

**GOLDSBORO CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, FEBRUARY 6, 2023**

(Please turn off, or silence, all cellphones upon entering the Council Chambers)

I. WORK SESSION-5:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER STREET

1. ROLL CALL

2. ADOPTION OF THE AGENDA

3. OLD BUSINESS

4. NEW BUSINESS

- a. Update on Communities Supporting Schools (Selena Bennett)
- b. Election Method Discussion (City Manager)
- c. Fiscal Accountability Agreement Between the City of Goldsboro and the Local Government Commission (City Manager)

II. CALL TO ORDER – 7:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER STREET

Invocation

Pledge of Allegiance

III. ROLL CALL

IV. APPROVAL OF MINUTES

A.1. Minutes of the Work Session and Regular Meeting of January 23, 2023

A.2. Minutes of the Special Meeting of January 26, 2023

V. PRESENTATIONS

- B. Employee Performance Awards
- C. National School-Based Health Care Awareness Month and WISH's 25th Anniversary Proclamation
- D. Developmental Disability Awareness Month Proclamation
- E. Night to Shine (Donna Countryman)

VI. PUBLIC HEARINGS

- F. Z-30-22 Glandon Forest Equity, LLC. (R6 to NBCZ) – West side of S. Herman St. between E. Elm St. and E. Pine St. (Planning) – **Continued from January 9, 2023**
- G. Z-31-22 Habitat for Humanity of Goldsboro-Wayne (Residential 9 to Residential 6) – East side of Dr. H.E. McNair St. (Planning)
- H. Z-1-23 Harry & Mollie, LLC (IBP-1 to GB) – East side of McLain Street between Oak Forest Road and East Ash Street Extension (Planning)
- I. SU-1-23 300 S. William St. (Bed & Breakfast) –Corner of E. Spruce St. and S. William St. (Planning)

VII. PUBLIC COMMENT PERIOD

VIII. CONSENT AGENDA ITEMS

- J. Amend the Special Revenue Fund Ordinance for project closeout – BJA FY20 Coronavirus Emergency Supplemental Funding Program (2020-VD-BX-1476) (P3106) (Finance)
- K. Utility Construction Agreement with NCDOT for Water and Sewer Line Relocations relating to replacing Bridge No. 20 on US 70 Business (Grantham Street) NCDOT Project B-4838 (Engineering)
- L. Amended CDBG Public Services Policy (Community Relations)
- M. Split-Jurisdiction Agreement between the City of Goldsboro and County of Wayne (Planning)
- N. Farm Lease Agreements (Planning)
- O. FY 2022 Choice Neighborhoods Planning Grant Agreement (City Manager)

IX. ITEMS REQUIRING INDIVIDUAL ACTION

X. CITY MANAGER'S REPORT

XI. CEREMONIAL DOCUMENTS

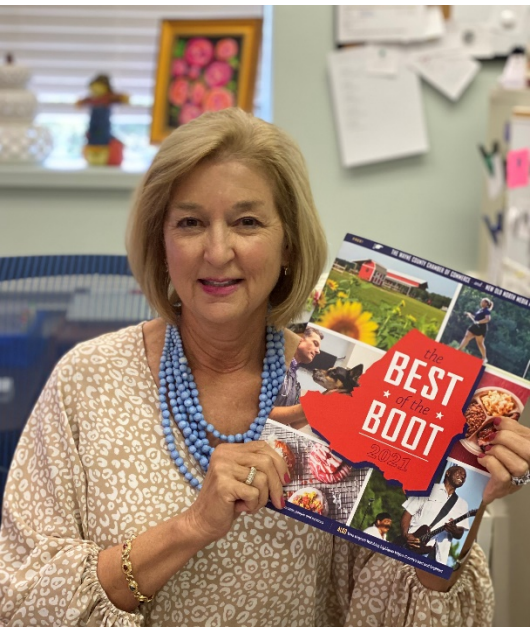
P. Black History Month Proclamation

Q. Resolution Expressing Appreciation for Services Rendered by Eddie Moses as an Employee of The City of Goldsboro for More Than 26 Years

XII. MAYOR AND COUNCILMEMBERS' COMMENTS

XIII. CLOSED SESSION

XIV. ADJOURN



SHAPING THE FUTURE

CSS of Wayne County

*“The Mission of Communities
Supporting Schools of Wayne County
is to provide opportunities for
students to stay in school, graduate,
and be successful in life.”*



Board Members

2022-2023

Cristy Barnes- Williams	President
Julie Beck –	Vice-President
Tiffany Creech –	Secretary
Beverly Wallace-Wiggins -	Treasurer
Ryan Barbato	
Donna Best	
Jennifer Collins	
Kim Copeland	
Kriquette Davis	
Renita Dawson	
Ken Derksen	
D’Leeshia Lee	
Justin Minshew	
Pam Stokes	
Shannon Weeks	



Programs and Services



WCPS School Support Services

(Funded through grants and donations)

- Success Coach Program
- School Supplies
- Mentoring

Restorative Justice for Wayne Juveniles

(Funded through Juvenile Crime Prevention and overseen by
NC Department of Public Safety)

- Teen Court
- Community Service
- Mediation

The Dropout Crisis

- ➡ ■ 1/3 of American high school students do not graduate on time
- ➡ ■ ½ of Hispanic, African American, and American Indian students do not graduate on time
- ➡ ■ Everyday 7,000 students drop out of high school & 1.2 million students drop out of high school each year
- ➡ ■ Individuals and society suffer: difficult to find employment, more likely to seek government support, and have more health issues
- ➡ ■ 75% of prison inmates are high school dropouts



Success Coach Program



Goldsboro High School-
Brogden Middle School-
Dillard Middle –

Grantham Middle School-
Mount Olive Middle School-
Spring Creek Middle School-

Southern Wayne High School-
Brogden Primary School -
Carver Elementary-
Carver Heights Elementary-

Anne Millington
Greg Batts
Mary Kay James
Debbie Brantham
Terri McKay
Veda McNair
Sharon Patterson
Nancy Lancaster
Wendy Hooks
Gale Lewis
Robin DeVeaux



Thank You For Your Support

City of Goldsboro Non-Profit Funding helps to serve students in three schools in Goldsboro:

Carver Heights Elementary School

Dillard Middle School

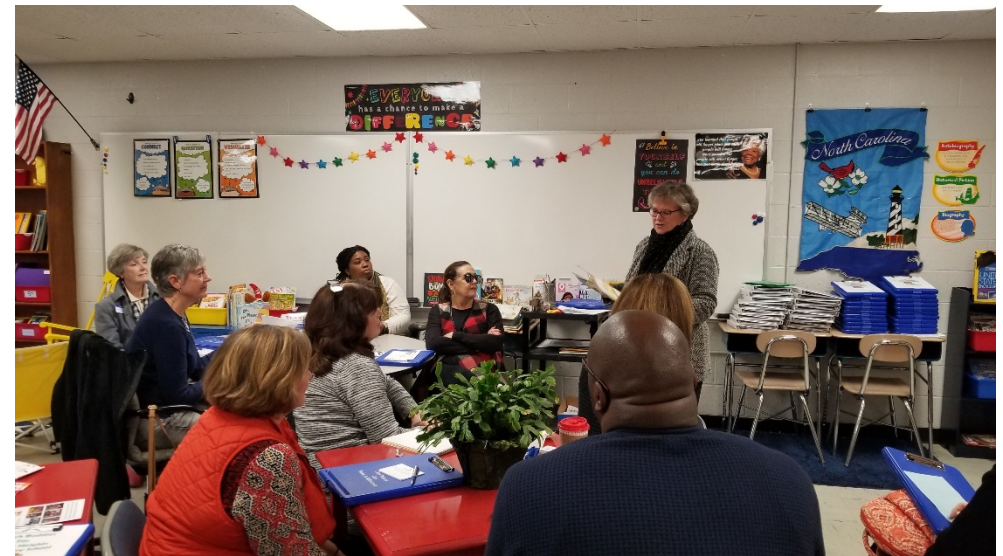
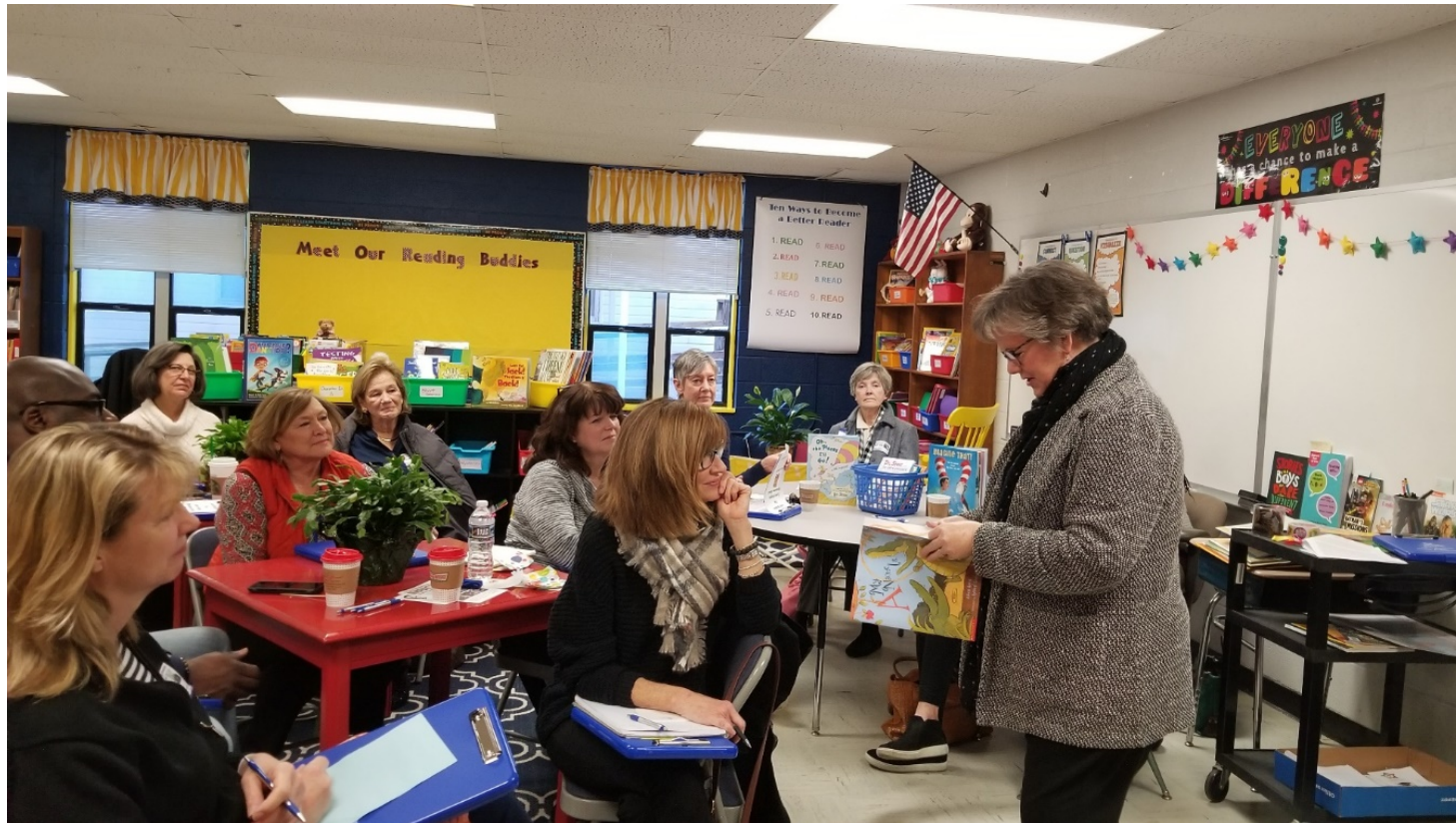
Goldsboro High School

Carver Heights Elementary

Began in January 2019- Focusing on Elementary Reading



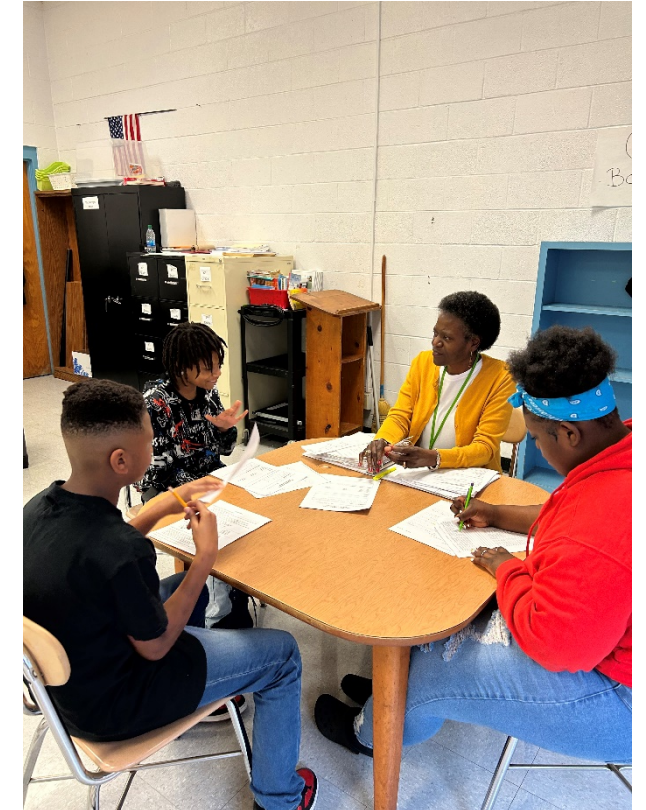
Partnership with Saint Paul Methodist Church at Carver Heights for our reading program!! Volunteers are vital to our success!



Dillard Middle School

CSS Program Since 2018

Focus – Academics, Small Groups, Career Goals



Goldsboro High School Programs

CSS Program Began in 2008

Focusing on Graduation, Academics, Career Goals





Stuff the Bus



CSS Restorative Justice Program

“Doing Something Different”

RELATIONSHIP

Where there is no relationship,
there is no influence.

COMMITMENT

Problems that don't occur overnight,
can't be resolved overnight.

PREVENTION

We are only as strong as our weakest link.



Waynecss.org

Click on the SUBSCRIBE tab on our website to receive our free e-Newsletter.

Email Newsletter



PROGRAMS don't change People-RELATIONSHIPS do!

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING

SUBJECT: Fiscal Accountability Agreement

BACKGROUND: The City of Goldsboro was placed on the 2022 Unit Assistance List (UAL) due to the following:

- Fund balance available for appropriation relative to expenditures in the General Fund is substantially less than comparable units based on the FY2020 audit.
- Failure to submit annual audits for FY 2021 and 2022.

The Local Government Commission (LGC) adopted a Fiscal Accountability Agreement with the City of Goldsboro in January 2022. The Fiscal Accountability Agreement (FAA) is intended to put a structured monitoring process in place between the City of Goldsboro and LGC staff.

The City of Goldsboro is being asked to sign the Fiscal Accountability Agreement with the Local Government Commission for 2023.

DISCUSSION: The monitoring established in this agreement is designed to assist the City of Goldsboro in meeting its obligations and duties under the Local Government Budget and Fiscal Control Act. Once the City has completed its audits and established an appropriate fund balance, the LGC is expected to remove the City from the UAL and an FAA will not be required.

RECOMMENDATION: It is requested that the Mayor, Council and Finance Director sign the agreement to be returned to the Local Government Commission.

DATE: 2/1/23



Timothy M. Salmon, City Manager



Dale R. Folwell, CPA

**FISCAL ACCOUNTABILITY AGREEMENT BETWEEN
THE CITY OF GOLDSBORO AND
THE LOCAL GOVERNMENT COMMISSION**

This Fiscal Accountability Agreement was made and entered into this 10th day of February 2023, between the City of Goldsboro and the Local Government Commission (LGC).

The monitoring established in this agreement is designed to assist the City of Goldsboro in meeting its obligations and duties under the Local Government Budget and Fiscal Control Act. The terms of this agreement may be modified by the LGC based on the progress of the Town in complying with the requirements of this agreement. This agreement was developed based upon concerns of the LGC and statutory failures by the City.

This agreement must be signed by all members of the governing board and other parties listed below and returned to LGC staff by February 10, 2023.

Background:

The City of Goldsboro was placed on the 2022 Unit Assistance List due to the following:

1. Fund balance available for appropriation relative to expenditures in the General Fund is substantially less than comparable units based on the FY2020 audit.
2. Failure to submit annual audits for FY 2021 and 2022

Items Required:

1. An in-person or virtual visit with LGC staff will be scheduled in the near future with city officials, including the Finance Officer and the Manager/Administrator. A follow up visit may be scheduled with the governing board as well.
2. Per NC GS 160A-148(b), six clock hours of education for the Manager. The education will incorporate fiscal management and the requirements of Chapter 159 of the General Statutes. The education may be provided by the Local Government Commission, the School of Government at the University of North Carolina, the North Carolina Community College System, the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, or other qualified sources at the choice of the governing board and upon the prior approval of the Local Government Commission. Education for the Manager must be completed within six months of the date this agreement is entered into by the LGC and the City per NCGS 160A-148(a)(9)b.
3. Clerk must verify and maintain record of the completed education by the Manager. This information will be provided to the Secretary of the Local Government Commission upon request. [NCGS 160A-148(a)(9)b]
4. Fiscal Training for any newly elected or appointed board members by LGC staff. In person training at various sites will be scheduled in coming months. Virtual board training is available



Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

online via the following link: <https://www.nctreasurer.com/divisions/state-and-local-government-finance/lgc/information-governing-bodies/fiscal-training-local-government-elected-officials>.

5. Budget to actual reports will be due on the following dates:
 - a. 6-month Budget to Actual due February 15, 2023 for review
 - b. 9 or 10-month Budget to Actual due May 16, 2023 with the submission of the 2024 draft budget for review

The requested items are to be emailed on or before the due date to LGCMonitoring@nctreasurer.com. LGC staff will review and follow up with the City with questions related to the items provided. The LGC will be notified of the City's progress or lack of progress at their monthly meeting. Please contact LGC staff at LGCMonitoring@nctreasurer.com if you have questions on the items required or need assistance in developing the reports requested.

Consequences for Non-Compliance:

Failure to comply with the requirements of this agreement may result in the LGC enforcing NCGS 159-25(e) which requires a unit to contract with outside entities to fulfill the duties of the finance officer or 159-181(c) and assuming control of the financial affairs of the City.

Should you have any questions or concerns regarding this agreement contact the monitoring team at LGCMonitoring@nctreasurer.com.

This agreement has been entered into by:

Sharon Edmundson

Sharon Edmundson, MPA, CPA
Secretary, Local Government Commission

The Honorable David Ham, Mayor

Greg Batts, Councilmember

Bill Broadaway, Councilmember

Charles Gaylor, Councilmember

Hiawatha Jones, Councilmember

Brandi Matthews, Councilmember



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

Taj Polack, Councilmember

Catherine Gwynn, Finance Officer

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL
JANUARY 23, 2023

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Council Chambers, City Hall, 214 North Center Street, at 5:00 p.m. on January 23, 2023.

Call to Order. Mayor Ham called the meeting to order at 5:00 p.m.

Roll Call.

Present: Mayor David Ham, Presiding
Mayor Pro Tem Taj Polack
Councilwoman Hiawatha Jones
Councilman Bill Broadaway
Councilwoman Brandi Matthews
Councilman Charles Gaylor, IV

Also Present: Tim Salmon, City Manager
Ron Lawrence, City Attorney
Matthew Livingston, Assistant City Manager
Laura Getz, City Clerk

Absent: Councilman Greg Batts

Adoption of the Agenda. Upon motion of Councilman Broadaway, seconded by Mayor Pro Tem Polack, and unanimously carried, Council adopted the agenda.

Old Business.

HOME ARP Funding Allocation Discussion. Felecia Williams, Community Relations Director provided the following information: **HOME-ARP Allocation for Non-Congregate Shelter & Supportive Services.** The City Council has elected to utilize HOME-ARP funds to provide Non-Congregate Shelter and Supportive Services to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations.

At the December 19, 2022 City Council meeting, Washington Business Dynamics consultants presented the communities’ current needs and gaps in services to the homeless populations. As a result, City Council elected to fund Non-Congregate Shelter and Supportive Services.

HUD requires the City include how it intends to distribute HOME-ARP Funds in the HOME-ARP Allocation Plan. The HOME-ARP Allocation Plan, due to HUD by March 30, 2023, must be submitted as a substantial amendment to the FY21 Annual Action Plan for HUD review and acceptance. During the Commission on Community Relations and development’s January meeting, members discussed funding for the two eligible activities and have prepared an official recommendation to Council.



HOME-ARPALLOCATION

Presented by: Community Relations Department





HOME-ARP Allocation Plan

- HOME-ARP Allocation Plan is due to HUD by March 30, 2023. WBD (Washington Business Dynamics) Consultants are currently awaiting Council's decision on how to allocate the funds for the chosen eligible activities: Non-Congregate Shelter & Supportive Services.
- Breakdown of the allocation:

Total Allocation	\$907,913
Administration (15%)	\$136,186.95
HUD Released (5%)	\$45,395.65
Remaining for Admin.	\$90,791.30
Remaining Allocation	\$817,121.70

HOME-ARP Allocation Plan

HOME-ARP Allocation Plan must include:

- A description of how the City intends to distribute HOME-ARP funds
- A description of how the funds will be used to address the needs of the HOME-ARP qualifying populations
- A description of the intended method for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors

*HUD will approve/disapprove the Allocation Plan within 45 days of submission.





Non-Congregate Shelter

NCS Facts:

- Defined as an emergency shelter that provides private sleeping space.
- Eligible activities include: 1) Acquisition, 2) Rehabilitation, 3) New Construction.
- Restricted Use Period must be enforced by the City:







New Construction	15 years
Rehabilitation	10 years
Acquisition Only	10 years



support services. There was no second and the motion failed. Councilwoman Jones made a motion to accept the 60/40 recommendation from the Commission. The motion was seconded by Councilwoman Matthews. Mayor Ham, Mayor Pro Tem Polack, Councilwoman Jones, Councilwoman Matthews and Councilman Gaylor voted for the motion. Councilman Broadway voted against the motion. The motion passed 5:1.

New Business.

T.C. Coley Center Update. Felicia Brown, Parks and Recreation Director, provided the following information:

<div><div>T.C. COLEY COMMUNITY CENTER</div><div>Felicia L. Brown, MPRTSM, CPRP Parks and Recreation Director</div><div>January 23, 2023</div><div> www.goldsboronc.gov</div></div>	<div><div>BACKGROUND</div><div><ul style="list-style-type: none">In 2016, City Council decided to renovate what is now the T. C. Coley Community Center; renovations were completed in 2018 at a cost of ~\$210KPlans for a non-profit to operate the facility did not materializeIn February of 2019, City Council directed Parks and Recreation to operate the facility for one year; during this time non -profits would be able to use the facility at no chargeIn February of 2020, City Council directed a lease agreement be implemented with Ashford Boxing Club for the Gymnasium and approved Parks and Recreation to charge rental rates for the rest of the facility</div></div> <div><div>1/20/2023</div><div>2</div><div></div></div>
<div><div>PARKS AND RECREATION PROGRAMMING</div><div><ul style="list-style-type: none">In September of 2022, Herman Park Center was closed due to positive mold test resultsParks and Recreation Staff housed in Herman Park Center were relocated to what is now the Herman Park Admin Bldg (formerly known as the Senior House)Programs that occurred at Herman Park Center and the Senior House were relocated to other facilities including T. C. Coley Community Center</div></div> <div><div>1/20/2023</div><div>3</div><div></div></div>	<div><div>T. C. COLEY COMMUNITY CENTER</div><div><ul style="list-style-type: none">Annual operating costs are estimated to be ~\$35K – expect this number to increase with relocating programs due to Herman Park Center closingRental revenue for FY22 was \$8K – expect this number to increase with Herman Park Center closingCity Council approved repairing the roof over the Recreation Room and interior painting at an estimated cost of ~\$55K during November 21, 2022 meeting</div></div> <div><div>1/20/2023</div><div>4</div><div></div></div>
<div><div>T. C. COLEY COMMUNITY CENTER NOW</div><div><ul style="list-style-type: none">Pottery Program meets in Meeting Room (back of building)Senior Programming - card groups meet in Recreation RoomSpecial Populations Activities occur in Recreation RoomRentals occur in Meeting Room (with mirrors) and Recreation RoomIn process of moving billiard tables and other Leisure Center items to Recreation RoomOther programs will be added, including summer camps</div></div> <div><div>1/20/2023</div><div>5</div><div></div></div>	<div><div>QUESTIONS?</div></div> <div><div>1/20/2023</div><div>6</div><div></div></div>

Council discussed the T.C. Coley Community Center and emergency shelter.

Downtown Parking Discussion. Erin Fonseca, Downtown Development Director, introduced new employee, Greg Mills, Business and Property Development Specialist. She also shared the following comments: I’m here this evening to invite the public to participate in a Downtown Public Parking Forum at Wayne County Museum this Thursday at 5:30pm. The museum is located at 116 North William Street. Though this is technically a special meeting of the Council, due to the amount of interest for Council members to participate, the primary objective is to listen and learn. There is no intent to make a decision based on feedback during the meeting, but simply to gather feedback from stakeholders regarding their needs and desires related to public parking. This meeting is open to the public, and all are welcome to attend. EVERYONE is affected by downtown parking – not just business and property owners, tenants, and employees, but anyone who parks downtown. If you are here this evening, you likely drove, and are therefore a stakeholder in the conversation on public parking. Parking is not a new topic of discussion or challenge, nor is it a challenge with one clear solution. It is constantly changing and involves a long list of stakeholders with varying needs. For reference, a comprehensive traffic and parking study was conducted in 2016, which can be found on our website. It also included public input opportunities. The study cited sufficient capacity, with over 1,900 public spaces, but outlined potential short and long-term management strategies that have not been revisited since wayfinding signage was installed in 2020. Demand on available parking has grown with the addition of 80+ upper story residential units since 2016 and 40 building renovations. This is exciting growth for our downtown economy; however, it puts a strain on public parking. A great problem to have, but a consistent concern of downtown stakeholders, nonetheless. The public parking input forum will be facilitated by a third-party professional, with extensive experience in parking management for a fellow municipality. Dwight Bassett - who presented to Council during last year’s retreat - was recommended by the NC Main Street and Rural Planning Director at NC’s Dept of Commerce. Mr. Bassett was asked to facilitate to direct the conversation in a completely unbiased manner. Additionally, the location was selected as a neutral location, to ensure that all feel welcome to join and participate. For maximum awareness, this meeting has been shared via the City’s website, water bill and social media pages, as well as post cards that were hand-delivered and mailed to downtown stakeholders. For those who cannot physically make the meeting, it will be aired on Facebook, and the facilitator’s email will be shared for those who wish to provide feedback outside of the meeting. Our goal is to make sure

that we gather as much input as possible and reduce barriers. There has already been significant interest in this opportunity. All information gathered will be brought back to Council, in order to allow you to make an educated citizen input based decision should the need arise to make a decision on parking management. Again, we believe that everyone is a downtown parking stakeholder, and stakeholder input is a key component in all policy making.

Consent Agenda Review. Items D - M on the consent agenda were reviewed. Further discussion included items below.

Item G. Approve Facility Use Lease for Balanced Choice Vending LLC at Goldsboro Golf & Event Center. Council discussed Balanced Choice Vending and the facility.

Item H. Contract Award for 2023 Public Safety Complex HVAC Boiler Replacement Project. Council discussed the bids.

Mayor Ham inquired about panhandling registration and the registration process. Chief West stated they have issued nine permits and discussed the panhandling registration process.

Closed Session.
Upon motion of Mayor Pro Tem Polack, seconded by Councilwoman Jones, and unanimously carried, Council went into Closed Session to discuss litigation.

After the Closed Session was held, Council came out of Closed Session and back into Open Session.

The meeting recessed at 6:24 p.m.

CITY COUNCIL MEETING
The City Council of the City of Goldsboro, North Carolina, met in Regular Session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on January 23, 2023.

Mayor Ham called the meeting to order at 7:00 p.m.

Archbishop Anthony Slater with Tehillah Church Ministries provided the invocation. The Pledge of Allegiance followed.

- Roll Call.**
- | | |
|---------------|---|
| Present: | Mayor David Ham, Presiding
Mayor Pro Tem Taj Polack
Councilwoman Hiawatha Jones
Councilman Bill Broadaway
Councilwoman Brandi Matthews
Councilman Charles Gaylor, IV |
| Also Present: | Tim Salmon, City Manager
Ron Lawrence, City Attorney
Matthew Livingston, Assistant City Manager
Laura Getz, City Clerk |
| Absent: | Councilman Greg Batts |

Mayor Ham explained the Public Comment Period procedures.

Approval of Minutes. Mayor Pro Tem Polack made a motion to approve the minutes of the Work Session and Regular Meeting of January 9, 2023. The motion was seconded by Councilman Broadaway and unanimously carried.

Public Hearings.
Non-Contiguous Annexation Request – J and J Daniels Farming Enterprises, LLC. - Located on the east side of South 111 Hwy. (Corner of South NC 111 Hwy. and Ditchbank Rd.). Public Hearing Held and Ordinance Adopted. The City Council, at their meeting on December 19, 2022, scheduled a public hearing for the proposed annexation of the subject property. A public hearing notice was properly advertised stating the time, place and purpose of the meeting.

Pursuant to G. S. 160A-58, at the public hearing, all persons owning property in the area proposed to be annexed, as well as the residents of the municipality, shall be given an opportunity to be heard on the proposed annexation.

If the Council determines that the proposed annexation meets all the requirements of G. S. 160A-58, it has the authority to adopt an annexation ordinance.

A report was prepared by the Planning Department in conjunction with other departments, concerning the subject annexation area. All City services can be provided to the property except for City water. Water will be provided to the subject annexation area via Eastern Wayne Sanitary Water District.

It was recommended that Council, after the public hearing, adopt the following entitled Ordinance annexing J and J Farming Enterprises, LLC. effective January 23, 2023.

Mayor Ham opened the public hearing. The following person spoke:

1. Steve Oliverio, Bartlett Engineering in Wilson, shared he is here with the developer, Paul Quinn to answer any questions. He shared this is a clean up proposal to get this entire parcel annexed. A major portion of the parcel was annexed years ago with proposed development but never came to fruition.

No one else spoke and the public hearing was closed.

A motion was made by Mayor Pro Tem Polack to adopt the ordinance annexing J and J Daniels Farming Enterprises. The motion was seconded by Councilman Broadaway and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-4 “AN ORDINANCE ANNEXING CERTAIN NON-CONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA”

Street Closing-Dakota Avenue (From East Fourth Street to East Fifth Street) East Fifth Street (From Humphrey Street to Dakota Avenue). Public Hearing Held and Ordinance Adopted. Petitioner: County of Wayne. On December 8, 2022, the County of Wayne petitioned for two street closures referenced above in preparation for developing an office complex for County agencies to operate. The referenced street sections have been identified on the attached map indicating the length and right-of-way width.

The petitioned street closings have been forwarded to the Fire, Police, Engineering and Public Works Departments for their review. No objections to the closing have been submitted.

The Engineering Department has indicated that a utility easement should be reserved over Dakota Avenue for an existing 6-inch water line and an existing 8-inch sewer line if the public right of way is closed. In addition, the Engineering Department has indicated that a utility easement should be reserved over Fifth Street for an existing 6-inch water line and an existing 8-inch sewer line if the public right of way is closed.

Wayne County has agreed to provide a survey of the property identifying the location of all utilities and the easements proposed as reserved by the City of Goldsboro.

If the street sections are closed, ownership of the right-of-way would return to the County of Wayne.

On December 19, 2022, City Council adopted a Resolution of Intent setting the public hearing for January 23, 2023 and that Resolution was advertised for four weeks in the local newspaper. Adjacent property owners were notified of the public hearing by certified mail and the street section was posted with notice of the public hearing.

It was recommended that Council accept the recommendation of City staff and adopt an Ordinance officially closing the following streets: Dakota Avenue (From East Fourth Street to East Fifth Street); and, East Fifth Street (From Humphrey Street to Dakota Avenue).

In addition to closing the streets referenced above, the City of Goldsboro would reserve a utility easement over Dakota Avenue for an existing 6-inch water line and an existing 8-inch sewer line. In addition, the City of Goldsboro would reserve a utility easement over Fifth Street for an existing 6-inch water line and an existing 8-inch sewer line.

Mayor Ham opened the public hearing. No one spoke and the public hearing was closed.

A motion was made by Mayor Pro Tem Polack to adopt the ordinance officially closing Dakota Avenue and East Fifth Street, as stated in the memo. The motion was seconded by Councilman Gaylor and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-5 “AN ORDINANCE ORDERING THE CLOSING OF PORTIONS OF CERTAIN STREETS WITHIN THE CITY OF GOLDSBORO, NORTH CAROLINA”

Public Comment Period. Mayor Ham opened the public comment period. The following people spoke:

1. Rovarian Taylor shared comments regarding a Study Hall Initiative at Ashford’s Boxing Club (at T.C. Coley Center) and requested a work order at the Center be expedited.
2. April Rojas shared comments regarding the newsletter and comments made by a city employee. She also shared concerns about yard debris not being picked up.

No one else spoke and the public comment period was closed.

Consent Agenda – Approved as Recommended. City Manager Tim Salmon presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mayor Pro Tem Polack moved the items on the Consent Agenda, Items D - M be approved as recommended by the City Manager and staff. The motion was seconded by Councilman Gaylor. Councilwoman Matthews shared comments regarding the policy related to workers compensation insurance. After further discussion, a roll call vote resulted in the

following vote: Mayor Ham, Mayor Pro Tem Polack, Councilman Broadway, and Councilman Gaylor voted for the motion. Councilwoman Jones and Councilwoman Matthews voted against the motion. The motion passed 4:2.

The items on the Consent Agenda were as follows:

Nonprofit Funding Policy (FINPOL-N001) Adoption. Policy and Resolution Adopted. In the FY2022-23 budget process, the City initiated changes to implement a more formal process to apply, approve and fund nonprofits performing contracted services for the City.

At this time, it is necessary for Council to review and approve the attached Nonprofit Funding Policy (FINPOL-N001) so that Finance may carry out the funding process for the nonprofits. This also formally establishes the process that will be used for the FY2023-24 annual budget cycle.

It was recommended that Council adopt the following entitled resolution for the Nonprofit Funding Policy (FINPOL-N001). Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

RESOLUTION NO. 2023-2 “RESOLUTION ADOPTING A POLICY FOR NONPROFIT FUNDING (FINPOL-N001)”

CDBG Public Services Policy. Policy Adopted. The City receives federal funds to administer CDBG and HOME programs to assist low to moderate income persons with housing and non-housing needs.

Public services are an integral part of the comprehensive community development strategy and can address a range of individual needs and increase the impact of CDBG funds. Public services can strengthen communities by addressing the needs of specific populations and by supporting economic development. CDBG regulations allow the use of grant funds for a wide range of public services activities, including, but not limited to: childcare, health care, job training, recreation programs, education programs, and many others.

It was recommended that Council adopt the CDBG Public Services Policy. Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

CDBG Rehabilitation Program Procedures Manual. Manual Adopted. The City receives federal funds to administer CDBG and HOME programs to assist low to moderate income persons with housing and non-housing needs.

The purpose of the CDBG Rehabilitation Program is to foster and maintain affordable, decent, safe, and sanitary housing in the city. The program is available to eligible low-to-moderate income owner-occupied single residence homes within the city limits. Assistance to approved owner-occupied single-family homeowners will be provided in the form of 0% interest, deferred payment loans, not to exceed a maximum of \$30,000. The loan will have an affordability period of five (5) years and will be forgiven at a rate of twenty (20) percent per year.

It was recommended that Council adopt the CDBG Rehabilitation Program Procedures Manual. Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

Approve Facility Use Lease for Balanced Choice Vending LLC at Goldsboro Golf & Event Center. Resolution Adopted. The City of Goldsboro was approached by Balanced Choice Vending LLC with a request to lease space and kitchen equipment at the Goldsboro Golf Course.

