



December 21, 2012

TO: Mayor and Members of Council  
FROM: Denise Turner Roth, City Manager   
SUBJECT: Items for Your Information

**IFYI HIGHLIGHTS**

- Specialized Training for SRO's and GPD
- Landlord Payment of Tenant Expense
- Transfer Station Tipping Fees
- Bessemer Center Redevelopment Project
- Post RUCO Study Committee
- Household Hazardous Waste Fee Resumes
- GPD Findings of Crime Data Review
- 2012 Keep America Beautiful Award
- Grimsley Pool Update

**Council Follow-Up Items**

**Specialized Training for SRO's and GPD**

As a follow-up to a request from Councilmember Bellamy-Small from the June 19, 2012 City Council meeting, attached is a memorandum from Greensboro Deputy Police Chief J. Smith, dated December 17, 2012, regarding researching specialized training for School Resource Officers (SRO) and Police Officers in handling special needs children.

**Landlord Payment of Tenant Expense**

As a follow-up to a request from Councilmember Vaughan, at the October 16, 2012 City Council meeting, attached is a memorandum from City Attorney Mujeeb Shan-Khan, dated December 10, 2012 regarding landlord payment of tenant's moving expenses when property is deemed unfit for human habitation.

**Transfer Station Tipping Fees**

As a follow-up to a request from Councilmember Vaughan at the November 27, 2012 Work Session, attached is a memorandum from Field Operations Director Dale Wyrick, dated December 7, 2012, regarding a comparison with area competitors on tipping fees.

**Bessemer Center Redevelopment Project Status**

As a follow-up to a request from Councilmember Bellamy-Small from the December 18, 2012 City Council meeting, attached is a memorandum from Planning and Community Development Director Sue Schwartz, dated December 21, 2012, providing an update on the Bessemer Center Redevelopment Project.

**Post RUCO Study Committee**

Attached is a memorandum from Planning and Community Development Director Sue Schwartz, dated December 21, 2012, providing an update on the Post RUCO Study Committee.

**Household Hazardous Waste Fee Resumes January 1, 2013**

Attached is a memorandum from Field Operations Technical and Planning Support Manager Gail Hay, dated December 21, 2012, regarding the household hazardous waste fee that will resume on January 1, 2013.

**GPD Findings of Crime Data Review**

Attached is a memorandum from Greensboro Police Chief Ken Miller, dated December 18, 2012, providing the results from a review of the 2011 Part 1 Crime Data.

**2012 Keep America Beautiful Think Green Grant**

Attached is a memorandum from Field Operations Solid Waste Division Manager Sheldon Smith, dated December 11, 2012, regarding the 2012 Keep America Beautiful Think Green Grant that was awarded to Field Operation's Solid Waste Division.

**Contact Center Feedback**

Attached is the report generated by our Contact Center for the period of December 3, 2012 through December 14, 2012.

**Small Group Meetings**

Attached is the Small Group Meeting report for the period of December 7, 2012 through December 20, 2012, between City Staff and [more than two but less than five] Councilmembers.

DTR/mm  
Attachments

cc: Office of the City Manager  
Global Media

Police Department  
City of Greensboro



December 17, 2012

**TO:** Ken Miller, Chief of Police

**FROM:** Deputy Chief J. Smith, Commanding Officer, Management Bureau

**SUBJECT:** Response to Questions from the City Manager's Office

Recently the City Manager asked that we provide a response to several questions posed by members of City Council. Among the questions was a request to research specialized training for School Resource Officers (SRO's) and Police Officers in handling special needs children.

SRO's undergo a forty hours block of instruction which is their basic SRO school. One part of that forty hour block focuses on identifying the various categories of students defined as Children with Special Needs and has an objective of sensitizing the SRO to each classification.

The following training courses have been provided to officer trainees in the Police Basic Introductory Course (PBIC) and In-Service training which is provided to all officers across the department.

The eight (8) hour PBIC block "Individuals with Mental Illness and Mental Retardation" covers working with both juveniles and adults that suffer from a variety of mental illnesses. More specifically, a section of this block provides basic information on identifying children and adults with autism and defining the disease.

The ten (10) hour PBIC block "Dealing with Victims and the Public" devotes approximately half of the lesson plan to people of all ages with special needs. Disabilities and issues covered in this block include Autism, Hearing Impaired, Visually Impaired, Mobility Impaired, Elderly and people with Alzheimer's disease. Approximately 1.5 - 2.0 hours of the overall course is specifically devoted to people with Autism.

In 2009 In-Service Training, there was a two hour course covering Special Populations which dealt specifically with mood disorders and conflict de-escalation techniques.

In 2010 In-Service Training, there was a two hour course covering Mental Illness, however the topic was focused on the issue of suicide by cop and force options. The objective of this training was to improve officers' skills in recognizing and interacting with people in crisis and recognizing the signs of potentially suicidal subjects, thus allowing for the consideration and use of less than lethal intervention where possible.

Our Training Division was asked to research related training opportunities which are currently available. The following list of courses having some emphasis on dealing with people with special needs was found.

