

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



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

**I. WORK SESSION-5:00 P.M. – LARGE CONF. RM, CITY HALL ADDITION, 200 N. CENTER ST., ROOM 206**

**1. ROLL CALL**

**2. ADOPTION OF THE AGENDA**

**3. OLD BUSINESS**

- a. FY21-22 Audit (Forvis) - **Moved to 11/20**
- b. Floodprint Projects Update (NC State University Coastal Dynamics Design Lab)
- c. Strategic Buyout Program Updates (North Carolina Office of Recovery & Resiliency)

**4. NEW BUSINESS**

- d. FY22-23 Year-End Financial Update (Finance)
- e. Goldsboro Union Station History and Update (Downtown Development)

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

Invocation (Father David Wyly, St. Stephens Episcopal Church)  
Pledge of Allegiance

**III. ROLL CALL**

**IV. APPROVAL OF MINUTES**

- A.1 Minutes of the Work Session and Regular Meeting of October 2, 2023
- A.2 Minutes of the Work Session and Regular Meeting of October 16, 2023

**V. PRESENTATIONS**

- B. Employee/Supervisor of the Quarter
- C. Night to Shine 10<sup>th</sup> Anniversary (Donna Countryman)
- D. National Apprenticeship Week Proclamation

**VI. PUBLIC HEARINGS**

- E. Z-14-23 Red Horse Townes (Residential-12 SF CZ to Residential -12 CZ) – East of Country Day Rd. between Wheeler Dr. and Davis Rd. (Planning) – **Cont. from 10/2**
- F. Z-15-23 Royal Farms – Store #520 (Wayne County Residential-Agricultural, Light Industrial, and Community Shopping to City of Goldsboro Highway Business Conditional Zoning) – Corner of S. US 117 Hwy., S. US 13 Hwy., and Carolina Street (Planning)
- G. Z-16-23 Dearing Automotive & Diesel, Inc. (Residential 16 to Highway Business/Office & Institutional-1 Conditional Zoning District) – West side of US 117 Hwy. between Belfast Rd. and Scale Dr. (Planning)

**VII. PUBLIC COMMENT PERIOD**

**VIII. CONSENT AGENDA ITEMS**

- H. HACG Surveillance Camera Cost Sharing Agreement (Mayor)
- I. HOME Community Housing Development Organization (CHDO) Certification Guide & Application (Community Relations)
- J. Public Facilities & Improvements Program Guide & Application (Community Relations)
- K. Affordable Rental Housing Development Program Guide & Application (Community Relations)
- L. Resolution in Support of the "Goldsboro Community Floodprint" Report (Engineering)
- M. Operating Budget Amendment FY23-24 (Finance)
- N. Ordinance amending the Sewer Rehabilitation Project E-SRP-W-17-0110 Project (S1103) (Finance)
- O. Award contract for audit services for fiscal year ending June 30, 2023 to Forvis, LLP (Finance)
- P. City of Goldsboro/Downtown Goldsboro 2023 Downtown Lights Up! – Temporary Street Closure (Police)

- Q. Accepting the Distribution of Trusts and Establishing a Perpetual Care Fund for Cemetery Trusts (City Attorney)
- R. Resolution of Support to Reduce the Speed Limit for a Section of Throughfare Road (SR 1712) (City Manager's Office)
- S. Resolution to Accept Strategic Buyout Properties (City Manager's Office)

**T. Amendment of an Ordinance (Planning)**

**IX. ITEMS REQUIRING INDIVIDUAL ACTION**

**X. CITY MANAGER'S REPORT**

**XI. CEREMONIAL DOCUMENTS**

- U.T.** Small Business Saturday Proclamation

**XII. MAYOR AND COUNCILMEMBERS' COMMENTS**

**XIII. CLOSED SESSION**

**XIV. ADJOURN**

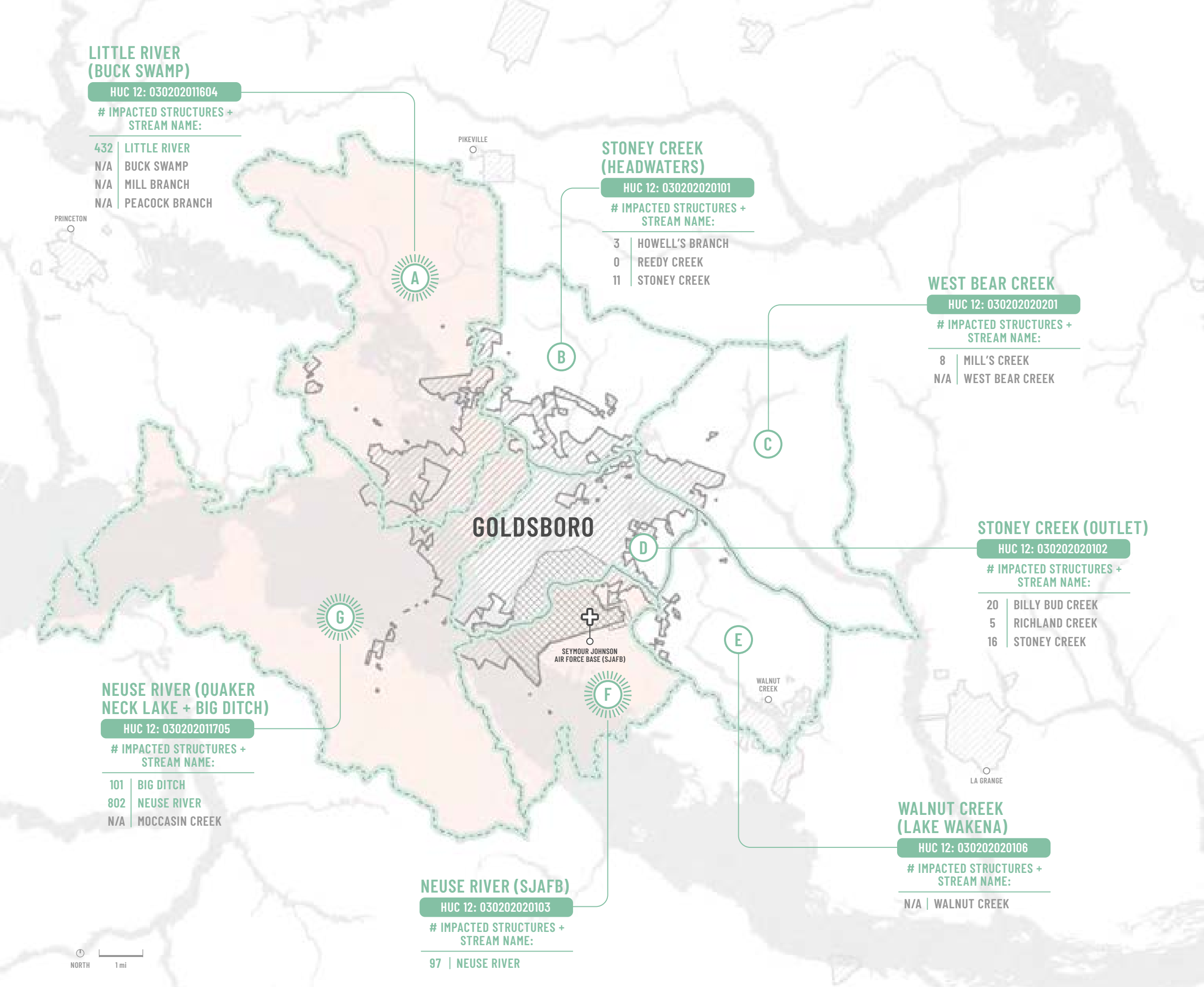


# GOLDSBORO COMMUNITY FLOODPRINT



[www.coastaldynamicsdesignlab.com](http://www.coastaldynamicsdesignlab.com)

BIG DITCH + MUNICIPAL GOLF COURSE + WASTEWATER TREATMENT PLANT



## VULNERABILITY ASSESSMENT

Seven (7) subwatersheds (HUC-12's) divide Goldsboro's footprint into unique hydrological units. Preliminary analysis compared the FFE's (finished floor elevations) of each structure in these subwatersheds against the projected WSE (water surface elevation) of a 500-year flood event. These results identified three (3) subwatersheds (A, G, and F; shaded in orange) as being the most vulnerable to damages due to a high quantity of impacted structures. Subsequent analysis assessed the potential for suitable project typologies within these highlighted areas.



	POTENTIAL PROJECTS	COMMUNITY LIFELINES	RISK REDUCTION	POPULATION IMPACTED	NATURE-BASED	LEVERAGE PARTNERS
PUBLIC UTILITIES	WASTE TRANSFER STATION	✓	✓	✓		
	WATER TREATMENT PLANT	✓	✓	✓		✓
	WASTEWATER TREATMENT PLANT	✓	✓	✓	✓	✓
LAND MANAGEMENT	MLK JR. AREA: PREVIOUS BUYOUTS			✓	✓	
	WEST HAVEN: EXISTING BUYOUTS			✓	✓	✓
	S. JOHN STREET: EXISTING BUYOUTS			✓	✓	✓
	FORMER CHERRY HOSPITAL SITE			✓	✓	✓
NATURAL SYSTEMS	BIG DITCH: STREAM RESTORATION	✓	✓	✓	✓	✓
	MINA WEIL AREA + GOLF COURSE	✓	✓	✓	✓	✓

POTENTIAL PROJECT AREAS: DECISION MATRIX

The identified projects for potential inclusion in the Goldsboro Community Floodprint generally fit within three (3) categories: Public Utilities, Land Management, and Natural Systems. In understanding the reliance on external grant programs to fund all or part of each of the potential

+ Population Impacted. There is growing momentum for state- and federal-level investments to support various definitions of “underserved communities,” In the case of FEMA BRIC, the CDC SVI (Social Vulnerability Index) is used in order to determine if the population impacted by a

“After review of each potential project through the five [FEMA BRIC] review criteria, one Public Utilities project (Wastewater Treatment Plant), and two Natural Systems projects (Big Ditch and the Mina Weil Park Neighborhood + Golf Course), satisfied all of the decision matrix conditions and were selected as Floodprint projects.”

projects, each were assessed for their compatibility to score favorably within the review criteria of the FEMA BRIC (Building Resilient Infrastructure and Communities) grant program that directly concern project scoping. These sections include five (5) of the fourteen (14) total review criteria for FEMA BRIC, and include:

**+ Community Lifelines.** These represent “the most fundamental services in a community that, when stabilized, enable all other aspects of society to function (FEMA, 2023).” These are typically assets that support the day-to-day, recurring needs of a community.

**+ Risk Reduction.** Many grant programs, including FEMA BRIC, require for the amount of risk aversion (e.g., flood damage reduction) to be quantifiable and translated into dollar equivalents for “benefits” and “costs.” Determining the potential cost-effectiveness of a project during this preliminary scoping phase relied on each project having both: a reasonable likelihood of yielding monetary reductions in expected damages, and data available to support required analyses.

project is “underserved” (census tract containing a SVI rating of at least 0.6 on a 0-to-1 scale), and thereby eligible to receive more points during review.

**+ Nature-Based Solutions.** Recognizing the many ancillary benefits of natural infrastructure (e.g., improved water quality, ecological habitat, etc.), additional points are allotted if projects have the potential to incorporate nature-based solutions in the scope of work.

**+ Leverage Partners.** Project locations or features that contain clear partnership potential outside of City departments have been prioritized, and will subsequently score higher during review if these external partnerships are formalized prior to grant application.

After review of each potential project through the five (5) review criteria, one (1) Public Utilities project (Wastewater Treatment Plant), and two (2) Natural Systems projects (Big Ditch and the Mina Weil Park Neighborhood + Golf Course), satisfied all of the decision matrix conditions and were selected as Floodprint projects.

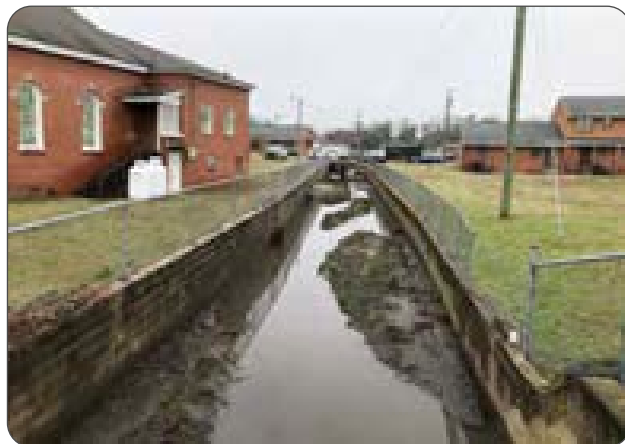
## FOCUS AREA #1: BIG DITCH

Big Ditch is a stream that runs through the center of Goldsboro, draining a 3.1-square mile area. The watershed that drains into Big Ditch is 93% developed and 35% of the area is impervious (Doll and Kurki-Fox, 2020). Large sections of Big Ditch have been straightened and armored, with many

the stream between South John Street and the railroad tracks that parallel Royall Avenue. Local officials have reported severe flooding along the stream; which is evidenced through resultant property damages and road closures that are becoming more commonplace during even

“Large sections of Big Ditch have been straightened and armored, with many sections of the stream channel confined to either rectangular or trapezoidal concrete channels. A functioning floodplain no longer exists, aside from a small section between South John Street and Elm Street where previous restoration activities have been completed.”

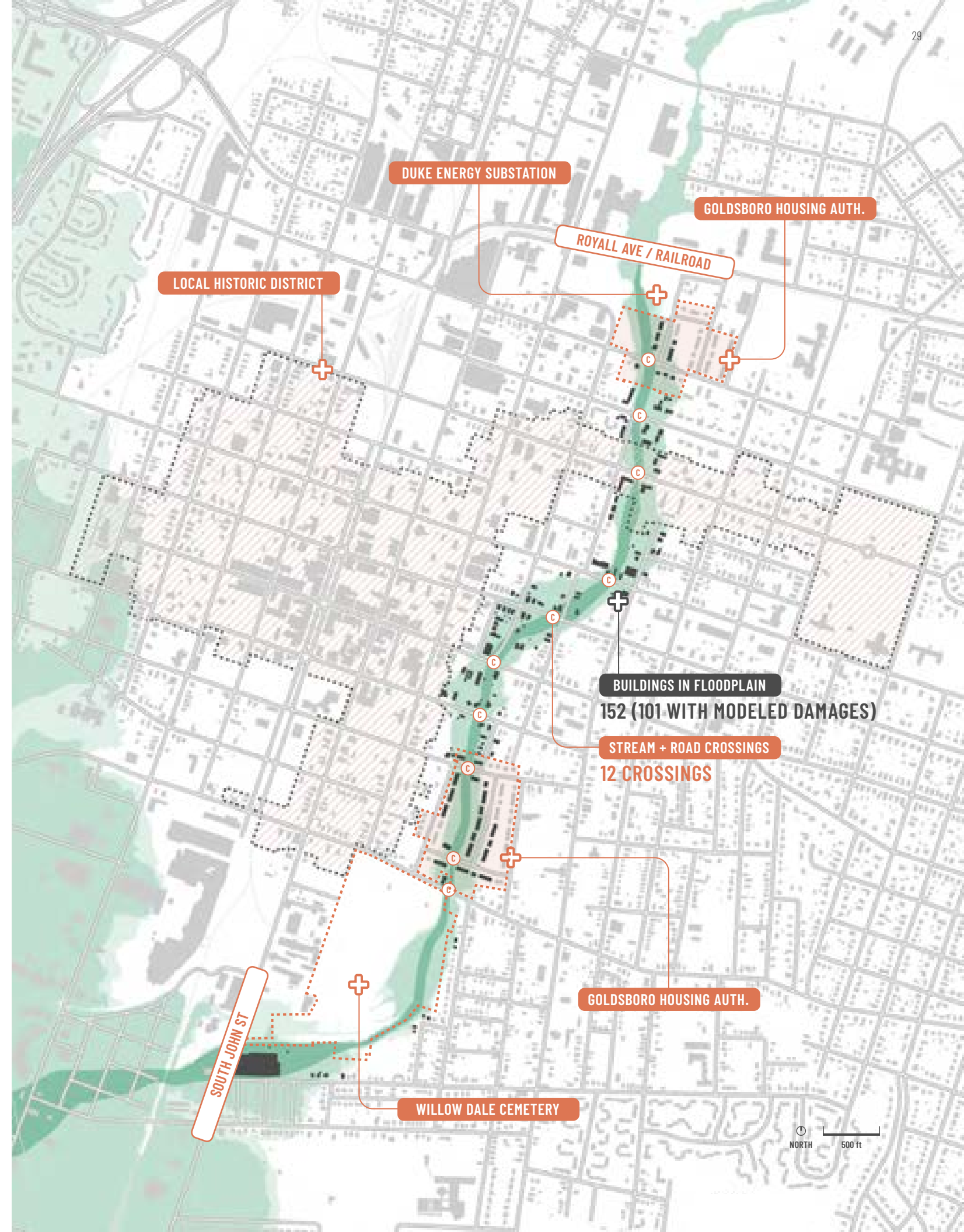
sections of the stream channel confined to either rectangular or trapezoidal concrete channels (see photo, below). A functioning floodplain no longer exists, aside from a small section between South John Street and Elm Street (adjoining Willow Dale Cemetery) where previous restoration



activities have been completed over the past couple of decades. Within the reach of Big Ditch included in this study's extents, there are twelve (12) road or railroad crossings along

more frequent, and less severe rainfall events. In addition to the heavily modified nature of the stream channel contributing to increased flood vulnerabilities, there are a number of contextual conditions that must be considered alongside any potential stream restoration and/or infrastructure improvements along Big Ditch:

- + The Goldsboro Housing Authority actively manages two (2) multi-family housing neighborhoods that adjoin Big Ditch: Elmwood Terrace (south) and Woodcrest Terrace (north);
- + There is a federally-recognized Local Historic District that includes Goldsboro's downtown core (west of Big Ditch) and along Park Avenue, which intersects the stream channel;
- + There is a Duke Energy Substation that, due to its location in the floodplain, is susceptible to flood damages; and
- + 152 buildings intersect Big Ditch's 500-year floodplain (FEMA, 2022), and of these, over two-thirds (101 buildings) are expected to be damaged during a modeled 500-year event based on a comparison of FFE and the 500-year WSE.



## FOCUS AREA #2: MINA WEIL PARK NEIGHBORHOOD + GOLF COURSE

The Goldsboro Municipal Golf Course encompasses an approximately 126-acre area, and is owned and operated by the City of Goldsboro Parks & Recreation Department. Prior to construction in 1941, the course (and surrounding residential neighborhood area) was primarily used for

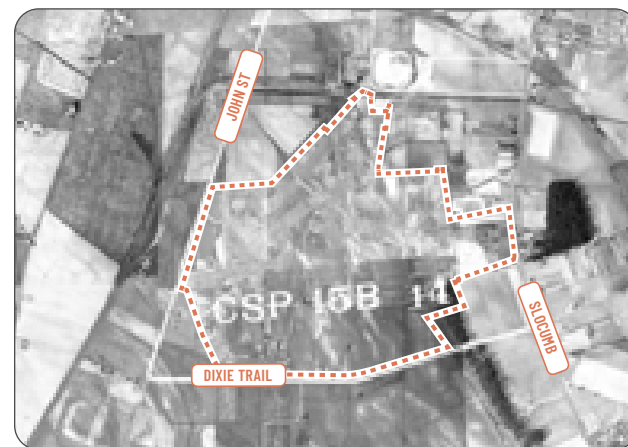
While more traditional forms of hazard mitigation practices (e.g., acquisitions or elevations) are most likely to offer the most substantive risk reduction benefits to homeowners in the surrounding residential neighborhoods for large-scale flood events (e.g., 100-

“In many cases, these drainage systems have been heavily modified, filled in, or covered up [and contribute to] nuisance flooding observed throughout the golf course, along neighborhood streets, and within residential property during smaller, more frequent storm events.”

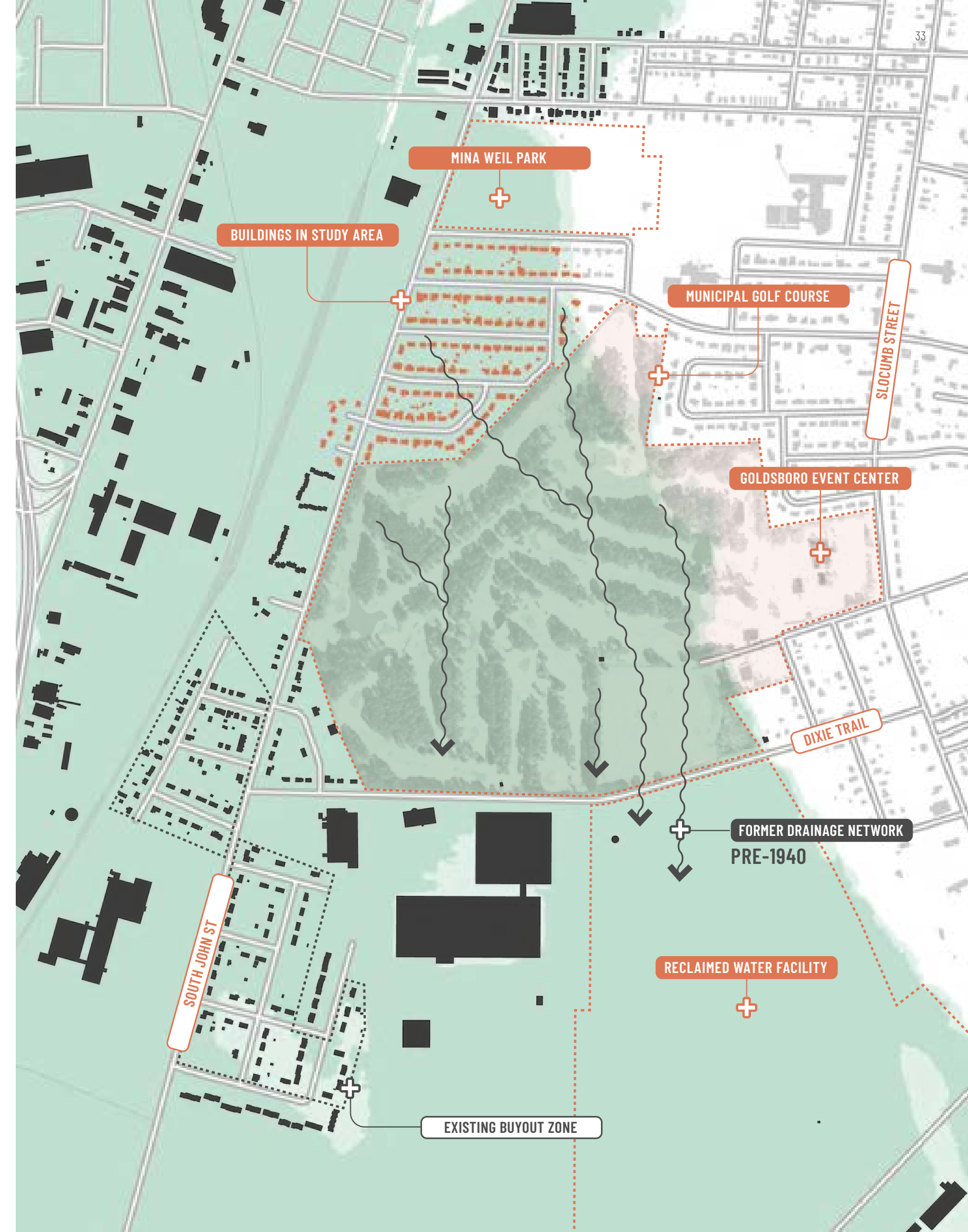
agricultural purposes -- containing an intricate network of ditches and channels in order to provide adequate drainage to the croplands. These drainage networks can be seen in historic aerial imagery of the property (see photo from 1940 with an outline of the golf course property and present-day roads labeled, State Archives of North Carolina), however, in many cases these drainage systems have been heavily modified, filled in, or covered up -- likely as part of the course's initial construction, during subsequent renovation of the golf course in 1999, and/or during construction of the residential houses and supporting infrastructure in the 1960's.

While heavy rainfall and water backing up from the Neuse River causes significant flooding through the mapped floodplain (shaded in teal), testimony from homeownership in the “Mina Weil Park Neighborhood” (north of the golf course) and City staff from the Parks & Recreation Department also report semi-regular nuisance flooding observed throughout the golf course, along neighborhood streets, and within residential property during smaller, more frequent storm events.

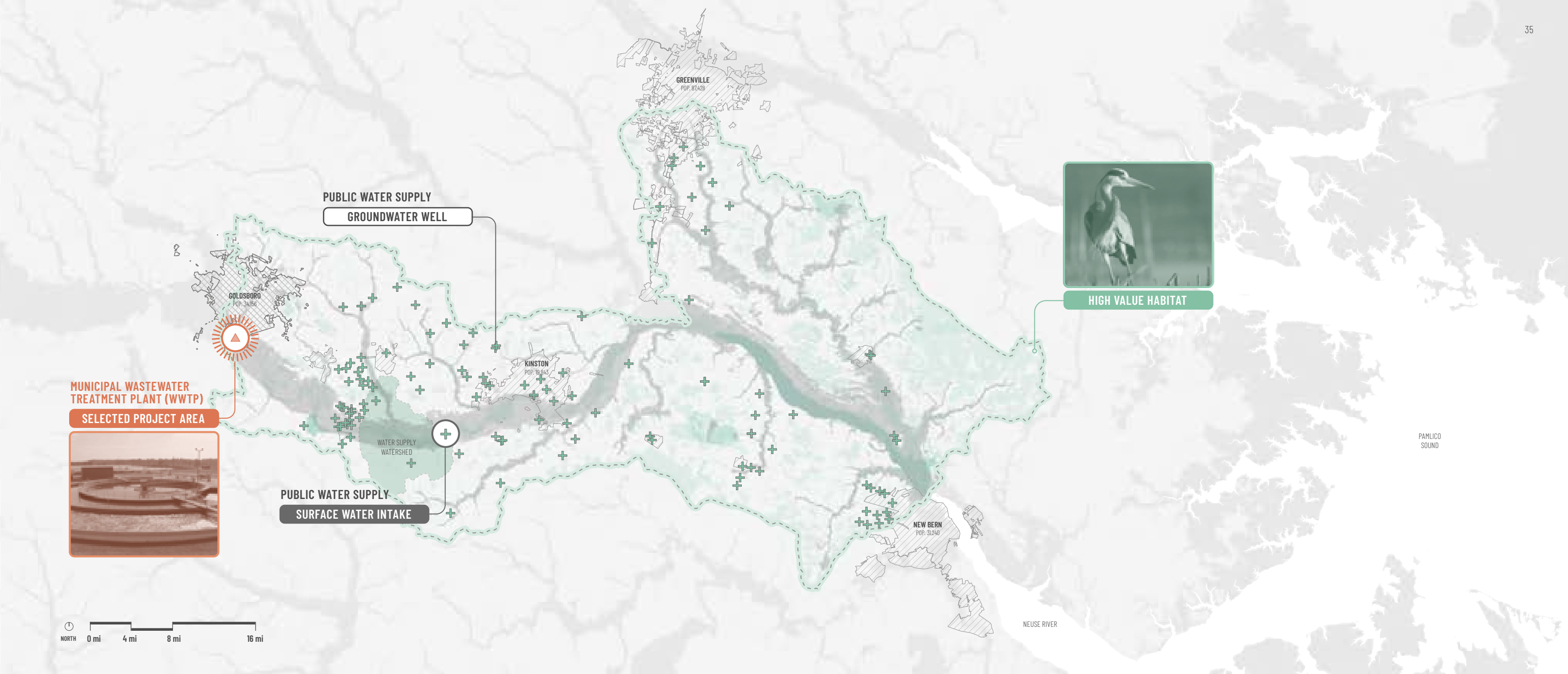
year flood), combining these practices with nature-based solutions to handle the smaller-scale return periods (e.g., 10-year flood) could yield additional flood reduction benefits; such as: improved drainage capabilities within



the neighborhood streetscape and through the golf course, enhanced play at the golf course, and additional ecosystem services to the broader community (e.g., water quality, habitat, etc).







### FOCUS AREA # 3: WASTEWATER TREATMENT PLANT

The Goldsboro Wastewater Treatment Plant (WWTP) takes in raw waste from the City and its residents for treatment before eventually being discharged back into the environment. However, the WWTP's location within the Middle Neuse Subbasin (dashed boundary above) floodplain creates vulnerable conditions during hurricanes or other large-scale flooding events, as the elements needed to ensure the ongoing operation of wastewater treatment systems become at risk for sustaining damages.

When floodwaters rise at pump location, motors could be knocked out, a result that threatens to compromise the entire wastewater treatment system. If the pump at the Goldsboro WWTP were to fail, the waste may run out into the Neuse River, traveling downstream.

This is particularly problematic for both local agencies to the WWTP and to regional downstream assets that would be impacted by a breach in the WWTP system. The WWTP is located:

- + Directly across the river channel from Seymour Johnson Air Force Base (SJAFB);
- + Approx. 30 miles upstream from the City of Kinston (population: 19,843);
- + Approx. 50 miles upstream from the City of New Bern (population: 31,240); and
- + Criss-crosses multiple public and private water supply intake locations and vast swathes of high-value habitat within the Neuse River floodplain, moving downstream into the estuarine waters of the Pamlico Sound.

As the Neuse was declared “nutrient sensitive” by the State of North Carolina (in 1995), a wastewater discharge to surface waters could create a significant, regional-scale environmental hazard for people and the environment.

# PUBLIC ENGAGEMENT #1

DECEMBER 2022

The purpose of this public engagement session was to solicit community feedback and preferences for potential flood reduction strategies within the Big Ditch and Golf Course focus areas. Of the eight (8) flood reduction strategies presented, seven (7) of them were generally supported by stakeholders via push-pin votes and were collectively viewed as being a betterment to existing conditions.

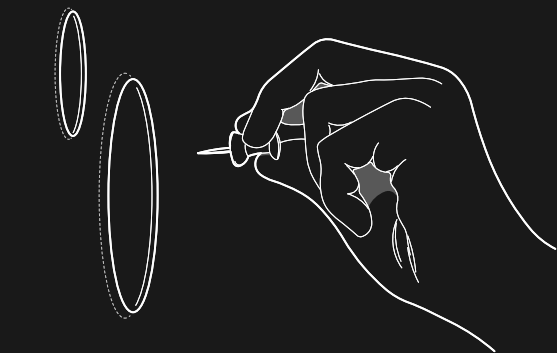
## FLOOD REDUCTION STRATEGIES

The purpose of this public engagement session was to solicit community feedback and preferences for potential flood reduction strategies within the Big Ditch and Golf Course focus areas. Leading up to the event, advertisement efforts included use of: i) traditional City-led communication strategies through the Public Information Officer (PIO); ii) pre-engagement meetings with representatives from each

The event was held at the W.A. Foster Recreation Center (1012 South John Street) in Goldsboro, and was structured as a “drop-in” event, where stakeholders could attend for any preferred allotment of time between 4:00 - 6:00pm.

Representatives from the CDDL, the North Carolina Office of Recovery and Resiliency (NORR), and project partners from the City were present to engage with stakeholders via conversation and information presented on posters. During the session, participants were asked to interact with the posters through use of provided push-pins at a voting mechanism, and through post-it note comments to provide any additional remarks.

**Key Takeaways:** of the eight (8) flood reduction strategies presented, the only one that elicited any negative response was acquisition of flood-prone properties (“buyouts”). Of the remaining seven (7) flood reduction strategies, some yielded more positive votes than others; however, they were collectively supported and viewed as a betterment to existing conditions.



focus area (City of Goldsboro, Goldsboro Housing Authority, City Parks & Recreation Department); and iii) direct mail flyers to 900+ property addresses nearest the focus areas.

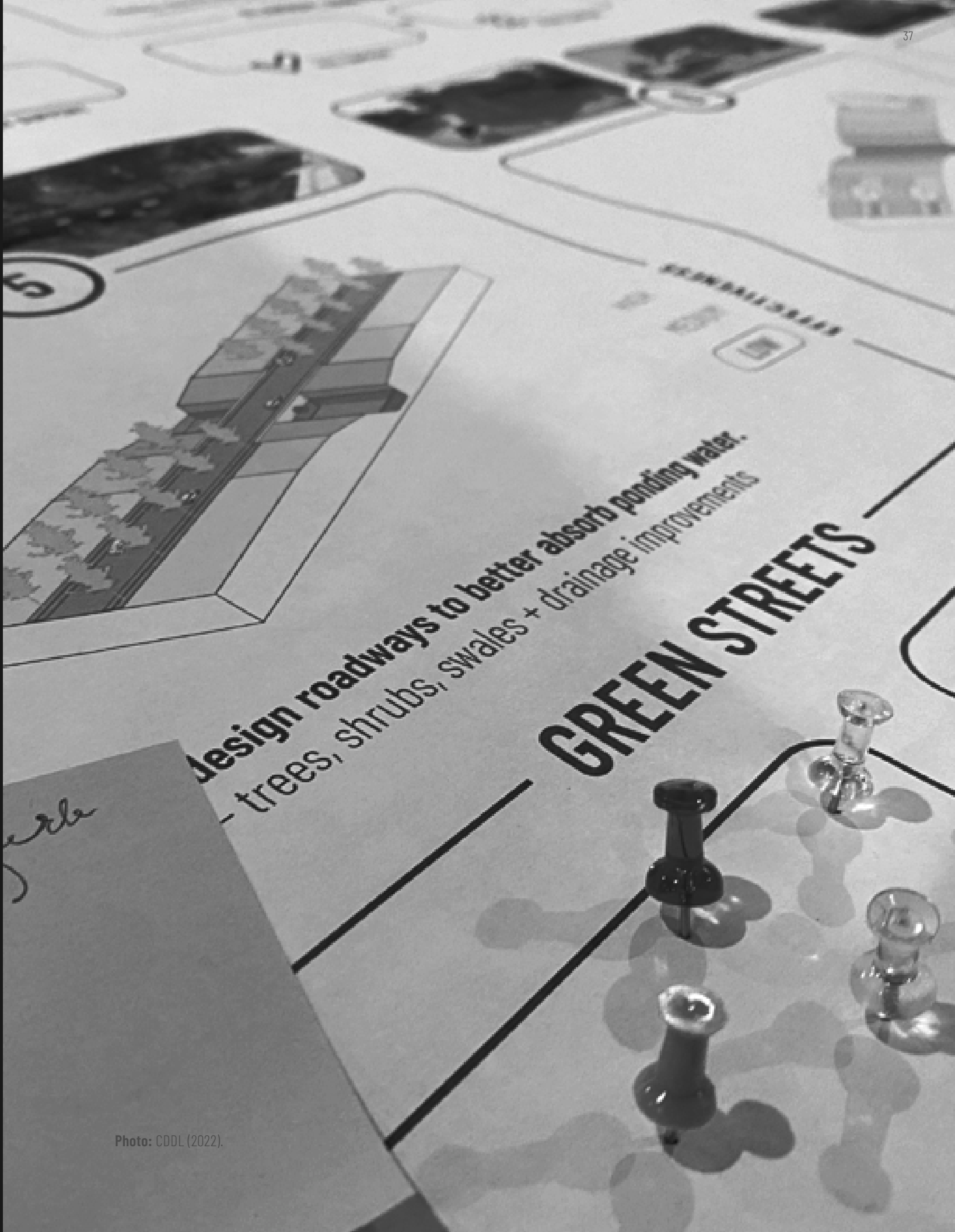


Photo: CDDL (2022).

# PUBLIC ENGAGEMENT #2

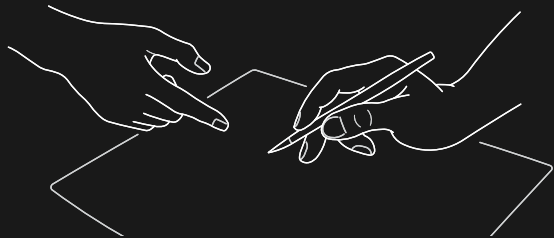
DECEMBER 2022

This engagement event served as an opportunity to partake in workshop-style discussion and “overlay drawing” specific to the Municipal Golf Course property. During the open session, members of the project team worked with partners from the Parks & Recreation Department to identify nuisance flooding areas, drainage patterns, and play considerations that need to be considered as part of any potential flood reduction strategies including the golf course.

## WORKSHOP / CHARRETTE

This engagement session served as an opportunity to partake in workshop-style discussion and “overlay drawing” specific to the Municipal Golf Course property.

This event used the same advertisement campaign as Workshop #1 (Goldsboro Public Information Officer and direct mail flyers), and also included a pre-engagement meeting with representatives from the City Parks &



Recreation Department. The event was held at the Goldsboro Event Center (GEC), which is located on the Municipal Golf Course property (1501 South Slocumb Street). Similar to Workshop #1, this was advertised as a

“drop-in” event, where stakeholders could attend for any preferred allotment of time between 4:00 - 6:00pm.

During the workshop, members of the project team worked with partners from the Parks & Recreation Department to identify nuisance flooding areas, drainage patterns, and play consideration that need to be considered as part of any potential flood reduction strategies including the golf course.

**Key Takeaways:** as the golf course is nearly entirely in the Neuse River floodplain, much of the course gets inundated during extreme weather events. While this is generally an appropriate use of flood-prone lands, drainage improvements to several problematic areas could help reduce maintenance and play burdens on the course during smaller storm events, while also better capturing the historic drainage network from the residential neighborhoods upstream (north) of the golf course.



Photo: CDDL (2022).

## STREAM RESTORATION + INFRASTRUCTURE IMPROVEMENTS

# BIG DITCH

This project will: i) **restore approximately 2,300 linear feet of stream;** ii) **upgrade three (3) culvert/bridge conditions;** and iii) **create a “floodplain park” within the Elmwood Terrace community.** Hydraulic modeling of the proposed scope of work indicates that these improvements will reduce flood-related damages throughout the project area. Specifically, (14) single-family residential units, (63) multi-family residential units, and (3) public/private entities will benefit from reductions in projected flood heights, and, two (2) of the three (3) road crossings will be able to withstand flood conditions equivalent to modeled 100- and 500-year flood events.





Photos: Doll, B., Kurki-Fox, J. & Line, D. (2020)

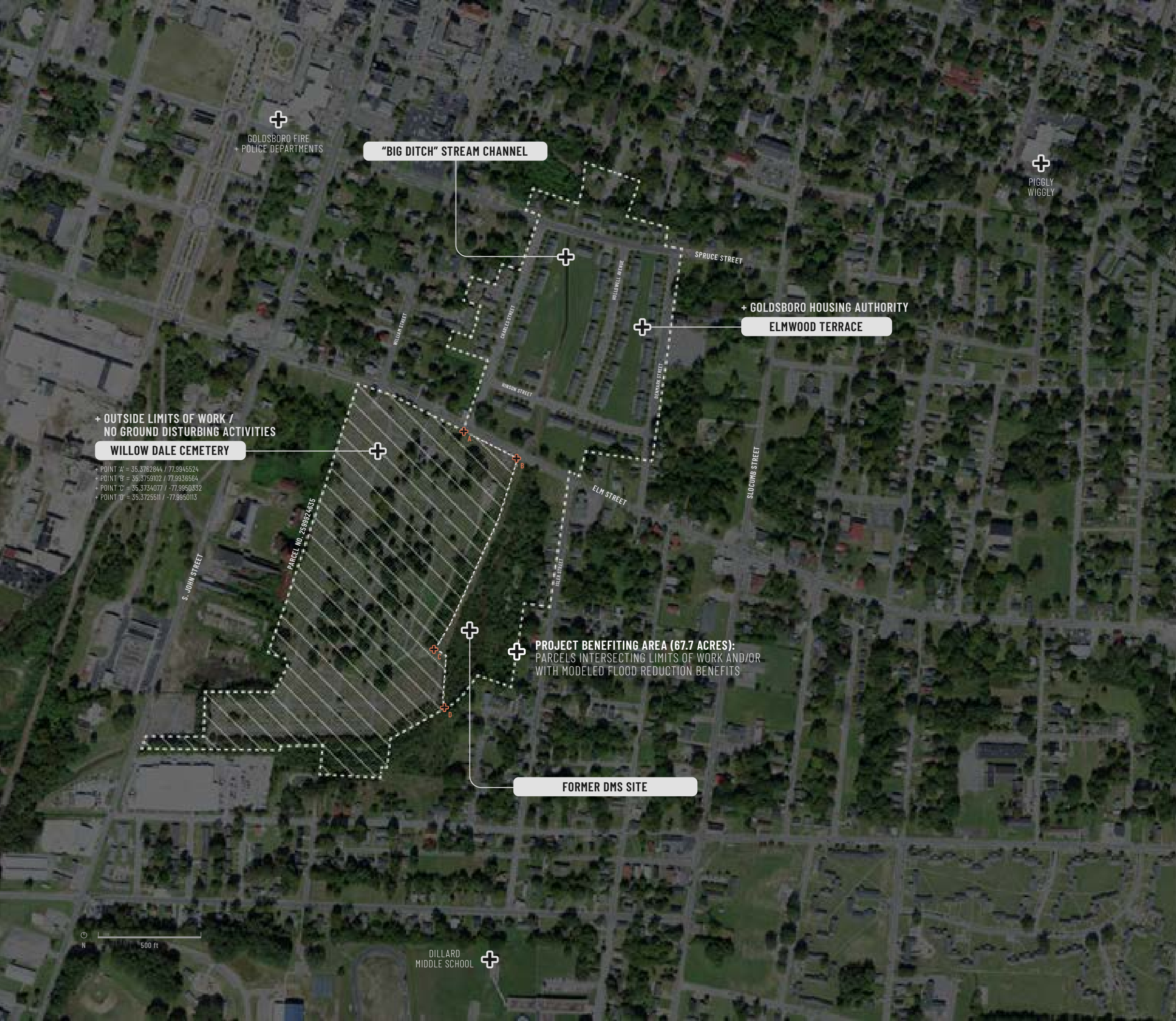
## CONTEXT + DESIGN INTENT

The specific location of the proposed scope of work along Big Ditch has been identified because it:

- + Correlates with areas along the stream that are modeled to receive **damaging floodwaters on a frequent, recurring basis;**
- + Is predominantly in a Census Tract (37191001500) with **socioeconomic factors historically associated with a lack of investment** in resilience-building projects; and
- + Contains the spatial and land ownership conditions required of a project to be **technically feasible.**

The area encompassing and immediately surrounding the project site is in a residential area with a history of disturbance. Typical site vegetation includes extensive areas of lawn mown right up to the channel edge (Photo D), residential landscaping, and some areas of early succession forest with a mix of native and invasive species (Photo A). 50-meter resolution land cover data from the U.S. Geological Survey (USGS) describes the area within the proposed Limit of Work boundary as being 94.5% "Developed / Other Human Use" and 5.5% "Agricultural & Developed Vegetation."

**Full restoration of Big Ditch to a pre-disturbance state is not possible due to the surrounding urban context** (e.g., road crossings and buildings shown in Photos B, C, and D), **but the proposed scope of work will increase the stream's sinuosity, widen the floodplain, and modify naturalized areas to more appropriately serve environmental functions.**



## EXISTING CONDITIONS MODEL

The North Carolina Floodplain Mapping Program Effective HEC-RAS model for Big Ditch was used for hydraulic analysis of the existing condition. The effective model was obtained from the North Carolina Flood Risk Information System (NC FRIS) database (NCFMP, 2019), and the project team surveyed elevations at the culverts and roads near the Elmwood Terrace community to validate / update the model.

**Updating the model revealed that the previously completed Division of Mitigation Services (DMS) stream mitigation project downstream (south) of Elm Street was not reflected in the effective model geometry and the culvert at Elm Street was shown as a bridge with a lower invert rather than the existing box culvert.**

The culvert at Elm Street was corrected to reflect the as-built condition, new cross sections were added, and the previously completed DMS restoration project was added to the model using cross-section data from the DMS annual monitoring reports, LiDAR data, and data collected on-site (2023).

The effective hydraulic model was updated to reflect more accurate conditions in the project area.

**Adding the DMS restoration project geometry and updating roughness values in the model resulted in a rise in Water Surface Elevation (WSE) in the upper half of the DMS restoration project and upstream in the vicinity of Elmwood Terrace community.** Further investigation showed that the project initially resulted in a violation of FEMA rules. However, the restoration project was permitted based on a reinterpretation of the flood study model results, even though the modifications to the channel appear to increase the risk of flooding relative to the existing condition.



## EXISTING CHANNEL + FLOODPLAIN: ELMWOOD TERRACE

The lack of a functional floodplain upstream, within, and downstream of Elmwood Terrace all contribute to the vulnerabilities observed during flood events. In the existing condition, the modeled Water Surface Elevation (WSE) exceeds the First Floor Elevation (FFE) of at least thirty-eight (38) residential units during a 500-year event.

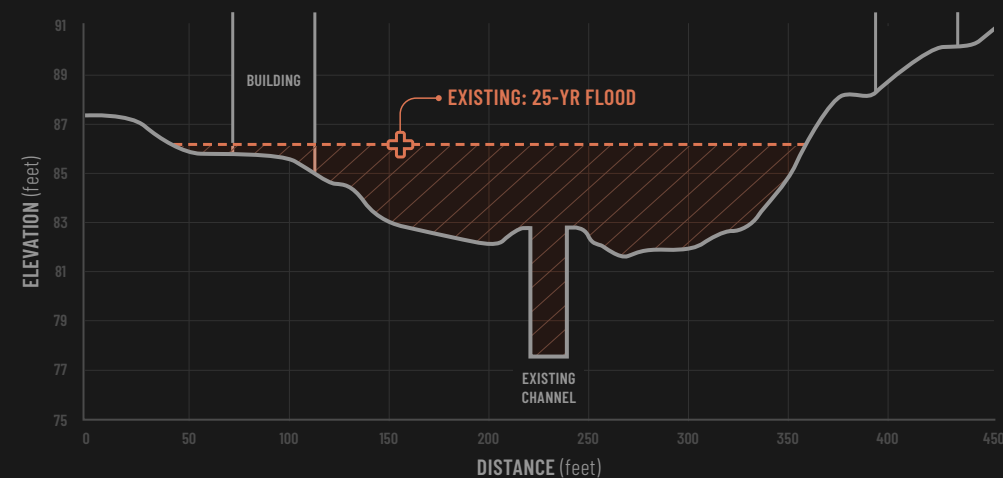
as: **i) demolition costs for removing the existing channel condition** (i.e., the entire stream segment from Spruce Street to Elm Street is an open, rectangular culvert made of reinforced concrete); **ii) utility locations** (e.g., sanitary sewer and water lines will need to be re-routed as a result of proposed earthwork); **iii) resident safety** (i.e., currently, a

During existing flood events in Elmwood Terrace, the modeled Water Surface Elevation (WSE) exceeds the First Floor Elevation (FFE) of **(17)** residential units during a 50-year event, **(23)** residential units during a 100-year event, and **(38)** residential units during a 500-year event.

In order to reduce these impacts while also being mindful of cost-effectiveness, technical feasibility, and stakeholder needs across the Elmwood Terrace landscape, the Scenario 'C' scheme considered numerous factors as part of the development and refinement of the schematic plan – such

chain link fences parallels both sides of Big Ditch throughout Elmwood Terrace to act as a deterrent); and **iv) perceptions of “private” versus “public” space** (i.e., the proposed features will likely draw more users into a space that currently serves as a shared “backyard” among residents).

**Cross Section.** Water Surface Elevation (WSE) of a modeled 25-year flood event in Elmwood Terrace: EXISTING



**Data.** Number of impacted units in Elmwood Terrace.

- + 10-YR WSE > FFE  
- 1 unit
- + 50-YR WSE > FFE  
- 17 units
- + 100-YR WSE > FFE  
- 23 units
- + 500-YR WSE > FFE  
- 38 units



**EXISTING FENCED AREA**

**EXISTING CHANNEL**



**Image:** Existing Condition of Big Ditch in Goldsboro, NC (Dell, B. & Kurki-Fox, J., 2020)

**DAMAGED + VACANT UNITS**

# PROPOSED SCENARIO 'C' PLAN: ELMWOOD TERRACE

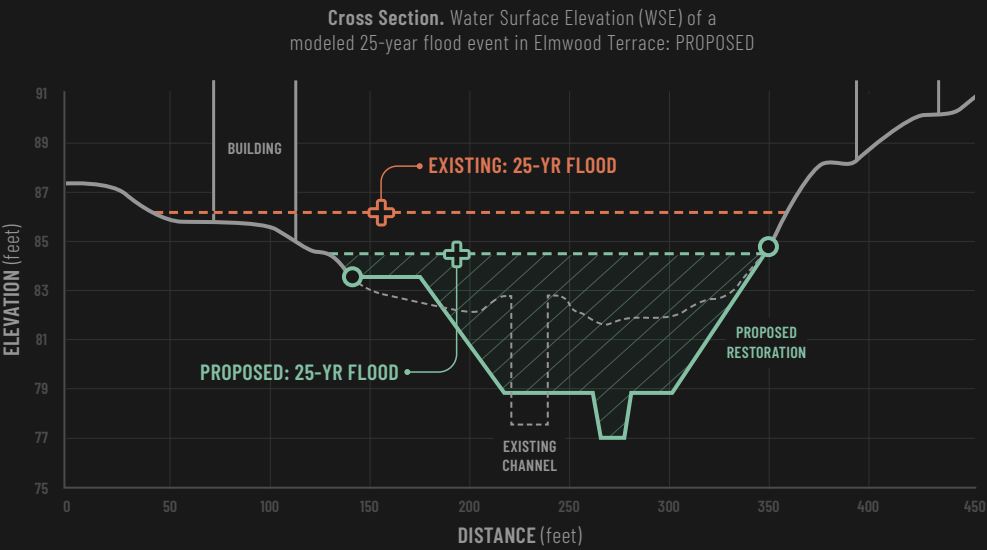
Scenario 'C' draws upon FEMA guidance ("Building Community Resilience with Nature-Based Solutions," 2021) for implementing several "watershed scale" practices (e.g., "floodplain restoration" and "stormwater park") as part of an interconnected suite of nature-based solutions along Big Ditch. Specifically, the proposed 'Scenario C' scheme calls

**enhancements with a series of low-impact recreational amenities** to better serve the needs of the community. Altogether, the proposed scope of work in Scenario 'C' includes: i) 9.64 acres of land classified as "Riparian" enhancements (i.e., areas of restored floodplain); and ii) 1.64 acres of land classified as "Urban Green Open Space"

In the proposed Scenario 'C' plan, the modeled Water Surface Elevation (WSE) exceeds the First Floor Elevation (FFE) of **(0)** residential units during a 50-year event, **(7)** residential units during a 100-year event, and **(9)** residential units during a 500-year event.

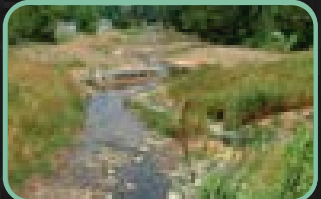
for: **i) removing the existing culvert condition;**  
**ii) excavating approximately 9,600 cubic yards of "cut" from Spruce Street to Elm Street** (with additional floodplain widening to occur south of Elm Street in the DMS site); and **iii) bordering the proposed floodplain**

enhancements (i.e., public gathering areas). In this proposed condition, the modeled Water Surface Elevation (WSE) exceeds the First Floor Elevation (FFE) in only nine (9) residential units during a 500-year event (compared to 38 residential units in the existing condition).



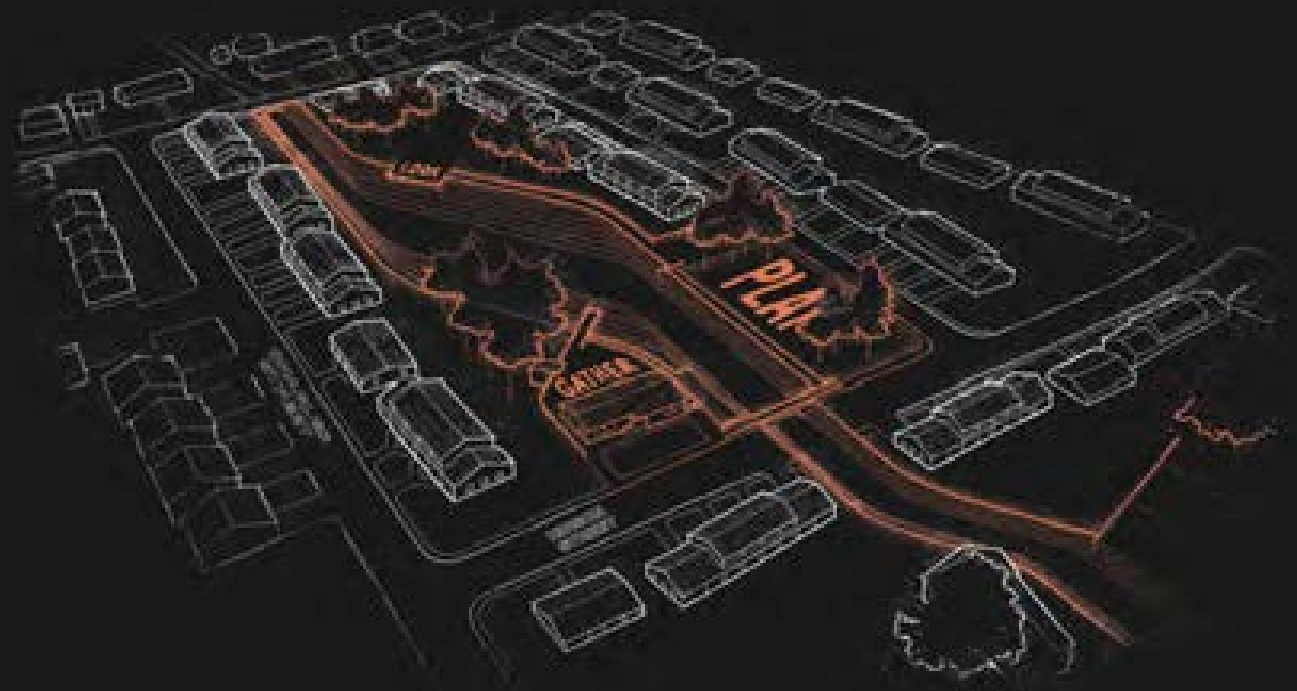
**Data.** Number of impacted units in Elmwood Terrace.

+ 10-YR WSE > FFE	- None
+ 50-YR WSE > FFE	- None
+ 100-YR WSE > FFE	- 7 units
+ 500-YR WSE > FFE	- 9 units



# PUBLIC ENGAGEMENT #3

MARCH 2023



During a door-to-door campaign at Elmwood Terrace in March 2023, **97.5%** of residents surveyed (40 out of 41) supported the elements included in the refined plan for Scenario C.

## DOOR-TO-DOOR CAMPAIGN

During the December 2022 public engagement event, “floodplain restoration” (described as “replacing concrete channels with a wider, more natural stream”) received the most votes from stakeholders out of eight (8) flood mitigation options presented for the Big Ditch project. Building off this support, the primary purpose of the March 2023 door-to-door campaign was to gather feedback on the Scenario ‘C’ floodplain restoration plan prior to initiating final refinement. Prior to the event, printed mail flyers were distributed to residents which showed a three-dimensional view of the

Scenario ‘C’ plan (see illustration above), as well as precedent imagery of the proposed design elements. Using the printed flyers as a conversation guide, 97.5% of Elmwood Terrace residents surveyed during the March 2023 event (40 out of 41) supported the elements included in the Scenario ‘C’ plan.

**Key Takeaway:** this level of support further validated Scenario ‘C’ as the preferred alternative, and only minor modifications to the plan were made after March 2023 for feasibility and cost-effectiveness purposes.



## PROJECT IMPACTS + BENEFITS

While the purpose of the proposed Big Ditch restoration project is primarily intended to better control and manage floodwaters, it was also offer a wide breadth of ancillary benefits, such as: i) improved water quality throughout the project's "Subwatershed Area" (HUC-12: 030202011705);

Park Association (NRPA), 2017). Merged together, the proposed improvements to roadway safety, more equitable access to public parkspace, and enhancements to ecosystem services are estimated to positively impact 30% of the total population within the combined census

"The proposed improvements to roadway safety, more equitable access to public parkspace, and enhancements to ecosystem services are estimated to positively impact 30% of the total population within the combined census tract area adjoining the project site (3,586 out of 11,958 buildings)."

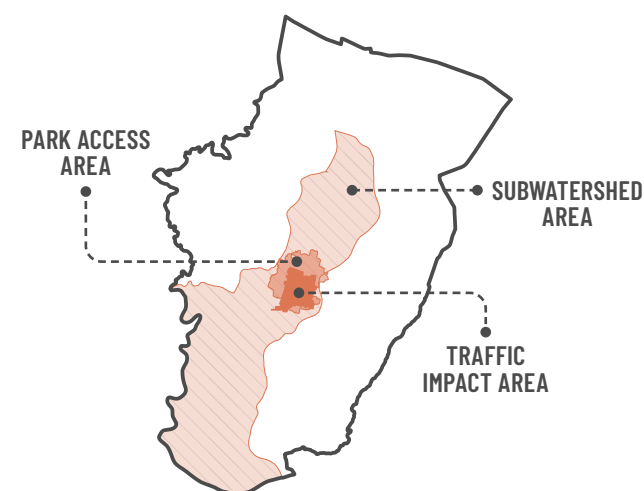
ii) increased safety within the road network that will benefit from modeled flood reductions ("Traffic Impact Area"); and iii) improved access to recreational amenities for residents living within a ten-minute walking distance of the site ("Park Access Area," National Recreation and

tract area adjoining the project site (approximately 3,586 out of 11,958 buildings).

### Community Lifelines.

These projected outcomes of the Scenario 'C' plan work together to reduce risks and strengthen multiple "Community Lifelines" in Goldsboro (i.e., "fundamental services, assets, and capabilities that support recurring needs of the community," per FEMA's "Lifelines Implementation Toolkit v2.1," 2023). Specific benefits to lifelines include:

- + **Community Lifeline #1: Food, Hydration, Shelter.** This project supports the "Shelter" component of this lifelines by: **avoiding physical damages** (to residential properties and contents;
- + **Community Lifeline #2: Transportation.** This project supports the "Highway / Roadway / Motor Vehicle" component of this lifeline by: **lowering the risk of road closure** due to flood (two (2) of the three (3) road crossings in the project area will be able to withstand



Map. Geographic areas included within the Project Impact Area.



IMAGE: Existing channel and floodplain condition within Elmwood Terrace



## PROJECT IMPACTS + BENEFITS (cont'd)

flood conditions equivalent to modeled 100- and 500-year flood events); and

removal efforts typically undertaken by emergency response units.

**+ Community Lifeline #3: Safety and Security.** This project supports the “Community Safety,” and “Search

### Future Conditions.

This project responds to anticipated effects of climate

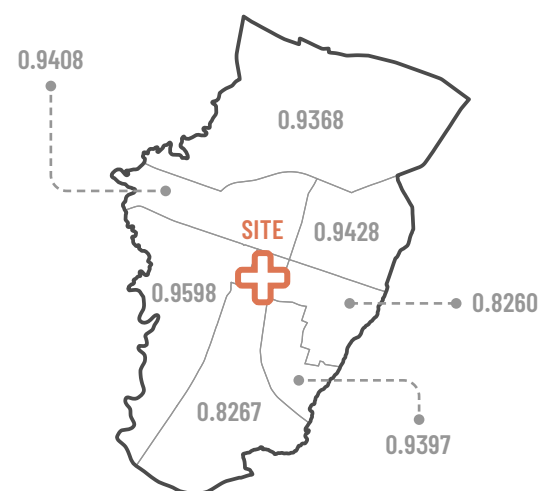
The project’s “Subwatershed Area,” Traffic Impact Area,” and “Park Access Area” collectively intersect seven (7) census tracts in Goldsboro, all of which have CDC Social Vulnerability Index (SVI) values that meet the FEMA definition of a “disadvantaged” community (CDC SVI values greater than 0.8 out of 1.0).

and Rescue” components of this lifeline by: i) **avoiding loss-of-function costs** associated with the temporary or permanent displacement of staff and residents at Elmwood Terrace; and ii) **avoiding emergency management costs** (i.e., evacuation and/or debris

change outlined in the “North Carolina Climate Risk Assessment and Resilience Plan” (2020) by utilizing “bioengineering” techniques (i.e., mimicking natural floodplain processes) designed to increase: i) the **absorption and filtration potential of landscapes** subjected to increases in annual total precipitation; ii) the **ability of infrastructure to withstand hazards** associated with projected increases in hurricane intensities; and iii) **reductions in the severity of future property damage** stemming from projected increases in riverine flooding.

### Disadvantaged Populations.

These outcomes are both important to building long-term community resilience in an underserved portion of Goldsboro, and have historically been challenging to attain and achieve in the areas surrounding Big Ditch, because the seven (7) census tracts intersecting the “Project Impact Area” all have **CDC Social Vulnerability Index (SVI) values that meet the FEMA definition of a “disadvantaged” community** (CDC SVI values greater than 0.8 out of 1.0).“



Map. CDC SVI values for census tracts (n=7) adjoining Project Impact Area.



IMAGE: Proposed floodplain restoration within Elmwood Terrace.



## LOW FLOW WETLANDS

# MUNICIPAL GOLF COURSE

This project calls for **daylighting, widening, and vegetating two (2) previously buried drainage channels within the City of Goldsboro Municipal Golf Course.** The connected chain of linear wetlands, when combined with infrastructure improvements at inlet and outlet locations of the site, will: i) reduce nuisance flooding in the residential neighborhood north of the golf course; ii) improve drainage within the golf course; iii) enhance water quality prior to infiltrating the ground or discharging south of the golf course; and iv) enrich over 11.4 acres of newly established wildlife habitat at a property located within the Neuse River floodplain.

## EXISTING CONDITION + PROPOSED RESTORATION APPROACH

**Existing Condition.** The Goldsboro Municipal Golf Course and the Mina Weil Neighborhood to the north of the course are located almost entirely within the Neuse River's 100-year floodplain, with many buildings' first floor elevations (FFE) well below the base flood elevation (BFE). In addition to the flood hazard from the Neuse River, the neighborhood also experiences frequent, nuisance pluvial flooding during

undersized relative to a 2-year peak flood discharge. During rainfall events, water backs up in the golf course culverts and limits drainage from the connected, upstream storm sewer network in the neighborhood.

**Proposed Restoration Approach.** The proposed restoration approach calls for re-establishing historical drainage

The main drainage culverts throughout the golf course are not able to convey the peak discharge volumes from even a 2-year flood event, which causes nuisance pluvial flooding during smaller, more frequent rainfall events in the residential neighborhood north of the golf course.

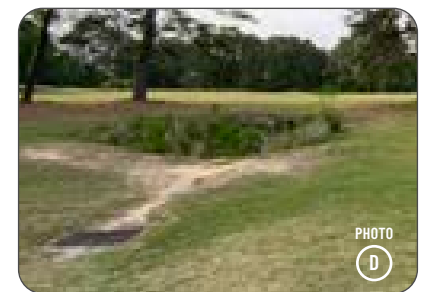
smaller, more frequent rainfall events. This flooding is likely due to the natural drainage pathways being filled when the golf course was constructed, and the presence of undersized (and underperforming) infrastructure in place of the natural drainage pathways that would otherwise exist throughout the golf course.

The main drainage culverts (two 30" RCP; Photo 'C') at the north end of the course which serve as the only outlet for stormwater leaving the Mina Weil Neighborhood, are designed to only convey about 80% of the 2-year peak flood discharge. However, the pipes are partially filled with sediment and backwatered, so the actual capacity is substantially lower. Moving downstream, near the middle of the golf course, the main drainage pipe (42" RCP; Photos 'A' and 'D') can only convey about 50% of the 2-year peak flood discharge.

At the furthest downstream portion of the golf course, there is a weir along the main drainage ditch that partially blocks the outlet culvert, and the culvert at Dixie Trail is also

patterns to the greatest extent possible, as this will allow for water to flow from the upstream residential neighborhood more quickly and move downstream. Specifically: i) the existing main culverts and drainage ditch through the center of the golf course will be removed and replaced with a linear wetland / floodplain feature with a low flow channel; ii) additional linear wetlands and vegetated swales will be incorporated to improve drainage from the neighborhood streets to the golf course; iii) the culvert at Graham Street will be lowered; iv) the culvert at Dixie Trail will be enlarged; and v) the abandoned walking path at the downstream end of the golf course (near Hole 8) will be removed.

This approach is targeted at smaller rainfall events that cause nuisance flooding (e.g., 2-, 5-, and 10-year flood return periods). For larger events where the flooding source is directly from the Neuse River (or backwater conditions from the Neuse River that prevent drainage), restoration activities on the golf course will have negligible impact on peak flood levels.



Photos: CDDL, Doll, B., and Kurki-Fox, J. (2023).

# SUMMARY OF METHODS + RESULTS

To evaluate the impacts of the proposed restoration approach, a HEC-RAS 2D rain-on-grid model was used. The topography data for the model was based on LiDAR digital

drainage ditch) showed the existing WSE for the 2- to 10-year rainfall return period is above the elevation of the stormwater grate inlets along the neighborhood streets, causing water to

Modeling of the proposed restoration scheme shows a reduction of peak Water Surface Elevation (WSE) at the reference street drainage inlet by 2.0 - 2.5-feet during smaller storm events (e.g., 10-year flood), resulting in greater roadway accessibility and protection of private property upstream of the Municipal Golf Course.

elevation model (DEM) elevations (NCDEM, 2018) and on-site survey data collected with an RTK device. Analyzing model results in peak Water Surface Elevation (WSE) at the neighborhood's storm sewer outlet (to the golf course main

back up in streets and properties. By implementing the restoration, the peak WSE at the neighborhood's main drainage outlet could be lowered by 2- to 2.5-feet during the 2- to 10-year rainfall return period.

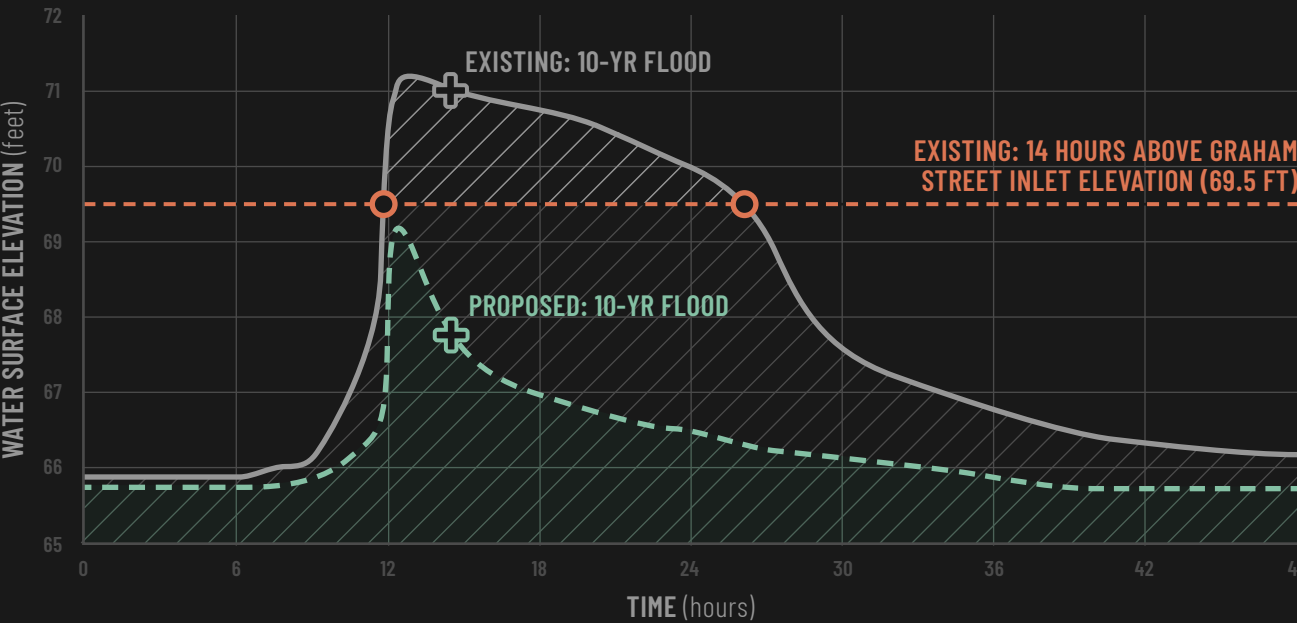




IMAGE: Existing buried channel condition at the Municipal Golf Course.

