



May 17, 2013

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

UPCOMING MEETINGS

- May 20 @ 5:30 pm District 1 Neighborhood Walk
- May 21 @ 5:30pm City Council Meeting
- May 23 @ Noon Council Work Session
- May 24 @ 10:30am Post RUCO Committee Meeting
- May 30 @ 3:00 pm Council Work Session

**Council Follow-Up Items**

• **Cascade Saloon Update**

As an update from the February 14, 2013 Work Session, attached is a memorandum from Assistant City Manager David Parrish and City Attorney Mujeeb Shah-Khan, dated May 17, 2013, providing an update on the potential acquisition of the Cascade Saloon.

• **Glenwood Neighborhood Update**

As a follow-up to a request from Councilmember Wilkins at the April 2, 2013 Council meeting, attached is a memorandum from Planning and Community Development Director Sue Schwartz, dated May 16, 2013, providing an update on the statue of active Minimum Housing Code cases in the Glenwood Neighborhood.

**FY 13-14 Proposed Budget Work Session Schedule**

- Thursday, May 23 12-2pm
- Thursday, May 30 3-5pm
- Thursday, June 6 3-5pm

**Landfill Gas Utilization Project Update**

Attached is a memorandum from Field Operations Director Dale Wyrick, dated May 17, 2013, providing an update on the Landfill Gas Utilization project.

**Stand Up Paddleboarding**

Attached is a memorandum from Parks and Recreation Director Chris Wilson, dated May 17, 2013, regarding the approval from the North Carolina Department of Environment and Natural Resources Public Water Supply to allow the City to allow Stand Up Paddleboarding on three watershed lakes.

**Jordan Lake Rules Update**

Attached is a memorandum from City Attorney Mujeeb Shah-Khan, dated May 17, 2013, providing an update on the Senate bill 515, Jordan Lake Water Quality Act.

**2013 Health & Wellness Fair**

Attached is a memorandum from Human Resources Director Connie Hammond, dated May 16, 2013, regarding the City's annual Health and Wellness Fair.

**Memorial Day City Offices Closed**

Attached is a press release regarding the closing of City offices on Monday, May 27, 2013, in observance of Memorial Day.

**Public Information Request Report**

Attached is the weekly Public Information Request Report for the week of May 17, 2013.

**Contact Center Feedback**

Attached is the weekly report generated by our Contact Center for the week of May 6, 2013 through May 12, 2013.

**Small Group Meetings**

Attached is the weekly Small Group Meeting report for the week of May 10, 2013 through May 16, 2013, between City Staff and [more than two but less than five] Councilmembers.

DTR/mm  
Attachments

cc: Office of the City Manager  
Global Media



May 17, 2013

**TO:** Denise Turner Roth, City Manager

**FROM:** David Parrish, Assistant City Manager  
S. Mujeeb Shah-Khan, City Attorney

**SUBJECT:** Cascade Update

At the February 14 City Council Work Session, Council directed staff to consider acquisition of the Cascade Saloon through Eminent Domain and develop a Request For Proposals (RFP) to solicit contractors to stabilize the structure. This item offers an update on the activity to date and discusses next steps.

Regarding Eminent Domain, staff filed an application for Certificate of Appropriateness with the Guilford County Historic Preservation Commission (“Commission”) to obtain permission for the City to demolish the Cascade Saloon Building. As noted previously, for the City to be able to acquire the property through condemnation, the City would need to apply for permission to demolish the building. The application was heard at the Commission’s March 19, 2013 meeting. The Commission granted the City’s application, but delayed demolition for 365 days.

Staff also requested and received an appraisal of the property to determine fair market value. The appraised value is important should the City file condemnation action to acquire the property. The appraised value factored the value based on comparative sales plus any income from potential tax credits minus an estimated cost to stabilize the structure. This net value is \$26,000. Considering the low return on investment for this property, “the conclusion of the appraiser is that the AS IS market value of this property is zero.” Although the appraised value of the property is zero (due to the costs of any proposed repairs needed to make the building structurally sound), we note that in any condemnation case, the value of the building and property will be in question. The owner will have the opportunity to negotiate with the City or bring other evidence of what he contends is the proper value. A judge or jury could end up making the final decision on what the City is required to pay for the property. This could increase what the City would be required to pay in addition to stabilization costs.

Regarding the RFP, it was initially advertised in the News & Record on March 10. Staff hosted the mandatory pre-bid conference on site March 21. Three contractors attended this meeting. At this time, the three prospective proposers requested the deadline be moved one week to April 16, 2013 due to the complexity of the project and other construction deadlines in the region. Since it was a unanimous request, staff accommodated this request.

Staff received two formal bids for the stabilization of 410 S. Elm Street. Landmark and Bar Construction both submitted proposals for the work. The base bid specifications included stabilization of the exterior walls, interior demolition, and replacing/repointing exterior masonry. The alternate #1 provided for a new roof for the structure, which staff recommends to secure the property. Alternate #2 provided for the demolition and grading of the site. Only Bar Construction submitted for alternate #2. Below is a spreadsheet for the proposals.