- Autism Awareness Course
- School Resource Officer Training
- Crisis Intervention Team Course
- Investigating Crimes in Long-Term Care Facilities: Voiceless Victims Course

The Crisis Intervention Team course (CIT) is a concentrated 40 hour course that teaches officers how to communicate with and handle the mentally ill, including the Autistic. It incorporates trips to facilities for the mentally ill where officers are coached through communications with mentally challenged individuals. Nine of our SRO's have been through this training and we have been working to schedule the remaining nine. This training provides a certification and participants have the opportunities to attend ongoing training conferences and are afforded opportunities for continuing education in this area. These classes are often booked up and difficult to get into.

Several patrol officers have recently been sent to the Crisis Intervention Team course at GTCC

JS

Office of the City Attorney  
City of Greensboro



December 10, 2012

**TO:** Denise Turner Roth, City Manager  
**FROM:** S. Mujeeb Shah-Khan, City Attorney  
**SUBJECT:** Landlord Payment of Tenant Expenses

Attached is a memorandum from Associate General Counsel Mike Williams with the City Attorney's Office's answer to a question raised by Councilmember Vaughan at a recent Council meeting.

If you have any questions, please contact me at your convenience.

SMS

Office of the City Attorney  
City of Greensboro



December 10, 2012

**TO:** S. Mujeeb Shah-Khan, City Attorney

**FROM:** Michael E. Williams, Associate General Counsel

**SUBJECT:** City's Ability to Require Landlords to Pay for Moving Expenses of Tenants Forced to Move Due to Condemnation of Tenants' Residences

At a recent City Council Meeting, Councilwoman Vaughan asked if the City could require landlords to pay for the moving expenses of tenants when the tenants are forced to move from their residences after City Inspectors have determined that the residences are unfit for human habitation.

At your request, I have reviewed the applicable statutes and case law and discussed this issue with Tyler Mulligan of the UNC School of Government. As a result, I have determined that the City has no legal authority to require landlords to pay the moving expenses of their tenants when the tenants are required to move from their residences when the residences are condemned by the City because they are unfit for human habitation.

The City does have the authority to set up a program which will pay moving and other related expenses to aid tenants who are required to move when their residences are condemned by the City. However, the costs of this program would have to be paid by the City unless the City were to find an outside source to pay for the program.

Please let me know if you need more information.



December 7, 2012

**TO:** Jim Westmoreland, P.E., Deputy City Manager

**FROM:** Dale Wyrick, P.E., Field Operations Director

**SUBJECT: Greensboro Transfer Station Tipping Fee Information**

The purpose of this memo is to provide information requested by the City Council at their November 27, 2012 Work Session. Specifically, Councilmember Vaughan asked that a summary be compiled of the City of Greensboro’s tipping fees compared with tipping fees of area competitors. This memo also provides information previously requested by Council related to the City’s full cost for municipal solid waste (MSW) disposal through the Greensboro Transfer Station, as well as options for consideration for increasing tipping fees on non-city collected MSW at the Greensboro Transfer Station.

**I. Tipping Fee Comparison**

Table 1 below provides a comparison of tipping fees of nearby MSW disposal facilities. Please note that two facilities are transfer stations, and three are landfills. All but one are owned or operated by a local government.

**Table 1: Tipping Fee Comparison of Area MSW Disposal Facilities**

Facility	Owner	Tipping Fee (per ton)	Service Area
<b>Greensboro Transfer Station</b>	City of Greensboro	\$41 <sup>1</sup>	Guilford County+
<b>Hanes Mill Road Landfill</b>	Winston-Salem & Forsyth County	\$36	Forsyth County
<b>Kersey Valley Landfill</b>	City of High Point	\$38	Guilford County
<b>Republic Services Transfer Station</b>	Republic Services	\$45 <sup>2</sup>	Guilford County+
<b>Rockingham County Landfill</b>	Rockingham County	\$36	Rockingham County

**II. Greensboro Transfer Station Cost Estimate**

<sup>1</sup> \$41/ton tip fee is advertised gate rate and charged to all customers at the Greensboro Transfer Station

<sup>2</sup> \$45/ton tip fee is advertised gate rate for any customer at Republic. Volume discount rates are offered; none lower than \$41/ton.

Table 2 below shows *estimated* total costs for the operation of the Greensboro Transfer Station for FY 2013-14. This estimate reflects new pricing from the hauling and disposal contracts executed in October, 2012, and includes the following assumptions:

- Estimated 215,000 total tons of municipal solid waste received at Greensboro Transfer Station (City-collected: 125,000 tons; non-City-collected: 90,000 tons)
- Diesel fuel cost is \$4.50/gallon
- Each trailer hauled to Uwharrie Landfill contains 23.50 tons of MSW
- Debt service on Transfer Station is \$830,200 per year

**Table 2: FY 2012-13 ESTIMATED Costs for Greensboro Transfer Station**

	<b>Annual Cost</b>	<b>Cost per Ton</b>
<b>Operate Cost (City staff)</b>	\$ 1,400,000	\$ 6.51
<b>Transport Cost (Hilco)</b>	\$ 2,861,000	\$ 13.31
<b>Disposal Cost (Republic)</b>	\$ 4,837,500	\$ 22.50
<b>Debt Service (City pays)</b>	\$ 830,200	\$ 3.86
<b>Total Cost</b>	\$ 9,928,700	\$ 46.18
<b>Total Cost w/o Debt Service</b>	\$ 9,098,700	\$ 42.32