## PROJECT FEATURES + BENEFITS

The current preliminary schematic plans, used as the basis for conceptual-level hydraulic modeling and initial “phase one” scoping, include the following quantity summaries for each landscape feature:

- + **Total Wetland Area:** 11.43 acres
- + **Total Sod Area (Fairways):** 4.28 acres
- + **Total Seed Area (Driving Range):** 0.88 acres
- + **Total Tree Removal:** 2.38 acres
- + **Concrete Cart Path:** 190 linear feet

+ **Bridge Crossings:** 7 units (ranging from 70 linear feet to 150 linear feet in length; with minimum spans over wetland channels typically 30 feet)

+ **Right-of-Way Modifications:** 40 linear feet of curb cut at Winslow Circle; one (1) lowered inlet at Graham Street; and one (1) upgraded culvert at Dixie Trail.

While the primary, targeted benefits of implementing this mix of “green” and “gray” infrastructure is intended

to reduce nuisance flooding, enhance water quality, and enrich newly established wildlife habitat, secondary benefits of the project include:

- + **Environmental education opportunities** for users of the golf course and/or through facilitated events by the City Parks and Recreation Department;
- + **Reductions in labor demands** (i.e., irrigation and mowing) for golf course staff; and

+ **Enhanced aesthetic value** for property owners surrounding the golf course.

However, similar to the Big Ditch proposal, this project is located in a neighborhood with elevated environmental justice concerns – which historically, has translated to a lack of external investment in capital improvement projects of the scale or containing the potential benefits as being proposed at the Goldsboro Municipal Golf Course. Offering a slight deviation from the FEMA definition of





IMAGE: Proposed restoration condition at the Municipal Golf Course.

## PROJECT FEATURES + BENEFITS (cont’d)

“disadvantaged community,” this project is located within a census tract and subwatershed that satisfy the U.S. Environmental Protection Agency (EPA) definitions of “**overburdened**” and “**underserved**” communities. Specific data to support these classifications include:

- + **Median Household Income:** \$38,186 (below the NC figure of: \$60,516; U.S. Census Bureau, 2021)
- + **Minority Population:** 96.0% (higher than the NC figure

of: 33.1%; U.S. Census Bureau, 2021)

- + **Environmental Risks:** 80.7% of the land area in this census tract is within the mapped 100-year floodplain of the Neuse River (FEMA, 2020).

Collectively, the overlap of economic, racial, and geographic factors illustrate the need for external infusions of project capital to support the proposed scope of work.

“Similar to the Big Ditch proposal, this project is located in a neighborhood with elevated environmental justice concerns - which historically, has translated to a lack of external investment in capital improvement projects of the scale or containing the potential benefits as being proposed at the Goldsboro Municipal Golf Course.”

## SCOPING: FLOOD MITIGATION + FEASIBILITY STUDY

# WASTEWATER TREATMENT PLANT

The need for a flood mitigation and feasibility study for the WWTP has been determined as an appropriate next step to better understand potential mitigation alternatives and their associated trade-offs. As part of this report, **major scope elements required of a potential flood mitigation study for the WWTP have been identified**, including the: i) development of a preliminary opinion of consultant fee ranges; ii) identification of major qualifications and criteria for selecting prospective consultants; and iii) integration of scope, fee, qualifications, and selection criteria into a draft Request for Qualifications (RFQ) solicitation.

# GOLDSBORO COMMUNITY FLOODPRINT

BIG DITCH + MUNICIPAL GOLF COURSE + WASTEWATER TREATMENT PLANT





# EXECUTIVE SUMMARY

**Purpose of the Project.** The City of Goldsboro regularly experiences flooding from routine flood events. Aside from the historic levels of flooding experienced during Hurricanes Matthew (2016) and Florence (2018), more frequent and severe flooding has become an ongoing, cyclical issue in neighborhoods that border adjacent swamps, wetlands, and tributaries.

For many homes and businesses built in the floodplain, the increasing frequency and severity of precipitation events is being exacerbated by public infrastructure that is either undersized or outdated for present-day standards (and projected future conditions).

While the City and State have been partnering to serve Goldsboro residents through various public utility and hazard mitigation efforts (e.g., two (2) NCDEQ Asset and Inventory Assessment grants; NCORR's Strategic Buyout Zone program), there still remain broad portions of the City that remain vulnerable to future flood losses. **The Goldsboro Community Floodprint aims to bolster these efforts through planning and design recommendations that reduce flood risk, improve public safety, and enhance long-term environmental function within historically flood-prone areas.**

This study used an environmental and community planning approach referred to as “floodprinting,” which specifically highlights the use of place-based approaches as a response to natural hazards and climate change. As part of the Goldsboro Community Floodprint, discrete project phases and scope items included: inventory and analysis, public outreach and engagement, hydraulic modeling, schematic planning and design, three-dimensional modeling, photorealistic rendering, benefit-cost analysis, and grant-writing.

Created over a 16-month project period, the resulting document is meant to both provide direction regarding

feasible and sustainable practices within the identified focus areas, while also providing actionable collateral that can be used to attract external resources (e.g., competitive grants) towards these projects.

An abbreviated summary of the proposed projects included in the Goldsboro Community Floodprint include:

**Big Ditch: Stream Restoration + Infrastructure Improvements.** Large sections of Big Ditch have been straightened and armored, with many segments of the stream channel confined to either rectangular or trapezoidal concrete channels. A functioning floodplain no longer exists for most of the stream, which results in a wide range of social, environmental, and economic impacts that cascade through the community.

This project will: i) restore approximately 2,300 linear feet of stream; ii) upgrade three (3) culvert/bridge conditions; and iii) create a “floodplain park” within the Elmwood Terrace community that borders Big Ditch.

Hydraulic modeling of the proposed scope of work indicates that these improvements will reduce flood-related damages throughout the project area. Specifically, (14) single-family residential units, (63) multi-family residential units, and (3) public/private entities will benefit from reductions in projected flood heights, and, two (2) of the three (3) road crossings will be able to withstand flood conditions equivalent to modeled 100- and 500-year flood events.

**Municipal Golf Course: Low Flow Wetlands.** Prior to the construction of the Municipal Golf Course in 1941, the course and surrounding residential areas were used primarily for agricultural purposes - containing an intricate network of ditches and channels that served as a drainage system for croplands. In many cases, however, these important drainage systems have been heavily modified, filled in, or covered up, and now contribute to nuisance flooding

observed throughout the golf course, along surrounding neighborhood streets, and within residential properties during smaller, more frequent storm events.

The proposed intervention calls for daylighting, widening, and vegetating two (2) previously buried drainage channels within the golf course property. The connected chain of linear wetlands, when combined with infrastructure improvements at inlet and outlet locations of the site, will: i) reduce nuisance flooding in the residential neighborhood north of the golf course; ii) improve drainage within the golf course; iii) enhance water quality prior to infiltrating the ground or discharging south of the golf course; and iv) enrich over 11.4 acres of newly established wildlife habitat at a property located within the Neuse River floodplain.

**Wastewater Treatment Plant (WWTP): Project Scoping for a Flood Mitigation + Feasibility Study.** The WWTP is a public infrastructure facility operated by the City of Goldsboro which treats raw waste from the City, its residents, and Seymour Johnson Air Force Base (SJAFB). However, the WWTP’s location within the Neuse River floodplain presents vulnerable conditions during hurricanes and other large-scale flooding events, as the elements needed to ensure the ongoing operation of wastewater treatment systems become susceptible to damages, and potentially, system failure. An incidental wastewater discharge to surface waters would result in a significant environmental hazard affecting people, the environment, and military operations.

The need for a flood mitigation and feasibility study has been determined as an appropriate next step to better understand potential mitigation alternatives and their associated trade-offs. As part of this report, major scope elements required of a potential flood mitigation study for the WWTP have been identified, including the: i) development of a preliminary opinion of consultant fee

ranges; ii) identification of major qualifications and criteria for selecting prospective consultants; and iii) integration of scope, fee, qualifications, and selection criteria into a draft Request for Qualifications (RFQ) solicitation.

A summary of the final report is scheduled to be presented to Goldsboro’s City Council on November 6, 2023, where a vote to support the recommendations within the Goldsboro Community Floodprint will be held at the conclusion of the presentation.



NORTH CAROLINA OFFICE OF RECOVERY AND RESILIENCY

**NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY**

OFFICE OF RECOVERY AND RESILIENCY

# Strategic Buyout Program Update Goldsboro November 2023

Maggie Battaglin  
Director of Mitigation

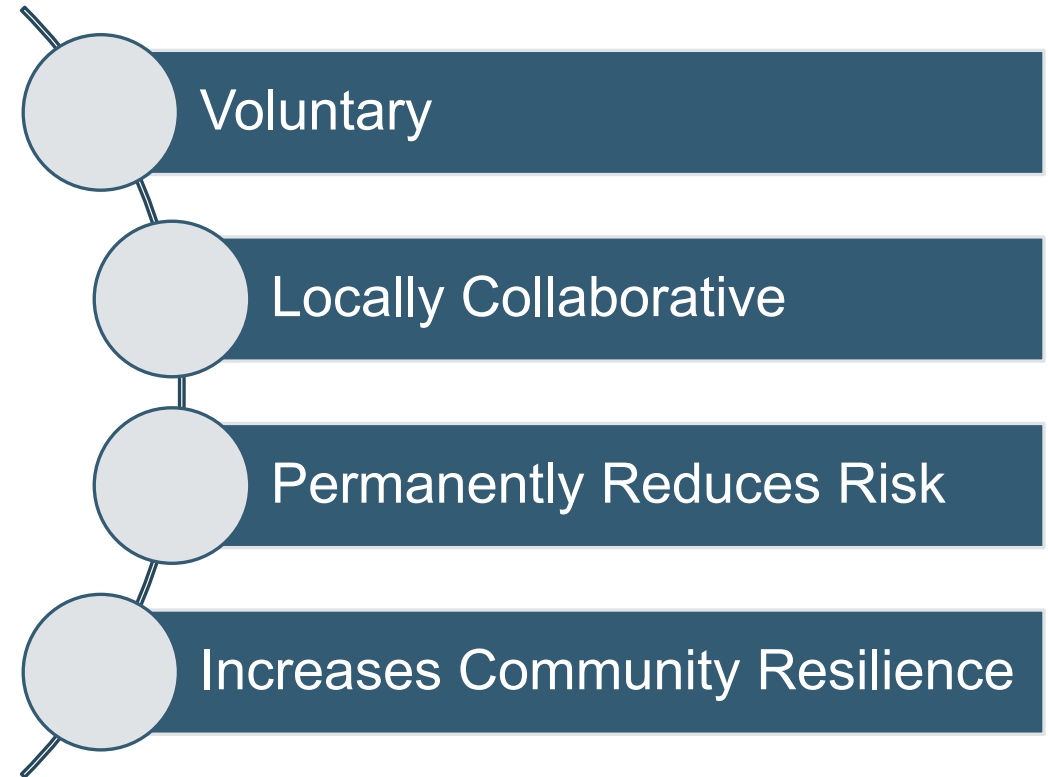
# Agenda

- Strategic Buyout Program Benefits
- Program Overview
- Status of Goldsboro Program
- Next Steps
- Questions

# Strategic Buyout Program Benefits

# Strategic Buyout Program

The Strategic Buyout Program is a **voluntary program** that works to permanently reduce the risk to life and property of North Carolinians by **purchasing storm impacted and at-risk properties**. These properties are afterward owned by the local government and their structures demolished, with the land held as open space in perpetuity.



# Program Benefits

Reduce risk to life and property of North Carolinians

Buyouts are a permanently mitigative risk reduction strategy. Buyout reduces the need for emergency services during a weather event.

Preserve community character and tax base

This is achieved through spatially targeted buyouts and monetary incentives that reward people for staying in their county.

Support high need areas

SBP targets areas that are at least 40% low-to-moderate income and have demonstrated flood risk

Support community planning and resiliency

Buyouts are most effective when integrated into community resilience planning. The land once acquired can be used to support nature-based flooding solutions.

# Strategic Buyout Program Overview



# Program Administration

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- Funded by Community Development Block Grant – Mitigation (CDBG-MIT) grant
- NCORR entered into a cooperative agreement with Goldsboro in March 2020.
  - NCORR is responsible for providing case management services, completing inspections, providing closing attorneys, demolishing the structure, clearing the site, and leaving it graded and seeded.
  - Goldsboro agreed to take properties purchased by the program and will be responsible for ongoing maintenance of the sites.
- Participating properties must comply with federal requirements to remain as open space in perpetuity

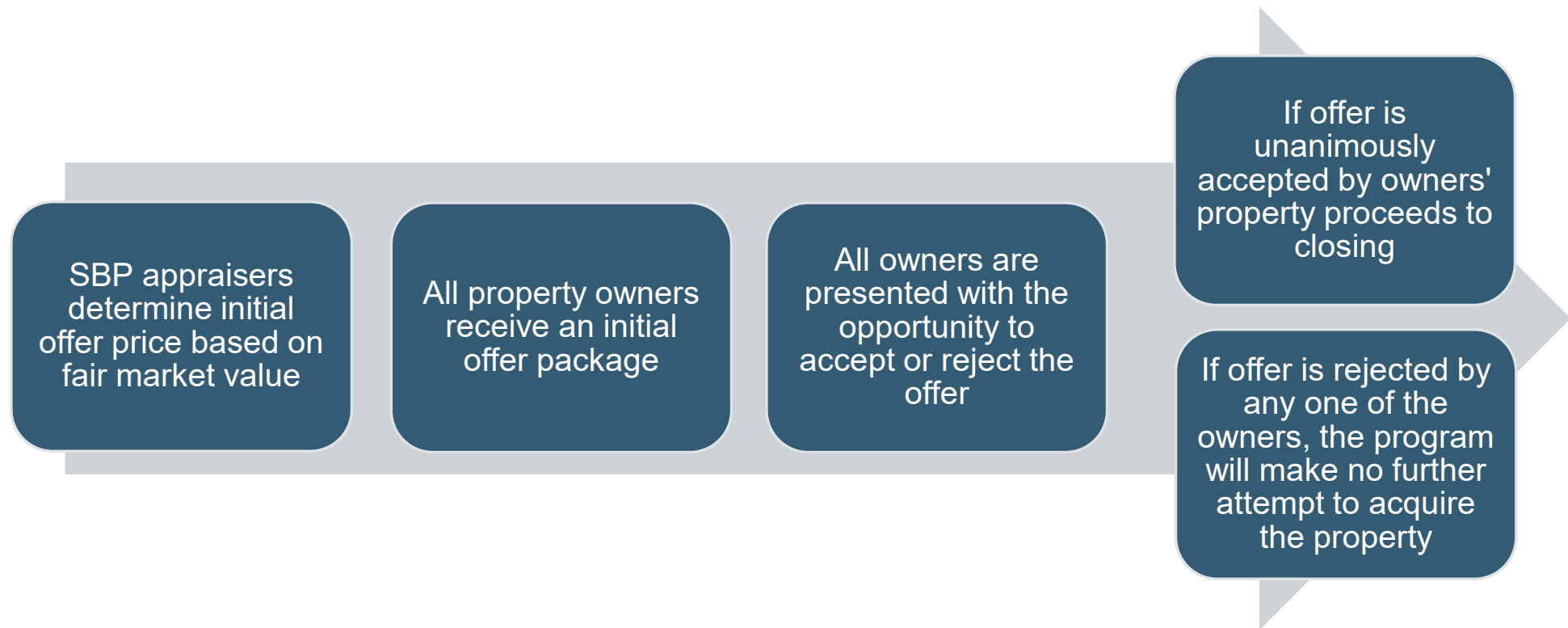
# Application Process

At a high level, the Strategic Buyout process follows the 8 steps shown here.

Significant applicant involvement ends in Step 5.

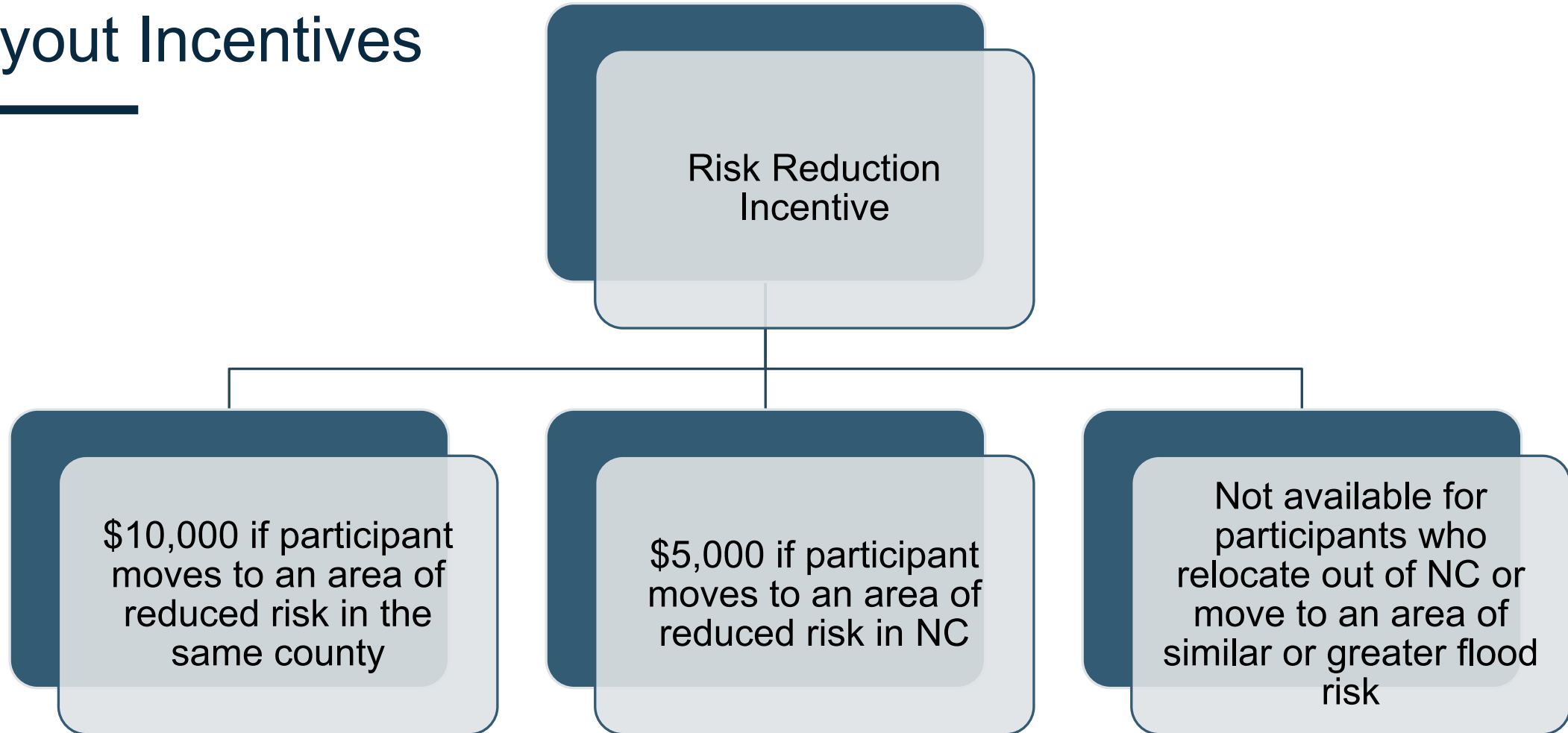


# Offer Overview



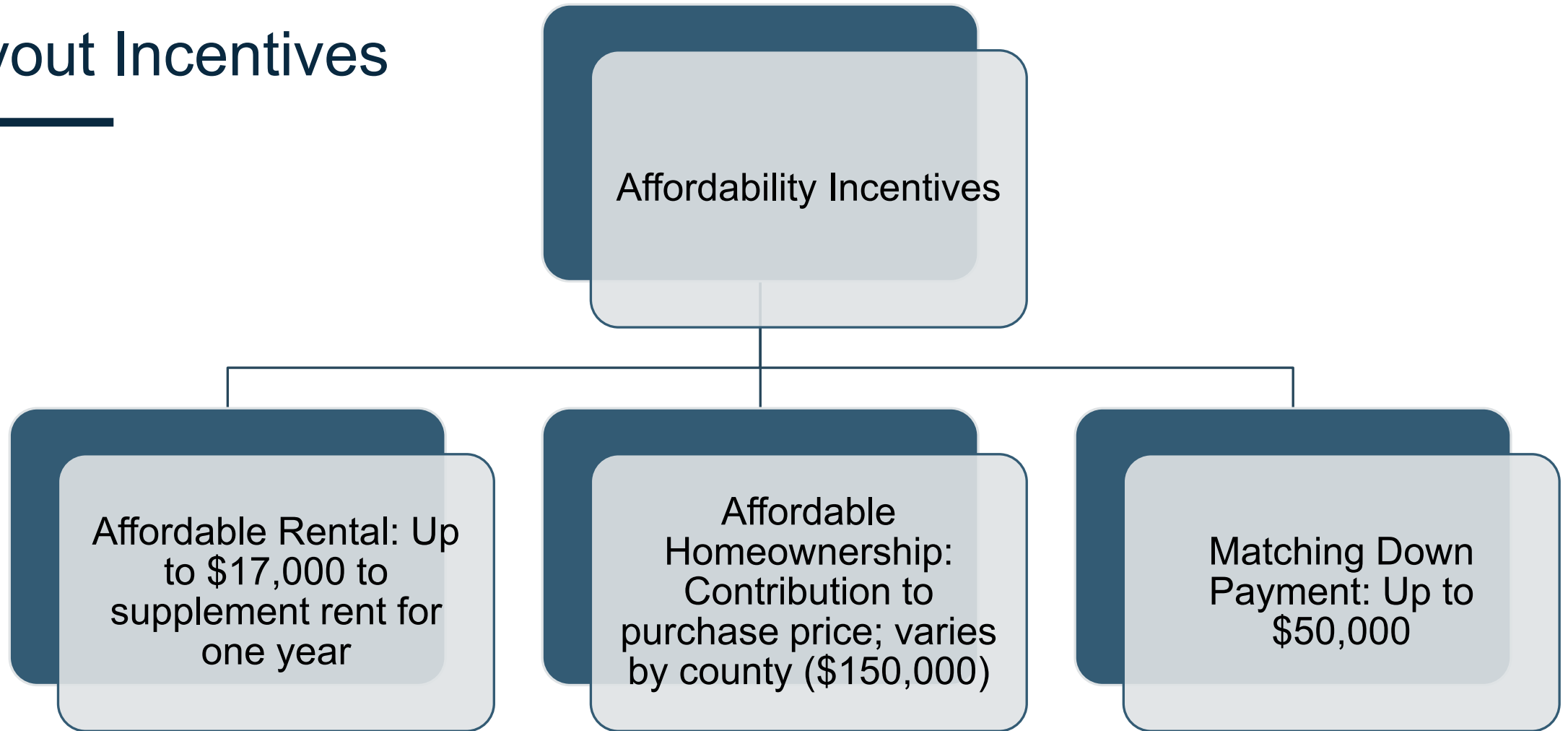
# Buyout Incentives

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# Buyout Incentives

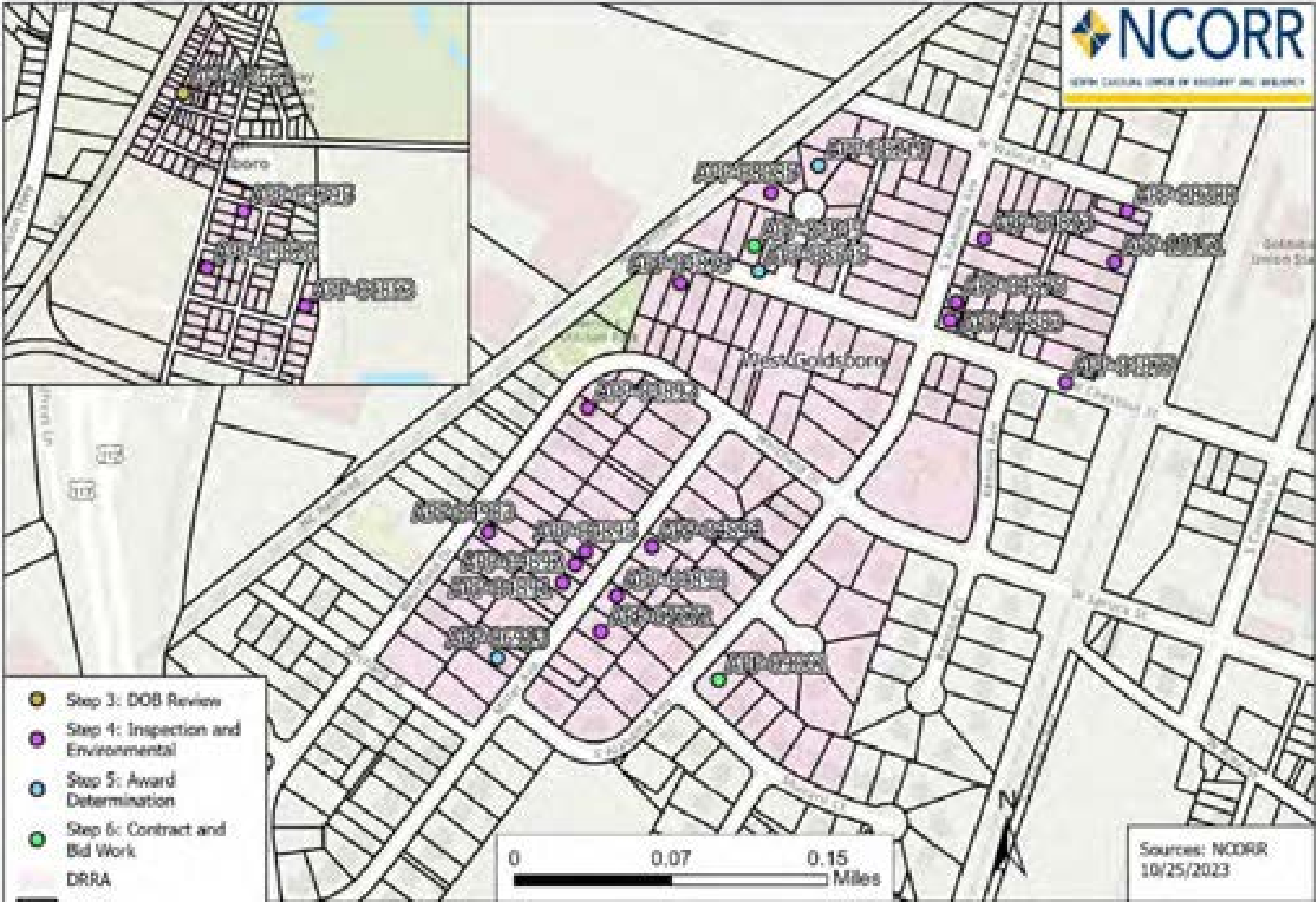
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# Status of Goldsboro Strategic Buyout Program



# Goldsboro: Active Buyout Applicants by Program Status



# Questions

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## FY2022-23 FINANCIAL UPDATE

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Catherine Gwynn, Finance Director

November 6, 2023



[www.goldsboronc.gov](http://www.goldsboronc.gov)

# General Fund – Collections

Comparison Actual Current and Prior (unaudited)

				<i>%</i>
	<i>FY 2022-23</i>	<i>FY 2021-22</i>	<i>Incr/(Decr over Prior Year</i>	<i>Incr/(Decr)</i>
Taxes	\$ 18,200,832	\$ 18,009,270	\$ 191,562	1.1%
Sales Tax	11,847,628	11,312,744	534,884	4.7%
Refuse	4,214,396	3,840,460	373,936	9.7%
Shared Services	3,328,996	3,207,840	121,156	3.8%
Utility Franchise	2,733,560	2,621,684	111,876	4.3%
Other Federal & State Rev.	1,218,367	1,919,146	(700,779)	-36.5%
Debt	896,500	3,268,981	(2,372,481)	-72.6%
Powell Bill	1,003,799	1,024,644	(20,845)	-2.0%
Golf	574,204	634,191	(59,987)	-9.5%
Permits	499,936	417,336	82,600	19.8%
Paramount	524,335	446,305	78,030	17.5%
Interest	405,737	13,608	392,129	2881.6%
Other Revenues	1,018,791	1,335,048	(316,257)	-23.7%
Total	<u>\$ 46,467,081</u>	<u>\$ 48,051,257</u>	<u>\$ (1,584,176)</u>	

# General Fund Collections

## FY 2022-23 Budget to Actual

	<i><b>Adjusted Budget</b></i>	<i><b>Actual Collections</b></i>	<i><b>YTD% % of Budget</b></i>
Taxes	\$ 17,989,167	\$ 18,200,832	101.18%
Licenses & Permits	402,275	499,936	124.28%
Revenues Other Agencies:			
Local Option Tax	11,373,488	11,847,628	104.17%
Utility Franchise Tax	2,077,573	2,733,560	131.57%
ABC Revenues	170,000	195,270	114.86%
Beer & Wine Taxes	145,000	152,844	105.41%
Powell Bill	1,001,400	1,003,799	100.24%
Other Agency Revenues	1,604,905	870,253	54.22%
Service Fees from UF	3,328,996	3,328,996	100.00%
Charges for Services	6,184,079	5,993,114	96.91%
Capital Returns	1,120,277	1,443,069	128.81%
Other Revenue	201,164	197,780	98.32%
Fund Balance Appropriated	1,194,863	-	0.00%
Total General Fund Revenues	46,793,187	46,467,081	99.30%

# Stormwater Fund – Collections

Comparison Actual Current and Prior (unaudited)

and

Budget to Actual FY2022-23

	<b>FY 2022-23</b>	<b>FY 2021-22</b>	<b>Incr/(Decr over Prior Year</b>
Stormwater Fee	\$1,616,953	\$1,621,116	(\$4,163)
Loan Proceeds	365,000	267,551	\$97,449
Other Revenues	53,894	13,165	\$40,729
Total	<u>\$2,035,847</u>	<u>\$1,901,832</u>	<u>\$134,015</u>

	<b><i>Adjusted Budget</i></b>	<b><i>Actual Collections</i></b>	<b><i>YTD% Collections</i></b>
Stormwater Fee	\$ 1,601,528	\$ 1,616,953	100.96%
Other Revenues	362,200	418,894	115.65%
Appropriated Fund Balance	284,395	-	0.00%
<b>Stormwater Fund Totals</b>	<u><b>\$ 2,248,123</b></u>	<u><b>\$ 2,035,847</b></u>	<b>90.56%</b>



# Utility Fund – Collections

Comparison Actual Current and Prior (unaudited)

	<b><i>FY 2022-23</i></b>	<b><i>FY 2021-22</i></b>	<b><i>Incr/(Decr) over Prior Year</i></b>	<b><i>% Incr/ (Decr)</i></b>
Current Sewer	\$ 10,102,987	\$ 9,266,384	\$ 836,603	9.0%
Current Water	8,931,860	7,570,213	1,361,647	18.0%
Other Charges for Services	1,425,389	1,506,861	(81,472)	-5.4%
Transfers In	975,289	292,949	682,340	232.9%
Miscellaneous	1,162,145	774,987	387,158	50.0%
Late Payment Fees	430,385	399,065	31,320	7.8%
Other Federal & State Rev.	428,036	250,125	177,911	71.1%
Other Capital Returns	104,088	115,000	(10,912)	-9.5%
Compost Fees	74,390	50,861	23,529	46.3%
Tap Fees	54,350	47,914	6,436	13.4%
Investment Earnings	324,919	16,330	308,589	1889.7%
Other Revenues			-	
Total	<u>\$ 24,013,838</u>	<u>\$ 20,290,689</u>	<u>\$ 3,723,149</u>	

# Utility Fund Collections

## FY 2022-23 Budget to Actual

	<i>Budget</i>	<i>Collections</i>	<i>Collections</i>
Charges for Services:			
Current Water Charges	\$ 9,000,000	\$ 8,931,860	99.24%
UF-SJAFB	1,400,000	1,416,879	101.21%
Current Sewer Charges	11,400,000	10,102,987	88.62%
Late Payment/Svc. Fees	355,000	430,385	121.24%
Applied Deposits	45,000	(2,902)	-6.45%
Reconnections Fees	6,700	8,554	127.67%
Water/Sewer Taps	41,000	54,350	132.56%
Compost Revenues	51,000	74,389	145.86%
BFP Fees/Insufficient Ck Penalty	2,000	1,694	84.69%
<b>Total Charges</b>	<b>\$ 22,300,700</b>	<b>\$ 21,018,196</b>	<b>94.25%</b>
Capital Returns & Misc. Revenue			
Investment Earnings	\$ 23,800	\$ 324,919	1365.21%
Other Misc. Revenue	133,428	104,088	78.01%
<b>Total Capital Returns</b>	<b>\$ 157,228</b>	<b>\$ 429,007</b>	<b>272.86%</b>
Other Revenues	1,937,326	2,566,635	132.48%
Appropriated Fund Balance	514,412	-	0.00%
<b>Utility Fund Revenue Totals</b>	<b>\$ 24,909,666</b>	<b>\$ 24,013,838</b>	<b>96.40%</b>

# Downtown MSD & Occupancy Tax Collections

## Comparison Actual Current and Prior (unaudited)

	<i><b>FY 2022-23</b></i>	<i><b>FY 2021-22</b></i>	<i><b>Incr/(Decr) over Prior Year</b></i>	<i><b>% Incr /Decr</b></i>
<b><u>Downtown MSD</u></b>				
Taxes	\$ 102,925	\$ 97,883	\$ 5,042	5.2%
Investment Earnings	2,819	127	2,692	2119.7%
Other Revenues				
Total	<u>\$ 105,744</u>	<u>\$ 98,010</u>	<u>\$ 7,734</u>	
<b><u>Occupancy Tax</u></b>				
Occupancy Tax Collections	\$ 1,032,070	\$ 937,143	\$ 94,927	10.1%
Wayne Co. Reimb. per agrmt.	196,173	170,797	25,376	14.9%
Investment Earnings/Misc. Rev.	7,680	561	7,119	1269.0%
Other Revenues	6,779	7,823	(1,044)	-13.3%
Total	<u>\$ 1,242,702</u>	<u>\$ 1,116,324</u>	<u>\$ 126,378</u>	

# Downtown MSD & Occupancy Tax Collections

## FY 2022-23 Budget to Actual

	<i>Adjusted Budget</i>	<i>Actual Collections</i>	<i>YTD% Collections</i>
<b><u>Downtown MSD</u></b>			
Taxes	\$ 96,387	\$ 102,925	106.78%
Investments/Misc.	20,632	2,819	13.66%
<b><i>Total</i></b>	<b>\$ 117,019</b>	<b>\$ 105,744</b>	<b>90.36%</b>
<b><u>Occupancy Tax</u></b>			
Occupancy Tax - Civic Ctr.	\$ 797,000	\$ 825,656	103.60%
Occupancy Tax - T & T	213,000	206,414	96.91%
County of Wayne Occ Tx	186,150	196,172	105.38%
Other Revenues	14,948	14,460	96.74%
Appropriated Fund Balance	-	-	0.00%
<b><i>Total</i></b>	<b>\$ 1,211,098</b>	<b>\$ 1,242,702</b>	<b>102.61%</b>

# Actual Collections

## Comparison Actual Current & Prior (unaudited)

	<i><b>FY 2022-23</b></i>	<i><b>FY 2021-22</b></i>	<i><b>Incr/(Decr) over Prior Year</b></i>
General Fund	\$ 46,467,081	\$ 48,051,257	\$ (1,584,176)
Utility Fund	24,013,838	20,290,689	3,723,149
Downtown Development	105,744	98,010	7,734
Occupancy Tax	1,242,702	1,116,324	126,378
Stormwater Fund	2,035,847	1,901,832	134,015
Total	<u>\$ 73,865,212</u>	<u>\$ 71,458,112</u>	<u>\$ 2,407,100</u>



# Summary –

## FY2022-23 Budget to Actual Expenditures

	<i><b>Budget</b></i>	<i><b>Actual</b></i>	<i><b>Under/(Over) Budget</b></i>	<i><b>% Under/ (Over)</b></i>
General Fund	\$ 46,793,187	\$ 42,455,563	\$ 4,337,624	9.3%
Utility Fund	24,909,666	17,533,708	7,375,958	29.6%
Stormwater Fund	2,248,123	1,902,455	345,668	15.4%
Downtown MSD Fund	117,019	86,056	30,963	26.5%
Occupancy Tax Fund	1,211,098	1,174,653	36,445	3.0%
Total	<u>\$ 75,279,093</u>	<u>\$ 63,152,435</u>	<u>\$ 12,126,658</u>	

# Fund Balance Appropriations FY 2022-23

General Fund	\$ 1,194,863
PO rollover \$1.183M	
Utility Fund	\$ 514,412
PO rollover \$514K	
Downtown MSD	\$ 20,632
PO rollover \$20K	
Occupancy Tax Fund	\$ 0
None	
Stormwater Fund	\$ 284,395
PO rollover \$63K, CDM Smith \$221K	
Total	<u>\$2,014,302</u>

# FY2022-23 Net Operating Results

## (Modified Accrual - unaudited)

	<i>Budget</i>		<i>Actual</i>		<i>Under/(Over)</i> <i>Budget</i>
General Fund					
Revenues	\$	46,793,187	\$	46,467,081	\$ 326,106
Expenditures		46,793,187		42,455,563	4,337,624
General Fund - Net	\$	-	\$	4,011,518	\$ 4,011,518
Utility Fund					
Revenues	\$	24,909,666	\$	24,013,838	\$ 895,828
Expenditures		24,909,666		17,533,708	7,375,958
Utility Fund - Net	\$	-	\$	6,480,130	\$ 6,480,130
Stormwater Fund					
Revenues	\$	2,248,123	\$	2,035,847	\$ 212,276
Expenditures		2,248,123		1,902,455	345,668
Stormwater Fund - Net	\$	-	\$	133,392	\$ 133,392
Downtown MSD Fund					
Revenues	\$	117,019	\$	105,744	\$ 11,275
Expenditures		117,019		86,056	30,963
Downtown MSD Fund - Net	\$	-	\$	19,688	\$ 19,688
Occupancy Tax Fund					
Revenues	\$	1,211,098	\$	1,242,702	\$ (31,604)
Expenditures		1,211,098		1,174,653	36,445
Occupancy Tax Fund - Net	\$	-	\$	68,049	\$ 68,049
Total - Net Change all Funds	\$	-	\$	10,712,777	\$ 10,712,777

# Questions?

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

**SUBJECT:** Goldsboro Union Station History and Update

**BACKGROUND:** The City of Goldsboro and the North Carolina Department of Transportation (NCDOT) began discussing a partnership in 2005 to acquire and restore Goldsboro Union Station (GUS), a National Registered Historic Landmark located at 101 N. Carolina Street. The purpose was to secure the Station for future reuse as a passenger rail hub and develop a multimodal transportation complex to create a seamless transportation hub including Goldsboro Wayne Transportation Authority (GWTA), our local transit provider.

NCDOT acquired the property in 2007 with the intent to transfer ownership to the City to enable grant and funding opportunities to secure its rehabilitation. The City accepted ownership in April 2009. This partnership led to two grants, one provided by NCDOT and another by the Federal Highway Administration, where the City provided matching funds to acquire and stabilize the building. Approximately \$2.7M has been invested in the building to date, including: property acquisition, temporary structure stabilization construction, select demolition, and professional services that resulted in a historic finishes analysis, environmental studies, and rehabilitation construction plans.

Additional investment has been made around GUS to further the progress of the transportation hub concept, including the construction of the new GWTA facility, funded primarily by a state appropriation, and a 2013 USDOT, Transportation Infrastructure Generating Economic Recovery (TIGER) grant. Additionally, site and Walnut Street streetscape improvements were completed and funded as part of the 2013 TIGER grant around GUS to improve the viability of future use. Lastly, a new roof on portions of the station, and an Adaptive Reuse Study were conducted through the period of 2016 to 2020.

GUS remains a priority for the Downtown Development Department and the City of Goldsboro. Though substantial efforts have been made over a 20-year period, the age of the property, weight of the clay roof tiles, and environmental hazards, make GUS extremely vulnerable. Without complete stabilization, the reality of rehabilitation is unlikely, resulting in the almost certain loss of one of Goldsboro's most prominent historic assets. With it, the loss of future rail use and tax revenue, as well as economic impact to the neighborhood and reduction of property value.

As of January 2023, an appraisal of GUS places the current value at -\$791,000. A state appropriation of \$2M has been given to the City of Goldsboro due to multiple project requests, including GUS Stabilization, which is estimated at approximately \$1.5M. Additionally, a local advocacy committee has formed to provide concerted private sector support of the station's immediate stabilization needs. The committee has pledged to match the collective investment of the City of Goldsboro and County of Wayne towards the estimated stabilization cost of \$1.5M. Both, the City and County are asked to contribute \$375,000 to the effort, bringing their total contribution to \$750,000.

**RECOMMENDATION:** This information is presented for discussion and consideration of the City's support of immediate stabilization efforts of Goldsboro Union Station.

Date: 11/1/2023

*Erin Fonseca*  
Erin Fonseca, Downtown Development Director

Date: 11/2/23

*Timothy Salmon*  
Timothy Salmon, City Manager





Image of GUS in 2016

## Goldsboro Union Station Update 2023



Colorized photo of GUS in early 1900s



Image of GUS, passenger rail line and canopy in early 1900s

# Timeline

- 1906 – 1909: Goldsboro Union Station was constructed
- 1909: GUS was open to the public with great fanfare. The entire City shut down to celebrate  
Built to accommodate the Atlantic Coast Line, Norfolk Southern and Southern Railway
- 1909 – 1968: GUS operated both passenger rail and freight rail
- 1914: Goldsboro won an important decision in the U.S. Supreme Court enabling them to enforce its rights in the regulation of trains, shifting the rail line from Center Street
- 1968: Passenger rail service ended along rail line and GUS was decommissioned
- 1972: Building & Property were bought by Arthur Perry of Goldsboro Builder's
- 1977: GUS was placed on the National Register of Historic Places



Select, non-historic ancillary buildings demolition, 2008



2009, Goldsboro celebrates GUS's 100<sup>th</sup> Birthday

# Timeline

- 1999: NCDOT conducted an Eastern Rail Passenger Study (ERPS) to Explore Options for a Passenger Rail Service Connecting Raleigh to Wilmington
- 2005: A Redo of the ERPS was done without political influence and solid data resulting in a favored Goldsboro route
- 2007: NCDOT acquired GUS and Goldsboro and entered into an MOU to formulate a partnership to Restore & Reuse it
- 2007-08: NCDOT utilized grant money to conduct an environmental study, a conditions assessment and conduct initial stabilization work
- 2009: NCDOT conveyed GUS and its property to Goldsboro under terms of MOU  
Goldsboro celebrated GUS's 100<sup>th</sup> Birthday with a crowd of several hundred and a flag raising ceremony
- 2010: The Goldsboro/NCDOT partnership resulted in FHWA grant to conduct more Environmental Studies, select Demolition of Ancillary Buildings on Site and develop construction plans for its restoration and reuse.



**PAST**  
Goldsboro's historic Union Station served passenger trains between 1869 and 1968. It was placed on the National Register of Historic Places in 1977.

# GOLDSBORO UNION STATION

## PRESENT

The North Carolina Department of Transportation (NCDOT) purchased Union Station in 2007, to preserve it for rail service in the long-term as well as for local transit and community use. Stabilization of the building permitting further deterioration and keeping the weather out was completed in 2009, paving the way for restoration to begin. NCDOT has now passed ownership to the City of Goldsboro.

## FUTURE

After restoration, the historic building will be available for community functions such as meetings and special events. Other parts of the building will house state and police offices. Visitor parking will be provided at the south end of the site.

A new bus transfer center is planned for the north end of the site, serving Gateway Transit and Greyhound. This will include a new building with waiting and ticketing facilities. The transfer center will provide high-quality service to riders and will be a major step in the development of transit in Goldsboro.

Eventually, passenger trains will return to Union Station. At that stage, the historic building will be converted back to station use. Services are planned to connect Goldsboro with Raleigh and Wilmington. Connecting trains will take riders on to other parts of North Carolina and the eastern states.

## A SOURCE OF PRIDE

The Union Station project is not just about meeting transportation needs. It is also part of the revitalization of downtown Goldsboro. As well as being a key site in its own right, Union Station will be the 'anchor' at the end of Walnut Street, leading to and from the historic heart of downtown.



## WORKING TOGETHER

The revitalization of Union Station has involved many people and organizations, and will continue to do so in the future. The lead agencies are the NCDOT Rail Division, NCDOT Public Transportation Division, the City of Goldsboro, and Gateway Transit. Other stakeholders include Wayne County, Greyhound Lines Inc., and the Downtown Goldsboro Development Corporation.



Poster created by NCDOT to illustrate and educate intent of GUS as impetus for multi-modal transportation hub.

# Timeline

- 2010: GWTA conducted a long, and short-range transit study that resulted in gained confidence to explore a new hub
- 2011: GWTA, the City, County, FTA and NCDOT supported the new hub's location at GUS; a conceptual plan was developed. City funded with remaining grant money received in 2009
- 2012: Construction plans for GWTA's new Transit Hub were developed
- 2013: City included the development of GWTA's Hub project, and the restoration of Union Station as a multi-modal transportation hub, in their 2013 USDOT TIGER grant application along with three blocks of Center Street Streetscape and two blocks of W. Walnut Street.  
All were awarded except for GUS
- 2014-15: GWTA's transit facility was constructed and celebrated with federal, state and local partners.  
GUS's parking lot, grounds, supporting underground infrastructure, and light poles were constructed/installed



Rendering of Multi-Modal Transportation Hub Vision

# Timeline



Interior as of approximately 2019

2016: Council authorized Mayor to revise Scope & Schedule of 2009 MOU to close out project with FHWA allowing us to expend remaining balance of grant at \$120,000 that required NCDOT to contribute \$120,000 and the City \$15,000.

These funds supported replacement of GUS's sump pump, fencing installation, light pole banners and completion of paving for GUS drive.

2018: NCDOT & the City equally contributed to replace the roof, as approved by SHPO, on a portion of the building.

2019: Roof construction was completed for the portions funding allowed.



# Timeline

2023: Eastern Carolina Rail, a advocacy committee from connecting Raleigh to Wilmington forms and announces renewed interest and vigor to develop passenger rail line

NCDOT Passenger Rail employees visit GUS

Federal Rail Administration (FRA) announces \$36B of funds to study state's preferred passenger rail routes to further passenger rail expansions to validate. Purpose is to prioritize by moving some forward for investment to develop or exclude.

NCDOT Passenger Rail employees visit GUS

**\*GUS is in dire need of re-stabilization for a restoration and reuse opportunity**

A January 2023 GUS appraisal places current value of **-\$791,000**.

A state appropriation is given to Goldsboro due to several project request, GUS included

A local advocacy committee, Saving Union Station, formed to support the historical landmark that GUS is, for its future cultural and economic impacts



Pictures of Current State as of October 31, 2023

# NCDOT Passenger Rail Routes Being Considered

[ncdot.gov](http://ncdot.gov)

## More Corridors and Services are Coming

- Charlotte Busiest Station in NC
- FRA Corridor Development Program
- New Connections for Charlotte



# Timeline



Pictures of Current State as of October 31, 2023

# Funding Commitments to Date

## Summary

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### GUS Building:

USDOT/FHWA:	\$800,000
NCDOT:	\$1,438,293
COG:	\$478,293

### Related Streetscape (Walnut St.)

USDOT/TIGER:	\$2,700,000
COG:	\$914,697

### GUS/GWTA Property:

USDOT:	\$1,200,000
COG:	\$400,000

### GWTA:

USDOT/FTA:	\$1,335,660
USDOT/TIGER:	\$1,575,000
NCDOT:	\$133,560
COG:	\$825,000
County:	\$263,424



Architect of GUS construction plans gives tour and shares vision with Girl Scout Troop, 2010

# Forecasted Costs – Do Nothing Scenario

The current demolition cost is estimated at \$200,000 to \$300,000

The loss of tax revenue with an estimated valuation of \$5M: County - \$37,125/year, City - \$36,500/year

The cost of a non-productive property is valued at \$8.25/sq. ft. per year = \$99,925 to the business community

The average cost to maintain a vacant 3 acre (half of site – excluding GWTA) property is estimated at \$15,000/year at \$289/week including labor and materials/equipment

The potential loss of federal and state partnerships to develop passenger rail through, and to, Goldsboro

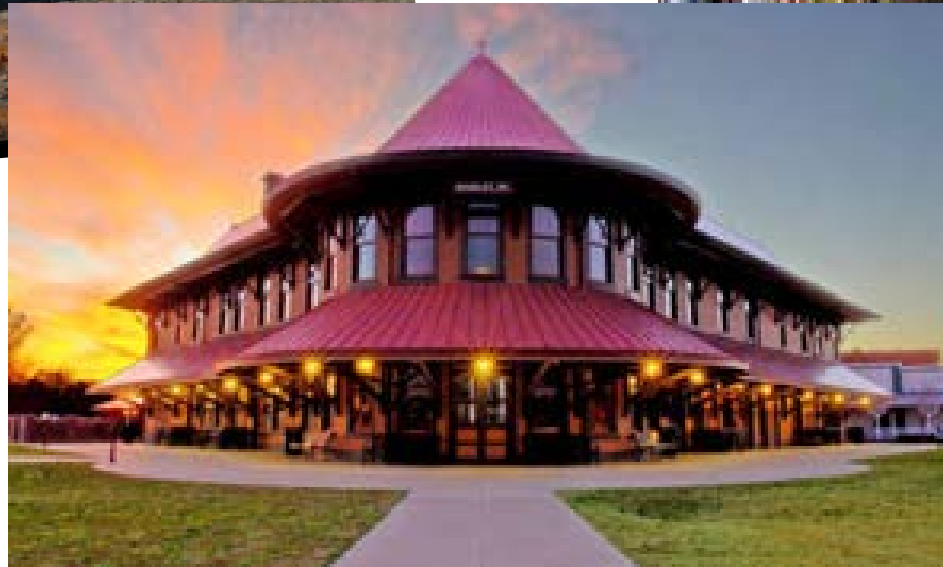
Loss of accessible, affordable mobility and connectivity for Wayne County citizens



2010 Representative G.K. Butterfield Press Conference Announcing Funding & Support



# Questions?



Top Left: Salisbury Station  
Top Right: Moving Hamlet's Station Prior to Restoration  
Bottom: Hamlet After Restoration

# Funding Commitments to Date

Source	Purpose	Amount	Year
Goldsboro Union Station Company	Construct GUS	\$72,024	1906-09
NCDOT (State funds)	GUS Acquisition, Stabilization, Environmental	\$1,080,000	2007
City of Goldsboro (COG)	GUS: Same/Match	\$120,000	2008
Federal Highway Admin. (FHWA)	GUS: Planning/Environmental/Design	\$800,000	2010
NCDOT	GUS: Same/Match	\$100,000	2010
COG	GUS: Same/Match	\$100,000	2010
Federal Transit Admin. (FTA)	GWTA at GUS: Design Services/Construction	\$855,000	2011
NCDOT	GWTA at GUS: Same/Match	\$85,500	2011
GWTA (60% COG/40% County)	GWTA at GUS: Same/Match	\$85,500	2011
FTA	GWTA at GUS: Design/Construction	\$480,660	2011-12
GWTA (60% COG/40% County)	GWTA at GUS: Same/Match	\$48,060	2011-12
NCDOT	GWTA at GUS: Same/Match	\$48,060	2011-12



# Funding Commitments to Date

Source	Purpose	Amount	Year
USDOT (TIGER)	GUS & GWTa: Site Improvements	\$1,200,000	2013-15
COG (TIGER Match)	GUS & GWTa: Site Improvements	\$400,000	2013-15
USDOT (TIGER)	GUS & GWTa: Related Streetscape (Walnut St)	\$2,700,000	2013-15
COG (TIGER Match)	GUS & GWTa: Related Streetscape (Walnut St)	\$914,697	2013-2015
USDOT (TIGER)	GWTa at GUS: GWTa Transit Ctr. Construction	\$1,575,000	2013-2015
COG/County (TIGER Match, 60/40)	GWTa at GUS: GWTa Transit Ctr. Construction	\$525,000	2013-2015
COG	GWTa at GUS: Construction Project Mgt.	\$100,000	2014
COG	GWTa at GUS: TIGER V Project Contingency Exp.	\$330,000	2015
NCDOT	GUS: Roof Replacement	\$258,293	2018-19
COG	GUS: Roof Replacement	\$258,293	2018-19

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL  
OCTOBER 2, 2023

**WORK SESSION**

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in Council Chambers, City Hall, 214 North Center Street, at 5:00 p.m. on October 2, 2023.

**Call to Order.** Mayor Ham called the meeting to order at 5:01 p.m.


**Roll Call.**

- Present: Mayor David Ham, Presiding  
Mayor Pro Tem Brandi Matthews  
Councilwoman Hiawatha Jones  
Councilman Bill Broadaway  
Councilman Charles Gaylor, IV  
Councilman Greg Batts
- Also Present: Tim Salmon, City Manager  
Matt Livingston, Assistant City Manager  
Ron Lawrence, City Attorney  
Laura Getz, City Clerk

**Adoption of the Agenda.** City Manager Salmon requested the addition of an HVAC update. Mayor Ham requested the addition of Closed Session to discuss Economic Development and Potential Litigation. City Clerk Getz asked to add the Veterans and Patriots Coalition discussion. Upon motion of Councilwoman Jones, seconded by Councilman Broadaway and unanimously carried, Council adopted the amended agenda.

**New Business.**


**Downtown Goldsboro Development Corporation Update.** Doug McGrath, Outgoing President, Grayson Hussey, Incoming President and Erin Fonseca, Downtown Development Director shared the following presentation:



**Downtown Goldsboro Development Corporation**  
City Council Update 10.2.23

**DDO & DGDC**


City of Goldsboro Downtown Development Office  
= Downtown Goldsboro Development Corporation  
= Goldsboro Main Street Community



**Downtown Vision Statement**

Widen: Downtown Goldsboro is beautiful, historic, lively, and full of economic opportunity and gusto. We honor our past while developing diversity and vibrancy to create a cultural arts, entertainment and urban lifestyle center.

**DGDC**




The Downtown Goldsboro Development Corporation (DGDC) is Goldsboro's private sector partner working to achieve an economically healthy downtown within the Main Street™ Community approach.

Currently there are 27 Board of Director Members  
10 Promotions Committee Members  
11 Economic Vitality Committee Members  
11 Design Committee Members  
Newly-Added Merchant Committee

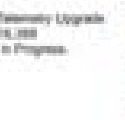
Measures/Statistics

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Population	34	40	47	55	63	71	79	87	95	103	111
Businesses	44	55	65	75	85	95	105	115	125	135	145
Residential Units	55	65	75	85	95	105	115	125	135	145	155
Art Installations	66	77	88	99	110	121	132	143	154	165	176
Events	77	88	99	110	121	132	143	154	165	176	187
Volunteers	88	99	110	121	132	143	154	165	176	187	198
Grants	99	110	121	132	143	154	165	176	187	198	209
Partners	110	121	132	143	154	165	176	187	198	209	220
Projects	121	132	143	154	165	176	187	198	209	220	231
Partnerships	132	143	154	165	176	187	198	209	220	231	242
Partners	143	154	165	176	187	198	209	220	231	242	253
Partnerships	154	165	176	187	198	209	220	231	242	253	264
Partners	165	176	187	198	209	220	231	242	253	264	275
Partnerships	176	187	198	209	220	231	242	253	264	275	286
Partners	187	198	209	220	231	242	253	264	275	286	297
Partnerships	198	209	220	231	242	253	264	275	286	297	308
Partners	209	220	231	242	253	264	275	286	297	308	319
Partnerships	220	231	242	253	264	275	286	297	308	319	330
Partners	231	242	253	264	275	286	297	308	319	330	341
Partnerships	242	253	264	275	286	297	308	319	330	341	352
Partners	253	264	275	286	297	308	319	330	341	352	363
Partnerships	264	275	286	297	308	319	330	341	352	363	374
Partners	275	286	297	308	319	330	341	352	363	374	385
Partnerships	286	297	308	319	330	341	352	363	374	385	396
Partners	297	308	319	330	341	352	363	374	385	396	407
Partnerships	308	319	330	341	352	363	374	385	396	407	418
Partners	319	330	341	352	363	374	385	396	407	418	429
Partnerships	330	341	352	363	374	385	396	407	418	429	440
Partners	341	352	363	374	385	396	407	418	429	440	451
Partnerships	352	363	374	385	396	407	418	429	440	451	462
Partners	363	374	385	396	407	418	429	440	451	462	473
Partnerships	374	385	396	407	418	429	440	451	462	473	484
Partners	385	396	407	418	429	440	451	462	473	484	495
Partnerships	396	407	418	429	440	451	462	473	484	495	506
Partners	407	418	429	440	451	462	473	484	495	506	517
Partnerships	418	429	440	451	462	473	484	495	506	517	528
Partners	429	440	451	462	473	484	495	506	517	528	539
Partnerships	440	451	462	473	484	495	506	517	528	539	550
Partners	451	462	473	484	495	506	517	528	539	550	561
Partnerships	462	473	484	495	506	517	528	539	550	561	572
Partners	473	484	495	506	517	528	539	550	561	572	583
Partnerships	484	495	506	517	528	539	550	561	572	583	594
Partners	495	506	517	528	539	550	561	572	583	594	605
Partnerships	506	517	528	539	550	561	572	583	594	605	616
Partners	517	528	539	550	561	572	583	594	605	616	627
Partnerships	528	539	550	561	572	583	594	605	616	627	638
Partners	539	550	561	572	583	594	605	616	627	638	649
Partnerships	550	561	572	583	594	605	616	627	638	649	660
Partners	561	572	583	594	605	616	627	638	649	660	671
Partnerships	572	583	594	605	616	627	638	649	660	671	682
Partners	583	594	605	616	627	638	649	660	671	682	693
Partnerships	594	605	616	627	638	649	660	671	682	693	704
Partners	605	616	627	638	649	660	671	682	693	704	715
Partnerships	616	627	638	649	660	671	682	693	704	715	726
Partners	627	638	649	660	671	682	693	704	715	726	737
Partnerships	638	649	660	671	682	693	704	715	726	737	748
Partners	649	660	671	682	693	704	715	726	737	748	759
Partnerships	660	671	682	693	704	715	726	737	748	759	770
Partners	671	682	693	704	715	726	737	748	759	770	781
Partnerships	682	693	704	715	726	737	748	759	770	781	792
Partners	693	704	715	726	737	748	759	770	781	792	803
Partnerships	704	715	726	737	748	759	770	781	792	803	814
Partners	715	726	737	748	759	770	781	792	803	814	825
Partnerships	726	737	748	759	770	781	792	803	814	825	836
Partners	737	748	759	770	781	792	803	814	825	836	847
Partnerships	748	759	770	781	792	803	814	825	836	847	858
Partners	759	770	781	792	803	814	825	836	847	858	869
Partnerships	770	781	792	803	814	825	836	847	858	869	880
Partners	781	792	803	814	825	836	847	858	869	880	891
Partnerships	792	803	814	825	836	847	858	869	880	891	902
Partners	803	814	825	836	847	858	869	880	891	902	913
Partnerships	814	825	836	847	858	869	880	891	902	913	924
Partners	825	836	847	858	869	880	891	902	913	924	935
Partnerships	836	847	858	869	880	891	902	913	924	935	946
Partners	847	858	869	880	891	902	913	924	935	946	957
Partnerships	858	869	880	891	902	913	924	935	946	957	968
Partners	869	880	891	902	913	924	935	946	957	968	979
Partnerships	880	891	902	913	924	935	946	957	968	979	990
Partners	891	902	913	924	935	946	957	968	979	990	1001
Partnerships	902	913	924	935	946	957	968	979	990	1001	1012
Partners	913	924	935	946	957	968	979	990	1001	1012	1023
Partnerships	924	935	946	957	968	979	990	1001	1012	1023	1034
Partners	935	946	957	968	979	990	1001	1012	1023	1034	1045
Partnerships	946	957	968	979	990	1001	1012	1023	1034	1045	1056
Partners	957	968	979	990	1001	1012	1023	1034	1045	1056	1067
Partnerships	968	979	990	1001	1012	1023	1034	1045	1056	1067	1078
Partners	979	990	1001	1012	1023	1034	1045	1056	1067	1078	1089
Partnerships	990	1001	1012	1023	1034	1045	1056	1067	1078	1089	1100
Partners	1001	1012	1023	1034	1045	1056	1067	1078	1089	1100	1111
Partnerships	1012	1023	1034	1045	1056	1067	1078	1089	1100	1111	1122
Partners	1023	1034	1045	1056	1067	1078	1089	1100	1111	1122	1133
Partnerships	1034	1045	1056	1067	1078	1089	1100	1111	1122	1133	1144
Partners	1045	1056	1067	1078	1089	1100	1111	1122	1133	1144	1155
Partnerships	1056	1067	1078	1089	1100	1111	1122	1133	1144	1155	1166
Partners	1067	1078	1089	1100	1111	1122	1133	1144	1155	1166	1177
Partnerships	1078	1089	1100	1111	1122	1133	1144	1155	1166	1177	1188
Partners	1089	1100	1111	1122	1133	1144	1155	1166	1177	1188	1199
Partnerships	1100	1111	1122	1133	1144	1155	1166	1177	1188	1199	1210
Partners	1111	1122	1133	1144	1155	1166	1177	1188	1199	1210	1221
Partnerships	1122	1133	1144	1155	1166	1177	1188	1199	1210	1221	1232
Partners	1133	1144	1155	1166	1177	1188	1199	1210	1221	1232	1243
Partnerships	1144	1155	1166	1177	1188	1199	1210	1221	1232	1243	1254
Partners	1155	1166	1177	1188	1199	1210	1221	1232	1243	1254	1265
Partnerships	1166	1177	1188	1199	1210	1221	1232	1243	1254	1265	1276
Partners	1177	1188	1199	1210	1221	1232	1243	1254	1265	1276	1287
Partnerships	1188	1199	1210	1221	1232	1243	1254	1265	1276	1287	1298
Partners	1199	1210	1221	1232	1243	1254	1265	1276	1287	1298	1309
Partnerships	1210	1221	1232	1243	1254	1265	1276	1287	1298	1309	1320
Partners	1221	1232	1243	1254	1265	1276	1287	1298	1309	1320	1331
Partnerships	1232	1243	1254	1265	1276	1287	1298	1309	1320	1331	1342
Partners	1243	1254	1265	1276	1287	1298	1309	1320	1331	1342	1353
Partnerships	1254	1265	1276	1287	1298	1309	1320	1331	1342	1353	1364
Partners	1265	1276	1287	1298	1309	1320	1331	1342	1353	1364	1375
Partnerships	1276	1287	1298	1309	1320	1331	1342	1353	1364	1375	1386
Partners	1287	1298	1309	1320	1331	1342	1353	1364	1375	1386	1397
Partnerships	1298	1309	1320	1331	1342	1353	1364	1375	1386	1397	1408
Partners	1309	1320	1331	1342	1353	1364	1375	1386	1397	1408	1419
Partnerships	1320	1331	1342	1353	1364	1375	1386	1397	1408	1419	1430
Partners	1331	1342	1353	1364	1375	1386	1397	1408	1419	1430	1441
Partnerships	1342	1353									

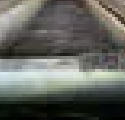
### Public Utilities Capital Projects: Work in Progress



**Bulk Storage Tank Replacement**  
\$185,001  
Work in Progress  
Estimated to be completed by October 2, 2023




**Public Utilities Telemetry Upgrade**  
\$175,000  
Project in Progress




**Sand Filter Refurb Project**  
\$271,702  
Work in Progress  
Estimated to be completed by October 2, 2023


### Public Utilities Capital Projects: Equipment Ordered



**Heavy Duty Pump Station Automatic Transfer Switch**  
\$185,000  
Equipment has been ordered & should be completed in late 2024



**WTP #2 Flow Motor**  
\$44,000  
Installation of the 2 Motors preparing to go out for bid



**WTP Automatic Transfer Switch**  
\$271,702  
Equipment has been ordered & should be completed in late 2024

### FY 22-23 Public Utilities Capital Project Cost

Project	Cost
WTP #1 Motor	\$185,000
WTP #2 Motor	\$185,000
WTP #3 Motor	\$185,000
WTP #4 Motor	\$185,000
WTP #5 Motor	\$185,000
WTP #6 Motor	\$185,000
WTP #7 Motor	\$185,000
WTP #8 Motor	\$185,000
WTP #9 Motor	\$185,000
WTP #10 Motor	\$185,000
WTP #11 Motor	\$185,000
WTP #12 Motor	\$185,000
WTP #13 Motor	\$185,000
WTP #14 Motor	\$185,000
WTP #15 Motor	\$185,000
WTP #16 Motor	\$185,000
WTP #17 Motor	\$185,000
WTP #18 Motor	\$185,000
WTP #19 Motor	\$185,000
WTP #20 Motor	\$185,000
WTP #21 Motor	\$185,000
WTP #22 Motor	\$185,000
WTP #23 Motor	\$185,000
WTP #24 Motor	\$185,000
WTP #25 Motor	\$185,000
WTP #26 Motor	\$185,000
WTP #27 Motor	\$185,000
WTP #28 Motor	\$185,000
WTP #29 Motor	\$185,000
WTP #30 Motor	\$185,000
WTP #31 Motor	\$185,000
WTP #32 Motor	\$185,000
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WTP #91 Motor	\$185,000
WTP #92 Motor	\$185,000
WTP #93 Motor	\$185,000
WTP #94 Motor	\$185,000
WTP #95 Motor	\$185,000
WTP #96 Motor	\$185,000
WTP #97 Motor	\$185,000
WTP #98 Motor	\$185,000
WTP #99 Motor	\$185,000
WTP #100 Motor	\$185,000
<b>Total</b>	<b>\$18,500,000</b>

### FY 23-24 Public Utilities Capital Projects

Project	Cost
Water Tank Utility Maintenance Budgeted	\$100,000
Structural Repairs to the Water Treatment Plant Budgeted	\$200,000
Sand Replacement in Sand Filters #2 and #3	\$100,000
Install a Security Gate at the WTP	\$100,000
<b>Total</b>	<b>\$500,000</b>

### Future Public Utilities CIP

Project	Cost
Replace Ultraviolet Light Disinfection System for the WTP	\$1.0 million
Upgrade to Basic #2	\$100,000
Replace Horizontal Grinder	\$800,000
Build Region on Compost Facility	\$100,000
Replace Maintenance Building	\$100,000
Replace Filter media at the WTP	\$100,000

### Questions?

Mayor Ham shared the city is doing things to improve water and sewer.

**Authorization to Purchase Eight 2024 Dodge Durango Pursuit Vehicles.** The item was presented by Mike West, Police Chief.

The Goldsboro Police Department was approved \$384,000.00 to purchase eight Chevy Tahoe's in the FY23-24 Budget. There is no estimated timeline for when the Tahoe's could be ordered, and no guarantee that what we order would be available. Law Enforcement agencies across the nation continue to be delayed with obtaining price quotes on 2024 Chevy Tahoe's through the statewide procurement pricing program. The low supply of patrol cars has caused law enforcement agencies to continue experiencing purchase delays. The recent United Auto Workers strike has created a heightened concern for the purchase of law enforcement vehicles.

NC General Statute 143-129 establishes the State bidding requirements for purchase of apparatus, supplies, materials, or equipment. Subsection (e)(9) grants an exception to the bidding requirements for purchases made from contracts established by the State.

