



March 18, 2011

(corrective copy: Date wrong on original)

TO: Mayor and Members of Council

FROM: Rashad M. Young, City Manager

SUBJECT: Items for Your Information

Contact Center Feedback

Attached is the weekly report generated by our Contact Center for the week of 3/7/11 – 3/13/11.

March 22 Work Session

• **Solid Waste Proposal Review:**

Attached is a memorandum from Deputy City Manager, Robert Morgan, dated March 18, 2011, detailing the agenda for the solid waste proposal process for the March 22, 2011, Council Work Session, being held in the Council Chambers from 1:00 pm to 6:00 pm. Also attached are the following documents:

- Interview Evaluation Form
- Sample Questions

Grandfathering of Non-Conforming Use of Property

As a follow-up to a request from Councilmember Wade at the February 1, 2011, City Council Meeting, regarding the grandfathering of non-conforming property uses and what options / authority Council has to change the law. Attached is a memorandum from Associate General Counsel Jim Clark, dated March 17, 2011, providing details on this issue.

Eastern Area Planning Study

As a follow-up to a request from Councilmember Bellamy-Small at the March 1, 2011, City Council Meeting, regarding having a neighborhood meeting pertaining to the annexation and re-zoning in the Eastern Area. Attached is a memorandum from Interim Director Sue Schwartz, of Planning and Community Development, dated March 17, 2011, providing an update on the planning study of the eastern area. Staff is initializing plans for the community meeting this summer and will provide more details as they become available.

Water and Sewer Extension Agreement: County's Response

Attached is a letter from Melvin Skip Alston, Chairman, of the Guilford County Board of Commissioners, dated March 16, 2011, providing a response to a letter that was sent on January 28, 2011, regarding the proposed next steps related to the dissolution of the Water and Sewer Extension Agreement. Both letters are attached.

Noise Ordinance Comparison

At the request of Councilmember Matheny, staff has prepared the attached document, which compares the City of Greensboro's noise ordinance to six other cities.

Gateway Gardens Official Opening

Attached is a memorandum from Parks and Recreation Director Greg Jackson, dated March 17, 2011, announcing the official opening of Gateway Gardens on Sunday, April 10, 2011, from 2:00 pm to 5:00 pm. Council is invited to the Donor Reception and Preview at 1:00 pm.

Battleground Park District

Attached is a memorandum from Parks and Recreation Director Greg Jackson, dated March 17, 2011, providing an update on the Battleground Park District project. Staff will present this project to Council at a future meeting.

Greensboro Area #7 in the Nation for Attracting New Industry

Attached is an article from the *News & Record* on March 1, 2011, announcing that for the fourth year in a row, Greensboro-High Point Metropolitan Area earned a Top 10 national ranking for attracting new industry among similar-sized areas.

Zoning Commission Meeting

Attached are the results from the March 14, 2011, Zoning Commission Meeting.

**Public Affairs Department
Contact Center Weekly Report
Week of 3/7/11 - 3/13/11**

Contact Center

4804 calls answered this week

Top 5 calls by area

Water Resources

Balance Inquiry – 1341

New Sign up – 174

General Info – 147

Bill Extension – 106

Pay by Phone – 104

Field Operations

Bulk Guidelines – 149

Repair Can/Garbage – 40

Dead Animal Pick up – 34

Appliance Pick up – 31

No Service/Garbage – 31

All others

Police/Watch Operations – 272

Courts/Sheriff – 103

Landfill/Transfer/HHW – 101

Guilford Metro – 36

Police Records – 33

Comments

We received a total of **0** comments this week:

Overall

Calls about dead animals increased last week. Call volume was busy for the first part of the week but returned to normal by the end of the week.

Office of the City Manager
City of Greensboro



March 18, 2011

TO: Rashad M. Young, City Manager

FROM: Robert Morgan, Deputy City Manager

SUBJECT: Interviews for Solid Waste Management RFP's

The five firms that submitted responsive Request for Proposals (RFP) for Solid Waste Management Services have been notified that the City Council is scheduled to conduct interviews on Tuesday, March 22, 2011, in the City Council Chambers beginning at 1:00 PM.

Each firm has been informed to prepare a twenty-minute presentation that includes the following:

- Introductions of the team
- Brief Summary of offering
- Overview of qualifications and financial strength
- Explanation of proposed waste management system
- Project approach and methods to address community concerns
- Qualities that differentiate their offer from others

The firms also received a couple of question specific to their proposal to include in their presentation. These questions are attached to this memo. They have also been informed that thirty minutes have been allowed for questioning.

The interview schedule is as follows:

1:00 - 1:50	Republic Services of North Carolina, LLC
2:00 - 2:50	Waste Industries, LLC
3:00 - 3:50	Carolina Energy Development, LLC
4:00 - 4:30	Break
4:30 - 5:20	Gate City Waste Services, LLC
5:30 - 6:20	Advanced Disposal Services Carolinas, LLC

Also attached are questions specific to each proposal that the City Council may wish to ask. HDR has provided these questions at the staff's request. In addition is an interview evaluation form based upon the earlier decision matrix that will allow the City Council members to take notes while conducting the interviews. Copies of this form will be provided to Council to use during interviews.

