



City of Greensboro Meeting Minutes - Final

City Council

August 2, 2021, 5:30 pm

Council Chamber

300 West Washington Street, Greensboro, NC 27401

Present: Mayor Nancy Vaughan, Councilmember Marikay Abuzuaiter, Councilmember Sharon Hightower, Councilmember Nancy Hoffmann, Councilmember Michelle Kennedy, Councilmember Justin Outling, Councilmember Tammi Thurm, and Councilmember Goldie Wells

Absent: Mayor Pro-Tem Yvonne Johnson

Also Present: Interim City Manager Chris Wilson, City Attorney Chuck Watts, City Clerk Angela Lord, and Deputy City Clerk Tebony Rosa

A. CALL TO ORDER

This virtual City Council meeting of the City of Greensboro was called to order at 5:30 p.m.

B. MOMENT OF SILENCE

The meeting opened with a moment of silence; Mayor Vaughan spoke to the passing of Mayor Pro-Tem Yvonne Johnson's husband; and stated Mayor Pro-Tem Johnson would be excused from the meeting.

C. PLEDGE OF ALLEGIANCE

Mayor Vaughan recognized Councilmember Hoffmann to lead the Pledge of Allegiance to the Flag.

D. COUNCIL PROCEDURE FOR CONDUCT OF THE MEETING

Mayor Vaughan explained the Council procedure for conduct of the meeting; spoke to limited Council Chamber seating capacity; and to speaker sign up protocols.

E. CEREMONIAL AND/OR PRESENTATION ITEMS

E.1 2021-129 Resolution Honor Reverend David V. Fraccaro FaithAction International House

Councilmember Abuzuaiter read the item into the record; and acknowledged board members in attendance.

Reverend Fraccaro voiced appreciation for the recognition; and spoke to collaborative community efforts.

Mayor Vaughan spoke to previous fundraising events led by Reverend Fraccaro; to immigrant identification cards; and to a lasting legacy.

Motion to adopt the resolution was approved.

Moved By Marikay Abuzuaiter

Seconded By Nancy Vaughan

Carried

219-21 RESOLUTION HONORING REVEREND DAVID V. FRACCARO FOR OVER 25 YEARS OF SERVICE TO OTHERS AND TO RECOGNIZE A DECADE OF DEDICATION TO FAITHACTION INTERNATIONAL HOUSE

WHEREAS, Reverend David V. Fraccaro has dedicated the better part of the last 25 plus years to a focus on helping others, including those of the immigrant and homeless communities;

WHEREAS, Reverend Fraccaro sought to enhance both his skills and passions between 1995 and 2009 by obtaining a Bachelor of Fine Arts and Bachelor of Music degrees from the University of Miami, Florida; a Master of Divinity from Union Theological Seminary in New York City, New York(NYC) ; and a Master of Arts in Human Rights at Columbia University School of International and Public Affairs, NYC;

WHEREAS, during his educational journeys, Reverend Fraccaro extended his outreach by volunteering to serve the United Church of Christ Global Ministries as the Church World Service Program Associate in Nairobi, Kenya; and the Human Rights Officer with the Protestant Church of East Timor, Dili, East Timor

WHEREAS, he also served as the United Nations Representative for the United Church of Christ at the United Nations and the United Nations Church Center in NYC;

WHEREAS, his servant hood assisted those on U.S.soil as Reverend Fraccaro assisted with developments of local detention visitation programs across the United States when he worked as the Coordinator of Detention Watch Network's Nation Visitation Program (now known as Freedom for Immigrants); as the President of The International House Resident Council in NYC; as Volunteer with No More Deaths (a human rights organization concerned with migrant welfare on the Arizona/Mexico border); and as Alternative Spring Break Leader of University of Miami student delegations to work on poverty issues in San Francisco, Denver, and in our own backyard, rural Appalachia;

WHEREAS, Reverend Fraccaro's career began on the stage as a Professional Actor with the Actors Equity Association in NYC; and spent years in ministry serving as the Youth Minister at the Union Congregational Church in Montclair, New Jersey (NJ) and the First Congregational Church as the Solo Minister in Woodbridge, NJ;