### **III. Tipping Fee Increase Options**

In recent months, Council has expressed an interest in raising fees on non-City-collected tons that come through the transfer station. Based on the estimate provided in Table 2, the total cost for next year's operation is \$ 46.18 per ton, or \$ 9,928,700 annually. The current tipping fee at the Greensboro Transfer Station is \$41 per ton, and assuming 215,000 tons of MSW for next year, would yield \$8,815,000, which amounts to a shortfall of \$1,113,700. The non-City-collected portion of this shortfall is \$ 466,200, as shown in Table 3:

**Table 3: Total Transfer Station Cost versus Current Tipping Fee Revenue**

<b>MSW Tons to Transfer Station</b>	<b>Estimated Total Cost at \$46.18/ton</b>	<b>Current Tipping Fee at \$41.00/ton</b>	<b>Difference of \$ 5.18/ton</b>
<b>90,000 tons (Non-City-Collected)</b>	\$4,156,200	\$3,690,000	\$ 466,200
<b>125,000 tons (City-Collected)</b>	\$5,772,500	\$5,125,000	\$ 647,500
<b>215,000 tons (Estimated Total)</b>	\$9,928,700	\$8,815,000	\$1,113,700

In order to cover the total cost of non-City-collected tons, I have prepared the following options for increasing tipping fees for Council’s consideration:

**Option 1: Increase tipping fee on non-City-collected tons from \$41/ton to \$46.50/ton in one year**

*The benefit of Option 1 is immediate full cost recovery for the non-City-collected tons. However, the significant price increase could cause those collectors to take their MSW to another area disposal facility at a less-expensive rate.*

**Option 2: Increase tipping fee on non-City-collected tons from \$41/ton to \$44/ton in year one and increase tipping fee from \$44/ton to \$47/ton in year two.**

*Option 2 increases the tipping fee for non-City-collected tons \$3/ton per year over a 2-year period. Full cost recovery on those tons would take longer, but there would be less risk that the City would lose significant tonnage to other locations.*

Other options for increasing tipping fees could be developed as needed. If further information is required, please advise.

DDW



December 19, 2012

**TO:** Denise Turner Roth, City Manager  
**FROM:** Sue Schwartz, FAICP, Director of Planning and Community Development  
**SUBJECT:** Bessemer Center Redevelopment Project Status

The Bessemer Center was once the heart of commercial activity on Phillips Avenue with a grocery store, a drug store, a Laundromat, and of course, the McGirt Horton Library. With the departure in 1998 of the Winn-Dixie store, the 40K SF shopping center ceased to be the community hub it once was. When the city purchased the property in January 2008, only two spaces were still occupied: the 6K SF Family Dollar store and the 9K SF McGirt Horton library.

Since acquisition, staff has worked closely with residents to help realize the community vision for the center. In July 2010, the Food Lion grocery chain expressed interest, but ultimately decided not to pursue the location. Since the August 2010 opening of the new stand-alone McGirt-Horton library, continuous discussions and negotiations with potential tenants, including several grocery chains, have occurred.

In November 2010, city staff was approached by a representative for SuperValu, the parent company of Save-a-Lot grocery stores. They proceeded to study and analyze the location and in September 2011 provided the city with a Letter of Intent outlining the terms and timeline under which they proposed to put a store at Bessemer.

In April of 2011, Council approved a \$25K contract with East Market Street Development Corporation (EMSDC) to be the city's lead agent for development of the center. EMSDC has a long history of involvement in the northeast community and recommended use of redevelopment bond funds for acquisition. The contract scope included:

- Assemble and facilitate a community steering committee to provide input and feedback on development opportunities; and
- Assemble and facilitate a development team to work with Save-a-Lot and other potential tenants.

That scope of work was completed in November 2011, with Council's approval of a development strategy, and the contract was closed out. EMSDC continues to play an active role on the development team and acts as liaison between the team and the community by reporting on progress at the monthly Concerned Citizens of Northeast Greensboro meetings.

In November 2011 City Council approved sale of a five-acre portion of the Bessemer Center Shopping Center site to developer New Bessemer Associates, an LLC comprised of Beacon Management and Carolina Health Care Initiatives, along with an economic development loan of

\$685K and the Fair Market Value of the land. The loan was contingent on the developer achieving a 75% occupancy rate and verification of a \$1 million loan from a private lender. Attached are the resolution and City Council Agenda Memo that describe the strategy in more detail.

In January 2012, Save-a-Lot informed the city that they no longer intended to locate a store at the Bessemer Center. Although the news was disappointing, the development team was in discussions with a local health services provider about a clinical facility at the site and community representatives had begun to discuss the feasibility of a cooperative market.

2012 has been a busy year for the community and the development team:

- Family Dollar invested over \$100,000 in upfit and relocated to the old McGirt-Horton Library space;
- A national grocer is working on a market study for the site;
- The local health services provider continues to be interested in locating a facility at the site;
- Several small business owners have expressed interest in new business ventures;
- Community residents have formalized their interest in a cooperative model with a committee tasked with researching and preparing a strategic plan;
- The development team has been discussing plans for incremental upgrades that could be done prior to the 75% occupancy threshold and alternative strategies for ownership and rehabilitation.

The development team, which includes East Market Street Development Corporation, City of Greensboro staff, and the principals of New Bessemer Associates, meets several times a month to review the status of development of the center. New Bessemer Associates actively pursues opportunities as they come up, and EMSDC provides monthly updates to the community.

