

Agenda
Kinston City Council
City Hall · 207 East King Street
Monday, April 6, 2020
· Regular Meeting at 5:30 pm

Handicapped parking and access ramp are available for the Independence Street entrance.

REGULAR MEETING

Call to Order ----- Mayor Don Hardy

Prayer ----- Mayor Don Hardy

ACTION AGENDA

Consider Adopting the Remote Participation Policy for Meetings of the Kinston City Council During a Public Health State of Emergency----- Mayor Don Hardy

Motion/Second

Adoption of the Agenda

If a Councilmember wishes to revise the agenda, the Motion to add or delete an item will be entertained prior to Adoption of the Agenda.

Motion/Second

CITIZEN COMMENT
Citizens must sign in prior to the start of the meeting if they wish to address the City Council.
Citizens should state their name and address prior to beginning their comments and may speak up to a maximum of 3 minutes.
Citizens seeking assistance or asking questions will be contacted by a member of the Governing Body or by appropriate City Staff.

PRESENTATIONS AND RECOGNITIONS

1. FY2019 Annual Financial Report..... Diana Hardy. CPA - Rives & Associates, LLP

MINUTES

Consider approval of the minutes of the City Council meeting held on March 16, 2020 -----
Debra Thompson

Motion/Second

ACTION AGENDA

- 1. Consider adoption of the Assessment of Fair Housing Plan ----- Rhonda Barwick
Motion/Second
- 2. Consider Bid Award for Holloway HVAC Work ----- Adam Short
Motion/Second
- 3. Consider Acceptance of RTP Grant for Riverwalk Phase III----- Adam Short
Motion/Second
- 4. Consider City/County Contract for Combination of Services ----- Adam Short
Motion/Second
- 5. Consider Approval of Updated Parks & Recreation Fees & Charges -----Corey Povar
Motion/Second
- 6. Consider Approval of Request to Name Back Field at Fairfield Park -----Corey Povar
Motion/Second

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

MAYOR AND COUNCILMEMBER REPORTS

ADJOURNMENT

**REMOTE PARTICIPATION POLICY FOR MEETINGS OF THE
KINSTON CITY COUNCIL DURING A PUBLIC HEALTH STATE OF EMERGENCY***

Up to two (2) members of the Kinston City Council (Councilmember) may simultaneously participate remotely in briefings and official meetings of the City Council, subject to the following rules and procedures:

1. Simultaneous remote participation by multiple Councilmembers may be used to conduct official meetings during a declared public health emergency when it is deemed unwise or contrary to recommendations of public health officials under then-existing conditions for groups to participate in person.
2. Remote participation may be allowed only when a quorum of the Council is physically present at the meeting and the Councilmembers participating remotely are not necessary to establish a quorum.
3. Remote participation shall not be allowed during quasi-judicial hearings.
4. In the absence of volunteers to do so, Councilmembers will participate in meetings remotely in alphabetical order by last name. If there are multiple meetings requiring remote participation, Councilmembers may rotate as needed.
5. At the start of the official meeting and prior to participating in deliberations, the Mayor shall announce which Councilmembers are participating remotely. Such Councilmembers shall identify themselves.
6. Councilmembers participating remotely shall be allowed to participate in all matters before the Council with the exception of quasi-judicial hearings. Councilmembers participating remotely shall be able to vote on all matters as allowed under this policy.
7. Councilmembers participating remotely shall be provided with all documents to be considered during the briefing session and the official meeting.
8. Councilmembers participating remotely shall participate via simultaneous and/or electronic communication and must be fully heard and if possible seen by other members of the Council and any other individuals in attendance at the official meeting. Councilmembers participating remotely must also be able to hear any and all discussions and comments by those physically present at the meeting. Use of telephone, internet, or satellite enabled audio or video conferencing, or any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another is necessary. If clear audio is not available, the Mayor may elect to disallow or discontinue the remote participation and may adjourn or recess the meeting.
9. Councilmembers participating remotely shall provide a voice vote which can be heard and recorded if participating by telephone and shall provide a voice and hand vote if participating by video.
10. Councilmembers participating remotely shall be deemed to be physically present for all purposes except for a failure to vote under N.C.G.S 1604-75. If a Councilmember is unable to be heard or if his/her participation is interrupted or terminated, the failure to vote shall be deemed to be excused.

Adopted this ____ day of April 2020.

***This policy is intended to allow a means by which the Mayor and Councilmembers of the City can conduct the public's business in a manner that complies with existing laws but during a time of public health emergency and the mandates of social distancing.**

City of Kinston
City Council Agenda



Meeting Date: Monday, April 06, 2020

Agenda Section: Information and Updates

Agenda Item: Information Only

Action Requested: No Action Requested

Agenda Item to be Considered

Presenter: Diana Hardy, CPA - Rives & Associates, LLP

Subject: FY2019 Annual Financial Report

Supporting Documentation: None

Department Head's Approval dhg

City Manager's Approval TG 3-31

Budgetary Impact: No Budgetary Action Required

Staff Recommendation: None

City of Kinston
City Council Agenda



Meeting Date: Monday, April 06, 2020

Agenda Section: Action Agenda

Agenda Item: Other

Action Requested: Other

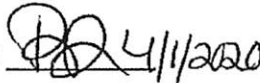
Agenda Item to be Considered

Presenter: Rhonda Barwick, Public Services Director

Subject: Consider adoption of the Assessment of Fair Housing Plan. Adoption is required to meet CDBG-1 funding requirements for the Lawrence Heights Sewer Rehabilitation Project.

Supporting Documentation: Departmental Memo, proposed Assessment of Fair Housing Plan (please see Pages 27-29 for a summary of City activities)

Department Head's Approval

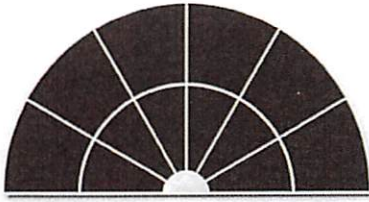
 4/1/2020

City Manager's Approval

 4/1

Budgetary Impact: No Budgetary Action Required

Staff Recommendation: Staff recommends adoption of the Plan.



KINSTON PUBLIC SERVICES


Buildings & Grounds, Business Office, Electric, Engineering, Environmental Services,
Fleet Maintenance, Meter Reading, Stormwater, Streets, Wastewater, and Water

Kinston, the right place ... Kinston Public Services, the right choice.



MEMORANDUM

TO: Rhonda Barwick, Public Services Director

FROM: Steve Miller, Asst. Public Services Director 

DATE: March 30, 2020

RE: CDBG-I Assessment of Fair Housing Plan
Lawrence Heights Sewer Replacement Project

At the February 3, 2020 City Council meeting we discussed the requirement for the City of Kinston to have a Fair Housing Plan to fulfill the requirements of the Community Development Block Grant – Infrastructure (CDBG-I) grant for the Lawrence Heights Sewer Project. City Council adopted a Fair Housing Complaint Procedure at that meeting and discussed potential outreach methods to gain public input in fair housing requirements.

City staff began the process of performing a public survey of fair housing issues and writing a full Assessment of Fair Housing Plan. The Kinston Public Services Department conduct web-based and on-site surveys during the months of February and March to gain public input in fair housing practices. The web-based survey was promoted on city websites and through social media posts. The on-site surveys were set up with collection points at City Hall, Kinston-Lenoir County Public Library and the Department of Social Services on King Street. The Kinston Housing Authority was contacted about participating, but did not respond. Twenty-six surveys were completed, with twenty-one coming from city residents and five from county residents. The full results of the survey are included in the report and actual survey forms are in the appendices.

Results from the survey were incorporated into the Assessment of Fair Housing Plan. The plan starts by identifying impediments to having fair housing in the City of Kinston. Impediments by a review of previous Fair Housing policies, public survey results and city staff knowledge of local issues. Four main impediments were identified:

- 1) Limited affordable housing opportunities
- 2) Increases in poverty/low income residents due to high housing costs
- 3) Increased segregation due to lack of city-wide affordable housing
- 4) Lack of knowledge of fair housing laws, rights and programs

To address the impediments, goals and activities were developed to promote fair housing, address complaints and educate the public on programs available to them. The goals include implementing an anti-displacement plan so all residents currently in housing will continue to have housing, partnering with other local agencies to educate local developers and property managers on fair housing requirements, working closer with the Kinston Housing Authority and others to make affordable housing more widespread, and making sure citizen complaints are addressed by the proper agencies.

The Assessment of Fair Housing Plan must be adopted by City Council by April 10, 2020 to meet CDBG-I funding requirements for the grant received for the Lawrence Heights Sewer Replacement Project.

CITY OF KINSTON



KINSTON

NORTH CAROLINA

ASSESSMENT OF FAIR HOUSING

FINAL REPORT

APRIL 6, 2020

Affirmatively Furthering Fair Housing (AFFH)

Affirmatively furthering fair housing (24 C.F.R. § 5.152) means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development.



Fair housing choice is not only about combating discrimination

Fair housing choice involves individuals and families having the information, opportunity, and options to live where they choose without unlawful discrimination and other barriers related to race, color, religion, sex, familial status, national origin, or disability, and that their choices realistically include housing options in integrated areas and areas with access to opportunity. Fair housing choice encompasses (1) actual choice, which means the existence of realistic housing options; (2) protected choice, which means housing that can be accessed without discrimination; and (3) enabled choice, which means realistic access to sufficient information regarding options so that any choice is informed. For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual's needs.



Analysis of Impediments to Fair Housing Choice Components

1. Cover Sheet and Certification
2. Executive Summary
3. Community Participation Process
4. Assessment of Past Goals and Actions
5. Fair Housing Analysis:
 - A. Demographic Summary**
 - B. General Issues:**
 1. Segregation/Integration
 - a. Analysis
 - b. Contributing Factors of segregation: Impediments
 2. Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs)
 - a. Analysis
 - b. Contributing Factors of segregation: Impediments
 3. Disparities in Access to Opportunity
 - a. Analysis
 - i. Educational Opportunities
 - ii. Employment Opportunities
 - iii. Transportation Opportunities
 - iv. Low Poverty Exposure Opportunities
 - v. Environmental Healthy Neighborhood Opportunities
 - vi. Patterns in Disparities in Access to Opportunity
 - b. Contributing Factors of segregation: Impediments
 4. Disproportionate Housing Needs
 - a. Analysis
 - b. Contributing Factors of segregation: Impediments
 - C. Publicly Supported Housing Analysis**
 1. Analysis
 - a. Publicly Supported Housing Demographics
 - b. Publicly Supported Housing Location and Occupancy
 - c. Disparities in Access to Opportunity
 2. Contributing Factors of Publicly Supported Housing Location and Occupancy: Impediments
 - D. Disability and Access Analysis**
 1. Population Profile
 2. Housing Accessibility
 3. Integration of Persons with Disabilities Living in Institutions and Other Segregated Settings
 4. Disparities in Access to Opportunity
 5. Disproportionate Housing Needs
 6. Disability and Access Issues Contributing Factors: Impediments

E. Fair Housing Enforcement, Outreach Capacity, and Resources Analysis

1. Describe compliance with fair housing and civil right laws
 2. Describe the extent to which the jurisdiction /region has provided resources to fair housing and civil rights agencies/organizations that may “*assist in fair housing analysis and investigation.*”
 3. Describe any state or local fair housing law
 4. Identify agencies that provide fair housing information
 5. Fair Housing Enforcement, Outreach Capacity, and Resources Contributing Factors: Impediments
6. Fair Housing Goals and Priorities

Analysis of Impediments to Fair Housing Choice

1. COVER SHEET AND CERTIFICATION

Grantee: City of Kinston

Recipient's Address: 207 East King Street, Kinston, NC 28502

Contact Person: Steve Miller
(Fair Housing Officer)

Contact Email: steve.miller@ci.kinston.nc.us

Contact Phone #: 252-939-3287

Submission date: April 13, 2020

Type of submission (e.g., single program participant, joint submission):

Single program participant

Period covered by this analysis:

08/2019-08/2023

| Check one: | |
|-------------|--------------------------|
| Initial | x |
| Amended | <input type="checkbox"/> |
| Renewal AFH | <input type="checkbox"/> |

1. To the best of its knowledge and belief, the statements and information contained herein are true, accurate, and complete and the program participant has developed this analysis in compliance with the requirements of 24 C.F.R. § 5.152 or comparable replacement regulations of the Department of Housing and Urban Development;
2. The program participant will take meaningful actions to further the goals identified in its analysis conducted in accordance with the requirements in 24 C.F.R. § 5.152 and 24 C.F.R. §§ 91.225(a)(1), 91.325(a)(1), 91.425(a)(1), 570.487(b)(1), 570.601, 903.7(o), and 903.15(d), as applicable.

*All Joint and Regional Participants are bound by the certification, except that some of the analysis, goals or priorities included in the **Analysis of Impediments to Fair Housing Choice** may only apply to an individual program participant as expressly stated in the document.*

Approved and adopted,

By: Don Hardy, Mayor
Name and Title

Attest: _____
Debra Thompson, City Clerk

Signature and Date

This Analysis of Fair Housing shall be approved by the board and signed by the authorized representative by resolution. It will be monitored in the field and the County/City shall provide all records supporting information of this assessment

2. EXECUTIVE SUMMARY

The City of Kinston has produced this 2020 Analysis of Impediments to Fair Housing Choice (AI) in conformance with the HUD's Affirmatively Furthering Fair Housing (AFFH) rule.

The overarching purpose of this document is to serve as a basis for fair housing planning with an aim towards increasing housing choice and identifying patterns of fair housing complaints. The aim of expanding housing opportunities and choice, regardless of protected class status, is a key factor in affirmatively furthering fair housing in the City of Kinston. The aim of identification of impediments allows the state to determine which of those impediments fall within the control and capacity of the state agencies that administer the funds, and then take steps to address those impediments within their control.

Expanding housing opportunities and choice requires action and engagement across all levels of government. Impediments to fair housing choice manifest in a myriad of ways which are not all uniformly able to be addressed by state recipient agencies. Solutions to addressing impediments, depending on the impediment involved, may be best resolved by local officials, other state agencies, federal programs, or private market activities. The City of Kinston, through the efforts of state agencies participating in HUD Programs, uses this document process to ensure that it is able to take a meaningful role in affirmatively furthering fair housing choice for the City of Kinston.

The process used in generating this AI is already under way and is compliant with HUD requirements and the Citizen Participation Plan. Public input and consultation were garnered to further gauge and understand fair housing issues in the City of Kinston. In developing the specific impediments for the document, the City considered past impediments and whether they continued to exist, the trends and observations seen through the earlier chapters in this document, as well as new input received during consultations. Because the issues addressed in past AIs were broad and pervasive challenges, and continued to be reiterated and reaffirmed across many input sessions, the state does not consider those past impediments to be resolved. However, based on newer insights and input those impediment statements have been revised to make them as current and relevant as possible. To that end, the City of Kinston, NC has identified four impediments to fair housing choice that it will strive to address during the next five years.

Fair Housing Issues and Prioritization

The fair housing barriers identified in the AI research include the following. As specified in HUD's AFH tool, the action items to address the barriers are assigned a priority ranking. The prioritization was based on:

- The significance of the barrier in contributing to segregation
- The significance of the barrier in limiting housing choice, and
- Ease of implementation—i.e., the ability of the city and its partners to address

the barrier, especially in the next 6-12 months.

Barriers identified in this AI include:

Impediment No. 1: Limited affordable housing development

Impediment No. 2: Lack of affordable housing disproportionately impacts protected classes with lower incomes and higher poverty rates.

Impediment No. 3: Lack of affordable housing citywide exacerbates segregation created through historical policies and practices.

Impediment No. 4: Lack of understanding of and awareness of resources on fair housing, laws, rights, and duties available to the City of Kinston, stakeholders and the public about fair housing requirements and programs to assist low income residents and persons with disabilities.

The final section of this document contains the full conclusions and recommendation, laying out ways in which the City of Kinston in conjunction with other agencies can utilize various resources to address solutions within their control with the CPD funds available. This AI works from the guiding principle of seeking to identify impediments to fair housing choice and to identify specific actionable steps that can be taken to effect meaningful changes aimed at mitigating the barriers to fair housing choice. The recommendations to address the identified impediments, listed in summary form below, are expanded upon with proposed action steps.

Impediment No. 1: Limited affordable housing development.

Recommendation 1: Maximize accessible housing choice by promoting preservation and limiting displacement, continuing to encourage development in high opportunity areas, and encouraging creative, innovative solutions and creative partnerships.

Impediment No. 2: Lack of affordable housing disproportionately impacts protected classes with lower incomes and higher poverty rates.

