

Mayor Patsy Kinsey

John Autry
Michael D. Barnes
Warren Cooksey
Andy Dulin
Claire Fallon

Mayor Pro Tem Patrick D. Cannon

David L. Howard
Billy Maddalon
LaWana Mayfield
James Mitchell, Jr.
Beth Pickering

CITY COUNCIL MEETING
Monday, November 25, 2013

In addition to the previously advertised public hearing items, Departments have asked that the time sensitive items listed below not be deferred.

CITY COUNCIL AGENDA
Monday, November 25, 2013

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5:00 P.M. DINNER BRIEFING, CONFERENCE CENTER

1. Mayor and Council Consent Item Questions

Resource: Julie Burch, City Manager's Office

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the dinner meeting.

2. Emergency Alert and Notification System

Resource: Jeff Dulin, Fire

Time: 10 minutes

Synopsis

- On September 16, 2013, the City Council approved the purchase of an emergency alert and notification system software solution for the City and Mecklenburg County.
- The system will allow the City and Mecklenburg County to send mass notifications to citizens that include important information in the event of an emergency.
- Staff will present an update to the City Council on the progress of the Emergency Alert and Notification System software solution and provide a demonstration on system capabilities.
- The system will be launched to the public December 4, 2013, with a media event at the Police & Fire Training Academy, followed by community outreach throughout November and December at Wal-Mart and Target stores, Chick-fil-A restaurants, as well as Northlake and SouthPark Malls to engage the public during heavy traffic to retailers.

Future Action

The presentation is for information only.

3. Advance Planning for General Community Investment Plan Bond Referenda

Resources: Jeb Blackwell, Engineering & Property Management
Randy Harrington, Budget & Evaluation

Time: 10 minutes

Synopsis

- On June 10, 2013, the City Council adopted an \$816.4 million General Community Investment Plan.
- The plan includes four bond referenda over four bond cycles: 2014, 2016, 2018, and 2020. The first bond referendum is planned for November 2014.
- The projects in the bond referenda are focused on investing in corridors, increasing connections among neighborhoods, and community enhancement.

- Charlotte has a history of conducting advance planning work on infrastructure investments prior to bond referenda.
- Ultimately, advance planning shortens the time between voter approval and project completion.
- Staff will discuss why advance planning is needed, the benefits of advance planning, and outline an option to fund advance planning for upcoming bond referenda investments.

Future Action

Staff recommends City Council consideration for Consent Item 28, on page 26, to approve funding.

4. TreesCharlotte Update and Land Purchase for Tree Preservation

Resources: Gina Shell, Engineering & Property Management
David Weekly, Engineering & Property Management
Davis Cable, Executive Director, TreesCharlotte

Time: 15 minutes

Synopsis

TreesCharlotte Update

Staff, along with Davis Cable, TreesCharlotte Executive Director, will provide a brief update of TreesCharlotte activities this year.

Land Purchase for Tree Preservation

- Effective January 1, 2011, the City Council approved revisions to the City's Tree Ordinance. The revised ordinance altered tree save and tree planting requirements for commercial development and offered mitigation options at certain development locations.
- One mitigation option allows developers to contribute into a City administered Tree Ordinance Mitigation Fund in lieu of providing tree save on-site. The dollar amount is calculated based on the tax value of the land under development.
- The City has currently collected \$561,229 in the City's Tree Ordinance Mitigation Fund.
- The funds accumulated are to be applied toward the purchase of heavily wooded property for the purpose of tree preservation and toward the costs of ongoing stewardship of the property.
- Staff will describe the first recommended land purchase and stewardship agreement in support of this mitigation program.

Future Action

Staff recommends City Council consideration for Consent Item 47, on page 44, to approve the following in support of the mitigation program: (A) the land purchase; and (B) the conservation agreement and one-time payment to Catawba Lands Conservancy for perpetual stewardship of the land.

5. Public Art Program Mid-Year Update

Resources: Marc Gustafson, Chairperson, Public Art Commission
Nicole Bartlett, Program Director-Public Art, Arts & Science Council

Time: 10 minutes

Synopsis

- In accordance with the annual agreement and Council direction, the presentation provides the FY2014 mid-year reporting to the City Council on the status of current projects as well as an audit report of the program activities for FY2013.
- At the May 13, 2013, City Council Dinner Briefing, the Public Art Commission and Arts & Science presented the FY2014 Proposed Public Art Workplan.
- On June 10, 2013, the City Council approved the annual agreement with the Arts & Science Council and the Public Art Commission for administration of the Public Art Program.

Future Action

The presentation is for information only.

Attachment 1

[Public Art Commission Presentation](#)

6. Answers to Mayor and Council Consent Item Questions

Resource: Julie Burch, City Manager's Office

Time: 10 minutes

Synopsis

Staff responses to questions from the beginning of the dinner meeting.

6:30 P.M. CITIZENS' FORUM, MEETING CHAMBER

7. State of the City 2013

Action: Mayor Kinsey will deliver remarks highlighting the City's accomplishments in 2013.

CONSENT

- 8. Consent agenda items 21 through 49 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk.**

Consideration of Consent Items shall occur in the following order:

- A. Consideration of Consent Items that have not been pulled
- B. Consideration of Consent Items with citizens signed up to speak to the item

ZONING

9. Rezoning Petition 2013-067

- Action:**
- A. Render a decision on whether the additional elevation information added to the proposed rezoning petition 2013-067, after the Zoning Committee recommendation, requires referral to the Zoning Committee for additional review, and**
 - B. Render a decision on proposed rezoning petition 2013-067 from R-3, single-family residential and BP, business park to UR-3(CD), urban residential, conditional.**

Staff Resource: Sonja Sanders, Planning

Explanation

- The property is approximately 18.95 acres located on the west side of Northlake Centre Parkway near the intersection of Madison Square Place, Northlake Mall Drive, and Northlake Centre (Council District 2 – Mitchell).
- On September 16, 2013, a public hearing was held for this petition.
- At the October 21, 2013 Zoning Meeting, the City Council deferred the decision on this petition to the December 18, 2013, Zoning Meeting, to allow the petitioner time to submit additional commitments related to building elevations.
- On October 28, 2013, at the request of the petitioner, the City Council voted to move the decision from December 18, 2013, to the November 25, 2013, business meeting. Action A will allow the City Council to render a decision on whether the additional elevation information constitutes a substantive change.
- On November 4, 2013, to address the City Council's concerns about the elevations for the buildings, the petitioner submitted sample elevations with the following commitments:
 1. Roof ridge lines will be articulated to avoid the appearance of a large monolithic roof structure.
 2. Buildings will be designed with façade articulation to break up wall mass and to create variety in the character of the façade.
 3. Main windows will be arranged to avoid large masses of glass and will be designed so as to be taller than they are wide. This will not apply to minor windows such as for bathrooms, stairways and architectural accent.
 4. All building entrances will be connected to the on-site and/or public street sidewalk network.
 5. On-site directional signage will be designed to reflect the architectural character and materials of the principal buildings.
 6. Building facades may incorporate vertical elements and material changes to break up the mass of the building walls.

Zoning Committee Discussion

- On September 25, 2013, the Zoning Committee of the Planning Commission voted 5-0 finding the petition to be consistent with the Northlake Area Plan and to be reasonable and in the public interest based on information provided in the staff analysis and the public hearing.
- The Committee also voted 5-0 to recommend approval of this petition with the following modifications as detailed in the attachment:

1. The petitioner has removed the second paragraph under the "Purpose" statement (Sheet RZ-1.0). Site plan notes have been revised to allow for commitments regarding building frontage, placement and orientation; location of parking in relation to buildings; architectural materials; and placement of the proposed clubhouse.
2. The setback on Northlake Centre Parkway has been changed to 24 feet per the adopted Streetscape Plan.
3. Transportation Note (a) has been amended to reflect one public street connection and one private street connection to Northlake Centre Parkway.
4. The accompanying elevations have been removed and additional language committing to architectural features has been provided.
5. The Architectural Standards language has been amended to remove references to images of buildings.
6. Architectural Standards Note (a) has been amended to stipulate 30% masonry on all exteriors below the roofline. The words "and/or hardi-plank/fiber cement board" have been eliminated from this note.
7. The petitioner has removed the following language from General Provisions (b): "...such as those that regulate streets, sidewalks, trees, bicycle parking, and site development...These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan."
8. Both site plan sheets are now consistent with respect to the proposed Class C Buffer along abutting R-3 (single family residential) zoned properties. Both sheets label the Class C Buffer reduced 25% with fence.
9. Per the request of the Park and Recreation Department, the petitioner committed to dedicate and convey to Mecklenburg County the 100-foot SWIM buffer on the front portion of the site. The dedication will be accomplished prior to the issuance of the first Certificate of Occupancy for the site. Planning staff is rescinding the request that the petitioner commit to providing a direct pedestrian connection between the development and the future trail due to uncertainty with respect to the design of the trail.
10. Misspellings have been corrected on both sheets.
11. Staff has rescinded the following request as the petitioner has confirmed this area is zoned BP (business park): There is a small area zoned R-3 (single family residential) that is not part of this rezoning and abuts the proposed public street. Label this area on Sheets RZ-1.0 and RZ-2.0.
12. Added language as requested by Storm Water Services under Environmental Features.
13. Addressed Transportation Comments:
 - a) Revised Transportation Note c to provide a 150' left- turn/storage lane with appropriate taper length.
 - b) Addressed comment regarding proposed future Hucks Road street extension by deleting Transportation Note D, and adding the following language for clarity:
 - II. Note 1: Public Street Extension – This street is designed and located to be extended into the adjacent parcel and connect to Northlake Parkway at the northernmost existing median break.
 - III. Note 2: Future Hucks Road Extension – The future Hucks Road Extension is intended to extend east of Northlake Parkway from the northernmost median break of Northlake Parkway. This intersection is a location for a potential traffic signal, to be determined based on future traffic analysis.

14. Based upon discussions with petitioner, the third sentence under Streetscape and Landscaping has been modified to read: "...an average of 70% of the total..."
 15. The petitioner has numbered the development notes under Streetscape and Landscaping.
 16. Due to possible miscommunication on the part of staff, the petitioner incorrectly removed a previous note under Environmental Features pertaining to design, landscaping, and screening of the water quality facility. The petitioner has agreed to place this one sentence note back on the site plan.
- Staff agrees with the Zoning Committee recommendation from the September 25, 2013, meeting.

Attachment 2

[Zoning Committee Recommendation](#)

[Vicinity Map](#)

[Locator Map](#)

[Site Plan](#)

[Sample Elevations](#)

POLICY

10. City Manager's Report

11. Citizens Review Board Ordinance Amendment

Action: Approve the Council-Manager Relations Committee recommendation to adopt an ordinance amending Chapter 16 of the Charlotte City Code entitled "Citizens Review Board" to include amendments recommended by the Citizens Review Board Task Force.

Committee Chair: Warren Cooksey

Staff Resources: Bob Hagemann, City Attorney's Office
Eric Campbell, City Manager's Office
Chief Rodney Monroe, Police
Willie Ratchford, Community Relations Committee

Current Ordinance

- In December 1996, the Mayor and the City Council directed the City Manager to conduct a review of the Charlotte-Mecklenburg Police Department's process for receiving, investigating, and adjudicating complaints of police misconduct.
 - The review was in response to community concerns raised following the shooting death of a motorist by a Charlotte-Mecklenburg Police officer in November of 1996.
 - The review led to the creation of the Citizens Review Board Ordinance, which became effective in 1998.
- When a complaint is filed against a police officer, it is investigated by the Charlotte-Mecklenburg Police Department Internal Affairs Division.
 - If it is a serious offense, such as excessive force, the case goes to a hearing by the Police Chain of Command Review Board.
 - During the hearing, the investigative case file is reviewed by all of the board members, which includes at least one member of the Community Relations staff.
 - The board also questions employee witnesses to clarify any concerns or ask additional questions. Following the hearing, a decision is made by Police; the complaint may be sustained, not sustained, unfounded or exonerated.
- If a citizen is not satisfied with the decision, he or she may appeal to the Citizens Review Board.
 - When an appeal is filed, the Citizens Review Board determines whether an appeal hearing is warranted based on the evidence presented.
 - The board may hear appeals of complaints regarding alleged violations of the following rules:
 - Use of force,
 - Unbecoming conduct,
 - Arrest, and
 - Search and seizure.
 - In addition, the disposition of the review of any discharge of a firearm by an officer which results in the death or injury of a person may be appealed to this board by the person injured or the next of kin if death occurs.

Proposed Changes

- On April 1, 2013, the City Council requested that the Council-Manager Relations Committee review the current Citizens Review Board ordinance.
 - The request stemmed from a report by the Charlotte School of Law that highlighted perceived inequities in the current process.
 - The report resulted from a three-year study conducted by Charlotte School of Law's Civil Rights Clinic.
 - Research began with a comprehensive public records request in which clinic members identified sixty former complainants who had filed appeals with the Citizens Review Board.
 - Since that original document request, further investigation revealed that over the Board's 15-year history, it received a total of 79 appeals, held only four hearings and never ruled against the Police Department.
- As a part of that review, a task force including members of the Charlotte-Mecklenburg Community Relations Committee and the Citizens Review Board was formed to gather feedback from the community regarding the Citizen Review Board process.
- On September 23, 2013, the Citizens Review Board Task Force reported its findings and recommendations, and the Council-Manager Relations Committee requested the City Manager's review and perspective.
 - The ordinance amendment is drawn from a review of the task force report and the full record related to their work.
 - The recommendation was developed in consultation with the Attorney's Office, Charlotte-Mecklenburg Police Department, Community Relations staff, and others.
 - The recommended changes are based on the important concept that the Citizens Review Board appeal process is and should remain an administrative review of personnel decisions made by the Chief of Police; this is consistent with a recommendation of the task force that the Citizens Review Board maintain its appellate structure.
 - Other proceedings, including civil or criminal litigation as well as the Civil Service Board, remain available to the public and to police officers.
- In addition to the substantive proposed amendments, other changes are set forth in the proposed Ordinance. The changes are intended to enhance the procedural operations of the Citizens Review Board consistent with task force recommendations or as deemed appropriate, and align the ordinance with the proposed substantive amendments listed below:
 - Maintain the appellate structure of the Citizens review Board (CRB) with no subpoena power or independent investigative responsibilities [Section 16-58(a)(1)].
 - Change the standard of review to hold a full hearing from a "preponderance of the evidence" of an "abuse of discretion" to "substantial evidence" of error [Section 16-60(d)].
 - Change the standard at the end of the evidentiary fact-finding proceeding from "a preponderance of the evidence" that the decision of the chief constituted an "abuse of discretion" to a standard that "the greater weight of evidence" indicates that "the chief of police clearly erred" [Section 16-60(g)].
 - The entire internal affairs investigation file will be made available to the CRC [Section 16-59(c)].
 - Extend the time a person has to file an appeal to the Citizen Review Board from the current seven days to 30 days [Section 16-59(b)].

- Increase the number of days that the Citizen Review Board is required to hold a meeting after receiving an appeal from the current 30 days to 45 days – this will also allow an accused officer more time to be present if requested by a majority of the board [Section 16-60(a)].
- Contingent on the City Council's approval, the amended Ordinance will become effective immediately.

Council-Manager Relations Committee Discussion

- The Council-Manager Relations Committee discussed the proposed changes to the Citizens Review Board ordinance at its meetings on August 19, September 23, and October 28.
- On October 28, 2013, the Committee voted unanimously (Cooksey, Kinsey, Mitchell, and Howard) to recommend the proposed amendments.
- On November 11, 2013, the City Council received a briefing at its dinner meeting, which included minor amendments to the proposal approved by the Council-Manager Relations Committee.
- On November 25, 2013, the Council-Manager Relations Committee will conduct one final review of the proposed ordinance.

Attachment 3

[Proposed Citizens Review Board Ordinance](#)

12. Immigrant Integration Task Force Resolution



Action: Approve the Economic Development Committee recommendation to adopt a resolution to create an Inter-Agency Task Force to Maximize Immigrants' Economic and Civic Contributions to the City of Charlotte.

Committee Chair: James Mitchell

Staff Resources: Alexis Gordon, Neighborhood & Business Services
Brad Richardson, Neighborhood & Business Services

Explanation

- On August 26, 2013, Mayor Kinsey and Council member Howard requested a referral to the Economic Development Committee of a resolution creating a task force to examine and recommend best practices in immigrant integration.
- The resolution cited the work of the Americas Society/Council on the Americas, which has facilitated roundtable discussions on the issue of immigrant integration in several cities around the nation, including Charlotte.
- If approved, the resolution will create an Immigrant Integration Task Force consisting of up to 25 members appointed by the Mayor and the City Council. The Chair and Vice-Chair will be selected by the Mayor from the members appointed.
- The work of the Task Force will be sponsored by the Charlotte International Cabinet and Neighborhood & Business Services, and will consist of the following activities:
 - Review the recommendations of the 2007 Mayor's Immigration Study Commission in order to leverage previous research and conclusions.
 - Research and recommend policies that facilitate access to city services for all residents of Charlotte, while addressing gaps in civic engagement.

- Prepare a report with recommendations to the City Council that promotes awareness among the public of the availability of existing programs and services facilitating immigrant integration.
- Seek opportunities to better educate the Charlotte community on how embracing immigrant communities will help move the city forward.
- The Task Force will deliver its findings and recommendations to the City Council within one year of its first meeting.

Economic Development Committee Discussion

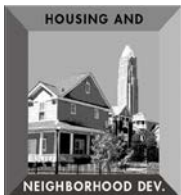
- The Economic Development Committee discussed the resolution at its meetings on October 17, 2013, and November 7, 2013.
- The Committee agreed upon a recommended framework for making appointments to the Task Force. The incoming Mayor will make seven appointments representing certain areas where specialized expertise is required, as well as two at-large members. The remaining 18 appointments will be made by the City Council after receiving nominations from community partners that provide services to and/or unique perspectives on immigrant issues. (See attachment for complete list of partners).
- The Committee requested that the Task Force provide opportunities for cross-cultural public participation and comment as well as quarterly updates to the Economic Development Committee.
- On November 7, 2013, the Committee voted unanimously to recommend approval of the resolution (Mitchell, Howard, Maddalon, Mayfield voted yes; Cannon and Cooksey were absent).

Attachment 4

[Resolution](#)

[Framework for Task Force Appointments](#)

13. Brightwalk Housing Support Funding Request



Action: Approve the Housing & Neighborhood Development Committee recommendation to grant \$700,000 of unallocated Community Development Block Grant carryover funding for the continued redevelopment of the Brightwalk Community.

Committee Chair: LaWana Mayfield

Staff Resource: Pamela Wideman, Neighborhood & Business Services

Policy

- On May 13, 2013, the City Council adopted the U.S. Department of Housing and Urban Development Annual Action Plan (Plan).
- The Plan identified the need for affordable, safe, and decent housing for low and moderate-income families.
- The Plan reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

Explanation

- The Charlotte-Mecklenburg Housing Partnership, Inc. (Housing Partnership) is requesting the City of Charlotte grant \$700,000 of unallocated, carryover

Community Development Block Grant funding for the continued revitalization of the Brightwalk at Historic Double Oaks community.

- Infrastructure improvements are eligible Community Development Block Grant expenses in low-to-moderate income areas.
- The City currently has a \$4.0 million balance of carryover Community Development Block Grant funding due to reduced relocation expenses, fewer than anticipated housing rehabilitation expenses, and savings in the Neighborhood & Business Services Housing Services budget.
- Community Development Block Grant funds will be used to pay for critical infrastructure investments necessary to continue the development of Brightwalk on the west side of Double Oaks Road and for intersection improvements such as water, sewer, demolition, grading, and paving at Statesville Avenue and Norris Drive.
- Additional funds are required due to extremely rapid home sales, rising construction costs, and unanticipated delays in tax-increment financing payments because of brownfield tax abatement regulations. The funds will support development activity necessary to maintain the residential sales momentum.
- On July 23, 2007, the City Council approved the Double Oaks Redevelopment Concept.
- The Housing Partnership has experienced tremendous success in rebuilding and revitalizing the Double Oaks community by creating a mixed-income development with a highly diverse resident population consisting of a mix of race, ethnicity, age, income, and other demographic factors.
- Through September 2013, the development includes 214 affordable multi-family housing units and 77 market-rate and affordable single-family homes and townhomes.
- In addition to the 77 homes described above, the Housing Partnership has approximately 250 additional single-family home and townhome lots in various stages of development, which are under contract to be transferred to the builder, Standard Pacific, over the next 18 months.
- The current schedule represents a much faster pace of development than originally anticipated by either the Housing Partnership or Standard Pacific.
- When the redevelopment began in 2007, the appraised tax value of the 85-acre Double Oaks site was less than \$1.0 million. At completion of the development, the tax value is anticipated to be \$60.0 million.
- The following chart details the infrastructure budget:

Infrastructure Budget	
Sources:	Amount
Community Development Block Grant	\$700,000
Charlotte-Mecklenburg Housing Partnership	\$199,136
Total	\$899,136
Uses:	
Infrastructure Costs	\$899,136

Housing & Neighborhood Development Committee Action

At the November 11, 2013 meeting, the Housing and Neighborhood Development Committee voted 3-1 (Mayfield, Autry, Barnes voted yes; Cooksey voted no; Mayor Kinsey absent) to approve the Housing Partnership funding request.

Charlotte Business INclusion

Community Development Block Grant funds are awarded through the U.S. Department of Housing and Urban Development Program and are therefore exempt

from the Charlotte Business INClusion program (Part A: Appendix 27 of the Charlotte Business INClusion Policy). However, the Housing Partnership has achieved a 24% MWSBE utilization rate and will continue efforts to work with MWSBE firms through completion of the development.

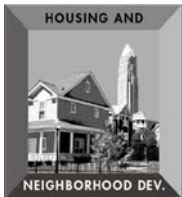
Funding

Community Development Block Grant

Attachment 5

[Housing & Neighborhood Development Committee Presentation on November 11 Funding Request](#)

14. Moore Place Housing Support Funding Request



Action: Approve the Housing & Neighborhood Development Committee recommendation to grant \$1.0 million in Housing Trust Fund dollars for the expansion of Moore Place.

Committee Chair: LaWana Mayfield

Staff Resource: Pamela Wideman, Neighborhood & Business Services

Policy

- On November 26, 2001, the City Council established a Housing Trust Fund to provide financing for affordable housing in the Charlotte community.
- In 2007, the City Council adopted the Ten-Year Plan to End and Prevent Homelessness.
- On May 13, 2013, the City Council adopted the U.S. Department of Housing and Urban Development Annual Action Plan (Plan).
- The Plan identified the need for affordable, safe, and decent housing for low and moderate-income families.
- The Plan reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

Explanation

- The Urban Ministry Center is requesting a \$1.0 million grant from the Housing Trust Fund for the expansion of Moore Place. Other expansion partners include the Charlotte Housing Authority, Mecklenburg County, and Carolina's HealthCare System.
- The Urban Ministry Center is seeking to expand Moore Place by adding 35 new units of permanent supportive housing, of which, 10 will be set aside for chronically homeless veterans.
- Moore Place is a permanent supportive housing development for chronically homeless adults, many of whom have at least three disabling conditions. The development includes services such as life skills training, access to health care, and individual case management.
- Current on-site supportive services at Moore Pace are provided through Mecklenburg County and Carolinas Health Care System. Mecklenburg County provides five full-time social workers. Carolina's HealthCare System provides a nurse, a psychiatrist, and access to a primary care physician.

- Since July 2012, Moore Place has been fully operational and has maintained a 100% occupancy rate, demonstrating the demand for permanent housing for the chronically homeless.
- Moore Place residents have lease obligations and pay monthly rent of 30% of their annual income. Examples of income include disability and social security benefits.
- Moore Place is located at the corner of Lucena and Moretz Avenue, in the Druid Hills neighborhood.
- The Druid Hills Neighborhood is supportive of the Moore Place expansion.

Housing & Neighborhood Development Committee Action

On November 11, 2013, the Housing and Neighborhood Development Committee voted unanimously (Mayfield, Autry, Barnes, Cooksey voted yes; Mayor Kinsey was absent) to approve the Urban Ministry Center funding request.

Charlotte Business INclusion

The Urban Ministry Center has committed to 10% MWSBE participation on this project.

Funding

Housing Trust Fund

Attachment 6

[Housing & Neighborhood Development Committee Presentation on November 11 Funding Request](#)

15. 2014 Federal Legislative Agenda

Action: Approve the Governmental Affairs Committee recommendation to adopt the 2014 Federal Legislative Agenda.

Committee Chair: Andy Dulin

Staff Resources: Ron Kimble, City Manager's Office
Dana Fenton, City Manager's Office

Explanation

- At the November 11, 2013 Council Business Meeting, the City Council received a briefing on the proposed 2014 Federal Legislative Agenda proposed by the Governmental Affairs Committee.
- The proposed 2014 Federal Legislative Agenda addresses the need to:
 - Advance the design, construction, and opening (commissioning) of the new airport control tower,
 - Secure FY2015 funding for the new U.S. Courthouse in Charlotte,
 - Support the municipal bond tax exemption,
 - Support reauthorization of the surface transportation program, and
 - Support continuation of federal resources for the build-out of the 2030 Transit System Plan.
- The 2014 session of the U.S. Congress will convene on January 3, 2014.

Governmental Affairs Committee Action

The Governmental Affairs Committee voted unanimously (Dulin, Fallon, Cannon, and Pickering; Mitchell was absent) to approve the 2014 Federal Legislative Agenda at its November 11, 2013 meeting.

Next Steps

The approved 2014 Federal Legislative Agenda will be used as the primary vehicle for discussions with the Congressional Delegation in 2014, including meetings to be scheduled during the National League of Cities Congressional City Conference from March 8-12, 2014.

Attachment 7

[2014 Federal Legislative Agenda](#)

BUSINESS

16. Conclusion of Consent Agenda

17. Appointments to Boards and Commissions

Action: Vote on blue paper ballots and return to Clerk at dinner.

A. WASTE MANAGEMENT ADVISORY BOARD

- One recommendation by the City Council for appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending February 1, 2014, and then continuing for a full three-year term beginning February 2, 2014, and ending February 1, 2017.
 - Marty Doss by Council member Fallon
 - Ann White by Council members Howard, Mayfield, Mitchell and Pickering

Attachment 8
[Application](#)

18. Mayor and Council Topics

Council members may share information and raise topics for discussion

19. Closed Session

Action: Adopt a motion pursuant to NC General Statute 143-318.11(a)(4) to go into closed session to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.

20. Closed Session

Action: Adopt a motion pursuant to NC General Statute 143-318.11(a)(3) to go into closed session to consult with attorneys employed or retained by the City of Charlotte in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of a contract claim between the City and Intergraph Corporation.

CONSENT

Introduction to CONSENT

Consent consists of routine items that have been approved in the budget. Price lists for unit price contracts are available upon request.



In April 2013, the City Council voted to replace the City's Small Business Opportunity Program with the Charlotte Business INCLUSION program. On July 1, 2013, the City phased in the Charlotte Business INCLUSION program into all of its practices and procedures.

The Charlotte Business INCLUSION program seeks to promote diversity, inclusion, and local business opportunities in the City's contracting and procurement process for Minority, Women, and Small Business Enterprises (MWSBEs) headquartered in the Charlotte Combined Statistical Area. Participation of Minority, Women, or Small Business Enterprises (MBE, WBE, or SBE) is noted where applicable.

For a period of time during FY2014, projects appearing in the Council Agendas will incorporate Policy references for either the current Charlotte Business INCLUSION program or the Small Business Opportunity Program.

The applicable Charlotte Business INCLUSION program Policy or the Small Business Opportunity Program policy sections are referenced at the end of the Council Request for Council Action.

Disadvantaged Business Enterprise

Disadvantaged Business Enterprise is a federal program primarily used for Aviation and Transit.

Contractors and Consultants

All contractor and consultant selections follow the Council-approved process unless described otherwise. For the procurement of professional services and/or engineering, architectural, and surveying services, the North Carolina General Statutes 143-64.31 requires that units of government "select firms qualified to provide such services on the basis of demonstrated competence and qualification...without regard to fee other than unit price information, and therefore to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm."

The property transaction process following the City Council approval for condemnation is referenced at the end of Consent.

21. Charlotte Regional Transportation Planning Organization Funding

- Action:**
- A. Accept Federal Highway Administration funds, in the amount of \$616,448, on behalf of the Charlotte Regional Transportation Planning Organization designated for regional planning activities,**
 - B. Accept the Charlotte Regional Transportation Planning Organization member contributions in the amount of \$147,859, and**
 - C. Adopt a budget ordinance appropriating \$764,307.**

Staff Resources: Jayne Peterson, Transportation
Robert Cook, Planning

Explanation

- On August 26, 2013, the City Council approved the Transportation & Planning Committee recommendation for a revised Metropolitan Planning Organization Memorandum of Understanding.
 - The recently adopted Memorandum of Understanding reconstituting the Metropolitan Planning Organization includes a new provision that requires member organizations to contribute to the local match based on population.
 - The Charlotte Regional Transportation Planning Organization determines the regional planning activities that are anticipated for the coming fiscal year, and documents the allocation of state and federal funds associated with each planning activity.
 - The Federal Highway Administration provides annual grants to metropolitan planning organizations and requires a 20% local match. These allocations are included in the City's annual operating budget.
- The Federal Highway Administration has as an additional \$616,448 available to the Charlotte Regional Transportation Planning Organization in FY2014 bringing the total available funds to \$2,324,260 as summarized in the chart below:

Funding Source	Amount
Federal grant funds for regional planning	\$376,448
Additional one-time funding available for regional transportation purposes	\$240,000
Subtotal	\$616,448
Other members of the Charlotte Regional Planning Organization's match for the federal grant	\$147,859
Budget Ordinance Appropriation	\$764,307
Already Appropriated Funds	
Federal grant funds	\$1,260,000
City of Charlotte's match for the Federal Grant	\$239,953
City of Charlotte's match for the one-time opportunity for additional Federal Highway Administration Funds	\$60,000
Total	\$2,324,260

Background

- The Charlotte Regional Transportation Planning Organization serves as the Metropolitan Planning Organization for the Charlotte Urbanized Area.
- The City of Charlotte provides staff support for the Charlotte Regional Transportation Planning Organization, including financial services.

Funding

Federal Regional Transportation Planning Grant and Charlotte Regional Transportation Planning Organization

Attachment 9

[Budget Ordinance](#)

22. Congestion Management Process Contract Extension

Action: Authorize the City Manager to negotiate and execute a contract extension, on behalf of the Charlotte Regional Transportation Planning Organization, with RS&H Architects-Engineers-Planners, Inc. in an amount not-to-exceed \$469,256 to:

- **Implement the Congestion Management Process, and**
- **Complete work associated with development of the roadway project ranking methodology for the Metropolitan Transportation Plan.**

Staff Resource: Robert Cook, Planning

- A contract extension is requested to implement the Congestion Management Process, which will apply performance measures and mitigation strategies to roadway projects approved for inclusion in the Metropolitan Transportation Plan's fiscally-constrained roadway project list. The Charlotte Regional Transportation Planning Organization developed the list in October 2013.
- The extension will also permit work begun on the roadway ranking methodology to be completed.
- The project will use federal matching grant funds designated for the purpose of supporting the Charlotte Regional Transportation Planning Organization.
- Including the contract extension, the total contract amount is estimated up to \$694,256.

Background

- On July 23 2012, the City Council awarded a contract, to RS&H Architects-Engineers-Planners, Inc. (RS&H), to develop a Congestion Management Process in an amount up to \$225,000. RS&H was selected for this project using the Council-approved qualifications based selection process.
 - The original contract scope with RS&H involved:
 - Developing the goals and objectives, performance measures, and mitigation strategies for the Congestion Management Process;
 - Evaluating the Metropolitan Planning Organizations existing roadway project ranking process; and
 - Developing a new, quantitative methodology.
- In February 2013, the Charlotte Regional Transportation Planning Organization approved the Congestion Management Processes goals and objectives and performance measures; a revised roadway ranking methodology was approved in March 2013.

- The Charlotte-Mecklenburg Planning Department is the lead planning agency for the Charlotte Regional Transportation Planning Organization, which serves as the Metropolitan Planning Organization for the Charlotte urbanized area.
- Metropolitan Planning Organizations are:
 - Required to assess strategies that are non-traditional, single-occupant vehicle expansion projects (such as roadway widening and new construction of general purpose travel lanes) before programming roadway capacity expansion construction projects; and
 - Required to prepare Metropolitan Transportation Plans, which are long-range (minimum horizon-20 years) that detail the transportation improvements and policies to be implemented in their planning area.
- Metropolitan Planning Organizations, whose populations exceed 200,000, are required to carry out a Congestion Management Process to:
 - Examine the sources of congestion,
 - Evaluate alternative strategies for alleviating congestion, and
 - Monitor the performance of these strategies.

Small Professional Service Firm (SPSF) Opportunity

Since this contract will be either partially or totally funded by the Charlotte Regional Transportation Planning Organization the North Carolina Department of Transportation SPSF program is required.

On the original contract, RS&H included a SPSF certified firm, Clearbox Forecast Group, PLLC (modeling activity) on their project team. It was later decided to perform modeling related activities in-house which eliminated the need for the SPSF firm.

Funding

Federal Regional Transportation Planning Grant and the Charlotte Regional Transportation Planning Organization

23. Metropolitan Transportation Plan

Action: Authorize the City Manager to negotiate and execute a contract, on behalf of the Charlotte Regional Transportation Planning Organization, with RS&H Architects-Engineers-Planners, Inc. to assist in the development of the Metropolitan Transportation Plan, in an amount not-to-exceed \$177,074.

Staff Resource: Robert Cook, Planning

Explanation

- A Metropolitan Transportation Plan is a federally-mandated, long-term (minimum horizon-20 years) planning document that details the transportation improvements and policies that are to be implemented in the Metropolitan Planning Organization's planning area.
- Metropolitan planning organizations, in air quality non-attainment areas, are required to update Metropolitan Transportation Plans every four years.
- RS&H Architects-Engineers-Planners, Inc. will assist staff in developing the Metropolitan Transportation Plan by:
 - Overseeing the production and formatting of all components and contents of the Metropolitan Transportation Plan, and delivering the final plan document prior to the March 2014 deadline;

- Ensuring the Metropolitan Transportation Plan complies with all federal regulations;
 - Compiling, organizing, editing and evaluating all materials submitted for inclusion in the document;
 - Preparing an Executive Summary, which will be a stand-alone document summarizing the Metropolitan Transportation Plan's contents;
 - Coordinating and facilitating public involvement activities, including but not limited to outreach to low-income and minority communities;
 - Ensuring that the final document and Executive Summary are available in a website-friendly format.
- In June 2013, a Request for Qualifications was issued; three responses were received.
 - A multi-jurisdictional evaluation team including representatives from Planning, the Charlotte Department of Transportation, and Engineering & Property Management, reviewed the proposals and selected RS&H Architects-Engineers-Planners, Inc. using a Council-approved qualification based selection process. The team determined that the RS&H proposal was the superior submittal.
 - The project will be funded with federal matching grant funds, designated for the purpose of supporting the Charlotte Regional Transportation Planning Organization.

Background

The Charlotte Regional Transportation Planning Organization serves as the Metropolitan Planning Organization for the Charlotte urbanized area.

Small Professional Service Firm (SPSF) Opportunity

Since this contract will be either partially or totally funded by the Charlotte Regional Transportation Planning Organization, the North Carolina Department of Transportation SPSF program is required.

RS&H has met this requirement by including an SPSF certified firm, Tupponce Enterprises (low income and minority community outreach) on their project team.

Funding

Federal Regional Transportation Planning Grant Funds and the Charlotte Regional Transportation Planning Organization

24. Police Equipment Donations

Action: Adopt a resolution authorizing donation of the following to police departments that assisted with the Democratic National Convention:

- Equipment valued at approximately \$19,500, purchased for the Convention and was not included in the City's prior donation, and
- Police bicycles and mobile field force equipment valued at approximately \$31,140, not purchased with federal funds.

Staff Resource: Mike Adams, Police

Explanation

- North Carolina General Statute §160A-280 authorizes the donation of personal property from a city to a non-profit organization, or another government unit upon adoption of a resolution by the City Council.
- On February 25, 2013, the City Council adopted a resolution authorizing the donation of equipment, purchased for the Democratic National Convention, to participating police agencies.
 - The equipment was purchased by a U.S. Department of Justice Security Grant.
 - The Charlotte-Mecklenburg Police Department donated the personal equipment to 112 of the police agencies that assisted with convention security.
 - The estimated value of the donated equipment was \$1,469,525.
- The Charlotte-Mecklenburg Police Department has received requests for additional equipment from North Carolina law enforcement agencies.
 - The equipment includes wooden batons, flashlight holders, and riot shields.
 - The value of the additional equipment to be donated is approximately \$19,500.
- In addition to the above, the Charlotte-Mecklenburg Police Department has received requests; from North Carolina law enforcement agencies, for police bicycles and mobile field force equipment that could not be accommodated with equipment purchased specifically for the Democratic National Convention with Department of Justice funds.
 - The Police Department wishes to accommodate these requests as closely as possible by donating older excess equipment from its current inventory, which has been replaced with newer models.
 - The estimated value of the excess equipment is \$31,140. If these items are not donated to requesting departments, they would otherwise be sent to surplus.
- A list of all of the donated equipment is available upon request from the Charlotte-Mecklenburg Police Department.

Attachment 10
[Resolution](#)

25. 2013 Assistance to Firefighters Grant Applications

- Action:**
- A. Authorize the Charlotte Fire Department to apply for a grant from the 2013 Assistance to Firefighters Local Grant program in the amount of \$2.7 million that requires City matching funds of \$300,000 for equipment and protective gear, and**
 - B. Authorize the Charlotte Fire Department to apply for a grant from the 2013 Assistance to Firefighters Regional Grant program in the amount of \$2.55 million to enhance regional radio communications.**

Staff Resources: Rich Granger, Fire
Jeff Dulin, Fire

Explanation

2013 Assistance to Firefighters Local Grant

- The 2013 Assistance to Firefighters Grant Program allows fire and emergency medical service departments to apply for matching grants for equipment and protective gear.
- Fire would like to use the grant funds to purchase the following:
 - 1,100 sets of turnout gear to include both the coat and pants worn by firefighters when responding to fire emergencies.
 - The purchase would provide a second set of gear for all Fire operations personnel and allow the department the opportunity to launder and repair gear more frequently ensuring that it is safe for firefighters to wear during responses.
 - A new traffic control system, which would improve preemption coverage throughout the City, decreases the impact of preemption, and improves emergency vehicle response time performance.
- The grant is a 90% federal share and 10% local match. The federal 90% share will be \$2.7 million from the federal government. The local 10% share will be \$300,000, which will come from funds already appropriated in Fire's operating budget.

2013 Assistance to Firefighters Regional Grant

- Fire would like to serve as the host applicant agency for a regional grant to enhance regional radio communications.
- Grant funds would cover projects to include:
 - The enhancement of the radio tower in Davidson, North Carolina, that serves Mecklenburg, Iredell, and Cabarrus Counties; and
 - The addition of two radio channels to the current channel bank.
- The grant is an 85% federal share and 15% local match. The federal 85% share will be \$2,550,000 from the federal government. The local 15% share will be \$450,000, which is funded by local governments that participate on the Regional Radio System (no City of Charlotte funds are required for the match).
- A future City Council action will be requested to accept the grant awards.