WHEREAS, between the years of 2006 and 2011, he continued efforts to work with the international community as the Coordinator of Sojourners Program with Detained Immigrants in NYC; the Young Adult Ecumenical Formation Coordinator for the National Council of Churches, USA and the U.S. Conference for the World Council of Churches, NYC; the Interfaith Youth Core- Interfaith and Immigration Specialist in Chicago, Illinois;

WHEREAS, Reverend Fraccaro honed in all this experience, knowledge and love for the immigrant community over the next decade as he served as the Executive Director for FaithAction International House (FaithAction) in Greensboro, North Carolina;

WHEREAS, FaithAction is a nonprofit organization, celebrating its 25th anniversary, that serves and advocates for thousands of new immigrants and refugees from over 100 diverse nations yearly; that educates and connects thousands throughout North Carolina and the United States to cross lines of culture, nationality, and faith using the motto of "Turning Strangers into Neighbors!";

WHEREAS, during his Tenure at FaithAction, Reverend Fraccaro was instrumental in the growth and success of the nonprofit, strengthening life changing daily services at the downtown Greensboro location by providing assistance with food, housing, healthcare, legal services, emergency financial assistance, detention visitation, back to school backpacks, holiday toy drives, and the FaithAction Identification (ID) cards to over 25,000 immigrant neighbors from over 100 nations;

WHEREAS, with Reverend Fraccaro and FaithAction opened the pathway for other communities across the United States to replicate the FaithAction ID program in cities including Hood River, Oregon, Ames, Iowa, Charlottesville, Virginia, Cincinnati and Dayton, Ohio, Aiken, South Carolina, Knoxville, Tennessee, Gainesville, West Palm Beach Broward and Miami-Dade counties, Florida; and right here within our state in Charlotte, Winston-Salem, Durham, Raleigh, and Greensboro;

WHEREAS, under his leadership, FaithAction provided over 500 acclaimed trainings and presentation on immigration and diversity to health and social services, schools, various City of Greensboro departments, and faith communities across North Carolina;

WHEREAS, Reverend Fraccaro led annual Downtown Unity Walks and Festivals, Multicultural Thanksgivings, and Stranger to Neighbor events; he has advocated and assisted with the co-authoring of NC driver's license for legislation, and hosted press conferences calling for federal immigration reform;

WHEREAS, with excellence of character and leadership, Reverend Fraccaro has been instrumental in the honors and awards received by FaithAction including the Guilford Nonprofit Consortium Nonprofit of the Year and Launch of the FaithAction ID Program; the Greensboro Police Department Chief's Award, Launch of the Stranger to Neighbor Dialogue Series, and Greensboro TEDx Inaugural Speaker; the Community Foundation of Greater Greensboro Gamechanger Award and Diamante Non Latin Person Most Supportive of the Latino Community Award; the Latino Coalition of Guilford County Community of Coalition Honorees; the Guilford Green Foundation Distinguished Service Award; the El Centro Hispano's Gilbertson-Clark Visionary Award; the Beginning of Visitation Program to Stewart Detention Center, GA, and the First Presbyterian "God Talk" Speaker; the Duke Divinity School Traditional Innovation Award Winner; the Inaugural Future Fund 10 Audience Award Winner; the Rosa Foundation Humanitarian Award; GHR/Open IDEO Bridge Builder Prize Award; and the Lilly Endowment, Inc. Thriving Congregations Grant Award;

WHEREAS, countless lives have been impacted by Reverend Fraccaro over the course of a decade with the FaithAction International House; and he will be remembered for years to come for his extraordinary selfless contributions to our community; and

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

1. That the City Council wishes to express a sense of respect and gratitude for the lifetime of investment in the community, state, and globally of Reverend David V. Fraccaro and for his many years of dedicated public service.
2. That a copy of this resolution shall be delivered to Reverend David V. Fraccaro as a symbol of the gratitude of the people of Greensboro.

(Signed) Marikay Abuzuaiter

F. PUBLIC COMMENT PERIOD

Mayor Vaughan stated there were no written comments received for the meeting.

James Rosa Jr. spoke to an upcoming pilot youth program at Brown Recreation Center.

Buddy Rankin spoke to finding a wallet belonging to a federal judge.

Councilmember Hightower expressed concern regarding this situation; and spoke to an investigation.

Assistant City Manager Trey Davis spoke to gathering pertinent information into the matter.