The space needed is located at 1501 South Slocumb Street, Goldsboro, NC, the southeastern Golf Course Kitchen/Bar area and the equipment is listed on the attached contract exhibit 1 “Building”.

Balanced Choice Vending LLC is a full line vending company, and their goal is to serve and support the City of Goldsboro through job creation for residents, paid summer jobs for youth, youth programs, and to support the City of Goldsboro in any additional way possible through its resources.

Balanced Choice Vending LLC will prepare and sell meals at Fair Market Value to the community.

Pursuant to NCGS 160A-272, notice was provided in the Goldsboro News Argus on December 22, 2022.

It was recommended that Council approve the following entitled resolution authorizing the City Manager to enter into a lease agreement with Balanced Choice Vending LLC for the kitchen lease. Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

RESOLUTION NO. 2023-3 “RESOLUTION APPROVING A LEASE AGREEMENT WITH BALANCED CHOICE VENDING LLC.”

Contract Award for 2023 Public Safety Complex HVAC Boiler Replacement Project. Resolution Adopted. The Public Safety Complex Boiler is original to the 1975 construction of the building. The casing on the boiler is rusted through and leaks when shut down. The boiler inspector has warned it will be deemed unsafe if it leaks during operation. It was determined that replacement of the system is warranted before it fails.

Funds were budgeted in FY2023 for the replacement of the Boiler system.

Bids were invited and due on Thursday, September 8, 2022 at 2:00 pm for the replacement of the Public Safety Complex HVAC Boiler System. Three submittals were received and tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Hoffman Mechanical Solutions	\$ 99,469.06
Dail Mechanical, Inc.	\$ 170,500.00
Piedmont Services Group	\$ 170,771.00

The purpose work consists of replacing the HVAC boiler and pump for Public Safety Complex, startup of the new boiler, and integration into existing controls.

It was recommended that Council adopt the following entitled resolution authorizing the City Manager to execute a contract with Hoffman Mechanical Solutions in the amount of \$ 106,183.22, bid price plus sale & use tax, for the Public Safety Complex HVAC Boiler Replacement Project. Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

RESOLUTION NO.2023-4 “RESOLUTION AWARDING AND AUTHORIZING EXECUTION OF A CONTRACT FOR PUBLIC SAFTEY COMPLEX BOILER REPLACEMENT PROJECT”

Resolving a Lease Agreement to use the Wayne County Law Enforcement Officer’s Association Firearms Range. Resolution Adopted. The City of Goldsboro Police Department entered into an agreement with the Wayne County Law Enforcement Officer’s Association, Inc. and the County of Wayne, to use of the Wayne County Law Enforcement Officer’s Association, Inc. Firearms Range on January 1, 2021. The City has shared in this lease agreement since the late 1980’s. The range is approximately 2.067 acres and is located at 440 Old Mt. Olive Hwy. Dudley, NC.

The Wayne County Law Enforcement Officer’s Association, Inc. Firearms Range serves a dual purpose for the sworn personnel of the Goldsboro Police Department. The lease agreement allows sworn personnel to practice firearm training on designated open range schedules as well as qualify/requalify annually as mandated by NC Department of Justice for all sworn personnel.

The lease requires both participating agencies to work harmoniously with schedule procedures, assigning designated “range officers” who are certified firearm instructors, who will assist with coordinating use of the range. Maintenance of the range will be the responsibility of the City of Goldsboro on the odd number years and the County of Wayne on the even number years.

The lease holds both participating agencies responsible for maintaining their own insurance coverage for their LE officers and agree to indemnify and hold the Wayne County Law Enforcement Officer’s Association, Inc. and the property of the Association, to include the premises, free and harmless of all claims.

The City and County will pay the sum of \$3,500.00 annually from January 1, 2021 until December 31, 2026.

It was recommended that Council approve the following entitled resolution ratifying the authorization for the Chief of Police to have executed the agreement and approving the agreement with the Wayne County Law Enforcement Officer’s Association, Inc. for the use of firearms training for GPD sworn personnel. Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

RESOLUTION NO. 2023–5 “RESOLUTION RATIFYING A LEASE AGREEMENT WITH WAYNE COUNTY LAW ENFORCEMENT OFFICER’S ASSOCIATION, INC.”

Non-Contiguous (Satellite) Annexation Petition – Chad Post; 2853 US HWY. 70 W. Located on the southwest corner of US Hwy. 70 W. and NC 581 Hwy. Referred to the Clerk. The applicant is requesting that non-contiguous property described by metes and bounds in Item 2 of the attached petition be annexed to the City of Goldsboro. Maps showing the property proposed to be annexed are attached. City council approved the change of zone request (Z-18-22) for the above property from Wayne County Community Shopping (CS) to General Business Conditional Zoning District (GBCZD) to allow the operation of a convenience store and gas station on September 6, 2022.

Area: 106,121 sq. ft. or 2.43 acres

Pursuant to G.S. 160A-58, City Council shall fix a date for public hearing on the proposed annexation if the petition is considered sufficient by the City Clerk. Sufficiency requires the City Clerk to make the following findings:

1. The nearest point on the proposed satellite corporate limits must be not more than three miles from the primary corporate limits of the annexing city;
2. No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city;

3. The area must be situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits;
4. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed 10% of the area within the primary corporate limits of the annexing city.

The City Council, at their meeting on January 23, 2023 would request the City Clerk to determine the sufficiency of the petition. If the petition is determined to be sufficient, a public hearing would be scheduled and a report would be prepared by the Planning Department, in conjunction with other City departments, for submission to the Council.

It was recommended that Council request the City Clerk examine the annexation petition to determine its sufficiency.
Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

Contiguous Annexation Petition – JD Gupta. Located on the south side of W. New Hope Rd. between Somervale Ln. and Twin Oaks Pl. Referred to the Clerk. The applicant is requesting that contiguous property described by metes and bounds in Item 2 of the attached petition be annexed into the City of Goldsboro.

Maps showing the property proposed to be annexed are attached. City Council approved the change of zone request for the above subject properties on June 6, 2022 from Residential (R16) to Residential (R12CZ) limiting the property to a 62-lot residential cluster subdivision.

Pursuant to G.S. 160A-31, City Council shall fix a date for public hearing on the proposed annexation if the petition is considered sufficient by the City Clerk.

The City Council, at their meeting on January 23, 2023, would request the City Clerk to determine the sufficiency of the petition. If the petition is determined to be sufficient, a public hearing would be scheduled and a report would be prepared by the Planning Department, in conjunction with other City departments, for submission to the Council.

It was recommended that Council request the City Clerk examine the annexation petition to determine its sufficiency.
Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

Advisory Board and Commission Appointments. Resolution Adopted. There are currently several vacancies on Advisory Boards and Commissions. Citizen involvement is vital to the performance of City government. It is necessary that additional appointments be made to fill these vacancies.

Recommendations for appointments were requested from the respective Boards and Commissions. Applications were also solicited from the public at large.

The City Council met during the Work Session on January 9, 2023, to review vacancies and applications received to fill the current vacancies. With these appointments, two alternate positions on the Historic District Commission remain.

It was recommended that Council adopt the following entitled Resolution appointing members to various Advisory Boards and Commissions in the City of Goldsboro. Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

RESOLUTION NO. 2023-6 “RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS”

Departmental Monthly Reports. Accepted as Information. The various departmental reports for December 2022 were submitted for Council approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Polack/Gaylor (4 Ayes: 2 Nays)

End of Consent Agenda.

City Manager’s Report. Tim Salmon congratulated the Housing Authority for receiving the HUD Choice Neighborhoods Planning Grant of \$500,000 to transform the West Haven Apartments into high quality mixed income housing. City staff is excited to work with the Housing Authority and other teammates to obtain the \$50 million dollar grant that would make that happen.

Ceremonial Documents.

Resolution Expressing Appreciation for Services Rendered by Melvin Dawson as An Employee of the City of Goldsboro for More Than 20 Years. Resolution Adopted. Melvin Dawson retires on February 1, 2023 as a Traffic Signal Technician II, with more than 20 years of service, with the Engineering Department. Melvin began his career on December 4, 2002 as a Building and Traffic Maintenance Worker with the Public Works Department. On May 12, 2004, Melvin was promoted to Radio Signal Technician with the Public Works Department. On April 25, 2007, Melvin was promoted to Senior Building and Traffic Maintenance with the Public Works Department. On February 3, 2010, Melvin was transferred to Signal System Maintenance Technician with the Public Works Department. On July 9, 2014, Melvin was transferred to the Engineering Department. On February 23, 2022, Melvin was reclassified as Traffic Signal Technician II with the Engineering Department, where he has served until his retirement. Melvin has proven himself to be a dedicated and

efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees, and the citizens of the City of Goldsboro, of expressing to Melvin Dawson their deep appreciation and gratitude for the service rendered by him to the City over the years and express to Melvin Dawson our very best wishes for success, happiness, prosperity, and good health in his future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 23rd day of January, 2023.

A motion was made by Mayor Pro Tem Polack to adopt the retirement resolution. The motion was seconded by Councilwoman Jones and unanimously carried. Council adopted the following entitled Resolution.

RESOLUTION NO. 2023-7 "RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY MELVIN DAWSON AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 20 YEARS"

American Heart Month Proclamation. Read by Mayor Pro Tem Polack; The Goldsboro City Council proclaimed the month of February 2023 as AMERICAN HEART MONTH in Goldsboro, North Carolina and called upon the people of Goldsboro to increase their awareness and understanding of heart disease and to observe this month with appropriate activities and programs.

Year of the Trail Proclamation. Read by Councilman Broadaway; The Goldsboro City Council proclaimed 2023 as the YEAR OF THE TRAIL in collaboration with the members of the Great Trails State Coalition.

Mayor and Councilmembers' Comments.

Councilman Gaylor shared the following comments: the Downtown Development office, I just want to say thank you to you for your work pulling together this parking meeting on Thursday. It's my understanding that did not begin as a council initiative, that did not begin as us calling a council meeting. That the amount of interest that the council has in the general public and seeing this, resulted in the law requiring us to have it be listed as a special called meeting. I think that speaks very well to the amount of interest and the importance of our MSD, of our downtown, and of the economic development, of the economic impact that it has on our city. I would remind everyone that we only have one meeting in February and March, but we do have our Board retreat. A number of folks in the district have reached out to ask about the agenda for the Board retreat and asked if there were specific things that could be put on there. Anyone else that has anything, it's just a simple thing please shoot me an e-mail so that I know and then it's something that we can discuss as a Council or with Mayor Ham to see if it's something they can fit on the agenda. I know it's going to be a very busy couple of days and that's February 22nd and 23rd and it's already been published.

Councilwoman Matthews shared the following comments: I do want to kind of make one correction about what was said, and it was because I hear a lot of different feedback from different things that we do at the city. The mayor made it very clear in an e-mail or, the city manager does a weekly report, and a report came out back in October, November that there was some talk about a parking discussion and having a meeting. I then reached out to the mayor and asked if it would not be a special called meeting because I was under the assumption that the mayor thought that this was very necessary to discuss. Conversations went on, I sent the mayor an e-mail asking that this not be a City Council or even a mayor led initiative due to a conflict of interest, bias, and all of the things above. The mayor then responded to me and let me know that this was an issue that needed to be, wait, let me back up little bit. So, I told him that several issues come before the City Council, we have presentations almost, we had 2-3 tonight. They come before the board and then we are at then, responsible for making the decision if necessary and I didn't think it was appropriate for us to participate in that regard. I think we have several downtown entities who are more than capable of leading the charge and coming up with a plan and presenting it to council like they have done so many other times. The mayor then told me that this meeting deserves some special considerations, we use those type of terminologies, you have another group of people who do not feel included in that plan and those are oftentimes the people that I serve. When I'm asking these questions it's not just Brandy asking the question, I'm asking those questions for those persons that I represent and as much as we have tried to do this, everybody is affected by XYZ, this did not come about because everybody was affected. This is not how this thing started and I just wanted to clarify that because the mayor was very clear even before it went to council that he was going to have a meeting about the parking downtown. My only concern is that we too take very special interests to all the other issues that are going on in our city that affect other people than certain groups of people. I just want us to be fair that was what the context of my e-mail was to the council members some of which have still not responded to that e-mail. I just want to be very clear and transparent that when we're doing stuff, I don't care how you fix it up, how you try to clarify, the facts are the facts, and it was very disappointing that this now is being blanket covered, the fact that it's interest and we're we have to fall in line with special meeting law and regulations. We all know that there's more than four of us in one place in that type of setting, we have to call a special meeting, but this was going to be a special meeting rather we were all there or not and that is the thing that concerns me and that is what I want to be clear. I don't care how our city staff, the mayor, or the council members try to clear it up. I plan to attend on Thursday because I go downtown all the time and Erin made a good point, it is a good problem to have but I want to make sure that we're doing what's in the best interest of not just the city, not just specific or two or three business owners who want special accommodations. I want to ensure that we're doing the right thing for everybody if in fact everybody are stakeholders, if in fact everybody's affected by this issue. I'm holding the board accountable to say there was a lot of passion from our mayor about this parking. He was very passionate, very adamant about it in the e-mail that he sent to me and the special consideration that this issue needed. So, I am hoping that we have

special consideration for all the other issues that are needed. I just wanted to clarify that we don't need to hide it and say that it's just because we're going to all be there, that's why we have to do it, that's not it, it's not the truth.

Mayor Pro Tem Polack shared the following comments: I just want to thank the Goldsboro Fire Department for their continued assistance and support of the Wayne County Public School System, Public Safety/Fire Technology class, housed at Goldsboro High School, where I'm an instructor. The coordination they've had with my curriculum as well as their own training means so much especially with shortfalls that they currently face with their own equipment. Also, want to thank in closing the citizens within our city limits that do so much behind the scenes that don't seek glory but is definitely an asset to our city's growth and unity.

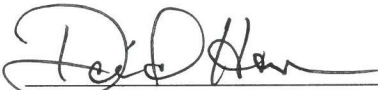
Councilman Broadway shared the following comments: I too have received numbers of calls about people picking up yard waste and especially leaves, but I've also known that our Public Works Department is working with very few pieces of equipment right now. In fact, I talked to the Public Works director, and they now have three and maybe four trucks so they're going to get on this problem. A lot of us don't have our leaves picked up and a lot of people are concerned but we can't take it out on the employees. They're working extra-long hours to do it and so those guys are out there working and it's up to us to get them the equipment to work with and that's the point I want to make. I do know we have a new truck ordered and maybe a new one on the way, but those guys out there are working, they're working as hard as they can, so yell at us, don't yell at those guys.

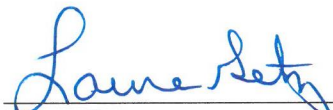
Councilwoman Jones shared the following comments: I would like to say I had an opportunity to attend the Eastern Carolina Council legislative breakfast this morning and it was very informative. I was glad to see and meet a lot of the legislators and we spoke of municipality issues and sewer and all types of things. So, I just wanted to say that was very informative. I really want to put a shout out to Saint James for the Suicide Awareness Workshop that occurred, it was really good and there was some great discussion. There could have been more people there. There were about 25 and there was some really good discussion and we're going to do some more things along that line. I want to thank those people and the speaker for coming out. Another issue of mine is human trafficking and tomorrow night there will be a workshop of at Dillard Academy at 6:30 pm addressing human trafficking and I want everybody to know and to please come out.

Mayor Ham shared the following comments: I want to speak to the issue that Councilman Broadway spoke about, our Public Works Department. As stated in the newsletter that went out with the utility bills, we've had some major problems in that department so far as leaf vacuum equipment goes. A leaf collecting machine has two motors on it, one for the engine that pulls the vacuum and then one for the vacuum itself. We've had a continuous problem with the equipment breaking down. The supply chain to replace those parts, we are caught up in that like other merchants and other industries are caught up in the supply chain shortages. We've been at the mercy of things that were out of our control now as Councilman Broadway mentioned, we're getting better. But when you order a piece of equipment in June and you can't get it until nine months later, that speaks to the supply chain. That doesn't mean that we don't have responsibility to pick up leaves and lambs, we do, and they're doing it in a manner that is causing them to work overtime and so forth. I'll also say that if you have limbs mixed with leaves they will not pick those up. You have to separate limbs from the leaves. I've had a lady stop me in a store one day and to talk to me about it. I went by her house and a big pile of limbs were piled up on her leaves and I called her back and said you have to separate those limbs. Limbs will get caught up in the vacuum system of those leaf collectors and damages it. They just will drive buy if they see limbs piled on there, so I just want you to be aware of that. As far as any conversation that Public Works told you ma'am that you don't pay for this, that was wrong and our manager or assistant manager will look into that matter.

There being no further business, Mayor Ham adjourned the meeting at 7:46 p.m.




David Ham
Mayor


Laura Getz
City Clerk

The City Council of the City of Goldsboro, North Carolina, held a Special Meeting called by Mayor Ham to discuss downtown parking at the Wayne County Museum, 116 North William Street, at 5:30 p.m. on Thursday, January 26, 2023.

Call to Order. Mayor Ham called the meeting to order at 5:41 p.m.

Roll Call.

Present: Mayor David Ham, Presiding
Mayor Pro Tem Taj Polack (arrived at 5:51 p.m.)
Councilwoman Hiawatha Jones (arrived at 5:41 p.m.)
Councilman Bill Broadway
Councilwoman Brandi Matthews



Absent: Councilman Charles Gaylor, IV
Councilman Greg Batts

Also Present: Tim Salmon, City Manager
Matt Livingston, Assistant City Manager
Laura Getz, City Clerk

Mayor Ham called the meeting to order at 5:41 p.m. when Councilwoman Jones arrived, which created a special meeting (the mayor and 3 councilmembers present).

Erin Fonseca, Downtown Development Director introduced Mr. Dwight Bassett, Director of Economic Development and Parking Services for the Town of Chapel Hill. Mr. Bassett presented the following presentation and opened the meeting up for discussion and questions.

There were approximately 60 people in attendance (to include the mayor, council, city staff, downtown business owners, downtown property owners, downtown residents and Goldsboro citizens). Discussions focused on the parking options presented.

<h2>Parking</h2> <hr/> <p>Goldsboro, NC January 26, 2023</p> 	<p>Dwight Bassett, Director of Economic Development and Parking Services Chapel Hill, NC</p>
<h2>Background</h2> <ul style="list-style-type: none">• History – A parking study was executed in 2017 to determine current/future parking needs and capture availability. The study also captured parking during peak times and briefly covered parking enforcement/management opportunities.• Growth – how recent growth and progress effects parking• Types of parking, users, and behavior – public, private, citizens, employees, residents, visitors• Current concerns and opportunities for improvement• Potential management options	 <p>To consider options in creating a parking system that supports business and growth downtown.</p>



Parking type: on-street

- On-Street parking is a critical resource for supporting retailers and other businesses
- It is usually the most convenient parking option for retail customers
- The need to promote turnover is the key for on-street parking management
- Critical for customers of retail and restaurants

Parking type: off-street

- Off-Street parking is a critical resource for supporting retailers and other businesses
- It is usually the most convenient parking option for business owners, office workers and downtown residents
- Critical for business owners, office workers and residence

Historic Downtown Hendersonville

Parking Map Volunteer Sign up for I Vville Alerts

Visit Downtown Events About

PARKING

- On-street parking is free first ½ hour, \$2 per hour after
- Off-street cost \$1.50 per hour (surface lots and parking deck)
- Parking violations \$50

Downtown Parking

- Has to support economic vitality of downtown
- Parking has to be balanced between public and private interests
- Parking has to be managed to balance the interests

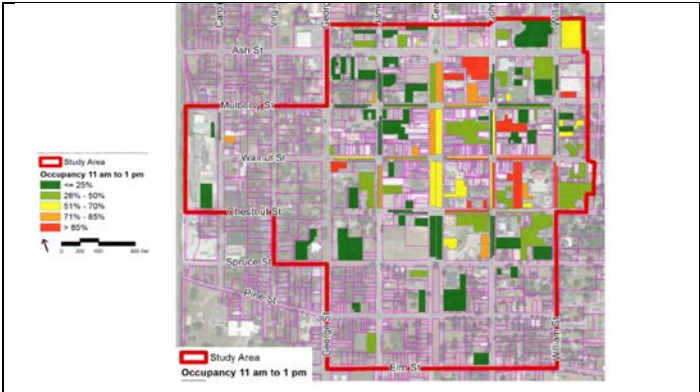
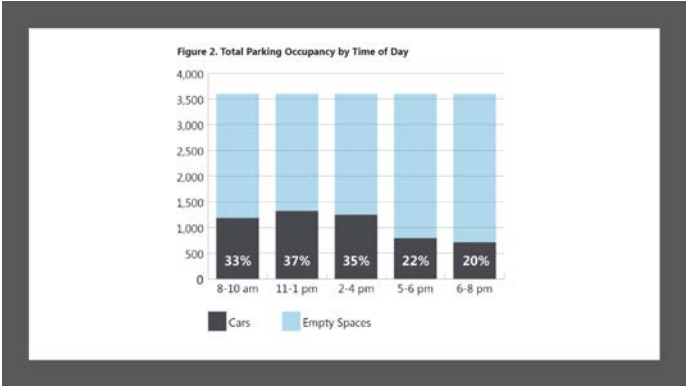


Table 1. Total Parking by Type

Parking by Type	Spaces	% of Total
On-Street	680	19%
Public Off-Street	1,249	35%
Private Off-Street	1,666	46%
TOTAL	3,595	100%

Source: VHB inventory on March 24, 2016

Parking Supply



Option 1

- Manage on-street customer spaces and patrol by time
- No change for parking
- Ticket cars parked for more than 2 or 3 hours
- Use courtesy tickets for first-time violators
- Develop a continuing education program and about why you are patrolling for on-street parking

Option 2

- Manage on-street public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for on-street from \$0.25 per hour to \$1 per hour
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets for first time violations

Option 3

- Manage on-street and off-street public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for on-street from \$0.25 per hour to \$1 per hour
- Set off-street rate per day or month
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets for first time violations

Option 1

- Manage on-street customer spaces and patrol by time
- No change for parking
- Ticket cars parked for more than 2 or 3 hours
- Use courtesy tickets for first-time violators
- Develop a continuing education program and why you are patrolling for on-street parking

- Supports the economic vitality of downtown businesses
- Discourages abuse of customer spaces
- An incremental step to a more comprehensive parking management system

- Supports the economic vitality of downtown businesses
- Discourages abuse of parking spaces
 - An incremental step to a more comprehensive parking management system
- Begins to manage off-street resources

Option 2

- Manage on-street public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for on-street from \$.25 per hour to \$1 per hour
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets for first-time violations

- Supports the economic vitality of downtown businesses
- Discourages abuse of parking spaces
- A comprehensive parking management system for all who operate downtown
- Provides designated uses by off-street lots

Option 3

- Manage on-street and off-street public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for on-street from \$.25 per hour to \$1 per hour
- Set off-street rate per day or month
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets for first-time violations



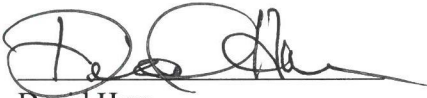
There were no decisions or votes made.

Councilwoman Matthews left at 6:33 p.m.

Councilwoman Jones left at 6:41 p.m.

Mayor Ham adjourned the meeting at 6:45 pm.




 David Ham
 Mayor


 Laura Getz, MMC/NCCMC
 City Clerk

CITY OF GOLDSBORO

THIS IS TO CERTIFY THAT

THE SUPERVISOR OF THE QUARTER AWARD

(2nd Quarter, Fiscal Year 2022-2023)

HAS BEEN AWARDED TO

LAURA GETZ

FOR

OUTSTANDING ACHIEVEMENT

In addition to her extensive City clerk duties and supervision of the deputy clerk, Laura's outstanding efforts included oversight of: the NC Office of State Auditor performance audit requirements; local nonprofit organization funding requests; and the City of Goldsboro's 175th Anniversary Celebration.

As the point of contact for all Office of State Auditor record and interview requests, Laura coordinated with the Mayor, Councilmembers, manager, department heads, and supervisors, to provide documents and statements to the auditors. She ensured the auditors were properly supported and the documents were appropriately retained by City staff.

Laura oversaw the receipt of required documents from 18 nonprofits; ensuring the documents were reviewed by management for approval and payment of the funds appropriated by Council.

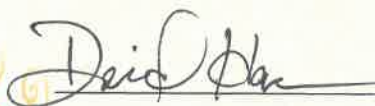
Laura supervised the planning and execution of the City's 175th Anniversary Celebration at the Goldsboro Event Center. She coordinated with the Wayne County Museum and Wayne County Library staff for historical display items, arranged keynote speakers, provided refreshments, and made sure the venue was properly arranged to make the event memorable for all who attended.

Each of these additional activities constitute a substantial work effort, for significant causes that have high public interest and visibility. When accomplished simultaneously with everyday activities, such as council meeting preparation and answering public records requests, the results make Laura most deserving of this recognition for her service to the City.

Laura's work ethic and accomplishments reflect well on herself and the City of Goldsboro.

AWARDED THIS DAY


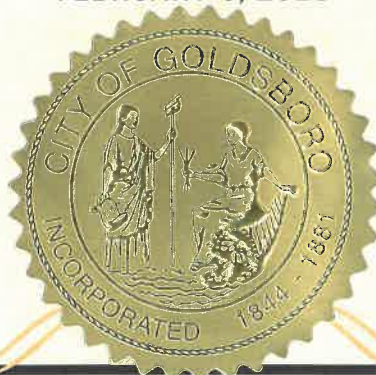
FEBRUARY 6, 2023



DAVID HAM

Mayor

City of Goldsboro



TIMOTHY SALMON

City Manager

City of Goldsboro

CITY OF GOLDSBORO

THIS IS TO CERTIFY THAT

THE EMPLOYEE OF THE QUARTER AWARD

(2nd Quarter, Fiscal Year 2022-2023)

HAS BEEN AWARDED TO

BOBBY EDWARDS

FOR

OUTSTANDING ACHIEVEMENT

Bobby Edwards is the Pre-Treatment Coordinator at the Water Reclamation Facility; but he does far more than his pretreatment duties. He helps in the lab every morning, running one of the most difficult tests that are performed; the ammonia testing. Bobby is always the first to come in the door. He is at his workstation preparing or starting his test before his scheduled tour of duty.

Not only is he prompt, but Bobby is also always ready to help wherever he can. There are only two lab technicians, so when someone calls in sick or goes on vacation, Bobby jumps in and not only completes his work, but does everything he can to lighten the load of his co-workers as much as possible. He is an asset not just at the Water Reclamation Facility, but for the City as a whole. He receives phone calls from people all over the City, asking questions he may not have the answers to, but he will search for the answers and help others to the best of his ability.

Bobby's work ethic, attention to detail, customer focus, and daily accomplishments reflect well on himself and the City of Goldsboro.

AWARDED THIS DAY

FEBRUARY 6, 2023



DAVID HAM

Mayor

City of Goldsboro

TIMOTHY SALMON

City Manager

City of Goldsboro

**NATIONAL SCHOOL-BASED HEALTH CARE AWARENESS MONTH
 AND WISH'S 25th ANNIVERSARY
 PROCLAMATION**

WHEREAS, the Community Preventive Services Task Force (CPSTF), an independent, panel of experts established by the U.S. Department of Health and Human Services, recommends the implementation and maintenance of school-based health centers in low-income communities to improve education and health outcomes; and

WHEREAS, many vulnerable children do not have access to a school-based health center, as this model is only available to a small fraction of the 23,000 Title I schools nationwide, creating an urgent need to expand access to more students; and

WHEREAS, approximately 3,000 school-based health centers nationwide provide primary, behavioral, dental, and vision care, and other support services to children in poor and underserved urban, rural, and suburban communities; and

WHEREAS, in their Fiscal Year 2022 appropriations bills, both the House and Senate have included historic levels of funding for school-based health centers; totaling \$110 million; and

WHEREAS, Wayne Initiative for School Health, Inc. (WISH), a nonprofit partnership of Wayne UNC Health Care, Wayne County Public Schools, local city and county government and community organizations, was started in 1997 with two centers; and

WHEREAS, WISH has expanded to seven schools: Brodgen Middle, Dillard Middle, Eastern Wayne High, Goldsboro High/Wayne School of Engineering, Mt Olive Middle, Southern Wayne High and Wayne Middle/High Academy; serving more than 4,100 students; and

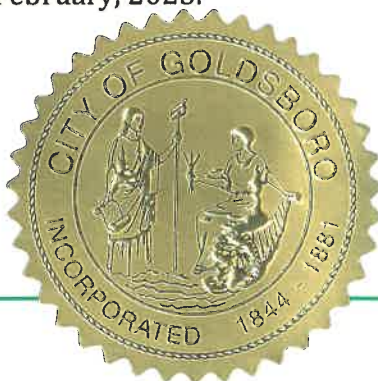
WHEREAS, the purpose of WISH is to provide comprehensive health services for students, to improve the health and well-being of students by increasing access to health care, and to seek to collaboratively work with leaders of local business, government, education, and volunteer communities to bring needed resources and services into our community; and

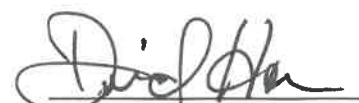
WHEREAS, at a time when health care costs are increasing, WISH helps to relieve the social and financial strain on families by meeting the health and wellness needs of all students while in school; and

WHEREAS, WISH is made up of Office Assistants, Nurses, Nurse Practitioners and a Community Wellness Navigator, and Goldsboro Pediatrics has been instrumental in providing oversight for WISH'S mid-level providers.

NOW, THEREFORE BE IT RESOLVED, that the Goldsboro City Council does hereby proclaim the month of February 2023 as, **NATIONAL SCHOOL-BASED HEALTH CARE AWARENESS MONTH** and celebrates **WISH'S 25th ANNIVERSARY** in Goldsboro, North Carolina, and calls upon the people of Goldsboro to support national school-based health care, and to congratulate WISH on a successful 25 years with many more years to come.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, his 6th day of February, 2023.




 David Ham, Mayor

DEVELOPMENTAL DISABILITY AWARENESS MONTH PROCLAMATION

WHEREAS, a Developmental Disability is a diverse group of chronic conditions that are due to mental or physical impairments that arise before adulthood; and

WHEREAS, the condition is likely to continue indefinitely and limits the individual in three or more of the following areas: Self-care, Receptive and expressive language, Learning, Mobility, Self-direction, Capacity for independent living, and Economic self-sufficiency; and

WHEREAS, the condition creates the individual's need for a combination of special, interdisciplinary services, individualized/person-centered supports, and other forms of long-term assistance that are individually planned and coordinated; and

WHEREAS, disability is a social construct. The 'problem' is not the medical condition that resides within the individual, but the 'problem' is that society does not create welcoming, supporting, and inclusive environments, policies, and/or systems for all, to promote equality and acceptance in all areas of life, including schools, places of employment, and in our communities; and

WHEREAS, the most effective way to increase awareness is through everyone's openness to learn and acknowledge that there are systemic barriers that reduce the likelihood of those with disabilities enjoying equitable experiences and living independent, productive lives within their communities; and

WHEREAS, policies must be developed, and attitudes shaped in order to create ways to include everyone, especially those with developmental disabilities, to be fully included in all aspects of life; and

WHEREAS, citizens should do all in their power to recognize the valued role those with disabilities have in our rich diversity, recognize the barriers presented to those with disabilities, and understand the losses (financial, spiritual, human rights, contributions to community, and otherwise) felt when our communities create such barriers.

NOW, THEREFORE BE IT RESOLVED, that the Goldsboro City Council, does hereby proclaim March 2023 as

DEVELOPMENTAL DISABILITIES AWARENESS MONTH

in the City of Goldsboro and ask citizens to galvanize efforts that will lead our communities and policy makers to create real system changes so people with developmental disabilities will enjoy equitable, inclusive lives.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 6th day of February, 2023.



David Ham, Mayor

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING**

Continued to March 20, 2023

SUBJECT: PUBLIC HEARING AND FINAL COUNCIL ACTION
Z-30-22 Glandon Forest Equity, LLC. (R6 to NBCZ) – West side of S. Herman St.
 between E. Elm St. and E. Pine St.
PARCELS #: 3509-22-4680
 3509-22-5630
 3509-22-5690
 3509-22-5842 (portion of: 27,714 sq. ft. or .63 acres)

PROPERTY OWNERS: Southern District Convocation Church
 Gregory Jones
 Dorothy Jones

APPLICANT: Glandon Forest Equity, LLC

BACKGROUND: The applicant is requesting a conditional rezoning for 1.45 acres of property from Residential (R6) to Neighborhood Business Conditional Zoning District (NBCZ) limiting the property to a commercial facility proposed for use as a retail sales store. Additional uses for the commercial facility have been proposed by the applicant if the proposed use ceases to exist and are included in the conditional rezoning request.

The Neighborhood Business (NB) Zoning District is established to provide the services and commercial development needed to serve primarily the adjoining neighborhoods. The district is intended to promote the development of small pedestrian-oriented establishments whose character and use is compatible with nearby residential neighborhoods. The maximum building gross area is twenty-four thousand square feet.

SURROUNDING ZONING: North: Residential (R6)
 South: Residential (R6)/Neighborhood Business (NB)
 East: Residential (R6)
 West: Residential (R6)

Existing Use: There are four separate parcels associated with the proposed rezoning request. One of the four lots is currently occupied by an existing single-family dwelling. The three remaining lots are vacant.

Land Use Plan Recommendation: The City's Land Use Plan locates all four parcels within the High-Density Residential land use designation. The High-Density Residential designation has been identified as the preferred land-use based on existing residential development patterns, constraints to development and the

location of infrastructure such as water, sewer, and a transportation network. The Neighborhood Business (NB) Zoning District is not a corresponding zoning district within the High-Density Residential land-use designation.

DISCUSSION: As previously stated, this is a conditional rezoning proposal for 1.45 acres to be rezoned from Residential (R6) to Neighborhood Business (NBCZ) Conditional Zoning District limiting the use of the property to a commercial retail sales store. This 1.45 acres will be on a singular parcel through the recombination process if this conditional rezoning requires is approved.

Despite the fact that the Neighborhood Business (NB) Zoning District is not a corresponding zoning district for the High-Density land-use designation, there are a several factors which could support the rezoning request. Most of the subject properties have been vacant for approximately fifty years. Although in-fill development is a preferred use in the High-Density Residential Development land-use designation, the highest and best use of the property may be for commercial purposes. The proposed conditional rezoning request would be compatible with existing commercial zoning and uses in proximity to the site. If the rezoning request is approved by City Council, the owner/developer will be required to submit for site plan approval before building permits are issued.

TRC REVIEW: Staff has distributed this proposed rezoning to several different departments as well as Seymour Johnson Air Force Base. No comments or concerns were received.

ADDITIONAL USES: The following uses are permitted by right in the Neighborhood Business (NB) Zoning District and are being proposed by the applicant to be included in the Neighborhood Business Conditional Zoning District (NBCZ):

- Churches
- Community centers (public)
- Fire station
- Government Offices
- Library
- Public parks
- Police station
- Post Office, service facilities
- Public Emergency service centers
- School, fine arts or martial arts
- School, private elementary, secondary
- School, public elementary, secondary
- ABC Store, liquor sales
- Banks w/ drive-throughs
- Banks, finance and insurance offices
- Barber/beauty shop-excluding home
- Clinic, medical therapeutic
- Computer operations, data processing
- Day care centers-child

- Food stores-retail only
- Health spas, fitness and tanning
- Home services-carpet cleaning, home cleaning, interior design, locksmith, upholstery and general personal goods repair, etc.
- Laundry, coin operated and laundromat
- Offices, businesses, medical and professional excluding retail trade and home occupations
- Pharmacy, less than or equal to 15,000 sq.ft.
- Restaurants and employee cafeterias when located within the principal building
- Restaurant, general
- Retail, small nondurable goods not in its own category containing less than 30,000 sq. ft.
- Tanning salon

STAFF

RECOMMENDATION: The proposed Neighborhood Business Conditional Zoning request is inconsistent with the City's Comprehensive Land Use Plan. However, staff is recommending approval of the rezoning request based on the fact the rezoning request would be compatible with the existing Neighborhood Business (NB) zoning and uses in proximity to the site. Due to the property remaining vacant and never used for residential development for almost fifty years, staff has concluded that this conditional rezoning to Neighborhood Business (NB) would be appropriate for serving the immediate needs of the surrounding communities.