Recommendation 2: Increase the provision of educational resources to the developer, property manager, and tenant communities, and to the mortgage lending and realtor industries.

Impediment No. 3: Lack of affordable housing citywide exacerbates segregation created through historical policies and practices.

Recommendation 3: Reduce stigmatizing language and practices.

Impediment No. 4: Lack of understanding of and awareness of resources on fair housing, laws, rights, and duties available to the City of Kinston, stakeholders and the public about fair housing requirements and programs to assist low income residents and persons with disabilities.

Recommendation 4: Actively engage in the enforcement of the Fair Housing Act and increase awareness of fair housing rights and responsibilities of landlords and tenants.

Funds from the U.S. Department of Housing and Urban Development (HUD) come with the duty to affirmatively further fair housing. This obligation generates from the Fair Housing Act of 1968 which gives HUD a lead role in administering the Fair Housing Act. In 2015, HUD finalized the Affirmatively Furthering Fair Housing (AFFH) rule requiring HUD Community Planning and Development (CPD) funding recipients to complete an Assessment of Fair Housing (AFH) using a HUD created tool. Because the tools required to be used by state recipients of CPD funds have still not been finalized by HUD for use by states, the State is to continue to affirmatively further fair housing and assess fair housing issues through the use of the regulation that pre-existed that rule. The pre-existing regulation requires states to perform an Analysis of Impediments to Fair Housing Choice (AI). Early in January 2018 HUD provided a nation-wide extension for submission of AFFH reports – effectively suspending the AFFH report requirements. Furthermore, HUD provided additional guidance on January 5, 2018 suggesting grantees continue utilizing the data, maps, and template provided as part of the AFFH tools to complete their AI. As such, the analysis complies with this guidance.

Because North Carolina of Environmental Quality DWI-CDBG-I, is the State entity, the requirement for communities with populations greater than 10,000 or more persons are required to complete an Analysis to Impediments to Fair Housing Choice. This document is it not designed to fully address all the fair housing issues within the city limits of Kinston. This document is designed to be an *abbreviated AI* that cover broad impediments facing the City of Kinston, while remaining compliant with the grant requirement of the CDBG grant.

Except where noted, statistics and figures will refer to the City as a whole and not Lenoir County. If and when data for other areas are deemed necessary or relevant for this study, that data will be included and noted.

3. COMMUNITY PARTICIPATION PROCESS

Community participation, as required in §5.158, means a solicitation of views and recommendations from members of the community and other interested parties, a consideration of the views and recommendations received, and a process for incorporating such views and recommendations into decisions and outcomes. For HUD regulations implementing the Housing and Community Development Act of 1974, the statutory term for "community participation" is "citizen participation," and, therefore, the regulations in 24 CFR parts 91, 92, 570, 574, and 576 use this term

Outreach Activities Undertaken To Encourage And Broaden Meaningful Community:

1. The Kinston City Council heard presentations from city staff on February 3, 2020. The meeting was to address possible scenarios that would help increase residential participation in the fair housing process. At the conclusion of the presentation, City Council gave their thoughts on effective ways to get public input. Suggestions were to provide a link on the City's Facebook page, City website, different community organizations for dissemination, on utility bills and use of alerts via voicemail. Certified minutes are included in the Appendix.

2. A Fair Housing Survey was developed by City staff in an effort to gather information and broaden the community participation in the analysis process. The survey was distributed in English and Spanish versions online on the City’s Facebook page, the City’s website, and hardcopies were set up for completion at the Lenoir County Social Services Department, Kinston Community Health Center, and City Hall. As of the date of this assessment, there were 26 responses received, a total of 10 hard copies and a total of 16 surveys online. Below are the questions and responses received. Copies of the English and Spanish version of the Fair Housing Survey with pictures of the set ups are in the Appendix.

Table II.1
Do you live in the City of Kinston?
City of Kinston
2020 Fair Housing Survey Date

| Location | Total |
|-----------------------|-------|
| City Corporate Limits | 21 |
| No Response | 0 |
| Total | 21 |
| County | 5 |
| Grand Total Received | 26 |

Some surveys were received from county residents. While those surveys contain helpful comments, they are not counted in the following totals.

Table II.2
Discrimination
City of Kinston
2020 Fair Housing Survey Date

| Question | Yes | No | Don't Know | Missing | Total | |
|--|----------|----------|------------|------------|---------------|-----------------|
| Have you, or anyone you know ever experienced housing discrimination in the City of Kinston? | 7 | 9 | 5 | 0 | 21 | |
| If yes, have you or anyone you know ever felt discriminated by: Check all that apply | | | | | | |
| Rental property manager/owner | 6 | | | | | |
| Condo or homeowners association | 1 | | | | | |
| Real Estate Professional | 1 | | | | | |
| Loan officer or mortgage broker | | | | | | |
| Government employee | | | | | | |
| Other | | | | | | |
| TOTAL | 8 | | | | 21 | |
| Other: | | | | | | |
| Race | Color | Religion | Sex | Disability | Family Status | National Origin |

| | | | | | | | |
|---|---|---|---|---|---|---|-----------------|
| 8 | 0 | 1 | 1 | 2 | 1 | 0 | *Felony *Credit |
|---|---|---|---|---|---|---|-----------------|

Approximately 43% of the respondents stated they had never experience discrimination nor have they ever known anyone that had been discriminated against, while 33% stated they had, and 24% did not know if they had experience discrimination. Those that did answer yes stated that the discrimination came mainly from rental property managers or owners.

Table II.3
Barriers to Fair Housing
 City of Kinston
 2020 Fair Housing Survey Date

| What do you see as current barriers to fair housing choice? | | | | | |
|---|----------------------------|-------------|----------------------|----------------------|-------|
| Not Informed | Availability/Affordability | None | Don't Know | Missing/Not Relevant | Total |
| 1 | 15 | 2 | 2 | 1 | 21 |
| FAIR HOUSING CHOICE | | | | | |
| Do you feel your housing choices are limited to certain areas or neighborhoods? | | | | | |
| Yes | No | Don't Know | Missing/Not Relevant | Total | |
| 17 | 3 | 0 | 1 | 21 | |
| AFFORDABLE HOUSING | | | | | |
| Do you think that affordable housing options are located throughout the City or are they concentrated in certain areas/neighborhoods? | | | | | |
| Located Throughout | Concentrated | Don't Know | Missing/Not Relevant | Total | |
| 4 | 16 | 1 | 0 | 21 | |
| Are there areas where you would not wish to live? | | | | | |
| Yes | No | Don't Know | Missing/Not Relevant | Total | |
| 19 | 0 | 2 | 0 | 21 | |
| Do you feel there is an adequate supply of affordable housing available for citizens with disabilities, senior citizens, and residents with children? | | | | | |
| Yes | No | Don't Know | Missing/Not Relevant | Total | |
| 2 | 17 | 2 | 0 | 21 | |
| DISSEMINATION OF FAIR HOUSING INFORMATION | | | | | |
| Have you seen or heard about any information regarding fair housing programs, laws, or enforcement? | | | | | |
| Some | None | Don't Know | Missing/Not Relevant | Total | |
| 10 | 8 | 3 | 0 | 21 | |
| Do you think that adequate fair housing is available in other language translations? | | | | | |
| Yes | No | Don't Know | Missing/Not Relevant | Total | |
| 5 | 5 | 11 | 0 | 21 | |
| What do you feel would be the most effective way to inform the residents about their fair housing rights? | | | | | |
| Mail/Post/Meetings | Real Estate Agency | Media/Other | Missing/Not Relevant | Total | |
| 14 | 1 | 6 | 0 | 21 | |

Approximately, 71% of the respondents see availability/affordability as a current barrier to fair housing choices. 81% of the respondents feel housing choices are limited to certain areas or neighborhoods. 76% of the respondents think affordable housing options are concentrated in certain areas/neighborhoods. 90% of the respondents acknowledge there are areas where they would not wish to live. 81% of the respondents feel there is not an adequate supply of affordable housing available for citizens with disabilities, senior citizens, and residents with children. 48% of the respondents had seen or heard any information regarding fair housing programs, laws, or enforcement. While 38% of the respondents had not seen or heard about any information regarding fair housing programs, laws, or enforcement. 52% of the respondents did not know if adequate fair housing is available in other language translations. 67% of the respondents felt the most effective way to inform the residents about their fair housing right were mail/post/meetings.

Table II.4
General Questions
City of Kinston
2020 Fair Housing Survey Date

| ASSISTED HOUSING PROGRAM | | | | |
|---|----|------------|----------------------|-------|
| Have you ever participated in a government assisted housing program? | | | | |
| Yes | No | Don't Know | Missing/Not Relevant | Total |
| 9 | 12 | 0 | 0 | 21 |

57% of the respondents had never participated in a government assisted housing program. While, 43% of the respondents had participated in a government assisted housing program.

Organizations Contacted During The Community Participation Process:

Lenoir County Department of Social Services
130 W King Street
Kinston, NC 28501-4836
Mission Statement

It is our mission as agents of the Lenoir County Department of Social Services to provide an optimal level of services and assistance to children, families, seniors, and disabled adults--as well as the other individuals targeted or determined to be in need of our services-in a compassionate, caring, courteous, confidential and professional manner. It is the intent of every action taken, or endeavor undertaken to promote and maintain the integrity and dignity of the individual while focusing on enhancing a quality of life that we believe is an integral part of the inalienable rights of every person for life, liberty, and the pursuit of happiness. It is our belief as human service professionals that service to humanity is the greatest work of life.

Kinston Community Health Center
324 N Queen St
Kinston, NC 28501

The Kinston Community Health Center is dedicated to delivering quality services at the highest standard of primary and preventive healthcare. The Kinston Community Health Center exhibits leadership in our community through various cultivated local partnerships. Our staff is steadfast in the quality services offered to our patients coupled with the intentions of respect and complete care. The goal of the Kinston Community Health Center is to be instrumental in the promotion of a vibrant

community by creating new opportunities related to quality healthcare services and wellness programs in the most cost-effective manner.

Kinston Housing Authority
608 N Queen St
Kinston, NC 28501

The Kinston Housing Authority, located in Kinston, NC, is a government agency that operates and manages public housing in Lenoir County. The Housing Authority oversees low-income housing, including the application process, eligibility guidelines, and related resources. For example, Kinston residents can receive subsidies for low-income housing, access public housing programs, and learn about other resources for eligible Lenoir County residents from the Housing Authority. *Note: Kinston Housing Authority was contacted but never returned any calls about setting up fair housing surveys at their place of business. Their website leads back to the local newspaper.*

How Successful Were The Efforts At Eliciting Meaningful Community Participation?

Even with having surveys at Social Services, Kinston Community Health, and City Hall, the efforts eliciting meaningful community participation were not the most successful. We only received 26 responses to our community survey, of which 21 were citizens of the City of Kinston. Even with having the surveys in Spanish we received no responses from the Hispanic community.

Summary of Comments Obtained In The Community Participation Process.

- In regards to the question of have you or anyone you know ever felt discriminated by. “People who have served time with felonies are denied safe affordable housing.”
- In regards to the question of what do you believe was the basis of the discrimination. “Credit.”
- In regards to the question of do you think there is an adequate supply of affordable housing available for citizens with disabilities, senior citizens, and residents with children. “No, seniors with children.”

The City will continue outreach and citizen participation in educating citizens on fair housing programs and laws.

4. ASSESSMENT OF PAST GOALS AND ACTIONS

This section reviews impediments to fair housing choice identified in the 2011 City of Kinston Analysis of Impediments to Fair Housing Choice (AI).

Prior Impediments found:

- General public is not aware of the laws governing Fair Housing.
- Very low- and low-income families gravitate to the east side of Kinston while moderate to high-income families settle in other parts of Kinston.

- Despite the large number of Section 8 vouchers used in the community, some local landlords are still reluctant to rent to persons receiving governmental housing assistance.
- A majority of persons receiving housing assistance are minority.

The City of Kinston, throughout the life cycle of the CBDG grant will help reduce these impediments to Fair Housing Choice. The prior AI covered years from 2011-2016. While the City made every effort to address each identified impediment, the City is aware that impediments to fair housing choice still exist and the City remains committed to addressing these impediments; not just through City sponsored activities, but with partnership with local non-profit organizations.

To address these identified disparities, the City of Kinston each year being a CBDG grantee with the Department of Commerce, submitted a fair housing plan that would address the identified impediments. These plans were approved by the NC Department of Commerce and implemented with funding through the grant funds received through CBDG.

To address impediments the City did the following over the course of CBDG funded years:

- Posted notice of fair housing rights in the local newspaper
- Coordinated fair housing outreach and activities with the City of Kinston Housing Authority and local non-profit organizations.
- Conducted workshops on fair housing issues/rights in order to further inform people about rights and responsibilities under fair housing laws.
- Ensured that homeowners, renters were all aware of fair housing regulations and rules.

Proposed Fair Housing Activities

The proposed fair housing activities on the following pages summarize the fair housing goals/ activities describing how the city proposes to address the identified fair housing barriers. Many of these action items are directed towards achieving greater equity through city policy and financial actions.

The proposed fair housing activities are ambitious. Implementation will require a collaborative effort between the City of Kinston and a variety of community partners. To that end, the first step in implementation will be for the city to facilitate dialogue with appropriate partners to determine lead organizations for specific action items, agree upon responsibilities and refine measurable impacts. Potential partners might include, for example, the following:

- City of Kinston Housing Authority
- Eastern Carolina Council of Governments
- Local Non-Profits serving Kinston and Lenoir Counties
- North Carolina Department of Commerce

Fair Housing Activities for the City of Kinston

| Fair Housing Barrier | Prioritization | Fair Housing Goals/Activities |
|--|----------------|--|
| <p>Impediment: Limited affordable housing development.</p> <p>Recommendation: Maximize accessible housing choice by promoting preservation and limiting displacement, continuing to encourage development in high opportunity areas, and encouraging creative, innovative solutions and creative partnerships.</p> | <p>High</p> | <p>Increase affordable housing through increasing partnership with affordable housing developers. Limit displacement through the implementation of anti-displacement plan. The City of Kinston will seek to create a housing component in long term planning strategies and seek out funding to enhance and develop more affordable housing options.</p> |
| <p>Impediment: Lack of affordable housing disproportionately impacts protected classes with lower incomes and higher poverty rates.</p> <p>Recommendation: Increase the provision of educational resources to the developer, property manager, and tenant communities, and to the mortgage lending and realtor industries.</p> | <p>High</p> | <p>The City will partner with local agencies to host educational workshops and conduct on-going outreach to developers, property managers, tenant communities and mortgage lending industries on a on-going basis.</p> |
| <p>Impediment: Lack of affordable housing citywide exacerbates segregation created through historical policies and practices.</p> <p>Recommendation: Reduce stigmatizing language and practices.</p> | <p>Medium</p> | <p>The City has confirmed that that affordable housing options are available. The City will continue to pursue to create more opportunities for affordable housing options to not just be located in the center city and or where it has been historically located, but to offer and seek to provide incentives for affordable housing throughout the City in order to promote a more diverse, less exacerbate segregated housing choice options. The City will look at ways to increase partnership</p> |

| | | |
|---|---------------|--|
| | | <p>with the local housing authority and seek to partner with them for future affordable housing development. Train landlords on what legal language is should be included and excluded from leases. Partner with the NC Legal Aid to host legal clinics for persons who are LMI.</p> |
| <p>Impediment: Lack of understanding of and awareness of resources on fair housing, laws, rights, and duties available to the City of Kinston, stakeholders and the public about fair housing requirements and programs to assist low income residents and persons with disabilities. Recommendation: Actively engage in the enforcement of the Fair Housing Act and increase awareness of fair housing rights and responsibilities of landlords and tenants.</p> | <p>Medium</p> | <p>The City will continue to promote fair housing through various media outlets. Explore how they can seek to further engage, advocate and enforce fair housing practices at a local level.</p> |

5. FAIR HOUSING ANALYSIS

- A. **Demographic Summary** (Describe demographic patterns in the jurisdiction and region, and describe trends over time (since 1990). Program participants will use this HUD data, State data and local data and knowledge, to describe current demographics in the jurisdiction and region, and then describe demographic trends over time.)