RWM

**City of Greensboro RFP #11-695
Municipal Solid Waste Management Services
Interview Evaluation Form**

Company Name: _____

<u>Key Criteria</u>	<u>Notes</u>
<p>Qualifications, Staffing, and Experience of the Respondent Qualifications and experience of the Company, Company's staff, teaming partners and subcontractors. Demonstrated experience with projects of similar type and magnitude. History of successful project implementation.</p>	
<p>Master Plan/Approach Company's proposed transition from the current contracts, utilization of City's current property or assets, including those at White Street. Long term diversion from landfilling or enhancement of recycling. Schedule for implementation.</p>	
<p>Company Financial Depth and Stability Demonstrated ability to meet stated goals of the proposal and fund project implementation. Track record on funding similar projects.</p>	
<p>Viability of Proposed Technology Proposed technology is valid and performance has been demonstrated on previous projects using similar feedstock and throughput levels.</p>	

<p>Consideration of Community Concerns Potential for impacts including traffic, odors, noise, affect on property values. Company's plan to mitigate impacts to community.</p>	
<p>Integration of System Components Does offerer propose to manage only MSW disposal, or are other components enhanced, such as increasing recycling or waste diversion?</p>	
<p>Economic Development Potential for project to positively impact local economy by addition of jobs, future development, etc. Impact to current solid waste staff jobs?</p>	
<p>Financial Offering to the City Costs to City, tipping fee structure, escalators, up front cash payments, lease payments, host fees, revenue sharing.</p>	
<p>Other Important Considerations Subjective or intangible issues not directly considered above.</p>	

City of Greensboro
Sample List of Questions for Solid Waste Interviews March 22, 2011

The questions below are those that the City previously transmitted to companies for them to address during their interviews:

Republic Services

No questions were posed prior to interview.

Waste Industries

1. Please discuss your “no bid” for categories 0-60,000 and 60,001-150,000 tons per year in Price Form 1.

Carolina Energy Development

1. Please address the modifications or additions required at the City’s transfer station to accommodate the pyrolysis units.
2. Please clarify the process for the handling, transport and disposal of bypass waste, residue waste, and excess tonnage beyond the proposed unit capacity.

Gate City Waste Services

1. Please clarify which alternative technology system is being proposed as a potential future option.

Advanced Disposal

1. Please clarify what is covered under the base proposal service fee as compared to alternative proposal number 1.
2. Please discuss your “no bid” for categories 0-60,000 and 60,001-150,000 tons per year in Price Form 1.

Additional questions to consider asking companies during the interviews:

Republic Services

1. How does your financial offering of your base case (status quo) compare to your current disposal contract price with the City of Greensboro?
2. Is there a limit to how much waste you can take at the Uwharrie landfill? How close are you to that limit? How long do you estimate the Uwharrie facility will last?
3. You offered to take our waste through your transfer station off Bishop Road. How much waste do you take through there now and what, if anything do you have to do to add our waste if we choose that option? Expand? Re-permit? Other approvals? Are there community concerns to address if you transfer our waste from there?

Waste Industries

1. Would there be additional cost to the City if Waste Industries implements the C&D waste sorting program discussed in your proposal?
2. How do you propose to process and dispose of the City’s yard waste?
3. If you reopen White Street to all MSW, how will you ensure that there won’t be noise, dust or odor problems that impact the neighbors?

Carolina Energy Development

1. Background prior to Question 1: In looking at CED's reference projects (from Chapter 4, pages 54 to 66 of their proposal):
 - The first project is a 40 ton per day "commercial pilot system" in Menifee California that went into service in 2005 to "validate and optimize the technology with a variety of waste streams".
 - The second project is the same 40 ton per day unit that is being moved to Mecca California that will use tires as the waste for a crumb rubber facility.
 - The third reference project is an 8 ton per day unit (also in Menifee California?) that started up February 1, 2011 and "will be operated on a limited basis for testing and validation".

Question: Can you shed some light on how you expect to scale up the pyrolysis system to three (3) 200 ton per day units for Greensboro when your reference projects are much smaller, seem to be using a variety of waste for testing and research, and only one of the projects referenced has any operational data (with the other two just starting)?

Gate City Waste Services

1. Your reference projects are all WCA owned and operated landfills; will WCA be the operator of the White Street Landfill?
2. How long do you think it will take to receive permit approval from the state for changing the sideslopes of Phase III to gain additional capacity?
3. Your proposal states that the price per ton will be subject to a fuel surcharge. Is this in addition to the annual CPI listed on your Price Form 1?
4. How do you propose to process and dispose of the City's yard waste?
5. If you reopen White Street to all MSW, how will you ensure that there won't be noise, dust or odor problems that impact the neighbors?