The Goldsboro Police Department is unable to obtain a price quote on 2024 Chevy Tahoe's from the pre-authorized Procurement Programs due to future production demands being uncertain. Performance Automotive is an approved Procurement Program Dealer who has stated they have eight 2024 Dodge Durango Pursuit vehicles on order.

It was recommended that Council authorize the purchase of eight 2024 Dodge Durango Pursuit Vehicles, instead of eight 2024 Chevy Tahoe's, through the North Carolina Statewide Government Pricing Program. Total purchase price per vehicle is \$45,928.32, which includes the 10% loan fee, road tax, title, and registration plate. The total purchase price including the loan fee, road tax, title, and registration plates for eight Dodge Durango's is \$367,426.56.

Council discussed the item.

Councilman Broadaway made a motion to authorize the Police Department to purchase 8 Dodge Durango's. The motion was seconded by Councilman Batts and unanimously carried.

**Veterans and Patriots Coalition.** Eric Busse, Veterans and Patriots Coalition President requested Council waive the \$200.00 application fee to hold the Veterans Day parade downtown on November 11, 2023.

Councilman Broadway made a motion to waive the \$200.00 fee for the Patriots Coalition. The motion was seconded by Councilwoman Jones and unanimously carried.

**HVAC Update.** Scott Williams, Information Technology Director, shared the following: The chiller that runs the air conditioner for Historic City Hall and City Hall Addition was purchased in 2004 and has been in operation continuously since then and is an older and outdated unit. We looked at replacing the two circuit boards that operate the two legs of the unit, both of which have failed, along with other parts and we cannot get all the parts we need to be able to fix it at this point. The lead time on a new chiller is about eight months. The city manager has authorized the rental installation of a portable chiller unit which should be here tomorrow morning and should be operational by Wednesday. That unit will be in place until we can go through the bidding process to get another one ordered. We will be coming back to you with the paperwork on that.

City Manager Salmon shared we will have a bill coming forward at the next meeting.

Mr. Williams shared we don't know exact pricing, maybe somewhere around \$400,000 or so. The rental will be around \$160,0000 with rental fees and things.

**Consent Agenda Review.** Items E - Q on the consent agenda were reviewed. Further discussion included the following:

**Item J. Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 305 Pearson Street to Melissa Bynum Gill.** The item was presented by Catherine Gwynn, Finance Director.

Mayor Pro Tem Mathews made a motion to accept the initial bid and authorize Finance to advertise for upset bids. The motion was seconded by Councilman Broadway and unanimously carried.

**Item K. Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 717 Devereaux Street.** The item was presented by Catherine Gwynn, Finance Director.

Councilman Batts made a motion to accept the initial bid by Terrance Bynum and authorize Finance to advertise for upset bids. The motion was seconded by Councilwoman Jones and unanimously carried.

**Closed Session.**  
Upon motion of Councilman Gaylor, seconded by Councilman Batts and unanimously carried, Council went into Closed Session for Potential Litigation and Economic Development.

The unanimous vote by Council to go into Closed Session was held after the video ended but the audio remained.

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

Mayor Ham recessed the meeting at 6:42 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 October 2, 2023.

Mayor Ham stated that before going into Closed Session, he asked for a vote and the vote was unanimous to go into Closed Session.

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

**Roll Call.**

- Present:
- Mayor David Ham, Presiding  
Mayor Pro Tem Brandi Matthews  
Councilwoman Hiawatha Jones  
Councilman Bill Broadway  
Councilman Charles Gaylor, IV  
Councilman Greg Batts
- Also Present:
- Tim Salmon, City Manager  
Matt Livingston, Assistant City Manager  
Ron Lawrence, City Attorney  
Laura Getz, City Clerk

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

**Approval of Minutes.** Councilman Batts made a motion to approve the Minutes of the Work Session and Regular Meeting of September 18, 2023. The motion was seconded by Councilman Gaylor and unanimously carried.

**Presentations.**  
**Domestic Violence Awareness Presentation and Proclamation.** Read by Councilwoman Jones: The Goldsboro City Council proclaimed October 2023 as NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH in the City of Goldsboro, and recognized the important work done by domestic violence programs, and urged all citizens to actively participate in activities and programs to work toward improving victim safety and holding perpetrators of domestic abuse accountable for their actions against individual victims and our society as a whole.

Ms. Bernadette Marrow, Program Coordinator and Ms. Andrea Ajagbe, Shelter Manager with Wayne Uplift received the proclamation and shared information about their program, domestic violence and sexual abuse. The phone number for Wayne Uplift is 919-736-1313.

**Public Hearings.**  
**Z-13-23 Harry and Mollie, LLC (General Business and Industrial Business Park-1 to General Business) – East side of McLain Street between Oak Forest Rd. and E. Ash St. Ext. *Public Hearing Held and continued to October 16, 2023.*** The item was presented by Kenny Talton, Planning Director.

ADDRESS: TBD  
PARCEL #: 3519905459 (Portion of)  
PROPERTY OWNER: Harry and Mollie, LLC  
APPLICANT: Harry and Mollie, LLC c/o Robert “Bob” Ivey

The applicant is requesting a rezoning for 63.853 acres from General Business (GB) and 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.

SURROUNDING ZONING:  
North: Industrial Business Park (IBP-I)  
South: General Business (GB), Residential (R16/R20A/R9CZ)  
East: Industrial Business Park (IBP-1) and General Business (GB)  
West: Shopping Center (SC) and Industrial Business Park (IBP-1)

Existing Use: The properties proposed for rezoning are currently vacant.

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

As previously stated, this is a rezoning proposal for 63.853 acres to be rezoned from General Business (GB), Industrial Business Park (IBP-1) to General Business (GB) Zoning District. This is a general rezoning. As such, all uses must be considered in the proposal to rezone the property.

The subject property is adjacent to property commonly identified as the Park East Industrial Park. It is one of two industrial parks in Wayne County.

According to the City of Goldsboro’s Comprehensive Land-Use Plan (CLUP), incompatible non-industrial uses shall not be allowed to encroach upon existing or planned industrial sites. Rezoning the property to General Business will create opportunities for uses permitted by right in the General Business (GB) Zoning District to locate adjacent to existing or planned industrial sites. In addition, the CLUP encourages new industrial development to locate in existing or planned industrial parks. Rezoning the property to General Business (GB) could reduce opportunities for attracting new and existing industries to Park East. Lastly, it will decrease the existing industrial park’s potential for future growth and development.

Currently, Shopping Center (SC) Zoning District is located west of the General Business Zoning District proposed for the subject property (Portion of). This zoning district has the potential to accommodate a majority of the same types of land uses that the General Business Zoning District would accommodate.

TRC REVIEW: Staff has distributed this proposed rezoning to SJAFB and NCDOT. If the rezoning is approved, formal comments will be generated once a site-specific plan is submitted for development.

Staff is recommending denial of the rezoning request. There are several factors that would support not approving the rezoning request. According to the City of Goldsboro’s Comprehensive Land-Use Plan (CLUP), incompatible non-industrial uses shall not be allowed to encroach upon existing or planned industrial sites. Rezoning the property to General Business will create opportunities for uses permitted by right in the General Business (GB) Zoning District to locate adjacent to

existing or planned industrial sites. In addition, the CLUP encourages new industrial development to locate in existing or planned industrial parks. Rezoning the property to General Business (GB) could reduce opportunities for attracting new and existing industries to Park East. Lastly, it will decrease the existing industrial park’s potential for future growth and development.

The City of Goldsboro Planning Commission met on September 25, 2023, to review and make a recommendation regarding the rezoning request. The Planning Commission voted: 4 in favor, 2 against.

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 with the inclusion of the Inconsistency 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.

Letters related to the Public Hearing that were provided to Council are attached as Exhibit A.

Mayor Ham opened the Public Hearing and the following people spoke:

1. Emory Ivey asked Council to table the item for two weeks. He submitted a letter of support from Sport Durst (Exhibit B) and a map (Exhibit C).
- Councilwoman Jones made a motion to table the item to the October 16, 2023 meeting. City Attorney Lawrence discussed the proper motion to continue the public hearing.
2. Karl Landgren did not speak in favor or opposition but asked about permitting and if industries are going to locate in the particular area.

No one else spoke.

Mayor Ham restated the motion to continue the matter to the 16<sup>th</sup> of October. The motion was seconded by Councilman Batts and unanimously carried.

**Z-14-23 Red Horse Townes (Residential-12 SF CZ to Residential -12 CZ) – East of Country Day Rd. between Wheeler Dr. and Davis Rd. *Public Hearing Held and continued to November 6, 2023.*** The item was presented by Kenny Talton, Planning Director.

ADDRESS: TBD  
PARCEL #: 3600864490/3600861430  
PROPERTY OWNER: Veritas, Inc.  
APPLICANT: John G. Thomas, Sr. PE Thomas Engineering PA on behalf of Nolan Commercial Contractors, Inc.

The applicant is requesting a conditional rezoning from the Residential-12 SF Conditional Zoning District to the Residential-12 Conditional Zoning District limiting the use of the property to a townhome development consisting of 89 units. The purpose of the Residential-12 Zoning District is to accommodate both single and multi-family residential uses and to prohibit all activities of a commercial nature. Townhomes are classified as multi-family dwellings. As such, they shall have twelve thousand square feet of land area for the first unit with an additional six thousand square feet of land area required for each additional dwelling unit.

Access: Country Day Rd.  
Area: Approx. 16.57 acres  
Townhomes: 89

SURROUNDING ZONING:  
North: Residential 12/16  
South: Residential 16  
East: Residential 12/16  
West: Residential 12/ Office and Institutional

Existing Use: The properties are currently vacant and wooded.

The City’s Land Use Plan locates these parcels within the Medium Density Residential land-use designation.

Residential – 12 (multi-family) is not a corresponding Zoning District in the Medium Density Residential land use designation. However, the City’s Comprehensive Land Use Plan supports higher zoning density for residential development with access to City water and sewer services or where plans exist to extend water or sewer service to these areas.

This is a conditional rezoning proposal to establish a townhome development to allow for 89 lots. The adjacent uses are Garden Walk Subdivision, The Commons Subdivision, Freedom Baptist Church, Liberty Pentecostal Holiness Church,



Country View Apartments, Kingston Place and Brookdale Senior Living Facility. The parcels have direct frontage on Country Day Rd. The proposed development will have direct access on Country Day Rd. and Ashley Ave.

TRC REVIEW: Staff has distributed this proposed conditional rezoning to City Engineering, Public Utilities, Seymour Johnson Air Force Base and NCDOT. There are no comments at this time, based off the concept design. If approved, this will require Site Plan submittal and will undergo TRC Review.

Staff is recommending approval of the conditional rezoning request based on the fact that this development would not be out of character with the overall residential use of the surrounding area. This development would aid in satisfying a growing demand for housing in the City of Goldsboro. The availability of water and sewer does support a higher density development.

Staff is recommending the following conditions be placed upon this conditional rezoning request:

- Two primary means of access shall be provided to the proposed townhome development. (1) off Country Day Rd. (State Road 1569) and (2) Ashley Ave. (City Street)

The City of Goldsboro Planning Commission met on September 25, 2023, to review and make a recommendation regarding the rezoning request to include staff conditions. The Planning Commission voted 6 in favor and 0 against.

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 with the inclusion of the Inconsistency 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.

Mayor Ham opened the Public Hearing and the following people spoke:

1. Jodie Woolard, Garden Walk, spoke in opposition of the proposed rezoning.
2. Johnny Holland, Whitney Place, spoke in opposition of the proposed rezoning.
3. Sharon Herring, Wayne Country Day Road, spoke in opposition of the proposed rezoning.
4. Richard Woodard, Wayne Country Day Road, spoke in opposition of the proposed rezoning.
5. Aurora Lewis, Ashley Avenue, spoke in opposition of the proposed rezoning.
6. Gaston Lewis, Aurora Lane, spoke in opposition of the proposed rezoning.
7. Chuck Henry, Whitney Place, spoke in opposition of the proposed rezoning.
8. Barbara Swisher, Ashley Avenue, spoke in opposition of the proposed rezoning.
9. John Thomas, Thomas Engineering, spoke in favor of the proposed rezoning.

Council discussed turn lanes, traffic and future plans of the NC DOT.

10. Steven Kornegay, Garden Walk, spoke in opposition of the proposed rezoning.
11. Anthony Lewis, Ashley Avenue, spoke in opposition of the proposed rezoning.
12. Alice Sladick, Ashley Avenue, spoke in opposition of the proposed rezoning.
13. Phyllis Merritt James spoke regarding housing density, safety and further research.

No one else spoke.

Councilman Batts made a motion to continue the public hearing until the 16<sup>th</sup> of October. The motion was seconded by Councilman Gaylor.

Mayor Pro Tem Matthews asked if the recommendations are made will it provide easements. Mr. Talton discussed the traffic and the concerns of the public.

Council discussed the continuance of the public hearing with City Attorney Lawrence.

Councilman Batts made a motion to continue the public hearing until the 6<sup>th</sup> of November. The motion was seconded by Councilman Gaylor and passed unanimously.

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

1. Tenisha Saylor shared comments regarding future plans for housing.
2. Phyllis Merritt James shared concerns regarding the CAPER report.
3. Rodney Robinson shared concerns regarding communication with the Mayor and homelessness.

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

**Consent Agenda – Approved as Recommended.** City Manager 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. Councilman Batts moved the items on the Consent Agenda, Items E - Q approved as recommended by the City Manager and staff. The motion was seconded by Councilman Gaylor and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

**Contract Award for 2023 Resurfacing Project - Formal Bid No. 2023-002. *Resolution Adopted.*** The item was presented by Jonathan Perry, Engineering Services Manager. On Thursday, August 31, 2023, a bid opening was held for the 2023 Resurfacing Project. Three bids were received and opened.

Daniels Inc. of Garner, NC submitted the low bid for the 2023 Resurfacing Project for a total cost of \$278,150.95. The bids received for this project are tabulated as follows:

Name of Bidder	Amount of Bid
Daniels Inc. of Garner, NC Garner, NC	\$278,150.95
Barnhill Contracting Company Rocky Mount, NC	\$283,288.20
S.T. Wooten Corporation Wilson, NC	\$433,746.00

The proposed work consists of approximately 6885 square yards of mill asphalt 1.5” deep; approximately 6885 square yards of S9.5A asphalt surface course; approximately 2370 square yards of full depth patching.

The bids for this project have been reviewed by the Engineering Department, checked for accuracy, and found to be in order.

We have reviewed the financing of this project with the Finance Director and determined the proposed funding as outlined below:

- \$66,485.04 left over from street bond.
- \$57,000.00 allocated from state grant.
- \$154,665.91 coming from fund balance.

It was recommended that Council adopt the following entitled resolution authorizing the Mayor and City Clerk to execute a contract in the amount of \$278,150.95 with Daniels Inc. of Garner, NC for the 2023 Resurfacing Project. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-66 “RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR 2023 RESURFACING PROJECT FORMAL BID NO. 2023-002”*

**Contract Award for Lead and Copper Inventory Project Formal Bid No. 2023-001. *Resolution Adopted.*** The item was presented by Jonathan Perry, Engineering Services Manager.

On Thursday, August 31, 2023, a bid opening was held for the Lead and Copper Inventory Project. Only one bid was received, and the project was scheduled for re-bid.

Two bids were received at the second bid opening held on Tuesday, September 19, 2023.

Duke’s Root Control, Inc. submitted the low bid for the Lead and Copper Inventory Project for a total cost of \$2,037,500. The bids received for this project are tabulated as follows:

Name of Bidder	Amount of Bid
Duke’s Root Control, Inc. Elgin, Illinois	\$2,037,500.00
Performance Contracting, Inc. Knoxville, TN	\$3,091,323.47

The proposed work consists of approximately 7,000 visual inspections at the meter for public owned and private owned water services; digging up approximately 3,000 public owned and private owned water services; approximately 50 cubic yards of concrete sidewalk repair; approximately 50 tons of asphalt repair; and approximately 50 linear feet of curb and gutter.

The bids for this project have been reviewed by the Engineering Department, checked for accuracy, and found to be in order.

We have reviewed the financing of this project with the Finance Director and determined the proposed funding as outlined below:

- \$1,982,440 is allocated in the FY23-24 Budget.

- The remaining \$55,060 shall be allocated by budget amendment.

It was recommended that Council adopt the following entitled resolution authorizing the Mayor and City Clerk to execute a contract in the amount of \$2,037,500 with Duke’s Root Control, Inc. of Elgin, Illinois for the Lead and Copper Inventory Project. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-67 “RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR LEAD AND COPPER INVENTORY PROJECT FORMAL BID NO. 2023-001”*

**Operating Budget Amendment FY23-24. Ordinance Adopted.** The item was presented by Catherine Gwynn, Finance Director.

Council adopted the FY23-24 annual operating budget on June 20, 2023.

Non-Profit Services – Rebuilding Broken Places (General Fund)

On July 17, 2023, City Council agreed to allow Rebuilding Broken Places to submit their financial statement audit in August, and when received would be amenable to funding the FY23 appropriation for services as a fund balance appropriation in FY24.

Rebuilding Broken Places has submitted the requested audit and satisfied the requirements for funding. At this time, it is necessary to appropriate the expenditures for the service contract in the amount of \$13,616. This will be funded with an appropriation of fund balance in the General Fund.

Lead and Copper Project Funding – Utility Fund

City Council authorized the appropriation of \$1,982,440.00 as a transfer to the capital project (Lead and Copper Inventory) in the FY24 adopted budget. At this time the project has been bid, and the cost will be \$2,037,500.00 resulting in a shortfall of \$55,060.00. In order to award the contract, it is necessary to appropriate an additional transfer to the capital project in the amount of \$55,060.00. This will be funded with an appropriation of fund balance in the Utility Fund.

It was recommended that Council adopt the following entitled ordinance to amend the FY23-24 Operating Budget for the General Fund and Utility Fund. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*ORDINANCE NO. 2023-54 “AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2023-24 FISCAL YEAR”*

**Establishing a Grant Project Fund Ordinance – Lead and Copper Capital Project Fund (W1114). Ordinance Adopted.** The item was presented by Catherine Gwynn, Finance Director.

The Environmental Protection Agency (EPA) overhauled the 1991 Lead and Copper Rule and issued the final Lead and Copper Rule Revisions (LCRR) which went into effect December 16, 2021. All water systems must complete certain tasks before the October 16, 2024 deadline which includes developing an inventory of all service lines, including public-side and private-side materials, and making that publicly available.

The Engineering department issued a formal bid for the inventory of the public and private lines, and has requested Council award the bid to Duke’s Root Control for \$2,037,500.

It is necessary to appropriate the expenditures to create the lead and copper inventory for the City, and as allowed by N.C. General Statute §159-13.2, Project Ordinances, we recommend that this be established as a capital project ordinance. This was an unfunded federal mandate, so it will be funded entirely with a transfer from the Utility Fund which was included in the FY24 adopted operating budget.

It was recommended that the following entitled Grant Project Ordinance for the Lead and Copper Inventory Capital Project Fund (W1114) be adopted for \$2,037,500. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*ORDINANCE NO. 2023-55 “AN ORDINANCE ESTABLISHING THE GRANT PROJECT FUND FOR THE LEAD AND COPPER INVENTORY PROJECT (W1114)”*

**Resolution to approve insurance broker agreement for FY25-FY27. Resolution Adopted.** The item was presented by Catherine Gwynn, Finance Director.

The City conducted an RFQ/RFP process December, 2020, and Arthur J. Gallagher was selected as the insurance broker to represent the City of Goldsboro. We requested a contract of three years which covered FY22-FY24, at a cost of \$45,000 per year for a total of \$135,000. The proposal was prepared such that we could extend the agreement as long as the City was satisfied with the performance of the broker.

Arthur J. Gallagher assists the City with procuring multiple coverages that hedge against peril and risk such as general liability, auto, property, crime, inland marine, law enforcement, employment practices, professional, umbrella, cyber liability, liquor, flood, drone and excess worker’s comp. The broker has assisted the City with preparing the lengthy insurance applications each year, and has done a good job assisting us in managing the various claims that we file each year. The broker provides resources to assist the City with risk assessment and mitigation such as consultants and training resources.

Keeping the continuity of the broker is important due to the complexity of the City’s operations, and number of claims. The broker is amenable to the same terms, and it is our recommendation to engage the broker for the term of FY25-FY27 at the same cost of \$45,000 per year.

It was recommended that Council approve the following entitled resolution to engage Arthur J. Gallagher Risk Management Services as the City’s insurance broker for FY25-FY27. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-68 “A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT FOR INSURANCE BROKERAGE SERVICES BETWEEN THE CITY OF GOLDSBORO AND ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES FOR THE FISCAL YEARS 2025 THROUGH 2027”*

**Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 305 Pearson Street to Melissa Bynum Gill. Resolution Adopted.** The item was presented by Catherine Gwynn, Finance Director.

Staff has received an offer to purchase city owned property. Council must either accept or reject the offer, and if accepted authorize advertisement for upset bids (G.S. 160A-266 and 160A-269).

The following offer has been received for the sale of surplus real property under Negotiated offer, advertisement, and upset bid process (G.S. §160A-266(a) (3))

305 Pearson Street

Offeror: Melissa Bynum Gill  
Offer: \$4,330.00  
Bid Deposit: \$216.50  
Parcel #: 48993                      Pin #: 2690902825  
Tax Value: \$4,330.00              Zoning: R-6

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of a cashier’s check.

It was recommended that Council accept or reject the offer for 305 Pearson Street and if accepted, adopt the following entitled resolution authorizing Finance to advertise for upset bids. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-69 “RESOLUTION AUTHORIZING UPSET BID PROCESS”*

**Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 717 Devereaux Street. Resolution Adopted.** The item was presented by Catherine Gwynn, Finance Director.

Staff has received two offers to purchase city owned property. Council must either accept or reject one of the offers, and if accepted authorize advertisement for upset bids (G.S. 160A-266 and 160A-269).

The following offers have been received for the sale of surplus real property under Negotiated offer, advertisement, and upset bid process (G.S. §160A-266(a) (3))

717 Devereaux Street

Offeror #1: Terrance A. Bynum  
Offer: \$3,700.00  
Bid Deposit: \$185.00

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of a money order.

Offeror #2: Melissa Bynum Gill  
Offer: \$3,610.00  
Bid Deposit: \$180.00

The offer is at least 50% of the tax value of the property. The bid deposit is short by \$0.50 of the calculated 5%. It was received in the form of a cashier’s check.

Parcel #: 50151                      Pin #: 3509014848

Planning has confirmed that this is a non-conforming lot however a single family residence may be constructed on the site if it meets the current Residential (R6) Zoning District building setbacks.

Staff recommends the Council accept the higher of the 2 offers in order to start the upset bid process.

It was recommended that Council accept or reject the offer for 717 Devereaux Street from Terrance A. Bynum and if accepted, adopt the following entitled resolution authorizing Finance to advertise for upset bids. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-70 “RESOLUTION AUTHORIZING UPSET BID PROCESS”*

**Request Authorization to Purchase a New Automated Leaf Collection Truck. *Resolution Adopted.*** The item was presented by Rick Fletcher, Public Works Director.

The Solid Waste Division has five leaf collection trucks – year models 1999, 2006, 2007, 2010 & 2019. Due to the age and condition of the equipment, we experienced significant equipment downtime and delays during the previous leaf season. To help mitigate equipment concerns, the Solid Waste Division requested and received funding to purchase new leaf collection machines in FY 23 and FY 24.

A new leaf collection truck was ordered in August 2022 through Piedmont Truck Center, Inc. with an anticipated delivery in March 2023. Unfortunately, delivery has been delayed until January 2024 due to the unavailability of manufacturer parts.

The purchase of an automated leaf collection truck was authorized in the FY24 budget for \$300K. Fortunately, Carolina Industrial Equipment has several automated leaf collection trucks readily available to purchase for \$275K plus \$2K to cover NC highway use tax, tag and title fees. The representative confirmed they could deliver a truck within 7-10 business days of receiving the purchase order.

It was recommended that Council approve the purchase of the new automated leaf collection truck from Carolina Industrial Equipment, through the North Carolina Sheriff’s Association, for \$277K. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-71 “RESOLUTION OF INTENT TO PURCHASE A NEW AUTOMATED LEAF TRUCK”*

**HOME-ARP Non-Congregate Shelter (NCS) Program Guidelines & RFP-Application. *Approved.*** The item was presented by Felecia Williams, Community Relations and Development Director.

The City has been allocated \$907,913 of HOME-ARP funds by the U.S. Department of Housing and Urban Development (HUD) to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations.

HOME-ARP funds may be used to acquire, rehabilitate, or construct NCS units to serve individuals and families in the Qualifying Populations. Eligible costs include Acquisition, Demolition, Development Hard Costs, Related Soft Costs, and Replacement Reserve. HOME-ARP funds may not be used to pay ongoing costs of operating HOME-ARP NCS or to convert to NCS housing.

The Community Relations & Development department has developed a thorough and detailed program guide and RFP-Application pursuant to Notice CPD-21-10: Requirements for the Use of Funds in the HOME-ARP Program.

It was recommended that Council adopt the newly developed HOME-ARP Non-Congregate Shelter (NCS) Program Guidelines & RFP-Application. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

**2023 Fall Festival Vampire Masquerade – Temporary Street Closure. *Approved.*** The item was presented by Mike West, Police Chief.

Downtown Goldsboro / Downtown Development Corporation in partnership with Artistic Dance Academy will host the 2023 Fall Festival Vampire Masquerade event. The event is free, family-friendly, and open to the public.

The event will be on Saturday, October 28, 2023, from 5:00pm – 8:00pm on North Center Street, utilizing the Northbound Lane of the 200 block of North Center Street from Ash to Mulberry Street and the steps of City Hall. There will be a Downtown Halloween Contest and Vendor setup with children’s activities and Food Trucks. The Downtown Goldsboro / Downtown Development Corporation is requesting the closure of the northbound lane of North Center Street from Ash to Mulberry Street from 4:30pm –8:30pm.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments are to be involved in the logistical aspects of the Event.

It was recommended that Council grant the requested temporary closing of the northbound lane of North Center Street from Ash to Mulberry Street as stated above. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

**US Dept. of Justice: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation. *Resolution Adopted.*** The item was presented by Mike West, Police Chief.

The Goldsboro Police Department has been awarded Federal grant funds from the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG). On August 21st, 2023, Council adopted a Resolution allowing the Goldsboro Police Department to apply for this grant. The grant was awarded on September 26th, 2023.

The grant was approved for the Goldsboro Police Department to purchase (4) four in-car camera systems and IFAK (individual first aid kits) in the amount of \$29,412.81 to record officer interactions with the public and first aid for actual or potential violence that threatens officer safety, and the Wayne County Sheriff was approved to purchase IFAK kits for their deputies in the amount of \$18,269.00.

It was recommended that the following entitled resolution be adopted authorizing the Goldsboro Police Department and Goldsboro City Manager to accept the award for the 2023 JAG funds in the amount of \$47,702.00 and authorize City officials to execute documents required for the award. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-72 “A RESOLUTION SUPPORTING THE 2023 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) APPLICATION”*

**Ratifying the Actions Taken Regarding 800 and 808 W. Grantham St. *Resolution Adopted.*** The item was presented by City Manager Salmon.

The City of Goldsboro owned property at 800 and 808 W. Grantham Street.

An offer to purchase the properties was made and the Finance Department brought an agenda item to the Council meeting on May 1, 2023 to accept or reject the initial bid and authorize Finance to advertise for upset bids for the property.

Council accepted the bid and authorized Finance to advertise for upset bids. Two Farms, Inc. was the winning bidder for the property and has started the process to purchase the property.

At the May 1, 2023 meeting, Council authorized the Mayor to execute the contract or deed. The Agreement was signed by the City Manager on June 27, 2023 and an Amendment to the Contract of Sale was signed by the City Manager on September 25, 2023.

A resolution is needed authorizing the City Manager to sign the agreement, and any amendments to such. Otherwise, the agreement must be revised with the mayor’s signature.

It was recommended that Council adopt a resolution authorizing the City Manager to be the signatory for all documents related to the sale of the properties at 800 and 808 West Grantham Street, Goldsboro, as approved by City Council at the May 1, 2023, meeting. The original agreement is attached as part of the agenda packet. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-73 “A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS RELATED TO THE SALE OF THE PROPERTIES AT 800 AND 808 W. GRANTHAM ST.”*

**Advisory Board and Commission Appointments. *Resolutions Adopted.*** The item was presented by Laura Getz, City Clerk.

Citizen involvement is vital to the performance of City government. There are currently several vacancies on Advisory Boards and Commissions. 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.

The City Council met during the Work Session on September 18, 2023, to review vacancies and applications received to fill the current vacancies. With these appointments, one position on the Recreation Advisory Commission, one position on the Mayor’s Committee for Persons with Disabilities, and one alternate position on the Historic District Commission remains.

It was recommended that Council adopt the following entitled Resolutions appointing members to various Advisory Boards and Commissions in the City of Goldsboro, and commending individuals who have served on Advisory Boards and Commissions of the City of Goldsboro. Consent Agenda Approval. Batts/Gaylor (6 Ayes)

*RESOLUTION NO. 2023-74 “RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS”*

*RESOLUTION NO. 2023-75 “RESOLUTION COMMENDING INDIVIDUALS WHO HAVE SERVED ON ADVISORY BOARDS AND COMMISSIONS OF THE CITY OF GOLDSBORO”*

**City Manager’s Report.**

City Manager Tim Salmon shared the following: at the next meeting, the FY21-22 Annual Comprehensive Financial Report from FORVIS will be presented; the Financial Update on FY22-23 will be presented by the Finance Director; and we should be addressing an ordinance amending Chapter 53.17 for voluntary annexation. On November 6, there will be a report on the public safety complex repairs, our water reclamation facility expansion and the flood print project from North Carolina State University consultants.

**Ceremonial Documents.**

**Breast Cancer Awareness Month Proclamation.** Read by Mayor Pro Tem Matthews: The Goldsboro City Council proclaimed October 2023 as BREAST CANCER AWARENESS MONTH in the City of Goldsboro, and urged our fellow citizens to become aware of the impact that breast cancer has on our community, and to support the fight against breast cancer so that we may one day defeat this terrible disease.

**Safety First on Halloween Proclamation.** Read by Councilman Gaylor: The Goldsboro City Council proclaimed SAFETY FIRST ON HALLOWEEN and encouraged all citizens of Goldsboro to promote and observe the following safety guidelines:

- Parents are asked to supervise the Halloween Trick or Treat activities of their children and to ensure that Trick or Treat activities are limited to children under the age of 16 years.
- Trick or Treat hours will be observed from 6:00 p.m. to 8:00 p.m. on Tuesday, October 31, 2023.
- Residents who wish to participate in Trick or Treat are asked to leave a porch light, or other outdoor light, on during these hours.
- Parents are asked to explain to children that homes with no outdoor light are not participating in Trick or Treat and that these homes should be passed up during these activities.
- It is also recommended for the safety of our children that parental supervision be extended to include insistence that children do not consume any "treats" until closely examined by their parents. Parents should follow the rule "if in doubt - throw it out" where evidence of tampering with packaging or surfaces of consumable product exists.

These guidelines are set forth in the hope that all citizens of Goldsboro will enjoy a happy, safe, and orderly Halloween.

**Resolution Expressing Appreciation for Services Rendered by Julie A. Ryan as an Employee of the City of Goldsboro for More Than 27 Years. *Resolution Adopted.*** Julie A. Ryan retired on October 1, 2023 as a Police Records Technician, with more than 27 years of service with the Goldsboro Police Department. Julie began her career on February 14, 1996 as a Public Records Clerk with the Goldsboro Police Department. On July 1, 2016, Julie’s title was changed to Police Records Technician with the Goldsboro Police Department, where she has served until her retirement. Julie has proven herself to be a dedicated and efficient public servant who has gained the admiration and respect of her 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 Julie their deep appreciation and gratitude for the service rendered by her to the City over the years and express to Julie our very best wishes for success, happiness, prosperity, and good health in her 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 2nd day of October, 2023.

Councilman Broadway made a motion to adopt the following entitled retirement resolution. The motion was seconded by Councilwoman Jones and unanimously carried.

*RESOLUTION NO. 2023-76 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY JULIE A. RYAN AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 27 YEARS”*

**Mayor and Councilmembers’ Comments.**

Councilman Jones shared the following comments: Well, I am just very excited. One of my items is safety, one of my concerns is safety and safety extended beyond crime is very important as well and so I am very excited to see the sidewalk going up for the residents of West Haven. I am so excited to see that and there's some other sidewalks going up as well.

Councilman Broadway shared the following comments: I want to thank again Doug McGrath for his four years of service. He has done a yeoman’s job and has really helped the city. The last thing is just ask everybody to vote for goodness sakes. Go out and vote, that's so important and I think we have less than 1,000 people that voted so far which is criminal in our day and time. We’ve got to vote.

Mayor Pro Tem Matthews shared the following comments: Thank you, Councilman Broadway because I was definitely going to say the same thing, so I echo that. But really want to encourage men and women to do their due diligence and self-checking as it relates to breast cancer. As someone who received a scare at the age of 31, going to Wayne Radiology to check lumps that were found in my breast by my doctor. A lot of reports and organizations say you don't even have to check before



the age of 40. I'm telling you that it's okay to go ahead and start checking. There are so many resources online that shows you how to do that and then where you can go to seek help, so I did want to share that and encourage both men and women because it's not just a disease that affects women. The ROCC Foundation, Mr. Rodney Robinson just came up and I wanted to share his organization with you guys. ROCC is ROCC Foundation Inc, and you can find them on Facebook, so make sure you connect with him. He does some amazing things in the community, so thank you for what you do, Rodney.

Councilman Gaylor shared the following comments: I'll also start about pointing out Rodney and ROCC Foundation and what they're doing. Look it up on Facebook for sure. The same day as Freedom Fest, they had a very rainy, very wet, community day that was very well attended and very well supported and you're right, it's just going to take an all-hands approach, there's absolutely no doubt. I also wanted to touch briefly and I'll be somewhat brief, somewhat, about economic development and how these things have to come together and how the relationship between the City and the County and the Development Alliance and the Eastern Region all have to play together in concert. We've seen the comments from commissioner meetings and obviously I have no intention of addressing each one of those, but what I will say is that we are all supposed to be playing from the same sheet of music, the same plan and the same hopes and expectations of pieces of options and opportunities around the city and around the county and the only way that we are going to make a concerted impact on 25% of our population in the city needing SNAP benefits is by providing more job options, more economic mobility options, more housing options. It's got to be a single sheet of music. I'm not trying to belabor any points tonight but it needs to be reiterated that we have some phenomenal options here in Goldsboro, we have some phenomenal tools here in Goldsboro and we simply got to make sure that we're not throwing each other under the bus, that we're not looking for scapegoats, that we're leaving the egos outside of conversations, and that we're focused on making sure all the information gets to the right parties, at the right time, so we can actually do things effectively.


Councilman Batts had no comment.

Mayor Ham shared the following comments: I'm just going to make one subject tonight of my comments and that is voting. It's already been mentioned here, the low turnout. That is expected quite frankly when you have an off-year election like we do, but that's no reason why you shouldn't go out and vote. We have some very important issues coming before this city as we move forward. We're in a period where we're seeing development happen and the future leaders of this city that will be sitting around this dais here come Monday night on the 5th of December, will take charge and you need to go out, citizens of Goldsboro and vote. We are in the primary now, not the not the general election, that will come in November, but still, there's a few more days for you to go out and vote in the primary and I encourage you to do so.

There being no further business, Mayor Ham adjourned the meeting at 8:52 p.m.



  
David Ham  
Mayor

  
Laura Getz  
City Clerk

# WAYNE COUNTY BOARD OF COMMISSIONERS



**WAYNE COUNTY**

NORTH CAROLINA

Ph: (919) 731-1438

Fax: (919) 731-1446

September 29, 2023

Mr. Kenny Talton  
Planning Director  
City of Goldsboro  
PO Drawer A  
Goldsboro, NC 27530

RE: Rezoning Proposal; Z-13-23 Harry and Mollie, LLC c/o Bob Ivey

Mr. Talton:

I am writing in response to your September 26, 2023 email requesting Wayne County's official position regarding Rezoning Proposal Z-13-23. The proposed rezoning would change the property owned by Harry & Mollie, LLC from IBP-1 to GB. As you are aware, Wayne County owns several adjoining parcels which make up the ParkEast Industrial Park. Wayne County opposes the rezoning of this property from IBP-1 to GB.

The County has several ongoing projects in ParkEast. These efforts are in conjunction with the Wayne County Development Alliance (WCDA) and the North Carolina Global TransPark Economic Development Region (NCGTPEDR). The status of these projects is as follows:

- ParkEast Lot 8; Hosokawa Custom Processing Services LLC (PIN: 3529210269): Wayne County, the City of Goldsboro, and the NC Department of Commerce provided economic development incentives to the company in exchange for 16 jobs and \$6,335,169 in capital improvements. The company offers custom processing for chemicals, minerals, polymers, and plastics. The County finalized the sale of the property in August 2022 and Hosokawa opened in the Spring of 2023.
- ParkEast Lot 18; Select Genetics (PIN: 3528194974): Wayne County and the NC Department of Commerce announced economic development incentives to Select Genetics in the Spring of 2023. The company will construct a state-of-the-art turkey hatchery on Lot 18, will create 39 jobs, and make \$36,000,000 in capital improvements. The County is currently finalizing the sale of the property and expects to close in the coming months.



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- Wayne County/WCDA Shell Building Partnership (PIN: 3519915801): WCDA and the County are currently overseeing construction of 50,000 square feet and 30,000 square feet shell buildings on the parcel. The parties anticipate the buildings to be completed by the end of 2023. WCDA is actively marketing the shell buildings to numerous industries. Wayne County has committed \$4,398,894 to the project with WCDA obligating an additional \$600,000.
- Ivey Drive Project: ST Wooten began construction on future Ivey Drive in early September of this year with completion anticipated in the Spring of 2024. Once completed, the road will provide secondary access to ParkEast. The lack of secondary access to the park has been a significant barrier to recruitment. The project consists of approximately \$475,000 from Wayne County, \$400,000 from NC DOT, and additional grant funding from NC Department of Commerce, the Golden LEAF Foundation, and Duke Energy.
- ParkEast Lots 7 and 9 (PINs: 3529211787 & 3529200615): The County and NCGTPEDR are currently marketing these two lots and have received numerous inquiries. Recruitment continues and the Count is optimistic that industries will be secured in the coming months.

The above projects have resulted in job creation in Wayne County and a significant increase in the tax base for both Wayne County and the City of Goldsboro.

The City's Comprehensive Land Use Plan designates ParkEast as Industrial (Page 7-2, Map 38). A substantial reason for the park's success has been the industrial designation within the City's Land Use Plan and the accompanying zoning protections afforded to the park as a result. The park's development plan and recruitment strategy centers around what properties may be developed around the park in the future. Section 7(B)(3) of the City of Goldsboro's existing Comprehensive Plan entitled "Industries" states:

"All of the industrial areas indicated on the Land Use Plan should be buffered with either Office/Institutional/High Density Residential or Conservation land uses. Buffering should be provided to help prevent land use conflicts between industrial development and neighboring land uses. The width of the buffer should be based on the type or industry and its potential to create compatibility problems. The objective is not to acquire land to be utilized as buffer areas, but rather to encourage industries to incorporate adequate buffers into their development plans. The buffer areas indicated on the future land use map should be established as development or redevelopment occurs". Section 7(B)(3), Goldsboro Urbanized Area Comprehensive Plan

Furthermore, NCGS §160D-701 states that "Zoning regulation[s] shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare". North Carolina law mandates that any rezoning considered by the City Council with respect to ParkEast be done in such a way to comply with the City's Land Use Plan. The permitted uses for GB contained in the Goldsboro UDO contain a wide array of Residential and Business-Personal Services which are inconsistent with industrial buffering requirements contained in the Land Use Plan. Some of the problematic GB uses include but are not limited to: duplexes, residential care facilities (full time convalescent/attendant nursing/rehabilitation care), modular

housing, single family housing, special population housing, and daycares. The business activities in ParkEast consist of chemical processing, manufacturing, commercial shipping and a future hatchery. These industrial activities would not be compatible with many of the GB permitted uses and would result in conflict between industry and neighboring GB landowners. The Land Use buffering requirements exist to avoid such conflict. The rezoning request from IBP-1 to GB must therefore be denied under Chapter 160D of the North Carolina General Statutes as it is inconsistent with the City's Land Use Plan.

The successful economic development projects outlined above are a result of the City's adherence to its Land Use Plan, specifically with respect to rezoning requests for properties affecting existing industries. The County has complied with all planning requests from the City of Goldsboro in the development of ParkEast and strictly adhered to the City's UDO. The approval of the Harry and Mollie, LLC rezoning request from IBP-1 to GB would jeopardize current and future projects in ParkEast.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Aycock".

Barbara Aycock  
Chairwoman

CC: Wayne County Board of Commissioners



Donna Phillips, MBA,  
Sr. Economic Development Manager  
1614 Pethum Road  
Winterville, NC 28590

October 2, 2023

Wayne Development Alliance  
218 East Walnut Street  
Goldsboro, NC 27530

Subject: Electric Service -ParkEast Industrial Park- Brunswick County

To Whom it May Concern:

Thank you for the opportunity to provide support for ParkEast Industrial Park, Wayne County, North Carolina as a premier site for large scale electric usage. At Duke Energy, we are committed to delivering affordable, reliable, and cleaner energy while protecting the environment.

ParkEast is wholly within Duke Energy's service territory and has critical large capacity of electricity to serve industrial clients that are looking at Eastern NC. This site is served from the New Hope 115kV substation and the Goldsboro 115 Switching Station. The existing electrical infrastructure also includes two distribution lines and as well two transmission lines. This type of infrastructure is designed for industrial customers.

In addition to the unique electrical infrastructure, Duke Energy has invested in this site through our Carolina's Investment Fund grant that helps communities prepare in recruiting industrial customers. ParkEast is unique in that it is one of the few sites in Eastern NC that can handle large electric loads and we have submitted this site over 30 times this year alone to prospective customers.

Please accept this letter as our commitment to the recruitment of industrial customers to this site. Please do not hesitate to call me if I can be of any further assistance at 252-814-3657.

Sincerely,

A handwritten signature in blue ink that reads "Donna Phillips".

Donna Phillips, MBA  
Senior Economic Development Manager  
North Carolina Economic Development

RECEIVED

OCT 02 2023



Mr. Kenny Talton  
Planning Director  
City of Goldsboro  
PO Drawer A  
Goldsboro, NC 27530

RE: Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

Mr. Talton:

The Wayne County Development Alliance (WCDA) is an advocate for sustainable development and economic stability for the citizens of Wayne County and the municipalities within. WCDA opposes the rezoning of property owned by Harry & Mollie, LLC from IBP-1 to GB. As you are aware WCDA owns property in ParkEast with significant investment as a partner constructing two industrial shell buildings.

While promoting commercial activity is undoubtedly valuable for growth, it is crucial that we carefully consider the potential ramifications such a rezoning decision may have on our existing industries. We believe the City of Goldsboro staff understands how vital maintaining a healthy balance between industry and commerce truly is, as is evident in the Comprehensive Plan. The City's plan designates ParkEast as Industrial (Page 7-2, Map 38). A substantial reason for the park's success has been the industrial designation within the City's plan and the accompanying zoning protections afforded to the park as a result. We would also like to point out that the City's Comprehensive Plan gives an overview of ParkEast and plainly indicates it is only one of two Industrial Parks in the County and the only one in the Goldsboro Urbanized Area (Page 3-32).

Furthermore, NCGS §160D-701 states that "Zoning regulation[s] shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare". North Carolina law mandates that any rezoning considered by City Council with respect to ParkEast be done in such a way to comply with the City's Comprehensive Plan. By preserving dedicated industrial zones, we can safeguard jobs, foster innovation, and sustain long-standing businesses that form the backbone of our local economy.

Allow us to share some key concerns opposing this rezoning request:

1. **Negative Impact on Existing Industries:** Rezoning industrial land risks introducing incompatible activities or increased competition within these areas. This could disrupt established businesses' operations and jeopardize their ability to thrive.

**Environmental Considerations:** The proposed change may lead to heightened traffic congestion, noise pollution, air pollution levels or inadequate waste disposal systems—factors detrimental not only for industry but also for nearby communities where people live and work.

2. **Infrastructure Considerations:** The proposed change would reduce the available industrial land having access to rail, water, sewer, natural gas, and electrical capacities that are only seen in three industrial parks in North Carolina's Southeast Region. Building new electrical capacity alone is not only costly but would take years.
3. **Economic Consequences:** Encroachment from general business activities into designated industrial zones might result in job losses if companies face challenges coexisting with new ventures less compatible with their operations.
4. **Community Disruption:** Altering zoning classifications may bring about changes impacting residents' quality of life through increased noise levels, altered aesthetics or property value fluctuations—all factors requiring careful consideration.

We believe the County and landowners who signed the Wayne County Industrial & Business Park Protective Covenants understood these issues as recorded in Book 1309 Page 878 in the Wayne County Register of Deeds. Article II: Goal of Development states, "The goal in the development of the Park is the creation of a harmonious development which will preserve and enhance long term property values and which will provide a pleasant and productive working environment for manufacturing, warehousing, distribution, office operations, and commercial and business development in the area designated "Commercial Area." To achieve this goal, the Park shall be improved with attractive, well-spaced buildings that are properly constructed, durable and easily maintained. The Protective Covenants are established and promulgated in the interest, of promoting this goal in a manner that encourages planning and design consistent with this goal."

We believe the Goldsboro City Council should do exactly what the Comprehensive Plan states, "...*establish and protect industrial areas for the use of prime industrial operations and for the distribution of products at wholesale. These areas should have excellent transportation access (or potential access) and available essential infrastructure including water, sewer, and gas. These areas may be individual industrial sites or integrated industrial parks.*" (Page 7-5). Anything less than denying this request would be a failure to protect industrial areas.

In light of these concerns, we kindly request careful consideration be given to the intricate balance between industry and commerce. This balance is crucial in shaping a sustainable future for our community. Preserving industrial land while still fostering responsible growth is not an easy task, but together we can find a way forward that benefits existing industries, recruitment of new industry, and broader economic development efforts. We genuinely appreciate your time and consideration on this matter.

Sincerely,



Neal Benton  
Chairman

CC: Wayne County Development Alliance Board of Directors



# Sport Durst

Automotive Group



10/2/2023

Dear Goldsboro City Council:

It has come to our attention that Harry Mollie, LLC's pending change of zoning request from General Business and Industrial Business to the General Business Zoning District is being met with opposition. Please know that our future development plans hinge on this request being granted. If this is not granted, it will negatively affect our future plans in Wayne County and the City of Goldsboro and our ability to build dealerships in the area. Please grant their request so that Harry Mollie and Sport Durst can continue to increase the tax base for Goldsboro and Wayne County.

Thank you

Wayne DuBois

Vice President Sport Durst Automotive Group

[illegible]

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROPOSED DEVELOPMENT  
10/1/2010  
J. B. BROWN, INC.  
10000

PLAT - NOT FOR RECORDING, CONVEYANCE OR SALE

1

[illegible]

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL  
OCTOBER 16, 2023

**WORK SESSION**

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on October 16, 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 Brandi Matthews  
Councilwoman Hiawatha Jones  
Councilman Bill Broadaway  
Councilman Charles Gaylor, IV  
Councilman Greg Batts

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

**Adoption of the Agenda.** Upon motion of Councilman Broadaway, seconded by Councilman Batts, and unanimously carried, Council adopted the agenda.

**Old Business.**

**Public Safety Complex Repairs Update.** Jamie Stanley, Deputy Public Works Director shared the following information. A Request for Quotes (RFQ) was sent out last week for this repair. Proposals are due back on November 9<sup>th</sup>. Once the proposals are back, the city's working group will evaluate the proposals based on the criteria.

City Manager Salmon shared they should have more information at the second November meeting. Mayor Ham asked that we move on this soon and carefully.

**New Business.**

**Boards and Commissions Vacancies Discussion.** Laura Getz, City Clerk shared there are two candidates for the Planning Commission vacancy. Ms. Getz reminded everyone we need citizen participation on our boards and commissions.

Mayor Pro Tem Matthews inquired about the districts of the current members for the Planning Commission. Councilman Gaylor recommended putting both applicants on a board. Council discussed current vacancies and current applicants. Ms. Getz shared there is a vacancy on the Commission on Community Relations and Development which was the second choice for Kyle Cramer. Council consensus was for the Clerk to bring a resolution to the 7:00 meeting appointing Duke Cox to the Planning Commission and Kyle Cramer to the Commission on Community Relations and Development.

Ms. Getz passed out a copy of the updated resolution appointing the members during the work session.

**Consent Agenda Review.** Items E- R on the consent agenda were reviewed. Further discussion included the following:

**Item E. HOME-ARP Underwriting & Subsidy Layering Guidelines for Non-Congregate Shelter Unit Projects.** The item was presented by Felecia Williams, Community Relations and Development Director. Mayor Pro Tem Matthews asked if the city could provide utility rent assistance payments through the allocation. Ms. Williams shared the city cannot provide rent assistance but can contract with a nonprofit or agency that does that type of work. Councilman Gaylor asked how the city will be looking at the organization's cash flows and sustaining themselves long term. Ms. Williams stated that we will have the underwriters determine the feasibility. Mayor Ham thanked Ms. Williams for her work on the project. Ms. Williams shared there will be an information session tomorrow at 3:00 pm.

**Item G. Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for E. Spruce and 706 E. Spruce Street.** Catherine Gwynn, Finance Director presented the item. Ms. Gwynn shared these are two separate lots.

Councilman Broadaway made a motion to accept the offer from Terrance Bynum for E. Spruce and 706 E. Spruce Street. The motion was seconded by Councilman Gaylor and unanimously carried.

**Item P. Adoption of an Ordinance Amending Chapter 53: Water and Sewer Systems of the City of Goldsboro's Code of Ordinances.** Matt Livingston, Assistant City Manager presented the item. Mayor Ham shared at the last meeting; Council consensus was to accept this change. City Manager Salmon shared the following comments: We've heard the county commissioners talk about potential billion dollar industries coming to the City of Goldsboro and if that were the case, the tax, at our current tax rate would be \$7.3 million a year and for the city to not collect that tax for seven years would be over \$50 million worth of funding that could go a long way to provide pay increases, buy equipment, operating costs, facilities etc. that's why the staff is recommending that we ask for petitions for voluntary annexation upon provision of services.

Councilman Gaylor stated when economic developments incentives come up, a lot of times, the county does tax rebates based off specific criteria, is there anything that stops us from being able to do that as well. City Manager Salmon

shared we can still coordinate with the county to do those tax incentives essentially for economic development based on how much the company would put in and how many jobs they hired etc.

**Item Q. Advisory Board and Commission Appointment.** The item was presented by Laura Getz, City Clerk. Council received the updated resolution appointing Duke Cox to the Planning Commission and Kyle Cramer to the Commission on Community Relations and Development and agreed to proceed with the revised resolution.

**Closed Session.**

Councilman Broadaway made a motion to go into Closed Session for Economic Development. The motion was seconded by Councilman Batts and unanimously carried.

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

Mayor Ham recessed the meeting at 6:11 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 October 16, 2023.

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

Councilwoman Jones provided the invocation. The Pledge of Allegiance followed.

**Roll Call.**

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

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

**Presentations.**

**Veterans Day Proclamation.** Read by Mayor Ham: The Goldsboro City Council proclaimed November 11, 2023 as VETERANS DAY in the City of Goldsboro and urged all citizens to remember the service and sacrifice of our veterans who defend our freedom and preserve our way of life.

Eric Busse, President; Brian Volk, Treasurer and Andrew Nedimyer, Sergeant of Arms with the Wayne County Veterans and Patriots Coalition shared the parade will be held on November 11 at 11:00 a.m. and shared details regarding the parade. For more information, the Facebook page is Wayne County Veterans and Patriots Coalition.

**Services Provided by the County Clerk of Courts Office.** Juile Whitfield, Clerk of Court shared information regarding the County Clerk of Court’s Office.

**Public Hearings.**

**Z-13-23 Harry and Mollie, LLC (General Business and Industrial Business Park-1 to General Business) – East side of McLain Street between Oak Forest Rd. and E. Ash St. Ext. *Public Hearing Held.*** The item was presented by Kenny Talton, Planning Director.

ADDRESS: TBD

PARCEL #: 3519905459 (Portion of)

PROPERTY OWNER: Harry and Mollie, LLC

APPLICANT: Harry and Mollie, LLC c/o Robert “Bob” Ivey

The applicant is requesting a rezoning for 63.853 acres from General Business (GB) and 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.

At the October 2, 2023, Council meeting, City Council voted to continue the public hearing until October 16, 2023.

SURROUNDING ZONING: North: Industrial Business Park (IBP-I)  
South: General Business (GB), Residential (R16/R20A/R9CZ)  
East: Industrial Business Park (IBP-1) and General Business (GB)  
West: Shopping Center (SC) and Industrial Business Park (IBP-1)

Existing Use: The properties proposed for rezoning are currently vacant.

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

As previously stated, this is a rezoning proposal for 63.853 acres to be rezoned from General Business (GB), Industrial Business Park (IBP-1) to General Business (GB) Zoning District. This is a general rezoning. As such, all uses must be considered in the proposal to rezone the property.

The subject property is adjacent to property commonly identified as the Park East Industrial Park. It is one of two industrial parks in Wayne County.

According to the City of Goldsboro’s Comprehensive Land-Use Plan (CLUP), incompatible non-industrial uses shall not be allowed to encroach upon existing or planned industrial sites. Rezoning the property to General Business will create opportunities for uses permitted by right in the General Business (GB) Zoning District to locate adjacent to existing or planned industrial sites. In addition, the CLUP encourages new industrial development to locate in existing or planned industrial parks. Rezoning the property to General Business (GB) could reduce opportunities for attracting new and existing industries to Park East. Lastly, it will decrease the existing industrial park’s potential for future growth and development.

Currently, Shopping Center (SC) Zoning District is located west of the General Business Zoning District proposed for the subject property (Portion of). This zoning district has the potential to accommodate a majority of the same types of land uses that the General Business Zoning District would accommodate.

TRC REVIEW: Staff has distributed this proposed rezoning to SJAFB and NCDOT. If the rezoning is approved, formal comments will be generated once a site-specific plan is submitted for development.

Staff is recommending denial of the rezoning request. There are several factors that would support not approving the rezoning request. According to the City of Goldsboro’s Comprehensive Land-Use Plan (CLUP), incompatible non-industrial uses shall not be allowed to encroach upon existing or planned industrial sites. Rezoning the property to General Business will create opportunities for uses permitted by right in the General Business (GB) Zoning District to locate adjacent to existing or planned industrial sites. In addition, the CLUP encourages new industrial development to locate in existing or planned industrial parks. Rezoning the property to General Business (GB) could reduce opportunities for attracting new and existing industries to Park East. Lastly, it will decrease the existing industrial park’s potential for future growth and development.

The City of Goldsboro Planning Commission met on September 25, 2023, to review and make a recommendation regarding the rezoning request. The Planning Commission voted 4 in favor and 2 against.

Council shall vote to approve the recommendation of the Planning Commission with the inclusion of the Consistency Statement and adopt the Approval Ordinance or City Council shall vote to deny the recommendation of the Planning Commission with the inclusion of the Consistency Statement. City Council may also continue the public hearing to a date certain if they determine further discussion is needed.

Councilman Gaylor shared they have received two letters, one from the Development Alliance and one from the Board of Commissioners (Exhibit A) expressing significant concern over the rezoning. Councilman Gaylor discussed the letters with Mr. Talton regarding restricted and protective covenants, rezoning and future growth in the park. Mr. Talton explained the uses in the zoning district.

Mayor Ham opened the Public Hearing and the following people spoke:

- 1. Bryce Pike, representing the Ivey family and Harry & Mollie, LLC, Bob Ivey and Steve Sutton showed large copies of maps to council and spoke in favor of the proposed rezoning.

Council members asked questions about the proposed rezoning with Mr. Talton, Mr. Pike, Mr. Ivey and Mr. Sutton. Letters submitted to Council as part of the public hearing are attached as Exhibit B.

No one else spoke and the Public Hearing was closed.

Councilman Broadway made a motion to approve and adopt the Ordinance to approve with the inclusion of the consistency statement. The motion was seconded by Councilwoman Jones and unanimously carried.

*ORDINANCE NO. 2023-56 “AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA”*

**SU-16-23 Joseph Taylor (Automobile Sales-Used) – West side of N. James St. between W. Holly St. and W. Vine St. Public Hearing Held and Findings Adopted.** The item was presented by Kenny Talton, Planning Director, after being properly sworn in.

ADDRESS: TBD

PARCEL #: 2599982718

PROPERTY OWNER: Goldsboro Holdings, LLC.

APPLICANT: Joseph Taylor

The applicant requests a Special Use Permit for the establishment of Automobile Sales-Used, located in the General Industry Zoning District. The General Industry Zoning District is established to accommodate the widest range of manufacturing, wholesale, and distribution uses.

According to the City’s Unified Development Code, Automobile Sales-Used is permitted in the General Industry Zoning District only after obtaining a Special Use Permit from Goldsboro City Council. In addition, the following are approval criteria for the proposed special use:

- 1. The minimum lot area is fifteen thousand square feet.
- 2. The minimum lot frontage and width shall be one hundred feet, unless the cars for sale are driven to the site or delivered by nothing larger than a two-car carrier. If either of these conditions is met, there shall be no minimum lot frontage or width.
- 3. No parking of used vehicles or customer vehicles shall be allowed within the required street yard landscape area.
- 4. No vehicles for sale shall be parked within twenty feet of residentially zoned property or any buffer area as required in Section 6.3.9.
- 5. One loading area, not less than twenty by fifty feet shall be provided unless no vehicles will be delivered by car carrier.
- 6. The special use permit shall be issued for a five-year period with automatic renewal for an additional five years if the site and structures are maintained in a satisfactory manner as originally approved.
- 7. All vehicular display areas shall be improved with paving and curb and gutter.
- 8. Used automobile sales facilities shall be retrofitted to comply with the landscape requirements of Section 2.4.10 as a condition of Special Use Permit approval.

Frontage:           Approx. 227.09 ft. (W. Holly St.)  
                          Approx. 245 ft. (N. James St.)

Zoning:             General Industry (I-2)

Existing Use: The site is occupied by a commercial fabrication facility.

The City’s Land Use Plan locates this parcel within the Industrial land use designation. The General Industry Zoning District is a corresponding district for the Industrial land use designation.

According to the applicant’s submitted site plan application and site plan, the proposed use is for Automobile Sales-Used with no vehicular sales display or outside storage. The applicant desires to operate as a wholesale dealer of antique automobiles. According to the North Carolina Department of Motor Vehicles, a wholesale dealer’s license requires that a private office containing at least 96 square feet of floor space in a permanent, enclosed building or structure which is accessible to Division personnel be established for wholesale operations for book-keeping, record-keeping, files, and storage. According to the applicant, automobiles for sale will be stored off-site and outside of Goldsboro’s planning jurisdiction.

Hours of Operation

- M-F; 8am – 5pm

Employees:

- 1

Due to the nature of this proposal, the City Technical Review Committee was not asked to review. If the Special Use Permit is approved, building permits shall be obtained. Compliance with the North Carolina Department of Motor Vehicles and State building codes shall be achieved before a Certificate of Occupancy can be issued for the facility.

Council shall now close the Public Hearing, enter 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 does have the ability to continue the hearing or place conditions upon its approval as long as Council is able to conclude that evidence exists in the record to support the condition. The Mayor of Goldsboro shall sign the Order to Approve or Deny, that reflects the results of the hearing and deliberation at the October 16, 2023, City Council meeting.

Mayor Ham stated: This appears to be a pretty large building based on the size here, but yet the only thing that’s going to be there is an office.

Mr. Talton stated: That is correct. Well, actually, the owner uses the facility as a manufacturing type facility of which he owns another business. He can probably speak more to that so in conjunction with that facility there would just be an office in there, just for the wholesale transaction sales for antique cars that he wants to have as an accessory to that main principle use of the manufacturing facility.

Mayor Ham stated: Do you know what the manufacturing facility consists of?

Mr. Talton stated: I do, but I think I need to let him speak to that because there's some confidentiality subject matter that I might need to let him discuss before I say anything.

Mayor Ham opened the Public Hearing and the following person spoke:

Mayor Ham stated: I don't want you to disclose any confidential information, just curious as to what kind of manufacturing.

1. Joseph Taylor stated: I'm a military contractor. We manufacture ballistic panels. I'm an avid classic car collector so I need my dealers license and the State of North Carolina is making me jump through hoops. We've got four sales offices on the Holly Street side that Sportsman's World used that are now empty so we're going to designate one of those for a dealer's office so the State of North Carolina's happy, gives them a place to come and inspect records.

No one else spoke and the Public Hearing was closed.

City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit should be issued.

1. Councilman Gaylor made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Councilman Batts and unanimously carried.
2. Councilman Batts made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Gaylor and unanimously carried.
3. Councilman Gaylor made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilwoman Jones and unanimously carried.
4. Councilman Batts made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Broadway and unanimously carried.

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

1. Tenisha Saylor shared comments regarding caring for the families in Goldsboro.
2. Peter Stewart shared concerns regarding Throughfare Road traffic issues and asked for a speed limit change.
  - Assistant City Manager Livingston shared comments about an upcoming resolution to reduce the speed limit on Throughfare Road.
3. Pat Lechner distributed his comments regarding the chiller unit at City Hall (Exhibit C).
4. Karl Lundgren shared information about an upcoming event for Liberty First Wayne.
5. Warren Edwards shared concerns regarding Throughfare Road traffic issues and lighting concerns.

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

**Consent Agenda – Approved as Recommended.** City Manager 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. Councilman Broadway moved the items on the Consent Agenda, Items E - R be approved as recommended by the City Manager and staff. The motion was seconded by Councilman Batts and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

**HOME-ARP Underwriting & Subsidy Layering Guidelines for Non-Congregate Shelter Unit Projects.**  
***Approved.*** The item was presented by Felecia Williams, Community Relations and Development Director.

The City has been allocated \$907,913 of HOME-ARP funds by the U.S. Department of Housing and Urban Development (HUD) to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations. On January 23, 2023, Council voted to approve splitting the allocation at 60/40, with 60% (\$463,035) being allocated to Non-Congregate shelter and 40% (\$308,690) being allocated to Supportive Services.

Before the City can commit HOME-ARP funds to a project, it must evaluate the project to determine the amount of HOME-ARP capital subsidy and operating cost assistance necessary to provide quality affordable housing that meets the requirements of CPD Notice 21-10 and is financially viable throughout the minimum 15-year HOME-ARP compliance period. The City must evaluate the project in accordance with underwriting and subsidy layering guidelines it has developed for HOME-ARP projects.

The City's project underwriting must include an in-depth review of underlying project assumptions, development sources and uses, and projected operating income and expenses, and the project's long-term financial viability to determine the project's need for HOME-ARP assistance while preventing over-subsidization of the project. HUD anticipates that project developers will rely on Low-Income Housing Tax Credit (LIHTC) financing, HOME funds, Housing Trust Fund grants, project-based vouchers, project-based rental assistance, operating cost reserves, state or local sources, or a combination of these and other resources to create a feasible HOME-ARP project and maintain compliance with HOME-ARP requirements.

The Community Relations & Development department has developed a thorough and detailed program guide pursuant to CPD Notice 21-10: Requirements for the Use of Funds in the HOME-ARP Program.

Once approved, HOME-ARP RFP's and supporting applications will be published on October 19, 2023.

It was recommended that Council adopt the newly developed HOME-ARP Underwriting & Subsidy Layering Guidelines for Non-Congregate Shelter Unit Projects. Consent Agenda Approval. Broadway/Batts (6 Ayes)



**HOME-ARP Supportive Services Program Guidelines & Application. *Approved.*** The item was presented by Felecia Williams, Community Relations and Development Director.

The City has been allocated \$907,913 of HOME-ARP funds by the U.S. Department of Housing and Urban Development (HUD) to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations. On January 23, 2023, Council voted to approve splitting the allocation at 60/40, with 60% (\$463,035) being allocated to Non-Congregate shelter and 40% (\$308,690) being allocated to Supportive Services.

HOME-ARP funds may be used to provide a broad range of supportive services to qualifying individuals or families as a separate activity or in combination with other HOME-ARP activities. There are three categories specifically included as supportive services under HOME-ARP: McKinney-Vento Supportive Services, Homelessness Prevention Services, and Housing Counseling Services. These eligible Supportive Services are listed and detailed in the Supportive Services Program Guidelines and Application.

The Community Relations & Development department has developed a thorough and detailed program guide and application pursuant to CPD Notice 21-10: Requirements for the Use of Funds in the HOME-ARP Program.

Upon receiving Council’s approval of the HOME-ARP Supportive Services Program Guide and Application, the department, with assistance from the City’s Procurement Manager, will publish all HOME-ARP Request for Proposals and Applications on October 19, 2023.

It was recommended that Council adopt the newly developed HOME-ARP Supportive Services Program Guidelines & Application. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

**Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for E. Spruce and 706 E. Spruce Street. *Resolution Adopted.*** The item was presented by Catherine Gwynn, Finance Director.

Staff has received two offers to purchase city/county owned property. Council must either accept or reject the offer, and if accepted authorize advertisement for upset bids (G.S. 160A-266 and 160A-269).

The following offers have been received for the sale of surplus real property under Negotiated offer, advertisement, and upset bid process (G.S. §160A-266(a) (3))

E. Spruce Street and 706 E. Spruce Street  
Offeror #1: Terrance A. Bynum  
Offer: \$3,950.00  
Bid Deposit: \$197.50

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of money orders.

Offeror #2: Melissa Bynum Gill  
Offer: \$3,770.00  
Bid Deposit: \$188.50

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of cashier checks.

Parcel #: 51001, 51002 Pin #: 3509148035 (E. Spruce)  
3509148085 (706 E. Spruce)  
Combined Tax Value: \$3,770.00 Zoning: R-6

Planning has confirmed that both lots are non-conforming. It is the recommendation of staff to sell both lots together, and require the winning bidder to combine the lots into one lot upon recording of the deed.

Staff recommends the Council accept the higher of the 2 offers in order to start the upset bid process.

It was recommended that Council accept or reject offer on E. Spruce and 706 E. Spruce Street from Terrance Bynum and if accepted, adopt the following entitled resolution authorizing Finance to advertise for upset bids. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*RESOLUTION NO. 2023-77 “RESOLUTION AUTHORIZING UPSET BID PROCESS”*

**Authorization of Sale of Jointly Owned Property for 409 North Slocumb Street (The Fairlene Group, LLC). *Resolution Adopted.*** The item was presented by Catherine Gwynn, Finance Director.

Wayne County has requested concurrence by the City Council for jointly owned city/county-owned property. The County conducted the sale under the upset bid process (NCGS §160A-269), and approved at the September 19, 2023 commissioners meeting.

Buyer: The Fairlene Group, LLC  
Sales Price: \$1,000.00

409 N. Slocumb Street

Tax Value: \$1,830.00

Pin #: 3509168565

It was recommended that Council adopt the following entitled resolution declaring the property surplus and authorize City officials to execute instruments necessary to transfer ownership for 409 N. Slocumb Street to The Fairlene Group, LLC. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*RESOLUTION NO. 2023-78 “RESOLUTION AUTHORIZING SALE OF SURPLUS REAL PROPERTY UNDER NCGS § 160A-269”*

**Amending Special Revenue Fund Ordinance – Edward Byrne Memorial Justice Assistance Grant (JAG) (P3102). Ordinance Adopted.** The item was presented by Catherine Gwynn, Finance Director.