<b>Contractor</b>	<b>Base Bid</b>	<b>Alt #1 - roof</b>	<b>Total</b>	<b>Alt. #2 - demo</b>
Landmark	\$578,666	\$122,100	<b>\$700,766</b>	
Bar Construction	\$924,900	\$25,000	<b>\$949,900</b>	<b>\$180,000</b>

The options for the City remain: demolition, repair/stabilization, and acquisition. The City has a demolition permit, which the Historic Preservation Commission approved but granted a delay until March 2014. If the building is demolished, the railroad might be reluctant to allow a new structure to be built on the same parcel due to their assertion of an existing easement (the status of the easement would need to be determined by the courts). Secondly, the use of repair through demolition by neglect has not been utilized by the City before and would likely be a lengthy process, with the owner having the chance to delay the process. The owner could be required to repair the building or the City could repair and place a lien on the property. The third option is acquisition. This could be through a voluntary negotiation process, eminent domain, or foreclosure. Eminent Domain was discussed above and will be further discussed at the upcoming work session. As of May 8 the owner owes \$4,329 in back taxes, so foreclosure is a possibility but a limited one. If the City were to attempt to acquire the property, the likely route of acquisition would be through eminent domain. If the City were to acquire the property it would be done in combination with stabilizing the structure.

Funding for any of these options would most likely come from the capital reserve fund. Staff will be prepared to discuss at an upcoming City Council Budget Work Session.

DP

Planning and Community Development  
City of Greensboro



May 16, 2013

**TO:** Jim Westmoreland, Deputy City Manager

**FROM:** Sue Schwartz, FAICP, PCD Director

**SUBJECT:** Glenwood Neighborhood – Housing Code Case Update

In response to a request from City Council we have attached an update on active Minimum Housing Code cases in the Glenwood neighborhood as of May 15, 2013.

The update provides information on the location and owner of each active housing case, date of last action and due date for next action by the housing inspectors. Additionally, there is a note section at the end of the update that provides further detail about last inspection actions.

Please contact me at 373-2149 if you have questions or need additional information.

SS/bh  
Attachment

## Glenwood Neighborhood - Active Minimum Housing Cases 5-15-2013

	<u>Case Number</u>	<u>Address</u>	<u>Property Owner</u>	<u>Date of Last Inspection Activity</u>	<u>Next Inspection Action Due</u>	<u>Last Inspection Action</u> (see Notes)
1	201101226	1103 S AYCOCK ST	TINA C NTUTEN	4/16/2013	5/16/2013	Referred to Minimum Housing Commission (MHC)
2	201301294	2109 COLISEUM BLVD	VIVIAN M RIDDLE	5/3/2013	6/3/2013	Repair Order Issued
3	201301799	720 DILLARD ST	PIRATECO LLC	5/3/2013	5/20/2013	Inspection Attempt
4	201204905	801 DILLARD ST	JAMES T GRIFFIN	4/16/2013	5/16/2013	Repair Order Issued
5	201104418	804 DILLARD ST	SALLIE MALLOY	4/16/2013	5/16/2013	Referred to MHC
6	201300441	805 DILLARD ST	JOHN MARTIN	4/16/2013	5/16/2013	Repair Order Issued
7	201300058	806 DILLARD ST	HALL PROPERTY GROUP LLC	4/26/2013	5/28/2013	Repair Order Issued
8	201300062	814 DILLARD ST	BASIL N T AGAPION	4/29/2013	5/28/2013	Hearing Notice Letters Issued (New owners identified)
9	201202285	807 GARRETT ST	GREENSBORO INVESTMENT HOMES LLC	5/6/2013	6/5/2013	Reinspection - Noncompliant
10	201201679	928 GLENWOOD AVE	BULENT BEDIZ	4/29/2013	5/29/2013	Referred to MHC
11	201207592	1302 GLENWOOD AVE	ANDREW A RAYLE	5/7/2013	5/22/2013	Inspection Attempt
12	201300059	906 GREGORY ST	HENRY L PARKER & MARGARET L PARKER REVOCABLE LIVING TRUST	4/12/2013	*5/13/2013	Condemnation Letters Issued
13	201300057	917 GREGORY ST	LINDA P HALL	4/18/2013	5/20/2013	Reinspection - Noncompliant
14	201300774	1018 GREGORY ST	E&P PROPERTY HOLDINGS LLC	4/1/2013	*5/1/2013	Repair Order Issued; Title search requested
15	201301173	1309 GROVE ST	SUE F FARLOW	4/15/2013	5/17/2013	Pending Lead Grant (rehab) approval
16	201303073	1506 GROVE ST	JOYCE D SHEHAN	5/15/2013	5/16/2013	Rental Case Opened
17	201300061	708 HAYWOOD ST	LEROY FIELDS JR	4/24/2013	5/24/2013	Hearing Notice Letters Issued
18	201300791	902 HAYWOOD ST - B	BRIAN A HALL	5/14/2013	6/14/2013	Hearing Notice Letters Issued
19	201201846	902 HAYWOOD ST - A	BRIAN A HALL	5/2/2013	6/3/2013	Reinspection
20	201201767	905 HAYWOOD ST	NELLIE J JONES LLC	5/13/2013	6/12/2013	Referred to MHC
21	201301132	906 HAYWOOD ST	CHARLES & ELVA MATHIS	5/13/2013	6/12/2013	Condemnation Notice posted (due to fire damage at the property)
22	201301801	1012 HAYWOOD ST	NELLIE J JONES LLC	5/3/2013	5/20/2013	Inspection Attempt
23	201101862	1206 HERTFORD ST	PHILOMINA T MATTHEWS	4/26/2013	5/16/2013	Inspection Attempt
24	201301802	910 HIGHLAND AVE	JOAN D WHITE	5/3/2013	5/20/2013	Inspection Attempt
25	201301939	919 HIGHLAND AVE - B	JOHN L AZAR	5/7/2013	5/22/2013	Inspection Attempt
26	201301940	919 HIGHLAND AVE - A	JOHN L AZAR	5/7/2013	5/22/2013	Inspection Attempt
27	201207223	1507 HOLBROOK ST	SUSAN C RAKAMA	4/15/20013	5/15/2013	Condemnation Letters Issued
28	201207085	805 LEXINGTON AVE	NELLIE J JONES LLC	5/13/2013	6/12/2013	Referred to MHC
29	201204725	809 LEXINGTON AVE	NELLIE J JONES LLC	5/8/2013	6/5/2013	Referred to MHC
30	201204724	810 LEXINGTON AVE	NELLIE J JONES LLC	4/16/2013	5/16/2013	Referred to MHC
31	201204726	812 LEXINGTON AVE	NELLIE J JONES LLC	4/16/2013	5/16/2013	Referred to MHC
32	201300063	817 LEXINGTON AVE	DAVID R BEDIZ	4/15/2013	5/15/2013	Repair Order Issued
33	201301941	819 LEXINGTON AVE - A	DAVID L COZART	5/9/2013	5/24/2013	Inspection Attempt
34	201301942	819 LEXINGTON AVE - B	DAVID L COZART	5/9/2013	5/24/2013	Inspection Attempt
35	201100568	1121 LEXINGTON AVE	NELLIE J JONES LLC	4/16/2013	5/16/2013	Repair Order Issued
36	201101243	1311 LINWOOD ST	JAMES B FLEET JR TRUSTEE	4/15/2013	5/15/2013	Referred to MHC