Advanced Disposal

1. (*Note: Advanced Disposal may answer this question as part of their response to Question 1 provided to them prior to the presentation*). Can you elaborate on the differences between your base proposal related to upfitting the City's transfer station to a MRF, and how that would work under your Alternative Proposal #1? Under the base proposal you offer a \$20,000 per month lease payment for the MRF, and in the alternative you offer an annual lease payment of \$30,000 but we get to share in the revenues? Is that right? What do you think those revenues may be?
2. Do you think your plan to convert the Transfer Station to a MRF is better for us than our current arrangement? How?
3. How do you propose to process and dispose of the City's yard waste?
4. If you reopen White Street to all MSW, how will you ensure that there won't be noise, dust or odor problems that impact the neighbors?

Office of the City Attorney
City of Greensboro



March 17, 2011

TO: Rashad Young, City Manager

FROM: Jim Clark, Assoc. Gen. Counsel

SUBJECT: Councilmember Wade inquiry concerning “grandfathering” of non-conforming uses of property

During the February 1, 2011 City Council meeting, Councilmember Wade inquired as to the duration and source of laws concerning “grandfathering” of non-conforming property uses, and whether the City Council can change such laws.

An owner’s right to continue a non-conforming use is lost when the owner fails to continue conducting the use for a continuous one-year period. This law comes from Greensboro Code of Ordinances in section 30-4-11.2. It is also contained in the new Land Development Ordinance, which is effective on July 1, 2011. The LDO section is 30-2-3.6.

Obviously, the City Council can change our ordinances. Regarding other sources of law, the North Carolina General Statutes do not set out any specific minimum time before “grandfathering” rights are lost. Likewise, our courts have not prescribed a minimum duration. Our courts have only said, “Any time limit for removal of nonconforming use must meet reasonable standards.” *State v. Joyner* (N.C. Court of Appeals 1974).

In a later court case, our Court of Appeals remained silent on a 180-day duration in a case concerning loss of “grandfathered” status, even though the issue partly concerned the time period. *Southern Equipment Co., Inc. v. Winstead*, (N.C. Court of Appeals 1986). According to the Institute of Government, the most common periods in North Carolina for loss of non-conforming status range from six to twenty-four months. *Land Use Law in North Carolina*, David W. Owens, School of Government 2006. Therefore, the City Attorney’s Office believes that a 180-day period for loss of non-conforming status can be defended in court.

JAC

cc: J. Rita McNeil Danish, City Attorney
Sue Schwartz, Interim Planning Director
Mike Kirkman, Planning Administrator



March 17, 2011

TO: Rashad M. Young, City Manager
FROM: Sue Schwartz, FAICP, Interim Director
SUBJECT: Eastern Area Planning Study

Area studies are called for in *Connections 2025*, the City of Greensboro's comprehensive plan as mechanisms to further refine growth and development strategies at a finer grain in different geographic areas of the city. The public meetings for the Western Area Planning Study began March 17, 2011. This plan is anticipated to take 12 to 18 months to complete.

The eastern area of Greensboro is also experiencing a mixture of different growth factors. This includes significant new development such as American Express and the Gateway University Research Park. There are major city transportation projects such as the eastern loop and in the longer term, the inner loop. Both City initiated and petition annexations along E. Lee Street also will have an impact on growth. Work will begin on the Eastern Area Plan and will focus on ways to strategically leverage these growth factors to maximize the economic development potential of the area while responsibly addressing the needs and desires of the community. Staff is beginning initial background analysis and commercial development analysis is underway. We are initializing plans for a community meeting this summer.

We will provide more details on locations, dates, etc. as they are firmed up.

SS



GUILFORD COUNTY
BOARD OF COUNTY COMMISSIONERS

CC: City Mgr
City Attorney
Clerk (TB)

RECEIVED

MAR 18 2011

Legislative Department

March 16, 2011

The Honorable Mayor Bill Knight
City of Greensboro
300 W. Washington Street
Greensboro, NC 27401

Subject: Greensboro/Guilford County Water and Sewer Exit Agreement

Dear Mayor Knight:

At the March 15, 2011 work session of the Board of County Commissioners, the Board discussed Greensboro's request for consideration of Extraterritorial Jurisdiction (ETJ) on a project by project basis as it relates to development on water and sewer from Greensboro's system. After much discussion and careful consideration, the Board of Commissioners voted 10 to 0 to decline the City's request for ETJ on a project by project basis. Alternatives to project by project ETJ were discussed. The county is interested in working toward a comprehensive planning approach to those areas within the county of particular concern to the City of Greensboro. County and city planning working together can develop a planning approach to a planning need that would benefit both county and city but need not be tied to the Water and Sewer Exit Agreement.

In an effort to finalize the Water and Sewer Exit Agreement, Guilford County respectfully requests that the Greensboro City Council consider and take action to approve two (2) projects that we understand have not previously been acted on by City Council. The two (2) projects are:

- (1) Trosper Road – Griffin Mill Road – This is a sewer project that was approved by the Board of County Commissioners October 13, 2005 under the County's "Private Extension" Program that provides approval for the Developer to contract for and pay for the engineering design and construction of the project. The planned project was to be in three (3) phases with a sewer lift station and force main required for each phase. Per the terms of the City and County Water and Sewer Agreement in effect in 2005, the developer was required to design and construct sewer facilities consisting of a lift station and force main that met Greensboro specifications and ultimately would expand the basin area that could receive sewer service by further extensions of the City's system.