On August 21, 2023 Council approved a resolution to allow the Goldsboro Police Department to apply for the 2023 Justice Assistance Grant in the amount of \$47,702.00. On October 2, 2023 Council approved a resolution to accept the Federal grant for the purchase of four in-car cameras and individual first aid kits (IFAK) for the Police department, and individual first aid kits (IFAK) for the Wayne County Sheriff’s department.

At this time a budget amendment is needed to appropriate the revenues and expenditures so that the terms of the grant may be fulfilled. The City of Goldsboro Police Department will share the grant funding with the Wayne County Sheriff in accordance with the signed Memo of Understanding. There is no local match required.

Goldsboro Police	\$29,433.00
Wayne County Sheriff	\$18,269.00
Total	\$47,702.00

It was recommended that the following entitled Special Revenue Fund Ordinance for the Edward Byrne Memorial Justice Assistance Grant (JAG) (P3102) be amended for \$47,702.00 for the 2023 JAG Grant. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*ORDINANCE NO. 2023-57 “AN ORDINANCE AMENDING A SPECIAL REVENUE PROJECT FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) (P3102)”*

**Grant Project Budget Ordinance amendment for the State Grants Miscellaneous Grant Project Fund (G1109). Ordinance Adopted.** The item was presented by Catherine Gwynn, Finance Director.

When the North Carolina General Assembly adopted the FY23 budget, included was a grant for the City of Goldsboro for \$150,000 split between capital improvements or equipment of \$100,000 and parks and recreation expenses for \$50,000. At the November 7, 2022 Council meeting, Council approved 2 resolutions to accept both awards. At the April 17, 2023 meeting, Council created the grant project budget ordinance to create the fund to account for the grant.

The North Carolina Office of State Budget and Management has approved the scope of work and has executed the grant agreement with the City of Goldsboro for the \$100,000 portion of the grant related to transportation. Funding was received after execution of the agreement in the amount of \$100,000 on October 3, 2023. The Assistant City Manager, Matthew Livingston, has requested an appropriation of the expenditures in accordance with the scope of work so that Public Works and Engineering may begin fulfilling the terms of the agreement in a timely manner. In accordance with the grant agreement, these funds are being accounted for in a grant project ordinance.

According to the scope of work the funds will be expended as follows:

Resurfacing	\$ 57,000.00
Sidewalk extension Ash Street	\$ 43,000.00
Total	\$100,000.00

It was recommended that Council adopt the following entitled ordinance amending the State Grants Miscellaneous (G1109). Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*ORDINANCE NO. 2023-58 “AN ORDINANCE AMENDING THE GRANT PROJECT FUND FOR STATE GRANTS MISCELLANEOUS (G1109)”*

**Operating Budget Amendment FY23-24. Ordinance Adopted.** The item was presented by Catherine Gwynn, Finance Director.

Council adopted the FY23-24 annual operating budget on June 20, 2023.

#### Street Paving Division (4136) General Fund

On October 2, 2023, City Council authorized the award of a street resurfacing project to Daniels, Inc. in the amount of \$278,150.95. It was presented that \$154,665.91 was to be funded with a fund balance appropriation from the General Fund.

#### Fire (5120) General Fund

There was an equipment failure of a fire truck that caused the cab of the truck to open within the garage bay causing damage to the truck and the bay door. The insurance company (VFIS) will provide a rental fire truck to the City for a period of 40 days at a cost not to exceed \$250 per day. It is necessary to appropriate the cost of the rental in the amount of \$10,000, and this will be funded with insurance proceeds.

Analysis of Appropriated Fund Balance – General Fund		
Date	Description	Adopted
6/20/2023	Ord 2023-43 FY23-24 Adopted Budget	\$ 1,500,000.00
8/7/2023	FY22-23 Purchase Order Rollovers	2,063,324.43
8/7/2023	Balance of trash compactor for Solid Waste	119,000.00
10/2/2023	Rebuilding Broken Places NPO	13,636.00
	Current Year Appropriations	<u>\$ 3,695,960.43</u>
10/16/2023 Resurfacing Project FY24		\$ 154,665.91
	Proposed	\$ 154,665.91
	Current Year with Proposed	<u><u>\$ 3,850,626.34</u></u>

Water Reclamation Facility (4177) Utility Fund

Mr. Robert Sherman, Public Utilities Director, presented a request to authorize a change order in the amount of \$49,395.36 to Aqua-Aerobics Systems, Inc. for additional unexpected work on the rebuild of sand filter #2. This will be funded with an appropriation of fund balance in the Utility Fund.

Analysis of Appropriated Fund Balance – Utility Fund		
Date	Description	Adopted
6/20/2023	Ord 2023-43 FY23-24 Adopted Budget	\$ -
8/7/2023	FY22-23 Purchase Order Rollovers	2,911,751.36
10/2/2023	Additional appropriation for Lead & Copper Inventory Project	55,060.00
	Current Year Appropriations	<u>\$ 2,966,811.36</u>
10/16/2023 Change order Sand Filter #2 Rebuild Project		\$ 49,395.36
	Proposed	\$ 49,395.36
	Current Year with Proposed	<u><u>\$ 3,016,206.72</u></u>

It was recommended that Council adopt the following entitled ordinance to amend the FY23-24 Operating Budget for the General Fund and Utility Fund. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*ORDINANCE NO. 2023-59 “AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2023-24 FISCAL YEAR”*

**Chiller Replacement for Historic City Hall and City Hall Addition. *Resolution Adopted.*** The item was presented by Scott Williams, Information Technology Director.

The chiller providing AC to Historic City Hall and City Hall Addition was purchased in 2004 when the City Hall Addition was constructed. Two circuit boards that control the chiller have failed, along with some other parts. The boards are obsolete, and the manufacturer cannot provide any replacements. No existing supply of boards have been found in supply houses or online searches.

The City Manager has authorized the rental and installation of a portable chiller to provide cooling for the building while we wait for the new unit. This unit was put in place last week. The approximate cost of the rental unit will be \$163,400. The current lead time on the new unit is currently eight months.

G.S. 143-129 requires formal bidding when the estimated expenditure of public money is greater than \$90,000 for apparatus, supplies, materials, or equipment, and further requires that the governing body must award the contract. Subsection (e) (3) is an exception that allows procurement through a cooperative purchasing group.

The statute allows the governing body to delegate the authority to award contracts, reject bids, or readvertise bids on behalf of the unit to the Manager or other employee. City Council authorized the City Manager or the Finance Director this authority on April 19, 2021, in RES 2021-30.

The procurement of the new chiller equipment is being done through the Omnia Partners Cooperative Purchasing Group. The City Manager and Finance Director stipulate that the delegated authority limit is \$250,000, and contracts over this amount shall be presented to City Council for approval and award.

It was recommended that Council approve the following entitled resolution awarding the purchase of a new chiller to Brady and approve the creation of a Purchase Order to Brady in the amount of \$385,843. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*RESOLUTION NO. 2023-79 “RESOLUTION TO APPROVE AWARD AND PURCHASE ORDER FOR CHILLER REPLACEMENT”*

**HVAC Unit for Goldsboro Event Center. *Resolution Adopted.*** The item was presented by Felicia Brown, Parks and Recreation Director.

One of the 7.5 ton units that cools and heats the Ballroom at the Goldsboro Event Center has failed and needs to be replaced. The unit that failed is 27 years old.

Goldsboro Event Center requested three (3) quotes and has been successful in obtaining two (2) quotes to replace the 7.5 ton unit that heats and cools the Ballroom area. The lower of the quotes is \$19,870. Money was not budgeted for HVAC replacement for FY24.

It was recommended that Council approve the following entitled resolution authorizing staff to purchase a new HVAC unit for the Goldsboro Event Center. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*RESOLUTION NO. 2023-80 “A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO REPLACE THE HVAC AT THE GOLDSBORO EVENT CENTER”*

**Veterans Day Parade – Temporary Street Closure. *Approved.*** The item was presented by Mike West, Police Chief.

The Annual Veterans Day Parade is a parade to Honor all US Military Veterans from all branches of the U.S. Armed Forces for their service. The parade is organized, coordinated, and sponsored by the Wayne County Veterans & Patriots Coalition.

The street closing request for Saturday, November 11, 2023 is as follows:

Parade Route: South on Center Street beginning at Ash Street to Pine Street; going around the traffic circle heading north on Center Street back to Ash Street, ending at Ash Street.  
Staging Areas (streets closed for staging): S. Center Street - between Ash and Holly Street; Oak Street - between James and William Street; Vine Street - between James and William Street; Beech Street - between Center and William Street.  
Additional Closures recommended by the Police Department to manage traffic flow will encompass: James Street - between Oak and Ash Street; Ash Street - between James and John Street; Mulberry Street - between James and John Street; Walnut Street - between James and John Street; Chestnut Street - between James and John Street; Spruce Street - between James and John Street; Pine Street - between James and John Street; and Center Street at Elm Street.

Parking Restrictions: No parallel parking on Center Street from Pine Street to Ash Street.

The time requested for the street closing is from 7:00am to 3:00pm. Police have indicated that traffic will be restricted from 7:00am until 10:30am and all traffic stopped at 10:30am. The actual parade will begin at 11:00am and end at approximately 12:30pm.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments and Public Works Departments are to be involved in the logistical aspects of the event.

It was recommended that Council grant the requested temporary street closures of the sections of Pine Street, Spruce Street, Center Street, Walnut Street, John Street, Mulberry Street, Ash Street, James Street, Chestnut Street, Oak Street, Vine Street, and Beech Street for the Veterans Day Parade route and staging area from 7:00am to 3:00pm on Saturday, November 11, 2023, as stated above. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

**Change Order No.1 Price Change for the Rehabilitation of Sand Filter #2. *Resolution Adopted.*** The item was presented by Bert Sherman, Public Utilities Director.

In the FY23 Budget the rehabilitation for sand filter #2 was approved and resolution adopted in the Council Meeting on December 19, 2022, for \$201,702.00 (Resolution No. 2022-126).

During the rebuilding of sand filter #2, it has been found that there was extensive damage to the existing fiberglass cell dividers. In order to repair the damage, additional parts and labor, beyond that in original scope, is required. The cost for the unforeseen repairs would be an additional \$49,395.36, which includes sales tax.

It was recommended that Council adopt the following entitled resolution authorizing a change order to the contract with Aqua-Aerobics Systems Inc. for the additional labor and materials for the unforeseen repairs to sand filter #2 at the WRF. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*RESOLUTION NO. 2023-81 “RESOLUTION AWARDING AND AUTHORIZING EXECUTION OF CONTRACT FOR THE SAND FILTER REHABILITATION PROJECT”*

**Adoption of an Ordinance Amending Chapter 53: Water and Sewer Systems of the City of Goldsboro’s Code of Ordinances *Ordinance Adopted.*** The item was presented by Matt Livingston, Assistant City Manager.

City Ordinance 53.17, last amended 8-15-83, states the conditions for making water and sewer connections for residential, commercial, and industrial property. For residential and commercial property (paragraph (A)(1)): “Access to water and sewer lines will be provided to a requesting developer or private property owner outside the city limits only upon the receipt and approval of a voluntary petition for annexation by a developer or private property owner who are deemed the same.” For industrial property (paragraph (B)(3)): “An industry requesting access to water and sewer lines will be granted such access upon execution of a formal agreement with the city to file a petition for voluntary annexation on or before the expiration of seven years from the date occupancy begins.”

It is a standard practice for cities to request voluntary annexation upon satisfactory provision of water and sewer services for residential, commercial, and industrial property. Changing the industrial property voluntary annexation period from seven years from the date occupancy begins to the date occupancy begins would be consistent with local government practices and treat residential, commercial, and industrial properties the same. A water and sewer agreement with an industrial customer that includes voluntary annexation may also include economic development incentives.

City management recommends City Ordinance 53.17 paragraph (B) for industrial property be modified to state:

- (2) “The city will agree to provide access to water and sewer lines to any industry requesting such extension, subject to available capacity, provided that industry locates within three miles of the city limits.”
- (3) “An industry requesting access to water and sewer lines will be granted such access upon execution of a formal agreement with the city to file a petition for voluntary annexation on or before the expiration of seven years from the date occupancy begins.” Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*ORDINANCE NO. 2023-60 “AN ORDINANCE AMENDING CHAPTER 53: WATER AND SEWER SYSTEMS OF THE CITY OF GOLDSBORO’S CODE OF ORDINANCES”*

**Advisory Board and Commission Appointment. Resolution Adopted.** The item was presented by Laura Getz, City Clerk.

Citizen involvement is vital to the performance of City government. There are currently several vacancies on Advisory Boards and Commissions. 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.

The City Council met during the Work Session on October 2, 2023, to review vacancies and applications received to fill the current vacancies. With this appointment, one position on the Commission on Community Relations and Development, one alternate position on the Historic District Commission, one position on the Recreation Advisory Commission, one position on the Mayor’s Committee for Persons with Disabilities, and one position on the Planning Commission remains.

It was recommended that Council adopt the following entitled Resolution appointing a member to the Goldsboro Planning Commission in the City of Goldsboro.

At the work session, after Council discussion, the Clerk revised the resolution appointing Duke Cox to the Planning Commission to add the appointment of Kyle Cramer to the Commission on Community Relations and Development. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

*RESOLUTION NO. 2023-82 “RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS”*

**Departmental Monthly Reports. Accepted as Information.** The various departmental reports for September 2023 were submitted for Council approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

**City Manager’s Report.**  
City Manager Salmon had no comments.

**Mayor and Councilmembers’ Comments.**  
Councilman Batts had no comments.

Councilman Gaylor had no comments.

Mayor Pro Tem Matthews shared the following comments: I just want to remind everybody that early voting starts this Thursday, so let's make sure we get to the polls. I also want to announce that Bachelor Brothers Funeral establishment is doing limos to the polls so if anybody needs a ride or wants to just ride in style to go and vote, you can contact them during the week. Monday through Friday would be appointment only and then on the weekends when the polls are open, they will run all day. So, that number to make an appointment is 919-988-9077 or you can always contact me via the Councilwoman page on Facebook and I can get you in contact with the right people.

Councilman Broadaway shared the following comments: The only thing I said is, the last meeting I appealed for everyone to vote if they could and obviously, I wasn't very successful because we only had 13.8% of eligible voters work in the last primary. We simply have got to do better as that, as a city and a county. All of us have to, we can't continue to function with only 13 or 14% of the people voting on important elections.

Councilwoman Jones shared the following comments: I would just like to say that October is Red Ribbon Month. The dates are 23rd to the 31st and it is the largest substance use abuse campaign and the Continentals will be in various schools talking about drugs, asking that you talk to your children about drugs and what's going on in their lives. Talk to them. See if they got any information about red ribbon and how drugs affect the home and the community and your family.


Mayor Ham shared the following comments: Let me also speak to the voter turnout. It is disappointing. Low numbers and we all have spoken about this before but again ladies and gentlemen of the City of Goldsboro, please, please make this a priority in your life. It's something that is continually talked about, your constitutional rights and voting is one of the most important of those rights so please, when the primary starts next week, go out and vote. The second thing I want

to mention is tonight when the Patriots Coalition announced that the veterans parade will include an opportunity for Vietnam Veterans to march, one of the things that was often heard after Vietnam was that Vietnam Veterans returning were not received very well, that there was never a parade for them, so let's let Goldsboro show our Vietnam Veterans, and there are numerous Vietnam Veterans here and numerous Purple Heart veterans of Vietnam here as well. I want all the veterans that are looking at this meeting to come out on November 11th and participate in the parade. I want the public to also come out and not only support the Vietnam Veterans but support all veterans. There are veterans here from Korea and Vietnam, and of course we have the Middle East veterans and you'll be surprised if you ever knew how many of them exist and live here in the City of Goldsboro and Wayne County. So, please support that and veterans participate in this opportunity.

There being no further business, Mayor Ham adjourned the meeting at 8:26 p.m.



  
David Ham  
Mayor

  
Laura Getz  
City Clerk

# WAYNE COUNTY BOARD OF COMMISSIONERS



**WAYNE COUNTY**  
NORTH CAROLINA

Ph: (919) 731-1443  
Fax: (919) 731-1446

September 29, 2023

Mr. Kenny Talton  
Planning Director  
City of Goldsboro  
PO Drawer A  
Goldsboro, NC 27530

RE: Rezoning Proposal; Z-13-23 Harry and Mollie, LLC c/o Bob Ivey

Mr. Talton:

I am writing in response to your September 26, 2023 email requesting Wayne County's official position regarding Rezoning Proposal Z-13-23. The proposed rezoning would change the property owned by Harry & Mollie, LLC from IBP-1 to GB. As you are aware, Wayne County owns several adjoining parcels which make up the ParkEast Industrial Park. Wayne County opposes the rezoning of this property from IBP-1 to GB.

The County has several ongoing projects in ParkEast. These efforts are in conjunction with the Wayne County Development Alliance (WCDA) and the North Carolina Global TransPark Economic Development Region (NCGTPEDR). The status of these projects is as follows:

- ParkEast Lot 8; Hosokawa Custom Processing Services LLC (PIN: 3529210269): Wayne County, the City of Goldsboro, and the NC Department of Commerce provided economic development incentives to the company in exchange for 16 jobs and \$6,335,169 in capital improvements. The company offers custom processing for chemicals, minerals, polymers, and plastics. The County finalized the sale of the property in August 2022 and Hosokawa opened in the Spring of 2023.
- ParkEast Lot 18; Select Genetics (PIN: 3528194974): Wayne County and the NC Department of Commerce announced economic development incentives to Select Genetics in the Spring of 2023. The company will construct a state-of-the-art turkey hatchery on Lot 18, will create 39 jobs, and make \$36,000,000 in capital improvements. The County is currently finalizing the sale of the property and expects to close in the coming months.



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GOLDSBORO, NC 27533



- Wayne County/WCDA Shell Building Partnership (PIN: 3519915801): WCDA and the County are currently overseeing construction of 50,000 square feet and 30,000 square feet shell buildings on the parcel. The parties anticipate the buildings to be completed by the end of 2023. WCDA is actively marketing the shell buildings to numerous industries. Wayne County has committed \$4,398,894 to the project with WCDA obligating an additional \$600,000.
- Ivey Drive Project: ST Wooten began construction on future Ivey Drive in early September of this year with completion anticipated in the Spring of 2024. Once completed, the road will provide secondary access to ParkEast. The lack of secondary access to the park has been a significant barrier to recruitment. The project consists of approximately \$475,000 from Wayne County, \$400,000 from NC DOT, and additional grant funding from NC Department of Commerce, the Golden I.EAF Foundation, and Duke Energy.
- ParkEast Lots 7 and 9 (PINs: 3529211787 & 3529200615): The County and NCCTPEDR are currently marketing these two lots and have received numerous inquiries. Recruitment continues and the Count is optimistic that industries will be secured in the coming months.

The above projects have resulted in job creation in Wayne County and a significant increase in the tax base for both Wayne County and the City of Goldsboro.

The City's Comprehensive Land Use Plan designates ParkEast as Industrial (Page 7-2, Map 38). A substantial reason for the park's success has been the industrial designation within the City's Land Use Plan and the accompanying zoning protections afforded to the park as a result. The park's development plan and recruitment strategy centers around what properties may be developed around the park in the future. Section 7(B)(3) of the City of Goldsboro's existing Comprehensive Plan entitled "Industries" states:

"All of the industrial areas indicated on the Land Use Plan should be buffered with either Office/Institutional/High Density Residential or Conservation land uses. Buffering should be provided to help prevent land use conflicts between industrial development and neighboring land uses. The width of the buffer should be based on the type or industry and its potential to create compatibility problems. The objective is not to acquire land to be utilized as buffer areas, but rather to encourage industries to incorporate adequate buffers into their development plans. The buffer areas indicated on the future land use map should be established as development or redevelopment occurs". Section 7(B)(3), Goldsboro Urbanized Area Comprehensive Plan

Furthermore, NCGS §160D-701 states that "Zoning regulation[s] shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare". North Carolina law mandates that any rezoning considered by the City Council with respect to ParkEast be done in such a way to comply with the City's Land Use Plan. The permitted uses for GB contained in the Goldsboro UDO contain a wide array of Residential and Business-Personal Services which are inconsistent with industrial buffering requirements contained in the Land Use Plan. Some of the problematic GB uses include but are not limited to: duplexes, residential care facilities (full time convalescent/attendant nursing/rehabilitation care), modular

housing, single family housing, special population housing, and daycares. The business activities in ParkEast consist of chemical processing, manufacturing, commercial shipping and a future hatchery. These industrial activities would not be compatible with many of the GB permitted uses and would result in conflict between industry and neighboring GB landowners. The Land Use buffering requirements exist to avoid such conflict. The rezoning request from IBP-1 to GB must therefore be denied under Chapter 160D of the North Carolina General Statutes as it is inconsistent with the City's Land Use Plan.

The successful economic development projects outlined above are a result of the City's adherence to its Land Use Plan, specifically with respect to rezoning requests for properties affecting existing industries. The County has complied with all planning requests from the City of Goldsboro in the development of ParkEast and strictly adhered to the City's UDO. The approval of the Harry and Mollie, LLC rezoning request from IBP-1 to GB would jeopardize current and future projects in ParkEast.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Aycock".

Barbara Aycock  
Chairwoman

CC: Wayne County Board of Commissioners



RECEIVED

OCT 02 2023

Mr. Kenny Talton  
Planning Director  
City of Goldsboro  
PO Drawer A  
Goldsboro, NC 27530

RE: Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

Mr. Talton:

The Wayne County Development Alliance (WCDA) is an advocate for sustainable development and economic stability for the citizens of Wayne County and the municipalities within. WCDA opposes the rezoning of property owned by Harry & Mollie, LLC from BP-1 to GB. As you are aware WCDA owns property in ParkEast with significant investment as a partner constructing two industrial shell buildings.

While promoting commercial activity is undoubtedly valuable for growth, it is crucial that we carefully consider the potential ramifications such a rezoning decision may have on our existing industries. We believe the City of Goldsboro staff understands how vital maintaining a healthy balance between industry and commerce truly is, as is evident in the Comprehensive Plan. The City's plan designates ParkEast as Industrial (Page 7-2, Map 38). A substantial reason for the park's success has been the industrial designation within the City's plan and the accompanying zoning protections afforded to the park as a result. We would also like to point out that the City's Comprehensive Plan gives an overview of ParkEast and plainly indicates it is only one of two Industrial Parks in the County and the only one in the Goldsboro Urbanized Area (Page 3-32).

Furthermore, NCGS §160D-701 states that "Zoning regulation[s] shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare". North Carolina law mandates that any rezoning considered by City Council with respect to ParkEast be done in such a way to comply with the City's Comprehensive Plan. By preserving dedicated industrial zones, we can safeguard jobs, foster innovation, and sustain long-standing businesses that form the backbone of our local economy.

Allow us to share some key concerns opposing this rezoning request:

1. **Negative Impact on Existing Industries:** Rezoning industrial land risks introducing incompatible activities or increased competition within these areas. This could disrupt established businesses' operations and jeopardize their ability to thrive.

- Environmental Considerations:** The proposed change may lead to heightened traffic congestion, noise pollution, air pollution levels or inadequate waste disposal systems—factors detrimental not only for industry but also for nearby communities where people live and work.
2. **Infrastructure Considerations:** The proposed change would reduce the available industrial land having access to rail, water, sewer, natural gas, and electrical capacities that are only seen in three industrial parks in North Carolina's Southeast Region. Building new electrical capacity alone is not only costly but would take years.
3. **Economic Consequences:** Encroachment from general business activities into designated industrial zones might result in job losses if companies face challenges coexisting with new ventures less compatible with their operations.
4. **Community Disruption:** Altering zoning classifications may bring about changes impacting residents' quality of life through increased noise levels, altered aesthetics or property value fluctuations—all factors requiring careful consideration.

We believe the County and landowners who signed the Wayne County Industrial & Business Park Protective Covenants understood these issues as recorded in Book 1309 Page 878 in the Wayne County Register of Deeds. Article II: Goal of Development states, "The goal in the development of the Park is the creation of a harmonious development which will preserve and enhance long term property values and which will provide a pleasant and productive working environment for manufacturing, warehousing, distribution, office operations, and commercial and business development in the area designated "Commercial Area." To achieve this goal, the Park shall be improved with attractive, well-spaced buildings that are properly constructed, durable and easily maintained. The Protective Covenants are established and promulgated in the interest, of promoting this goal in a manner that encourages planning and design consistent with this goal."

We believe the Goldsboro City Council should do exactly what the Comprehensive Plan states, "...establish and protect industrial areas for the use of prime industrial operations and for the distribution of products at wholesale. These areas should have excellent transportation access (or potential access) and available essential infrastructure including water, sewer, and gas. These areas may be individual industrial sites or integrated industrial parks." (Page 7-5). Anything less than denying this request would be a failure to protect industrial areas.

In light of these concerns, we kindly request careful consideration be given to the intricate balance between industry and commerce. This balance is crucial in shaping a sustainable future for our community. Preserving industrial land while still fostering responsible growth is not an easy task, but together we can find a way forward that benefits existing industries, recruitment of new industry, and broader economic development efforts. We genuinely appreciate your time and consideration on this matter.

Sincerely,



Neal Benton  
Chairman

CC: Wayne County Development Alliance Board of Directors

**Timothy Salmon**

---

**From:** Andrew Neal <andrew.neal@waynegov.com>  
**Sent:** Monday, October 16, 2023 11:28 AM  
**To:** Kenny Talton; Matthew Livingston; 'rlawrence@goldsboronclawyers.com'  
**Cc:** Timothy Salmon; Chip Crumpler  
**Subject:** RE: [External] - Rezoning Proposal: Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey  
**Attachments:** Goldsboro City Council.doc

**CAUTION: External Email** Be careful when clicking links or opening attachments.

Good morning,

I wanted to provide an update for the rezoning request. The Commissioners met this morning and approved a version of the MOU which contained some restrictive uses and some buffer requirements. This version is different than what the developer proposed last week. After speaking with the Iveys' attorney, I don't believe that a MOU will be finalized by tonight's meeting. The negotiation effort continues and I'm not sure what the timeline is on the reaching an agreement.

I'm not sure whether the developer will continue with the application, but the County's position has not changed. We will not withdraw our objection without a MOU in place. We do not plan to attend tonight's meeting or speak publicly on the zoning request.

Hosokawa requested that I forward along a letter from their President to the planning office. Attached their letter.

Feel free to call me with any questions or concerns. Thank you.



**Andrew J. Neal**  
 Staff Attorney  
 PO Box 227  
 Goldsboro, NC 27533  
 Office: 919.705.1713  
 Fax: 919.988.6495

**From:** Kenny Talton <KTalton@goldsboronc.gov>  
**Sent:** Thursday, October 12, 2023 11:33 AM  
**To:** Matthew Livingston [External] <mlivingston@goldsboronc.gov>; Andrew Neal <andrew.neal@waynegov.com>; 'rlawrence@goldsboronclawyers.com' <rlawrence@goldsboronclawyers.com>  
**Cc:** Tim Salmon <tsalmon@goldsboronc.gov>; Chip Crumpler <Chip.Crumpler@waynegov.com>  
**Subject:** RE: [External] - Rezoning Proposal: Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

All,

I have no comment.

I concur with Matt.

Thanks.

**Kenneth K. Talton**  
Planning Director  
City of Goldsboro  
[ktalton@goldsboronc.gov](mailto:ktalton@goldsboronc.gov)  
P: 919-580-4335  
F: 919-580-4291  
P.O. Drawer A  
Goldsboro, NC 27530

**"It's not how much time you have; it's what you do with the time you have!"**

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.

**From:** Matthew Livingston <[MLivingston@goldsboronc.gov](mailto:MLivingston@goldsboronc.gov)>  
**Sent:** Thursday, October 12, 2023 11:00 AM  
**To:** Andrew Neal <[andrew.neal@wayne.gov.com](mailto:andrew.neal@wayne.gov.com)>; Kenny Talton <[KTalton@goldsboronc.gov](mailto:KTalton@goldsboronc.gov)>; 'rlawrence@goldsboronclawyers.com' <[rlawrence@goldsboronclawyers.com](mailto:rlawrence@goldsboronclawyers.com)>  
**Cc:** Timothy Salmon <[TSalmon@goldsboronc.gov](mailto:TSalmon@goldsboronc.gov)>; Chip Crumpler <[Chip.Crumpler@wayne.gov.com](mailto:Chip.Crumpler@wayne.gov.com)>  
**Subject:** RE: [External] - Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

All:

That sound like a positive development. From a technical standpoint this item was tabled if the petitioner wishes to resubmit a different application i.e. conditional GB subject to below provisions they will need to do so in writing and request a waiver of the normal six month resubmittal period. If the City Council grants the time waiver, then can immediately pursue another application and we will readvertise according to NC Zoning Law.

Kenny:

Did I miss anything or is there something you would like to add?

R,

Matt

**From:** Andrew Neal <[andrew.neal@wayne.gov.com](mailto:andrew.neal@wayne.gov.com)>  
**Sent:** Thursday, October 12, 2023 10:49 AM  
**To:** Kenny Talton <[KTalton@goldsboronc.gov](mailto:KTalton@goldsboronc.gov)>; 'rlawrence@goldsboronclawyers.com' <[rlawrence@goldsboronclawyers.com](mailto:rlawrence@goldsboronclawyers.com)>  
**Cc:** Timothy Salmon <[TSalmon@goldsboronc.gov](mailto:TSalmon@goldsboronc.gov)>; Matthew Livingston <[MLivingston@goldsboronc.gov](mailto:MLivingston@goldsboronc.gov)>; Chip Crumpler <[Chip.Crumpler@wayne.gov.com](mailto:Chip.Crumpler@wayne.gov.com)>  
**Subject:** RE: [External] - Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

**CAUTION:** External Email. Be careful when clicking links or opening attachments.

Good morning,





## **HOSOKAWA CUSTOM PROCESSING SERVICES, LLC**

400 Challen Court, Goldsboro, North Carolina 27534  
Tel. (908) 830-9500

October 13, 2023

City Council of Goldsboro North Carolina  
200 North Center Street  
Goldsboro, NC  
27530

Dear Honorable City Council Members,

We have been advised of the City Council's tentative plans for rezoning of the property adjoining Park East. Through the exhaustive efforts of Mark Pope and other members of the Development Board, we made the decision to open our Hosokawa Custom Processing Services, LLC operation in Park East.

We fully disclosed the nature of our operations and plans for expansion prior to our purchase of the property. That business segment is rapidly expanding. While it is our understanding that any rezoning of the property adjoining Park East will not prohibit our expansion of the facility and potential 24-hour operation, we look to you for reassurance that our understanding is correct.

Should there be any possibility that our future expansion on the property or industrial operation of three eight-hour shifts, please consider this letter to be our opposition to any rezoning efforts.

Respectfully,

Robin Voorhees  
President HCPS



# Patrick Lechner

TO: MAYOR, CITY COUNCIL & CITY MANAGER

Address concerns of mismanagement of funds

Plechner2168@yahoo.com

919.394.5409

1607 E. Mulberry St. Goldsboro

## TOPIC OF CONCERN

- Chiller unit

Dear Mayor, City Council & City Manager,

I am here to express my deep dissatisfaction and concern regarding the chiller unit.

Primarily being the mismanagement and oversight of the chiller unit in City Hall. Last council meeting (10/2/23) IT director Scott Williams very casually and nonchalantly addressed you all stating that the city hall chiller unit that provides climate control to both historic and new city hall has gone down and replacement of failed components are obsolete. Proposing a temp be delivered and rented at an estimated cost of \$120k if new unit is installed on time, this is based on the \$mo delivery and install in addition to the new unit at an estimated cost of \$400k totaling an estimated \$520k of tax payers dollars. That additional \$120k could have and should have been avoided through proper maintenance and planning. IT Director stating "two circuit boards and some other parts" IT Director was correct when he said "cant just go pick one up so to speak" he mentioned a lead time of 8 months. Does this ETA include the bidding process? Realistically, this will take 12-18 months for delivery. I know this time frame is more accurate because after the bid process the awarded bidder will still have to have mechanical engineering drawings.

I know this because I have been in this field of work for over 25yrs. In fact I served for the city of Goldsboro in the maintenance department for 19yrs. From 2016 to 2019 I served as the maintenance Superintendent prior to transferring.

- This issue should have been placed on the CIP before it got to critical failure.
- The maintenance of HVAC and chiller units should fall directly under maintenance and not under IT. I understand that the chiller is tied directly to an automated system and that IT THINKS this should fall under their authority; consequently, this is the outcome.
- Maintenance is provided via contracted services.
  - What is the scope of the contract?
    - Software updates?
    - Hardware updates re. Backnet?
    - Maintenance/replacement to what degree?
  - Why was this not foreseen by contractors, building maint. or IT?
  - Is there a record of maintenance, chilled water testing?
  - Training?
- WHERE IS THE ACCOUNTABILITY?

# CITY OF GOLDSBORO

THIS IS TO CERTIFY THAT

## THE EMPLOYEE OF THE QUARTER AWARD

(1<sup>st</sup> Quarter, Fiscal Year 2023-2024)

HAS BEEN AWARDED TO

**JHANTE REYES**

FOR

OUTSTANDING ACHIEVEMENT

Jhante Reyes took her creative, customer service skills to the next level this summer when she came up with the idea of having a fire camp for children. She wanted to find a unique way of reaching the youth in the community.

Jhante spent countless hours researching and communicating with a neighboring department to find the best way to complete this mission. The main issue was funding, as she knew we did not have the budget to accommodate such an endeavor. She began reaching out to local community businesses for sponsors, and while it took many attempts, the local business support began pouring in, between monetary donations, food, and supplies.

Jhante was able to raise over \$3,000 in funds to allow these children to come to this camp for free, and learn about fire safety, water safety, first aid and CPR, bike safety, and so much more. The children that attended this camp have left with a better understanding of how to protect themselves and the ones they love.

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

AWARDED THIS DAY  
NOVEMBER 6, 2023



**DAVID HAM**  
Mayor  
City of Goldsboro



**TIMOTHY SALMON**  
City Manager  
City of Goldsboro

# CITY OF GOLDSBORO

THIS IS TO CERTIFY THAT

## THE SUPERVISOR OF THE QUARTER AWARD

(1<sup>st</sup> Quarter, Fiscal Year 2023-2024)

HAS BEEN AWARDED TO

**CHRIS MOONEY**

FOR

OUTSTANDING ACHIEVEMENT

Chris Mooney has been recognized on three separate occasions this quarter. The first was by a citizen who tripped on the sidewalk near Chestnut Street and Center Street. She called to thank Chris and his team for responding and acting on the issue so quickly, and was also pleased to see they completed further sidewalk repairs close to where she fell.

The second call was from within our City organization. Mrs. Erin Fonscea, Downtown Development Director, called in and thanked Chris for the professional job he and his team did in cutting down trees and replacing the damaged sidewalk that was causing damage to the DGDC building. Chris and his team saved the City over \$2500 by doing the work in house.

Chris also dug up and installed two garage car lifts, saving the City \$5000 in installation fees. When we talk about the City's Strategic Plan, and our Vision, Mission, Values, and Goals, this is the kind of employee we envision.

Chris is customer focused, and a superb Supervisor within the Street Division. His professionalism and integrity sets an example for all supervisors to follow. His actions reflect well on himself and the City of Goldsboro.

AWARDED THIS DAY  
NOVEMBER 6, 2023



**DAVID HAM**  
Mayor  
City of Goldsboro



**TIMOTHY SALMON**  
City Manager  
City of Goldsboro

**NATIONAL APPRENTICESHIP WEEK  
PROCLAMATION**

**WHEREAS**, National Apprenticeship Week is celebrating its 9<sup>th</sup> anniversary of raising awareness of the vital role Registered Apprenticeships provide in creating opportunities by allowing apprentices to earn while they learn and preparing a pathway to good, quality jobs and well-paying careers in Goldsboro and across the nation; and

**WHEREAS**, Registered Apprenticeship programs enable employers to develop and train their future workforce while offering career seekers affordable paths to secure high-paying jobs; and

**WHEREAS**, Goldsboro recognizes the role of Registered Apprenticeship in expanding opportunities in our workforce that are inclusive of individuals who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality, thus providing a path for all qualified individuals, including women, youth, people of color, rural communities, justice-involved individuals, and individuals with disabilities, to become apprentices and contribute to America's industries; and

**WHEREAS**, Goldsboro recognizes that Registered Apprenticeship, a proven and industry-driven training model, is a key strategy to improving job quality, and creating access to good-paying, family-sustaining jobs for all, starting with youth and young adults, while addressing some of our nation's pressing workforce challenges such as rebuilding our country's infrastructure, addressing critical supply chain demands, supporting a clean energy workforce, modernizing our cybersecurity response, and responding to care economy issues.

**NOW, THEREFORE BE IT RESOLVED**, that the Goldsboro City Council does hereby proclaim November 13-19, 2023 as

***NATIONAL APPRENTICESHIP WEEK***

in the City of Goldsboro, and encourage employers to utilize Registered Apprentices when able, in order to train and support the next generation of our workforce.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 6<sup>th</sup> day of November, 2023.



  
David Ham  
Mayor

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

**Denied**

**SUBJECT: PUBLIC HEARING & FINAL COUNCIL ACTION  
(CONTINUANCE)**

**Z-14-23 Red Horse Townes (Residential-12 SF CZ to Residential -12 CZ) – East of Country Day Rd. between Wheeler Dr. and Davis Rd.**

**ADDRESS: TBD**

**PARCEL #: 3600864490/3600861430**

**PROPERTY OWNER: Veritas, Inc.**

**APPLICANT: John G. Thomas, Sr. PE Thomas Engineering PA on behalf of Nolan Commercial Contractors, Inc.**

**BACKGROUND:** The applicant is requesting a conditional rezoning from the Residential-12 SF Conditional Zoning District to the Residential-12 Conditional Zoning District limiting the use of the property to a townhome development consisting of 89 units. The purpose of the Residential-12 Zoning District is to accommodate both single and multi-family residential uses and to prohibit all activities of a commercial nature. Townhomes are classified as multi-family dwellings. As such, they shall have twelve thousand square feet of land area for the first unit with an additional six thousand square feet of land area required for each additional dwelling unit.

**Access: Country Day Rd.**

**Area: Approx. 16.57 acres**

**Townhomes: 89**

**SURROUNDING**

**ZONING:**

**North: Residential 12/16**

**South: Residential 16**

**East: Residential 12/16**

**West: Residential 12/ Office and Institutional**

**Existing Use:** The properties are currently vacant and wooded.

**Land Use Plan:** The City's Land Use Plan locates these parcels within the Medium Density Residential land-use designation. Residential – 12 (multi-family) is not a corresponding Zoning District in the Medium Density Residential land use designation. However, the City's Comprehensive Land Use Plan supports higher zoning density for residential development with access to City water and sewer services or where plans exist to extend water or sewer service to these areas.

**DISCUSSION:**

This is a conditional rezoning proposal to establish a townhome development to allow for 89 lots. The adjacent uses are Garden Walk Subdivision, The Commons Subdivision, Freedom Baptist Church, Liberty Pentecostal Holiness Church, Country View Apartments, Kingston Place and Brookdale Senior Living Facility. The parcels have direct frontage on Country Day Rd. The proposed development will have direct access on Country Day Rd. and Ashley Ave.

**TRC REVIEW:**

Staff has distributed this proposed conditional rezoning to City Engineering, Public Utilities, Seymour Johnson Air Force Base and NCDOT. There are no comments at this time, based off the concept design. If approved, this will require Site Plan submittal and will undergo TRC Review.

**STAFF**

**RECOMMENDATION:**

Staff is recommending approval of the conditional rezoning request based on the fact that this development would not be out of character with the overall residential use of the surrounding area. This development would aid in satisfying a growing demand for housing in the City of Goldsboro. The availability of water and sewer does support a higher density development.

**STAFF**

**CONDITIONS:**

Staff is recommending the following conditions be placed upon this conditional rezoning request:

- Two primary means of access shall be provided to the proposed townhome development. (1) off Country Day Rd. (State Road 1569) and (2) Ashley Ave. (City Street)

**PLANNING**

**COMMISSION**

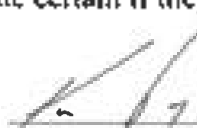
**RECOMMENDATION:**

The City of Goldsboro Planning Commission met on September 25, 2023, to review and make a recommendation regarding the rezoning request to include staff conditions. The Planning Commission voted 6 in favor and 0 against.


**REQUIRED ACTION:**

At the October 2, 2023 Council meeting, City Council voted to continue the public hearing until November 6, 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 with the inclusion of the Inconsistency 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: 10/31/23

  
Kenny Talton, Planning Director

Date: 10/30/23

  
Timothy Salmon, City Manager



**CITY OF GOLDSBORO PLANNING COMMISSION  
Z-14-23 RED HORSE TOWNES  
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 conditional rezoning to be inconsistent with the Medium Residential land use designation. The City of Goldsboro Planning Commission finds that the conditional rezoning request is reasonable and in best public interest due to the fact that residential development of these properties would not be out of character with the overall residential nature of the surrounding area and that this development would aid in providing housing to the City of Goldsboro. The City of Goldsboro Planning Commission recommends approval to the City of Goldsboro City Council with the inclusion of the staff recommended conditions.

Voting Record for Recommendation:

Yes 6                      No 0

**Inconsistency Statement:** The City of Goldsboro Planning Commission finds the proposed conditional rezoning to be inconsistent with the Medium Density Residential land use designation and finds that this conditional rezoning, if executed, would have a negative impact on the public. The City of Goldsboro Planning Commission deems this proposed conditional 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 conditional rezoning to be inconsistent with the land use plan.

Voting Record for Recommendation:

Yes \_\_\_\_\_                      No \_\_\_\_\_



**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, October 2, 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 heard the item on **Monday, September 25, 2023**; and

WHEREAS, City Council voted to continue the public hearing at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, until Monday, November 6, 2023, at 7:00 p.m.; and

WHEREAS, John G. Thomas, Sr. PE Thomas Engineering PA on behalf of Nolan Commercial Contractors, Inc. has submitted a petition to rezone Tax Parcels 3600864490 and 3600861430 from the Residential-12 SF Conditional Zoning District to the Residential-12 Conditional Zoning District limiting the use of the property to a townhome development consisting of 89 units; and

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

WHEREAS, the proposed Residential-12 Conditional Zoning District is inconsistent with the Medium Density Residential land use designation and Comprehensive Land-Use Map; and

WHEREAS, the Residential-12 Zoning District is designed to accommodate both single and multi-family residential uses and to prohibit all activities of a commercial nature; and

WHEREAS, the proposed rezoning request is reasonable and, in the public's best interest due to the fact that the proposed development would not be out of character with the overall residential use of the surrounding area, would aid in satisfying a growing demand for housing in the City of Goldsboro and the availability of City water and sewer services exist or where plans exist to extend water or sewer services exist; and

WHEREAS, the proposed rezoning request is consistent with the Comprehensive Land-Use Plan; 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-12 SF Conditional Zoning District to the Residential-12 Conditional Zoning District limiting the use of the property to a townhome development consisting of 89 units.**

**From the Medium Density Residential Land Use Map designation to the High Density Residential designation.**

**Z-14-23 Red Horse Townes (Residential-12 SF Conditional Zoning District to Residential-12 Conditional Zoning District**

**Wayne County Tax Identification Number: 3600864490/3600861430**

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

Adopted this 6<sup>th</sup> day of November, 2023.

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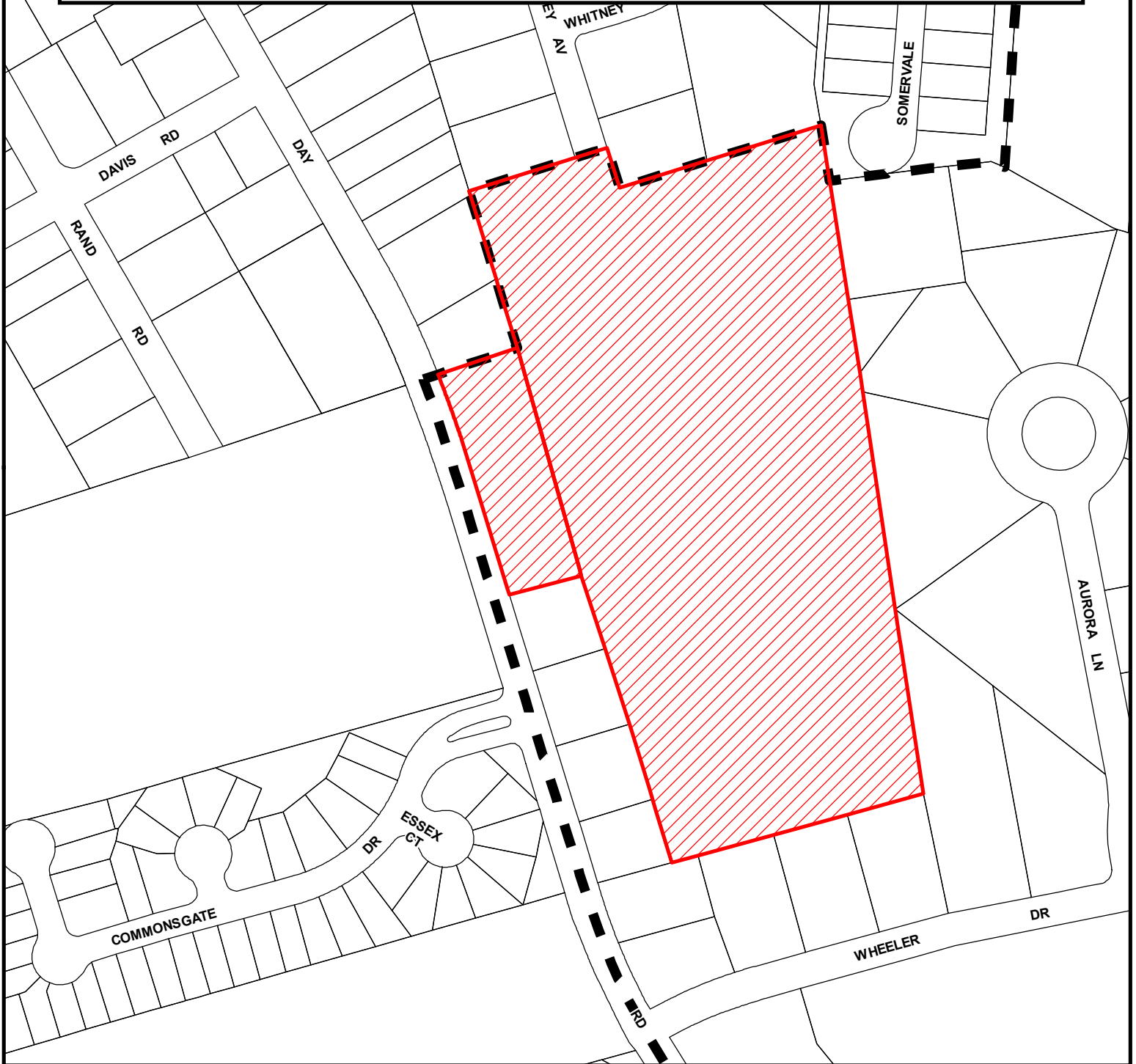
David Ham, Mayor

Attested by:

---

Holly Jones, Deputy City Clerk

**Z-14-23 Red Horse Townes  
(Residential-12 SF CZ to Residential-12 CZ)**



**REZONING REQUEST:**

**CASE NO:** Z-14-23  
**APPLICANT:** Red Horse Townes  
**REQUEST:** (Residential - 12 SF CZ to Residential - 12 CZ)  
**LOCATION:** East of Country Day Rd. between Wheeler Dr. and Davis Rd.

**PIN #:** 3600864490/3600861430

0 100 200 400  
Feet



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.

**Z-14-23 Red Horse Townes  
(Residential-12 SF CZ to Residential-12 CZ)**



**REZONING REQUEST:**

**CASE NO:** Z-14-23  
**APPLICANT:** Red Horse Townes  
**REQUEST:** (Residential - 12 SF CZ to Residential - 12 CZ)  
**LOCATION:** East of Country Day Rd. between Wheeler Dr. and Davis Rd.

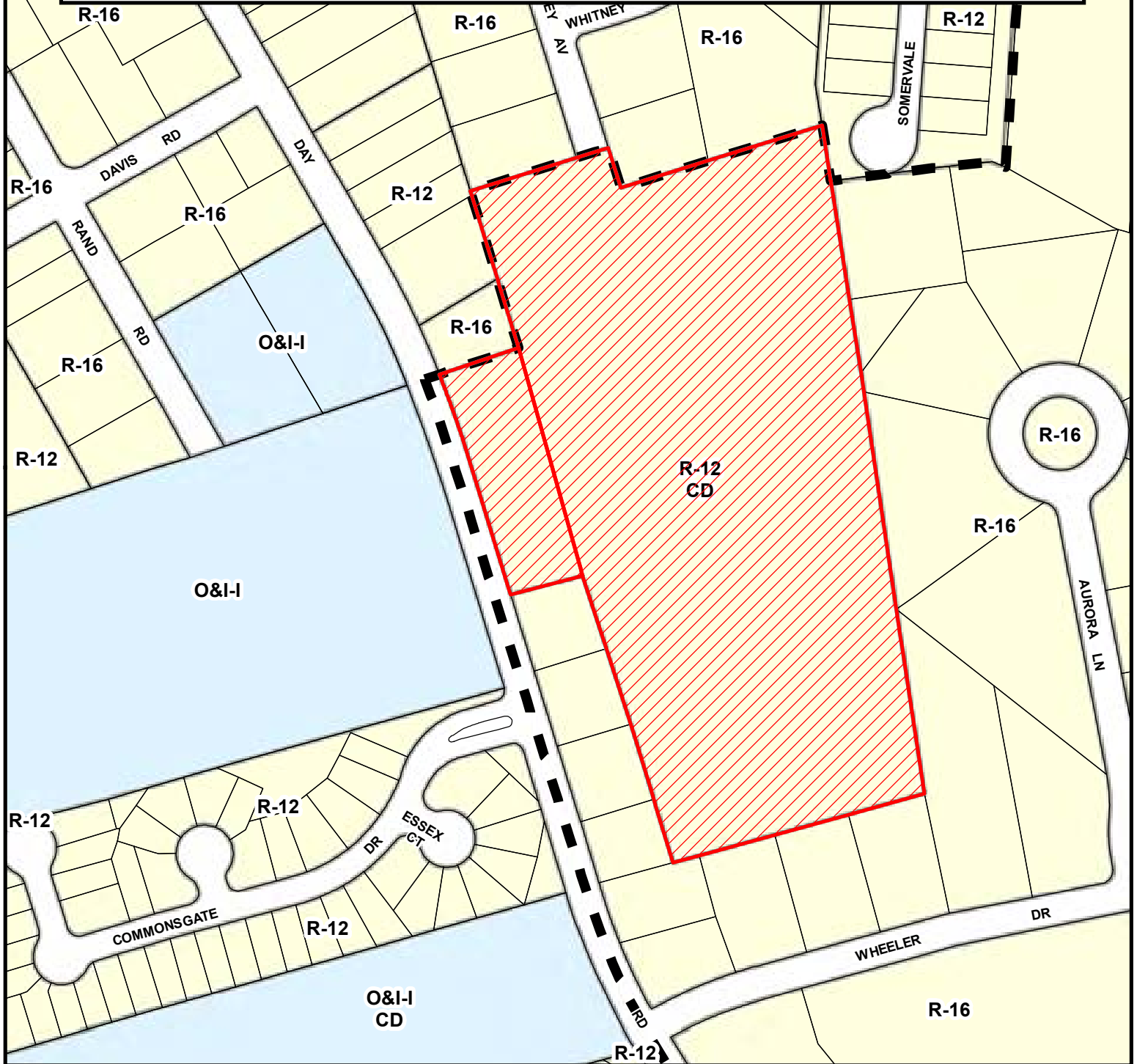
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# **Z-14-23 Red Horse Townes (Residential-12 SF CZ to Residential-12 CZ)**



## **REZONING REQUEST:**

**CASE NO:** Z-14-23  
**APPLICANT:** Red Horse Townes  
**REQUEST:** (Residential - 12 SF CZ to Residential - 12 CZ)  
**LOCATION:** East of Country Day Rd. between Wheeler Dr. and Davis Rd.

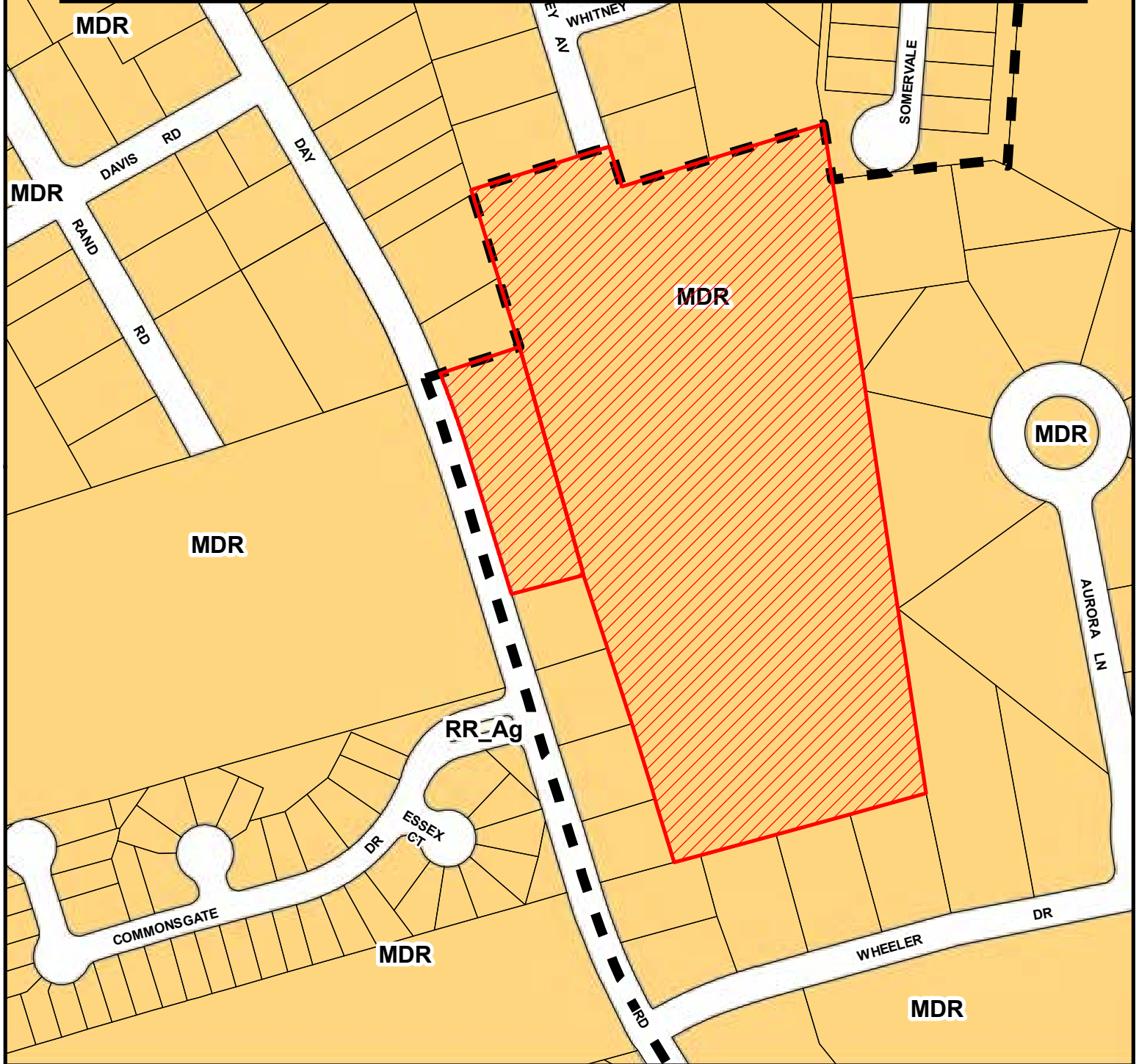
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**Z-14-23 Red Horse Townes  
(Residential-12 SF CZ to Residential-12 CZ)**



**REZONING REQUEST:**

**CASE NO:** Z-14-23  
**APPLICANT:** Red Horse Townes  
**REQUEST:** (Residential - 12 SF CZ to Residential - 12 CZ)  
**LOCATION:** East of Country Day Rd. between Wheeler Dr. and Davis Rd.

**PIN #:** 3600864490/3600861430

0 100 200 400  
Feet



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

**SUBJECT: PUBLIC HEARING AND FINAL ACTION**

**Z-15-23 Royal Farms – Store #520 (Wayne County Residential-Agricultural, Light Industrial, and Community Shopping to City of Goldsboro Highway Business Conditional Zoning) – Corner of S. US 117 Hwy., S. US 13 Hwy., and Carolina Street.**

**ADDRESS: TBD**

**PARCELS #: 2587753500, 2587754563, 2587754329, 2587754313, 2587753294**

**PROPERTY OWNER: Carl B. Price and M.B. Price**

**APPLICANT: Two Farms, Inc. c/o Chris Bollino**

**BACKGROUND:** The applicant is requesting a rezoning from Wayne County Residential RA-20, Light Industrial, and Community Shopping to City of Goldsboro Highway Business Conditional Zoning District limiting the use of the property to a convenience store with gas sales. The purpose of the Highway Business (HB) Zoning District is to accommodate highway-oriented retail and commercial uses which generally serve the entire City and nonresident traffic. The district encourages high-quality design, ample parking, controlled traffic movements and suitable landscaping.

**Access:** Proposed off S. US 117 Hwy. and S. US 13 Hwy.

**Area:** 1.64 acres

**SURROUNDING**

**ZONING:**

**North:** Goldsboro General Business

**South:** County Community Shopping

**East:** Goldsboro General Business/County Light Industrial

**West:** County Residential-Agriculture

**Existing Use:** The property currently consists of an automobile service, repair, and inspection facility.

**Land Use Plan:** The City's Land Use Plan locates this parcel within the Medium Density Residential land use designation. The Highway Business (HB) Zoning District is not identified as a corresponding district for the Medium Density Residential land use designation.

**DISCUSSION:**

This is a conditional rezoning proposal for a 1.64-acre parcel to be rezoned from Wayne County Residential RA-20, Light Industrial, and Community Shopping to City of Goldsboro Highway Business Conditional Zoning District limiting the use of the property to a convenience store with gas sales.

The subject property is situated at the corner of and adjacent to two major highways, S. US 117 Hwy., and S. US 13 Hwy. The adjacent uses are single-family residential. Directly across the two highways from the subject parcels proposed for conditional rezoning are convenience stores with gas sales, restaurants, mini-storage facilities, commercial shopping centers and Wayne Regional Agricultural Fairgrounds.

This property is located outside of Goldsboro's corporate City limits and one-mile ETJ. In addition to conditional rezoning, the applicant has petitioned for voluntary non-contiguous (satellite) annexation.

**TRC REVIEW:**

Staff has distributed this proposed conditional rezoning to NCDOT. There are no comments at this time, based off the concept design. If approved, this will require Site Plan submittal and will undergo TRC Review.

**STAFF**

**RECOMMENDATION:** Although Goldsboro's Comprehensive Land Use Plan recommends Medium-Density Residential for the property, Staff is recommending approval of the conditional rezoning request because the proposed use would be consistent with existing zoning patterns, compatible with new commercial development and existing uses in the area.

**PLANNING  
COMMISSION**

**RECOMMENDATION:** The City of Goldsboro Planning Commission met on October 30, 2023, to review and make a recommendation regarding the conditional rezoning request. Planning Commission voted 6 in favor 0 against.

**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 with the inclusion of the Inconsistency 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: 11/2/23

  
Kenny Talton, Planning Director

Date: 11/2/23

  
Timothy Salmon, City Manager



**CITY OF GOLDSBORO PLANNING COMMISSION  
Z-15-23 ROYAL FARMS, STORE #520  
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 Medium-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 because the proposed use would be consistent with existing zoning patterns, new commercial development and existing uses in the area. The City of Goldsboro Planning Commission recommends approval to the City of Goldsboro City Council.

Voting Record for Recommendation:

Yes 6                      No 0

**Inconsistency Statement:** The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the Medium-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 reasonable or 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 – 61

**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, November 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 heard the item on **Monday, October 30, 2023**; and,

WHEREAS, Two Farms, Inc. c/o Chris Bollino has submitted a petition to rezone Tax Parcels 2587753500, 2587754563, 2587754329, 2587754313, 2587753294 from Wayne County Residential RA-20, Light Industrial, and Community Shopping to City of Goldsboro Highway Business Conditional Zoning District; and

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

WHEREAS, the proposed Highway Business Conditional Zoning District is inconsistent with the Medium-Density Residential land use designation; and

WHEREAS, the Highway Business Zoning District is designed to accommodate highway-oriented retail and commercial uses which generally serve the entire City and nonresident traffic; and

WHEREAS, the purpose of this conditional rezoning is to limit the use of the property to a convenience store with gas sales; and

WHEREAS, the proposed conditional rezoning would be consistent with existing zoning patterns, compatible with new commercial development and existing uses in the area; and

WHEREAS, the proposed conditional rezoning request is reasonable due to the location of the property along S. US 117 Hwy and S. US 13 Hwy., as well as, the Comprehensive Land Use Plan's desire to promote business friendly environments and the location of commercial uses in proximity to major thoroughfares; and

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

WHEREAS, the proposed conditional rezoning request would also be in the public's best interest since the proposed conditional rezoning classification will provide essential goods and services for day-to-day living to the community residents; 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 Wayne County Residential-Agricultural, Light Industrial, and Community Shopping to City of Goldsboro Highway Business Conditional Zoning.**

**Z-15-23 Royal Farms – Store #520 (Wayne County Residential-Agricultural, Light Industrial, and Community Shopping to City of Goldsboro Highway Business Conditional Zoning)**

**From Medium-Density Residential to Commercial Land-Use Designation.**

**Wayne County Tax Identification Numbers: 2587753500, 2587754563, 2587754329, 2587754313, 2587753294**

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

Adopted this 6<sup>th</sup> day of November, 2023.

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk



# **Z-15-23 Royal Farms RA-20, CS, LI to HB CZ**



## **REZONING REQUEST:**

**CASE NO:** Z-15-23  
**APPLICANT:** Royal Farms  
**REQUEST:** RA-20, CS, LI to HB CZ  
**LOCATION:** Northwest side of US-117 between US HWY 13 south and Carolina Street

**PIN #:** 2587753560, 2587754563, 2587754329, 2587754313, 2587753294

0 100 200 400 Feet



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.

# Z-15-23 Royal Farms RA-20, CS, LI to HB CZ



## REZONING REQUEST:

**CASE NO:** Z-15-23  
**APPLICANT:** Royal Farms  
**REQUEST:** RA-20, CS, LI to HB CZ  
**LOCATION:** Northwest side of US-117 between US HWY 13 south and Carolina Street

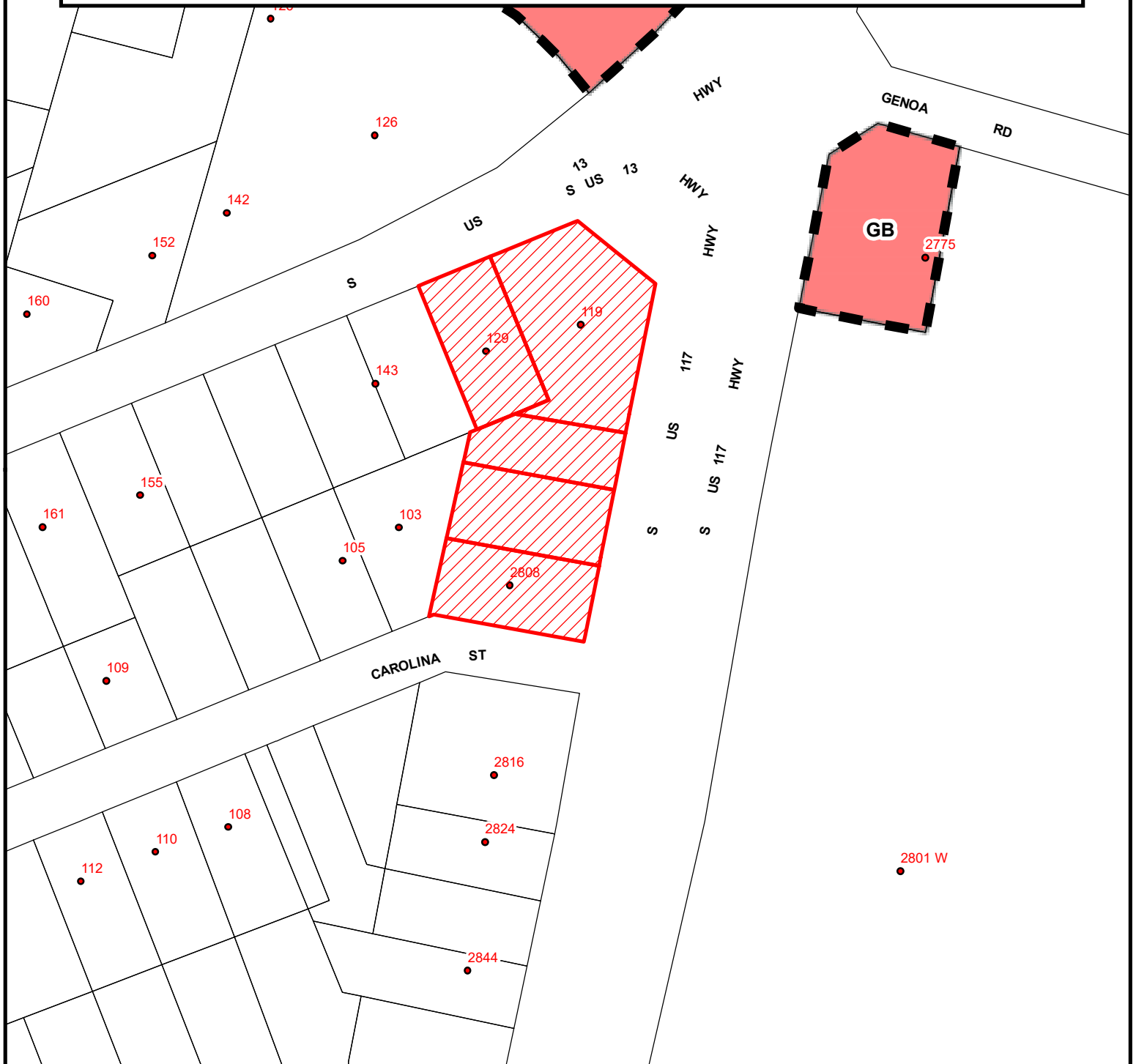
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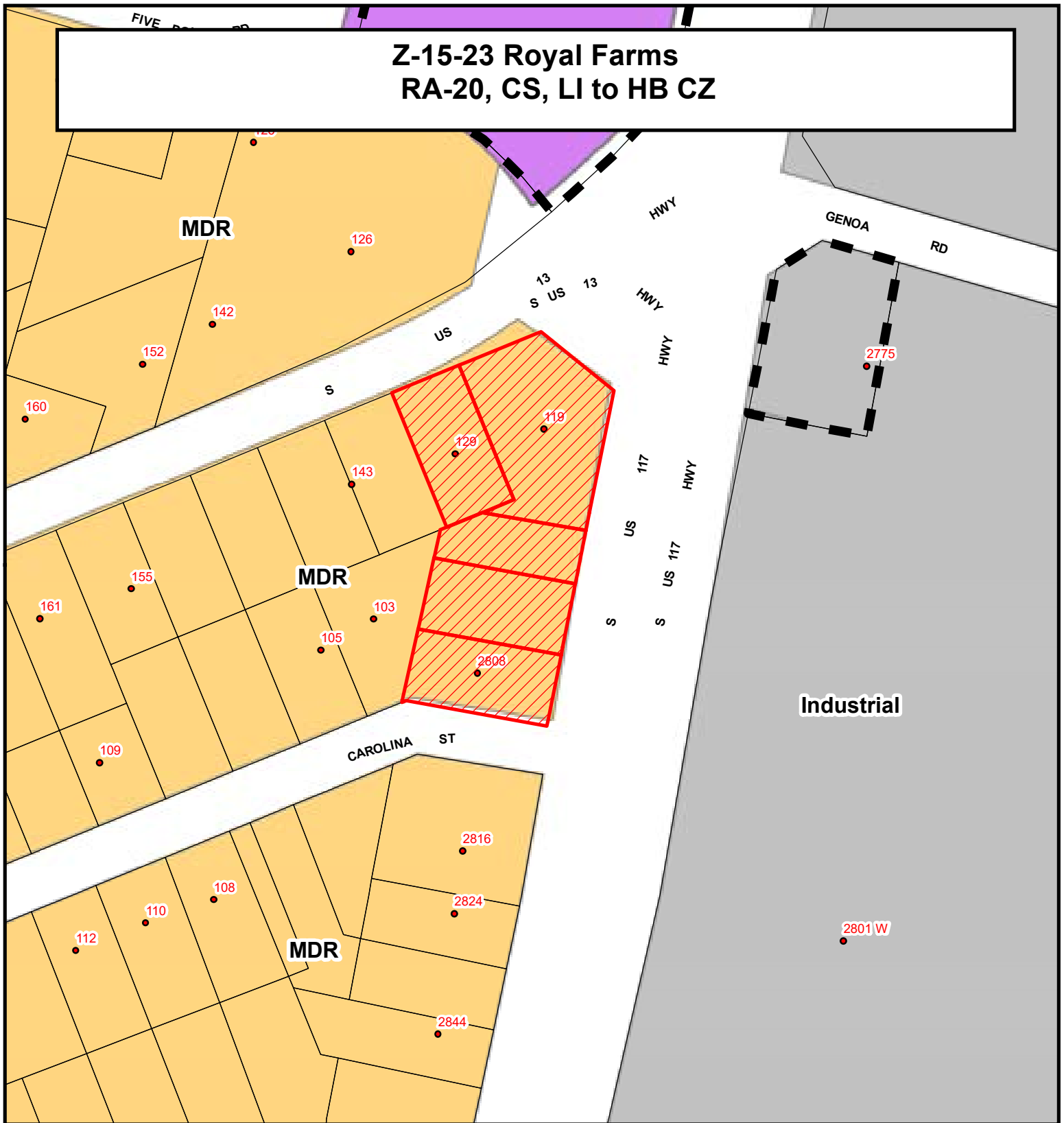
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# **Z-15-23 Royal Farms RA-20, CS, LI to HB CZ**



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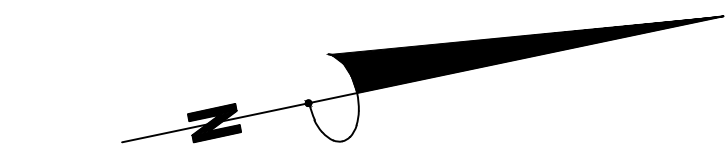
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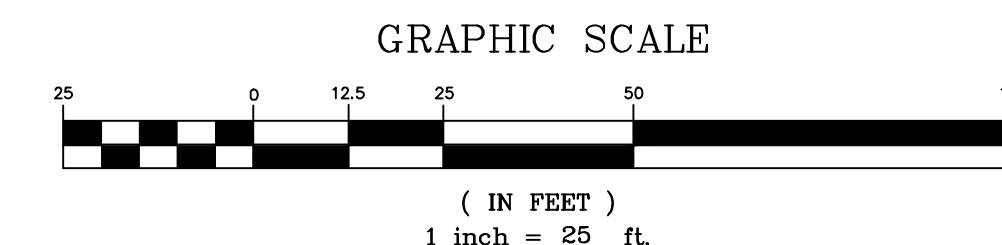




### SITE DATA TABLE

NOTE:

- REZONING TO HIGHWAY BUSINESS (HB) WILL BE NECESSARY FOR THIS SITE.
- CITY OF GOLDSBORO STAFF APPROVED A REDUCTION OF REAR BUFFER/SETBACK TO 7.5' WITH USE OF FENCE.