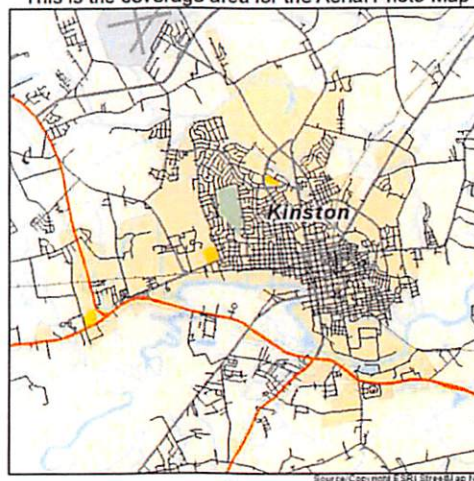
This section of the Analysis to Impediments of Fair Housing Choice (AI):

- Provides an overview of Kinston’s changing demographics to set the context for the AI;
- Discusses segregation in Kinston;
- Analyzes housing choice for persons with disabilities;
- Discusses housing choices of families with children; and
- Concludes with a section on housing affordability and concentrations of subsidized housing.

City of Kinston Data Analysis & Data Methodology

This provides a regional level analysis of information for the City of Kinston. This section will provide demographic, economic, and housing information on the City of Kinston. The primary data sources for this chapter are the American Community Survey (ACS), Comprehensive Housing Affordability Strategy data (CHAS) and the United States Census Bureau’s On the Map data tool (On the Map).

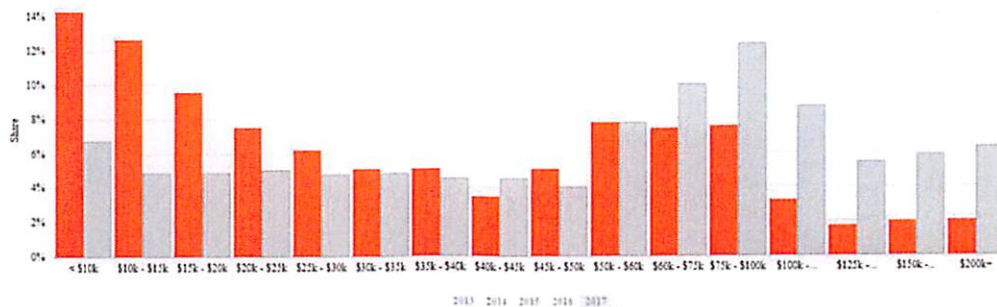
This is the coverage area for the Aerial Photo Map



Kinston is a city in Lenoir County, North Carolina, United States. The city has a total area of 16.7 square miles. The population was 21,004 at the 2017 census. The population was estimated at 20,083 in 2018. It has been the county seat of Lenoir County since its

formation in 1791. Kinston is located in North Carolina’s Inner Banks region. The economy of Kinston employs about 7,780 people. The largest industries in Kinston are health care and social assistance employing 1,740 people, manufacturing 1,548 people and retail trade employing 876 people. Kinston has a stable economy with income equality being measured at 0.473, which is lower than the national average.

The estimated median household income in Kinston in 2017 is \$29,927 which is a decrease from the estimated median income of 2016 of \$31,030. In 2016, the City of Kinston experience major flooding and damage to homes and city and county structures within the city limits of Kinston due to Hurricane Matthew in 2016 and Hurricane Florence in 2018.



The following chart displays the households in Kinston, NC distributed between a series of income buckets compared to the national averages for each bucket. The largest share of households have an income in the < \$10k range

Many people, businesses were severally impacted by the storms, especially public housing. The City of Kinston Housing Authority lost some public housing units, which remain off line to date. Hurricane Matthew created an additional problem to a pre-existing affordable housing crisis. There was a decrease in population by 4.38% from 2017 to the estimated population in 2018.

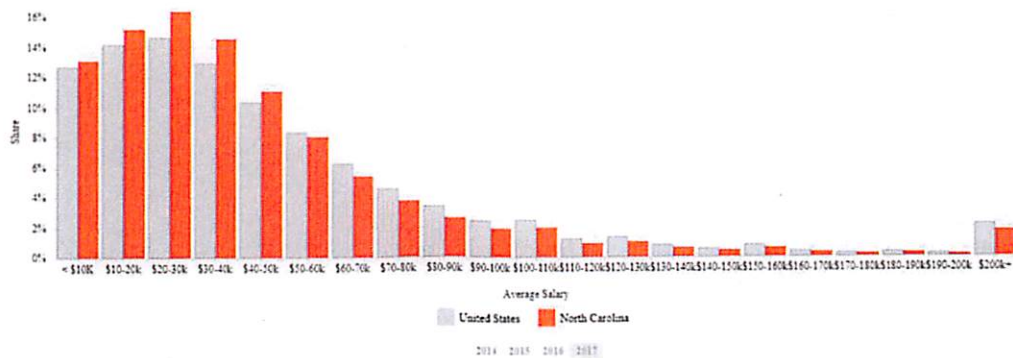
Housing and Living

The median property value in Kinston, NC was \$101,000 in 2017, which is 53.58% less than the national average of \$217,600. Between 2016 and 2017 the median property value decreased from \$104,000 to \$101,000 a 2.88% decrease. The homeownership rate in Kinston, NC is 43.4% which is lower than the national average of 63.9%.

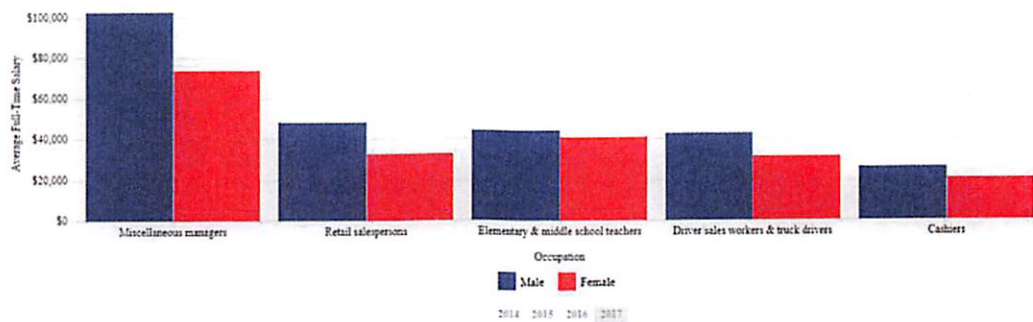
Wage, Gender and Job

In 2017, the income equality in North Carolina was 47.3% according to the GINI calculation of wage distribution. Income equality had 0.39% growth from 2016-2017, which means that wage distribution grew somewhat less even. The chart below shows the number of workers in NC across various wage brackets, compared to the national average.





In 2017, full time male employee in Kinston made 134 times more than female employees. The chart below shows the gender wage disparity in the 5 most common occupations in Kinston, NC by the number of full time employees.



Summary

Since the last comprehensive AI was conducted for the City of Kinston in 2011, the City of Kinston has seen a decline in population. In 2018, the estimated population is 20,083 a decreased in 4.38% since 2017. The most significant changes brought by this recent change can be attributed by the following:

- 2 Majors Hurricanes significantly impacting the City of Kinston
- Change in industry with business closures
- An older city- City residents are older overall, due to the shifting of the Baby Boomers into older age cohorts and growth in Baby Boomers and seniors.
- A “majority minority” city. Kinston is now a majority minority city- largely due to the growth in the African American residents and small increase the Hispanic population.
- A rise in poverty- Poverty rose overall from 2016 to 2017 about 3%. With the lack of affordability within the City limits, this can cause a decline in population.

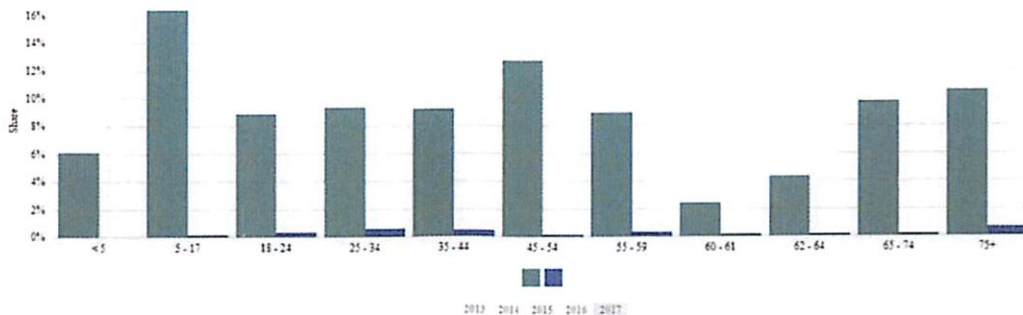
Although these changes are not dramatic from various viewpoints, these changes do impact the housing opportunities and needs in a variety of ways.

Demographic Analysis

This section discusses the major demographic changes that have occurred in Kinston since 2016. It is organized around the categories of analysis in HUD’s new Fair Housing Assessment Tool.

| <u>Population by Age</u> | <u>2016</u> | <u>2017</u> | <u>2016-2017 Change</u> |
|--------------------------|-------------|-------------|-------------------------|
| Total Population | 21,393 | 21,004 | -389 |
| - Children under 5 | 1,394 | 1,274 | -120 |
| - Children (5- 18) | 3,972 | 3,964 | -8 |
| Young Adults(25-44) | 5,601 | 5,423 | -178 |
| Baby Boomers(45-64) | 6,202 | 5,988 | -214 |
| Seniors (65 and older) | 5,775 | 4,355 | -1,420 |

According to the data there has been a decline in all ages of the population of Kinston. Again it can be conferred due to natural disasters.



In 2017, the median age of all people in Kinston, NC was 44.4. Native-born citizens with a median age of 44 were generally younger than foreign-born citizens, with a median age of 45. But people in Kinston are getting older. In 2016, the average age for Kinston, NC residents was 44.

Impact of age on housing choice

The growth of the Baby Boomer age cohort—many of whom are in their prime earning years—will contribute to demand for higher-priced, luxury housing products, particularly as the economy and housing market recover. Baby Boomers will continue to have a large influence on the housing market due to their large numbers. This may mean a growing demand for smaller units with walkability and transit access.

Yet many older adults choose to age in place, which could increase demand for housing modifications and supportive services such as in-home care, in the areas where Baby Boomers currently reside. In the City of Kinston as the Baby Boomer population declines, so will the demand for higher priced single family units and or luxury housing products. Furthermore baby boomers moving to a fixed income can also have a need for

more affordable housing choices. With the lack of affordable housing options, this can also create housing disparities for this population.

If the city's young adults follow past trends, they will seek detached single family homes after forming families, continuing the outmigration of families in other areas of the county and in adjacent counties. Recent studies on housing preferences of Millennials, however, suggest their geographic preferences for housing are different than other cohorts due to the importance they place on walkability. This may lead to a shift toward residential redevelopment activity in existing neighborhoods, further contributing to gentrification.

As families seem to not grow or move out into the county and or in more urbanized counties, the need for larger single family units will also decline, in turn creating more cost on those who remain within the City.

Veterans in Kinston

In 2017, there were a total of 1,384 veterans with 388 or (28%) had a service connected disability. The City of Kinston as a governmental entity has not specifically sought and or designed housing addressing veterans. With Kinston's close proximity to military bases, it is critical to address veteran housing needs. Finding affordable housing can be extremely difficult for veterans, especially if they have post-traumatic stress disorder, have suffered from traumatic brain injury, or live with mental health issues. Remaining stably housed can be even more difficult. The City of Kinston should seek to address housing issues for veterans with disabilities as this is an unmet need in the city currently.

Growing Families Equal Growing Cities and Towns

In 2016, the total number of occupied units were 8,929. Out of those households 59.6% were married couple family households. In 2017, the total number of occupied units were 8,242 and out of those households 47.2% were married couple households. In 2016, the number of female householder with no husband present was at 22%, but 2018 the same category was anticipated to increase by 2%. According to the NC Social Determinates of Health by Regions study, 46,281 family households in Region 10 were single family households compared to 27% statewide.

Family composition and the trends of family tend to drive both housing market factors and the options for housing choice. Where there is increases in single female headed households affordability becomes a major factor in housing choice options. The City of Kinston will need to continue to seek out and diversity housing choice options for people of all family sizes and types.

Income and Housing Choice

In 2017 a large portion of persons living within the City of Kinston had incomes less than \$50,000 per year and spent more than 33% on the cost of living expenses from their household budgets. Moreover, the City of Kinston has a high poverty rate within the City

limits itself. Most of the public housing operated by the Kinston Housing Authority serves persons who are less than 80% of the AMI. Housing trends tend to show the higher income homes and or higher single family homes are located outside of the city limits and near the ETJ of the City of Kinston, indicating that persons who can afford to have larger homes and or more expensive options are not choosing to be located directly in or near the downtown areas.

Housing is the biggest monthly expense for many households. In recent years, housing costs have soared for both homeowners and renters, but incomes have stagnated. Median renter income grew only 5 percent between 1960 and 2016 while median rent grew 61 percent, adjusting for inflation (Joint Center for Housing Studies 2018). Nationally, rents have risen between 2.5 and 3.7 percent each year since 2012. People wanting to purchase a home today face stiff challenges. It costs more than four times median household income to purchase an existing home at a median sales price of \$247,200, and up to eight times more in some of the largest metropolitan areas with higher sales prices, putting homeownership out of reach for many (Joint Center for Housing Studies 2018). Whether driven by the rising costs of building housing, issues accessing affordable credit, the loss of lower-cost housing, or effects of the 2007–09 foreclosure crisis, fewer people are becoming homeowners today, and more people are struggling to afford a roof over their head (Choi et al. 2018; Joint Center for Housing Studies 2018; Scally et al. 2018).

According to the Urban Institute Study conducted in 2018 the study concluded the following:

- Compared with homeowners, renters are less likely to have access to emergency savings and more likely to experience an unexpected drop in income.
- Nearly half of renters report at least one material hardship in the past year, compared with just over one-third of homeowners, and renters consistently report higher rates of material hardship across all domains in our study.
- Although homeowners report greater financial security and lower rates of material hardship than renters, many low-income homeowners still struggle to meet their basic needs.
- Among adults reporting low confidence in their savings capability, renters are more likely than owners to report experiencing hardship.

The outcomes are no different in the City of Kinston than what is being experienced by other cities and towns nationally and within the State of North Carolina. Lenoir County Social Services saw an increase of need for renter assistance to prevent homelessness up by 25% in 2018 compared to 2017.

With increased utilities, less users due to natural disasters, unavailable units and or affordable units, creates a real housing crisis for the City of Kinston and a true impediment to fair housing choice options.

B. General Issues

Segregation/Integration: Segregation in Kinston and Housing Choice Options

As with older cities, there is a past that is related to segregation. Early history of Kinston has created a dividing line which often separates non-white communities from White/Caucasian communities. This type of segregation, although not prevalent in current policy or practice, often times leave cities and town struggling for years to come on how to integrate housing choice options.

In the city center of Kinston, the Kinston Housing Authority manages and operates over 800 units of public housing serving persons with income with less than 50-80% of area median income. Public housing has increased segregation in much of the surroundings and furthered gang violence problems. Kinston has gangs related to housing units within the public housing system. This gang violence can be directly tied to housing choice and housing options. With this being in place, it further exacerbates a segregated city, where more higher end, luxury homes are being located further away from the city center.

Diversity and Language Access

The City of Kinston will have to continue to work to create more diverse communities within Kinston. The ethnic composition of the population of Kinston, NC is composed of 13,600 African Americans, 6,100 white alone residents, 602 Hispanic or Latino residents, 429 persons with two or more races, 148 Asian alone residents and 131 American Indian residents. The most common foreign languages spoken in Kinston are Spanish or Spanish (Creole), French (including Patois, Cajun) and Urdu.

As Kinston continues to grow the City remains committed to ensure equal access through language. For this CDBG-I federal grant, the City developed a language access plan to ensure that people within the community are able to communicate in their preferred language of choice. The City of Kinston's Language Access Plan is included in the Appendix.

