PRESENTS

COUNTY OF GUILFORD

INTERLOCAL AGREEMENT

**BETWEEN THE CITIES OF GREENSBORO, NC; HIGH POINT, NC; AND
THE COUNTY OF GUILFORD, NC**

2020 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

THIS AGREEMENT is hereby made and entered into this 1st day of September, 2020 by and between, the CITY OF GREENSBORO and, the CITY OF HIGH POINT, both of Guilford County, State of North Carolina, acting by and through their governing bodies, the respective City Councils, and GUILFORD COUNTY, acting by and through its governing body, the Guilford County Board of Commissioners, hereinafter referred to as the COUNTY.

W I T N E S S E T H :

WHEREAS; the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, CFDA #16.738, is the primary provider of federal criminal justice funding to States and units of local government;

WHEREAS; the JAG Program statute is Subpart I of Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968. Title I of the "Omnibus Act" generally is codified at Chapter 26 of Title 42 of the United States Code; the JAG Program statute is codified at 42 U.S.C. §§ 3750-3758;

WHEREAS; in general, JAG funds awarded to a unit of local government under this FY 2020 solicitation may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice;

WHEREAS; awards of at least \$25,000 or more are four years in length with an award period of October 1, 2019 through September 30, 2023;

WHEREAS; each governing body, award recipients and sub-recipients (including recipients or sub-recipients that are pass-through entities) are accountable for Financial Management and System of Internal Controls as described in the Part 200 Uniform Requirements 2 as set out at 2 C.F.R. 200.303;

WHEREAS; each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party;

WHEREAS; each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement;

WHEREAS; under this award, as defined by the legislation, a disparity exists between the funding eligibility of the county and its associated municipalities. In this instance, the COUNTY and the CITY OF GREENSBORO and the CITY OF HIGH POINT are all eligible for direct awards, but the sum of the awards for the individual municipalities exceeds four hundred percent of the county's award amount. Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used;

WHEREAS; the CITY OF GREENSBORO will serve as the lead administrator/fiscal agent for the 2020 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD; and

NOW THEREFORE, the total award of **\$241,872** will be reallocated by the CITY OF GREENSBORO and the CITY OF HIGH POINT providing 20% of their allotment to the COUNTY. The distribution of funds will occur as follows:

Section 1.

The CITY OF GREENSBORO, as lead administrator/fiscal agent, agrees to allocate to the CITY OF HIGH POINT a total of **\$49,297.60** in JAG funds. (Original award \$61,622 less 20% disparity amount of \$12,324.40 given to GUILFORD COUNTY).

Section 2.

The CITY OF GREENSBORO, as lead administrator/fiscal agent, agrees to allocate to the COUNTY a total of **\$59,544.80** in JAG funds. This is calculated as the original award of \$13,963 plus 20% disparity totaling \$45,581.80 from other two agencies (\$33,257.40 from the CITY OF GREENSBORO and \$12,324.40 from the CITY OF HIGH POINT).

Section 3.

The CITY OF GREENSBORO shall retain **\$133,029.60** in JAG funds. (Original award \$166,287 less 20% disparity amount of \$33,257.40 given to GUILFORD COUNTY).

Section 4.

JAG Withholding for NIBRS 3 Percent set-aside - Beginning in FY 2018, BJA is requiring, through the application of a special condition, that direct JAG award recipients not certified by their state (or, as applicable, the FBI) as NIBRS compliant to dedicate 3 percent of their JAG award toward achieving full compliance with the FBI's NIBRS data submission requirements under the UCR Program. The requirement for a NIBRS set-aside will be applicable to all jurisdictions in a disparate group, but will not otherwise be applied to sub-awards. However, all three jurisdictions are now NIBRS compliant and no set-aside is required unless otherwise stated by the granting agency.

Section 5.

Each party agrees to use the allocated JAG funds for purposes consistent with the grant program until they are expended.

Section 6.

The parties to this Agreement will seek reimbursement on a quarterly basis from the Bureau of Justice Assistance (BJA) via the CITY OF GREENSBORO serving as the lead administrator/fiscal agent.

Section 7.

Each party to this Agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 8.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 9.

This Agreement may only be terminated as to any party, by that party's un-incorporation or written notice to each of the other parties sixty (60) days prior to the requested termination.

Section 10.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 11.

The terms of this Agreement may only be amended with a written Contract Amendment executed by the Parties.

Section 12.

This Agreement is subject to the jurisdiction and laws of the State of North Carolina.

Section 13.

This Agreement, including the Exhibits and/or Attachments, if any, sets forth the entire Agreement between the parties. All prior conversation or writings between the parties hereto or their representatives are merged within and extinguished.

IN WITNESS WHEREOF, the parties have set their hands and seals all pursuant to authority duly granted as of the day and year first above written.

CITY OF HIGH POINT, NC.

APPROVED AS TO CONTENT:

Chief of Police

Finance Director

City Attorney

City Manager

ATTEST:

City Clerk

CITY OF GREENSBORO, NC.

APPROVED AS TO CONTENT:

Chief of Police

Deputy Finance Director

City Attorney

City Manager

ATTEST:

City Clerk

GUILFORD COUNTY, NC.

APPROVED AS TO CONTENT:

Sheriff's Department Representative

County Attorney

County Manager

ATTEST:

Clerk to Board

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2020 Local Formula Solicitation

CFDA #16.738

Solicitation Release Date: July 9, 2020

Application Deadline: 11:59 p.m. eastern time on August 19, 2020

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and violence.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants on how to prepare and submit applications for funding to OJP. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provision in the "Financial Information" section of the OJP Grant Application Resource Guide.

Eligibility

The following entities are eligible to apply:

- Units of local government

By law, for purposes of the JAG Program, the term "units of local government" includes a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

Eligible allocations under JAG are posted annually on the [JAG web page](#). See the allocation determination and Units of Local Government requirements section for more information.

Applicants with eligible allocation amounts of less than \$25,000 will apply to Category 1,

and applicants with eligible allocation amounts of \$25,000 or more will apply to Category 2.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Contact Information

For technical assistance with submitting an application, contact the Grants Management System (GMS) Support Hotline at 888-549-9901, option 3, or via email at GMS.HelpDesk@usdoj.gov. The GMS Support Hotline operates 24 hours a day, 7 days a week, including on federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the National Criminal Justice Reference Service (NCJRS) Response Center at grants@ncjrs.gov **within 24 hours after the application deadline** in order to request approval to submit its application after the deadline. For information on reporting technical issues, see “Experiencing Unforeseen GMS Technical Issues” under **How to Apply (GMS)** in the [OJP Grant Application Resource Guide](#).

For assistance with any other requirement of this solicitation, applicants may contact the NCJRS Response Center by telephone at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); by email at grants@ncjrs.gov; by fax to 301-240-5830, or by web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date. Applicants also may contact the appropriate BJA [State Policy Advisor](#).

Deadline details

Applicants must register in the OJP Grants Management System (GMS) at <https://grants.ojp.usdoj.gov/> prior to submitting an application under this solicitation. All applicants must register, even those that previously registered in GMS. Select the “Apply Online” button associated with the solicitation title. All registrations and applications are due by 11:59 p.m. eastern time August 19, 2020.

For additional information, see the “**How to Apply (GMS)**” section in the [OJP Grant Application Resource Guide](#).

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2020 Local Solicitation CFDA #16.738

A. Program Description

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to states and units of local government. BJA will award JAG Program funds to eligible units of local government as described in this FY 2020 JAG Program Local Solicitation (BJA will issue a separate solicitation for states).

Statutory Authority:

The JAG Program is authorized by Title I of Pub. L. No. 90-351 (generally codified at 34 U.S.C. 10151-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151 - 10158); see also 28 U.S.C. 530C(a).