NOTES

- THE SURVEYED PROPERTY DELINEATED HEREON IS LOCATED IN WAYNE COUNTY, NORTH CAROLINA AS TMS #2587754313, #2587754329, #2587753294, #2587754563 AND #2587753560.
- THE SURVEYED PROPERTY IS CURRENTLY IN THE NAME OF M.B. PRICE, BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE RECORDED IN DEED BOOK 299, PAGE 171, DEED BOOK 728, PAGE 458 AND DEED BOOK 787, PAGE 180 IN THE ROD OFFICE OF WAYNE COUNTY, NORTH CAROLINA.
- BOUNDARY INFORMATION AS SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY BOWMAN CONSULTING GROUP, LTD. ON 08/23 - 08/25/2023. SURVEY REPRESENTS A SURVEY OF OCCUPATION USING EVIDENCE FOUND AND REFERENCES SHOWN.
- UNDERGROUND UTILITY INFORMATION SHOWN IS BASED ON FIELD EVIDENCE AS IDENTIFIED BY NC811 AND FIELD SURVEY BY BOWMAN CONSULTING GROUP ON 08/23 - 08/25/2023. CONSIDERABLE EFFORT HAS BEEN MADE TO DETERMINE THE LOCATION OF UNDERGROUND UTILITIES. SOME LOCATIONS ARE ACTUAL FIELD MEASUREMENTS AND SOME ARE TAKEN FROM UTILITY RECORDS. THIS PLAN DOES NOT WARRANT THAT UTILITIES ARE SHOWN ACCURATELY NOR THAT ALL UTILITIES ARE SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES PRIOR TO BEGINNING DIGGING OPERATIONS. CALL PALMETTO UTILITIES PROTECTION SERVICE AT 1-888-721-7077 A MINIMUM OF 3 WORKING DAYS BEFORE DIGGING. ANY UTILITIES DAMAGED OR DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE. ADDITIONALLY, THE CONTRACTOR SHALL CONFIRM THE CONNECTION POINTS OF NEW UTILITIES TO EXISTING UTILITIES PRIOR TO BEGINNING NEW CONSTRUCTION.  
  
**NOTE:**  
**ONLY THE UNDERGROUND WATER LINE WAS MARK ON SUBJECT PROPERTIES AT THE TIME OF SURVEY.**
- THE SURVEYED PROPERTIES AS SHOWN HEREON ARE SUBJECT TO ALL COVENANTS AND RESTRICTIONS OF RECORD AND THOSE RECORDED HERewith. BOWMAN CONSULTING GROUP, LTD., WAS PROVIDED WITH A COPY OF FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE JUNE 30, 2023, AT 8:00 AM, LAST REVISED FOR TITLE INSURANCE, AND SCHEDULE B - SECTION II EXTENTIONS ARE ADDRESSED IN THE TITLE COMMITMENT REVIEW. **NOT ALL DOCUMENTS REFERENCED IN THE TITLE PACKAGE WERE PROVIDED FROM THE TITLE COMPANY.**
- THE SURVEYED PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN ZONE X AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR WAYNE COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBER 3720258700K, EFFECTIVE DATE 06/20/2018.
- THE LOCATION OF ALL VISIBLE BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SURVEYED PROPERTY, WHICH HAS BEEN CAREFULLY ESTABLISHED BY THE CLASSIFICATION AND FIELD SPECIFICATIONS FOR CADASTRAL SURVEYS, ARE CORRECTLY SHOWN AT THE TIME OF THE SURVEY.
- ALL EASEMENTS AND RIGHTS-OF-WAY APPARENT FROM A CAREFUL PHYSICAL INSPECTION OF THE SURVEYED PROPERTY, OR AS IDENTIFIED IN SCHEDULE B - SECTION II OF THE COMMITMENT FOR TITLE INSURANCE ARE CORRECTLY SHOWN UNLESS OTHERWISE NOTED.
- THERE ARE NO VISIBLE ENCRoACHMENTS ON ADJOINING PREMISES, STREETS OR EASEMENTS, BY VISIBLE BUILDINGS, STRUCTURES, NOR VISIBLE ENCRoACHMENTS ON SAID PROPERTY BY VISIBLE STRUCTURES SITUATED ON ADJOINING PREMISES EXCEPT AS SHOWN.
- NORTH MERIDIAN INFORMATION AS SHOWN HEREON IS BASED ON NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 US SURVEY FOOT, DISTANCES SHOWN ARE HORIZONTAL "GROUND DISTANCES".
- AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE REMAINING SUBJECT PROPERTIES.
- AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF WETLAND DELINEATION WITHIN THE PROPERTY.
- AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF PARKING SPACES WITHIN THE PROPERTY.
- AS OF THE DATE OF THE SURVEY, A ZONING REPORT HAS NOT BEEN PROVIDED.
- ADDRESS: #119 SOUTH US HIGHWAY 13, #129 SOUTH US HIGHWAY 13 AND #2808 SOUTH US HIGHWAY 117.

REFERENCES

- PLAT PREPARED BY: C. BEEMS  
RECORDED: FEBRUARY 21, 1955  
PLAT CABINET D, SLIDE 191  
PLAT BOOK 6, PAGE 82
- DEED BOOK 299, PAGE 171
- DEED BOOK 728, PAGE 458
- DEED BOOK 787, PAGE 180
- DEED BOOK 433, PAGE 95
- NCDOT PROJECT: 8.1286004

LEGAL DESCRIPTION PER TITLE COMMITMENT NCF423-2661

All that certain lot or parcel of land situate in the County of Wayne, State of North Carolina, and being more particularly described as follows:

TRACT 1  
Beginning at a stake in the Western right-of-way line of U. S. Highway No. 117, said stake being N. 15° 46' E. 80 feet from the Northeastern intersectional corner of said highway and Carolina Street, as shown on the map hereinafter referred to, and runs thence with said right-of-way line N. 15° 46' E. 140 feet to a stake, the Southeastern corner of the lot of Major Benjamin Price and wife, Edna Jimmette Price, thence N. 74° 14' W. with the Price line about 125 feet to a stake in the Southern line of Lot No. 8 of Genoa Terrace; thence with the Southern line of Lot Nos. 8 and 7 S. 72° 16' W. about 52 feet to a stake, the Northeastern corner of Lot No. 13 thence with the line of Lot No. 13 S. 15° 46' W. 108.94 feet to a stake, the Northwestern corner of Lot No. 11, thence with the line of Lot No. 11 S. 74° 14' E. 160 feet to the point of beginning, and being all of Lot No. 10 and 60 feet off of the Southern side of Lot 9 of Genoa Terrace according to a map prepared by C. Beems, Registered Surveyor, in November, 1954, which is recorded in Map Book 6, at Page 82, of the Wayne County Registry. And being the same property conveyed to the parties of the first part herein by D. J. Rose and wife, Virginia H. Rose, by deed dated February 5, 1969, which will be found duly recorded in the Wayne County Registry, to which reference is hereby made.

TRACT 2  
BEGINNING at a concrete monument in the Western edge of Federal Highway #117, it being at the intersection of the Western edge of Highway #117 and the Northern edge of Carolina Street, and runs thence with the Northern edge of said Street N. 74° 14' W. 155.58 feet to a stake; thence S. 72° 16' W. 5.30 feet to a stake; thence N. 15° 46' E. 82.93 feet to a stake; thence S. 74° 14' E. 160 feet to a stake in the Western edge of Highway #117, thence with the Western edge of Highway #117 S. 15° 46' W. 80 feet to the point of beginning, and being Lot No. 11 of the subdivision known as Genoa Terrace, as shown on a map thereof recorded in Map Book 6 at Page 82 of the Wayne County Registry. And being the same lot of land conveyed to Lester Ingram and wife by Lester G. Davis and wife by deed recorded in Book 693 at page 84 in the Wayne County Registry.

TRACT 3  
BEGINNING at a stake in the line of 117 Highway South from the intersection of 102 Highway, and runs said line N. 15 1/2 E. 165 feet to the curve; thence along the line of the curve westward to the line of 102 Highway; thence with said line S. 72 1/2 W. 165 feet to a stake; thence S. 17 1/2 E. 160 feet to a stake; thence S. 74 1/2 E. 160 feet to the beginning containing one acre more or less.  
LESS AND EXCEPT from Tract 3 that portion conveyed to the State Highway and Public Works Commission in that Right of Way Agreement recorded in Book 433, Page 95, Wayne County Register of Deeds.

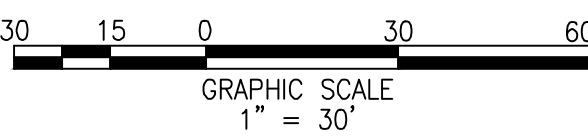
TRACT 4  
Beginning at a stake in the Western right-of-way line of U. S. Highway No. 117, being the Northeastern corner of Lot No. 9 of Genoa Terrace and being the Southeastern corner of the property of Major Benjamin Price and wife, Edna Jimmette Price, and runs thence with the right-of-way of said highway S. 15° 46' W. 20 feet to a stake; thence N. 74° 14' W. about 125 feet to a stake in the Southern line of Lot No. 8 of Genoa Terrace; thence with the line of Lot No. 8 N. 72° 16' E. about 35 feet to a stake in the Southeastern corner of said Lot No. 8, thence with the Northern line of Lot 9 86 feet to the point of beginning, and being a 20 foot strip off of the Northern side of Lot No. 9 of Genoa Terrace according to a map prepared by C. Beems, Registered Surveyor, in November, 1954, which is recorded in Map Book 6, at page 82, of the Wayne County Registry.

TRACT 5  
Being Lot No. 8 of the subdivision known as Genoa Terrace according to a plat hereof prepared by C. Beems, surveyor, dated September 1, 1954 and recorded in Plat Book 6 page 82 in the Office of the Register of Deeds for Wayne County, reference to which plat is hereby made for a more detailed and complete descriptions.

US HIGHWAY 117  
VARIABLE PUBLIC RIGHT-OF-WAY  
NC DOT PROJECT: 8.1286004  
DB 433, PG 95

LEGAL DESCRIPTION AS NOW SURVEYED

BEING THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 299 AT PAGE 171, DEED BOOK 319 AT PAGE 365, DEED BOOK 319 AT PAGE 367 AND DEED BOOK 2728 AT PAGE 456 ALL OF THE WAYNE COUNTY PUBLIC REGISTRY, THE PROPERTY OF BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE AS RECORDED IN DEED BOOK 728 AT PAGE 458 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 10 AND A PORTION OF LOT 9 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY), THE PROPERTY OF BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE AS RECORDED IN DEED BOOK 787 AT PAGE 180 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 11 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY) AND THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 425 AT PAGE 339 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 8 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY) AND TOGETHER IN TOTAL BEING DESCRIBED AS FOLLOWS:  
BEGINNING AT A FOUND CONCRETE MONUMENT ON THE WESTERLY LINE OF US HIGHWAY 117 (VARIABLE WIDTH RIGHT-OF-WAY) BEING THE NORTHEASTERY CORNER OF THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 299 AT PAGE 171, DEED BOOK 319 AT PAGE 365, DEED BOOK 319 AT PAGE 367 AND DEED BOOK 2728 AT PAGE 456 ALL OF THE WAYNE COUNTY PUBLIC REGISTRY, HAVING NC STATE PLANE COORDINATES NAD 83(2011) N:575555.06 E:2287543.89; THENCE WITH SAID WESTERLY LINE OF US HIGHWAY 117 THE FOLLOWING TWO (2) COURSES AND DISTANCES:  
1) S 12°01'34" W FOR A DISTANCE OF 158.64 FEET TO A POINT; THENCE  
2) S 11°18'12" W FOR A DISTANCE OF 220.00 FEET TO A POINT ON THE NORTHERLY LINE OF CAROLINA STREET (60' RIGHT-OF-WAY) AND BEING THE SOUTHEASTERY CORNER OF THE PROPERTY OF BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE AS RECORDED IN DEED BOOK 787 AT PAGE 180 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 11 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID NORTHERLY LINE OF CAROLINA STREET THE FOLLOWING TWO (2) COURSES AND DISTANCES:  
1) N 78°41'48" W FOR A DISTANCE OF 155.58 FEET TO A POINT; THENCE  
2) S 67°48'12" W FOR A DISTANCE OF 5.30 FEET TO A POINT ON THE EASTERLY LINE OF THE PROPERTY OF OUTLAW MOBILE HOME INC. AS RECORDED IN DEED BOOK 3506 AT PAGE 652 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 13 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID EASTERLY LINE OF OUTLAW MOBILE HOME INC N 11°18'12" E FOR A DISTANCE OF 191.56 FEET TO A POINT ON THE SOUTHERLY LINE OF THE PROPERTY OF BASS DEVELOPMENT INC AS RECORDED IN DEED BOOK 3309 AT PAGE 309 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 7 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID SOUTHERLY LINE OF THE PROPERTY OF BASS DEVELOPMENT INC N 67°48'12" E FOR A DISTANCE OF 13.07 FEET TO A POINT ON THE EASTERLY LINE OF THE PROPERTY OF BASS DEVELOPMENT INC AND BEING THE WESTERLY LINE OF THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 425 AT PAGE 339 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 8 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID LINE N 22°11'48" W FOR A DISTANCE OF 160.00 FEET TO A POINT ON THE SOUTHERLY LINE OF US HIGHWAY 13 (VARIABLE WIDTH RIGHT-OF-WAY); THENCE WITH SAID SOUTHERLY LINE US HIGHWAY 13 N 68°10'15" E FOR A DISTANCE OF 178.20 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY LINE OF US HIGHWAY 117, THENCE WITH SAID WESTERLY LINE OF US HIGHWAY 117 S 17°53'29" W FOR A DISTANCE OF 102.18 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 71,030 SQUARE FEET OR 1.631 ACRES OF LAND, MORE OR LESS.



TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE DATE JUNE 30, 2023 AT 8:00 AM, LAST REVISED AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

- Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met. **"Not a survey matter."**
- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public records. **"Not a survey matter."**
- Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession in the Land. **"Not a survey matter."**
- Easements, liens or encumbrances, or claims thereof, not shown by the Public Records. **"Not a survey matter."**
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
- Taxes and assessments for the year 2023 and subsequent years, not yet due and payable.  
Tax Parcel Number: 2587754329 (S. US 117 HWY)

2022 Wayne County, North Carolina real estate property taxes in the base amount of \$260.81 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

2022 Wayne County, North Carolina real estate property taxes in the base amount of \$323.25 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE DATE JUNE 30, 2023 AT 8:00 AM, LAST REVISED AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

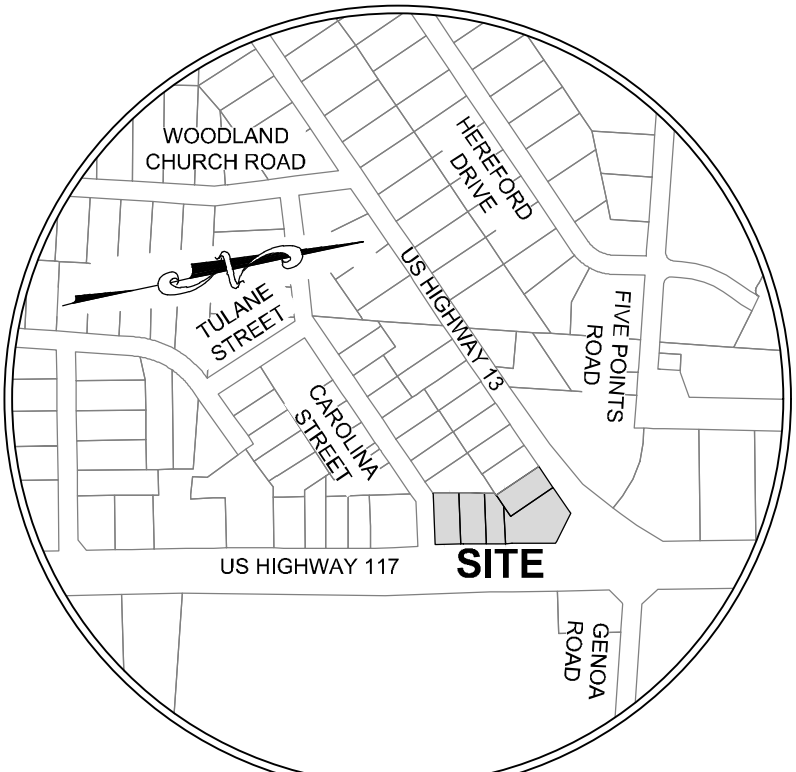
- CONTINUED:  
Tax Parcel Number: 2587754563 (S. US 117 HWY)  
2022 Wayne County, North Carolina real estate property taxes in the base amount of \$2,274.77 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**
- CONTINUED:  
Tax Parcel Number: 2587753294 (2808 S. US 117 HWY)  
2022 Wayne County, North Carolina real estate property taxes in the base amount of \$833.14 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**
- CONTINUED:  
Tax Parcel Number: 2587753560 (129 S. US 13 HWY)  
2022 Wayne County, North Carolina real estate property taxes in the base amount of \$217.08 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

- Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records. **"Not a survey matter."**
- Rights or claims of parties in possession not shown by the public records. **"Not a survey matter."**
- Rights of tenants, as tenants only in possession of subject property. **"Not a survey matter."**
- Any charges for Municipal services (i.e., water, sewer, correction of nuisance conditions, etc.) are the responsibility of the parties to this transaction. For information regarding existence of any bills, contact the appropriate municipal office. **"Not a survey matter."**

TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE DATE JUNE 30, 2023 AT 8:00 AM, LAST REVISED AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

- No insurance is afforded as to the exact amount of acreage contained in the property described herein. **"Not a survey matter."**
- Any mineral or mineral rights leased, granted or retained by current or prior owners. **"Not a survey matter."**
- Title to any portion of said land lying in the bed or banks of any waterway, stream or creek lying within the bounds of subject property, the rights of upper and lower riparian owners to the free and unobstructed flow of said waters, without diminution or pollution; and the consequences of any past or future change in the location of said waters. **"Not a survey matter."**
- All matters appearing on Plat recorded in Plat Cabinet D, Slide 191, also identified as Map Book 6, Page 82, aforesaid records, (Tracts 1, 2, 4 and 5) **"As shown on survey."**
- Agreement between Jesse M. Thompson and wife, Catherine O. Thompson, Willie Lancaster and wife, Virginia Lancaster, William Johnson and wife, Everette Johnson, Cecil McLavhorn and wife, Mildred McLavhorn and Ben Price and wife, Connie Price, dated March 2, 1963 and recorded on March 8, 1963 in Book 1044, Page 774, aforesaid records, (Tract 2) **"Not a survey matter."**
- Easement from Edna Jimmette Price by Jan B. Price, as Attorney-in-Fact, and Carolina Power & Light Company, dated February 20, 2008 and recorded on April 10, 2008 in Book 2614, Page 866, aforesaid records. (Tract 3) **"General in nature and cannot be plotted with document provided."**
- Right of Way Agreement between M.B. Price and wife Edna J. Price in favor of State Highway and Public Works Commission, dated January 31, 1955 and recorded on May 24, 1955 in Book 433, Page 95, aforesaid records. (Tract 3) **"May affect subject property, but cannot be plotted with the document provided."**
- Easement between M.B. Price and wife Edna J. Price in favor of Carolina Power & Light Company, dated December 31, 1962 and recorded on January 7, 1963 in Book 587, Page 226, aforesaid records, (Tracts 3 & 4) **"General in nature and cannot be plotted with document provided."**
- Easement between M.B. Price and wife Edna J. Price in favor of Carolina Power & Light Company, dated November 14, 1984 and recorded on June 6, 1985 in Book 1101, Page 735, aforesaid records, (Tracts 3-5) **"General in nature and cannot be plotted with document provided."**



- LEGEND**
- INDEX CONTOUR
  - INTERMEDIATE CONTOUR
  - EDGE OF PAVEMENT
  - CURB AND GUTTER
  - PROPERTY LINE
  - ADJOINER PROPERTY LINE (NOT SURVEYED)
  - FENCE LINE
  - SWALE / DITCH LINE
  - SANITARY SEWER
  - STORM SEWER
  - UNDERGROUND WATER LINE
  - UNDERGROUND COMMUNICATION SERVICE
  - UNDERGROUND GAS SERVICE
  - UNDERGROUND ELECTRIC SERVICE
  - OVERHEAD ELECTRIC
  - BUILDING
  - CONCRETE
  - DIRT ROAD
  - GRAVEL DRIVE
  - IRON REBAR FOUND (SIZE NOTED)
  - IRON PIPE FOUND (SIZE NOTED)
  - #5 IRON REBAR SET
  - PK NAIL FOUND
  - CONCRETE MONUMENT FOUND
  - CALCULATED POINT (NO MONUMENT SET)
  - BENCHMARK
  - BOLLARD / POST
  - FLAG POLE
  - MAILBOX
  - MISCELLANEOUS ITEM (AS NOTED)
  - SIGN
  - HVAC UNIT
  - TRAFFIC CONTROL BOX
  - GAS METER
  - GAS VALVE
  - TRAFFIC SIGNAL
  - POWER / UTILITY POLE
  - CUY ANCHOR WIRE
  - ELECTRIC BOX
  - ELECTRIC METER
  - STREET LIGHT / LAMP
  - STORM DRAIN MANHOLE (DMH)
  - SANITARY SEWER MANHOLE (SMH)
  - SEPTIC TANK
  - WATER VALVE
  - WATER METER
  - FIRE HYDRANT
  - WELL
  - WATER MANHOLE
  - MARKER WITNESS POST (MKP)
  - BROAD LEAF TREE (BLF)
  - BLDG - BUILDING
  - CLF - CHAIN LINK FENCE
  - COMM - COMMUNICATION
  - CONC - CONCRETE
  - COV - COVERED
  - ELEC - ELECTRIC
  - FFE - FINISH FLOOR ELEVATION
  - IE - INVERT ELEVATION
  - PC - PLAT CABINET
  - RCP - REINFORCED CONCRETE PIPE
  - STG - STORAGE
  - WDF - WOOD FENCE

**AREA TABULATION:**

PIN #2587754313 (TRACT 1) AREA:	21,657 SQ.FT. OR 0.497 ACRE ±
PIN #2587753294 (TRACT 2) AREA:	12,895 SQ.FT. OR 0.294 ACRE ±
PIN #2587754563 (TRACT 3 AND TRACT 4) AREA:	23,789 SQ.FT. OR 0.546 ACRE ±
PIN #2587753560 (TRACT 5) AREA:	12,779 SQ.FT. OR 0.293 ACRE ±

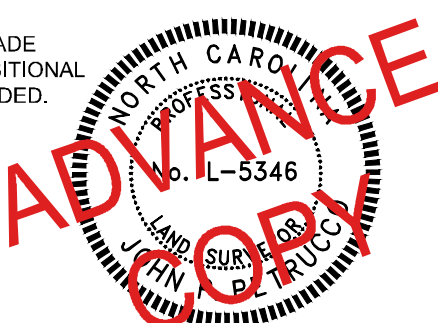
ALTA / NSPS SURVEY OF:  
**1.626 ACRES ±**  
PROPERTY OWNED BY  
**M.B. PRICE, BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE**  
PIN #2587754313, #2587754329, #2587753294, #2587754563 AND #2587753560  
TOWN OF MAR-MAC,  
WAYNE COUNTY, NORTH CAROLINA  
PREPARED FOR  
TWO FARMS, INC

SURVEYOR'S CERTIFICATION

TO: FIRST AMERICAN TITLE INSURANCE COMPANY AND TWO FARMS, INC  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(a), 8, 11(a), 13, 14, 16, 17 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 08/23 - 08/25/2023.  
I ALSO CERTIFY THAT THIS MAP OR PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS AS SHOWN ON PLAT), THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10000 +; THAT THIS MAP OR PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

**ADVANCE COPY**

JOHN P. PETRUCCO  
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR  
LICENSE NO. L-5346



SCALE: 1" = 30' DATE: 08/31/2023

REVISION	

**Bowman**  
Bowman North Carolina LTD.  
1030 Perimeter Pkwy, Suite 100  
Charlotte, NC 28206  
Phone: (704) 412-7474  
F-1445  
www.bowman.com

© 2021 Bowman Consulting Group LLC  
DWGS: V100328 - Royal Farms Store #202 Dudley NC 100328-24-01 (SR) - Royal Farms Store #202 Dudley NC Survey Plat Survey 100328-24-01 ALTA/NSPS  
BCG PROJECT NO: 100526-01-001 TASK: 00003 SURVEY DATE: 08/23 - 08/25/2023 BY: WTC CHK: JPP QC: JCS  
SHEET 1 OF 1



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

**SUBJECT: PUBLIC HEARING AND FINAL ACTION**

**Z-16-23 Dearing Automotive & Diesel, Inc. (Residential 16 to Highway Business/Office & Institutional-1 Conditional Zoning District) – West side of US 117 Hwy. between Belfast Rd. and Scale Dr.**

**ADDRESS: TBD**

**PARCEL #: 3601-32-1584**

**PROPERTY OWNER: Pate Property Management, LLC.**

**APPLICANT: Jayme S. Dearing**

**BACKGROUND:** The applicant is requesting a conditional rezoning from the Residential (R-16) Zoning District to the Highway Business/Office and Institutional-1 (HB/O&I-1CZ) Conditional Zoning District. The purpose of the Highway Business (HB) Zoning District is to accommodate highway-oriented retail and commercial uses which generally serve the entire City and nonresident traffic. The district encourages high-quality design, ample parking, controlled traffic movements and suitable landscaping. The purpose of the Office and Institutional-1 (O&I-1) Zoning District is to provide for the development of office and community institutions that have similar development characteristics and require locations close to residential and commercial uses. This district discourages commercial uses and forbids industrial uses. It is intended to encourage the development of office and institutional uses that provide a step down in intensity between highly developed commercial districts and nearby neighborhoods.

Access: N. US 117 Hwy./Peanut Ct.

Area: 36 acres (Approximately 2.7 acres, not surveyed)

**SURROUNDING  
ZONING:**

North: Residential (R-16)

South: Residential (R-16), Neighborhood Business (NB)/Residential-Manufactured Non-Conforming (RM-NC)

East: Residential (R-16)

West: Residential (R-16)

Existing Use: The property is currently vacant.

Land Use Plan: The City's Land Use Plan locates this parcel within the Mixed Use II land use designation. This designation allows for a mixture of uses which may have an impact on or produce some conflict with adjacent lower density districts.

Corresponding Zoning Districts in the Mixed-Use II designation include Office Residential (O-R), Office and Institutional (O&I-1), Office and Institutional (O&I-II),

and Shopping Center (SC). The Highway Business (HB) Zoning District is not identified as a corresponding district for the Mixed-Use II land use designation.

**DISCUSSION:**

This is a conditional rezoning proposal for one parcel approximately 2.7 acres to be rezoned from the Residential (R-16) Zoning District to the Highway Business and Office and Institutional-1 (HB/O&I-1CZ) Conditional Zoning District. The subject property is currently vacant. The adjacent uses are predominantly residential in nature. This parcel has partial access from Peanut Ct. and is adjacent to N. US Hwy. 117.

If rezoned to the Highway Business and Office and Institutional-1 (HB/O&I-1CZ) Conditional Zoning District, the applicant proposes to limit the use of the property to an automotive repair, service, and inspection station to include towing services with outside storage, as well as a mini-storage facility (permitted uses in the Highway Business Zoning District). In addition, the applicant proposes to limit the use of the property to barber and beauty shops, offices (business, medical and professional), tanning and salons (permitted uses in the Office and Institutional-1 Zoning District).

**TRC REVIEW:**

Staff has distributed this proposed conditional rezoning to NCDOT. There are no comments at this time. If the rezoning is approved, formal comments will be generated once a site-specific plan is submitted for development.

**STAFF**

**RECOMMENDATION:** Staff is recommending approval of the conditional rezoning request based on the fact that the proposed Highway Business and Office and Institutional-1 Conditional Zoning District would be compatible with the City of Goldsboro Comprehensive Land Use Plan. Although commercial development alongside existing residential neighborhoods should be prohibited, office and institutional development is encouraged as a transitional land use between residential areas and proposed commercial activities of higher intensity located along heavily travelled thoroughfares in Commercial and Mixed Use-1 and II land use designations.

**PLANNING  
COMMISSION**

**RECOMMENDATION:** The City of Goldsboro Planning Commission met on October 30, 2023, to review and make a recommendation regarding the conditional rezoning request. Planning Commission voted 6 in favor 0 against.

**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 with the inclusion of the Inconsistency 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: 11/2/23

  
Kenny Talton, Planning Director

Date: 11/2/23

  
Timothy Salmon, City Manager

**CITY OF GOLDSBORO PLANNING COMMISSION  
Z-16-23 DEARING AUTOMOTIVE & DIESEL, INC.  
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 conditional rezoning to be consistent with the Mixed-Use II land use designation. The City of Goldsboro Planning Commission finds that the conditional rezoning request is reasonable and in best public interest due to the location of the property along N. US Hwy 117 in relation to existing and new residential development, as well as the Comprehensive Land Use Plan's desire to promote business friendly environments and the location of commercial uses in proximity to major thoroughfares.

Voting Record for Recommendation:

Yes 6                      No 0

**Inconsistency Statement:** The City of Goldsboro Planning Commission finds the proposed conditional rezoning to be inconsistent with the Mixed-Use II land use designation and the Comprehensive Land Use Map. Further, the Planning Commission finds that this rezoning, if executed, would have a negative impact on the public due to the fact that the rezoning would be incompatible with the surrounding zoning patterns and existing and new land uses. The City of Goldsboro Planning Commission deems this proposed rezoning to not be reasonable 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 Comprehensive Land Use Plan.

Voting Record for Recommendation:

Yes \_\_\_\_\_ No \_\_\_\_\_

**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, November 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 heard the item on **Monday, October 30, 2023**; and,

WHEREAS, Dearing Automotive and Diesel, Inc. has submitted a petition to rezone Tax Parcel 3601321584 from the Residential 16 Zoning District to the Highway Business/Office and Institutional-1 (HB/O&I-1CZ) Conditional Zoning District; and,

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

WHEREAS, the proposed Highway Business/Office and Institutional-1 Conditional Zoning District is consistent with the Mixed-Use II land use designation; and,

WHEREAS, the Highway Business Zoning District is designed to accommodate highway-oriented retail and commercial uses which generally serve the entire City and nonresident traffic; and,

WHEREAS, the Office and Institutional-1 Zoning District is provide for the development of office and community institutions that have similar development characteristics and require locations close to residential and commercial uses; and,

WHEREAS, the Office and Institutional-1 Zoning District discourages commercial uses and forbids industrial uses; and,

WHEREAS, the Office and Institutional-1 Zoning District is intended to encourage the development of office and institutional uses that provide a step down in intensity between highly developed commercial districts and nearby neighborhoods designed to accommodate highway-oriented retail and commercial uses which generally serve the entire City and nonresident traffic; and,

WHEREAS, the purpose of this conditional rezoning is to limit the use of the property to an automotive repair, service, and inspection station to include towing services with outside storage, as well as a mini-storage facility (permitted uses in the Highway Business Zoning District); and,

WHEREAS, the purpose of this conditional rezoning is to limit the use of the property to barber and beauty shops, offices (business, medical and professional), tanning and salons (permitted uses in the Office and Institutional-1 Zoning District); and,

WHEREAS, the proposed conditional rezoning Comprehensive Land Use Plan would be compatible with the City of Goldsboro Comprehensive Land Use Plan; and

WHEREAS, although commercial development alongside existing residential neighborhoods should be prohibited, office and institutional development is encouraged as a transitional land use between residential areas and proposed commercial activities of higher intensity located along heavily travelled thoroughfares in Commercial and Mixed Use-I and II land use designations; and,

WHEREAS, the proposed conditional rezoning request is reasonable due to the location of the property along N. US Hwy 117 in relation to existing and new residential development, as well as the Comprehensive Land Use Plan's desire to promote business friendly environments and the location of commercial uses in proximity to major thoroughfares; and,

WHEREAS, the proposed conditional rezoning request is in the public's best interest since the proposed conditional 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 16 to the Highway Business/Office and Institutional-1 Conditional Zoning District.**

**Z-16-23 Dearing Automotive and Diesel, Inc. (Residential 16 to Highway Business/Office and Institutional-1 Conditional Zoning District).**

**Wayne County Tax Identification Number: 3601-32-1584**

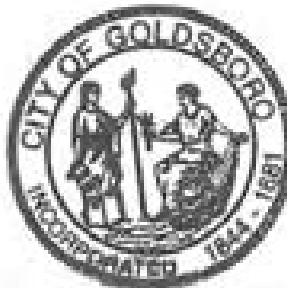
2. The above amendment is effective upon the adoption of this Ordinance.

Adopted this 6<sup>th</sup> day of November, 2023.

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk





# Z-16-23 Dearing Automotive & Diesel (Residential 16 to Highway Business/Office and Institutional 1 Conditional Zoning)



## REZONING REQUEST:

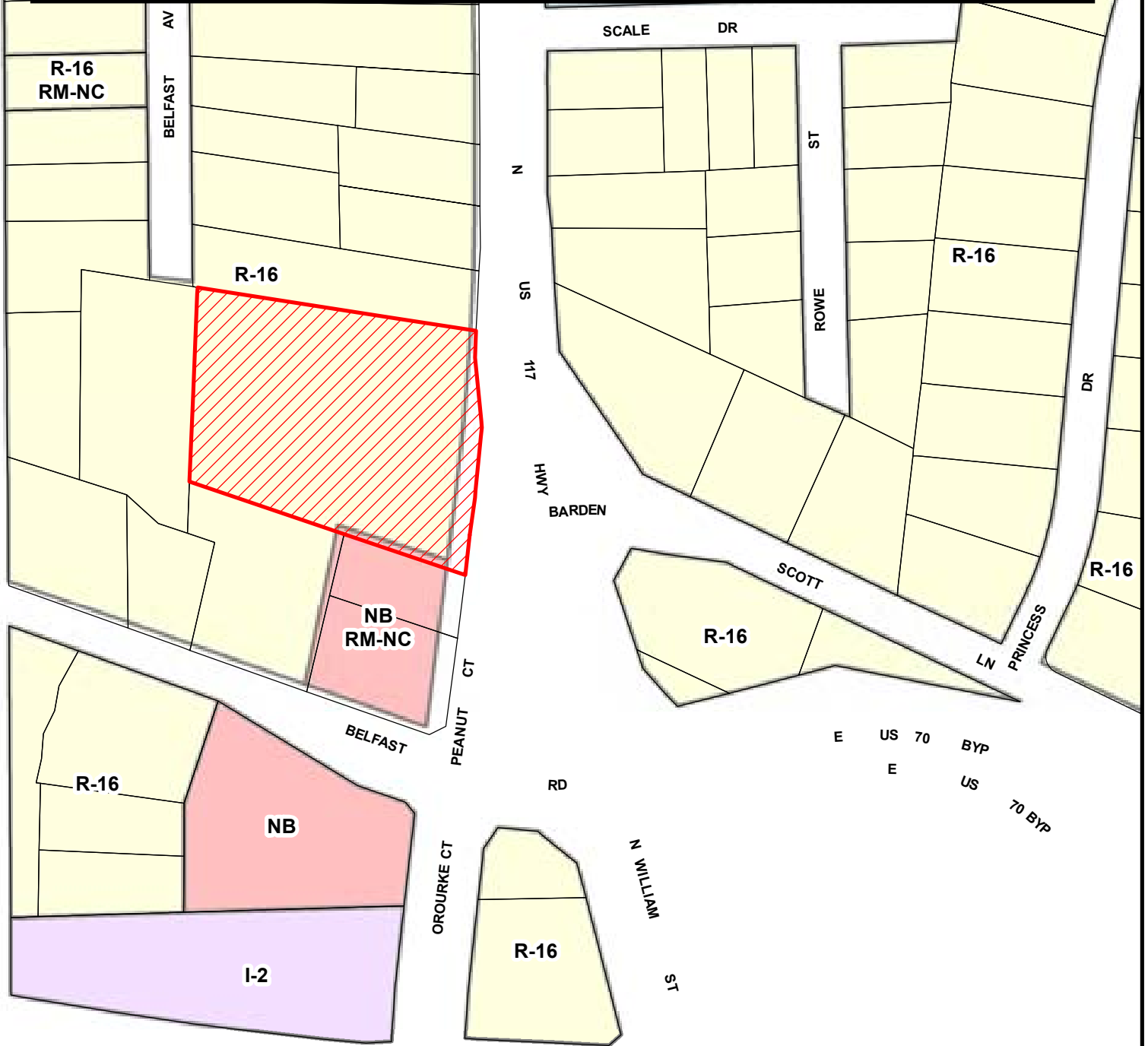
**CASE NO:** Z-16-23  
**APPLICANT:** Dearing Automotive & Diesel  
**REQUEST:** (Residential 16 to Highway Business/Office and Institutional 1  
**LOCATION:** Conditional Zoning)  
**PIN #:** West side of N US 117 Hwy between Scale Dr and Belfast Rd  
 3601-32-1584

0 100 200 400 Feet



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.

# **Z-16-23 Dearing Automotive & Diesel** **(Residential 16 to Highway Business /Office and Institutional 1 Conditional Zoning)**



## **REZONING REQUEST:**

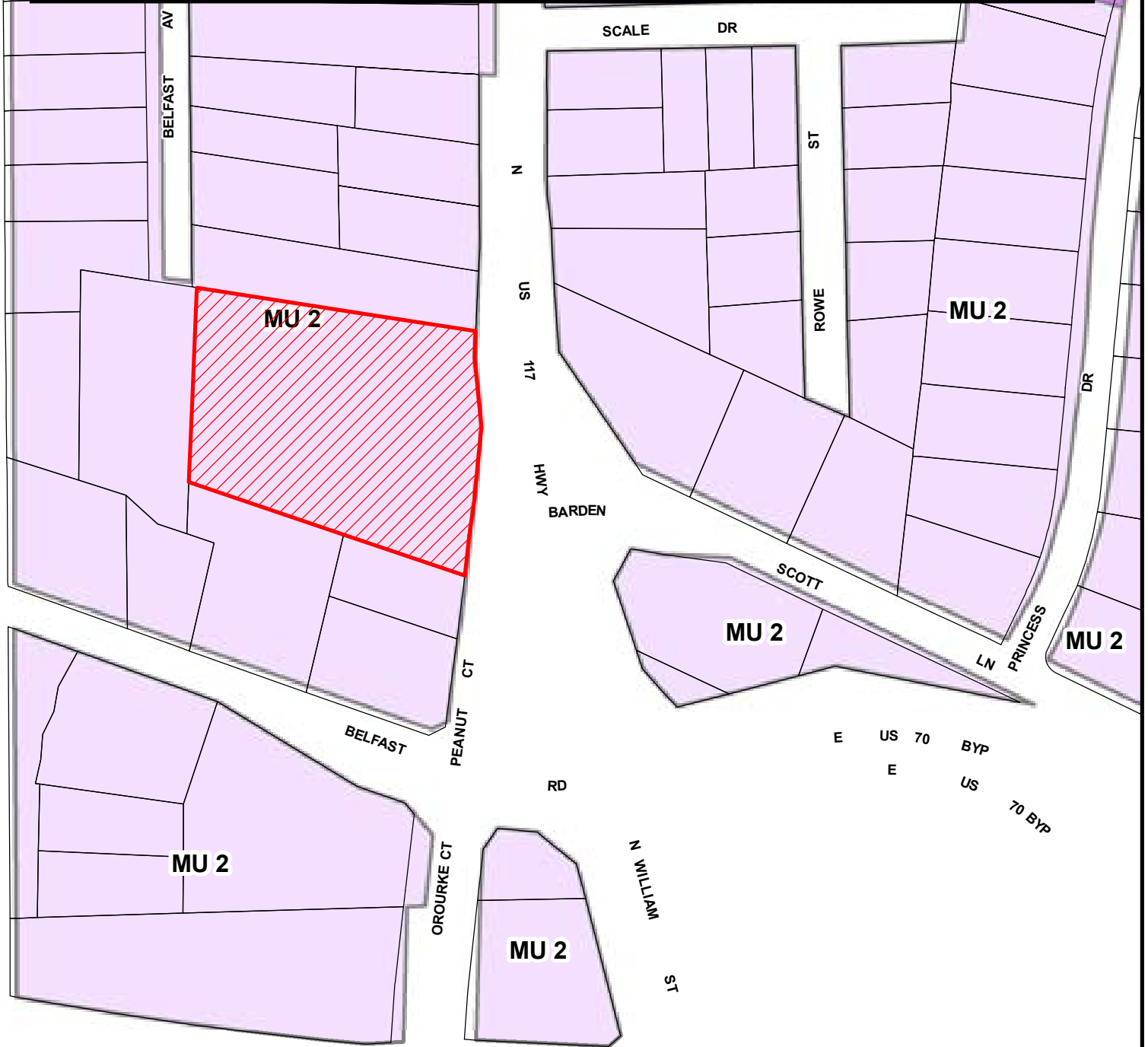
**CASE NO:** Z-16-23  
**APPLICANT:** Dearing Automotive & Diesel  
**REQUEST:** (Residential 16 to Highway Business/Office and Institutional 1  
**LOCATION:** Conditional Zoning)  
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0 100 200 400  
 Feet



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# **Z-16-23 Dearing Automotive & Diesel (Residential 16 to Highway Business /Office and Institutional 1 Conditional Zoning)**



## **REZONING REQUEST:**

**CASE NO:** Z-16-23  
**APPLICANT:** Dearing Automotive & Diesel  
**REQUEST:** (Residential 16 to Highway Business/Office and Institutional 1  
**LOCATION:** Conditional Zoning)  
 West side of N US 117 Hwy between Scale Dr and Belfast Rd  
**PIN #:** 3601-32-1584

0 100 200 400  
 Feet

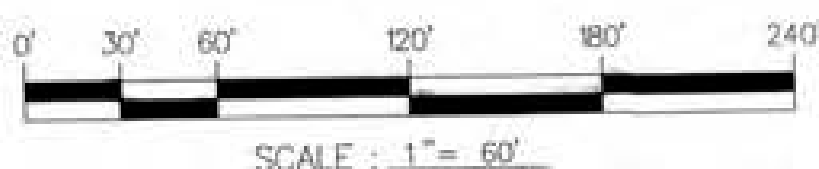


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# SITE DATA

TOTAL AREA OF DEVELOPMENT = +2.6976 ACRES  
 TOTAL NUMBER OF LOTS = 1  
 AVERAGE LOT SIZE = +2.6976 ACRES  
 SUBJECT PROPERTY IS ZONED R-16  
 PROPOSED ZONING IS HIGHWAY BUSINESS (HB)  
 FRONT MINIMUM BUILDING LINE = 35'  
 SIDE MINIMUM BUILDING LINE = 20'  
 REAR MINIMUM BUILDING LINE = 20'  
 PROPOSED ZONING IS OFFICE & INSTITUTIONAL 1 (O&I-1)  
 FRONT MINIMUM BUILDING LINE = 25'  
 SIDE MINIMUM BUILDING LINE = 10'  
 REAR MINIMUM BUILDING LINE = 25'  
 ELECTRICAL SERVICES PROVIDED BY DUKE ENERGY PROGRESS DISTRICT  
 WATER SERVICE PROVIDED BY BELFAST-PATETOWN SANITARY DISTRICT  
 SANITARY SEWER SERVICE PROVIDED BY TOWN OF FREMONT  
 HOURS OF OPERATION: MONDAY-FRIDAY 7:30am-5:30pm

CSX RAILROAD



## SKETCH DESIGN FOR DEARING AUTOMOTIVE

BEING A PORTION OF TRACTS I, II, III, IV AND V AS  
 DESCRIBED IN DEED BOOK 2354, PAGE 341  
 REFERENCE MADE TO PLAT CABINET C, SLIDE 398  
 WAYNE COUNTY REGISTRY  
 STONEY CREEK TOWNSHIP WAYNE COUNTY NORTH CAROLINA

**BENTON & ASSOCIATES**  
 LAND SURVEYING AND MAPPING  
 119 E WALNUT STREET GOLDSBORO, NC  
 PHONE (919) 735-0440 FAX 735-0840  
 FIRM LICENSE NO. C-1705

APPROVED RMB DATE 09/11/23  
 SURVEYOR JHL DRAFTER RMB  
 FILE NUMBER 23-1075D

### LEGEND

EIP EXISTING IRON PIPE  
 EIR EXISTING IRON ROD  
 ER/WO EXISTING R/W DISK  
 IRS IRON ROD SET  
 TL TOTAL LENGTH  
 D.B. DEED BOOK  
 PG. PAGE  
 P.C. PLAT CABINET  
 SLD. SLIDE  
 INDICATES NO POINT SET  
 UTILITY POLE  
 GUY WIRE  
 OVERHEAD ELECTRIC LINE  
 OVERHEAD TELEPHONE LINE  
 SURVEYED BOUNDARY LINE  
 SURVEYED TIE LINE  
 ORIGINAL DIVISION LINE  
 NON-SURVEYED LINE  
 RIGHT-OF-WAY LINE  
 RIGHT-OF-WAY  
 PROPERTY LINE

ZONED R-16

ELBERT REEVES  
 AND WIFE  
 CILLER C. REEVES  
 D.B. 1785, PG. 43  
 ZONED R-16

BCJ, INC.  
 D.B. 1580, PG. 164  
 ZONED R-16

ELBERT REEVES  
 AND WIFE  
 CILLER C. REEVES  
 D.B. 1785, PG. 46  
 ZONED R-16

JOSHUA C. BARBATO  
 AND WIFE  
 JESSICA V.W. BARBATO  
 D.B. 3476, PG. 627  
 ZONED R-16

ANGELA M. AYCOCK  
 ESTATE FILE 176-936  
 REFERENCE MADE TO  
 FIFTH LOT  
 D.B. 1226, PG. 294  
 ZONED MB

SEBASTIEN MOITY  
 AND WIFE  
 LAUREN HOWELL  
 D.B. 3048, PG. 227  
 ZONED R-16

PEANUT COURT (PUBLIC R/W VARIES)

NCDOT  
 PROJECT NO. 34461.2.7

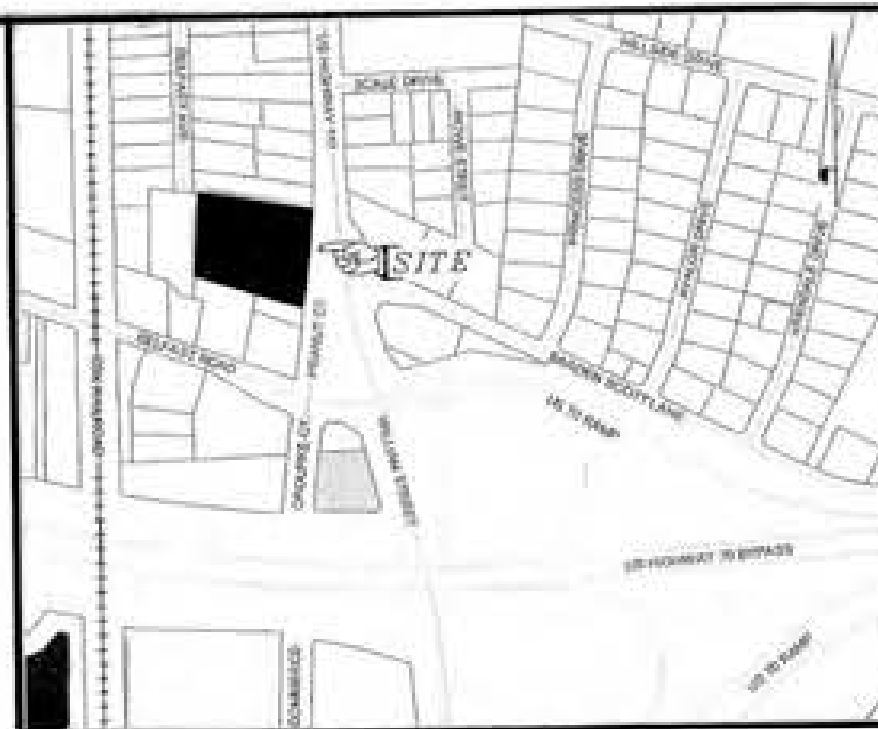
O'ROURKE CT.  
 S.R. 2315

US HIGHWAY 117

WILLIAM STREET

S.R. 2313  
 BARDEN SCOTT LANE

GRID NORTH  
 NAD83(2011)



### VICINITY MAP NOT TO SCALE

### NOTES:

- SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS PER WAYNE COUNTY FIRM 3720360100K DATED 06/20/2018
- SUBJECT PROPERTY IS SUBJECT TO ANY RESTRICTIONS, EASEMENTS AND RIGHT-OF-WAYS OF RECORD, IF ANY.
- ROAD/STREET RIGHT-OF-WAY WIDTH SHOWN HEREON WAS DETERMINED FROM NCDOT PROJECT NO. 34461.2.7 AND EXISTING MONUMENTATION
- BEARINGS ARE BASED UPON NAD83(2011).
- DISTANCES ARE HORIZONTAL GROUND IN US SURVEY FEET.
- COORDINATES ARE NAD83(2011) GRID.

LINE	BEARING	DISTANCE
L1	S 02°17'42"W	36.93'
L2	S 08°05'34"W	51.93'
L3	S 06°09'33"W	55.03'
L4	S 64°02'52"W	25.20'
L5	S 02°33'32"W	64.04'

### CERTIFICATION

NORTH CAROLINA  
 I, RICHARD M. BENTON, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY OF DESCRIPTION(S) AS RECORDED IN DEED BOOK 2354, PAGE 341 PLAT CABINET C, SLIDE 398  
 THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED WAS 1:10,000; THAT THE GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) WAS USED TO PERFORM A PORTION OF THIS SURVEY AND THE FOLLOWING INFORMATION WAS USED:  
 CLASS OF SURVEY: CLASS A  
 POSITIONAL ACCURACY: 0.05'  
 TYPE OF GPS FIELD PROCEDURE: RTK  
 DATES OF SURVEY: 11/30/21 - 02/23/22  
 DATUM/EPOCH: NAD83(2011)  
 PUBLISHED/FIXED-CONTROL USE: NC VRS  
 GEOID MODEL: GEOID2010  
 COMBINED GRID FACTOR: 0.999982785  
 UNITS: US SURVEY FEET  
 THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56 .0000) AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED, WITNESS MY HAND AND SEAL THIS 28 DAY OF FEBRUARY, 2022  
 I, RICHARD M. BENTON, CERTIFY THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

### PRELIMINARY PLAT NOT FOR RECORDATION, CONVEYANCE OR SALE

L-3354  
 LAND SURVEYOR  
 RICHARD M. BENTON

L. BERRY GRAY, REVIEW OFFICER OF WAYNE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 REVIEW OFFICER DATE

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

**SUBJECT:** HACG Surveillance Camera Cost Sharing Agreement

**BACKGROUND:** The Housing Authority of the City of Goldsboro (HACG) has or will enter contracts with Ocean 10 Security LLC for the provision of TSUNAMI 306 Surveillance Systems with unlimited and/or "uncapped" internet connectivity and optional add-on license plate recognition cameras at West Haven, Fairview, Lincoln, and Park Court Asset Management Projects (AMPs).

The City has paid a portion of the HACG Fairview and Lincoln AMPs surveillance camera cost in the past. The HACG requests the West Haven and Park Court AMPs be added to a cost sharing agreement.

The Goldsboro Police Department (GPD) and Information Technology Department (IT) have access to all HACG surveillance systems for the prevention of criminal activity and solving of crimes.

**DISCUSSION:** This HACG and City agreement extends the surveillance camera cost sharing from two to four AMPs at a 50/50 cost, beginning the 1<sup>st</sup> day of November, 2023. The City shall not have any ownership interest in, leasehold interest in, responsibility for maintenance, insuring or security or protection of, nor any direct financial responsibility, for any of the said surveillance systems or any component thereof. The City IT Department and GPD will continue to have access to all HACG AMP cameras for their intended purpose.

**RECOMMENDATION:** It is recommended that Council approve the attached resolution authorizing the City Manager and Clerk to sign the Cost Sharing Agreement with the HACG.

Date: 11-6-23

  
\_\_\_\_\_  
David Ham, Mayor

RESOLUTION NO. 2023- 83

**RESOLUTION AUTHORIZING THE CITY MANAGER AND CLERK TO SIGN  
THE COST SHARING AGREEMENT WITH HACG**

**WHEREAS**, the Housing Authority of the City of Goldsboro (HACG) has or will enter into contracts with Ocean 10 Security LLC for the provision of TSUNAMI 306 Surveillance Systems with unlimited and/or "uncapped" internet connectivity and optional add-on license plate recognition cameras at West Haven, Fairview, Lincoln, and Park Court Developments; and

**WHEREAS**, the HACG and the City agree that the presence of such surveillance systems is important to both the City and HACG for the purpose of preventing and solving crimes and criminal activity; and

**WHEREAS**, the HACG and the City have agreed to share the cost of such surveillance systems as set forth in the Agreement, beginning the 1<sup>st</sup> day of November, 2023. The City shall not have any ownership interest in, leasehold interest in, responsibility for maintenance, insuring or security or protection of, nor any direct financial responsibility, for any of the said surveillance systems or any component thereof but shall have access to the camera video.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Goldsboro, North Carolina that the City Manager and Clerk are authorized to sign the Cost Sharing Agreement with the Housing Authority of the City of Goldsboro (HACG).

This Resolution shall be in full force and effect from and after this 6<sup>th</sup> day of November, 2023

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk





## **SURVEILLANCE CAMERA COST SHARING AGREEMENT**

This Agreement made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_ 2023, by and between THE HOUSING AUTHORITY OF THE CITY OF GOLDSBORO ("HACG") and the CITY OF GOLDSBORO ("City").

WHEREAS, HACG has or will enter into contracts with Ocean 10 Security LLC for the provision of TSUNAMI 306 Surveillance Systems with Unlimited and/or "uncapped" internet connectivity and optional add-on license plate recognition cameras at West Haven, Fairview, Lincoln and Park Court Developments, and shall insure the same at its expense not to be shared by the City or included in the costs outlined herein; and

WHEREAS, HACG and City agree that the presence of such surveillance systems is important to both City and HACG for the purpose of preventing and solving crimes and criminal activity; and

WHEREAS, HACG and City have agreed to share the cost of such surveillance systems as hereinafter set forth beginning as of the 1st day of November 2023; BUT the City shall not have any ownership interest in, leasehold interest in, responsibility for maintenance, insuring or security or protection of, nor any direct financial responsibility for any of the said surveillance systems or any component thereof.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, HACG and City agree as follows:

I. HACG has or will have an equipment and service contract with Ocean 10 Security LLC for the provision of Tsunami 360 Surveillance Systems and, where indicated, license plate recognition cameras as follows:

A. West Haven: A three-year contract dated May 13th, 2022 for 8 surveillance systems and service and 2 license plate recognition cameras at a yearly cost of \$58,000.00 plus tax. In the amount of \$3,915.00 plus \$2,400.00 paid to Duke Power for poles for a total of \$64,315.00 per year. The contract for West Haven is for a three-year period beginning July 29th, 2022, and ending on July 28, 2025. A copy of that contract is attached as "Exhibit A".

B. Fairview: HACG will enter into a three-year contract with Ocean 10 Security LLC for 8 surveillance systems, and services for a three-year period beginning on the 1st day of November 2023 at a cost of \$58,500.00 plus tax in the amount of \$3,948.75 for the total of \$62,448.75 per year. A copy of that contract is attached as "Exhibit B".

C. Lincoln: HACG will enter into a three-year contract with Ocean 10 Security LLC for 8 surveillance systems and services for a three-year period beginning on the 1st day of November 2023 at a cost of \$26,000.00 plus tax in the amount of \$1,755.00 for the total of \$27,755.00 per year. A copy of that contract is attached as "Exhibit C".

D. Park Court: HACG will enter into a three-year contract with Ocean 10 Security LLC for 8 surveillance systems, and services for a three-year period beginning on the 1st day of November 2023 at a cost of \$29,800.00 plus \$3,800.00 for installation charges, plus tax in the amount of \$2,268.00 for the total of \$35,868.00 per year. A copy of that contract is attached as "Exhibit D".



2. The City agrees to reimburse HACG for 50% of the cost of the above-described surveillance systems as set forth above on or before June 30 of the end of each of the three fiscal years beginning with the 2023/2024 fiscal year for the City as long as all PILOT ("payment in lieu of taxes") payment(s) due from HACG to the City have been paid on or before April 30, of each fiscal year and none are outstanding or owing, as follows:

A. West Haven: The prorated amount represents 50% of the cost from November 1<sup>st</sup>, 2023, to July 28th, 2024. And 50% of the cost of said equipment and service for the period beginning July 29th, 2024, ending on July 28th, 2025. Payable as provided above.

B. Fairview: 50% of the cost as set forth in (B) above payable as provided above.

C. Lincoln: 50% of the cost as set forth in (C) above payable as provided above.

D. Park Court: 50% of the cost as set forth in (D) above payable as provided above.

3. The City will not cost-share in any other leases of, surveillance systems, cameras, optional add-on equipment, or license plate recognition cameras at any of the above locations, or any additional locations without the express written consent of the City. It is understood and agreed that HACG will not add surveillance systems, cameras, optional add-on equipment, or license plate recognition cameras at any of the above locations, or any additional locations without the express written consent of the City. At all times relevant hereto, the City, by and through the Goldsboro Police Department (GPD), Information Technology Department (IT), or other department or personnel the City deems necessary and designates, shall have access to all HACG surveillance systems for the prevention of criminal activity and solving of crimes.

THIS THE \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Housing Authority of the  
City of Goldsboro, NC

City of Goldsboro, North Carolina

By: \_\_\_\_\_

By: \_\_\_\_\_  
Timothy Salmon, City Manager

ATTEST:

\_\_\_\_\_  
Laura Getz, City Clerk

This instrument has been pro-audited in the manner required by The Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Name: Catherine F. Gwynn, City of Goldsboro Finance Director

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** HOME Community Housing Development Organization (CHDO)  
Certification Guide & Application.

**BACKGROUND:** As stated in HOME regulations, the City, as a HUD grantee, is required to reserve no less than 15% of its HOME allocation for investment in housing to be developed, sponsored, or owned by CHDOs. A CHDO is a special type of non-profit organization that meet the following requirements:

- Has a governing board consisting of not less than one-third low-income persons and not more than one-third public officials.
- Has a 503(c)(3) or (c)(4) ruling from the IRS.
- Has demonstrated a capacity for carrying out activities assisted with HOME funds.
- Has a history of serving the community in which the HOME assisted housing is to be located for a minimum of one year.
- Has among its purposes the provision of decent housing that is affordable to low-income and moderate-income persons, as evidenced in its charter, articles of incorporation, resolutions, or by-laws.

**DISCUSSION:** The City must identify non-profit organizations and certify these organizations as CHDOs using the guidance given in CPD Notice 97-11, Guidance on Community Housing Development Organizations (CHDOs) under the HOME Program. HUD strongly recommends recertification of CHDOs annually. Non-profit organizations may experience transitions in board composition and management. Charters or by-laws may be amended at any given time. Therefore, after the initial certification, it is not adequate to assume a certified CHDO remains a CHDO. HUD will monitor the City's files to ensure that CHDO designations are being updated as required.

**RECOMMENDATION:** By motion, adopt the newly developed HOME CHDO Certification Guide & Application.

Date: 10-31-2023



Felicia Williams, Community Relations & Development Director

Date: 10/30/23



Timothy Salmon, City Manager

**APPLICATION FOR  
COMMUNITY HOUSING DEVELOPMENT ORGANIZATION  
(CHDO)  
CERTIFICATION**



**City of Goldsboro  
Community Relations and Development  
214 N. Center Street  
Goldsboro, NC 27530**

**APPLICATION FOR COMMUNITY HOUSING DEVELOPMENT  
ORGANIZATION (CHDO) CERTIFICATION**

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**Appendices**

Appendix A: CHDO Definition (from 24 CFR 92.2)

Appendix B: CHDO Checklist

Appendix C: CHDO Staff Experience & Capacity Narrative Checklist

Appendix D: Board of Directors Chart

Appendix E: Financial and Program Management

Appendix F: Certification of Low-Income Representation/Description of  
Process for Obtaining Low-Income Input

Appendix G: Model Public Input Resolution

## **I. INTRODUCTION**

The National Affordable Housing Act of 1990 (the Act) created the HOME Investment Partnerships Program (HOME). The Act's objectives include promoting partnerships between states, local governments and nonprofit organizations and increasing the capacity of nonprofit organizations to develop and manage affordable housing.

To help achieve these objectives the Act requires that participating jurisdictions (PJs) set aside at least 15% of their HOME funds for housing that is developed, owned, or sponsored by Community Housing Development Organizations (CHDOs). CHDOs are a specific type of nonprofit organization defined in the HOME Final Rule (24 CFR Part 92).

**This application for CHDO certification covers the following topics:**

- 1) Provides the HOME Program definition of a CHDO;
- 2) Outlines the criteria for qualifying as a CHDO;
- 3) Describes the eligible uses of CHDO set-aside funds;
- 4) Describes the City of Goldsboro process for certifying CHDOs;
- 5) Provides supplemental material for organizations interested in becoming a CHDO and information on technical assistance available to nonprofits; and
- 6) Provides reference materials as appendices.

## **II. DEFINITION OF A CHDO**

The HOME Program definition of a CHDO is found in 24 CFR 92.2 (see Appendix A of this Application).

The definition outlines the criteria that an organization must meet to qualify as a CHDO. The criteria focus on the legal status of the organization, its capacity and experience, the organizational structure, and the relationship of the CHDO to for-profit entities. The CHDO Checklist (see Appendix B) outlines these criteria in detail.

**The following is a summary of some of the key criteria to qualify as a CHDO:**

### **Legal Status**

- 1) The CHDO must be organized under state law.
- 2) One of the purposes of the organization must be the provision of decent housing that is affordable to low-income and moderate-income people.
- 3) The CHDO must have nonprofit status under §501(c)(3) or (4) of the Internal Revenue Code of 1986.
- 4) The organization must have a clearly defined geographic service area that is not the whole state.

## Capacity and Experience

This application has been updated to reflect the 2013 HOME Appropriation Act Capacity and Experience Requirements.

### Experience

- 1) The CHDO must have at least one year of experience serving the community.
- 2) The organization must show that its key staff members have the capacity to implement housing activities.
- 3) The CHDO must have financial management systems that meet the federal standards outlined in 24 CFR 84.21. The most recent version of OMB Circulars A-110 (24 CFR 84) and A-133 may be obtained at [CIRCULAR A-110 REVISED 11/19/93 As Further Amended 9/30/99 | The White House \(archives.gov\)](https://www.archives.gov/omb/circulars/a110-revised-11-19-93-as-further-amended-9-30-99-the-white-house) or by contacting the City of Goldsboro (The City).
- 4) The CHDO must have completed at least one *CHDO-eligible* development in the past two (2) years.

#### Eligible developments are:

- Acquisition and/or rehabilitation of rental housing;
- Construction of new rental housing;
- Acquisition and/or rehabilitation of properties for home ownership; and
- New construction for home ownership.

### Organizational Structure

- 1) At least one-third of the organization's board of directors must be representatives of the low-income community; no more than one-third can be representatives of the public sector.
- 2) The CHDO must also involve low-income program beneficiaries in affordable housing project design. (This is in addition to serving on the board of directors.)

### Relationship with For-Profit Entities

The CHDO cannot be controlled by for-profit organizations or individuals (See Appendix A).

### III. THE CHDO SET-ASIDE

At least 15% of the City's HOME allocation must be invested in housing developed, owned, or sponsored by a CHDO (see Section IV). Other nonprofit organizations not meeting CHDO criteria can receive HOME funding for projects they develop, own, or sponsor, but these projects do not count toward the CHDO set-aside. CHDOs and other nonprofits can also receive HOME funds as a subrecipient, but these funds also do not count toward the 15% CHDO set-aside.

#### **Eligible and Ineligible CHDO Set-Aside Activities**

Only certain types of activities count toward the 15% set-aside. The **eligible** activities (when carried out by a CHDO acting as a developer, owner, or sponsor) are:

- 1) Acquisition and/or rehabilitation of rental housing;
- 2) Construction of new rental housing;
- 3) Acquisition and/or rehabilitation of properties for home ownership;
- 4) New construction for home ownership.