Funding

2013 Assistance to Firefighters Grant, Fire Operating Budget, and Public Safety Communication Capital Reserve Fund

26. 2013 State Homeland Security Grant Acceptance

- Action:**
- A. Authorize the City Manager to accept \$89,437 in grant funds from the 2013 State Homeland Security Grant Program, and**
 - B. Adopt a budget ordinance appropriating \$89,437 in State Homeland Security Grant Funds.**

Staff Resource: Jeff Dulin, Fire

Explanation

- The 2013 State Homeland Security Grant Program provides funds for states and territories to prepare for, prevent, respond to, and recover from acts of terrorism and other hazards.
 - The State of North Carolina received grant award funds with the requirement to pass 80% to local government entities.
- The Charlotte Fire Department would like to accept the grant award for Domestic Preparedness and Readiness Region Seven. Region seven includes the North Carolina counties of: Mecklenburg, Gaston, Union, Cabarrus, Lincoln, Iredell, Stanly, Rowan, Catawba, and Cleveland.
- The grant funds will be used to purchase generators and light towers for regional response and recovery missions.
- There are no matching funds required for this grant.

Funding

2013 State Homeland Security Grant

Attachment 11

[Budget Ordinance](#)

27. Compressed Natural Gas Refuse Vehicles Grant Acceptance and Purchase

- Action:**
- A. Authorize the City Manager to accept the 2013 Clean Fuel Advanced Technology Grant award of \$168,400,**
 - B. Adopt a budget ordinance appropriating \$168,400 from North Carolina State University's North Carolina Solar Center,**
 - C. Approve the purchase of five compressed natural gas refuse truck cab/chassis from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), and**
 - D. Approve a contract with Chastang's Bayou City Autocar for the purchase of five compressed natural gas refuse truck cab/chassis.**

Staff Resource: Victoria Johnson, Solid Waste Services

Cooperative Purchasing Exemption

- NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.
- Chastang's Bayou City Autocar has a national contract through the Buyboard National Purchasing Cooperative that guarantees their lowest prices.

Explanation

- The Clean Fuel Advanced Technology project is focused on reducing transportation-related emissions in North Carolina counties that have air quality concerns.
- The North Carolina Solar Center, at North Carolina State University, is the project administrator; the project is funded by the North Carolina Department of Transportation.
- On November 11, 2013, Solid Waste Services was notified of the grant award.
- The grant will provide 80% of funding (\$168,400), and the City will pay the remaining 20% (\$42,100) matching portion of the grant, which is appropriated in the General Capital Equipment Fund. The grant and City matching funds cover the incremental cost difference between the diesel and Compressed Natural Gas (CNG) cab/chassis.
- The unit price of the CNG-fueled automated refuse truck cab/chassis is \$191,550; the current diesel-fueled automated refuse truck cab/chassis is approximately \$149,450.
- The total contract amount is estimated at \$957,750.
- The additional CNG vehicles will not expand the size of the Solid Waste Services fleet because they will replace five diesel vehicles scheduled for replacement through the City's approved FY2014 General Capital Equipment list.
 - The five CNG fueled refuse trucks will burn cleaner fuel, reduce carbon dioxide emissions, and provide fuel cost savings.
 - Compressed natural gas is estimated to be 50% less expensive than diesel fuel.
 - The purchase of the five CNG vehicles will increase the CNG refuse truck fleet to 15.

- The project supports the City's commitment to sound environmental practices in City facilities and operations.

Charlotte Business INclusion

This is a cooperative purchasing contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Funding

2013 Clean Fuel Advanced Technology Grant and General Capital Equipment Fund

Attachment 12

[Budget Ordinance](#)

28. Advance Planning for General Community Investment Plan Bond Referenda

Action:

- A. Authorize the City Manager to begin advance planning on future General Community Investment bond referenda projects in an amount up to \$6.2 million, and**
- B. Adopt a budget ordinance appropriating \$1.8 million from the Roadway Planning & Design Account in the Pay-As-You-Go General Community Investment Plan and \$4.4 million from the Municipal Debt Service Fund for advance planning of future bond referenda projects.**

Staff Resources: Jeb Blackwell, Engineering & Property Management
Randy Harrington, Budget & Evaluation

Explanation

- On June 10, 2013, the City Council adopted an \$816.4 million General Community Investment Plan.
 - The plan includes four bond referenda over four bond cycles: 2014, 2016, 2018, and 2020. The first bond referendum is planned for November 2014.
 - The projects in the 2014 bond referendum are focused on investing in corridors, increasing connections among neighborhoods, and community enhancement.
- Charlotte has a history of conducting advance planning work on infrastructure investments prior to bond referenda.
- Ultimately, advance planning shortens the time between voter approval and project completion. Other benefits include:
 - More accurate construction cost estimates;
 - Lessens inflation factor impact on future construction costs;
 - More accurate description of project scope and impacts prior to bond referendum; and
 - Community engagement to help refine how the investments can best create value and impact in the community.
- Advance planning could include the following activities:
 - Environmental assessments;
 - Community engagement to clarify community needs and impacts;
 - Mapping;
 - Identification of public/private economic development opportunities;
 - Scope development;

- Identification of safety needs; and
- Refinement of project cost estimates.
- A typical large-scale project requires approximately 5-7 years from start to completion and includes the following elements and approximate times:
 - Planning/public engagement: 12-18 months
 - Design: 12-18 months
 - Right-of-way acquisition / legal: 12-18 months
 - Utility relocation: 6-12 months
 - Bid and award: 6-9 months
 - Construction: 12-24 months
- The investments listed in the attachment of projects are recommended for advance planning because of their impact on economic development, transportation mobility, community enhancement, and safety.

Funding Explanation

- Available source to fund some advance planning:
 - Roadway Planning and Design funds that are budgeted annually in the Pay-As-You-Go General Community Investment Plan. This account is funded from one penny of the existing five-cent rental car tax rate. Staff proposes using \$1.8 million from the account's current balance of \$2.4 million.
- An additional source is needed to meet advance planning funding needs. Staff proposes loaning \$4.4 million of the \$27.2 million in new revenue that the Municipal Debt Service Fund is receiving in FY2014 for the purposes of retiring future debt associated with the General Community Investment Plan bond referenda. Following approval of the November 2014 bond referendum, the revenue to the Municipal Debt Service Fund would be restored through the issuance of debt. As long as repayment occurs in FY2015, existing debt capacity will not be impacted.
- In the event that the 2014 bond referendum is not approved, funding for the advance planning would come from the new Municipal Debt Service Fund revenue received during FY2014.
- In summary, \$6.2 million of funding is proposed, which would be comprised of the following sources:

Source	Amount
Pay-As-You-Go General Community Investment Plan	\$1,800,000
Municipal Debt Service Fund	\$4,400,000
Total	\$6,200,000

Funding

General Community Investment Plan and Municipal Debt Service Fund

Attachment 13

[General Community Investment Plan projects identified for advance planning funding](#)
[Summary of all General Community Investment Plan projects by bond cycle](#)
[Budget Ordinance](#)

29. Mallard Creek Road Project Municipal Agreement

Action: Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation for performing traffic signal work associated with the Mallard Creek Road project.

Resource: Charles Abel, Transportation

Explanation

- The project will widen and realign Mallard Creek Road between Graham Street and West Harris Boulevard.
- The North Carolina Department of Transportation has authorized the City to perform all traffic signal work associated with the Project.
- A Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation is necessary for the City to be reimbursed up to the estimated cost of \$396,000 for traffic signal work performed at the following intersections:
 - Graham Street/Mineral Springs Road/Sugar Creek Road,
 - Graham Street/City Boulevard,
 - Graham Street/Nevin Road,
 - Graham Street/Mallard Creek Road,
 - Mallard Creek Road/Hubbard Road, and
 - Mallard Creek Road/W WT Harris Boulevard.
- The construction project will begin in the first quarter of 2014, and end in the fourth quarter of 2016.
- The format and cost sharing philosophy is consistent with past Municipal Agreements.

Charlotte Business INclusion

This is an Interlocal agreement and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Funding

North Carolina Department of Transportation

Attachment 14

[Resolution](#)

30. Heating, Ventilation, and Air Conditioning Controls Programming Services

- Action:**
- A. Approve the Heating, Ventilation, and Air Conditioning Controls Programming Services from a cooperative purchasing contract as authorized by G.S. 143-129(e)(9a),**
 - B. Approve a unit price contract with Schneider Electric for Heating, Ventilation, and Air Conditioning Controls Programming Services for an initial one-year term, and**
 - C. Authorize the City Manager to extend the contract for up to three additional, one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

Staff Resource: Sue Rutledge, Engineering & Property Management

Cooperative Purchasing Exemption

North Carolina S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

Explanation

- Building automation systems are a computerized network of intelligent electronic devices designed to monitor and control various building systems and optimize their efficiency.
- The systems reduce the amount of energy needed to maintain buildings by controlling run times and maximum motor efficiencies.
- By reducing energy consumption, the City saves in operating costs.
- Schneider Electric has a contract awarded through the U.S. General Services Administration that offers competitively obtained contracts for facility management systems. The contract was awarded on September 1, 2010 for a term of five years.
 - The contract includes provisions for systems maintenance as well as upgrades on proprietary hardware and software systems in a computerized building automation system. Schneider Electric is used in many City facilities.
- The contract will be applied to the numerous City facilities, which uses Schneider controls.
- The services provided through this contract also support the Envision Charlotte energy initiative by improving communications between our building operating systems and the Envision network.
- Annual expenditures are estimated at approximately \$175,000.

Charlotte Business INClusion

This is a cooperative purchasing contract and is exempt (Part A: Appendix 27 of the Charlotte Business INClusion Policy).

Funding

General Community Investment Plan

31. Utility Biogas-Fuel Generator

Action: Approve a contract, in the amount of \$1,855,067, with Nixon Energy Solutions for the purchase and a 10-year maintenance plan for power generating equipment at McAlpine Creek Wastewater Treatment.

Staff Resource: Barry Gullet, Utility

Explanation

- The Charlotte-Mecklenburg Utility Department is pursuing opportunities to reduce dependence on the energy grid by converting biogas (methane gas) to generate energy.
- Using biogas, which is produced during the wastewater treatment process, provides one solution to reduce grid energy usage. Similar processes are used for some landfill power projects across the United States.
- The generator will produce approximately one megawatt of power, which is approximately 16% of the energy needed at McAlpine Wastewater Treatment Plant.
- On August 26, 2013, a Request for Proposals was issued; one proposal was received in response to the solicitation.
- The cost of the generator is \$886,267 and the annual maintenance contract covers preventative maintenance for 10 years, at an annual cost of \$96,880.
- The total project cost is estimated to be \$3.7 million, which includes the generator, 10-year maintenance plan, design, and construction of the building that will house the generator.
- The City Council will be asked to approve contracts for design and construction services in the spring and summer of 2014.
- The resulting annual power savings are projected at approximately \$300,000 leading to a total project payback of approximately 13 years.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Utility Community Investment Plan

32. Mallard Creek Wastewater Treatment Plant Contract Amendment

Action: Approve contract amendment #1, in the amount of \$173,291, with HDR Engineering, Inc. of the Carolinas for additional construction administration and inspection services for the Mallard Creek Wastewater Treatment Plant.

Staff Resource: Barry Shearin, Utility

Explanation

- The Mallard Creek Wastewater Treatment Plant, located near the Charlotte Motor Speedway, is undergoing construction enhancements.
- On March 26, 2012, the City Council approved a contract with HDR Engineering, Inc. of the Carolinas in the amount of \$5,338,100.
- HDR Engineering is providing construction administration and part-time inspection services for this project. An amendment to the HDR contract is needed to accommodate the following:
 - The extended construction time due to excessive wet weather between December 2012 and June 2013;
 - An increase in the level of service for inspections from part-time to full-time. The change will preclude the need for a consultant inspector at the Sugar Creek Plant project; and
 - Additional engineering costs have been incurred for a design change to one structure on the project. This design change was developed through collaboration between the contractor, plant operations staff, and the engineer as a way to reduce the cost and impact to plant operations. The change resulted in a net cost savings to the project.
- Contract amendment #1 and the original contract will bring the new total contract amount to \$5,511,391.

Charlotte Business INclusion

All additional work involved in this amendment will be performed by HDR Engineering and their existing subcontractors (Part D: Section 6 of the SBO Policy).

Funding

Utility Community Investment Plan

33. Sewer Cleaning and Closed-Circuit Television Inspection

- Action:**
- A. Award the low-bid, unit price contract to Jaamco, Inc. for sewer cleaning and closed-circuit television inspections, and**
 - B. Authorize the City Manager to renew the contract for up to two additional terms with possible price adjustments at the time of renewal as authorized by the terms of the contract.**

Staff Resource: Barry Shearin, Utility

Explanation

- The Charlotte-Mecklenburg Utility Department manages sanitary sewer main cleaning and pipeline closed-circuit television inspection services to support the Department's sewer line rehabilitation program and other engineering projects on an as-needed basis.
- These services are needed to evaluate the condition of sewer mains and determine when and where repair or replacement is needed.
- The work will be assigned on an as-needed basis; the contract term will end when all the money has been expended, which typically takes nine to 12 months.
- The annual expenditures are estimated to be \$256,961.25.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy). Jaamco, Inc. is a certified SBE firm.

Funding

Utility Community Investment Plan

34. Community Development Block Grant for Walkers Ferry Road Water Line

- Action:**
- A. Accept a Community Development Block Grant, in the amount of \$216,205, from Mecklenburg County for the design and construction of the Walkers Ferry Road water line,**
 - B. Authorize the City Manager to execute an agreement with Mecklenburg County for acceptance of grant funds for the design and construction of the water main, and**
 - C. Adopt a budget ordinance appropriating \$216,205.**

Staff Resource: Barry Gullet, Utility

Explanation

- On March 22, 2010, the City Council approved an application for a grant with Mecklenburg County for the construction of the Walkers Ferry Road water line.
 - Mecklenburg County applied to the U.S. Department of Housing and Urban Development for federal funding under the Community Development Block Grant program.
 - The grant funds eligible projects located in unincorporated areas in Mecklenburg County.
 - The project was approved as part of the City's FY2011-2015 Capital Investment Plan.
- Walkers Ferry Road water main serves one of the identified eligible geographic areas, due west of the Airport between the Catawba River and I-485 (Dixie Berryhill Area).
- The project was proposed in three phases matching the three-year funding cycle of the grant. Phase three of the project will construct approximately 1,500 linear feet of 12-inch water main along Walkers Ferry Road. This is the final phase of the project.
- The Utility Department anticipates bringing a construction contract for the final phase, to the City Council, in the spring of 2014.

Funding

Utility Community Investment Plan and a Community Development Block Grant

Attachment 15

[Budget Ordinance](#)

35. Airfield Capacity Enhancement Plan

- Action:**
- A. Approve a professional services contract, in the amount of \$2.5 million, with Landrum & Brown to prepare an Airfield Capacity Enhancement Plan, and**
 - B. Adopt a budget ordinance appropriating \$2.5 million from the Airport Discretionary Fund to the Aviation Capital Investment Plan.**

Staff Resource: Jack Christine, Aviation

Explanation

- In July 2013, safety concerns with converging operations caused the Federal Aviation Administration to restrict daytime use of Runway 5/23.
 - The change in operations reduced hourly arrival capacity by 12%, from 96 to 85 arrivals per hour when the airfield is used in a south operation.
- At the August 26, 2013, dinner briefing, Aviation Department staff presented an overview of the operational impacts of the Federal Aviation Administration's decision and an action plan for the future, including a capacity enhance plan.
- In order to identify ways to regain the loss of capacity, the Aviation Department will develop an Airfield Capacity Enhancement Plan (Plan) to evaluate the benefits and timing of additional airfield development.
- Specific elements of the Plan include:
 - An aviation activity demand forecast,
 - Simulation,
 - Modeling,
 - Airside demand/capacity analysis,
 - Airfield requirements analysis,
 - Alternatives analysis, and
 - Preparation of an electronic Airport Layout Plan in accordance with Federal Aviation Administration regulations.
- All information gathered for the Plan will provide sufficient data to complete a benefit-cost analysis for the identified enhancements.
- A Request for Qualifications was issued on August 30, 2013; five proposals were received.
- A selection committee comprised of airport staff and representatives from the Federal Aviation Administration and US Airways selected Landrum & Brown based on qualifications, project team experience, and the ability to meet the disadvantaged business enterprise requirements.

Disadvantaged Business Enterprise (DBE)

Established DBE Goal: 10%

Committed DBE Goal: 10%

Landrum & Brown met the established DBE goal, and has committed 10% (\$250,000.00) of the total contract amount to the following DBE firm(s): Airport Design Consultants, Inc. (airport layout plan set), AccuTech Surveying and Mapping, LLP (ground surveys), and Triangle Aerial Surveys, Inc. (photogrammetry services).

Funding

Aviation Capital Investment Plan

Attachment 16

[Budget Ordinance](#)

36. Airport Entrance Roadway Change Order #1

Action: Approve change order #1, in the amount of \$400,747, with Blythe Construction Company.

Staff Resource: Jack Christine, Aviation

Explanation

- On June 25, 2012, the City Council approved a contract with Blythe Construction in the amount of \$18,220,961.05 for the construction of the new entrance roadway to the Airport.
- In 2013, the Aviation Department also began planning for the expansion of Long Term Parking Lot Two. During this planning phase, Aviation determined that curb and gutter needed to be installed on approximately 1,400 linear foot of the new entrance roadway to divert the storm water drainage.
- The Aviation Department also needs to make modifications to the Daily North Parking Lot to maintain efficient access for the public during construction of the new entrance road.
- The new total value of the contract is \$18,621,708.05.
- Funding for this change order comes from General Airport Revenue Bond proceeds.

Charlotte Business INClusion

All additional work involved in this change order will be performed by Blythe Construction Company and their existing subcontractors (Part D: Section 6 of the SBO Policy)

Funding

Aviation Community Investment Plan

37. Airport Financial Services Contracts

- Action:**
- A. Approve a one-year contract with Frasca and Associates, LLC for financial advisory and consulting services,**
 - B. Approve a one-year contract with Newton & Associates, Inc. for financial feasibility services,**
 - C. Authorize the City Manager to execute two, one-year contract extensions with Frasca and Associates and two, one-year contract extensions with Newton & Associates, and**
 - D. Adopt a budget ordinance appropriating \$410,000 from the Airport Discretionary Fund to the Airport Operating Fund.**

Staff Resource: Brent Cagle, Aviation

Explanation

- The Aviation Department requires specialized professional assistance in managing the financing and implementation of the Aviation Capital Investment Plan and the preparation of its financial statements, feasibility reports, and other required financial items.
- On November 8, 2010, the City Council approved a contract with Newton & Associates for capital investment plan program management services.
- Newton & Associates will provide financial services, including the preparation and maintenance of the Airport's pro forma and plan of finance, the development and maintenance of a rates and charges module, as well as feasibility reports and related schedules.
- Frasca & Associates will provide advisory and consulting services including reviewing financial documents to ensure compliance with federal regulations, preparation of rating agency correspondence and presentations, funding strategies, and other items as needed. In addition, the firm will develop and prepare an aviation-specific annual report, a best practice of other large hub airports.
- The companies were selected based on their qualifications and their experience with airport financing, rates, and charges.
- The estimated annual expenditure for Frasca & Associates is \$300,000 and for Newton & Associates is \$400,000.
- The budget ordinance will fund the contracts for the remainder of FY2014.

Charlotte Business INclusion

No SBE goal was set for these service contracts because there are not subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Aviation Operating Budget

Attachment 17

[Budget Ordinance](#)

38. Airport Interior Landscape Contract

Action: Award a low-bid contract, in the amount of \$148,500, with Sedgefield Interior Landscapes Inc. for interior landscape services in the passenger terminal at the Charlotte Douglas International Airport.

Staff Resource: Brent Cagle, Aviation

Explanation

- The Aviation Department contracts for the maintenance and care of the trees and plants in the Airport's passenger terminal.
- On September 24, 2013, the Aviation Department posted an Invitation to Bid for a three-year contract. The contract required a prequalification process; Aviation contacted multiple city vendors as part of the process.
- Two companies participated in the prequalification process, but only Sedgefield Interior Landscapes met the prequalification requirements.

Charlotte Business INclusion

No SBE goal was set for this service contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Aviation Operating Budget

39. Airport Truck Purchase

Action:

- A. Approve the purchase of five pickup trucks from a state contract as authorized by G.S. 143-129(e)(9),
- B. Approve a contract, in the amount of \$130,945, with Piedmont Truck Center per State Contract #070G,
- C. Approve the purchase of five utility bodies from a state contract as authorized by G.S. 143-129(e)(9), and
- D. Approve a contract, in the amount of \$41,185.32, with Knapheide per state contract #065A.

Staff Resource: Mark Wiebke, Aviation

State Contract Exemption

G.S. 143-129(e)(9) allows local government to purchase from state contracts if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the state contract.

Explanation

- The Airport is replacing four trucks and four utility bodies, which average over 100,000 miles each, and is also purchasing one new truck and one new utility body for an additional maintenance crew to use.
- The four trucks are at the end of their useful life and require costly maintenance repairs.

- The trucks have been approved through the City's FY2014 Capital Equipment list.
- Piedmont Truck Center is willing to provide five pickup trucks and Knapheide is willing to provide five utility bodies to the City at the same or better terms as are provided in the North Carolina State contract.
- The unit prices are set forth in the proposed contract, and are available upon request.

Charlotte Business INclusion

This is a no competitive process contract and is exempt (Appendix A: Appendix 27 of the Charlotte Business Inclusion Policy).

Funding

Aviation Operating Budget

40. Airport Taxiway and Ramp Design Services

- Action:**
- A. Approve a contract, in the amount of \$220,500, with W.K. Dickson & Co., to provide professional design services for taxiway and ramp expansions, and**
 - B. Adopt a budget ordinance appropriating \$220,500 from the Airport Discretionary Fund to the Aviation Capital Investment Plan.**

Staff Resource: Jack Christine, Aviation

Explanation

- Runway 18L is one of the original runways at the Airport. The runway is connected to Taxiway 'C', which runs parallel to the runway and provides access to the cargo and terminal facilities.
- The addition of this high-speed taxiway will allow aircraft to exit the runway more quickly than proceeding to the end of the runway; this will reduce runway occupancy times and save fuel for the airlines.
- In addition to the new taxiway, the Aviation Department has identified the need for an additional aircraft ramp for cargo operations on the south side of the Airport.
- The additional ramp will provide airfield access to an existing cargo facility as well as provide another area for deicing aircrafts during winter storm events.
- The contract with W.K. Dickson includes design, bidding, and construction administration services for the new taxiway and cargo ramp expansion.
- On December 21, 2010, the Aviation Department released a Request for Qualifications for various airfield projects. Aviation selected W.K. Dickson based on their qualifications.

Disadvantaged Business Enterprise (DBE)

W.K. Dickson & Co. committed to 10.7% (\$23,600) of the contract to the following DBE companies: AccuTech Surveying and Mapping (Design Survey) and On-Spec Engineering PC (Geotechnical Investigations).

Funding

Aviation Community Investment Plan

Attachment 18
Budget Ordinance

41. Firefighting Medical Supplies

- Action:**
- A. Approve unit price contracts for the purchase of firefighting medical supplies for the term of two years with:**
 - Bound Tree Medical LLC
 - Southeastern Emergency Equipment, and
 - B. Authorize the City Manager to extend the contract for up to three additional, one-year terms with possible price adjustments as authorized by the contract.**

Staff Resources: Charles Robinson, Shared Services
Rich Granger, Fire

Explanation

- Medical supplies are carried on fire trucks to allow firefighters to provide first aid and basic life support measures to the citizens of Charlotte. Examples include but are not limited to, oxygen masks, trauma bags, catheters, bandages, airflow monitors and tubes, and stethoscopes.
- The Shared Services Procurement Management Division, on behalf of the Charlotte Fire Department and the Charlotte Cooperative Purchasing Alliance (The Alliance) issued an Invitation to Bid for medical supplies on September 5, 2013; 11 bids were received.
 - The Invitation to Bid included more than 350 items.
 - The unit prices are set forth in the proposed contract, and are available upon request.
- The Alliance is a cooperative purchasing program established by Shared Services with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- Fire's combined annual contract expenditures are estimated at \$135,413.81.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities.

Funding

Fire Operating Budget

42. Motorcycle and ATV Repair and Maintenance Services

- Action:**
- A. Approve a unit price contract with McKenney-Salinas Motorsports, LLC for motorcycle and all-terrain vehicle repair and maintenance services for an initial term of three years, and
 - B. Authorize the City Manager to approve two, one-year renewals with possible price adjustments as authorized by the contract, and contingent upon the company's satisfactory performance.

Staff Resource: Charles Robinson, Shared Services

Explanation

- The Shared Services Fleet Management Division is responsible for the maintenance of the City fleet including motorcycle and all-terrain vehicle (ATV) repair services.
- Motorcycles and ATVs are used by the Charlotte-Mecklenburg Police Department to access rugged areas where a standard vehicle would be too large. In situations where transportation is required on and off-road, these vehicles can easily navigate curbs, debris, and other obstacles.
- Fleet Management uses outside service providers to perform repair, maintenance, diagnostic, warranty repair, and related services to the City's motorcycle and ATV fleet.
 - The motorcycle and ATV fleet is comprised of over 120 makes and models of motorcycles, ATV's, and other utility vehicles.
- The service provider will perform all services at their facility.
- The contract expenditure is estimated at \$150,000 annually.

Selection Process

- On September 16, 2013, the City issued a Request for Proposal for motorcycle and ATV repair and maintenance services; two proposals were received.
- The project team consisted of staff from the Shared Services Procurement Management Division, Fleet Management Division, and the Charlotte-Mecklenburg Police Department.
- The team evaluated the proposals and recommends awarding the contract to McKenney-Salinas Motorsports, LLC as the service provider that best meets the City's needs in terms of qualifications, experience, and cost effectiveness.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Shared Services Operating Budget

43. Regional Radio Advisory Council Interlocal Agreement

Action: Adopt a resolution approving an Interlocal Agreement with Mecklenburg County and other counties that share use of the regional radio system to establish a Regional Radio Advisory Council.

Staff Resource: Charles Robinson, Shared Services

Explanation

- The City of Charlotte, Mecklenburg County, and the other government entities sharing the regional radio system (the "Member Entities"), desire to expand the system throughout the region, with the goal of enhancing and improving interoperability of public safety communications between and among government entities. To facilitate that effort, the Member Entities wish to create a Regional Radio Advisory Council that will:
 - Guide the strategic growth and development of the regional radio system;
 - Establish regional performance and technical standards for the regional radio system;
 - Establish interoperability processes and procedures; and
 - Provide a formal structure for ongoing oversight and administration.
- Article 20 of Chapter 160A of the North Carolina General Statutes authorizes the Member Entities to adopt an interlocal agreement establishing a Regional Radio Advisory Council to fulfill these functions.
- Founding representatives of the Regional Radio Advisory Council include Mecklenburg, Union, and Cabarrus Counties.
- Participating local governments will appoint one staff member to serve as Regional Radio Advisory Council representative on behalf of their county.
- The Regional Radio Advisory Council representative serves in a technical and advisory capacity.
- The City of Charlotte Shared Services Director will serve as liaison to the council.
- The proposed Interlocal Agreement is intended to augment all existing Tactical Interoperability Communications Plans published by signatory entities, the North Carolina Statewide Communications Interoperability Plan, and the National Emergency Communications Plan.
- The Mecklenburg County Board of County Commissioners approved the Agreement on November 19, 2013, and appointed Chief Jon Hannan, Charlotte Fire Department, as the regional radio advisory council representative for Mecklenburg County.

Background

- The City of Charlotte and Mecklenburg County entered into an Interlocal Agreement consolidating all functions of the Public Safety Radio Network within Mecklenburg County under the City of Charlotte in December of 2003.
 - The Interlocal Agreement anticipated the regionalization of the radio system by stating, "The City and the County shall work together to foster regional use of the Radio Network and will develop a regional plan for approval by the Radio Communications Council to promote regional participation.
 - The plan will promote regional use of the Radio Network within the Network's present and future capacity. At all times public safety and homeland security users will have priority."
- The City is the lead agency for the regional communications interoperability of public safety agencies within the Urban Area Security Initiative 11-County Region. As the lead agency, the City has completed establishing the

- infrastructure necessary for regional voice communications interoperability with the support of several grants.
- Since 2003, other local government entities including Union County, Cabarrus County, Kannapolis, Concord, and Gastonia have joined Charlotte and Mecklenburg County in sharing use of the regional components of the radio system and have signed service agreements to that effect.

Attachment 19

[Regional Radio Advisory Council Interlocal Agreement](#)
[Regional Radio Advisory Council Charter](#)
[Regional Radio Advisory Council By-Laws](#)
[Resolution](#)

44. Donation of Surplus Computers and Related Equipment

Action: Adopt a resolution approving the donation of surplus computers and related equipment to Goodwill of the Southern Piedmont.

Staff Resource: Charles Robinson, Shared Services

Explanation

- On April 11, 2011, the City Council approved a partnership with Goodwill Industries for the management of surplus electronic disposal.
- Since initiation of the partnership, City donated electronics have directly impacted the community by:
 - Making refurbished electronics, such as computers and laptops, available at discount pricing to the community through Goodwill retail stores;
 - Creating opportunities for 1,425 hours of on-the-job training for Goodwill clients; and
 - Making available employment opportunities in Goodwill electronic recycling and refurbishing operations.
- G.S. §160A-280 requires that the City Council adopt a resolution approving all donations.
- A list of surplus computers and related electronic equipment will be created for each donation cycle and brought to the City Council for review and approval.

Attachment 20

[List of computers and related equipment](#)
[Resolution](#)

45. Refund of Property and Business Privilege License Taxes

- Action:**
- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$40,522.16, and
 - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$6,033.71.

Staff Resource: Scott Greer, Finance

Explanation

- Property tax refunds are provided to the City by Mecklenburg County due to clerical or assessor error or as a result of appeals.
- Mecklenburg County reported that refunds are unusually high due to the number of informal and formal appeals that went before the Board of Equalization and Review resulting in reduced taxes due.
- Business privilege license refunds are provided to the City by Mecklenburg County.

Attachment 21

[List of refunds
Resolution](#)

46. Resolution of Intent to Abandon a Residual Portion of Old Steele Creek Road Extension

- Action:**
- A. Adopt the Resolution of Intent to abandon a Residual Portion of Old Steele Creek Road Extension, and
 - B. Set a Public Hearing for January 13, 2014.

Staff Resource: Jeff Boenisch, Transportation

Attachment 22

[Map
Resolution](#)

47. Land Purchase for Tree Preservation

- Action:**
- A. Approve the purchase of 14.82± acres located along McAlpine Creek Greenway corridor, (PID #21134102) for \$99,000, and**
 - B. Authorize the City Manager to negotiate and sign a Conservation Easement, and approve a one-time payment of up to \$9,750 to the Catawba Lands Conservancy Stewardship Fund for preserving and maintaining the property for the City of Charlotte.**

Staff Resources: Timothy O'Brien, Engineering & Property Management
David Weekly, Engineering & Property Management

Explanation

- The property is a 14.82±acre parcel located north of Pineville-Matthews Road along the McAlpine Creek Greenway, currently owned by the McPherson family.
 - The McAlpine Creek Greenway corridor is an important part of the Carolina Thread Trail network, a six-county network of trails envisioned by Catawba Lands Conservancy.
 - The property is wooded and meets the City's need to purchase and conserve wooded lands as intended under Section 21.94 of the City's Tree Ordinance.
- The property appraises for \$341,025. The McPhersons want the land to be conserved therefore; they are willing to sell the land for below fair market value and donate the remaining value as a gift.
- The City will partner with the Catawba Lands Conservancy to purchase the property. The Catawba Lands Conservancy can offer a tax deduction to the McPhersons that the City is not able to offer.
- Contingent upon the City Council's approval, Catawba Lands Conservancy will purchase the property for \$99,000 from the McPhersons and then sell the land, covered by a conservation easement, to the City for the same price.
- The City will provide a one-time fee of up to \$9,750 to the Catawba Lands Conservancy Stewardship Fund for the perpetual protection, stewardship and maintenance of the property and the tree canopy.

Background

- Effective January 1, 2011, the City Council approved revisions to the City's Tree Ordinance.
 - The revised ordinance altered tree saves and tree planting requirements for commercial development and offered mitigation options at certain development locations.
 - One mitigation option allows developers to contribute into a City administered Tree Ordinance Mitigation Fund in lieu of saving trees on-site. The dollar amount is calculated based on the tax value of the land under development.
- The City has currently collected \$561,229.66 in the City's Tree Ordinance Mitigation Fund.
 - The funds accumulated are to be applied toward the purchase of heavily-wooded property for the purpose of tree preservation, and toward the costs of ongoing stewardship of the property. This will be the first land purchase in support of the tree preservation program.

- The majority of the developments that paid into this fund have been located in south Charlotte; therefore, this land purchase achieves tree preservation in the same part of the City.
- As the Tree Ordinance Mitigation Fund accumulates, other properties will be acquired. Staff will seek to protect properties within the areas where developments occur.
- The Catawba Lands Conservancy, which is assisting the City in the purchase of this land, is a nonprofit organization that serves a six county region.
 - Its focus is to preserve environmentally sensitive land, much of which is tied to the development of the Carolina Thread Trail.
 - o The Carolina Thread Trail is a significant regional initiative, named to reflect the region's textile heritage and designed to foster and facilitate the creation and development of nature trails.
 - o Currently, 132 miles of the proposed 1,400-mile thread trail are open to the public.
- The City Council adopted a Resolution in support of the Carolina Thread Trail for Mecklenburg County communities on June 14, 2010.

Funding

General Community Investment Plan

Attachment 23

[Aerial map of the property](#)

48. Meeting Minutes

Action: Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of:

- **October 21, 2013 Zoning Meeting**
- **October 28, 2013 Business Meeting**

PROPERTY TRANSACTIONS

49. Property Transactions

Action: Approve the following property transaction(s) (A-E) and adopt the condemnation resolution(s) (F).

- The City has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- Real Estate staff diligently attempts to contact all property owners by:
 - Sending introductory letters via regular and certified mail
 - Making several site visits
 - Leaving door hangers and business cards
 - Seeking information from neighbors
 - Searching the internet
 - Obtaining title abstracts
 - Leaving voice messages
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If City Council approves the resolutions, the City Attorney's Office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.
- The definition of *easement* is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or "in gross", such as public utility easement.
- The definition of *fee simple* is an estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited, commonly, synonym for ownership.

Acquisitions

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Pamela Kay Frye
Property Address: 9319 Snow Ridge Lane
Property to be acquired: 2.87 acres
Improvements: Single-Family Residence
Purchase Price: \$110,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: R-3 Use: Single-Family Residence
Tax Value: \$107,600
Tax Code: 141-111-33

- B. Project:** Airport Master Plan Land Acquisition
Owner(s): Roger Dale Smith and Wife Leslie G. Smith
Property Address: 9125 Markswood Road
Property to be acquired: 1.01 acres
Improvements: Single-Family Residence
Purchase Price: \$229,900
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-Family Residence
Tax Value: \$198,400
Tax Code: 141-261-06
- C. Project:** Airport Master Plan Land Acquisition
Owner(s): David W. Brooks and Wife Penny E. Brooks
Property Address: 9123 Snow Ridge Lane
Property to be acquired: 1.78 acres
Improvements: Single-Family Residence
Purchase Price: \$157,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-Family Residence
Tax Value: \$128,200
Tax Code: 141-111-52
- D. Project:** Airport Master Plan Land Acquisition
Owner(s): Catherine McFadden-Barnes
Property Address: 9017 Snow Ridge Lane
Property to be acquired: .43 acres
Improvements: Single-Family Residence
Purchase Price: \$185,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: R-3 Use: Single-Family Residence
Tax Value: \$144,700
Tax Code: 141-111-47

- E. **Project:** Airport Master Plan Land Acquisition
Owner(s): Donald A. Ingle and Wife Melinda L. Ingle
Property Address: 9330 Markswood Road
Property to be acquired: 1.43 acres
Improvements: Single-Family Residence
Purchase Price: \$210,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-Family Residence
Tax Value: \$154,900
Tax Code: 141-261-33

Condemnations

- F. **Project:** Abundance Circle Sanitary Sewer and Water Main to Serve 12101 Old Statesville Road, Parcel #2
Owner(s): Plum Creek Property Owners Association, Inc. and any other parties of interest
Property Address: Damson Drive
Total Parcel Area: 44,045 sq. ft. (1.0113 ac.)
Property to be acquired: 1,271 sq. ft. (.029 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: GR
Use: Single-Family Residential - Common
Tax Code: 017-371-98
Total Parcel Tax Value: \$0 (No Value Applied To Common Areas for Homeowner's Association)
Appraised Value: \$275
Property Owner's Counteroffer: None
Property Owner's Concerns: Homeowners Association's By-Laws and Declaration of Covenants are not clear concerning individuals authorized to execute legal documents.
City's Response to Property Owner's Concerns: Joint decision by the Homeowners Association and City to proceed with condemnation.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation in order to obtain clear title.
Reason for Condemnation: This is a street main project to extend sewer and water to 12101 Old Statesville Road. It cannot go along Old Statesville Road due to utility conflicts, but instead will go between two houses where subdivision previously granted a utility easement for future use. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

50. Reference – Charlotte Business INClusion Policy



The following excerpts from the City's SBO Policy are intended to provide further explanation for those agenda items which reference the SBO Policy in the business meeting agenda.

Part A: Administration & Enforcement

Appendix Section 18: Contract: For the purposes of establishing an SBE subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration and remodeling; (b) architectural work, engineering, testing, construction management and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services).
- Contracts do not include agreements or purchase orders for the purchase or lease of apparatus, supplies, goods or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE Goal has been set.
- Financial Partner Agreements, Development Agreements, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the SBO Program Policy.

Appendix Section 23: Exempt Contracts: Contracts that fall within one or more of the following categories shall be "Exempt Contracts" for the purposes of establishing an SBE subcontracting goal, unless the Department responsible for procuring the Contract decides otherwise:

23.1. Informal Contracts. Informal Contracts shall be Exempt Contracts. (See Appendix Section 29 for a definition of Informal Contracts)

23.2. No Competitive Process Contracts: Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City shall be Exempt Contracts, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

23.3. Managed Competition Contracts: Managed competition contracts pursuant to which a City Department or division competes with Business Enterprises to perform a City function shall be Exempt Contracts.

23.4. Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate shall be Exempt Contracts.

23.5. Federal Contracts Subject to DBE Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise

Program as set forth in 49 CFR Part 26 or any successor legislation shall be Exempt Contracts.

23.6. State Contracts Subject to MWBE Requirements: Contracts for which a minority and women business participation goal is set pursuant to G.S. 143-128.2(a) due to a building project receiving funding from the State of North Carolina shall be Exempt Contracts.

23.7. Financial Partner Agreements with DBE or MWBE Requirements: Contracts that are subject to a disadvantaged business development program or minority and women business development program maintained by a Financial Partner shall be Exempt Contracts.

23.8. Interlocal Agreements: Contracts with other units of federal, state or local government shall be Exempt Contracts.

23.9. Contracts for Legal Services: Contracts for legal services shall be Exempt Contracts, unless otherwise indicated by the City Attorney.