C. Publicly Supported Housing Analysis

Housing, Financial Security, and the Safety Net

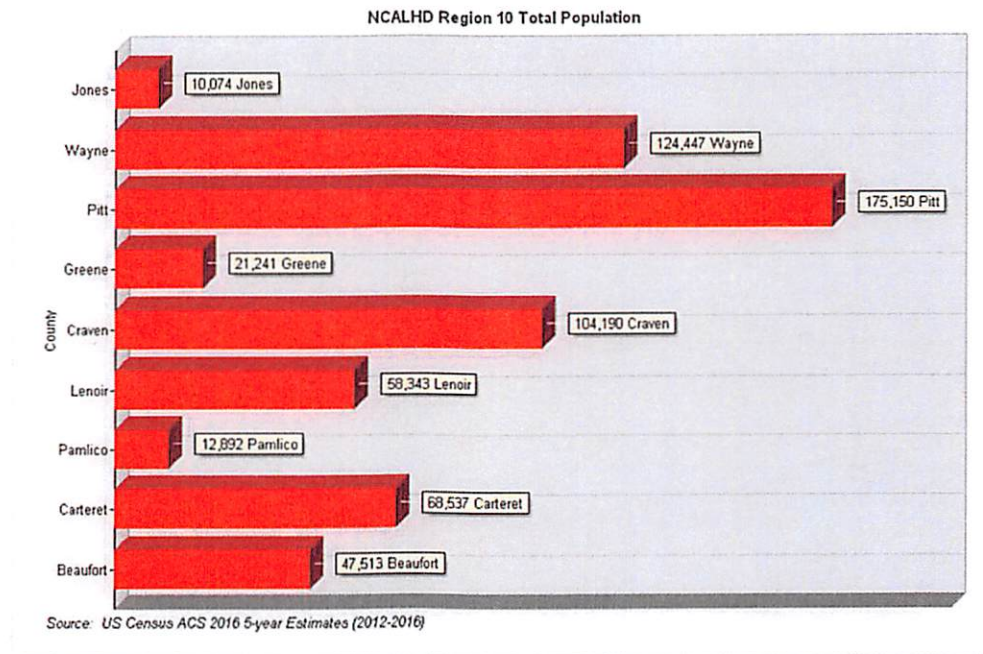
Housing circumstances affect health and well-being for low-income homeowners and renters. Financial insecurity forces them to cut corners on housing conditions and accept poorer quality and locations. Unsafe conditions can jeopardize physical health and personal safety and increase isolation and stress among adults and children (Caswell and Zuckerman 2018; Hernández 2016).

Financial insecurity can lead to difficult trade-offs between housing and other necessities to stretch resources as far as possible. Families may skimp on food (Desmond 2016) or defer medical care (Caswell and Zuckerman 2018) to afford housing.

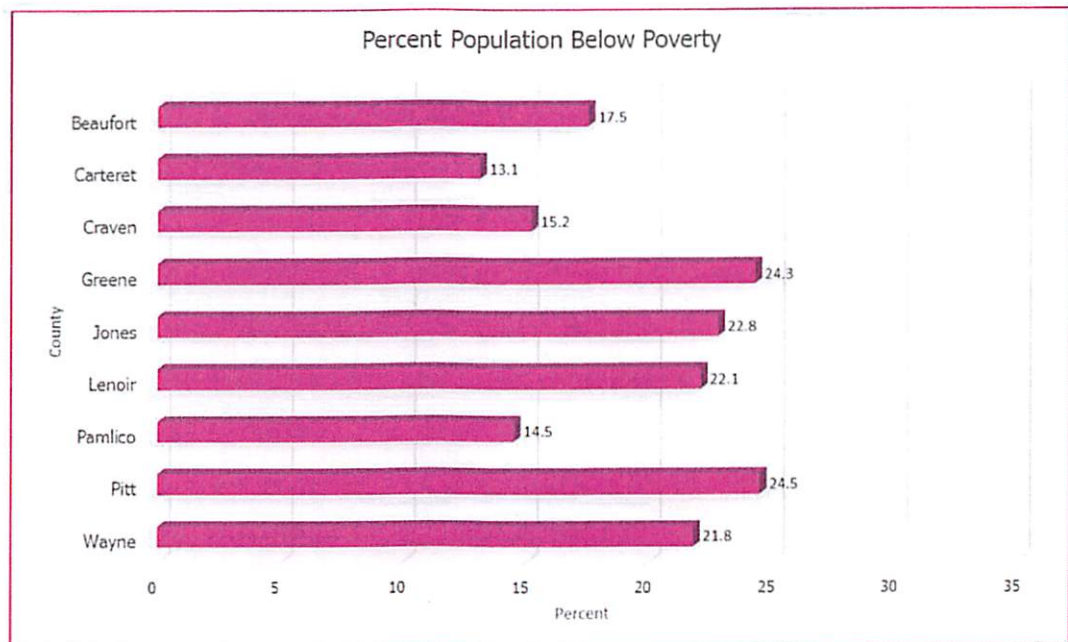
According to the Census Bureau's Current Population Survey, in July 2018, the national homeownership rate was 64.3 percent, but just over 50 percent for families earning less than the median income for all families in the country. Interest in promoting homeownership for low-income families grew in the 1990s, when several federal initiatives encouraged private financing and provided more public resources to help first-time homebuyers (Retsinas and Belsky 2002). Homeownership, even by low-income households, can provide more protection against material hardship caused by economic shocks than renting, but this can vary based on when the home was purchased (particularly if before the 2007–09 foreclosure crisis), the surrounding market, and how much equity the homeowner has accumulated (Lerman and Zhang 2014).

In 2017, homeownership for the City of Kinston was at 32% less than the 50% national average for a city of equal size. A lot of factors and more in-depth analysis can be conducted on the drop of owner occupied housing, but there are many factors that contribute to this and all roads will lead back to financial insecurity. Whether that insecurity is based off work opportunities, income, availability to gain credit and new development and or affordability; there is a clear link between homeownership, health and renters.

The North Carolina Local Health Department Coalition studied the link between various variable within regions in North Carolina. The North Carolina Association of Local Health Department (NICALHD) Region 10 is comprised of Beaufort, Carteret, Craven, Greene, Jones, Lenoir, Pamlico, Pitt and Wayne counties in NC. Kinston is located in Lenoir County



Kinston, located in Region 10, show high poverty, high minority population. Census tract 106 of Kinston, NC indicates that at least 85% of the population is African American and the remaining population is non-minority. In 2017, U.S Census data indicates an estimate of the median income for the City of Kinston to be 29,927. According to data from the (NCALHD), Lenoir County has a very high poverty rate in comparison to surrounding counties, with a poverty rate of 30%, higher than the national average. U.S Census data for 2018 estimates that half the people of color living in Kinston will make up 85% of people at the low to moderate income level. The median property value is valued in 2017 as \$101,000, a 2.88% decline since 2016.



Housing and Transportation Determinants

Families with difficulties paying rent and utilities are more likely to report other barriers to living. Transportation includes sidewalks, cars, regional buses, bikes, sidewalks, streets, bike paths and highways. The City of Kinston should seek out funding to offer more resources for transportation impediments for vulnerable populations. The average commute for people in Kinston is 16.5 minutes and most commute with a drive alone car.

D. Disability and Access Analysis

Disability data from the 2000 Census is not directly comparable to the above data due to changes in disability categories and definitions. Overall in 2000, 24% of City of Kinston residents had a disability. The comparison to 2013 ACS Census data suggests that the number of persons with disabilities in Kinston has slightly declined since 2000 and that the proportion of the population who has a disability has declined to less than 10% of the city's population. Much of the decrease in the total size of the population with a disability can be attributed to a change in definition between the 2000 Census and the 2013 ACS and the decrease of the baby boom population.

2. Housing Accessibility: Housing challenges of persons with disabilities: Based on focus groups and responses from local non-profit and other organizations, the most pressing housing challenges of persons with disabilities in Kinston includes affordability, accessibility and access to public transportation. For many persons with

disabilities, housing that is affordable *and* accessible *and* proximate to transit is needed, but in short supply.

Renters with Disabilities

Data suggest that renters with a disability were disproportionately likely to have incomes of less than \$10,000 than both residents overall and homeowners with a disability. One in five persons cannot afford housing that has the features they need for their disability. The most common accessibility features needed are: grab bars in bathrooms; wider doorways; ramps; walk-in/roll-in showers; and higher toilets. Renter households were also disproportionately likely to need housing assistance, live with family and friends because they can't afford housing, and rely on family and friends to help them meet housing costs. In addition, persons with disability are more than 50% more likely to live in substandard housing conditions.

As most simply would present that moving would be the likely option, persons with disabilities face other barriers. In a study conducted by the Urban Institute, the following were the top reasons people with disabilities have barriers to moving:

- Affordability (96%);
- Do not have a car (53%);
- No accessible housing elsewhere (29%); and
- No bus service elsewhere (15%).

These barriers limit where persons with disabilities can live, particularly those with lower incomes, those dependent on transit, and those requiring accessibility features. Addressing one barrier may amplify another. For example, although the cost of housing in the City of Kinston area tends to reduce the farther one lives from the city center, the number of bus routes and frequency and times of service also decrease. This results in persons with disabilities having to choose between more affordable housing with less access to transit or more expensive housing with better access to transit. Needing access to health care or supportive services further complicates the housing choices (or lack thereof) faced by this segment of Kinston's population.

E. Fair Housing Enforcement, Outreach Capacity, And Resources

Fair Housing posters have been hung up at public offices around the City in an effort to inform the public of their right to fair housing and that discrimination in relation to housing is against the law.

Fair Housing surveys have been made available by the City of Kinston and outreach will continue to educate citizens on fair housing programs and laws.

6. Fair Housing Goals and Priorities

| Quarterly Fair Housing Activity | Months | Year | Estimated Cost | Actual Cost |
|--|------------|------|----------------|-------------|
| Completed Analysis to Impediments to Fair Housing Choice Study 2019-2023 | July-Sept | 2019 | 1,500 | 1,500 |
| Displayed Posters at the Kinston Veteran Services, the Neuse Regional Library, and at City Hall on Veteran Fair Housing Discrimination addressing impediment number 4. | Oct-Dec | 2019 | 0 | 0 |
| Published City Council Approved Fair Housing Notice in the Kinston Free Press with information on the complaint procedure and containing the TDD phone number. (In English and Spanish) addressing impediment number 4. Community Participation: Complete activities to obtain residents input about fair housing. Local Government Board must provide the grant administrator with suggestions of activities to encourage resident participation. The meeting with the board must be documented with certified meeting minutes. The community participation process must be documented, too, and it must be included in the Fair Housing Plan document by the submission date. Outreach activity of distribution of fair housing surveys requesting citizen input on fair housing. | Jan-Mar | 2020 | 350.00 | 336.00 |
| Fair Housing Plan approved by the | April-June | 2020 | 0 | 0 |

| | | | | |
|---|------------|------|--------|--|
| Kinston City Council. Fair Housing Plan completion and submission. | | | | |
| Send information to local lenders and realtors to introduce and explain the City of Kinston Fair Housing Policy (English and Spanish Versions) addressing impediments number 1, 2,3 | July-Sept | 2020 | 200.00 | |
| Distribute Fair Housing brochures to places serving the public such as the Post Office, grocery stores and banks.(English and Spanish Versions) addressing impediments 1, 2, 3, 4 | Oct-Dec | 2020 | 200.00 | |
| Conduct a Fair Housing Workshop, addressing all impediments. | Jan-Mar | 2021 | 500.00 | |
| Post Diversity HUD Fair Housing Posters in the City of Kinston, distribute to Lenoir County Social Services and local libraries for National Fair Housing Month (English and Spanish Versions) | April-June | 2021 | 200.00 | |
| Post Fair Housing religious discrimination Posters in the City of Kinston, distribute to Lenoir County Social Services and local libraries for National Fair Housing Month (English and Spanish Versions) | July-Sept | 2021 | 200.00 | |
| <u>Post Housing Discrimination and the Rights of Persons with HIV/AIDs</u> Posters in the City of Kinston, distribute to Lenoir County Social Services and local libraries for National Fair Housing Month (English and Spanish Versions) | Oct-Dec | 2021 | 200.00 | |
| Conduct a Fair Housing Workshop, addressing all impediments. | Jan-Mar | 2022 | 500.00 | |
| Post Fair Housing Race Discrimination and Posters in the City of Kinston, distribute to Lenoir | April-June | 2022 | 200.00 | |



| | | | | |
|--|-----------|------|--------|--|
| County Social Services and local libraries for National Fair Housing Month (English and Spanish Versions) | | | | |
| Post Fair Housing <u>Sexual Harassment by Your Landlord</u> Posters in the City of Kinston, distribute to Lenoir County Social Services and local libraries for National Fair Housing Month (English and Spanish Versions) | July-Sept | 2022 | 200.00 | |



APPENDIX

- 1. Certified Meeting Minutes Pertaining to Fair Housing including Fair Housing Complaint Procedure.**
- 2. Fair Housing Surveys (English and Spanish Versions) with Pictures of Table Set Ups.**
- 3. Language Access Plan.**

Appendix A

Certified Council Minutes

From February 3, 2020 .



Certified Meeting Minutes Pertaining to Fair Housing



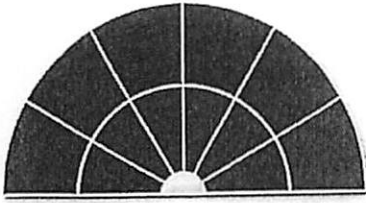
CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and City Clerk of the city of Kinston does hereby certify: The attached minute excerpt is a true and correct copy of the Fair Housing Complaint Procedure at a legally convened meeting of the City Council of the City of Kinston duly held on the 3rd day of February 2020; and further, that the full and accurate set of minutes has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of February, 2020.



Debra Thompson, City Clerk





KINSTON PUBLIC SERVICES

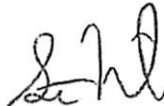
Buildings & Grounds, Business Office, Electric, Engineering, Environmental Services,
Fleet Maintenance, Meter Reading, Stormwater, Streets, Wastewater, and Water

Kinston, the right place ... Kinston Public Services, the right choice.



MEMORANDUM

TO: Rhonda Barwick, Public Services Director

FROM: Steve Miller, Asst. Public Services Director 

DATE: January 27, 2020

RE: CDBG-I Fair Housing Requirements
Lawrence Heights Sewer Replacement Project

As part of the funding requirements for the \$2 million grant the City of Kinston received for the Lawrence Heights Sewer Replacement Project, the City needs to have a policy in place to promote fair housing within the city. The City must determine ways to reach our citizens, make them aware of the fair housing practices and we must adopt a Fair Housing Complaint Procedure.

Attached is a Fair Housing Complaint Procedure for City Council to consider for adoption at the February 3, 2020 council meeting.

A discussion needs to be held with City Council regarding the public outreach methods to inform our citizens about what Fair Housing means and whether they have experienced any discrimination when seeking housing. We must complete the public outreach activities by the end of March to incorporate the information received in an Assessment of Fair Housing Plan and adopt the plan by April 10, 2020.

Some examples of potential public outreach are as follows:

- **Public meetings:** This can be done in conjunction with a council meeting or as a separate event. Attached is a handout that can be distributed at a meeting.
- **Fair Housing survey:** Survey could be distributed numerous ways (bill insert, website, social media, public buildings, events, etc.)
- **Information Booth/Table:** Staff could distribute flyers/answer question at designated times/places, such as city hall, library, etc.

Certified minutes of this discussion will be required to be submitted to CDBG and be included in the assessment that will be adopted in April. The outreach activities done in February and March will have to include any that were recommended in the Council discussion.

Fair Housing Information Handout

Fair Housing is the right to choose housing free from unlawful discrimination. Fair Housing ensures access for everyone. It guarantees that regardless of your age, race, religion, family situation, or level of ability, you have the right to choose the housing that's best for your needs- with no outside preferences or stereotypes being imposed.

Fair housing laws protect all individuals seeking housing, including renters, homebuyers, persons obtaining a mortgage or homeowners insurance, and others. The Federal Fair Housing Act prohibits discrimination in housing based on the following protected classes:

- Race
- Color
- Religion
- National Origin
- Gender
- Disability
- Familial Status

Which housing providers are subject to Fair Housing Laws?

- Real estate operators, brokers and agents
- Listing services/real estate related organizations
- Builders, contractors, developers
- Owners of building lots
- Condominium associations
- Homeowners advertising and selling their homes
- Savings and loan associations, banks, mortgage brokers, other financial institutions and appraisers
- Owners of investment properties
- Rental managers/leasing agents
- Advertising media, advertising agencies and marketing companies
- Insurance companies who sell homeowners or renters insurance

What is prohibited?

- Refusal to rent or sell housing
- Refusal to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling or purchasing of a loan
- Provide different housing services or facilities
- Refusal to make a mortgage loan
- Discriminate in appraising property



3. Consider Lawrence Heights Sewer Replacement Project: Discussion on Fair Housing and Consider Adoption of the Fair Housing Complaint Procedure— Steve Miller

Steve Miller, Assistant Public Services Director stated the CDBG Grant for the Lawrence Heights sewer project has numerous requirements and between now and April 10th there will be several things brought to the Council for discussion to meet the requirements for the program.

Mr. Miller discussed the Fair Housing Plan that includes Title VIII of the Civil Right Act of 1968-Fair Housing Act, Civil Rights Act of 1964, and Housing Community Development Act of 1974. He gave the definition of Fair Housing: Prohibiting the unlawful discrimination against any person in the terms, conditions, or privileges of the sale or rental of a dwelling; or in the provision of services or facilities in connection with a dwelling because of race, color, religion, national origin, sex, family status or disability. Those are the things that the CDBG wants to make sure that the City of Kinston are addressing and have a means for gathering information and addressing concerns in our community.