The following activities are **not eligible** for the CHDO set-aside:

- 1) Tenant-based rental assistance;
- 2) Rehabilitation of owner-occupied properties; and
- 3) Direct home buyer assistance for existing housing (not developed, owned, or sponsored by the CHDO).

#### **CHDO as a Subrecipient**

A CHDO, as well as other organizations, may also participate in the HOME-funded programs as a subrecipient. Basically, this occurs when a CHDO undertakes an activity that is not an eligible activity for the CHDO set-aside (e.g., housing rehabilitation for owner-occupants). In these projects the CHDO enters into a contract with the City to administer all or part of a program for the City.

### IV. ALTERNATIVE CHDO ROLES

The 15% CHDO set-aside can only be used for projects in which a CHDO is the developer, owner, or sponsor.

#### **CHDO as a Developer**

A CHDO is a "developer" when it either owns a property and develops a project or has a contract with a property owner to develop a project. The CHDO must perform all the functions usually expected of for-profit developers as well as assume all the risks and rewards associated with being a developer.



- 1) **Rental Housing:** For rental projects the CHDO must obtain financing and build or rehabilitate the project. If it owns the property, the CHDO may maintain ownership and manage the project over the long term, or it may transfer the project to another entity for management.
- 2) **Home Ownership:** For home ownership projects the CHDO must obtain financing and build or rehabilitate the units. Title to the property and HOME obligations must be transferred to qualified home buyers within a specified time frame of project completion.

### **CHDO as an Owner**

A CHDO may be considered an “owner” of a rental development. The CHDO is an owner when it has valid title or a long-term leasehold interest (at least 99 years). A CHDO can own a rental property with other legal entities (including, but not limited to, individuals, corporations, and partnerships). If it owns the project in partnership, the CHDO or its wholly owned nonprofit or for-profit subsidiary must be the managing general partner with effective control (i.e., decision making authority) of the project. The CHDO may be both owner and developer or may have another entity as the developer.

### **CHDO as a Sponsor**

A CHDO may be a “sponsor” for either a rental or a home ownership project. When a CHDO is a sponsor, it must always own the property prior to the development phase of the project.

- 1) **Rental Housing:** The CHDO (or another entity) develops a project that the CHDO solely or partially owns and agrees to convey ownership to a second nonprofit organization at a predetermined time prior to or during development or upon completion of the development of the project. The HOME funds are invested in the project owned by the CHDO. The CHDO sponsor selects prior to commitment of the HOME funds the nonprofit organization that will obtain ownership of the property.
- 2) **Home Ownership:** The CHDO owns a property and transfers responsibility for development to another nonprofit organization at a specified time in the development process. The second nonprofit transfers title to the property and HOME obligations to qualified home buyers within a specified time frame.

For a more detailed description of the alternative CHDO roles, see HUD Notice CPD 97-11.

## V. PROCESS FOR CHDO CERTIFICATION

**The following is the process for obtaining City CHDO certification:**

- 1) Complete the CHDO Checklist (Appendix B) and provide the required supporting materials.
- 2) Submit the Application material and the CHDO Checklist to the City for staff to review.
- 3) If the Application material submitted is complete and meets the criteria for qualifying as a CHDO (as described in Section II of this Application and in the CHDO Checklist) the City will notify the organization in writing that it has been certified as a CHDO.
- 4) If the Application is not complete or if the organization does not meet the requirements for CHDO certification, a letter will be sent to the organization which describes what it must do to meet the certification criteria.
- 5) City-certified CHDOs will be asked to recertify their CHDO status annually by providing updated information on the organization and its projects to ensure that the organization still meets the criteria for CHDO status after certification.
- 6) To apply for HOME Set-Aside Funds from the City your organization must be a certified CHDO. **Please note that receiving CHDO certification does not guarantee that your organization will receive HOME funds.**

## VI. TECHNICAL ASSISTANCE AVAILABLE TO CHDOs

City staff members are available to assist and advise CHDOs on how to best meet City program requirements.

Non-profits (including CHDOs) may also be eligible to receive technical assistance from other organizations including:

- Training and Development Association;
- North Carolina Rural Economic Development Center;
- The Affordable Housing Group of North Carolina;
- North Carolina Department of Commerce, Division of Community Assistance;
- North Carolina Community Development Initiative; and
- North Carolina Association of Community Development Corporations.

## APPENDIX A

### EXCERPT FROM HOME INVESTMENT PARTNERSHIPS PROGRAM FINAL RULE 24 CFR 92.2 DEFINITIONS as of June 15, 2015

*Community housing development organization* means a private nonprofit organization that:

- 1) Is organized under State or local laws;
- 2) Has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual;
- 3) Is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization. A community housing development organization may be sponsored or created by a for-profit entity, but:
  - a. The for-profit entity may not be an entity whose primary purpose is the development or management of housing, such as a builder, developer, or real estate management firm;
  - b. The for-profit entity may not have the right to appoint more than one-third of the membership of the organization's governing body. Board members appointed by the for-profit entity may not appoint the remaining two-thirds of the board members;
  - c. The community housing development organization must be free to contract for goods and services from vendors of its own choosing; and
  - d. The officers and employees of the for-profit entity may not be officers or employees of the community housing development organization.
- 4) Has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 (26 CFR 1.501(c)(3)-1 or 1.501(c)(4)-1)), is classified as a subordinate of a central organization non-profit under section 905 of the Internal Revenue Code of 1986, or if the private nonprofit organization is an wholly owned entity that is disregarded as an entity separate from its owner for tax purposes (e.g., a single member limited liability company that is wholly owned by an organization that qualifies as tax-exempt), the owner organization has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 and meets the definition of “community housing development organization;”
- 5) Is not a governmental entity (including the participating jurisdiction, other jurisdiction, Indian tribe, public housing authority, Indian housing authority, housing finance agency, or redevelopment authority) and is not controlled by a governmental entity. An organization that is created by a governmental entity may qualify as a community housing development organization; however, the governmental entity may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board members may be public officials or employees of governmental entity. Board members appointed by a governmental entity may not appoint the remaining two-thirds of the board members. The officers or employees of a governmental entity may not be officers or employees of a community housing development organization;

- 6) Has standards of financial accountability that conform to 24 CFR 84.21, “Standards for Financial Management Systems;”
- 7) Has among its purposes the provision of decent housing that is affordable to low-income and moderate-income persons, as evidenced in its charter, articles of incorporation, resolutions, or by-laws;
- 8) Maintains accountability to low-income community residents by:
  - a. Maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representative of low-income neighborhood organizations. For urban areas, “community” may be a neighborhood or neighborhoods, city, county, or metropolitan area; for rural areas, it may be a neighborhood or neighborhoods, town, village, county, or multicounty area (but not the entire State); and
  - b. Providing a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of affordable housing;
- 9) Has a demonstrated capacity for carrying out housing projects assisted with HOME funds. A designated organization undertaking development activities as a developer or sponsor must satisfy this requirement by having paid employees with housing development experience who will work on projects assisted with HOME funds. For its first year of funding as a community housing development organization, an organization may satisfy this requirement through a contract with a consultant who has housing development experience to train appropriate key staff of the organization. An organization that will own housing must demonstrate capacity to act as owner of a project and meet the requirements of §92.300(a)(2). A nonprofit organization does not meet the test of demonstrated capacity based on any person who is a volunteer or whose services are donated by another organization; and
- 10) Has a history of serving the community within which housing to be assisted with HOME funds is to be located. In general, an organization must be able to show one year of serving the community before HOME funds are reserved for the organization. However, a newly created organization formed by local churches, service organizations or neighborhood organizations may meet this requirement by demonstrating that its parent organization has at least a year of serving the community.

## APPENDIX B

### CHDO CHECKLIST

The information contained in this checklist refers to a Community Housing Development Organization (CHDO) as defined in Subpart A, Section 92.2 of the HOME Final Rule (24 CFR Part 92). Other information applicable to CHDOs is found in Subpart G of the Rule. Please submit this form and the required documentation to (you may scan and submit via email):

Felecia Williams, Community Relations and Development Director  
City of Goldsboro  
Community Relations and Development Department  
P.O. Drawer A  
Goldsboro, NC 27533-9701  
Phone: 919-580-4360  
E-Mail: [fdwilliams@goldsboronc.gov](mailto:fdwilliams@goldsboronc.gov)

**Please include all supporting documentation as “Attachment A”. Supporting documentation should be included for each item checked off. Please label each document included with the corresponding checklist question number.**

#### **I. CONTACT INFORMATION**

Organization Name:	
Mailing Address:	
Phone:	
Service Area(s):	

#### **II. LEGAL STATUS**

- A. The nonprofit organization is organized under state or local laws, as evidenced by:
- ☐ Charter ☐ Articles of Incorporation
- B. No part of its net earnings inures to the benefit of any member, founder, contributor, or individual, as evidenced by:
- ☐ Charter ☐ Articles of Incorporation
- C. It has a tax exemption ruling from the Internal Revenue Service (IRS) under Section 501(c) of the Internal Revenue Code of 1986, as evidenced by:
- ☐ 501(c)(3) or (4) Certificate from the IRS

- D. It has among its purposes the provision of decent housing that is affordable to low- and moderate-income people, as evidenced by a statement in the organization's:

☐ Charter

☐ Articles of Incorporation

☐ By-Laws

☐ Resolutions

### **III. CAPACITY**

- A. The nonprofit organization conforms to the financial accountability standards of Attachment F of OMB Circular A-110, "Standards for Financial Management Systems" 24 CFR 84.21, as evidenced by:

☐ A notarized statement by the president or chief financial officer of the organization

☐ A certification from a Certified Public Accountant

☐ A HUD-approved audit summary

- B. The nonprofit organization has demonstrated capacity and experience as described in the narrative of Appendix C.

☐ Narrative in Appendix C

**Note:** Please complete the "Standards for Financial Management Systems" Questionnaire and submit with the application (See Appendix E).

- C. Has a demonstrated capacity for carrying out activities assisted with HOME funds, as evidenced by:

☐ Resumes and/or statements that describe the experience of key staff members who have successfully completed projects similar to those to be assisted with HOME funds, or

☐ Contract(s) with consulting firms or individuals who have housing experience similar to projects to be assisted with HOME funds to train appropriate key staff of the organization.

- D. Has a history of serving the community where housing to be assisted with HOME funds will be used, evidenced by:

☐ Statement that documents at least one (1) year of experience in serving the community, or

☐ For newly created organizations formed by local churches, service, or community organizations, a statement that documents that its parent organization has at least one (1) year of experience in serving the community.



**Note:** The CHDO or its parent organization must be able to show one (1) year of serving the community from the date the participating jurisdiction provides HOME funds to the organization. In the statement, the organization must describe its history (or its parent organization's history) of serving the community by describing activities which it provided (or its parent organization provided), such as developing new housing, rehabilitating existing stock, and managing housing stock, or delivering non-housing services that have had lasting benefits for the community, such as counseling, food relief, or childcare facilities. The statement must be signed by the president of the organization or by a HUD-approved representative.

#### IV. ORGANIZATION STRUCTURE

- A. The nonprofit organization maintains at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representatives of low-income neighborhood organizations as evidenced by the organization's:

\*Please provide all

☐ By-laws    ☐ Charter    ☐ Articles of Incorporation

*Under the HOME program, for urban areas, the term "community" is defined as one or several neighborhoods, a city, county, or metropolitan area. For rural areas "community" is defined as one or several neighborhoods, a town, village, county or multi-county area (but not the entire state).*

- B. It provides information on current Board of Directors as evidenced by:

☐ A completed Board of Directors Chart (See Appendix D)

☐ Certification of Low-Income Representation (one form for each low-income representative on the Board) (see Appendix F)

**Note:** Please complete the Certification of Board Status Form and Board Member Certification Form located in Appendix F and return with the application. Under the HOME program, for urban areas, the term "community" is defined as one or several neighborhoods, a town, village, county or multi-county are (but not the entire state).

- C. It provides a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of all HOME-assisted affordable housing projects, as evidenced by at least one of the following:

☐ By-Laws

☐ Resolutions (See sample Model Resolution in Appendix G)

☐ Written statement of operating procedures approved by the governing body.

D. A CHDO may be chartered by a State or local government, however, the State or local government may not appoint: (1) more than one-third of the membership of the organization's governing body; (2) the board members appointed by the State or local government may not, in turn, appoint the remaining two-thirds of the board members; and (3) no more than one-third of the governing board members are public officials. This is evidenced in at least one of the following documents:

☐ Charter

☐ Articles of Incorporation

☐ By-Laws

☐ Not Applicable because this organization is not chartered by a unit of government.

E. A CHDO may be sponsored or created by a for-profit entity. In this case the following restrictions apply: (1) The for-profit entity may not appoint more than one-third of the membership of the CHDO's governing body; and (2) the board members appointed by the for-profit entity may not, in turn, appoint the remaining two-thirds of the board members. This is evidenced in at least one of the following documents:

☐ Charter

☐ Articles of Incorporation

☐ By-Laws

☐ Not Applicable because this organization is not chartered by a unit of government.

## V. **RELATIONSHIP WITH FOR-PROFIT ENTITIES**

A. The CHDO is not controlled by nor receives directions from individuals or entities seeking profit from the organization, as evidenced by either:

☐ By-Laws

or

☐ Memorandum of Understanding (MOU)

B. A CHDO may be sponsored or created by a for-profit entity. The for-profit entity's primary purpose does not include the development or management of housing, as evidenced by the following:

☐ Not Applicable

☐ In the for-profit organization's By-Laws

**VI. ADMINISTRATIVE AUDIT AND LEGAL ISSUES**

- A. Has your organization been placed under administrative restrictions from federal, state, or local sources at any time in the past five (5) years? \_\_Y\_\_N
- B. Has your organization been involved in any lawsuits? \_\_Y\_\_N
- C. Are there any outstanding judgments against your organization? \_\_Y\_\_N
- D. Has your organization defaulted on any loans in the past five (5) years? \_\_Y\_\_N
- E. Has your organization had any audit findings in the past five (5) years? \_\_Y\_\_N

*If you answered “Yes” to any of the above questions, attach a complete explanation labeled as “Appendix H”.*

**VII. CERTIFICATIONS**

By signing below:

- A. The Applicant Organization certifies that the information provided in this application for certification as a City Community Housing Development Organization is true and complete;
- B. The Applicant Organization understands that the City may conduct its own independent review of the information herein and the attachments, and may verify information from any source; and
- C. The Applicant Organization understands that the City will not be responsible for any costs incurred by the applicant in developing and submitting this application, and that all applications submitted become the property of the City.

**Name of Authorized Official:** \_\_\_\_\_

**Signature of Authorized Official:** \_\_\_\_\_

**Title of Authorized Official:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## APPENDIX C

### CHDO STAFF EXPERIENCE AND ORGANIZATIONAL CAPACITY

*Notes: HUD and HUD's consultants provided this checklist because the CHDO requirements under the 2013 HOME Appropriation law are more rigorous than previous years. Now, in addition to meeting all the usual standards to be a CHDO, an organization must also demonstrate that it has adequate capacity and experience to take on the specific project for which it is applying for CHDO status. Specifically, it must show that:*

- *It has staff with demonstrated development experience, and*
- *The organization itself (not merely the individual staff people currently employed by the organization) has experience developing projects of the same size, scope, and level of complexity as the activities for which HOME funds are being reserved or committed.*

*This checklist is what HUD recommends as adequate evidence to demonstrate capacity and experience requirements are met.*

*The City of Goldsboro (The City) is required to collect (and keep) documentation that your organization has met HUD's requirements of capacity and experience. We intend to fulfill this requirement by having each organization that applies for funds as a CHDO write a narrative response which addresses each of the questions HUD included on its checklist.*

#### **Staff Development Experience**

1. Staff classification and documentation – To be counted as staff, the person must be employed by the CHDO, and documentation is needed.
  - a. Full time or part time employment – This would be evidenced by a payroll report or a W-4 or a W-2.
  - b. Contracted staff – This would be evidenced by a “contract” for employment and a W-9 and 1099 (at the end of a year).

*Note: Please submit this documentation for each of the staff people who will be working on the project for which you're applying for funding. This is evidence that the key people who will be working on this project really are staff or contracted staff, and are not merely consultants, volunteers, or board members. Characteristics of consultants are: they have a specific contractual engagement for this activity or project, they are time-limited, they have discrete tasks not related to general operations, and they have limited or no authority to act on behalf of the CHDO. Indicators that the person is genuine staff are: they are responsible for day-to-day organizational duties for this project and beyond, they have authority to act on behalf of the CHDO for day-to-day decisions (e.g., approving contracts, payments, and change orders), and they oversee the development team (i.e., consultants).*

2. Relevant development experience – Document the basis for answers to the applicable project type.

- a. Homeownership development – Has the staff person been involved in the acquisition, rehabilitation/construction and sale of homebuyer housing? Previous experience purely in counseling, marketing, or financing activities is not sufficient to be considered development experience.
- b. Rental development – Has the staff person been involved in the acquisition, rehabilitation/construction and/or ownership/operation of rental housing?

*Notes: You are applying for funds for rental development (not homeownership). We need you to submit documentation that the key staff people and contracted staff have experience comparable to the type of work they will be doing for this project. You can either write out a summary of the experience of each of the key people or you can submit a resume for each of the key people. If you submit a resume but it isn't explicit on that resume which functions the staff person has performed in the past that they will be performing on this project, you can expect that we will follow up with you and ask you for clarification or to submit a written description of how the experience on the resume parallels the work on this project. To save time it might be easier for you to just write up such a summary initially (rather than submit resumes). We will expect at least one staff person to have experience in each of the major areas of rental development listed in 2.b. The more explicitly you can draw those parallels in your summaries, the easier the CHDO certification process will be for both you and City staff.*

*Staff are sometimes shared with organizations in a parent/subsidiary relationship. Examples are where the CHDO subsidiary serves as a development entity for a multi-service parent, national nonprofits with local affiliates (e.g., VOA, Habitat), or "public entity" parents (e.g., PHA). If that is the situation with this project, you will need to document the relationship between the agencies with an inter-agency agreement that: specifies staff (with their experience), specifies services and day-to-day responsibilities and authority, and specifies the payment for services. Please submit a copy of this inter-agency agreement to the City. (If this organization is not one with shared staff, please merely indicate this in your response.)*

### **Developer Capacity & Fiscal Soundness**

1. Past and current performance

- a. Has the CHDO performed adequately in the past in HOME, CHDO, and/or other real estate development activities?
- b. Is the CHDO currently in good standing in all its development and administrative activities? Does it show the capacity to take on this additional activity and continue to manage everything that it has ongoing?

*Note: Please write up a summary of your past and current performance on rental development projects. As part of that summary please list any projects that you've worked on in which the City has been a partner, so we can follow up with City staff involved with those projects and confirm that your understanding of adequate performance matches their understanding of your performance. The City of Goldsboro expects that the organization will have done at least one CHDO-eligible development in the last two (2) years.*

## 2. Capacity – CHDO Organization

- a. Organizational structure – Can the current corporation structure support housing development activities, or is there a need for a subsidiary or other organizational structure for future development? Are there operations or activities that need to be organizationally separate from housing development activities and portfolios?

*Note: Please write a paragraph (or more if necessary) explaining how the organizational structure is adequate. If your organization shares staff with another organization (perhaps a parent organization) please explain the duties of each organization, and how the roles played by shared staff on this project will be covered by the CHDO, and not by the organization sharing the CHDO's staff.*

- b. Management structure/practices – Does the current management have the ability to manage additional development activities? Are the corporate lines of authority for development activities clear? Are policies & procedures in place governing development activities?

*Note: Please write a paragraph (or more if necessary) explaining how your organization is on solid ground regarding its management structure and practices.*

- c. Pipeline/portfolio – What does the CHDO have as its current project pipeline and program responsibilities? Will it be able to handle the additional project proposed? If the organization pursues housing development, what other activities are likely to suffer or not be able to be pursued due to the effort required for development activities? Does its portfolio of projects/properties evidence competent management and oversight? Do the properties appear to have adequate funding?

*Note: Please write a paragraph (or more if necessary) explaining how your organization is on solid ground regarding its pipeline/portfolio.*

- d. Staff capacity – Do(es) the identified staff have the time to direct toward management of the proposed project? How strong are staff in the following areas: Legal/financial aspects of housing development? Management of real estate development? Oversight of design & construction management? Marketing & intake? Property management (if applicable)? Are staff encouraged to obtain training and develop new skills? What is their potential for learning skills that they currently do not have?

*Note: Please write a paragraph (or more if necessary) explaining how your organization is on solid ground regarding its staff capacity.*

- e. Board expertise/skills – Do board members have professional skills directly relevant to housing development (e.g., real estate, legal, architecture, finance, management)? Has the board demonstrated the ability to make timely decisions? Is there a good relationship between the board and staff? Does the board have a committee structure or other means of overseeing planning and development? Has there been stability/continuity of board members over the last several years?



*Note: Please write a paragraph (or more if necessary) explaining how your organization is on solid ground regarding the expertise and skills of its board.*

- f. Project specific capacity for marketing & sale of homebuyer units or operation of rental units – If a homebuyer project, does the CHDO have experience and the capacity to market the units and counsel and qualify homebuyers? If a rental project, does the CHDO have experience and the capacity to oversee the marketing, management and ownership of the project?

*Note: You are applying to be a CHDO on a homeowner unit or rental development. Please write a paragraph (or more if necessary) explaining how your organization is on solid ground regarding the operation of either homeowner or rental units.*

### 3. Development Team Capacity

- a. Development team roles – Are all of the key development team roles filled with qualified individuals or firms?
- b. Partner/consultant – Does the CHDO have a need for a partner or a consultant to supplement its skills and help it to ensure success, while still maintaining development control?
- c. Prior experience – Do team members have prior experience directly relevant to the proposed project?
- d. Experience working together – Have the team members worked together before or demonstrated the ability to work effectively as a team?

*Note: Please write a paragraph (or more if necessary) about the organization's development team capacity, addressing these topics.*

### 4. Fiscal Soundness

- a. Financial management – Is there evidence that the CHDO meets the 84.21 standards? Does it do annual budgeting of its operations and all activities or programs? Does it track and report budget CHDO 2015 v. actual income and expenses? Does it have adequate internal controls to ensure separation of duties & safeguarding of corporate assets? Is there sufficient oversight of all financial activities? Is financial reporting regular, current, and sufficient for the board to forecast and monitor the financial status of the corporation?

*Note: Please write an explanation of your organization's financial management that addresses the topics in paragraph 4.a. above.*

- b. Financial stability – To what extent does the organization have a diversified and stable funding base for operations? How regularly does it experience cash flow problems?

*Note: Please write a paragraph (or more if necessary) of your organization's financial stability that addresses the topics in 4.b.*

- c. Liquidity – Does CHDO management know its current cash position and maintain controls over expenditures? Does the current balance sheet and budget indicate sufficient funds to support essential operations? Does it have funds available for pre-development expenses and capital advances required for development?

*Note: Please write a paragraph (or more if necessary) of your organization's liquidity that addresses the topics in 4.c.*

- d. Audit – Does the CHDO have an annual audit? Is the most recent audit current? Were there management or compliance findings in the last two years? Are finding resolved?

*Note: Please write a paragraph (or more if necessary) about your organization's audit that addresses the topics in 4.d.*

- e. Portfolio & corporate liabilities – If it has a portfolio of properties, are they in stable physical and financial condition or are they a drain on corporate resources? Are there assets at risk of default? Does it collect adequate revenues and management fees from the properties? Does it maintain adequate insurance – liability, fidelity bond, workers comp., property hazard, & project?

*Note: Please write a summary of the properties in your portfolio which addresses the topics in 4.e.*

## 5. Other Factors

- a. Community relations – How strong are the current reputation of the corporation and the relationship with the community? To what extent does 'Not In My Backyard' NIMBY opposition exist to low-income housing in the service area? To what extent do channels exist for the CHDO to negotiate with the community and potential opponents?

*Note: Please write a paragraph (or more if necessary) about your organization's community relations which addresses the topics in 5.a.*

- b. Local government relations – How strong is the CHDO's relationship with the local government? How strongly does local government support its housing activities?

*Note: Please write a paragraph (or more if necessary) about your organization's local government relations which addresses the topics in 5.b.*

- c. Lender relations – Does the CHDO have good working relationships with lenders, especially those who might participate in the proposed project?

*Note: Please write a paragraph (or more if necessary) about your organization's lender relations which addresses the topics in 5.c.*

## APPENDIX D

### BOARD OF DIRECTORS CHART

Please insert the following information for each of the organization's board members. Please indicate if they are either representatives of the low-income community, or a public member.  
(Additional copies may be attached as necessary)

Name	Address	City	State	Phone Number	Employer	Low-Income Rep. (Yes/No)	Public Member (Yes/No)

## APPENDIX E

### FINANCIAL AND PROGRAM MANAGEMENT

#### § 84.20 Purpose of financial and program management

Sections 84.21 through 84.28 prescribe standards for financial management systems, methods for making payments and rules for: satisfying cost sharing and matching requirements, accounting for program income, budget revision approvals, making audits, determining allow ability of cost.

#### § 84.21 Standards for financial management systems.

- a. HUD shall require recipients to relate financial data to performance data and develop unit cost information whenever practical.
- b. Recipients' financial management systems shall provide for the following:
  1. Accurate, current, and complete disclosure of the financial results of each federally sponsored project or program in accordance with the reporting requirements set forth in §84.52. If a recipient maintains its records on other than an accrual basis, the recipient shall not be required to establish an accrual accounting system. These recipients may develop accrual data for their reports on the basis of an analysis of the documentation on hand.
  2. Records that adequately identify the source and application of funds for federally sponsored activities. These records shall contain information per to Federal awards, authorizations, obligations, unobligated balances, assets, outlays, income and interest.
  3. Effective control over and accountability for all funds, property and other assets. Recipients shall adequately safeguard all such assets and assure them they are used solely for authorized purposes.
  4. Comparison of outlays with budget amounts for each award. Whenever appropriate, financial information should be related to performance and unit cost data.
  5. Written procedures to minimize the time elapsing between the transfer of funds to the recipient from the U.S. Treasury and the issuance or redemption of checks, warrants or payments by other means for program purposes by the recipient. To the extent that the provisions of the Cash Management Improvement Act (CMIA) (Pub. L. 101-453) govern, payment methods of State agencies, instrumentalities, and fiscal agents shall be consistent with CMIA Treasury-State Agreements or the CMIA default procedures codified at 31 CFR part 205, "Withdrawal of Cash from the Treasury for Advances under Federal Grant and Other Programs."

6. Written procedures for determining the reasonableness, allocability and allowability of costs in accordance with the provisions of the applicable Federal cost principles and the terms and conditions of the award.
  7. Accounting records including cost accounting records that are supported by source documentation.
- c. Where the Federal Government guarantees or insures the repayment of money borrowed by the recipient, HUD, at its discretion, may require adequate bonding and insurance if the bonding and insurance requirements of the recipient are not deemed adequate to protect the interest of the Federal Government.
  - d. HUD may require adequate fidelity bond coverage where the recipient lacks sufficient coverage to protect the Federal Government's interest.
  - e. Where bonds are required in the situations described above, the bonds shall be obtained from companies holding certificates of authority as acceptable sureties, as prescribed in 31 CFR part 223, "Surety Companies Doing Business with the United States."

*The rest of the page was intentionally left blank.*

## **“Standards for Financial Management Systems” 24 CFR 84.21 and Questionnaire**

Refer to link for regulation (24 CFR 84.21):

[24 CFR 84.21 – Standards for financial management systems. – Content Details – CFR-2004-title24-vol1-sec84-21 \(govinfo.gov\)](#)

Organization Name:		
Mailing Address:		
Phone:	Fax:	Email:

Person Completing Questionnaire:	
Chief Financial Officer:	Phone:

### **INSTRUCTIONS:**

Please complete the questions below with as much detail as necessary. Please attach additional documentation when requested.

1. On what basis are financial records maintained? If other than accrual, can pertinent accrual data be developed for reports on the basis of an analysis of the records on hand?

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2. How do your records identify the source and application of funds for federal sponsored activities? What is captured in the records? (i.e., award amounts, grantee authorizations, obligations, outlays, etc.)?

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3. What controls are in place to adequately account for and safeguard funds, property and other assets and to assure they are solely used for authorized purposes?

4. Do you have a budget system? If not, what procedures do you have in place to provide a comparison of outlays with budget amounts for each award?

5. What procedures do you have in place to relate financial information to performance and unit cost data?

6. Please provide written policies on your cash management procedures.

7. What controls are in place to determine whether disbursements are reasonable and allowable under grant programs?

8. What accounting systems do you have in place to ensure that all accounting records are supported by source documentation (i.e., accounting software)?

I hereby certify that the responses to the above questions are true and accurate.

**Name of Authorized Official:** \_\_\_\_\_

**Signature of Authorized Official:** \_\_\_\_\_

**Title of Authorized Official:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## APPENDIX F

### CERTIFICATION OF LOW-INCOME REPRESENTATION

Each board member representing the interests of low-income families in the Applicant's service area must complete this certification. Please maintain a copy of this certification in your files and send a copy to the City. Note: The board member needs to check at least one of the three criteria listed below but does not need to indicate the specific way in which he or she represents low-income community interests.

Board Member Name: \_\_\_\_\_

I certify that I am a current member in good standing of the governing board for \_\_\_\_\_ (name of the CHDO organization seeking certification) and that I represent the interests of low-income families in the Applicant's service area.

Date Completed: \_\_\_\_\_

Signature: \_\_\_\_\_

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**Please check and complete one of the following:**

\_\_\_\_\_ I am a low-income resident of \_\_\_\_\_, a community in the Applicant's service area.

*In order to qualify under these criteria, the board member must be a low-income resident of a community that the CHDO is planning to serve or is currently serving. Low-income is defined as 80% or less of area median family income.*

**OR**

\_\_\_\_\_ I am a resident of a low-income neighborhood in \_\_\_\_\_, a community in the Applicant's service area.

*In order to qualify under these criteria, the board member must live in a low-income neighborhood where 51% or more of the residents are low-income. The board member does not have to be low-income.*

**OR**

\_\_\_\_\_ I am an elected representative of \_\_\_\_\_, a low-income neighborhood organization within \_\_\_\_\_, a community in the Applicant's service area.

*In order to qualify under this third criterion, the person must be elected by a low-income neighborhood organization to serve on the CHDO Board. The organization must be composed primarily of residents of a low-income neighborhood and its primary purpose must be to serve the interests of the neighborhood residents. Such organizations might include block groups, neighborhood associations, and neighborhood watch groups. The group must be a neighborhood organization and IT MAY NOT BE THE CHDO ITSELF. If the applicant is representing a low-income neighborhood organization, please attach a copy of the signed resolution from the neighborhood organization naming the individual as their representative on the CHDO.*

## **DESCRIPTION OF PROCESS FOR OBTAINING LOW-INCOME INPUT**

Please write a narrative describing your organization's process for obtaining input from the low-income community.

In what ways was low-income input sought and implemented in the past year and what were the results?

How have the low-income residents and program beneficiaries in your service area been involved with the CHDO to advise on policies and procedures, program design, site location(s), and the development and management of affordable housing?

Are there any unique approaches you have taken to obtain feedback from low-income residents?

*Having low-income representatives on the board of directors does not satisfy the requirement to have a low-income advisory process. Your organization is required to have a process to collect input for the low-income community directly. If you have not formalized a process, feel free to satisfy this requirement by executing the Board Resolution document provided in Appendix G.*

## APPENDIX G

*A Resolution similar to this Appendix is one of the ways to satisfy the organizational structure requirement in IV. C of this 2023 application.*

### MODEL PUBLIC INPUT RESOLUTION

The following is hereby resolved by the Board of Directors of

\_\_\_\_\_,

at a duly called meeting on \_\_\_\_\_,  
(date)

at which a quorum was present:

The following provision is hereby added to the By-laws and shall be designated as Article \_\_\_\_\_.

For any housing project undertaken by this organization there shall be a formal process by which we gather input from intended beneficiaries, low-income residents of the proposed area, and other community members. This process will include:

- \_\_\_\_\_ holding widely publicized open meetings;
- \_\_\_\_\_ creating ad hoc committees of neighbors of a proposed development site;
- \_\_\_\_\_ forming a neighborhood advisory council;
- \_\_\_\_\_ temporarily expanding our governing board to include neighbors during the period of planning and development of the housing project;
- \_\_\_\_\_ other: \_\_\_\_\_

Input will be sought on project design, location of sites, development, management, and any other relevant issues.

**Name of Authorized Official:** \_\_\_\_\_

**Signature of Authorized Official:** \_\_\_\_\_

**Title of Authorized Official:** \_\_\_\_\_

**Date:** \_\_\_\_\_

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** Public Facilities & Improvements Program Guide & Application

**BACKGROUND:** The City has available funds under the Public Facilities & Improvements Program. Funds are available through allocations from the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG). Under the CDBG Program, the City may use funds to undertake a variety of public facilities and public improvement projects. In general, public facilities and public improvements are interpreted to include all facilities and improvements that are publicly owned, or that are owned by a nonprofit and open to the public.

**DISCUSSION:** The Community Relations & Development department has developed a detailed program guide and application pursuant to HUD's *CDBG Guide to National Objectives*.

Upon receiving the Council's approval, the Public Facilities & Improvements Program application will be made available on the Community Relations & Development's newly implemented Neighborly Software.

**RECOMMENDATION:** By motion, adopt the new Public Facilities & Improvements Program Guide & Application.

Date: 10-31-2023

Felecia D. Williams  
Felecia Williams, Community Relations & Development Director

Date: 10/30/23

Timothy Salmon  
Timothy Salmon, City Manager





CITY OF GOLDSBORO

# **PUBLIC FACILITIES & IMPROVEMENTS**

COMMUNITY RELATIONS & DEVELOPMENT DEPARTMENT

POLICY AND PROCEDURES  
10-27-2023

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## **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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The following local administrative policies have been established by the Community Relations and Development Department of the City of Goldsboro. They will govern all requests for Public Facilities & Improvements with the use of Community Development Block Grant (CDBG) Funds.

### **POLICIES:**

**PROJECT BENEFICIARIES:** All CDBG Projects must be designed to serve those areas of the community with the highest percentage of low- and moderate-income persons, using current census data or recent (less than three years old) income survey results.

- i. All projects must benefit residents in an area that is at least 51% low- and moderate-income;
- ii. Community Relations & Development staff can provide area maps showing eligible low- and moderate-income areas. The proposed project's service area must be approved by the Community Relations & Development staff before the submittal of the Funding Request Application;
- iii. The project area must be primarily residential; and
- iv. The service area needs to be the entire area served by the project. This may be more than one census tract or municipality depending on the type of project.

**MAXIMUM FUNDING:** A maximum of will be established for approved projects.

- i. The Community Relations & Development Department (CRDD) will accept no more than 1 (one) Funding Request Applications from or for the benefit of a municipality per program year. This includes, but is not limited to, all projects submitted by the municipality itself, water or sewer authorities, and/or non-profit community organizations located within and serving each municipality.

**ELIGIBLE CDBG PROJECT COSTS:** CDBG funds cannot be used to finance 100% of the project/program costs.

- i. For municipal infrastructure or community facilities projects, sponsors are required to certify that a minimum of twenty percent (20%) of the total project cost will be financed through non-CDBG sources of funding.
  - a. CDBG funds can be used for construction costs only.
  - b. At least five percent (5%) of the cost of construction contracts must be paid with non-CDBG funds.
  - c. Project sponsors are responsible for covering soft costs: all legal, advertising, right-of-way acquisition, engineering, and design expenditures.

- ii. For housing rehabilitation activities carried out by non-profit organizations, CDBG funds can be used to cover construction costs only. The sponsor will be responsible for all administrative costs.

## PROCEDURES:

1. **LETTER OF INTENT:** All applicants must submit a “Letter of Intent” with their application.
  - a. This step will ensure that applicants have sufficient time to complete requirements and receive any necessary technical assistance necessary.
2. **REQUIRED CONSULTATION:** All applicants must attend a consultation with the CRDD staff. The purpose of this meeting is to review the letter of intent for eligibility and fundability of the project.
3. **PUBLIC HEARING:** The CRDD will schedule a public hearing before the Goldsboro City Council for proposed projects before a final funding commitment is made.
  - a. The purpose of the hearing is to present the proposed project to the public as well as provide an opportunity for the public to comment on the proposed project and any other local needs which may be addressed by the City’s CDBG Program.
  - b. A legal notice that announces the public hearing will be published in the local newspaper and on the City’s website not less than **10 days prior** to the date of the hearing.
4. **LOCAL PROJECT REVIEW:** All proposed project(s) must obtain appropriate local approvals prior to submitting the Funding Request Application.
  - a. For public infrastructure projects, the applicant must submit formal letters of approval and/or resolutions from the CCRD, the City Council, and the Planning Commission within **30 days of the due date** of the Funding Request Application. If the formal approval letters cannot be submitted with the funding request, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the allowed 30-day grace period.
  - b. For housing or other projects submitted by non-profit community organizations, the applicant must submit specific formal written endorsement of their project from their governing board and/or from their local municipality’s governing board.

**5. REVIEW OF APPLICATIONS:** Prior to the City Council's notification of a Funding Request, CRDD staff will review each Funding Request Application.

- a. All requests will be evaluated for completeness of information and for eligibility and fundability under the regulations of the Community Development Block Grant (CDBG) Program.
- b. All requests will be reviewed for compatibility and consistency with the priority needs and objectives established in the City's Consolidated Plan.

**6. OTHER REQUIREMENTS:**

- a. Municipal and non-profit community organizations must submit a copy of their organization's most recent audited financial statement with their Funding Request Application and a copy of their audit completed after the completion of the project. If more than one Funding Request Application is being submitted by the organization, only one copy of this information is required.
- b. No CDBG funds may be used to cover the costs incurred to secure the audit.

## **DETERMINING SERVICE AREAS AND LOW/MOD BENEFIT**

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Before accepting a Funding Request Application, the proposed project's service area must be approved by the CRDD's staff.

### **1. REQUIREMENTS:**

- The area benefit criteria, the public facility/improvement must benefit all residents of an area where at least 51 percent of the residents are Low-to-Moderate Income (LMI). The service area need not have coterminous boundaries with Census tract borders or other officially recognized boundaries but must be primarily residential in nature.
- Public facilities funded by CDBG may sometimes qualify under the Limited Clientele criteria of the LMI national objective. The regulation stipulates that the facility benefits a specific targeted group of persons, of which at least 51 percent must be low- and moderate-income.

**2. COMMERCIAL DISTRICTS:** Projects located in commercial districts may qualify, for instance, a street improvement project where businesses and stores serve local clientele, and the service area boundaries encompass a primarily residential area while still qualifying under the low- and moderate-income benefit.

**3. PUBLIC FACILITY PROJECTS:** Projects that are designed to benefit a targeted group of persons and not a general service area may qualify if at least 51% of the beneficiaries are low- and moderate-income and documentation and data concerning beneficiary family size and income is evident; or the facility has income-eligibility requirements that limit the service to persons meeting the low- and moderate-income requirement as evident of the applicants procedures, or intake/application forms; or if the facility primarily serves a group presumed to be low- and moderate-income such as abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers.

**4. INCOME SURVEYS:** Please refer to the CDBG Income Survey Guidelines for direction. Surveys must be completed to determine the low- and/or moderate-income of an area. Income surveys are required for the following project types:

- New Sanitary Sewer System Projects;
- Sanitary Sewer System Extension Projects;
- New Public Water Distribution System Projects;
- Public Water Distribution System Extension Projects;
- Construction of New Sidewalks where none currently exist;

- Construction/reconstruction of curbs and sidewalks only (not part of a comprehensive street improvement project; and
- When the service area of the proposed project is part of census block group(s) that do not support a determination of low- and/or moderate-income benefit of 51% or higher and the applicant has compelling reason to believe the service area would qualify based on a change in either population or income of the area since the census.



## NEW SANITARY SEWER PROJECTS

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Before accepting Funding Request Applications for new sewage treatment plants and collections systems, the City must comply with the following requirements:

- 1. PROJECT BENEFICIARIES:** The project must serve an area where at least 51% of the beneficiaries are of low- and/or moderate-income. An income survey achieving a minimum response rate must be completed which clearly documents that 51% or more of the beneficiaries (total persons) of the proposed new sanitary sewer system project are low- and/or moderate-income persons. For projects located in census block group(s) where the residents are not primarily low- and/or moderate-income, after achieving a minimum response rate, at least 51% of the persons represented by the responding survey must be considered low- and/or moderate-income persons. Note that projects with small sample sizes will require a 100% response rate. CRDD staff may provide the exact percentage required and other assistance on how to conduct an income survey.
- 2. REQUIRED DOCUMENTATION:** The City must provide the following documentation:
  - Applied for all necessary Local, State, and Federal permits and approvals;
  - Adopted a current (within the past five to seven years) Sewage Facilities Plan in accordance with [NC's Laws and Rules for Sewage Treatment and Disposal Systems](#);
  - A copy of the current City's Zoning Map and a formal letter of approval and/or resolutions from the Planning Commission, certifying that it is compatible with the current City Land Use Plan;
  - A formal letter of approval and/or resolutions from the City's Planning Commission for the proposed project;
  - A formal letter of approval and/or resolutions from the City Council certifying that it is compatible with the City's Consolidated Plan;
  - If the formal letters of approval cannot be submitted with the funding request, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the allowed 30-day grace period from submission of the Funding Request Application; and
  - If the formal letters of approval from the governing bodies cannot be submitted with the funding request, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the 30-day grace period.

### **3. OTHER REQUIREMENTS:**

- A plan to finance the entire sanitary sewer system must be put in place and submitted along with the completed Funding Request Application.

## SANITARY SEWER EXTENSION PROJECTS

---

Before accepting Funding Request Applications for sanitary sewer projects that would extend sanitary sewage collection lines beyond the existing sanitary sewer service areas, the City must comply with the following requirements:

- 1. PROJECT BENEFICIARIES:** The project must serve an area where at least 51% of the beneficiaries are of low- and/or moderate-income. An income survey achieving a minimum response rate must be completed which clearly documents that 51% or more of the beneficiaries (total persons) of the proposed new sanitary sewer system project are low- and/or moderate-income persons. For projects located in census block group(s) where the residents are not primarily low- and/or moderate-income, after achieving a minimum response rate, at least 51% of the persons represented by the responding survey must be considered low- and/or moderate-income persons. Note that projects with small sample sizes will require a 100% response rate. CRDD staff may provide the exact percentage required and other assistance on how to conduct an income survey.
- 2. REQUIRED DOCUMENTATION:** The proposed sanitary sewer extension project must be compatible with any existing Sewage Facility Plan/Sewage Treatment Plan the City has (adopted within the past five to seven years) and its Land Use Plan. The applicant must be proposing to provide or extend public sanitary sewer service as an *Immediate Need*. The applicant must submit the following items:
  - Written documentation verifying that the proper Environmental Protection Guidelines and Agencies have been followed and approved the sewer planning module covering the planned sanitary sewer extension project.
  - A current copy of the City's Zoning Map and a formal letter of approval and/or resolutions from the Planning Commission certifying that it is compatible with the current Land Use Plan.
  - A formal letter of approval and/or resolutions from the Planning Commission.
  - A formal letter of approval and/or resolutions from the City Council certifying that it is compatible with the City's Consolidated Plan.
  - If the formal letters of approval cannot be submitted with the funding request, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the 30-day grace period from submission of the Funding Request Application.
  - Documentation must be submitted along with the completed Funding Request Application showing that the City has have investigated other alternatives to extending sanitary lines, such as on-lot disposal or spray irrigation systems.

## **PUBLIC WATER SYSTEM DISTRIBUTION & EXTENSION PROJECTS**

Before accepting Funding Request Applications for any proposal to construct a new public water treatment plant, filtration plant, and distribution system or extension project, the City must comply with the following requirements:

- 1. PROJECT BENEFICIARIES:** The project must serve an area where at least 51% of the beneficiaries are of low- and/or moderate-income. An income survey achieving a minimum response rate must be completed which clearly documents that 51% or more of the beneficiaries (total persons) of the proposed new sanitary sewer system project are low- and/or moderate-income persons. For projects located in census block group(s) where the residents are not primarily low- and/or moderate-income, after achieving a minimum response rate, at least 51% of the persons represented by the responding survey must be considered low- and/or moderate-income persons. Note that projects with small sample sizes will require a 100% response rate. CRDD staff may provide the exact percentage required and other assistance on how to conduct an income survey.
- 2. REQUIRED DOCUMENTATION:**
  - The City must have applied for and received all necessary Local, State, and Federal permits and approvals prior to applying for CDBG funds to construct a well, water treatment plant, water filtration plant, or water distribution system. For example, water quality tests must be completed, and applicable permits received indicating that both the water quantity and quality are acceptable.
  - Applicants must submit formal letters of approval and/or resolutions from the Planning Commission and the City Council within *thirty (30) days of the due date* of the Funding Request Application. If the formal approval letters cannot be submitted with the funding, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the allowed 30-day grace period.
  - A financing plan for the construction of the entire new public water system must be put in place and must be submitted along with the complete Funding Request Application.
  - If the project area to be served by the new public water system is in a rural area, documentation verifying that the City has investigated alternative water supply systems must be submitted along with the completed Funding Request Application.

### **3. OTHER REQUIREMENTS:**

- CDBG funds cannot be used to help finance the discovery of or testing of safe and suitable drinking water supplies.
- The water supply, water treatment, or water filtration plant, if necessary, must be constructed before or at the same time as the water distribution system. The water distribution system cannot be constructed before the public water system is ready to supply water.

## NEIGHBORHOOD IMPROVEMENT PROJECTS

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Neighborhood Improvement Projects can include curb and sidewalk replacement, major stormwater management improvements, street reconstruction, or water main and sewer main replacement projects. Neighborhood Improvement Projects can be undertaken in phases.

1. **PROJECT BENEFICIARIES:** The project must serve an area where at least 51% of the beneficiaries are low- and moderate-income.
  - The service area of a Neighborhood Improvement Project must include the entire area that the project will serve. The service area must be approved by the CRDD before submission of the Funding Request Application. Determination of income status of a service area must be based on the current census data. In some instances, an income survey may be used to determine if the service area is low- and moderate-income.
2. **REQUIRED DOCUMENTATION:** Applicants must submit formal letters of approval and/or resolutions from the Planning Commission and the City Council within *thirty (30) days of the due date* of the Funding Request Application. If the formal approval letters cannot be submitted with the funding request, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the allowed 30-day grace period.
3. **OTHER ELIGIBLE PROJECTS:** Proposed curb and sidewalk replacement projects are eligible, however should be an integral part of an overall neighborhood improvement program. If the project involves only the construction/reconstruction of curbs and sidewalks, an income survey must be undertaken to determine income status. CDBG funds may be used to construct sidewalks where none currently exists only if 51% of the total residents in the service area are low- and moderate-income. Determination of income status is based on census data or recent (less than three years old) income survey results.

## **PARKS & RECREATIONAL FACILITIES PROJECTS**

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CDBG funds may only be used to construct new facilities or purchase new equipment. CDBG funds cannot be used to replace equipment that has been vandalized or has deteriorated because of a lack of maintenance.

### **1. PROJECT BENEFICIARIES:**

- In order to be eligible for CDBG funds, all parks and recreational facility projects must have primary service areas where at least 51% or more of the residents are low- and moderate-income persons. This must be verified by the most recent census information available or by the results of recent (less than three years old) income surveys.
- All parks and recreational facility acquisition or improvement projects must be designed to primarily serve a neighborhood. A park will generally be considered to serve a neighborhood if the primary users of the park live within a half-mile radius of the park and if the park is no larger than five (5) acres.
- All other recreational facilities, such as those designed to serve an entire township, borough, multiple municipalities, or a larger region, are generally ineligible for CDBG funds. The only exception to this policy will be if 51% or more of the principal users of the park are low- and moderate-income persons. Principal users are defined as those residents living within a certain radius of the facility. For a park serving the entire City, this will be for all residents of Goldsboro. For larger parks and recreational facilities, national standards for recreational facilities provided by the United States Department of Housing and Urban Development (HUD) will be used to define service area based on the size of the park facility. A final decision on granting any exceptions in this regard will be made by CRDD staff.

- 2. REQUIRED DOCUMENTATION:** Applicants must submit formal letters of approval and/or resolutions from the Planning Commission and the City Council within ***thirty (30) days of the due date*** of the Funding Request Application. If the formal approval letters cannot be submitted with the funding request, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the allowed 30-day grace period.



### **3. OTHER REQUIREMENTS:**

- The municipality or non-profit organization submitting the project must contribute a local financial match equal to at least fifty percent (50%) of the total cost of the project. Local, State, or other Federal funds can be used to meet this matching requirement.
- If CDBG funds are used to acquire private property for use as a public park or recreational facility, the municipality or sponsoring non-profit organization acquiring the land must agree to add a deed restriction requiring the land to remain as a public open space, a public park, or a public recreational facility.

## PUBLIC FACILITIES

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CDBG funds may be used for the acquisition, rehabilitation, or installation of public facilities and improvements. Public facilities and public improvements are interpreted to include all facilities and improvements that are publicly owned, or that are owned by a non-profit organization and open to the general public. **Examples include the following:** Senior Centers, Handicapped Centers, Homeless Facilities, Parking Facilities, Childcare Centers, Fire Stations, and Facilities for Abused and Neglected Children or AIDS Patients.

### 1. PROJECT BENEFICIARIES:

- In order to be eligible for CDBG funds, all public facility projects must have primary service areas where at least 51% or more of the residents are low- and/or moderate-income persons. This must be verified by the most recent census information available or by the results of recent (less than three years old) income surveys.
- Public facilities funded by CDBG may sometimes qualify under the ***Limited Clientele*** criteria of low- and moderate-income persons. ***Limited Clientele*** is described as persons of presumed benefit (abused children, battered spouses, elderly persons, severely disable adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers); or being of such a nature and in a location that it may be concluded that the activity's clientele are low- and moderate-income.

2. **REQUIRED DOCUMENTATION:** Applicants must submit formal letters of approval and/or resolutions from the Planning Commission and the City Council within ***thirty (30) days of the due date*** of the Funding Request Application. If the formal approval letters cannot be submitted with the funding request, the applicant must submit, at least, a letter from each of the governing bodies stating that it has at least reviewed the application and that it will be presenting the project to its board for approval at its next meeting within the allowed 30-day grace period.



Community Relations & Development  
214 N. Center Street  
Goldsboro, NC 27530

## Public Facilities and Improvements Application

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## PROGRAM OVERVIEW

For municipal infrastructure or community facilities projects, sponsors are required to certify that a minimum of twenty percent (20%) of the total project cost will be financed through non-CDBG sources of funding.

- CDBG funds can be used for construction costs only.
- At least five percent (5%) of the cost of construction contracts must be paid with non-CDBG funds.
- Project sponsors are responsible for covering all legal, advertising, right-of-way acquisition, engineering, and design (soft) costs.

All CDBG Projects must be designed to serve those areas of the community with the highest percentage of low- and moderate-income persons, using current census data or recent income survey results.

- All projects must benefit residents in an area that is at least 51% low- and moderate-income; or
- Serve low- and moderate-income qualifying clients and/or a presumed benefit population.
- Municipal project areas must be primarily residential.

### Eligible Projects

- New Sanitary Sewer Systems – Construct new sewage treatment plants and collections systems.
- Sanitary Sewer System Extensions – Extend sanitary sewage collection lines beyond existing service areas.
- Public Water System Distribution and Extensions – Construction of a new public water treatment plant, filtration plant, distribution system or extension project.
- Neighborhood Improvement Projects – Curb and sidewalk replacement, major stormwater management improvements, street reconstruction, or water main and sewer main replacement.
- Parks and Recreational Facilities – Construct new facilities or purchase new equipment.
- Public Facility Improvements – Energy efficiency improvements, handicap accessibility, and other structural improvements to a public facility that benefits low- and moderate-income persons.

# LETTER OF INTENT

Please provide the following information.

## Project Information:

Organization Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Title: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

Contact E-Mail: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Amount of Matching Funds to Complete Project: \$\_\_\_\_\_

Has the grantee received CDBG funds in the past three (3) years?

☐ Yes\*

☐ No

**\*Indicate the total amount of funds received in the past three (3) years.**

**Year 1: \$\_\_\_\_\_**

**Year 2: \$\_\_\_\_\_**

**Year 3: \$\_\_\_\_\_**

☐ The information provided is correct to the best of my knowledge. I understand that that purposeful omission of information is cause for the application to be denied.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

## AGENCY INFORMATION

Please provide the following information.

### Agency Information:

A.1. Agency Name: \_\_\_\_\_

A.2. Agency Type: \_\_\_\_\_

A.3. Mailing Address: \_\_\_\_\_

A.4. Employer Identification Number: \_\_\_\_\_

A.5. Unique Entity Number: \_\_\_\_\_

A.6. Agency Website: \_\_\_\_\_

A.7. Is your agency (or fiscal agent) audited every year? ☐ Yes\* ☐ No

**\*Please upload/attach a copy of proof.**

A.8. Does your agency have a non-discrimination in service policy? ☐ Yes\* ☐ No

**\*Please upload/attach a copy of policy.**

### Agency Point of Contact:

A.9. Name: \_\_\_\_\_

A.10. Title: \_\_\_\_\_

A.11. Phone Number: \_\_\_\_\_

A.12. E-Mail: \_\_\_\_\_

### Engineering or Architectural Firm

A.13. Firm Name: \_\_\_\_\_

A.14. Contact Name: \_\_\_\_\_

A.15. Title: \_\_\_\_\_

**A.16. Phone Number:** \_\_\_\_\_

**A.17. E-Mail:** \_\_\_\_\_

## **PROJECT ELIGIBILITY**

Community Development projects **MUST** meet the basic national fundability criteria established by Congress. All projects **MUST** principally benefit low- and moderate-income persons.

Please provide the following information.

**This project principally benefits low- and moderate-income persons based on:**

**B.1. Please choose the appropriate designation for the Agency/Organization Applying:**

☐ American Community Survey (ACS) Data – Census Tract/Block Group(s)

☐ Block Group

**B.2. Total number of persons in service area:** \_\_\_\_\_

**B.2.a. Percent Low/Mod:** \_\_\_\_\_ %

**B.3. Did you complete an income survey for your project?** ☐ Yes\* ☐ No

**\*Please indicate the total number of persons in service area and the percentage of Low/Mod-income persons.**

**Use as a Community Facility:**

**B.4. Eligible as a presumed benefit. Check all that apply:**

☐ Abused Children

☐ Battered Spouses

☐ Elderly Persons

☐ Homeless Persons

☐ Adults Severely Disabled



☐ Illiterate Adults

☐ Persons living with AIDS

☐ Migrant Farm Workers

☐ Eligible because there are income eligibility requirements which limit the facility exclusively to low- and moderate-income persons.

☐ Eligible because of required information on family size and income so that it is evident that at least 51% of the clientele are persons whose family income does not exceed the low- and moderate-income limit.

# PROJECT INFORMATION

Please provide the following information.

## Project General Information:

C.1. Project Name: \_\_\_\_\_

C.2. Project Location: \_\_\_\_\_

C.3. Project Zoning Area: \_\_\_\_\_

C.4. Exhibit A – Project Implementation Schedule.

☐ Exhibit A - Project Implementation Schedule\*

**\*Required.**

**\*Please upload/attach a copy of the implementation schedule.**

C.5. Scope of Work – Please describe the specific project activities that will be undertaken. \_\_\_\_\_

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C.6. Service Area – Include the exact street location, the geographical boundaries, characteristics, and nature of the neighborhood/community of the project.

☐ Exhibit B – Project Location and Service Area Maps\*

**\*Required.**

**\*Please upload/attach a map showing the location and service area boundaries of the project.**

**Definition of the Problem and Need:**

**C.7. Describe the circumstances in your community that make this project necessary. You must provide detailed specific information on the urgency and severity of the need for this project, such as health and safety problems, substandard housing conditions, public facility problems, lack of essential services, etc.** \_\_\_\_\_

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**C.8. Explain why the proposed project cannot be undertaken without CDBG funds.**

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☐ Exhibit C – Project Photos and Preliminary Site Plans and Documentation\*

**\*Required.**

**\*Please upload/attach supporting documentation and photographs.**

**County and Local Planning Goals and Objectives:**

**C.9. Explain the proposed project's relationship to the goals and objectives outlined in the City's Consolidated Plan.** \_\_\_\_\_

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**C.10. Clearly explain the project's local priority and its relationship to your municipal (or organizational) comprehensive planning and/or capital improvements program.** \_\_\_\_\_

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**C.11. Describe how your municipality/organization has worked and/or is working to provide and support affordable housing within this specific neighborhood or community. Additionally, provide an assessment of the impact of any improvements completed to date in the designated neighborhood or community.**

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☐ Exhibit D – Local Governing Board and Planning Commission Approval\*

**\*Required.**

**\*Please upload/attach formal letters of approval and/or resolutions from the local governing body and planning commission. Organizations must obtain formal written endorsement from the governing board.**

## PROJECT COSTS

Provide the financial data requested below. Costs should be based on the best information available. More exact figures will be requested if needed. When preparing this data, consider the following:

- A project should be completed in one phase, if feasible;
- Federal Prevailing Wage Rates apply to all construction projects over \$2,000;
- Cost estimates must be as detailed as possible;
- Project sponsors must certify that a minimum of twenty percent (20%) of the total project cost will be financed through non-CDBG sources of funding. At least five percent (5%) of the costs of construction contracts must be paid with non-CDBG funds. Project sponsors are responsible for covering all legal, advertising, right-of-way acquisition, engineering, and design (soft) costs. Proposed community park projects require a fifty percent (50%) Match through non-CDBG sources of funding.

**D.1. Total Cost of the Project:** \$ \_\_\_\_\_

**D.2. Grant Amount Requested:** \$ \_\_\_\_\_

**D.3. Percent Request Total:** \_\_\_\_\_ %

**D.4. Total Other Funding:** \$ \_\_\_\_\_

**D.5. Total Match Funding:** \$ \_\_\_\_\_

**D.6. Construction Costs Only**

☐ Exhibit A – Construction Cost Estimates\*

**\*Required.**

**\* Please upload/attach a detailed line-item construction budget.**

**D.7. Construction Amount Estimate:** \$ \_\_\_\_\_

**D.8. Date of Estimate:** \_\_\_\_\_

**D.9. Source of Estimate:** \_\_\_\_\_

## BUDGET

Please provide the following information.

### Current Year Summary:

E.1. Annual Budget: \$ \_\_\_\_\_

E.2. Capital Improvement Budget: \$ \_\_\_\_\_

E.3. Anticipated Operating Reserve: \$ \_\_\_\_\_

E.4. Please submit a Current Year Budget.

### Municipal Water and Sewer Authorities:

E.5. Current Number of Equivalent Dwelling Units (EDUs): \_\_\_\_\_

E.6. Current Amount of Indebtedness: \$ \_\_\_\_\_

E.7. Present Hook-Up or Tapping Fees: \$ \_\_\_\_\_

E.8. Quarterly or Monthly User Fees: \$ \_\_\_\_\_

E.9. Do you have other fees not listed? ☐ Yes\* ☐ No

**\*Please specify/describe any other fees and their amounts.**

E.10. Please submit your most recent Audited Financial Statement. (All Community Facilities must also submit proof of their IRS 501(c)(3) Nonprofit Documentation)

## ENVIRONMENTAL-HISTORIC-ENGINEERING REGs

Please provide the following information.

**F.1. Has the Applicant identified any of the following in the proposed service area?  
Check all that apply:**

- ☐ Historic Buildings/District
- ☐ Floodplain and/or wetlands – Attach FEMA Map
- ☐ Endangered Species
- ☐ Explosive and Flammable Hazards
- ☐ Farmland Protection
- ☐ Farmland Protection
- ☐ Airport Hazards

**F.2. List all applicable Federal, State, and Local permits or approvals required for this project and list the current status of each permit or approval.**

Permit/Approval Required	Application Date	Application Status

**F.3. If the need for permits or approvals has not been identified and/or if the application submission process for permits has not been started, please explain why not.** \_\_\_\_\_

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## PERFORMANCE MEASURES

Please provide the following information.

### Objective of the Project:

#### F.1. Identify which objective will be addressed by the proposed activity. (Select one)

- ☐ **Suitable Living Environment** – This objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment.
- ☐ **Decent Affordable Housing** – This objective focuses on housing programs where the purpose of the program is to meet individual family or community needs and not programs where housing is an element of a larger effort.
- ☐ **Creating Economic Opportunities** – This objective applies to the types of activities related to economic commercial revitalization or job creation.

### Expected Outcome of the Project:

#### F.2. Identify which outcome category best reflects what you are seeking to achieve in funding this particular activity. (Select one)

- ☐ **Availability/Accessibility** – This outcome category applies to activities that make services, infrastructure, housing, or shelter available or accessible to low- and moderate-income persons, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living available and accessible to low- and moderate-income persons.
- ☐ **Affordability** – This outcome category applies to activities that provide affordability in a variety of ways in the lives of low- and moderate-income persons. It can include the creation of maintenances of affordable housing, basic infrastructure hook-ups, or services such as transportation or daycare.
- ☐ **Sustainability** – Promoting Livable or Viable Communities – This outcome applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefits to persons of low- and moderate-income, or by removing slums or blighted areas through multiple activities that sustain communities or neighborhoods.

## SUBMISSION

Once an application is submitted, it can only be “Re-opened” by an Administrator.

## CERTIFICATIONS

The Applicant hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program, if approved for funding. Also, the Applicant gives assurances and certifies with respect to the grant that:

- ☐ It possesses the legal authority to make a grant submission and execute a Grant Contract to undertake the proposed program;
- ☐ Its governing body has adopted or passed as an official act, a resolution, motion, or similar action authorizing the submission of the Funding Request Application;
- ☐ The Applicant will work to affirmatively further fair and affordable housing and take appropriate actions to overcome the effects of any identified impediments to fair and affordable housing choices for low- and moderate-income persons and families. When affordable housing is being developed within the municipality, the Applicant agrees that this may include working in cooperation with the City of Goldsboro;
- ☐ The Applicant will administer the grant, if provided, in accordance with Community Development Block Grant Program (CDBG) regulations defined in 24 CFR Part 570 and other Federal regulations, policies, guidelines, and requirements, including those outlined in 2 CFR 200 as they relate to the acceptance and use of Federal funds under this federally assisted program; and the Uniform Administrative and Program Management Standards and Cost Principles contained in 2 CFR 200;
- ☐ No member, officer, or employee of the Applicant, or its designees or agents, no member of the City Council, or any other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her tenure in office or for one year thereafter, shall have any interest, directly or indirectly, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this grant, if approved; and
- ☐ It will give HUD, the Comptroller General, the City of Goldsboro, or any other authorized representative access to and the right to examine all records, books, papers, or documents.

☐ THE APPLICANT CERTIFIES THAT: To the best of their knowledge and belief, the data and statements presented in this Application are true and correct; the governing body of the Applicant has duly authorized the document; and the Applicant will comply with the certifications listed above if the application is approved.

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**Signature**

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**Title**

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** Affordable Rental Housing Development Program Guide & Application

**BACKGROUND:** The City has available funds under the Community Relations and Development's Affordable Rental Housing Development Program for qualified developers to submit applications for the new construction or acquisition and/or rehabilitation of multifamily or single-family rental units. Rental units assisted with City funds must be affordable to families, individuals, and/or the elderly with annual incomes at or below 80% of the area median income (AMI). Funds are available through allocations from the U.S. Department of Housing and Urban Development's (HUD) Home Investment Partnership (HOME) grant.

**DISCUSSION:** The Community Relations & Development department has developed a detailed program guide and application pursuant to HUD's *Compliance in HOME Rental Projects Guide for Participating Jurisdictions*.

Upon receiving the Council's approval, the Affordable Rental Housing Development application will be made available to interested developers on the Community Relations & Development's newly implemented Neighborly Software.

**RECOMMENDATION:** By motion, adopt the new Affordable Rental Housing Development Program Guide & Application.

Date: 10-31-2023



Felicia Williams, Community Relations & Development Director

Date: 10/30/23



Timothy Salmon, City Manager



## **AFFORDABLE RENTAL HOUSING DEVELOPMENT PROGRAM GUIDELINES**



### ***COMMUNITY RELATIONS & DEVELOPMENT***



## **PROGRAM SUMMARY**

The City of Goldsboro's Community Relations & Development Department announces the availability of funds under the City's Affordable Rental Housing Development Program for qualified developers to submit proposals for the new construction or acquisition and/or rehabilitation of multifamily or single-family rental units. Rental units assisted with City funds must be affordable to families, individuals, and/or the elderly with annual incomes at or below 80% of the area median income (AMI). Funds are available through allocation of the U.S. Department of Housing and Urban Development's (HUD) Home Investment Partnership (HOME) Grant.

### **1) APPLICATION DEADLINE AND SCHEDULE**

Developers may submit proposals to the City at any time, subject to the availability of funds.

### **2) ELIGIBLE APPLICANTS**

For-profit or non-profit corporations, individuals, general or limited partnerships, or limited liability companies with demonstrated experience and capacity in the development and management of affordable rental housing may apply. Applicants without the necessary experience may be required to attend a developer workshop prior to funding commitment.

### **3) ELIGIBLE PROJECTS**

- a. Projects may include the construction of new units, the rehabilitation of existing units, or the adaptive re-use of existing structures.
- b. The property must meet the minimum property standards and all applicable building codes upon completion of construction or rehabilitation. Higher scores will be given to projects that commit to meeting Energy Star requirements or better (third-party verification required upon completion of construction/rehabilitation).
- c. Projects must contain at least four (4) assisted rental units within a four (4) block radius.
- d. Development of permanent supportive housing, transitional housing, and non-congregate shelter intended for occupancy by lower-income households are allowable projects under this program NOFA.
- e. The properties must be located within the city limits of Goldsboro or be in the process of annexation prior to staff making recommendations to the City Council.
- f. Projects that are presently occupied must include relocation expenses in the development budget. (NOTE: Tenants cannot be asked to relocate in anticipation of awarding for City funds. Please see [49 CFR 24.205](#) for further details on the Uniform Relocation Act).
- g. Projects must have secured site control at the time of application. In the case of City-owned property, The City of Goldsboro is open to various site conveyance options, including fee-simple ownership and a long-term ground lease. A long-term ground lease is preferred for the proposed rental developments.

- h. Staff will review applications in the rezoning process; however, staff will not recommend a loan for approval if the site is not zoned correctly for its intended use. The developer shall take full responsibility for any required rezoning.
- i. Projects for public housing modernization or operations are ineligible activities under this program.

#### 4) ELIGIBLE COSTS

- Property Acquisition
- Demolition
- On-Site Improvements
- Off-site Utility Connections
- Construction costs necessary to construct or rehab a non-luxury project with suitable amenities in accordance with HUD property standards.
- Soft costs associated with the development and financing of the project
- Reasonable developer fees
- Relocation costs

#### INELIGIBLE COSTS

- Costs associated with construction items or materials of a luxury nature
- Furnishings (except where required for special needs projects)
- Most off-site improvements (utility connections into the adjacent street are eligible costs)
- Developer/sponsor administrative costs (other than included in the developer fee)
- Substitution of City funds for any source of funds that have been previously committed to the project, or represented to any other funding source as being available for the project, is not permitted
- Capitalized replacement reserve

#### 5) RENT AND INCOME LIMITS

All City-assisted rental units will follow HOME requirements and carry rent and occupancy restrictions for varying lengths of time, depending upon the average amount of HOME funds invested per unit.