PLANNING COMMISSION

RECOMMENDATION: The City of Goldsboro Planning Commission met on December 19, 2022, to review and make a recommendation regarding the rezoning proposal. The Planning Commission voted to adopt the Consistency Statement (attached) and recommend approval to City Council for the proposed rezoning. The vote was 4-0.

REQUIRED ACTION: Council continued the Public Hearing on January 9, 2023. Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the Consistency Statement, or council shall vote to deny and adopt the Ordinance to Deny with the inclusion of a statement that deems this rezoning request to be inconsistent. Council may also continue the public hearing to a date certain if they determine further discussion is needed.

Date: 1/31/23


Kenny Talton, Planning Director

Date: 1/31/23


Tim Salmon, City Manager

CITY OF GOLDSBORO PLANNING COMMISSION
Z-30-22 Glandon Forest Equity, LLC (R6 to NBCZ)
WORKSHEET

Pursuant to NCGS 160D-604(d), when the Planning Board (Planning Commission) is conducting a review of a proposed zoning text or map amendment, the Planning Board (Planning Commission) shall advise and comment on whether the proposed action is consistent with the City of Goldsboro Land Use Plan. The Planning Board (Planning Commission) must provide the City of Goldsboro City Council with a written recommendation that addresses plan consistency or inconsistency and other matters as deemed appropriate by the Planning Board (Planning Commission).

Consistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the High-Density Residential land-use designation. The City of Goldsboro Planning Commission finds that the rezoning request is reasonable and in the public's best interest due to the fact that the rezoning request would be compatible with the existing Neighborhood Business (NB) zoning and uses in proximity to the site. Due to the property remaining vacant and never used for residential development for almost fifty years, staff has concluded that this conditional rezoning to Neighborhood Business (NB) would be appropriate for serving the immediate needs of the surrounding communities.

Voting Record for Recommendation:

Yes 4 No

Inconsistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the High-Density Residential land-use designation and finds that this rezoning, if executed, would have a negative impact on the public. The City of Goldsboro Planning Commission deems this proposed rezoning to not be appropriate and does not recommend approval to the City of Goldsboro City Council. The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the land use plan.

Voting Record for Recommendation:

Yes No

**Z-30-22 Glandon Forest Equity, LLC.
(R6 to NBCZ)**

Portion of:
27,714 sq. ft.
or .63 acres

REZONING REQUEST:

CASE NO: Z-30-22
APPLICANT: Glandon Forest Equity, LLC.
REQUEST: (R6 to NBCZ)
LOCATION: West side of S. Herman St. between
E. Elm St. and E. Pine St
3509-22-4680, 3509-22-5630, 3509-22-5690
PIN #: 3509-22-5842 (portion of: 27,714 sq. ft. or .63 acres)

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GOLDSBORO
BE MORE DO MORE SEYMOUR

The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibility for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

Z-30-22 Glandon Forest Equity, LLC. (R6 to NBCZ)

Portion of:
27,714 sq. ft.
or .63 acres

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R-6

R-6

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NB

R-6

REZONING REQUEST:

CASE NO: Z-30-22
APPLICANT: Glandon Forest Equity, LLC.
REQUEST: (R6 to NBCZ)
LOCATION: West side of S. Herman St. between
 E. Elm St. and E. Pine St
 3509-22-4680, 3509-22-5630, 3509-22-5690
PIN #: 3509-22-5842 (portion of: 27,714 sq. ft. or .63 acres)

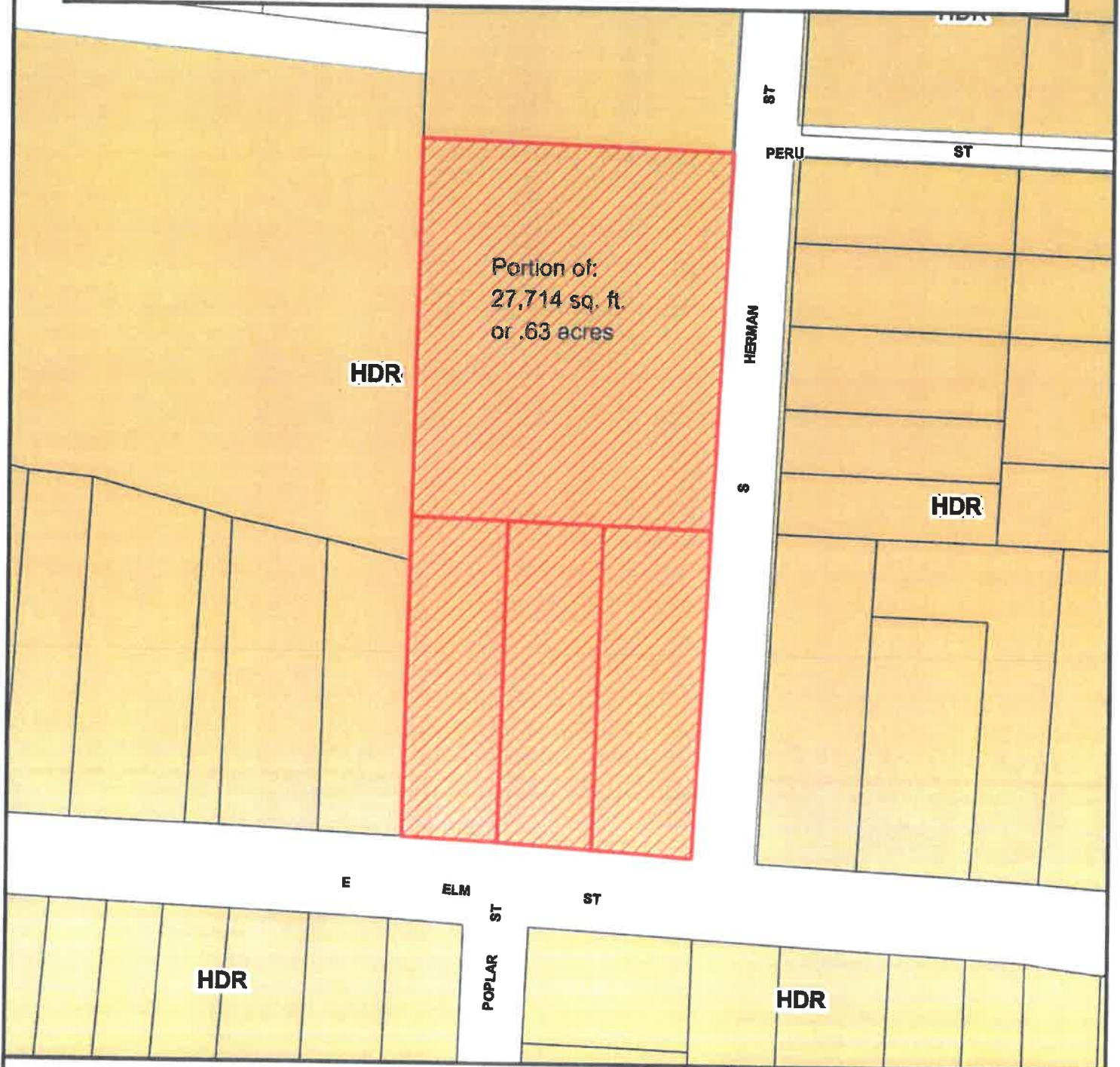
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GOLDSBORO
 BE MORE DO MORE SEYMOUR

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**Z-30-22 Glandon Forest Equity, LLC.
(R6 to NBCZ)**



REZONING REQUEST:

CASE NO: Z-30-22
APPLICANT: Glandon Forest Equity, LLC.
REQUEST: (R6 to NBCZ)
LOCATION: West side of S. Herman St. between
E. Elm St. and E. Pine St
3509-22-4680, 3509-22-5630, 3509-22-5690
PIN #: 3509-22-5842 (portion of: 27,714 sq. ft. or .63 acres)



The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

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ORDINANCE NO. 2023 -

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, on **Monday, January 9, 2023**, at 7:00 p.m., for the purpose of considering and discussing the passing of an ordinance amending the Official Zoning Map and the Comprehensive Land Use Map of the City of Goldsboro, North Carolina, and the Planning Commission voted to recommend approval on **Monday, December 19, 2022**; and,

WHEREAS, Glandon Forest Equity, LLC has submitted a petition to rezone Tax Parcels 3509-22-4680, 3509-22-5630, 3509-22-5690, and 3509-22-5842 (portion of) from the Residential 6 Zoning District to the Neighborhood Business Conditional Zoning District; and,

WHEREAS, the City of Goldsboro Comprehensive Land Use Plan places the proposed rezoning areas in the High-Density Residential designation; and,

WHEREAS, the proposed Neighborhood Residential Zoning District is inconsistent with the High-Density Residential designation; and,

WHEREAS, the Neighborhood Business Zoning District is established to provide the services and commercial development needed to serve primarily the adjoining neighborhoods; and,

WHEREAS, the district is intended to promote the development of small pedestrian-oriented establishments whose character and use is compatible with nearby residential neighborhoods; and,

WHEREAS, the proposed rezoning request is inconsistent with the City's Comprehensive Land Use Plan, however, it is reasonable and, in the public's best interest since the proposed rezoning classification would be compatible with the existing Neighborhood Business zoning and uses in proximity to the site and would be appropriate for serving the immediate needs of the surrounding communities; and,

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Official Zoning Map and Comprehensive Land Use Map of the City of Goldsboro be amended as herein below set forth;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Official Zoning Map and Comprehensive Land Use Map of Goldsboro, North Carolina, be and the same is hereby amended by changing:

From Residential 6 Zoning District to the Neighborhood Business Conditional Zoning District limiting the property to a commercial facility proposed for use as a retail sales store. Additional uses permitted for the commercial facility are as follows:

- Churches
- Community centers (public)
- Fire station
- Government Offices
- Library
- Public parks
- Police station
- Post Office, service facilities
- Public Emergency service centers
- School, fine arts or martial arts
- School, private elementary, secondary
- School, public elementary, secondary
- ABC Store, liquor sales
- Banks w/ drive-throughs
- Banks, finance and insurance offices
- Barber/beauty shop-excluding home

- Clinic, medical therapeutic
- Computer operations, data processing
- Day care centers-child
- Food stores-retail only
- Health spas, fitness and tanning
- Home services-carpet cleaning, home cleaning, interior design, locksmith, upholstery and general personal goods repair, etc.
- Laundry, coin operated and laundromat
- Offices, businesses, medical and professional excluding retail trade and home occupations
- Pharmacy, less than or equal to 15,000 sq.ft.
- Restaurants and employee cafeterias when located within the principal building
- Restaurant, general
- Retail, small nondurable goods not in its own category containing less than 30,000 sq. ft.
- Tanning salon

From the High-Density Residential Land Use Map designation to the Commercial land-use designation.

Z-30-22 Glandon Forest Equity, LLC. (Residential 6 to Neighborhood Business Conditional Zoning District)

The Wayne County Tax Identification Numbers are as follows:

3509-22-4680
3509-22-5630
3509-22-5690
3509-22-5842 (portion of: 27,714 sq. ft. or .63 acres)

2. The above amendment is effective upon the adoption of this Ordinance.

Adopted this 6th day of February, 2023.

David Ham, Mayor

Attested by:

Laura Getz, City Clerk

ORDINANCE NO. 2023 -

**AN ORDINANCE DENYING AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE
MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA**

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, on **Monday, January 9, 2023**, at 7:00 p. m., for the purpose of considering and discussing the passing of an ordinance amending the Official Zoning Map and the Comprehensive Land Use Map of the City of Goldsboro, North Carolina, and the Planning Commission voted to recommend approval on **Monday, December 19, 2022**; and

WHEREAS, Glandon Forest Equity, LLC has submitted a petition to rezone Tax Parcels 3509-22-4680, 3509-22-5630, 3509-22-5690, and 3509-22-5842 (portion of) from the Residential 6 Zoning District to the Neighborhood Business Conditional Zoning District; and,

WHEREAS, the City of Goldsboro Comprehensive Land Use Plan places the proposed rezoning area in the High-Density Residential designation; and,

WHEREAS, the proposed Neighborhood Business Zoning District is inconsistent with the High-Density Residential designation; and,

WHEREAS, the proposed rezoning request is unreasonable and, not in the public's best interest since the proposed rezoning classification will impair or injure the health, safety, and general welfare of the public; and,

WHEREAS, the proposed rezoning request could encourage development that could negatively impact properties in close proximity; and,

WHEREAS, the proposed rezoning request is not consistent with the Goldsboro Comprehensive Land-Use Plan and Land-Use Map; and,

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it unadvisable and not in the best interest of the City and those residing within its zoning jurisdiction.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the petition to amend the Official Zoning Map and Comprehensive Land Use Map of the City of Goldsboro, North Carolina, rezoning Tax Parcels 3509-22-4680, 3509-22-5630, 3509-22-5690 and a portion of 3509-22-5842 (portion of) to the Neighborhood Business Conditional Zoning District is hereby **DENIED**.

Adopted this 6th day of February, 2023.

David Ham, Mayor

Attested by:

Laura Getz, City Clerk

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 CITY COUNCIL MEETING**

**SUBJECT: CITY COUNCIL PUBLIC HEARING & DECISION
Z-31-22 Habitat for Humanity of Goldsboro-Wayne (Residential 9 to Residential 6) – East side of Dr. H.E. McNair St.**

ADDRESS: Dr. H.E. McNair St.

PARCEL #: 3509207242

PROPERTY OWNER: Irma B. Wiggins & Kimberly S. Lane

APPLICANT: Habitat for Humanity of Goldsboro-Wayne

BACKGROUND: The applicant is requesting a rezoning from the Residential 9 (R-9) Zoning District to the Residential 6 (R-6) Zoning District. The purpose of the Residential 6 (R-6) Zoning District is to accommodate both single and multi-family residential uses and to prohibit all activities of a commercial nature.

Density: 6,000 square feet for the first unit and 2,000 square feet for each additional unit.

Access: Dr. H.E. McNair St. (Two other potential points of access exist off Dexter St. right-of-way (unimproved) and Berry St.)

Area: 24.5 acres

Maximum Density: approximately 425 units (this calculation includes the 20% open space calculation)

SURROUNDING

ZONING: North: Residential 6
South: Residential 9 & Office and Institutional 1
East: Residential 9
West: Residential 6

Existing Use: The property is currently vacant.

Land Use Plan Recommendation: The City's Land Use Plan locates this parcel within the High-Density Residential land use designation.

High-Density Residential: This designation is given based on existing residential development patterns, constraints to development, and the location of infrastructure. These designations exist in areas that have water and sewer service or where plans exist to extend water and sewer service.

The Residential 6 (R-6) Zoning District is a corresponding district with the High-Density designation.

DISCUSSION: This is a rezoning proposal for a 24.5-acre parcel to be rezoned from the Residential 9 (R-9) Zoning District to the Residential 6 (R-6) Zoning District. The primary difference between the existing zoning district and the proposed R-6 Zoning District is that R-6 district would allow for a higher density development to take place. This is a general rezoning, and all potential uses must be considered.

TRC REVIEW: Due to the nature of this application being a general rezoning with a specific use not yet known, there have been no comments.

**PLANNING
COMMISSION**

RECOMMENDATION: The City of Goldsboro Planning Commission met on January 30, 2023, to review and make a recommendation regarding the rezoning proposal. The Planning Commission voted to adopt the Consistency Statement (attached) and recommend approval to City Council for the proposed rezoning. The vote was 5-0.

REQUIRED ACTION: Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the Consistency Statement, or council shall vote to deny and adopt the Ordinance to Deny with the inclusion of a statement that deems this rezoning request to be inconsistent. Council may also continue the public hearing to a date certain if they determine further discussion is needed.

Date: 1/31/23



Planning Director

Date: 1/31/23



City Manager

**CITY OF GOLDSBORO PLANNING COMMISSION
Z-31-22 HABITAT FOR HUMANITY OF GOLDSBORO-WAYNE
WORKSHEET**

Pursuant to NCGS 160D-604(d), when the Planning Board (Planning Commission) is conducting a review of a proposed zoning text or map amendment, the Planning Board (Planning Commission) shall advise and comment on whether the proposed action is consistent with the City of Goldsboro Land Use Plan. The Planning Board (Planning Commission) must provide the City of Goldsboro City Council with a written recommendation that addresses plan consistency or inconsistency and other matters as deemed appropriate by the Planning Board (Planning Commission).

Consistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be consistent with the High-Density Residential Land Use designation. The City of Goldsboro Planning Commission finds that the rezoning request is reasonable and in best public interest due to the proposed zoning district being a corresponding district with the future land use designation. The City of Goldsboro Planning Commission finds that the proposed rezoning would not serve as a detriment to adjacent residentially zoned properties or dwellings. The City of Goldsboro Planning Commission recommends approval to the City of Goldsboro City Council.

Voting Record for Recommendation:

Yes 5

No

Inconsistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the High-Density Residential Land Use designation and finds that this rezoning, if executed, would have a negative impact on the public. The City of Goldsboro Planning Commission deems this proposed rezoning to not be appropriate and does not recommend approval to the City of Goldsboro City Council. The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the land use plan.

Voting Record for Recommendation:

Yes

No

ORDINANCE NO. 2023 - 6

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, on **Monday, February 6, 2023**, at 7:00 p.m., for the purpose of considering and discussing the passing of an ordinance amending the Official Zoning Map of the City of Goldsboro, North Carolina, and the Planning Commission voted to recommend approval on **Monday, January 30, 2023**; and,

WHEREAS, Habitat for Humanity of Goldsboro-Wayne has submitted a petition to rezone Tax Parcel 3509207242 from the Residential 9 Zoning District to the Residential 6 Zoning District; and,

WHEREAS, the City of Goldsboro Comprehensive Land Use Plan places the proposed rezoning area in the High-Density Residential designation; and,

WHEREAS, the proposed Residential 6 Zoning District is consistent with the High-Density Residential designation; and,

WHEREAS, the Residential 6 Zoning District is designed to accommodate both single and multi-family residential uses and to prohibit all activities of a commercial nature; and,

WHEREAS, there are water and sewer services available to support higher-density development; and,

WHEREAS, the proposed rezoning request is reasonable and, in the public's best interest since the proposed rezoning classification will not impair or injure the health, safety, and general welfare of the public; and,

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Official Zoning Map of the City of Goldsboro be amended as herein below set forth;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Official Zoning Map of Goldsboro, North Carolina, be and the same is hereby amended by changing:

From Residential 9 Zoning District to the Residential 6 Zoning District

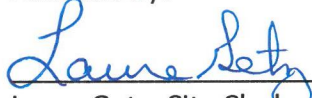
Z-31-22 G.S. Langdon, Inc. (Residential 9 to Residential 6)

The Wayne County Tax Identification Number 3509207242

2. The above amendment is effective upon the adoption of this Ordinance.

Adopted this 6th day of February, 2023.

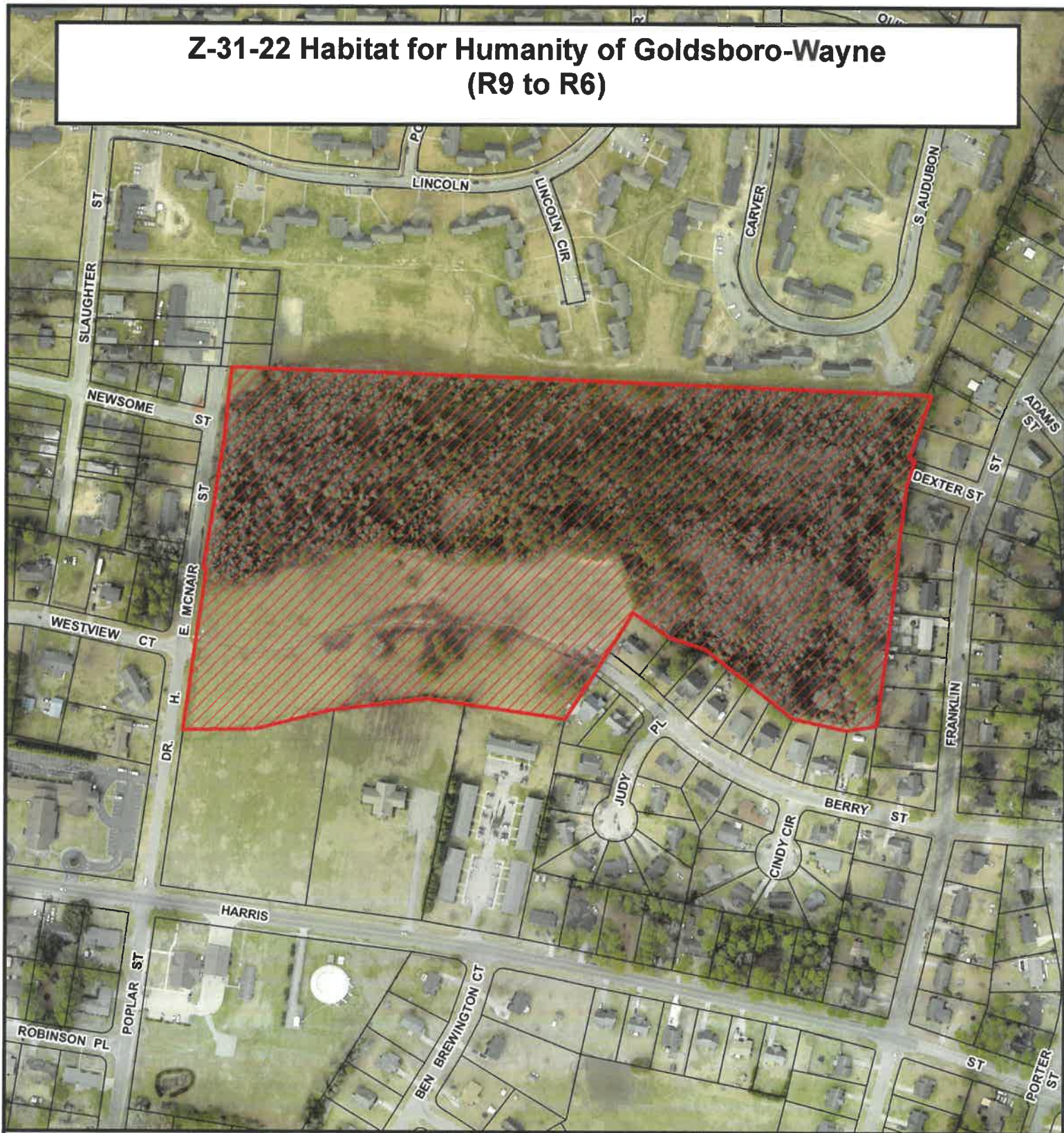
Attested by:


Laura Getz, City Clerk




David Ham, Mayor

Z-31-22 Habitat for Humanity of Goldsboro-Wayne (R9 to R6)



REZONING REQUEST:

CASE NO: Z-31-22
APPLICANT: Habitat for Humanity of Goldsboro-Wayne
REQUEST: (R6 to R9))
LOCATION: East side of Dr. H.E. McNair St.
PIN #: 3509207242

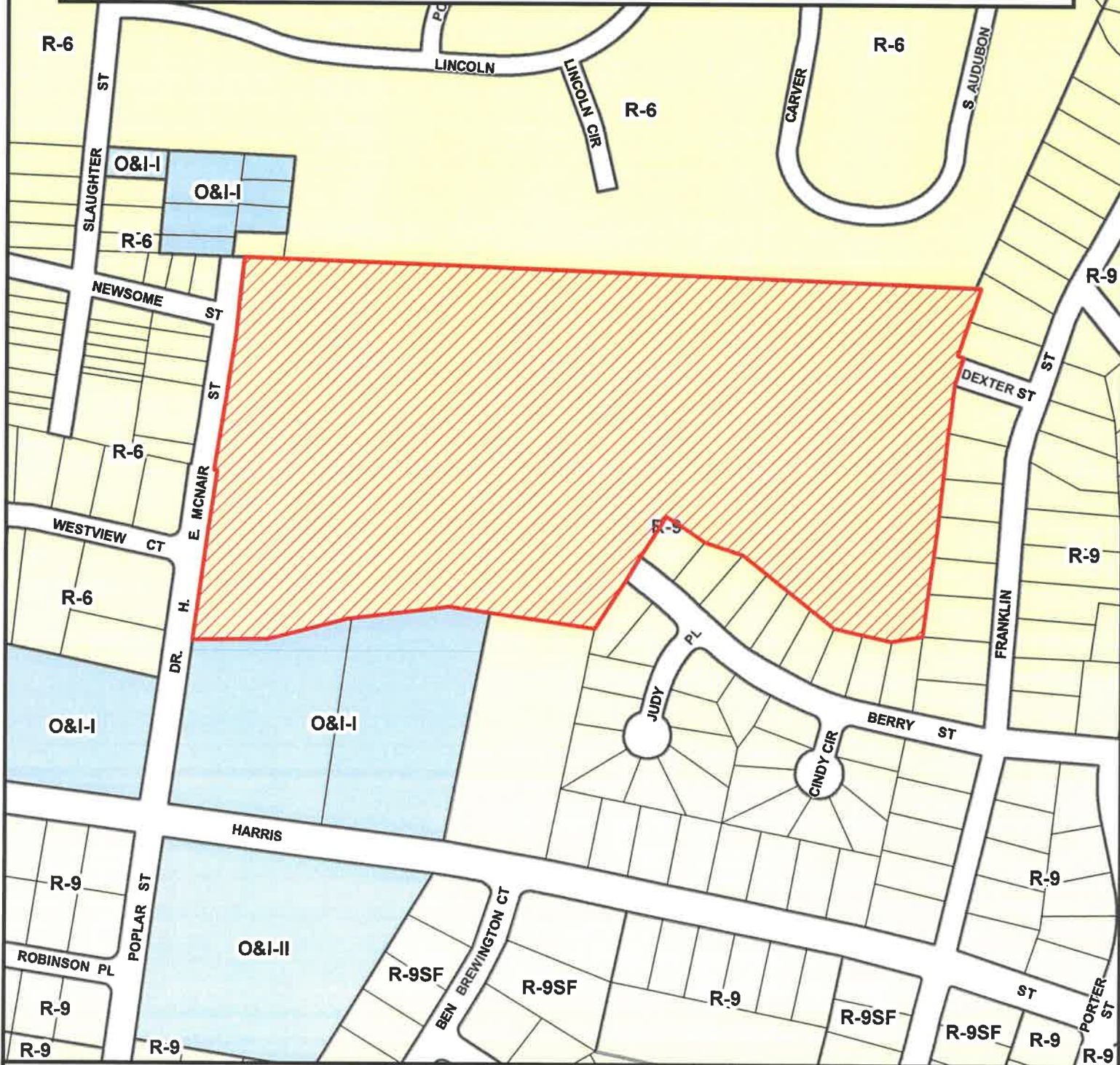
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GOLDSBORO
BE MORE DO MORE SEYMOUR
North Carolina

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Z-31-22 Habitat for Humanity of Goldsboro-Wayne (R9 to R6)



REZONING REQUEST:

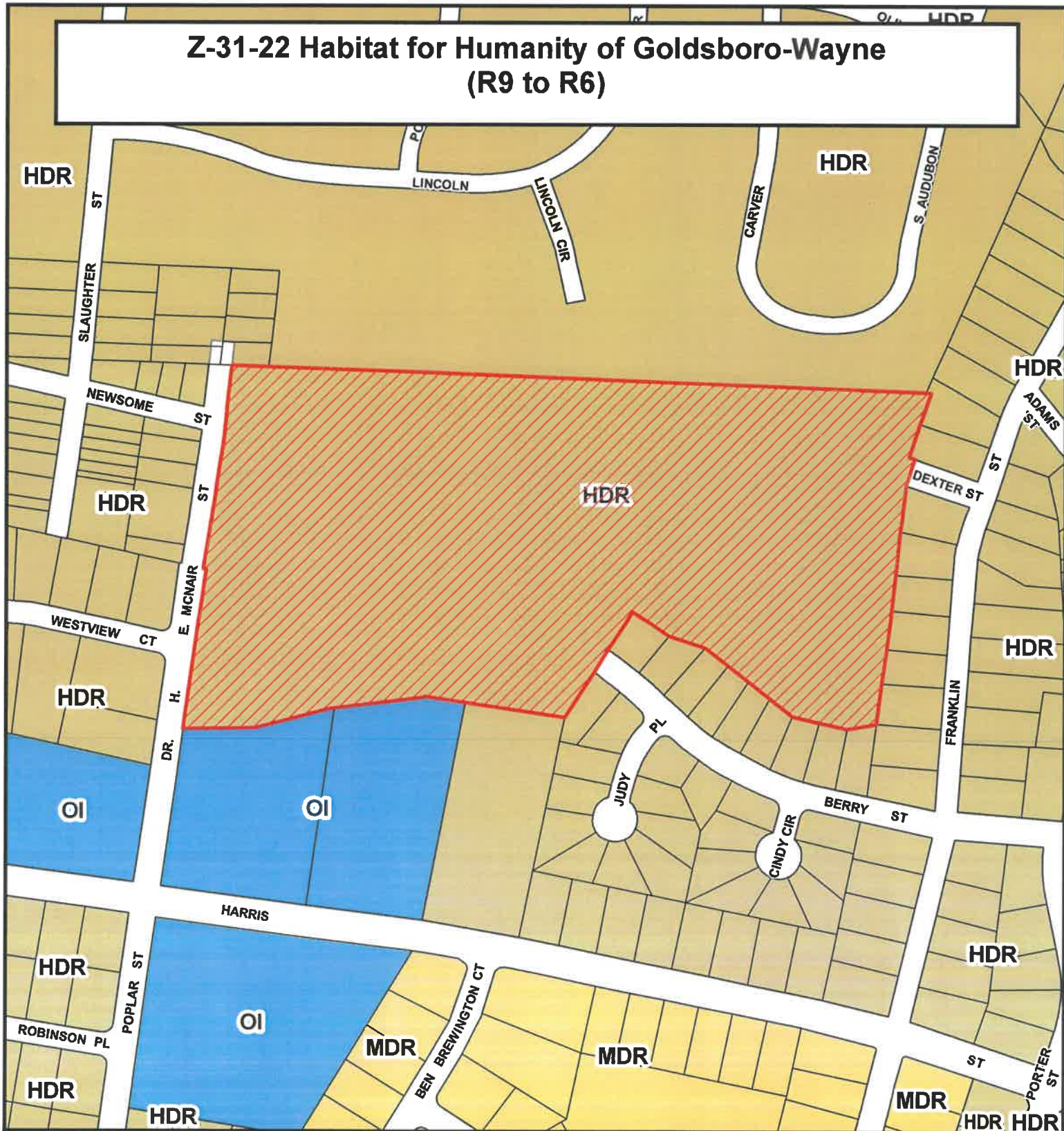
CASE NO: Z-31-22
APPLICANT: Habitat for Humanity of Goldsboro-Wayne
REQUEST: (R6 to R9)
LOCATION: East side of Dr. H.E. McNair St.
PIN #: 3509207242

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 Feet



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Z-31-22 Habitat for Humanity of Goldsboro-Wayne (R9 to R6)



REZONING REQUEST:

CASE NO: Z-31-22
APPLICANT: Habitat for Humanity of Goldsboro-Wayne
REQUEST: (R6 to R9))
LOCATION: East side of Dr. H.E. McNair St.
PIN #: 3509207242

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**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 CITY COUNCIL MEETING**

SUBJECT: **CITY COUNCIL PUBLIC HEARING & DECISION**
Z-1-23 Harry & Mollie, LLC (IBP-1 to GB) – East side of McLain Street
between Oak Forest Road and East Ash Street Extension.

PARCEL #: 3519905459 (portion of)

PROPERTY OWNER/APPLICANT: Harry & Mollie, LLC.

BACKGROUND: The applicant is requesting a rezoning for a 4.27-acre portion of a parcel from Industrial Business Park (IBP-1) to the General Business (GB) Zoning District. The General Business (GB) Zoning District is established to accommodate the widest range of uses providing general goods and services to the community. The intent of this district is to promote high quality, accessible developments serving the needs of the community and surrounding area.

Area: 176.09 acres (parent parcel) 4.27 acres (portion proposed for rezoning)

SURROUNDING

ZONING: North: General Business (GB)
South: General Business (GB)
East: Industrial Business Park (IBP-1)
West: General Business (GB)

Existing Use: The portion of the parcel proposed to be rezoned is currently vacant and utilized for agricultural purposes.

Land Use Plan Recommendation: The City's Land Use Plan locates this parcel within the Industrial land use designation.

Industrial: This designation was developed to establish and protect industrial areas for the use of prime industrial operations and for the distribution of products at wholesale.

The General Business (GB) Zoning District is not a corresponding zoning district within the Industrial land-use designation.

DISCUSSION: As previously stated, this is a rezoning proposal for a 4.27 acre portion of a parcel of property totaling 176.09 acres to be rezoned from Shopping Center (SC) and Industrial Business Park (IBP-1) to General Business (GB) Zoning District. Despite the fact that the portion of the parcel is located in the Industrial land-use designation, development trends indicate that the proposed General Business (GB) Zoning District would be compatible with

DISCUSSION: As previously stated, this is a rezoning proposal for a 4.27 acre portion of a parcel of property totaling 176.09 acres to be rezoned from Shopping Center (SC) and Industrial Business Park (IBP-1) to General Business (GB) Zoning District. Despite the fact that the portion of the parcel is located in the Industrial land-use designation, development trends indicate that the proposed General Business (GB) Zoning District would be compatible with the adjacent General Business districts and the types of uses that currently exist on McLain St.

TRC REVIEW: Due to the nature of this application being a general rezoning with a specific use not yet known, there have been no comments.

STAFF

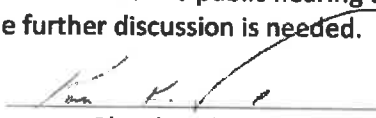
RECOMMENDATION: Staff is recommending approval of the rezoning request. Despite the fact that the 4.27-acre portion is located in the Industrial land-use designation, there is adjacent General Business zoning and the potential uses for the property would be in harmony with the surrounding properties.

**PLANNING
COMMISSION**

RECOMMENDATION: The City of Goldsboro Planning Commission met on January 30, 2023, to review and make a recommendation regarding the rezoning proposal. The Planning Commission voted to adopt the Consistency Statement (attached) and recommend approval to City Council for the proposed rezoning. The vote was 5-0.

REQUIRED ACTION: Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the Consistency Statement, or council shall vote to deny and adopt the Ordinance to Deny with the inclusion of a statement that deems this rezoning request to be inconsistent. Council may also continue the public hearing to a date certain if they determine further discussion is needed.

Date: 1/31/23



Planning Director

Date: 1/31/23



City Manager

CITY OF GOLDSBORO PLANNING COMMISSION
Z-1-23 HARRY & MOLLIE, LLC (IBP-1 to GB)
WORKSHEET

Pursuant to NCGS 160D-604(d), when the Planning Board (Planning Commission) is conducting a review of a proposed zoning text or map amendment, the Planning Board (Planning Commission) shall advise and comment on whether the proposed action is consistent with the City of Goldsboro Land Use Plan. The Planning Board (Planning Commission) must provide the City of Goldsboro City Council with a written recommendation that addresses plan consistency or inconsistency and other matters as deemed appropriate by the Planning Board (Planning Commission).

Consistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the Industrial land-use designation. The City of Goldsboro Planning Commission finds that the rezoning request is reasonable and in best public interest due to the presence of adjacent General Business (GB) Zoning Districts and the types of uses present in the general vicinity of the rezoning subject property. The City of Goldsboro Planning Commission finds that the proposed rezoning would not serve as a detriment to the surrounding properties. The City of Goldsboro Planning Commission recommends approval to the City of Goldsboro City Council.