The following speakers voiced concerns regarding the Greensboro Police Department; and the Marcus Smith case: Luis Medina, Billy Belcher, Hester Petty, Lewis Pitts, Cary Anne Broadway, Pam "Nego" Crosson, Mollie Blafer, Rob Gaines, Joel Sronce, Anderson Bean, Patricia de Beer, Catherine Holcombe, Demetrius Noble, Kani Bynum, Evelyn Smith, and Sabina Nogo.

G. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the consent agenda; and reminded Council that any items removed from the consent agenda, other than for a recusal or for the purpose to vote 'No' would be placed on the next business meeting agenda as a business item.

Motion to adopt the consent agenda was approved.

Moved By Councilmember Wells

Seconded By Tammi Thurm

Carried

G.1 2021-146 Budget Adjustment Approved by Budget Officer 07132021

Motion to adopt the budget adjustments accepted by the Budget Officer 7-13-2021 to 7-23-2021 was approved.

(A copy of the report is filed in Exhibit Drawer D, No. 24, which is hereby referred to and made a part of these minutes.)

Moved By Councilmember Wells

Seconded By Tammi Thurm

Carried

G.2 2021-147 Budget Adjustment Approved by City Council 07132021

Motion to adopt the budget adjustments requiring Council approval 7-13-2021 to 7-23-2021 over the amount of \$50,000 was approved.

(A copy of the report is filed in Exhibit Drawer D, No. 24, which is hereby referred to and made a part of these minutes.)

Moved By Councilmember Wells

Seconded By Tammi Thurm

Carried

I. GENERAL BUSINESS AGENDA

I.1 2021-172 Resolution to Amend a Code of Ethics for the Mayor and City Council

Motion to adopt the resolution was approved.

Moved By Sharon Hightower

Seconded By Marikay Abuzuaiter

Carried

220-21 CODE OF ETHICS, GIFT POLICY, AND DISCLOSURE
REQUIREMENTS FOR THE MAYOR AND CITY COUNCIL OF THE CITY
OF GREENSBORO, NORTH CAROLINA

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article I, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, Esse quam videri, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this City, and with obeying the law, and

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the City of Greensboro, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the City Council do hereby adopt the following General Principles and Code of Ethics to guide the Mayor and City Council in their lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- The Mayor and Council members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- The Mayor and Council members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of citizens
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial determinations in quasi-judicial hearings.
- The Mayor and Council members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly. The Mayor and Council members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

A. CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Mayor and Council members and to help determine what

conduct is appropriate in particular cases. It should not be considered a substitute for the law or for an official's best judgment.

1. The Mayor and Council members should obey all laws applicable to their official actions. The Mayor and Council members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, the Mayor and Council members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that the Mayor or a Council member is behaving unethically because one disagrees with that official on a question of policy (and not because of the council member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

2. The Mayor and Council members should act with integrity and independence from improper influence as they exercise the duties of their offices.

Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values
- Exhibiting trustworthiness
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
- Treating other council members, city staff, and the public with respect and honoring the opinions of others even when the council members disagree with those opinions
- Showing respect for their offices and not behaving in ways that reflect badly on those offices
- Recognizing that they are part of a larger group and acting accordingly
- Recognizing that individual Council members are not generally allowed to act on behalf of the Council but may only do so if the Council specifically authorizes it, and that the Council must take official action as a body

3. The Mayor and Council members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach and they

should not use their official position for personal gain. They should also not disclose confidential information, including the premature disclosure of what transpired in a closed session. Although opinions may vary about what behavior is inappropriate, this Council will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the Council member's action would conclude that the action was inappropriate.

4. If the Mayor or a Council member believes that his or her actions, while legal and ethical, may be misunderstood, the official should seek the advice of the City Attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

5. The Mayor and Council members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

The Mayor and Council members should faithfully attend and prepare for meetings. They should demand full accountability from those over whom the Council has authority.

The Mayor and Council members should be willing to bear their fair share of Council's workload. To the extent appropriate, they should be willing to put the City's interests ahead of their own.