Activity	Average Per-Unit HOME \$	Minimum Affordability
Rehabilitation or Acquisition of Existing Housing	< \$15,000/unit \$15,000-\$40,000/unit >\$40,000/unit	5 years 10 years 15 years
Refinancing of Rehabilitation Project	Any \$ Amount	15 years
New Construction or Acquisition of New Housing	Any \$ Amount	20 years



The rent limits apply to the rent plus the utilities or the utility allowance. One hundred percent (100%) of units funded with City of Goldsboro loan funds must meet the following rent restrictions: [HOME Program Rent Limits](#)

The maximum HOME rents (High HOME Rents) are the lesser of:

- a. The fair market rent for existing housing for comparable units in the area as established by HUD under [24 CFR 888.111](#); or
- b. A rent that does not exceed 30 percent of the adjusted income of a family whose annual income equals 65 percent of the median income for the area, as determined by HUD, with adjustments for the number of bedrooms in the unit. The HOME rent limits provided by HUD will include average occupancy per unit and adjusted income assumptions.

In rental projects with five or more HOME-assisted rental units, at least 20 percent of the HOME-assisted units must be occupied by very low-income families and meet one of the following rent requirements:

- a. The rent does not exceed 30 percent of the annual income of a family whose income equals 50 percent of the median income for the area, based on household size, as determined by HUD.
- b. The tenant portion of rent does not exceed 30 percent of the family's adjusted income (for families that receive Federal or State project-based rental subsidy); the maximum rent (i.e., tenant contribution plus project-based rental subsidy) is the rent allowable under the Federal or State project-based rental subsidy program.

Rents and tenant incomes will be annually reviewed for compliance. Priority and more generous financing terms will be given to developments that set aside units for persons making at or below 30% of AMI. See [HUD Income Limits](#)

#### **CITY FUNDING IN COMBINATION WITH SECTION 8**

Projects may not increase rents above the City's formula for tenants with tenant-based rental assistance (such as Section 8 vouchers). Units with project-based rental assistance (such as project-based Section 8); however, can rent for the maximum rent allowed under the rental assistance program provided that they are rented to a very low-income household and the tenant contribution to rent is no more than 30% of the household income.

#### **ANNUAL RECERTIFICATION OF TENANT INCOME**

Owners are required to re-examine tenant incomes annually for all restricted units to ensure that tenants continue to meet the income requirements of this and other applicable funding programs. Rent schedules and utility allowances, including any increases, must be reviewed and approved annually by the City. In the event that a tenant's income exceeds the applicable HUD income limits for lower-income households, the tenant's rent must be increased to an amount equal to 30% of the tenant's adjusted income, less an allowance for tenant-paid utilities. Projects that are also assisted with Low-Income Housing Tax Credits or other state sources will be subject to those relevant rules regarding over-income tenants.

## 6) LOAN TERMS

- a. For rental projects, the maximum City loan amount is 100 percent of the total residential development cost of the project's *affordable units* (those units are subject to long-term affordability restrictions). The interest rate shall be 4% in cases where the City of Goldsboro provides primary financing.
- b. If applicable, the value of any City land donations will be counted as part of the maximum allowable subsidy total.
- c. Other sources of appropriate financing must be identified but not necessarily committed at the time of application. Projects will be reviewed to ensure that only the minimum level of City subsidy needed will be provided. All other funding sources must be committed before closing the City loan.
- d. HOME-assisted units are subject to the HOME Maximum Per Unit Subsidy Limits as published annually by HUD.

The terms of the City funds will be negotiated consistent with the following guidelines:

1. Construction-to-permanent financing (Single close loan) – The loan starts as a construction loan where money is drawn as needed to pay for costs of construction, then converts to a permanent mortgage upon completion.
2. Interest Rate: 0%-4%, depending on a project's needs.
3. Term: 5/10/20/30/40 Years, dependent upon per unit investment.
4. Repayment: Payments of interest and principal will be due from excess cash flow from operations after payment of operating costs, senior debt, reserves, and deferred developer fees. To the extent payments cannot be made, they will be deferred for the term of the loan. All loans are due on sale, refinancing, or transfer (except to a related entity, such as a limited partnership, subject to City approval) or at the end of the term.
5. Lien: City loans will be evidenced by a promissory note secured by a mortgage on the project. A development agreement will specify all development obligations per state requirements as listed in [NC Statute 160D-1001](#). Post-occupancy use restrictions will be enforced through a regulatory agreement recorded against the project, including the land and the improvements.
6. Right of First Refusal: If the owner decides to sell the property, the City of Goldsboro has the right to purchase the property first.

## 7) FINANCIAL PROJECTIONS AND UNDERWRITING ASSUMPTIONS

The City will review the development budget for accuracy and reasonableness. Operating budgets and proformas for the term of 5/10/20/30/40-year affordability must meet the following criteria:

- a. The operating budget must show positive cash flow inclusive of all fees within 18 months of initial rent-up, and the first-year Debt Service Coverage ratio shall not be less than 1.15:1. Ideally, the budget should show sufficient cash flow to make a modest payment to the City loan.
- b. Include operating and replacement reserves (See Replacement and Operating Reserve Requirements below).

- c. 5% annual vacancy/collection loss for family, senior, and preservation projects and 7% annual vacancy/collection loss for Single Room Occupancy (SRO) or special needs projects.
- d. A 3.0% annual increase for expenses (other than property taxes and replacement reserves deposits) and a 2.0% annual increase for income.
- e. The operating budget will be reviewed to ensure it is sufficient for proper maintenance and management but is not excessive compared to other similar properties.
- f. If the project has a commitment for rental assistance, two operating proformas must be provided, one assuming rental assistance will be renewed and one assuming rental assistance will expire after the initial contract term. Rents must remain restricted according to City requirements even if the rental assistance is no longer available.
- g. General requirements, builders' profit, overhead, consulting fees, contingency, architect's fees, and developer's fees are reasonable within the scope of the project and within the limits, as listed in NCHFA's [Qualified Allocation Plan \(QAP\)](#).
- h. City legal fees, which are the responsibility of the developer or sponsor, are included in the development budget.
- i. A 5% construction cost contingency is required for new construction projects. A 10% construction cost contingency is required for rehab projects.
- j. Replacement Reserves are 0.6% of the replacement cost of the structure annually, up to \$500 per unit for family developments and \$400 per unit for senior developments. For rehabilitation projects, developers will be required to submit a third-party replacement cost analysis in which the lifecycle and cost of major building systems are estimated and amortized over the number of units and years. Gut rehab projects should use reserve standards for new construction projects. The City reserves the right to request an updated replacement reserve analysis every five years.
- k. Operating Reserves are annual deposits of not less than 1% of annual gross rental income are required until an operating reserve has been capitalized at a level equal to three months of operating costs and debt service. The operating reserve must be maintained at the level of three months of operating costs during the term of the City regulatory agreement.
- l. The City funds are typically provided for gap financing. Fees are capped at award and may not increase thereafter.

## **8) EVALUATION CRITERIA**

The following criteria will be used to evaluate development proposals. The relative importance of the evaluation criteria attempts to track the evaluation criteria of the NCHFA as well as Goldsboro's housing goals. The probability of the project closing is an important criterion. The location of the site, the quality of the proposed improvements, the population being served, the financial strength and the capability of the developer, the capability of the property manager, and the ability to repay the loan with the minimum repayment terms are also important criteria. The City will not issue a commitment unless the zoning is appropriate to the plan.

**a. Financial Feasibility, Leveraging, and Development Costs (30 points)**

Leveraging (10 points): Degree to which outside funding will be pursued. Points will be awarded for the projected applicant's equity and permanent financing, **excluding** City of Goldsboro NC resources of the total development costs.

Funding Commitments (10 points): Degree to which outside funding has been committed.

Discretionary Land Use Approvals (10 points): Maximum points awarded for sites that have obtained discretionary public land use approvals and present evidence of site control.

**b. Location (15 points)**

Targeted Redevelopment Area (10 points): The development proposal is within any area designated as a development area by the City of Goldsboro.

Proximity to appropriate services and/or employment centers and transportation (5 points).

**c. Development Quality (20 points)**

The building design and use are compatible with the surrounding environment and existing neighborhood with appropriate vehicular and pedestrian connections to nearby amenities (0 to 7 points).

The overall building design is aesthetically pleasing and well thought out and is characterized as possessing "architectural appeal" with material selections that are of good quality, designed for normal maintenance, and can be expected to perform well over the long term (0 to 7 points).

The site is suitable for the proposed development without additional major geotechnical, environmental, or utility infrastructure expenditures (0 to 6 points).

**d. Development and Management Team (20 points)**

Capacity and experience of the development team points are awarded based on evidence that the lead staff and supervisory staff proposed to work on the current proposal have the necessary expertise and capacity to undertake the project (0 to 7 points).

Capacity and experience of the property management company with comparable size and type projects evidenced by occupancy levels, maintenance and repair of existing rental units, compliance with federal requirements, and record-keeping and reporting (0 to 7 points).

The financial strength of the developer: Points are awarded based on evidence that the developer is financially sound and will be able to sustain the costs of effectively following through with the current proposal. (0 to 6 points).

**e. Target Population and Supportive Services (10 points)**

The project designates at least 20% of units to households earning at or below 30% AMI (5 points).

The project serves vulnerable populations (older adults age 55+, individuals with disabilities, homeless, or veterans (3 points).

The proposal includes a detailed supportive services plan to outline the description of case management and referral services to assist households in living independently and achieving self-sufficiency (2 points).

**f. Bonus (10 points)**

The City of Goldsboro prohibits discrimination in any manner based on race, color, creed, national origin, sex, age or handicap, or sexual orientation and will pursue an affirmative policy of fostering, promoting, and conducting business with women and minority-owned business enterprises.

The City of Goldsboro encourages participation by certified minority and women-owned businesses. The organization or individuals applying should make a good faith effort to achieve this goal and include documentation with their proposal that addresses these criteria (0 to 5 points).

If a market study is conducted to demonstrate a housing market in the area (0 to 5 points). A market study is required for development proposals over 48 units.

**9) EVALUATION OF PROPOSALS**

Applications will be reviewed for completeness and eligibility. All eligible proposals will be ranked according to the criteria stated in this Request for Proposals. Also, note that all sources of financing must be identified before a commitment letter will be issued. All sources of funding must be secured before closing. Commitments will be valid for 12 months.

**Note: Should any project with a funding commitment return to the City or with requests for additional funds, payment changes, changes in terms of funding commitment, units produced, or any other substantial change to the original commitment, the developer will be required to resubmit an application for the changes to be considered.**

**10) ENVIRONMENTAL REVIEW AND ASSESSMENT (NEPA)**

HOME-funded projects must be assessed in accordance with the National Environmental Policy Act of 1960 (NEPA) prior to loan closing. This includes a Phase I environmental assessment, and if recommended by Phase I, a Phase II assessment must be provided before a project will be recommended to the City Council. With the Phase II, applicants must also provide a discussion of mitigation measures, the impact of any recommendations on the project budget, design, etc.

Choice-Limiting Actions Prohibited During NEPA Review. Because of the likelihood that federal funds will be awarded, applicants must refrain from undertaking activities that would have an adverse environmental impact or would otherwise limit the choice of reasonable alternatives between the time of application submittal and when the City has completed its environmental review process. Such activities include acquiring, rehabilitating, converting, leasing, repairing, or constructing a property, any site preparation, or committing or expending HUD or non-Federal funds for HOME program

activities with respect to any project eligible under this NOFA. If the applicant has entered into a purchase agreement or contract for any of the above activities prior to applying for NOFA funds, work may continue pursuant to that contract. But amendments to the contract or new contracts may not be entered into. HOME funds may not be used to reimburse an applicant for project-related costs incurred after the applicant has submitted the application for funding and before the completion of the City's environmental review process except for activities that are excluded and not subject to federal environmental review requirements, and for certain relocation costs.

Applicants must sign a certification that they understand this restriction. The prohibition against choice-limiting actions begins on the date that the application is submitted to the City. Applicants are encouraged to check with the City's Community Relations and Development staff regarding eligible expenditures after the submission of an application. Failure to comply with this requirement could result in a project being ineligible for City funding.

City Community Relations & Development staff will seek to obtain NEPA approval in a timely manner. Completing the NEPA review, including local and federal notice periods, takes a minimum of 8-12 weeks after receipt of all necessary information.

#### **11) FEDERAL REQUIREMENTS**

**All HOME-funded projects must comply with applicable federal statutes and laws, including, but not limited to:**

- Section 3 of the U.S. Housing Act of 1968, as amended
- Equal Opportunity and related requirements in 24 CFR Section 982.53
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- Architectural Barriers Act of 1968
- Fair Housing Act of 1988
- National Environmental Protection Act (NEPA)
- Federal prevailing wage requirements, including Davis-Bacon and Related Acts

#### **12) RIGHT TO REJECT PROPOSALS**

The City of Goldsboro reserves the right to reject any and all proposals received as a result of the Request for Proposals or to negotiate on the terms of the funds to best serve the interests of the City of Goldsboro.

#### **13) GENERAL LOAN TERMS**

##### **TIMELINE OF CITY COMMITMENTS**

City conditional financing commitments are made for 12 months from the date of City Council approval. All other sources of funds must be committed within that time frame.

City staff will review the project for feasibility and assess the likelihood of receipt of proposed funding. If the 12-month period elapses without the commitment of full project financing, the City funding commitment will be revoked, and the project must re-compete for funds through the NOFA. The inability to meet a project schedule may also result in negative points for future NOFA applications.

**Projects funded with HOME must complete construction within four years of signing a written agreement with the City.**

**Rental units assisted with HOME funds must be occupied within 18 months of project completion.**

#### **MONTHLY UPDATES**

Upon commitment of funds from the City, the borrower must provide written monthly updates to Community Relations & Development staff. Monthly updates will allow staff to anticipate upcoming approvals needed and to stay informed about efforts to move the project forward on schedule. If monthly updates are not provided in a timely manner, decreased developer capacity points may be assessed for the next NOFA application submitted by the project sponsor. Monthly updates must include a schedule projection related to the four-year completion deadline required by HOME program regulations.

#### **SUBORDINATION**

The City will subordinate its affordability covenants to the mortgages securing other lenders' financing, subject to staff approval and loan ratio to total development cost. The affordability covenants control, among other things, the maximum income of tenants of project units and the maximum rents allowed for project units. The City mortgage may be subordinated to private financing on a case-by-case basis.

#### **PAYMENTS**

Payments of interest and principal will be due from excess cash flow from operations after payment of operating costs, senior debt, reserves, and deferred developer fees. To the extent payments cannot be made, they will be deferred for the term of the loan. All loans are due on sale, refinancing, transfer (except to a related entity, such as a limited partnership, subject to City approval), or at the end of the affordability term.

City loans will be evidenced by a promissory note secured by a mortgage on the project. A development agreement will specify all development obligations. Post-occupancy use restrictions will be enforced through a regulatory agreement recorded against the project, including both the land and the improvements. The minimum term for affordability restrictions is five years.

#### **14) DISBURSEMENT OF FUNDS**

Funds will be disbursed to the borrower only for costs actually incurred. Payment for construction costs will be made on a progress payment basis, subject to the approval of each draw request by the City. The progress schedule can be negotiated but will typically be disbursed at 25%, 50%, 75%, and 100% completion. The City will retain ten percent (10%) of the amount of City financing as performance retention, to be released upon recordation of a Notice of Completion, the release of all liens, and satisfactory compliance with any other City requirements including City contracting programs. Therefore, City funds will be disbursed in the following increments: 15% at 25% completion; 40% at 50% completion; 65% at 75% completion; and 100% at final draw.



## **15) MARKET DEMANDS AND DESIGN GUIDELINES**

Projects should be planned and designed according to market demand. A market study prepared by an approved third-party market analyst must be submitted with the application to ensure there is adequate demand for any proposed project which includes 48 or more units. At City discretion, this requirement may be suspended for smaller projects.

### **LIVABILITY STANDARDS**

The City's provision of affordable housing financing is a long-term investment. Underwriting includes assuring that each development will be well-designed and well-constructed to provide decent, safe, affordable housing over the long term for a population that does not have a wide range of housing choices.

The quality and marketability of any housing unit are affected by its size and the livability of the space, including the space's ability to accommodate the potential number of occupants and the necessary furniture. A larger unit does not guarantee the successful accommodation of a particular furniture layout over a more efficiently laid out smaller one. The project must meet all code requirements imposed by the City's Minimum Housing Standards, but it may be appropriate to exceed these requirements for certain projects.

- Windows/Lighting/Ventilation – Units must be designed so that there is adequate natural light and ventilation.
- Parking – In general, the minimum number of spaces required for the particular site shall be provided. Any reductions in that number must be approved by Development Services.
- Building Shape and Appearance – The structure should respond to its context, enhance the neighborhood, and create a pride of place for its residents.
- Landscaping – The design should be appropriate for the intended use of all the residents.
- Quality of Building Materials – Materials must be of quality and durability to assure the long-term viability of the structures.
- Open Space/Storage Space - The project must address adequate levels of the following, based on the type of project, location, and target group. Examples of acceptable open space/storage space include:
  - common space (e.g., community room);
  - secure, on-site laundry facilities;
  - children's play area (family projects);
  - storage space (both inside and outside of the unit);
  - open space (public and private space within the housing complex)

## **16) OTHER GUIDELINES AND CITY REQUIREMENTS**

### **APPRAISALS**

If an acquisition is included in the development budget, applicants are required to submit a recent appraisal of the project site and any existing improvements as part of the application. Appraisals must have been completed within six months of the application deadline or, if the project has already been acquired, within six months of acquisition.

### **DONATED PROPERTY**

If land or buildings have been donated for the project, the value of the donated property should be included in the total development cost both as an acquisition cost and as a source of funds. If the property is to be donated, the value of the property will be included when calculating the percentage of City subsidy.

### **MANAGEMENT AND MARKETING (for 4% LIHTC projects only)**

A Preliminary Management Plan and Marketing Plan must be submitted in the application. A Final Management and Marketing Plan will be required 120 days prior to construction completion, and a Management Contract must be submitted to the City 30 days prior to construction completion. The final Marketing Plan must be approved prior to beginning rent-up activities, including marketing flyers and application materials.

A complete market study for the project must be reviewed and approved by the City of Goldsboro prior to loan closing.

### **COST CERTIFICATION**

Developers must arrange for an independent cost certification on completion of a project. Approval of this certification is a requirement for the City's release of final payments.

The cost certification must include final sources and uses budget-based on all the original City approved budget line items. The developer must show all sources in lien order and include limited and general partner contributions, if applicable. This should include loans or equity contributions that were spent and expenses that were incurred during the development period.

The developer must show the total proposed initial sources and uses and the actual sources and uses by line item. The analysis must explain any difference for line items over or below 10% of the original sources and uses budget. Please note that the City's approved budget must be used for this analysis. The City will use this analysis to ensure that all of the City's final uses were spent on HOME-eligible costs.

### **RELOCATION**

Federal relocation law will apply for projects that temporarily or permanently displace current business or residential occupants, and relocation assistance and benefits may be required, which can add substantially to the project cost. See the Application Instructions for more information.

## **RESIDENT SERVICES AND SPECIAL NEEDS UNITS**

Supportive and social service coordination reasonable for the population being served may be included as a cost paid by building operations. However, direct service provision may not be paid for from the building's operating funds unless another funding source requires the direct service.

"Special needs units" are defined as units reserved for populations including the following: veterans, developmentally disabled, survivors of physical abuse, persons with chronic illness including HIV/AIDS or mental illness, displaced teenage parents (or expectant teenage parents), individuals exiting from institutional settings, youth exiting foster care, chronic substance abusers, or another specific group as approved by the City of Goldsboro.

## **UNITS FOR HOMELESS HOUSEHOLDS OR THOSE AT RISK OF HOMELESSNESS**

For NOFA scoring purposes, the City will utilize the HUD definition of "homeless" and "at risk of homelessness."

Projects with units set aside for formerly homeless households or those at risk of homelessness must provide sufficient support services for the population served and show adequate commitment to services.

## **MIXED-INCOME PROJECTS**

In mixed-income properties, the affordable units must not be substantially different from the market rate units. All lower-income units must be of the same construction type as market-rate units but need not contain the same interior amenities or the same amount of floor space as long as livability is maintained. The exterior of the lower-income units must be indistinguishable from the exterior of the market rate units. Lower-income units should be reasonably distributed throughout the project and should not be isolated or segregated in only one portion of the project.

## **INSURANCE**

During development, developers must obtain comprehensive general liability and property (hazard) insurance coverage of at least \$2 million. The City also requires property damage or builder's risk insurance in an amount equal to 100% of the structure's replacement cost, with a lender's loss payable endorsement in favor of the City. Construction contractors will be required to obtain liability and builders risk insurance in an amount equal to \$2 million. Automobile insurance, professional liability, workers' compensation, and employer's liability coverage are also required.

After completion, similar levels of liability and hazard coverage are specified by the regulatory agreement. All policies must name the City as an additional insured; property

insurance must have a lender's loss payable endorsement. For more information on insurance requirements, please contact the Housing Development staff.

#### **PAYMENT AND PERFORMANCE BONDS**

As per 2 CFR Part 200.326, for projects exceeding \$250,000, general contractors will be required to provide payment and performance bonds equal to 100% of the construction contract amount.

#### **DISABLED AND SENIOR ACCESSIBILITY**

Developments assisted by the City must meet the requirements of the Americans with Disabilities Act and the Fair Housing Act, among other local, state, and federal laws. Projects with federal funding must also meet the more stringent accessibility requirements of Section 504 of the Rehabilitation Act of 1973 (24 CFR 100.205 and Part 8). Section 504 sets minimum percentages of accessible units and calls for fully accessible common areas, among its numerous requirements. For projects funded with HOME, 5% of the total number of units must be accessible to people with physical disabilities, and an additional 2% of units must be accessible to people with auditory and visual disabilities, as defined in the Uniform Federal Accessibility Standards (UFAS).

**Where Section 504, the Fair Housing Act, or ADA apply, the developer and project architect must provide written certification of compliance.**

#### **LEAD-BASED PAINT**

The use of lead-based paint on City-funded projects is prohibited. Testing and abatement of lead-based paint in demolition projects may be required. Projects must follow the federal guidelines, which require lead-safe work practices and notification to prospective residents of potential lead-based paint hazards, among other requirements. If applicable, Project sponsors should be aware of the EPA regulation that requires all renovators of pre-1978 homes and child-occupied facilities to be trained in lead-safe work practices and certified by the EPA. For more information, go to [www.epa.gov/lead/pubs/renovation.htm](http://www.epa.gov/lead/pubs/renovation.htm).

#### **NON DISCRIMINATION**

All applicants must agree not to discriminate on the basis of race, color, ancestry, national origin, religion, sex, sexual preference, age, marital status, family status, source of income, physical or mental disability, Acquired Immune Deficiency Syndrome (AIDS) or AIDS-related conditions (ARC), or any other arbitrary basis.

## APPLICATION SUBMISSION CHECKLIST

To be considered complete, the proposal must include the following supporting documents:

- ☐ Project schedule: For all projects, please submit a detailed timeline showing when each work task will be completed over the duration of the project. (HOME funds require that project construction begin within 12 months of issuing the final commitment letter and be complete within four years)
- ☐ Location maps indicating the project site
  - Site map showing lot boundaries, locations of structure(s), and other site features
  - General location map (at least ½ mile radius)
- ☐ Evidence of site control (deed, contract of sale, option to purchase, or other evidence acceptable to the City)
- ☐ Evidence of zoning compliance for the proposed project or evidence that zoning change is in process with a likelihood of approval prior to making recommendations
- ☐ Outline plans and specifications, including elevation, floor plans, and a site plan
- ☐ Resume or other qualifications of the developer or sponsor, including a list of previous projects with current vacancy rates
- ☐ Letters of Support/ Financial commitment letters from all funding sources
- ☐ Description of supportive services offered to tenants (if applicable), including the provider of services, history of providing services to the proposed population, and annual budget for the supportive service delivery
- ☐ Description of how the developer intends to recruit/use small disadvantaged minority & women-owned businesses in the project
- ☐ Appraisal (required for all acquisitions prior to closing) and Phase I, if available
- ☐ Previous two years' financial statements for the lead applicant
- ☐ Total development budget including sources and uses and proforma in accordance to 5/10/20/30/40-year affordability period

# Affordable Rental Housing Development Program Application 2023-2024

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## **PROGRAM OVERVIEW**

The City of Goldsboro (The City) announces the availability of HOME Investment Partnership Program (HOME) funds under the Affordable Rental Housing Development Program. The goal of this program is to increase the supply of decent and affordable housing in Goldsboro. The proposed project must create new affordable rental housing units or protect and preserve existing affordable rental housing through rehabilitation. Qualified for-profit and non-profit developers (Applicants) including Community Housing Development Organizations (CHDOs), are invited to submit applications for the rehabilitation or new construction of affordable rental housing units. The funds received by the City are used within the City's geographic jurisdiction.

The HOME program was established by Congress to address affordable housing needs under Title II of the Gonzalez National Affordable Housing Act, as amended. Final HOME Rule and Regulations may be found in Part 92. The United States Department of Housing and Urban Development (HUD) provides the City annual entitlements such as the Community Development Block Grant (CDBG) and the HOME funds to address a broad range of housing and community and economic development needs. These guidelines provide background information, as well as the application and application process information for the usage of HOME funds.

The City's Consolidated Plan (ConPlan) identifies the community's priority needs such as housing, homelessness, special needs, community development, and economic development. The City uses its funds to further its community development efforts and meet the identified priority needs.



## A. AGENCY INFORMATION

Please provide the following information (If more space is needed, attach paper to application).

A.1. Legal Name of Agency: \_\_\_\_\_

A.2. Agency Address: \_\_\_\_\_

A.3. Agency Telephone: \_\_\_\_\_

A.4. Agency Email: \_\_\_\_\_

A.5. Agency Website: \_\_\_\_\_

A.6. Federal Identification Number: \_\_\_\_\_

A.7. Unique Entity Identification Number: \_\_\_\_\_

A.8. Date Organization was Established: \_\_\_\_\_

A.9. Is the Agency registered to conduct business in the State of North Carolina?

☐ Yes\*      ☐ No

**\*Please upload/attach a copy of your State of North Carolina Business License.**

A.10. Is the Agency a Minority-owned Business Enterprise (MBE)? ☐ Yes      ☐ No

A.11. Is the Agency a Women-owned Business Enterprise (WBE)? ☐ Yes      ☐ No

A.12. Will the applicant include any MBE/WBE partners? ☐ Yes      ☐ No

A.13. Contact Information:

Name & Title: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

**A.14. Please list other managing general partner(s):**

<b>Name:</b>	<b>Partnership Percentage:</b>

**A.15. Will the development be owned or sponsored by a Community Housing Development Organization (CHDO)?** ☐ Yes\* ☐ No

**\*Please upload/attach a copy of your CHDO Eligibility Documents.**

## B. AGENCY STRUCTURE & BACKGROUND

Please provide the following information (If more space is needed, attach paper to application).

**B.1. Type of Agency:** \_\_\_\_\_

**\*If a 501(c), please upload/attach a copy of your determination letter from the IRS.**

**\*All agencies are required to upload/attach a copy of your current Bylaws, Articles of Incorporation, and Certificate of Good Standing with the State.**

**B.2. Board Information:**

Name:	Position/Title:	City of Residence:	Time on Board:	Expiration of Term:

**B.3. Mission Statement:** \_\_\_\_\_

**B.4. Date of Incorporation:** \_\_\_\_\_

**B.5. Purpose of Agency:** \_\_\_\_\_

\_\_\_\_\_

**B.6. Type(s) of Service(s) Provided:** \_\_\_\_\_

\_\_\_\_\_

**B.7. Please describe the Agency's capabilities:** \_\_\_\_\_

\_\_\_\_\_

**B.8. Are there required licenses to operate?** ☐ Yes\* ☐ No

**\*Please upload/attach a copy of the required licenses.**

**B.9. Please describe the Agency's previous experience implementing similar programs/projects:** \_\_\_\_\_

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**B.10. Briefly describe the Agency's existing staff positions and qualifications:**

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**B.11. Please describe the Agency's capacity to carry out the proposed activity(ies):**

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**B.12. Does the Agency have a Personnel Policy manual with an Affirmative Action Plan (AAP) and Grievance Procedures?** ☐ Yes\* ☐ No

**\*Please attach supporting documentation.**

**B.13. Has the Agency received any Federal finding, resolved or unresolved, within the past five (5) years? ☐ Yes\* ☐ No**

**\*Please attach supporting documentation explaining.**

**B.14. Briefly describe how the Agency will monitor progress in implementing the program:**

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**B.15. Describe and discuss the Agency's experience in reporting, monitoring, or recordkeeping compliance requirements:** \_\_\_\_\_

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**B.16. Describe the Agency's fiscal management, including financial reporting, recordkeeping, accounting systems, payment procedures, and audit requirements:**

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**B.17. Does the Agency have written procedures for financial management and personnel?**

☐ Yes\* ☐ No

**\*Please attach supporting documentation.**

**B.18. Indicate your Agency's status as it relates to audit reports by one of the options below:**

☐ Most Recent Audit\*

☐ Financial Statements: including the General Ledger & Balance Sheet detail from the last two most recent reporting periods of operation.\*

**\*Please attach supporting documentation.**

**B.19. Does the Agency have liability insurance coverage?** ☐ Yes\* ☐ No

**\*Please attach Insuring Agency information and the dollar amount covered.**

**B.20. Does the Agency pay all payroll taxes and worker's compensation as required by Federal and State laws?** ☐ Yes ☐ No

**B.21. Does the Agency have fidelity bond coverage for principal staff who handle the Agency's accounts?** ☐ Yes\* ☐ No

**\*Please attach Insuring Agency information and the dollar amount covered.**

**B.22. Is the applicant or any of their partners listed on the EPLS?** ☐ Yes ☐ No

## C. PROJECT TEAM

If applicable, provide the name of the consultant or staff person, agency, telephone number, and email that will perform the following tasks. Please note that consultants paid for with City funds must be selected through a competitive process in accordance with 2 CFR 200.

**C.1. Do you have a Project Team?** ☐ Yes\* ☐ No

**\*Please complete the table below.**

	Prime Contractor	Architect	Engineer	Team Member	Team Member
Name					
Telephone					
E-Mail					
Most recent Project(s) completed:					

### Labor Standard/Davis-Bacon Requirements

**C.2. Do you have Davis-Bacon payroll reports from contractors/subcontractors and submitted to the City of Goldsboro?** ☐ Yes\* ☐ No

**\*Please upload/attach a copy of the reports.**

### Section 3 Requirements

**C.3. Upload/attach a copy of the forms from contractors/subcontractors.**

**C.4. Does the developer/owner hold a direct financial interest in any development team member listed above?** ☐ Yes\* ☐ No

**\*Please provide details of the relationship.**

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**C.5. Has the developer, sponsor, or any other development team member listed including any of their owner or partners, ever been debarred from Federal contracting opportunities by any agency of the Federal Government? ☐ Yes\* ☐ No**

**\*Please provide details.**

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## D. GENERAL INFORMATION

D.1. What is the status of the project? \_\_\_\_\_

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D.2. What has been done so far? \_\_\_\_\_

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D.3. What are the sources of financial assistance already received? What is the amount of financial assistance already received? \_\_\_\_\_

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### Relocation

Relocation is the moving of residential or commercial occupants from their current space. Please indicate which statements apply to your proposed project.

- ☐ Building on undeveloped site.
- ☐ All buildings have been vacant for at least 90 days prior to application's submission.
- ☐ Some or all of the buildings are (or were) occupied within 90 days prior to application's submission.

D.4. Will your development plans require any occupants to move temporarily?

☐ Yes\*      ☐ No

**\*Please provide the number of households to move temporarily.** \_\_\_\_\_

**D.5. Will your development plans require any occupants to move permanently?**

☐ Yes\*      ☐ No

**\*Please provide the number of households to move permanently. \_\_\_\_\_**

**D.6. Will your development plans require any commercial occupants to move?**

☐ Yes\*      ☐ No

**\*Please provide the number of households to move permanently. \_\_\_\_\_**

**D.7. Upload/attach a copy of your Relocation Plan.**

### **Supportive Services**

**D.8. Are you using/providing any supportive services? ☐ Yes\* ☐ No**

**\*Please describe the supportive services to be provided and how your Agency will coordinate with other Agencies to provide needed services. \_\_\_\_\_**

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## Rental Application Process/Marketing Plan

**D.9. How will the HOME-assisted units be marketed to the qualifying population(s)?**

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**D.10. How will this marketing approach promote equal opportunities and ensure compliance with Federal Fair Housing regulations?** \_\_\_\_\_

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**D.11. Describe your marketing plan for qualified renters.**

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**D.12. Upload/attach an Affirmative Marketing Plan or applicable HUD form 935.2.**

**D.13. Do you have a waiting list of pre-approved applicants?** ☐ Yes\* ☐ No

**\*Please provide the number of households currently on the waitlist.** \_\_\_\_\_

**D.14. Describe how you will find eligible applicants.** \_\_\_\_\_

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**Estimated Project/Program Implementation Schedule**

Work funded with HOME funds should not start until the environmental review has been completed; funds are released by HUD and the applicant is under contract with the City of Goldsboro.

**D.15. Implementation Schedule:**

Milestones	Projected Number of Days to be Completed

**D.16. What type of development activity applies to the project? (check all that apply):**

- ☐ New construction of rental housing.
- ☐ Reconstruction of a structure on the same lot.
- ☐ Conversion of an existing structure from another use to affordable rental housing.
- ☐ Site improvements.
- ☐ Acquisition of existing standard property, or substandard property in need of rehab.
- ☐ Acquisition of vacant land.
- ☐ Demolition of an existing structure.
- ☐ Relocation costs.
- ☐ Project-related soft costs.

## E. CONSISTENCY WITH LOCAL NEEDS AND DEMAND

Please provide the following information.

**E.1. Provide a brief narrative of the proposed project, include project objectives, target population(s), major project characteristics, number and type of units, surrounding neighborhood(s), proximity to services, public or other transportation, etc. Explain how the use of City funds makes this project feasible.**

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**E.2. How were the housing priorities determined? Cite reference to the need as identified in the City's ConPlan 2020-2024. Refer to the application guidelines for more information.**

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**E.3. Has the Applicant prepared a Market Study?** ☐ Yes\* ☐ No

**\*Please upload/attach a copy of the Market Study.**

## F. PROJECT FINANCIALS

City funds are provided in the form of an amortized loan or grant. The costs listed in this application are to be based upon firm bids or estimates and should be reasonable and sufficient to complete the proposed development project. The costs in this application should include only those costs that are reasonable and directly necessary to the construction and financing of the project. The applicant must provide any funds necessary to complete the development of the project over and above the sources indicated as available to complete the project and it has such funds available to pay such costs.

Please provide the following information.

**F.1. If you are requesting additional funds for a project currently receiving funding from the City, indicate the anticipated date of project completion and estimate any additional financial assistance that must still be secured, including the amount requested by this application, to complete the project.** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**F.2. Reduction Options – Can your project be funded at a reduced level if necessary?**

☐ Yes\*

☐ No

**\*Please provide the minimum amount needed to make project viable.** \_\_\_\_\_

**F.3. Explain what element of your project would be modified to address this reduction.**

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**F.4. Is the project for which funds are being requested a multi-phased activity requiring funds from future years.** ☐ Yes\* ☐ No

**\*Please describe how the project will be completed should additional funds not be available or awarded.** \_\_\_\_\_

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**F.5. Has the applicant been in arrears and/or delinquent with any loan in the past five (5) years?** ☐ Yes\* ☐ No

**\*Please explain and include supporting documentation.** \_\_\_\_\_

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**F.6. Please upload/attach documentation on the following:**

- ☐ Unit Mix and Rent Schedule
- ☐ Detailed Project Budget (including Acquisition, Development/Construction Costs)\*
- ☐ Operating Budget\*
- ☐ All of the project financing sources and uses (including commitment letters)\*
- ☐ Cashflow Proforma
- ☐ Terms of repayment, interest, and repayment schedule

**\*Required**



## G. AFFORDABILITY

City Community Development funds received from the U.S. Department of Housing & Urban Development (HUD) must assist low- to moderate-income persons. Rental units assisted with HOME funds must serve households at or below 80% of the area median income. Rents must not exceed HUD's published maximum rents for the HOME program. In projects with five or more HOME-assisted units, the Community Relations & Development Department will use HUD's *HOME Share Ratio Calculator* to determine the minimum number for the unit type that must be HOME-assisted.

Please provide the following information.

**G.1. Explain the measures that will ensure long-term affordability of the units. Describe all provisions made to ensure low-income households will occupy the units initially and throughout the life of the project.**

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### Development Rents/Affordability

For acquisition, rehabilitation, and/or new construction of rental housing projects, complete the following tables for units designated as low-income and for those units with market rents.

**G.2. Indicate one of the following:**

- ☐ Acquisition of rental housing projects.
- ☐ Rehabilitation of rental housing projects.
- ☐ New construction of rental housing projects.

**G.3. Units Designated Low-Income:**

<b>Total # of units</b>	<b># of Bed/Bath</b>	<b>Total # of HOME- assisted units</b>	<b># of Tax Credit units</b>	<b># of Non- subsidized units</b>	<b>Monthly Resident Rent w/o Utilities</b>	<b>Monthly Utility Allowance</b>	<b>Monthly Rent + Utility Allowance</b>	<b>% of AMI Targeted</b>

**G.4. Total Rental Income:** \_\_\_\_\_

**G.5. Total Non-Rental Income:** \_\_\_\_\_

**G.6. Less Vacancy Allowance of:** \_\_\_\_\_

**G.7. Effective Monthly Income:** \_\_\_\_\_

**G.8. Effective Annual Income:** \_\_\_\_\_

**G.9. What is the expected annual increase in net rent?** \_\_\_\_\_

**Special Populations**

**G.10. Number of units designated for elderly (ages 62 and older):** \_\_\_\_\_

**G.11. Number of units designated for disabled (mental/physical):** \_\_\_\_\_

**G.12. Number of units designated for victims of domestic violence:** \_\_\_\_\_

**G.13. Number of units designated for large families (5 or more members):** \_\_\_\_\_

## Monthly Utility Allowance

Complete the following table of allowances for tenant-paid utilities.

Expense Item	Electric or Gas?	Paid by Property Owner? Or Paid by Tenant?	# of Bed/Bath	Amount Paid

G.14. What is the source of your utility allowance data? \_\_\_\_\_  
\_\_\_\_\_

G.15. Do you expect to receive or are you currently receiving any rental subsidies for this development? ☐ Yes\* ☐ No

**\*Please check the type(s) of subsidy.**

☐ Section 8 Moderate Rehabilitation

☐ Section 8 Project-Based Assistance

☐ Other: \_\_\_\_\_

G.16. Number of units expected to receive assistance: \_\_\_\_\_

G.18. Number of years in assistance contract: \_\_\_\_\_

## H. PROPERTY SITE AND BUILDING CONSIDERATION

Projects must provide services within the city limits of Goldsboro. If your project is located outside of the City, then the services provided must be accessible to all citizens of the city of Goldsboro.

Please provide property site information by answering the following.

H.1. Does applicant currently have site control? ☐ Yes\* ☐ No

**\*Please provide copies of the Deed and Purchase Option Agreement.**

H.2. Parcel Identification Number: \_\_\_\_\_

H.3. Address: \_\_\_\_\_

H.4. Property Size: \_\_\_\_\_

H.5. Zoning Classification: \_\_\_\_\_

H.6. Year Built: \_\_\_\_\_

H.7. Landmark Designation: \_\_\_\_\_

H.8. Has an appraisal been prepared for the project? ☐ Yes\* ☐ No

**\*Please upload/attach a copy of the appraisal.**

H.9. Please List Deed Restrictions, Liens, and Covenants: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

H.10. Dollar Amount of Existing Debt: \_\_\_\_\_

H.11. Lien Holder Address: \_\_\_\_\_

H.12. Do you have a map of the site? ☐ Yes\* ☐ No

**\*Please upload/attach a map of the site.**

H.13. Describe any special or unusual features that should be known about the site:

\_\_\_\_\_  
\_\_\_\_\_

**H.14. What utilities are presently available to the site?** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**H.15. Is the location of the proposed project currently occupied?** ☐ Yes\* ☐ No  
**\*Please upload/attach copy of supporting documentation of whether there is a need for residents to be temporarily or permanently relocated for any reason.**

### **Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act**

For certain developments, HUD requires a minimum of 5% of the units to be accessible to individuals with mobility impairments and an additional 2% of units be accessible to individuals with sensory impairments (i.e., hearing or vision impairments). These developments include:

- New construction of multifamily developments.
- Substantial alterations of a housing development with 15 or more units where the costs will be 75% or more of the replacement cost of the completed facility.
- When other alterations that do not meet the regulatory definition of substantial alterations are undertaken in multifamily rental housing developments of any size.

**H.17. Number of units for individuals with mobility impairments:** \_\_\_\_\_

**H.18. Number of units for individuals with sensory impairments:** \_\_\_\_\_

## I. DEVELOPMENT PLAN

Please provide the following information.

I.1. Is this for a development project? ☐ Yes\* ☐ No

**\*Please indicate the type of housing and occupancy planned.** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I.2. Target Unit Type: \_\_\_\_\_

I.3. Target Unit Number: \_\_\_\_\_

I.4. Total Number of Units Planned: \_\_\_\_\_

I.5. Residential Floor Area Planned: \_\_\_\_\_

I.6. Total Floor Area Planned: \_\_\_\_\_

I.7. Total Number of Buildings: \_\_\_\_\_

I.8. For existing buildings, indicate the year built: \_\_\_\_\_

I.9. Are the buildings Residential or Commercial? \_\_\_\_\_

I.10. Describe the Structural System: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I.11. Describe the Floor System: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I.12. Are there Garages? ☐ Yes\* ☐ No

**\*Please indicate how many garages and parking spaces are present.** \_\_\_\_\_

I.13. Are there covered parking spaces? ☐ Yes\* ☐ No

**\*Please indicate how many covered parking spaces are present.** \_\_\_\_\_

I.14. Are there parking pads? ☐ Yes\* ☐ No

**\*Please indicate how many parking pads are present.** \_\_\_\_\_

I.15. Number of Recreational Facilities planned: \_\_\_\_\_

I.16. Number of Commercial Space planned: \_\_\_\_\_

I.17. Number of Accessory Buildings planned: \_\_\_\_\_

I.18. Number of Security Procedures planned: \_\_\_\_\_

I.19. Cost(s) for use of any of the above, if not part of the unit rent: \_\_\_\_\_

### Energy and Equipment Information

I.20. Describe the project's HVAC System: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I.21. Will any of the units follow Energy Star or Green Building Certification System Standards? ☐ Yes\* ☐ No

**\*Please indicate the number of units.** \_\_\_\_\_

I.22. Describe interior features and specifications that will be included in the units and HOME-assisted units. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **I.23. On-Site Amenities – Rental Developments Only**

- ☐ Community Room
- ☐ Recreation Room
- ☐ Common Dining
- ☐ Crafts Room
- ☐ Tennis Court
- ☐ Residential Kitchen
- ☐ Other: \_\_\_\_\_

**Note:** HOME funds may pay for the development costs to make utility connections, including connections from the property line to the adjacent street. This includes broadband internet connections. HOME funds cannot be used for any off-site improvements, including running broadband internet cable or wires to the project site. Use of HOME funds are limited to the improvements to the project site, i.e., the land owned by the project owner, upon which the HOME-assisted project is located.

### **I.25. Please upload/attach the following documents.**

- ☐ Elevation Renderings
- ☐ Floor Plans for Each Unit
- ☐ Site Plan\*

**\*Required**



## **J. REQUIRED DOCUMENTS**

Please provide the following information.

- ☐ Articles of Incorporation
- ☐ Current Bylaws
- ☐ Board of Directors (for Non-profit organizations)
- ☐ Organization Chart
- ☐ Current Resumes
- ☐ A copy of the most recent Audit; if not available, then financial statements that include General Ledger and Balance Sheets for a two-year period.

## K. SUBMIT

**\*Once an application is submitted, it can only be “Re-opened” by an Administrator.**

☐ I have reviewed the Federal and General Requirements contained within the provided link.

☐ The undersigned hereby makes application to the City of Goldsboro through its Affordable Rental Housing Development Program for HOME funding to undertake the activities described in this application. The financial assistance will be in the form of an amortized loan unless the entity is a non-profit, unit of local government, or a public agency.

☐ It is understood by the applicant that this is a formal application for financial assistance. The applicant also understands that the City of Goldsboro will not be responsible for any costs incurred by the applicant in developing and submitting this application and that all applications submitted become the property of the City of Goldsboro and a matter of public record.

☐ The applicant understands that the City of Goldsboro makes no representations or warranties regarding the financial feasibility of the development and that any and all financing of the development is solely based on representations made by the applicant. The applicant therefore agrees to hold harmless and indemnify the City of Goldsboro and the individual directors, employees, members, officers, and agents of the City of Goldsboro in the event that the applicant or anyone acting on behalf of the applicant, at their request or by and through the applicant, incurs any loss in conjunction with the development.

☐ It is understood and agreed by the applicant that, for the purposes of determining the terms under which a commitment may be made, the City of Goldsboro may require changes in the information contained herein (including attachments) or in any documentation or materials now or hereafter submitted in connection with this application. It is further understood by the applicant that additional information may be requested in order to facilitate the decision-making process.

☐ By execution of the application, the applicant understands and agrees that the City of Goldsboro will conduct its own independent review and analysis of the information provided in the application, that such any review or analysis will be made for the sole and exclusive benefit of the City of Goldsboro.

☐ I understand and agree that my application for financing, all attachments thereto, and all correspondence relating to my application are subject to a disclosure request and I expressly consent to such disclosure. I further understand that any and all correspondence to me from the City of Goldsboro relating to my application is subject to a request for disclosure and I expressly consent to such disclosure. I agree to hold harmless the City of Goldsboro and the individual

directors, employees, members, officers, and agents of the City against all losses, costs, damages, expenses, and liability of whatsoever nature or kind (including, but not limited to, attorney's fees, litigation, and court costs) directly or indirectly resulting from or arising out of the release of all information pertaining to my application pursuant to a disclosure request. All Federal, State, and Local subsidiaries have been disclosed and revealed.

☐ I certify that the information contained in this application is true and correct and that it contains no misrepresentations, falsifications, intentional omissions, or concealment of material facts.

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**Signature & Date**

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** Resolution in Support of the "Goldsboro Community Floodprint" Report

**BACKGROUND:** Through grant funding provided by the North Carolina Office of Recovery and Resiliency (NCORR), the NC State University Coastal Dynamics Design Lab (CDDL) recently completed the "Goldsboro Community Floodprint" report.

**DISCUSSION:** The study used an environmental and community planning approach referred to as "floodprinting", which specifically highlights the use of place-based approaches in response to natural hazards and climate change. As part of the "Goldsboro Community Floodprint," discrete project phases and scope items included: inventory and analysis, public outreach and engagement, hydraulic modeling, schematic planning and design, three-dimensional modeling, photorealistic rendering, benefit-cost analysis, and grant-writing.

Created over a 16-month project period, the resulting document is meant to both provide direction regarding feasible and sustainable practices within the identified focus areas, while also providing actionable collateral that can be used to attract external resources (e.g., competitive grants) towards these projects.

**RECOMMENDATION:** It is recommended that the City Council adopt the attached resolution supporting and encouraging the advancement and development of projects identified in the "Goldsboro Community Floodprint" report as follows:

- Stream Restoration and Infrastructure Improvements along the Big Ditch;
- Low Flow Wetlands at the Municipal Golf Course; and
- Flood Mitigation and Feasibility Study for the Wastewater Treatment Plant (WWTP)

Date: 10/25/23

  
Jonathan R. Perry, Engineering Services Manager

Date: 10/29/23

  
Timothy M. Salmon, City Manager

RESOLUTION IN SUPPORT OF THE “GOLDSBORO COMMUNITY FLOODPRINT” REPORT

WHEREAS, the citizens within the City of Goldsboro are subject to the effects of natural hazards that pose threats to lives and property, and with the knowledge and experience that areas within regulatory flood zones are particularly susceptible to flooding events; and

WHEREAS, the City of Goldsboro desires projects and recommendations that reduce future flood losses and increase long-term community resilience to natural hazards; and

WHEREAS, the “Goldsboro Community Floodprint” report (completed in September 2023) provides planning and design recommendations that reduce flood risk, improve public safety, and enhance long-term environmental function within historically flood-prone areas.

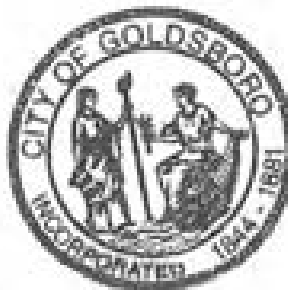
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. City Council hereby supports and encourages the advancement and development of projects identified in the “Goldsboro Community Floodprint” as follows:
  - Stream Restoration and Infrastructure Improvements along the Big Ditch;
  - Low Flow Wetlands at the Municipal Golf Course; and a
  - Flood Mitigation and Feasibility Study for the Wastewater Treatment Plant (WWTP)
2. This resolution shall be in full force and effect from and after this 6<sup>th</sup> day of November, 2023.

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk



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

**SUBJECT:** Operating Budget Amendment FY23-24

**BACKGROUND:** Council adopted the FY23-24 annual operating budget on June 20, 2023.

**DISCUSSION:** **Agency Support (7310) General Fund**

Council was presented a resolution to approve an agreement with the Housing Authority of Goldsboro to fund 32 Tsunami cameras and 2 license plate readers located on Housing Authority property at West Haven, Fairview, Lincoln and Park Court. The cost of the cameras will be approximately \$95,200.00 each year. It is necessary to appropriate the expenditure in the FY24 budget, and this will be funded with an additional appropriation of payment in lieu of tax (PILOT) revenue for \$32,184, and the balance of \$63,016 from an appropriation of fund balance. In future years, the payment in lieu of taxes (PILOT) received from the Housing Authority of Goldsboro will be used to fund the expense.

**Non-Recurring Capital Outlay (7315) General Fund**

Council authorized the replacement of the chiller serving City Hall at the 10/16/23 council meeting. The cost of the chiller is \$385,843, and the cost to move the generator for the chiller is \$3,690 and to move the fence is \$1,673. It is necessary to appropriate the expenditures for the chiller replacement totaling \$391,300, and this will be funded with an appropriation of fund balance.

**Goldsboro Event Center (1020) General Fund**

Council authorized the replacement of the heating and cooling system (HVAC) serving the Goldsboro Event Center at the 10/16/23 council meeting. The cost of the HVAC \$19,870. It is necessary to appropriate the expenditures for the HVAC replacement totaling \$19,900, and this will be funded with an appropriation of fund balance.

**Analysis of Appropriated Fund Balance – General Fund**

<b>Date</b>	<b>Description</b>	<b>Adopted</b>
6/20/2023	Ord 2023-43 FY23-24 Adopted Budget	\$ 1,500,000.00
8/7/2023	FY22-23 Purchase Order Rollovers	2,063,324.43
8/7/2023	Balance of trash compactor for Solid Waste	119,000.00
10/2/2023	Rebuilding Broken Places NPO	13,616.00
10/16/2023	Resurfacing Project FY24	154,700.00
	<b>Current Year Appropriations</b>	<b>\$ 3,850,640.43</b>
11/6/2023	Housing Authority of Goldsboro - fund Tsunami cameras	\$ 63,016.00
11/6/2023	Chiller for City Hall	391,300.00
11/6/2023	HVAC replacement at Goldsboro Event Center	19,900.00
	<b>Proposed</b>	<b>\$ 474,216.00</b>
	<b>Current Year with Proposed</b>	<b>\$ 4,324,856.43</b>

**Shared Services & Transfers (8101) Utility Fund**

In order to close out the capital project S1103 Sewer Rehabilitation Project E-SRP-W-17-0110, it is necessary to transfer \$24,097 to cover engineering costs that were not eligible to be drawn against the SRP loan. This will be funded with an appropriation of fund balance in the Utility Fund.

**Analysis of Appropriated Fund Balance – Utility Fund**

Date	Description	Adopted
6-20-2023	Ord 2023-43 FY23-24 Adopted Budget	\$ -
6-7-2023	FY22-23 Purchase Order Reverses	2911,751.36
10-2-2023	Additional appropriation for Lead & Copper Inventory Project	55,060.00
10-16-2023	Change order Sand Filter #2 Rebuild Project	49,400.00
	Current Year Appropriations	<u>\$ 3,016,211.36</u>
11-6-2023	Transfer to S1103 Sewer Rehabilitation Project E-SRP-W-17-0110	\$ 24,097.00
	Proposed	<u>\$ 24,097.00</u>
	Current Year with Proposed	<u>\$ 3,040,308.36</u>

**RECOMMENDATION:** It is recommended that the City Council, by motion:

1. Adopt the attached ordinance to amend the FY23-24 Operating Budget for the General Fund and Utility Fund.

Date: 10/30/23

  
Catherine F. Gwynn, Finance Director

Date: 11/2/23

  
Timothy M. Salmon, City Manager

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE  
CITY OF GOLDSBORO FOR THE 2023-24 FISCAL YEAR**

WHEREAS, the City Council of the City of Goldsboro adopted the FY2023-24 Annual Operating Budget on June 20, 2023; and

WHEREAS, amendments may become necessary as circumstances arise, and it is necessary to amend the General Fund and Utility Fund; and

WHEREAS, it is necessary to appropriate funds in the Agency Support division in the General Fund to fund the cost of 32 Tsunami cameras and 2 license plate readers on Housing Authority properties at West Haven, Fairview, Lincoln, and Park Court, and this will be funded with an appropriation of payment in lieu of tax (PILOT) revenue and an appropriation of fund balance in the General Fund; and

WHEREAS, it is necessary to appropriate funds in the Non-Recurring Capital Outlay division in the General Fund to fund the replacement of the chiller at City Hall, and this will be funded with an appropriation of fund balance in the General Fund; and

WHEREAS, it is necessary to appropriate funds in the Goldsboro Event Center division of Parks and Recreation in the General Fund to fund the replacement of the heating and cooling system at the Goldsboro Event Center, and this will be funded with an appropriation of fund balance in the General Fund; and

WHEREAS, it is necessary to appropriate funds in the Transfers division of the Utility Fund to fund a transfer to the capital project Sewer Rehabilitation Project E-SRP-W-17-0110 (\$1103) to fund engineering costs not eligible to be drawn against the SRP loan, and this will be funded with an appropriation of fund balance in the General Fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the General Fund and Utility Fund be amended as follows:

Section 1: To amend the General Fund, the expenditure appropriations are to be changed as follows:

<b>GENERAL FUND</b>	<b>Current</b>	<b>Amended</b>	<b>Difference</b>
<b><u>Goldsboro Events Center (1020)</u></b>			
FY23-24 Amended Adopted Budget 6/20/23	\$ 264,428.55	\$ 264,428.55	\$ -
HVAC		19,900.00	19,900.00
<b>Total Expend. - Goldsboro Events Ctr.</b>	<b>\$ 264,428.55</b>	<b>\$ 284,328.55</b>	<b>\$ 19,900.00</b>
<b><u>Organizational Support (7310)</u></b>			
FY23-24 Amended Adopted Budget 6/20/23	\$ 486,745.00	\$ 486,745.00	\$ -
Agency Support-Housing Authority City of Goldsboro		95,200.00	95,200.00
<b>Total Expend.-Agency Support</b>	<b>\$ 486,745.00</b>	<b>\$ 581,945.00</b>	<b>\$ 95,200.00</b>
<b><u>Non-Recurring Capital Outlay (7315)</u></b>			
FY23-24 Amended Adopted Budget 6/20/23	\$ 482,593.00	\$ 482,593.00	\$ -
HVAC Chiller City Hall		391,300.00	391,300.00
<b>Total Expend. - Non-Recurring Cap. Out.</b>	<b>\$ 482,593.00</b>	<b>\$ 873,893.00</b>	<b>\$ 391,300.00</b>
<b>All Other Expenditures</b>	<b>\$ 50,751,206.68</b>	<b>\$ 50,751,206.68</b>	<b>\$ -</b>
<b>Total Expenditures - General Fund</b>	<b>\$ 51,984,973.23</b>	<b>\$ 52,491,373.23</b>	<b>\$ 506,400.00</b>

Section 2: To amend the General Fund, the estimated revenues are to be changed as follows:

<b><u>Revenues</u></b>			
Tax Revenues	\$ 19,335,688.00	\$ 19,335,688.00	
Licenses and Permits	422,350.00	422,350.00	
Revenue from Other Agencies	16,395,317.00	16,427,501.00	32,184.00
Charges for Services	6,110,922.00	6,110,922.00	
Capital Returns	2,119,941.80	2,119,941.80	
Miscellaneous Revenue	59,700.00	59,700.00	
Shared Services	3,690,414.00	3,690,414.00	
Appropriated Fund Balance	3,850,640.43	4,324,856.43	474,216.00
<b>Total Revenues - General Fund</b>	<b>\$ 51,984,973.23</b>	<b>\$ 52,491,373.23</b>	<b>\$ 506,400.00</b>



Section 3: To amend the Utility Fund, the expenditure appropriations are to be changed as follows:

<b>UTILITY FUND</b>				
	<u>Current</u>	<u>Amended</u>	<u>Difference</u>	
<b><u>Transfers (8101)</u></b>				
FY23-24 Amended Adopted Budget 6/20/23	\$ 4,402,705.49	\$ 4,402,705.49	\$ -	
Transfers to Capital Projects	2,037,500.00	2,061,597.00	24,097.00	
<b>Total Expend. - Transfers</b>	<b>\$ 6,440,205.49</b>	<b>\$ 6,464,302.49</b>	<b>\$ 24,097.00</b>	
<b>All Other Expenditures</b>	<b>\$ 20,435,598.87</b>	<b>\$ 20,435,598.87</b>	<b>\$ -</b>	
<b>Total Expenditures - Utility Fund</b>	<b>\$ 26,875,804.36</b>	<b>\$ 26,899,901.36</b>	<b>\$ 24,097.00</b>	

Section 4: To amend the Utility Fund, the estimated revenues are to be changed as follows:

<b><u>Revenues</u></b>				
Revenue from Other Agencies	\$ -	\$ -		
Charges for Services	23,040,600.00	23,040,600.00		
Capital Returns	201,921.00	201,921.00		
Miscellaneous Revenue	517,072.00	517,072.00		
Shared Services & Transfers	100,000.00	100,000.00		
Fund Balance	3,016,211.36	3,040,308.36	24,097.00	
<b>Total Revenues - Utility Fund</b>	<b>\$ 26,875,804.36</b>	<b>\$ 26,899,901.36</b>	<b>\$ 24,097.00</b>	

Section 5: Copies of this budget amendment shall be furnished to the City Clerk of the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

This Ordinance shall be in full force and effect from and after this 6<sup>th</sup> day of November, 2023.

  
David Ham, Mayor

ATTEST:

  
Holly Jones, Deputy City Clerk



ITEM: N

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

**SUBJECT:** Ordinance amending the Sewer Rehabilitation Project E-SRP-W-17-0110 Project (S1103).


**BACKGROUND:** The City of Goldsboro recognized the need to rehabilitate sewer lines in the areas of the Big Ditch Outfall, Carolina Street and Cherry Hospital area. The project encompassed the sewer line rehab of 3,370 LF of 8-inch, 12-inch, and 36-inch gravity sewer and included rehab of 15 manholes and replacement of 25 services. The City received the Letter of Intent from the NC Department of Environmental Quality on March 1, 2018 to fund a State Reserve Loan Program. City Council accepted the loan and created the capital project ordinance at the July 15, 2019 meeting. The maximum loan amount was \$1,235,100 at an interest rate of 1.82% over 20 years.

**DISCUSSION:** At this time the project has been completed, and the City has received all eligible loan draws on the project. Total eligible project costs totaled \$682,191, and represents to total loan amount. The City is responsible for the balance of costs not eligible to be drawn on the loan totaling \$24,097. This will be funded with a transfer from the Utility Fund. This project will also be closed once the final sales and use tax reimbursement is received in December.


**RECOMMENDATION:** It is recommended that the City Council adopt:

1. Adopt the attached Ordinance to amend the capital project fund ordinance for the Sewer Rehabilitation SRP-W-17-0110 Project (S1103).

Date: 10/29/23

  
Catherine F. Gwynn, Finance Director

Date: 10/30/23

  
Timothy M. Salmon, City Manager

ORDINANCE NO. 2023- 64

AN ORDINANCE AMENDING THE GRANT PROJECT FUND FOR THE  
SEWER REHABILITATION SRP-W-17-0110 PROJECT (\$1103)

WHEREAS, the City of Goldsboro owns and maintains infrastructure for the treatment of wastewater to provide sanitary sewer to its citizens and customers; and

WHEREAS, the City applied for and was awarded a loan from the North Carolina State Reserve Loan Fund on March 1, 2018 for construction that included major repairs to 670 LF of 36-inch gravity sewer at the Big Ditch, 2,200 LF of 8-inch gravity sewer at Carolina Street, and 500 LF of 12-inch gravity sewer at Cherry Hospital; and

WHEREAS, City Council authorized the establishment of a capital project fund on July 15, 2019 to account for the expenditures for the engineering, construction and loan closing costs associated with the Project which were funded with an appropriation of loan revenue from the State Reserve Loan Program, and a transfer from the Utility fund; and

WHEREAS, it is necessary to fund engineering costs that were not eligible costs under the loan, and this will be funded with a reduction of loan costs and a transfer from the Utility Fund; and

WHEREAS, since the project has now been completed and all loan draws have been reimbursed, it is necessary to reduce remaining budget amounts to the actual costs to close the line items of the project.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro the following Capital Project Ordinance for the Sewer Rehabilitation SRP-W-17-0110 is hereby amended:

Section 1: The following amounts are appropriated for the Project:

Sewer Rehabilitation SRP-W-17-0110 (\$1103)


	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Increase (Decrease)</u>
Revenues:			
State Reserve Loan Program	\$ 1,235,100.00	\$ 682,191.00	\$ (552,909.00)
Transfer from Utility Fund	24,702.00	48,799.00	24,097.00
Total Revenues	<u>\$ 1,259,802.00</u>	<u>\$ 730,990.00</u>	<u>\$ (528,812.00)</u>
Expenditures:			
Engineering	\$ 211,000.00	\$ 167,296.00	\$ (43,704.00)
Construction - Water Improvements	1,024,100.00	550,512.00	(473,588.00)
Loan Expense	24,702.00	13,182.00	(11,520.00)
Total Expenditures	<u>\$ 1,259,802.00</u>	<u>\$ 730,990.00</u>	<u>\$ (528,812.00)</u>


Section 2: The project fund will be closed upon final receipt of sales and use tax reimbursement.

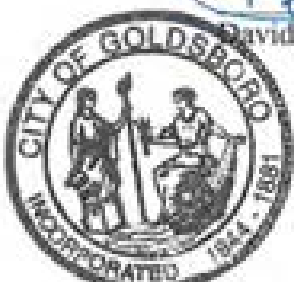
Section 3: Copies of this Capital Project Ordinance shall be furnished by the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for direction in closing out the Project.

This Ordinance shall be in full force and effect from and after the 6<sup>th</sup> day of November, 2023.

ATTEST:

  
Holly Jones, Deputy City Clerk

  
David Ham, Mayor



CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** Award contract for audit services for fiscal year ending June 30, 2023 to Forvis, LLP.

**BACKGROUND:** G.S. §159-34, Annual independent audit, requires each local government to have its accounts audited as soon as possible after the close of each fiscal year by a certified public accountant. The auditor shall be selected by, and shall report directly to the governing board.

**DISCUSSION:** In May, 2019 the City conducted a request for qualifications and a request for proposal for audit services for fiscal year ending June 30, 2019, and selected Dixon Hughes Goodman, LLP.

The cost of the audit for the prior fiscal years per the proposal:

Fy2020	\$53,200
Fy2021	\$54,500
Fy2022	\$55,800

The estimated cost for FY2023 is \$70,000. The complexity of the City's operations including multiple new grant funding sources, as well as the overall increase in costs due to inflation have necessitated the increase in the base fee. If we are not able to garner savings from lapsed expenditures in other line items in the department budget, then we will bring back a budget amendment before the end of the fiscal year to appropriate additional funds.

Dixon, Hughes, Goodman, LLP merged with BKD CPAs to form Forvis, LLP on June 1, 2022. Forvis (the firm) is active and in good standing with the North Carolina State Board of Certified Public Accountant Examiners. The partner in charge, John Frank, CPA, is also in active good standing with the same as a Certified Public Accountant. They have a current peer review and have provided insurance information, Form W9 and e-verify compliance.

Once approved by City Council, the contract will be executed and sent to the Local Government Commission for final approval before any field work can commence on the FY23 audit.

**RECOMMENDATION:** It is recommended that the City Council, by motion:

- I. Adopt attached resolution authorizing the award for contract for audit services for fiscal year ending June 30, 2023 to Forvis, LLP.

Date: 11/01/23

  
Catherine F. Gwynn, Finance Director

Date: 11/2/23

  
Timothy M. Salmon, City Manager

RESOLUTION NO. 2023- 85

**RESOLUTION APPROVING FORVIS, LLP AS OFFICIAL AUDITOR OF THE CITY'S  
ACCOUNTS FOR THE FISCAL YEAR ENDING JUNE 30, 2023**

WHEREAS, North Carolina General Statute §159-34, annual independent audit, requires each local government to have its accounts audited as soon as possible after the close of each fiscal year by a certified public accountant; and

WHEREAS, it is the duty of the Council to select an auditor, and approve the Mayor or his designee, and Finance Officer to enter into a contract for the audit of the City accounts for the fiscal year ending; and

WHEREAS, City staff conducted a competitive request for qualifications and request for proposal process and it has been determined that Forvis, LLP to be the top scoring firm with the required qualifications needed to conduct the City's audit of accounts in a competent and thorough manner; and

WHEREAS, both the firm, Forvis, LLP, and the partner in charge, John Frank, CPA, are both in good standing with the North Carolina Board of Certified Public Accountant Examiners; and

WHEREAS, City staff recommends that the contract to audit the accounts of the City of Goldsboro for the fiscal year ending June 30, 2023 be awarded to Forvis, LLP.

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

1. Forvis, LLP is hereby selected as the auditor for the City of Goldsboro for the fiscal year ending, June 30, 2023.
2. The Mayor and Finance Director and other staff as required are authorized to execute the necessary documents and contracts for the audit of the City accounts.

This Resolution is effective upon its adoption this 6<sup>th</sup> day of November, 2023.

  
David Hath, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk



CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** City of Goldsboro/Downtown Goldsboro 2023 Downtown Lights Up! – Temporary Street Closure

**BACKGROUND:** The Downtown Lights Up! is an annual holiday event held downtown to celebrate the “flipping of the switch”, officially kicking off the holiday season.

**DISCUSSION:** This free, family-friendly event is a community favorite and attracts more than 500 attendees each year. The events will be sponsored by the City of Goldsboro – Downtown Development and is schedule for Tuesday, November 21<sup>st</sup> from 5pm – 8pm. The City of Goldsboro – Downtown Goldsboro is requesting the closure of the 100 and 200 blocks of North and South Center Street. The time of the closure for the 200 block of N. Center Street is from 9am – 8:30pm and the remainder of the closure will be from 4:15pm – 8:30pm.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments are to be involved in the logistical aspects of the Event.

**RECOMMENDATION:** By motion, grant the requested temporary closing of the 100 and 200 blocks of North and South Center Street, excluding the southbound lane of the 200 block of South Center Street/4 spaces of the John Street parking lot. as stated above.

Date: 10-27-23

  
Mike West, Police Chief

Date: 10-29-23

  
Tim Salmon, City Manager

# ADDENDUM # 1

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2023 Downtown Lights UP! - Addendum #1 | October 27, 2023

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The following information is provided to the Goldsboro City Officials and Applicant for the above-named Special Events and shall become a part of the Special Events/Parade/Street Closing Permit Applications submitted by the applicant with all 2023 Downtown Lights UP! Activities. No consideration will be allowed due to any potential applicant not being aware of or familiar with this addendum.

The following revisions supersede the information contained in the original Special Events/Parade/Street Closing Permit Applications and specifications issued for the above name Special Events. This Addendum # 1 contains 2 pages in total.