Voting Record for Recommendation:

Yes 5 No

Inconsistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the Industrial land-use designation and finds that this rezoning, if executed, would have a negative impact on the public. The City of Goldsboro Planning Commission deems this proposed rezoning to not be appropriate and does not recommend approval to the City of Goldsboro City Council. The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the land use plan.

Voting Record for Recommendation:

Yes No

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, on **Monday, February 6, 2023**, at 7:00 p.m., for the purpose of considering and discussing the passing of an ordinance amending the Official Zoning Map and the Comprehensive Land Use Map of the City of Goldsboro, North Carolina, and the Planning Commission voted to recommend approval on **Monday, January 30, 2023**; and,

WHEREAS, Harry & Mollie, LLC. has submitted a petition to rezone a surveyed portion of Tax Parcel 3519905459 from the Industrial Business Park 1 Zoning District to the General Business Zoning District; and,

WHEREAS, the City of Goldsboro Comprehensive Land Use Plan places the proposed rezoning area in the Industrial land use designation; and,

WHEREAS, the proposed General Business Zoning District is inconsistent with the Industrial land use designation; and,

WHEREAS, the General Business Zoning District is designed to accommodate the widest range of uses providing general goods and services to the community and promote high-quality and accessible developments; and,

WHEREAS, there is adjacent General Business Zoning in the immediate general vicinity of the subject property; and,

WHEREAS, the types of uses allowed in the General Business Zoning District would be in harmony with the adjacent uses; and,

WHEREAS, the proposed rezoning request is reasonable and, in the public's best interest since the proposed rezoning classification will not impair or injure the health, safety, and general welfare of the public; and,

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Official Zoning Map and Comprehensive Land Use Map of the City of Goldsboro be amended as herein below set forth;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Official Zoning Map and Comprehensive Land Use Map of Goldsboro, North Carolina, be and the same is hereby amended by changing:

From Industrial Business Park 1 to the General Business Zoning District

From the Industrial Land Use Map designation to the Commercial designation.

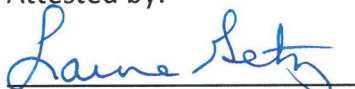
Z-1-23 Harry & Mollie, LLC (Industrial Business Park 1 to General Business)

The Wayne County Tax Identification Number: a 4.27-acre surveyed portion of 3519905459 (see attached)

2. The above amendment is effective upon the adoption of this Ordinance.

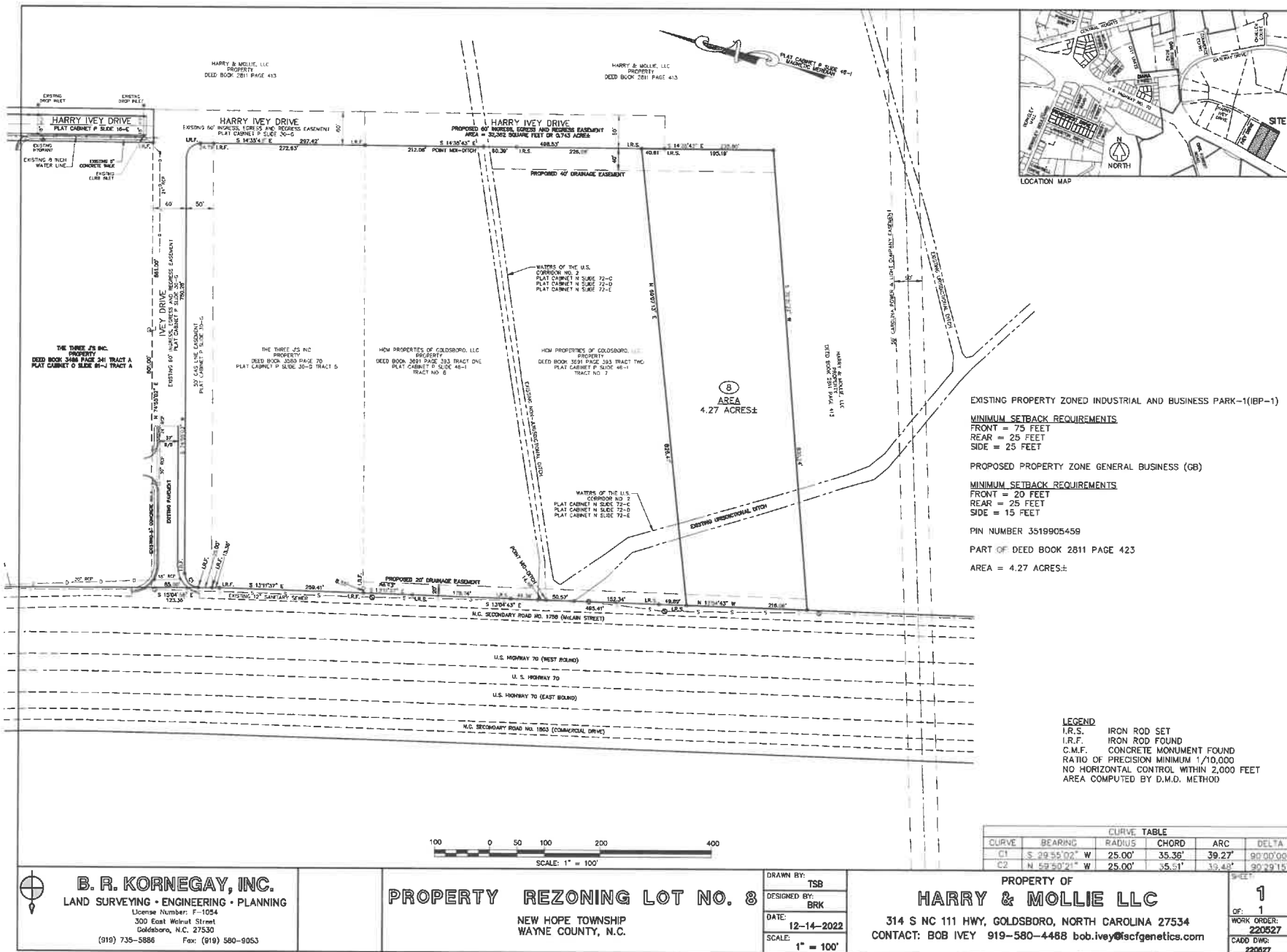
Adopted this 6th day of February, 2023.

Attested by:


Laura Getz, City Clerk




David Ham, Mayor



**Z-1-23 Harry & Mollie, LLC
(IBP-1 to GB)**



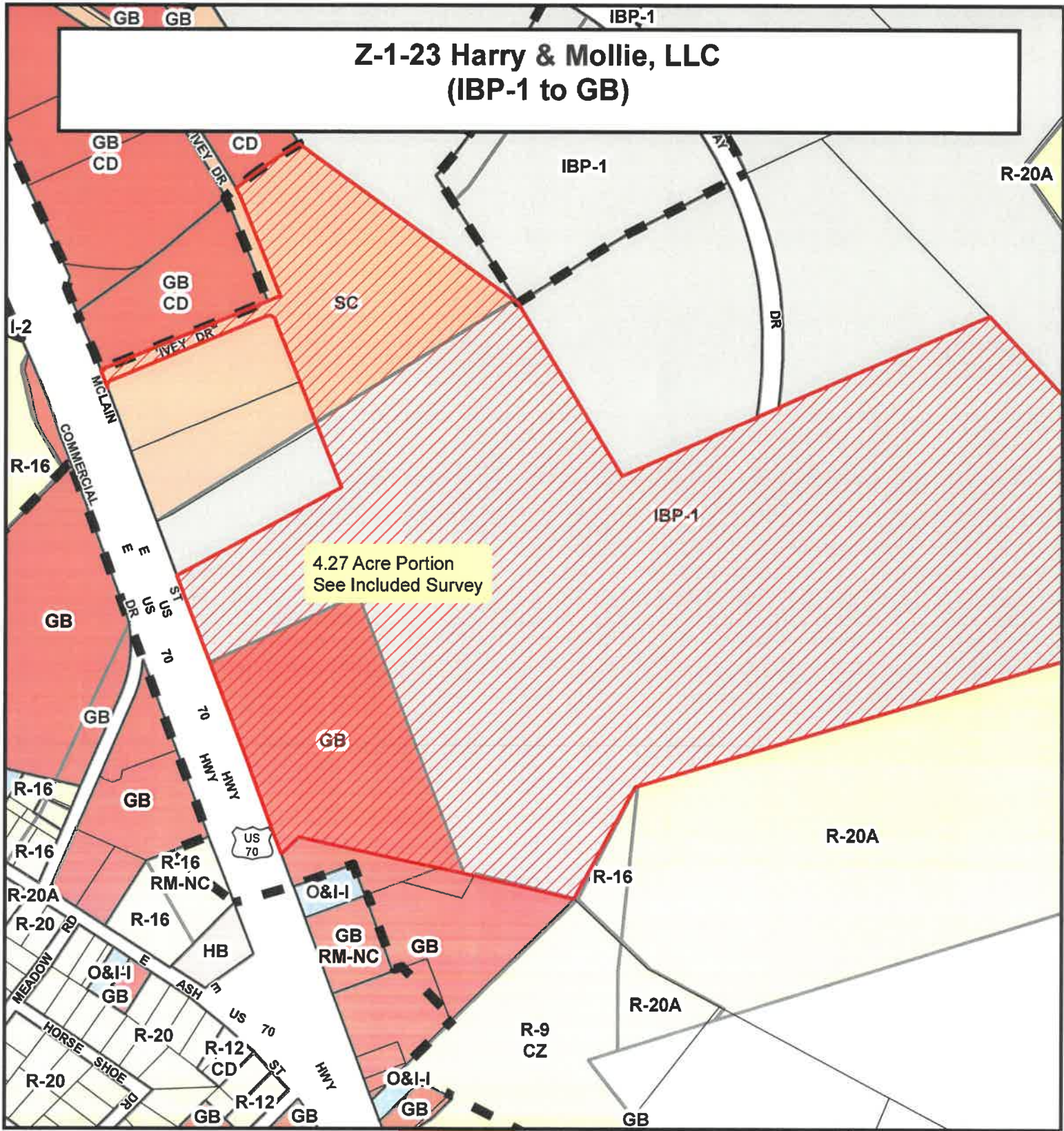
REZONING REQUEST:

CASE NO: Z-1-23
APPLICANT: Harry & Mollie, LLC
REQUEST: (IBP-1 to GB)
LOCATION: East side of McLain Street between Oak Forest Road and East Ash Street Extension
PIN #: 3519905459 (portion of)

0 100 200 400
Feet



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REZONING REQUEST:

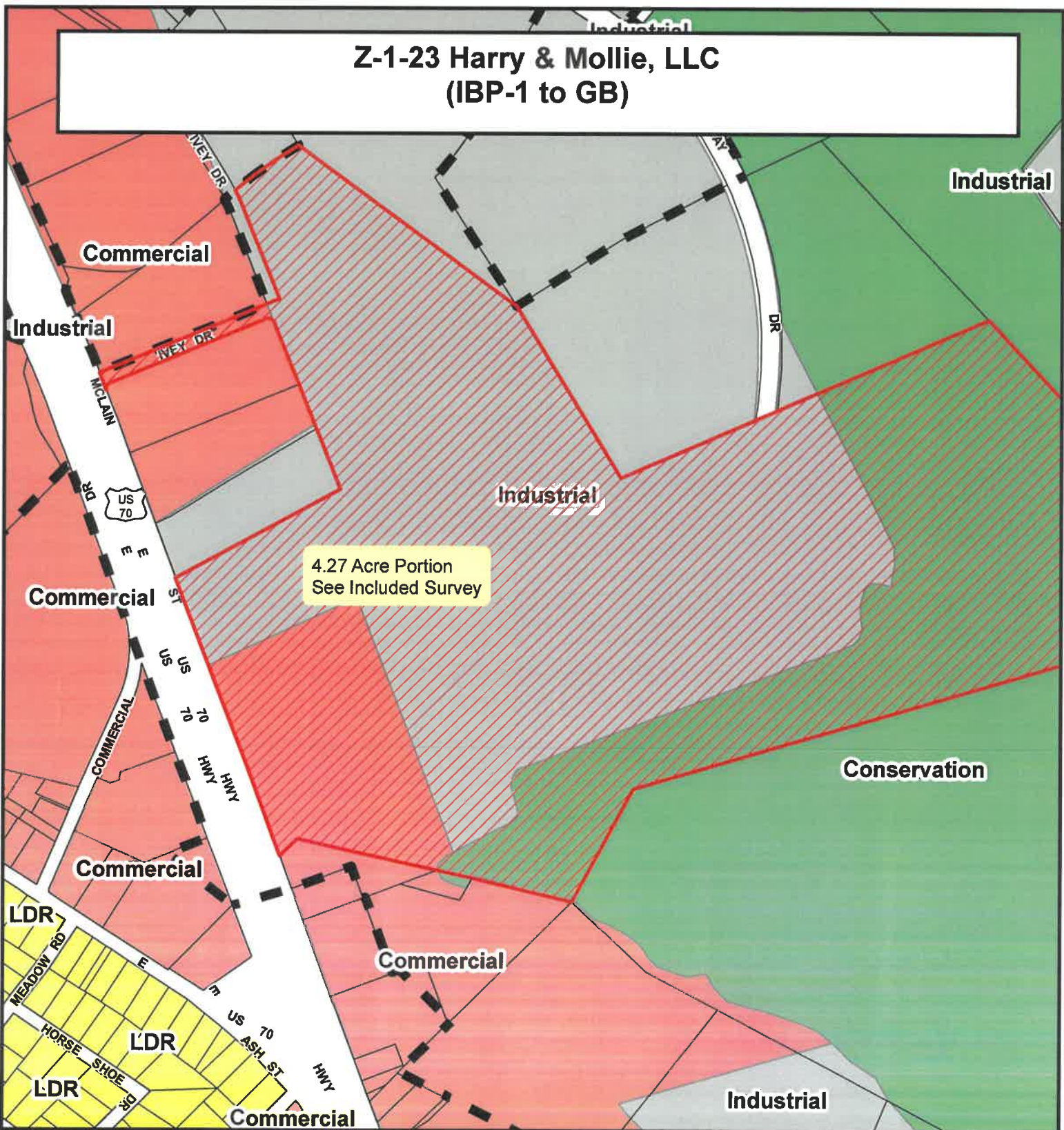
CASE NO: Z-1-23
APPLICANT: Harry & Mollie, LLC
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Z-1-23 Harry & Mollie, LLC (IBP-1 to GB)



REZONING REQUEST:

CASE NO: Z-1-23
APPLICANT: Harry & Mollie, LLC
REQUEST: (IBP-1 to GB)
LOCATION: East side of McLain Street between Oak Forest Road and East Ash Street Extension
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0 100 200 400
Feet



GOLDSBORO
BE MORE DO MORE SEYMOUR
North Carolina

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**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING**

SUBJECT: PUBLIC HEARING
SU-1-23 300 S. William St. (Bed & Breakfast) –Corner of E. Spruce St. and S. William St.

ADDRESS: 300 S. William St.

PARCEL #: 2599947430

PROPERTY OWNER/APPLICANT: Rebecca Lucero & Andrew Sever

BACKGROUND: The applicant requests a Special Use Permit for the establishment of a Bed & Breakfast located in the Central Business Zoning District. The Central Business District is established to maintain and strengthen the concentration of commercial, service, residential and institutional uses that serve the entire community and region. The district encourages a mix of high intensity pedestrian-oriented uses compatibly designed and arranged around the existing compact core. The district is intended to safeguard the unique architectural character, social activity and cultural value of the downtown while promoting its continued success and redevelopment.

According to the City's Unified Development Code, a Bed & Breakfast is permitted only after obtaining a Special Use Permit from Goldsboro City Council.

Frontage: 319.5 ft E. Spruce St., 225.5 ft S. William St.

Area: 1.66 acres

Zoning: Central Business District

Existing Use: Single-family dwelling

Land Use Plan Recommendation: The City's Land Use Plan locates this parcel within the Mixed-Use Downtown land use designation. The City of Goldsboro Comprehensive Land Use Plan identifies the following goal related to the Mixed-Use Downtown designation and desired development for the downtown Goldsboro area. The plan indicates a desire to continue to promote downtown Goldsboro.

The proposal would allow for people to come and enjoy the downtown Goldsboro area and would promote tourism for the City of Goldsboro.

DISCUSSION: The following items listed below are required to be shown on the formal Site Plan review for this proposed Special Use, if approved:

Landscaping: Due to the presence of adjacent single-family residences, a buffer is not required. However, the applicant is proposing to provide 6' privacy fences as well as tree plantings (see site plan).

Rooms: 3 bedrooms for rent.

Hours of Operation: 24 hours a day, 7 days a week

Parking: 8 parking spaces provided (2 per room, 1 per employee)

TRC REVIEW: Staff has distributed this proposed special use permit to select departments that may have concerns. During this review process there were no comments or concerns.

REQUIRED ACTION: Council shall now close the Public Hearing, enter into deliberation, and vote on each of the four findings in order to determine whether or not the Special Use Permit shall be issued. See the attached worksheet for the four findings to be voted on and staffs comments related to each finding. Council shall sign the Order to Approve or Deny, that reflects the results of the hearing and deliberation at the March 20, 2023, City Council meeting.

Date: 2/11/23


Kenny Talton, Planning Director

Date: _____

Timothy Salmon, City Manager

**CITY COUNCIL WORK SHEET
SU-1-23 TRIPLEX (REBECCA LUCERO & ANDREW SEVER)
300 S. WILLIAM ST.
BED & BREAKFAST**

Staff comments in red.

1. The proposal is to establish a Bed & Breakfast. This use would not pose any immediate threat to public health or safety.

- Consider aspects of the proposed use or development that may have a negative impact on public health and safety.
- Discuss conditions, if any that Council might impose in order to make this finding.
- For each condition imposed, if any, state the reason the condition is necessary to protect public health and safety.
- Consider any conditions to be applied to the application.

☒ **Yes, the use will not materially endanger the public health or safety**

☐ **No, the use will materially endanger the public health or safety**

2. There was no evidence presented with the application that indicates the use will injure the beneficial use of adjoining or abutting property.

- Consider aspects of the proposed use or development that may have a negative impact on the value of adjoining properties.
- Consider aspects of the proposed use of development that make it a public necessity. (*Note: most private applications for a special use permit will not rise to the level of a "public necessity"*)
- Discuss conditions, if any, that Council might impose to make this a finding.
- For each condition imposed, if any, state the reason the condition is necessary to protect the beneficial use of adjoining or abutting properties.
- Consider any conditions to be applied to the application.

☒ Yes, the use will not substantially injure the beneficial use of adjoining or abutting property

☐ No, the use will substantially injure the beneficial use of adjoining or abutting property

3. The proposed use will be located in the Central Business Zoning District. The proposed use of a Bed & Breakfast would be in harmony with the surrounding residential area.

- Consider aspects of the proposed use or development that may have a negative impact on the nature or character of the surrounding community.
- Consider whether the proposed use or development is in general conformity with the Unified Development Ordinance.
- Discuss conditions, if any, that Council might impose to make this finding.
- For each condition imposed, if any, state the reason the condition is necessary to ensure harmony with existing development and uses of the surrounding area.
- Consider any conditions to be applied to the application.

☒ Yes, the use will be in harmony with existing development and uses within the area in which it is located

☐ No, the use will not be in harmony with existing development and uses within the area in which it is located

4. The Land Use Plan shows the property as being in the Mixed-Use Downtown designation. This proposed use will not serve as a detriment to this designation and would attract tourist to enjoy the downtown Goldsboro area.

- Consider whether the proposed use or development is in general conformity with the City of Goldsboro Comprehensive Land Use Plan.
- Discuss conditions, if any, that the Board might impose to make this finding.

- For each condition imposed, if any, state the reason the condition is necessary to ensure general conformity with the City of Goldsboro Comprehensive Land Use Plan.
- Consider any conditions to be applied to the application.

☒ **Yes, the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan**

☐ **No, the use will not be in general conformity with the City of Goldsboro Comprehensive Land Use Plan**

SU-1-23
SPECIAL USE PERMIT REQUEST: BED AND BREAKFAST



SPECIAL USE REQUEST:

CASE NO: SU-1-23
REQUEST: BED AND BREAKFAST
APPLICANT: Rebecca Lucero & Andrew Sever
PIN: 2599947430

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SU-1-23 SPECIAL USE PERMIT REQUEST: BED AND BREAKFAST



SPECIAL USE REQUEST:

CASE NO: SU-1-23
REQUEST: BED AND BREAKFAST
APPLICANT: Rebecca Lucero & Andrew Sever
PIN: 2599947430

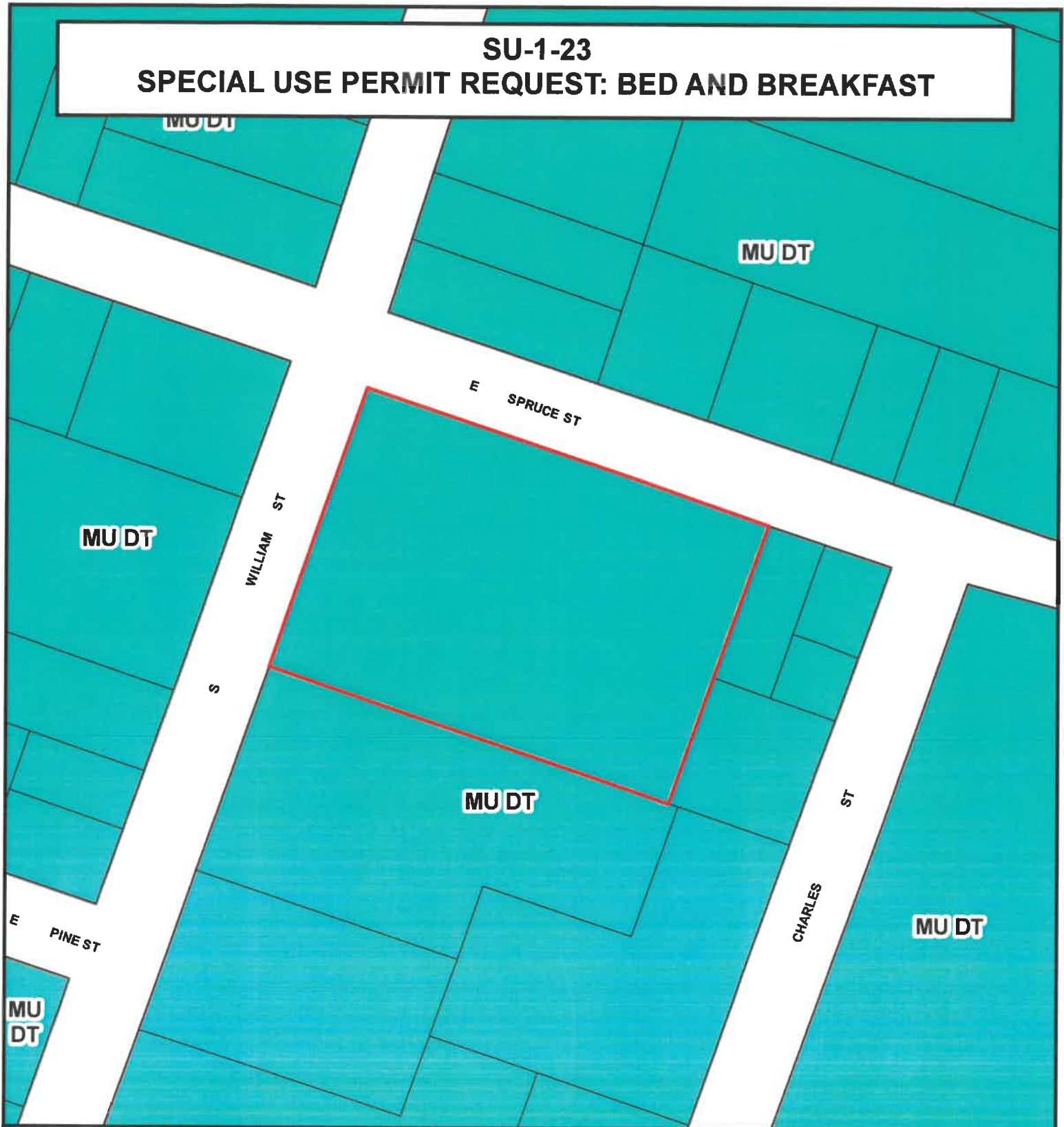
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GOLDSBORO
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SU-1-23
SPECIAL USE PERMIT REQUEST: BED AND BREAKFAST



SPECIAL USE REQUEST:

CASE NO: SU-1-23
REQUEST: BED AND BREAKFAST
APPLICANT: Rebecca Lucero & Andrew Sever
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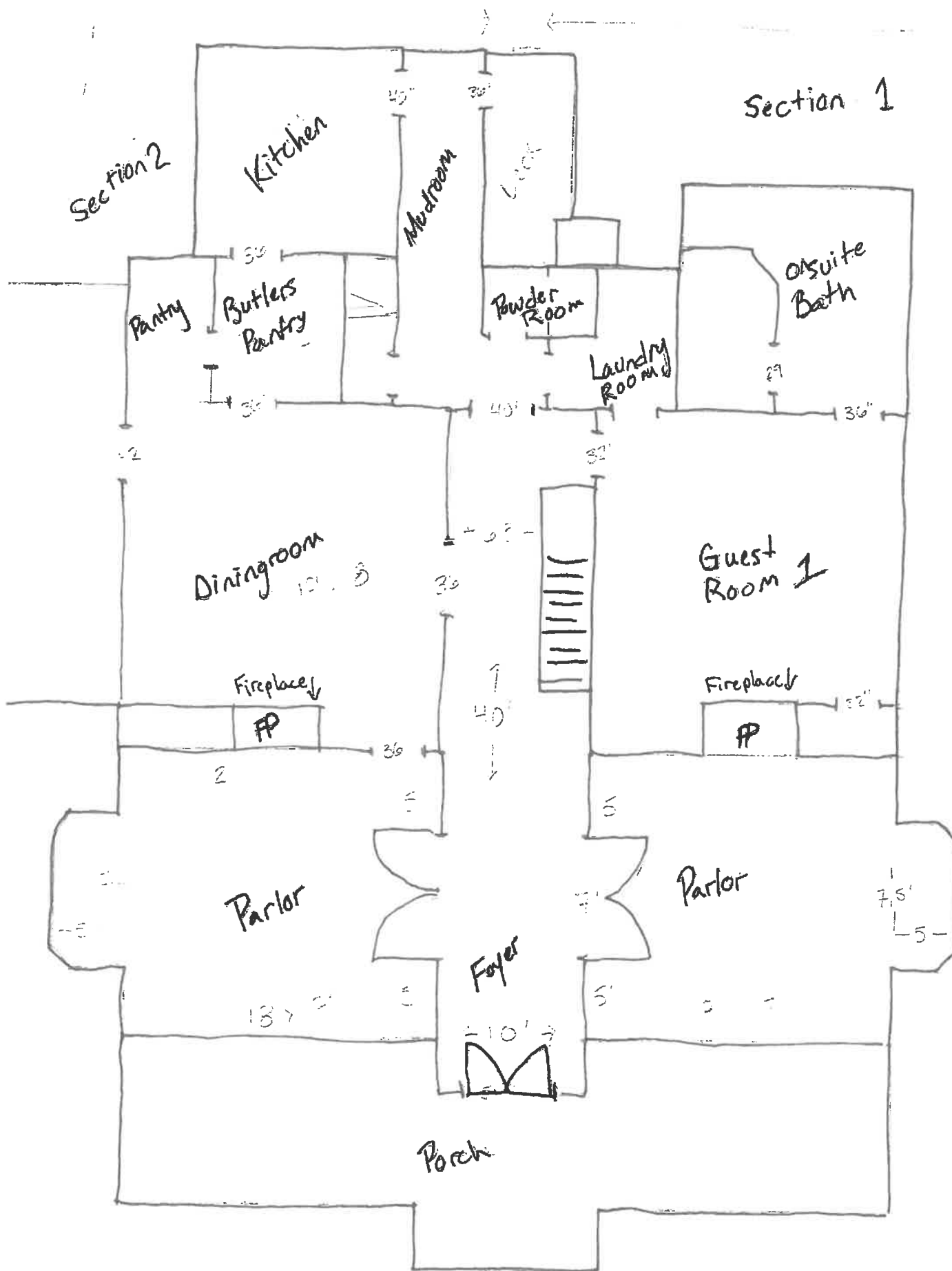


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Main Level
1/8" Scale

300. S. William
Lucero/Sevel

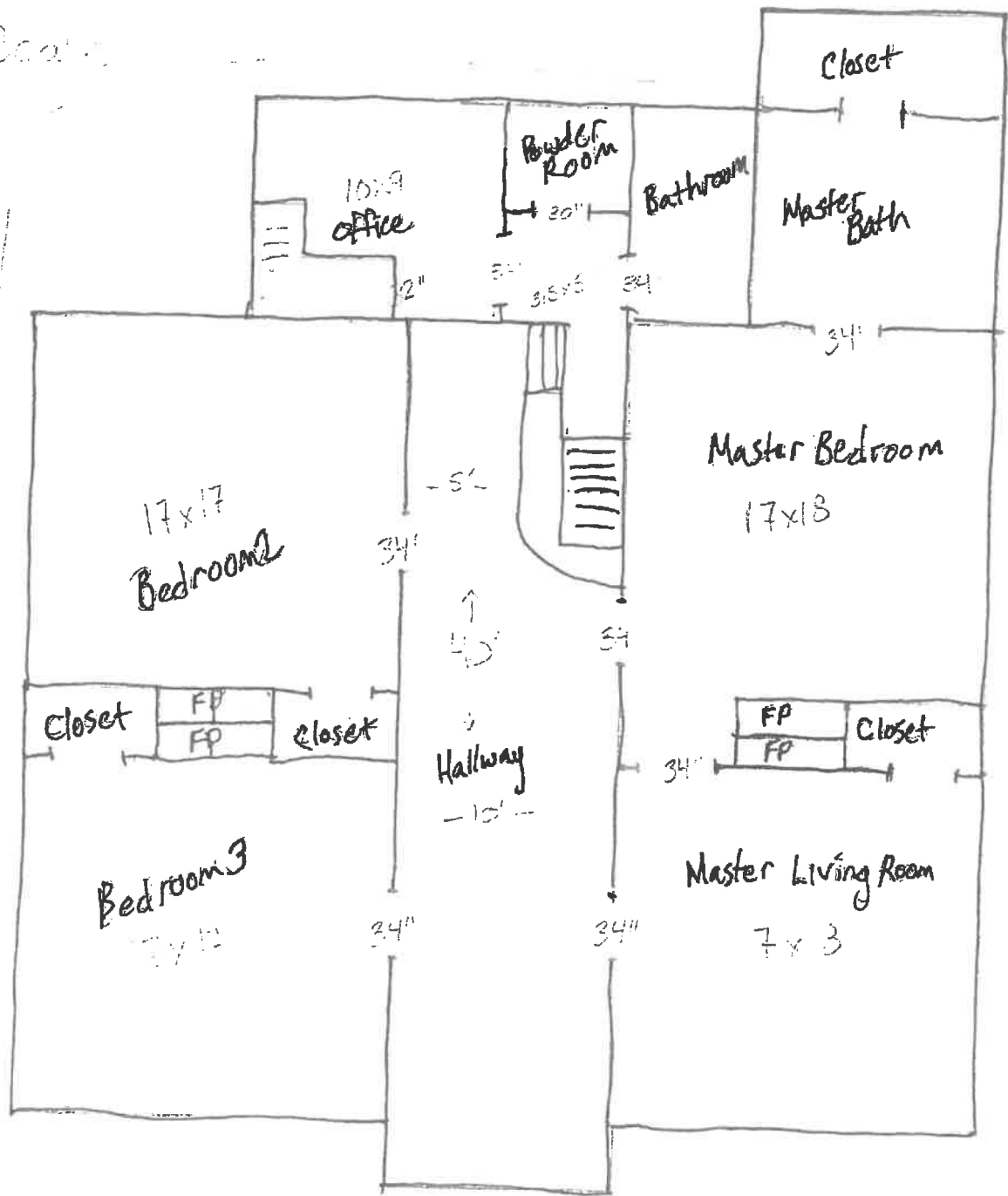


2nd Level

1/8" Scale

Section 2

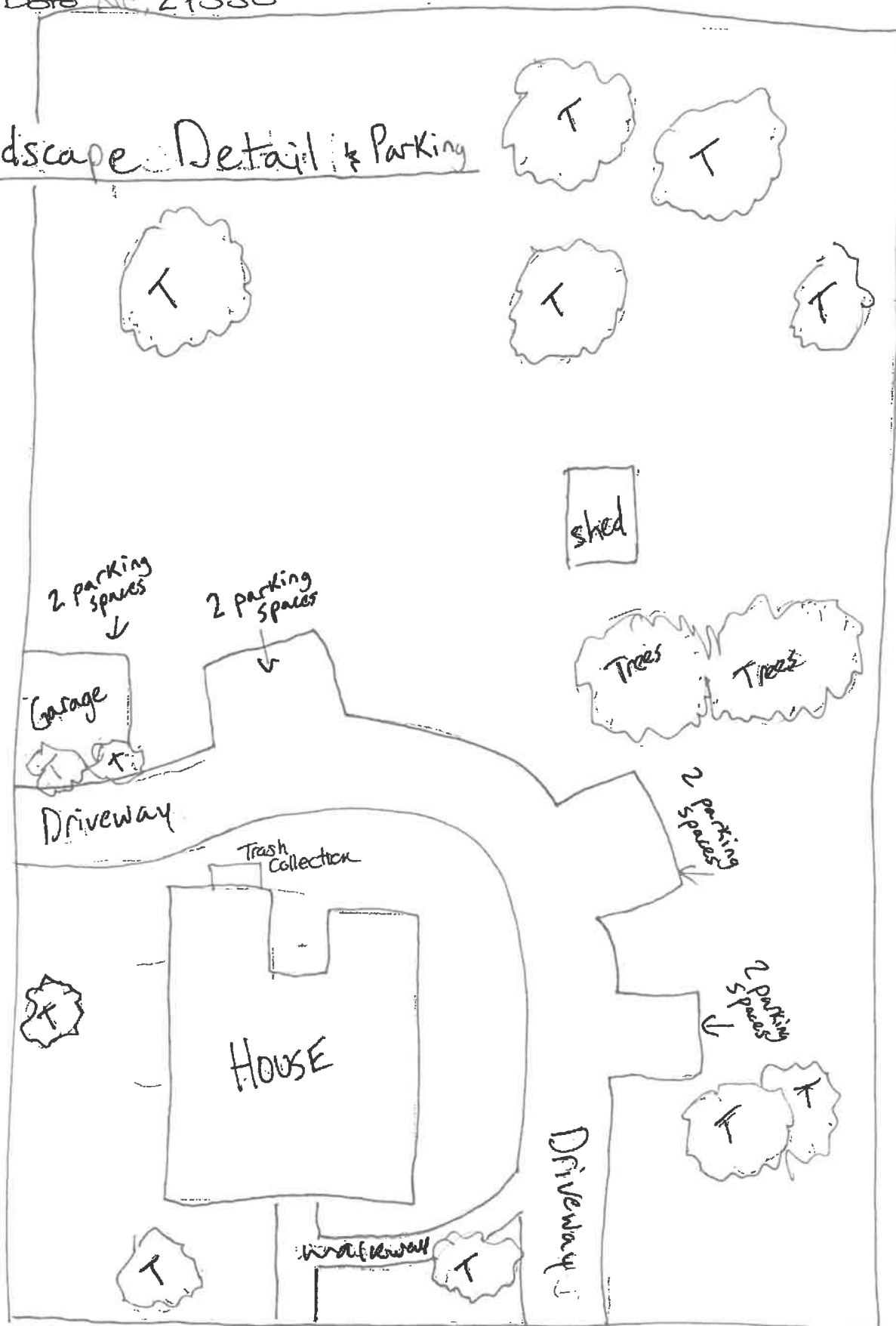
Section 1



300 S WILLIAM
LUCERO/SEVEN

Rebecca Lucero + Andrew Cerver
300 S. William St
Goldsboro NC 27530

Landscape Detail & Parking



S. William St.

* 8 total parking spaces
currently asphalt surface

300 S. William St
Goldsboro NC 27530

Adjacent Property Uses

309 E Spruce
06-Duplex

214 S.
William St
17-office

300 S. William St
Zone - CSDH

306 S. William St
03-Grand Apartment

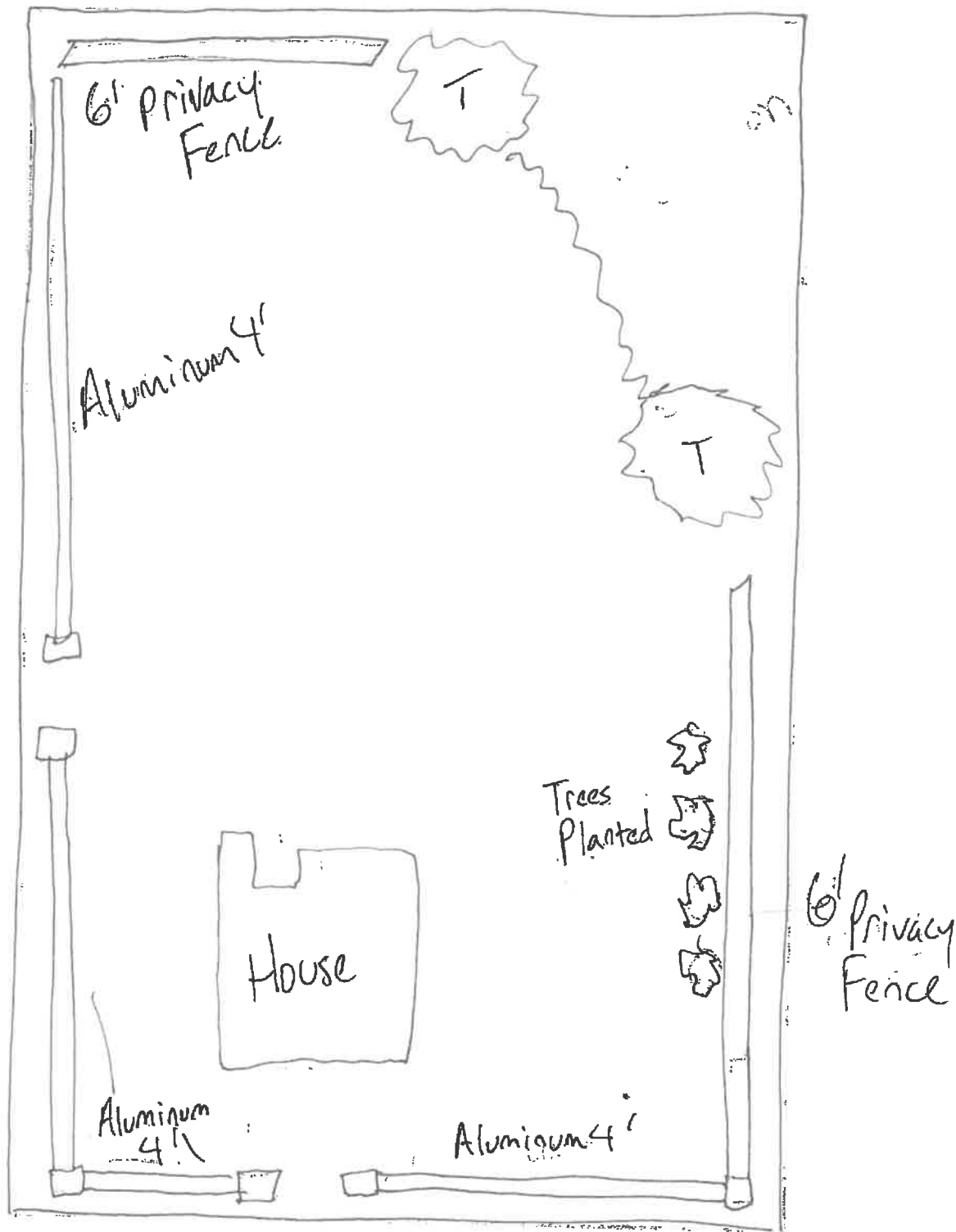
County of
Wayne

303 S. William St
01-Residential

309 S William St.
01-Residential

Rebecca W. ...
300 S. William St
Goldboro NC, 27530

Buffer Detail - fence to be constructed



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING

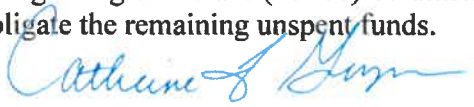
SUBJECT: Amend the Special Revenue Fund Ordinance for project closeout – BJA FY20 Coronavirus Emergency Supplemental Funding Program (2020-VD-BX-1476) (P3106)

BACKGROUND: On July 13, 2020, Council approved the adoption of an ordinance to establish the BJA FY20 Coronavirus Emergency Supplemental Funding Program (2020-VD-BX-1476) which was a grant awarded by the Department of Justice for personal protective equipment (PPE) for officers and employees, equipment and supplies related to the Coronavirus pandemic.