Program-specific Information

Permissible uses of JAG Funds

In general, JAG funds awarded to a unit of local government under this FY 2020 solicitation may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for **criminal justice**, including any one or more of the following:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams

Additionally, JAG funds awarded to a unit of local government under this FY 2020 solicitation may be used to enforce state and local laws that establish offenses similar to offenses established in 21 U.S.C. § 801 *et seq.* and/or to improve the functioning of the **criminal justice** system, with emphasis on violent crime and serious offenders, by providing additional personnel, equipment, training, technical assistance, and information systems for the more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of persons who violate these laws and to assist the victims of such crimes (other than compensation). Additional details can be found on the [JAG Resource Page](#).

Note that the statute defines “criminal justice” as “activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency.”

BJA Areas of Emphasis

BJA recognizes that many state and local criminal justice systems currently face challenging fiscal environments and that an important, cost-effective way to relieve those pressures is to share or leverage resources through cooperation among federal, state, and local law enforcement. BJA intends to focus much of its work on addressing violent crime, enforcing firearms laws, officer safety and wellness, safe policing for safe communities, and fentanyl detection. BJA encourages each recipient of a FY 2020 JAG award to join federal law enforcement agencies across the board in addressing these challenges. Additional details on the BJA areas of emphasis can be found on the [JAG Resource Page](#).

Limitations on the Use of JAG Funds

Prohibited uses of funds – JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those purposes specifically prohibited by the JAG Program statute as set out in [34 U.S.C. § 10152](#).

JAG funds may not be used (directly or indirectly) for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Additionally, JAG funds may not be used (directly or indirectly) to pay for any of the following items unless the BJA Director certifies that extraordinary and exigent circumstances exist making them essential to the maintenance of public safety and good order:

- Vehicles, vessels, or aircraft*
- Luxury items
- Real estate
- Construction projects (other than penal or correctional institutions)
- Any similar matters

*Police cruisers, police boats, and police helicopters are allowable vehicles under JAG and do not require BJA certification.

For a list of prohibited expenditures under JAG and information about requesting BJA certification for a prohibited item (including unmanned aircraft, unmanned aerial vehicles, and/or unmanned aerial systems purchases) or for examples of allowable vehicles that do not require BJA certification, refer to the JAG Prohibited Guidance section of the [JAG Resource Page](#) or the [JAG FAQs](#).

Cap on use of JAG award funds for administrative costs – Up to 10 percent of a JAG award, including up to 10 percent of any earned interest, may be used for costs associated with administering the award, which can include indirect costs.

Prohibition of supplanting; prohibition on use of JAG funds as match – JAG funds may not be used to supplant state or local funds but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available. See the [JAG FAQs](#) for examples of supplanting.

Although supplanting is prohibited, the leveraging of federal funding is encouraged.

Absent specific federal statutory authority to do so, JAG award funds may not be used as a match for other federal awards.

Other restrictions on use of JAG funds that require compliance, certification, and/or prior approval – If a unit of local government chooses to use its FY 2020 JAG funds for particular, defined types of expenditures, it must satisfy certain preconditions. Examples of items that require compliance, certification, and/or prior approval by BJA before purchase include: body-worn cameras, body armor, interoperable communications, DNA testing of evidentiary materials, uploading DNA profiles to a database, and entry of records into state repositories. Additional information, including the process to obtain prior approval and as well as a body armor and/or body-worn camera certification form, can be found on the [JAG Resource Page](#).

Allocation determination and Units of Local Government requirements regarding use of JAG funds

Eligible allocations under JAG are posted annually on the [JAG web page](#). Award allocations are determined by a four-step statutory formula. Additional information can be found on the [JAG Resource Page](#) or the [JAG Technical Report](#).

According to the JAG program statute, a “disparity” may exist between the funding eligibility of a county and its associated municipalities. See 34 U.S.C. § 10156(d)(4). Units of local government identified by BJA as disparate must select a fiscal agent that will submit a joint application for the allocation to include all disparate municipalities. A memorandum of understanding (MOU) that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by the authorized representative for each participating jurisdiction. Once an award is made, the fiscal agent will be responsible for distributing award funds to the other jurisdictions in the disparate group through subawards that include all appropriate award conditions. To verify eligibility on the [JAG web page](#), an applicant should click on its respective state and note the following regarding the state’s allocation table:

- (1) Disparate units of local government are listed in shaded groups, in alphabetic order by county. Units of local government identified as disparate must select one unit of local government to submit an application on behalf of the disparate group.
- (2) Counties that have an asterisk (*) under the “Direct Allocation” column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required MOU; and
- (3) Direct allocations are listed alphabetically below the shaded, disparate groupings.

Please note that disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are

responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

A unit of local government that applies for and receives a FY 2020 JAG award **must note the following:**

- Trust Fund – Units of local government may draw down JAG funds either in advance or on a reimbursement basis. To draw down in advance, a trust fund must be established in which to deposit the funds. The trust fund **must** be in an interest-bearing account, unless one of the exceptions in 2 C.F.R. § 200.305(b)(8) apply. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit the funds. For additional information, see [2 C.F.R. § 200.305](#).
- Certifications and Assurances by the Chief Executive of the Applicant Government (which incorporates the 30-day governing body review requirement) – A JAG application is not complete, and a unit of local government may not access award funds, unless the chief executive of the applicant unit of local government (e.g., the mayor) properly executes, and the submits, the “Certifications and Assurances by the Chief Executive of the Applicant Government.” The most up-to-date version of this certification can be found at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/fy-20-local-jag-ce-certification.pdf>.

Please note that this certification takes the place of the review narrative attachment and contains assurances that the governing body notification and public comment requirements, which are required under the JAG statute (at 34 U.S.C. § 10153(a)(2)), have been satisfied.

OJP will not deny an application for a FY 2020 award for failure to submit these “Certifications and Assurances by the Chief Executive of the Applicant Government” by the application deadline, but a unit of local government will not be able to access award funds (and its award will include a condition that withholds funds) until it submits these certifications and assurances, properly executed by the chief executive of the unit of local government (e.g., the mayor).

- National Incident-Based Reporting System (NIBRS) 3 Percent Set-aside – In preparation for the FBI’s 2021 NIBRS compliance deadline, BJA requires, through the application of a special condition, JAG award recipients not certified by the FBI as NIBRS compliant to dedicate 3 percent of their JAG award toward achieving full compliance with the FBI’s NIBRS data submission requirements under the Uniform Crime Reporting Program. Additional information can be found on the [JAG Resource Page](#).

Required compliance with applicable federal laws

All applicants should understand that OJP awards, including certifications provided in connection with such awards, are subject to review by DOJ, including by OJP and by the DOJ Office of the Inspector General. Applicants also should understand that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in a certification submitted to OJP in support of an application may be the subject of criminal prosecution, and also may result in civil penalties and administrative remedies for false claims or otherwise. Administrative remedies that may be available to OJP with respect to a FY 2020

award include suspension or termination of the award, placement on the DOJ high-risk grantee list, disallowance of costs, and suspension or debarment of the recipient.

Objectives

In general, the FY 2020 JAG Program is designed to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. Although the JAG Program provides assistance directly to states, through pass-through (and similar) requirements, the JAG Program also is designed to assist units of local government with respect to their criminal justice needs.

As discussed in more detail in the [General Information about Post-federal Award Reporting Requirements](#) discussion, a unit of local government that receives a FY 2020 JAG award will be required to produce various types of reports and to submit data related to performance measurement and accountability.

The objectives are directly related to the JAG Program performance measures described at <https://bjapmt.ojp.gov/help/jagdocs.html> and demonstrate the results of the work completed, as discussed under [What an Application Should Include](#).