## Glenwood Neighborhood - Active Minimum Housing Cases 5-15-2013

	<u>Case Number</u>	<u>Address</u>	<u>Property Owner</u>	<u>Date of Last Inspection Activity</u>	<u>Next Inspection Action Due</u>	<u>Last Inspection Action</u> (see Notes)
37	201207587	1515 MARION ST	CLAYTON STURDIVANT	5/9/2013	6/10/2013	Hearing Notice Letters Issued
38	201301800	900 MCCORMICK ST	KEVIN L HERNDON	5/3/2013	5/20/2013	Inspection Attempt
39	201208438	918 MCCORMICK ST	PEGGY S SPEARS	5/7/2013	6/7/2013	Reinspection - repairs underway
40	201301438	920 MCCORMICK ST	DORIS C CUMMINGS	5/3/2013	6/3/2013	Condemnation Letters Issued
41	201204420	1543 MCCORMICK ST	PEARSON, KEITH	4/15/2013	5/15/2013	Referred to MHC
42	Multiple (16 units)	803 Oak - A thru P	SOPHIA AGAPION	5/2/2013	6/3/2013	Inspections underway (16 units)
43	201207586	1502 ONTARIO ST	BRIGHTWATER PARTNERS LLC	5/8/2013	6/6/2013	Hearing Notice Letters Issued
44	201207001	1408 PORTLAND ST	ONDREA G DWIGGINS	4/29/2013	5/29/2013	Repair Order Issued
45	201301226	1704 RAINBOW DR	N BENNETT BOYLES JR	4/15/2013	5/15/2013	Hearing Notice Letters Issued
46	201104243	812 RICHARDSON ST	BEDIZ BULENT	4/15/2013	5/15/2013	Referred to MHC
47	201301525	809 SILVER AVE	CAPITAL FACILITIES FOUNDATION INC	4/17/2013	5/17/2013	Hearing Notice Letters Issued
48	201205213	706 UNION ST	GENEVA M. JAMES	4/29/2013	5/29/2013	Hearing Notice Letters Issued
49	201301526	1013 UNION ST	CAPITAL FACILITIES FOUNDATION INC	4/17/2013	5/17/2013	Hearing Notice Letters Issued
50	201200671	1000 W FLORIDA ST	ALEJANDRO GARCIA CAHUICH	4/15/2013	5/15/2013	Referred to MHC
51	201100653	1004 W FLORIDA ST	CHAD MEREDITH	5/3/2013	6/3/2013	Repair Order Issued
52	201301552	1612 W FLORIDA ST	RONALD STANLEY	5/6/2013	6/5/2013	Hearing Notice Letters Issued
53	201100048	2106 W FLORIDA ST	KELLY MAGNUSSEN	4/15/2013	5/15/2013	Referred to MHC
54	201200229	2208 W FLORIDA ST	TIFFANY L STANLEY	4/15/2013	5/15/2013	Reinspection - repairs underway
55	201207094	2224 W FLORIDA ST	BLADE PROPERTIES III LLC	5/1/2013	5/31/2013	Referred to MHC
56	201100299	2422 W FLORIDA ST	SENGALONE PHONGSAVANH	4/25/2013	*5/10/2013	Title Search Request (new foreclosure action)
57	201300056	1117 WARREN ST	SABRINA P SCROGGINS	4/19/2013	5/20/2013	Hearing Notice Letters Issued
58	201100791	1119 WARREN ST	JOY HERNDON	4/15/2013	5/15/2013	Hearing Notice Letters Issued
59	201100790	1513 WILLOMORE ST	JENNIFER J JURNEY	4/24/2013	5/24/2013	Referred to MHC
60	201300060	1523 WILLOMORE ST	EMANUEL AGAPION	5/13/2013	6/12/2013	Referred to MHC
61	201201522	1618 WILLOMORE ST	SIMAAN HICKORY LLC	5/6/2013	6/6/2013	Reinspection - repairs underway
62	201100227	1811 WILLOMORE ST	CURTIS LEE ADAMS	4/19/2013	5/20/2013	Condemnation Letters Issued