23.10. Contracts with Waivers: Contracts for which the SBO Program Manager or the City Manager waives the SBO Program requirements shall be Exempt Contracts (such as when there are no SBE subcontracting opportunities on a Contract).

23.11. Special Exemptions: Contracts where the Department and the Program Manager agree that the Department had no discretion to hire an SBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

Appendix Section 29: Informal Contracts: Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

29.1. Construction Contracts Less Than or Equal To \$200,000: Contracts for construction or repair work that are estimated to require a total expenditure of City funds less than or equal to \$200,000.

29.2. Service Contracts That Are Less Than or Equal To \$100,000: Service Contracts that are estimated to require a total expenditure of City funds less than or equal to \$100,000.

Part B: Formal Construction Bidding

Part B: Section 2.1: When the City Solicitation Documents for a Construction Contract contain an SBE Goal, each Bidder must either: (a) meet the SBE Goal, or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements. Failure to do so constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

Part B: Section 2.4: No SBE Goal When There Are No SBE Subcontracting Opportunities. The City shall not establish an SBE Goal for Construction Contracts where there are no SBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part C: Services Procurement

Part C: Section 2.2: When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each SBE that responds to the Proposer's solicitations and each SBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

Part C: Section 2.4: No SBE Goal When There Are No SBE Subcontracting Opportunities. The City shall not establish an SBE Goal for Service Contracts where there are no SBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part D: Post Contract Award Requirements

Part D: Section 6: New Subcontractor Opportunities/Additions to Scope, Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new SBE subcontracting opportunity, the City shall either:

- notify the Contractor that there will be no Supplemental SBE Goal for the new work; or
- establish and notify the Contractor of a Supplemental SBE Goal for the new work.

51. Reference – Property Transaction Process

Property Transaction Process Following Council Approval for Condemnation

The following overview is intended to provide further explanation for the process of property transactions that are approved by City Council for condemnation.

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During this time, City staff continues to negotiate with the property owner in an effort to reach a mutual settlement.

- If a settlement is reached, the condemnation process is stopped and the property transaction proceeds to a real estate closing.
- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the City's legal representative. Filing of the condemnation documents allows:
 - The City to gain access and title to the subject property so the capital project can proceed on schedule.
 - The City to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.
- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The City's condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
 - North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.



ARTS & SCIENCE COUNCIL

Building appreciation, participation and support
for arts and culture in Charlotte-Mecklenburg

Public Art Commission

**Midyear Update FY14
City of Charlotte**

November 25, 2013



Midyear Update – FY14

- **Public Art Commission**
- **Status of Current Projects**
- **Audit Summary for FY13**



Public Art Commissioners FY13

	Appointing Body	Professional Category
Class of 2014		
Chuck Barger	City	Education
Manoj Kesavan	County	Education
Marc Gustafson**	ASC	Art & Design
Class of 2015		
Betty Chafin Rash	City	Business
Patricia Fletcher*	County	Business
Laura Grace	ASC	Art & Design
Suzanne Fetscher	ASC	Art & Design
Class of 2016		
Cathay Dawkins	County	Community
Patricia Boyer	City	Community

**Chair *Co-Chair



10 Years of the City's Public Art Ordinance

- **Joint City/County Staff Discussion**
- **Visioning Forum at McColl Center**
- **Public Lecture by Ed Lebow – Public Art Network Chair**
- **Public Art Scavenger Hunt**





Projects in Progress – FY14

Project: North Tryon Redevelopment
Location: North Tryon Corridor
Artist: Shelia Klein
Budget: \$80,750; \$100,000 NEA Our Town grant -
for permanent art, design, and artist residency
Media: TBD
Category: Business Corridor
Status: Schematic Design
CIP: FY10



Pattern for sidewalks.



Projects in Progress – FY14

Project: CMPD Eastway
Location: Central Avenue at Merry Oaks Road
Artist: Vivienne Collins
Budget: \$30,600
Media: Stained Glass and Dalle de Verre
Category: Facilities
Status: Fabrication
CIP: FY10



Interior Art Glass Sketch 1
A study of intersecting circles which represents the interdependence of the community with the CMPD.

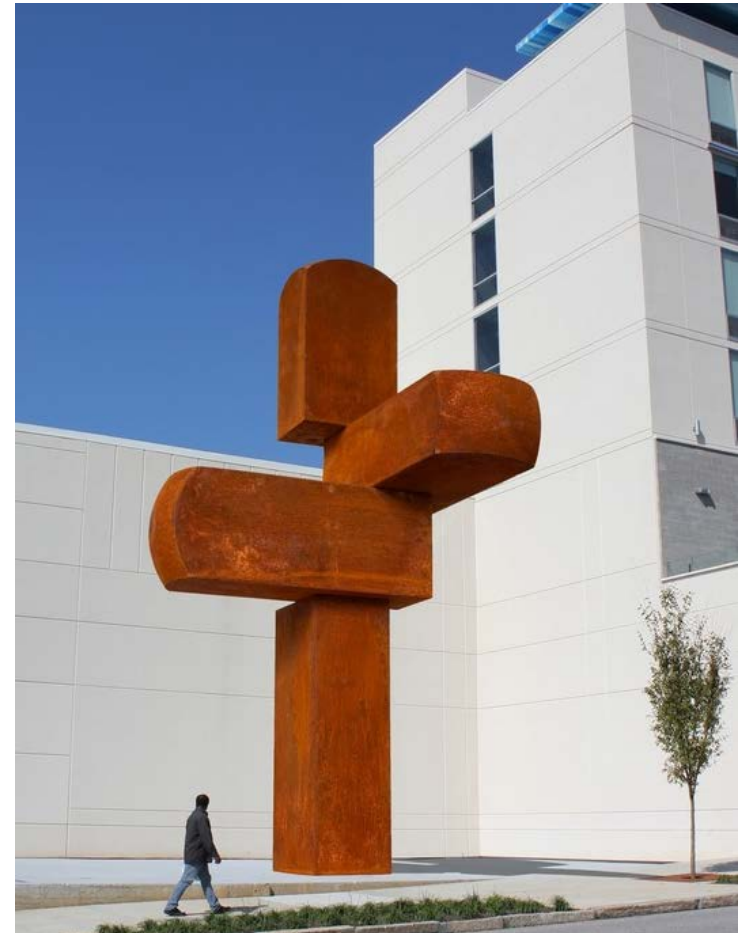
McConnell-Collins 2012





Projects in Progress – FY14

Project: Fixed Based Operator Plaza
Location: Charlotte-Douglas International Airport
Artist: Hoss Haley
Budget: \$265,000
Media: TBD
Category: Aviation
Status: Contract Negotiations
CIP: FY13





Projects in Progress – FY14

Project: Charlotte-Douglas International Airport
Location: Multiple
Artist: TBD
Budget: \$524,541
Media: TBD
Category: Aviation
Status: Initial Planning Stages
CIP: FY13





Projects in Progress – FY14

- Project:** Neighborhoods in Creative pARTnership
- Location:** Up to 5 neighborhoods
- Artist:** TBD
- Budget:** Total Budget \$118,000, Up to \$23,600 per Neighborhood
- Media:** TBD
- Category:** Pooled Funds - Business Corridors/Neighborhood Improvement/Facilities
- Status:** Neighborhood & Artist Selection
- CIP:** Multiple Years





Projects in Progress – FY14

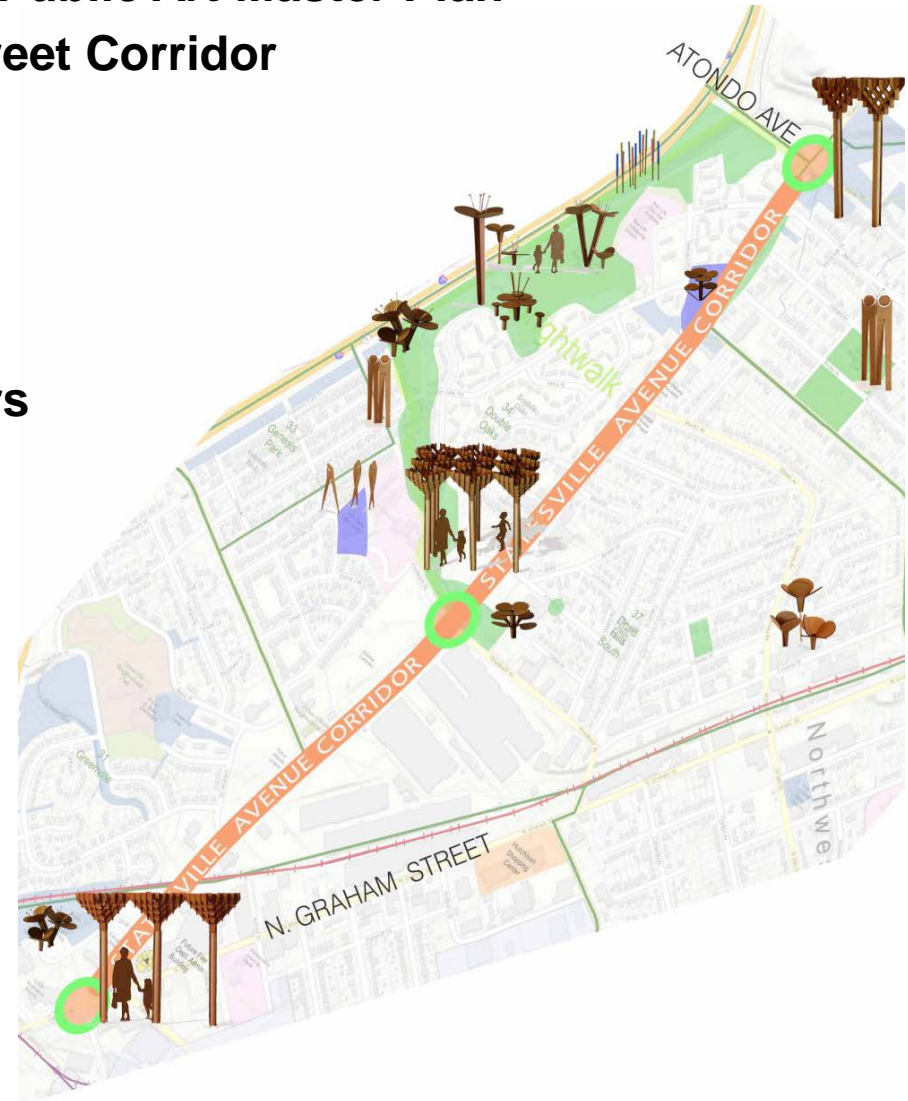
Project: Windsculpture Banner Replacement
Location: Trade and Pine
Artist: TBD
Budget: Up to \$15,000
Media: TBD
Category: N/A
Status: Initial Planning Stages
CIP: Multiple Years





Projects in Progress – FY14

Project: Statesville Avenue Corridor Public Art Master Plan
Location: Statesville Road/Graham Street Corridor
Artist: Chandra Cox
Budget: \$20,000 for Master Plan;
\$128,000 available for art
Media: TBD
Category: Facility & Business Corridors
Status: Schematic Design
CIP: FY10





Projects in Progress – FY14

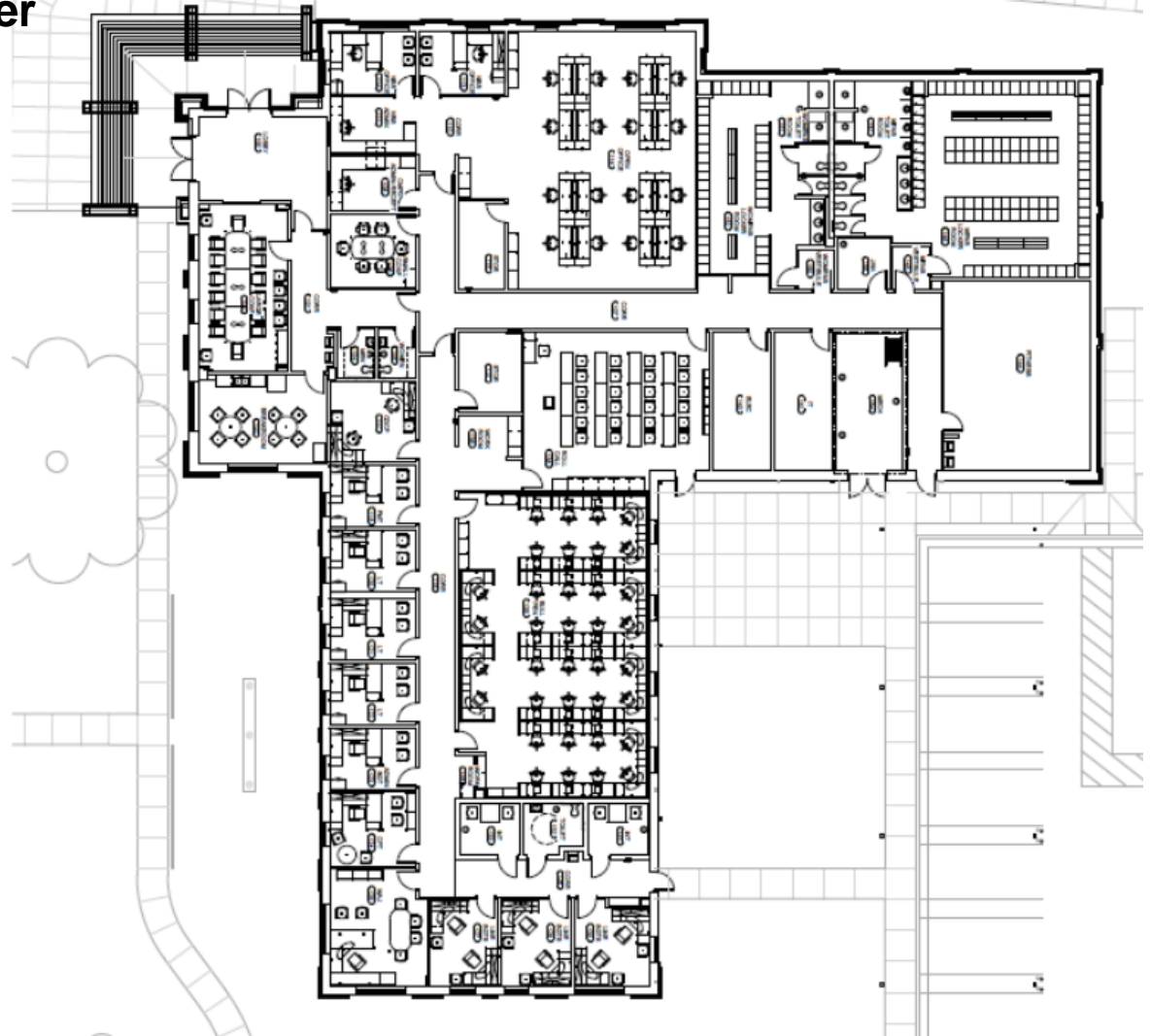
Project: Joint Communications Center
Location: Statesville and Graham
Artist: TBD
Budget: \$119,000
Media: TBD
Category: Facility
Status: Initial Planning Stages
CIP: FY14





Projects in Progress – FY14

Project: CMPD Westover
Location: TBD
Artist: TBD
Budget: \$53,550
Media: TBD
Category: Facilities
Status: Planning
CIP: FY14

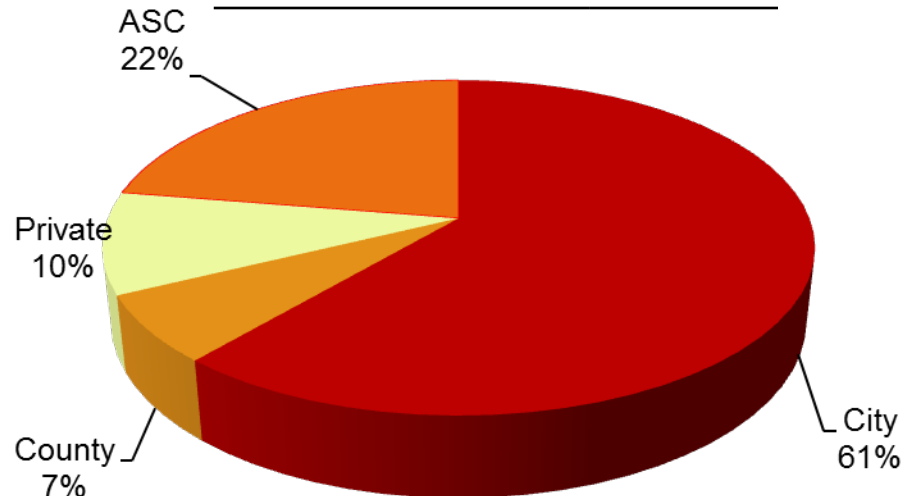




FY13 Public Art Funding/Expense Summary

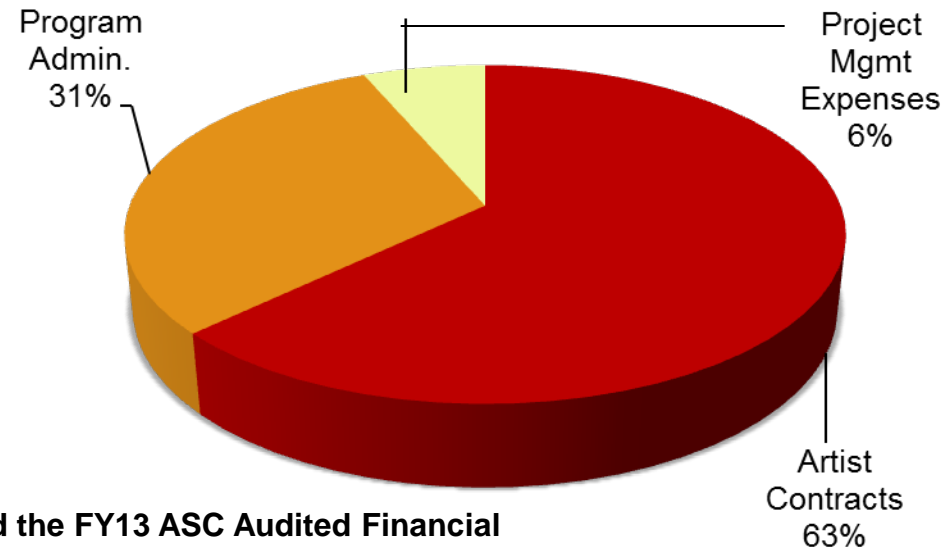
Public Art Funding Sources

	FY11	FY12	FY13
City	153,026	485,253	236,240
County	36,535	0	59,190
Private	32,400	4,025	3,600
ASC Funding	56,199	71,669	86,433
TOTAL =	\$278,160	\$560,947	\$385,463



Public Art Program Expenses

	FY11	FY12	FY13
Artist Contracts	177,770	441,445	242,561
Program Administration	83,082	85,071	105,988
Project Mgmt Expenses	17,308	34,431	36,914
TOTAL =	\$278,160	\$560,947	\$385,463



**** Amounts represent draft audit. When finalized the FY13 ASC Audited Financial Report will be on file with City Budget and Evaluation Department**



Virtual Charlotte

Virtual Charlotte

Find Address (e.g. 600 E 4TH ST), Parcel (e.g. 12502601), or Intersections (e.g. Ballantyne Commons Pkwy & Rea Rd)

Go!

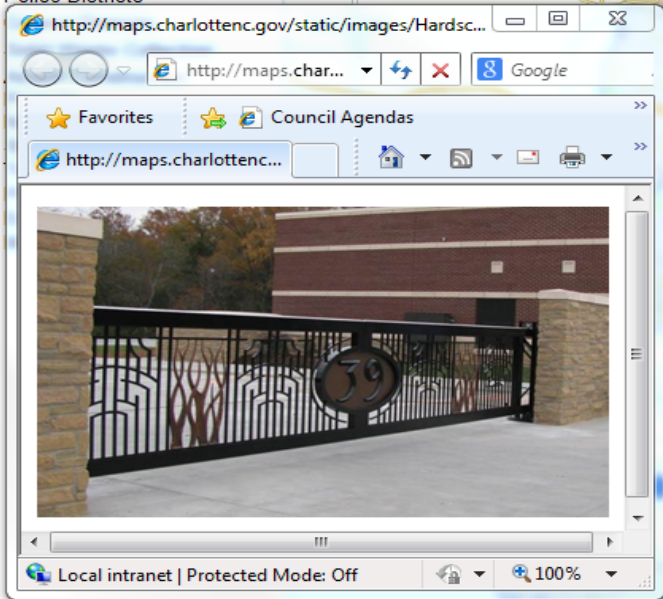
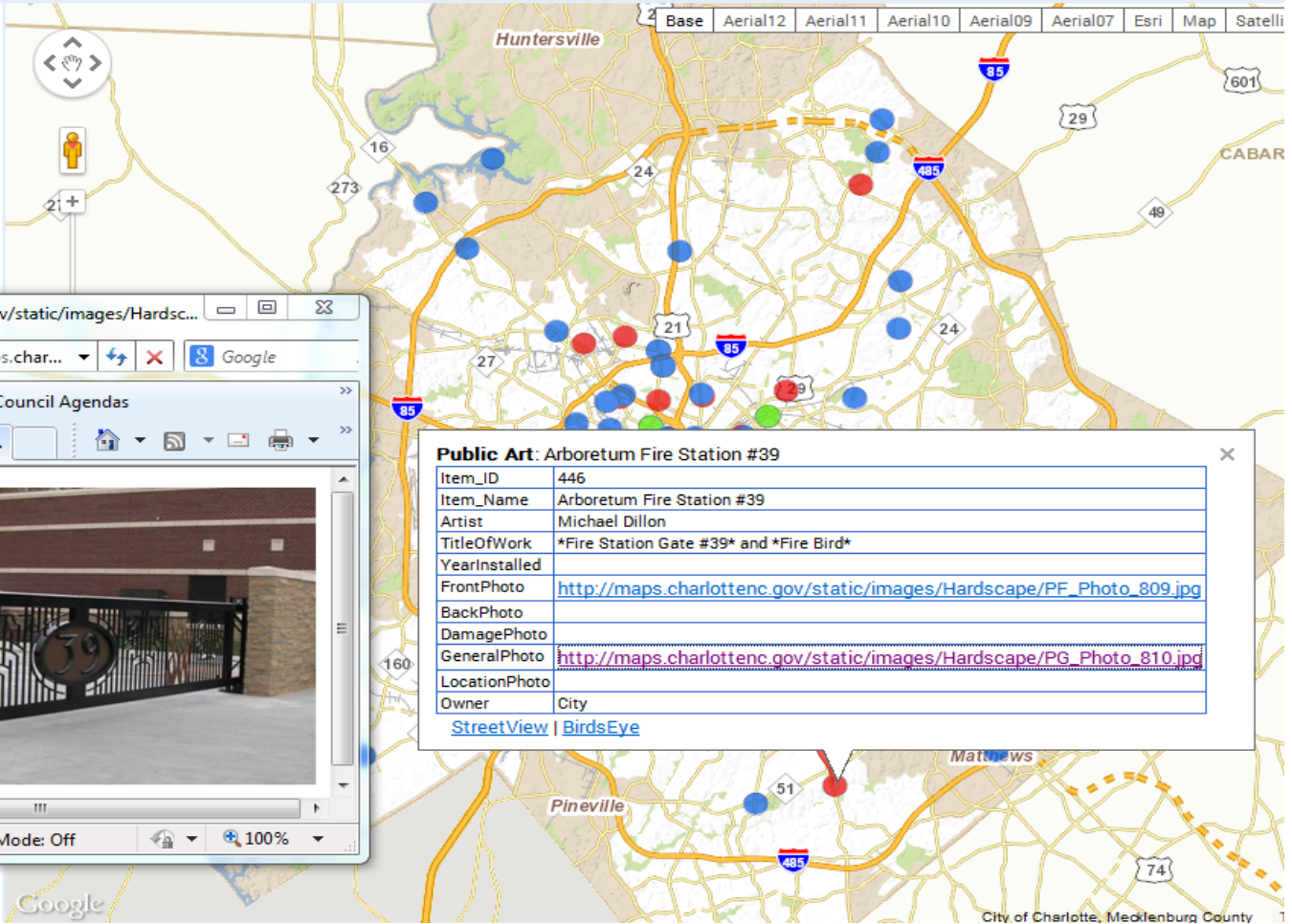
Show search options

Results | Map Content

<<

M

- Housing Code Cases
- Housing Demolish Cases
- Public Art
 - City
 - County
 - Private
- Fire Stations
- Fire Response Areas
- Police Districts



Public Art: Arboretum Fire Station #39	
Item_ID	446
Item_Name	Arboretum Fire Station #39
Artist	Michael Dillon
TitleOfWork	*Fire Station Gate #39* and *Fire Bird*
YearInstalled	
FrontPhoto	http://maps.charlottenc.gov/static/images/Hardscape/PF_Photo_809.jpg
BackPhoto	
DamagePhoto	
GeneralPhoto	http://maps.charlottenc.gov/static/images/Hardscape/PG_Photo_810.jpg
LocationPhoto	
Owner	City
StreetView BirdsEye	

Google

City of Charlotte, Mecklenburg County

REQUEST	Current Zoning: R-3, single family residential and BP, business park Proposed Zoning: UR-3(CD), urban residential, conditional
LOCATION	Approximately 18.95 acres located on the west side of Northlake Centre Parkway near the intersection of Madison Square Place, Northlake Mall Drive and Northlake Centre. (Outside City Limits)
SUMMARY OF PETITION	The petition proposes to allow for the development of up to 416 multi-family residential units.
PROPERTY OWNER	Metrolina Properties Limited Partnership; Arrowood Seventy Seven Associates
PETITIONER	Withrow Capital
AGENT/REPRESENTATIVE	Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online.
STATEMENT OF CONSISTENCY	The petition is found to be consistent with the Northlake Area Plan and to be reasonable and in the public interest based on information provided in the staff analysis and the public hearing by a 5-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Walker).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. The petitioner has removed the second paragraph under the "Purpose" statement (Sheet RZ-1.0). Site plan notes have been revised to allow for commitments regarding building frontage, placement and orientation; location of parking in relation to buildings; architectural materials; and placement of the proposed clubhouse. 2. The setback on Northlake Centre Parkway has been changed to 24 feet per the adopted Streetscape Plan. 3. Transportation Note (a) has been amended to reflect one public street connection and one private street connection to Northlake Centre Parkway. 4. The accompanying elevations have been removed and additional language committing to architectural features has been provided. 5. The Architectural Standards language has been amended to remove references to images of buildings. 6. Architectural Standards Note (a) has been amended to stipulate 30% masonry on all exteriors below the roofline. The words "and/or hardi-plank/fiber cement board" have been eliminated from this note. 7. The petitioner has removed the following language from General Provisions (b): "...such as those that regulate streets, sidewalks, trees, bicycle parking, and site development...These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan." 8. Both site plan sheets are now consistent with respect to the proposed Class C Buffer along abutting R-3 (single family residential) zoned properties. Both sheets label the Class C Buffer reduced 25% with fence. 9. Per the request of the Park and Recreation Department, the petitioner committed to dedicate and convey to Mecklenburg County the 100-foot SWIM buffer on the front portion of the site. The dedication will be accomplished prior to the issuance of
--------------------------------	--

the first Certificate of Occupancy for the site. *Planning staff is rescinding the request that the petitioner commit to providing a direct pedestrian connection between the development and the future trail due to uncertainty with respect to the design of the trail.*

10. Misspellings have been corrected on both sheets.
11. *Staff has rescinded the following request as the petitioner has confirmed this area is zoned BP (business park):* There is a small area zoned R-3 (single family residential) that is not part of this rezoning and abuts the proposed public street. Label this area on Sheets RZ-1.0 and RZ-2.0.
12. Added language as requested by Storm Water Services under Environmental Features.
13. Addressed Transportation Comments:
 - a) Revised Transportation Note c to provide a 150' left-turn/storage lane with appropriate taper length.
 - b) Addressed comment regarding proposed future Hucks Road street extension by deleting Transportation Note d, and adding the following language for clarity:
 - I. Note 1: Public Street Extension – This street is designed and located to be extended into the adjacent parcel and connect to Northlake Parkway at the northernmost existing median break.
 - II. Note 2: Future Hucks Road Extension – The future Hucks Road Extension is intended to extend east of Northlake Parkway from the northernmost median break of Northlake Parkway. This intersection is a location for a potential traffic signal, to be determined based on future traffic analysis.
14. Based upon discussions with petitioner, the third sentence under Streetscape and Landscaping has been modified to read: "...an average of 70% of the total..."
15. The petitioner has numbered the development notes under Streetscape and Landscaping.
16. Due to possible miscommunication on the part of staff, the petitioner incorrectly removed a previous note under Environmental Features pertaining to design, landscaping, and screening of the water quality facility. The petitioner has agreed to place this one sentence note back on the site plan.

VOTE

Motion/Second:	Ryan/Lathrop
Yeas:	Dodson, Labovitz, Lathrop, Ryan and Walker
Nays:	None
Absent:	Allen, Firestone and Low
Recused:	None

ZONING COMMITTEE DISCUSSION

Planning staff provided an overview of the changes to the site plan, noting that the petitioner had worked diligently with staff to address the outstanding issues. Staff indicated that the petitioner provided development notes committing to an urban, pedestrian friendly style residential project such as requiring an average percentage of building frontage along public streets; placement of the clubhouse internal to the project; and location of parking primarily to the rear. Committee members briefly discussed the amount of multi-family development in the area and vacancy rates. There was no further discussion of this petition.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Background**

The BP (business park) portion of this request was part of an approximately 300-acre site rezoned in 1987 (rezoning petition 1987-6(c)) to accommodate the construction of 1,475,400 square feet of retail uses (now Northlake Mall), a 300-room convention hotel, approximately 200 multi-family residential units, and 185 acres of business park uses.

• **Proposed Request Details**

- The site plan accompanying this petition contains the following provisions:
 - Construction of 416 for rent apartment homes at a density of 22 dwelling units per acre, with clubhouse/pool amenity.
 - Access to the site via private and public street connections to Northlake Parkway.
 - Proposed internal street network will incorporate proposed connections to any future developments on abutting undeveloped acreages.
 - Installation of a left-turn lane at the full movement access point to Northlake Centre Parkway at the existing median opening.
 - The public street extension will be designed and located to be extended into the adjacent parcel and connect to Northlake Centre Parkway at the northernmost existing median break.
 - Development note indicating that the future Hucks Road Extension is intended to extend east of Northlake Centre Parkway from the northernmost median break on Northlake Centre Parkway. Said intersection is a location for a potential traffic signal, to be determined based on future traffic analysis.
 - Installation of an eight-foot sidewalk and eight-foot planting strip along Northlake Centre Parkway.
 - Allowance for a 25% reduction with the installation of a fence for the 50-foot Class "C" buffer abutting R-3 (single family residential) zoned properties to the west and southwest.
 - Buildings to be arranged and constructed in such a way that an average of 70% of the total public street frontage on the site, exclusive of driveways and pedestrian access points, will be fronted by buildings.
 - Any community or clubhouse building constructed as part of the multi-family development will not be located fronting on Northlake Centre Parkway.
 - No parking will be permitted between the buildings and the street, but parking may be located beside or between buildings and have access from the street. On-street parking will be allowed on either public or private streets.
 - At least 30% of the portions of the building exteriors located below the roof line will be composed of a combination of brick, artificial stone, and/or stone or similar masonry products.
 - Building locations may be combined or relocated as long as the total number of buildings is not increased, the buildings are within the Building Envelope, and the street frontage is met.
 - Buildings designed so that no blank walls exceeding 20 feet will be constructed along the frontage of a public or private street.
 - Building heights limited to four stories along Dixon Branch and six stories elsewhere within the site.
 - Dedication and conveyance to Mecklenburg County of the 100-foot SWIM buffer on the front portion of the site, to be accomplished prior to the issuance of the first Certificate of Occupancy for the site.
 - Provision of minimum 15 percent open space and tree save area.
 - Freestanding lighting limited to 25 feet in height within parking areas and 20 feet in height along public and private streets.

• **Public Plans and Policies**

- The *Northlake Area Plan* (2008) recommends a mixture of uses in this area, to include residential, office and/or retail. Residential development is also allowed as a single use at a maximum density of 22 dwelling units per acre. The petition is located within the Northlake Center area, and identified as an activity center per the Centers, Corridors, and Wedges policy.

- The vision for this area is that it become a high-quality, pedestrian friendly town center fronting Northlake Centre Parkway and W.T. Harris Boulevard, with strong connections to future greenways. The Plan recommends that the maximum allowable building height be limited to four stories along the Dixon Branch Creek and six stories elsewhere.
 - The rezoning petition is consistent with the *Northlake Area Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Proposed zoning will generate 31 students. The net change in the number of students generated from existing zoning to proposed zoning is zero (0).
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

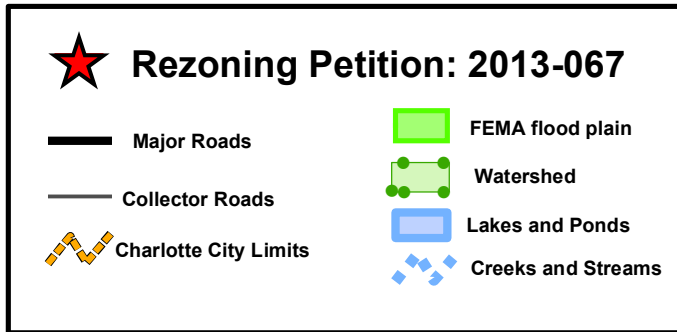
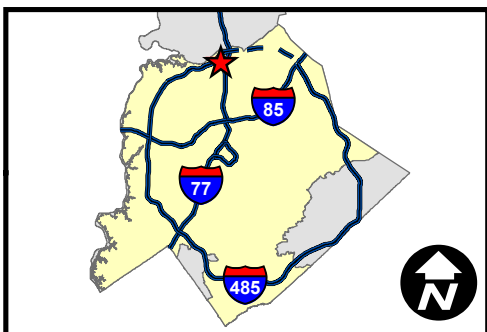
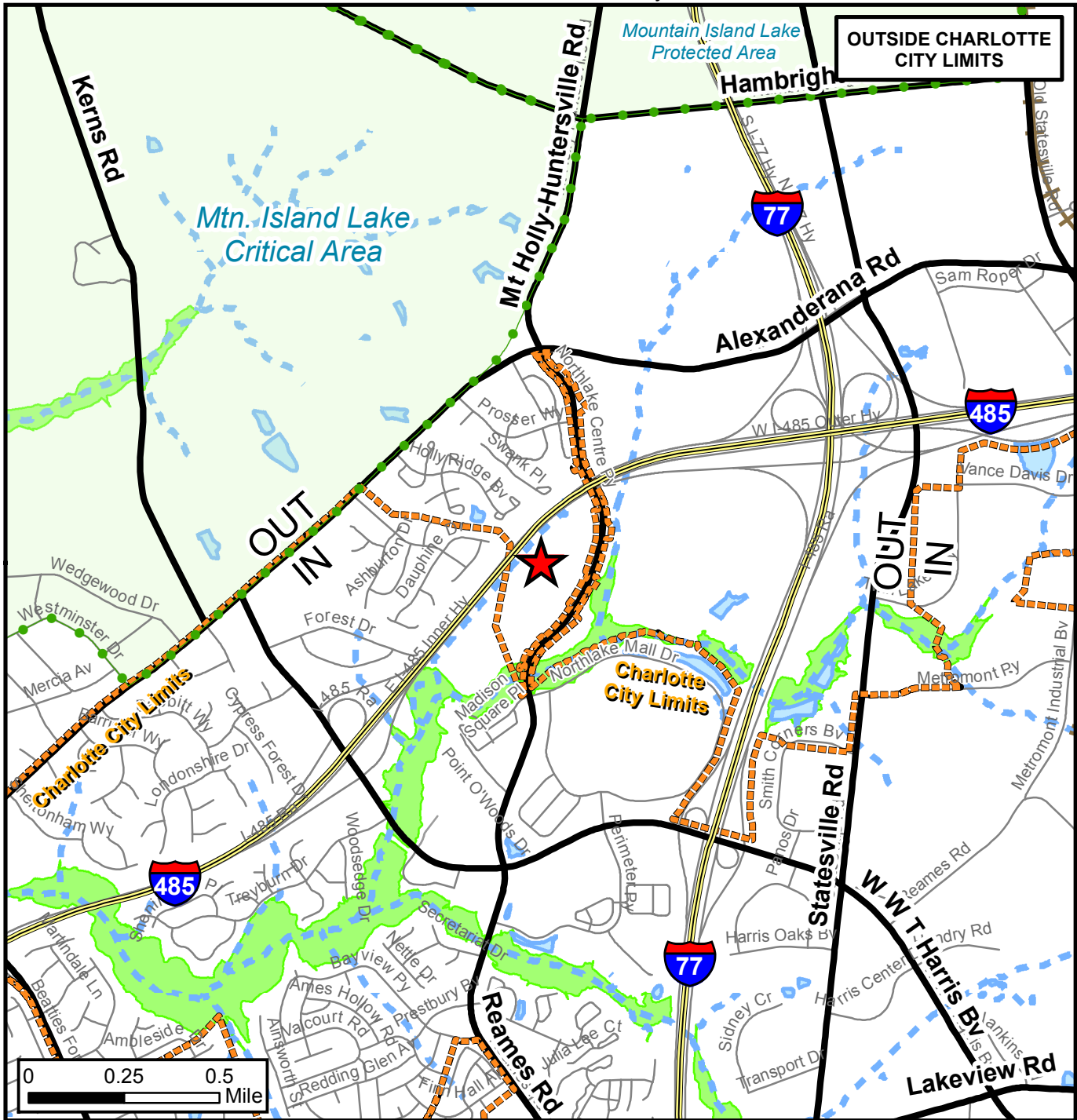
- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Claire Lyte-Graham (704) 336-3782

Petition #: **2013-067**

Vicinity Map

Acreage & Location : Approximately 18.95 acres located on the west side of Northlake Centre Parkway near the intersection of Madison Square Place, Northlake Mall Drive, and Northlake Centre Parkway.