Evidence-based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development for criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

A useful matrix of evidence-based policing programs and strategies is available through the BJA-supported [Matrix Demonstration Project](#). It offers a number of program models designed to effectively implement promising and evidence-based strategies through the BJA Innovation Suite of programs, including Innovations in Policing, Prosecution, Supervision, Reentry, and others (see <https://www.bja.gov/Programs/CRPPE/innovationssuite.html>). BJA encourages units of local government to use JAG funds to develop and implement these crime innovation strategies, including effective partnerships with universities and research partners and with nontraditional criminal justice partners.

Information Regarding Potential Evaluation of Programs and Activities

Applicants should note OJP may conduct or support an evaluation of the programs and activities funded under the JAG Program. For additional information, see the [OJP Grant Application Resource Guide](#) section, entitled, “Information Regarding Potential Evaluation of Programs and Activities.”

B. Federal Award Information

Maximum number of awards BJA expects to make	1,058
Period of performance start date	October 1, 2019
Period of performance duration	2 or 4 years

Category 1 – Eligible Allocation Amounts of Less than \$25,000 (Competition ID BJA-2020-18275) – Units of local government that are listed on the [JAG web page](#) as eligible for an allocation amount of less than \$25,000 should apply under Category 1. This includes direct and joint

(disparate) allocations. Category 1 awards of less than \$25,000 are 2 years in length, and performance periods will be from October 1, 2019 through September 30, 2021. Extensions of up to two years can be requested for these awards via GMS no fewer than 30 days prior to the grant end date, and will be automatically granted upon request.

Category 2 – Eligible Allocation Amounts \$25,000 or More (Competition ID BJA-2020-18276)

– Units of local government that are listed on the [JAG web page](#) as eligible for an allocation amount of \$25,000 or more should apply under Category 2. This includes direct and joint (disparate) allocations. Category 2 awards of at least \$25,000 are 4 years in length, and performance periods will be from October 1, 2019 through September 30, 2023. Extensions beyond this period may be made on a case- by-case basis at the discretion of BJA and must be requested via GMS no fewer than 30 days prior to the grant end date.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by statute.

Type of Award

BJA expects to make awards under this solicitation as grants. See the “Administrative, National Policy, and Other Legal Requirements” section of the [OJP Grant Application Resource Guide](#) for additional information.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements¹ as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

Cost Sharing or Match Requirement

The JAG Program does not require a match.

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

[Pre-agreement Costs \(also known as Pre-award Costs\)](#)

[Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs](#)

[Costs Associated with Language Assistance](#) (if applicable)

C. Eligibility Information

For information on eligibility, see the title page.

For information on cost sharing or match requirements, see [Section B. Federal Award Information](#).

¹ The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

D. Application and Submission Information

What an Application Should Include

See the “Application Elements and Formatting Instructions” section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all the specified elements. (This solicitation expressly modifies the “Application Elements and Formatting Instructions” section of the OJP Grant Application Resource Guide by **not** incorporating paragraph two of that section (referring to nonresponsive applications or applications missing critical elements not “[proceeding] to peer review”).)

1. Application for Federal Assistance (Standard Form (SF)-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

Intergovernmental Review:

This solicitation (“funding opportunity”) is subject to [Executive Order 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: https://www.whitehouse.gov/wp-content/uploads/2020/01/spoc_1_16_2020.pdf. If the applicant’s state appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the state’s process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its State E.O. 12372 process. (An applicant whose state does not appear on the SPOC list should answer question 19 by selecting the response that the: “Program is subject to E.O. 12372, but has not been selected by the State for review.”).

2. Project Identifiers

Applications should identify at least three project identifiers that would be associated with the proposed project activities. The list of identifiers can be found at www.bja.gov/funding/JAGIdentifiers.pdf.

3. Program Narrative

Category 1 – Eligible Allocation Amounts of Less than \$25,000

The program narrative for Category 1 applications should include a description of the project(s), including subawards, if applicable, to be funded with JAG funds over the 2 year grant period.

Category 2 – Eligible Allocation Amounts of \$25,000 or More

The program narrative for Category 2 applications should include:

- (a) Description of the Issue – Identify the unit of local government’s strategy/funding priorities for the FY 2020 JAG funds, the subgrant award process (if applicable, including disparates) and timeline, any progress or challenges, and a description of the programs to be funded over the 2 to 4 year grant period.
- (b) Project Design and Implementation – Describe the unit of local government’s strategic planning process, if any, that guides its priorities and funding strategy. This should include a description of how the local community is engaged in the planning process and the data and analysis utilized to support the plan. It should identify the stakeholders

currently participating in the strategic planning process, the gaps in the needed resources for criminal justice purposes, and how JAG funds will be coordinated with state and related justice funds.

- (c) Capabilities and Competencies – Describe any additional strategic planning/coordination efforts in which the units of local government participate with other criminal justice juvenile justice agencies in the state.
- (d) Plan for Collecting the Data Required for this Solicitation's Performance Measures – OJP will require each successful applicant to submit specific performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the objectives identified under " Objectives" in [Section A. Program Description](#).

Applicants should visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Please note that applicants are **not** required to submit performance data with the application. Rather, performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

Post award, recipients will be required to submit quarterly performance measures through BJA's PMT, located at <https://bjapmt.ojp.gov>. The application should describe the applicant's plan for collection of all of the performance measurement data listed in the JAG performance measures at <https://bjapmt.ojp.gov/help/jagdocs.html>.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should follow the guidance under Note on Project Evaluations in the [OJP Grant Application Resource Guide](#).

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

4. [Budget Information and Associated Documentation](#)

Please note that the budget narrative should include a full description of all costs, including funds set aside for the NIBRS project(s) and administrative costs (if applicable).

General requirement for federal authorization of any subaward: statutory authorization of subawards under the JAG Program statute.

Generally, a recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) particular subawards, a recipient must have authorization from OJP before it may make a subaward.

However, JAG subawards that are required or specifically authorized by statute ([see 34 U.S.C. § 10152\(a\) and 34 U.S.C. § 10156](#)) do not require prior approval. This includes subawards made by states and units of local government under the JAG Program. For additional information regarding subawards and authorizations, please refer to the subaward section in the [OJP Grant Application Resource Guide](#).

5. [Indirect Cost Rate Agreement \(if applicable\)](#)

This rule does not eliminate or alter the JAG-specific restriction in federal law that states charges for administrative costs may not exceed 10 percent of the award amount, regardless of the approved indirect cost rate.

6. [Financial Management and System of Internal Controls Questionnaire \(including applicant disclosure of high risk status\)](#)

7. [Disclosure of Lobbying Activities](#)

8. [Applicant Disclosure of Pending Applications](#)

9. [Applicant Disclosure and Justification – DOJ High Risk Grantees² \(if applicable\)](#)

10. [Research and Evaluation Independence and Integrity](#)

11. [Certifications and Assurances by the Chief Executive of the Applicant Government](#)

A JAG application is not complete, and a unit of local government may not access award funds, unless the chief executive of the applicant unit of local government (e.g., the mayor) properly executes, and then submits, the “Certifications and Assurances by the Chief Executive of the Applicant Government.” The most up-to-date version of this certification can be found at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/fy-20-local-jag-ce-certification.pdf>.

12. [Information regarding Communication with the Department of Homeland Security \(DHS\) and/or Immigration and Customs Enforcement \(ICE\)](#)

Each applicant must provide responses to the following questions as an attachment to the application:

- (1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?
- (2) Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?
- (3) If yes to either:
 - Please provide a copy of each law or policy.
 - Please describe each practice.
 - Please explain how the law, policy, or practice complies with 8 U.S.C. § 1373.

