

Mayor Dan Clodfelter

Al Austin
John Autry
Ed Driggs
Claire Fallon
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Mayor Pro Tem Michael D. Barnes

Patsy Kinsey
Vi Lyles
LaWana Mayfield
Greg Phipps
Kenny Smith

**CITY COUNCIL MEETING
Monday, February 9, 2015**

CITY COUNCIL AGENDA
Monday, February 9, 2015

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

1. Mayor and Council Consent Item Questions

Resource(s): Randy Harrington, Management & Financial Services

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. North Carolina Department of Transportation Secretary

Resource(s): Danny Pleasant, Transportation

Time: 45 minutes

Synopsis

North Carolina Department of Transportation (NCDOT) Secretary, Tony Tata, will speak about NCDOT's initiatives, including the plan to continue adding capacity on the southern portion of Interstate-485.

Future Action

The presentation is for information only.

3. Non-Discrimination Ordinances

Resource(s): Bob Hagemann, City Attorney's Office

Time: 30 minutes

Synopsis

- At the November 24, 2014, Dinner Briefing meeting, Scott Bishop of the Human Rights Campaign gave a presentation to the City Council in which he proposed adding sexual orientation, gender expression, gender identity, familial status, and marital status to the list of protected characteristics in several City non-discrimination ordinances
- In response, the City Council asked the City Manager and the City Attorney to draft information on the proposed ordinance changes to amend non-discrimination language
- The presentation will include:
 - A brief history of protected characteristics in non-discrimination laws;
 - A review of the City's current non-discrimination ordinances; and
 - A description of proposed amendments.

Future Action

Unless the City Council directs otherwise, the proposed ordinance amendments will be included as an action on the agenda for the City Council Business Meeting on February 23, 2015.

Attachment 1
Briefing Memo
Draft Ordinance

4. Airport Master Plan Update

Resource(s): Jack Christine, Aviation
Brent Cagle, Aviation

Time: 20 minutes

Synopsis

- The Airport Master Plan Update was adopted in 1997.
- The Airport contracted with Landrum & Brown Aviation Consultants in December 2013 to simultaneously prepare Airfield and Terminal Capacity Enhancement Plans (ACEP/TCEP) to address forecasted demand over the next 20 years at CLT. Together these documents represent an update to the Airport's Master Plan.
- Over the past year, a working group comprised of Airport staff, the Federal Aviation Administration, the airlines, and a consultant conducted a series of five stakeholder meetings to facilitate the design, analysis, and decision-making for the capacity study.
- The ACEP/TCEP will be released in April 2015 with the following recommendations:
 - Airfield enhancements to include a fourth parallel runway and additional taxiways to enhance safety and improve aircraft movement; and
 - Terminal enhancements designed to accommodate the forecasted demand of both domestic and international growth for the hub airline as well as other airlines, increasing the current gate count from 93 to 164.
- A key deliverable of the study is the update of the federally-mandated Airport Layout Plan (ALP). The ALP is a set of drawings that shows the near-term, intermediate, and long-term facilities for an airport. The ALP is a key component to the Airport's master planning and federal funding processes.

Future Action

The presentation is for information only.

5. Answers to Mayor and Council Consent Item Questions

Resource(s): Randy Harrington, Management & Financial Services

Time: 10 minutes

Synopsis

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

6. Closed Session

Action: Adopt a motion pursuant to NCGS 143-318.11(a)(3) to go into closed session to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of Georgia Ferrell, as Administratrix of the Estate of Jonathan A.P. Ferrell v. City of Charlotte, Randall W. Kerrick, et al., 3:14-CV-47.

Introductions

Invocation

Pledge of Allegiance

7:00 P.M. AWARDS & RECOGNITIONS

7. Teen Dating Violence Prevention and Awareness Month

Action: Mayor Clodfelter will read a proclamation recognizing February 2015 as Teen Dating Violence Prevention and Awareness month.

8. Samaritan's Feet Presentation

Action: Emmanuel "Manny" Ohonme, Co-Founder and President of Samaritan's Feet, will provide a presentation about their organization.

CONSENT

9. Consent agenda items 17 through 31 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, and
- B. Consideration of Consent Items with citizens signed up to speak to the item.

PUBLIC HEARING

10. Public Hearing on a Resolution to Close a Portion of Darby Avenue

Action: **A. Conduct a public hearing to close a portion of Darby Avenue, and**
 B. Adopt a Resolution to close a portion of Darby Avenue.

Staff Resource(s): Jeff Boenisch, Transportation

Policy

To abandon right-of-way that is no longer needed for public use

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.