6. The Mayor and Council members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to them nor to City employees.

In order to ensure strict compliance with the laws concerning openness, the Mayor and Council members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the

Council are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

B. GIFT POLICY

City Handbook Policy Number B-20 is hereby incorporated by reference
Definitions

“Gift” – Anything of monetary value given or received without valuable consideration. The following shall not be considered gifts:

- (1) Anything for which fair market value, or face value if shown, is paid by the official.
- (2) Commercially available loans made on terms not more favorable than generally available to the general public in the normal course of business.
- (3) Contractual arrangements or commercial relationships or arrangements made in the normal course of business.
- (4) Academic or athletic scholarships based on the same criteria as applied to the public.
- (5) Anything of value properly reported as required under Article 22A of Chapter 163 of the General Statutes (North Carolina Campaign Contributions Law).
- (6) Expressions of condolence related to a death of an individual, sent within a reasonable time of the death, if the expression is one of the following:
 - a. A sympathy card, letter, or note.
 - b. Flowers.
 - c. Food or beverages for immediate consumption.
 - d. Donations to a religious organization, charity, the State or a political subdivision of the State, not to exceed a total of two hundred dollars per death per donor.

“Extended family” – Spouse, lineal descendant, lineal ascendant, sibling, spouse's lineal descendant, spouse's lineal ascendant, spouse's sibling, and the spouse of any of these individuals.

“Official” – the Mayor or a member of the City Council.

Gift Ban

No official shall knowingly accept a gift unless the gift falls within one of the exceptions set forth below.

A prohibited gift shall be promptly declined, returned, paid for at fair market value, or donated to charity or the City.

Exceptions

These prohibitions shall not apply to any of the following:

- (1) Gifts from the official's extended family, or a member of the same household.
- (2) Gifts given or received as part of a business, civic, religious, fraternal, personal, or commercial relationship provided that the gift is made under circumstances that a reasonable person would conclude that the gift was not given to influence or attempt to influence official action.
- (3) Nominal gifts having a value of less than \$50.
- (4) Anything generally made available or distributed to the general public without charge.
- (5) A memento such as a commemorative shovel, plaque, figurine, trinket, or novelty item related to a civic occasion or event.
- (6) Informational materials relevant to the duties of the official.
- (7) Food and beverages for immediate consumption in connection with any of the following:
 - a. A meeting of the City Council, provided that the meeting is properly noticed under Article 33C of Chapter 143 of the General Statutes.
 - b. Business meetings so long as the food and beverages are of incidental value.
 - c. Neighborhood or community meetings.
 - d. A gathering of ten or more individuals that is open to the general public, provided that the official pays the same amount, if any, that the general public is charged to attend.
- (8) Tickets or admittance to, and food and beverages for immediate consumption at, an event where the official is clearly representing the City and where the City has a legitimate purpose in being represented at the event. By way of illustration but not limitation, this would include events sponsored by the Greensboro Regional Visitors Authority, the Greensboro Chamber of Commerce, the Foundation for the Carolinas, Greensboro Center City Partners, the Regional Partnership, the United Way, the Arts & Science Council, colleges, universities, and other educational institutions, and similar organizations.
- (9) Food and beverages for immediate consumption and related transportation provided all of the following conditions are met:
 - a. The food, beverage, or transportation is provided during a conference, meeting, or similar event and is available to all attendees of the same class as the recipient.
 - b. The official is a director, officer, governing board member, employee, or

independent contractor of one of the following:

1. The entity giving the food, beverage, or transportation.
2. A third party that received the funds to purchase the food, beverages, or transportation.

(10) An expense appropriate for reimbursement by the City if it had been incurred by the official personally. Such a gift shall be considered a gift accepted by or donated to the City, provided that the gift and its value are reported in writing to the City Clerk within two weeks of receipt.

C. DISCLOSURE REQUIREMENTS

By February 1 of each year, the Mayor and Council members shall file with the city clerk a financial and personal interest disclosure using the form set forth in Exhibit A attached hereto. The statements required by this section are public records available for inspection and copying by any person during normal business hours.

D. COMPLAINTS, INVESTIGATIONS, AND SANCTIONS

1. Complaints

a. Any individual may file a complaint alleging a violation. Complaints shall be filed with the City Clerk on a form provided by the City Clerk. Complaints shall: (i) identify the complainant; (ii) state with specificity the facts that form the basis for the alleged violation; and (iii) cite the provision that has allegedly been violated.

b. Upon receiving a complaint, the City Clerk shall forward the complaint to the City Attorney for initial review.

c. The City Attorney shall review the complaint to determine whether it provides the information required in subsection a. If the City Attorney determines that the complaint fails to provide the information required by subsection (a), the complainant shall be so informed and afforded an opportunity to provide the required information. If the City Attorney determines that a complaint does provide the required information, the complaint shall be referred to an independent investigator selected by the City Attorney.