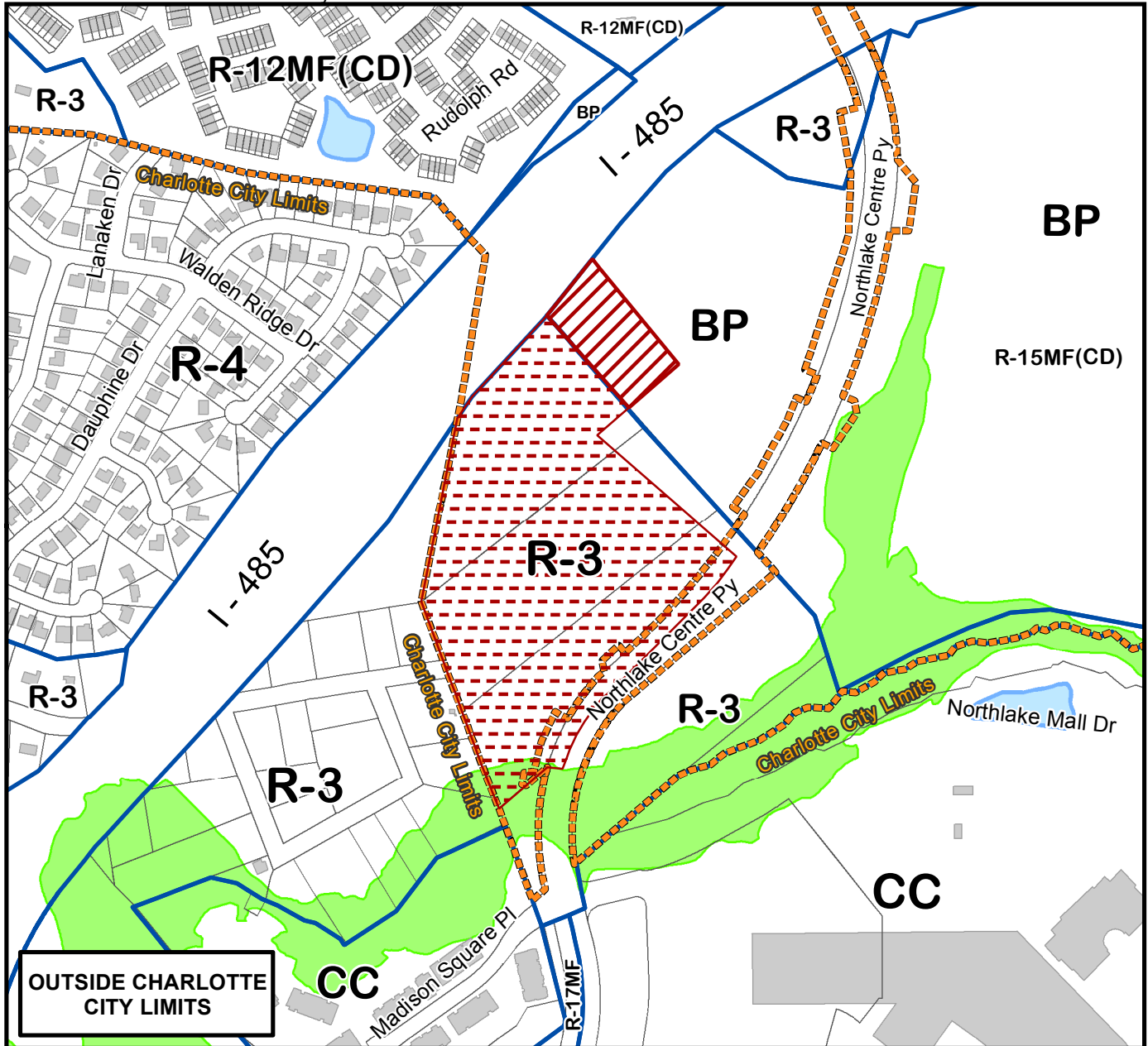
Petition #: **2013-067**

Petitioner: **Withrow Capital**

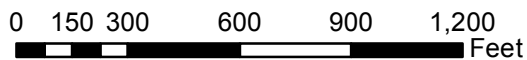
Zoning Classification (Existing): **R-3 & BP**
(Single Family, Residential and Business Park)

Zoning Classification (Requested): **UR-3(CD)**
(Urban Residential, Conditional)

Acreage & Location: Approximately 18.95 acres located on the west side of Northlake Centre Parkway near the intersection of Madison Square Place, Northlake Mall Drive and Northlake Centre Parkway.

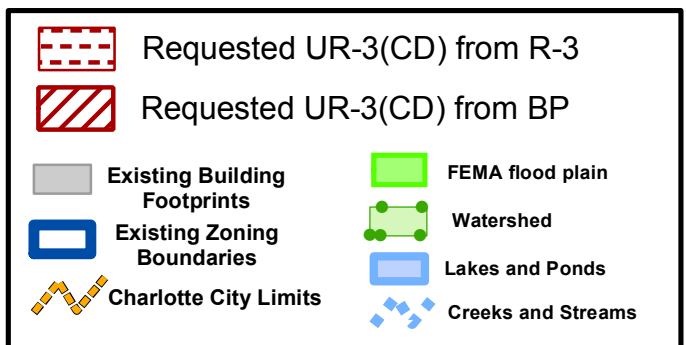


Map Produced by the Charlotte-Mecklenburg Planning Department, 7-2-2013



Zoning Map #(s)

44

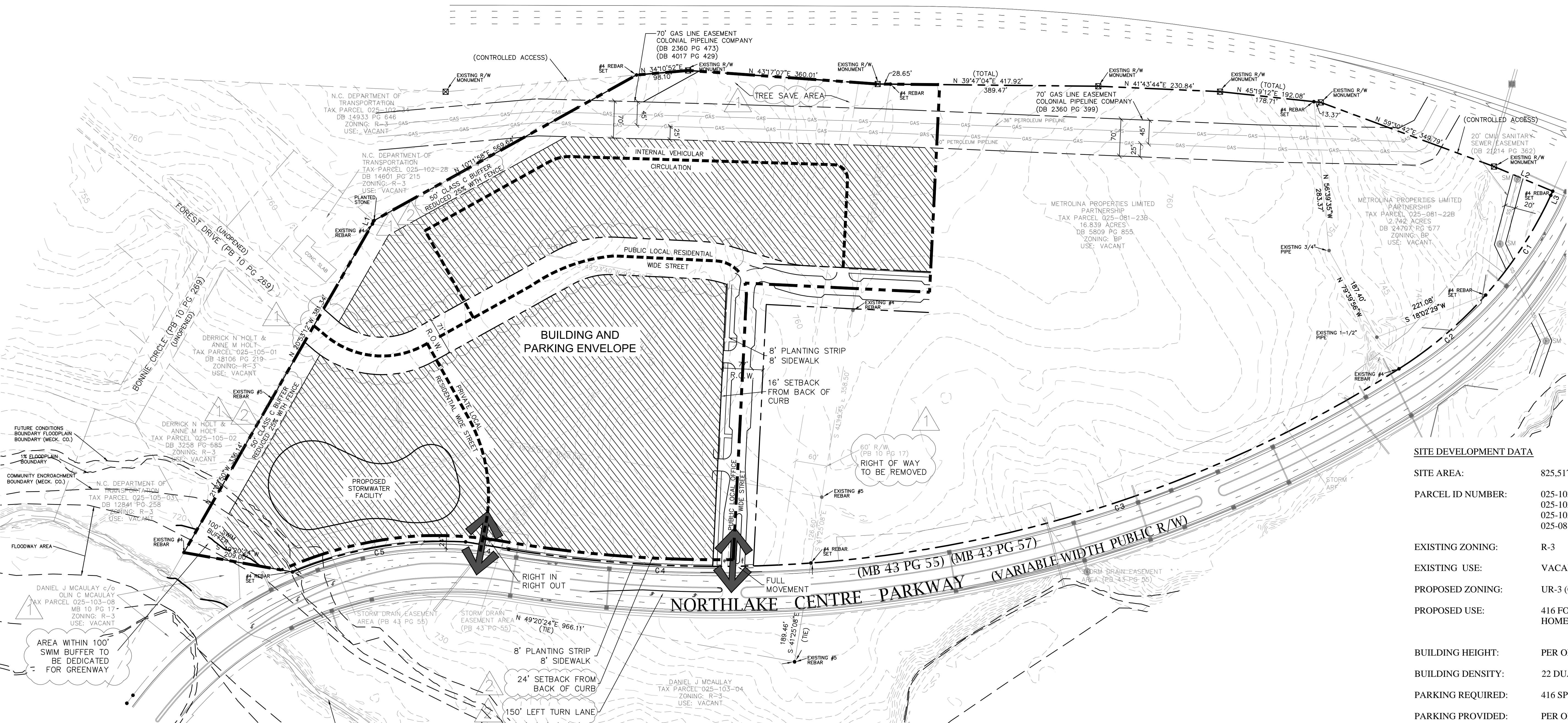




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SITE DEVELOPMENT DATA

SITE AREA:	825,517 SQ FT / 18.95 AC
PARCEL ID NUMBER:	025-103-01 025-103-02 PORTION OF 025-103-03 PORTION OF 025-081-23 PORTION OF
EXISTING ZONING:	R-3
EXISTING USE:	VACANT
PROPOSED ZONING:	UR-3 (CD)
PROPOSED USE:	416 FOR RENT APARTMENT HOMES
BUILDING HEIGHT:	PER ORDINANCE
BUILDING DENSITY:	22 DUA
PARKING REQUIRED:	416 SPACES (1.0/UNIT)
PARKING PROVIDED:	PER ORDINANCE
OPEN SPACE:	15% MIN
TREE SAVE:	PER TREE ORDINANCE

NORTHLAKE LEGAL DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

Beginning at an existing #4 rebar, said rebar being the Southwest corner of the Metrolina Properties Limited Partnership property as recorded in Deed Book 17474, at Page 73 in the Mecklenburg County Registry; thence with the westerly boundary line of said property, N. 21-02-50 W., a distance of 336.14 feet to an existing #5 rebar, said rebar being the Southwesterly corner of the Metrolina Properties Limited Partnership property as recorded in Deed Book 17474, at Page 707 in the Mecklenburg County Registry; thence with the westerly boundary line of said property, N. 20-53-12 W., a distance of 381.34 feet to an existing #4 rebar, said rebar being the Southwesterly corner of the Arrowood 77 Limited Partnership property as recorded in Deed Book 10033, at Page 842 in the Mecklenburg County Registry; thence with the westerly boundary line of said property the following two (2) courses and distances: (1.) N. 30-32-19 W., a distance of 6.23 feet to a planted stone; (2.) N. 10-11-58 E., a distance of 569.64 feet to a #4 set in the Southeasterly margin of Interstate 485 (variable width controlled access) (North Carolina Department of Transportation); thence with said Interstate 485 controlled access the following four (4) courses and distances: (1.) N. 34-10-52 E., a distance of 98.10 feet to an existing R/W monument; (2.) N. 43-17-07 E., a distance of 360.01 feet to an existing R/W monument; (3.) N. 39-47-04 E., a distance of 24.12 feet to a #4 rebar set, said rebar being a corner of the Metrolina Properties Limited property, as recorded in Deed Book 5809, at Page 855; (4.) N. 39-47-04 E., a distance of 93.36 feet to a #4 rebar set; thence four new lines through the aforementioned properties of Metrolina Properties Limited Partnership and Arrowood 77 Associates the following four (4) courses and distances: (1.) S. 48-00-27 E., a distance of 393.53 feet to a #4 rebar set; (2.) S. 42-01-21 W., a distance of 350.02 feet to a #4 rebar set; (3.) with the arc of a circular curve to the right having a radius of 60.00 feet, an arc distance of 21.18 feet to a #4 rebar set (said arc subtended by a chord of S. 58-05-31 E., 21.07 feet); (4.) S. 47-58-39 E., a distance of 516.12 feet to a #4 rebar set in the Northerly right-of-way margin of Northlake Centre Parkway, as recorded in Map Book 43, at Page 55 (variable width public right-of-way); thence with said Northlake Centre Parkway right-of-way margin the following three (3.) courses and distances: (1.) with the arc of a circular curve to the right having a radius of 2410.63 feet, an arc distance of 426.63 feet to an existing #4 rebar (said arc subtended by a chord of S. 43-35-47 W., 426.07 feet); (2.) S. 48-40-00 W., a distance of 82.90 feet to an existing #4 rebar; (3.) with the arc of a circular curve to the left having a radius of 743.61 feet, an arc distance of 335.56 feet to a #4 rebar set (said arc subtended by a chord of S. 29-20-19 W., 332.72 feet); thence leaving said Northlake Centre Parkway right-of-way, S. 49-20-24 W., a distance of 209.00 feet to an existing #4 rebar, said rebar being the point and place of Beginning, and being a portion of the Metrolina Properties Limited properties as recorded in Deed Book 5809, at Page 855, Deed Book 17474, at Page 707, and Deed Book 17474, at Page 17474, at Page 711 and portion of the Arrowood 77 Associates property as recorded in Deed Book 10033, at Page 842, and containing 18.951 acres, more or less.

Northlake Development Standards

- General Provisions.**
- Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
 - The Petitioner acknowledges that other standard development requirements imposed by other city ordinances. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
 - Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.
- Purpose**
- The purpose of this Rezoning application is to provide for the development of a multifamily community. To achieve this purpose, the application seeks the rezoning of the site to the UR-3 (CD) district.
- Permitted Uses**
- Uses allowed on the property included in this Petition will be multifamily dwelling units and related accessory uses as are permitted in the UR-3 district
- Transportation**
- The site will have access via one public street and one private street connection to Northlake Parkway as generally identified on the concept plan for the site.
 - Parking areas are generally indicated on the concept plan for the site.

- The Petitioner will install a 150' left turn/storage lane with the appropriate taper length at the full movement access point to Northlake Centre Parkway at the existing median opening
 - Public Street Extension- this street is designed and located to be extended into the adjacent parcel and connect to Northlake Centre Parkway at the northernmost existing median break.
 - Future Hucks Road Extension- the future Hucks Road Extension is intended to extend east of Northlake Centre Parkway from the northernmost median break on Northlake Centre Parkway. This intersection is a location for a potential traffic signal, to be determined based on future traffic analysis.
- Architectural Standards**
- The development of the site will be governed by the district regulations of the Zoning Ordinance for the UR-3 district and the conditions included as part of this rezoning site plan. The Petitioner has also provided typical elevation images of the buildings that represent the overall scale, character, and quality of the building proposed to be constructed on the site although the building height and the overall length and width of the buildings may vary due to topography and unit count subject to the limits below. The Petitioner reserves the right to make minor architectural changes to these building designs but the overall design and construction character will be as illustrated. To further define the character of the buildings to be constructed on the site, the Petitioner will include the following elements or features:
- At least 30% of the portions of the building exteriors located below the roof line (excluding areas devoted to windows, doors, balconies, architectural accents and signage) shall be composed of a combination of brick, stone, artificial stone, and/or stone or similar masonry products.
 - No vinyl, EIFS, or Masonite will be used for siding materials but vinyl may be used for soffit, and trim including window and door trim.
 - Principal roof pitch will be no less than 5:12.
 - Balcony railings, if included, will be of durable material and

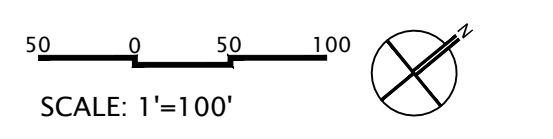
- will not be painted pressure treated lumber.
- Roofing materials will be architectural fiberglass composite shingles and roof vents and features will be painted to match the roof color.
 - Buildings will be designed so that no more than 20 feet of blank wall will be constructed along the frontage of a public or private street.
 - The Petitioner reserves the right to combine or relocate building locations so long as the total number of buildings is not increased, the buildings are within the Building Envelop, and the street frontage requirement is met.
 - Building heights will be limited to four stories along Dixon Branch and six stories elsewhere within the site.
 - Buildings will be designed with facade articulation to break up wall mass and to create variety in the character of the facade.
 - Main windows will be arranged to avoid large masses of glass and will be designed so as to be taller than they are wide. This will not apply to minor windows such as for bathrooms, stairways and architectural accents.
 - All building entrances will be connected to the on-site and/or public street sidewalk network subject to grade and ADA standards.
 - On site directional signage will be designed to reflect the architectural character and materials of the principal buildings.
 - Building facades will incorporate vertical elements and material changes to break up the mass of the building walls.
- Streetscape and Landscaping**
- Any buffers that are called for by the standards of the zoning district or this site plan may be reduced or removed if the adjoining tract where the buffers are located is rezoned to a category or district where no buffers or smaller buffers would have been required. This change can be accomplished with an administrative site plan amendment and will not require any further rezoning for the site.
 - In accordance with recommendations of the Northlake Small Area Plan, the setback along Northlake Centre Parkway will be 24'.
 - The Petitioner will arrange and construct buildings such that an average of 70% of the total public street frontage on the site, exclusive of driveways and pedestrian access points, is fronted by buildings.

- Any community or clubhouse building that is constructed as part of the multifamily development will not be located fronting on Northlake Centre Parkway.
 - No parking will be permitted between the buildings and the street but parking may be located beside or between buildings and have access from the street. On street parking will be permitted on either public or private streets.
- Environmental Features**
- The location, size and type of storm water management systems depicted on the Rezoning Plan and subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural discharge points. The water quality facility that will be constructed on the front portion of the site will be designed and landscaped and/or screened as part of the overall site design.
- Parks, Greenways, and Open Space**
- The Petitioner will dedicate and convey to Mecklenburg County the 100' SWIM Buffer on the front portion of the site, said dedication to be accomplished prior to the issuance of the first Certificate of Occupancy for the site.
- Fire Protection**
- Reserved
- Signage**
- Reserved
- Lighting**
- Freestanding lighting on the site will utilize full cut-off luminaires and will be limited to 25' in height within parking areas and to 20' in height along public and private streets.
- Phasing**
- Reserved

NORTHLAKE CENTRE APARTMENTS
CHARLOTTE, NORTH CAROLINA
WITHROW CAPITAL, INC.
1341 E. MOREHEAD STREET, SUITE 201
CHARLOTTE, NC 28204

FOR PUBLIC HEARING

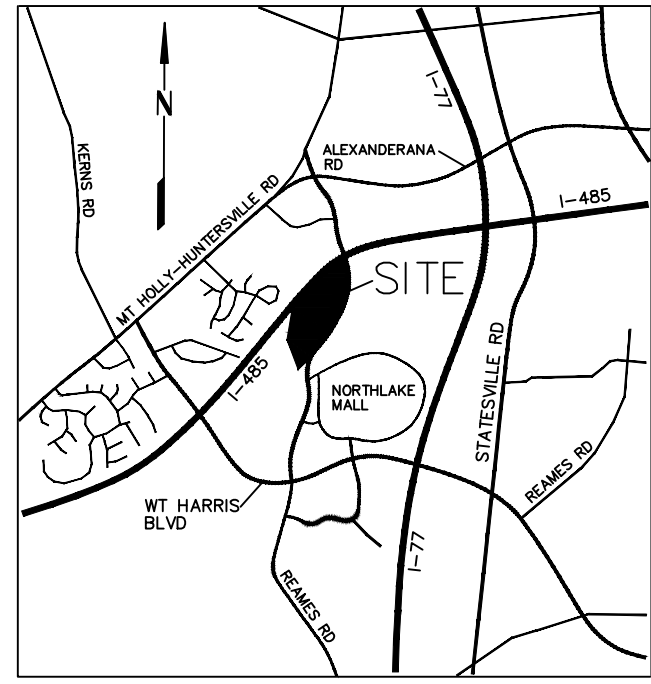
REZONING PETITION # 2013-067



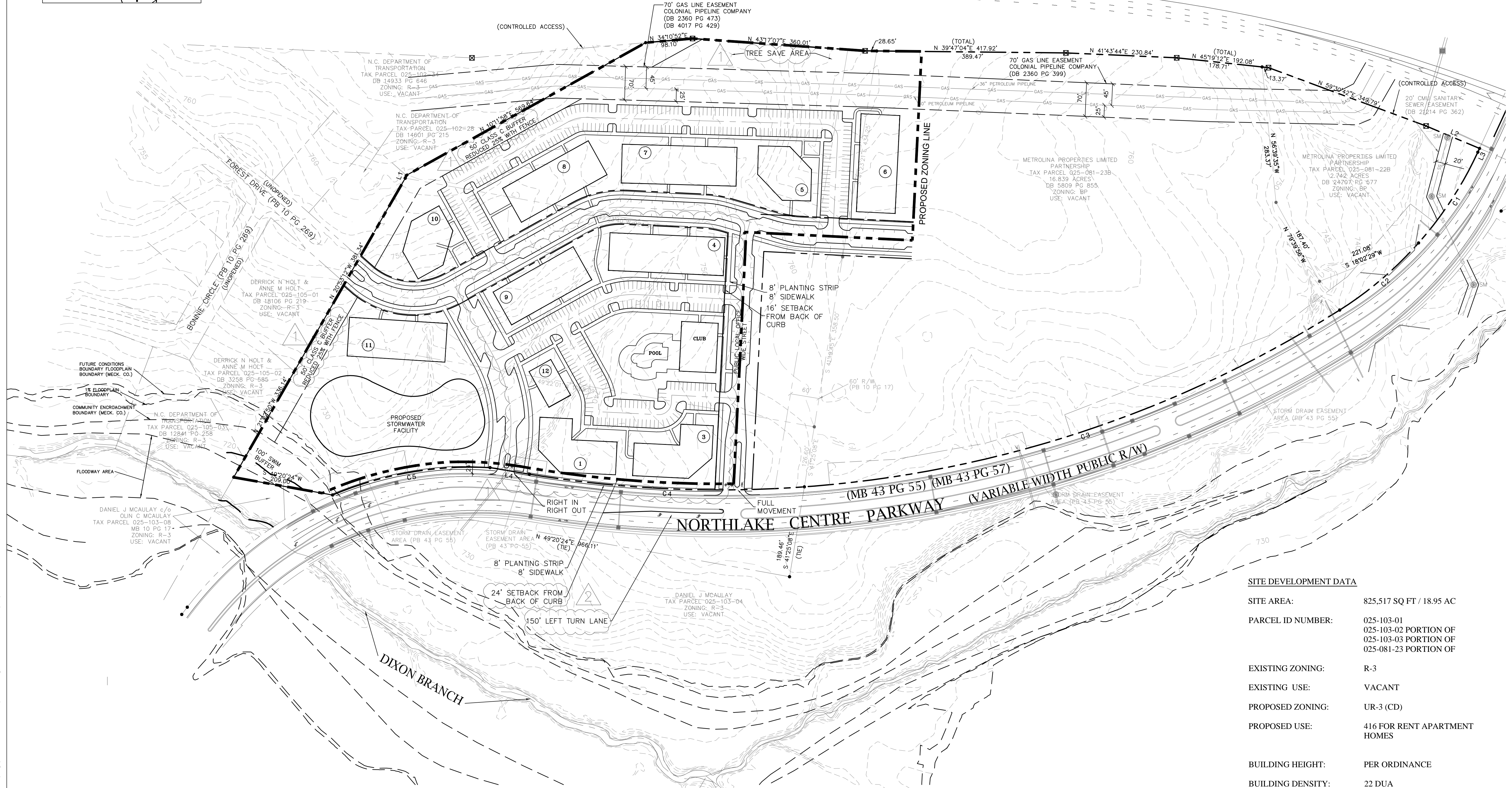
PROJECT #: 278-004
DRAWN BY: CC
CHECKED BY: JC

TECHNICAL DATA SHEET

- JUNE 5, 2013
- REVISIONS:
- AUG 16, 2013 PER STAFF COMMENTS
 - SEPT 20, 2013 PER STAFF COMMENTS
 - OCT 2, 2013 PER STAFF COMMENTS
 - OCT 11, 2013 PER STAFF COMMENTS
 - NOV 19, 2013 PER STAFF COMMENTS



INTERSTATE 485 (VARIABLE WIDTH CONTROLLED ACCESS) N.C. DEPARTMENT OF TRANSPORTATION (NCDOT TIP# R-2248D)



SITE DEVELOPMENT DATA

SITE AREA:	825,517 SQ FT / 18.95 AC
PARCEL ID NUMBER:	025-103-01 025-103-02 PORTION OF 025-103-03 PORTION OF 025-081-23 PORTION OF
EXISTING ZONING:	R-3
EXISTING USE:	VACANT
PROPOSED ZONING:	UR-3 (CD)
PROPOSED USE:	416 FOR RENT APARTMENT HOMES
BUILDING HEIGHT:	PER ORDINANCE
BUILDING DENSITY:	22 DUA
PARKING REQUIRED:	416 SPACES (1.0/UNIT)
PARKING PROVIDED:	PER ORDINANCE
OPEN SPACE:	15% MIN
TREE SAVE:	PER TREE ORDINANCE



design resource group

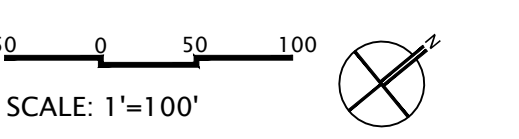
- landscape architecture
- civil engineering
- urban design
- land planning
- traffic engineering
- transportation planning

2459 wilkinson boulevard, suite 200
charlotte, nc 28208
p 704.343.0608 f 704.358.3093
www.drgrp.com

**NORTHLAKE CENTRE
APARTMENTS**
CHARLOTTE, NORTH CAROLINA
WITHROW CAPITAL, INC
1341 E. MOREHEAD STREET, SUITE 201
CHARLOTTE, NC 28204

FOR PUBLIC HEARING

REZONING PETITION #
2013-067



PROJECT #: 278-004
DRAWN BY: CC
CHECKED BY: JG

**SCHEMATIC
SITE PLAN**

JUNE 5, 2013

- REVISIONS:
- AUG 16, 2013 PER STAFF COMMENTS
 - SEPT 20, 2013 PER STAFF COMMENTS
 - OCT 2, 2013 PER STAFF COMMENTS
 - OCT 11, 2013 PER STAFF COMMENTS
 - NOV 19, 2013 PER STAFF COMMENTS

RZ-2.0

G:\305\FPROJ\237-008 Withrow Northlake\DRG - Plot_Sheets\PL-SP.dwg, RZ2.0, CONCEPT, 11/19/2013 11:16:43 AM, mbrn



design resource group

- landscape architecture
- civil engineering
- urban design
- land planning
- traffic engineering
- transportation planning

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HOUSING
STUDIO

**NORTHLAKE CENTRE
 APARTMENTS**
 CHARLOTTE, NORTH CAROLINA
 WITHROW CAPITAL, INC
 1341 E. MOREHEAD STREET, SUITE 201
 CHARLOTTE, NC 28204

REZONING

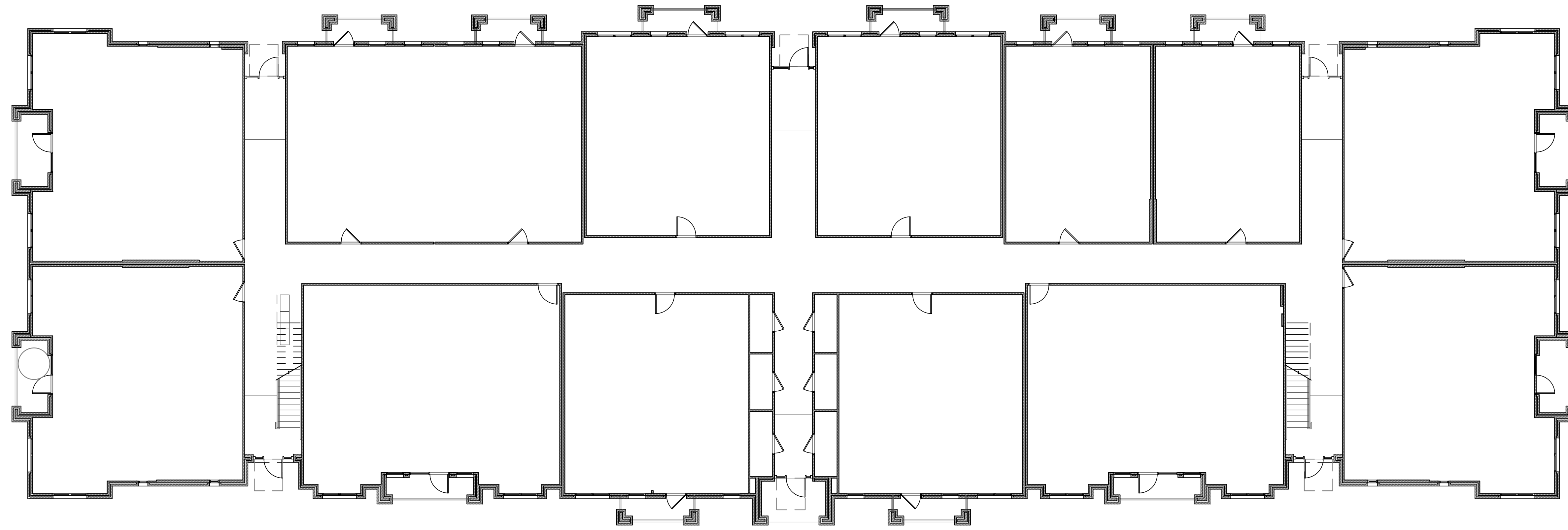
PROJECT #: 297-008
 DRAWN BY: BG
 CHECKED BY: JG

**BUILDING
EXAMPLE A**

NOVEMBER 19, 2013

REVISIONS:

RZ-3.0



FOOTPRINT



FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



design resource group

- landscape architecture
- civil engineering
- urban design
- land planning
- traffic engineering
- transportation planning

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 charlotte, nc 28208
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HOUSING
STUDIO

**NORTHLAKE CENTRE
 APARTMENTS**
 CHARLOTTE, NORTH CAROLINA
 WITHROW CAPITAL, INC
 1341 E. MOREHEAD STREET, SUITE 201
 CHARLOTTE, NC 28204

REZONING

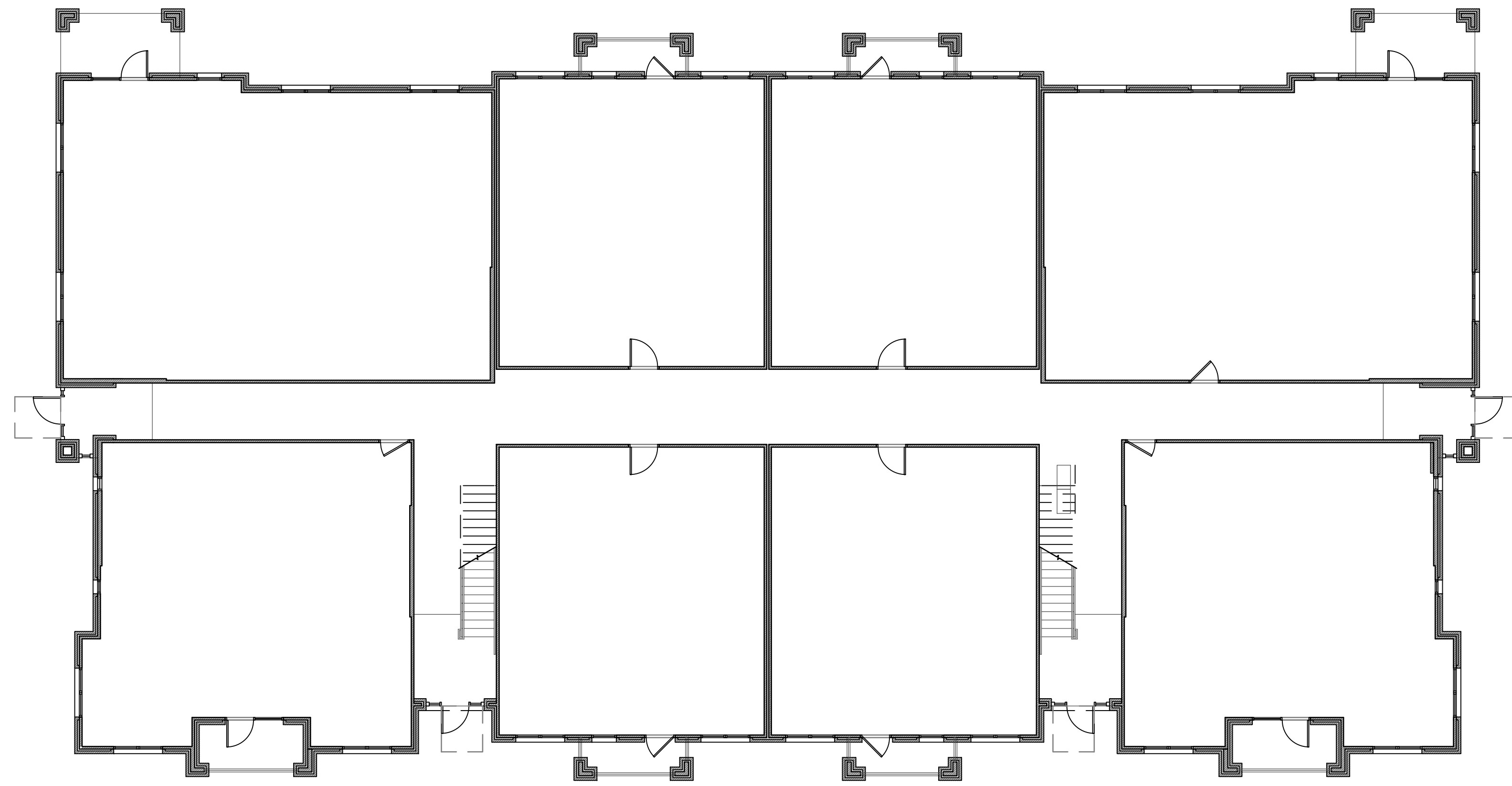
PROJECT #: 297-008
 DRAWN BY: BG
 CHECKED BY: JG

**BUILDING
EXAMPLE B**

NOVEMBER 19, 2013

REVISIONS:

RZ-3.1



FOOTPRINT



FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

ORDINANCE NUMBER: _____

AMENDING CHAPTER 16

AN ORDINANCE AMENDING CHAPTER 16 OF THE CHARLOTTE CITY CODE ENTITLED "POLICE"

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Article II, Division 2 of Chapter 16 of the Charlotte City Code is amended as follows:

DIVISION 2. - CITIZENS REVIEW BOARD

Sec. 16-56. - Creation; composition; terms; compensation; appointments; vacancies; quorum; removal.

Sec. 16-57. -Meetings.

Sec. 16-58. -Duties and responsibilities.

Sec. 16-59. -~~Appeal procedure~~Request for appeal hearing.

Sec. 16-60. -~~Necessity for hearing~~Hearing.

Sec. 16-61. -~~Hearing procedures~~Reserved.

Sec. 16-62. -Action by chief of police and city manager.

Sec. 16-63. -City clerk's duties; meeting places; staff.

Sec. 16-64. -~~Reports~~Miscellaneous.

Sec. 16-56. - Creation; composition; terms; compensation; appointments; vacancies; quorum; removal.

- (a) There is hereby established a citizens review board to be composed of 11 members: five members to be appointed by the city council, three members to be appointed by the mayor and three to be appointed by the city manager. The appointing authorities shall ensure that the members of the board are representative of the community.
- (b) Members must be continually domiciled within the county and must be registered to vote within the county.
- (c) Board members shall attend and successfully complete the Charlotte-Mecklenburg Police Department's Citizens' Academy and receive training on relevant legal ~~and~~, policy and cultural awareness issues as required by the city manager. This training must be completed prior to any board appointee serving as a member of the board.
- (d) Individuals with a felony conviction or a class A1 misdemeanor conviction shall not be eligible to serve on the board. In addition, individuals with a class 1 or class 2 misdemeanor conviction within three years of their nomination for appointment shall be ineligible to serve. Further, conviction of or a plea of nolo contendere to a felony, a class A1 misdemeanor, a class 1 misdemeanor, or a class 2 misdemeanor during the term of office shall automatically terminate membership on the board, irrespective of any appeals. Board members charged with a felony, a class A1 misdemeanor, a class 1 misdemeanor, or a class 2 misdemeanor during a term of office shall be automatically suspended until disposition of the charge, and a quorum shall be established from the remaining membership.

- (e) Prior to serving, each board member must sign a confidentiality agreement that is satisfactory to the city and which shall require that members maintain as confidential any information classified as confidential by state law or otherwise classified as confidential by the city.
- (f) The members shall serve staggered terms of office for three years, with no member serving more than two consecutive terms.
- (g) The board shall elect a chairperson and vice-chairperson from the membership.
- (h) When a vacancy occurs, the original appointing authority shall appoint a person to serve for the unexpired term of the vacant position.
- (i) Six members shall constitute a quorum in order to hold business meetings and hearings. Members are required to attend all business meetings and hearings in accordance with the attendance policies promulgated by the city council. Vacancies resulting from a member's failure to attend the required number of meetings shall be filled as provided in this section.
- (j) All members shall serve without compensation.
- (k) Members of the board shall be subject to removal from office by a two-thirds vote of the city council.

Sec. 16-57. - Meetings.

- (a) The citizens review board shall hold regular meetings as scheduled by resolution of the board. The affirmative vote of a majority, a quorum being present, shall be required before any recommendation is made on any matter considered. A majority vote shall be required for any decision made by the board.
- (b) Special meetings may be called by the chairperson to carry out any duties described in section 16-58 by giving each member notice in writing, by providing personal notice, or by leaving notice at the member's residence not less than 72 hours prior to the time set for the meeting.

Sec. 16-58. - Duties and responsibilities.

- (a) The citizens review board shall:
 - (1) Serve as an advisory board to the chief of police, the city manager, and the city council.
 - (2) ~~Review~~Hear appeals by the citizens who filed complaints of disciplinary dispositions imposed by the chief of police or his designee relating to allegations of misconduct against a sworn police officer. The board may hear appeals of complaints regarding alleged violations of the following rules: use of force, unbecoming conduct, and arrest, search and seizure. In addition, the disposition of the review of any discharge of a firearm by an officer which results in the death or injury of a person may be appealed to this board by the person injured or the next of kin if death occurs. When a death results and there is no next of kin, any member of the city council or the chairperson of the community relations committee may file an appeal pursuant to section 16-59. The disciplinary actions that may be reviewed shall include the findings of the chief of police that an allegation has been categorized as: sustained, not sustained, exonerated, or unfounded. The dispositions that may be reviewed for the discharge of firearms shall include: justified, not justified, or accidental. The board may review only appeals of citizen complaints arising from incidents that occur after the effective date of the ordinance from which this section derives. The board may not review appeals of decisions of the city manager or the civil service board. No hearing conducted under this division is intended to supplant civil or criminal remedies or proceedings, nor civil service proceedings under section 4.61 of the city charter.
 - (3) ~~Determine whether to hold an appeal hearing. The board may hold an appeal hearing only when it appears, based upon a preponderance of the evidence, that the disposition of the disciplinary charges entered by the chief of police constituted an abuse of, in its~~ discretion by the chief of police.

~~(4) Conduct appeal hearings, which include receiving and evaluating testimony and issuing findings of fact and, also may make recommendations to the chief of police and the city manager. The duty and power of the board is to conduct an appeal hearing and to determine whether, by a preponderance of the evidence, the chief of police abused his discretion by:~~

~~a. Finding in a disciplinary action that allegations were sustained, not sustained, exonerated concerning policies, procedures or unfounded; or training of police officers.~~

~~b. Finding in connection with the discharge of a firearm that the officer's action was justified, not justified, or accidental.~~

~~(5)(4) As required by state law, maintain as confidential all personnel information to which the members gain access as a member of the board. In addition, board members shall be required to execute and adhere to a confidentiality agreement that is satisfactory to the city.~~

(b) The citizens review board shall promulgate rules and regulations to effect its exercise of authority under this division and shall keep such rules and regulations on file with the city clerk.

Sec. 16-59. - Appeal procedure Request for appeal hearing.

(a) Under this division, all complaints will be investigated by the police department. Upon completion of an investigation, the chief of police shall, consistent with state law, notify the complainant by certified letter of the disposition of the complaint. The complainant also shall be informed of his right to appeal the decision of the department to the citizens review board.

(b) All appeals to the citizens review board must be made on a form approved by the board and filed in writing with the city clerk's office. The request must state the reason for the appeal and the nature of the incident and the basis on which the complainant contends that the action taken by the chief of police was in error. The citizen may seek the assistance of the community relations committee in drafting and filing his appeal. The citizen must file this appeal within seventy (30) calendar days of receiving written notice of the disposition of the complaint. The citizen must provide a valid current address for the purpose of all notifications required to be made pursuant to this division.