**Notes re: Last Inspection Action...**

Rental Case Opened	New case opened. Not yet inspected
Inspection Attempt	Attempts to gain access from owner prior to obtaining administrative warrant Once inspection is completed a Hearing Notice is sent to owner advising of violations found and hearing date (with inspector). Provides opportunity for owner to propose how & when violations will be corrected. At hearing owner is given an initial 30 day period to cure violations.
Hearing Notice Letters Issued	Once hearing is held a Notice to Repair or Demolish is issued giving owner an initial 30 day period to cure violations.
Repair Order Issued	Periodic re-inspections when repairs are underway
Reinspection	Property has been condemned and must be vacated
Condemnation Letters Issued	Owner has not completed repairs and case is pending placement on Minimum Housing Commission Agenda
Referred to MHC	Reflects that due date for next action has passed. Inspectors will have these cases updated within 7 days.
*(asterisk)	



May 17, 2013

**TO:** David Parrish, Assistant City Manager  
**FROM:** Dale Wyrick, P.E., Director of Field Operations  
**SUBJECT:** Landfill Gas Utilization Project Update

The purpose of this memo is to provide an update on the anticipated issuance and following steps for the City of Greensboro's Landfill Gas Utilization project. I had previously communicated to the City Council that the anticipated issuance for the project's request for proposals (RFP) would occur in mid-May of this year. Due the ongoing development of that RFP, I need to modify that schedule as follows:

- Issuance of Requests for Proposals May 28, 2013
- Developer Deadline to Submit Questions June 11, 2103
- City Deadline for Written Response June 18, 2013
- Proposal Submissions Due June 30, 2013
- Evaluate and Interview Proposers July 30, 2013
- Staff Recommendation to Council August 15, 2013 Work Session
- Council Meeting to Select Developer August 20, 2013 Council Meeting
- Contract Negotiations Completed September 30, 2013
- Contract Initiation/Begin Construction October 1, 2013

If further information is needed, please advise.

DW

Greensboro Parks & Recreation  
City of Greensboro



May 17, 2013

**TO:** Sandy Neerman, Assistant City Manager

**FROM:** Chris Wilson, Director

**SUBJECT:** Stand Up Paddleboard (SUP) approval for Lake Higgins

On Wednesday, May 15, 2013 the State of North Carolina's Department of Environment and Natural Resources' (DENR) Public Water Supply formally approved the City's request to modify the rules and regulations governing our three (3) watershed lakes; Lake Higgins, Townsend and Lake Brandt.

Specifically, the City requested that the State permit the use of a new and popular recreation activity; Stand Up Paddleboarding (SUP) at Lake Higgins. This request has been approved and as of today, May 17, 2013 SUP is an approved and acceptable activity at Lake Higgins.

Residents will have the opportunity to use their personal SUP at Lake Higgins under the same rules and regulations as other personal water craft currently permitted and for a launch fee of \$6.00. Staff is currently working towards acquiring an inventory of City owned SUP's for future rental opportunities.

CW/ww

**cc:** Jenny Caviness, Division Manager, Youth Services and Volunteer Management  
Nasha McCray, Division Manager, Planning and Project Development  
Wade Walcutt, Division Manager, Community Recreation Services  
Dan Maxson, Division Manager, Administrative Services  
Phil Fleischmann, Special Programs Superintendent

Office of the City Attorney  
City of Greensboro



May 17, 2013

**TO: Mayor and City Council  
Denise Turner Roth, City Manager**

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

**SUBJECT: Jordan Lake Rules Update**

The Jordan Lake Rules are a significant issue for the City, and Council requested that the issue of the Jordan Lake Rules (“Rules”) would be a part of the City’s legislative agenda. Senate Bill 515, Jordan Lake Water Quality Act, sponsored by Senators Trudy Wade and Rick Gunn, passed the Senate and is now headed to the House. I wanted to update you on what SB 515 does, and where the process will go from here.

Senate Bill 515 (copy enclosed) was amended while in the Senate’s Agriculture/Environment/Natural Resources Committee to repeal the Rules, with the goal of rewriting the Rules to lessen the impact on local governments and the public. It notes that, “The design of the Lake creates a situation of perpetual impairment regardless of upstream variables. Therefore, the State’s existing nutrient management strategies regulating the Lake basin will continue to have little or no effect on water quality improvement in the Lake itself.” SB 515 suggests that a new approach is needed for nutrient management in the lake and upstream, including within Greensboro.

Why rewrite the Rules? The answer is simply this – the U.S. Environmental Protection Agency would have serious concerns if the State did not put some sort of rules in place. The goal is to have a study committee examine the issues, and report back to the General Assembly. The Committee is comprised of State Senators and Representatives. SB 515 spells out the composition of the subcommittee and its goals as follows:

The subcommittee shall consist of five Senators appointed by the President Pro Tempore of the Senate and five Representatives appointed by the Speaker of the House of Representatives. The subcommittee shall undertake, at a minimum, the following activities:

- (1) Review the history of Jordan Lake and its nutrient loading issues.
- (2) Evaluate the current condition and uses of Jordan Lake.
- (3) Consider the potential future conditions and uses of Jordan Lake.

- (4) Review the development, policies, and content of the rules and Session Laws repealed in Subsections 2(a) and 2(b) of this act.
- (5) Review statutory law for the management of nutrients in the State.
- (6) Receive input from experts in nutrient management on strategies for management of nutrients in Jordan Lake.
- (7) Receive input from interested stakeholders, including local governments and representatives of agricultural, development, environmental, and other interests, on strategies for management of nutrients in Jordan Lake.
- (8) Develop recommendations, including legislative proposals, addressing water quality in Jordan Lake. The recommendations should include a projected timeline for implementation, including rule development by appropriate agencies, boards, and commissions. The recommendations shall consider the efficacy of a primary water quality strategy that focuses on treatment and remediation of Jordan Lake rather than upstream mitigation strategies, the projected costs, the distribution of cost-sharing between local governments within the affected basin, and an assessment of the likelihood in achieving measureable protection of the water quality in Jordan Lake

SB 515 will now be considered by the House. If SB 515 passes, the repeal of the Rules will take place by October 1, 2013. However, any Rules slated for repeal by October cannot be enforced once SB 515 passes and becomes law. If it becomes law, the study committee will report to the General Assembly during the 2014 short session. It is unclear what new recommendations the study committee will make. Until the recommendations are available, we do not know how the regulators will interpret the City's responsibilities under any new framework.