The review process for Phase 1 began on October 31, 2005 by Greensboro Water Resources, approved on May 31, 2006 and was completed and released for service May 14, 2007. At the completion of Phase 1, the Developer invoiced the County for costs related to the lift station and force main in the amount of \$613,775 and based on a review and approval of costs by Greensboro Water Resources, the invoice was paid to the developer. Phase 1 is the only phase of this project that has been completed.

(2) Southeast Middle and High School -- The design and construction plans for this water project were reviewed and approved by Greensboro Water Resources. The Board of County Commissioners approved funding in the amount of \$560,311 from City and County Water and Sewer Trust Funds July 23, 2009. A letter dated July 28, 2009 was sent notifying the City of the County's approval for this project as well as for the Southeast School Road Water Project (will serve Alamance Elementary School).

These projects were listed on Exhibit A that was attached to the June 28, 2010 letter to Mr. Rashad Young from Ms. Brenda Fox. (Copy attached.) During the review process of the listed items, it was discovered that Greensboro City Council never acted on these projects.

Also, a meeting is requested for members of the Board of Commissioners and City Council to join together to discuss the two (2) assessed water and sewer projects which are: (1) Forest Oaks Estates Water and Sewer; and (2) Lynwood Lakes Water and Sewer. Finally, it should be noted that the County has not received the funds for the last two quarters of 2010. All funds need to be in place before a final disbursement.

It is hoped that consideration of these requests can assist in the preparations of the Water and Sewer Exit Agreement.

Thank you for your time and attention to these matters.

Sincerely,



Melvin Skip Alston, Chairman
Guilford County Board of Commissioners

cc: Board of County Commissioners
Greensboro City Council
Brenda Jones Fox, Guilford County Manager
Mark Payne, Guilford County Attorney
Betty Garrett, Interim Planning & Development Director

Attachment



GUILFORD COUNTY
ADMINISTRATIVE OFFICES

June 28, 2010

Mr. Rashad M. Young
City Manager
City of Greensboro
300 W. Washington Street
Greensboro, NC 27401

RE: Termination of Revised City and County Water and Sewer Line Agreement

Dear Rashad,

I have received your letter dated June 18, 2010 informing the County of the City Council's approval of the termination of the above referenced agreement and your letter dated June 23, 2010 concerning the same. Guilford County staff has reviewed the resolution, Water and Sewer Line Agreement and files associated with ongoing water and sewer projects. We look forward to working with the City in resolving the many, and sometimes complex, issues involved in termination of the above referenced contract.

As you know, the current Water and Sewer Line Agreement provided a mechanism for approval, funding, and construction of water and sewer projects outside municipal water and sewer service limits, for those projects which met the approval of the City and the County as well as the contract requirements. In order for a project to be constructed, it required formal approval by both the Guilford County Board of Commissioners and the Greensboro City Council. In addition, many projects required funding outside of the water and sewer trust fund to be provided by the County, City or both entities.

Attached hereto, as exhibit A, is a list of water and sewer trust fund projects which have been approved by the Board of Commissioners. As you can see, some of the projects have also received approval by the Greensboro City Council. However, some of the projects listed *have not* been approved by the City Council or have only been approved as to early phases of the construction process.

Guilford County stands ready to complete all active, viable projects listed on the attached exhibit. Each project has been approved by the Board of Commissioners and all County funds

required for these attached projects have been committed. Whether any of the projects attached can be completed, pursuant to the contract, is solely in the discretion of the City of Greensboro.

Once the City of Greensboro makes a determination whether or not to utilize water and sewer trust fund monies to fund the attached projects, which have not already received Council approval by the City, it will be possible to determine the approximate costs of completion of the approved projects. Once the completion costs for all approved projects, in accordance with the contract, have been determined it will be necessary to set aside the funds sufficient to complete the projects, including a reasonable contingency fee for costs, over runs, or unanticipated expenses. Once this step has been completed the distribution of the remaining trust funds can occur. Some of the projects listed on the attached exhibit warrant particular discussion.

Alamance Elementary School Water Line Project: On May 20, 2010 the Board of Commissioners approved a project ordinance in the amount of \$1,288,846 to be paid out of the water and sewer trust fund for the construction of this project. This project does not require any additional funds outside of the water and sewer trust fund for completion. If the City Council wishes to approve this project, then it is anticipated that construction will begin immediately. Guilford County is ready to move forward with this project and recognizes that the decision as to whether the trust funds are utilized for this project (pursuant to the contract) is entirely in the discretion of the City Council.

Forest Oaks Estates – Assessed Water and Sewer Project: Both the County and the City have adopted resolutions authorizing the installation of water and sewer for these residents. On January 19, 2006 Guilford County approved a project ordinance for the anticipated costs of the project. To date, the City of Greensboro has only approved the engineering and design work for this project which has now been completed. Whether or not this project is going to be completed is contingent upon approval by the City of Greensboro for the construction phase of the project. As you know, this project resulted from a request from the residents of the Forest Oaks Estates subdivision arising from insufficient or failing water systems, and was accompanied by a petition seeking assistance from the Water and Sewer Trust Fund.