(c) Upon receiving a request for an appeal hearing, the chairperson of the board shall direct the chief of police to prepare a summary of deliver the entire internal affairs case and forward the summary file to the chairperson-city clerk for delivery to the members of the citizens review board. A meeting of the board will be held to discuss the The chairperson may request for appeal additional information from the complainant if deemed necessary.

Sec. 16-60. - Necessity for hearing.

~~(a)-(d) The board may elect not to hear an appeal under this division if civil, criminal or civil service proceedings are instituted and pending.~~

Sec. 16-60. Hearing.

(a) Upon receiving a request for an appeals hearing, a meeting of the board will be held shall hold a hearing within 30forty-five (45) calendar days of the request. Notwithstanding the foregoing, the board may elect not to hear an appeal under this division if civil, criminal or civil service proceedings are instituted and pending.

~~(b) (b) In~~ The hearing shall be conducted in closed session to ensure compliance with all applicable laws, including those related to the confidentiality of criminal information or intelligence and personnel matters. The parties may be represented at the hearing by counsel or any other person of their choice.

(c) The hearing will begin with the complainant and the department respectively, each in the absence of the other and the other's representatives, presenting statements of facts to the board. Following

receipt of the statements of facts, the board may, in its discretion, request additional statements, material, or information from the complainant and/or the department. After receiving the parties' statements and any additional material or information provided, the board shall conduct deliberations in the absence of the complainant and the department.

- (d) Following the deliberations contemplated in subsection (c), in a public session, and consistent with section 16-58(a)(4), the chairperson shall indicate whether the board has decided to hold a hearing conduct additional evidentiary fact-finding and, if so, shall announce the date, time and place of the hearing proceedings. In order to conduct additional evidentiary fact-finding, the board must determine that there is substantial evidence of error regarding the disposition of the disciplinary charges entered by the chief of police. The chairperson shall notify the complainant and other involved parties in writing of the decision and, if a hearing is evidentiary fact-finding proceedings are to be held, also shall advise all parties in writing of the reasons for the decision to hold a hearing evidentiary fact-finding proceedings.

(e) ~~Sec. 16-61.~~ -- Hearing procedures.

- (a) If the citizens review board decides to conduct a hearing, it evidentiary fact-finding proceedings, those proceedings shall be concluded within 30 forty-five (45) calendar days of the date of the decision to hold an appeal hearing them pursuant to section 16-60. Should the complainant or the department desire a hearing to continue the evidentiary fact-finding proceedings to a date other than that set by the board, the complainant or the department shall submit a written request for a change of the hearing date of the proceedings, stating the reason for the request. The chairperson shall approve or disapprove such request, provided that such request is received by the board at least seven calendar days prior to the date of set for the hearing, evidentiary fact-finding proceedings. For good cause, the chairperson may continue the hearing proceedings from time to time, but all appeals must be concluded within 30 sixty (60) calendar days from the date of the decision to hold an appeal hearing. The hearing shall be conducted in a closed session, with at least six members of the board present evidentiary fact-finding proceeding.

- (b) f) Evidentiary fact-finding proceedings shall be conducted as follows:

(1) All witnesses must testify under oath.

(2) All of the proceedings before the board shall be recorded.

(3) All parties involved shall have the right to be represented by counsel or any other person of their choice.

(4) The board shall receive and evaluate evidence which may include testimony of the complainant, officers, and other witnesses, and documentary and physical evidence. The complainant shall offer evidence first in support of his appeal. The department and officer shall have the right to cross examine the complainant and his witnesses. Thereafter, the department and officer shall have the right to offer evidence, and the complainant shall have the right to cross examine the department's and officer's witnesses. At the conclusion of all the evidence, the complainant or his representative, followed by the department and officer, may make a closing statement.

(5) Members of the board may question witnesses or request additional information or further investigation at any point in the process.

(6) Members who, in a particular case, have a conflict of interest shall not attend or participate in the hearing proceedings and decision-making process.

- (h) Within ten calendar days after (g) At the conclusion of the hearing evidentiary fact-finding proceedings, the board shall issue its written findings determine whether, by the greater weight of fact to the evidence, the chief of police and the city manager along clearly erred by:

(1) Finding in a disciplinary action that allegations were sustained, not sustained, exonerated or unfounded; or

~~(2) Finding in connection with a recommendation. The findings the discharge of fact must a firearm that the officer's action was justified, not justified, or accidental.~~

~~(h) Upon conclusion of the appeal process, the complainant shall be supported by a preponderance of the evidence and approved by a majority notified in writing of the decision of the board who were present at the hearing.~~

~~and, to the extent permitted by applicable law, the reasons for the decision.~~

Sec. 16-61. Reserved.

Sec. 16-62. - Action by chief of police and city manager.

- (a) The chief of police shall review the determination and findings of fact of the citizens review board and any other information at his disposal. The chief of police shall take such action as he deems appropriate, consistent with state law and city policy. The chief of police will then, within seven calendar days of the receipt of the board's recommendations, report his decision to the city manager.
- (b) The city manager shall review the decision of the chief of police and, within seven calendar days of the receipt of the decision of the chief of police, take such action as he deems appropriate, consistent with state law, and shall advise the chief of police of any intended action.
- (c) The city manager shall notify all parties, including the citizens review board, of the decision of the city manager consistent with state law and city policy. The city manager also shall advise the city council of the outcome of the appeal. Notifications made under this subsection must be made within seven calendar days of the date that the decision of the city manager was initially communicated to the chief of police.

Sec. 16-63. - City clerk's duties; meeting places; staff.

- (a) Under this division the city clerk shall:
 - (1) Act as secretary to the citizens review board;
 - (2) Keep the minutes of its meetings;
 - (3) Be custodian of all papers and records pertaining to the business of the board; and
 - (4) Perform such other duties as the board may require.
- (b) The city council shall provide sufficient and reasonable rooms and use of public buildings for meetings and hearings of the board as may be necessary.
- (c) The city manager shall assign staff to support the functions of the citizens review board.

Sec. 16-64. -~~Reports~~ Miscellaneous.

- (a) The citizens review board shall make a semiannual and an annual report of its actions for each preceding year. These reports shall be kept in the files of the board and a copy delivered to the chief of police, city manager, city council and the community relations committee.
- (b) The board shall receive annually a report from the police chief concerning all complaints against department personnel and the disposition of such complaints.
- (c) The board shall recommend changes to the citizens review process to city council as deemed appropriate and approved by a majority of the board.

(d) The board shall promote its visibility within the community by adopting procedures to educate citizens about the board process, and enhance citizen participation through process and procedural changes as deemed appropriate.

(e) The board shall conduct legal, policy and cultural awareness training for its members, in addition to that provided pursuant to section 16-56(c), on a continuing basis as deemed appropriate.

Section 2. This ordinance is effective immediately and shall apply to all appeals to the Citizens Review Board filed after the effective date.

Approved as to form: _____

City Attorney

RESOLUTION OF THE
CHARLOTTE CITY COUNCIL
CREATING AN INTER-AGENCY TASK FORCE
TO MAXIMIZE IMMIGRANTS' ECONOMIC AND CIVIC CONTRIBUTIONS
TO THE CITY OF CHARLOTTE

WHEREAS, the foreign-born population in the Charlotte metropolitan area increased from 23,000 to 173,000 residents from 1990 to 2011, with immigrants of all skill levels being active participants in Charlotte's economy; and

WHEREAS, a May 30, 2013, roundtable meeting organized by Americas Society/Council of the Americas among leaders from the public and private sectors and civil society added new momentum and urgency to the role that the City of Charlotte can play in providing the framework for its immigrant populations to maximize their roles in expanding the local economy and enriching civic life; and

WHEREAS, the Charlotte community and other cities represented at the May 30 roundtable recognized that the challenges immigrants face in integrating in our education system, neighborhoods, industries, and businesses affects Charlotte's potential for job creation and that the City of Charlotte and its business community should work to address these challenges in order for Charlotte to continue its trajectory as a globally competitive city; and

NOW THEREFORE, BE IT RESOLVED by the Charlotte City Council that the City of Charlotte will prioritize steps to facilitate immigrants' ability to contribute to the community through the creation of an inter-agency task force with a mandate to examine and recommend best practices in immigrant integration and educate the community of the economic and social benefits of its growing immigrant populations. The Immigrant Integration Task Force shall have such powers and duties set forth in this Resolution.

BE IT FURTHER RESOLVED that:

- (1) The Immigrant Integration Task Force shall consist of up to 25 members, all of whom shall serve without compensation. The Mayor of Charlotte shall appoint up to seven (7) members that represent certain areas of specialized expertise, and the City Council shall appoint the remaining members after receiving nominations from community agencies as outlined in the attached Framework for Task Force Appointments (Exhibit A). The Mayor of Charlotte will select a Chair and Vice-Chair from the members appointed. Upon his or her selection, the Chair of the Task Force shall call an organizational meeting.
- (2) The work of the Immigrant Integration Task Force shall be sponsored by the Charlotte International Cabinet, Neighborhood & Business Services, and may receive additional amounts of private funds as required to complete its work.
- (3) The Immigrant Integration Task Force is hereby charged and authorized as follows:
 - a. To review the recommendations by the Mayor's Immigration Study Commission, published in 2007, in order to leverage previous research and conclusions;
 - b. To research and recommend policies—including those from other new immigrant gateway cities—that facilitate access to city services for all residents of Charlotte, including its immigrant populations, while addressing gaps in civic engagement;
 - c. To prepare a report with recommendations to the Charlotte City Council that promote awareness among the public of the availability of existing programs and services facilitating immigrant integration;
 - d. To seek opportunities to better educate the overall Charlotte community on how embracing immigrant communities will help to move the city forward.

(4) The Immigrant Integration Task Force shall deliver its findings and recommendations to the City Council within one year of their first meeting.

(5) Upon delivery of its findings and recommendations, the Task Force will work in coordination with Charlotte City Council to promote initiatives that facilitate immigrant integration. The May 30 AS/COA roundtable highlighted some of the ways in which to facilitate immigrant integration:

- a. Financial Inclusion: Promote citywide efforts that teach financial literacy and raise awareness of the importance of entering the formal financial system in order to build savings and credit.
- b. Education: Support digital inclusion programs that facilitate increased access to technology in immigrant communities.
- c. Civic Integration: Encourage immigrants to join boards and commissions to improve civic engagement and representation.
- d. Public Safety: Establish a hotline supported by a local, trusted non-profit organization that immigrants can trust to report crimes. Improve trust and dialogue between immigrants and the police department through designated police programs that engage and outreach with immigrant communities.
- e. Collaboration: Form and maintain direct ties with immigrant communities and community-based organizations to ensure a steady flow of communication.
- f. Celebrate Diversity: Partner with community organizations which organize celebrations (festivals, street fairs, etc.) that expose the greater Charlotte community to the contributions and diversity of the city's immigrant populations.

(6) The Immigrant Integration Task Force shall meet quarterly to assess progress on its recommendations and to ensure that city services and public-private partnerships toward immigrant integration are being effectively implemented. Task Force meetings shall periodically invite public comments and participation.

ADOPTED by the Charlotte City Council on the 25th day of November, 2013.

APPROVED AS TO FORM:

City Attorney

City Clerk

Exhibit A

Framework for Task Force Appointments

Quantity	Mayoral Appointments (7)
1	Immigration Law Attorney (Business Practice)
1	Immigration Law Attorney (Personal Practice)
1	Representative of a Refugee Resettlement Agency
1	Representative from the Healthcare System
1	Representative from the Hospitality/Food Service Industry
2	At-Large Appointments
Quantity	City Council Appointments (18)
1	Latin American Coalition
1	Southeast Asian Coalition
1	Charlotte Chamber of Commerce
1	International House
1	Charlotte International Cabinet
2	Charlotte Mecklenburg Schools (Teacher & Administrator)
1	Mecklenburg County Health Department
1	Mecklenburg County Sheriff's Office
1	Mecklenburg County Department of Social Services
1	Charlotte-Mecklenburg Community Relations Committee
2	Charlotte-Mecklenburg Police Department (Officer & Administrator)
1	Central Piedmont Community College
1	City of Charlotte – Code Enforcement
1	Office of the Consul General of Mexico
1	Mecklenburg Ministries
1	United Way of the Central Carolinas
25	Total

**Chair & Vice Chair to be appointed by the Mayor*



CHARLOTTE

NEIGHBORHOOD & BUSINESS
SERVICES

Housing Support Funding Requests

Housing & Neighborhood Development
Committee

November 11, 2013

- The Charlotte-Mecklenburg Housing Partnership requests \$700,000 of unallocated Community Development Block Grant Funding for the continued revitalization of Brightwalk
- The Urban Ministry Center requests \$1,000,000 from the Housing Trust Fund for the expansion of Moore Place

Before



Current



- Appraised tax value when purchased was less than \$1M
- Anticipated tax value when complete is \$60M

- Mixed-Income Development
 - Diverse resident mix
 - 214 Affordable/Workforce multi-family housing units
 - 77 Market Rate and Affordable/Workforce single-family homes and townhomes
 - Over 200 single-family and townhomes currently under development
 - Additional lots under contract with Standard Pacific over next 18 months

- Market momentum is exceeding infrastructure schedule
- Infrastructure necessary to respond to residential sales momentum
- Unanticipated delays in Tax Increment Finance Payments due to Brownfield's Tax structure
- Rapidly rising construction costs



Rationale for Funding Request



Use of CDBG Funding

Infrastructure Budget	
Staking	\$ 16,620
Erosion Control	\$ 26,525
Demolition/Grading	\$144,070
Storm Drainage	\$ 39,321
Sewer Collection/Water Distribution	\$154,330
Curbs, Entrances, Sidewalks	\$352,550
Handrails/Guardrails	\$ 26,640
Asphalt Paving	\$ 59,080
Contractor Bonding	\$ 20,000
<u>Traffic Signals, Stripping, etc.</u>	<u>\$ 60,000</u>
Total	\$899,136

Use of CDBG Funding

Infrastructure Budget	
Sources:	
CDBG Request	\$700,000
<u>CMHP Equity</u>	<u>\$199,136</u>
Total	\$899,136
Uses:	
Infrastructure Costs	\$899,136

Moore Place Expansion



- Opened in 2012
- 85 one-bedroom efficiency apartments
- Supportive housing for chronically homeless, disabled adults
- Partners include:
 - Charlotte Housing Authority
 - City of Charlotte
 - NC Housing Finance Agency
 - Foundations and Faith community
 - Mecklenburg County



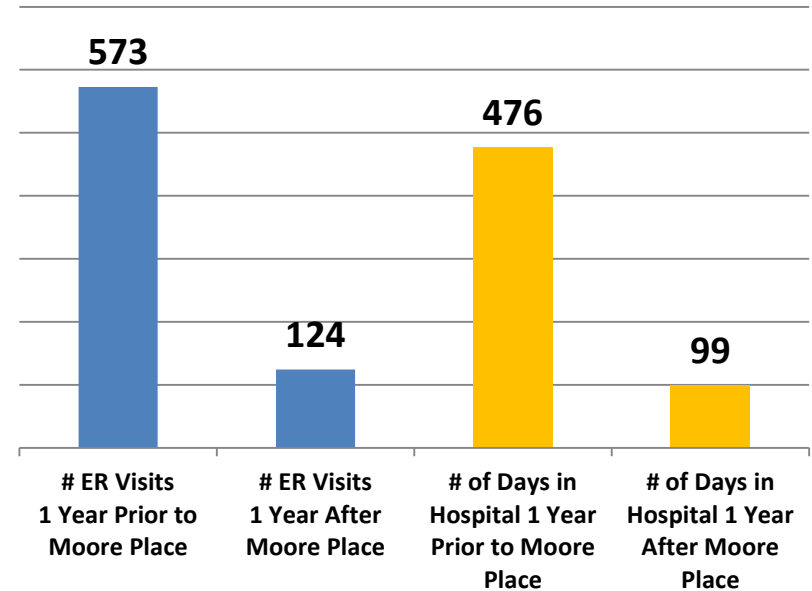
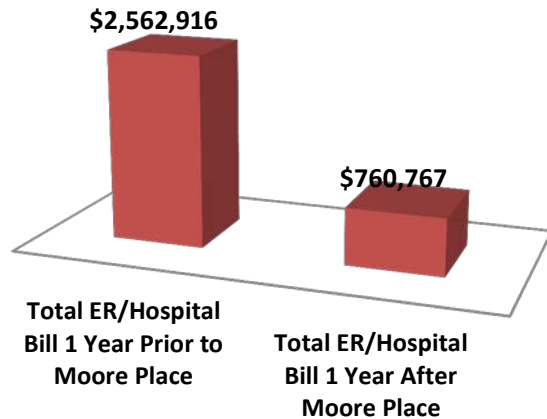
- Priority for most vulnerable, long-term homeless (men & women)
- 78% of residents are 50 years old and older
- Residents have lease obligations
- Residents pay monthly rent (30% of income)
- 82% of residents have income



- 40% of residents have three disabling conditions
- On-site supportive services provided through partnerships
 - Mecklenburg County Community Support Services: five full-time social workers
 - Carolinas HealthCare System: full-time nurse, part-time psychiatrist, primary care physician
- Comprehensive case management and wrap-around support helps residents, meet personal goals and remain stably housed (over 80% of residents remain stably housed)

- **UNC-C Program Evaluation**

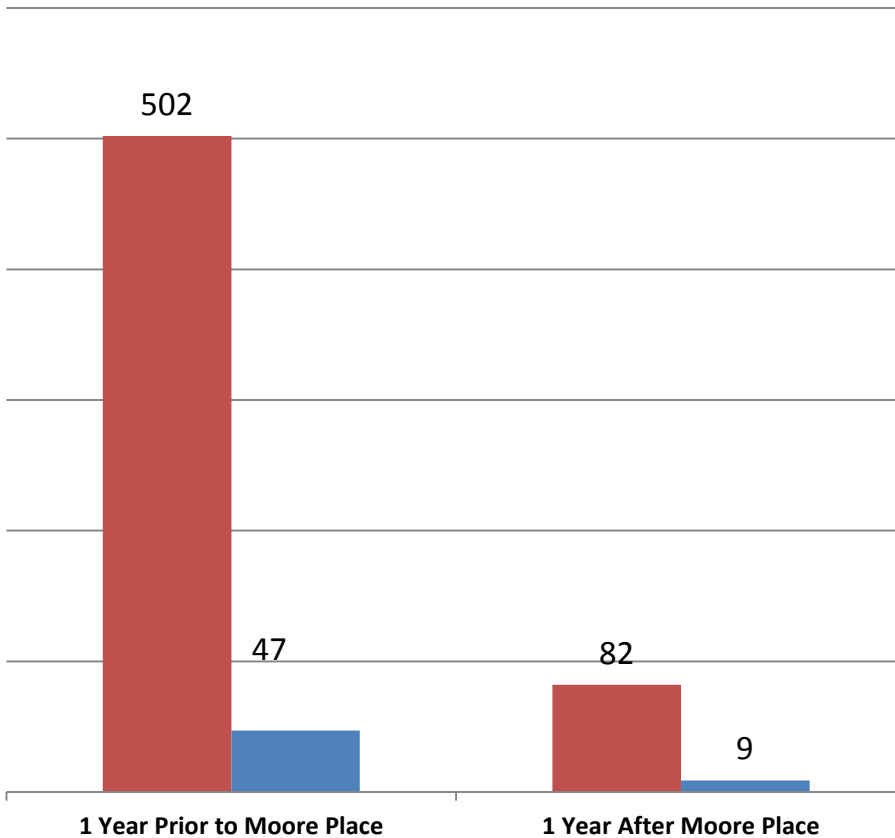
- 449 Fewer Emergency Room Visits (78% reduction)
- 377 Fewer Days Admitted to the Hospital (79% reduction)



\$1.8 Million Lower Total Hospital Bill
(70% Reduction)

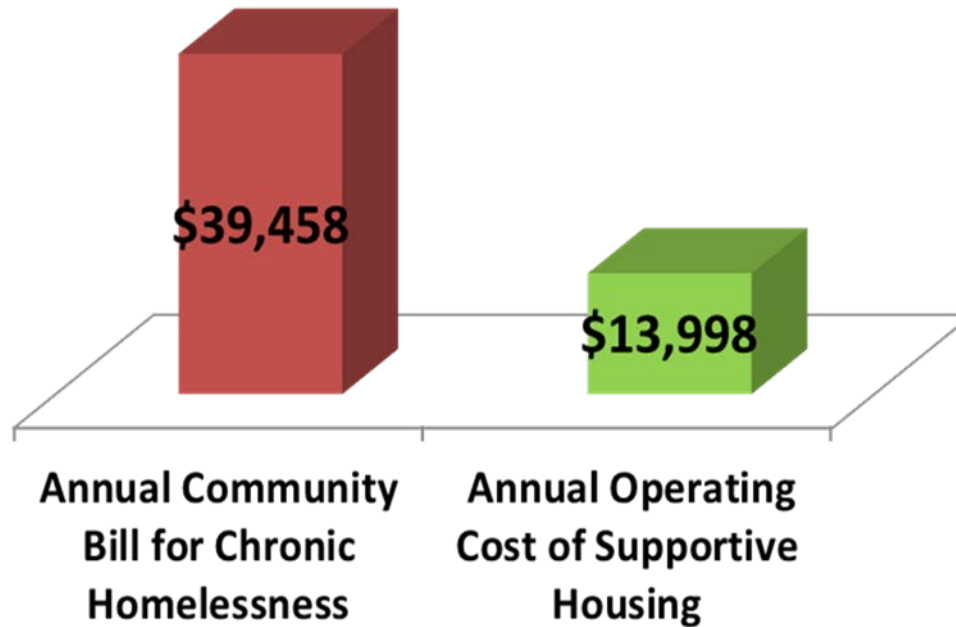
Community Savings

■ Total Days Spent in Jail ■ Total Arrests



38 Fewer Arrests (81% reduction)

420 Fewer Days Spent in Jail (84% reduction)



Per person cost – homelessness vs. housing

- Urban Ministry Center seeks to add 35 new units that will be affordable for 50 years
- 10 units set aside for chronically homeless veterans
- Demonstrated need through:
 - 2012 City study (15000 undersupply of units for households earning <30% AMI)
- Leverage existing property and operational efficiencies
- Aligned with Council's Ten-Year Plan to End and Prevent Homelessness

- Charlotte Housing Authority considering providing 35 rental subsidy vouchers
- Mecklenburg County considering an additional social worker
- Carolinas HealthCare System to provide primary care



- “The Druid Hills fully supports the expansion of Moore Place”
 - *Darryl Gaston, President, Neighborhood Association*

Expansion Budget

Sources	Amounts
North Carolina Housing Finance Agency	\$ 600,000
Federal Home Loan Bank	\$ 500,000
Urban Ministry	\$1,900,000
<u>City of Charlotte</u>	<u>\$1,000,000</u>
Total	\$4,000,000

- Housing & Neighborhood Development Committee requested to make a recommendation for approval to Council on November 11, 2013
- Council consider approval on November 25, 2013

**Housing Support Funding Request
Charlotte-Mecklenburg Housing Partnership - BrightWalk
Housing and Neighborhood Development Committee Meeting
November 11, 2013**

Committee Action:

Recommend approval of a funding request in the amount of \$700,000 of unallocated Community Development Block Grant carryover funding, for the continued redevelopment of the Brightwalk Community.

Policy:

- On November 26, 2001, City Council established a Housing Trust Fund to provide gap financing for affordable housing development in the Charlotte community.
- The FY2013 U. S. Department of Housing and Urban Development Annual Action Plan was adopted by City Council on April 23, 2012.
- The Annual Action Plan for Housing and Community Development identifies the need for affordable, safe and decent housing for low and moderate-income families.
- The Plan reaffirms the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

Explanation:

- The Charlotte Mecklenburg Housing Partnership, Inc. (CMHP) requests the City of Charlotte award \$700,000 of unallocated Community Development Block Grant (CDBG) funding for the continued revitalization of Brightwalk at Historic Double Oaks community (Double Oaks).
- CDBG funds will be used to pay for critical infrastructure necessary to continue the development of Brightwalk, on the west side of Double Oaks Road and for intersection improvements at Statesville Avenue and Norris Drive.
- CMHP has experienced tremendous success in rebuilding and revitalizing the Double Oaks community by creating a mixed-income development, with a highly diverse resident mix of race, ethnicity, age, income, and other demographic factors. Through September 2013, the development encompasses 214 affordable multi-family housing units and 77 market rate and affordable single family homes and townhomes.
- In addition to the 77 homes described above, CMHP has an additional nearly 250 incremental single family home and townhome lots in various stages of development which are under contract with the builder, Standard Pacific, over the next 18 months. This is a much faster pace than originally anticipated by either CMHP or Standard Pacific.
- When the redevelopment began in 2007, the appraised tax value of the entire 85-acre Double Oaks site was less than \$1,000,000.
- During the November 11, 2013 meeting, Charlotte-Mecklenburg Housing Partnership staff and Neighborhood & Business Services staff will be prepared to discuss the details of the funding request and answer any additional questions about the development.

Next Steps:

City Council will be requested to approve the funding request at their November 25, 2013 Business Meeting.



CHARLOTTE

NEIGHBORHOOD & BUSINESS
SERVICES

Housing Support Funding Requests

Housing & Neighborhood Development
Committee

November 11, 2013

- The Charlotte-Mecklenburg Housing Partnership requests \$700,000 of unallocated Community Development Block Grant Funding for the continued revitalization of Brightwalk
- The Urban Ministry Center requests \$1,000,000 from the Housing Trust Fund for the expansion of Moore Place

Before



Current



- Appraised tax value when purchased was less than \$1M
- Anticipated tax value when complete is \$60M

- Mixed-Income Development
 - Diverse resident mix
 - 214 Affordable/Workforce multi-family housing units
 - 77 Market Rate and Affordable/Workforce single-family homes and townhomes
 - Over 200 single-family and townhomes currently under development
 - Additional lots under contract with Standard Pacific over next 18 months

- Market momentum is exceeding infrastructure schedule
- Infrastructure necessary to respond to residential sales momentum
- Unanticipated delays in Tax Increment Finance Payments due to Brownfield's Tax structure
- Rapidly rising construction costs



Rationale for Funding Request



Use of CDBG Funding

Infrastructure Budget	
Staking	\$ 16,620
Erosion Control	\$ 26,525
Demolition/Grading	\$144,070
Storm Drainage	\$ 39,321
Sewer Collection/Water Distribution	\$154,330
Curbs, Entrances, Sidewalks	\$352,550
Handrails/Guardrails	\$ 26,640
Asphalt Paving	\$ 59,080
Contractor Bonding	\$ 20,000
<u>Traffic Signals, Stripping, etc.</u>	<u>\$ 60,000</u>
Total	\$899,136

Use of CDBG Funding

Infrastructure Budget	
Sources:	
CDBG Request	\$700,000
<u>CMHP Equity</u>	<u>\$199,136</u>
Total	\$899,136
Uses:	
Infrastructure Costs	\$899,136

Moore Place Expansion



- Opened in 2012
- 85 one-bedroom efficiency apartments
- Supportive housing for chronically homeless, disabled adults
- Partners include:
 - Charlotte Housing Authority
 - City of Charlotte
 - NC Housing Finance Agency
 - Foundations and Faith community
 - Mecklenburg County



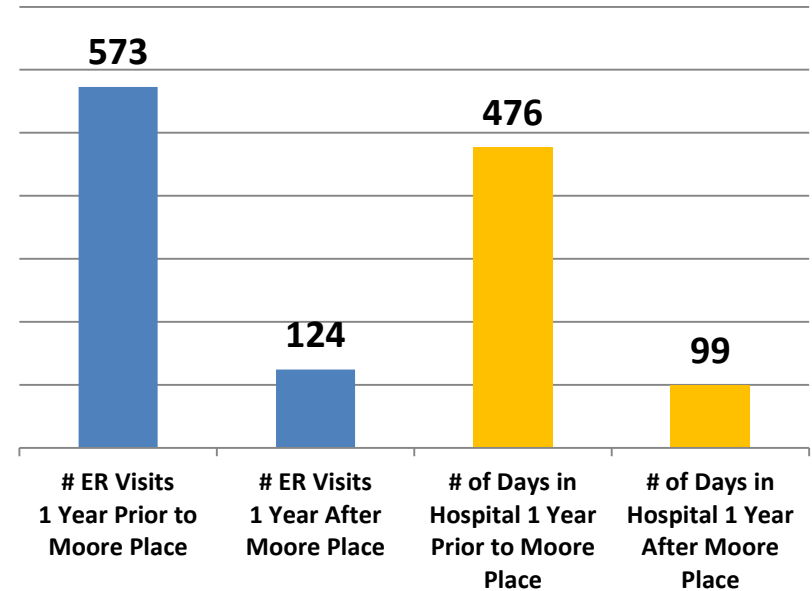
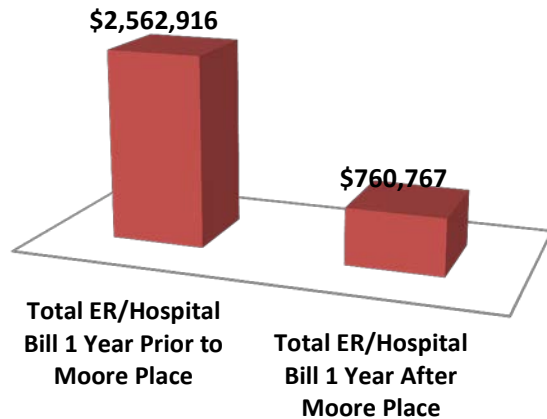
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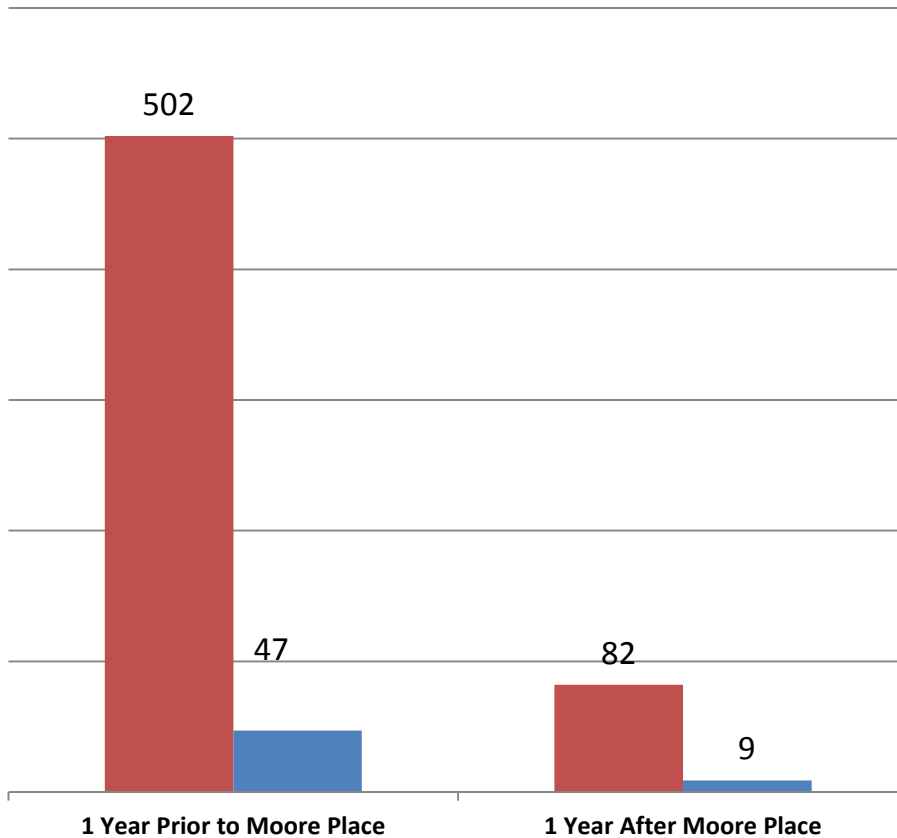
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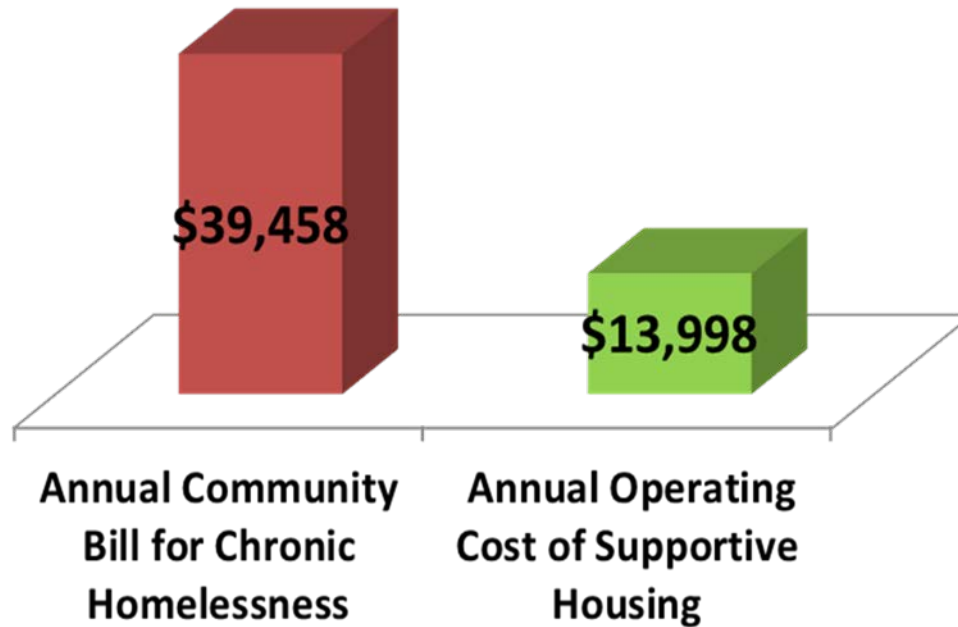
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**Housing Support Funding Request
Urban Ministry – Moore Place Expansion
Housing and Neighborhood Development Committee Meeting
November 11, 2013**

Committee Action:

Recommend approval of a funding request in the amount of \$1,000,000 of Housing Trust Fund dollars for the expansion of Moore Place.

Policy:

- On November 26, 2001, City Council established a Housing Trust Fund to provide gap financing for affordable housing development in the Charlotte community.
- The FY2013 U. S. Department of Housing and Urban Development Annual Action Plan was adopted by City Council on April 23, 2012.
- The Annual Action Plan for Housing and Community Development identifies the need for affordable, safe and decent housing for low and moderate-income families.
- The Plan reaffirms the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.
- In 2007, City Council adopted the Ten-Year Plan to End and Prevent Homelessness.

Explanation:

- The Urban Ministry Center is requesting \$1,000,000 from the Housing Trust Fund for the expansion of Moore Place.
- The Urban Ministry Center is seeking to expand Moore Place by adding 35 new units of permanent supportive housing. 10 of the new units will be set aside for chronically homeless veterans.
- Moore Place is a permanent supportive housing development for chronically homeless adults.
- Moore Place has been fully operational since July 2012 and has maintained a 100% occupancy rate, demonstrating the demand for permanent housing for the chronically homeless.
- Moore Place is located at the corner of Lucena and Moretz Avenue and is zoned I-1, consistent for use with Single Room Occupancy in Section 12.527 of the City of Charlotte Zoning Ordinance.
- During the November 11, 2013 meeting, Neighborhood & Business Services staff and Charlotte-Mecklenburg Housing Partnership staff will be prepared to discuss the funding request and answer any additional questions about the development.

Next Steps:

City Council will be requested to approve the funding request at their November 25, 2013 Business Meeting.

Airport Control Tower

- Continue working with the Federal Aviation Administration to advance design, construction and opening (commissioning) of the new Tower

Federal Courthouse

- Secure FY 15 funding for new Federal Courthouse

Municipal Bonds

- Support municipal bond tax exemption

Surface Transportation Program

- Support reauthorization of surface transportation program

Advancing the Vision: 2030 Transit System Plan

- Support continuation of federal resources for the build-out of the 2030 Transit System Plan



2014 Federal Legislative Agenda

Project / Policy Request Title: Airport Control Tower

Position: Continue working with the Federal Aviation Administration to advance design, construction and opening (commissioning) of new tower

Requesting Department(s): Aviation

Staff Resource(s): Brent Cagle, 704.359.4035
Jack Christine, 704.359.4932

Background and History: The City of Charlotte and the Federal Aviation Administration (FAA) funded a new \$325 million runway at Charlotte Douglas International Airport which officially opened on February 11, 2010. The federal share of this project totaled over \$200 million including land acquisition and construction. Due to funding challenges, the FAA portion of the cost of the new runway was far less than is authorized by statute for large hub airports and did not include funding for a new air traffic control tower. The new runway is an extremely important asset to Charlotte and the region, and was in the developmental stages for fifteen years. It immediately enhanced airport capacity and has the potential to sharply reduce flight delays if used to its maximum potential. Achieving the full benefits of the new runway depends upon the FAA being able to operate the expanded airfield to its maximum capacity. Unfortunately, the existing air traffic control tower at the airport, which is over 30 years old, is no longer adequate for this purpose.

Current Need/Problem (including potential allies or detractors): The existing tower, constructed in 1979, stands 155 feet above ground level and has a 525 square foot controller cab, which accommodates a maximum seven controllers at a time. From this tower, the FAA controlled 224,324 aircraft operations in 1979. Entering 2012, the airport has grown into the sixth busiest airport in the nation, controlling 539,842 aircraft operations for 2011. That number is forecasted to grow to 772,149 by 2020 and 990,360 by 2030. The existing volume of activity alone renders the tower inadequate and unable to handle the level of operations projected for the future. Moreover, the existing tower is too low and in the wrong position to permit adequate visual contact between the controllers and the aircraft operating from the existing runways and the new runway (*Please see attached exhibit: Shadow Study*). This was communicated in a letter from the FAA in May of 2007 which reads in pertinent part:

“The original study used the Boeing 747 as the critical aircraft utilizing the new runway. The results depicted fuselage and wing shadowing caused by aircraft taxiing on the parallel and adjoining runways. The impact of this shadowing would be the intermittent obscuration of the runway approach ends. The second shadow study submitted used aircraft more common to Charlotte’s operations, the CRJ900 and A321-100 series aircraft. The results of this study also contained similar impacts to the operations of the proposed runway. Due to these impacts, there will be operational restrictions associated with the new runway. Air Traffic will design procedures to utilize the runway to the maximum extent possible given the described impacts.”

The FAA recognizes that a business case has been made for construction of a new Tower. The FAA has chosen a site for the new tower south of the US Airways Hangar and authorized design to begin in September 2013. Tower opening (commissioning) is expected to take place by 2019. The Tower is projected to cost \$40 million and will stand 370 feet above ground level.

Due to the robust operations at the airport and its unique placement in the southeastern United States, the City believes commissioning should be accelerated to no later than 2016 and has proposed an alternative financing plan in order to accelerate the date of commissioning.