2. Investigations

a. An independent investigator shall review a complaint referred by the City Attorney. In the event that the independent investigator determines that the complaint is either: (i) frivolous; or (ii) does not state a claim of a violation even if the facts alleged are true, then the investigator shall communicate that conclusion in writing to the City Attorney who shall in turn communicate that

conclusion to the complainant and the Mayor or, if the subject of the complaint is the Mayor, to the Mayor Pro Tempore.

b. If the independent investigator determines that the complaint is not frivolous and does state a claim of a violation if the facts alleged are true, the independent investigator shall investigate the allegations and make written findings as to the truthfulness of the factual allegations and conclusions as to whether a violation has occurred. The written findings and conclusions shall be provided to the City Attorney who shall in turn provide them to the complainant, the Mayor, and the City Council.

3. Sanctions

Upon receipt of written findings and conclusions pursuant to Section 2.b., the City Council may sanction the official who was the subject of the investigation. Potential sanctions include the adoption of a Resolution of Censure and any other lawful sanction within the Council's power.

E. Elections:

No elected city official shall use or caused to be used any city resources, including but not limited to:

- (1) city funds, which includes state and federal funds in possession of or designated for city use;
- (2) supplies;
- (3) media resources;
- (4) equipment, which includes, but is not limited to, computers and telephones;
- (5) real property, unless rented through the normal process; and
- (6) city personnel

for partisan or political purposes, which includes, but is not limited to, endorsing or opposing a referendum, election or a particular candidate for elective office unless otherwise permitted by law. [G.S. 160A-169 and 160A- 499.3]

Such prohibition extends to the use, whether direct or indirect, of GTN, and other city-authored media resources, including mass (unsolicited) mailings (newsletters, meeting notices, questionnaires, surveys, news releases, facsimiles, posters, flyers, handouts, leaflets and the like) of substantially identical content whether in single or bulk, media buys, advertisements and automatic telephone "robo" calls, and social media channels.

This prohibition does not apply to: (1) mailings or communications which are in direct response to a solicited response, inquires or request from the person(s) to whom the response is directed;

(2) updates to the council member's page on the City's website provided said updates are consistent with established city guidelines and protocols; (3) self-generated electronic communications distributed to subscribers/constituents within the council member's consistent with such electronic communications that occurred prior to the blackout period as defined below; and (4) meetings, events, activities, mailings or communications of any kind that are held, generated or disseminated using non-city resources or that are scheduled and paid for, where payment is required, in accordance with all city policies and procedures applicable to any applicant for use of a city facility or amenity.

In effort to minimize, if not avoid, allegations regarding the use or misuse of city resources for campaign/election purposes, the City hereby imposes a "blackout period" commencing on either the first day of the third month before the primary in which the election for city council is to occur or, for any particular council person, on the date on which a current that elected official publicly announces their candidacy, whichever date first occurs, and ending on general election day upon closure of the polls. An elected official is presumed to have "publicly announced their candidacy" by either making such a public announcement, or having their candidacy publicized in local newspapers and news outlets, or having their candidacy publicized on social media. That presumption can be rebutted if the elected official can provide evidence that the publication of their candidacy was not authorized and a retraction has been requested.

During such blackout period, the use of any the aforementioned city resources by a candidate for city council is prohibited unless such city resources are used, as established by clear and convincing evidence, in the performance of the official duties of a duly elected city council member and without any mention or promotion by the council person of the coming election. This applies to Town Hall Meetings as well. Such permitted use shall be in a manner consistent with established city guidelines and protocols, which shall not be amended during the blackout period unless such amendment is absolutely necessary to add clarity to the city established guidelines and protocols.