The basic requirements of the required fair housing plan are: 1) Have an analysis of our current situation with housing, and 2) Identify priorities/goals we want to have for fair housing, and we must have community participation in this process. The basic steps are a certified analysis, adopt a complaint procedure (before Council tonight) and after the plan is in place there is annual reporting and fair housing activities and maintaining the records for it.

The Fair Procedure for Complaints is to have a way to publicize a way for the public to let us know if they feel they have a problem, have been discriminate against, or have other complaints about housing so they can be addressed. The City cannot answer the complaints that may come up but we do have a responsibility to make sure that we hear them, get the information for them and share them with the proper groups at the State so they can be addressed if it is something outside our authority.

Contact information is needed in the complaint procedure and Mr. Miller has set himself to be the person for complaints. A response requirement is to provide individuals with a response that we have heard their complaint within a certain number of days, and it will be sent to be addressed.

Councilmember Aiken asked if we were asking citizens to go door-to-door for the survey and if we needed a certain amount. Mr. Miller said this could be done but was not what was being suggested and this was not specific for the neighborhood; it could be anywhere in the city.

Councilmember Suggs asked if the City was adopting the process and procedures for complaints was there an idea of what will be done to address the complaint. She stated that we have 14-15 days to acknowledge that the complaint has been received but was there a consideration of a commission to assist with the Fair Housing Complaint Procedure. She discussed complaints from citizens and landlords who are continuing to rent the properties that are not being cited.

Mr. Sears stated this process was set up by the grant. This is not a process that the City is doing specifically. He stated that if anyone has any questions or issues about their house, we address that daily. You can contact the Planning Dept., or the Inspections Dept. and we show up the same day the complaint is made 9 out of 10 times; it is not a 14-day written process. He shared that if you have a minimum housing standard issue, believe that you are living in unsafe, unsanitary, you believe that something is wrong with the rental dwelling you have call Mr. Short in the Planning Dept. at 939-3269, call Inspections to help address those issues.

Councilmember Hardy asked what the wait time for a result was once you have gone through the process. Mr. Miller stated he did not have a set time that there would be a resolution. They would probably begin investigating immediately to see if the complaint is justified. He asked to keep in mind that this is Fair Housing and not Minimum Housing. They will be looking to see if they were discriminated against, or were they treated differently. He shared that in the acknowledgement back we would identify where we are sending that complaint to and who that contact is. A constant chain of who the person can stay in touch with to find out where the complaint sits and what is being done about it. Mr. Miller stated once we have a Fair Housing Plan, part of the plan is follow-up; making sure we are keeping up with, keeping track of where they stand, making sure they are making progress, and making sure there is a conclusion to the complaint.

Mayor Pro Tem Solomon thanked Public Services for providing such good customer service and response time to a family with a sink hole in the front yard on a Sunday in the rain.

Ms. Barwick stated that group was the Water Operations staff which suffer a lot from vacancies and had probably put in a lot of overtime that week. She shared that they are very importance and wanted to keep them.

Councilmember Swinson made the motions, seconded by Councilmember Suggs and upon a unanimous vote [5-0], the Fair Housing Complaint Procedure was adopted.

Mr. Miller stated with the plan we need to identify what the issues are in our community. We need to see what issues the community has seen and experienced, so we know what our needs are and what needs to be addressed. We need to get as much information as we can. We to do this between now and the beginning of April so we can include this in our plan that gets adopted. He stated they would like the Council's thoughts effective ways to get public input. He directed Council to documentation in the agenda with suggestions of things that can be used. These include public meetings, speaking with the community members face-to-face in the areas, a Fair Housing survey, etc.

Mr. Miller noted that there will be certified minutes from this meeting, and they will be included in the plan. He stated they will enact the consensus of effective suggestions in the meantime and the plan will be adopted in April.

Suggestions were to provide a link on the City's Facebook page, City website, different community organizations for dissemination, on utility bills and use of alerts via voicemail.

CITY MANAGER'S REPORT

1. Information Update Regarding Temporary Change in Water Disinfection Rhonda Barwick

Rhonda Barwick, Public Services Director shared that since March of 2009 the City uses chloramines to disinfect our drinking water. The State recommends that once a year for about four weeks they change to chlorine. We are doing this in conjunction with WASA and the seven member utilities that also are participants in WASA. Beginning with the February 5th bills, the customers will receive an insert letting them know about the conversion. There are also Frequently Asked Questions on the web page which will be pushing out on social media. The industrial customers will receive letters hand-delivered to them. Dialysis facilities and pet shops also receive letters.

Councilmember Hardy asked if it affects the taste. Mr. Sears stated it would only when the two meet there could be some distaste. Councilmember Aiken shared that when he came on board eight years ago, the fire hydrants used approximately 55 million gallons of water that was flushed down the drain. He stated the process has been improved. Ms. Barwick stated due to high demand, the customers will push the chloramines and chlorine out effectively.

2. Council Retreat----- Tony Sears

Mr. Sears shared that the Council Retreat is tentatively scheduled for Tuesday, February 25th from 12 noon/12:30 pm to 6:00 pm. He stated he will finalize the location but is looking at the Community Center. There was discussion on scheduling conflicts for the date, and Mr. Sears will discuss rescheduling the date. Ms. Suggs explained that this is

Fair Housing Complaint Procedure

City of Kinston

Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) and the North Carolina Fair Housing Act. In an effort to promote fair housing and that the rights of housing discrimination victims are protected, **City of Kinston** has adopted the following procedures for receiving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the **City of Kinston** may do so by informing the **City of Kinston administrator** of the facts and circumstance of the alleged discriminatory acts or practice.
2. Upon receiving a housing discrimination complaint, the **City of Kinston administrator** shall acknowledge the complaint within 15 days in writing and inform the Division of Water Infrastructure and the North Carolina Human Relations Commission about the complaint.
3. The **City of Kinston administrator** shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the **City of Kinston**.
4. The **City of Kinston administrator** shall publicize in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

It is the policy of the **City of Kinston** to implement the CDBG program to ensure equal opportunity in housing for all persons regardless of religion, race, color, national origin, age, sex, familial status, or marital status.

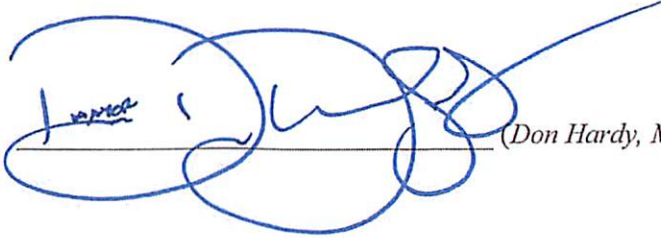
If you have any questions about the complaint procedure or would like to register a complaint of fair housing discrimination please contact the **City of Kinston (Steve Miller, 252-939-3287, City of Kinston, P.O. Drawer 339, Kinston, NC 28502, steve.miller@ci.kinston.nc.us)** or, for the hearing impaired, TDD assistance is available at (252-520-6625) and providing the facts and circumstances of alleged discriminatory act or practice.

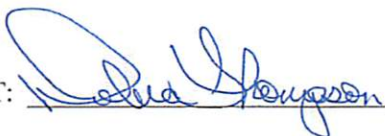
This information is available in Spanish or any other language upon request. Please contact (Steve Miller) at (252-939-3287) or at (Kinston's Public Services Complex, 2360 258s, Kinston, NC 28504) for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con (Steve Miller) al (252-939-3287) o en (Kinston's Public Services Complex, 2360 258s, Kinston, NC 28504) de alojamiento para esta solicitud.



Adopted this 3RD day of July, 2020.


(Don Hardy, Mayor)

ATTEST:  (Debra Thompson, City Clerk)

First page must be published on the Newspaper after the Complaint Procedure is adopted. Please keep the Adopted document in the files including signatures and the Newspaper Publication for documentation

Discrimination Complaints

- Visit the **NC Human Relations Commission** to file a discrimination complaint
- Visit **HUD's website** to file a discrimination complaint
- Visit the **US Department of Justice** Civil Rights Division to file a discrimination complaint
- The **NC Fair Housing Project of Legal Aid of North Carolina** is funded by a HUD **Fair Housing Initiatives Program (FHIP) grant**. The **Fair Housing Project of NC** is available to provide information concerning a person's rights under the Federal Fair Housing Act. When necessary, staff can also assist victims of housing discrimination in filing a complaint with HUD or other appropriate administrative or judicial bodies. For more information, or if you believe you have been a victim of housing discrimination, call the FHP's toll-free number: **1-855-797-FAIR (1-855-797-3247)**.



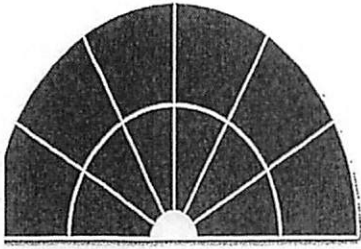
Appendix B

Fair Housing Survey



Fair Housing Surveys (English and Spanish Versions)





KINSTON PUBLIC SERVICES

Buildings & Grounds, Business Office, Electric, Engineering, Environmental Services,
Fleet Maintenance, Meter Reading, Stormwater, Streets, Wastewater, and Water

Kinston, the right place ... Kinston Public Services, the right choice.

February 4, 2020

Dear City of Kinston Resident:

The City of Kinston is a recipient of federal Community Development Block Grant Infrastructure (CDBG-I) funds to replace sewer lines in the Lawrence Heights Subdivision.

In order to better determine the effectiveness of the City's past Fair Housing activities, we are asking you to provide us feedback through the attached survey.

The surveys are intended to help assess the fair housing conditions in the City of Kinston, as well as the effectiveness of past efforts to educate the public on fair housing laws. This survey is voluntary and for information purposes only. You are not required to provide your identity.

Please complete the survey on the back of this sheet and place in the box. You may also complete it online at <https://www.cognitofrms.com/CityOfKinstonDepartmentOfPublicServices/CityOfKinstonFairHousingSurveyEnglish> or <https://www.cognitofrms.com/CityOfKinstonDepartmentOfPublicServices/CityOfKinstonFairHousingSurveySpanishENCUESTAD EVIVIENDAJUSTADELACIUDADDEKINSTON> or fax the completed survey to 252-939-3279.

Thank you for your participation with this short survey. Our goal is to ensure all citizens in the City of Kinston have equal and fair access to quality and affordable housing. Additional information on fair housing can be found at: <https://www.fairhousingnc.org/>.

FAIR HOUSING IS THE RIGHT TO CHOOSE HOUSING FREE FROM UNLAWFUL DISCRIMINATION AND ENSURES ACCESS FOR EVERYONE

| The Federal Fair Housing Act prohibits discrimination in housing based on: | Housing providers subject to Fair Housing Laws | What is prohibited |
|--|---|--|
| Race | Real estate operators/brokers/agents | Refusal to rent or sell housing |
| Color | Listing services/real estate related | Refusal to negotiate for housing |
| Religion | Builders/contractors/developers | Make housing unavailable |
| National Origin | Owners of building lots | Deny a dwelling |
| Gender | Condominium associations | Set different terms, conditions/privileges for sale/rental of a dwelling or purchase of a loan |
| Disability | Homeowners advertising/selling their homes | Provide different housing services/facilities |
| Family Status | Saving and loans./banks/mortgage brokers/appraisers | Refusal to make a mortgage loan |
| | Owners of investment properties | Discriminate in appraising property |
| | Rental managers/leasing agents | |
| | Advertising media/Ad agencies/Marketing companies | |
| | Insurance companies who sell homeowner or renters insurance | |

**This information is available in Spanish or any other language upon request. Please contact Steve Miller, at 252-939-3287 for accommodations for this request*.*

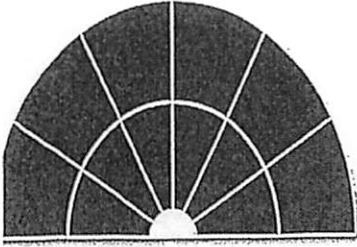
**Esta información está disponible en español o en cualquier otro idioma bajo petición. Póngase en contacto con Steve Miller, al 252-939-3287 para obtener alojamiento para esta solicitud*.*



CITY OF KINSTON FAIR HOUSING SURVEY

1. Do you live in the City of Kinston?
Yes No
2. Have you, or anyone you know ever experienced housing discrimination in the City of Kinston?
Yes No Don't Know
3. If yes, have you or anyone you know ever felt discriminated by: Check all that apply
Rental property manager/owner Condo or homeowners association Real Estate Professional
Loan officer or mortgage broker Government employee Other
4. If so, what do you believe was the basis of the discrimination: check all that apply.
Race Color Religion Sex
Disability Family Status National Origin Other: Please List
5. What do you see as current barriers to fair housing choice?
Not informed Availability/Affordability None Don't know
6. Do you feel your housing choices are limited to certain areas or neighborhoods?
Yes No Don't Know
7. Do you think that affordable housing options are located throughout the City or are they concentrated in certain areas/neighborhoods?
Located Throughout Concentrated Don't know
8. Are there areas where you would not wish to live?
Yes No Don't Know
9. Do you think there is an adequate supply of affordable housing available for citizens with disabilities, senior citizens, and residents with children?
Yes No Don't Know
10. Have you seen or heard any information regarding fair housing programs, laws, or enforcement?
Some None Don't Know
11. Do you think that adequate fair housing information is available in other language translations?
Yes No Don't Know
12. What do you feel would be the most effective way to inform residents about their fair housing rights?
Mail/Post/Meetings Real Estate Agency Media/Other
13. Have you ever participated in a government assisted housing program?
Yes No Don't Know





KINSTON PUBLIC SERVICES

Buildings & Grounds, Business Office, Electric, Engineering, Environmental Services,
Fleet Maintenance, Meter Reading, Stormwater, Streets, Wastewater, and Water

Kinston, the right place ... Kinston Public Services, the right choice.

4 de Febrero de 2020

Estimado City of Kinston Residente:

La ciudad de Kinston es receptora de fondos federales de infraestructura de subvenciones para bloques de desarrollo comunitario (CDBG-I) para reemplazar las líneas de alcantarillado en la subdivisión Lawrence Heights.

Con el fin de determinar mejor la eficacia de las actividades pasadas de vivienda justa de la ciudad, le pedimos que nos proporcione comentarios a través de la encuesta adjunta.

Las encuestas están destinadas a ayudar a evaluar las condiciones justas de vivienda en la ciudad de Kinston, así como la eficacia de los esfuerzos pasados para educar al público sobre las leyes de vivienda justa. Esta encuesta es voluntaria y sólo con fines informativos. No está obligado a proporcionar su identidad.

Please complete the survey on the back of this sheet and place in the box.

Por favor complete la encuesta en la parte posterior de esta hoja y colóquela en la caja. También puede completarlo en línea en <https://www.cognitoforms.com/CityOfKinstonDepartmentOfPublicServices/CityOfKinstonFairHousingSurveyEnglish> or <https://www.cognitoforms.com/CityOfKinstonDepartmentOfPublicServices/CityOfKinstonFairHousingSurveySpanishENCUESTADEVIVIENDAJUSTADELACIUDADDEKINSTON> o enviar por fax la encuesta completada al 252-939-3279.

Gracias por su participación con esta breve encuesta. Nuestro objetivo es garantizar que todos los ciudadanos de la ciudad de Kinston tengan un acceso igual y justo a una vivienda asequible y de calidad. Puede encontrar información adicional sobre la vivienda justa en: <https://www.fairhousingnc.org/>.