Lynwood Lakes Subdivision: Both the County and the City have approved the expenditure of funds for the engineering and design costs. On December 13, 2007 Guilford County approved a project ordinance for the costs of the project. To date, the City of Greensboro has only approved the engineering and design work for this project. Whether or not this project is going to be completed is contingent upon approval by the City of Greensboro for the construction phase of the project. This project was also initiated by a petition seeking assistance from the Water and Sewer Trust Fund.

In order to effectively resolve all issues arising from the termination of the contract it is the County's position that it is necessary for there to be: 1) a decision by the City of Greensboro as to which, if any, of the remaining active, viable projects it chooses to approve; 2) a determination of the costs for completion of all remaining approved active projects; 3) monies equal to 110 percent of the estimated costs be set aside to pay for the completion of the active projects; 4) an agreement between the City and County that any funds not expended in the

completion of all active projects be divided between the City and County on a 50/50 basis; 5) an agreement that any reasonable costs in excess of the funds set aside for completion of the approved projects will be shared by the City and the County on a 50/50 basis; and 6) an understanding that City revenues will go to the City and County revenues will go to the County upon termination of the contract.

Thank you for your time and attention to this matter. I look forward to discussing this further with you.

Sincerely,



Brenda Jones Fox
County Manager

Attachment

By Hand Delivery

cc: Board of Commissioners
Mark Payne
Betty Garrett
Reid Baker

ACTIVE WATER AND SEWER PROJECTS

ASSESSED PROJECTS

ACTION BY GUILFORD COUNTY

ACTION BY CITY OF GREENSBORO

PROJECT STATUS

Forest Oaks Estates - water and sewer Project based on valid petition from property owners.

Adopted Resolution - January 19, 2006
 Adopted Project Ordinance - January 19, 2006
 Approved Greensboro to proceed with the engineering design under the City/County Water and Sewer Agreement.

Adopted Resolution - March 21, 2006 authorizing the installation of water and sewer in the Forest Oaks Estates Subdivision. Provision in the Resolution was that Guilford County levy assessments.
 Adopted Budget Ordinance - March 21, 2006
 Professional Services Contract No. 2006-045
 Timmons Group, Inc.

Eng. Design complete; five (5) easements remaining to be acquired; RFP to be scheduled.

Lynwood Lakes - water and sewer

Adopted Resolution - December 13, 2007
 Adopted Project Ordinance - December 13, 2007
 Approved Greensboro to proceed with the engineering design under the City/County Water and Sewer Agreement.

Adopted Budget Ordinance - February 5, 2008
 Professional Services Contract No. 2008-046
 Withers & Ravenel - May 15, 2008
 executed by Assistant City Manager

Eng. Design 95% complete; approximately 200 easements to be acquired; RFP will not be scheduled until the easement acquisition phase is further along.

NON-ASSESSED PROJECTS - Project design, easement acquisition and construction to be administered under the City/County Water & Sewer Agreement

Greensboro/Guilford County Water and Sewer Master Plan - with the expansion by 50% of the water and sewer service area in 2007 and the new requirements of the State's 21 rules, a comprehensive analysis of the City's distribution and collection systems was needed for the purpose of planning for the future extension of the systems into the water and sewer service area and other unincorporated areas of Guilford

Approved - March 6, 2008
 Adopted Project Ordinance - March 6, 2008

Approved Budget Ordinance May 6, 2008
 Professional Services Contract No. 2008-1273
 Approved with Arcadis G & M of North Carolina.

Proposed completion - January 2011.

Greensboro's water and sewer system that will assist with current and future growth.

Gulford Technical Community College Northwest Campus Water and Sewer, including pump station and force main

Approved - February 12, 2009
Project Ordinance adopted - February 12, 2009
Approved Greensboro to proceed with the engineering design under the City/County Executed Contract No. 36460-04/09-165
City and County Water and Sewer Agreement

Resolution - adopted February 17, 2009
Executed Contract No. 36460-04/09-165
City and County Water and Sewer Agreement
Approved Budget Ordinance March 3, 2009.

Engineering design proceeding - at a percentage complete that easements have been determined and the legal easement deeds are being reviewed by Greensboro Property Management. There are approximately 70 easements to be acquired.

Southeast School Road Water Line - Alaimance Elementary School

Approved - July 23, 2009
Project Ordinance adopted - July 23, 2009
Approval for Greensboro to proceed with the engineering design under the City/County Water and Sewer Agreement.
Approved award of construction contract - May 20, 2010

Adopted Budget Ordinance September 1, 2009
Approved Professional Services Contract with Borum, Wade and Associates

Engineering design is complete; easements have been acquired - Construction has been bid, award approved by County. The request to award tabled by City Council. Work was scheduled to begin July, 2010.