---

This purpose of this Addendum is to make the following changes/updates:

Changes:

- Adding The HUB in the Requested Event Location.
- Extend the closure to both sides of 200 South Center Street.

Updates:

- Update and change the original/approved location to include The Hub.
- Update and change the original/approved street closures to include both the Southbound and Northbound lanes of the 200 block of South Center Street.

**NO OTHER CHANGES OR UPDATES**

## 2023 Downtown Lights UP! - Addendum #1

City officials who signed the original Special Events/Parade/Street Closing Permit Applications and the Applicant must acknowledge receipt of this addendum in order for a permit to be issued. If the addendum includes any changes to road closures passed by the city council, city council must be informed and agree to the changes.

*Austin Rye*

Austin Rye (Nov 1, 2023 10:58 EDT)

Applicate Signature

Nov 1, 2023

Date

*Michael D. West*

Michael D. West (Oct 30, 2023 07:50 EDT)

Goldsboro Police Department Representative

Oct 30, 2023

Date

*James Farfour*

James Farfour (Oct 27, 2023 09:51 EDT)

Goldsboro Fire Department Representative

Oct 27, 2023

Date

*Eric Fonseca*

Eric Fonseca (Oct 30, 2023 11:54 EDT)

Downtown Goldsboro Representative

Oct 30, 2023

Date

*Richard Fletcher*

Richard Fletcher (Oct 27, 2023 09:12 EDT)

Public Works Department Representative

Oct 27, 2023

Date

*Felicia L. Brown*

Felicia L. Brown (Oct 27, 2023 08:43 EDT)

Parks and Recreation Department Representative

Oct 27, 2023

Date

*Catherine J. Brown*

Finance Director

Oct 27, 2023

Date

*Paul*

City Manager's Signature

Oct 28, 2023

Date

**END OF ADDENDUM**



# CITY OF GOLDSBORO

## SPECIAL EVENTS/PARADE/STREET CLOSING

### PERMIT APPLICATION

**\*\*In the event of a street closing or carnival, an application should be submitted at least 30 days prior to your parade or special event.**

#### I. General Information

**Type of Event:** (please check all that apply)

☐ Parade ☐ Run/Walk ☒ Festival ☐ Street Closure ☐ Carnival ☐ Other (explain): \_\_\_\_\_

**Event Name:** Downtown Lights Up

**Event Date(s):** Tuesday Nov. 21st **Event Website:** \_\_\_\_\_

**Inclement Weather/Rain Date(s):** n/a

**Description of Event** (Please briefly describe the event.)

Downtown Lights Up is an annual holiday event held downtown to celebrate the "flipping of the switch" officially kicking off the holiday season. This free, family-friendly event is a community favorite and attracts more than 500 attendees each year.

**Requested Event Location:** 100 & 200 Blocks of North & South Center Street, excluding southbound lane of 200 S Center Street

**Event Start Time/End Time:** Tuesday Nov. 21st 5pm-8pm

**Set-Up:** Date & Time (start/end): Nov. 21st, 9am (200 block of N Center only, 4:15 remaining closure)

**Dismantle** (Completion): Date & Time (start/end): Tuesday Nov. 21st 8:30pm

**Estimated Daily Attendance:** 5000+

**Will this event require street closures?** ☒ **Yes** ☐ **No** **Closure Times** 9am - 200 Block of N. Center 4:15 pm 100 & 200 Block of S. Center and N. Center

**If yes, please list the streets that you are requesting to be closed:**

100 & 200 Blocks of North & South Center Street, excluding southbound lane of 200 S. Center Street/ 4 spaces of John St. parking lot

#### II. Applicant and Sponsoring Organization Information

**Sponsoring Organization Name:** City of Goldsboro - Downtown Development

Are you a non-profit? ☐ Yes ☒ No If yes, are you: ☐ 501c (3) ☐ 501c (6) ☐ Place of worship

**Applicant Name:** Austin Rye **Title:** Marketing/Admin

**Address:** 116 N. Center Street

**City:** Goldsboro **State:** NC **Zip:** 27530 **Phone:** 919-734-4959

**Cell Phone:** \_\_\_\_\_ **Email:** arye@goldsboronc.gov

**Day of Event Contact:**

Name: Austin Rye Phone: 919-734-4959

**III. Event Map**

*For Run/Walk/Parade/Carnival- FORMATION AREA LOCATION:* \_\_\_\_\_

*For Run/Walk/Parade/Carnivals- STARTING POINT:* \_\_\_\_\_

*For Run/Walk/Parade/Carnival- ENDING POINT:* \_\_\_\_\_

**\*Please provide a detailed map of your event, including race/walk/parade route(s), stage(s), inflatables, rides, booths, tents, parking, etc. (Please attach additional pages as needed.)**

**IV. RESTROOMS & SITE CLEANUP (Bathroom facilities are required for events lasting longer than two hours and must be ADA compliant.)**

**One Port-A-Jon is recommended per 100 people, and is based on event duration instead of number of participants.**

How do you plan to handle restroom services? ☐ Portable Toilets ☐ Other

If portable toilets will be provided, please list the name/contact of the company:

Parks Portable Toilets

If no portable toilets will be provided, how will these requirements be handled?

City Receptables

How do you plan to remove garbage and/or recycling? (City receptacles must be requested separately no less than 30 days prior to the event. Contact the Public Works Department at 919-750-7450.)

**V. Event Details:** Please answer the following questions regarding your event.

- ☒ Yes ☐ No Does the event involve the sale of food?  
☐ Yes ☒ No Does the event involve the sale of alcohol?  
If "YES" has the health department been notified?  
➤ For events with food, a letter from the health department must be submitted 30 days prior to the event.  
○ Health Department: (919) 731-1000  
➤ The ABC Permit, issued by the NC ABC Commission, must be submitted to the Goldsboro Police Department prior to the event. The event permit will not be issued until the ABC Permit is submitted.  
○ NC ABC Commission: (919) 779-0700

- ☒ Yes ☐ No Will there be **musical entertainment** at your event?  
If "YES", please provide the following information:

- Amplification? ☒ Yes ☐ No

**Note: Any Live or Loud Music cannot begin prior to 10am, must end by 10pm and is subject to all city noise ordinances, unless approved in advance by the Goldsboro City Council. Please contact the City of Goldsboro Planning Department at 919-580-4333 for questions regarding City Ordinances.**

- ☒ Yes ☐ No Will there be any **tents or canopies** in the proposed event site? If "YES", please provide the following information:

- Approximate Number of tents: 30

- Approximate Sizes: 10x10

- Will any tent exceed 400 sq. feet in area? ☐ Yes ☒ No

**Note: It is the renter's responsibility to contact the Inspections Department to arrange for all tent inspections that are required by City of Goldsboro ordinance. A permit is required when using any type of tent.**

▪ **City of Goldsboro Inspections Department (919) 580-4385**

- ☒ Yes ☐ No Will you require **electrical hook-ups** for this event? (Please note that electrical availability is limited.)

- ☐ Yes ☒ No Will **admission fees** be charged to attend this event?  
If "YES", provide the cost(s) of all tickets: \_\_\_\_\_

- ☒ Yes ☐ No Will **fees be charged to vendors** to participate in this event?  
If "YES", please provide the schedule of fees: 100 - food trucks only

- ☒ Yes ☐ No Applicant has read, in its entirety, the City of Goldsboro Use of City-Owned Property for Special Events Policy. The Policy Regarding the Use of City-Owned Property for Special Events is available at <http://www.goldsboronc.gov/special-events/>.

**\*The temporary closing of a NC Department of Transportation Street would be at the discretion of the NC Department of Transportation.**

**VI. Miscellaneous:**

**Parking:**

- How will overall patron parking be accommodated for this event? Public Parking lots and spaces

**Note: You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.**

## **Special Information and Conditions of receiving a Special Event/Parade Permit:**

### **Insurance:**

General Liability Insurance coverage of at least \$1 million that holds the City and its taxpayers harmless from claims arising out of operation of the event is required. This Proof of insurance or applicable rider **MUST** be attached before submitting. Contact your insurance provider for assistance. If the event requires additional insurance, the Finance Director will notify the Police Department and City Manager's Office. Carnival applicants must provide proof of liability insurance of at least \$5 million. The city must be listed as an additional insured on the Certificate of Insurance and shall be in place at the time such structure is to be occupied or such place of assembly is established for use by the public.

### **Application Fee:**

An application fee of \$100.00 for special events and \$200.00 for parades will be required at the time the application is submitted unless the permit is denied. This non-refundable fee is to be in the form of a check made payable to the City of Goldsboro.

### **Event Cancellation:**

At this time, we do not anticipate canceling any events already permitted, however with ongoing national security concerns and the possible unavailability of city and police resources, this could occur. If this action is necessary, applicants will be given notice in a timely manner. New requests may be denied or adjusted for the same reason.

### **Public Safety:**

The City of Goldsboro reserves the right to require security and medical personnel for your event.

**Police:** The Goldsboro Police Department shall determine the number of police officers needed to appropriately manage security, as well as the time when such services shall commence. The Applicant may be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the City of Goldsboro for the costs of providing on-duty law enforcement officers, to appropriately manage the event. Please contact the City of Goldsboro's Police Department Off-Duty Coordinator at 919-580-4223.

### **Prohibited Items:**

No firearms or illegal drugs are allowed.

### **Policy of Non-Discrimination:**

City facilities are available on a non-discriminatory basis. Appropriate activities need to accommodate individuals regardless of age, sex, race, color, religion, national origin, physical or mental disabilities, affection preference or marital status. The City of Goldsboro does not discriminate on the basis of disability in admission, access, treatment or employment in its programs or activities.

### **Additional Rules Pertaining to Events:**

1. Vehicles will only be in designated parking areas.
2. All animals must be leashed as outlined in COG Code of Ordinances 91.15;91.18.
3. Applicant will respect neighboring property/business owners with respect to noise.
4. Applicant understands that it will not be the responsibility of the Police Department to relocate vehicles parked along any portions of the streets to be closed prior to the event.
5. Applicant is required to ensure the areas used are clean and free of debris. Please note that there will be a cleaning fee charged if the area is not clean.

### **Alcoholic Beverages:**

***(If consumption of alcohol is planned on property for event, the following additional requirements **MUST** be met.)***

1. All necessary ABC permits must be issued by the State and copies are provided with this application.
2. Signs shall be posted and visible at all exit points at the special event stating that it is unlawful to remove alcoholic beverages in opened or sealed containers from the premises.
3. Areas where alcohol will be consumed, served or sold must clearly be defined and delineated on the premises by barricades, caution tape or other acceptable means.
4. All necessary ABC permits must be issued by the State and copies provided with this application. Follow steps outlined at [www.abc.nc.gov/permits](http://www.abc.nc.gov/permits).

5. Off-duty law enforcement officers are required to be on-site if alcohol is present at the event. The number of officers required will be determined by the Goldsboro Police Department.

**\*\* Submitting this Special Event/Parade Permit Application does not provide permission to conduct your planned event. Please do not send out publicity, flyers, or other media prior to receiving confirmation of approval. Your confirmation will be in the form of a Permit, issued to the organization and/or person responsible for conducting the event.**

**\*\*For street closing applications: the Goldsboro Police Department will notify the applicant when the Goldsboro City Council has approved the permit.**

## **Agreement**

I have read and understand this application and the requirements placed upon this applicant and organization. I agree to abide by the City of Goldsboro rules, regulations and ordinances should my permit application be approved. I will fulfill the requirements placed upon this permit application.

Authorized Signature: Austin Rye Date: 10/16/2023

Organization: City of Goldsboro - Downtown Development

**Please return this application and all supporting documentation by email, mail or in person to:**

Goldsboro Police Department  
Community Police Services  
204 S. Center Street  
Goldsboro, NC 27530  
spowers@goldsboronc.gov

CANCELLATION POLICY: Written notification of intent to cancel your event must be received in writing a minimum of 21 days prior to the scheduled event date to Sgt. Steven Powers at [spowers@goldsboronc.gov](mailto:spowers@goldsboronc.gov).

### **For Inner Office Use Only:**

Michael D. West  
Michael D. West (Oct 18, 2023 11:34 EDT)  
Goldsboro Police Department Representative

Austin Rye  
Downtown Goldsboro Representative

Richard Fletcher  
Richard Fletcher (Oct 18, 2023 12:31 EDT)  
Public Works Department Representative

Felicia L. Brown  
Felicia L. Brown (Oct 19, 2023 11:32 EDT)  
Parks and Recreation Department Representative

Colleen H. Brown  
Finance Director

Dee  
City Manager's Signature  
(Use of City Owned Lots/Non-Street Closings and Carnivals)

Oct 18, 2023

Date

10/16/2023

Date

Oct 18, 2023

Date

Oct 19, 2023

Date

Oct 19, 2023

Date

Oct 19, 2023

Date

James Farfour  
James Farfour (Oct 18, 2023 11:39 EDT)  
Deputy Fire Chief



## Special Event Release of Liability Waiver

The undersigned person is applying for Use of City-Owned Property for Special Event on behalf of COG Downtown Development from the City of Goldsboro and hereby agrees to indemnify and hold the City of Goldsboro, its officers, agents and employees harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the City, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the city's property.

This the 16 day of October, 2023.

*Austin Rye*

(SEAL)

(Applicant & Authorized Representative of Event)

**This form must be completed, signed and returned with the completed application.**

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** Accepting the Distribution of Trusts and Establishing a Perpetual Care Fund for Cemetery Trusts

**BACKGROUND:** Fox Rothschild LLP represents financial institutions that currently serve as trustees for trusts that were created for the benefit of cemetery plots. They are seeking court approval to terminate these trusts and distribute the assets to the respective interested party or parties (i.e., cemeteries and/or charities).

**DISCUSSION:** Specific to the City of Goldsboro, a trust was set up in 1967/68 for Simon M. Rosenfeld for the care and maintenance of Simon M. Rosenfeld's and Sadie E. Rosenfeld's graves in Willowdale Cemetery and the care and maintenance of the Rosenfeld Plot in Oakland Cemetery in Atlanta, GA. The trust has \$36,210.47, plus \$70,000 in accumulated income, to disperse equally to Willowdale Cemetery and Oakland Cemetery. The gains/interest on the funds can only be expended for the care and maintenance of the Rosenfeld plots.

The Finance Department is requesting that Council authorize the finance director to establish a perpetual care trust fund for cemetery trusts.

**RECOMMENDATION:** It is recommended that Council adopt the attached resolution accepting the distribution of trust assets for Simon M. Rosenfeld's and Sadie E. Rosenfeld's graves in Willowdale Cemetery and authorize the city attorney to complete the petition to terminate the trusts.

Date: 11-2-23

  
\_\_\_\_\_  
Ron Lawrence, City Attorney

Date: 11/2/23

  
\_\_\_\_\_  
Timothy Salmon, City Manager

RESOLUTION NO. 2023 - 86

RESOLUTION ACCEPTING THE DISTRIBUTION OF TRUST ASSETS FOR  
SIMON M. ROSENFELD'S AND SADIE E. ROSENFELD'S GRAVES IN  
WILLOWDALE CEMETERY

WHEREAS, Fox Rothschild LLP represents financial institutions that currently serve as trustees for trusts that were created for the benefit of cemetery plots. They are seeking court approval to terminate these trusts and distribute the assets to the respective interested party or parties; and

WHEREAS, a trust was set up in 1967/68 for Simon M. Rosenfeld for the care and maintenance of Simon M. Rosenfeld's and Sadie E. Rosenfeld's graves in Willowdale Cemetery and the care and maintenance of the Rosenfeld Plot in Oakland Cemetery in Atlanta, GA. The trust has \$36,210.47, plus \$70,000 in accumulated income, to disperse equally to Willowdale Cemetery and Oakland Cemetery. The gains/interest on the funds can only be expended for the care and maintenance of the Rosenfeld plots; and

WHEREAS, the Finance Department is requesting that Council authorize the Finance Director to establish a perpetual care trust fund for cemetery trusts,

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

1. The city attorney is authorized to complete the petition and necessary paperwork to terminate the trust for Simon M. Rosenfeld for the care and maintenance of Simon M. Rosenfeld's and Sadie E. Rosenfeld's graves in Willowdale Cemetery.
2. This resolution shall be in full force and effect from and after this 6<sup>th</sup> day of November, 2023.

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk





CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
NOVEMBER 6, 2023 COUNCIL MEETING

**SUBJECT:** Resolution of Support to Reduce the Speed Limit for a Section of Throughfare Road (SR 1712)

**BACKGROUND:** Citizens that live on Throughfare Road have attended Council meetings to discuss the dangers of speeding on Throughfare Road. Goldsboro Police Department has performed speed enforcement measures to curtail speeding.

**DISCUSSION:** The City Manager's office has reached out to the North Carolina Department of Transportation in hopes of reducing the speed limit from 45 mph to 35 mph on Throughfare Road (SR 1712). Subsequently, NCDOT has requested a formal resolution of support be adopted by the City Council requesting the reduction from 45 mph to 35 mph from the railroad tracks on Throughfare Road (SR 1712) to Central Heights Road (SR 1709).

**RECOMMENDATION:** It is recommended that Council adopt the attached resolution requesting NCDOT reduce the 45-mph speed limit to 35-mph from the railroad tracks on Throughfare Road (SR 1712) to Central Heights Road (SR 1712).

Date: 27 Oct 23

  
Matt Livingston, Assistant City Manager

Date: 28 Oct 23

  
Tim Salmon, City Manager

RESOLUTION NO. 2023 - 87

RESOLUTION REQUESTING A REDUCTION OF SPEED LIMIT  
BY THE NC DEPARTMENT OF TRANSPORTATION FOR  
A SECTION OF THROUGHFARE ROAD (SR 1712)

WHEREAS, there are approximately 64 miles of streets within the Goldsboro city limits that are on the North Carolina Department of Transportation's Highway System; and

WHEREAS, due to the number of residential properties and issues with speeding along Throughfare Road (SR 1712), the Goldsboro City Council requests the North Carolina Department of Transportation to consider a reduction of the speed limit from the railroad tracks on Throughfare Road (SR 1712) to Central Heights Road (SR 1709) from 45 mph to 35 mph; and

WHEREAS, prior to considering this action, the North Carolina Department of Transportation requests that the City of Goldsboro adopt a resolution of support requesting a reduction of the speed limit for this section of Throughfare Road (SR 1712).

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

1. The Council requests a reduction of the speed limit from the railroad tracks on Throughfare Road (SR1712) to Central Heights Road (SR 1709) from 45 mph to 35 mph.
2. This resolution shall be in full force and effect from and after this 6<sup>th</sup> day of November, 2023.

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk



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

**SUBJECT:** Resolution to Accept Strategic Buyout Properties

**BACKGROUND:** On March 18, 2020, the City of Goldsboro entered into a Cooperative Agreement between the North Carolina Department of Public Safety, Office of Recovery and Resiliency (NCORR) to assist in carrying out the ReBuild NC Buyout Program by accepting ownership of buyout properties and thereby mitigate disaster risks and reduce future losses.


**DISCUSSION:** Pursuant to the NCORR Buyout Program, the City of Goldsboro will accept approved property per Appendix A in the "Cooperative Agreement" previously approved by the Goldsboro City Council.

**REQUIRED ACTION:** It is recommended that Council adopt the attached resolution accepting the Strategic Buyout Program Properties and authorize the City manager to accept properties as identified by the ReBuild NC Buyout Program as listed in Appendix A in the "Cooperative Agreement".

Date:

11/2/23  
Matthew Livingston, Assistant City Manager

Date:

11/2/23  
Timothy Salmon, City Manager

RESOLUTION NO. 2023 - 88

**RESOLUTION TO ACCEPT STRATEGIC BUYOUT PROGRAM PROPERTIES**

**WHEREAS**, on March 18, 2020, the City of Goldsboro entered into a "Cooperative Agreement" with the North Carolina Department of Public Safety, Office of Recovery and Resiliency (NCORR) to participate in the North Carolina CDBG Buyout Program (Buyout Program); and

**WHEREAS**, the purpose of this program is to mitigate disaster risks and reduce future losses due to natural disasters; and

**WHEREAS**, pursuant to the Buyout Program, the City of Goldsboro will accept applications from property owners to purchase said property owners' properties pursuant to the terms of the "Cooperative Agreement" previously approved by the Goldsboro City Council; and

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

1. Pursuant to the March 18, 2020 Agreement, Council hereby authorizes the City Manager to accept properties as identified by the ReBuild NC Buyout Program as listed in Appendix A in the "Cooperative Agreement".
2. The City Attorney shall be the authorized city representative at the property closing and shall be authorized to sign all closing documents.

This Resolution shall be in full force and effect from and after November 6, 2023.

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk



**COOPERATIVE AGREEMENT  
BETWEEN  
THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF  
RECOVERY AND RESILIENCY  
AND  
THE CITY OF GOLDSBORO  
FOR THE  
NORTH CAROLINA CDBG BUYOUT PROGRAM**

THIS COOPERATIVE AGREEMENT is entered into this 16<sup>th</sup> day of March, 2020 by and between the North Carolina Department of Public Safety, Office of Recovery and Resiliency (the "Grantee" or "NCORR") and the City of Goldsboro ("City of Goldsboro" or "Municipality"), a municipal corporation organized and existing pursuant to the laws of the State of North Carolina.

**I. RECITALS**

WHEREAS, on October 8-9, 2016, Hurricane Matthew hit central and eastern North Carolina with record-breaking rainfall that created 1,000-year flood events that devastated the people, infrastructure, businesses, and schools of entire communities; and

WHEREAS, certain buildings, facilities, personal items, and equipment owned or rented by residents in the county and city were damaged by floodwaters associated with Hurricane Matthew; and

WHEREAS, on October 9, 2016, an expedited major disaster declaration from the President of the United States was requested and was granted on October 10, 2016 as FEMA-4285-DR-NC, allowing North Carolina to receive federal aid in the form of individual and public assistance for citizens and local governments; and

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") has allocated Community Development Block Grant Disaster Recovery funds ("CDBG-DR") to the State of North Carolina ("State") under the Further Continuing and Security Assistance Appropriations Act of 2017 (Public Law 114-234) and the Consolidated Appropriations Act of 2017 (Public Law 115-31) for the purpose of assisting recovery in the most impacted and distressed areas declared a major disaster due to Hurricane Matthew; and

WHEREAS, on September 7, 2018, Hurricane Florence hit central and eastern North Carolina with record-breaking rainfall that created 1,000-year flood events that further devastated the people, infrastructure, businesses, and schools of new and previously impacted communities; and

WHEREAS, certain buildings, facilities, personal items, and equipment owned or rented by residents in the county and city were damaged by floodwaters associated with Hurricane Florence; and

WHEREAS, on September 14, 2018, the President of the United States granted a Major Disaster Declaration in response to Hurricane Florence as FEMA-4393-DR-NC, allowing North Carolina to receive federal aid in the form of individual and public assistance for citizens and local governments; and

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") has allocated Community Development Block Grant Disaster Recovery funds ("CDBG-DR") to the State of North Carolina ("State") under the FAA Reauthorization Act of 2018 (Public Law 115-254) and the Additional Supplemental Appropriations for Disaster Relief Act of 2019 (Public Law 116-20) for the purpose of assisting recovery in the most impacted and distressed areas declared a major disaster due to Hurricane Florence; and

WHEREAS, on July 1, 2019, HUD certified NCORR as the grantee for the State's CDBG-DR program; and

WHEREAS, pursuant to 82 Fed. Reg. 5591 (Jan. 18, 2017) and 82 Fed. Reg. 36812 (Aug. 7, 2017), the State has received an allocation of Hurricane Matthew CDBG-DR funds from HUD in the amount of \$236,529,000; and

WHEREAS, pursuant to 84 Fed. Reg. 45838 (Aug. 30, 2019) the State expects to receive an allocation of CDBG-Mitigation ("CDBG-MIT") funds from HUD in the amount of \$168,067,000; and

WHEREAS, NCORR has designated an initial \$25,000,000 of the allocation from these funds for use by the North Carolina CDBG Buyout Program ("ReBuild NC Buyout Program" or "Buyout Program") to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses, and to meet remaining unmet recovery needs caused by federally declared disasters, including Hurricanes Matthew and Florence, that were not met through FEMA, private insurance proceeds, loans, or other funding sources in at-risk locations; and

WHEREAS, City of Goldsboro will assist NCORR in carrying out the ReBuild NC Buyout Program by accepting ownership of buyout properties ("Properties" or "Property") from program applicants ("Applicants") pursuant to this Cooperative Agreement (the "Agreement"); and

WHEREAS, the Parties desire to enter into this Agreement and intend to be bound by its terms; and

WHEREAS, City of Goldsboro has legal authority to enter into this Agreement, and by signing this Agreement assures NCORR that it will comply with all requirements of the Agreement as described herein; and

WHEREAS, this Agreement constitutes the entire agreement between the Parties, superseding all prior oral and written statements or agreements regarding the ReBuild NC Buyout Program between NCORR and City of Goldsboro.

NOW, THEREFORE, in consideration of the need for recovery from damage caused by Hurricanes Matthew and Florence, to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses, and the premises and mutual covenants described herein, the parties mutually agree to the terms described in this Agreement.

## **II. BACKGROUND**

NCORR received funds from HUD for the purpose of ensuring that individuals residing in storm-impacted communities or are located in a floodway or floodplain may live in safe, sanitary housing. The ReBuild NC Buyout Program helps achieve that goal in a manner that benefits low and moderate income persons or that meets a particularly urgent need, as defined by HUD. The Parties hereby enter into this Agreement for the purpose of facilitating the ReBuild NC Buyout Program. NCORR has consulted with City of Goldsboro regarding NCORR's plan to initiate the Buyout Program within City of Goldsboro's jurisdiction. City of Goldsboro, by accepting the terms and conditions of this Agreement, is a partner in ensuring the successful administration and completion of the Buyout Program within City of Goldsboro.

The Parties agree to abide by the program requirements as outlined in the current action plans and ReBuild NC Buyout Manual, available at <https://www.rebuild.nc.gov/cdbg-dr-reporting-and-compliance>. The contents of each action plan, as well as the ReBuild NC Buyout Manual are hereby incorporated into this Agreement and made a part hereof. Any amendments to these documents will be automatically incorporated into this Agreement.

### **2.1 Direct Implementation.**

NCORR, as state Grantee for the CDBG-DR and CDBG-MIT Programs, is directly implementing and administering the ReBuild NC Buyout Program. NCORR will utilize CDBG-DR and/or CDBG-MIT funds to cover costs and payments related to NCORR's implementation of the ReBuild NC Buyout Program. This notwithstanding, certain eligible de minimis payments or other costs borne by City of Goldsboro, which are associated with the ReBuild NC Buyout Program, may be considered for reimbursement by NCORR, if necessary for City of Goldsboro's compliance with the terms of this Agreement and NCORR's administration of the ReBuild NC Buyout Program. These costs will be reimbursed at the sole discretion of NCORR, and City of Goldsboro should notify NCORR, in writing, before expending any funds that it may seek to have reimbursed.

The Parties agree that this Agreement and the transfer of Properties made pursuant to the terms of this Agreement is not a subaward of federal grant funds and that City of Goldsboro is not serving as and will not be considered a Recipient or Subrecipient—as defined by HUD and 2 C.F.R. 200.93—of federal funds.

### **2.2 Maintenance of the Property.**

City of Goldsboro agrees to assume full responsibility for ongoing maintenance of the Property after closing and transfer of the Property from Applicants to City of Goldsboro; NCORR shall in

no way be held liable or responsible for any costs associated with the Property after closing and transfer of the Property, beyond what may be provided pursuant to the terms of this Agreement.

### **III. ACCEPTANCE OF PROPERTIES**

NCORR must expend considerable program funds in order to progress an applicant through the various stages of the ReBuild NC Buyout Program, from applicant intake to property closing and transfer of Properties to City of Goldsboro. In light of the considerable financial obligations associated with NCORR's efforts to progress applicants through the program, it is vital that City of Goldsboro fully commit to accepting ownership of all Properties targeted by the ReBuild NC Buyout Program that are within the jurisdiction of City of Goldsboro.

City of Goldsboro covenants and agrees to accept all Properties identified and referred to it by NCORR and its Agents as part of this cooperative agreement and subject to the conditions of the ReBuild NC Buyout Program, including the ReBuild NC Buyout Manual. A preliminary list of Properties targeted within the jurisdiction of City of Goldsboro is included in Appendix A, which will be updated if and when the targeted Properties change, and will ultimately include a comprehensive list of properties that City of Goldsboro will acquire ownership of through City of Goldsboro's participation in the ReBuild NC Buyout Program. The contents of Appendix A attached hereto are hereby incorporated into this Agreement and made a part hereof. Any changes to Appendix A will be automatically incorporated into this Agreement.

City of Goldsboro shall take all measures necessary for acceptance of Properties. This includes, but is not limited to: (i) taking all measures for authorized acceptance of the Property, including board approval if required; (ii) providing a duly authorized representative of City of Goldsboro to be available at the closing of each Property; (iii) after the closing of each property, and after Property deed has been reviewed and approved by NCORR, ensuring that Property deed is duly recorded, with required restrictive covenants, at the Office of the Register of Deeds in the County where the Property is located; (iv) ensuring that City of Goldsboro's acceptance of Property is consistent with City of Goldsboro ordinances and area planned actions; (v) notifying NCORR before executing this Agreement if City of Goldsboro anticipates or is aware of any potential or existing issues or concerns that may delay or hinder City of Goldsboro's acceptance of the Properties; and (vi) obtaining and assisting NCORR in obtaining required permits, licenses, and other authorization necessary for proper purchase and demolition of Property and to perform environmental remediation work.

NCORR or its Agents will notify City of Goldsboro regarding closing requirements, Properties identified for participation in the Program, and to schedule closings via electronic communication to City of Goldsboro Point of Contact.

### **IV. RIGHT OF ENTRY.**

After such time that Properties are conveyed from Applicants to City of Goldsboro, and subject to the terms and conditions of this agreement, City of Goldsboro grants NCORR and its employees, agents, contractors, consultants, and related parties (collectively "Agents") an



unconditional right of access and entry to the Property to perform surveys, inspections, appraisals, environmental sampling, and such other tests, studies, and investigations as NCORR and Agents deem necessary or desirable to evaluate the Property or as may be required by applicable laws, regulations or codes. Furthermore, City of Goldsboro grants NCORR and Agents an unconditional right of access and entry to the Property to perform any necessary demolition and/or environmental remediation work on the Property, as determined by and at the sole discretion of NCORR and Agents.

After such time that Property is conveyed to City of Goldsboro, NCORR will secure and demolish all existing structures located on Property. This shall include, but is not limited to, all work necessary to convert Property to green space.

## **V. USE RESTRICTIONS**

### **5.1 Terms.**

Pursuant to the terms of the ReBuild NC Buyout Program statutory authorities, Federal program requirements, and the restrictive covenants included in the deed conveying Property from Applicant to City of Goldsboro, the following conditions and restrictions shall apply in perpetuity to the Property acquired by City of Goldsboro pursuant to applicable HUD program requirements concerning the acquisition of property for use as open space:

#### **a. Compatible uses.**

Property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, natural floodplain functions, other ecosystem restoration, or wetlands management practices. Such uses may include: outdoor recreational activities; nature reserves; cultivation; grazing; unimproved, unpaved parking lots; buffer zones; and other uses consistent with CDBG-DR guidance for open space acquisition.

#### **b. Structures.**

No new structures or improvements shall be erected on Property other than:

- i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;
- ii. A public rest room; or
- iii. A flood control structure that does not negatively impact the natural function of the floodplain.

No new structures or improvements shall be erected on Property without the prior, written consent of NCORR, its successors or other entity as designated by NCORR or the State of North Carolina. Any improvements on the Property shall be in accordance with proper floodplain management policies and practices and shall comply with all State, Local, and Federal laws and regulations.

#### **c. Disaster Assistance and Flood Insurance.**

No Federal entity or source may provide disaster assistance for any purpose with respect to Property, nor may any application for such assistance be made to any Federal entity or source. Property is not eligible for coverage under the NFIP for damage to structures on Property occurring after the date of closing, except for pre-existing structures being relocated off the property as a result of the project.

**d. Transfer.**

City of Goldsboro, including successors in interest, shall convey any interest in Property only if NCORR, its successor, or other entity as designated by the State of North Carolina, gives prior written approval of the transfer and transferee in accordance with this paragraph.

- i. The request by City of Goldsboro to NCORR must include a signed statement from the proposed transferee stating that it acknowledges and agrees to be bound by the terms of this section. If conveying to a qualified conservation organization, transferee must provide documentation of its status as such.
- ii. City of Goldsboro may convey a property interest in Property only to a public entity or other qualified organization whose use of Property will be compatible with the use requirements in this section. City of Goldsboro may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in this section, with the prior approval of NCORR, its successor, or other entity as designated by the State of North Carolina so long as the conveyance does not include the authority to control and enforce the terms and conditions of this section.
- iii. If title to Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a conservation easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:
  - a) City of Goldsboro shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or
  - b) At the time of title transfer, City of Goldsboro shall retain such conservation easement, and record it with the deed.
- iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the terms and conditions in this section and must incorporate a provision for the property to revert to City of Goldsboro in the event that the transferee ceases to exist or loses its eligible status under this section.

- iv. City of Goldsboro shall be responsible in perpetuity for monitoring the compliance with and enforcement of all terms in this Agreement, as well as in the restrictive covenant(s) governing Property.

## **5.2 Program Income.**

It is the intention of the parties that City of Goldsboro and its successors or transferees will not undertake any activity on or through the use of the Property that may generate program income without prior written consent from NCORR, its successors, or other entity as designated by NCORR or the State of North Carolina. Program income includes, but is not limited to, gross income received by a State, a unit of general local government, a tribe, or a subgrantee of the unit of general local government that was generated from the use of CDBG-DR or CDBG-MIT funds, regardless of when the funds were appropriated and whether the activity has been closed out, except in certain limited circumstances. City of Goldsboro should refer to 24 CFR 570.489(e) and 81 Fed. Reg. 83254, 83265-66 for further guidance on program income.

## **5.3 Enforcement.**

NCORR will enforce the terms of this Agreement through deed restrictions or other available legal remedies pursuant to the laws of North Carolina.

To the extent permitted by law, NCORR, and its successors and assigns, shall have the exclusive right to designate, assign, or transfer ownership of any and all Properties conveyed through this Agreement to an entity designated by NCORR in the event that City of Goldsboro fails to adhere to the terms of this Agreement or ceases to exist. City of Goldsboro shall cooperate with and facilitate the efforts of NCORR, its successor, or the State of North Carolina to transfer Properties to the successor entity.

City of Goldsboro's failure or refusal to accept any Property or Properties pursuant to the terms of this Agreement will be considered a material breach of this Agreement.

City of Goldsboro covenants and agrees that it shall be liable to NCORR for the reimbursement of any expenses incurred by the ReBuild NC Buyout Program that are a result of City of Goldsboro refusing or failing, for any reason, to accept any Properties targeted by the Program after applicant intake, but before the date of closing. These expenses may include, but are not limited to: costs associated with intake; eligibility review; duplication of benefits determinations; environmental reviews; inspections of any kind; appraisals; and/or other closing costs.

# **VI. AMENDMENT AND TERMINATION**

## **6.1 Amendment**

NCORR and City of Goldsboro may amend this Agreement at any time provided that such amendments are in writing, make specific reference to this Agreement, are approved by all parties, and are signed by a duly authorized representative of each party. Such amendments shall not invalidate this Agreement, nor relieve or release NCORR or City of Goldsboro from their obligations under this Agreement.

NCORR may, in its sole discretion, amend this Agreement to conform with Federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons.

#### **6.2 Termination by Mutual Consent or Convenience.**

The Parties may terminate this Contract by mutual written consent. NCORR may terminate this Agreement, in whole or in part, for convenience, with 30 days written notice to City of Goldsboro.

#### **6.3 Termination in the Event of Default.**

NCORR may suspend or terminate this Agreement, in whole or in part, upon 30 days' notice, whenever NCORR determines that City of Goldsboro has failed to comply with any term, condition, requirement, or provision of this Agreement. City of Goldsboro shall be afforded a reasonable period of time to cure any noncompliance.

If, after notice of default or non-compliance, City of Goldsboro has not cured such default within a reasonable time or is not diligently pursuing a cure satisfactory to NCORR, then NCORR shall promptly notify City of Goldsboro, in writing, of its determination and the reasons for the termination, together with the date on which the termination shall take effect.

#### **6.4 Additional Remedies.**

If City of Goldsboro defaults, NCORR shall have the power and authority, consistent with their statutory authorities: (a) to prevent any impairment of the Property by any acts which may be unlawful or in violation of this Agreement or any other item or document required hereunder; (b) to compel specific performance of any of City of Goldsboro's obligations under this Agreement; and (c) to seek damages from any appropriate person or entity. NCORR shall be under no obligation to complete the activities outlined in this Agreement.

#### **6.5 Unavailability of Funds.**

If grant funds become unavailable at any time, City of Goldsboro agrees that NCORR has the right to terminate this Agreement by giving 60 days' written notice specifying the termination date of the Agreement, which NCORR shall determine in its sole discretion. Upon such termination, NCORR shall have no further responsibilities under this Agreement.

#### **6.6 Nonwaiver.**

No delay, forbearance, waiver, or omission by NCORR to exercise any right, power or remedy upon any event of default shall exhaust or impair any such right, power or remedy or shall be construed to waive any such event of default or to constitute acquiescence therein.

### **VII. GENERAL TERMS AND CONDITIONS.**

#### **7.1 Effective Date.**

Upon execution and delivery of this Agreement, and when City of Goldsboro has received its counterpart original of this Agreement, fully executed and with all dates inserted where indicated, then the Agreement will constitute a valid and binding agreement between the Parties, enforceable with the terms thereof.

#### **7.2 Claims.**

The parties agree that, upon transfer of the Property to City of Goldsboro, liability for all claims related to the Property or use thereof shall be borne by City of Goldsboro and City of Goldsboro shall be solely responsible for pursuing or defending any such claims related to the Property that arise after the transfer of such Property to City of Goldsboro.

#### **7.3 Relationship of Parties.**

NCORR and City of Goldsboro agree that nothing contained in this Agreement is intended or shall be construed to create or establish the relationship of employer/employee between the parties or their employees and agents.

#### **7.4 Indemnification.**

To the extent allowed by North Carolina law, City of Goldsboro agrees to indemnify and hold harmless NCORR for any claims of damage, loss, injury, or any other legal, judicial, or administrative claims arising out of or resulting from this Agreement.

#### **7.5 Term.**

The terms of this Agreement, except for those related to usage restrictions, shall remain in effect for so long as is necessary to close out all Projects. The use restrictions in Section V of this Agreement shall remain in effect in perpetuity.

**7.6 Notice.**

Any notice, acceptance, request, or approval from either party to the other party shall be in writing and shall be deemed to have been sufficiently given when either has deposited same in the United States Postal Service or personally delivered with signed proof of delivery, addressed as follows:

**NCORR**

Laura Hogshhead  
Chief Operating Officer  
North Carolina Office of Recovery and Resiliency  
PO Box 110465  
Durham, NC 27709  
Phone: (984) 833-5350  
Fax: (919) 405-7392

**City of Goldsboro**

Tim Salmon, City Manager  
City of Goldsboro  
200 N. Center Street  
Goldsboro, NC 27530  
Phone: (919) 580-4362

**7.7 Severability.**

If any provisions of this Agreement are held, for any reason, to be unconstitutional, unenforceable, invalid, or illegal in any respect, such decision shall not impair any of the remaining provisions of this Agreement, and the parties shall, to the extent they deem to be necessary and appropriate, take such actions as are necessary to correct any such provisions.

**7.8 Entire Agreement.**

This document contains the entire agreement between the parties, and cancels and supersedes all prior negotiations, representations, understandings, or agreements, either written or oral, between the parties with respect to the subject matter hereof.

**7.9 Governing Laws.**

This Agreement is governed by and construed in accordance with the laws of the State of North Carolina.

**VIII. OTHER REQUIRED CLAUSES**

### 8.1 Compliance with Federal Law

City of Goldsboro warrants and covenants that it will, during of the term of this Agreement, comply with all federal laws, including Federal Register Notices (including, but not limited to, 81 Fed. Reg. 83254 (Nov. 21, 2016), 82 Fed. Reg. 5591 (Jan. 18, 2017), 82 Fed. Reg. 36812 (Aug. 7, 2017), 84 Fed. Reg. 28848 (Jun. 20, 2019), 84 Fed. Reg. 45838 (Aug. 30, 2019)) as well as HUD CDBG and other federal regulations, including, if applicable, the following:

#### A. Equal Opportunity and Nondiscrimination.

- (i) Compliance. City of Goldsboro agrees that it shall comply with the provisions of this subsection and shall ensure that its contractors comply with all application provisions of this subsection, including Executive Order 11246 of September 24, 1966, as amended, and implementing regulations at 41 C.F.R., Part 60;
- (ii) Women- and Minority-Owned Businesses. City of Goldsboro shall comply with N.C. Gen. Stat. § 143-128.2 and 2 C.F.R. § 200.321(b)(1) – (6) to ensure minority businesses, women's business enterprises, and labor surplus area firms are afforded opportunities as required by law to compete for any contracts that may be executed pursuant to this Agreement;
- (iii) Notifications. City of Goldsboro will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the City of Goldsboro's commitments hereunder, and shall post copies of the notice in conspicuous places available to employees and applicants for employment;
- (iv) Equal Employment Opportunity and Affirmative Action Statement. City of Goldsboro shall, in all solicitations or advertisements for employees placed by or on behalf of City of Goldsboro, state that it is an Equal Opportunity or Affirmative Action employer;
- (v) State and Local Nondiscrimination Provisions. City of Goldsboro agrees to comply with state nondiscrimination provisions found at N.C. Gen. Stat. §§ 143-422.1 – 422.3 (Equal Employment Practices); and § 41A-1-10 (North Carolina Fair Housing Act);

#### B. Conflict of Interest.

- (i) In the procurement of supplies, equipment, construction, and services pursuant to this Agreement, City of Goldsboro shall comply with all applicable conflict of interest laws and regulations, including the provisions in 2 C.F.R. §§ 200.317 and 200.318, N.C. Gen. Stat. § 14-234, N.C. Gen. Stat. § 133-32, and 04 N.C.A.C. 19L0914. In all cases not governed by 2 C.F.R. §§ 200.317 and 200.318, City of

Goldsboro shall comply with the conflict of interest provisions in 24 C.F.R. § 570.611. Certain limited exceptions to the conflict of interest rules listed in 24 C.F.R. § 570.489 may be granted in writing by HUD and/or NCORR upon written request and the provision of information specified in 24 C.F.R. § 570.489(h)(4);

- (ii) No public official or employee of City of Goldsboro may purchase or gain any financial interest in any Property and land subject to this Agreement.

C. Religious Activities.

City of Goldsboro shall comply with all applicable regulations set forth under 24 C.F.R. § 5.109 concerning the participation of faith-based organizations in HUD programs, including subsection (j) regarding the acquisition, construction, and rehabilitation of structures that may involve religious purposes. Any funds that may be provided under this agreement shall not be utilized for inherently religious activities, such as worship, religious instruction, or proselytization;

D. Lobbying Certification

No funds or assets, including, but not limited to Properties under this agreement and the subsequent exchange, transfer, or sale of the same shall be provided to, paid, sold or exchanged to any person for purposes of influencing or attempting to influence an officer or employee of a federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection to any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

E. Title VI of the Civil Rights Act of 1964 (24 C.F.R. part I).

City of Goldsboro shall comply with the requirements of Title VI of the Civil Rights Act of 1964 (P. L. 88-352), as amended and 24 C.F.R. §§ 570.601 and 570.602. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this agreement. The specific nondiscrimination provisions at 24 C.F.R. § 1.4 apply to the use of these funds. City of Goldsboro shall not intimidate, threaten, coerce, or discriminate against any person for the purpose of interfering with any right or privilege secured by Title VI of the Civil Rights Act of 1964 or 24 C.F.R., Part I, or because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under 24 C.F.R., Part I. The identity of complainants shall be kept confidential except to the extent necessary to carry out the purposes of 24 C.F.R., Part I, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.



#### **F. Fair Housing Act.**

City of Goldsboro shall comply, directly and indirectly, with the provisions of the Fair Housing Act of 1968 as amended. The act prohibits discrimination in the sale or rental of housing, the financing of housing or the provision of brokerage services against any person on the basis of race, color, religion, sex, national origin, handicap or familial status. The Equal Opportunity in Housing Act prohibits discrimination against individuals on the basis of race, color, religion, sex or national origin in the sale, rental, leasing or other disposition of residential property, or in the use or occupancy of housing assisted with Federal funds. City of Goldsboro shall take no action that is materially inconsistent with NCORR's goals and efforts to affirmatively further fair housing.

#### **8.1 Environmental Reviews**

As the Responsible Entity for the ReBuild NC Buyout Program, NCORR will be responsible for administering the environmental review requirements described in 24 C.F.R. Part 58 for all Properties. The environmental review will be initiated after an applicant is deemed eligible for the ReBuild NC Buyout Program and prior to the time of closing. To mitigate the risk of the repayment or recapture of HUD funding, no choice-limiting activities may occur at the Property prior to NCORR obtaining an environmental clearance of the subject property, per § 58.22 of HUD's Environmental Regulations. Choice-limiting activities may include, but are not limited to: a transfer of deed or conveyance of title to the Property; a commitment of funds; acquisition of any property, etc. City of Goldsboro shall contact NCORR in writing for clarification and/or guidance concerning choice-limiting activities prior to engaging in any activity at the Property. NCORR shall be solely responsible for any and all environmental remediation work necessary for any structure located on Property, as determined by NCORR or Agents. City of Goldsboro shall maintain all records associated with Property for a period of at least three (3) years following closeout of the grant between HUD and NCORR.

#### **8.3 Access to Records**

City of Goldsboro shall provide any duly authorized representative of NCORR, the North Carolina State Auditor, the North Carolina Office of State Budget and Management, HUD, and the Comptroller General, the Inspector General and other authorized parties at all reasonable times access to and the right to inspect, copy, monitor, and examine all of the books, papers, records, and other documents relating to the Property during the period of performance of this Agreement and for three years following the completion of all closeout procedures. All original files shall be maintained at the offices of City of Goldsboro for access purposes.

#### **8.4 Client Data and Other Sensitive Information.**

If City of Goldsboro is required to maintain data for activities specified under this Agreement, City of Goldsboro must comply with 2 C.F.R. § 200.303(c) and take reasonable measures to safeguard protected personally identifiable information, as defined in 2 C.F.R. § 200.82, and

other information HUD or NCORR designates as sensitive or that City of Goldsboro considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

### 8.5 Benefit.

This Agreement is made and entered into for the sole protection and benefit of NCORR, City of Goldsboro, and their respective successors and assigns, subject always to the provisions of the Agreement. Except as herein specifically provided otherwise, this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to NCORR and City of Goldsboro and their respective successors and assigns. Nothing contained in this Agreement shall give or allow any claim or right of action whatsoever by any other third person, other than as expressly provided in this Agreement. It is the express intention of the Parties and their respective successors and assigns that any such person or entity, other than NCORR and the City of Goldsboro, receiving services or benefits under this Agreement shall be deemed an incidental beneficiary only.

IN WITNESS WHEREOF, the parties hereto have executed duplicate originals of this Agreement, one of which is retained by each party, on the date first written above, pursuant to the authority duly granted under North Carolina law.

CITY OF GOLDSBORO

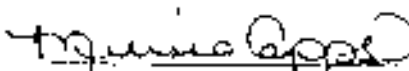
NORTH CAROLINA OFFICE OF  
RECOVERY AND RESILIENCY

  
Tim Salmon, City Manager

  
Laura Hogshead, Chief Operating Officer

ATTEST:

ATTEST:

  
Melissa Capps, City Clerk

\_\_\_\_\_  
Notary

(SEAL)

# APPENDIX A

1	100 Brock St Goldsboro, NC 27530	111	2202 Glenhaven Ln Goldsboro, NC 27530
2	100 Head St Goldsboro, NC 27530	112	2202 Koonce St Goldsboro, NC 27530
3	101 Brock St Goldsboro, NC 27530	113	2202 S John St Goldsboro, NC 27530
4	101 Hazel St Goldsboro, NC 27530	114	2203 Glenhaven Ln Goldsboro, NC 27530
5	101 Head St Goldsboro, NC 27530	115	2203 Koonce St Goldsboro, NC 27530
6	101 S Georgia Ave Goldsboro, NC 27530	116	2204 Glenhaven Ln Goldsboro, NC 27530
7	101 Whitfield Dr Goldsboro, NC 27530	117	2204 Koonce St Goldsboro, NC 27530
8	102 Brock St Goldsboro, NC 27530	118	2204 S John St Goldsboro, NC 27530
9	102 Hazel St Goldsboro, NC 27530	119	2205 Glenhaven Ln Goldsboro, NC 27530
10	102 Head St Goldsboro, NC 27530	120	2206 Glenhaven Ln Goldsboro, NC 27530
11	102 Whitfield Dr Goldsboro, NC 27530	121	2206 S John St Goldsboro, NC 27530
12	103 Brock St Goldsboro, NC 27530	122	2207 Glenhaven Ln Goldsboro, NC 27530
13	103 Head St Goldsboro, NC 27530	123	300 Miller Ave Goldsboro, NC 27530
14	103 S Alabama Ave Goldsboro, NC 27530	124	301 Henry St Goldsboro, NC 27530
15	103 S Georgia Ave Goldsboro, NC 27530	125	301 S Alabama Ave Goldsboro, NC 27530
16	103 Whitfield Dr Goldsboro, NC 27530	126	302 Miller Ave Goldsboro, NC 27530
17	104 Brock St Goldsboro, NC 27530	127	302 S Alabama Ave Goldsboro, NC 27530
18	104 Hazel St Goldsboro, NC 27530	128	302 Whitfield Dr Goldsboro, NC 27530
19	104 Head St Goldsboro, NC 27530	129	303 McArthur St Goldsboro, NC 27530
20	104 S Alabama Ave Goldsboro, NC 27530	130	303 Miller Ave Goldsboro, NC 27530
21	105 Brock St Goldsboro, NC 27530	131	303 S Alabama Ave Goldsboro, NC 27530
22	105 Head St Goldsboro, NC 27530	132	304 Miller Ave Goldsboro, NC 27530
23	105 S Alabama Ave Goldsboro, NC 27530	133	304 Whitfield Dr Goldsboro, NC 27530
24	105 S Georgia Ave Goldsboro, NC 27530	134	305 Benton St Goldsboro, NC 27530
25	106 Brock St Goldsboro, NC 27530	135	305 Miller Ave Goldsboro, NC 27530
26	106 Head St Goldsboro, NC 27530	136	306 Miller Ave Goldsboro, NC 27530
27	106 S Alabama Ave Goldsboro, NC 27530	137	306 S Alabama Ave Goldsboro, NC 27530
28	107 Brock St Goldsboro, NC 27530	138	306 Whitfield Dr Goldsboro, NC 27530
29	107 Head St Goldsboro, NC 27530	139	307 Miller Ave Goldsboro, NC 27530
30	107 S Alabama Ave Goldsboro, NC 27530	140	307 S Alabama Ave Goldsboro, NC 27530
31	107 S Georgia Ave Goldsboro, NC 27530	141	308 Miller Ave Goldsboro, NC 27530
32	107 Whitfield Dr Goldsboro, NC 27530	142	309 Miller Ave Goldsboro, NC 27530
33	108 Brock St Goldsboro, NC 27530	143	309 S Alabama Ave Goldsboro, NC 27530
34	108 Hazel St Goldsboro, NC 27530	144	310 Miller Ave Goldsboro, NC 27530
35	108 Head St Goldsboro, NC 27530	145	311 Miller Ave Goldsboro, NC 27530
36	108 S Alabama Ave Goldsboro, NC 27530	146	311 S Alabama Ave Goldsboro, NC 27530
37	109 Brock St Goldsboro, NC 27530	147	312 Miller Ave Goldsboro, NC 27530
38	109 Hazel St Goldsboro, NC 27530	148	312 Whitfield Dr Goldsboro, NC 27530
39	109 S Alabama Ave Goldsboro, NC 27530	149	313 Miller Ave Goldsboro, NC 27530
40	109 S Georgia Ave Goldsboro, NC 27530	150	314 Miller Ave Goldsboro, NC 27530
41	111 S Alabama Ave Goldsboro, NC 27530	151	314 Whitfield Dr Goldsboro, NC 27530
42	111 S Georgia Ave Goldsboro, NC 27530	152	315 Miller Ave Goldsboro, NC 27530
43	113 S Georgia Ave Goldsboro, NC 27530	153	315 S Alabama Ave Goldsboro, NC 27530

44	115 S Alabama Ave Goldsboro, NC 27530	154	316 Miller Ave Goldsboro, NC 27530
45	116 S Alabama Ave Goldsboro, NC 27530	155	316 Whitfield Dr Goldsboro, NC 27530
46	117 S Georgia Ave Goldsboro, NC 27530	156	317 Miller Ave Goldsboro, NC 27530
47	118 S Alabama Ave Goldsboro, NC 27530	157	317 S Alabama Ave Goldsboro, NC 27530
48	119 S Georgia Ave Goldsboro, NC 27530	158	318 Miller Ave Goldsboro, NC 27530
49	120 S Alabama Ave Goldsboro, NC 27530	159	318 Whitfield Dr Goldsboro, NC 27530
50	1611 Ball St Goldsboro, NC 27530	160	319 Miller Ave Goldsboro, NC 27530
51	1613 Ball St Goldsboro, NC 27530	161	319 Miller St Goldsboro, NC 27530
52	1615 Ball St Goldsboro, NC 27530	162	319 S Alabama Ave Goldsboro, NC 27530
53	1615 S John St Goldsboro, NC 27530	163	320 Whitfield Dr Goldsboro, NC 27530
54	1701 Ball St Goldsboro, NC 27530	164	321 Miller Ave Goldsboro, NC 27530
55	1701 S John St Goldsboro, NC 27530	165	322 Whitfield Dr Goldsboro, NC 27530
56	1703 Ball St Goldsboro, NC 27530	166	324 Whitfield Dr Goldsboro, NC 27530
57	1705 Ball St Goldsboro, NC 27530	167	325 Miller Ave Goldsboro, NC 27530
58	1707 Ball St Goldsboro, NC 27530	168	326 Whitfield Dr Goldsboro, NC 27530
59	1709 Ball St Goldsboro, NC 27530	169	327 Miller Ave Goldsboro, NC 27530
60	1801 Ball St Goldsboro, NC 27530	170	329 Miller Ave Goldsboro, NC 27530
61	1801 S John St Goldsboro, NC 27530	171	401 S Alabama Ave Goldsboro, NC 27530
62	1805 Ball St Goldsboro, NC 27530	172	403 S Alabama Ave Goldsboro, NC 27530
63	1807 Ball St Goldsboro, NC 27530	173	405 S Alabama Ave Goldsboro, NC 27530
64	1809 Ball St Goldsboro, NC 27530	174	600 Whitfield Dr Goldsboro, NC 27530
65	1901 Ball St Goldsboro, NC 27530	175	601 W Chestnut St Goldsboro, NC 27530
66	1903 Ball St Goldsboro, NC 27530	176	601 Whitfield Dr Goldsboro, NC 27530
67	1908 S John St Goldsboro, NC 27530	177	602 Whitfield Dr Goldsboro, NC 27530
68	200 Whitfield Dr Goldsboro, NC 27530	178	603 W Chestnut St Goldsboro, NC 27530
69	2000 Glenhaven Ln Goldsboro, NC 27530	179	603 W Spruce St Goldsboro, NC 27530
70	2000 S John St Goldsboro, NC 27530	180	603 Whitfield Dr Goldsboro, NC 27530
71	2002 Glenhaven Ln Goldsboro, NC 27530	181	604 W Spruce St Goldsboro, NC 27530
72	2002 S John St Goldsboro, NC 27530	182	604 Whitfield Dr Goldsboro, NC 27530
73	2004 Glenhaven Ln Goldsboro, NC 27530	183	605 W Chestnut St Goldsboro, NC 27530
74	2004 S John St Goldsboro, NC 27530	184	606 W Spruce St Goldsboro, NC 27530
75	2005 Glenhaven Ln Goldsboro, NC 27530	185	606 W Walnut St Goldsboro, NC 27530
76	2006 Glenhaven Ln Goldsboro, NC 27530	186	607 W Chestnut St Goldsboro, NC 27530
77	2006 S John St Goldsboro, NC 27530	187	608 W Chestnut St Goldsboro, NC 27530
78	2007 Glenhaven Ln Goldsboro, NC 27530	188	609 Sherard Ct Goldsboro, NC 27530
79	201 Whitfield Dr Goldsboro, NC 27530	189	610 W Chestnut St Goldsboro, NC 27530
80	202 S Alabama Ave Goldsboro, NC 27530	190	610 W Walnut St Goldsboro, NC 27530
81	203 Kenyon Ave Goldsboro, NC 27530	191	611 Sherard Ct Goldsboro, NC 27530
82	203 S Alabama Ave Goldsboro, NC 27530	192	613 Sherard Ct Goldsboro, NC 27530
83	203 Whitfield Dr Goldsboro, NC 27530	193	614 W Walnut St Goldsboro, NC 27530
84	204 David St Goldsboro, NC 27530	194	615 Sherard Ct Goldsboro, NC 27530
85	204 Henry St Goldsboro, NC 27530	195	616 W Walnut St Goldsboro, NC 27530
86	204 McArthur St Goldsboro, NC 27530	196	617 Sherard Ct Goldsboro, NC 27530
87	205 Henry St Goldsboro, NC 27530	197	700 W Walnut St Goldsboro, NC 27530
88	205 McArthur St Goldsboro, NC 27530	198	701 W Chestnut St Goldsboro, NC 27530
89	205 S Alabama Ave Goldsboro, NC 27530	199	702 W Chestnut St Goldsboro, NC 27530

90	205 Whitfield Dr Goldsboro, NC 27530	200	702 W Walnut St Goldsboro, NC 27530
91	206 David St Goldsboro, NC 27530	201	703 W Chestnut St Goldsboro, NC 27530
92	206 Henry St Goldsboro, NC 27530	202	704 W Walnut St Goldsboro, NC 27530
93	206 Whitfield Dr Goldsboro, NC 27530	203	705 W Chestnut St Goldsboro, NC 27530
94	207 Kennon Ave Goldsboro, NC 27530	204	706 W Chestnut St Goldsboro, NC 27530
95	207 McArthur St Goldsboro, NC 27530	205	706 W Walnut St Goldsboro, NC 27530
96	207 Whitfield Dr Goldsboro, NC 27530	206	707 W Chestnut St Goldsboro, NC 27530
97	209 Whitfield Dr Goldsboro, NC 27530	207	708 W Chestnut St Goldsboro, NC 27530
98	2100 Glenhaven Ln Goldsboro, NC 27530	208	709 W Chestnut St Goldsboro, NC 27530
99	2100 S John St Goldsboro, NC 27530	209	713 W Chestnut St Goldsboro, NC 27530
100	2102 Glenhaven Ln Goldsboro, NC 27530	210	714 W Chestnut St Goldsboro, NC 27530
101	2102 Koonce St Goldsboro, NC 27530	211	715 W Chestnut St Goldsboro, NC 27530
102	2102 S John St Goldsboro, NC 27530	212	716 W Chestnut St Goldsboro, NC 27530
103	2104 S John St Goldsboro, NC 27530	213	717 W Chestnut St Goldsboro, NC 27530
104	2106 S John St Goldsboro, NC 27530	214	718 W Chestnut St Goldsboro, NC 27530
105	2108 Koonce St Goldsboro, NC 27530	215	719 W Chestnut St Goldsboro, NC 27530
106	2110 Koonce St Goldsboro, NC 27530	216	720 W Chestnut St Goldsboro, NC 27530
107	2200 Glenhaven Ln Goldsboro, NC 27530	217	721 W Chestnut St Goldsboro, NC 27530
108	2200 Koonce St Goldsboro, NC 27530	218	722 W Chestnut St Goldsboro, NC 27530
109	2200 S John St Goldsboro, NC 27530	219	724 W Chestnut St Goldsboro, NC 27530
110	2201 Koonce St Goldsboro, NC 27530		

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

**SUBJECT:** Amendment of an Ordinance

**BACKGROUND:** Non-Contiguous (Satellite) Annexation Petition –  
Goldsboro (Hwy 70) WW, LLC - Located on the southwest  
corner of US Hwy. 70 W. and NC 581 Hwy.  
Tax Parcel #: 2671815879

Acreage: 2.64 acres

The City Council, at their meeting on March 20, 2023,  
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.

**DISCUSSION:** On April 3, 2023, a public hearing was held and no one  
spoke for or against the proposed annexation. At this  
meeting, Council adopted an ordinance (2023-12) annexing  
certain non-contiguous property to the City of Goldsboro.  
In September 2023, it was discovered that there were  
discrepancies with the annexation plat and legal  
description. Staff has revised the ordinance to include the  
correct legal description.

**RECOMMENDATION:** It is recommended that Council adopt the attached  
Ordinance amending Ordinance 2023-12.

Date: 11/6/23

  
Kenny Talton, Planning Director

Date: 11/6/23

  
Timothy Salmon, City Manager

ORDINANCE NO. 2023 - 65

**AN ORDINANCE ANNEXING CERTAIN NON-CONTIGUOUS REAL PROPERTY  
TO THE CITY OF GOLDSBORO, NORTH CAROLINA**

WHEREAS, the City Clerk issued a Certificate of Sufficiency on **February 15, 2023**, and after notice duly given in compliance with the pertinent provisions of Chapter 160A-58 of the General Statutes of North Carolina, a public hearing was held before the City Council of the City of Goldsboro, North Carolina, at a regular meeting held in the City Hall in Goldsboro on **April 3, 2023**, relative to the annexation of the non-contiguous real property identified as Tax Parcel 2671815879, hereinafter described to the City of Goldsboro; and

WHEREAS, at said public hearing all persons owning property in the area proposed to be annexed who alleged error in the Petition for Annexation, as well as residents of the City of Goldsboro who question the necessity for annexation, were given an opportunity to be heard along with proponents of such annexation regarding Tax Parcel 2671815879; and

WHEREAS, after the completion of said public hearing, the City Council has determined that the Petition for Annexation meets the requirements of said Section 58.1 of Chapter 160A of the General Statutes of North Carolina with the exception being that City Water and Sewer are not available to be provided to the subject property, and has further determined, after due and careful deliberation, that it is for the best interest of the City of Goldsboro and its citizens that the non-contiguous real property proposed to be annexed be annexed to the City of Goldsboro; and

WHEREAS, as a result of said annexation, it is necessary to modify the boundaries of the six (6) single-member electoral districts of the City of Goldsboro as shown on a map entitled "Official Election District Boundaries" adopted **August 1, 2022**, and to amend said map as hereinafter set forth; and

WHEREAS, the City Council finds it to be in the best interests of the City of Goldsboro to modify the boundaries of the electoral district in order to afford the citizens of the annexed area full participation in the electoral process of the City of Goldsboro and in order to comply with State and Federal law; and

WHEREAS, Ordinance 2023-12, adopted on April 12, 2023 had discrepancies with the legal description. This ordinance revision updates the legal description.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the following described (metes and bounds) non-contiguous real property be and the same is hereby annexed to the City of Goldsboro as of **April 3, 2023**:

**Non-Contiguous (Satellite) Annexation Petition – Goldsboro (Hwy 70) WW, LLC Tax  
Parcel 2671815879**

Being in the State of North Carolina, County of Wayne, being immediately northwest of the intersection of US Hwy 70 and NC Hwy 581, and being more particularly bounded as follows: Beginning at a point in or near the centerline of a ditch, being in the southwest R/W line for US Hwy 70, being the northeast corner of a tract conveyed to Pamela Newcombe Tyner and Jerry Wayne Tyner by Deed Book 1851 and Page 487, and being located for reference South 39°50'27" east a distance of 0.78 feet from a R/W monument found in the south R/W line for US Hwy 70; Thence from said point of beginning, and continuing with the southwest R/W line for US Hwy 70, south 39°50'27" east a distance of 245.00 feet to a point in the pavement of NC Hwy 581; Thence, within the traveled portion of NC Hwy 581, south 47°55'58" west a distance of 438.87 feet to a point; Thence, leaving the road with the north line of a tract conveyed to the NC Department of Transportation by Deed Book 2876, Page 400, north 62°34'36" west a distance of 58.86 feet to a point in the centerline of a ditch; Thence, with the centerline of said ditch and continuing with the north line of said NCDOT tract, the following eight courses:

1. North 70°17'12" west a distance of 29.20 feet;
2. Thence north 71°51'50" west a distance of 29.46 feet to a point;

3. Thence north 65°11'33" west a distance of 38.41 feet to a point;
4. Thence north 60°30'40" west a distance of 38.18 feet to a point;
5. Thence north 64°46'12" west a distance of 38.08 feet to a point;
6. Thence north 47°52'03" west a distance of 8.65 feet to a point;
7. Thence north 14°01'08" east a distance of 11.22 feet to a point;
8. Thence north 05°00'03" west a distance of 5.79 feet to a point in the centerline of the intersection with a ditch, being the southern-most corner of a tract conveyed to H.J. Hill and Annette Johnson Hill by the third lot of Deed Book 3601, Page 164;

Thence, leaving the main ditch with a branch ditch and running with the southeast line of said hill tract, the following two courses:

1. North 74°27'01" east a distance of 18.98 feet to a point;
2. Thence north 45°59'04" east a distance of 185.49 feet to a ½" iron pipe found at the southern-most corner of the aforementioned Tyner tract;

Thence, with the southeast line of said Tyner tract, north 45°23'48" east a distance of 325.34 feet to the point of beginning, passing through a 2" iron pipe found at a distance of plus 300.34 feet;

Containing 2.645 acres, more or less.

**BE IT FURTHER ORDAINED THAT:**

1. The City of Goldsboro will provide commercial refuse service upon request, fire and police protection to the property;
2. City water and City sewer utilities are not available to serve the property. Water and sewer services will be provided by Fork Township;
3. The annexed area herein above identified be added to and become a part of Electoral District 1;
4. The boundaries of the six single-member electoral districts shall be modified and changed as shown on a map entitled "Official Election District Boundaries Map" adopted August 1, 2022;
5. The Director of Planning is directed to prepare an official map showing the district boundaries and to file a copy of the official map in the Office of the City Clerk as required by G. S. 160A-22 and G. S. 160A-23, as well as with the Wayne County Register of Deeds. Further, the City Clerk shall forward a copy of the official map to the Wayne County Board of Elections and Secretary of State;
6. This Ordinance shall be recorded with the Register of Deeds and Secretary of State.
7. The effective date of annexation for the property under consideration is April 3, 2023.

Adopted this 6<sup>th</sup> day of November 2023.

  
David Ham, Mayor

Attested by:

  
Holly Jones, Deputy City Clerk





**SMALL BUSINESS SATURDAY  
PROCLAMATION**

**WHEREAS**, The City of Goldsboro celebrates our local small businesses and the contributions they make to our local economy and community; and

**WHEREAS**, according to the U.S. Small Business Administration, there are 33 million small businesses in the United States: small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62.7% of net new jobs created since 1995, and small businesses employ 46.4% of the employees in the private sector in the United States; and

**WHEREAS**, 68 cents of every dollar spent at a small business in the United States stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

**WHEREAS**, 72% of consumers reported that Small Business Saturday 2022 made them want to shop and dine at small, independently-owned retailers and restaurants all year long; and

**WHEREAS**, Goldsboro, NC supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

**WHEREAS**, Advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

**NOW, THEREFORE BE IT RESOLVED**, that the Goldsboro City Council does hereby proclaim, November 25, 2023, as:

***SMALL BUSINESS SATURDAY***

in the City of Goldsboro and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 6<sup>th</sup> day of November, 2023.

  
David Ham, Mayor