If you have any questions about SB 515, or any other aspect of our legislative agenda, please contact me at your convenience.

SMS  
Enclosure

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

S

3

SENATE BILL 515  
Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/14/13  
Third Edition Engrossed 5/15/13

Short Title: Jordan Lake Water Quality Act.

(Public)

Sponsors:

Referred to:

March 28, 2013

A BILL TO BE ENTITLED

AN ACT TO REVISE THE NUTRIENT MANAGEMENT STANDARDS APPLICABLE TO  
THE JORDAN LAKE WATERSHED.

Whereas, the United States Congress authorized the United States Army Corps of  
Engineers (USACE) to create what is now the B. Everett Jordan Lake in 1963; and

Whereas, the USACE submitted a Final Environmental Impact Statement (EIS) in  
November 1971 that stated, "Of primary concern is the eutrophic tendency of the lake.  
Eutrophication is a term used to describe the natural change in productivity of a lake during  
aging. It is usually a long-term phenomenon, which may be measured in geologic time ....  
Studies have shown that, assuming that all other elements necessary are available, the amounts  
of nitrogen and phosphorus presently found in the influent are adequate to produce algae  
blooms in the lake."; and

Whereas, the USACE stated in the EIS, "Several studies have indicated that the  
major water quality problem will be associated with anticipated nuisance algal growths  
resulting from excess nutrients from upstream sources."; and

Whereas, the United States Environmental Protection Agency (EPA) commented in  
the EIS, "Nutrient concentration in both the Haw River and New Hope River are high, and  
nuisance algal growth detrimental to water supply and recreation are a virtual certainty ....  
Impoundment should not take place until there is a strong technical basis for the prediction that  
nuisance algal growths will not occur."; and

Whereas, the USACE, in responding to the EPA's comments in the EIS, stated, "...  
it is doubtful whether a strong technical basis exists for the prediction that nuisance algal  
growths will not occur on most existing reservoirs ...."; and

Whereas, the United States Department of the Interior Bureau of Sport Fisheries and  
Wildlife commented in the EIS that, "High nutrient concentrations will intensify and extend  
water quality problems into the upper surface layers. Therefore, impoundment will create a  
pollution problem to the detriment of the ecosystem."; and

Whereas, the EIS contained a summary of complaints from pending litigation that  
included, "Even in the absence of nutrients from wastes, the shallowness ... would ensure  
abnormally heavy algae growths that could not be controlled .... Probably the most serious  
deficiency of defendants' environmental statement is its de-emphasis on the certainty that the  
water ... will be of exceptionally bad quality."; and

Whereas, Colonel Homer Johnstone, the USACE Wilmington District Engineer  
signed a Notice of Decision to Impound on September 14, 1976, to create the B. Everett Jordan  
Lake permanent conservation pool; and



1           Whereas, in the USACE Notice of Decision to Impound, Colonel Johnstone  
2 considered work of the National Eutrophication Survey by the United States Environmental  
3 Protection Agency and stated, "That there is common agreement that B. Everett Jordan Lake  
4 will be eutrophic. Over 70 percent of the lakes in North Carolina are eutrophic." and that "Algal  
5 blooms are common in eutrophic lakes."; and

6           Whereas, in the USACE Notice of Decision to Impound, Colonel Johnstone stated,  
7 "I find that most of the lake will be acceptable for boating and primary (water) contact  
8 recreation. However, above SR 1008 crossing, I anticipate heavy growth of algae and aquatic  
9 plants such as water lilies in response to the high nutrient inflows."; and

10           Whereas, in the USACE Notice of Decision to Impound, Colonel Johnstone stated  
11 that, "The trophic state of the lake can affect public water supplies if algal growths become  
12 quite large and taste and odor problems develop. This problem may develop on occasion if  
13 water is withdrawn above the natural topographical constriction near the confluence of the two  
14 rivers up to SR 1008. There are apt to be increased treatment costs .... These effects are not  
15 unusual, however, and can be minimized by careful selection of withdrawal location."; and

16           Whereas, the USACE Notice of Decision to Impound also addressed bacteriological  
17 quality in the proposed lake and Colonel Johnstone stated, "The bacteriological quality  
18 standards for raw water supply are less stringent than those for recreational activities such as  
19 swimming and water skiing.", and "Problem areas are the inflows of both the Haw and New  
20 Hope Rivers which sometimes contain excessive bacteriological levels.", and "During the  
21 summer months, bacterial standards may be exceeded on the first 1.5 miles of the upper Haw  
22 arm of the lake, Robeson Creek Cove and the area above SR 1008 on the New Hope River.";  
23 and

24           Whereas, the USACE Notice of Decision to Impound addressed heavy metal  
25 concentrations in the proposed lake and Colonel Johnstone stated, "I know of no reliable  
26 technique to predict accurately the effects of dilution on the concentrations of heavy metals, but  
27 I am confident that dilution will ameliorate these concentrations at their point of withdrawal or  
28 discharge from the lake."; and

29           Whereas, in the USACE Notice of Decision to Impound, Colonel Johnstone stated,  
30 "Further, the predicted concentrations of heavy metals in the water and fish do not pose a threat  
31 to human life or the environment and do not affect the purposes of the project as authorized.  
32 However, I will institute a program of sampling and testing to be continued after  
33 impoundment."; and