At their December 18<sup>th</sup> meeting, Council approved a resolution changing the name of the center to Renaissance Center and redirecting the \$685,000 intended for the economic development loan towards initial upgrades to the site, the building and design and installation of signage. Those activities will begin in January 2013.

SS/da

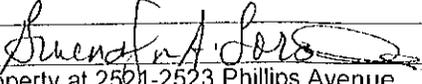
Attachments

cc: Jim Westmoreland, Deputy City Manager  
Barbara Harris, Development Division Manager, P&CD



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Resolution authorizing sale of a portion of the land and improvements at 2521-2523 Phillips Avenue; provision of an economic development loan to New Bessemer Associates LLC, for new investment in building and site improvements at the Bessemer Shopping Center to increase the city's ad valorem and sales tax revenues and to increase business prospects for Phillips Avenue, the City, and surrounding area; and execution of a Sales/Development Agreement with New Bessemer Associates LLC for the renovation of the Bessemer Shopping Center.

Department: P&CD	Meeting Date: November 1, 2011
Contact 1: Dyan Arkin	Public Hearing: Yes
Phone: 433.7377	Advertising Date / Advertised By: 10/21/11 -- City Clerk
Contact 2: John Shoffner	Council District: 2
Phone: 373.2293	Authorized Signature: 
Attachments:	Attachment A: Resolution authorizing sale of a portion of the property at 2521-2523 Phillips Avenue, execution of an economic development loan, and execution of a sales/development agreement with New Bessemer Associates LLC Attachment B: Draft loan term sheet Attachment C: Draft site plan with proposed subdivision lines Attachment D: Draft development agreement terms

**PURPOSE:** New Bessemer Associates, a Limited Liability Company consisting of Beacon Management, Carolina Healthcare Initiatives, and East Market Street Development Corporation, is proposing to invest in and renovate the Bessemer Shopping Center at 2521-2523 Phillips Avenue with a project budget of \$2,085,000. The renovated building will contain a grocery store, existing tenant Family Dollar Store, and other retail and/or service establishments as agreements with tenants are reached. It is anticipated that 20+ full- and part-time permanent jobs will be created by the grocery store at an average wage of \$10 or \$11 and that additional permanent jobs with potentially higher wages will be created by other tenants.

**Offer to Purchase:** New Bessemer Development LLC has requested the City of Greensboro consider sale of an approximately 5.35-acre portion of the Bessemer Shopping Center property at 2521-2523 Phillips Avenue. This 9.7+/-acre lot is owned by the City and includes a 40,000+ square foot shopping center building. City staff has estimated value of the divided parcel at \$400,000, and an appraisal to establish Fair Market Value (FMV) is in progress. The land will be subdivided as shown on Attachment C. The offer to purchase is for the section labeled A, and the sections labeled B and C shall remain in City ownership.

**Economic Development Loan:** The City has been asked to consider an economic development loan in the form of a \$685,000 and FMV of a portion of the property located at 2521-2523 Phillips Avenue for New Bessemer Associates to make the project feasible. The loan is for the purpose of financing the sales price of the land and improvements to the existing building and site. The loan will be secured by a Note and a second Deed of Trust. Draft general loan terms are shown on Attachment B.

Agenda Item: \_\_\_\_\_

It is anticipated that, at 75% occupancy, loan payments of approximately \$27,000 will be made annually.

**Development Agreement:** The acquisition of the parcel was partially funded by the City with Community Development Block Grant Funds; therefore, regulations require that the use of the property for the approved purpose shall continue for a minimum of five (5) years beginning on the date that the unit of government [City of Greensboro] is no longer considered by the Department of Housing and Urban Development to be a part of the ... metropolitan city (24 CFR 570.501(b) and 24 CFR 570.3(b)(7)(i)). The development agreement shall reflect this restriction as well as define terms of the development including, but not limited to, construction start and completion time frames and approval of site and building plans by the City.

**BACKGROUND:** In 2003 neighborhood residents and community leaders crafted a vision for a Neighborhood Center that would provide access to goods and services, opportunities for socializing and recreation, and a solid economic base for future improvements along Phillips Avenue.

The 9.7±-acre Bessemer Shopping Center property was purchased in January 2008 to provide land for construction of the new McGirt-Horton Library. Library bond funds, Community Development Block Grant (CDBG) funds and local neighborhood renewal bond funds were used for the \$1.25 million site purchase. The Planning & Community Development Department is overseeing redevelopment of the site in accordance with the 2003 Neighborhood Center Plan.

New Bessemer Associates LLC is a single purpose entity consisting of Beacon Management, Carolina Healthcare Initiatives, and East Market Street Development Corporation, formed to renovate, develop and own the Bessemer Shopping Center. Inclusion of the non-profit East Market Street Development Corporation will allow the LLC to access grants and funds and provide ongoing outreach to the community to ensure that the center continues to meet its needs and fully realizes the vision established in the 2003 Neighborhood Report.

**BUDGET IMPACT:** The project will have a positive impact on City revenues to include the established Fair Market Value to be received in cash for the sale of the divided land. In addition, new ad valorem property tax revenue is projected to be \$35,000 per annum. The property requested for purchase is currently not on the tax rolls since it is owned by the City, but will be subject to property taxes upon its sale to New Bessemer Associates LLC. It is anticipated that, at 75% occupancy, loan payments of approximately \$27,000 will be made annually.