Note: Responses to these questions must be provided by the applicant as part of the application. Further, the requirement to provide this information applies to all tiers of funding

² A “DOJ High Risk Grantee” is a recipient that has received a DOJ High Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

and for all subawards made to state or local government entities, including public institutions of higher education. All subrecipient responses must be collected and maintained by the direct recipient of funding and must be made available to DOJ upon request. Responses to these questions are not required from subrecipients that are either a tribal government/organization, a nonprofit organization, or a private institution of higher education.

OJP will not deny an application for a FY 2020 award for failure to submit these required responses by the application deadline, but a recipient will not receive award funds (and its award will include a condition that withholds funds) until it submits these responses.

How to Apply

An applicant must submit its application through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Find information, registration and submission steps on how to apply in GMS in response to this solicitation in the [OJP Grant Application Resource Guide](#).

E. Application Review Information

Review Process

BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation. See the [OJP Grant Application Resource Guide](#) for information on the application.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the nonpublic segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

F. Federal Award Administration Information

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

[Federal Award Notices](#)

[Administrative, National Policy, and Other Legal Requirements](#)

OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application. For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in [OJP Grant Application Resource Guide](#).

Information Technology (IT) Security Clauses

General Information about Post-Federal Award Reporting Requirements

In addition to addressing the objectives described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data:

Category 1 – Eligible Allocation Amounts of Less than \$25,000

Recipients must submit:

- Quarterly financial status reports (and one final financial report after all funds have been obligated and expended) through OJP’s Grants Management System (GMS)
- Quarterly performance measures report and final performance measures report through BJA’s [Performance Measurement Tool \(PMT\)](#). Please note that as soon as all project activity has concluded, that report may be marked final
- An annual progress report and final progress report through OJP’s GMS. If all project activity has concluded at the time the first annual progress report is submitted, that report may be marked final
- If applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions should also be submitted

Category 2 – Eligible Allocation Amounts of \$25,000 or More

Recipients must submit:

- Quarterly financial status reports (and one final financial report after all funds have been obligated and expended) through OJP’s Grants Management System (GMS)
- Quarterly performance measures reports and a final performance measures report (at any time once all project activity has concluded) through BJA’s Performance Measurement Tool (PMT)
- Semi-annual progress reports and a final progress report (at any time once all project activity has concluded) through OJP’s GMS
- If applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions

Future awards and/or fund draw-downs may be withheld if a recipient of an OJP award fails to report the required reports in a timely manner.

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measurement data.

Performance measurement data must be submitted through BJA's [Performance Measurement Tool \(PMT\)](#). The performance measures are available at: <https://bjapmt.ojp.gov/help/jagdocs.html>. (Note that if a unit of local government provides funding to a law enforcement agency, the unit of local government must submit quarterly performance measurement data on training that officers have received on use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.)

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see page 2 of this solicitation.

For contact information for GMS, see page 2.

H. Other Information

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

[Freedom of Information and Privacy Act \(5 U.S.C. 552 and 5 U.S.C. 552a\)](#)

[Provide Feedback to OJP](#)

Certain Relevant Federal Laws, as in Effect on February 26, 2020

See the [JAG Resource Page](#) for more information.

Application Checklist

Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY 2020 Local Solicitation

This application checklist has been created as an aid in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

- ☐ Acquire a DUNS Number (see [OJP Grant Application Resource Guide](#))
- ☐ Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

To Register with GMS:

- ☐ For new users, acquire a GMS username and password* (see [OJP Grant Application Resource Guide](#))
- ☐ For existing users, check GMS username and password* to ensure account access (see [OJP Grant Application Resource Guide](#))
- ☐ Verify SAM registration in GMS (see [OJP Grant Application Resource Guide](#))
- ☐ Search for and select correct funding opportunity in GMS (see [OJP Grant Application Resource Guide](#))
- ☐ Register by selecting the “Apply Online” button associated with the funding opportunity title (see [OJP Grant Application Resource Guide](#))
- ☐ Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see [OJP Grant Application Resource Guide](#))

If experiencing technical difficulties in GMS, contact the NCJRS Response Center (see page 2)

*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

Overview of Post-Award Legal Requirements:

- ☐ Review the “the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2020 Awards](#)” in the [OJP Funding Resource Center](#).

Scope Requirement:

- ☐ The federal amount requested is within the allowable limit(s) of the FY 2020 JAG Allocations List as listed on BJA’s [JAG web page](#).

Eligibility Requirement:

Only units of local government may apply under this solicitation. By law, for purposes of the JAG Program, the term “units of local government” includes a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

What an Application Should Include:

- ☐ Application for Federal Assistance (SF-424) (see [OJP Grant Application Resource Guide](#))
- ☐ Intergovernmental Review (see page 10)
- ☐ Program Narrative (see page 10)
- ☐ Budget Detail Worksheet (including Budget Narrative) (see page 11)
- ☐ Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- ☐ Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
- ☐ Disclosure of Lobbying Activities ([SF-LLL](#)) (see [OJP Grant Application Resource Guide](#))
- ☐ Applicant Disclosure of Pending Applications (see [OJP Grant Application Resource Guide](#))
- ☐ Applicant Disclosure and Justification – DOJ High Risk Grantees (see [OJP Grant Application Resource Guide](#)) (if applicable)
- ☐ Research and Evaluation Independence and Integrity (if applicable) (see [OJP Grant Application Resource Guide](#))
- ☐ Certifications and Assurances by Chief Executive (see page 12)
- ☐ Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE) (see page 12)

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish – 1220 Carter St.

From: Michael E. McNair, Director
Community Development & Housing

Meeting Date: 2/3/2020

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 1220 Carter St.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 11/5/19. No action occurred by the compliance date of 12/5/19. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling and all outbuildings on the property.

PENDING ACTION:

The ordinance becomes effective from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.

**COMMUNITY DEVELOPMENT AND HOUSING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

1220 Carter St.

OWNER:

T & S Investment Properties

**REASON FOR
INSPECTION:**

Local Codes initiated case after observing property

**FIRST
INSPECTION:
10/21/19**

Summary of Major Violations

1. Repair or replace defective roof covering
2. Repair or replace back porch including roof
3. Replace missing plumbing fixtures
4. Repair or replace ceiling material throughout house
5. Repair or replace front porch ceiling

**HEARING
RESULTS:
11/5/19**

No one appeared for the Hearing. It was determined there are several violations of the Minimum Housing Code. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:
11/5/19**

Order to Repair or Demolish
Date of Compliance 12/5/19

APPEALS:

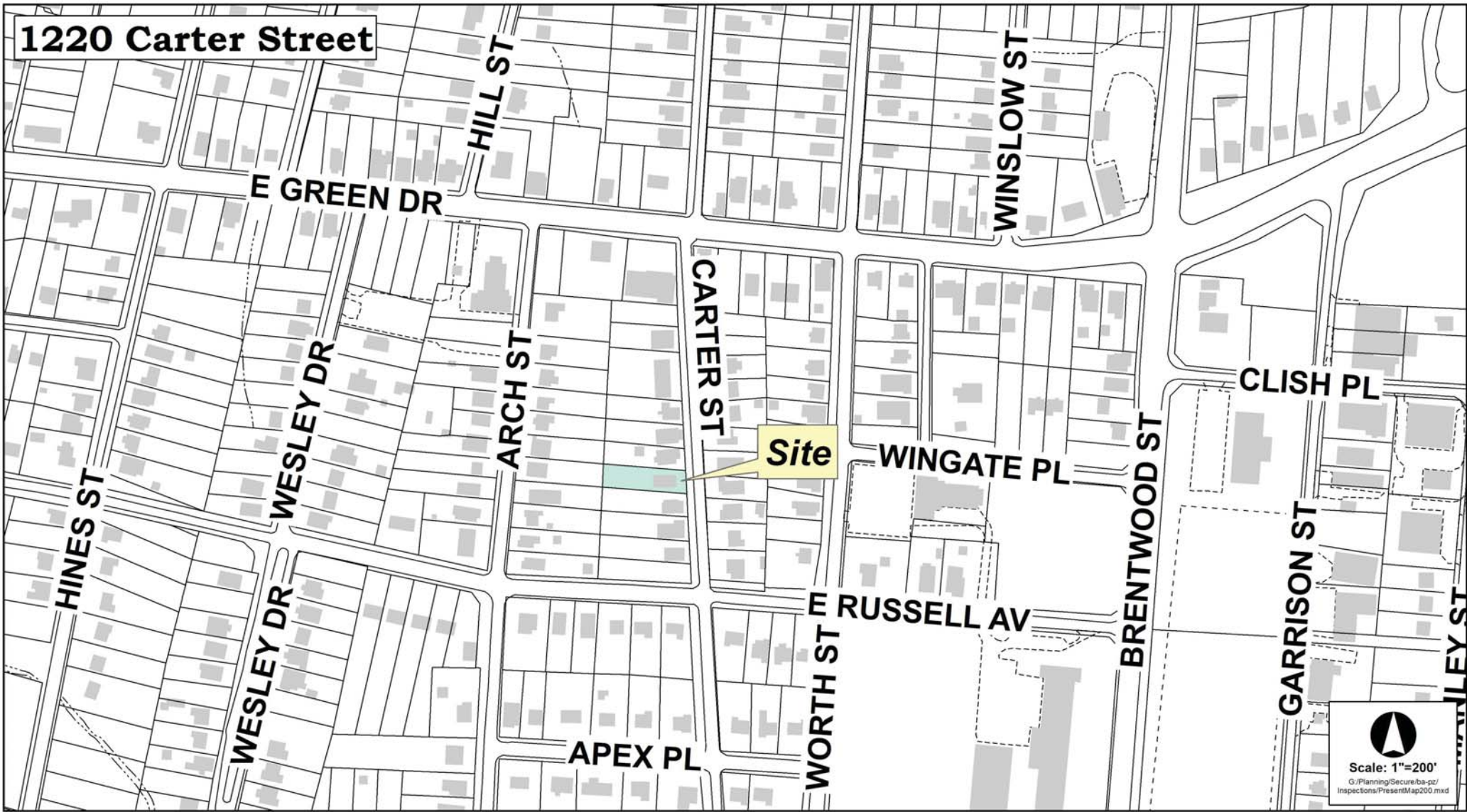
None

**OWNER
ACTIONS:**

None

ADDITIONAL:

Guilford County property taxes are delinquent in the amount of \$18,966.06 for 2006 through 2019.











CITY OF HIGH POINT

AGENDA ITEM



Title: Ward Water Treatment Plant Upgrades
Wharton & Smith – Change Order No. 004

From: Terry Houk – Public Services Director
Derrick Boone – Asst. Public Services Director
Nawfal Shujaa- Projects Engineer

Meeting Date: 11/2/2020

Public Hearing: No

Advertising Date: N/A

Advertised By: N/A

Attachments: Figures (1-4), Black and Veatch Letter (Attachment A)

PURPOSE:

The Public Services Department recommends that the City Council approve Change Order No. 004 for the work listed below and further explained in attachment “A”.

Added control, wiring and associated programming for the High Service and Transfer Pumps

Added Emergency Back-Up Generator for the Shutdown on September 29-30, 2019.

Added concrete infill to reduce size of existing roof penetrations.

Deletion of demolition and new construction scope associated with existing Transfer Pumps 1 and 2 for a credit to the city.

Added programming services to the Control System Programmer to address modifications to the auto control sequence for High Service and Transfer Pumps.

Replacement of existing ¼ Horsepower Motors with ½ Horsepower Motors for the Lab Duct Fans.

BACKGROUND:

The Ward Water Treatment Plant is under electrical and HVAC upgrades for better functionality. The contract was awarded to Wharton Smith Inc. on September 18, 2018. The items listed in the change order were required to assure the continuity of the project and the quality of work.

BUDGET IMPACT:

Funds for this are available in the FY 20-21 budget.

RECOMMENDATION / ACTION REQUESTED:

The Public Services Department recommends the approval of Change Order No. 004 in the amount of \$103,626.00 to Wharton Smith, Inc.



Figure (1)



Figure (2)

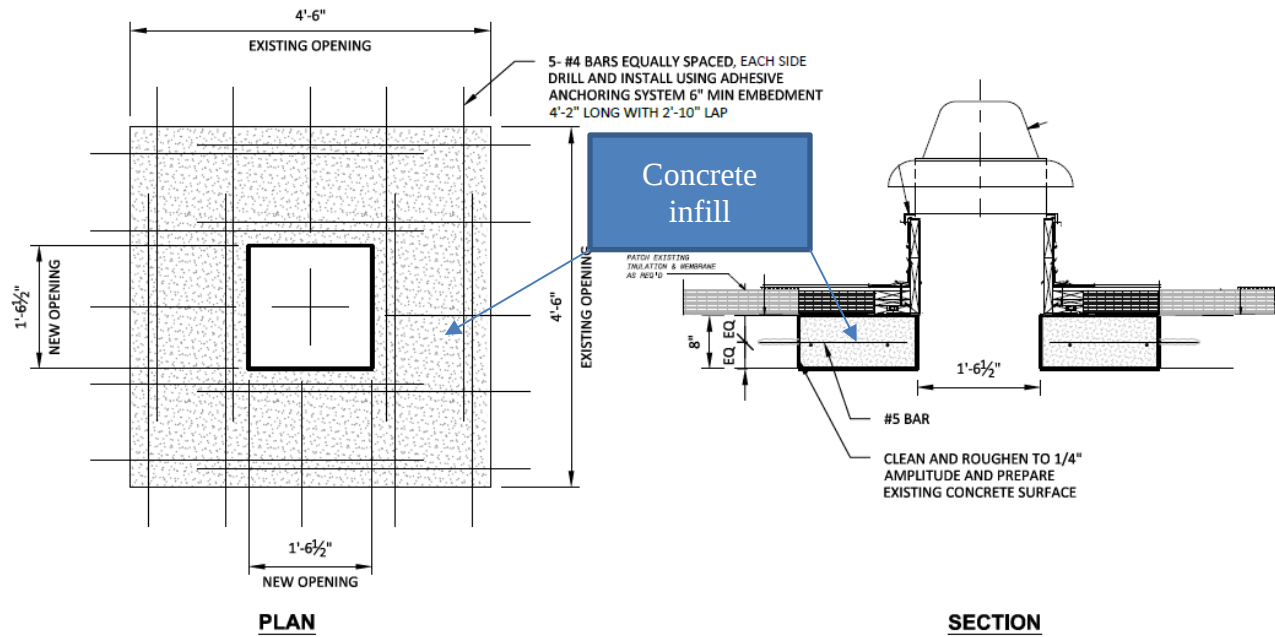


Figure (3)