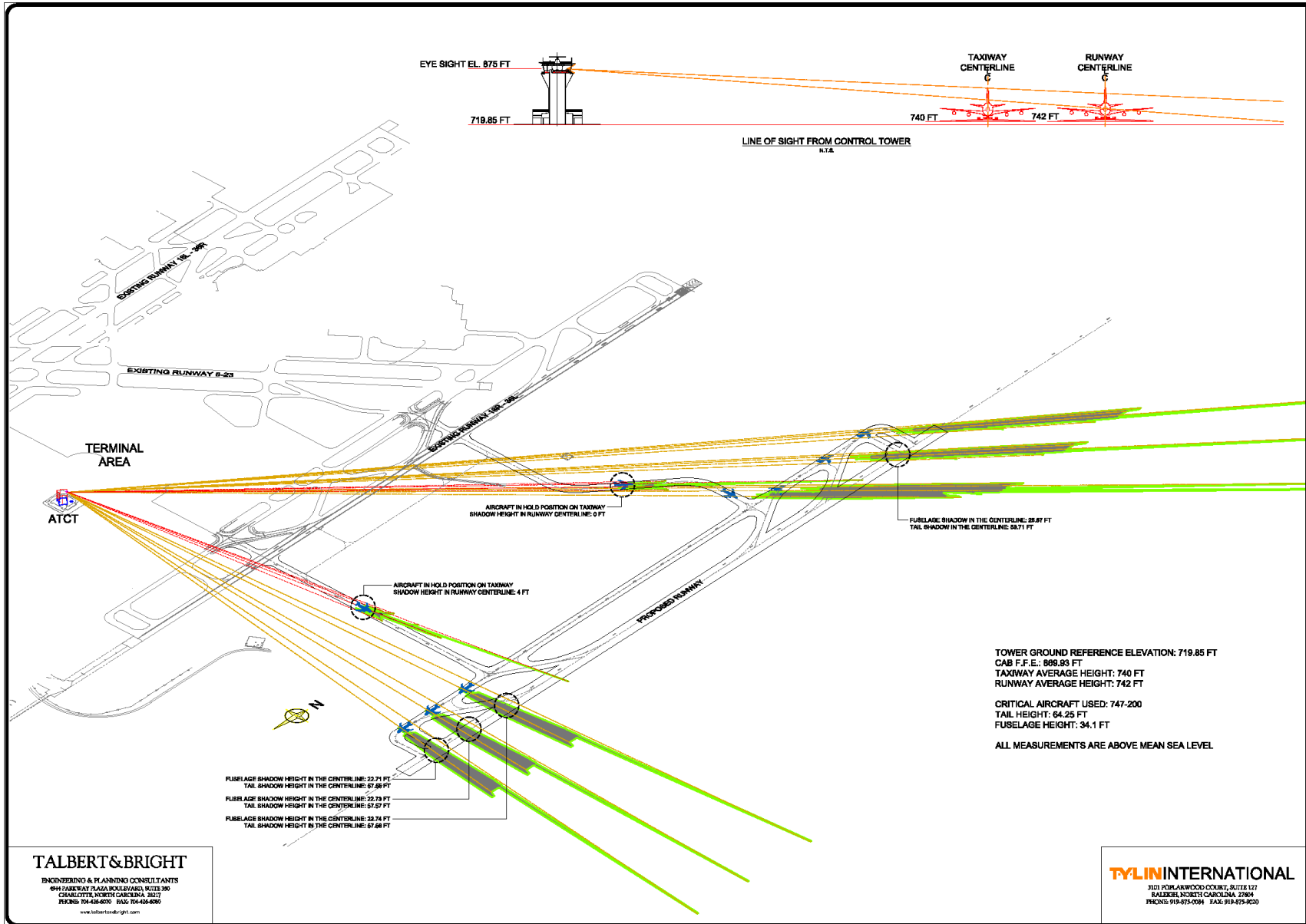
Former US Secretary of Transportation Ray LaHood agreed that the new tower should be constructed for commissioning as soon as possible and expressed interest in alternative funding mechanisms. In April 2012, he directed the FAA to work with City and airport staff to develop a plan to advance construction of the new tower while not impacting the construction timetable of other towers programmed for construction by the FAA. The alternative financing mechanism would involve the City fronting the funds (likely through bonds) for construction of the new tower by 2016. After 2016, the FAA would lease the Tower from the City and continue to amass capital funds through the annual appropriations process until such time enough funds have been secured to purchase the tower (expected to be in 2019).

Using the alternative financing mechanism, the Tower could be commissioned by 2016, bringing an important asset online three years earlier than planned and not costing US taxpayers any more than if constructed using traditional financing techniques. Additionally, the ability to safely utilize the airfield to its maximum potential will allow for an increased level of flight traffic at Charlotte Douglas International Airport satisfying the passengers and airlines using the airport.

The local business community, including the Charlotte Chamber of Commerce, is supportive of a new Airport Control Tower.

Impact if Adopted: The FAA, the airlines serving Charlotte Douglas International Airport and the citizens of the region all need the benefits a new tower will deliver. The City is ready to initiate the alternative financing mechanism with the FAA in order to accommodate tower commissioning in 2016.

EXHIBIT – SHADOW STUDY



REVISIONS	DATE
1	
2	
3	
4	
5	

DESIGNED BY: N/A
 PROJECT ENG.: N/A
 PROJECT NO.: 550704.00
 DRAWN BY: JV
 CHECKED BY: RAW
 DATE ISSUED: 3/29/2007



SHADOW STUDY
 SCALE: 1" = 500'
 FILE NAME:

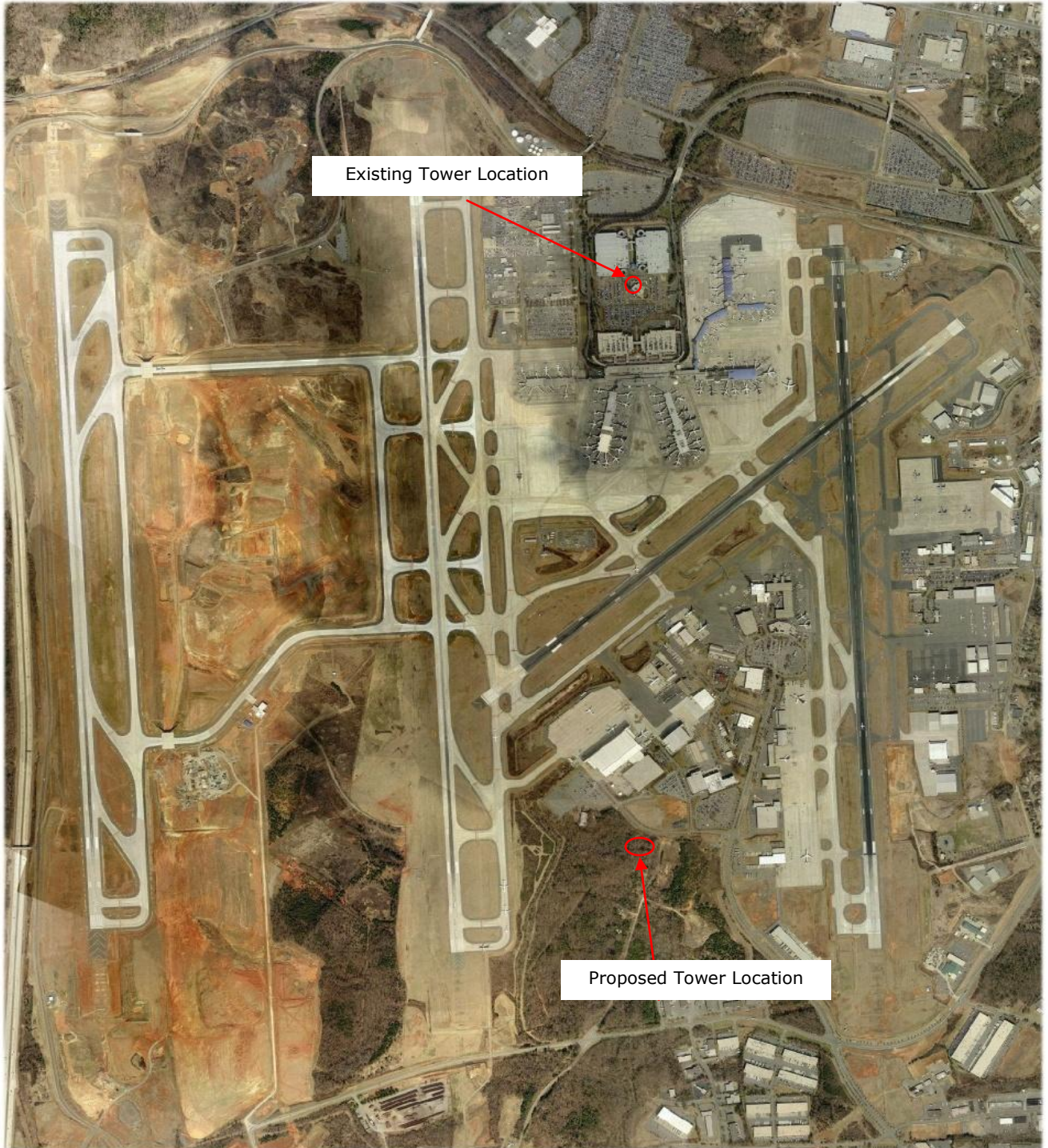
SHT. 1
 OF 1

TOWER GROUND REFERENCE ELEVATION: 719.85 FT
 CAB F.F.E.: 889.93 FT
 TAXIWAY AVERAGE HEIGHT: 740 FT
 RUNWAY AVERAGE HEIGHT: 742 FT
 CRITICAL AIRCRAFT USED: 747-200
 TAIL HEIGHT: 64.25 FT
 FUSELAGE HEIGHT: 34.1 FT
 ALL MEASUREMENTS ARE ABOVE MEAN SEA LEVEL

TALBERT & BRIGHT
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 644 PARKWAY PLAZA BOULDER, COLORADO 80521
 CHARLOTTE, NORTH CAROLINA 28227
 PHONE: 303-440-6200 FAX: 303-440-6200
 www.talbertbright.com

TYL INTERNATIONAL
 3101 POPPANWOOD COURT, SUITE 127
 RALEIGH, NORTH CAROLINA 27604
 PHONE: 919-875-0084 FAX: 919-875-9020

EXHIBIT – CLT AIRFIELD LAYOUT





2014 Federal Legislative Agenda

Project / Policy Request Title: Federal Courthouse

Position: Secure FY15 funding for new Federal Courthouse in Charlotte

Requesting Department(s): Engineering & Property Management

Staff Resource(s): Jeb Blackwell, 704.336.3603

Background and History: The Charles R. Jonas Federal Building located at 401 West Trade Street in Charlotte serves as the courthouse of the United States District Court for the Western District of North Carolina. The building was constructed in 1915 as a US Post Office and was substantially expanded in 1934 to house the Court. In 1996, the General Services Administration (GSA) determined the need existed to replace the Courthouse. The GSA secured land in the 500 block of East Trade Street for a new Courthouse in a land-swap with the City of Charlotte, which now owns the Jonas Building and leases it back to the GSA. The new location would provide better transit access to the Court as it would be located within two blocks of the Charlotte Transit Center, the main connecting hub for Charlotte Area Transit System's bus and rail routes. The City has entered into a reuse agreement with Queens University where the University would purchase and utilize the Jonas Building, after the GSA vacates the building, for higher education purposes.

Current Need/Problem (including potential allies or detractors): The new courthouse is in the pre-construction phase of architectural and design. Construction funding has been delayed for several years as the level of funding for new federal courthouse construction nationally has been underfunded. Accordingly, many projects in the queue have been delayed as higher rated projects have first call on appropriated funds. Of the twelve projects in the queue, the Charlotte and Greenville, SC courthouses have the greatest deficit of courtroom space according to an April 2013 US General Accountability Office study. The replacement courthouse for Charlotte is rated by the Executive Committee on Behalf of the Judicial Conference as the sixth highest priority project nationwide, and is priority #2 for FFY2015. The national Courthouse Rankings are shown in Attachment 1. The cost of construction is estimated at \$165.7 million.

The Jonas Building is in need of major renovations costing at least \$15 million, which does not include the cost to remove asbestos. All building systems are at the end of their functional life including mechanical, electrical, roofing, and elevators. There is asbestos pipe wrapping in areas of the building that should be removed. While the systems are not in a dangerous condition, failure of some of them within the next five years is very likely. Potential failures could impact the structure (via roof leaks), customer and employee comfort (via HVAC failures), or function (IT systems or elevator failure). The City of Charlotte has developed a list of needed repairs and an order of magnitude cost estimate for these repairs, which follows in Attachment 2.

Impact if Adopted: If the US Congress appropriates sufficient funds, then construction of the replacement Courthouse in Charlotte may proceed and the proposed reuse of the Jonas Building as a higher education facility for Queens University may be realized.

ATTACHMENT 1

Five-Year Courthouse Project Plan for FYs 2014 - 2018 As Approved by the Judicial Conference of the United States

September 11, 2012
(estimated dollars in millions)

FY 2014			Cost	Score
1	Mobile, AL*	Add'l. C	\$54.9	59.8
2	Nashville, TN	Add'l. S&D / C	\$144.0	67.3
3	Savannah, GA	Add'l. C	\$95.5	61.3
4	Norfolk, VA	Add'l. S&D	\$12.0	57.4
			\$306.4	

FY 2015			Cost	Score
1	San Antonio, TX	Add'l. S&D / C	\$117.4	61.3
2	Charlotte, NC	C	\$165.7	58.5
3	Greenville, SC	C	\$78.8	58.1
4	Harrisburg, PA	C	\$118.6	56.8
			\$480.5	

FY 2016			Cost	Score
1	Norfolk, VA	C	\$104.7	57.4
2	Anniston, AL	Add'l. D / C	\$41.0	57.1
3	Toledo, OH	C	\$109.3	54.4
			\$255.0	

FY 2017			Cost	Score
1	Chattanooga, TN	S&D	\$21.5	37.3
2	Des Moines, IA	S&D	\$43.0	35.3
			\$64.5	

FY 2018			Cost	Score
			\$0.0	

S=Site; D=Design; C=Construction; Add'l.=Additional All cost estimates subject to final verification with GSA.

* Congress provided \$50.0 out of \$104.9 million needed for Mobile, AL in December 2009

ATTACHMENT 2
CHARLES R. JONAS FEDERAL BUILDING
MAJOR RENOVATIONS NEEDED WITHIN FIVE YEARS

Mechanical - \$5.6 million to update

- System is too small
- Walls must be removed to move new equipment in
- Ceilings must be removed in some areas to remove the asbestos and replace piping/ductwork
- Chillers and boilers are past their useful life and are showing strain
- Pneumatic controls should be replaced with digital controls
- Cooling tower must be replaced
- There are no backflow preventers in the building, so we must add them.

Electrical - \$1.2 million to update

- The current switch gear appears to be from the 1940s and should be replaced
- The incoming service is through an inefficient transformer. This should be upgraded so a more efficient power stream can be provided
- The lighting system and fixture is completely inefficient and should be replaced. The historic fixtures could be modified to support more efficient lighting.
- The emergency generator is too small and should be upgraded.
- IT system is too small and can only provide minimal back-up space.

Elevators - \$4.6 million to refurbish

- Elevators must be refurbished.

Roofing - \$2 million to replace

- The current roof is at the end of its useful life and must be replaced.
- Additional roof drains must be added per building code
- Roof curbs need to be added to support new roof top mechanical equipment

Other costs

- Refurbish windows - \$1 million
- Marble restoration - \$175,000
- Brass restoration - \$45,000
- Carpet replacement - \$50,000
- Interior repairs and painting - \$95,000

Asbestos Abatement – Costs unknown at this point

- Significant amount in building
- Cost estimates have not been developed at this point



2014 Federal Legislative Agenda

Project / Policy Request Title: Municipal Bonds
Position: Support municipal bond tax exemption
Requesting Department(s): Finance
Staff Resource(s): Greg Gaskins, 704.336.5885

Background and History: Under the federal tax code, investors are not required to pay federal income tax on interest earned from most bonds issued by State and local governments. The tax exemption of municipal bond interest has been in place since the federal income tax was enacted in 1913, and since then tax-exempt bonds have financed trillions of dollars of infrastructure investment. The effect of this exemption is that State and local governments receive a lower interest rate on their borrowing than they would if the interest was taxable to investors. In typical market conditions, the tax exemption can save State and localities up to two percentage points on their rates of borrowing.

Current Need/Problem (including potential allies or detractors): Several legislative proposals have been offered to curtail or eliminate the federal tax exemption for municipal bond interest. One proposal would impose a tax-benefit cap of 28% for certain taxpayers on many itemized deductions and exclusions, including tax-exempt interest. In effect, the tax-exempt bond market would no longer be entirely tax-exempt. If the proposal to impose a 28% cap on tax exempt interest had been in effect from 2003 to 2012, then the additional interest expense for States and localities over that ten year period would have been an additional \$173 billion. In FY 2012 alone, the fiscal impact of the 28% cap upon the City of Charlotte would have been approximately \$5.2 million.

An even more onerous proposal would eliminate the tax exemption in its entirety, which is what the National Commission on Fiscal Responsibility and Reform (the "Simpson-Bowles" Commission) proposed in 2011. If such a proposal had been in place from 2003 to 2012, then the additional interest expense for States and localities over that ten year period would have been an additional \$495 billion. In just FY 2012, the fiscal impact upon the City of Charlotte from this proposal would have been approximately \$14.8 million.

Many organizations including the National League of Cities, National Association of Counties, United States Conference of Mayors, and Government Finance Officers Association support retention of the municipal bond tax exemption.

Impact if Adopted: If either of the proposals to diminish or repeal the tax exempt status of municipal bonds had been in effect for FY 2012, then the fiscal impacts upon the City would have ranged from approximately \$5.2 million to \$14.8 million. The additional cost would have required the City to reevaluate its capital investment spending and considered the possibility of higher property taxes or user fees to make up the difference or curtailing spending on such projects.



2014 Federal Legislative Agenda

Project / Policy Request Title:	Surface Transportation Program
Position:	Support long-term extension of Federal surface transportation program
Requesting Department(s):	Charlotte Area Transit System Charlotte Department of Transportation
Staff Resource(s):	Carolyn Flowers, CATS, 704.336.3855 Danny Pleasant, CDOT, 704.336.3879

Background and History: Charlotte-Mecklenburg is a major transportation logistics center in the southeastern United States. The region is served by the 6th busiest airport in the nation, major freight railways and AMTRAK, a fast growing public transportation system, and a coordinated State and local roads network that includes interstate and federal highways that are part of the National Highway System. The region is also roughly the midpoint of the Washington, D.C. to Atlanta High Speed Rail Corridor. The federal surface transportation program authorizes capital and operational funding for many of the transportation initiatives taking place in the region today, most notably highways and transit, and infrastructure financing for both modes.

Among the initiatives authorized by the surface transportation program and/or funded through subsequent transportation appropriations legislation taking place in the region today are:

- The North Carolina Department of Transportation (NCDOT) is constructing the last leg of I-485 in northeastern Mecklenburg County, reconstructing Independence Boulevard from Sharon Amity Road to Conference Drive, and adding HOT lanes on I-485 in southern Mecklenburg County from I-77 to Rea Road. NCDOT is poised to begin construction of the Monroe Bypass toll road in Union County, and is seeking a private sector partner for the I-77 HOT lanes project from the Brookshire Freeway to exit 36 in Iredell County. The costs of the I-77 HOT lanes project may require the project partners to eventually seek federal Transportation Infrastructure and Finance Innovation Act financing.
- The build-out and expansion of interstate and federal highways will enable the Charlotte Area Transit System (CATS), which moves over 80,000 riders daily on its bus and rail lines, to provide more reliable public transportation service throughout the region. The CATS is implementing the Metropolitan Transit Commission's 2030 Transit System Plan. A major extension of the *LYNX* Blue Line, known as the Blue Line Extension is underway and the first 1.5 miles of the *CityLYNX* Gold Line is under construction, both of which are federally funded projects. The CATS is working with the Towns of Cornelius and Davidson, Huntersville and Mooresville and City of Charlotte to advance the *LYNX* Red Line project. While the *LYNX* Red Line would not qualify for the federal New Starts Capital Investment Grants program, it would be eligible for commuter rail floor funding and possibly infrastructure financing through the Railroad Rehabilitation and Improvement Financing and Transportation Infrastructure and Finance Innovation Act programs.

- The Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville, City of Charlotte and Mecklenburg County and the Metropolitan Transit Commission are working with Iredell and Union Counties and their municipalities, and the NCDOT on planning for a balanced transportation network through the federally mandated metropolitan planning organization for the region, the Charlotte Regional Transportation Planning Organization (CRTPO). The primary function of CRTPO is to carry out the federally mandated transportation planning processes for the region leading to development of the federally required 20-year Metropolitan Transportation Plan, 7-year Transportation Improvement Program, Air Quality Conformity analysis, Unified Planning Work Program, and Public Involvement Plan, as well as the State required Comprehensive Transportation Plan. The metropolitan planning organization provides a venue for towns and cities to consider the unique needs of their communities in the transportation network. The population density is increasing in our region which requires transportation infrastructure to address urban needs such as complete streets, mass transit, and bicycle and pedestrian facilities.

Current Need/Problem (including potential allies or detractors): The surface transportation program was recently re-enacted in 2012 (Moving Ahead for Progress in the 21st Century) and expires on September 30, 2014. The Administration and Congress are aware that the current program funding levels are inadequate for the needs faced by our country today. The region has worked in partnership with the NCDOT and other organizations in planning for the implementation of a balanced and coordinated highway and transit network. The build-out of the 2030 Transit System Plan, which includes the *LYNX* Blue Line, *LYNX* Red Line and *CityLYNX* Gold Line, is underway. The NCDOT is working towards greater efficiencies in the interstate highway network through the use of tolling techniques. In order to continue implementing the balanced and coordinated highway and transit network planned for our region, the federal government is urged to reauthorize the surface transportation program.

The National League of Cities, American Public Transportation Association, American Association of State Highway and Transportation Officials and other organizations support reauthorization of the surface transportation program.

Therefore, the City of Charlotte hereby supports:

- Enactment of a long term program, preferably six years;
- Local decision making through Metropolitan Planning Organizations to ensure the urban needs of our region are considered in transportation decision making processes;
- Continuation of the New Starts / Small Starts program with sufficient resources to enable the build-out of the 2030 Transit System Plan adopted by the Metropolitan Transit Commission;
- Continuation of funding for bus and rail operations;
- Continuation of commuter rail floor funding; and
- Continuation of the infrastructure finance programs administered by the US Department of Transportation, the Transportation Infrastructure and Finance Innovation Act and Railroad Rehabilitation and Improvement Financing programs.

Impact if Adopted: If the US Congress reauthorizes the surface transportation program prior to September 30, 2014, then States and local governments and the private sector will have the certainty needed to proceed with surface transportation projects.



2014 Federal Legislative Agenda

Project / Policy Request Title:	Advancing the Vision: 2030 Transit System Plan
Position:	Support continuation of federal resources for the build-out of the 2030 Transit System Plan
Requesting Department(s):	Charlotte Area Transit System
Staff Resource(s):	Carolyn Flowers, 704.336.3855

Background and History: The Charlotte Area Transit System (CATS) continues to implement the Metropolitan Transit Commission's 2030 Transit System Plan to develop primary transportation corridors, linking our area's key centers of economic activity. The plan supports development of pedestrian-friendly urban neighborhoods with a mixture of land uses, offers people a choice in meeting their mobility needs, increases transit's share of the local travel market, reduces the region's dependence on overloaded and gridlocked roads, eases air and noise pollution and enhances the overall quality of life in the region. The successful *LYNX* Blue Line - South Corridor project has generated approximately \$1.8 billion of new or announced investment along the 9.6 mile alignment and continues an average daily ridership of 15,000.

Current Need/Problem (including potential allies or detractors): The CATS is actively developing or constructing four projects that are part of the 2030 Transit System Plan: *LYNX* Blue Line – Northeast Extension; *LYNX* Red Line; *CityLYNX* Gold Line – Phase 1; and *CityLYNX* Gold Line – Phase 2. All of the projects either utilize or propose to utilize federal resources for their deployment. The remaining two projects in the Plan, *LYNX* Silver Line and *LYNX* West Corridor are still in conceptual phases.

The *LYNX* Blue Line – Northeast Extension, otherwise known as the Blue Line Extension (BLE), will extend 9.33 miles from Center City Charlotte through the North Davidson historic district and along North Tryon Street, and terminates on the campus of UNC Charlotte. The BLE is projected to transport 25,000 daily riders. The dual track system is an extension of the current *LYNX* Blue Line. The line is expected to open for revenue service in March 2017. In 2012, the State of North Carolina and federal government entered into Full Funding Grant Agreements (FFGA) to provide the State and federal shares of the cost of construction of the line. The federal share of the \$1.160 billion project will be 50% or \$580 million. Through FY 13, the Federal Transit Administration has awarded \$105.8 million to the BLE project. The CATS is expected to award approximately \$500 million in construction and other contracts related to the BLE during FY 14. The FFGA signed with the federal government has provisions for \$100 million of federal funding for the *LYNX* Blue Line – Northeast Extension in FY 15, as well as continued federal funding through FY 18.

The *LYNX* Red Line project extends 25 miles from Center City Charlotte through the fast growing Mecklenburg towns of Huntersville, Cornelius, and Davidson and terminates in Mooresville. The terminus of the *LYNX* Red Line in Center City Charlotte will also be served by the *CityLYNX* Gold Line, providing connectivity to other points in the region. While the *LYNX*

Red Line is intended to operate on the Norfolk-Southern Railways (NS) "O" line, NS is currently undertaking its own analysis and evaluation of the proposal to ensure that freight and passenger traffic could co-exist on the "O" line in light of the anticipated increase in freight traffic along the NS Crescent Corridor. It is projected that 16 daily round trip trains will accommodate 4,500-6,000 daily trips. Since 2010, the MTC has been working with the North Carolina Department of Transportation on project financing. The project would be structured as a public-private partnership. The project is currently estimated to cost \$452 million to construct with the State of North Carolina funding 25% of the project. The remaining amounts would come from the towns and cities that benefit, private capital, and the MTC. The towns and cities would fund their portions by imposing special assessment and tax increment financing districts, which would support debt issued via the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) and Railroad Rehabilitation & Improvement Financing (RRIF) programs for construction of the line. The MTC has identified federal commuter rail floor funding for operators of such programs as its local share of funding for the *LYNX* Red Line.

The *CityLYNX* Gold Line project extends 9.9 miles linking the Eastland Mall and Rosa Parks Transit Centers via Center City Charlotte. The line is planned to have 34 stops when complete. *CityLYNX* Gold Line – Phase 1, linking the Charlotte Transit Center and Novant Presbyterian Hospital, is 1.5 miles long and under construction. The Charlotte Transit Center also serves the *LYNX* Blue Line, providing connectivity to I-485 South and UNC Charlotte. Phase 1 is funded partially by a federal urban circulator grant awarded in 2010 and will open for service in 2015.

CityLYNX Gold Line – Phase 2 will extend service along North Trade and Beatties Ford Roads from the Charlotte Transit Center to Johnson C. Smith University and along Hawthorne Avenue from Novant Presbyterian Hospital to Sunnyside Avenue. The funding plan for Phase 2 was approved by the MTC on May 22, 2013 and Charlotte City Council on May 28, 2013. Phase 2 will cost \$126 million, to which \$63 million in City resources has been allocated. The remaining \$63 million is proposed to be funded by federal resources, specifically from the federal Small Starts Program. Accordingly, the City will be working with the Federal Transit Administration to advance the project into the Small Starts process from which the project would be eligible for federal funding.

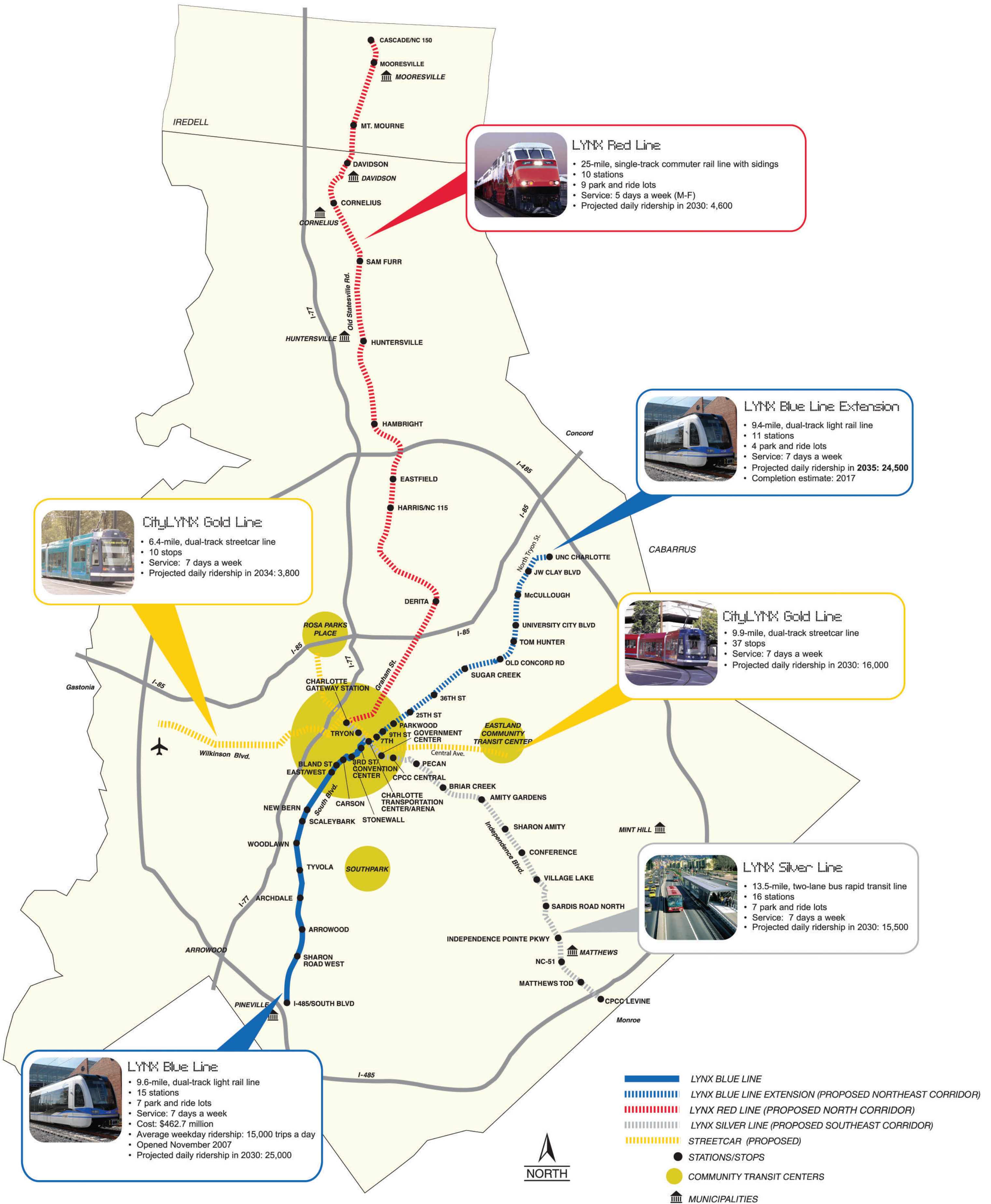
The local business community, including the Charlotte Chamber of Commerce supports the build-out of the Metropolitan Transit Commission's 2030 Transit System Plan.

In order to implement the 2030 Transit System Plan, the City of Charlotte will work to:

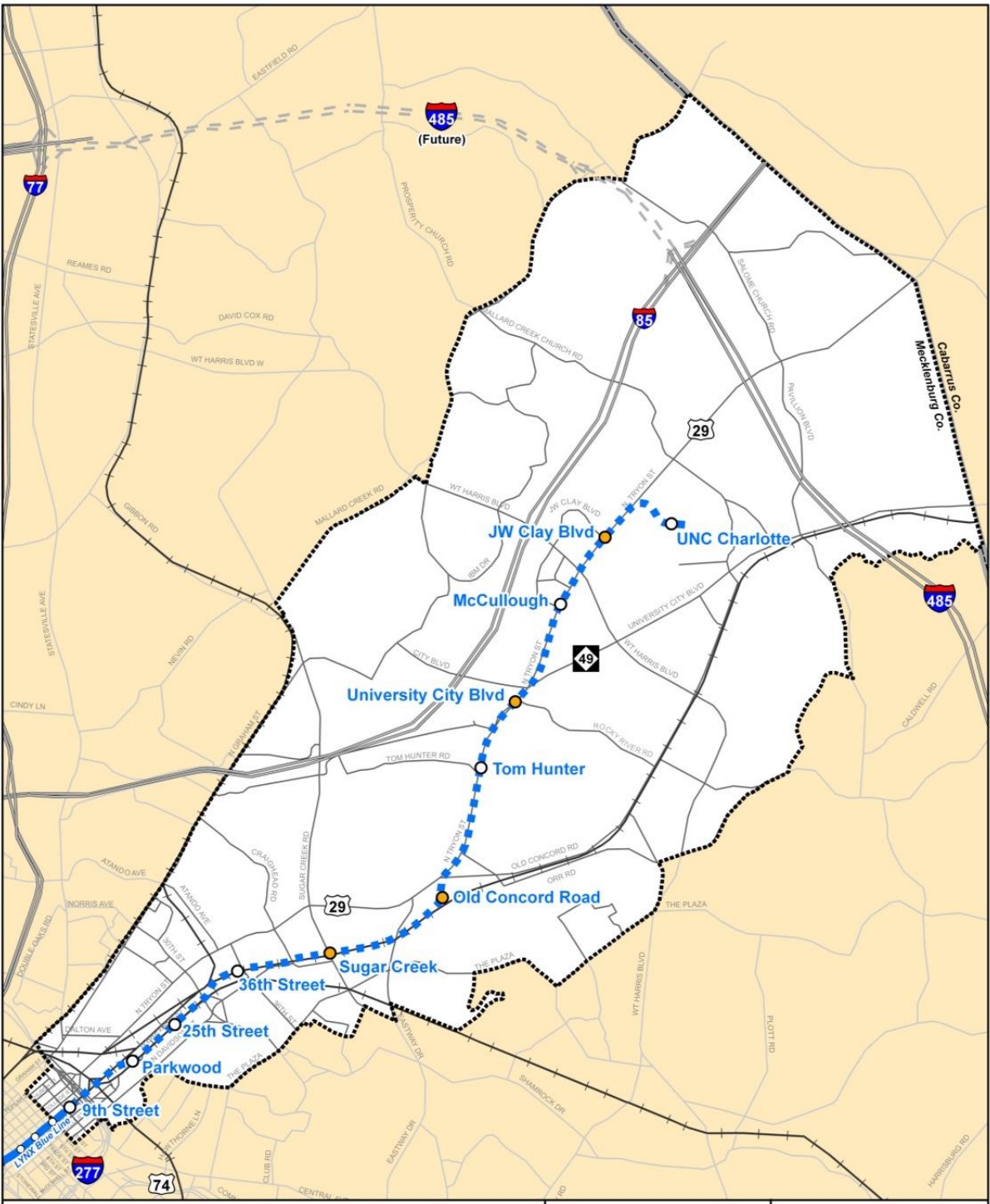
- Secure the FY 15 federal share of funding for construction of the *LYNX* Blue Line – Northeast Extension;
- Support continuation of commuter rail floor funding; and
- Advance *CityLYNX* Gold Line – Phase 2 into the federal small starts process.

Impact if Adopted: The provision of federal resources for the build-out and operation of the Metropolitan Transit Commission's 2030 Transit System Plan will enable the region to implement its public transportation vision as well as implement a balanced regional highway and transit network supported by the Charlotte Regional Transportation Planning Organization and the State of North Carolina.

2030 Transit System Plan



LYNX BLUE LINE EXTENSION CORRIDOR



Legend

Northeast Corridor Limits	Railroads
LYNX Blue Line	Highway
LYNX Blue Line Extension	Major Roads
LYNX Station	Highway (Future)
LYNX Station - Park and Ride	County Line



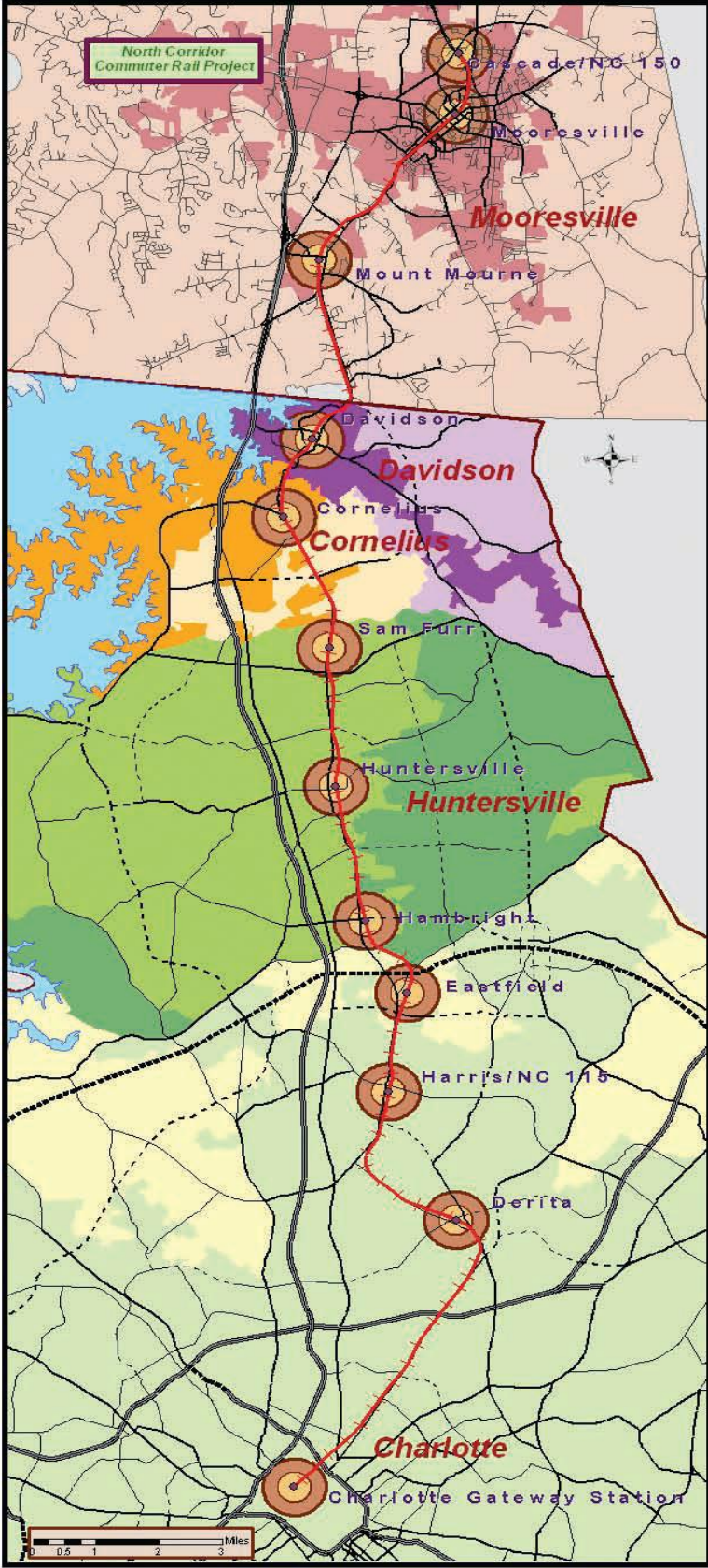
0 0.5 1
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Data Source:
City of Charlotte, Charlotte Area Transit System

LYNX BLUE LINE PROJECT MAP

05/23/12

LYNX RED LINE CORRIDOR



CityLYNX GOLD LINE CORRIDOR



Attachment 8

This document is not available for viewing. Please contact the Boards and Commissions Clerk at (704)336-7494 for further information.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FOR REGIONAL PLANNING ACTIVITIES ON BEHALF OF THE CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CRTPO)

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$616,448 is hereby estimated to be available from a Federal Highway Administration Grant through the North Carolina Department of Transportation

Section 2. That the sum of \$147,859 is hereby estimated to be available from the following CRTPO Member Jurisdictions:

Cornelius	\$	7,848
Davidson	\$	3,644
Fairview	\$	1,041
Huntersville	\$	15,260
Indian Trail	\$	10,496
Iredell County	\$	10,414
Marshville	\$	868
Marvin	\$	1,747
Matthews	\$	8,517
Mecklenburg County	\$	237
Mineral Springs	\$	826
Mint Hill	\$	8,907
Monroe	\$	10,610
Mooresville	\$	21,539
Pineville	\$	3,603
Stallings	\$	4,332
Statesville	\$	10,101
Troutman	\$	3,523
Union County	\$	14,068
Waxhaw	\$	3,087
Weddington	\$	2,962
Wesley Chapel	\$	2,393
Wingate	\$	1,833

Section 3. That the sum of \$764,307 is hereby appropriated in the Grant Fund (0413) in Center 522.05

Section 4. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 5. All ordinances in conflict with this ordinance are hereby repealed.