The loan will be funded through some combination of the value of the land, Community Development Block Grant funds, redevelopment bond funds reallocated from projects that are not anticipated to move forward in this or next fiscal year, economic development bond funds and other available funds, to be determined as terms as finalized.

**RECOMMENDATION / ACTION REQUESTED:**

In accordance with NCGS 158-7.1, NCGS 160A-457, and other provisions of the law, it is requested that City Council approve sale to New Bessemer Associates LLC of the portion of the Bessemer Shopping Center property at 2521-2523 Phillips Avenue as shall be defined by future subdivision of the parcel, approve the request for an economic development loan for \$685,000 plus FMV of the divided land, and authorize city staff to execute all documents necessary for a loan agreement, a subordination agreement for said loan, and a development agreement between the City of Greensboro and New Bessemer Associates LLC.

## Attachment B

### Bessemer Shopping Center Draft City Loan Terms

**Amount:** \$685,000 plus the appraised value allocated to the divided parcel of land. Cash out after land purchase of approximately \$685,000.

**Terms:** 40-years, 0% interest

**Type:** Land assumption, construction loan converting to a fully amortized loan

**Collateral:** A second deed of trust on subject property.

**Repayment:** Payment deferred until occupancy at the new proposed center reaches a minimum of 75%. Upon stabilization (75%) payment will be made at 0% interest over 480 months, a 40 year fully amortized loan. If, at any time, occupancy falls below 75% then payments will be deferred until stabilization.

**Prepayment:** Allowed

**Advances:** TBD

**Closing Costs:** Paid by City of Greensboro

**City loan is conditioned on:**

1. Firm commitment from Financial Institution of a minimum of \$1 million or 50% of total development costs under terms agreeable to developer.
2. Firm commitment for a bondable construction contract with reputable builder.
3. Acceptance of existing lease agreement with Family Dollar Store
4. Lease agreements sufficient to bring center to an occupancy level of a minimum of 75%.
5. Negotiated lease with City for parking spaces used by the Library and access easement agreement.

Agenda Item: \_\_\_\_\_



## Attachment D

### Bessemer Shopping Center Draft Sales/Development Agreement Terms City of Greensboro and New Bessemer Associates, LLC

**Entity:** *New Bessemer Associates, a Limited Liability Company consisting of Beacon Management, Carolina Healthcare Initiatives, and East Market Street Development Corporation*

#### **Compliance with CDBG and federal requirements**

**Sale of land:** *Fair Market Value as defined for economic development projects*

**Restrictions on use of property:** *Must remain in the use for which it was sold for a minimum of five (5) years beginning on the date that the unit of government [City of Greensboro] is no longer considered by the Department of Housing and Urban Development to be a part of the ... metropolitan city (24 CFR 570.501(b) and 24 CFR 570.3(b)(7)(i))*

#### **Conditions**

**Period of construction:** *6-12 months*

**Improvements:** *Façade improvements equal or better than Conceptual Elevation, as approved at 8/19/10 community meeting, improvements to parking lot and open spaces as approved by City*

**Building plans, specifications and development budget:** *Requires City approval*

**Disbursement and use of loan proceeds:** *TBD*

**Term and repayment:** *40-year 0% interest - Payment deferred until occupancy at the new proposed center reaches a minimum of 75%. Upon stabilization (75%) payment will be made at 0% interest over 480 months, a 40 year fully amortized loan. If, at any time, occupancy falls below 75% then payments will be deferred until stabilization.*

**Inspections:** *City designee shall make inspections of the progress of construction of the Improvements and shall review and approve all disbursement requests.*

**Title Insurance:** *per City and industry standards*

**Security:** *Security staffing will continue for TBD duration*

**Negotiated agreement with McGirt Horton Library:** *for access easement and parking lease*

**Contractors:** *requires City approval*

**Subordination:** *second position to construction/permanent loan*

**Affirmative marketing requirement:** *per City requirements*

**Commencement of construction:** *TBD*

**Financial statement:** *to be submitted*

**Taxes, insurance and other assessments:** *paid by developer*

**Insurance:** *per industry and City standards*

**Environmental:** *Developer agrees to indemnify and hold harmless the City from any and all liability associated with any environmental testing the Developer undertakes.*

**Events of default:** *at a minimum shall include failure to pay, default under loan documents, inaccurate representation, deviation from plans, easements or encroachments on survey, claim of lien, impairment to security for the loan, noncompliance with governmental regulations*

**Lender's Right and Remedies in the event of default:** *at a minimum shall include acceleration of Note, possession by City*

**Audit:** *Duly authorized representatives shall have access for the purpose of making audit, examination, excerpts, and transcriptions for seven (7) years from the final payment under this agreement*

Agenda Item: \_\_\_\_\_

RESOLUTION AUTHORIZING SALE OF A PORTION OF THE LAND AND IMPROVEMENTS AT 2521-2523 PHILLIPS AVENUE; PROVISION OF AN ECONOMIC DEVELOPMENT LOAN TO NEW BESSEMER ASSOCIATES LLC, FOR NEW INVESTMENT IN BUILDING AND SITE IMPROVEMENTS AT THE BESSEMER SHOPPING CENTER TO INCREASE THE CITY'S AD VALOREM AND SALES TAX REVENUES AND TO INCREASE BUSINESS PROSPECTS FOR PHILLIPS AVENUE, THE CITY, AND SURROUNDING AREA; AND EXECUTION OF A SALES/DEVELOPMENT AGREEMENT WITH NEW BESSEMER ASSOCIATES LLC FOR THE RENOVATION OF THE BESSEMER SHOPPING CENTER