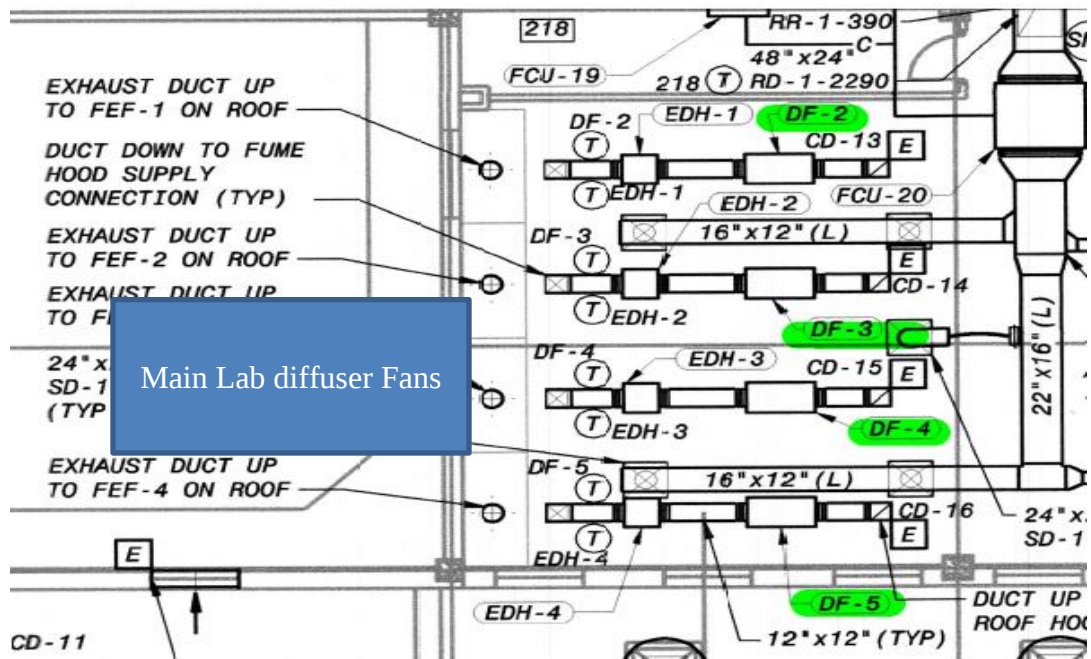


Figure (4)

Attachment (A)

Change Order No. 004

Date of Issuance: 17-SEP-2020

Effective Date: 17-SEP-2020

Project: Ward WTP Upgrades	Owner: The City of High Point	Owner's Contract No.: Bid #56-082218
Contract: Ward Water Plant Upgrades	Date of Contract: 18-SEP-2018	
Contractor: Wharton Smith Inc.	Engineer's Project No.: 190221	

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Site conditions changes are listed in Attachment A.

Attachments (list documents supporting change): Attachment A contains a descriptive list of every change to be incorporated into the project via this Change Order.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$ 12,737,000.00

Increase or Decrease from previously approved Change Orders:

\$ 392,153.00

Contract Price prior to this Change Order:

\$ 13,129,153.00

Increase of this Change Order:

\$ 103,626.00

Contract Price incorporating this Change Order:

\$ 13,232,779.00

Original Contract Times: ☐ Work days ☒ Calendar days

Final Completion of the Work (days): 930

Ready for final payment (date): 31-MAY-2021

Increase or Decrease from previously approved Change Orders:

Final Completion of the Work (days): 131

Ready for final payment (date): 9-OCT-2021

Contract Times prior to this Change Order:

Final Completion of the Work (days): 1061

Ready for final payment (date): 9-OCT-2021

Increase of this Change Order:

Final Completion of the Work (days): 0

Ready for final payment (date): 9-OCT-2021

Contract Times with all approved Change Orders:

Final Completion of the Work (days): 1061

Ready for final payment (date): 9-OCT-2021

RECOMMENDED:

By: 
Engineer (Authorized Signature)

Date: 17-SEP-2020

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: 
Contractor (Authorized Signature)

Date: 21-SEPT-2020

Change Order No. 004

Date of Issuance: 17-SEP-2020

Effective Date: 17-SEP-2020

Project: Ward WTP Upgrades	Owner: The City of High Point	Owner's Contract No.: Bid #56-082218
Contract: Ward Water Plant Upgrades		Date of Contract: 18-SEP-2018
Contractor: Wharton Smith Inc.		Engineer's Project No.: 190221

ATTACHMENT A

Item #1 – Added control, wiring and associated programming for the High Service and Transfer Pumps for an additional cost of \$48,205.00, and no time extension.

The scope of contracted work for this project included the installation of new 4160V power supply, which includes new switchgears, transformers, medium voltage AFDs and 4160V rated motors for high service pumps, also the demolition of existing MCCs units and the upgrade of existing 480V power supply with new MCCs and associated feeders, the installation of new medium and low voltage cable and conduits to power existing loads and new equipment, the installation of a new 12 MGD high service pump with 4160V rated motor with AFD and associated piping, a new 12 MGD transfer pump with 480V rated motor with AFD and associated piping, as well as the replacement of existing starters with soft starters for Transfer Pumps 5 and 6 and AFDs for Transfer Pumps 2 and 3, plus new Plant's Control System.

The scope of additional work associated with this item provides CLOSE command signals to the discharge valves from the High Service Pumps via additional wiring and programming, as well as integration of low-pressure switches from the High Service Pump to their respective Adjustable Frequency Drives or Motor Control Lineup. Also, the added scope takes in additional remote stop signals for the High Service and Transfer Pumps and integrates these digital output signals between the new Programmable Logic Controllers NACP-1 and NACP-2 and each drive equipment.

Item #2 – Added Emergency Back-Up Generator for the Shutdown on September 29 and 30, 2019 for an additional cost of \$45,501.00, and no time extension.

The scope of contracted work for this project included providing temporary generator power during construction to energize the existing 2.4kV Switchgear, while the new utility substation was being energized by the City of High Point Power Utility. As part of the base contract, the Contractor was responsible for providing a single 2MW generator, a multi tap transformer as required, all cable and accessories as required for connection of the generator to the transformer and to the 2.4kV Switchgear, a 300-gallon skid mounted fuel tank with 3000 gallons of fuel, all transportation to and from the site, as well as the installation for all connections between the generator, transformer and switchgear.

The scope of additional work requested by the City includes providing one additional 2 MW Emergency Standby Generator as secondary backup to provide temporary power to energize the existing 2.4kV Switchgear in case the first emergency generator fails to operate or malfunction. The additional scope of supply also includes all cable and accessories required for switching over between the two emergency generators to the transformer, all transportation to and from the site for this additional equipment, as well as all require startup and testing personnel and additional field staff to provide continuous operational and switchover supervision in case of an equipment failure.

Item #3 – Added concrete infill to reduce size of existing roof penetration from 54"x54" to 24"x24" for an additional cost of \$1,827.00, and no time extension.

The scope of contracted work for this project includes the installation of a new Power Roof Ventilator #9 (PRV-9) at the Sodium Hypochlorite Room #227, including all associated ductwork.

During initial installation, the Contractor discovered that the existing roof slab opening was larger than the opening dimensions needed for the new PRV-9. In order to reduce the size of the existing roof opening, the Contractor was required to form up the opening, secure additional steel reinforcement by means of drilling and adhesive anchors such rebar to the existing roof slab, pour the necessary concrete infill, and once properly cured proceed to strip the installed formwork.

Item #4 – Deletion of demolition and new construction scope associated with existing Transfer Pumps 1 and 2 for a credit cost of \$8,668.00, and no time extension.

The scope of contracted work for this project includes the demolition of Transfer Pump #1 (TP-1), its associated piping up to the existing 30"x20" Tee located at the 30" main distribution header, and its concrete equipment base, along with the demolition and construction of the equipment base for Transfer Pump #2. The scope associated to TP-1 includes the installation of a new Vertical Diffusion Pump Base with a steel cap plate, as well as the installation of a new blind flange at the existing 30"x20" Tee.

In accordance with Par. 18.02 "Potential Lead Based Paint" from Specification 01015 "Project Requirements" of the Project Manual, the City of High Point was uncertain at the time of project bid whether the pump/piping equipment to be demolished as part of this project at the existing High Service and Transfer Pumps Systems was coated with lead-based paint. Due to these circumstances, the scope of the Contract included provisions for the Contractor to perform coating testing where lead paint was suspected through a certified material testing firm.