34           Whereas, in the USACE Notice of Decision to Impound, Colonel Johnstone stated,  
35 "Adverse impacts include the possibility that portions of the lake will not be desirable for  
36 recreation. This has been expected from the start of planning and recreation areas planned  
37 accordingly. Then, too, there is the presence of mercury in fish which warrants concern but  
38 does not pose a threat to human health or the environment."; and

39           Whereas, in the USACE Notice of Decision to Impound, Colonel Johnstone stated,  
40 "Along with flood control, project purposes which will be served from impoundment are  
41 downstream low-flow augmentation, water supply, fish and wildlife conservation and  
42 recreation. The projected water quality within the impounded waters, while reflecting problems  
43 present in many lakes and streams in the region, will provide for these original purposes.";  
44 Now, therefore,

45 The General Assembly of North Carolina enacts:

46 **PART I. LEGISLATIVE INTENT**

47           **SECTION 1.** It is the intent of the North Carolina General Assembly to address the  
48 water quality in the B. Everett Jordan Lake (Lake) by recognizing all of the following to be  
49 true:

- 1 (1) The Lake was authorized, designed, and constructed by the federal  
2 government and, prior to impoundment, documentation shows that the  
3 federal government knew the Lake would be an impaired water body.
- 4 (2) The design of the Lake creates a situation of perpetual impairment regardless  
5 of upstream variables. Therefore, the State's existing nutrient management  
6 strategies regulating the Lake basin will continue to have little or no effect  
7 on water quality improvement in the Lake itself.
- 8 (3) The continued application of the current nutrient management strategy  
9 within the Lake basin, which is both inadequate and ineffective, creates an  
10 unfair and unattainable regulatory burden on North Carolina's citizens with  
11 direct results that include wasteful expenditure of private and  
12 taxpayer-funded resources, development restrictions, and the inhibition of  
13 economic growth.
- 14 (4) A completely new approach for water quality management is deemed  
15 necessary with a primary focus on mitigation of the water quality within the  
16 Lake itself, which can only be done by first achieving a complete repeal of  
17 the existing session laws and rules that address nutrient management  
18 standards within the Lake basin.
- 19 (5) The cost of development and implementation of a new or revised regulatory  
20 framework must take into consideration that all of the municipal and county  
21 governments within the Lake basin have invested taxpayer dollars at  
22 different levels to implement previous nutrient management strategies  
23 mandated by the State and federal governments. Therefore, future costs of a  
24 new nutrient management and water quality strategy must be fairly  
25 distributed and based, in part, on a prorated share of these differing levels of  
26 previous good-faith efforts and investments.
- 27 (6) During its 2013 session, the General Assembly will authorize a study to  
28 provide recommendations for consideration by the full General Assembly to  
29 direct the State's efforts on development of a new regulatory framework to  
30 address water quality within the Lake basin to begin as early as May 2014  
31 with implementation soon thereafter.

## 32 PART II. REPEAL OF EXISTING RULES AND STATUTES

33 SECTION 2.(a) The Environmental Management Commission shall, no later than  
34 October 1, 2013, repeal the following rules:

- 35 (1) 15A NCAC 02B .0262 through .0273  
36 (2) 15A NCAC 02B .0311

37 SECTION 2.(b) S.L. 2009-216, Part II of S.L. 2009-484, Section 14 of S.L.  
38 2011-394, Section 12.1 of S.L. 2012-187, Subsections 9(c) through 9(g) of S.L. 2012-200, and  
39 Subsections 11(a) through 11(e) of S.L. 2012-201 are repealed.

40 SECTION 2.(c) The rules to be repealed pursuant to subsection (a) of this section  
41 and the Session Laws to be repealed pursuant to subsection (b) of this section shall not be  
42 enforced by the State or any of its subdivisions.

## 43 PART III. LRC STUDY JORDAN LAKE NUTRIENT LOADING ISSUES

44 SECTION 3. The Legislative Research Commission shall establish the Jordan  
45 Lake Study Subcommittee to consider all issues deemed relevant to addressing the water  
46 quality in Jordan Lake. The subcommittee shall consist of five Senators appointed by the  
47 President Pro Tempore of the Senate and five Representatives appointed by the Speaker of the  
48 House of Representatives. The subcommittee shall undertake, at a minimum, the following  
49 activities:

- 50 (1) Review the history of Jordan Lake and its nutrient loading issues.  
51 (2) Evaluate the current condition and uses of Jordan Lake.

- 1 (3) Consider the potential future conditions and uses of Jordan Lake.
- 2 (4) Review the development, policies, and content of the rules and Session Laws
- 3 repealed in Subsections 2(a) and 2(b) of this act.
- 4 (5) Review statutory law for the management of nutrients in the State.
- 5 (6) Receive input from experts in nutrient management on strategies for
- 6 management of nutrients in Jordan Lake.
- 7 (7) Receive input from interested stakeholders, including local governments and
- 8 representatives of agricultural, development, environmental, and other
- 9 interests, on strategies for management of nutrients in Jordan Lake.
- 10 (8) Develop recommendations, including legislative proposals, addressing water
- 11 quality in Jordan Lake. The recommendations should include a projected
- 12 timeline for implementation, including rule development by appropriate
- 13 agencies, boards, and commissions. The recommendations shall consider the
- 14 efficacy of a primary water quality strategy that focuses on treatment and
- 15 remediation of Jordan Lake rather than upstream mitigation strategies, the
- 16 projected costs, the distribution of cost-sharing between local governments
- 17 within the affected basin, and an assessment of the likelihood in achieving
- 18 measureable protection of the water quality in Jordan Lake.