Petitioners

The O'Leary Group Business Park, LLC

Right-of-Way to be abandoned

A portion of Darby Avenue

Reason

This abandonment request is consistent with an approved Rezoning Petition (#2012-047), which was adopted by the City Council on June 18, 2012, and will enable the right-of-way to be incorporated into the abutting parcels to accommodate the O'Leary Resource Recovery Center development.

Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owner(s) - None

Neighborhood/Business Association(s)

Oakview Terrace Neighborhood Association – Notified/ No comments

Private Utility Companies – No objections

City Departments

Review by City departments identified no apparent reason this closing would:

- Be contrary to the public interest;
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes; and
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment 2

[Map](#)
[Resolution](#)

11. Public Hearing on a Resolution to Close a Portion of Isenhour Street

Action: **A. Conduct a public hearing to close a portion of Isenhour Street, and**

B. Adopt a resolution to close a portion of Isenhour Street.

Staff Resource(s): Jeff Boenisch, Transportation

Policy

To abandon right-of-way that is no longer needed for public use

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.

Petitioners

The Charlotte-Mecklenburg Housing Partnership

Right-of-Way to be abandoned

A portion of Isenhour Street

Reason

This right-of-way will be incorporated into the abutting properties that are owned by the petitioner in order to accommodate a redevelopment project that will include the construction of new single-family homes.

Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owner(s) - None

Neighborhood/Business Association(s)

Druid Hills Neighborhood Association – Notified/ No comments

Private Utility Companies – No objections

City Departments

Review by City departments identified no apparent reason this closing would:

- Be contrary to the public interest;
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes; and
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment 3

[Map](#)

[Resolution](#)

POLICY

12. City Manager's Report

BUSINESS**13. Bojangles Coliseum Renovation – Phase I**

- Action:**
- A. Authorize the City Manager to negotiate and execute a contract in an amount not to exceed \$800,000 with Odell Associates, Inc. to provide architectural services,**
 - B. Approve the purchase of a center-hung scoreboard and LED Ribbon displays from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
 - C. Approve a contract in the amount of \$1,527,252.50 with Daktronics, Inc. for the purchase of a new center-hung scoreboard and LED Ribbon displays for a term of one year,**
 - D. Reject the non-responsive bid from Robbins, Inc. for failure to comply with the bid requirements for the Bojangles Coliseum ice deck,**
 - E. Award a low-bid of \$149,620.05 to the second, lowest responsive bidder, Sport Systems Unlimited Corporation, dba Athletica Sport Systems, for the purchase and installation of a new ice deck for the Bojangles Coliseum,**
 - F. Approve the purchase of a Zamboni ice resurfer from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
 - G. Approve a contract in the amount of \$98,750 with Frank J. Zamboni & Co., Inc. for the purchase of a Zamboni ice resurfer for a term of one year,**
 - H. Approve the one-time purchase of hockey equipment from the Charlotte Hornets in the amount of \$140,824, and**
 - I. Adopt a budget ordinance appropriating \$250,000 in Charlotte Checkers' contribution to the Convention Center Capital Projects Fund for the Bojangles Coliseum Renovation project.**

Staff Resource(s):

William Haas, Engineering & Property Management
 Steve Bagwell, Charlotte Regional Visitors Authority
 Tera Black, Charlotte Checkers

Cooperative Purchasing Exemption

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

Explanation

- On December 8, 2014, the City Council approved \$15,953,375 in capital repairs and improvements to the Bojangles Coliseum over the next two years.
- The improvements to the Coliseum include scoreboard replacement, new bowl seating, food and beverage upgrades, and major mechanical and electrical repairs and improvements.
- City staff will bring the construction bid for Phase 1 of the renovation work, roof restoration, sound system, and bowl seating replacement to the City Council in the coming months.
 - Phase 1 construction may include modifications to the concessions areas, offices, broadcast, and locker room spaces. Construction is scheduled for summer 2015.
 - Phase 2 construction includes electrical; heating, ventilation, and air conditioning (HVAC) as well as structural and civil modifications and enhancements. The construction bid will be brought to the City Council for approval in fourth quarter 2015. Construction is scheduled for summer 2016.

Action A

- On December 9, 2014, a Request for Qualifications was advertised; proposals were received from six interested architectural firms.
- Odell Associates, Inc. was selected using the City Council approved, qualifications-based selection process. The selection committee included staff from the City, Charlotte Checkers, and Charlotte Regional Visitors Authority (CRVA).
- Renovations will include interior modifications to the concessions areas, office and locker room spaces as well as electrical and HVAC modifications and enhancements. The broadcast space build-out, exterior structural, and minor civil modifications will also be included as part of this project.