For such lead-containing testing survey, the Contractor retained the services of ATC from Charlotte, NC. This certified firm conducted a random lead-containing paint screening across the accessible areas of the High Service and Transfer Pumps, and associated piping, which revealed painted surfaces on the selected equipment with detectable lead concentration in excess of regulated levels. Based on such field conditions along with associated contractual dispositions, considering lead-based paint was identified and Contractor's activities cause this to present a hazard to field personnel or the environment, the Contractor was guided to stop work in the affected area. Upon further review of the extent of lead-paint mitigation work that would have been required for TP-1 and TP-2 to proceed with the contracted work described above, the Owner decided to exercise cost control measures to effectively manage the issue and delete this scope of demolition.

Item #5 – Added programming services to the Control System Programmer to address modifications to the auto control sequence for High Service and Transfer Pumps for an additional cost of \$11,761.00, and no time extension.

The scope of contracted work for this project includes transitioning all associated input and output signals for each of the High Service and Transfer Pumps to their respective new driving equipment and new Programmable Logic Controllers. As such, the Contractor shall coordinate with the System Supplier and the Control System Programmer to perform a Factory Demonstration Test to validate the integrity and readiness of each panel prior to delivering it onsite.

During such testing witnessed by the Owner and Engineer, numerous operational controls were modified upon request by the Owner as follows:

- High Service Pumps level control changed from PID speed control to proportional speed control
- Once any of the High Service Pumps starts, its speed shall increase in 5% increments every 30 seconds up until the unit reaches maximum speed, at which point it will operate based on demand, and if such unit reaches maximum speed a second High Service Pump will start using the same sequence of operation (5% increase in speed every 30 seconds).

- A pop-up for pump speed change confirmation will be added to the HMI
- In case of Pump Restart, a 5-minute delay has been incorporated which shall be shown as notification on HMI screen
- An alarm for AFD room temperature shall be added to show warning sign on HMI without control to make pumps stop due to such alarm
- The ability for selection between the "*Lexington Tank*" and "*Potts Tank*" for level control has been incorporated
- In case of any pump failure, no pump will start automatically in its place

Item #6 – Replacement of existing ¼ Horsepower Motors with ½ Horsepower Motors for Duct Fans #2, #3, #4, and #5 an additional cost of \$5,000.00, and no time extension.

The scope of contracted work for this project include the installation of new belt driven duct fans to supply air to the Main Laboratory Room #217. The scope of additional work comprises the procurement and installation of 4 new duct fan motors of ½ horsepower each to meet the airstream demand provided by Duct Fans #2, #3, #4, and #5.

The total Contract Price adjustment by Change Order 004 is \$103,626.00, including no Contract Time adjustment to the date of Final Completion of the Work.

September 17th, 2020

Terry Houk
Public Services Director
City of High Point (CHP)
211 South Hamilton Street
High Point, NC 27260

Ward Water Plant Upgrades
B&V Project 190221
B&V File 81.1750

**Subject: Ward Water Treatment Plant Upgrades Project
Change Order #4 Descriptive Narrative**

Dear Mr. Houk:

This communication serves the objective to document and summarize an amendment to the Contract Documents in terms of changes to both the Contract Price and Contract Time by means of Change Order #4. This contractual amendment is being recommended in conformance with Article 11 "*Amending the Contract Documents; Changes in the Work*" as stipulated in the EJCDC C-700 Standard General Conditions of the Construction Contract between Wharton Smith Inc. (Contractor) and The City of High Point (Owner).

The scope of changes to be incorporated into the Contract Documents via Change Order 004 are as follows:

Item #1 – Added control, wiring and associated programming for the High Service and Transfer Pumps for an additional cost of \$48,205.00, and no time extension.

The scope of contracted work for this project included the installation of new 4160V power supply, which includes new switchgears, transformers, medium voltage AFDs and 4160V rated motors for high service pumps, also the demolition of existing MCCs units and the upgrade of existing 480V power supply with new MCCs and associated feeders, the installation of new medium and low voltage cable and conduits to power existing loads and new equipment, the installation of a new 12 MGD high service pump with 4160V rated motor with AFD and associated piping, a new 12 MGD transfer pump with 480V rated motor with AFD and associated piping, as well as the replacement of existing starters with soft starters for Transfer Pumps 5 and 6 and AFDs for Transfer Pumps 2 and 3, plus new Plant's Control System.

The scope of additional work associated with this item provides CLOSE command signals to the discharge valves from the High Service Pumps via additional wiring and programming, as well as integration of low-pressure switches from the High Service Pump to their respective Adjustable Frequency Drives or Motor Control Lineup. Also, the added scope takes in additional remote stop signals for the High Service and Transfer Pumps and

integrates these digital output signals between the new Programmable Logic Controllers NACP-1 and NACP-2 and each drive equipment.

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The scope of additional work requested by the City includes providing one additional 2 MW Emergency Standby Generator as secondary backup to provide temporary power to energize the existing 2.4kV Switchgear in case the first emergency generator fails to operate or malfunction. The additional scope of supply also includes all cable and accessories required for switching over between the two emergency generators to the transformer, all transportation to and from the site for this additional equipment, as well as all required startup and testing personnel and additional field staff to provide continuous operational and switchover supervision in case of an equipment failure.

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The scope of contracted work for this project includes the demolition of Transfer Pump #1 (TP-1), its associated piping up to the existing 30"x20" Tee located at the 30" main distribution header, and its concrete equipment base, along with the demolition and construction of the equipment base for Transfer Pump #2. The scope associated to TP-1 includes the installation of a new Vertical Diffusion Pump Base with a steel cap plate, as well as the installation of a new blind flange at the existing 30"x20" Tee.

In accordance with Par. 18.02 “Potential Lead Based Paint” from Specification 01015 “Project Requirements” of the Project Manual, the City of High Point was uncertain at the time of project bid whether the pump/piping equipment to be demolished as part of this project at the existing High Service and Transfer Pumps Systems was coated with lead-based paint. Due to these circumstances, the scope of the Contract included provisions for the Contractor to perform coating testing where lead paint was suspected through a certified material testing firm.

For such lead-containing testing survey, the Contractor retained the services of ATC from Charlotte, NC. This certified firm conducted a random lead-containing paint screening across the accessible areas of the High Service and Transfer Pumps, and associated piping, which revealed painted surfaces on the selected equipment with detectable lead concentration in excess of regulated levels. Based on such field conditions along with associated contractual dispositions, considering lead-based paint was identified and Contractor’s activities cause this to present a hazard to field personnel or the environment, the Contractor was guided to stop work in the affected area. Upon further review of the extent of lead-paint mitigation work that would have been required for TP-1 and TP-2 to proceed with the contracted work described above, the Owner decided to exercise cost control measures to effectively manage the issue and delete this scope of demolition.

Item #5 – Added programming services to the Control System Programmer to address modifications to the auto control sequence for High Service and Transfer Pumps for an additional cost of \$11,761.00, and no time extension.

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During such testing witnessed by the Owner and Engineer, numerous operational controls were modified upon request by the Owner as follows:

- High Service Pumps level control changed from PID speed control to proportional speed control
- Once any of the High Service Pumps starts, its speed shall increase in 5% increments every 30 seconds up until the unit reaches maximum speed, at which point it will operate based on demand, and if such unit reaches maximum speed a second High Service Pump will start using the same sequence of operation (5% increase in speed every 30 seconds).
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- In case of Pump Restart, a 5-minute delay has been incorporated which shall be shown as notification on HMI screen

- An alarm for AFD room temperature shall be added to show warning sign on HMI without control to make pumps stop due to such alarm
- The ability for selection between the “*Lexington Tank*” and “*Potts Tank*” for level control has been incorporated
- In case of any pump failure, no pump will start automatically in its place

Item #5 - Replacement of existing $\frac{1}{4}$ Horsepower Motors with $\frac{1}{2}$ Horsepower Motors for Duct Fans #2, #3, #4, and #5 an additional cost of \$5,000.00, and no time extension.