19 The Commission shall report any findings and recommendations to the 2014 Regular  
20 Session of the 2013 General Assembly. The Commission shall also transmit any findings and  
21 recommendations to the Environmental Review Commission and the Fiscal Research Division.

22 **SECTION 5.** Consultation. – The Department of Environment and Natural  
23 Resources and the Environmental Management Commission shall consult with the United  
24 States Army Corps of Engineers and the United States Environmental Protection Agency to  
25 identify mitigation strategies that focus on treatment and remediation of the lake rather than  
26 upstream mitigation strategies.

27 **SECTION 6.** Effective date. – Subsection 2(b) of this act becomes effective  
28 October 1, 2013. The remainder of this act is effective when it becomes law.

Human Resources Department  
City of Greensboro



May 16, 2013

**TO:** Denise Turner Roth, City Manager  
Jim Westmoreland, Deputy City Manager

**FROM:** Connie Hammond, Human Resources Director

**SUBJECT:** 2013 Health & Wellness Fair

The City will conduct its annual Health & Wellness Fair for its employees on Wednesday, May 22, 12-5 pm in the MMOB and Thursday, May 23, 7-11 am on Patton Avenue. During this event, employees will learn ways they can reduce their healthcare costs, increase healthy behaviors and reduce risk factors. Employees will have the opportunity to receive biometric screenings (such as blood pressure readings, cholesterol numbers and blood sugar counts), interact with a variety of vendors and will also be encouraged to complete a confidential health assessment.

The Health & Wellness Fair supports the City Manager's efforts to increase awareness of overall employee health and the impact a robust wellness program can have on morale, costs, and productivity.

For more information, please see the attached flyer or feel free to call me at 373-2710.

CDH/Jab  
Attachment: 2013 Health & Wellness Fair flyer

# EMPLOYEE WELLNESS

## FAIR

## MAY 22 - 23

## 2 LOCATIONS



★ **MAY 22 • Noon - 5 pm**  
**MMOB Plaza Level**  
300 W Washington St

★ **MAY 23 • 7 - 11 am**  
**Building A, Assembly Room**  
401 Patton Avenue

## HIGHLIGHTS:

### Health Assessment Demo

*Raffle for surprise prize*

### Biometric Screenings

### Body Fat Screening

### Chair Massage and Spinal Assessment

*Sign up for a chair massage early—slots will fill up fast throughout the day!*

### Foot Assessment

### Grocery Coupons, Pens, and Pads

### Le Bleu Water Samples

### Pediatric Weight Management Program

*Info on the Family Walk in September*

### Programs and Information

### Enter to Win a Free Month Membership

*Free t-shirts to anyone who enrolls in the corporate discount program!*

### Swim Instructor and Programs



Cone Health, Moses Cone Hospital

YMCA

Health 1st Chiropractic & Progressive Rehab

Triad Foot Center

Lowes Foods

Le Bleu

Brenner FIT, Brenner Children's Hospital

Wake Forest Baptist Health

Parks and Recreation

The RUSH

Greensboro Aquatics Center



**GREENSBORO**

**CITY OF GREENSBORO  
FOR IMMEDIATE RELEASE**

Contact: Jake Keys  
Phone: 336-373-2105

***City of Greensboro Announces Memorial Day Closings***

GREENSBORO, NC (May 16, 2013) – City offices are closed on Monday, May 27 in observance of Memorial Day. The following services and facilities will operate on a holiday schedule:

- No garbage, recycling, bulk trash, yard waste, or appliance collections take place on Monday, May 27. Monday's collections take place Tuesday, May 28 and Tuesday's collections take place Wednesday, May 29.
- The White Street Landfill and Solid Waste Transfer Station are both closed on Monday, May 27.
- The Greensboro Historical Museum and the Greensboro Public Library are both closed on Monday, May 27.
- On Monday, May 27, the Greensboro Transit Authority (GTA) operates on a Saturday schedule with hourly service from 6 am to 10 pm. Route 17 will not run on Memorial Day. Regular service on all GTA routes resumes Tuesday, May 28.
- Emergency services are available for water and sewer needs 24 hours a day, seven days and week. Water customers can call 373-2489 (CITY) to report water or sewer problems. After placing the call, please follow the prompts to connect to the Water Resources dispatcher.

- City recreation centers, Lake Higgins, Smith Senior Center, MainStream Resources, Greensboro Youth Council, City Arts, Greensboro Cultural Center, Caldcleugh Multicultural Arts Center and Parks & Recreation administrative offices will be closed on Monday, May 27. City parks, gardens, trails, cemeteries, outdoor pools, Greensboro Sportsplex, Simkins Indoor Sports Pavilion at Barber Park, Lake Brandt and Lake Townsend will be open to the public. All programs and facilities resume regular operational hours on Tuesday, May 28.

# # #

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The City works with the community to improve the quality of life for residents through inclusion, diversity, and trust. As the seventh largest employer in Greensboro, the City has a professional staff of 3,000 employees who maintain the values of honesty, integrity, stewardship, and respect. The City is governed by a council-manager form of government with a mayor and eight council members. For more information on the City, visit [www.greensboro-nc.gov](http://www.greensboro-nc.gov) or call 336-373-CITY (2489).