Even if connected with the performance of official duties, images of a duly elected city council member on city media or other city resources should be kept to a minimum during the blackout period so that such use during the blackout period is not disproportionate to the use of the same city resources during the entire calendar year preceding the blackout period. If it appears that said use is disproportionate, the elected official will be informed of such and staff, absent

extenuating circumstances, will deny the request. The City Attorney's Office shall be charged with making any and all determinations required by this policy and compliance with the same. Non-compliance with this policy shall be handled pursuant to the complaint procedure under this policy.

"Council Conversations" episodes will not be produced or aired on GTN during the blackout period.

F. Whistleblower provisions.

(1) It is the policy of the city that city employees shall be encouraged to report verbally or in writing to their supervisor, department head, the City Attorney's Office, human resources director, or other appropriate authorities, evidence of activity by a city employee, officer or agent constituting:

- (a) A violation of local, state or federal law, rule or regulation;
- (b) Fraud;
- (c) Misappropriation of city resources;
- (d) Substantial and specific danger to the public health and safety; or
- (e) Gross mismanagement, a gross waste of monies, or gross abuse of authority.

(2) Further, it is the policy of this city that city employees be free of intimidation or harassment when reporting such matters of public concern to the appropriate oversight or enforcement personnel or agency, including offering testimony to or testifying before the same.

(3) No head of any city department, or member of a city board or commission or other city employee, officer or agent exercising supervisory authority shall discharge, or recommend the discharge of, threaten or otherwise discriminate against a city employee, officer or agent regarding the city employee's or officer's compensation, terms, conditions, location, or privileges of employment or otherwise retaliate against the employee, officer or agent because the city employee, officer, or agent or a person acting on behalf of the employee, officer or agent reports or is about to report, verbally or in writing, any activity described herein, unless the city employee, officer or agent knows or has reason to believe that the report is inaccurate.

(4) No city employee, officer or agent shall retaliate against another city employee, officer or agent because the employee, officer or agent has refused to carry out a directive which may constitute a violation of a local, state or federal law, rule or regulation, or poses a substantial and specific danger to public health and safety.

(5) Notice of the above Whistleblower provisions shall be posted on the Employee Center and on the various city bulletin boards accessed by city employees for work related information.

Ethics Complaint Procedures

1. Except as otherwise provided herein, a complaint that this policy has been violated may be reported to the City Attorney's Office or the Human Resources Director. The Ethics Officer will investigate the complaint, and report the findings to the City Manager for review and additional action if warranted.

In the event a complaint pertains to the City Manager, the investigation will be forwarded to the City Attorney and the City Council. Likewise, if a complaint pertains to the City Attorney, the investigation will be forwarded to the City Manager and City Council.

In the event a complaint pertains to an elected official or an appointed member of a board or commission, the investigation will be conducted by the City Attorney's Office and only forwarded to City Council if further action is necessary.

2. No person should knowingly file a false complaint or report of a violation of this policy. All reports of complaints are confidential and there will be no retaliation upon the person reporting the complaint.

Duty to Notify Potential Ethics Policy Conflicts

Any city employee who is aware that he/she may have a potential conflict with this policy in the course of his/her city duties will notify his/her supervisor of the conflict. Once notified, the supervisor will resolve the potential conflict, including but not limited to designating an alternative employee to perform the duty that is involved in the potential conflict. The supervisor should maintain a written copy of actions reported and taken.

Elected officials and members of boards and commissions may seek guidance about potential conflicts with this policy through the City Attorney's office.

Section 2: This Resolution shall become effective upon adoption.

(Signed) Sharon Hightower

I.2 2021-120 RES Approving MOU between North Carolina and Local Governments on Opioid Litigation

Motion to adopt the resolution was approved.

Moved By Marikay Abuzuaiter

Seconded By Councilmember Wells

Carried

221-21 A RESOLUTION BY THE CITY OF GREENSBORO APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION

WHEREAS, as of 2019, the opioid epidemic had taken the lives of more than 16,500 North Carolinians, torn families apart, and ravaged communities from the mountains to the coast;

WHEREAS, the COVID-19 pandemic has compounded the opioid crisis, increasing levels of drug misuse, addiction, and overdose death;

WHEREAS, the Centers for Disease Control and Prevention estimates the total "economic burden" of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement;

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuit against opioid manufacturers and pharmaceutical distribution companies and hold those companies accountable for their misconduct;

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of any proceeds from a settlement of national opioid litigation to the State of North Carolina and to individual local governments;