Southwest Water - Western Loop City/County Project that was being required by City to provide adequate service in the area of Grandover.

Approved August 27, 1992

Due to a 12-inch water line that has been installed in Guilford College Road Greensboro Water Resources does not see the need for further work on the Northern Loop.

Non-assessed water and sewer projects authorized under the "Private Extension" Program - Developer/Owner contracts for project with reimbursement participation

Piedmont Triad Airport Authority Water and Sewer - to serve Greensboro East and Greensboro West - sites to be "shovel" ready to promote economic growth.

Approved - September 17, 2009
Project Ordinance adopted - September 17, 2009

Resolution adopted November 10, 2009

County Agreement - pre audit in Finance
City Agreement in final phase of execution.
PTAA proceeding with water/sewer construction

Hines Chapel/McKnight Mill Road

Approved

Per Garry Johnson, Builder's Land today

project.
This project can be closed out.
Phase 1 and 2 are built. The owner/developer Robert Milligan plans to complete Phase 3 however, due to the economy he is holding up. Design plans are complete for Phase 3.

Not sure of status.

Completed connecting to water - not sure of status of sewer.

Completed and can be closed

Approved October 13, 2005

Trosper Road - Griffin Mill Subdivision
Three phase project

Approved through January 2011.

Koury - Grandover Development

Approved

Clover Road Sewer
Standard Tool

Southeast Middle/High School Water Project

The following project ordinances closed per
action by Board on June 17, 2010

- Twilla Acres Water
- Twilla Acres Sewer
- McConnell Road Water
- McConnell Road Sewer
- Honda Jet Water
- Honda Jet Sewer



January 28, 2011

Brenda Jones Fox, County Manager
Guilford County Administrative Offices
301 West Market Street
P.O. Box 3427
Greensboro, NC 27402

Dear Ms. Fox: *Brenda*

As you are aware, effective January 1, 2011, the City County Water and Sewer Extension Agreement was dissolved; however, we have not reached agreement on the terms of termination. We believe it is important to the economic development of both the County and City to reach resolution quickly. In addition to the issue of which projects will be paid out of the Trust Fund, the issue of joint development review is unresolved. Contained within the Water and Sewer Extension Agreement was a process for joint review of developments in the County's jurisdiction receiving water and sewer services. With the termination of the agreement, there is no process for joint review.

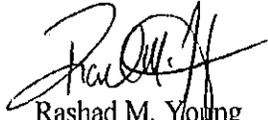
As you are also aware, the City has initiated a "One Stop Shop" for development services. It certainly is early in the process but reviews from the local development community have been excellent. At our last meeting about termination of the agreement, we proposed a process where a developer requesting water and sewer for a development outside the City would petition the County for Greensboro Extraterritorial Jurisdiction (ETJ) for their development. This is as was done for the Grandover development. This process would allow the developer to take advantage of City's utilities as well as its "One Stop Shop" development review process. We believe this approach will be a great incentive to develop in Greensboro and Guilford County and this approach will reduce demand for County resources for development review.

We believe that this approach is beneficial to both governmental jurisdictions, provides for efficient services to the public, and has the opportunity to enhance our economic development efforts. If this matter is left unresolved, this would result in a cumbersome and onerous process for developers at minimum or this could serve to be a limiting factor for development in Guilford County, as we may have to inform developers requesting city utilities for projects outside the City to request annexation for their development.

In order to expedite the development process, we again would ask you to respond to our proposal to use ETJ for developments requesting extension of water and sewer, which lies outside the City. Resolving this issue as part of the termination agreement will provide clarity of process to the development community.

Thank you in advance for your quick response.

Sincerely,



Rashad M. Young
City Manager

RMY/rm

cc: Mayor and Members of Council
Robert Morgan, Deputy City Manager
Andrew Scott, Assistant City Manager
Rita Danish, City Attorney
Allan Williams, Water Resources