Actions B and C

- The current center-hung scoreboard is 16x20 feet wide, with a four-sided 5x5 foot video display. The proposed scoreboard will be 20x27 feet wide. The scoreboard will be comprised of a four-sided 12x12 foot video display, eight illuminated sponsor displays, a four-sided LED video display, and a LED circular-shaped ribbon display located at the base of the scoreboard.
- The proposed LED ribbon displays will each have the overall dimensions of 60x4 feet high. The ribbon displays will be positioned in the four corners of the Coliseum bowl area.
- Daktronics, Inc. has a national contract awarded through the Cooperative Purchasing Network that offers competitively obtained contracts to public agencies and non-profits. The cooperative purchase is made through contract R5195.

Actions D and E

- The ice deck is made up of insulated panels that are installed on top of the ice surface. The insulated panels protect the ice and prevent the cold air from penetrating through the deck surface. The deck surface allows for smooth transitions between hockey games and other facility uses.
- On January 13, 2015, the City issued an Invitation to Bid for apparatus supplies, materials, equipment and services; three bids were received from interested service providers.
- The lowest bidder, Robbins Inc., will not provide installation as per bid requirements, and requested payment terms of 50% advance payment. Based

- upon the aforementioned, Robbins, Inc. was found non-responsive, with recommendation to award to the second lowest, responsive bidder.
- Sport Systems Unlimited Corporation, dba Athletica Sport Systems, was the second lowest, responsive bidder, and the recommended bidder for award.

Actions F and G

- A Zamboni ice resurfer is a vehicle used to provide a clean and smooth ice surface. During the resurfacing process, a layer of hot water is released to slightly melt the top layer of ice, filling in any grooves to allow for a smooth skating surface.
- Frank J. Zamboni & Co., Inc. has a contract awarded through the National Joint Powers Alliance that offers competitively obtained contracts to public agencies nationwide.
- The unit price set forth in the proposed contract is available on request.

Action H

- The hockey equipment was originally purchased with the City's Tourism Operating Fund made up of contributions from both the Charlotte Hornets and the City.
- Equipment includes a dasher/glass system, electrical ice edger, and garden sprayers. The equipment was purchased in 2013 and is in good condition.
- The City and the Charlotte Hornets negotiated the depreciated value of the equipment with the City paying half the cost. The equipment will be transferred to the Bojangles Coliseum at the close of the current hockey season.
- The total depreciated value of the equipment is \$275,988. The City will reimburse the Charlotte Hornets their share of the depreciated value of \$140,824.

Action I

- In a signed Memorandum of Understanding, the Charlotte Checkers agreed to share the cost of the ice decking and Zamboni at a total expense of \$125,000.
- The Charlotte Checkers also agreed to remit payment to the City for the center-hung scoreboard and ribbon displays in the amount of \$125,000.

Background

- The Bojangles Coliseum opened as the Charlotte Coliseum in 1955 and is currently in its 59th year of operations.
- It was the first free-span dome in the United States and the Coliseum's exterior has been designated as a historic landmark.
- The Coliseum is owned by the City of Charlotte and operated by the CRVA.
- The Coliseum averages 85 annual events that include graduations, consumer shows, civic events, concerts and performances with average annual attendance of 183,232.
- The Coliseum and the adjacent Ovens Auditorium hosts the majority of commencement exercises annually for Charlotte-Mecklenburg Schools as well as many area colleges and private schools.
- The move of the Checkers to the Coliseum will benefit all parties.
 - It frees up coveted dates in the Arena, a move that is supported by the Charlotte Hornets.
 - It improves and solidifies the business model for the Coliseum.
 - The Checkers can return to their original home in Charlotte.
 - It creates economic vitality in the Independence Boulevard corridor.
- The agreement between CRVA and the Checkers includes:
 - A 10-year term with two additional options for five-year extensions;

- The Checkers will begin to play in the Coliseum in October 2015;
- The Checkers will pay market rent;
- The Checkers and CRVA will share concessions and advertising revenue; CRVA will retain all parking revenue; and
- Clawback provisions are in place if the Checkers leave in the early years of the agreement.

Charlotte Business INclusion

Action A

The City negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). For this contract, Odell Associates, Inc. has committed 25.00% of the total contract amount to the following MSBE firms: AME Consulting Engineers, PC (engineering services) and Structural Capacity, PC (engineering services).