WHEREAS, New Bessemer Associates ("New Bessemer"), a Limited Liability Company consisting of Beacon Management, Carolina Healthcare Initiatives, and East Market Street Development Corporation, is proposing to invest in and renovate the Bessemer Shopping Center at 2521-2523 Phillips Avenue with a project budget of \$2,085,000;

WHEREAS, New Bessemer has offered to purchase approximately 5.35 acres of the 9.7±-acre Bessemer Shopping Center property at 2521-2523 Phillips Avenue from the City of Greensboro for the Fair Market Value;

WHEREAS, the renovated building will contain a grocery store, existing tenant Family Dollar Store, and other retail and/or service establishments as agreements with tenants are reached and it anticipated that 20± full- and part-time permanent jobs will be created by the grocery store at an average wage of \$10 or \$11 per hour and that additional permanent jobs with potentially higher wages will be created by other tenants;

WHEREAS, New Bessemer LLC has requested the City consider an economic development incentive loan of \$685,000 plus the Fair Market Value of the divided land, with the Fair Market Value of the land to be paid at closing;

WHEREAS, loan funds shall be used for the purpose of financing the sales price of the land and improvements to the existing building and site;

WHEREAS, the loan will be secured by an interest-free Note and second Deed of Trust on the divided property located at 2521-2523 Phillips Avenue to be amortized over 40 years;

WHEREAS, should New Bessemer fail to perform according to the terms set out above, the City shall have recourse in the form of acceleration of the Note or repossession;

WHEREAS, New Bessemer proposes to enter into a Sales/Development Agreement with the City.

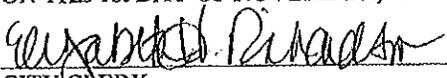
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

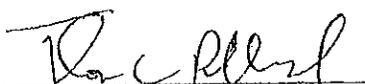
That the sale of approximately 5.35 acres of the property located at 2521-2523 Phillips Avenue for Fair Market Value is hereby approved.

That an economic development loan in the amount of \$685,000 plus Fair Market Value of the land in the form of an interest-free Note and Deed of Trust amortized over 40 years and subject to the terms and conditions outlined above is hereby approved.

That the City is hereby authorized to enter into a Sales/Development Agreement for redevelopment of the Bessemer Shopping Center.

THE FOREGOING RESOLUTION WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO ON THE 1st DAY OF NOVEMBER, 2011.

  
CITY CLERK

APPROVED AS TO FORM  
  
INTERIM CITY ATTORNEY

Planning and Community Development  
City of Greensboro



December 21, 2012.

**TO:** Denise Turner Roth, City Manager  
**FROM:** Sue Schwartz, FAICP Director  
**SUBJECT:** Post RUCO Study Committee Update

The last meeting of the Post RUCO Study Committee was held on November 29, 2012. The committee reviewed a last draft proposed amendments to the Minimum Housing Code Ordinance based on the NC General Statutes as enacted in June 2011. Additional recommendations were made at that time including refinements to the recommended ordinance and how to frame the final report to City Council.

The City Attorney's Office has completed the revised draft ordinance amendment. City staff is preparing a companion report outlining the work of the committee and the areas of agreement and the areas where there alternative opinions on what the ordinance should contain. This work has been delayed due to the Heritage House inspections and follow up which has been very time intensive. Our goal is to have a complete set of information for Council by January 15, 2012.

SS

cc: Mujeeb Shah-Khan, City Attorney  
Jim Westmoreland, Deputy City Manager



December 21, 2012

**TO:** Dale Wyrick, P.E., Director of Field Operations

**FROM:** Gail Hay, P.E., Technical and Planning Support Manager

**SUBJECT:** Household Hazardous Waste Fee Resumes January 1, 2013

The purpose of this memo is to remind you know that the residential Household Hazardous Waste (HHW) disposal fee will resume on January 1, 2013. In FY 2009-10, the City Council voted to suspend this fee and fund the program from the accumulated fund balance. The reason for reinstating the fee is that fund balance has been depleted and can no longer sustain the program costs. City residents will notice this fee on their water bill beginning next month, typically \$0.40 per month, but may vary based upon water meter size as summarized in the table below:

Meter Size (inches)	Monthly Fee	Meter Size (inches)	Monthly Fee
5/8	\$0.40	3	\$6.00
3/4	\$0.60	4	\$10.00
1	\$1.00	6	\$20.00
1 1/4	\$1.30	8	\$22.00
1 1/2	\$2.00	10	\$46.00
2	\$3.20		

Note: Single-family households not presently receiving city water and sewer service will be charged the minimum monthly fee of \$0.40.

The average household generates about 30 pounds of household hazardous waste (HHW) per year. If not disposed of properly, it can pose a threat to human health and the environment. The City's HHW program provides residents with a safe, economical, and environmentally sound disposal option for hazardous materials. Household hazardous waste can be disposed of at the City's Household Hazardous Waste Collections Center located at 2750 Patterson Street. More information on this program can be found on the City's website at <http://www.greensboro-nc.gov/index.aspx?page=555>.