VIVIENDA JUSTA ES EL DERECHO A ELEGIR VIVIENDA LIBRE DE DISCRIMINACIÓN ILEGAL Y GARANTIZA EL ACCESO DE TODAS LAS PERSONAS

| La Ley Federal de Vivienda Justa prohíbe la discriminación en la vivienda basada en: | Proveedores de vivienda sujetos a las Leyes de Vivienda Justa | Lo que está prohibido |
|--|---|--|
| Carrera | Operadores de bienes raíces/brokers/agentes | Negativa a alquilar o vender vivienda |
| Color | Listado de servicios/bienes inmobiliarios relacionados | Rechazo a negociar para vivienda |
| Religión | Constructores/contratistas/desarrolladores | Hacer que la vivienda no esté disponible |
| Origen Nacional | Propietarios de lotes de edificios | Negar una vivienda |
| Género | Asociaciones de condominios | Establecer diferentes términos, condiciones/privilegios para la venta/alquiler de una vivienda o compra de un préstamo |
| Discapacidad | Propietarios de viviendas que anuncian/venden sus casas | Proporcionar diferentes servicios/instalaciones de vivienda |
| Estado de la familia | Ahorro y préstamos./bancos/corredores hipotecarios/tasadores | Negativa a hacer un préstamo hipotecario |
| | Propietarios de propiedades de inversión | Discriminar en la valoración de la propiedad |
| | Gestores de alquiler/agentes de arrendamiento | |
| | Medios publicitarios/agencias de publicidad/empresas de marketing | |
| | Compañías de seguros que venden seguros de propietario o arrendatario | |

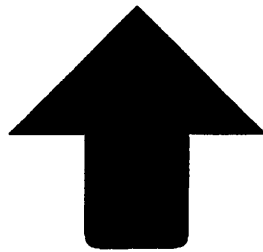
Esta información está disponible en español o en cualquier otro idioma bajo petición. Póngase en contacto con Steve Miller, al 252-939-3287 para obtener alojamiento para esta solicitud



ENCUESTA DE VIVIENDA JUSTA DE LA CIUDAD DE KINSTON

1. ¿Vives en la ciudad de Kinston?
Sí No
2. ¿Ha sufrido usted o alguien que conozca alguna vez discriminación en la vivienda en la ciudad de Kinston?
Sí No No sé
3. En caso afirmativo, ¿usted o alguien que conozca se haya sentido alguna vez discriminado por: Marque todos los que correspondan
Administrador/propietario de la propiedad de alquiler Asociación de Condominios o Propietarios
Profesional Inmobiliario Oficial de préstamos o corredor de hipotecas Empleado del gobierno
Otro
4. Si es así, ¿cuál cree que fue la base de la discriminación: marque todos los que correspondan.
Carrera Color Religión Sexo Discapacidad
Estado de la familia Origen Nacional Otro: Por favor, enumere
5. ¿Qué considera que son las barreras actuales para la elección de vivienda justa?
No Informado Disponibilidad/Asequibilidad Ninguno No sé
6. ¿Siente que sus opciones de vivienda están limitadas a ciertas áreas o vecindarios?
Sí No No sé
7. ¿Cree que las opciones de vivienda asequible están ubicadas en toda la ciudad o se concentran en ciertas áreas / vecindarios?
Ubicado en todo Concentrado No sé
8. ¿Hay áreas en las que no desea vivir?
Sí No No sé
9. ¿Cree que hay una oferta adecuada de vivienda asequible disponible para los ciudadanos con discapacidades, personas de la tercera edad y residentes con niños?
Sí No No sé
10. ¿Ha visto u oído alguna información sobre programas de vivienda justa, leyes o cumplimiento?
Algunos Ninguno No sé
11. ¿Cree que hay información adecuada sobre vivienda justa disponible en otras traducciones de idiomas?
Sí No No sé
12. ¿Cuál cree que sería la forma más efectiva de informar a los residentes sobre sus derechos de vivienda justos
Correo/Correos/Reuniones Agencia Inmobiliaria Medios/Otros
13. ¿Ha participado alguna vez en un programa de vivienda asistida por el gobierno?
Sí No No sé



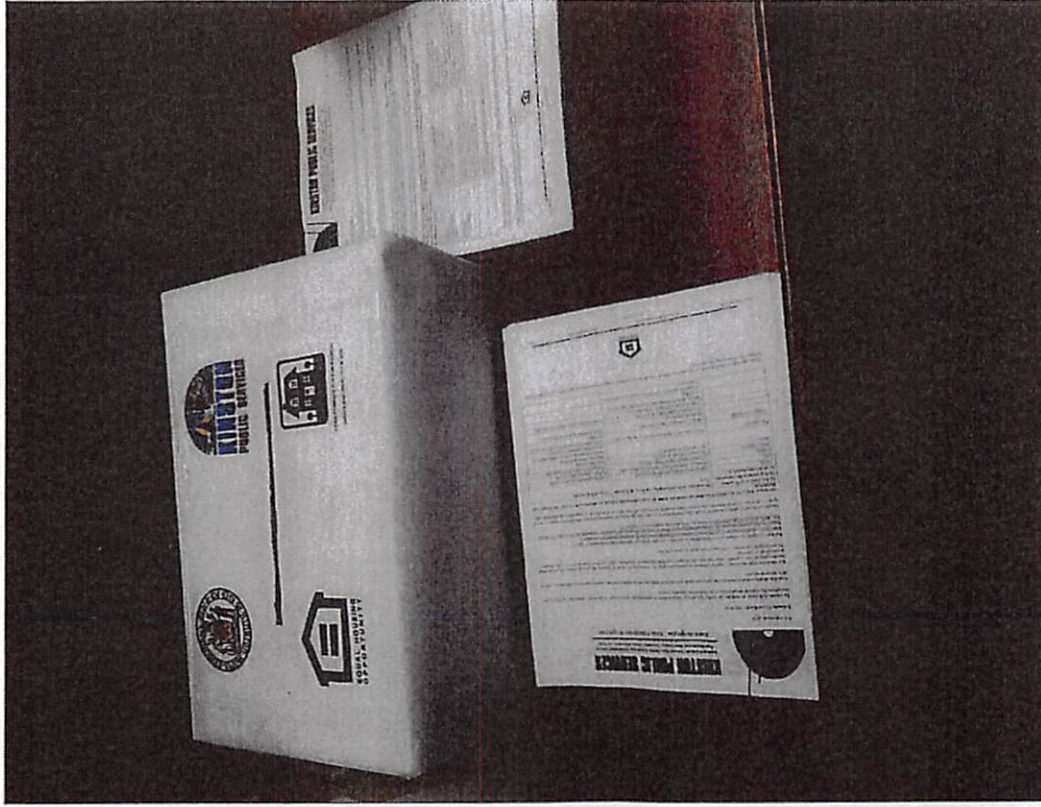
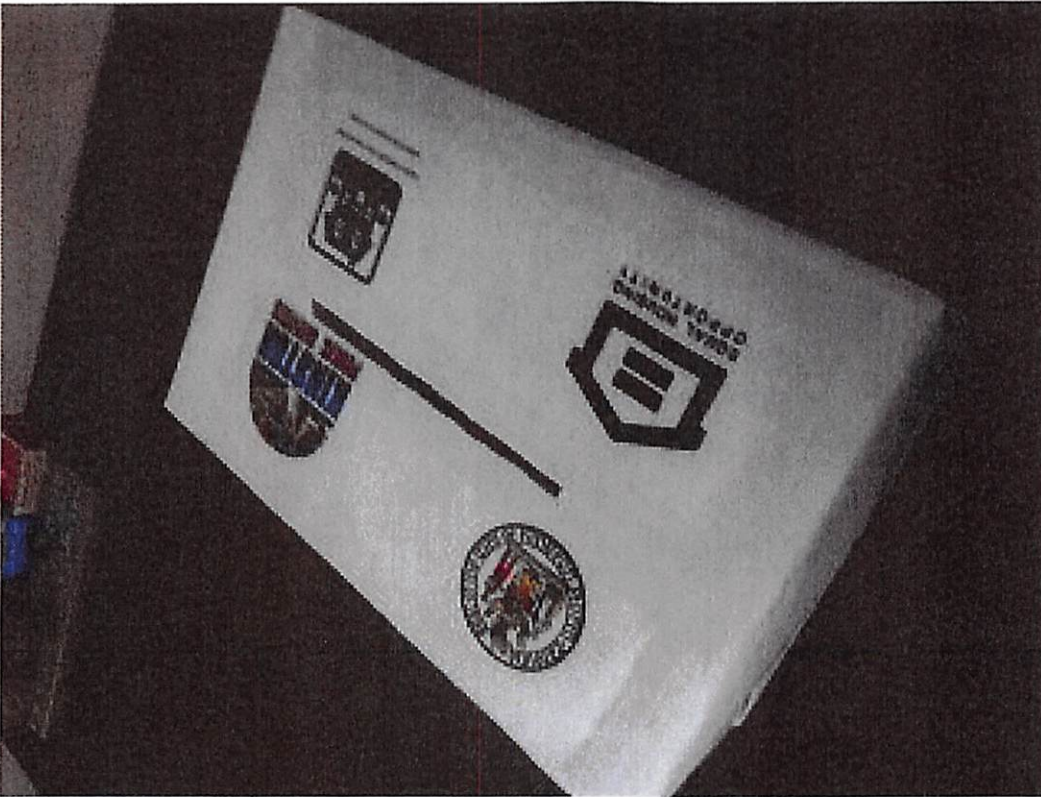


**PLEASE COMPLETE OUR FAIR HOUSING
SURVEY AND INSERT IN THE BOX**

**POR FAVOR COMPLETE NUESTRA VIVIENDA
JUSTA**

ENCUESTA E INSERCIÓN EN LA CAJA

FAIR HOUSING SURVEY BOXES AND SURVEY SET UP





Language Access Plan



Appendix C

Language Access Plan

LANGUAGE ACCESS PLAN

Providing Meaningful Communication with Persons with Limited English Proficiency

City of Kinston
Lawrence Heights Sewer Project

2019-2021

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

POLICY:

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the City of Kinston will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the City of Kinston has to ensure LEP individuals can communicate effectively.

DEFINITIONS:

Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the *local unit of government* who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

Title VI Compliance Officer: The person or persons responsible for administering compliance with the Title VI LEP policies.

Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the *local unit of government* and speak a primary language other than English and have limited English proficiency.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The City of Kinston will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or "I speak cards," <http://www.lep.gov/resources/ISpeakCards2004.pdf>) and LEP posters to determine the language. In addition, when records are kept of past interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTEPRETER

List the current name, office telephone number, office address and email address of the Title VI compliance officers:

Steve Miller, Assistant Director of Public Services, steve.miller@ci.kinston.nc.us

(Note: The local unit of government must notify the Division of Water Infrastructure (DWI) Compliance Specialist immediately of changes in name or contact information for the Title VI compliance officer.)

Check all methods that will be used:

Maintaining an accurate and current list showing the language, phone number and hours of availability of bilingual staff (*provide the list*):

Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;

Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

(Identify the organization (s) name(s) with whom you have contracted or made arrangements)

The City of Kinston's Public Services Department Customer Service will be contacted in order to locate a bi-lingual employee to be utilized in the event that translation services are required. The City has also made arrangements with Kinston's Housing Authority in the case the need arises for an interpreter. The City will contact Kinston's Housing Authority for assistance. If the City of Kinston does not have an available interpreter for the requested language, the City of Kinston will work and contact Lenoir County Social Services for additional interpretation assistance.

Other (*describe*):

Some LEP persons may prefer and/or request to use a friend and/or family member as an interpreter. However, family members or friends of the LEP person will not be used as interpreters, unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter is available at no charge to the person. Such an offer

and/or response will be documented fully in the applicants file. If the LEP persons chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest should be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person. Children and/or other residents will not be used to interpret in order to ensure the confidentiality and accurate communication.

All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

3. PROVIDING WRITTEN TRANSLATIONS

- i. The City of Kinston will set benchmarks for translation of vital documents into additional languages. *(please ensure to keep records of those documents that apply to your local unit of government)*
- ii. When translation of vital documents is needed, the City of Kinston will submit documents for translation into frequently-encountered languages.
- iii. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

4. PROVIDING NOTICE TO LEP PERSONS

The City of Kinston will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE CITY OF KINSTON FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

The City of Kinston shall include at minimum the following phrases in English and Spanish in any document requesting public comments, or notifying the community of any modifications/amendments to the CDBG program during the life of the grant, including but not limited to public hearing notifications, citizen participation documents, Environmental Review notifications, among other documents:

- *"This information is available in Spanish or any other language upon request. Please contact (Steve Miller) at (252-939-3287) or at (Kinston's Public Services Complex, 2360 Highway 258s, Kinston, NC 28504) for accommodations for this request."*
- *"Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con (Steve Miller) al (252-939-3287) o en (Kinston's Public Services Complex, 2360 258s, Kinston, NC 28504) de alojamiento para esta solicitud."*

*****Please note the address and name itself should not be translated (e.g. "Charlie" should not be translated to "Carlos"; "Main Street" should not be translated to "Calle Principal")***

All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

At a minimum, notices and signs will be posted and provided near points of entry, including but not limited to the main lobbies, waiting rooms, etc.

Near points of entry at City Hall and main lobbies

Notification will also be provided through one or more of the following: outreach documents, telephone voice mail menus, local newspapers, radio and television stations, and/or community-based organizations

The City of Kinston will provided outreach through the local newspaper and by contacting local non-profit organizations and other applicable means when financially feasible.

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, the City of Kinston will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, the City of Kinston will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, complaints filed by LEP persons, feedback from residents and community organizations, etc.

I. Compliance Procedures, Reporting and Monitoring

A. Reporting

The City of Kinston will complete an annual compliance report and send this report to DWI. The form can be found at <http://portal.ncdenr.org/web/wi/cdbg-i-compliance1>.

B. Monitoring

The City of Kinston will complete a self-monitoring report on a semiannual basis, using a standardized reporting system proposed by the local government. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided to the DWI upon request.

The City of Kinston will cooperate, when requested, with special review by the DWI.

II. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

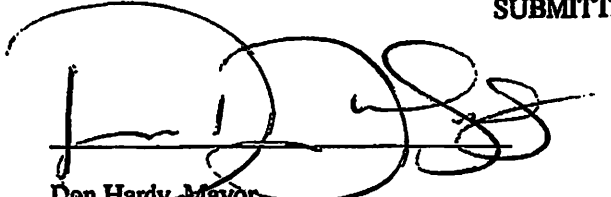
The City of Kinston will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy. The form can be found at <http://portal.ncdenr.org/web/wi/cdbg-i-compliance1>. The City of Kinston will maintain records of any complaints filed, the date of filing, actions taken and resolution.


The City of Kinston will notify the appropriate section within DWI of complaints filed, the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

A. Resolution of Matter

If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice (DOJ). This notice will be provided in the primary language of the individual with Limited English Proficiency. If not resolved by DWI, then complaint will be forwarded to U.S. Department of Justice (DOJ) and U.S. Department of Housing and Urban Development (HUD) Field Office.

SUBMITTED AND ADOPTED BY:


Don Hardy, Mayor


Debra Thompson, City Clerk



Nov. 4, 2019
Date

HUD PORTAL LEP:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq

City of Kinston
City Council Agenda



Meeting Date: Monday, April 06, 2020

Agenda Section: Action Agenda

Agenda Item: Bid Award

Action Requested: Accept Bid Offer

Agenda Item to be Considered

Presenter: Adam Short, Planning Director

Subject: Bid Award for Holloway HVAC Work

Supporting Documentation: Air Doctor HVAC Bid

Department Head's Approval  3/31

City Manager's Approval  3-31

Budgetary Impact: Choose an item.

Staff Recommendation:



City of Kinston
Post Office Box 339
Kinston, North Carolina 28502
Phone: 252.939.3110 Fax: 252.919.3388

DON HARDY
Mayor

TONY SEARS
City Manager

JAMES P. CAULEY III
City Attorney

DEBRA THOMPSON
City Clerk

MEMORANDUM

TO: Mayor and City Council
FROM: Adam Short, Planning Director
DATE: March 31, 2020
SUBJECT: Bid Award for Holloway HVAC Work

Background:

As you may recall, staff received a Community Development Block Grant (CDBG) for \$750,000 to perform housing rehab and up-fits to certain systems in the Holloway Recreation Center. Staff is happy to say that we are prepared to move forward with the HVAC work at Holloway, despite the onerous administrative requirements of the program and initially not having enough bids, we have met all the CDBG requirements and are prepared to move forward – quickly.

Staff received three bids for the project from three contractors: ASJ Wilson Contractors, Air Doctor HVAC, and Heat Transfer Solutions. The bids submitted were \$273,428.00, \$78,572.98, and \$120,761.00 respectively. Staff recommends awarding the bid to the low bidder (Air Doctor HVAC) in the amount of \$78,572.98.

Each bidder is required to be pre-vetted, licensed to perform the work, and must provide equipment that has a warranty of at least 10 years. The equipment they will be providing has a 10 year warrant, and there is also a one year warranty on any labor performed on the project.

Action Requested:

Approve or Deny Proposed Contract

Supporting Documentation:

Air Doctor HVAC Bid



BID SUBMISSION COVER PAGE

Firm Name: Air Doctor Inc DUNS # 46789374
License # 29489

Date of Bid Submission: 3-20-20

By signing this bid, we agree to perform all work as stated throughout the scope of work for the above price.

We agree to all terms and conditions as set forth by the City of Kinston and the CBDG program.

Electronic Signature
Katherine Williams

Kathy Williams

Authorized Name Printed

Authorized Signature

294

UNIT PRICE BID



BASE PROPOSAL: Bidder agrees to perform all of the Holloway Street CDBG HVAC work described in the specifications and shown on the plans for the sum of (\$ 78,572.98).