Actions C and G

These contracts are cooperative group purchases and are exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Action E and H

No subcontracting goals were established because there were no opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

Funding

Convention Center Capital Projects Fund

Attachment 4

[Budget Ordinance](#)

14. Appointments to Boards and Commissions

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

A. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

- Two appointments for two-year terms beginning March 2, 2015, and ending March 1, 2017.
- At the January 26, 2015, Council Business Meeting, Katherine Stefan received eight votes and was appointed to one of the two positions.
- After two run-offs, the following nominees received five votes each:
 - Sarah Cherne
 - Torrey Feimster
- The City Council carried forward the appointment to a future Council Business Meeting when the entire City Council would be available to vote.

Attachment 5

[Application](#)

15. Conclusion of Consent Agenda

16. Mayor and City Council Topics

City Council members may share information and raise topics for discussion.

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.



On April 8, 2013, the City Council voted to replace the City's Small Business Opportunity (SBO) 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 Fiscal Year 2014, projects appeared in the Council Agenda incorporated 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 Business Agenda.

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 the Council Business Agenda.

17. Voluntary Annexation Public Hearing Date

Action: Adopt a resolution setting a public hearing for February 23, 2015 for a voluntary annexation petition.

Staff Resource(s): Jonathan Wells, Planning

Explanation

- The City has received a petition for voluntary annexation of private property.
- The 0.75-acre "Woodfield Northlake II" site is located in the 10400 block of Northlake Centre Parkway in north Mecklenburg County.
 - The parcel involved was part of a larger rezoning petition (2013-067) for Withrow Capital approved by the City Council on November 25, 2013.
- Public hearings are required prior to City Council action on annexation requests.
- The property is located within Charlotte's extraterritorial jurisdiction and is vacant.
- Area proposed for annexation shares boundaries with current city limits.
- Annexation of this area at this time will allow for more orderly extension of City services, capital investments, and future annexation processes.

Consistency with City Council Policies

The "Woodfield Northlake II" annexation is consistent with City voluntary annexation policies approved by the City Council on March 24, 2003; more specifically this annexation:

- Will not adversely affect the City's ability to undertake future annexations;
- Will not have undue negative impact on City finances or services; and
- Will not result in a situation where unincorporated areas will be encompassed by new City limits.

Public Hearing Date

The resolution sets Monday, February 23, 2015, for the public hearing.

Attachment 6

[Map](#)

[Resolution](#)

18. North Carolina Clean Energy Technology Center Grant

Action: Authorize the City Manager to accept a grant in the amount of \$148,368 from the North Carolina Clean Energy Technology Center to fund auxiliary power units for five new fire trucks.

Staff Resource(s): Richard Granger, Fire

Explanation

- The North Carolina Clean Energy Center, which is a part of NC State University, received proposals from more than 25 organizations for 2015 Clean Fuel Advanced Technology Grants (CFAT).
 - The CFAT grants, funded by the North Carolina Department of Transportation, assist in the reduction of transportation-related emissions in 24 North Carolina counties that do not meet national air quality standards.
- The Fire Department was recently selected as a 2015 CFAT grant recipient. This award will cover the costs associated with installing auxiliary power units on five new fire trucks.
- Traditionally, Fire uses the truck's main engine when idling at a scene consequently burning 3 to 3.5 gallons of diesel fuel every hour.
- The auxiliary power unit can function as a main engine, with the exception of powering the fuel pump. The unit runs the truck's emergency lights and powers the equipment, using 80% less fuel than an idling engine.
- The installation of the auxiliary power unit will have a positive impact on air quality by reducing fuel usage while idling.
- The City will provide a 25% match toward the overall purchase of the auxiliary power units, totaling \$49,457 from the General Capital Equipment Fund.
- Prior to grant submission, the Fire Department planned to install these auxiliary power units at an expense of \$197,825. The grant award will result in a net savings of \$148,368.
- The auxiliary power units will be installed on five replacement trucks that were funded as a part of the approved Fiscal Year 2015 General Capital Equipment Replacement List.
- The following chart outlines the total funding for the five auxiliary power units:

Funding Source	FY2015 Amount
General Capital Equipment Fund	\$49,457
CFAT Grant	148,368
Total Funding	\$197,825

Funding

General Capital Equipment Replacement Fund and North Carolina Clean Energy Technology Center Grant

19. Environmental Review and Assessment Services

- Action:**
- A. Approve a unit price contract with AMEC Foster Wheeler Environmental & Infrastructure, Inc. for environmental review and assessment services for an initial term of three years, and**
 - B. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as authorized by the contract and contingent on the company's satisfactory performance.**