Section 6. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

Resolution

RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON NOVEMBER 25, 2013

Whereas, North Carolina G.S. 160-A-280 allows a city to donate any personal property that the governing body deems to be surplus, obsolete, or unused to a nonprofit organization and;

Whereas, the City Manager has recommended that property detailed in both the Charlotte-Mecklenburg Police Department's Inventory of DNC Donated Property and the Charlotte-Mecklenburg Police Department's Equipment Inventory, as described in the November 25, 2013 Council Agenda (the "Property") be declared as surplus; and

Whereas the City Manager recommended that the Property be donated to police agencies in North Carolina; and

Whereas, City staff published a public notice of the proposed donation at least five days prior to the adoption of the resolution:

Be it resolved by the Charlotte City Council that the City Manager or his designee is authorized to donate the surplus Property described above to police agencies in North Carolina.

Adopted on November 25, 2013

CERTIFICATION

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE
APPROPRIATING \$89,437 IN GRANT FUNDS FROM THE 2013 STATE HOMELAND SECURITY
GRANT PROGRAM

BE IT ORDAINED, by the City Council of the City of Charlotte;

- Section 1. That the sum of \$89,437 is hereby estimated to be available from the 2013 State Homeland Security Grant Program to be used to purchase generators and light towers for regional response and recovery missions in Domestic Preparedness and Readiness Region Seven.
- Section 2. That the sum of \$89,437 is hereby appropriated to the Public Safety Grant Fund (0413) Center 0053360.
- Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.
- Section 5. All ordinances in conflict with this ordinance are hereby repealed.
- Section 6. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE APPROPRIATING \$168,400 IN GRANT FUNDS FROM THE NORTH CAROLINA SOLAR CENTER GRANT PROGRAM

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$168,400 is hereby estimated to be available from the North Carolina Solar Center for the purchase of five compressed natural gas refuse vehicles.

Section 2. That the sum of \$168,400 is hereby appropriated to Capital Equipment Fund 2211, Center 5203314.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

**General Community Investment Plan
(Anticipated projects to receive advance planning funding)**

INVESTING IN CORRIDORS	<u>Advance Planning</u>
Airport/West Corridor	
Spine Dixie Berryhill Infrastructure (New Garrison Road)	\$ 200,000
Southern Dixie Berryhill Infrastructure (Widen Dixie River Road)	
East/Southeast Corridor	
Land Acquisition and Street Connections	\$ 300,000
Monroe Road Streetscape	\$ 100,000
Bojangles/Ovens Area Redevelopment	\$ 1,000,000
Public/Private Redevelopment Opportunities	\$ 300,000
Idlewild Road/Monroe Road Intersection	
Sidewalk and Bikeway Improvements	\$ 500,000
Northeast Corridor	
Research Drive - J.W. Clay Connector over I-85 (North Bridge #1)	\$ 500,000
University Pointe Connection - IBM Drive to Ikea Blvd (South Bridge #2)	
Northeast Corridor Infrastructure (NECI)	
Applied Innovation Corridor	\$ 500,000
INCREASING CONNECTIONS	
Road/Infrastructure Projects	
Prosperity Church Road NW Arc	
Eastern Circumferential/Railroad Bridge	
Park South Drive Extension	
26-Mile Cross Charlotte Multi-Use Trail	\$ 500,000
Streetcar Extension (Bonds and COPs)	
Sidewalks and Pedestrian Safety	\$ 800,000
Traffic Control and Bridges	
Upgrade Traffic Signal System Coordination	
Upgrade Traffic Control devices	
Repair and Replace Bridges	
IMPROVING COMMUNITIES	
Public Safety Facilities	
Joint Communications Center	
6 Police Division Stations	
Land Purchase for Future Fire Stations	
Maintenance Facilities/Customer Service	
Sweden Road Maintenance Yard Replacement	
Northeast Equipment Maintenance Facility	
Affordable Housing	
Comprehensive Neighborhood Improvement Program (Complete Communities)	\$ 1,500,000
Total Estimated Cost	\$ 6,200,000

**Approved CIP Bonds and Certificates of Participation Allocation
For General Community Investment Plan**

INVESTING IN CORRIDORS	2014 Bond	2016 Bond	2018 Bond	2020 Bond	Total
Airport/West Corridor	\$ -	\$ 31,200,000	\$ 13,520,000	\$ -	\$ 44,720,000
Spine Dixie Berryhill Infrastructure (New Garrison Road)		31,200,000			31,200,000
Southern Dixie Berryhill Infrastructure (Widen Dixie River Road)			13,520,000		13,520,000
East/Southeast Corridor	\$ 37,500,000	\$ 26,580,000	\$ 22,320,000	\$ 6,160,000	\$ 92,560,000
Land Acquisition and Street Connections	12,500,000	12,500,000			25,000,000
Monroe Road Streetscape		2,080,000	8,320,000		10,400,000
Bojangles/Ovens Area Redevelopment	25,000,000				25,000,000
Public/Private Redevelopment Opportunities		10,000,000	10,000,000		20,000,000
Idlewild Road/Monroe Road Intersection				4,160,000	4,160,000
Sidewalk and Bikeway Improvements		2,000,000	4,000,000	2,000,000	8,000,000
Northeast Corridor	\$ 47,200,000	\$ 43,080,000	\$ 48,540,000	\$ 27,300,000	\$ 166,120,000
Research Drive - J.W. Clay Connector over I-85 (North Bridge #1)	3,000,000		12,480,000		15,480,000
University Pointe Connection - IBM Drive to Ikea Blvd (South Bridge #2)	15,080,000				15,080,000
Northeast Corridor Infrastructure (NECI)	16,640,000	35,360,000	27,300,000	27,300,000	106,600,000
Applied Innovation Corridor	12,480,000	7,720,000	8,760,000		28,960,000
INCREASING CONNECTIONS					
Road/Infrastructure Projects	\$ 17,264,000	\$ 8,632,000	\$ -	\$ -	\$ 25,896,000
Prosperity Church Road NW Arc	5,200,000				5,200,000
Eastern Circumferential	12,064,000				12,064,000
Park South Drive Extension		8,632,000			8,632,000
26-Mile Cross Charlotte Multi-Use Trail		\$ 35,000,000			\$ 35,000,000
Sidewalks and Pedestrian Safety	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 60,000,000
Traffic Control and Bridges	\$ 14,000,000	\$ 10,000,000	\$ 10,000,000	\$ 14,000,000	\$ 48,000,000
Upgrade Traffic Signal System Coordination	3,000,000	3,000,000	3,000,000	6,000,000	15,000,000
Upgrade Traffic Control devices	7,000,000	4,000,000	4,000,000	4,000,000	19,000,000
Repair and Replace Bridges	4,000,000	3,000,000	3,000,000	4,000,000	14,000,000
IMPROVING COMMUNITIES					
Public Safety Facilities	\$ 78,500,000	\$ 22,750,000	\$ 21,900,000	\$ 9,750,000	\$ 132,900,000
Joint Communications Center	68,000,000				68,000,000
6 Police Division Stations	10,500,000	18,750,000	21,900,000	9,750,000	60,900,000
Land Purchase for Future Fire Stations		4,000,000			4,000,000
Maintenance Facilities/Customer Service	\$ -	\$ 2,080,000	\$ 9,620,000	\$ 19,500,000	\$ 31,200,000
Sweden Road Maintenance Yard Replacement			3,120,000	19,500,000	22,620,000
Northeast Equipment Maintenance Facility		2,080,000	6,500,000		8,580,000
Affordable Housing	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 60,000,000
Comprehensive Neighborhood Improvement Program (Complete Communities)	\$ 20,000,000	\$ 40,000,000	\$ 40,000,000	\$ 20,000,000	\$ 120,000,000
Total Estimated Cost	\$ 244,464,000	\$ 249,322,000	\$ 195,900,000	\$ 126,710,000	\$ 816,396,000
G.O. Bonds	\$ 140,964,000	\$ 224,492,000	\$ 164,380,000	\$ 97,460,000	627,296,000
COPS	\$ 103,500,000	\$ 24,830,000	\$ 31,520,000	\$ 29,250,000	189,100,000

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FOR ADVANCE PLANNING FOR BOND REFERENDA PROJECTS

BE IT ORDAINED, by the City Council of the City of Charlotte;

- Section 1. That the sum of \$1,800,000 is hereby estimated to be available from the General Capital Investment Fund (2010), Future Road Planning/Design Program (47400)
- Section 2. That the Finance Director or his designee is hereby authorized to advance the sum of \$4,400,000 from revenues in the Municipal Debt Service Fund to the Advance Planning for Bond Referenda project (Fund 2010/47550) until permanent financing is approved in the November 2014 G.O. Bond Referendum. When permanent financing is approved, the advance to the project shall revert to its original source. If permanent financing is not approved in the November 2014 G.O Bond Referendum, the advance shall become the permanent source of financing for the project.
- Section 3. That the sum of \$6,200,000 is hereby appropriated in the General Capital Investment Fund (2010) Advance Planning for Bond Referenda project (Fund 2010/47550)
- Section 4. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.
- Section 5. All ordinances in conflict with this ordinance are hereby repealed.
- Section 6. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON NOVEMBER 25, 2013**

A motion was made by _____ and seconded by _____ for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, A Municipal Agreement between the City and the North Carolina Department of Transportation (NCDOT) will allow the City to be reimbursed for the work for all traffic signal work on the widening and realignment of Mallard Creek Road; and,

WHEREAS, the Municipal Agreement provides for reimbursement not to exceed \$396,000 of the total cost of the project; and,

WHEREAS, the format and cost sharing philosophy is consistent with past Municipal Agreements: and,

NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the City Manager to execute a municipal agreement with the NCDOT for NCDOT to reimburse the City up to \$396,000 for the traffic signal work associated with this project is hereby formally approved by the City Council of the City of Charlotte and the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE
APPROPRIATING \$216,205 FROM MECKLENBURG COUNTY FOR DESIGN AND CONSTRUCTION
OF THE WALKERS FERRY ROAD WATER LINE

BE IT ORDAINED, by the City Council of the City of Charlotte;

- Section 1. That the sum of \$216,205 is hereby estimated to be available from Mecklenburg County Community Development Block Grant
- Section 2. That the sum of \$216,205 is hereby appropriated to the Water Sewer Capital Improvement Fund (2071) to Center 0063579 to fund the Walkers Ferry Road Water Line
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE, APPROPRIATING \$2.5 MILLION WITH LANDRUM & BROWN TO PREPARE AN AIRFIELD CAPACITY ENHANCEMENT PLAN

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$2.5 million is available from the Airport Discretionary Fund for the contract with Landrum & Brown to prepare an Airfield Capacity Enhancement Plan

Section 2. That the sum of \$2.5 million is hereby appropriated to the Aviation Capital Investment Plan Fund: 2084 - 529.87

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE, APPROPRIATING \$410,000 TO FUND THE PRORATED COST FOR CONTRACTS WITH FRASCA & ASSOCIATES AND NEWTON & ASSOCIATES FOR PROVIDING VARIOUS FINANCIAL SERVICES

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$410,000 is available from the Airport Discretionary Fund for the contracts with Frasca & Associates and Newtown & Associates for various financial services. The \$410,000 is a prorated cost to fund the contracts for the remainder of FY2014.

Section 2. That the sum of \$410,000 is hereby appropriated to the Aviation Operating Fund:
7402 - 576.93

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE, APPROPRIATING \$220,500 TO PROVIDE PROFESSIONAL AND DESIGN SERVICES FOR TAXIWAY AND RAMP EXPANSIONS

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$220,500 is available from the Airport Discretionary Fund to provide professional design services for taxiway and ramp expansions.

Section 2. That the sum of \$220,500 is hereby appropriated to the Aviation Capital Investment Plan Funds:
2084 - 529.89 - High-speed Taxiway: \$120,000
2073 - 563.39 - Cargo Ramp Expansion: \$100,500

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

**STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
CITY OF CHARLOTTE**

**INTERLOCAL AGREEMENT
REGIONAL RADIO SYSTEM ADVISORY COUNCIL**

THIS INTERLOCAL AGREEMENT FOR REGIONAL RADIO SYSTEM ADVISORY COUNCIL is entered into and made effective as of _____, 2013 by and between the CITY OF CHARLOTTE, a North Carolina municipal corporation (“Charlotte”); MECKLENBURG COUNTY, a political subdivision of the State of North Carolina, (“Mecklenburg”); and each entity that joins in this Agreement as a Member Entity in accordance with the terms hereof (collectively, the “Member Entities”).

STATEMENT OF BACKGROUND AND INTENT

- A.** In 2003, the City of Charlotte and County of Mecklenburg, North Carolina, jointly developed and implemented an 800 MHz radio system to support public safety needs and provide service to various public safety agencies and other identified entities within the Charlotte Urban Security Initiative Area (UASI).
- B.** Charlotte has been designated the lead agency for regional communications interoperability of public safety agencies within the Urban Area Security Initiative (UASI) eleven county region. Charlotte operates and manages the radio system through an Interlocal Agreement for Consolidation of Radio System that Charlotte and Mecklenburg entered into in 2003. Charlotte has established the infrastructure necessary for regional voice communications interoperability with the support of several grants.
- C.** Since 2003, other local government entities have joined Charlotte and Mecklenburg in sharing use of the regional components of the radio system (the “Regional Radio System,” as defined more specifically in this Agreement) and have signed service agreements to that effect.
- D.** Charlotte, Mecklenburg and the other Member Entities now desire to expand use of the Regional Radio System throughout the region, with the goal of enhancing and improving interoperability of public safety communications between and among government entities. To facilitate that effort, the Member Entities wish to create a regional radio advisory council that will: (a) guide the strategic growth and development of the Regional Radio System; (b) establish regional performance and technical standards for the Regional Radio System, (c) establish interoperability processes and procedures, and (d) provide a formal governance structure for ongoing oversight and administration.

- E. Article 20 of Chapter 160A of the North Carolina General Statutes authorizes the Member Entities to establish a regional radio advisory council in accordance with the terms of this Agreement.
- F. This Agreement is intended to augment all existing Tactical Interoperability Communications Plans published by signatory entities, the North Carolina Statewide Communications Interoperability Plan and the National Emergency Communications Plan

NOW THEREFORE, for and in consideration of mutual promises to each as herein after set forth, each of the Member Entities do mutually agree as follows:

1. **Definitions.** For purposes of this Agreement, the following terms shall have the meanings set forth below:
 - 1.1. **“Agency”** means an organization or division of an organization that uses the Regional Radio System.
 - 1.2. **“Alternate”** means the person appointed by Member Entity who is authorized to sit on the Regional Radio Advisory Council and make binding decisions on behalf of the Member Entity when the Representative is not available Member Entity.
 - 1.3. **“Charlotte/Mecklenburg Radio Interlocal”** means the Interlocal Agreement for Consolidation of Radio System that Charlotte and Mecklenburg entered into in 2003, as may be amended from time to time.
 - 1.4. **“Effective Date”** means the date that Charlotte and Mecklenburg have: (a) had their governing boards’ approve this Agreement; and (b) provided the Radio Communications Manager with an executed copy of this Agreement and a copy of a certified resolution of their governing boards substantially identical to the resolution set forth in **Exhibit A**.
 - 1.5. **“Member Entity”** means an organization that becomes a Member of the Regional Radio Advisory Council in accordance with **Section 3** hereof.
 - 1.6. **“Operator”** means Charlotte or such other party as may be designated “Operator” of the “Radio System” under the Charlotte/Mecklenburg Radio Interlocal (as both terms are defined in that agreement).
 - 1.7. **Member Entity “Participant Packet”** means a fully completed Participant Packet in a form substantially identical to **Exhibit A** that is authorized by a Member Entity’s governing board, signed by the Member Entity and submitted to the Radio Communication Manager in order for the Member Entity to join in this Agreement.
 - 1.8. **“Representative”** means the person appointed by a Member Entity from time to time to sit on the Regional Radio Advisory Council and to make binding decisions on behalf of

the Member Entity.

1.9. “Radio Communication Manager” means the individual appointed from time to time under the Charlotte/Mecklenburg Radio Interlocal to perform the Radio Communication Manager functions described therein.

1.10. “Radio Service Agreement” means an agreement between the Operator and a Member Entity governing the terms under which the Member Entity and the Agencies it represents may use the Regional Radio System. Each Radio Service Agreement will include, without limitation, the services to be provided and payment of the shared cost of operating, maintaining and updating the Regional Radio System.

1.11. “Regional Radio Advisory Council” means the regional radio advisory council established by this Agreement, as described more specifically in **Sections 3** through **5** of this Agreement.

1.12. “Regional Radio Advisory Council Sponsor” means the City of Charlotte’s Director of Shared Services.

1.13. “Regional Radio System” means: (a) the 800 MHz P25 Trunked Radio Master site currently operated by the City, (b) all hardware and software encompassed in the forgoing; (c) all updates and enhancements to the forgoing. The Regional Radio System does not include mobile and portable radio units. Each Member Entity shall have the right to purchase radio technology assets for that Member Entity’s own use that do not become part of the Regional Radio System, as long as such assets: (a) are paid for with the Member Entity’s own funds; and (b) do not impede performance of the Regional Radio System.

1.14. “Representative” means the person appointed by the County Manager of a Member Entity from time to time to sit on the Regional Radio Advisory Council and to make binding decisions on behalf of the Member Entity.

2. Establishment of Regional Radio Advisory Council. Through execution of this Agreement, the Member Entities hereby establish a Regional Radio Advisory Council to: (a) guide strategic growth and development of the Regional Radio System; (b) establish regional performance and technical standards for the Regional Radio System; (c) establish interoperability processes and procedures for the Regional Radio System; and (d) provide a formal governance structure for ongoing oversight and administration.

3. Requirements to be a Member Entity. To join this Agreement as a Member Entity, an applicant must meet the following requirements:

3.1. Except as provided in Section 3.2, it must provide documentation reasonably acceptable to the Radio Communication Manager showing that it is authorized to serve as lead agency for all Agencies that use the Regional Radio System within the county in which

the applicant is located (with the exception of Charlotte and Mecklenburg, which are subject to the Charlotte / Mecklenburg Radio Interlocal). Each Member Entity will represent all cities, towns and agencies within its county on the Regional Radio Advisory Council.

- 3.2. Notwithstanding Section 3.1, the Advisory Council may extend voting membership, by a majority vote of the Advisory Council, to a representative of a non-countywide system when the representative is selected by members of a single Radio Communication Council (“RCC”) participating in the Regional Radio System within a unrepresented county. This RCC would remain a Member Entity until such time as the county in which the RCC is located signs the Interlocal Agreement for Regional Radio Governance and a Representative from the county is appointed to the Advisory Council.
- 3.3. If the applicant is from a county that is outside of the Charlotte Urban Area Security Initiative (UASI) region (comprised of Lincoln, Catawba, Iredell, Cabarrus, Stanly, Mecklenburg, Gaston, and Union counties within NC and York and Lancaster counties within SC), , and is not from a county contiguous to the Charlotte area UASI, the applicant must also obtain the approval of the Operator and an affirmative vote equal three quarters of the Member Entities.
- 3.4. Each applicant (except for the Operator) must enter into a Radio Service Agreement with the Operator, and must remain bound by such Radio Service Agreement as a condition to being a Member Entity.
- 3.5. Each applicant must complete and provide the Radio Communication Manager with a Participant Packet in a form substantially identical to **Exhibit A**, including without limitation a certified copy of a resolution from its governing board substantially identical to the form included as part of **Exhibit A**, approving the applicant’s execution of this Agreement, providing for the appointment of a Representative and granting the Representative the authority to represent the Participant regarding matters within the Regional Radio Advisory Council’s authority under this Agreement.

The Advisory Council may change the requirements for becoming a Member Entity by amendment to its Charter, provided that each Member Entity shall be required to comply with Sections 3.4 and 3.5 of this Agreement as a condition to becoming a Member Entity notwithstanding any amendment to the Bylaws to the contrary. A Member Entity may change its Representative or Alternate at any time by providing the Radio Communication Manager with written notice of the change.

4. **Initial Member Entities.** The following local governments will become the “Initial Member Entity” upon satisfaction of the requirements set forth in **Section 3** above.

Mecklenburg County
Union County

Cabarrus County

Each of the Initial Member Entities already has a Radio Service Agreement with the Operator.

- 5. Authority of the Regional Radio Advisory Council.** The Regional Radio Advisory Council has the authority to (a) guide the strategic growth and development of the Regional Radio System; (b) establish regional performance and technical standards for the Regional Radio System, (c) establish interoperability processes and procedures, and (d) provide a formal governance structure for ongoing oversight and administration. The Advisory Council will:
 - 5.1.** Develop and approve system-wide policies, protocols, procedures, strategies and goals relating to use of the Regional Radio System.
 - 5.2.** Develop system-wide practices that achieve the purpose of the policies, protocols, procedures, strategies and/or goals established by the Advisory Council for the Regional Radio System. All radio practices will:
 - i. Define the scope and boundaries of the practice.
 - ii. Define roles and responsibilities of practice stakeholders.
 - iii. Define practice implementation processes and procedures.
 - iv. Define practice review process.
 - 5.3.** Develop a practice review process whereby chairpersons of each Member Entity Radio Communication Council (RCC) and the Operator will work as a committee to provide the Regional Radio Advisory Council recommendations for consideration and action.
 - 5.4.** Develop and recommend a 10 year Strategic Plan, and update it bi-annually, for the ongoing technical currency of the system infrastructure.
- 6. Charter and Bylaws.** The Charter and Bylaws for the Advisory Council are attached to this Agreement as Attachments C and D. The Charter and Bylaws define officer responsibilities, procedures for meetings, Representative responsibilities, voting requirements and other matters relating to the authority and operation of the Advisory Council. Notwithstanding the fact that they are incorporated into this Agreement by reference, the Charter and Bylaws may be deleted or amended from time to time as provided therein.
- 7. Exhibit B.** Attached to this Agreement as Exhibit B are the initial Operational Definitions, Protocols and Procedures to be followed by users of the Regional Radio System. The provisions of Exhibit B may be deleted or amended by a majority vote of the Advisory Council.
- 8. Term.** Due to the terms, conditions and mutually beneficial purposes of this Agreement, it is reasonable for the duration of this Agreement to be perpetual. Therefore, the term of this

Agreement shall commence on its Effective Date and shall continue until terminated in accordance with the termination provisions of this Agreement.

9. Termination and Breach.

9.1. Termination by Unanimous Written Consent. The parties may agree to terminate this Agreement by unanimous written consent at any time.

9.2. Voluntary Withdrawal. Any Member Entity may elect to withdraw from this Agreement by providing ninety (90) days' prior written notice to the Operator, who will then notify each of the other Member Entities. At the end of such ninety (90) day period, this Agreement shall be deemed to have terminated with respect to the Member Entity that provided the notice. The Operator may elect to withdraw from this Agreement by providing eighteen (18) months prior written notice to the Member Entities.

9.3. Withdrawal Due to Termination of Radio Service Agreement. A Member Entity must be party to an ongoing Radio Service Agreement in order to remain a Member Entity under this Agreement. This Agreement shall automatically terminate with respect to any Member Entity that is not a party to a Radio Service Agreement, and such termination shall occur at the same time as termination of the Radio Service Agreement.

9.4. Termination Due to Breach. By majority vote at a properly scheduled and noticed meeting, the Regional Radio Advisory Council may terminate this Agreement with respect to any Member Entity that fails to cure a material breach of this Agreement within sixty (60) days after receiving notice of such breach from the Regional Radio Advisory Council or the Operator. Such termination shall be effective upon written notice to the Member Entity being terminated. Notwithstanding the forgoing, the Operator may terminate this Agreement without approval of the Advisory Council with respect to any Member Entity that fails to cure a material breach of any policies, procedures or requirements approved by the Regional Radio Advisory Council within sixty (60) days after receiving notice of such breach from the Regional Radio Advisory Council or the Operator. Such termination shall be effective upon written notice to the Member Entity being terminated. Notwithstanding anything contained herein to the contrary, the Operator may suspend access to the Regional Radio System to any Member Entity at any time to the extent necessary to avoid violation of any law, regulation or FCC license, or to avoid interference with other Member Entity's use of the Regional Radio System

9.5. No Impact on Radio Service Agreements. Withdrawal from or termination of this Agreement with respect to any Member Entity shall not impact the Member Entity's or any Agency's obligations under any Radio Service Agreement.

10. Miscellaneous

10.1. Notice. Any notice, approval, consent or other communication required or contemplated by this Agreement shall be in writing, and shall be delivered in person, by U.S. mail, by overnight courier, by electronic mail or by telefax to the intended recipient at the address stated below for the City of Charlotte and Mecklenburg County, or at the address stated on the Participant’s Packet if for any other Member Entity:

For The City

Director
Shared Services
City of Charlotte
600 E Fourth Street
Charlotte, NC 28202
Phone: 704-336-6252
FAX: 704-336-2258

For The County

Director
Business Support Services Agency
Mecklenburg County
600 E Fourth Street
Charlotte, NC 28202
Phone: 704-336-2003
FAX: 704-336-7219

Communications that relate to any breach, default, termination, modification, extension, amendment, or waiver of this Agreement or any provision hereof (collectively, “Legal Notices”) shall further be copied to the following (in addition to being sent to the individuals specified above):

For the City

Cindy White
City Attorney’s Office
600 East Fourth Street
Charlotte, NC 28202
Phone: 704.336.3012
Fax: 704) 632-8327
E-Mail – cwhite@ci.charlotte.nc.us

For the County

Tyrone Wade
Deputy County Attorney
600 East Fourth Street
Charlotte, NC 28202
Phone: 704.336.
Fax:
TyroneC.Wade@mecklenburgcountync.gov

Notice shall be effective upon the date of receipt by the intended recipient; provided that Legal Notices that are sent by telefax or electronic mail shall also be simultaneously sent by mail deposited with the U.S. Postal Service or by overnight courier. Any Member Entity may change its address for notification purposes by giving the Operator written notice of the new address and the date upon which it shall become effective.

10.2.Amendment. No Amendment to this Agreement shall be valid unless in writing and approved by the governing board of each Member Entity then in good standing under this Agreement, and signed by the city, county or town manager of each Member Entity. Notwithstanding the forgoing, Exhibit B to this Agreement may be amended by a majority vote of the Member Entities, and Exhibits C and D to this Agreement may be amended in accordance with the terms set forth therein.

10.3. Force Majeure. Neither the Operator nor any Member Entity shall be liable for any failure or delay in the performance of its obligations pursuant to this Agreement and such failure or delay shall not be deemed a default of this Agreement or grounds for termination hereunder if such failure or delay is caused, directly or indirectly, by fire, flood, earthquake, hurricane, tornado, lightning strikes, elements of nature or other acts of God, or by acts of war, terrorism, riots, civil disorders, rebellions or revolutions, strikes, lockouts, court order or other causes not within such party's reasonable control.

10.4. Waiver. A waiver or any breach of any provision of the Agreement shall not constitute or operate as a waiver of any other provision, nor shall failure to enforce and provision hereof operate as a waiver of the enforcement of such provision or any other provision

10.5. Severability. The invalidity of one or more of the phrases, sentences, clauses or sections contained in this Agreement shall not affect the validity of the remaining portion of this Agreement so long as the material purposes of this Agreement can be determined and effectuated. If any provision of this Agreement is held to be invalid or unenforceable, then both parties shall be relieved of all obligations arising under such provision, but only to the extent that such provision is unenforceable, and this Agreement shall be deemed amended by modifying such provision to the extent necessary to make it valid and enforceable while preserving its intent.

10.6. Exhibits and Attachments. Each of the following Exhibits and Attachments are attached to and incorporated into this Agreement by reference:

Exhibit A: Participant Packet (including resolution)

Exhibit B: Operational Definitions, Protocols and Procedures

Attachment C: Regional Radio Advisory Council Charter

Attachment D: Regional Radio Advisory Council By-Laws

The parties have caused this Agreement to be executed as of the date first stated in the beginning of this Agreement by authority duly granted by the Charlotte City Council, and the Board of Commissioners for Mecklenburg County, Union County and Cabarrus County.

CITY OF CHARLOTTE

COUNTY OF MECKLENBURG

City Manager

County Manager

(SEAL)

(SEAL)

City Clerk

Clerk to the Board

Approved as to form:

COUNTY OF CABARRUS

County Manager

(SEAL)

Clerk to the Board

Approved as to form:

County Attorney

County Attorney

COUNTY OF UNION

County Manager

(SEAL)

Clerk to the Board

Approved as to form:

County Attorney

EXHIBIT A
INTERLOCAL AGREEMENT FOR REGIONAL RADIO ADVISORY COUNCIL

PARTICIPANT PACKET FOR
APPROVAL AND RATIFICATION OF INTERLOCAL AGREEMENT
FOR REGIONAL RADIO SYSTEM ADVISORY COUNCIL

1. By execution of this Participant Packet by its city, county or town manager, _____ (“**Member Entity**”) hereby approves, ratifies and becomes a party to that certain **INTERLOCAL AGREEMENT FOR REGIONAL RADIO SYSTEM GOVERNANCE** entered into and made effective in or about August 26th, 2013 by and between the City Of Charlotte and Mecklenburg County (the “Regional Radio Interlocal”) and such other local governments as may join the Regional Radio Interlocal from time to time. Defined terms used herein shall have the same meanings as are assigned to such terms in the Regional Radio Interlocal.

2. The undersigned certifies that attached to this Participant Packet is a certified copy of the resolution adopted by Member Entity’s governing board approving and ratifying the Regional Radio Interlocal, and appointing the following person to serve as Member Entity’s Representative under the Regional Radio Interlocal:

Representative’s Name: _____

Title: _____

Phone Number: _____

Fax Number: _____

Email: _____

Address: _____

Pursuant to the attached resolution, the city, county or town manager is authorized to appoint another Representative to serve under the Agreement in the event the above named person leaves Member Entity’s employment or is no longer willing or able to serve. If the Representative is the city, county or town manager and the incumbent Representative fails to appoint a successor Representative before the incumbent is no longer willing or able to serve, the successor Representative shall be the next city, county or town manager, unless Member Entity’s governing board designates another person to serve on a permanent or temporary basis.

3. The Member Entity certifies that it has entered into a Radio Service Agreement with the Operator of the Regional Radio System.

By executing this Participant Packet, the Member Entity hereby ratifies, approves and becomes a Member Entity under the Regional Radio Interlocal, effective upon delivery of this Participation Packet to the Radio Communications Manager.

Member Entity: _____

By: _____

Date: _____

_____ **Manager**

Witness:

(SEAL)

RESOLUTION OF THE _____ TO APPROVE AND RATIFY
AN INTELOCAL AGREEMENT FOR REGIONAL RADIO SYSTEM GOVERNANCE BY
AND AMONG THE CITY OF CHARLOTTE, MECKLENBURG COUNTY AND OTHER
USERS OF THE REGIONAL RADIO SYSTEM

WHEREAS, the City of Charlotte and Mecklenburg County jointly developed an 800 MHz trunked radio system to support public safety needs and provide service to various city and county departments;

WHEREAS, Charlotte has been designated the lead agency for regional communications interoperability of public safety agencies within the Urban Area Security Initiative (UASI) eleven county region, and has established the infrastructure necessary for regional voice communications interoperability with the support of several grants;

WHEREAS, since 2003, other local government entities have joined Charlotte and Mecklenburg in sharing use of the regional components of the radio system (the “Regional Radio System,” as defined more specifically in this Agreement) and have signed service agreements to that effect;

WHEREAS, _____ has entered into a radio service agreement with Charlotte in order to use the Regional Radio System;

WHEREAS, _____ and the other users of the Regional Radio System now desire to expand use of the Regional Radio System throughout the region, with the goal of enhancing and improving interoperability of public safety communications between and among government entities;

WHEREAS, to facilitate regionalism and interoperability, _____ and other users of the Radio System wish to participate in a regional radio advisory council that will: (a) guide the strategic growth and development of the Regional Radio System; (b) establish regional performance and technical standards for the Regional Radio System, and (c) establish interoperability processes and procedures;

WHEREAS, _____ and other users of the Regional Radio System desire to enter into Interlocal Agreement For Regional Radio System Governance to participate in the Regional Radio Advisory Council;

WHEREAS, _____ desires to authorize a representative to act on its behalf on matters before the Regional Radio Advisory Council;

WHEREAS, Article 20 of Chapter 160A of the North Carolina General Statutes authorizes local governments to establish a regional radio advisory council in accordance with the terms of this Agreement;

NOW, THEREFORE, BE IT RESOLVED that the _____ hereby:

1. Approves and ratifies the attached Interlocal Agreement For Regional Radio System Governance by and among the City of Charlotte, Mecklenburg County and other users of the Regional Radio System (the “Regional Radio Interlocal”); and
2. Appoints the person fulfilling the job of _____ to serve as “Primary Representative” and the person fulfilling the job of _____ to serve as “Alternate Representative” for _____, under the terms of the Regional Radio Interlocal;

3. Authorizes the _____ Manager to appoint another person to serve as Representative under the Regional Radio Interlocal in the event that either of the above named persons leave _____ employment or are no longer willing or able to serve for any reason;
4. Authorizes the persons serving as Representatives to represent _____ with respect to on all matters within the Regional Radio Advisory Council's authority under the Regional Radio Interlocal.

This the ____ day of _____, 20__.

EXHIBIT B OPERATIONAL DEFINITIONS, PROTOCOLS AND PROCEDURES

REGIONAL RADIO SYSTEM PURPOSE

The Regional Radio System provides voice communications between participating agencies dealing with both short term (felony pursuits, fires, hazmat, etc.) and long term incidents (major disasters, large scale fires and floods, civil disturbances, terrorist incidents, etc.). The Regional Radio System provides a 800 MHz platform for interoperability as well as utilizing gateway devices to cross-connect the different radio channels operating over various radio frequency bands (e.g. VHF, UHF, and 800MHz) throughout the Region. A purpose of the Regional Radio Advisory Council is to provide a formal structure for ongoing oversight and administration for the Regional Radio System which is used by the signatory entities to provide interoperable communications for their Member Entities, as well as other identified and approved users. The protocols and procedures provided below establish standardized methods for the use of the Regional Radio System among all system users.

DEFINITIONS

Interoperability:

Communications Interoperability is the ability of public safety agencies to talk across disciplines and jurisdictions via radio communications systems, exchanging voice and/or data with one another on demand, in real-time, when needed and as authorized.

Incident:

An event or occurrence requiring the participation and coordination of more than one public safety-first responder agency (e.g. police, fire, medical services). The event or occurrence may be an emergency, natural or man-made disaster, or a non-emergency, planned event (e.g. New Year's Eve) requiring the services of more than one agency.

ICALL:

A dedicated radio frequency monitored by all local radio dispatch centers in which requests for multi-agency assistance may be placed. The calling channel is used to contact other users in the region for the purpose of requesting incident-related information and assistance and for setting up tactical communications for specific events. In most cases, the calling party will be asked to move from the Regional Radio/ICALL channel to one of the Regional Radio channels for continuing incident operations or other interoperability communication needs.

Regional Radio & ITAC Channels:

Regional Radio & ITAC channels are dedicated radio frequencies and are assigned based on the geographic location of the event or occurrence. They are used for coordination activity between different agencies in a mutual aid situation. Incidents requiring multi-agency participation are coordinated over these channels by the agency controlling the incident.

Radio Dispatch Center:

Radio Dispatch Centers may be a Public Safety Answering Point (also known as a 9-1-1 Center), a Dispatch Center, or a Fire Alarm Office (FAO), which provides public safety radio and telephone communication services 24 hours a day, 7 days per week. Radio dispatch centers are required to monitor the appropriate the Regional Radio/ITAC channel at all times. A radio dispatch center may delegate monitoring of the Regional Radio channel based on its scheduled rotation so long as the radio dispatch center has the capability of monitoring the Regional Radio/ITAC channels 24 hours, 7 days a week.

Common Language:

Common English language will be spoken at all times when using the Regional Radio System. 10 codes and other acronyms must be avoided at all times. Radio communications must be clear and understandable. Long radio transmissions should be avoided when possible.

PROTOCOL

Regional Radio System may be used, if needed, to allow voice communications between each entity's personnel dealing with an incident. As previously stated in this document, the Regional Radio System is intended for use when immediate information will enhance the safety or effectiveness of personnel dealing with an incident. It is not to be used to transmit mundane information.

The purpose of this protocol is to establish a clear method for use of all Regional Radio channels including the ICALL and ITAC and Regional Radio System interoperability radio frequencies. These interoperable radio frequencies replace mutual aid channels and provide greater area-wide coverage. These radio frequencies are to be used in the event of a multi-jurisdictional operation requiring the use of a common radio channel. These dedicated radio frequencies are specifically to be used to coordinate incident command activities during disasters or planned multi-jurisdictional events. They are not to be used for routine/day-to-day public safety operations.

The Regional Radio channels as of the implementation of this Agreement are:

LIST CHANNELS IF DESIRED

PROCEDURES

The following procedures shall be utilized by member entities whenever utilizing the Regional Radio System:

First Responder, Incident Commander or Dispatch Center Supervisor:

1. Determine the nature of the incident and whether more than one resource will be needed (e.g. police, fire, medical, HAZMAT, bomb squad, emergency management).
2. Notify the monitoring dispatch center on the Regional Radio channel of the incident and request assistance from other agencies, as required.
3. Utilize NIMS or ICS protocols and communicate relevant information in plain English. (Avoid using agency specific codes, acronyms or jargon.)
4. At the appropriate time, advise who the incident commander is and relay pertinent information to be transmitted to the other responding resources/agencies.
5. Supervisors will monitor the Regional Radio System channel, communicate with resources on that channel and relay all information to their subordinates on their respective agency radio.
6. Advise when incident has terminated and vacate Regional Radio System interoperability channel.