The above unit prices shall include all labor, materials, bailing, shoring, removal, overhead, profit, insurance, etc., to cover the finished work of the several kinds called for. Changes shall be processed in accordance with provisions of the final contract.

Bidder understands that the Owner reserves the right to reject any or all bids and to waive any informalities in the bidding.

The bidder agrees that this bid shall be good and may not be withdrawn for a period of 30 calendar days after the scheduled closing time for receiving bids.

Upon receipt of written notice of the acceptance of this bid, Bidder will execute the formal contract attached within ten (10) days.

Respectfully submitted:

By Bridget Cullen
Bald (Signature)
(Title)

P.O. Box 397 Simpson NC 27879
(Business Address & Zip Code)



See Detailed Quote

| Description | QTY | REMOVE | REPLACE | Price |
|--|-----|---|-----------------|-------|
| Parameter Condenser Units Removal and Replacement | 6 | X | X | |
| Split System Unit- right side of building- removal and replacement with all required electrical components | 1 | X | X | |
| Gym Units- removal and replacement of existing gym units with new 5 ton units | 6 | X | X | |
| Installation of 2 programmable thermostats, with moving the existing location of current thermostat from front of building to an interior hallway | 2 | 1- Removal (one thermostat has already been removed from existing location) | 2 installations | |
| Labor | | | | |
| Equipment, taxes, fees (such as permitting fees, disposable fees etc.) | | | | |
| Other Items Contractor is including in Scope, write below and provide pricing | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |



The Air Doctor, Inc.
 P.O. Box 397
 Simpson, NC 27879
 Phone: 262-215-0988
 Fax: 262-215-0978
 Lic# 29489

BILL TO:
 City of Kinston

SHIP TO:
 City of Kinston
 101 N Myrtle Ave
 Kinston, NC 28501

QUOTE
 DATE 3/11/2020
 QUOTE # 0000017656
 CUST # 0002434

| QUAN | DESCRIPTION | PRICE EACH | AMOUNT |
|------|-------------|------------|--------------|
| | NET 30 | | |
| | TERMS | | SALES PERSON |

| | | | |
|-------|---|----------|-----------|
| 4.00 | Heat pump mini split system 24k | 1,704.91 | 6,819.64 |
| 4.00 | Heat pump outdoor unit 24k | 2,478.13 | 9,912.52 |
| 5.00 | Daikin MS Navigation Control | 355.90 | 1,723.60 |
| 1.00 | Standard decor panel | 264.82 | 1,324.10 |
| 1.00 | Daikin 1 ton mini split condens. unit | 373.41 | 373.41 |
| 1.00 | 10.8 btu COND UNIT | 708.39 | 708.39 |
| 1.00 | Wired remote control | 160.88 | 160.88 |
| 1.00 | EZ-IN MINI-SPLIT SHIELDED WIRE/CABLE | 195.24 | 195.24 |
| 1.00 | Heat pump mini split 30k indoor | 1,722.93 | 1,722.93 |
| 1.00 | Heat pump mini split system 30k outdoor | 3,251.36 | 3,251.36 |
| 1.00 | Electrical Work | 4,000.00 | 4,000.00 |
| 40.00 | Installs Labor | 200.00 | 8,000.00 |
| 4.00 | Misc Metal | 77.88 | 311.52 |
| 1.00 | Miscellaneous Materials | 250.00 | 250.00 |
| 1.00 | forklift | 2,000.00 | 2,000.00 |
| 6.00 | Wall mount 5ton units | 5,369.79 | 32,218.74 |
| 6.00 | Heat strips for wall mount units | 235.76 | 1,414.56 |

This is a quote to replace the 6 units on the gym and the 6 unit in the classrooms/office area.
 Please sign and send this back to theairdoctor@suddenlink.net or fax to 262-215-0978.
 I have to authority to approve the above quoted work to be done.

Signature _____
 Date _____

SUBTOTAL \$74,086.89
TAX \$4,486.09
TOTAL \$78,572.98



BID FOR LUMP SUM
CONTRACTS

HOLLOWAY CENTER CDBG-HVAC

Date 8-20-20

Project No. 17-C-2992-1

Proposal of Holloway Center (hereinafter called "Bidder") doing business as [a corporation*],
organized and existing under the laws of the State of NC, To the City of Kinston
(hereinafter called "Owner").

Ladies and Gentlemen:

The Bidder, in compliance with your invitation for bids for the construction of a Holloway CDBG HVAC Project

having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the project in accordance with the contract documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the contract documents, of which this proposal is a part.

Bidder hereby agrees to commence work under this contract on or before a date to be specified, written "Notice to Proceed" of the Owner, and to fully complete the project within 90 consecutive calendar days thereafter as stipulated in the specifications. Bidder further agrees to pay as liquidated damages, the sum of \$ 450.00 for each consecutive calendar day thereafter as hereinafter provided in Paragraph 19 of the General Conditions.

Bidder acknowledges receipt of the following addendum:

Addendum 1, Addendum 2



CERTIFICATION OF BIDDER REGARDING SECTION 3 AND SEGREGATED FACILITIES

Air Dator
Name of Prime Contractor

Holloway Center
Project Name

17-C-2992-1
Project Number

The undersigned hereby certifies that:

- a. Section 3 provisions will be included in any subcontracts provided by prime contractor.
- b. A written Section 3 plan was prepared and submitted as part of the bid proceedings (if bid equals or exceeds \$10,000).
- c. No segregated facilities will be maintained.

Brittany Williams
Name and Title of Signer (please print or type)

Brittany Williams
Signature

3-20-20
Date



CONTRACTOR SECTION 3 PLAN FORMAT (if bid
equals or exceeds \$10,000)

(Name of Contractor) agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and businesses within the City/County of

Kristin / Lenoir County

- A. To ascertain from the locality's CDBG program official the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of local officials in preparing and implementing the affirmative action plan.
- B. To attempt to recruit from within the city/county the necessary number of lower income residents through: Local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan, or the U.S. Employment Service.
- C. To maintain a list of all lower income residents who have applied either on their own or on referral from any source, and to employ such persons, if otherwise eligible and if a vacancy exists.
- *D. To insert this Section 3 plan in all bid documents, and to require all bidders on subcontracts to submit a Section 3 affirmative action plan including utilization goals and the specific steps planned to accomplish these goals.
- *E. To insure that subcontracts which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project areas are also let on a negotiated basis, whenever feasible, when let in a Section 3 covered project area.
- F. To formally contact unions, subcontractors and trade associations to secure their cooperation for this program.
- G. To insure that all appropriate project area business concerns are notified of pending sub-contractual opportunities.
- H. To maintain records, including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.
- I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 plan.
- J. To list on Table A, information related to subcontracts to be awarded.
- K. To list on Table B, all projected workforce needs for all phases of this project by occupation, trade, skill level and number of positions.

As officers and representatives of Mr. Dehr Inc., we the undersigned, have read and fully agree to this Affirmative Action Plan, and become a party to the full implementation of this program.



William William
Signature

Sales Manager
Title

3-20-20
Date

Signature

Title

Date

*-Loan, grants, contracts and subsidies for less than \$10,000 will be exempt



CONTRACTOR SECTION 3 PLAN FORMAT (continued)

PROPOSED SUBCONTRACTS BREAKDOWN TABLE A

FOR THE PERIOD COVERING April __, 2020 __ THROUGH July __, 2020 __

(Duration of the CDBG-Assisted Project)

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|--|------------------------------|--|---|--|
| Type of Contract (Business or Profession) | Total Number of Contracts | Estimated Number Total Approximate Dollar Amount | Contracts to Project Area Businesses | Estimated Dollar Amount to Project Area Businesses |
| N/A | | | | |
| | | | | |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |

* The Project Area is coextensive with the City of Kinston's boundaries.

Company

Project Name

Project Number

EEO Officer -- Signature

Date



CERTIFICATE FROM CONTRACTOR/SUBCONTRACTOR DESIGNATING OFFICER OR EMPLOYEE TO SUPERVISE PAYMENT OF EMPLOYEES

Project Name: Holloway HVAC Project

Date: 3-20-20

Location: Holloway Center

Project No: 17-C-2992-1

(I / We) hereby certify that (I am / we are) (the prime contractor / a subcontractor) for _____

HVAC

(Specify "General Construction", "Plumbing", "Roofing", etc.)

in connection with construction of the above mentioned CDBG Project, and that (I / we) have appointed

Bill Williams

, whose signature appears below, to supervise the payment of (my /

our) employees beginning April 1, 2020. That he/she is in a position to have full

knowledge of the facts set forth in the payroll documents and in the Statement of Compliance required by the

so-called Kick-Back Statute, Davis Bacon requirements which he/she is to execute with (my / our) full

authority and approval until such time as (I / we) submit to the City of Kinston a new certificate appointing

some other person for the purposes herein above stated.

(Name of Grantee)

Bill Williams

(Signature of Appointee)

Air Doctor Inc.

(Name of Firm or

Corporation) List with signatures all owners, partners, and/or officers of the Corporation below:

(Signature)

(Title)

(Signature)

(Title)

(Signature)

(Title)



Note: This certificate must be executed by authorized officers of the corporation and/or by members of the partnership, and shall be executed prior to and be submitted with the first payroll. Should the appointee be changed, a new certificate must accompany the first payroll for which the new appointee executes the Statement of Compliance required by the Kick-Back Statute. A new designation is not necessary as long as the person signing the Statement of compliance is an owner, partner or officer of the Corporation whose signature appears above.



CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY

INSTRUCTIONS:

This certification is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance reports due under applicable instructions. Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven (7) calendar days after bid opening. No contract shall be awarded unless such report is submitted.

CERTIFICATION BY BIDDER:

Name and Address of Bidder (include zip code): P.O. Box 397 Simpson NC 27879

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity clause.

Yes No

2. Compliance reports will be filed in connection with such contract or subcontract.

Yes No

3. Bidder agrees to file all compliance reports due as required.

Yes No None Required

4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended?

Yes No

Bobby Williams, Sales Manager
Name and Title of Signer (please print or type)

Bobby Williams
Signature

3-20-20
Date



CONTRACTOR SECTION 3 PLAN FORMAT

ESTIMATED PROJECT WORKFORCE BREAKDOWN TABLE B

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------------------------|-------------------------|--|---|--|
| Job Category | Total Estimate Position | No. of Positions Currently Occupied by Permanent Employees | No. of Positions Not Currently Occupied | No. of Positions to be Filled with *L.I.P.A.R. |
| Officers/Supervisors | 2 | 2 | 0 | 0 |
| Professionals | | | | |
| Housing Sales/Rental Managements | | | | |
| Office/Clerical | | | | |
| Service Workers | | | | |
| Others | | | | |
| Trade: | | | | |
| Journeyman | 7 | 7 | 0 | 0 |
| Helper | | | | |
| Apprentices | | | | |
| Maximum No. of Trainees | | | | |
| Others | | | | |
| Trade: | | | | |
| Journeyman | | | | |
| Helper | | | | |
| Apprentices | | | | |
| Maximum No. of Trainees | | | | |
| TOTAL | 9 | 9 | 0 | 0 |

*- Lower Income Project Area Residents

Individuals residing in the City/County of Lenoir/City of Kinston whose family income does not exceed 90% of the mean median income of the SMSA.

Mr. Bob Inc
 Company



CERTIFICATION BY PROPOSED SUBCONTRACTOR REGARDING EQUAL EMPLOYMENT OPPORTUNITY

Mr. Dahr Inc.
Name of Prime Contractor

17-C-2992-1
Project Number

INSTRUCTIONS:

This certification is required pursuant to Executive Order 11246(30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the subcontractor has not filed a compliance report due under applicable instructions, such subcontractor shall be required to submit a compliance report before the owner approves the subcontract or permits work to begin under the subcontract.

SUBCONTRACTOR CERTIFICATION: N/A

Name and Address of Subcontractor (include zip code): _____

1. Subcontractor has participated in a previous contract or subcontract subject to the Equal Opportunity clause.
 Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract.
 Yes No
3. Subcontractor agrees to file all compliance reports as required.
 Yes No None Required
4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended?
 Yes No

Name and Title of Signer (please print or type)

Signature

Date



Use of Subcontractor Form

n/a

Place an X only where applicable

_____ We do not anticipate using any subcontractors as part of completing this work.

_____ We DO anticipate using the following subcontractors to perform the following
Work with the following trades as listed below:

| Name of Subcontractor | Address | Trade | Contracted Amount |
|-----------------------|---------|-------|-------------------|
| | | | |
| | | | |
| | | | |
| | | | |



CERTIFICATION OF PROPOSED SUBCONTRACTOR REGARDING SECTION 3 AND
SEGREGATED FACILITIES

N/A

Name of Subcontractor

Project Name

Project Number

The undersigned hereby certifies that:

- a. Section 3 provisions are included in the Contract.
- b. A written Section 3 plan was prepared and submitted as part of the bid proceedings (if bid equals or exceeds \$10,000).
- c. No segregated facilities will be maintained as required by Title VI of the Civil Rights Act of 1964.

Name and Title of Signer (please print or type)

Signature

Date

City of Kinston
City Council Agenda



Meeting Date: Monday, April 06, 2020

Agenda Section: Action Agenda

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Adam Short, Planning Director

Subject: Accept RTP Grant for Riverwalk Phase III

Supporting Documentation: RTP Award Letter

Department Head's Approval  3/31

City Manager's Approval  3-31

Budgetary Impact: Choose an item.

Staff Recommendation:



City of Kinston

Post Office Box 339
Kinston, North Carolina 28502
Phone: 252.939.3110 Fax: 252.919.3388

DON HARDY
Mayor

TONY SEARS
City Manager

JAMES P. CAULEY III
City Attorney

DEBRA THOMPSON
City Clerk

MEMORANDUM

TO: Mayor and City Council
FROM: Adam Short, Planning Director
DATE: March 31, 2020
SUBJECT: Accept RTP Grant for Riverwalk Phase III

Staff has been informed we have been awarded \$75,000 from the NC Division of Parks and Recreations Recreational Trails Program (RTP). As you may recall, in 2016 the riverwalk project went through a full design phase, which include three parts – Phase 1 (existing portion), Phase 2 (connecting the power plant to the Kinston Community Center), and Phase 3 (connecting Pearson Park to the African American Music Trail Park). NCDOT funded full design of all three phases, so our project is essentially shovel ready, although we would likely have to finalize design to ensure we have the latest cost assumptions in mind.

The existing portion of the riverwalk is part of the State's Mountains to Sea Trail system, something we are very proud of as it is the only true physical trail portion in eastern NC that is not on the coast. This project will provide a much-needed connection to the music park, building on an idea of "corridors of connectivity" that has been a priority in various planning efforts for downtown over the years.

The granting agency limited requests to \$100,000 and required the local agency provide a 25% match; therefore, *the Council will need to consider whether or not to accept this grant*, with the understanding it will require an allocation from our General Fund Balance to cover the matching portion of the grant.

Action Requested:

Accept or Reject Grant Award

City of Kinston

City Council Agenda



Meeting Date: Monday, April 06, 2020

Agenda Section: Action Agenda

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Adam Short, Planning Director

Subject: City/County Combination of Services

Supporting Documentation: Proposed Contract

Department Head's Approval  3/31

City Manager's Approval  3/31

Budgetary Impact: Choose an item.

Staff Recommendation:



City of Kinston
Post Office Box 339
Kinston, North Carolina 28502
Phone: 252.939.3110 Fax: 252.919.3388

DON HARDY
Mayor

TONY SEARS
City Manager

JAMES P. CAULEY III
City Attorney

DEBRA THOMPSON
City Clerk

MEMORANDUM

TO: Mayor and City Council
FROM: Adam Short, Planning Director
DATE: March 12, 2020
SUBJECT: City/County Combination of Services

Over the course of the past few months, Lenoir County administration has discussed the potential to combine certain services between the City of Kinston, the Town of LaGrange, and Lenoir County in order to provide cost savings to both parties. One particular area that has been the focus for combination – or at least a starting point – is the inspections and planning departments. The County has solicited a consultant to review each department and make recommendations as to whether or not combination of services would stand to benefit either party.

Regarding inspections departments in general, these departments generate revenue from permit fees. North Carolina General Statutes limit how much any one department can take in – essentially, departments *shall not* take in more revenue than it takes to run the department. For the City of Kinston, we operate at a deficit, so there is no risk of exceeding our state requirements any time soon; however, this is one area that this consultant would review – are we charging appropriate fees for permits?