Staff Resource(s): Joan Campbell, Neighborhood & Business Services

Explanation

- In accordance with Title 24 CFR, Part 58, the U.S. Department of Housing and Urban Development (HUD) requires all housing construction and/or rehabilitation projects funded, in whole or in part with state or federal funds, to receive environmental clearance.
- Neighborhood & Business Services receives federal Community Development Block Grant and HOME funds to be allocated for housing construction and/or rehabilitation projects as well as facilitates environmental clearance at the start of any such project.
- Environmental reviews and/or assessments include comprehensive investigation of projects and their potential impact to determine if they meet federal, state, and local environmental standards.
- A third party service provider is employed for these services to ensure a high-level of detailed review and unbiased assessment of new construction and/or rehabilitation projects.
- The service provider's responsibilities include analyzing and reviewing projects with Neighborhood & Business Services' Compliance Office and providing HUD-mandated reports on specified projects.
- The service provider will be compensated for each service performed at a negotiated price schedule as stated in the contract.
- The estimated annual contract expenditure is \$110,000.

Selection Process

- On October 23, 2014, the City issued a Request for Proposal for Environmental Review and Assessment Services; nine proposals were received from interested service providers.
- The project team, consisting of staff from Management & Financial Services and Neighborhood & Business Services, evaluated the proposals and recommends awarding the contract to AMEC Foster Wheeler Environmental and Infrastructure, Inc. as the service provider best meeting the City's needs in terms of qualifications, experience, and cost effectiveness.

Charlotte Business INclusion

This contract is funded through the U.S. Department of Housing and Urban Development Program and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Funding

Community Development Block Grant and HOME Funds

20. Storm Drainage System Cleaning Truck

- Action:**
- A. Approve the purchase of a storm drainage system cleaning body from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
 - B. Approve a contract in the amount of \$263,728.31 with Public Works Equipment and Supply, Inc. for the purchase of one storm drainage system cleaning body,**
 - C. Approve the purchase of a storm drainage system cleaning chassis from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), and**
 - D. Approve a contract in the amount of \$103,414 with Houston Freightliner, Inc. for the purchase of one storm drainage system cleaning chassis.**

Staff Resource(s): Charles Jones, Transportation

Cooperative Purchasing Exemption

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

Explanation

- As part of the approved Fiscal Year 2015 General Capital Equipment Replacement List, a storm drainage system cleaning truck that is 11 years old is scheduled for replacement due to age, maintenance costs, and overall condition.
- Storm drainage system cleaning trucks are used by the Street Maintenance division to remove street debris such as leaves, sediment, and trash from storm water catch basins and drainage pipes in order to promote the proper flow of storm water runoff during rain events and avoid damage to street infrastructure.
- Storm drainage system cleaning trucks consist of a large truck chassis equipped with a vacuum system that collects and stores both dry and wet debris. The trucks are also equipped with 600 feet of high pressure hose used to remove clogs in drainage pipes.
- The contract will purchase one complete storm drainage system cleaning truck (body and chassis) at a cost of \$367,142.31.

Charlotte Business INclusion

These are cooperative purchasing contracts and are exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Funding

General Capital Equipment Replacement Fund

21. Airport Concourse E - Phase 8 Design Services

Action: **A. Approve a contract in the amount of \$372,475 with LS3P Associates, LTD. for design services for an expansion of Concourse E, and**

B. Adopt a budget ordinance appropriating \$372,475 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

Staff Resource(s): Jack Christine, Aviation

Explanation

- Since opening Concourse E in 2002, the airlines using the concourse have continuously increased their use of the gates in terms of frequency and utilization of larger aircraft capable of carrying more passengers.
- The Airport intends to add a 17,000 square foot expansion to Concourse E to provide facilities for the additional passenger load. The expansion will include additional passenger hold rooms, public restrooms, and passenger loading bridges.
- The contract will provide architectural and engineering design, bidding, and construction administration services for the project.
- On February 3, 2014, the Aviation Department issued a Request for Qualifications for architectural and engineering design services; 29 firms submitted a proposal. Of those, 22 firms were selected for future architectural and engineering design services.
- LS3P Associates, LTD. was one of the 22 firms selected, and was chosen for this project based on their expertise in the design of large aviation facilities and their knowledge of Concourse E.
- The future construction resulting from these design services will cost approximately \$7,000,000.

Charlotte Business INclusion

The City negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy).

For this contract, LS3P Associates, LTD. has committed 23.17% (\$86,310) of the total contract amount to the following SBE firm: Wilson Group Architects PA (design services).

Funding

Aviation Community Investment Plan

Attachment 7

[Budget Ordinance](#)

22. Airport Environmental Site Assessment Contract Amendment

Action:

A. Approve contract amendment #1 in the amount of \$147,595.80 with AECOM Technical Services of North Carolina Inc. for environmental site assessment services, and

B. Adopt a budget ordinance appropriating \$147,595.80 from the Contract Facility Charge Fund to the Aviation Community Investment Plan Fund.