Monitoring Radio Dispatch Center (Dispatch Center):

1. Receive and acknowledge request from first responder.
2. Determine the proper Regional Radio System channel to be utilized.
3. Advise first responder which Regional Radio System channel(s) to use.
4. Notify other resources/agencies and advise them of the Regional Radio System channel.
5. Assist with mobilization of resources (e.g. other public safety agencies, first responders, support personnel).
6. Notify the chief officer of the agency and advise each resource to notify their respective chief officer.
7. Notify its emergency management staff of the incident and provide updates and the Regional Radio System channel being used for the incident/event.
8. Return to normal monitoring duties at termination of incident.

Regional Radio System may be activated or used for joint agency emergency incidents. It may also be used for planned joint agency tactical operations, large public events, joint training

exercises, and planned system testing.

The types and incident priorities for use of NCORE are as follows:

- Priority 1: Disaster and extreme emergency operations.
- Priority 2: Emergency or urgent operations involving imminent danger to the life and safety of personnel and property.
- Priority 3: Special event control activities, generally of a pre-planned nature, and generally involving participation of two or more agencies.
- Priority 4: Drills, tests, and exercises.

A request to participate in Regional Radio System is not a request to transfer responsibility for an incident.

Regional Radio System can be used for Homeland Security matters or other related incidents. Regional Radio System policy prohibits participants from releasing radio frequencies, CTCSS/CDCSS codes, channel plan, and other information related to the system. No system information shall be released to the media or other public or private entities. *Exception: This information may be released to service technicians involved with the direct maintenance or repair of the participating agency's radio equipment, on a "need to know" basis.* Agencies failing to safeguard Regional Radio System information may be excluded from the Regional Radio Advisory Council in accordance with section 9.4 of the Interlocal Agreement for Regional Radio System Governance. Member Entities who wish to have a list of frequencies shall contact the Regional Radio Advisory Council, which will review the request and determine whether to release the information to the requesting party.

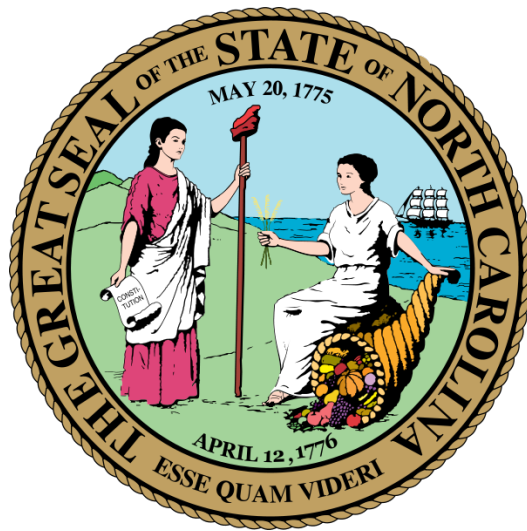
MAINTENANCE

The primary Regional Radio System infrastructure and equipment will be maintained by Charlotte/Mecklenburg Shared Services as noted in each agencies Inter-local agreement. Agencies electing to have radio services provided by Charlotte/Mecklenburg Shared Services shall have such services as noted in their inter-local agreement. Each participating entity providing its separately owned equipment for use in the Regional Radio System is responsible for the maintenance, upgrade and support of such equipment including hardware and software for their entity.

It is understood that radio reprogramming and maintenance will be required on an ongoing basis, and system configuration changes will occur as the system grows. Participating entities agree to promptly reprogram their separately owned radio equipment, by an authorized agent as specified by the Regional Radio Advisory Council, to maintain the continuity of the system.

Radio frequencies in each band will be labeled as specified by the Regional Radio Advisory Council to ensure uniformity of identification in radio displays.

Regional Radio Advisory Council Charter



January 2013



Regional Radio Advisory Council Charter

I. Background

In 2003, the City of Charlotte and County of Mecklenburg, North Carolina, jointly developed and implemented an 800 MHz radio system to serve the public safety agencies and other identified entities within the Charlotte Urban Security Initiative Area (UASI). The intent of this system (the “Regional Radio System”) is to enhance and improve interoperable communications between and among governmental entities. The City of Charlotte was designated as the lead agency for the coordination of regional communications interoperability with the UASI region and as such operates and manages the Regional Radio System. As a result of other counties and jurisdictions joining the Regional Radio System through the signing of inter-local agreements, the Regional Radio Advisory Council was created as the governance body for the Regional Radio System. The Regional Radio Advisory Council will be henceforth referred to as the “Advisory Council”.

II. Description

This Charter describes the authority, purpose, responsibilities, vision and mission statements, membership rules and requirements, use of funds and resources, operating principles, decision-making procedures and logistical considerations that will guide the Advisory Council’s activities.

III. Authority

The Advisory Council will have the following authority:

- A. Oversee and guide the growth of the Regional Radio System.
- B. Establish performance and technical standards for the Regional System.
- C. Establish interoperability processes and procedures for the Regional System.
- D. Provide a formal governance structure for ongoing oversight and administration.

IV. Purpose

The primary purpose of the Advisory Council shall be to establish an operational and management structure that will provide the member entities an opportunity to participate in the on-going administration and oversight of the Regional Radio System throughout the term of the Agreement.

V. Responsibilities

The Advisory Council shall be responsible for the following:



- A. Develop and approve system-wide policies, strategies and goals relating to the use of the System. Such policies will establish guidelines for the use of the Regional Radio System while the strategies and goals will define the evolution of the system and its future capabilities.
- B. Develop system-wide standardized practices and standard operating procedures for use of the Regional Radio System.
- C. Develop and recommend a 10 year Strategic Plan updated annually, for the ongoing technical currency of the system infrastructure.

VI. Vision Statement:

Ensure that all users of the Regional Radio System have the capability to communicate reliably in real-time, across disciplines and jurisdictions in order to respond more effectively during multi-jurisdictional operations, major incidents and natural disasters.

VII. Mission Statement:

Oversee the Regional Radio System on behalf of all users in order to provide reliable, interoperable communications and enhance the safety of its citizens, visitors and government personnel throughout the region.

VIII. Membership

- A. The voting membership of the Advisory Council shall be comprised of one representative from each county that has executed an interlocal agreement to participate in the System (collectively the “Member Entities”). The representatives appointed by the Member Entities are referred to as “Representatives.”
- B. Each Member Entity will have an opportunity to assign one primary representative and one alternate to the Advisory Council.
- C. The Advisory Council may extend voting membership, by a majority vote of the Advisory Council, to a representative of a non-countywide system when the representative is selected by members of a single Radio Communication Council (“RCC”) participating in the Regional Radio System within a unrepresented county. This RCC would remain a Member Entity until such time as the county in which the RCC is located signs the Interlocal Agreement for Regional Radio Governance and a Representative from the county is appointed to the Advisory Council.
- D. Member Entity representation will be voluntary and without compensation.
- E. All Member Entities are subject to all conditions contained within the Advisory Council’s bylaws, and may be removed from the Advisory Council in accordance with the bylaws..
- F. New Member Entities may submit a nomination for Committee membership in accordance with the bylaws.



- G. The Regional Radio Advisory Council Sponsor shall act in an advisory non-voting capacity to the Advisory Council.
- H. The Advisory Council may allow any unrepresented participating jurisdiction to participate in Advisory Council meetings and deliberations as a non-voting advisory member by majority vote.

IX. Officers

The Advisory Council will establish the following positions to manage operations: Chair, Vice-Chair and Secretary. All must be current and primary voting members of the Advisory Council:

- *Chair*
 - Direct all Advisory Council activities/operations
 - Ensure activities comply with all applicable North Carolina and Advisory Council rules, regulations and laws.
 - Preside over all regular and special Advisory Council meetings
 - Coordinate meetings, including establishing the time and location
 - Represent the Advisory Council to city, county and town managers during temporary absences of the Regional Radio Advisory Council Sponsor.
- *Vice-Chair*
 - Assist the Chair in the performance of their duties
 - Preside over Advisory Council meetings in the absence of the Chair

X. Regional Radio Advisory Council Sponsor

The City of Charlotte's Shared Services Director will serve as the Regional Radio Advisory Council Sponsor. The Regional Radio Advisory Council Sponsor will provide the following to the Advisory Council:

- A. Execute the strategic vision, direction and priorities as established by the Advisory Council for the Regional Radio System.
- B. Serving as a liaison for the Advisory Council.
- C. Advising the Advisory Council in the accomplishment of its mission.
- D. Being an active advocate for the Regional Radio Advisory Council throughout the region.
- E. Assisting the Advisory Council Chairperson and other Advisory Council leaders in the management of the Regional Radio System.
- F. Provide staff to perform the following administrative functions of the Advisory Council:
 - 1. Schedule meeting dates and locations.
 - 2. Notify all Representatives of upcoming meetings.
 - 3. Ensure the preparation of meeting agendas.



4. Record the minutes of all meetings.
5. Disseminate meeting minutes and all appropriate documents to all Representatives in a timely manner following each meeting.
6. Ensure that all documents being discussed at upcoming meetings are distributed to all Representatives sufficiently prior to such meeting as to allow for their review prior to such meetings.

XI. REGIONAL RADIO COMMUNICATIONS MANAGER

The Regional Radio Communications Manager is the individual appointed under the Charlotte/Mecklenburg Radio Interlocal to perform the Radio Communications Manager duties. The Manager will assist the Advisory Council by performing the following actions:

- A. Providing monthly Regional Radio System performance statistics as defined in any and all Radio Service Agreements in effect between the City of Charlotte and other members of the Advisory Council, so as to allow the Advisory Council to monitor system performance.
- B. Providing, as appropriate, regular system infrastructure capital project status reports, in order for the Advisory Council to ascertain project progress.
- C. Any further actions deemed appropriate by the Advisory Council.

XI. Meetings

- A. All meetings shall be conducted in accordance with the provisions and requirements of Advisory Council by-laws and in compliance with all North Carolina laws and regulations.
- B. To ensure greater success, all Representatives will be expected to:
 - Prepare for and attend scheduled meetings.
 - Engage in open and honest communications.
 - Provide an accurate representation of their respective Member Entity and all agencies represented by them (“Agencies”) in achieving the best system-wide outcome.
 - Be knowledgeable of the business process of and the role of radio voice and data technology in supporting those processes.
 - Be committed to collaborating to achieve the best interests of the Regional Radio System above the interests of an Member Entity or Agency.
 - Become aware of and support the objectives of the Advisory Council.
 - Be committed to serving as an active member of the Advisory Council for at least twelve months.
 - Keep his/her appointing Member Entity and all Agencies represented by his/her Member Entity fully informed regarding the activities of the Regional Radio Advisory Council.
 - Support consensus decisions and seek endorsement from their respective Member Entity.



- C. If a Member Entity's Representative is unable to attend an Advisory Council meeting, the Alternate for that Representative shall attend the meeting. Member Entities should designate an Alternate in advance to represent the Member Entity in the absence of the Representative. In addition, Alternates are encouraged to attend all Advisory Council meetings with the primary Representative.

XII. Operating Principles

The Advisory Council should:

- A. Consider the unique needs of public safety first responders and other participating Agencies throughout the Region.
- B. Recognize and respect stakeholder concerns and address those concerns that could negatively impact the capabilities of the Regional Radio System.
- C. Think inter-disciplinary.
- D. Identify issues within the Advisory Council's control and address those matters.
- E. Ensure strategies, system upgrades, modifications and enhancements are in sync with the overall Advisory Council goals and objectives, as well as compatible with member requirements.
- F. Ensure network capabilities to meet user needs.
- G. Exercise the Advisory Council's responsibility to all Member Entities for overseeing the Regional Radio System and not basing decisions on any single individual, agency, or technology.
- H. Promote a collaborative approach in dealing with issues.
- I. Speak with one voice when reporting externally.

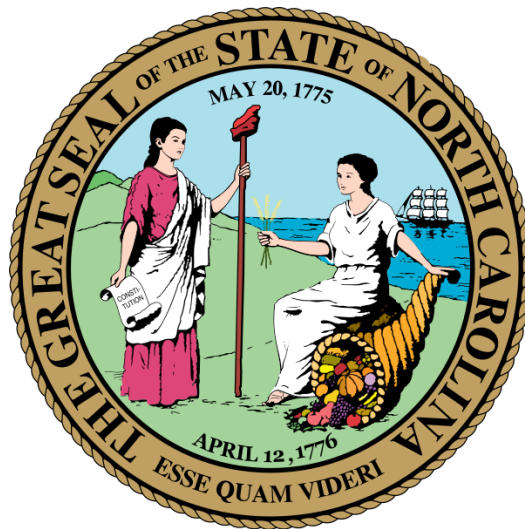
XIII. Decision-Making Procedures

- A. A quorum must be reached to conduct a vote.
- B. It is considered a quorum when a simple majority of the Member Entities are present.
- C. If a quorum has been reached, a simple majority of the Member Entities present at the meeting is required for approval of Advisory Council decisions and recommendations
- D. Each Member Entity has one vote. If the voting Representative is unable to attend, the Alternate can vote for that Member Entity.
- E. A two-thirds majority vote of all Member Entities is required for final approval of new Charter amendments.
- F. The Chair is responsible for reporting Advisory Council decisions and recommendations to interested parties.

XIV. Working Groups/Subcommittees

The Advisory Council may create and be assisted by Working Groups or Subcommittees as required by a majority vote of the Advisory Council. Such Working Groups or Subcommittees will be subject to all conditions established within the Regional Radio Advisory Council's by-laws.

Regional Radio Advisory Council Bylaws



January 2013



Regional Radio Advisory Council Bylaws

ARTICLE I: Name

In accordance with the Interlocal Agreement for Regional Radio Governance between Charlotte/Mecklenburg and all Member Entities utilizing the Regional Radio System, this Regional Radio Advisory Council shall serve as the governance body for the Regional Radio System and shall herein be referred to as the “Advisory Council.”

ARTICLE II: Purpose

1. The purpose of the Advisory Council is to establish an operational and management structure that provides all Member Entities with standardized guidelines for the operation, management and support of the Regional Radio system used for public safety communications interoperability within the Region. As such, the goals of the Advisory Council are as follows:
 - A. Provide a structure that enables Member Entities to coordinate and standardize the communications capabilities provided by the Regional Radio System.
 - B. Establish a formal mechanism to facilitate Region-wide decision-making.
 - C. Identifying opportunities to enhance/upgrade Regional Radio System.
 - D. Establish a governing body that can remain independent and meet the needs of all Member Entities.

ARTICLE III: Organizational Responsibilities

The Advisory Council shall be responsible for:

1. Providing formalized oversight in the administration, growth and use of the Regional Radio System.
2. Developing and adopting by-laws to govern the Advisory Council and its operations.
3. Establishing performance and technical recommendations for the Regional Radio System.



4. Establishing system-wide standardized practices that achieve the purpose of the policies, strategies and/or goals established by the Advisory Council for the Regional Radio System.
5. Develop and approve system-wide policies, strategies and goals relating to the use of the System.
6. Develop and recommend a 10 year Strategic Plan, and update it annually, for the ongoing technical currency of the system infrastructure.
7. Establishing staff working groups from Member Entities to research technical and operational issues.
8. Identifying opportunities to enhance/upgrade Regional Radio System.

ARTICLE IV: Member Entities

1. MEMBERSHIP

The voting membership of the Advisory Council shall be comprised of one representative from each of the member counties that executes the Interlocal Agreement for Regional Radio Governance to join the Regional Radio System (collectively, ("Member Entities").

- A. The maximum membership of the Advisory Council may be determined by a majority vote of the existing Member Entities. Each Member Entity will appoint a primary representative ("Representative") to vote and represent its interest on the Advisory Council.
- B. Member Entities are encouraged to have alternates for their Representatives ("Alternates") and have such Alternates attend all Advisory Council meetings. Representative will be entitled to only one vote. The Alternate may vote only when the Representative is absent. Representatives (and their Alternates when Representatives are not present) will have sole voting rights for their respective Member Entities.
- C. Each Representative and his or her Alternate shall be empowered with the authority to speak and act on behalf of the Member Entity. Each Member and Alternate shall be identified by name and so empowered in writing to the Chair of the Advisory Council, as needed.
- D. In the event of removal, resignation, or death of a Representative, the Member Entity shall promptly appoint a successor to fill the position and notify the chair of the Advisory Council in writing.
- E. Member Entities may not designate another Member Entity to serve as its proxy for voting purposes.



- F. All notices to Member Entities shall be directed to their respective Representatives.

2. REPRESENTATIVE DUTIES

Each Representative shall:

- Prepare for and attend scheduled meetings.
- Engage in open and honest communications.
- Provide an accurate representation of their respective Member Entity and all agencies represented by their Member Entity (“Agencies”) in achieving the best system-wide outcome.
- Be knowledgeable of the business process of and the role of radio voice and data technology in supporting those processes.
- Be committed to collaborating to achieve the best interests of the Regional Radio System above the interests of an individual Member Entity or Agency.
- Become aware of and support the objectives of the Advisory Council.
- Be committed to serving as an active member of the Advisory Council for at least twelve months.
- Keep all Agencies represented by their Member Entity fully informed regarding the activities of the Regional Radio Advisory Council.
- Support consensus decisions and seek endorsement from their respective Member Entity.

3. ATTENDANCE REQUIREMENTS

If Representative fails to attend three consecutive regularly scheduled Advisory Council meetings, the Chair can request the Member Entity appoint a replacement representative. If the Member Entity fails to appoint a replacement within forty-five (45) days after written request from the Chair, the Advisory Council may by majority vote remove the Member Entity and terminate the Interlocal Agreement for Regional Radio Governance with respect to such Member Entity.

4. ENTITY WITHDRAWAL

Representative/Member Entities wishing to withdraw from the Advisory Council must provide 90 days’ notice of their intent to withdraw to the Chair of the Advisory Council.

ARTICLE V: Officers

1. The officers of the Advisory Council shall consist of the Chair and Vice-Chair.



2. All officers must be voting Representatives of the Advisory Council.
3. Terms will be for twelve months
4. Elections
 - Election of the Chair and Vice-Chair shall be conducted at the first meeting of the Advisory Council.
 - In subsequent years, the Advisory Council shall hold nominations and elections for the position of Chair and Vice-Chair within the first quarter of each calendar year.
 - Each officer's term shall be effective from the close of the meeting at which they were installed.
5. Chair's Roles and Responsibilities
 - Direct the operations of Advisory Council
 - Preside over all Advisory Council meetings
 - Represent the Advisory Council and serve as its primary spokesperson.
 - Assist with the transition of the newly elected Chair at the end of their term.
 - Coordinate meetings, including establishing the time and location.
 - Represent the Advisory Council to the city, county and town managers during temporary absences of the Regional Radio Advisory Council Sponsor.
 - Ensure activities comply with all applicable North Carolina and Advisory Council rules, regulations and laws.
6. Vice-Chair's Roles and Responsibilities
 - Assist the Chair in the performance of his/her duties
 - Assume such duties in the absence of the Chair.

ARTICLE VI: Regional Radio Advisory Council Sponsor

The City of Charlotte's Shared Services Director will serve as the Regional Radio Advisory Council Sponsor. The Regional Radio Advisory Council Sponsor will provide the following to the Advisory Council:

- A. Execute the strategic vision, direction and priorities as established by the Advisory Council for the Regional Radio System.
- B. Serving as a liaison for the Advisory Council.
- C. Advising the Advisory Council in the accomplishment of its mission.



- D. Being an active advocate for the Regional Radio Advisory Council throughout the region.
- E. Assisting the Advisory Council Chair and other Advisory Council leaders in the management of the Regional Radio System.
- F. Provide staff to perform the following administrative functions of the Advisory Council:
 1. Schedule meeting dates and locations.
 2. Notify all Representatives of upcoming meetings.
 3. Ensure the preparation of meeting agendas.
 4. Record the minutes of all meetings.
 5. Disseminate meeting minutes and all appropriate documents to all Representatives in a timely manner following each meeting.
 6. Ensure that all documents being discussed at upcoming meetings are distributed to all Representatives sufficiently prior to such meeting as to allow for their review prior to such meetings.

ARTICLE VII: Regional Radio Communications Manager

The Regional Radio Communications Manager is the individual responsible for performing all related managerial duties for the Regional Radio System. The Manager will assist the Advisory Council by performing the following actions:

- A. Providing monthly Regional Radio System performance statistics as defined in any and all Radio Service Agreements in effect between the City of Charlotte and other members of the Advisory Council, so as to allow the Advisory Council to monitor system performance.
- B. Providing, as appropriate, regular system infrastructure capital project status reports, in order for the Advisory Council to ascertain project progress.
- C. Any further actions deemed appropriate by the Advisory Council.

ARTICLE VIII: Advisory Council Meetings

1. Regular Meetings

- Regular meetings of the full Advisory Council shall be held at least quarterly.
- Meetings may be held in person, via teleconference, internet conference, or by any other means deemed appropriate and approved by the Advisory Council.
- Regular and special meetings of the Advisory Council will be conducted in accordance with all applicable North Carolina laws and regulations.



- Meetings may be cancelled by the Chair upon agreement by a majority of the Member Entities.
 - Member Entities who will not have a Representative or Alternate present at a meeting will notify the Chair as soon as reasonably possible prior to the meeting.
 - If a meeting is cancelled, the Chair will notify Member Entities of the cancellation prior to the scheduled meeting.
2. A quorum must be reached to conduct a vote.
 3. A quorum shall consist of a simple majority of the Member Entities.
 4. If a quorum has been reached, a simple majority of the Member Entities is required for approval of Advisory Council decisions and recommendations
 5. Immediately preceding a vote by the Advisory Council, the recording individual shall repeat the motion, name of the person making the motion and name the person seconding the motion. Any Representative may request to have his/her vote entered in the minutes.
 6. When both the Representative and Alternate are present at a regular meeting or special meeting, only the primary Representative may cast votes and be recorded in proceedings.

ARTICLE IX: Working Groups

The Chair of the Advisory Council may recommend the establishment of special or standing working groups to assist the Advisory Council ("Working Groups"). The Chair shall explain the duties and responsibilities of the Working Groups and any matters relating to its efficient operation in his/her recommendation. Working Groups shall be established based upon the majority vote of the Advisory Council.

1. Representatives.
 - Each Member Entity shall be entitled to appoint one qualified individual to serve on such Working Groups.
 - Representatives and/or Alternates may serve on any Working Group only upon obtaining the approval of a majority of the Advisory Council members.



- All members of Working Groups shall serve at the pleasure of the appointing Member Entity and may be replaced by the appointing authority in accordance with applicable law.
- In the event of removal, resignation, or death of a Representative, the appointing Member Entity shall promptly appoint a successor to fill the position and notify the Chair of the Advisory Council in writing.

2. Chair

- Working Group(s) Chair shall be appointed by the Advisory Council.

ARTICLE X: Rules of Procedure

Unless otherwise specified, all matters of order and procedure shall be decided using the most recent edition of the Institute of Government's *Suggested Rules of Procedure for Small Local Government Advisory Councils*, as it may be amended from time to time..

ARTICLE XI: Amendment of Bylaws

Proposed bylaw changes are to be submitted as a discussion item on the agenda for the next regularly scheduled Advisory Council meeting. Changes/amendments will be voted upon at the end of Advisory Council meetings. A two-thirds vote of all Member Entities is required to amend the bylaws.

RESOLUTION OF THE CHARLOTTE CITY COUNCIL TO APPROVE AND RATIFY AN
INTELOCAL AGREEMENT FOR CREATION OF A REGIONAL RADIO SYSTEM
ADVISORY COUNCIL BY AND AMONG THE CITY OF CHARLOTTE, MECKLENBURG
COUNTY AND OTHER USERS OF THE REGIONAL RADIO SYSTEM

WHEREAS, the City of Charlotte and Mecklenburg County jointly developed an 800 MHz trunked radio system to support public safety needs and provide service to various city and county departments;

WHEREAS, Charlotte has been designated the lead agency for regional communications interoperability of public safety agencies within the Urban Area Security Initiative (UASI) eleven county region, and has established the infrastructure necessary for regional voice communications interoperability with the support of several grants;

WHEREAS, since 2003, other local government entities have joined Charlotte and Mecklenburg in sharing use of the regional components of the radio system (the “Regional Radio System,” as defined more specifically in this Agreement) and have signed service agreements to that effect;

WHEREAS, the City of Charlotte and the other users of the Regional Radio System now desire to expand use of the Regional Radio System throughout the region, with the goal of enhancing and improving interoperability of public safety communications between and among government entities;

WHEREAS, to facilitate regionalism and interoperability, the City of Charlotte and other users of the Radio System wish to participate in a regional radio advisory council that will: (a) guide the strategic growth and development of the Regional Radio System; (b) establish regional

performance and technical standards for the Regional Radio System, and (c) establish interoperability processes and procedures;

WHEREAS, the City of Charlotte and other users of the Regional Radio System desire to enter into an Interlocal Agreement For Regional Radio System Governance to participate in the Regional Radio Advisory Council;

WHEREAS, Article 20 of Chapter 160A of the North Carolina General Statutes authorizes local governments to establish a regional radio advisory council in accordance with the terms of this Agreement;

NOW, THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby:

1. Approves and ratifies the attached Interlocal Agreement For Regional Radio System Governance by and among the City of Charlotte, Mecklenburg County and other users of the Regional Radio System (the “Regional Radio Interlocal”);
2. Appoints the person fulfilling the job of Director of Shared Services to serve as “Regional Radio Advisory Council Sponsor” under the terms of the Regional Radio Interlocal; and
3. Authorizes the City Manager to appoint another person to serve as Regional Radio Advisory Council Sponsor under the Regional Radio Interlocal in the event that the above named person leaves the City of Charlotte employment or is no longer willing or able to serve for any reason.

This the ___ day of November, 2013.

Exhibit - A (November 25, 2013 Council meeting)

computers =	259	
laptops =	69	
monitors =	110	
other =	99	
printers/copiers/scanners =	83	
servers =	9	
tv's =	10	
	<u>639</u>	items

CHARLOTTE CITY COUNCIL

Resolution Authorizing Donation of Personal Property

Whereas, North Carolina G.S. 160A-280 allows a city to donate any personal property that the governing board deems to be surplus, obsolete, or unused to a nonprofit organization and;

Whereas, the City Manager has recommended that the property listed on the attached Exhibit A (the “Property”) be declared as surplus; and

Whereas, the City Manager recommends that the Property be donated to Goodwill Industries of the Southern Piedmont; and

Whereas, City staff posted a public notice of the proposed donation at least five days prior to the adoption of this resolution;

Be it resolved, by the Charlotte City Council that the Property described on Exhibit A is declared surplus and that the City Manager or his designee is authorized to donate such Property to Goodwill Industries of the Southern Piedmont.

Adopted on this _____ day of _____, 2013

CERTIFICATION

Property Tax Refund Requests

BEREWICK HOMEOWNERS ASSOCIATION INC	\$	249.09
BEREWICK HOMEOWNERS ASSOCIATION INC		249.09
BEREWICK HOMEOWNERS ASSOCIATION INC		183.44
BEREWICK HOMEOWNERS ASSOCIATION INC		307.21
BEREWICK HOMEOWNERS ASSOCIATION INC		307.21
BEREWICK HOMEOWNERS ASSOCIATION INC		39.33
BEREWICK HOMEOWNERS ASSOCIATION INC		39.33
BURRUS, RUSSELL A		1,251.13
ELLERBE, D MASON		664.68
ESSROC CEMENT CORP		63.04
FRANKLIN AMERICAN MORTGAGE CO		1,253.62
GHEESLING, CAROLYN C		233.93
JV NAILS SPA		17.13
MCGINTY, STEPHEN H		91.16
MCGINTY, STEPHEN H		90.49
MCGINTY, STEPHEN H		61.00
MCGINTY, STEPHEN H		62.22
MCKEITHEN, SUSAN CABOT		925.15
MCKEITHEN, SUSAN CABOT		171.16
NATIONAL TAX SEARCH LLC		4,415.15
NATIONAL TAX SEARCH LLC		27,429.41
PIPER GLEN ANIMAL HOSPITAL PA		113.94
WELLS FARGO HOME MORTGAGE		30.15
WELLS FARGO HOME MORTGAGE		30.15
WELLS FARGO HOME MORTGAGE		49.99
WELLS FARGO HOME MORTGAGE		49.99
WILLIFORD, JOHN K		2,143.98
	\$	<u>40,522.16</u>

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 25th day of November 2013 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, _____, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____ 2013 the reference having been made in Minute Book _____ and recorded in full in Resolution Book _____ Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the day of _____, 2013.

Business Privilege License Tax Refund Requests

Advanced Renovations Inc	\$	2,345.51
Area Title Agency Inc		60.63
Bucks Sewing Machine Service		100.00
Cathcart Family Cleaning Service		27.21
Cooling Technology Inc		277.76
Courtyard by Marriott		20.87
Host International, Inc		2,502.79
Kola Exteriors		42.50
Rodeway Inn		656.44
	<u>\$</u>	<u>6,033.71</u>

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

Reference is made to the schedule of "Business Privilege License Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

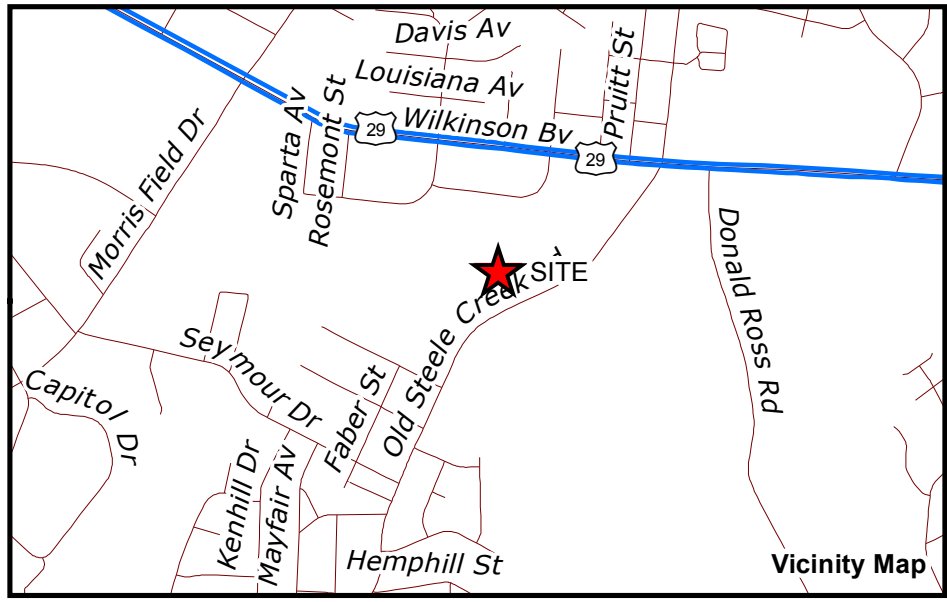
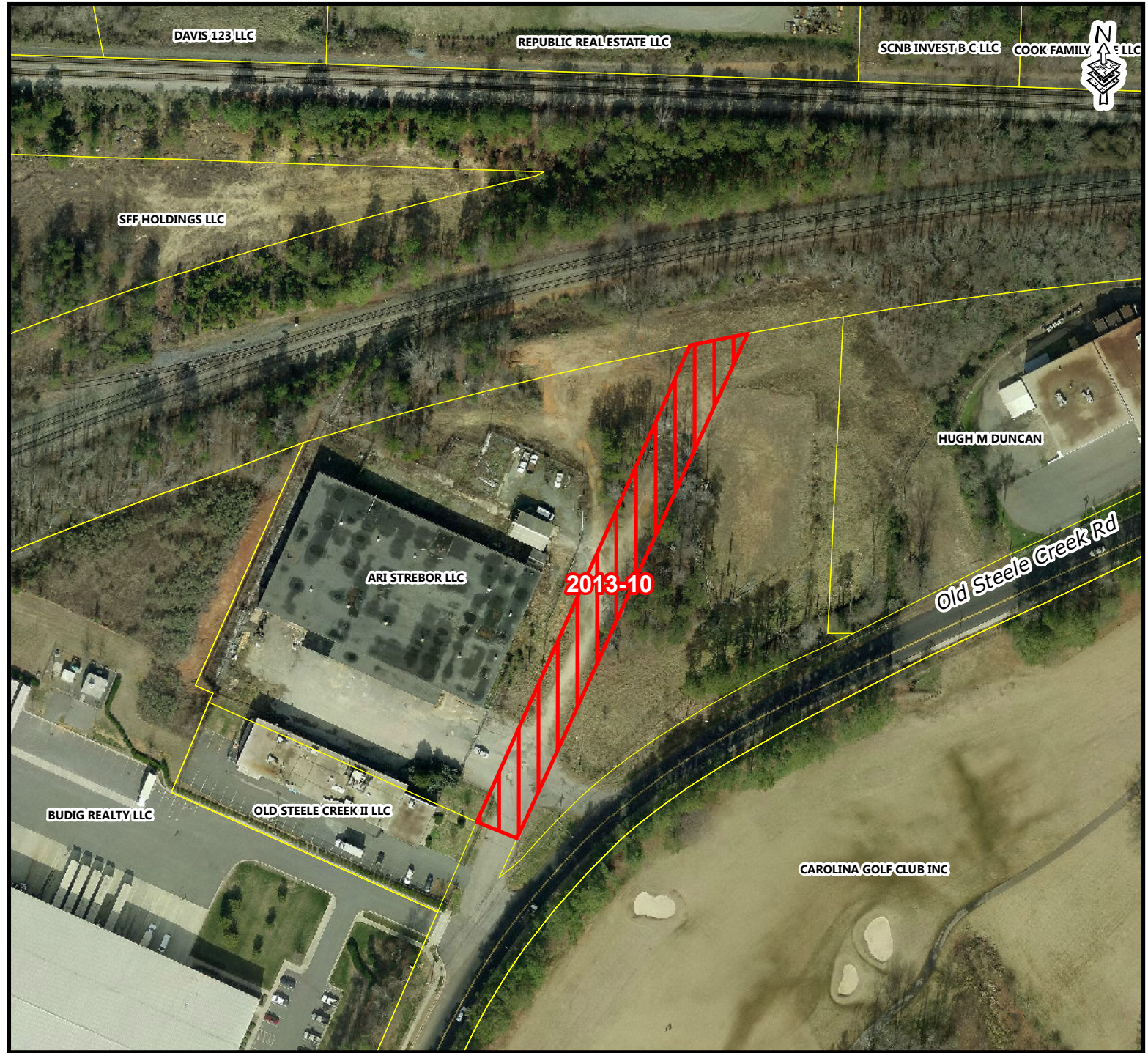
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 25th day of November 2013 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, _____, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of 2013, the reference having been made in Minute Book _____ and recorded in full in Resolution Book Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 2013.




**CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION**

Development Services Division

Right-of-Way Abandonment Petition 2013-10

A residual portion of Old Steele Creek Road

Right-of-Way Abandonment Area 

Vicinity Map

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a residual portion of Old Steele Creek Road Extension in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Ari Strebor LLC** has filed a petition to close a residual portion of Old Steele Creek Road Extension in the City of Charlotte; and

Whereas, a residual portion of Old Steele Creek Road Extension is an unopened right-of-way that begins approximately 46 feet north of its intersecting point with Old Steele Creek Road, continuing northeast approximately 534 feet as a 50-foot wide right-of-way that abuts tax parcels 117-103-07 and 117-103-105, both owned by the petitioner, which terminates at the Southern Railway Crossline Railroad, and consists of 27,443 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

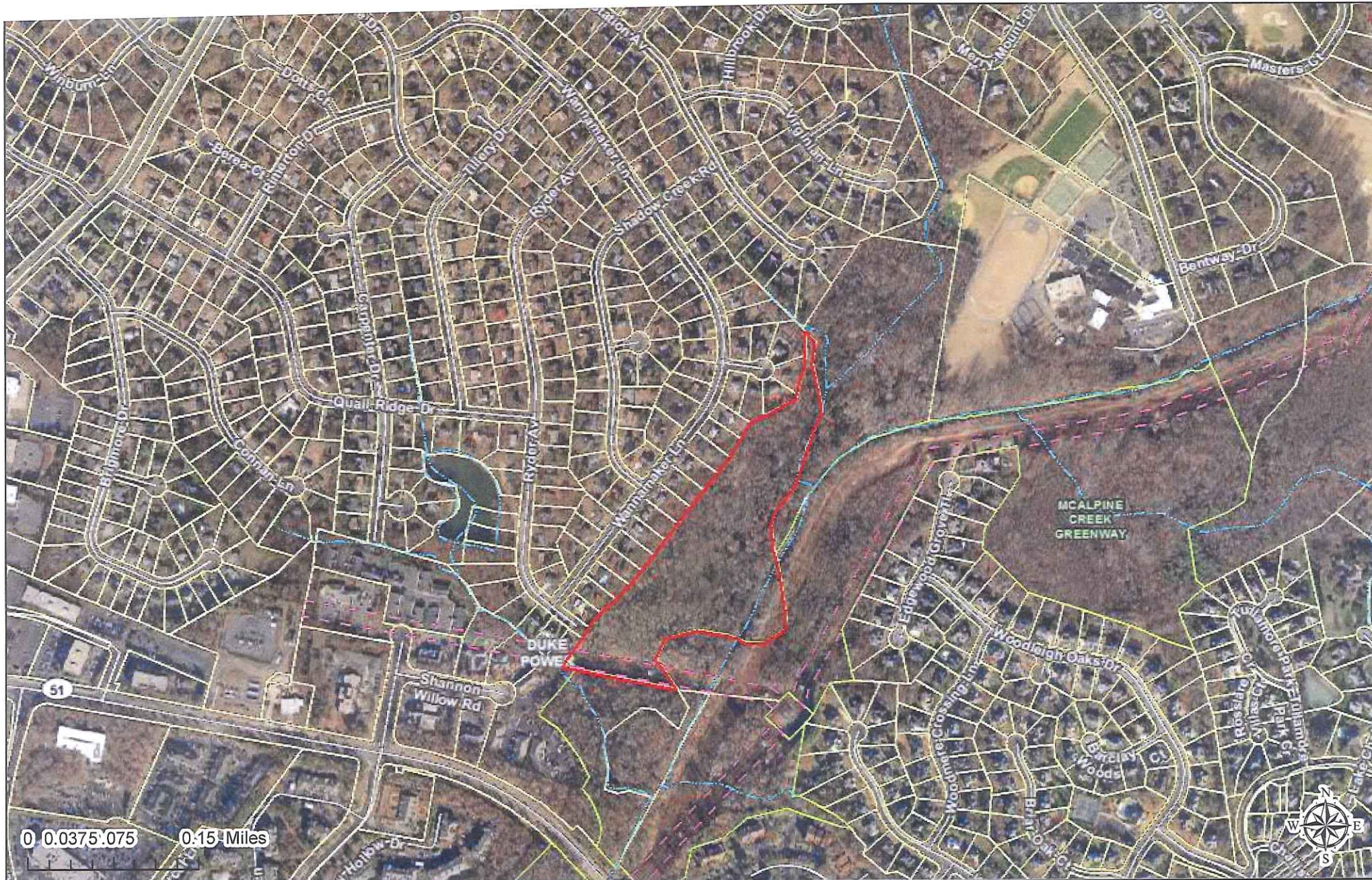
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of November 25, 2013, that it intends to close a residual portion of Old Steele Creek Road Extension and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 13th day of January 2014, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for four successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

Polaris 3G Map – Mecklenburg County, North Carolina

211 341 02

14.82 acres for Tree Preservation from Catawba Land Conservancy



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.