Noise Ordinance Comparisons Amongst 7 Cities

Cities	Does the City have a Noise Ordinance?	Does the City have a tool for measurement?	Does the City have a penalty in place?	Does the City have a time frame in place?
Greensboro, NC	Article IV Chapter 18 Sec. 18-48-59	The City uses A-weighting scalesound level meter instrument which includes: an omni-directional microphone, amplifier, output meter, internal datalogger, and frequency weighting network.	Violation of ordinance a fine up to \$200 and punishment for a Class 3 misdemeanor. Second violations by same person within 1 year fine up to \$400 and Class 3 misdemeanor. Any subsequent violations fine up to \$500 and Class 3 misdemeanor	Daytime 7am-10pm; 70 decibel and Nighttime 10pm-7am; 65 decibel
Winston-Salem, NC	Sec. 46-30 Article 1	The City does not disclose the tool used for measurement	Violation of ordinance a fine no more than \$500 and punishment for a Class 3 misdemeanor. No escalation in fee	8pm-8am; decibel N/A; No unreasonably loud music in residential zoned area of the City within 300 feet of any residence and No noise 50 feet from the device or vehicle containing that device when device is operated on a public right of way or public space
Raleigh, NC	Sec. 12-5001-5011 Chapter 5	The City uses A-weighting scalesound level meter instrument which includes an omni-directional microphone, amplifier, output meter, internal datalogger, and frequency weighting network.	Misdemeanor punishable by imprisonment not to exceed thirty 30 days or by fine not to exceed five hundred dollars \$500.00. No escalation in fee	Daytime 7am-11pm; decibel= 55 in residential; 60 in business/shopping and commercial; 70 in industrial areas; Nighttime 11pm-7am; decibel= 45 in residential; 50 in business/shopping and commercial; 65 in industrial areas
Charlotte, NC	Sec. 15-66-85 Article III	The City uses A-weighting scalesound level meter instrument which includes an omni-directional microphone, amplifier, output meter, internal datalogger, and frequency weighting network.	Violator to a civil penalty of \$100.00, which penalty may provide for a delinquency charge of \$10.00 upon nonpayment, and which penalty and delinquency charge may be recovered by the city in a civil action. A civil action seeking a penalty of \$500.00 per day of violation plus an injunction and order of abatement may be directed toward any person creating or allowing the creation of any unlawful	55 db(A) between 9:00 a.m. and 9:00 p.m. or 50 db(A) between 9:00 p.m. and 9:00 am anywhere within the boundary line of the nearest residentially occupied property

Noise Ordinance Comparisons Amongst 7 Cities

Cities	Does the City have a Noise Ordinance?	Does the City have a tool for measurement?	Does the City have a penalty in place?	Does the City have a time frame in place?
Richmond, VA	Sec. 38-31 and 102-144 Article II	The City uses A-weighting scalesound level meter instrument which includes an omni-directional microphone, amplifier, output meter, internal datalogger, and frequency weighting network.	Any person convicted of a violation of this section shall be guilty of a class 2 misdemeanor; however, the misdemeanor class level and fine depends on the degree of the charge as it pertains to what section of the ordinance you violated.	7:00 a.m. and 11:00 p.m.; Prohibited to allow noise between 12:01am-7:00am that is plainly audible inside a house or apartment of another person.
Greenville, SC	Sec. 16-91-130 Article II	The City uses A-weighting scalesound level meter instrument which includes an omni-directional microphone, amplifier, output meter, internal datalogger, and frequency weighting network.	Person shall be guilty of a violation shall be subject to a fine of not less than \$50.00 and not more than the maximum fine allowed by state law for violations of municipal ordinances, or imprisonment for not more than 30 days. The City Attorney may also seek injunctive relief, or any other appropriate remedy available at law or inequity, in a court of competent jurisdiction, to ensure compliance	Daytime 7am-10pm; 60 decibels for City wide and 80 for central business district and Nighttime 10pm-7am; 55 decibels for City wide and 75 for central business district
Durham, NC	Sec. 26-23 Article II	The City uses A-weighting scalesound level meter instrument which includes an omni-directional microphone, amplifier, output meter, internal datalogger, and frequency weighting network.	Misdemeanor class level and fine depends on the degree of the charge as it pertains to what section of the ordinance you violated.	No nighttime (11:00 p.m.--8:00 a.m.) sound level shall exceed 50 dB(A); No daytime or evening (after 8:00 a.m.--before 11:00 p.m.) sound level shall exceed 60 dB(A); and "Decibel" (dB) as used in this subsection shall mean a unit for describing the amplitude of sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micronewtons per square meter. The sound level shall be measured by the use of a sound level meter and frequency weighting network "A" as specified in the American National Standards Institute specifications for sound level meters.

Parks & Recreation Department
City of Greensboro



March 17, 2011

TO: Denise Turner, Assistant City Manager
FROM: Greg Jackson, Director
SUBJECT: Gateway Gardens Update

Our department and Greensboro Beautiful, Inc. (GBI) are pleased to announce the official opening of the Gateway Gardens on Sunday, April 10 from 2-5 pm.

The garden is located adjacent to Barber Park and the Gateway University Research Park. These three exciting facilities represent one of the largest economic development efforts in southeast Greensboro in recent years.

The planning for the garden began in 1999 when the city provided an 11-acre site at the corner of East Lee and Florida streets. In 2000, GBI approved \$20,000 to fund the development of a conceptual master plan. The organization held two public input design planning meetings with the neighbors and citizens of southeast Greensboro. The master plan was approved in 2002.

Cline Design Associates, Raleigh, NC, completed the design. Median trees were planted on East Lee Street as part of the area enhancement. GBI began its capital campaign to raise \$5 million for the project in 2006. City voters initially approved \$1.5 million in bond funding. In 2008, the voters approved an additional \$1 million in recreational bond funds. Construction of Phase 1 began in 2009. To date, a total of \$5,437,165 has been raised for the project.

Phase I includes: Overall site work; main entrance and parking lot; Rain Garden and pond; Michel Family Children's Garden; Greensboro Heritage Garden with an etched stone plaza, icon/water feature and entry wall; public artwork; fencing; and initial landscaping and irrigation. The garden will also feature collections of original outdoor artwork from regional artists. Future amenities will include a Visitors' Center, Japanese Garden, Wedding Garden and White Oak Forest that will require additional funding sources.