Staff Resource(s): Jack Christine, Aviation

Explanation

- The Airport will soon complete the construction of new rental car facilities. The current rental car facilities will need to be demolished to make room for new aircraft gates.
- On December 5, 2014, the City issued a Request for Qualifications for environmental assessment services; 16 proposals were received from interested service providers. The City selected AECOM Technical Services of North Carolina Inc. (AECOM) for their proven ability to manage multiple large underground storage tank assessments under North Carolina regulatory conditions, staff experience, and their proposed selection of reputable subcontractors for the project.
- In December 2014, the Aviation Director approved a \$4,140 contract with AECOM for the initial scoping of this assessment. The Aviation Department is now ready to move forward with the full-scale environmental assessment.
- The contract amendment in the amount of \$147,595.80 will provide a full environmental site assessment for the current rental car facilities, including a baseline subsurface condition report for the removal of eight underground storage tanks, and an asbestos and hazardous materials assessment for the 25 structures to be demolished.
- The new total value of the contract is \$151,735.80

Disadvantaged Business Enterprise

The City negotiated DBE subcontracting participation after the proposal selection process. For this contract AECOM has committed 23.48% (\$35,600) of the total contract amount to the following DBE firm: Prism Laboratories, Inc. (lab analysis).

Prism Laboratories, Inc. is also a City WBE.

Funding

Aviation Community Investment Plan

Attachment 8

[Budget Ordinance](#)

23. Airport Electric Ground Equipment Chargers

- Action:**
- A. Approve the purchase of electric ground service equipment (eGSE) battery chargers, as authorized by the sole source purchasing exception of G.S. 143-129 (e)(6),**
 - B. Approve a contract in the amount of \$494,304.53 with Averest, Inc. for the purchase of outdoor battery chargers for the eGSE vehicles,**
 - C. Award a low-bid of \$50,915 to Vector Electric for the installation of the outdoor battery chargers for eGSE vehicles, and**
 - D. Adopt a budget ordinance appropriating \$545,219.53 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s): Jack Christine, Aviation

Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for standardization and compatibility of the equipment.
- The City Council must approve purchases made under the sole source exception.

Explanation

- In 2010 and 2013, the Airport purchased eGSE battery chargers from Averest, Inc. The battery chargers are used to charge electric vehicles used for ramp operations on Concourse E.
- The airlines continue to replace older, diesel-powered baggage tractors with electric vehicles.
- The addition of electric vehicles to the fleet requires additional charging stations. The same chargers that were installed in 2010 and 2013 are necessary to maintain compatibility with vehicle charging modules, provide consistency for replacement parts, and ensure proper maintenance standards.
- These contracts will purchase and install 16 dual-port, outdoor battery chargers with a one-year warranty. The battery chargers are necessary for the airlines to charge the vehicles for daily use.
- On October 28, 2014, the City issued an Invitation to Bid for the installation of the eGSE; three bids were received from interested service providers. Vector Electric was the lowest responsive, responsible bidder.
- The Airport will recover the costs for this project through gate charges collected from the airlines using Concourse E.

Charlotte Business INClusionAction B:

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).

Action C:

No subcontracting goal was established because there are no opportunities (Part C: Section 2.1 (a) of the Charlotte Business INClusion Policy).

Vector Electric is also a City SBE.

Funding

Aviation Community Investment Plan

Attachment 9

[Budget Ordinance](#)

24. Airport Roof Inspection Services

Action:

A. Approve a contract in the amount of \$270,000 with Stafford Consulting Engineers to provide roof inspection services for Airport-owned buildings for a term of three years, and

B. Authorize the City Manager to extend the contract for two additional, one-year terms.

Staff Resource(s): Jack Christine, Aviation

Explanation

- The contract will provide roof and skylight inspections to supplement Aviation Department staff including:
 - Digital photo documentation of overall roof/skylight conditions, deficiencies, and roof/skylight repaired areas;
 - Recommendations for corrective actions;
 - Written report of roof service life for each facility; and
 - Monitoring progress of all repair work performed by contractors or Aviation Department staff to remediate any problems found during the inspections.
- On November 3, 2014, the Aviation Department issued a Request for Qualifications; five firms submitted a proposal.
- Aviation staff selected Stafford Consulting Engineers based on their extensive experience in commercial roof systems, and their knowledge of the Airport's terminal facilities.
- The estimated annual cost is \$90,000.

Charlotte Business INClusion

No subcontracting goal was established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy).