GREENSBORO

# Current Public Records Requests Update May 17, 2013

Date Requested	Requestor	Subject	Status
11/7/2012	Daniel Unknown	Hells Angels Email Search - 200,000 Document - 28,000	Emails have been reviewed. Currently converting to PDF and due to the size of the file completion is expected by 5/20/13.
1/16/2013	Eric Ginsburg	Socialist request Email Search - 141,954	Search 1 of 5 was completed on 4/23/2013 and made available to requestor. Staff continuing to review emails. Second batch anticipated to be released next week.
2/8/2013	Eric Ginsburg	Palestine, Candlelight Vigil, Gaza Email Search - 120,215	Review is for significant number of emails. Batch one and two has been sent to the requestor. Staff is continuing to review emails.
2/18/2013	Billy Jones	Confidential Informants Policy/Procedures	Partially completed and sent. Police Attorney is preparing final item
3/26/2013	Bill Knight	Project Homestead Emails Email Search - 5,323	Legal has begun reviewing emails. Requestor will received one batch of emails on 5/20/13.
4/24/2013 (re-opened on 5/13/13)	Roch Smith	PIRT File	Closed on 5/10/13. Re-opened on 5/13/13 per requestor's notice that request not fulfilled. Staff currently collecting requested information.
4/29/2013	Roch Smith	Surveillance Camera Info	Staff is currently reviewing this request. Staff provided initial information.
4/30/2013	George Hartzman	Budget/Ethic Code/East GBO Summit/GPAC Email search: 1,442	Requestor has received part of this request. Staff is currently reviewing emails.
5/1/2013	Ben Holder	NC A&T/Bennett College Students Email search: 484	911 audio and documents have been released to the requestor. Emails are currently being reviewed.
5/15/2013	Pamela Matthews Turner	Foreclosure/Auction of Foxworth Condominium	Legal is currently searching for the requested information.
5/15/2013	Ben Holder	Hornaday Road	Staff is currently reviewing this request.
5/16/2013	Billy Jones	Correspondence between Council & DGI & AG	Staff has contacted the requester for clarification and is waiting for further instruction.
5/16/2013	Lee Polowczuk	Vehicle Accidents	Staff is collecting the requested information.
5/16/2013	A. Stevens	Copier and Postage Machine Vendor Agreements	Staff is collecting the requested information.
5/17/2013	Victoria	City Attorney Staff Salary	Staff is collecting the requested information.
5/17/2013	Allan Popper	Follow-up PIRT #2441- Contractor Information	Staff is collecting the requested information.
5/17/2013	Ben Holder	Termination Letter	Staff is collecting the requested information.

<b>Weekly Totals (5/13/13-5/17/13):</b>	
<b>Number of PIRTS Opened</b>	<b>23</b>
<b>Number of PIRTS Closed</b>	<b>28</b>
<b>Average Completion Time</b>	<b>17.46</b>
<b>Totals Since January 1, 2013:</b>	
<b>Number of PIRTS Opened</b>	<b>273</b>
<b>Number of PIRTS Closed</b>	<b>257</b>
<b>Average Completion Time</b>	<b>8.72</b>

**Public Affairs**  
**Contact Center Weekly Report**  
**Week of 5/6/13 – 5/12/13**

**Contact Center**

4849 calls answered this week

**Top 5 calls by area**

**Water Resources**

Balance Inquiry – 1145  
IVR/Pay by Phone – 404  
General Info – 167  
New Sign up – 152  
Bill Extension – 96

**Field Operations**

Bulk Guidelines – 85  
HHW/Landfill – 49  
E-Waste Collection – 46  
Mattress Go Round – 45  
Repair Can/Garbage – 44

**All others**

Police/Watch Operations – 283  
Overgrown Lots – 92  
Privilege License – 71  
Courts – 48  
HR/Employment – 38

**Comments**

We received a total of 6 comments this week:

**Executive - 1 comment:**

- Customer from the Lawndale area called to express her concern about the changes being made in the Bessemer community. Caller grew up in the area and graduated from Bessemer High School. She wants the City of Greensboro to understand how important the community is to so many people. Her high school classmates still come back to the area for class reunions. She does not want the City to change the name of the Bessemer Shopping Center to the Renaissance Center. She wants the City to save something from the Bessemer community to remind people of what a great community it used to be.

**Field Operations – 2 comments:**

- Resident wants to thank the crew for a great job they did in collecting all of her debris due to a house clean out.
- Customer had moved away from Greensboro and recently called to find out when we would pick up yard waste. He placed his yard waste at the curb today and called to thank the city employees for the excellent service they provided.

**Parks and Recreation – 2 comments:**

- My wife and I are from Mocksville, NC and while completing a walk around Greensboro this past Saturday, we had to use the restrooms at the baseball field at Latham Park. They were very clean and in good condition! I would like to commend the custodial staff in the Parks Department for a job well done! Keep up the good work!
- Customer with Hunter Hills Neighborhood Watch: Thank you for getting lights fixed and for Parks and Recreation replacing the doggie bags at the park. The community really appreciates all we do.

**Water Resources – 1 comment:**

- Customer has a separate sprinkler account and thinks that the separate account is unnecessary and inconvenient. She would prefer that her accounts be consolidated. She also pointed out that all other utility companies do not charge for online billing except Water Resources.

**Overall**

Calls about overgrown lots continued to increase last week. Otherwise, we received the normal mix of calls. Call volume was steady through the end of the week.



## SMALL GROUP MEETINGS

Small Group Meeting Dates & Times	Councilmember Attending	Person Contacted / Department	Subject	Council Notification Date
May 14, 2013	Mayor Perkins Councilmember Matheny	Assistant City Manager Scott	Prison Farms Site Update	May 17, 2013
May 15, 2013	Mayor Perkins Councilmember Kee Councilmember Vaughan	City Manger Roth	Florida Street Extension	May 17, 2013
May 15, 2013	Mayor Perkins Councilmember Kee	City Manager Roth	Civil Rights Museum Funding	May 17, 2013