The scope of contracted work for this project include the installation of new belt driven duct fans to supply air to the Main Laboratory Room #217. The scope of additional work comprises the procurement and installation of 4 new duct fan motors of $\frac{1}{2}$ horsepower each to meet the airstream demand provided by Duct Fans #2, #3, #4, and #5.

The total Contract Price adjustment by Change Order 004 is \$103,626.00, including no Contract Time adjustment to the date of Final Completion of the Work.

Respectfully,

BLACK & VEATCH INTERNATIONAL COMPANY



Ramon Ortiz-Morgado
Construction Manager

CC D. Boone
 N. Shujaa
 M. Osborne
 D. Modi
 M. Galin
 D. Cashwell

CITY OF HIGH POINT

AGENDA ITEM



Title: Oak Hollow Golf Course Bulkhead Replacement

From: Lee Tillery –Parks and Recreation Director

Meeting Date: November 2, 2020

Public Hearing: N/A

Advertising Date: September 4, 2020

Advertised By: Budget- Purchasing

Attachments: Attachment A – Department Bid Recommendation Form
Attachment B – Bid Tabulation Form
Attachment C – Map and Pictures of Current Bulkheads – Hole 4 – Oak Hollow

PURPOSE:

Replacement of wooden bulkhead section along Hole #4 at Oak Hollow Golf Course. The original boardwalk is failing structurally resulting in severe erosion and deteriorating conditions.

BACKGROUND:

Oak Hollow Golf Course was built in 1971 and a wooden bulkhead system was constructed along Hole #4 establishing the border between the lake and a sloping topography located below the green. This 360-foot section is now failing structurally allowing for deteriorating conditions that need to be corrected. We bid the project looking at various alternatives that would work systematically and in this location. Options we included in the bid included stacked block, rip rap and wood/timbers. Our recommendation is to go back with a similar wood/timber bulkhead system with S & S Contracting of North Carolina for the cost of \$242,685.90. This is within our CIP budget and work will take place in the winter months when play is traditionally down. Two holes will be closed for the duration of the project (#3, #4), and work should be completed within 90 days once construction has begun.

BUDGET IMPACT:

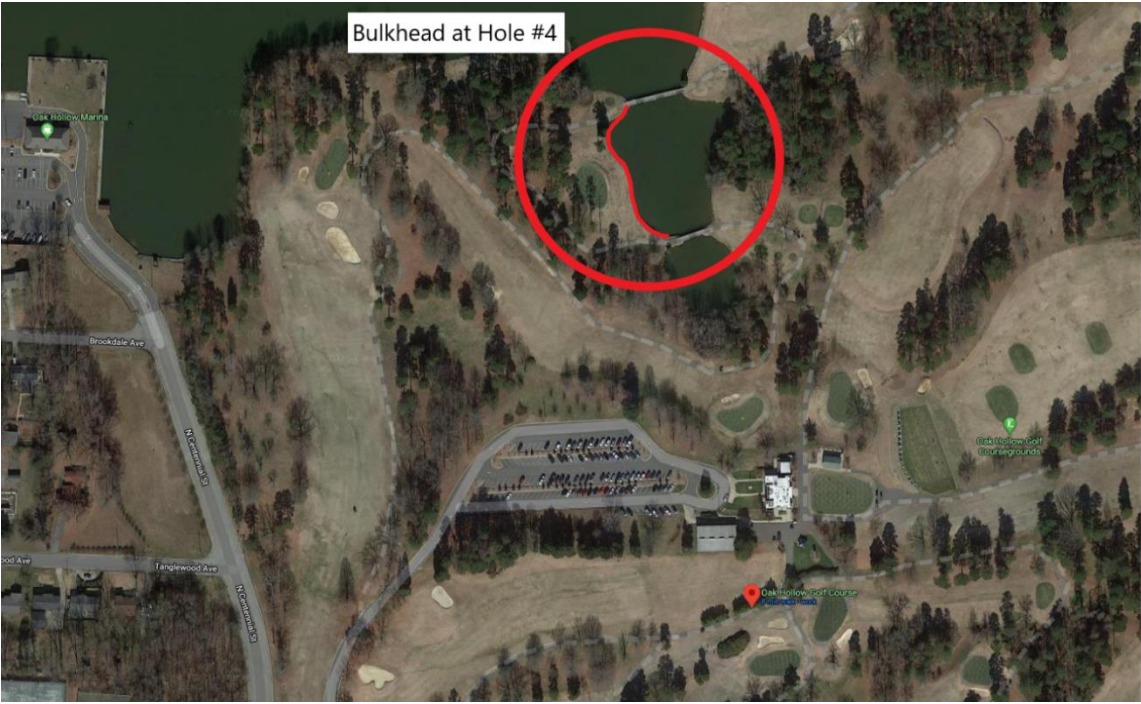
Funds for this project are included in the approved 2020-21 Capital Improvement Plan (CIP) for Parks and Recreation.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council approve contract with S & S Contracting of NC in the amount of \$242,685.90.







Bid Tabulation

City of High Point, North Carolina
Bulkhead Replacement at Oak Hollow Golf Course
Bid 7008-100720 / Wednesday, 10/7/20 2:00 PM

Contractor	Addendum	Bid Bond	Proposal Form	Bids - Primary, Alternate A, Alternate B
Triangle Grading & Paving Inc.	Yes	Yes	Yes	
Primary				\$496,254.00
Alternate A				\$495,894.00
Alternate B				\$456,790.00
Smith-Rowe, LLC	Yes	Yes	Yes	
Primary				\$361,934.00
Alternate A				\$463,745.00
Alternate B				\$158,629.00
S&S Contracting of NC, Inc.	Yes	Yes	Yes	
Primary				\$288,600.00
Alternate A				\$242,685.90
Alternate B				\$229,326.18

DEPARTMENT RECOMMENDATION
Informal Bid(s)

DEPARTMENT:

BID #:

DATE OPENED:

DESCRIPTION:

PURPOSE:

COMMENTS:

RECOMMEND AWARD TO:

AMOUNT:

JUSTIFICATION:

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD:

DATE:

PURCHASING MANAGER:
(\$5,000 - \$30,000)

DATE:

FINANCIAL SERVICES DIRECTOR:
(\$30,000 - \$90,000)

DATE:

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns the real property located at 2111 Little Avenue in the City of High Point and more particularly described in Deed Book 8095, Page 3005 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds;

WHEREAS, the City of High Point has negotiated with Core City CDC and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point and the Core City CDC's agreement to: (1) not convey the Property to a for-profit entity and (2) to reimburse the City for any costs which the City has paid related to the construction of the property, exclusive of the cost of the land; and

WHEREAS, the City of High Point

**THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT
RESOLVES THAT:**

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 2111 Little Avenue in the City of High Point, and is more particularly described in Deed Book 8095, Page 3005 of the Guilford County Registry.

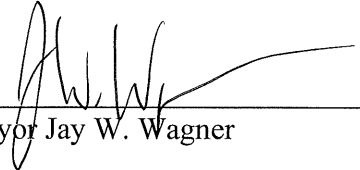
2. The consideration of the conveyance is Core City CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. Further consideration is the Core City CDC's agreement to: (1) not convey the Property to a for-profit entity and (2) to reimburse the City for any costs which the City has paid related to the construction of the property, exclusive of the cost of the land. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice and the fulfillment of the Core City CDC's requirements as above set forth in Paragraph 2.

ADOPTED this the 2nd day of November, 2020.

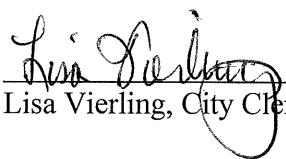
CITY OF HIGH POINT

By



Mayor Jay W. Wagner

Attested to:



Lisa Vierling, City Clerk