Funding

Aviation Operating Budget

25. Vehicle and Equipment Purchases from State Contract

- Action:**
- A. Approve the purchase of vehicles and equipment from state contracts as authorized by G.S. 143-129(e)(9), and**
- B. Approve unit price contracts with the following vendors for the purchase of vehicles and equipment for a one-year term:**
- **Asheville Ford Lincoln,**
 - **Bobby Murray Chevrolet,**
 - **Capital Ford of Wilmington,**
 - **Capital Ford Raleigh,**
 - **Piedmont Truck Center,**
 - **Sir Walter Chevrolet,**
 - **Charlotte Truck Center, and**
 - **Rob’s Hydraulics.**

Staff Resource(s): Marie Harris, Management & Financial Services

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 Fleet Management Division of Management & Financial Services collaborates with other City departments on an annual basis to identify vehicles and equipment that are suitable for replacement based on a rating assessment of vehicle condition and maintenance history.
- On December 8, 2014, the City Council approved contracts for the purchase of light pick-up trucks and sport utility vehicles.
- In early January, NC Purchasing and Contracts released state contract pricing for model year 2015 vehicles that resulted in lower pricing than current City pricing.
- The City can realize savings of approximately \$50,000 by using state contracts to purchase replacement vehicles for Fiscal Year 2015.
- The vendors above are willing to provide vehicles and equipment to the City at the same or better terms as are provided in their contracts with the state of North Carolina.
- The unit prices set forth in the proposed contracts is available upon request.
- Annual expenditures are estimated to be \$3,288,520 as outlined in the table below:

Vendor	Vehicle Type	Estimated Cost
Piedmont Truck Center	Trucks	\$1,191,940
Charlotte Truck Center	Trucks	910,000
Capital Ford of Wilmington	Trucks	273,000
Sir Walter Chevrolet	Utility	353,973
Capital Ford of Raleigh	Utility	80,000
Asheville Ford Lincoln	Utility	61,000
Bobby Murray Chevrolet	Utility	40,000
Rob’s Hydraulics	Construction Equipment	378,607
Total		\$3,288,520

- The City will purchase from the state contracts specified above or the City Council approved City contracts, based on assessing which contract best meets the needs of the City, considering both price and availability.

Charlotte Business INClusion

This contract is purchased off a State contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).

Funding

General and Enterprise Capital Equipment Replacement Funds

26. Claims Management Software Contract

- Action:**
- A. Approve a unit price services contract with Computer Sciences Corporation for claims management software maintenance and support for a term of three years, and**
 - B. Authorize the City Manager to extend the contract for two additional, one-year terms with possible pricing to remain fixed for the entire period.**

Staff Resources(s): Dan Pliszka, Management & Financial Services

Explanation

- Since the late 1980's, the City's Risk Management Division has been using RiskMaster software to track claims information. This software is vital to managing on-going and historical claims information for the City, Mecklenburg County, and the Charlotte-Mecklenburg Board of Education employees. RiskMaster is also highly integrated with several other software programs used by the Risk Management Office to pay claims and medical bills.
- Computer Science Corporation maintains, upgrades, and provides support for the RiskMaster software.
- The City Manager has granted a waiver from competitively bidding for this software support and maintenance as the software is proprietary to Computer Sciences Corporation.
- The purchase of a new system is extremely cost prohibitive for the City and has been estimated in the millions of dollars.
- The City is responsible for 55%, Mecklenburg County is responsible for 25%, and the Charlotte-Mecklenburg Board of Education is responsible for 20% of the operating costs.
- The total estimated annual cost is \$52,814; the City is responsible for \$29,048.

Selection Process

- In the late 1980's a Request for Proposals was issued, resulting in the selection of the RiskMaster software system.
- The City has solicited for the software and services on two separate occasions since the initial implementation, finding that a system replacement and/or transition to a new system are not cost effective.

Charlotte Business INclusion

No subcontracting goal was established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Funding

Risk Management Operating Budget

27. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$716.82.

Staff Resource(s): Sherry Hite, Management & Financial Services

Explanation

- Property tax refunds are provided to the City by Mecklenburg County due to clerical or assessor error or as a result of appeals.
- In accordance with the ordinance approved by the City Council on August 25, 2014, and the North Carolina law, a list of refunds, which have been paid since the last City Council Business Meeting as a result of the Pearson Review, is available at the City Clerk's Office.
- The amount of Pearson Review refunds paid since the last City Council Business Agenda Meeting on January 26, 2015, totaled \$1,230.86.