DISCUSSION: At this time, all expenditures have been executed and all reimbursements have been received, and the grant period has expired. It is necessary to formally close this special revenue fund on the city books. The City executed a total of \$87,179.40 out of the \$108,628.00 grant. There was a total of \$21,448.60 of grant funds that were not used, and therefore the City must deobligate those funds. There was no local match required for this grant.

RECOMMENDATION: It is recommended that the attached Special Revenue Fund Ordinance for the BJA FY20 Coronavirus Emergency Supplemental Funding Program Grant (P3106) be amended to close the fund and deobligate the remaining unspent funds.

Date: 01/20/2023


Catherine F. Gwynn, Finance Director

Date: 1/31/23


Timothy M. Salmon, City Manager

ORDINANCE NO. 2023- 8

AN ORDINANCE AMENDING A SPECIAL REVENUE PROJECT FOR THE
BJA FY20 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING
PROGRAM (2020-VD-BX-1476) (P3106)

WHEREAS, on June 8, 2020, the City of Goldsboro was approved for the BJA FY20 Coronavirus Emergency Supplemental Funding Program; and

WHEREAS, on July 13, 2020, City Council approved the establishment of the special revenue fund to account for the BJA FY20 Coronavirus Emergency Supplemental Funding Program; and

WHEREAS, the grant period has ended, the terms of the grant have been satisfied, expenditures have been made and all reimbursements have been received; and

WHEREAS, the grant project fund objectives are complete, and it is the desire of Council to close the grant project fund officially and any remaining unexpended appropriations deobligated.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the following special revenue project budget is hereby amended as follows:

BJA FY20 Coronavirus Emergency Supplemental Funding Program (2020-VD-BX-1476) (P3106)			
	Current Budget	Amended Budget	Increase (Decrease)
Revenues:			
Grant Revenue Federal	\$ 108,628.00	\$ 87,179.40	\$(21,448.60)
Total Revenues	<u>\$ 108,628.00</u>	<u>\$ 87,179.40</u>	<u>\$(21,448.60)</u>
Expenditures:			
DOJ BJA Covid-19 Expenditures	\$ 108,628.00	\$ 87,179.40	\$(21,448.60)
Total Expenditures	<u>\$ 108,628.00</u>	<u>\$ 87,179.40</u>	<u>\$(21,448.60)</u>

Adopted this 6th day of February, 2023.


David Ham, Mayor

Attested by:


Laura Getz, City Clerk



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING

SUBJECT: Utility Construction Agreement with NCDOT for Water and Sewer Line Relocations relating to replacing Bridge No. 20 on US 70 Business (Grantham Street)
NCDOT Project B-4838


BACKGROUND: The North Carolina Department of Transportation has prepared and adopted plans to make street and highway improvements within Goldsboro under Project B-4838. The project consists of replacing Bridge No. 20 on US 70 Business (Grantham Street), as shown on the attached map.

DISCUSSION: The Utility Construction Agreement addresses the relocation of City-owned water and sewer lines located within the project area. Provisions are included in NCDOT's agreement for their contractor to relocate City-owned water and sewer lines. NCDOT will assume 75% and the City of Goldsboro is responsible for 25% of the cost for relocation of the water and sewer lines. The City's estimated cost to relocate water and sewer lines is \$154,228. The actual cost will be based upon the contract unit cost and actual quantities used. Reimbursement to NCDOT will be made in one final payment within sixty (60) days after billing.

Upon completion of the bridge work, NCDOT shall submit an itemized invoice to the City. It is anticipated that the City will be invoiced Fiscal Year 24-25 for water and sewer line relocations and a budget allocation for FY24-25 will be required prior to final invoice.

RECOMMENDATION: By motion, adopt the attached resolution authorizing the Mayor to execute the Utility Construction Agreement with the North Carolina Department of Transportation for water and sewer line relocations relating to replacing Bridge No. 20 on US 70 Business (Grantham Street).

Date: 1/30/23


Bobby Croom, PE, CFM, Engineering Director

Date: 1/31/23


Timothy M. Salmon, City Manager

05/08/99

11:38:27 AM
C:\pwworking\usenc\dms06471\B4838.uc.tsh.dgn
Swinson

TIP PROJECT: B-4838

CONTRACT:



STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

**UTILITY AGREEMENT PLANS
WAYNE COUNTY**

**LOCATION: BRIDGE NO.20 ON US 70B (GRANTHAM ST)
OVER CSX RAILROAD**

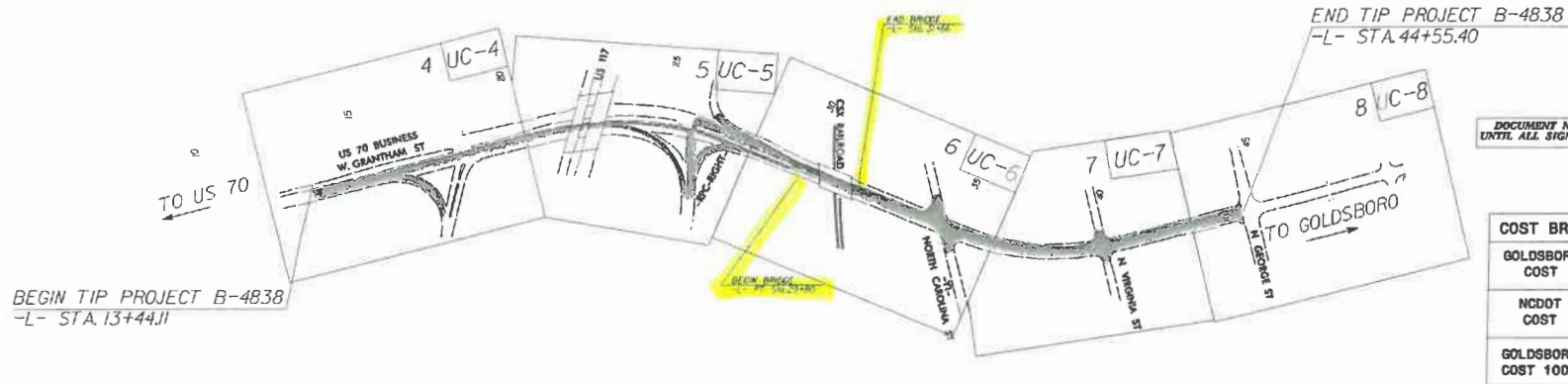
TYPE OF WORK: WATER AND SANITARY SEWER RELOCATIONS

T.I.P. NO.

B-4838

SHEET NO.

UC-1



DOCUMENT NOT CONSIDERED FINAL
UNTIL ALL SIGNATURES ARE COMPLETED

COST BREAKDOWN LEGEND

GOLDSBORO COST	25%
NCDOT COST	75%
GOLDSBORO COST 100%	

RIGHT OF WAY DATE:

MARCH 24, 2022

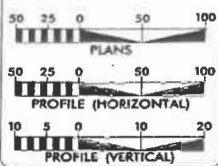
LETTING DATE:

MAY 16, 2023

EXHIBIT A

AGREEMENT PLANS

GRAPHIC SCALES



INDEX OF SHEETS

SHEET NO.:	DESCRIPTION:
UC-1	TITLE SHEET
UC-2	UTILITY SYMBOLOGY
UC-3	NOTES
UC-3A THRU UC-3C	CONSTRUCTION DETAILS
UC-4 THRU UC-8	UTILITY CONSTRUCTION SHEETS
UC-9	PROFILE SHEET

**WATER AND SEWER
OWNERS ON PROJECT**

- (A) WATER: CITY OF GOLDSBORO
(B) SANITARY SEWER: CITY OF GOLDSBORO
(C)
(D)
(E)

PREPARED IN THE OFFICE OF

AECOM

AECOM TECHNICAL SERVICES OF NORTH CAROLINA, INC.
8438 VALDE PARK BLVD., SUITE 200, RALEIGH, NC 27617
919-881-1100
F-0342

Steve Scruggs, PE

UTILITY PROJECT MANAGER

Farah Ramadan

PROJECT UTILITY DESIGNER

SEAL



DIVISION OF HIGHWAYS
UTILITIES UNIT
1035 PAUL SERVICES CENTER
RALEIGH, NC 27601-3333
PHONE (919) 791-4400
FAX (919) 224-4117

Nabih Hamdan

UTILITIES REGIONAL ENGINEER

Kathie Martin, EI

UTILITIES ENGINEER

Tanya Sampson

UTILITIES AREA COORDINATOR

Kathie Martin, EI

UTILITIES COORDINATOR

RESOLUTION NO. 2023-8

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE
UTILITY CONSTRUCTION AGREEMENT WITH NCDOT FOR WATER & SEWER LINE
RELOCATIONS FOR US 70 BUSINESS (GRANTHAM STREET)
NCDOT PROJECT B-4838

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make street and highway improvements within Goldsboro for replacing Bridge No. 20 on US 70 Business (Grantham Street); and

WHEREAS, said Department of Transportation and the City of Goldsboro propose to enter into an utility construction agreement whereby said Department will include in its construction contract provisions for the relocation and adjustment of municipally-owned water and sewer lines; and,

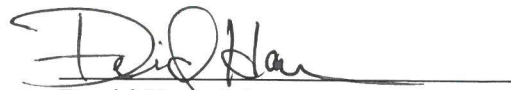
WHEREAS, the estimated construction cost of the above-referred to water and sanitary sewer improvements is \$154,228; and

WHEREAS, the Municipality agrees to reimburse the Department of Transportation up to \$154,228 with reimbursement to be made in one final payment within sixty (60) days after billing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The Mayor is hereby authorized and directed to execute the utility construction agreement with the Department of Transportation for relocation and adjustment of municipally-owned water and sewer lines in conjunction with replacement of Bridge No. 20 on US 70 Business (Grantham Street).

3. This resolution shall be in full force and effect from and after this 6th day of February, 2023.


David Ham, Mayor

Attested by:


Laura Getz, City Clerk



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING

SUBJECT: Amended CDBG Public Services Policy


BACKGROUND: The City receives federal funds to administer CDBG and HOME programs to assist low to moderate income persons with housing and non-housing needs.

DISCUSSION: Public services are an integral part of the comprehensive community development strategy and can address a range of individual needs and increase the impact of CDBG funds. Public services can strengthen communities by addressing the needs of specific populations and by supporting economic development. CDBG regulations allow the use of grant funds for a wide range of public services activities, including, but not limited to: Childcare, health care, job training, recreation programs, education programs, and many others.

As Staff has learned of a more effective way to implement its Public Services activity, the CDBG Public Services policy has been amended to include:

- Statement on Debarment and Suspension
- Replacement of an RFP process with a competitive application process

RECOMMENDATION: By motion, adopt the Amended CDBG Public Services Policy.

Date: 1-31-2023

Felecia D. Williams, Community Relations Director

Date: 1/31/23

Timothy M. Salmon, City Manager

CDBG Public Services
Policy Overview



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1.2 Funding Process	
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INTRODUCTION

1.1 Background

The City of Goldsboro's Public Services is funded with Community Development Block Grant (CDBG) funds. The primary objective of the federal CDBG program is to develop viable communities by providing decent housing, suitable living environments, and economic development opportunities, principally to low-and-moderate income residents. Goals and objectives for the City's CDBG and HOME programs are described in the City's Five-Year Consolidated Plan (2020-2024). The City's current 2020-2024 Consolidated Plan can be viewed on the City's website.

1.2 Funding Process

The City of Goldsboro will announce (on its website and social media platforms) the availability of CDBG Public Services funds and will utilize a competitive application process to determine which agencies will be funded.

Below is an anticipated timeline of events related to the funding process. The City of Goldsboro reserves the right to modify and/or adjust the following schedule to meet the needs of the service.

Public Services Event	Date and Time
Pre-Application Conference (Required)	TBD
Application Available	TBD
Written Questions Accepted	TBD
City Response to Questions	TBD
Application Deadline	TBD
Selection & Funding Notification	TBD

1.3 Pre-Proposal Conference

Attendance at **one conference** is a prerequisite for prospective applicants to be considered for funding. Details on the mandatory conference will be posted on the City's website and social media platforms.

1.4 Application Evaluation Criteria

The City of Goldsboro will not carry out an official bid nor hold a public bid opening meeting. Applications will be evaluated based on, but not necessarily limited to the following criteria listed below:

CDBG Eligibility	Target Clientele Eligibility
Program/Project Delivery Capacity	Program/Project Proposed Budget

Section 1

1.1 ELIGIBLE PUBLIC SERVICE ACTIVITIES

- This section outlines activities that are eligible public services under the CDBG program. The following is a summary of the topics in this section, applicable statutory and regulatory citations, and other reference materials cited from HUD.

The CDBG regulations allow the use of grant funds for a wide range of public service activities, including, but not limited to:

Activity
Employment services (e.g., job training)
Crime prevention and public safety
Health services
Substance abuse services (e.g., counseling and treatment)
Fair housing counseling
Education programs
Energy conservation
Services for senior citizens
Services for homeless persons
Welfare services (excluding income payments)
Down payment assistance
Recreational services

Key Points:

- ✓ To utilize CDBG funds for a public service, the service must be either:
 - A new service; or
 - A quantifiable increase in the level of an existing service (the result of events not within the control of the local government).

Section 1.2

INELIGIBLE PUBLIC SERVICE ACTIVITIES

- The provision of “income payments” is an ineligible CDBG activity if these payments are provided as a grant.
- Income payments are payments to an individual or family, which are used to provide basic services such as food, shelter (including payment for rent, mortgage, and/or utilities) or clothing.
- However, the entitlement rules note that such expenditures are eligible under the following conditions:
 - ✓ The income payments do not exceed three consecutive months; and
 - ✓ The payments are made directly to the provider of such services on behalf of an individual or family.
- Income payments that are provided as a loan are permissible within the public services cap.

- Political activities are ineligible.

Section 1.3

PUBLIC SERVICES CAP

The total amount of CDBG funds expended for public services activities must not exceed 15 percent (15%) of the City's annual CDBG allocation of funds plus 15 percent (15%) of program income received.

In addition, the CDBG regulations offer flexibility in using CDBG for certain public services, particularly services designed to increase employment opportunities, outside of the 15 percent (15%) cap.

The eligibility options include:

Provision of assistance to microenterprises as a separate eligible activity. This includes technical assistance, business support services, and other similar services to owners of microenterprises or persons developing microenterprises.

Job training, job placement and other employment support services that are carried out by a qualified 105(a)(15) nonprofit development organization as part of certain types of projects, and which are specifically designed to increase economic opportunities including peer support programs, childcare, counseling, transportation, and other similar services.

Economic development services carried out in connection with special economic development activities also do not count against the 15 percent (15%) cap. These services include:

- Outreach efforts to market available assistance.
- Screening of applicants.
- Reviewing and underwriting applications for assistance.
- Preparation of all necessary agreements.
- Management of assisted activities; and
- Screening/referral/placement of applicants for jobs generated by CDBG-eligible economic development activities, including training for those persons filling positions.

Section 2

2.1 NATIONAL OBJECTIVE: LOW-MODERATE INCOME (LMI) BENEFIT

- CDBG-funded public service activities are typically categorized under the LMI Benefit National Objective as either Area Benefit or Limited Clientele activities. As shown in exhibit 2-1 below, the distinguishing factor between the two categories is whether the service will be offered to all residents of a particular Low and moderate income (LMI) area or to a particular group of LMI residents in the entire community.
- Under the Area Benefit criteria, the public service must be offered to all residents of an area where at least 51 percent (51%) of the residents are LMI. The area must be clearly delineated by the City and must be primarily residential.
- Under Limited Clientele activities must benefit a specific targeted group of persons of which at least 51 percent (51%) must be LMI. To meet the LMI Limited Clientele criteria, the activity must:
 - i. Serve at least 51 percent (51%) LMI, as evidenced by documentation and data concerning beneficiary family size and income.
 - ii. Have income-eligibility requirements which limit the service to persons meeting the LMI income requirement, as evidenced by the administering agency's procedures, intake/application forms, income limits, and other sources of documentation.
 - iii. Serve a group primarily presumed to be LMI such as abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS and migrant farm workers; or
 - iv. Be of such a nature and in a location that it may be concluded that the activity's clientele is LMI.

Exhibit 2-1
Determining if a Public Service Activity Qualifies
As an Area Benefit or Limited Clientele Activity

Issue for Consideration	If an Area Benefit Activity...	If a Limited Clientele Activity...
Who will the service be provided to?	All residents of a LMI area (i.e., area with at least 51 percent LMI residents)	A limited group of persons, either LMI or presumed to be LMI, regardless of where they live
Where will the service be provided?	In a particular neighborhood	Not specific; could be offered to more than one neighborhood or city- or county-wide
What are the income levels in the area where the service will be delivered?	At least 51 percent LMI residents in area	Not applicable; eligibility based on clients served (but generally at least 51% must be LMI)

2.2 NATIONAL OBJECTIVE: SLUM / BLIGHT

Public service activities that aid in the prevention or elimination of slums or blight in a designated area may qualify under the Slum/Blight National Objective (Area Basis).

However, this category is rarely used for public service activities since the activity must meet the following qualifying criteria:

The area in which the activity occurs must be designated as slum or blighted. The following tests apply:

- The delineated area in which the activity occurs must meet a definition of a slum, blighted, deteriorated, or deteriorating area under state or local law.
- The area must also meet either one of the two conditions specified below:
- At least 25 percent of the properties throughout the area exhibit the following:
 - (a) Physical deterioration of buildings/improvements.
 - (b) Abandonment of properties.
 - (c) Chronic high occupancy turnover rates or chronic high vacancy rates in commercial or industrial buildings.
 - (d) Significant declines in property values or abnormally low property values relative to other areas in the community; or
 - (e) Known or suspected environmental contamination.
- Public improvements throughout the area are in a general state of deterioration

Documentation must be maintained by the City on the boundaries of the area and the conditions that qualified the area at the time of its designation. The designation of an area as slum or blighted must be re-determined every 10 years for continued qualifications.

2.3 NATIONAL OBJECTIVE: URGENT NEED

It is possible for public services activities to qualify under this National Objective if the public service is designed to alleviate existing conditions that pose a serious and immediate threat the health or welfare. The conditions must be of recent origin or recently became urgent.

Section 3

3.1 REQUIREMENTS FOR THE PUBLIC SERVICES GRANT

All applicants must meet the following minimum criteria to be considered for funding:

- 1) Must be an IRS Certified 501(c)(3) organization in good standing.
- 2) Have Articles of Incorporation (Must be certified by the State of North Carolina).
- 3) The organization's services must be performed within the city limits of Goldsboro.
- 4) Must be ready to use and fully expend the funds within 12 months of the agreement.
- 5) The organization's services must meet CDBG national objectives as identified by HUD.
- 6) Must have been actively engaged in providing service to the targeted community in the past 24 months in the capacity for which the organization is seeking funding.
- 7) Must provide a copy of its most recent financial audit or financial report.
- 8) Must have a Board of Directors that meets on a regular basis.

Eligible applicants:

Will enter into a contractual agreement with the City of Goldsboro	Will be required to submit and file quarterly reports on expenditures and services
Must comply with all federal, state, and local laws, including nondiscrimination laws	Will be paid on a reimbursement basis (after services are provided and after quarterly reports are received)
Maintain appropriate program and beneficiary documentation for a minimum of 3 years	Comply with request for on-site monitoring visits by the City

***Please Note:**

Contracts will not be awarded to parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities in accordance with the Federal debarment and suspension rule, 49 CFR 29.

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
February 6, 2023 COUNCIL MEETING**

Removed from Agenda

SUBJECT: Split-Jurisdiction Agreement between the City of Goldsboro and County of Wayne

Tax Parcel Id: 3610-97-5195

Owner: Roy Barnes Heirs

Acres: 11.3; 6 acres (County of Wayne)/5 acres (City of Goldsboro)

BACKGROUND: On September 6, 2022 City Council approved a Resolution Authorizing by Mutual Agreement Between the City of Goldsboro and the County of Wayne To Assign Exclusive Planning and Development Regulation Jurisdiction From One (the City of Goldsboro) to the Other (County of Wayne) pertaining to the subject property referenced above.

Recently, City officials were informed that the Wayne County Tax Office identified errors in their database reflecting incorrect tax parcel identification numbers and property owners associated with the property. As such, Goldsboro City Council and the County of Wayne are required to revise the split jurisdiction agreement.

Zoning and other development regulations are state powers delegated to local governments. North Carolina state legislature sets the rules for which local governments can exercise these powers and where that can be done within their respective jurisdictions.

The City of Goldsboro exercises the enforcement of planning and development regulations throughout the corporate City limits and one-mile extra-territorial jurisdiction. The County of Wayne exercises planning and development regulations outside of the City's corporate limits and one-mile extra-territorial jurisdiction.

City and County jurisdictional boundaries do not have to follow property lines. In Wayne County, it is not uncommon for part of a

parcel of land to be in the City of Goldsboro's planning jurisdiction and the remainder of the property to be in Wayne County.

Historically, the City and County released planning and development regulation jurisdiction from one unit of local government to another based on which unit of local government had the majority acreage within their respective jurisdiction. Informal administrative development approvals were authorized by the City Planning Director and the County Planning Director.

According to GS 160D-203, property shall be subject to City or County development regulations. New land-use law dictates that if the landowner and both units of government agree, exclusive planning and development regulation jurisdiction for the entire parcel may be assigned to one jurisdiction. An agreement on development regulation must be approved by resolution formally adopted by both the City of Goldsboro and the County of Wayne.

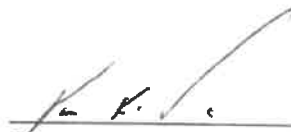
DISCUSSION: Owners of the subject property desire that the entire parcel have continuity in planning and development regulations by assigning exclusive jurisdiction to the County of Wayne.

STAFF

RECOMMENDATION: Staff is recommending that City Council agree to the release of City planning and development jurisdiction to the County of Wayne for the portion of said property within the City's jurisdiction.

REQUIRED ACTION: Council shall vote to approve/deny the recommendation of Planning staff and Resolution Authorizing by Mutual Agreement Between the City of Goldsboro and the County of Wayne To Assign Exclusive Planning and Development Regulation Jurisdiction From One (the City of Goldsboro) to the Other (County of Wayne).

Date: 1/31/23



Planning Director

Date: 1/31/23



City Manager

RESOLUTION NO. 2023 –

RESOLUTION AUTHORIZING BY MUTUAL AGREEMENT BETWEEN THE CITY OF GOLDSBORO AND THE COUNTY OF WAYNE TO ASSIGN EXCLUSIVE PLANNING AND DEVELOPMENT REGULATION JURISDICTION FROM ONE TO THE OTHER

WHEREAS, NCGS 160D-203 allows if the landowner and both units of governments agree, a unit of government to assign exclusive planning and development regulation jurisdiction for an entire parcel to another unit of government; and

WHEREAS, such mutual agreement shall only be applicable to development regulations and shall not affect the jurisdiction's boundary lines, taxation or other nonregulatory matters; and

WHEREAS, the mutual agreement on development regulation must be approved by a resolution formally adopted by both governing boards and be recorded with the Wayne County Register of Deeds within fourteen days of adoption of the last required resolution; and

WHEREAS, the current landowner of Wayne County Parcel #3610975195 is Roy Barnes Heirs, consisting of approximately eleven (11) acres; and

WHEREAS, currently the property has split jurisdiction between the City of Goldsboro and the County of Wayne whereby approximately six (6) acres lies within Wayne County jurisdiction and approximately five (5) acres lies in the City of Goldsboro jurisdiction as such are indicated on Exhibit "A" attached hereto and incorporated herein by reference as the exact location and the split of jurisdictions as depicted thereon with the said portion #1 belonging to the County of Wayne and said portion #2 belonging to the City of Goldsboro; and

WHEREAS, the landowner desires that portion #2 of Exhibit "A" be assigned to the County of Wayne and that the County of Wayne have continuity in planning and development regulations across the entire parcel; and

WHEREAS, the landowner requests that the City of Goldsboro agree to release their planning and development jurisdiction to the County of Wayne; and

WHEREAS, the landowner requests that the County of Wayne agree to accept the planning and development jurisdiction from the City of Goldsboro.

NOW, THEREFORE, BE IT RESOLVED, that the City of Goldsboro and the County of Wayne do hereby accept this agreement and assign to the County of Wayne exclusive planning and development regulation for the said entirety of the above described parcel as affixed by the appropriate signatures of authority by the Mayor of the City of Goldsboro and the Chairman of the Wayne County Board of Commission.

This Resolution shall be in full force and effect from and after this 6th day of February, 2023.

David Ham, Mayor
City of Goldsboro

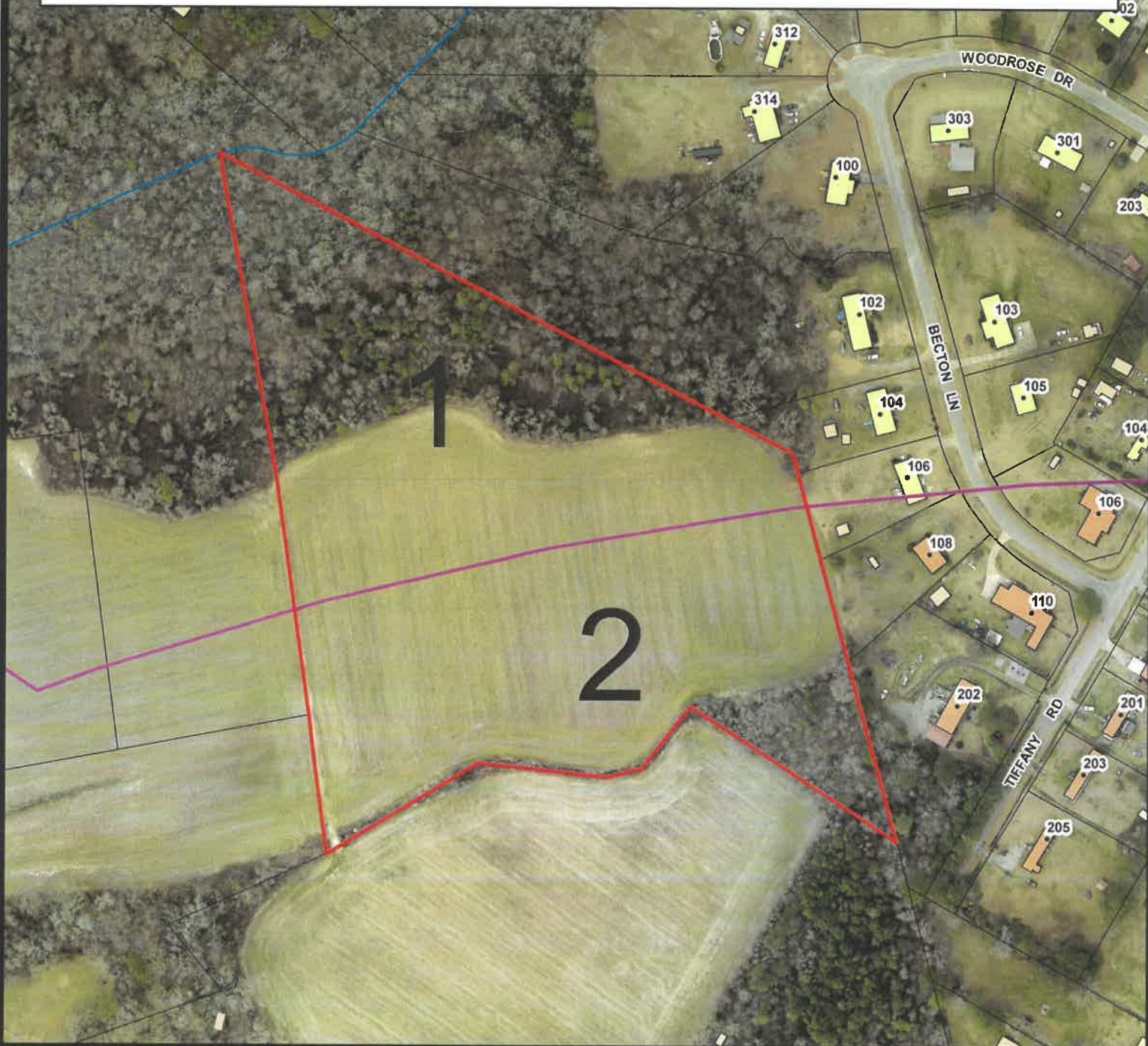
Barbara Aycock, Chairman
Wayne County Board of Commissioners

Attested by:

Laura Getz, Clerk, City of Goldsboro

Carol Bowden, Clerk, County of Wayne

**Split-Jurisdiction Agreement between the City of Goldsboro
and County of Wayne Tax
Parcel Id: 3610-97-5195
Owner: Roy Barnes Heirs
Acres:11.3; 6 acres (County of Wayne)/5 acres (City of
Goldsboro)**



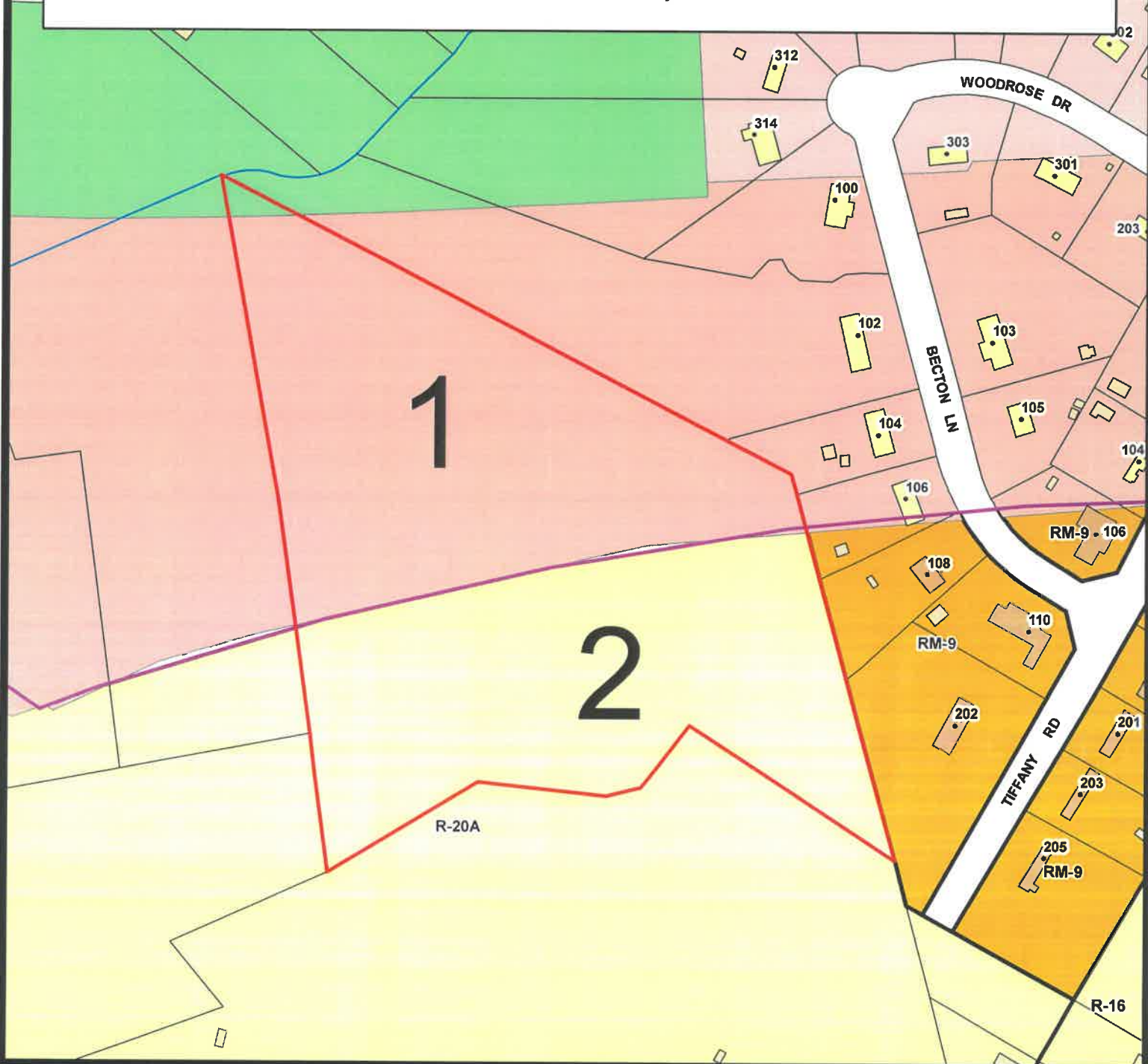
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GOLDSBORO
BE MORE DO MORE SEYMOUR

Split-Jurisdiction Agreement between the City of Goldsboro and County of Wayne Tax

Parcel Id: 3610-97-5195
Owner: Roy Barnes Heirs

Acres: 11.3; 6 acres (County of Wayne) / 5 acres (City of Goldsboro)



200 100 0 200 Feet

GOLDSBORO
BE MORE DO MORE SEYMOUR

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING**

SUBJECT: Farm Lease Agreements

BACKGROUND: The City of Goldsboro or the City and the County of Wayne jointly own several tracts of land, which have been leased in the past for agricultural-related purposes.