WHEREAS, Local Governments and the State of North Carolina recognize the settlement of July 22, 2021 in the national opioid litigation;

WHEREAS, by signing onto the MOA, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, once a negotiation is finalized, as quickly, effectively, and directly as possible;

WHEREAS, it is advantageous to all North Carolinians for local governments, including the City of Greensboro and its citizens, to sign onto the MOA and demonstrate solidarity in response to the opioid epidemic, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm;

WHEREAS, the MOA directs substantial resources over multiple years to local governments on the front lines of the opioid epidemic while ensuring that these resources are used in an effective way to address the crisis; and

NOW, THEREFORE BE IT RESOLVED that the City of Greensboro hereby approves the Memorandum of Agreement between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, and any subsequent settlement funds that may come into North Carolina as a result of the opioid crisis. Furthermore, the City of Greensboro authorizes the City Manager take such measures as necessary to comply with the terms of the MOA and receive any settlement funds, including executing any documents related to the allocation of opioid settlement funds and settlement of lawsuits related to this matter. Be it further resolved copies of this resolution and the signed MOA be sent to opioiddocs@ncdoj.gov as well as forwarded to the North Carolina Association of County Commissioners at communications@ncacc.org.

Adopted this the 2nd day of August, 2021.

[Nancy Vaughan], Mayor
[] City of Greensboro City Council

ATTEST:

[Angela Lord]
City Clerk

(SEAL)

(Signed) Marikay Abuzuaiter

J. MATTERS TO BE DISCUSSED BY THE MAYOR AND MEMBERS OF THE COUNCIL

Taking the prerogative of the chair, Mayor Vaughan asked if Council had Board and Commission appointments.

Moved by Mayor Vaughan, seconded by Councilmember Abuzuaiter, to appoint Andrew Egbert to the Planning and Zoning Commission. The motion carried on the following roll call vote:

Ayes - 8: Mayor Vaughan, Councilmember Abuzuaiter, Councilmember Hightower, Councilmember Hoffmann, Councilmember Kennedy, Councilmember Outling, Councilmember Thurm, and Councilmember Wells.

Absent - 1: Mayor Pro-Tem Johnson.

Councilmember Hightower requested staff to provide body worn camera footage from the Marcus D. Smith litigation matter.

City Attorney Chuck Watts advised of the statutory requirements; and spoke to a court order.

Discussion ensued regarding the number of videos; North Carolina General Assembly legislative actions; litigation protocols; confidentiality; and viewing specifications.

Councilmember Hightower spoke to an adult day center grand opening; to a Junior Aggie football team event; to National Night Out (NNO) events; and voiced appreciation to the Communications Department for broadcasting back-to-school events.

Councilmember Wells extended a NNO invitation for Northeast Greensboro residents; and requested staff to review District 1 and District 2 crime preventatives.

Councilmember Outling expressed condolences to Mayor Pro-Tem Johnson's family; and spoke to the late Attorney Walter Johnson, Jr.'s contributions at Duke Law School.

Councilmember Hoffmann highlighted the Aquatic Center's 10th anniversary.

Councilmember Thurm requested Council to distribute Participatory Budgeting information at NNO events.

Councilmember Abuzuaiter spoke to building community relationships.

Councilmember Kennedy encouraged vaccinations.

Mayor Vaughan expressed condolences to the Johnson family; spoke to an upcoming Wyndham Professional Golfers' Association (PGA) tournament; to infrastructure legislation; and to building neighborhood communication.

Councilmember Hightower expressed concern regarding the American Rescue Plan (ARP) public hearing.

Mayor Vaughan requested staff to schedule an ARP work session with Guilford County stakeholders.

K. MATTERS TO BE PRESENTED BY THE CITY MANAGER

There were no items for discussion by the City Manager.

L. MATTERS TO BE PRESENTED BY THE CITY ATTORNEY

There were no items for discussion by the City Attorney.

M. ADDENDUM ITEMS

There were no addendum items for this agenda.

N. ADJOURNMENT

Moved by Councilmember Kennedy, seconded by Councilmember Thurm, to adjourn the meeting. The motion carried by affirmation.

The City Council Adjourned at 7:14 p.m.

Nancy Vaughn, Mayor

Tebony C. Rosa, Deputy City Clerk