Furthermore, other questions the consultant will answer will be: Are we using the best tools available to encourage new development in our community? Could there be a benefit to the City, County, and/or development community by combining services? Could we share costs and revenues in a way that increases our capacity? Having an outside group review the current operation of each entity and make recommendations will keep the process objective and unbiased.

If the Council chooses to enter into this agreement, the City will pay its portion of \$15,735 – the County would pay \$26,975 and LaGrange would pay \$2,248. Both the County and the Town of LaGrange are on board and their respective boards have agreed to proceed with this review. The process of review will take 6-8 months. Any recommended changes would likely not be ready for consideration until next budget cycle or possible two budget cycles.

Action Requested:
Approve or Deny Proposed Contract

Mr. James M. Bourey
Bourey Consulting

Michael James, County Manager
Lenoir County, NC

RE: Development Services Consolidation Study

Bourey Consulting will conduct a feasibility analysis of combining operations of the Lenoir County Planning and Inspections Department; the City of Kinston Permits, Inspections, and Code Enforcement; and the Town of La Grange Planning, Inspections, and Safety. As part of this analysis, the team will identify specific opportunities for improvement in the existing operations, staffing, overall workloads and will recommend how the industry's best practices could be implemented with a combined operation. The analysis will evaluate the current provision of services and operational efficiencies that could be achieved and provide recommendations for changes necessary to enhance a combined operation.

The analysis will include an operational comparison with similar jurisdictions, and interviews of staff and stakeholders as identified and deemed appropriate by staff. The analysis will ascertain public sentiment regarding services and suggest means to address the concerns raised by the public. The purpose of this assessment will be to provide the client jurisdictions with an impartial analysis and recommendations for future operations of these local government functions. This assessment will identify and define opportunities for improvement in existing policies and procedures and incorporate industry best practices into a combined business operation. The intent of the advisement services provided will be to provide the client jurisdictions with practical options for the decision-making process. The results of this consultation will be a report with the complete assessment findings and recommendations for further consideration and implementation. This analysis will be a valuable management resource regardless of whether a merger of services occurs because of what will be evaluated and reported upon.

This study will be completed by the team of James Bourey and Gary Jackson. Both Mr. Bourey and Mr. Jackson are experienced City and County Managers as well as consultants with direct involvement in very similar studies. Mr. Jackson will serve as a subconsultant to Bourey Consulting for this project.

Development Services Assessment

In order to conduct this study, the project team's approach will include being engaged in the following activities to compile research for the tasks mentioned above:

- Conduct interviews with key staff

- Review overall function of each current independent operation
- Interview a sampling of stakeholders
- Complete a comparison of the client jurisdictions' organization to similarly sized localities
- Review proposed and current management systems
- Identify general best management practices.
 - Prepare Report to be made available prior to the jurisdictions finalizing their FY 2020-2021 recommended budgets
- Interview key staff, technical experts and stakeholders
 - Project team/staff meetings
 - Stakeholder meeting/interviews
- Final Deliverables
 - Report to local government Managers with findings and recommendations
 - Deliver final report files and the final documents in digital format
 - Target- Fiscal Year 2021 implementation

More specifically, an analysis of the following areas has been determined to be necessary and will be included as part of this assessment. These parts of the study are broken out separately here so that jurisdictions can prioritize the timing and overall succession of these components.

- 1- Organizational Structure - Review organizational structure for existing Planning and Inspections Departments; identify areas of opportunity and improvement; assess the adequacy of staffing available and that existing staff is being fully utilized. Determine effects of combined operations on current workloads, conduct staff interviews, analyze operations, identify strengths and weaknesses. Complete a comparison of client jurisdictions' organization to similarly sized local governments and general best management practices.

Total \$6,300

- 2- External Workflow - Workflow of permit applications. Review the workflow from the time a permit application is submitted to the time a permit is closed/complete; examine permitting process and determine whether or not turn-around times are reasonable; review workflow of each application type; interview stakeholders; interview a sampling of contractors and developers that engage the services of each existing department; analyze sufficiency of conflict resolution measures and overall customer satisfaction as a result; assess applicant/contractor experience with the review process

Total \$4,080

- 3- Current and Proposed Management Systems - Review proposed and current management systems currently used in the Planning and Inspections Departments; review current system's effectiveness and overall staff buy-in to

system; technology and management systems' use and accessibility; review technological capabilities of Planning and Building Inspections.

Total \$4,120

- 4- Internal Planning and Inspections Workflow - Review the workflow between the Planning and Inspections staff; review staffing levels and workload; evaluate overall functionality of departments and analyze communication processes as well as adequacy of existing staffing levels; identify communication challenges and opportunities

Total \$4,560

- 5- Management Reporting System - Review management reporting system, permit and activity reporting system; determine how overall activity reports are utilized and identify opportunities for this management resource to be utilized in a manner such that it can be maximized for overall department performance and efficiencies.

Total \$4,350

- 6- Professional Development and Regulatory Accuracies - Review system for staff education, professional development, and updating current systems as they relate to legislative actions, building code updates, and local ordinance modifications. Determine whether staff is provided ample opportunity for professional development and growth in their areas of expertise; examine current credentials and training provided. Perform a general review of the implementation of planning and building codes.

Total \$4,000

- 7- Quality Customer Service - Review system for creating and maintaining a culture of quality customer services under a combined operation. Determine current processes for follow ups, surveys and feedback and what measures can be implemented to further assess the overall performance of the departments with the users of their services. Examine opportunities for involvement with external groups such as the Homebuilders Association or other local entities that can provide on-going feedback and recommendations for improvement.

Total \$4,880

- 8- Fiscal feasibility - Review the existing costs of operations and demonstrate how combined operations will be fiscally sound and beneficial. A comparison of each jurisdiction's fee schedule will be compiled in order to identify opportunities to align them. This analysis will include a review of the merged system cost of operation and determine full cost to recover when adjusting fees. Since this evaluation could result in a consolidation of services, consideration will be given

to parity and equity in pay and benefits as well as available resources such as cars, computers and other relevant equipment.

Total \$5,500

Development Services Assessment Report

- Final Deliverables
 - Regular updates to Management Team including bi-weekly updates
 - Prepare Written Report of findings to be made available prior to County completing the FY 2020-2021 budget
 - Prepare List of Recommended steps of implementation
 - Exit Conference with Managers for one meeting to report findings and recommendations
 - Deliver final report files and the final documents in digital format
 - Target- Four months from the start of this agreement
- Total \$3,080

Project Cost

The project will be completed for the sum of \$40,870, plus the cost of travel expenses to be reimbursed at the actual cost which will not exceed 10% of the project cost. Invoices will be sent to the County for payment on a monthly basis. The invoices will be payable within 30 days from the date of receipt by the County.

Should additional services be required by the local governments, Bourey consulting will provide those services at the regular hourly rates with the prior approval of the local government requesting the service.

If this proposal is acceptable, please execute a copy of this agreement.

James M. Bourey
Bourey Consulting

Michael James
County Manager
Lenoir County, NC

City of Kinston
City Council Agenda



Meeting Date: Monday, April 06, 2020

Agenda Section: Action Agenda

Agenda Item: Other

Action Requested: Approve Request

Agenda Item to be Considered

Presenter: Corey Povar, Director, Parks & Recreation

Subject: Approval of updated Parks & Recreation Fees & Charges

Supporting Documentation: Yes

Department Head's Approval _____

City Manager's Approval _____

Budgetary Impact: No Budgetary Action Required

Staff Recommendation:

- **City Council is asked to approve the department's updated fees & charges.**

Kinston/Lenoir County Parks & Recreation - Fees & Charges

| BUILDINGS | | | | |
|--|---|-------------------------|----------------------|----------|
| Fairfield Center | Club Room (Capacity 80) | 1-4 Hours | \$ 80.00 | |
| | | 5-10 Hours | \$ 160.00 | |
| | Gym (Capacity 200) | 1-4 Hours | \$ 200.00 | |
| | | 5-10 Hours | \$ 300.00 | |
| | Sprayground (Room & 1 Attendant) | | 2 hours (6-8pm only) | \$ 75.00 |
| | Holloway Center | Club Room (Capacity 60) | 1-4 Hours | \$ 80.00 |
| 5-10 Hours | | | \$ 160.00 | |
| Gym (Capacity 200) | | 1-4 Hours | \$ 200.00 | |
| | | 5-10 Hours | \$ 300.00 | |
| Martin C. Freeman Center | Gym (Capacity 150) | 1-4 Hours | \$ 200.00 | |
| | | 5-10 Hours | \$ 300.00 | |
| Georgia K. Battle (Full Service Kitchen) | Room (Capacity 60) | 1-4 Hours | \$ 120.00 | |
| | | 5-10 Hours | \$ 200.00 | |
| Mock Athletic Skills Facility | Club Room (Capacity 40) | 1-4 Hours | \$ 40.00 | |
| | | 5-10 Hours | \$ 80.00 | |
| Moss Hill Ruritan Building (Full Service Kitchen) | Room/Kitchen (Capacity 100) | 1-4 Hours | \$ 300.00 | |
| Nature Center (Full Service Kitchen) | Exchange Meeting Room (Capacity 60) | 1-4 Hours | \$ 120.00 | |
| | | 5-10 Hours | \$ 200.00 | |
| PICNIC SHELTERS | | | | |
| Barnet Park | Seating Capacity - 100 | 1-4 Hours | \$ 20.00 | |
| | | 5-10 Hours | \$ 40.00 | |
| Bill Fay # 1 | Seating Capacity - 50 | 1-4 Hours | \$ 20.00 | |
| | | 5-10 Hours | \$ 40.00 | |
| Bill Fay # 2 (Rotary) | Seating Capacity - 140 | 1-4 Hours | \$ 30.00 | |
| | | 5-10 Hours | \$ 60.00 | |
| Emma Webb | Seating Capacity - 50 | N/C | N/C | |
| Fairfield Lions | Seating Capacity - 80 | 1-4 Hours | \$ 20.00 | |
| | | 5-10 Hours | \$ 40.00 | |
| Holloway | Seating Capacity - 30 | 1-4 Hours | \$ 20.00 | |
| | | 5-10 Hours | \$ 40.00 | |
| Nature Center | Seating Capacity - 60 | 1-4 Hours | \$ 20.00 | |
| | | 5-10 Hours | \$ 40.00 | |
| Pearson Park Gazebo | Seating Capacity - N/A | Per Day | \$ 50.00 | |
| Harvey Gardens Gazebo | Seating Capacity - N/A | Per Day | \$ 50.00 | |
| ATHLETIC FIELDS | | | | |
| Recreation Teams | No Charge | Day/Night Use | N/C | |
| All Other Organizations | \$30.00/hour | Day/Night Use | \$30/hr. | |
| Baseball/Softball Tournaments | \$125/field/day (Includes lights and 1 field prep) *\$50/SITE/DAY DEPOSIT REQUIRED IN ORDER TO RESERVE (Non-Refundable) | Day/Night Use | \$125 per field/day | |
| TENNIS COURTS | | | | |
| All Courts (Bill Fay/Fairfield) | N/C - First Come/First Serve | | N/C | |

| SWIMMING POOLS/SPRAYGROUND | | | | |
|--|--|--|-----------------------|-------|
| Pool (Holloway) | Swimming Lessons (ages 4 - up) | \$10/participant | \$ 10.00 | |
| | Pool Rental (Maximum 2 hours: 6pm-8pm) | \$200.00 (2 hours) | \$200.00 | |
| SprayGround (Fairfield) | \$1.00/person or \$75 for private party (daily from 6pm-8pm only) **Call 252-939-3332 to reserve | \$1.00/person \$75.00/ private party | | |
| GOLF COURSE | | | | |
| GOLF COURSE (Bill Fay Par 3) | All Day | All Day | \$ 5.00 | |
| | Season Pass (January 1 - December 31) | All Day | \$ 50.00 | |
| MOCK ATHLETIC SKILLS FACILITY | | | | |
| Individual | All-inclusive use of facility | \$50/Individual/year | \$ 50.00 | |
| Family (limit of 4 people) | All-inclusive use of facility Maximum of \$150.00 per family | \$50/Individual/year | \$ 50.00 | |
| Recreation Teams | Please call Mock Athletic Skills Facility to reserve at 252-939-3232 | No Charge | N/C | |
| Private Teams: (Daily) (schools, AAU, etc.) | 1 1/2 hour limit on batting cages, 1-year pass, All-inclusive use of facility | Team Pass | \$ 200.00 | |
| | 1 1/2 hour limit on batting cages, 1-year pass, All-inclusive use of facility | Day Pass | \$ 20.00 | |
| Walkups | 1 hour limit on batting cage, All-inclusive use of facility, ***one visit only*** | Day Pass | \$ 3.00 | |
| Senior Citizens | 55 and older (No Charge) | All-Inclusive | N/C | |
| MISCELLANEOUS | | | | |
| Nature Center | Miniature Train Rides (2 laps) | Per Ride | \$ 1.00 | |
| KINSTON COMMUNITY CENTER | | | | |
| Gymnasium (Full) | Capacity 800 people | 1-4 hours: | \$500 | |
| | | 5-8 hours: | \$850 | |
| | | Admission Charged: | \$1,000 | |
| | | *\$25/hour staff charge for after center hours | Each additional hour: | \$25 |
| Banquet Room (Full) | Capacity 160 people | 1-4 hours: | \$300 | |
| | | *25/hour staff charge for after center hours | Each additional hour: | \$25 |
| Banquet Room (1/2) | Capacity 80 people | 1-4 hours: | \$150 | |
| | | *25/hour staff charge for after center hours | Each additional hour: | \$25 |
| Conference Room | Capacity 20 people | 1-4 hours: | \$50 | |
| | | *25/hour staff charge for after center hours | Each additional hour | \$25 |
| Basketball Court | 1 court (weekend: Sat/Sun) | 1-4 hours | \$250 | |
| | 1 court (weekday: Mon-Fri) | 1-4 hours | \$150 | |
| | | *\$75/hour staff charge for after center hours | Each additional hr.: | \$75 |
| | | 1/2 court (weekend: Sat/Sun) | 1-4 hours | \$150 |
| | 1/2 court (weekday: Mon-Fri) | 1-4 hours | \$100 | |
| | *\$50/hour staff charge for after center hours | Each additional hr.: | \$50 | |
| LIONS WATER ADVENTURE | | | | |
| Splash Party | Party Hut - 1 hr. of party time | 10 guests | \$100 | |
| Big Splash Party | Party Hut - 1 hr. of party time | 15 guests | \$150 | |
| Splash Spectacular | Party Hut - 1 hr. of party time | 20 guests | \$300 | |
| | Monday-Saturday (6pm-8:30pm) | Groups | \$1,000 | |
| Exclusive Use | Saturdays (6pm-8:30pm) | Unlimited | \$1,200 | |

City of Kinston

City Council Agenda



Meeting Date: Monday, April 06, 2020

Agenda Section: Action Agenda

Agenda Item: Other

Action Requested: Approve Request

Agenda Item to be Considered

Presenter: Corey Povar, Director, Parks & Recreation

Subject: Naming the back field at Fairfield Park "Thurman Pate Field"

Supporting Documentation: Yes

Department Head's Approval CP

City Manager's Approval TG 4-2

Budgetary Impact: No Budgetary Action Required

Staff Recommendation:

- **City Council is asked to approve the naming of the back field at Fairfield Park to "Thurman Pate Field" at the Fairfield Through the Years....Reunion of Friends Event, which was originally scheduled for April 4, 2020. The reschedule date is to be announced.**



Kinston/Lenoir County
Parks & Recreation Department

2602 WEST VERNON AVENUE • KINSTON, NORTH CAROLINA 28504
252-939-3332 • FAX: 252-939-3129

Kinston/Lenoir County Parks & Recreation Department

Memorandum

TO: Tony Sears, City Manager & City Council DATE: 3/31/2020

FROM: Corey Povar, Parks & Recreation Director

RE: Naming the back field at Fairfield Park to "Thurman Pate Field"

Fairfield Through the Years...A Reunion of Friends Event was originally scheduled for Saturday, April 4, 2020 at Fairfield Park. This event, sponsored by Kinston Youth Baseball, was intended to reunite past and present players, coaches, and special friends who participated at Fairfield Park. Due to COVID-19, this event has to be rescheduled.

The Reunion of Friends Committee, consisting of community members, the Recreation Commission Vice-Chair and recreation staff voted to name the back baseball field at Fairfield Park the "Thurman Pate Field". This is to honor Thurman Pate, who worked at Fairfield for 20 years as Center Director until he was promoted to Athletic Supervisor in 2004.

I am asking for approval to name the back baseball field at Fairfield Park the "Thurman Pate Field" when this event is rescheduled.