Prior to 2013, seven properties had been under lease for farming through one-year leases approved by City Council during December of each year. In November of 2013, the City Council contracted farm leases for these seven properties for a period of three-years. The term extension was due to the investment farmers were making in the land regarding nitrogen, lime, etc. in preparation for the following year's crops.

Of the seven properties, one tract is for the sole purpose of livestock due to the topsoil being stripped and not feasible for growing crops. The term for this lease is set to expire December 31, 2027.

The current farm leases expired December 31, 2022 and are listed as follows:

Location	Current Lessee	Acreage	Leased Price by Acre	Total Yearly Lease
Two Tracts on the west side of NC 111 South (Farm #11693)	Alfred Parks	56.3 Acres	\$136.50/Acre	\$7,684.95
West side of NC 111 South (Farm #8742)	Alfred Parks	24.2 Acres	\$136.50/Acre	\$3,303.30
West side of Miller's Chapel Road (Farm #11850)	Alfred Parks	5.1 Acres	\$80.00/Acre	\$408.00
Northeast and Southeast corners of Arrington Bridge Road and Pecan Road (Farm #11852)	Jonathan Gray	43.4 Acres	\$97.70/Acre	\$4,240.18
Northeast corner of Arrington Bridge Road and S. John Street (Farm #12942)	Jonathan Gray	47.59 Acres	\$97.70/Acre	\$4,649.54
Northeast corner of Genoa Road and Pecan Road (Farm #6599)	Alfred Parks	25.1 Acres	\$73.50/Acre	\$1,844.85

DISCUSSION: Staff advertised an Invitation to Bid on the City's website beginning November 23, 2022 with bid submittals due December 8, 2022.

Pursuant to NC General Statute 160A-272, staff requests council approve the lease agreements. Notice of the City's intent to lease property for crop use was published in the Goldsboro News-Argus on January 5, 2023, for the following properties and bid amounts:

Location	Alfred Parks	Shawn Mitchell	Total Yearly Lease
Two Tracts on the west side of NC 111 South (56.3 Ac.)	\$156.50/Ac.	No Bid	\$8,810.95 City and County
West side of NC 111 South (24.2 Ac.)	\$156.50/Ac.	No Bid	\$3,787.30 City and County
West side of Miller's Chapel Road (5.1 Ac.)	\$95.00/Ac.	No Bid	\$484.50 City and County
Northeast and Southeast corners of Arrington Bridge Road and Pecan Road (43.4 Ac.)	No Bid	\$97.50/Ac.	\$4,231.50 City and County
Northeast corner of Arrington Bridge Road and S. John Street (47.59 Ac.)	No Bid	\$97.50/Ac.	\$4,640.02 City
Northeast corner of Genoa Road and Pecan Road (25.1 Ac.)	No Bid	\$73.50/Ac.	\$1,844.85 City and County

The lease term for the farm tracts listed above is for a period of three-years (January 1, 2023 to December 31, 2025). Lease payments must be made prior to January 31, 2023.

All farm tracts, with the exception of the farm located on the northeast corner of Arrington Bridge Road and South John Street, are jointly-owned with the County of Wayne and the yearly proceeds are equally shared. For jointly-owned properties, lease agreements will be forwarded to the Wayne County Board of Commissioners for action at their next meeting if approved by the City Council.

RECOMMENDATION: By motion adopt a resolution authorizing the Mayor to sign lease agreements for farmland tracks between:

1. The City of Goldsboro, the County of Wayne and Alfred Parks for three years;
2. The City of Goldsboro, the County of Wayne and Shawn Mitchell for three years; and
3. The City of Goldsboro and Shawn Mitchell for three years;

Leases for jointly-owned property would be subject to Wayne County's approval of said leases with Alfred Parks and Shawn Mitchell

Date: 2/2/23


Kenny Talton, Planning Director

Date: _____

Timothy Salmon, City Manager

AFFP
2023-2025 Farm Leases

Affidavit of Publication

STATE OF NC }
COUNTY OF WAYNE } SS

Christy Williamson, being duly sworn, says:

That he is Christy Williamson, Advertising Director of the Goldsboro News-Argus, a daily newspaper of general circulation, printed and published in Goldsboro, Wayne County, NC; that the publication, a copy of which is attached hereto, was published in the said newspaper on

January 05, 2023

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

SIGNED:



Christy Williamson, Advertising Director

Subscribed to and sworn to me this 5th day of January 2023.

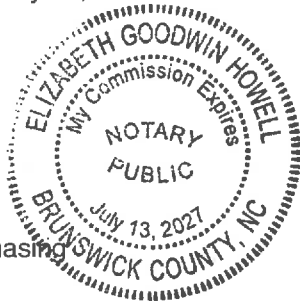


Elizabeth Goodwin Howell, , Wayne County, NC

My commission expires: July 13, 2027

70048618 70561726

Tim Woods
City of Goldsboro - Purchasing
PO Drawer A
Goldsboro, NC 27533



CITY OF GOLDSBORO ADVERTISEMENT OF INTENT TO LEASE REAL PROPERTY

2023-2025 FARM LEASES

Pursuant to NC General Statute, 160A-272 notice is hereby given to all interested parties, and all are invited to attend the meeting to be held on Monday, February 6, 2023 at 7:00 p.m. in Council Chambers, City Hall, 214 N. Center Street, Goldsboro, NC, when the Goldsboro City Council will hear a proposal to authorize leases of the following properties for growing crops. Leases for jointly-owned property will be subject to Wayne County's approval.

Lease #1 between the City of Goldsboro, the County of Wayne and Alfred Parks for three years for
56.3 ACRES, FARM #11693,
\$8,810.95 ANNUALLY
24.2 ACRES, FARM #8742,
\$3,787.30 ANNUALLY
5.1 ACRES, FARM #11850,
\$484.50 ANNUALLY

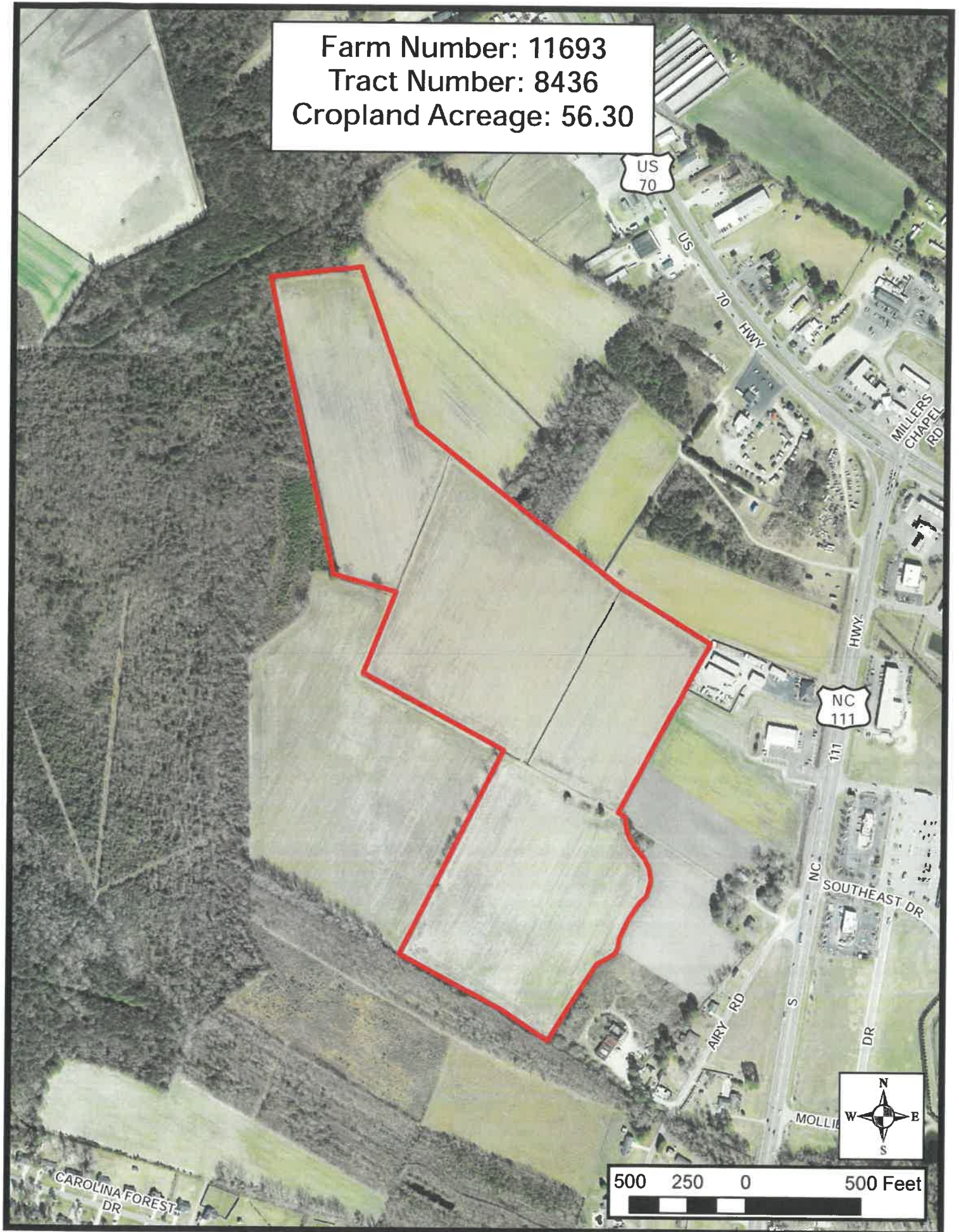
Lease #2 between the City of Goldsboro, the County of Wayne and Shawn Mitchell for three years for
43.4 ACRES, FARM #11852,
\$4,231.50 ANNUALLY
25.1 ACRES, FARM #6599,
\$1,844.85 ANNUALLY

Lease #3 between the City of Goldsboro and Shawn Mitchell for three years for
47.59 ACRES, FARM #12942,
\$4,640.02 ANNUALLY

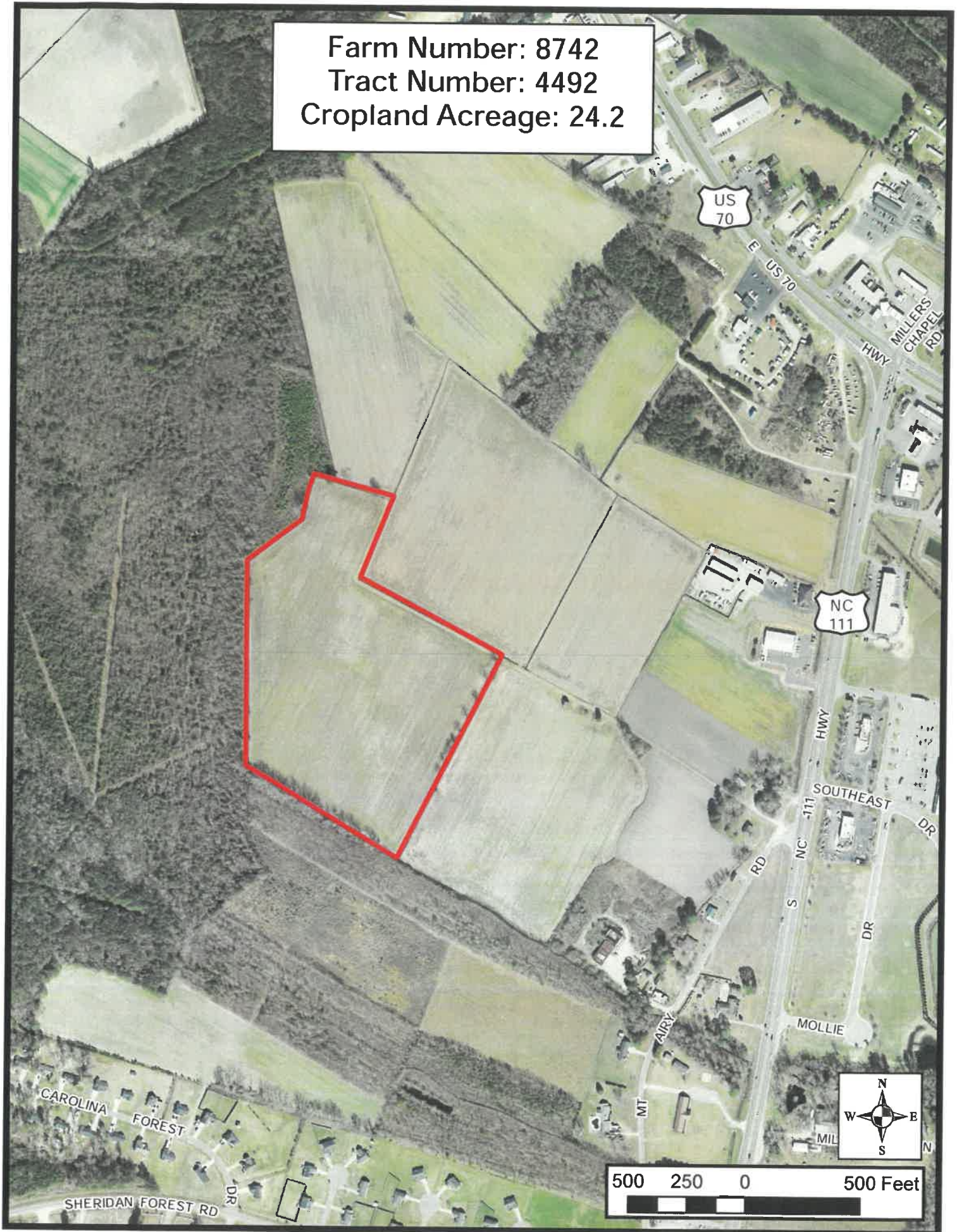
This the 5th day of January 2023.
THE CITY OF GOLDSBORO,
NC

Kenneth Talton
Planning Director

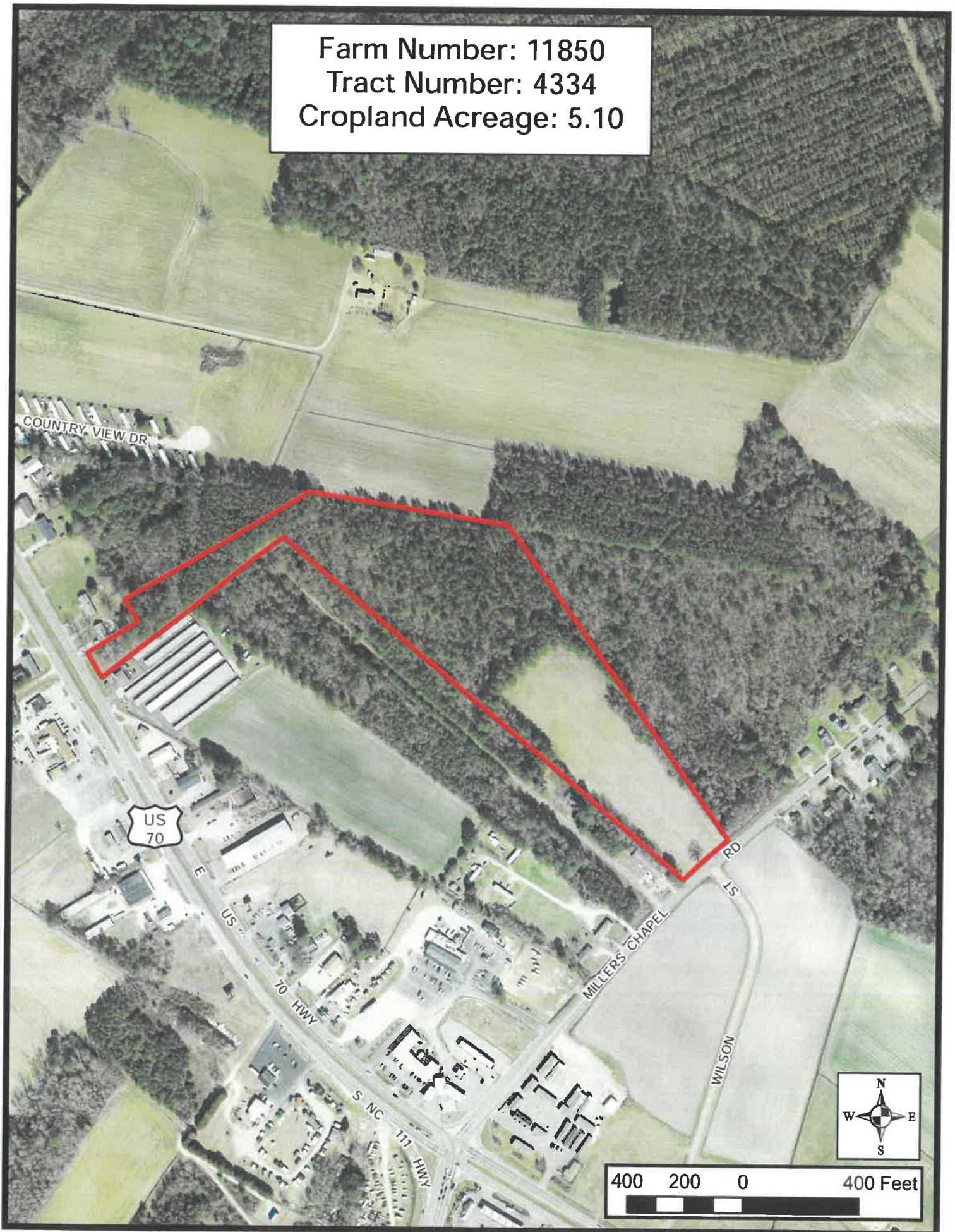
Farm Number: 11693
Tract Number: 8436
Cropland Acreage: 56.30



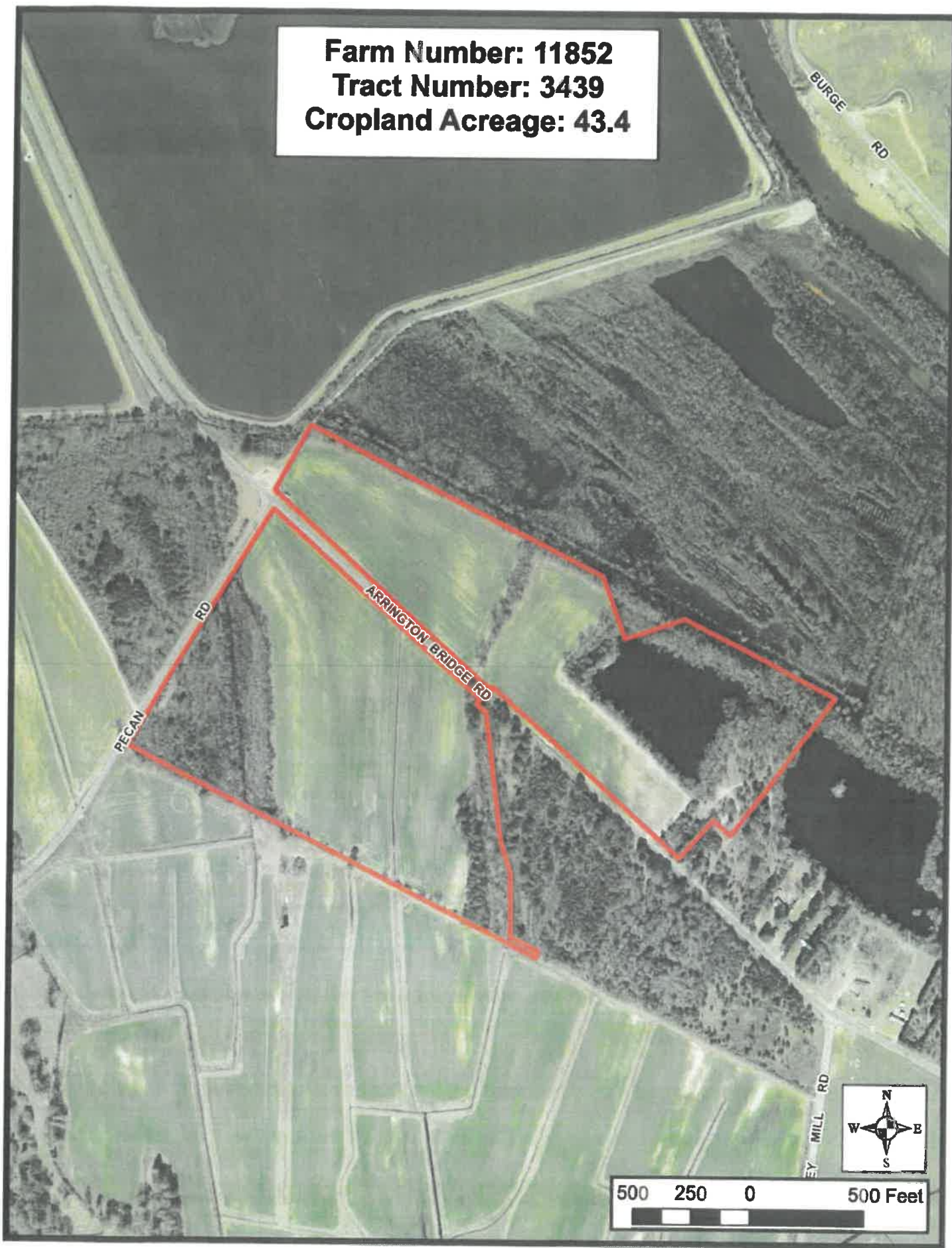
Farm Number: 8742
Tract Number: 4492
Cropland Acreage: 24.2



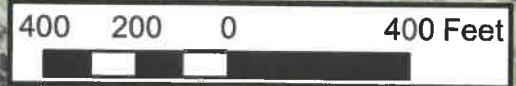
Farm Number: 11850
Tract Number: 4334
Cropland Acreage: 5.10



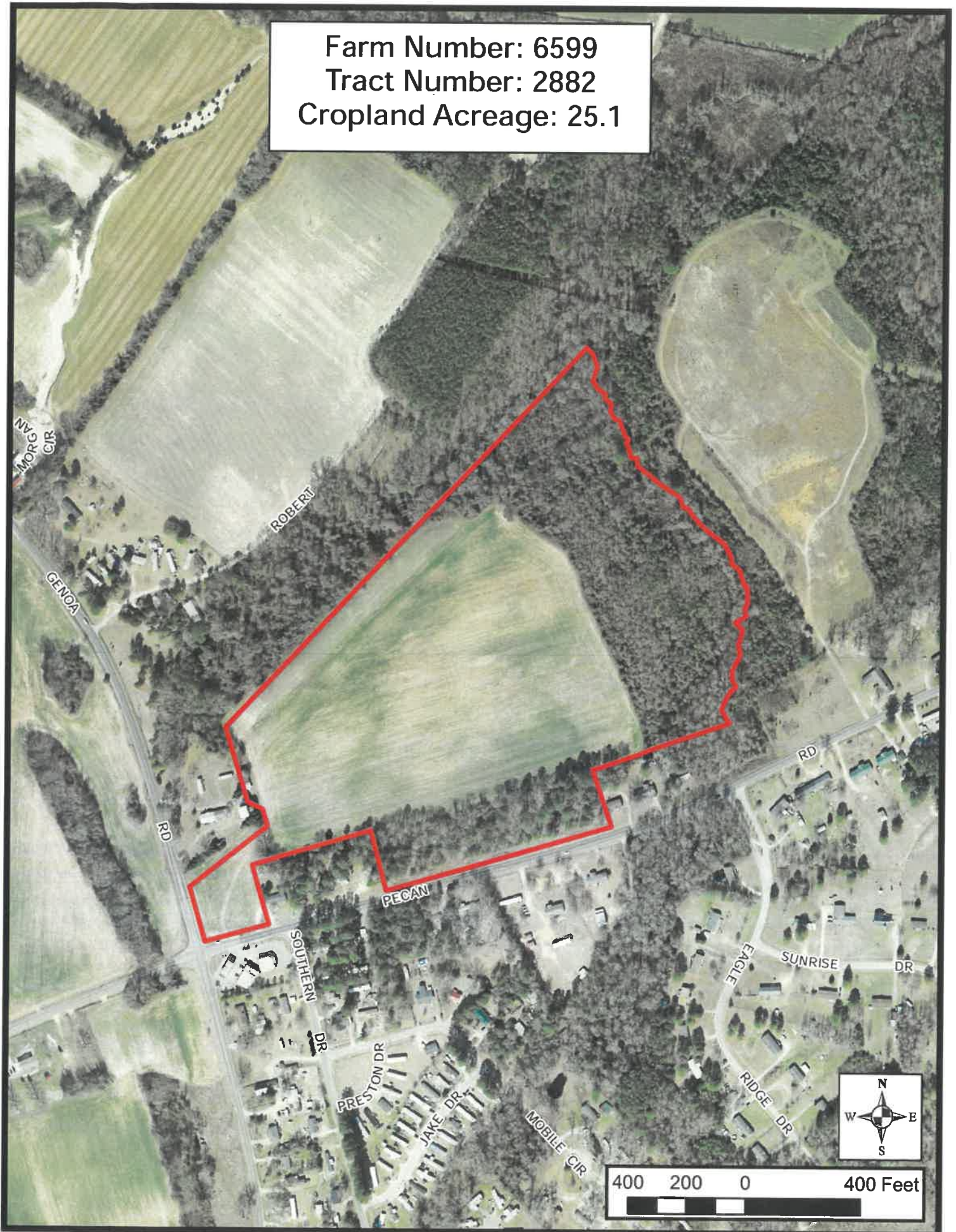
Farm Number: 11852
Tract Number: 3439
Cropland Acreage: 43.4



Farm Number: 12942
Tract Number: 10173
Cropland Acreage: 47.59



Farm Number: 6599
Tract Number: 2882
Cropland Acreage: 25.1



RESOLUTION NO. 2023 – 9

RESOLUTION APPROVING LEASE AGREEMENTS WITH ALFRED PARKS AND SHAWN MITCHELL FOR FARMLAND TRACTS

WHEREAS, the City of Goldsboro and County of Wayne jointly own Farms #11693, #8742, #11850, #11852 and #6599; and

WHEREAS, the City of Goldsboro owns Farm #12942; and

WHEREAS, these farms have been under 3 year leases beginning in 2013; and

WHEREAS, the City of Goldsboro accepted bids for lease terms on December 8, 2022, and

WHEREAS, pursuant to NC General Statute 160A-272, staff is requesting that council approve the lease agreements; and

WHEREAS, the Council hereby determines that the property to be leased will not be needed by the City of Goldsboro during the term of the lease.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The Mayor is hereby authorized to sign a 3-year lease agreement with Alfred Parks for Farms #11693, #8742 and #11850 upon approval by the Board of Commissioners of the County of Wayne.
2. The Mayor is hereby authorized to sign a 3-year lease agreement with Shawn Mitchell for Farms #11852 and #6599 upon approval by the Board of Commissioners of the County of Wayne.
3. The Mayor is hereby authorized to sign a 3-year lease agreement with Shawn Mitchell for Farm #12942.
4. This Resolution shall be in full force and effect from and after February 6, 2023.

Attested by:


Laura Getz, City Clerk




David Ham, Mayor

NORTH CAROLINA

WAYNE COUNTY

THIS FARM LEASE, made this ____ day of _____, 20____, between the CITY OF GOLDSBORO, NORTH CAROLINA, a North Carolina Municipal corporation in the County of Wayne, State of North Carolina, whose address is P. O. Drawer A, Goldsboro, NC 27533, and WAYNE COUNTY, NORTH CAROLINA, a North Carolina body politic and corporate, whose address is P. O. Box 227, Goldsboro, NC 27533, parties of the first part, and **BERRY ALFRED PARKS**, party of the second part;

W I T N E S S E T H:

That the parties of the first part do hereby lease and farm let to the party of the second part, its heirs and assigns, all of the certain farm(s) or tract(s) of land situated in Wayne County, North Carolina, and more particularly described as follows:

1. **Two Tracts on the West side of NC 111 South**
Being 56.3 acres of that tract of land known more particularly as Farm 11693, Tract 8436 by the Wayne County Farm Service Agency. (\$156.50/Acre). Also being the property obtained by Grantor in Deed Book 2486, Page 380 of the Wayne County Registry.
2. **Eastern End of Seymour Johnson Air Force Base, Just West of NC 111**
Being 24.2 acres of that tract of land known more particularly as Farm 8742, Tract 4492 by the Wayne County Farm Service Agency. (\$156.50/Acre). Also being the property obtained by Grantor in Deed Book 2732, Page 899 of the Wayne County Registry.
3. **Millers Chapel Road**
Being 5.1 acres of that tract of land known more particularly as Farm 11850, Tract 4334 by the Wayne County Farm Service Agency. (\$95/Acre). Also being the property obtained by Grantor in Deed Book 2547, Page 187 of the Wayne County Registry.

1. **TERM.** The term of this lease shall be for the period from January 1, 2023, through December 31, 2025.

2. RENTAL. Based on the acreage included within each Farm and Tract, the yearly rental for the above listed properties is as follows:

1. Two Tracts on the West side of NC 111 South, Goldsboro, NC (\$156.50/Acre)

56.30 Acres @ \$156.50/Acre = \$8,810.95Year

Total \$8,810.95/Year

2. Eastern End of Seymour Johnson Air Force Base, Just West of NC 111, Goldsboro, NC (\$156.50/Acre)

24.20 Acres @ \$156.50/Acre = \$3,787.30/Year

Total \$3,787.30/Year

3. Millers Chapel Road, Goldsboro, NC (\$80.00/Acre)

5.10 Acres @ \$95.00/Acre = \$484.50/Year

Total \$484.50/Year

In addition to the rental costs hereinabove provided, the party of the second part shall pay all costs due the ASCS Office or any other regulatory agency for the cultivation and marketing of said crop.

3. PAYMENT OF RENTAL. The TOTAL yearly rental of the above properties shall be the sum of **\$13,082.75**. Said rental payment shall be submitted no later than January 31st of each year of this Lease.

4. CLEARED LANDS. The party of the second part shall be permitted to cultivate all cleared lands described herein.

5. VISIBILITY AND APPEARANCE. The party of the second part shall maintain said land free and clear of the storage of equipment and signage. Said land shall only be used for farming purposes. The party of the second part shall maintain said land in a sightly

condition, shall disc and remove all farm products from said land no later than December 31, 2025, and return said land to the party of the first part in a sightly condition at the end of this lease. The lessee must keep all ditches cut and cleared of debris. The lessee must mow any area around the track of land that is not being farmed.

6. COVENANTS AND RESTRICTIONS. The farm land hereinabove described may be subject to the Declaration of Covenants, Conditions and Restrictions for the Seymour Johnson Air Force Base Buffer Project, CWMTF Project Nos. 2005A and 2004A-007 as recorded in Book 2485, Page 864, Wayne County Registry.

7. SUBLEASES. The lessee will not be permitted to sublease under their lease agreement with Wayne County.

8. CROP ROTATION REQUIREMENTS. The agriculture producer will need to follow Best Management Practices (BMP's) in regards to crop rotation. During the three (3) year lease, the producer shall not grow more than one (1) tobacco crop and one (1) sweet potato crop. It is recommended that the producer not grow the same grain crop two (2) years in a row. The lessee should have the soil tested and lime applied if needed within the three (3) year period of the lease.

9. ASCS. The parties of the first part and the party of the second part shall execute such instruments or other documents as may be required by the ASCS Office or any other regulatory agency to effect the terms of this lease for the farm years 2023-2025.

10. INDEMNITY. The party of the second part shall indemnify and save harmless the parties of the first part from any claim arising out of its occupancy of said land or out of its farm operation, cultivation and marketing of said crop.

11. ADDITIONAL RESTRICTIONS. If corn is planted on the subject property(ies), said property(ies) shall be disked in within seven (7) days after harvest. Hunting shall be prohibited on the property at all times. The agriculture producer will need to follow Best Management Practices (BMP's) in regards to crop rotation. During the three (3) year lease, the producer shall not grow more than one (1) tobacco crop and one (1) sweet potato crop. It is recommended that the producer not grow the same grain crop two (2) years in a row. The lessee should have the soil tested and lime applied if needed with in the three (3) year period of the lease.

IN TESTIMONY WHEREOF, said parties have executed this lease in triplicate originals, one of which is retained by each of the parties, the day and year first above written.

SIGNATURES TO FOLLOW ON ADDITIONAL PAGES

CITY OF GOLDSBORO

BY: _____(SEAL)

David Ham, Mayor

ATTEST:

Laura Getz, City Clerk

NORTH CAROLINA
WAYNE COUNTY

This the _____ day of _____, 20____, personally came before me, _____, a Notary Public in and for said State and County, Laura Getz, who by me duly sworn, says that she knows the common seal of the CITY OF GOLDSBORO and is acquainted with David Ham, who is the Mayor of said municipal corporation; that she, the said Laura Getz is its City Clerk; and that she saw the Mayor sign the foregoing instrument; and that she, the said City Clerk, saw the said common seal of said corporation affixed thereto, and that she, the said City Clerk, signed her name in attestation of said instrument in the presence of said Mayor of said municipal corporation.

WITNESS my hand and official seal or stamp this the _____ day of _____, 20____.

Notary Public

My Commission Expires:

COUNTY OF WAYNE

BY: _____(SEAL)
Barbara Aycock, Chairman

ATTEST:

Carol Bowden, Clerk to the Board

NORTH CAROLINA
WAYNE COUNTY

This the _____ day of _____, 20____, personally came before me, _____, a Notary Public in and for said State and County, _____, who by me duly sworn, says that she knows the common seal of the COUNTY OF WAYNE and is acquainted with Barbara Aycock, who is the Chairman of the Wayne County Board Commissioners of the County of Wayne and that she, the said Carol Bowden, Wayne County Clerk to the Board; and that she saw the Chairman of the Wayne County Board of Commissioners sign the foregoing instrument; and that she the said Wayne County Clerk to the Board, saw the said common seal of said corporation affixed thereto, and that she, the said Wayne County Clerk to the Board signed her name in attestation of said instrument in the presence of said Chairman of the Wayne County Board of Commissioners of the County of Wayne.