If further is required, please advise.

GGH

Greensboro Police Department  
City of Greensboro



December 18, 2012

**TO:** Denise Turner Roth, City Manager  
**FROM:** Ken Miller, Chief of Police  
**SUBJECT: Findings of Crime Data Review**

When the State Bureau of Investigation published the 2011 Part I crime data this June, we realized the report contained several errors about crime in our city. After looking into the errors, we determined that the data we submitted over-reported murders, and placed some incidents of crimes in incorrect categories. Several members of the Department reviewed these errors and determined that they stemmed from improperly linking victims to certain crimes in our automated case management system, and failing to thoroughly review the data before submitting it to the SBI.

The reporting discrepancies were isolated to violent crime data. Property crime data was accurate. This distinction is a result of the way these categories of crimes are reported: violent crime data is reported by victims, while property crime data is reported by incident.

To correct the 2011 crime data and to ensure that 2012 crime data is accurate, we:

- Analyzed every violent crime report for 2011 and 2012 and, where necessary, corrected victim linkages to the crime.
- Reviewed 2012 Part I property crime reports for June, July, and the first 15 days of August to determine if there were reporting errors. This sampling revealed no deficiencies. From this sampling, we concluded that the numbers of property crimes initially reported were accurate.

Upon completion of our review, we concluded that except for the category of murder, the actual numbers of crimes we originally submitted to the SBI were within the anticipated range of differences. Some variation in crime numbers is normal as the classification or victim status may change between the time the original data was submitted and the final report from the SBI is published. Crime data typically changes somewhat over time. As continuing investigations reveal new facts affecting each case, reported crimes may be reclassified or unfounded, or additional crimes may be disclosed.

After we corrected errors in the case reports, violent crime was actually 2.3% less than what we originally reported to the SBI. Property crime rates were unchanged in every category. We have provided the corrected data (see enclosure) to the SBI and posted it on GPD's website. The SBI does not re-issue reports once they are published. Corrected data will be reflected in next year's report.

We know that crime data integrity is critical to Greensboro on many levels and is critical to the police department's operational focus and management of resources. Accurate data also provides a common method of comparison of crime rates across jurisdictions within North Carolina and at a national level.

In addition to reviewing the individual case reports, we took a critical look at our crime reporting processes. As a result, we implemented these improvements to increase the integrity our data:

- We updated our Incident Reports Manual to highlight correct victim/crime linkages when there are multiple crimes involved in a single incident. It has been published online for our personnel to use.
- Used the updated Manual to train recruits in the most recent PBIC class, sworn and non-sworn employees, and investigative supervisory staff.
- Investigative supervisory staff was given full permissions in the Records Management System to allow them to edit reports for classification changes and victim/crime linkages.
- Central Records Section was given the responsibility to review, validate, and correct reports as the Standard for the Department using the Daily Records Review.
- Implemented a system to provide feedback to sworn and non-sworn staff regarding report quality as needed.
- Prior to the submission of monthly crime data to the SBI by the affected Records supervisor, CID and the Crime Analysis Unit will review for confirmation of accuracy.

KCM/dkc  
Attachment

## Findings of Crime Data Review

Crime Classification	2011 Data Published by the SBI	2011 Data after GPD Review
Murder	41	25
Rape	85	81
Robbery	617	593
Aggravated Assault	873	865
<b>Total Violent Crimes</b>	<b>1,616</b>	<b>1,564</b>
Burglary	3,990	3,990
Larceny	8,896	8,896
Auto Theft	817	817
<b>Total Property Crimes</b>	<b>13,703</b>	<b>13,703</b>
<b>Total Part 1 Crimes</b>	<b>15,319</b>	<b>15,267</b>

Field Operations Department  
City of Greensboro



December 11, 2012

**TO:** Dale Wyrick, P.E. Director of Field Operations  
**FROM:** Sheldon D. Smith, Solid Waste Division Manager  
**SUBJECT: 2012 Keep America Beautiful Think Green Grant**

I am pleased to announce that the Solid Waste Division of Field Operations has been awarded the 2012 Keep America Beautiful (KAB) Think Green Grant this year. Greensboro was one of ten grant winners to receive the \$10,000 grant award. The award is sponsored by Waste Management and KAB to encourage beautification programs and sustainable environments. Our proposal was submitted through local KAB affiliate Greensboro Beautiful.

Over the past two years, we have focused on increasing recycling opportunities for multi-family residents and public access recycling in City buildings, venues and athletic fields. This grant funding will allow us to expand our recycling focus to high schools within the city limits.