GJ

cc: Chris Wilson, Division Manager, Park Management and Operations
Nasha McCray, Division Manager, Planning and Project Development
Kathy Cates, Director, City Beautiful
Darryl Holsey, Superintendent, Botanical Gardens

Parks & Recreation Department
City of Greensboro



March 17, 2011

TO: Denise Turner, Assistant City Manager
FROM: Greg Jackson, Director
SUBJECT: Battleground Parks District – project update

In 2008, Parks and Recreation began to collaborate with the National Park Service, Guilford County and the Natural Science Center to develop a multi-park plan, called the Greensboro Landmark Project. This project is a collection of public facilities in a 400-acre area, which includes: The Guilford Courthouse National Military Park, Country Park, the Natural Science Center, Jaycee Park, Forest Lawn Cemetery and the Atlantic and Yadkin Greenway. This exciting project is now referred to as the Battleground Parks District.

Representatives from each organization helped to develop a master plan to create a destination location that would not only offer historic, educational, natural and recreational opportunities for residents and visitors, but also provide an economic impact for the city by becoming a destination for out of town visitors. Action Greensboro provided funding for the plan, which began in 2010. Consulting firm Haden Stanziale, Inc. was hired to develop the master plan. A project team, representing all interest organizations, worked closely with the consultants to develop the plan. The process included citizen surveys and public forums last summer and fall.

The final draft of the master plan was completed in January 2011. The project team presented it to Action Greensboro on February 9, the Greensboro Parks and Recreation Commission on March 9 and the Planning Board on March 16. Staff is prepared to present the plan to City Council at a future meeting.

GJ

cc: Chris Wilson, Division Manager, Park Management and Operations
Nasha McCray, Division Manager, Planning and Project Development

[news-record.com](http://www.news-record.com)

Greensboro area nets high ranking for attracting new industry

- Article
- Comments (2)

Tuesday, March 1, 2011
(Updated 12:51 pm)

STAFF REPORTS

Four neighboring economic development allies have announced that, for the fourth year in a row, the Greensboro-High Point Metropolitan Statistical Area earned a Top 10 national ranking for attracting new industry among similar-sized areas.

Site Selection magazine, a national publication catering to executives responsible for site selection and facility planning decisions around the world, ranked the Greensboro-High Point MSA seventh in the United States in 2010.

The MSA is composed of Guilford, Randolph and Rockingham counties.



"This ranking validates our industry cluster strategy and signals that our efforts to attract knowledge-based companies are working and are being recognized on a national level," said Dan Lynch, president of Greensboro Economic Development Alliance.

Bonnie Renfro, president of the Randolph County EDC, said, "We have much to be proud of in our area, and this ranking is the culmination of a strong regional push to increase our tax base and create new job opportunities."

"Having a nationally recognized publication recognize our MSA to be one of the best in the country is a win for our entire region," added Loren Hill, president of the High Point EDC. "Our area has been able to make significant project announcements over the past year, during very difficult economic times."

Graham Pervier, resident of the Rockingham County Partnership, said, "We are proud that, for two of these last four consecutive years, our MSA ranked #1 nationally. We look forward to continued collaboration and more announcements in 2011."

Site Selection's ranking was based upon the number of corporate real estate projects of \$1 million or greater announced in the metro area in 2010.

Comments

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ZONING COMMISSION RESULTS

MEETING OF MARCH 14, 2011

AGENDA ITEM	REQUEST/LOCATION	**PROPOSED USE <small>* (Not binding if not stated as a condition)</small>	ACTION/VOTE	STAFF RECOMMENDATION	STATUS	SPEAKERS
Z-11-03-001	County HB/County RS-30 to City CD-C-M	Uses will be limited to all uses allowed in the Commercial-Medium zoning district except sexually oriented businesses, bars night clubs and a few other uses.	Favorable Recommendation 9 to 0	Approval	April 5, 2011 City Council Meeting	3 for; 0 opposed
	East of US HWY 29 North and south of Anita Lane					
	Sheetz, Inc. for FSH Properties, LLC					
Z-11-03-002	R-5 to CD-O	Uses will be limited to a child day care center with a maximum of 40 attendees, professional offices and single-family detached dwellings.	Approved 9 to 0	Approval	Final unless appealed	1 for; 0 opposed
	403 and 405 Long Street					
	Dianna Daye for Carolyn Roth Kepley and Larry White					
Z-11-03-003	CD-CB to CD-CB	Uses will be limited to all uses allowed in the Central Business zoning district, except junked motor vehicles, car washes, laundry, sexually oriented business and a few other uses	Approved 9 to 0	Approval	Final unless appealed	1 for; 0 opposed
	South of Lee Street, east and west sides of South Elm Street and south of West Bragg Street					
	Redevelopment Commission of Greensboro et al					

** Please see staff report for full list of conditions and uses

If you have any questions about these results, please contact Frederick Boateng or Mike Kirkman at 336-373-2144