WITNESS my hand and official seal or stamp this the _____ day of _____, 20____.

Notary Public

My Commission Expires:

BERRY ALFRED PARKS

BY: _____(SEAL)

ATTEST:

Witness

NORTH CAROLINA
WAYNE COUNTY

I, _____, a Notary Public in and for said State and County, certify that BERRY ALFRED PARKS, personally appeared before me this day and was signed by him and attested by _____ as Witness.

WITNESS, my hand and Notarial Seal, this the _____ day of _____, 20_____.

Notary Public

My Commission Expires:

NORTH CAROLINA

WAYNE COUNTY

THIS FARM LEASE, made this ____ day of _____, 20____, between the CITY OF GOLDSBORO, NORTH CAROLINA, a North Carolina Municipal corporation in the County of Wayne, State of North Carolina, whose address is P. O. Drawer A, Goldsboro, NC 27533, and WAYNE COUNTY, NORTH CAROLINA, a North Carolina body politic and corporate, whose address is P. O. Box 227, Goldsboro, NC 27533, parties of the first part, and **SHAWN MITCHELL**, party of the second part;

W I T N E S S E T H:

That the parties of the first part do hereby lease and farm let to the party of the second part, its heirs and assigns, all of the certain farm(s) or tract(s) of land situated in Wayne County, North Carolina, and more particularly described as follows:

1. Northeast and Southeast corners of Arrington Bridge Road and Pecan Road

Being 43.40 acres of that tract of land known more particularly as Farm #11852, Tract #3439 by the Wayne County Farm Service Agency. (\$97.70/Acre). Also being the property obtained by Grantor in Deed Book 2487, Page 145 of the Wayne County Registry.

2. Northeast corner of Genoa Road and Pecan Road

Being 25.1 acres of that tract of land known more particularly as Farm 6599, Tract 2882 by the Wayne County Farm Service Agency. (\$73.50/Acre). Also being the property obtained by Grantor in Deed Book 2767, Page 601 of the Wayne County Registry.

1. **TERM.** The term of this lease shall be for the period from January 1, 2023, through December 31, 2025.

2. RENTAL. Based on the acreage included within each Farm and Tract, the yearly rental for the above listed properties is as follows:

1. Northeast and Southeast corners of Arrington Bridge Road and Pecan Road

43.40 Acres @ \$97.50/Acre = \$4,231.50/Year

Total \$4,231.50/Year

2. Northeast corner of Genoa Road and Pecan Road

25.1 Acres @ \$73.50/Acre = \$1,844.85/Year

Total \$1,844.85/Year

In addition to the rental costs hereinabove provided, the party of the second part shall pay all costs due the ASCS Office or any other regulatory agency for the cultivation and marketing of said crop.

3. PAYMENT OF RENTAL. The TOTAL yearly rental of the above properties shall be the sum of **\$6,076.35**. Said rental payment shall be submitted no later than January 31st of each year of this Lease.

4. CLEARED LANDS. The party of the second part shall be permitted to cultivate all cleared lands described herein.

5. VISIBILITY AND APPEARANCE. The party of the second part shall maintain said land free and clear of the storage of equipment and signage. Said land shall only be used for farming purposes. The party of the second part shall maintain said land in a sightly condition, shall disc and remove all farm products from said land no later than December 31, 2025, and return said land to the party of the first part in a sightly condition at the end of this

lease. The lessee must keep all ditches cut and cleared of debris. The lessee must mow any area around the track of land that is not being farmed.

6. COVENANTS AND RESTRICTIONS. The farm land hereinabove described may be subject to the Declaration of Covenants, Conditions and Restrictions for the Seymour Johnson Air Force Base Buffer Project, CWMTF Project Nos. 2005A and 2004A-007 as recorded in Book 2485, Page 864, Wayne County Registry.

7. SUBLEASES. The lessee will not be permitted to sublease under their lease agreement with Wayne County.

8. CROP ROTATION REQUIREMENTS. The agriculture producer will need to follow Best Management Practices (BMP's) in regards to crop rotation. During the three (3) year lease, the producer shall not grow more than one (1) tobacco crop and one (1) sweet potato crop. It is recommended that the producer not grow the same grain crop two (2) years in a row. The lessee should have the soil tested and lime applied if needed with in the three (3) year period of the lease.

9. ASCS. The parties of the first part and the party of the second part shall execute such instruments or other documents as may be required by the ASCS Office or any other regulatory agency to effect the terms of this lease for the farm years 2023-2025.

10. INDEMNITY. The party of the second part shall indemnify and save harmless the parties of the first part from any claim arising out of its occupancy of said land or out of its farm operation, cultivation and marketing of said crop.

11. ADDITIONAL RESTRICTIONS. If corn is planted on the subject property(ies), said property(ies) shall be disked in within seven (7) days after harvest. Hunting

shall be prohibited on the property at all times. The agriculture producer will need to follow Best Management Practices (BMP's) in regards to crop rotation. During the three (3) year lease, the producer shall not grow more than one (1) tobacco crop and one (1) sweet potato crop. It is recommended that the producer not grow the same grain crop two (2) years in a row. The lessee should have the soil tested and lime applied if needed with in the three (3) year period of the lease.

IN TESTIMONY WHEREOF, said parties have executed this lease in triplicate originals, one of which is retained by each of the parties, the day and year first above written.

SIGNATURES TO FOLLOW ON ADDITIONAL PAGES

CITY OF GOLDSBORO

BY: _____(SEAL)
David Ham, Mayor

ATTEST:

Laura Getz, City Clerk

NORTH CAROLINA
WAYNE COUNTY

This the _____ day of _____, 20____, personally came before me, _____, a Notary Public in and for said State and County, LAURA GETZ, who by me duly sworn, says that she knows the common seal of the CITY OF GOLDSBORO and is acquainted with David Ham, who is the Mayor of said municipal corporation; that she, the said Laura Getz is its City Clerk; and that she saw the Mayor sign the foregoing instrument; and that she, the said City Clerk, saw the said common seal of said corporation affixed thereto, and that she, the said City Clerk, signed her name in attestation of said instrument in the presence of said Mayor of said municipal corporation.

WITNESS my hand and official seal or stamp this the _____ day of _____, 20____.

Notary Public

My Commission Expires:

COUNTY OF WAYNE

BY: _____(SEAL)
Barbara Aycock, Chairman

ATTEST:

Carol Bowden, Clerk to the Board

NORTH CAROLINA
WAYNE COUNTY

This the _____ day of _____, 20____, personally came before me, _____, a Notary Public in and for said State and County, _____, who by me duly sworn, says that she knows the common seal of the COUNTY OF WAYNE and is acquainted with Barbara Aycock, who is the Chairman of the Wayne County Board Commissioners of the County of Wayne and that she, the said Carol Bowden, Wayne County Clerk to the Board; and that she saw the Chairman of the Wayne County Board of Commissioners sign the foregoing instrument; and that she the said Wayne County Clerk to the Board, saw the said common seal of said corporation affixed thereto, and that she, the said Wayne County Clerk to the Board signed her name in attestation of said instrument in the presence of said Chairman of the Wayne County Board of Commissioners of the County of Wayne.

WITNESS my hand and official seal or stamp this the _____ day of _____, 20____.

Notary Public

My Commission Expires:

SHAWN MITCHELL

BY: _____(SEAL)

ATTEST:

Witness

NORTH CAROLINA
WAYNE COUNTY

I, _____, a Notary Public in and for said State and County, certify that SHAWN MITCHELL, personally appeared before me this day and was signed by him and attested by _____ as Witness.

WITNESS, my hand and Notarial Seal, this the _____ day of _____, 20____.

Notary Public

My Commission Expires:

NORTH CAROLINA

WAYNE COUNTY

THIS FARM LEASE, made this ____ day of _____, 20____, between the CITY OF GOLDSBORO, NORTH CAROLINA, a North Carolina Municipal corporation in the County of Wayne, State of North Carolina, whose address is P. O. Drawer A, Goldsboro, NC 27533, and **SHAWN MITCHELL**, party of the second part;

W I T N E S S E T H:

That the parties of the first part do hereby lease and farm let to the party of the second part, its heirs and assigns, all of the certain farm(s) or tract(s) of land situated in Wayne County, North Carolina, and more particularly described as follows:

- A. Northeast corner of Arrington Bridge Road and South John Street**
Being 47.59 acres of that tract of land known more particularly as Farm #12942, Tract #10173 by the Wayne County Farm Service Agency. (\$97.50/Acre). Also being the property obtained by Grantor in Deed Book 2038, Page 569 of the Wayne County Registry.

1. **TERM.** The term of this lease shall be for the period from January 1, 2023, through December 31, 2025.

2. **RENTAL.** Based on the acreage included within each Farm and Tract, the yearly rental for the above listed properties is as follows:

- A. Northeast corner of Arrington Bridge Road and South John Street**

47.59 Acres @ \$97.50/Acre = \$4,640.02/Year

Total \$4,640.02/Year

In addition to the rental costs hereinabove provided, the party of the second part shall pay all costs due the ASCS Office or any other regulatory agency for the cultivation and marketing of said crop.

3. PAYMENT OF RENTAL. The TOTAL yearly rental of the above properties shall be the sum of **\$4,640.02**. Said rental payment shall be submitted no later than January 31st of each year of this Lease.

4. CLEARED LANDS. The party of the second part shall be permitted to cultivate all cleared lands described herein.

5. VISIBILITY AND APPEARANCE. The party of the second part shall maintain said land free and clear of the storage of equipment and signage. Said land shall only be used for farming purposes. The party of the second part shall maintain said land in a sightly condition, shall disc and remove all farm products from said land no later than December 31, 2025, and return said land to the party of the first part in a sightly condition at the end of this lease. The lessee must keep all ditches cut and cleared of debris. The lessee must mow any area around the track of land that is not being farmed.

6. COVENANTS AND RESTRICTIONS. The farm land hereinabove described may be subject to the Declaration of Covenants, Conditions and Restrictions for the Seymour Johnson Air Force Base Buffer Project, CWMTF Project Nos. 2005A and 2004A-007 as recorded in Book 2485, Page 864, Wayne County Registry.

7. SUBLEASES. The lessee will not be permitted to sublease under their lease agreement with Wayne County.

8. CROP ROTATION REQUIREMENTS. The agriculture producer will need to follow Best Management Practices (BMP's) in regards to crop rotation. During the three (3) year lease, the producer shall not grow more than one (1) tobacco crop and one (1) sweet potato crop. It is recommended that the producer not grow the same grain crop two (2) years in a row. The lessee should have the soil tested and lime applied if needed with in the three (3) year period of the lease.

9. ASCS. The parties of the first part and the party of the second part shall execute such instruments or other documents as may be required by the ASCS Office or any other regulatory agency to effect the terms of this lease for the farm years 2023-2025.

10. INDEMNITY. The party of the second part shall indemnify and save harmless the parties of the first part from any claim arising out of its occupancy of said land or out of its farm operation, cultivation and marketing of said crop.

11. ADDITIONAL RESTRICTIONS. If corn is planted on the subject property(ies), said property(ies) shall be disked in within seven (7) days after harvest. Hunting shall be prohibited on the property at all times. The agriculture producer will need to follow Best Management Practices (BMP's) in regards to crop rotation. During the three (3) year lease, the producer shall not grow more than one (1) tobacco crop and one (1) sweet potato crop. It is recommended that the producer not grow the same grain crop two (2) years in a row. The lessee should have the soil tested and lime applied if needed with in the three (3) year period of the lease.

IN TESTIMONY WHEREOF, said parties have executed this lease in triplicate originals, one of which is retained by each of the parties, the day and year first above written.

CITY OF GOLDSBORO

BY: _____(SEAL)
David Ham, Mayor

ATTEST:

Laura Getz, City Clerk

NORTH CAROLINA
WAYNE COUNTY

This the _____ day of _____, 20____, personally came before me, _____, a Notary Public in and for said State and County, LAURA GETZ, who by me duly sworn, says that she knows the common seal of the CITY OF GOLDSBORO and is acquainted with David Ham, who is the Mayor of said municipal corporation; that she, the said LAURA GETZ is its City Clerk; and that she saw the Mayor sign the foregoing instrument; and that she, the said City Clerk, saw the said common seal of said corporation affixed thereto, and that she, the said City Clerk, signed her name in attestation of said instrument in the presence of said Mayor of said municipal corporation.

WITNESS my hand and official seal or stamp this the _____ day of _____, 20____.

Notary Public

My Commission Expires:

SHAWN MITCHELL

BY: _____(SEAL)

ATTEST:

Witness

NORTH CAROLINA
WAYNE COUNTY

I, _____, a Notary Public in and for said State and County, certify that SHAWN MITCHELL, personally appeared before me this day and was signed by him and attested by _____ as Witness.

WITNESS, my hand and Notarial Seal, this the _____ day of _____, 20____.

Notary Public

My Commission Expires:

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 6, 2023 COUNCIL MEETING**

SUBJECT: FY 2022 HUD Choice Neighborhoods Planning Grant Agreement

BACKGROUND: The Housing Authority of the City of Goldsboro (HACG) requested the City of Goldsboro (CoG) serve as co-applicant for their U.S. Department of Housing and Urban Development (HUD) Choice Neighborhood Planning Grant (CNPG) application. On July 15, 2022, the CoG Council approved the City Manager to sign as co-applicant for the HUD CNPG application.

On December 22, 2022, HUD notified the HACG and CoG have been selected to receive a Fiscal Year (FY) 2022 CNPG in the amount of \$500K to support the development of a comprehensive neighborhood Transformation Plan for West Haven Apartments and the surrounding communities adjacent to West Haven.

On January 19, 2023, HUD transmitted the CNPG Agreement to the HACG, as Lead Grantee, and the CoG, as Co-Grantee to ensure the Transformation Plan is developed in a timely and efficient manner. The HUD Office of Public Housing Investments (OPHI) will administer the grant. The terms of the Planning Grant Agreement are not negotiable. The Lead Grantee is expected to expend all funds shortly after the end of two year Planning Grant term.

DISCUSSION: Per the City Grant Management Policy, the Council must formally accept the grant and authorize the Mayor and/or City Manager to sign the agreement.

RECOMMENDATION: It is recommended that Council adopt a resolution authorizing the City Manager to sign the FY 2022 Choice Neighborhoods Planning Grant Agreement.

Date: 2/1/23



Timothy Salmon, City Manager

RESOLUTION 2023- 10

**RESOLUTION APPROVING THE CITY MANAGER TO SIGN THE
CHOICE NEIGHBORHOODS PLANNING GRANT AGREEMENT**

WHEREAS, the Housing Authority owns and operates a 300 unit public housing apartment community in Goldsboro, known as West Haven Apartments, which will be the target area of the Choice Neighborhoods Planning Grant; and

WHEREAS, the City of Goldsboro signed as co-applicant with the Housing Authority for the Choice Neighborhoods Planning Grant, which was approved at the recessed Council Meeting on July 15, 2022; and

WHEREAS, the Housing Authority of the City of Goldsboro and the City of Goldsboro were awarded the Choice Neighborhoods Planning Grant on December 22, 2022, and transmitted the Choice Neighborhoods Planning Grant Agreement on January 19, 2023; and

WHEREAS, a resolution is needed to accept the grant and authorize the City Manager to sign the Grant Agreement.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that the City Manager is hereby authorized to sign the FY 2022 Choice Neighborhoods Planning Grant Agreement.

This resolution shall be in full force and effect from and after the 6th day of February, 2023

Attested by:


Laura Getz, City Clerk




David Ham, Mayor



ASSISTANT SECRETARY FOR
PUBLIC AND INDIAN HOUSING

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

December 44, 2022

Anthony Goodson, Jr.
Chief Executive Officer
Housing Authority of the City of Goldsboro
P.O. Box 1403
Goldsboro, NC 27533

Timothy M. Salmon
City Manager
City of Goldsboro
200 North Center St.
Goldsboro, NC 27530

Dear Mr. Goodson, Jr. and Mr. Salmon:

Congratulations! We are pleased to inform you that the Housing Authority of the City of Goldsboro and the City of Goldsboro have been selected to receive a Fiscal Year (FY) 2022 Choice Neighborhoods Planning Grant in the amount of \$500,000 to support the development of a comprehensive neighborhood Transformation Plan for West Haven Apartments in the West Haven neighborhood. The Department looks forward to working with you to accomplish the goals of this grant.

HUD received 31 applications for the FY 2022 Choice Neighborhoods Planning Grants competition from across the nation and awarded 9 grants totaling \$4,409,000. You are to be commended for your efforts to develop a viable, feasible approach to plan for neighborhood transformation. For your information, enclosed are the scores for each rating factor in your application.

As you know, Planning Grants will enable communities to create a rigorously developed plan and build the support necessary for neighborhood transformation to be successful. The implementation of a Choice Neighborhoods Planning Grant is a great responsibility. Accordingly, it will be essential for you to work closely with HUD officials to ensure that the Transformation Plan is developed in a timely and efficient manner. You will soon receive a letter that will provide you with detailed information about your grant.

Again, please accept our sincere congratulations. We wish you every success.

Sincerely,

 for

Dominique Blom
General Deputy Assistant Secretary
for Public and Indian Housing

Enclosure

FY2022 Choice Neighborhoods Planning Grants Competition
Rating Review Score Summary

Lead Applicant: HA of the City of Goldsboro
Neighborhood: West Oak Neighborhood

Rating Category	Rating Factor	Maxium Points	Points Awarded
Capacity			
	1. Capacity to Lead the Planning Process <i>Note: a maximum of 15 points can be earned here if the applicant is not seeking points under RF 3, "Capacity of a Planning Partner."</i>	18	10
	2. Resident and Community Engagement	6	2
	3. Capacity of a Planning Partner	0	0
<i>subtotal</i>		24	12
Need			
<i>Unit distress</i>			
	4. Immediate Project Capital Needs	3	1
	5. Structural Deficiencies	5	5
	6. Design Deficiencies	5	5
<i>Neighborhood distress</i>			
	7. Poverty/ELI (Neighborhood poverty)	6	6
	8. Long-term Vacancy or Substandard Homes	2	2
	9. Part I Violent Crime	2	2
	10. Brownfields Cleanup	2	0
<i>Need for affordable housing</i>			
	11. Need for Affordable Housing in the Community	2	0
<i>subtotal</i>		27	21
Soundness of Approach			
	12. Resident Engagement	7	6
	13. Community Engagement	5	4
	14. Assets & Needs Assessment	5	2
	15. Visioning and Decision-Making	4	2

**FY2022 Choice Neighborhoods Planning Grants Competition
Rating Review Score Summary**

Lead Applicant: HA of the City of Goldsboro
Neighborhood: West Oak Neighborhood

Rating Category	Rating Factor	Maxium Points	Points Awarded
	16. Partnerships	7	3
	17. Staffing Plan	4	3
	18. Planning Schedule	2	2
	19. Budget	2	1
	20. Consistency with Consolidated Plan	2	2
	21. Consistency with PHA/MTW Plan	2	0
	22. Local government support	5	5
<i>subtotal</i>		45	30
Leverage			
	23. Leverage for Planning	4	3
<i>subtotal</i>		4	3
Bonus/Preference Points			
	24. HBCU or Promise Zones	2	0
	TOTAL	102	66



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

January 19, 2023

SUBJECT: Transmittal of FY 2022 Choice Neighborhoods Planning Grant Agreement

Dear Grantee:

Once again, congratulations on your selection to receive a FY 2022 Choice Neighborhoods Planning Grant funding award. Your proposal is one of the best that embodies the goals of the Choice Neighborhoods program and shows your capacity to create a Transformation Plan to transform your selected neighborhood. This letter transmits your Choice Neighborhoods Planning Grant Agreement.

The Office of Public Housing Investments (OPHI) will administer your grant. A Grant Management Team Coordinator will be assigned to your grant soon and will be your primary HUD contact person as you implement your Choice Neighborhoods grant.

Grant Agreement

Enclosed are one copy of your FY 2022 Choice Neighborhoods Planning Grant Agreement and the Assistance Award/Amendment form (HUD-1044). These documents memorialize the agreements made between you and your Co-Applicant(s) (if any), as the Grantees, and HUD, and incorporate all documents relating to the grant, including the FY 2022 Notice of Funding Opportunity (NOFO), your application, and all subsequent documents. Please note that the terms of the Grant Agreement are not negotiable. In order to execute the Grant Agreement, please do the following:

1. Obtain a Board Resolution authorizing the Lead Grantee's Executive Director/executive officer to sign the form HUD-1044.
2. The Executive Director/executive officer of the Lead Grantee signs and dates the HUD-1044 form in block 19 of the form. The HUD-1044 serves as the coversheet to the Grant Agreement.
3. The executive officer for both the Lead Grantee and Co-Grantee(s) (if any) must sign the signature page in the Grant Agreement document. The signatures of the Executive Director/executive officer of the Lead Grantee and the Executive Director/executive officer of any Co-Grantee(s) should be provided on the same signature page (not separate signature pages).
4. The Lead Grantee and any Co-Grantee must also provide documentation in accordance with the "Conducting Business in Accordance with Ethical Standards/Code of Conduct" requirement found in Section VI.B of the NOFO. All grant recipients must develop and maintain written standards/codes of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. Before entering into an agreement with HUD, each selected applicant must ensure an up-to-date copy of the organization's code of conduct is available in the Code of Conduct e-library. HUD's Code of Conduct website URL is:
https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conductgrants.

5. Return the signed Grant Agreement, the HUD-1044 form, and a copy of the Board Resolution to Ms. Caroline Tatalovich by **February 24, 2023**. Documents must be submitted via email to Caroline.C.Tatalovich@hud.gov. Please do not mail hard copies.

Once the Grant Agreement, HUD-1044, copy of the Board Resolution, and code(s) of conduct are submitted, the designated HUD official will sign and date the final signature block on the signature page of the Grant Agreement, which will be the effective date of the Grant Agreement. The original will be kept by the Department and an executed copy will be returned to you to keep in your records and administer accordingly.

Choice Neighborhoods Grant Management and Guidance

The selection of your organization for a Choice Neighborhoods grant does not necessarily mean endorsement of each detail of the plan proposed in your application. The Choice Neighborhoods staff will be working with you in the coming months to ensure that your Transformation Plan is fully developed, maximally effective, and legally and financially sound. In addition, on the Choice Neighborhoods web site (www.hud.gov/cn), HUD has posted information about accessing the HUD Line of Credit Control System (LOCCS), Choice Neighborhoods budget and planning guidance as well as valuable information on mixed-finance development, procurement, and best practice such as Promising Practices Guides, and highlights from past Choice Neighborhoods conferences. I urge you to familiarize yourself with the website and take advantage of the information posted there.

Drawdown of Funds

Once your Grant Agreement has been executed, you may request approval from HUD to release grant funds. This will be accomplished through the approval of your Choice Neighborhoods budget. In accordance with the Grant Agreement, eligible costs for reimbursement include those incurred after the written notification of grant award. The official written notification date of your grant award is December 22, 2022. Please note the first deliverable is submission of a Budget and Program Schedule by March 22, 2023 (90 days from the Grant Award date in accordance with the Grant Agreement). You must use the Choice Neighborhoods Planning Grants Budget form, Parts I, II, and III (for HUD-53421). Part II must include a detailed description of the uses of the grant funds. When the budget request is approved, your Team Coordinator will return a signed copy to you for your files and will have the approved funds authorized in LOCCS, HUD's grant payment system. At that point, they will be available for drawdown.

Authorization in LOCCS

To access grant funds, at least two staff members from the Lead Grantee must be authorized for Choice Neighborhoods in LOCCS. Banking information also must be submitted to HUD. If you are not familiar with LOCCS, please refer to "Grantee Financial Instructions" which is posted on the Choice Neighborhoods website and which provides detailed information about LOCCS access, banking information, and completion of the Choice Neighborhoods voucher. Information is also available on the HUD Chief Financial Officer's website at https://www.hud.gov/program_offices/cfo/lococs_guidelines.

Expenditure of FY 2022 Choice Neighborhoods Funds

FY 2022 Choice Neighborhoods grants are subject to the requirements established under 31 U.S.C. § 1552. In accordance with this statute, all FY 2022 funds must be expended by September 30, 2031. **However, the Planning Grant Agreement term is two years from the Grant Agreement Execution Date and funds are expected to be fully expended shortly after the end of the Planning Grant term.** Any funds that are not expended by the statutory deadline will be cancelled and recaptured by the Treasury and thereafter will not be available for obligation or expenditure for any purpose. Given the statutory requirement, you are asked to comply with your Program Schedule, developed in accordance with the time periods for implementation established in the Grant Agreement, and as approved by HUD.

Again, congratulations. Applications for this Choice Neighborhoods grant were competitive, and you should be proud of your accomplishment. Please extend my congratulations to your entire team. We look forward to working jointly with you and your partners in carrying out the transformation of severely distressed public and assisted housing, and we thank you for your participation in the Choice Neighborhoods Initiative.

Sincerely,

Luci Ann Blackburn

Luci Blackburn
Director, Choice Neighborhoods Program
Office of Public Housing Investments

Enclosures

FY 2022 Choice Neighborhoods Planning Grant Agreement

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FY 2022 Choice Neighborhoods Planning Grant Agreement

This grant agreement (“Grant Agreement”) is made by and between the United States Department of Housing and Urban Development (“HUD”) and the Lead and Co-Applicant(s) (“Grantee”). The Grantee received a Choice Neighborhoods Planning Grant award as a result of an application submitted in response to the fiscal year (FY) 2022 Notice of Funding Opportunity (NOFO), for the creation of a Transformation Plan that is the subject of this Grant Agreement (“Transformation Plan”) and that is identified on the fund obligation document (Form HUD-1044).

While the Planning Grant is awarded to the Grantee, only the Lead Applicant identified in the Grantee’s Choice Neighborhoods Application (“Lead Grantee”) will have access to draw down funds in LOCCS. HUD agrees, subject to the terms of this Grant Agreement, to provide grant funds to the Lead Grantee, in the total amount listed on the Assistance Award/Amendment form (HUD-1044), for the activities described in the Transformation Plan as defined in Article IV.

The assistance that is the subject of this Grant Agreement is authorized by, and required to be used in accordance with, Section 24 of the U.S. Housing Act of 1937 and the Consolidated Appropriations Act, 2022 (Public Law 117-103, enacted March 15, 2022)) (“FY 2022 Appropriations”), (collectively the “Choice Neighborhoods Authorization”).

The form HUD-1044 and the Exhibits are incorporated into and subject to the terms of this Grant Agreement.

HUD and the Grantee hereby agree to be bound by the following terms and conditions of this Grant Agreement:

ARTICLE I. Grant Award Date and Period of Performance

The Grant Award Date is December 22, 2022. The deliverables identified in Article V of this Grant Agreement are based on the Grant Award Date. The Period of Performance Start Date is December 23, 2022. The Period of Performance End Date is December 31, 2024.

ARTICLE II. Choice Neighborhoods Requirements

The Grantee agrees to conduct all activities to be assisted with funds provided under this Grant Agreement in accordance with the following requirements, as such requirements now exist or as they may hereafter be amended (hereafter collectively referred to as the “Choice Neighborhoods Requirements”):

- A. the U.S. Housing Act of 1937, as amended (the “1937 Act”), including Section 24 of the 1937 Act, and all implementing regulations, as applicable;
- B. the Consolidated Appropriations Act, 2022 (Public Law 117-103), enacted March 15, 2022);
- C. the FY 2022 NOFO for the Choice Neighborhoods Initiative Planning Grants published via Grants.gov on May 10, 2022 (the “NOFO”);
- D. 31 U.S.C. § 1552. In accordance with this statute, all FY 2022 Choice Neighborhoods funds must be expended by September 30, 2031. Any funds that are not expended by that date will be cancelled and recaptured by the Treasury, and thereafter will not be available for obligation or expenditure for any purpose. **However, in accordance with the Choice Neighborhoods NOFO, the term of this Planning Grant is two years from the date of the Grant Agreement execution and all funds should be expended shortly after the end of the Planning Grant term.**
- E. In accordance with section 24(e)(2)(D) of the 1937 Act, Grantees must involve affected residents of the targeted public and/or assisted housing at the beginning and during the planning process. Grantees are required to involve the affected public and/or assisted housing residents in the planning process and implementation of your Transformation Plan. This involvement must be continuous from the beginning of the planning process through the implementation and management of the grant. In addition to the statutory requirement Grantees will be expected to undertake resident and community involvement in a manner and method at least as comprehensive as that described in your grant application.
- F. all executive orders applicable to the activities being conducted with funds provided under this Grant Agreement;
- G. the terms and requirements of this Grant Agreement, and any amendments or addenda thereto;
- H. all other applicable Federal requirements, including, without limitation, those set forth in Appendix A; and

- I. all regulations, handbooks, notices, and policies applicable to the activities being conducted with funds provided under this Grant Agreement;

ARTICLE III. Program Overview

- A. Choice Neighborhoods is designed to address struggling neighborhoods with distressed public housing or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Local leaders, residents, and other stakeholders, such as public housing authorities, cities, schools, police, business owners, nonprofits, and private developers, come together to create a plan that transforms distressed HUD housing and addresses the challenges in the surrounding neighborhood. The program helps communities transform neighborhoods by revitalizing severely distressed public and/or assisted housing and investing and leveraging investments in well-functioning services, high quality public schools and education programs, high quality early learning programs and services, crime prevention strategies, public assets, public transportation, and improved access to jobs. Choice Neighborhoods is focused on three core goals:

1. **Housing:** Replace severely distressed public and assisted housing with high-quality mixed-income housing that is well-managed and responsive to the needs of the surrounding neighborhood;
2. **People:** Improve outcomes of households living in the target housing related to employment and income, health, and children's education; and
3. **Neighborhood:** Create the conditions necessary for public and private reinvestment in distressed neighborhoods to offer the kinds of amenities and assets, including safety, good schools, and commercial activity, that are important to families' choices about their community.

ARTICLE IV. Choice Neighborhoods Transformation Plan and Requirements

- A. General. The end product of this grant award is the submission to and acceptance by HUD of a Transformation Plan. The Transformation Plan should identify specific, integrated, and effective strategies to implement public and/or assisted housing revitalization, the coordination and design of supportive services, including educational opportunities for children, and neighborhood-level planning to improve a range of neighborhood assets. The Transformation Plan should be created as part of a collaborative planning process that involves neighborhood stakeholders and local governmental entities.

The Transformation Plan should translate the three core goals of Choice Neighborhoods – Housing, People and Neighborhood – into a strategy that will direct investments, demonstrate the commitment among a range of public and private partners to address interdependent neighborhood challenges, utilize data to set and monitor progress toward implementation goals, and engage community stakeholders and residents in meaningful decision-making roles. HUD's acceptance of this plan will be based on the demonstration of a comprehensive

and inclusive locally driven planning process. It is neither an approval nor an endorsement of any of the activities identified in the plan.

- B. **Program Activities.** Activities under this Grant Agreement include tasks necessary to develop a Transformation Plan, align investments with this plan, and develop the relevant planning and evaluation capacity of the Grantee and its partners. Refer to section III.F of the NOFO for a detailed description of program activities. As stated in section III.F.1.a, required activities are:
1. Within the first 12 months of the Choice Neighborhoods grant, conduct a household-level needs assessment of the public and/or assisted housing residents in the target development(s) to better design solutions for challenges facing the children and families of HUD housing. In addition, evaluate existing data (such as the census [including the American Community Survey (ACS)], police reports, healthcare agencies/providers, school reports, research surveys, etc.) to determine whether an assessment of households is required at the neighborhood level.
 2. Devise a relocation strategy for residents that need to be displaced during the rehabilitation or reconstruction of the public and/or assisted housing.
 3. If not already completed, have a market assessment of the target neighborhood conducted by an independent, third-party professional during the grant period. The conclusions drawn from this study must inform the development of the Transformation Plan.
 4. If not already identified, select the master developer/housing developer that will implement the housing component of the Transformation Plan before the end of the grant term.
 5. Complete a Phase I Environmental Site Assessment based on ASTM standards of the target redevelopment site(s) to determine the potential for and extent of any needed environmental remediation, in order for a grantee to determine a feasible timeline and budget for the realization of redevelopment efforts.
 6. Contact the State Historic Preservation Officer (SHPO) to determine the potential for negative effects of demolition on historic properties if the target housing contains buildings 45 years of age or older.
- C. Other eligible activities should be included in the Transformation Plan consistent with section III.F.1.b of the NOFO.
- D. **Program Requirements.** In developing the Transformation Plan, Grantees should evaluate and incorporate the general requirements contained in section III.F.2 of the NOFO as they are applicable to their Transformation Plan.

ARTICLE V. Deliverables

- A. **Schedule and Budget.** In preparation for creating a Transformation Plan, Grantees must submit the following to HUD within 90 calendar days from the Grant Award Date for HUD's review and approval. HUD reserves the right to require Grantee to make edits to these items to put them in a form and substance acceptable to HUD.
1. A Program Schedule identifying tasks and milestones by date, in accordance with the Choice Neighborhoods NOFO;
 2. A Choice Neighborhoods Planning Grant Budget, as described in Article VII; and
 3. Any other information or documentation that is not otherwise required under the NOFO or this Grant Agreement but that is requested by HUD to supplement or refine information provided in the Choice Neighborhoods Application or to meet any terms or conditions of the Grant Agreement.
- B. The Grantee must submit documents that assist in the development of the Transformation Plan to HUD during the term of the Planning Grant. HUD may provide comments and guidance on these draft documents, which the Grantee should use in drafting the Transformation Plan. The documents that are required are:
1. **Outline with Content.** The Grantee must submit showing at a minimum the outline with some of the content that will be in the Transformation Plan no later than 12 months after the Grant Award Date.
 2. **Draft Transformation Plan.** The Grantee must submit a draft Transformation Plan to HUD no later than 18 months after the Grant Award Date.
 3. **Transformation Plan.** The Grantee must submit a final Transformation Plan no later than 24 months after the Grant Award Date.
- C. All other required information or submissions as requested by HUD pursuant to paragraph (A)(3) of this Article must be submitted in accordance with the Reporting Requirements as described in Article XIII, in a form and substance acceptable to HUD.
- D. **Time Extensions.** All requests for extensions of the time periods for the deliverables listed above should be requested by the Grantee in advance of the deadline date. All requests for extensions must be made in writing and will be reviewed and approved or disapproved by the Deputy Assistant Secretary for the Office of Public Housing Investments or her designee.

ARTICLE VI. Changes to the Grantee's Plan

- A. **Changes Requiring Prior HUD Approval.** If the following activities in the application are to be modified or amended, the Grantee must request and obtain prior written HUD approval:

1. **Program Schedule.** The Grantee must inform HUD immediately, in writing, of any problems, delays or adverse conditions that will impair materially the Grantee's ability to comply with the Program Schedule, and include a statement of action taken, or proposed to be taken, and any assistance needed to resolve the situation. HUD must approve any proposed changes to the Program Schedule that would significantly modify a date or time period.
2. Changes in an activity within any Budget Line Item (BLI) in LOCCS that are greater than 10 percent of the approved Choice Neighborhoods Budget;
3. An extension of the period of availability of the Choice Neighborhoods Grant funds provided under this Grant Agreement, not to go beyond the statutory timeframes;
4. Any material changes to the contract between the Grantee and the Planning Coordinator, if applicable; and
5. Any loss or replacement of committed funds which were identified for purposes of rating and ranking the leverage section of the grant.