Waste Reduction Specialist Yvonne Foust will challenge Greensboro high schools to develop a functioning indoor/outdoor recycling collection program. Additionally, students will be challenged to develop 30 to 60 second public service announcements to promote their school program to the students. I will provide you with a project timeline next month. If you should require any additional information, please let me know.

sds

cc: Yvonne Foust, Waste Reduction Specialist

**Public Affairs  
Contact Center Weekly Report  
Week of 12/3/12 – 12/9/12**

**Contact Center**

5260 calls answered this week

**Top 5 calls by area**

**Water Resources**

Balance Inquiry – 1170  
IVR/Pay by Phone – 336  
General Info – 171  
Bill Extension – 157  
New Sign up – 141

**Field Operations**

Loose Leaf Collection – 237  
Bulk Guidelines – 68  
E-Waste Collection – 50  
Mattress Go Round – 50  
Dead Animal Pick up – 39

**All others**

Police/Watch Operations – 249  
Courts/Sheriff – 69  
Privilege License – 33  
Inspections – 27  
Tax Department – 22

**Comments**

We received a total of **9** comments this week:

**Field Operations - 7 comments:**

- Our friend died over the weekend. His street was covered with leaves. The leaf pick up crew was in the area and made a special effort to pick up all the leaves at this location. Thanks very much for the prompt and considerate action of this crew.
- Customer called to say that she is so grateful that we came to pick up her leaves, she had so many out. She called one day and the next, the leaves were gone. Thank you!
- Customer wants to let the City know that not only are residents leaving leaves on the road, she hit a trash can dodging piles of leaves in the street. She feels it is getting really bad this year and is becoming dangerous. She feels the City should make sure residents are not putting leaves in the street.
- Caller stats online maps are really useless. The map does not give any information as to when leaves will be picked up.
- Accolades to the leaf collection department. Customer was helping a neighbor deal with a funeral, saw leaf crew working and asked for help getting the leaves collected before the event. The crew came and assisted with cleaning up in front of his home. This was much appreciated. This was exceptional service and wanted it to be noted. Please pass along. Thank you.
- Please give the folks who man the "leaf eaters" my thanks for such a fine job in my neighborhood!!! They are working so carefully and thoroughly. I, for one, deeply appreciate their efforts!
- Park in Sunset Hills – Leaves cleaned and left piled very high in the street. Customer had to back up to get through the street, Friendly and Rolling Rd., worst on E Greenway Dr. N., Greenway Park. This is very dangerous and customer is upset about it.

**Library – 1 comment:**

- I am a long-time user of the Hemphill Branch Library, and up until a few months ago, I was consistently frustrated with the unreliable wifi connection for my laptop. I spoke about this to the staff members at Hemphill branch and they had me fill out a written

complaint form several times over the years, to no avail. Consequently, I often went to a coffee shop to work instead of the library, even though I am an ardent public library supporter. However, in the past couple of months, the wifi at the Hemphill Branch seems to have changed, because now my computer immediately connects to the network and a disclaimer page appears (which never appeared in the past). I am thrilled with the reliability of the new network, and I appreciate the change so much. Thank you for your efforts to resolve this long standing issue!

**Parks and Recreation – 1 comment:**

- Candlefest at the Arboretum tonight was astonishingly beautiful! It was enchanting to walk along the luminary paths that stretched as far as you could see and around again. Topped off with a beaver full moon and to benefit a worthy cause. Thank you for a wonderful event. Another reason to love Greensboro!

**Overall**

Calls about the Mattress Go Round pilot program increased last week while calls about loose leaf collection remained steady. Call volume was busy through the end of the week.

**Public Affairs  
Contact Center Weekly Report  
Week of 12/10 – 12/14/12**

**Contact Center**

4522 calls answered this week

**Top 5 calls by area**

Water Resources

Balance Inquiry – 1031  
IVR/Pay by Phone – 232  
New Sign up – 160  
General Info – 143  
Cutoff Requests – 127

Field Operations

Loose Leaf Collection – 136  
E-Waste Collection – 61  
Bulk Guidelines – 59  
No Service/Garbage – 51  
HHW/Landfill – 45

All others

Police/Watch Operations – 228  
Courts/Sheriff – 58  
Privilege License – 37  
HR/Employment – 35  
Inspections – 33

**Comments**

We received a total of **4** comments this week:

**Field Operations - 2 comments:**

- Thank you to the leaf crew for getting leaves today, this is so appreciated. Nice job.
- Customer is complaining that the city needs to pick up extra bags of trash when requested by a resident.

**Public Affairs – 1 comment:**

- Late on the night of 12/10, I emailed the city customer service email address that my green garbage container had a wheel about to fall off. The very next morning early, I received a phone message as well as an email instructing me to position the container on the street the next morning and someone will either fix or replace it. I want to pass along my compliments and thanks to the city and that department for a great customer service experience.

**Water Resources – 1 comment:**

- Thinks a 20.00 late fee is extreme, to say nothing of the fact that we can put two of them on within one week if they don't pay. Seems excessive, bad business practice, like we're exploiting our customers.

**Overall**

Calls about employment increased last week. Otherwise, we received the normal mix of calls. Call volume remained steady through the end of the week.



## SMALL GROUP MEETINGS

Date	Councilmember	Department / Person Contacted	Subject	Council Notification Date
December 7, 2012	Mayor Perkins Mayor Pro Tem Johnson	City Manager Roth	Sebastian Medical Museum	December 21, 2012
December 18, 2012	Councilmember Abuzuaiter Councilmember Kee Councilmember Wilkins	Economic Development & Small Business Support Manger Debul	East Greensboro	December 21, 2012
December 18, 2012	Mayor Perkins Mayor Pro Tem Johnson Councilmember Bellamy-Small Councilmember Hoffmann	Deputy City Manager Westmoreland Assistant City Manager Scott	Lanzess Leadership Team	December 21, 2012