ARTICLE VII. Choice Neighborhoods Budget and Funding Requests

- A. **Budget.** The Grantee must ensure that funds provided under this Grant Agreement are expended in accordance with the Choice Neighborhoods Requirements and a Choice Neighborhoods Budget. The Choice Neighborhoods Budget allocates all Choice Neighborhoods Grant funds into Budget Line Items (BLI). The Choice Neighborhoods Budget will serve as the primary budget and may be subject to revision. Grantees should consult the "Planning Grant Budget Guidance" posted to the Choice Neighborhoods website (www.hud.gov/cn) for detailed description of eligible activities and which BLI each cost is categorized.
- B. **Budget Form.** Each budget submitted in accordance with paragraph (A) of this Article must be submitted on the Choice Neighborhoods Planning Grant budget form (HUD-53421), Parts I, II, and III. Part I must be signed and dated by the executive officer of the Lead Grantee and Part II must include a detailed description of the uses of the grant funds. Part III shows the match and leverage funds committed to the planning process. Grantees must track their leveraged fund expenditures and will report this information in the quarterly report.
- C. **Pre-Grant Agreement Execution Costs.** After the execution of this Grant Agreement, the Grantee may include in its Choice Neighborhoods Budget, and the Lead Grantee may draw down funds for costs that were incurred prior to execution of this Grant Agreement, provided that such costs were incurred after the Grant Award Date, are directly associated with the activities to be funded under this Choice Neighborhoods Grant, and are approved as reasonable and eligible by HUD. Choice Neighborhoods Grant funds cannot be used to pay for any activities carried out on or before the Period of Performance Start Date.

D. Early Action Activities. The Grantee may request up to \$150,000 of Choice Neighborhoods Grant funds for Early Action Activities (as defined in the NOFO) costs in conjunction with submitting the Choice Neighborhoods Budget form to HUD. The Grantee must submit a proposal to HUD describing the project within one year of the Grant Award date. Funds may be drawn down for eligible costs (as defined in the NOFO), subject to receiving HUD approval and subject to conducting an environmental review in accordance with 24 CFR part 58. Early Action Activities projects must be completed by the end of the grant term.

E. Administration, Fees and Costs.

1. Cost Controls. The Grantee will comply with HUD guidance and policies that establish reasonable costs for administration, management improvements/capacity building, planning, technical assistance, and fees and costs.
2. Lobbying. The Grantee hereby certifies that no funds provided under this Grant Agreement will be expended for lobbying activities, as prohibited by Section 319 of Public Law 101-121 (which prohibits recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government), and implemented for HUD at 24 CFR part 87, as the same may be amended from time to time. The Grantee will disclose promptly any commitment or expenditure of non-appropriated funds for lobbying activities if those activities would be prohibited if paid with appropriated funds.

F. Program Income. Program Income is defined in 2 CFR § 200.1, or successor regulation. If the Grantee receives program income from the Early Action Activities (e.g., from the sale of acquired land):

1. prior to grant closeout program income must be reinvested in the development or neighborhood and used for Choice Neighborhoods eligible purposes, unless otherwise approved by HUD.
2. after grant closeout, program income must be reinvested in the development or neighborhood and used for Choice Neighborhoods eligible purposes, unless otherwise approved by HUD. Before the grant is closed out, Grantee must submit a plan for how program income will be reinvested, in a form and substance that is acceptable to HUD for HUD's review and approval. HUD will determine with the Grantee what the sources of program income are. The language of this provision shall survive grant closeout and termination of this Grant Agreement.

ARTICLE VIII. Project Drawdowns

- A. **LOCCS Payment System.** Consistent with 2 CFR Part 200, the Lead Grantee will request all drawdowns of Choice Neighborhoods Grant funds under the Line of Credit Control System (LOCCS), unless and until another payment system is designated by HUD. The Lead Grantee will comply with all rules, guidelines, and notices established for Choice Neighborhoods under LOCCS, or any substitute system, in connection with any drawdown of Choice Neighborhoods Grant funds. If HUD designates a different payment system, it will be based upon the provisions of 2 CFR § 200.305.
- B. **Drawdowns.**
 - 1. The Grantee may draw down Choice Neighborhoods Grant funds for a BLI in an amount up to the amount of that BLI that HUD has approved and made available for drawdown.
 - 2. Any request for funds in excess of 10 percent of the entire grant amount in any month must be manually reviewed and approved by HUD. The Grantee must submit copies of the invoices supporting the drawdown amount to the Team Coordinator.
- C. **Drawdown Consequences of Default.**
 - 1. **Withholding of Payments.** HUD may withhold payments in accordance with 2 CFR § 200.339.
 - 2. **Grantee Representations.** Each drawdown request by the Grantee will constitute, and be deemed to be, a representation that the Grantee is not in default under this Grant Agreement (except as the Grantee previously may have disclosed to HUD in writing).
 - 3. **Overdue Reports.** HUD may elect to suspend draws under this Grant Agreement during any period in which the Grantee has failed to file with HUD any quarterly report.

ARTICLE IX. Matching and Leveraged Funds

- A. **Match Requirements.** In accordance with section 24(c) of the 1937 Act (42 U.S.C. 1437v(c)), Grantee must have secured a match in the amount of five percent of the grant amount in cash or in-kind donations.
- B. **Match Donations and Leverage Resources.** Grantee shall keep documentation on matching and leveraged funds during the term of this Grant Agreement and shall provide this documentation in a format acceptable to HUD upon request by HUD, until the closeout of this grant. The documentation should show that the funds are secured and the Grantee should keep records showing how those funds have been expended over time.

ARTICLE X. Grantees, Subrecipients and Contractors

A. General Grantee Responsibilities.

1. **Planning Team.** The Grantee agrees to promptly assemble a competent planning team, if the Grantee has not already, to assist in working with the Grantee's partners and collaborators and coordinating all phases of the planning process. In the event of a default under the terms of this Grant Agreement, HUD reserves the right to require a Grantee to procure a planning coordinator in order for the Grantee to meet the performance standards detailed in this agreement.
2. **Choice Neighborhoods Requirements.** The Grantee shall ensure that any entity to which it makes grant funds available will comply with the Choice Neighborhoods Requirements.
3. **Required Certifications.**
 - a. The Grantee must ensure that all subrecipients and contractors execute an original document in the form of Exhibit A, as appropriate, to this Grant Agreement at the time the Grantee executes any contract with any subrecipient or contractor to provide goods or services under this Grant Agreement. The Grantee will retain the executed original certification together with the executed contract documents.
 - b. Grantees that are public housing authorities (PHA Grantee) must ensure that the requirements contained in the General Conditions for Non-Construction Form (Form 5370-C) are included in any solicitation in connection with non-construction contracts that will be made by the PHA Grantee and paid for with assistance under this Grant Agreement. Such conditions must also be included in any non-construction contract entered into by the PHA Grantee.
 - c. Certifications required by 2 CFR 200.415.

B. Administrative Requirements for Grantees.

1. Public housing authority, local government, Indian tribe, and non-profit entity grantees are subject to 2 CFR Part 200. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the NOFO and this Agreement, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the part 200 requirements as replaced or renumbered by the part 200 amendments.

C. Administrative Requirements for Subrecipients and Related Agreements.

1. Public housing authority, local government, Indian tribe, and non-profit subrecipients are subject to the requirements of 2 CFR Part 200. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the NOFO and this Agreement, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the part 200 requirements as replaced or renumbered by the part 200 amendments.

2. For-profit subrecipients are subject to the requirements of 2 CFR Part 200, Subparts A-E. The Grantee is responsible for establishing audit requirements consistent with 2 CFR 200.501(h). Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the NOFO and this Agreement, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the part 200 requirements as replaced or renumbered by the part 200 amendments.
3. Suspension and Debarment. Grantees are subject to the requirements of 2 CFR 200.214.
4. Grantee Responsibilities Regarding Subrecipients. Grantees will be responsible for:
 - a. ensuring that subrecipients are aware of the requirements imposed upon them by Federal statutes, regulations, and this Grant Agreement;
 - b. ensuring that all subrecipient agreements include any clauses required by Federal statutes and their implementing regulations and executive orders; and
 - c. monitoring subrecipients' performance to ensure compliance with this Grant Agreement.

D. Administrative Requirements for Contractors and Subcontractors and Related Contracts.

1. Grantee's procurement of contractors or subcontractors. Consultant and Professional Services. Grantees that obtain professional or consultant services from persons who are not officers or employees of the Grantee (i.e., independent contractors) are subject to 2 CFR Part 200.459. However, if the Grantee can demonstrate to HUD that the services to be provided by the contractor or subcontractor only from that one source, the Grantee may request HUD approval to select the entity under a non-competitive procurement pursuant to 2 CFR 200.320(c).
2. Trigger for the Submission of Contracts. Contracts must be submitted to HUD for prior approval if required by 2 CFR Part 200, Subpart D, or if requested by HUD. Any modification of a contract that must be submitted to HUD for prior approval if required or requested is also subject HUD's written approval before the execution of the modification.
3. Suspension and Debarment. Grantees must comply with 2 CFR 200.214.

ARTICLE XI. No Third-Party Rights

The Grantee and HUD are the sole parties to this Grant Agreement and do not intend to create any third-party beneficiaries to this Grant Agreement. Notwithstanding the provisions set forth in this Grant Agreement concerning consultations with residents and dissemination of information to residents, nothing in this Grant Agreement may be construed as conferring the status of third-party beneficiary upon the residents; and in no event shall any entity other than the

Grantee have direct rights to the Choice Neighborhoods funds provided for under this Grant Agreement.

ARTICLE XII. Conflict of Interest

- A. **Prohibition.** The Grantee shall comply with the conflict of interest requirements in 2 CFR 200.318. No person who is an employee, agent, officer of the Grantee or member of his or immediate family, or his or her partner, or an organization which employs or is about to employ any of the parties indicated herein and who exercises any functions or responsibilities with respect to activities assisted under this Choice Neighborhoods Grant may have a direct interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder.
- B. **HUD-Approved Exception.**
1. **Standard.** HUD may grant an exception to the exclusion in paragraph (A) of this Article on a case-by-case basis when it determines that such an exception will serve to further the purposes of Choice Neighborhoods and its effective and efficient administration.
 2. **Procedure.** HUD will consider granting an exception only after the Grantee has provided a disclosure of the nature of the conflict, accompanied by:
 - a. an assurance that there has been public disclosure of the conflict;
 - b. a description of how the public disclosure was made; and
 - c. an opinion of the Grantee's attorney that the interest for which the exception is sought does not violate State or local laws.
 3. **Consideration of Relevant Factors.** In determining whether to grant a requested exception under paragraph (B) of this Article, HUD will consider the cumulative effect of the following factors, where applicable:
 - a. whether the exception would provide a significant cost benefit or an essential degree of expertise to the Transformation Plan that would otherwise not be available;
 - b. whether an opportunity was provided for open competitive bidding or negotiation;
 - c. whether the person affected is a member of a group or class intended to be the beneficiaries of the Transformation Plan and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
 - d. whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process, with respect to the specific activity in question;
 - e. whether the interest or benefit was present before the affected person was in a position as described in paragraph (A) of this Article;
 - f. whether undue hardship will result either to the Grantee or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
 - g. any other relevant considerations.

ARTICLE XIII. Reporting Requirements

A. Quarterly Report.

1. The Grantee will submit to HUD a Quarterly Report on the 15th day of the month after the calendar quarter. The first report will be due in April 2023. If the due date falls on a Saturday, Sunday, or Federal Holiday, the report is due the next business day. In the Quarterly Report the Grantee will report the progress of their grant for the previous quarter, including but not limited to progress against their schedule and budget, expenditures to date, and a narrative statement on their progress, progress on financing leverage secured to date for the planning grant and leverage for the implementation of the plan. The Grantee should also include, as appropriate, best practices and lessons learned from the date of the prior Quarterly Report.
2. Failure to submit to HUD a timely Quarterly Report may result in a suspension of Choice Neighborhoods Grant funds in LOCCS until such time as the report is received and approved by HUD, and/or any other default remedy authorized by Article XV.

B. Obligations and Expenditures. The Grantee must enter cumulative obligation and expenditure data into LOCCS by the due dates established by HUD, whether or not there has been any change in the cumulative amounts since the end of the last quarter.

C. Additional Information Requests. Subject to paragraph (D) of this Article, the Grantee will comply with all other reporting requirements from time to time established by HUD, in its sole discretion, in connection with the Choice Neighborhoods Program. The Grantee will:

1. fully cooperate with all reasonable information gathering requests made by HUD or contractors of HUD in the course of authorized evaluations of the Choice Neighborhoods Program; and
2. if requested, submit any post-closeout reports, in the forms prescribed by HUD, for a reasonable period of years as designated by HUD.

D. Additional Requirements. The Grantee agrees to comply with all other terms and conditions HUD may establish to administer, monitor, or evaluate the Choice Neighborhoods Program in an effective and efficient manner. Notwithstanding the foregoing, however, except as provided in Article XV, HUD hereafter will not establish any additional terms and conditions without:

1. consideration of the burden imposed on the Grantee by such conditions or requirements;
2. consideration of the availability of less burdensome conditions or requirements; and
3. in the case of a term or condition applicable solely to the Grantee, consulting in advance with the Grantee.

ARTICLE XIV. Technical Assistance

- A. **Site Visits.** The Grantee acknowledges and agrees that HUD, or its designees, may conduct site visits and inspections as deemed necessary by HUD based upon the Grantee's needs in creating the Transformation Plan or the needs of the Choice Neighborhoods Program. Technical assistance site visits may be provided by HUD or its designees:
1. in response to requests from the Grantee; or
 2. based upon demonstrated needs of the Choice Neighborhoods Program; or
 3. as provided in paragraph (B) of this Article.
- B. **HUD Assessment.** HUD representatives will visit the site and make an assessment of any technical assistance and/or training that the Grantee may require for the creation of the Transformation Plan. HUD will consult with the Grantee in determining the Grantee's specific technical assistance and training needs and will carry out subsequent on-site assessments, as necessary.
- C. **Technical Assistance Provider.** If HUD determines, in its discretion, that technical assistance and/or training is necessary for the creation of the Transformation Plan, it will assign a technical assistance provider to work with the Grantee for this purpose.
- D. **Grantee Training/Technical Assistance.** The Grantee agrees to use its best efforts to attend any training and to accept any technical assistance provided or sponsored by HUD.

ARTICLE XV. Unsatisfactory Performance/Default

- A. In accordance with Section 24(i) of the 1937 Act, if the Grantee defaults under this grant agreement, HUD may withdraw any unobligated grant amounts and may pursue other actions as described in this Article. HUD shall redistribute any withdrawn amounts to one or more other applicants eligible for Choice Neighborhoods assistance or to one or more other entities capable of proceeding expeditiously in the same locality in carrying out the planning process of the original Grantee. This section applies to all Grantees regardless of their status as a local government, PHA, for-profit, or other entity.
- B. **Default.** Each of the following events or occurrences, to the extent it constitutes a material breach or occurrence, may constitute a default by the Grantee under this Grant Agreement, as determined by HUD in its sole discretion:
1. use of funds provided under this Grant Agreement for any purpose, in any manner or at any time, other than as authorized by this Grant Agreement;

2. failure to comply with the Choice Neighborhoods Requirements or any other Federal, State, or local laws, regulations, or requirements applicable in creating the Transformation Plan;
3. failure to make any submission under Article V, perform any obligation, or otherwise fail to proceed in a manner consistent with the Transformation Plan, (including, without limitation, failure to accomplish an activity by the date specified in the Program Schedule);
4. any material misrepresentation in any of the required submissions, including, without limit, any misrepresentations in any of the submissions required by Article V; or
5. failure to comply with, or any material breach of, any other requirements, conditions, or terms of this Grant Agreement.

C. Notice of Default and Action(s) to Cure.

1. General. HUD will give the Grantee written notice of any default. The notice will give the Grantee the opportunity to cure such default within 30 days of the date of the notice, or to demonstrate within this time period, by submitting substantial evidence satisfactory to HUD, that it is not in default. If the default is not able to be cured within the 30-day period, the Grantee will demonstrate, to HUD's satisfaction, that the Grantee has taken actions necessary to cure the default and that the default is curable within 90 days from the date of the default notice. Additionally, the Grantee must agree to carry out such cure diligently and to complete the cure within the 90-day period.
2. Immediate Default. Notwithstanding the provisions of paragraph (C)(1) of this Article, HUD in its sole discretion may place the Grantee into immediate default for not being in compliance with its Program Schedule or for non-compliance with Choice Neighborhoods Requirements once written notification of default has been provided to the Grantee. At that time, HUD may immediately begin imposing consequences of default, including specifically the suspension of draws of the Choice Neighborhoods grant.
3. Imminent Threat. Notwithstanding the provisions of subparagraph (C)(1) of this Article concerning the opportunity to cure defaults, if HUD reasonably determines that there is an imminent threat that the Grantee will expend additional Choice Neighborhoods Grant funds in violation of the provisions of this Grant Agreement, HUD may implement the remedial action provided for under subparagraph (C)(4) of this Article to prevent any such unauthorized expenditure until such time as the Grantee has complied with the cure provisions set forth above. HUD will implement such remedial action by written notice set forth either in the notice of default given under paragraph (C)(1) of this Article or by subsequent written notice to the Grantee. An imminent threat is not an immediate default.

4. Consequences of Default. If the Grantee fails to cure all defaults specified in the notice of default within the time periods set forth in paragraph (C)(1) of this Article, or fails to diligently pursue or complete any cure as provided in paragraph (C)(1), HUD may take any of the following remedial actions, upon written notice to the Grantee:
 - a. requiring a Grantee in default to provide evidence to HUD of acceptable performance over such period of time as specified by HUD and to obtain written approval from HUD to proceed to the next phase of activities;
 - b. requiring additional, more detailed financial reports;
 - c. requiring additional project monitoring;
 - d. requiring the Grantee (or subrecipient) to obtain technical or management assistance;
 - e. establishing additional prior approvals;
 - f. require the Grantee, within a time period established by HUD, to prepare a revised Program Schedule, obtain HUD's approval thereto, and follow such revised Program Schedule to complete the activities under the Grant Agreement;
 - g. require the Grantee, within a time period established by HUD, to revise any activity under the Grant Agreement in order to successfully complete the activities under the Grant Agreement in a manner satisfactory to HUD, including, without limitation, exclusion or revision of affected activities, revision of the Choice Neighborhoods Budget as necessary, and substitution of other eligible activities;
 - h. require submission of additional documentation before any additional request for funds will be approved;
 - i. temporarily suspend the Grantee's authority to draw down Choice Neighborhoods Grant funds for affected activities, or at HUD's sole discretion for all activities, pending action to cure the defaults;
 - j. disallow use of Choice Neighborhoods Grant funds for all or part of the cost of the activity or action not in compliance;
 - k. recover amounts determined by HUD to have been improperly expended, including any property obtained by the Grantee with such grant funds;
 - l. require reimbursement by the Grantee for Choice Neighborhoods Grant funds determined by HUD to have been improperly expended;
 - m. make arrangements satisfactory to HUD, in its sole discretion, for use of an entity other than the Grantee to carry out activities assisted under the Grant Agreement, including requiring the Grantee to assign any outstanding contracts obligating grant funds to another entity.
5. Additional Enforcement Actions. If HUD determines that the remedial actions taken by HUD under paragraph (C)(4) of this Article have not been effective in curing the default, or if the Grantee has not complied with the requirements imposed by HUD under paragraph (C)(4) and has not otherwise cured the default, or if HUD exercises its discretion under subparagraph (C)(2) of this Article to institute any of the following actions, HUD may take any of the following remedial or enforcement actions (in addition to any of the remedies permitted under paragraph (C) of this Article upon written notice to the Grantee):
 - a. reduce the Choice Neighborhoods Grant in the amount affected by the default;
 - b. terminate the Choice Neighborhoods Grant as to all further activities and initiate closeout procedures;

- c. recapture any Choice Neighborhoods Grant funds not obligated by the Grantee.
 - i. If the basis for the Grantee's default is its failure to comply with the reasonable time periods established by HUD under Article V, HUD shall, in accordance with section 24(i) of the 1937 Act, and unless otherwise approved by HUD under paragraph (C)(3) of this Article, recapture any Choice Neighborhoods Grant funds not obligated by the Grantee.
 - ii. If the Grantee fails to comply with the reasonable time periods established in Article V, HUD may take into account whether factors beyond the Grantee's control are the cause of the delay.
 - d. take action against the Grantee under 24 CFR part 24 and Executive Order 12549 with respect to future HUD or Federal grant awards; and
 - e. take any other available legal or equitable remedial action, including, but not limited to, any remedial actions available under a PHA's ACC and/or premised on HUD's interest in the housing development established in the relevant Declaration of Trust or Declaration of Restrictive Covenants or housing assistance contract, as applicable.
6. Delinquent Federal Debts. Consistent with the purposes and intent of 31 U.S.C. 3720B and 28 U.S.C. 3201(e), Grantees with an outstanding federal debt must provide to HUD a negotiated repayment schedule which is not delinquent or have made other arrangements satisfactory to HUD. If arrangements satisfactory to HUD cannot be completed within 90 days of notification of selection, HUD will not make an award of funds to the Grantee, but offer the award to the next eligible Grantee. Applicants selected for funding, or awarded funds, must report to HUD changes in status of current agreements covering federal debt. If a previously agreed-upon payment schedule has not been adhered to or a new agreement with the federal agency to which the debt is owed has not been signed, the Grantee will be considered to be in default under this Agreement.

ARTICLE XVI. Funding Obligation Date, Date of Funding Availability and Effective Date

The date of obligation by HUD of the funding to the Grantee under this Grant Agreement is the date HUD signed the form HUD-1044. The date of fund availability for this Grant Agreement is the date that the Lead Grantee signs the HUD-1044. The effective date of the Grant Agreement is the date that HUD signs the signature page of the Grant Agreement.

ARTICLE XVII. Project Closeout

- A. Grants will be closed out in accordance with 2 CFR 200.344, or successor regulation, and as detailed in the Choice Neighborhoods closeout guidance. The program specific guidance is posted to the Choice Neighborhoods website. The closeout process generally includes the following steps:
 - 1. Submission of closeout materials. Within 120 days after the Period of Performance End Date, Grantee must submit closeout materials, including a termination of disbursements

letter, the final Choice Neighborhoods budget, and the Actual Choice Neighborhoods Cost Certificate (ACNCC) (form HUD-50163).

2. HUD Review of Preliminary Closeout Materials. HUD will review Preliminary Closeout Materials to confirm that:

- a. The amounts on the final Choice Neighborhoods Budget and ACNCC agree as to funds approved, obligated, and expended.
- b. The amount of funds approved and disbursed on the ACNCC agrees with HUD records in LOCCS.
- c. If HUD disbursed more funds than the Grantee expended, the Grantee will immediately remit to HUD the excess funds, without waiting for completion of the final audit.

3. Final Audit. Following HUD approval of the Preliminary Closeout Materials, the Grantee must conduct a final audit of the Planning Grant in accordance with the requirements of 2 CFR Part 200, Subpart F. and forward the audit to HUD for approval.

4. Final Closeout. Upon receipt of the final audit, the designated HUD official will execute the ACNCC. Any funds remaining in the Planning Grant will be recaptured by HUD. A Post-Audit Date will be entered into LOCCS and the grant will be closed.

ARTICLE XVIII. Money Damages

This grant agreement does not contemplate money damages for breach of the agreement by HUD. The Grantee is entitled to any relief against HUD for breach of the agreement that is provided by the Administrative Procedure Act.

ARTICLE XIX. Points of Contact

Any correspondence related to this Grant Agreement should be directed to the following points of contact for HUD, the Lead Grantee, and any other Grantees:

For the U.S. Department of Housing and Urban Development:

Ms. Luci Blackburn

Choice Neighborhoods Director, Office of Public Housing Investments

U.S. Department of Housing and Urban Development

451 7th Street, SW Room 4130

Washington, DC 20410

For the Lead Grantee:

Anthony Goodson, Jr.

Chief Executive Officer

Housing Authority of the City of Goldsboro

P.O. Box 1403

Goldsboro, NC 27533

For the Co-Grantee:

Timothy M. Salmon

City Manager

City of Goldsboro

200 North Center St.

Goldsboro, NC 27530

ARTICLE XX. Signature Page.



Anthony Goodson, Jr.
Chief Executive Officer
Housing Authority of the City of Goldsboro

Date 1/24/2023

Timothy M. Salmon
City Manager
City of Goldsboro

Date

Marianne Nazzaro
Deputy Assistant Secretary
Office of Public Housing Investments
U.S. Department of Housing and Urban Development

Date

Appendix A

Additional statutory, regulatory, and other requirements with which Grantee must comply as applicable include:

1. Fair Housing Certifications, as the same maybe amended from time to time, and any additional Fair Housing requirements that may become applicable:
 - A. the Fair Housing Act (42 U.S.C. §§ 3601 et seq.) and regulations pursuant thereto 24 CFR part 100;
 - B. Executive Order 11063 (Equal Opportunity in Housing) and regulations pursuant thereto (24 CFR part 107);
 - C. the fair housing poster regulations (24 CFR part 110) and advertising guidelines (24 CFR part 108);
 - D. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d-2000d-4) and regulations pursuant thereto (24 CFR part 1) relating to nondiscrimination in housing;
 - E. the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07) and regulations issued pursuant thereto (24 CFR part 146);
 - F. the prohibitions against discrimination on the basis of disability, including requirements that the Grantee make reasonable modifications and accommodations and make units accessible, under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and regulations issued pursuant thereto (24 CFR part 8) or the 2010 ADA Standards for Accessible Design;
 - G. the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) and its implementing regulation at 28 CFR part 35; and
 - H. the Architectural Barriers Act of 1968, as amended (42 U.S.C. § 4151) and regulations issued pursuant thereto (24 CFR part 40).
 - I. Accessible Technology. Section 508 of the Rehabilitation Act of 1973, as amended (Section 508) requires HUD to ensure, when developing, procuring, maintaining, or using electronic and information technology (EIT), that the EIT allows persons with disabilities to access and use information and data comparably to those without disabilities unless an undue burden would result to the Federal agency. HUD encourages its recipients to adopt the goals and objectives of Section 508 by ensuring comparable access whenever EIT is used. Recipients must also comply with Section 504 of the Rehabilitation Act and, where applicable, the ADA. These statutes also require effective communication with individuals with disabilities and prohibit EIT-imposed barriers to access information, programs, and activities for persons with disabilities.
2. Finance and Accounting
 - A. Commingling of Grant Funds. The Grantee agrees that, in its recordkeeping, it will not commingle Choice Neighborhoods Grant funds with funds from any other sources including, but not limited to, other HUD program funds or funds from other Federal, State, or local government agencies. (Such other funds may be used to carry out the Transformation Plan, so long as they are not commingled in the Grantee's recordkeeping.)

- B. Duplication of Funding. The Grantee will ensure that Choice Neighborhoods Grant funds are not used to duplicate work that is funded with any other HUD funds, funds from any other Federal program, or from any other funding source identified under the Transformation Plan, and will establish controls to assure non-duplication of funding.

3. Record Retention

- A. Record Retention Authorities. The Grantee must comply with and be subject to all Federal recordkeeping requirements, including, but not limited to 2 CFR 200.334.
 - B. Record Retention Requirements. Grantees must retain records in accordance with the requirements of paragraph (A) above, including, but not limited to:
 - 1. the amount and disbursement of funds received under this Choice Neighborhoods Grant, including sufficient records that document the reasonableness and necessity of each expenditure;
 - 2. the amount and nature of any other assistance, including cash, services, or other items contributed to assist in the development of the Transformation Plan or contributed as a condition of receiving this Choice Neighborhoods Grant;
 - 3. any other proceeds received for, or otherwise used in connection with, the Transformation Plan; and
 - C. Access to Records. For the purpose of audit, examination, monitoring, and evaluation, the Grantee will give HUD (including any duly authorized representatives and the Inspector General) access, and will ensure that any participating party will give HUD such access, to any books, documents, papers, and records of the Grantee, or such participating party, that are pertinent to assistance received under this Choice Neighborhoods Grant or under the Transformation Plan, including all records required to be kept by paragraph (B) above.
- 4. Reporting. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (31 USC 6101 note), (Public Law 109-282) (Transparency Act), as amended. Please refer to www.fsrs.gov for complete information on requirements under the Transparency Act and OMB guidance.
 - 5. Eminent Domain. Section 407 of Div. H, Title IV of the Consolidated Appropriations Act, 2022, prohibits the use of funds to support any federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use.

Subgrantee and Contractor Certifications and Assurances

The Department of Housing and Urban Development (HUD) requires that all Subgrantees and Contractors on Choice Neighborhoods projects sign this “Certifications and Assurances” form certifying that they will comply with the applicable federal requirements described below. Any applicable federal law, regulation, or other federal requirement continues to apply to the Grantee, Subgrantee and/or Contractor notwithstanding its omission from this Certification and Assurances form. The parties who must sign a “Certifications and Assurances” form are defined below:

- **Subgrantees:** These are organizations to which the Grantee has awarded a grant from the Choice Neighborhoods grant that the Grantee received from HUD. The subgrantee is accountable to the Grantee for the use of the funds provided, but the Grantee is ultimately accountable to HUD.
- **Contractors:** This includes any for-profit contractor, consultant, service provider, or supplier that the Grantee contracts with for goods or services on any Choice Neighborhoods project.

.....

Certification and Assurance: The subgrantee or contractor executing this certification hereby assures and certifies that it will comply with all of the applicable requirements of the following, as the same may be amended from time to time, including adding appropriate provisions to all contracts between Grantee and Subgrantees or Contractors:

- (1) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate. (Contracts more than the simplified acquisition threshold)
- (2) Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000)
- (3) Compliance with the Copeland “Anti-Kickback” Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subgrants for construction or repair)
- (4) Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR part 5).
- (5) Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR part 5).
- (6) Notice of awarding agency requirements and regulations pertaining to reporting.
- (7) Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract.
- (8) Awarding agency requirements and regulations pertaining to copyrights and rights in data.

(9) Access by the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

(10) Retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed.

(11) Compliance with all applicable standards, orders, or requirements issued under the Clean Air Act (42 U.S.C. 7401 et seq.), the Clean Water Act (33 U.S.C. 1251 et seq.), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).).

(12) Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871), as amended.

(13) Any applicable requirement listed in the applicable Choice Neighborhoods Grant Agreement.

The information contained in this certification is true and accurate, to the best of my knowledge.

Name of Subgrantee or Contractor	Name and Contract Number:	
Signature of Authorized Certifying Official:	Title:	Date:

WARNING: Section 1001 of the Title 18 of the United States Code (Criminal Code and Criminal Procedure, 72 Stat.967) applies to this certification. 18 U.S.C. 1001, among other things, provides that whoever knowingly and willfully makes or uses a document or writing knowing the same to contain any false, fictitious or fraudulent statement or entry, in any matter within jurisdiction of any department or agency of the United States, shall be fined no more than \$10,000 or imprisoned for not more than five years, or both.

Return this form to:

Grantee Name_____

Address_____

City, State, ZIP Code_____

Assistance Award/Amendment**U.S. Department of Housing
and Urban Development
Office of Administration**

1. Assistance Instrument <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Grant		2. Type of Action <input checked="" type="checkbox"/> Award <input type="checkbox"/> Amendment	
3. Instrument Number NC4F015CNP122	4. Amendment Number	5. Effective Date of this Action	6. Control Number
7. Name and Address of Recipient Housing Authority of the City of Goldsboro P.O. Box 1403 Goldsboro, NC 27533-1403		8. HUD Administering Office Office of Public Housing Investments Public and Indian Housing	
		8a. Name of Administrator Sue Wilson	8b. Telephone Number 202-402-4780
10. Recipient Project Manager		9. HUD Government Technical Representative	
11. Assistance Arrangement <input checked="" type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Cost Sharing <input type="checkbox"/> Fixed Price	12. Payment Method <input type="checkbox"/> Treasury Check Reimbursement <input type="checkbox"/> Advance Check <input checked="" type="checkbox"/> Automated Clearinghouse	13. HUD Payment Office	
14. Assistance Amount		15. HUD Accounting and Appropriation Data	
Previous HUD Amount \$		15a. Appropriation Number	15b. Reservation number
HUD Amount this action \$ 500,000			
Total HUD Amount \$ 500,000		Amount Previously Obligated \$	
Recipient Amount \$		Obligation by this action \$ 500,000	
Total Instrument Amount \$ 500,000		Total Obligation \$ 500,000	

16. Description

FY 2022 Choice Neighborhoods Planning Grant

(grant type: Planning)

Public Housing Site: West Haven Apartments


Neighborhood: West Haven

Located in: Goldsboro, NC

EIN/TIN: 56-6003260 UEI: GVNMFNVLWW4

Period of Performance Start Date: one day after HUD's signature on this form

Period of Performance End Date: 12/31/2024

17. <input checked="" type="checkbox"/> Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office		18. <input type="checkbox"/> Recipient is not required to sign this document.	
19. Recipient (By Name) Anthony Goodson Jr.		20. HUD (By Name) Dominique Blom	
Signature & Title	Date (mm/dd/yyyy)	Signature & Title	Date (mm/dd/yyyy)
		 for General Deputy Assistant Secretary	12/22/2022
Chief Executive Officer			

BLACK HISTORY MONTH PROCLAMATION

WHEREAS, the 2023 theme for National Black History Month is "Black Resistance", recognizing that the family offers a rich tapestry of images for exploring the African American past and present; and

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, Dr. Carter G. Woodson, known as the father of Black History, initiated Negro History Week in February 1926; and for many years, the second week of February, chosen to coincide with the birthdays of Frederick Douglass and Abraham Lincoln, was celebrated by African Americans in the United States; and

WHEREAS, in 1976, Negro History Week was expanded and became established as Black History Month, and is now celebrated all over North America; and

WHEREAS, Black History Month is a time for all Americans to remember the stories and teachings of those who helped build our nation, advanced the cause of civil rights and strengthened families and communities; and

WHEREAS, African Americans have made significant contributions as leaders at the highest levels of the military, business, education, law, government, the arts, sports, and religion; and

WHEREAS, the City of Goldsboro's Commission on Community Relations and Development has committed to working within all layers of the community to promote understanding, enhance knowledge, and seek opportunity for change in the face of this community scourge.

NOW, THEREFORE BE IT RESOLVED, that the Goldsboro City Council, does hereby proclaim the month of February 2023 as

BLACK HISTORY MONTH

in the City of Goldsboro and encourage all citizens to observe this month by participating and supporting all festivities celebrating the proud heritage of African Americans.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed Seal of the City of Goldsboro, North Carolina, this 6th day of February, 2023.




David Ham, Mayor



RESOLUTION NO. 2023 - //

**RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY
EDDIE MOSES AS AN EMPLOYEE OF THE CITY OF GOLDSBORO
FOR MORE THAN 26 YEARS**

WHEREAS, Eddie Moses retires on March 1, 2023 as a Senior Heavy Equipment Operator, with more than 26 years of service with the Goldsboro Public Works Department; and

WHEREAS, Eddie began his career on May 29, 1996, as a Laborer I with the Public Works Department; and

WHEREAS, on November 4, 1998, Eddie was promoted to Equipment Operator I with the Public Works Department; and

WHEREAS, on March 8, 2000, Eddie was promoted to Utility Maintenance Worker I with the Public Works Department; and

WHEREAS, on May 5, 2004, Eddie was promoted to Utility Maintenance Worker II with the Public Works Department; and

WHEREAS, on September 26, 2007, Eddie was promoted to Equipment Operator IV with the Public Works Department; and

WHEREAS, on January 8, 2014, Eddie was promoted to Senior Heavy Equipment Operator with the Public Works Department, where he has served until his retirement; and


WHEREAS, Eddie has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro; and

WHEREAS, the Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees, and the citizens of the City of Goldsboro, of expressing to Eddie Moses their deep appreciation and gratitude for the service rendered by him to the City over the years.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that we express to Eddie Moses our very best wishes for success, happiness, prosperity, and good health in his future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 6th day of February, 2023.

Attested by:


Laura Getz, City Clerk




David Ham, Mayor