Attachment 10

[List of Property Tax Refunds and Resolution](#)

28. Meeting Minutes

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

- December 15, 2014, Zoning Meeting
- January 05, 2015, Workshop/Citizens' Forum

29. In Rem Remedy

For In Rem Remedy A-F, the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.
- Support public safety initiatives.

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety – Police and/or Fire Dept.
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy items are listed below by category identifying the street address and neighborhood.

Complaint:

- A. 101 Lakewood Avenue (Neighborhood Profile Area 88)

Field Observation:

- B. 2201 Camp Greene Street (Neighborhood Profile Area 361)
- C. 2420 Grimes Street (Neighborhood Profile Area 369)
- D. 716 Prince Street (Neighborhood Profile Area 292)
- E. 724 Prince Street (Neighborhood Profile Area 292)
- F. 3326 Tuckaseegee Road (Neighborhood Profile Area 5)

Complaint:

A. 101 Lakewood Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 101 Lakewood Avenue (Neighborhood Profile Area 88).

Attachment 11

Field Observation:

B. 2201 Camp Greene Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2201 Camp Greene Street (Neighborhood Profile Area 361).

Attachment 12

C. 2420 Grimes Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2420 Grimes Street (Neighborhood Profile Area 369).

Attachment 13

D. 716 Prince Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 716 Prince Street (Neighborhood Profile Area 292).

Attachment 14

E. 724 Prince Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 724 Prince Street (Neighborhood Profile Area 292).

Attachment 15

F. 3326 Tuckaseegee Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3326 Tuckaseegee Road (Neighborhood Profile Area 5).

Attachment 16

PROPERTY TRANSACTIONS

30. Sale of Fire Prevention Property at 441 Beaumont Avenue

Action: Adopt a resolution authorizing the sale of 441 Beaumont Avenue (parcels tax identification 080-201-14, 080-201-15, and 080-201-17) to Delray Ventures, LLC for the highest upset bid of \$1,095,000.

Staff Resource(s): Timothy O'Brien, Engineering & Property Management

Explanation

- On September 8, 2014, the City Council approved the sale of 441 Beaumont Avenue to Carolina Capital Investment Partners LLC for the appraised value of \$781,466, subject to the upset bid process.
- The upset bid process resulted in four rounds of upset bids from six interested buyers. Delray Ventures, LLC offered the highest bid of \$1,095,000.
- Delray Ventures, LLC is proposing to develop multi-family residential units under current B-1 zoning, which allows for up to 22 units per acre.
- Although zoning would allow for a total of 33 units for the 1.5 acre site, the developer is planning to construct only 22 units. The developer believes a less dense product would be more compatible with the neighborhood and more attractive to buyers.
- Delray Ventures, LLC is the same development team that constructed 2100 Queens, a 19 unit luxury apartment building, at the corner of Queens Road West and Selwyn Road.
- The sale is expected to occur approximately 90 days after City Council approval, and once the developer completes the environmental assessment.
- On June 30, 2014 a Council-Manager Memo stated staff's intention to market the property for multi-family use. Also staff sent letters to surrounding property owners, neighborhood leaders, and placed a "For Sale" sign on the property. With the exception of one neighboring property owner interested in possibly selling his land to the prospective development, all inquiries were from residential developers.

Funding

Proceeds from the sale of the property will be deposited into the Pay-As-You-Go Fund, to be used to support capital projects in the General Community Investment Plan.

Attachment 17

[Map](#)
[Resolution](#)

31. Property Transactions

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

- 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, and
 - 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 the 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:** Aviation Master Plan
Owner(s): Joan Caldwell
Property Address: 9500 Dorcas Lane
Total Parcel Area: .46 acres
Property to be acquired in Fee: .46 acres in Fee Simple
Property to be acquired by Easements: N/A
Structures/Improvements to be impacted: Single-family Residence
Landscaping to be impacted: Trees and shrubs
Zoned: R-3
Use: Single-family Residential
Tax Code: 141-261-72
Purchase Price: \$175,000
- B. Project:** Charlotte Water Blair Road 8" Sanitary Sewer, Parcel #4
Owner(s): CJMJ, LLC
Property Address: 13320 Jomac Drive, Mint Hill, NC 28227
Total Parcel Area: 600,306 SF (13.781 ac.)
Property to be acquired by Easements: 4,444 sq. ft. (.102 ac.) in Sanitary Sewer Easement, plus 5,661 sq. ft. (.13 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: I-G
Use: Commercial
Tax Code: 139-092-30
Purchase Price: \$10,000
Council District: N/A (Mint Hill)
- C. Project:** Charlotte Water Blair Road 8" Sanitary Sewer, Parcel #5
Owner(s): JJAS Investments, LLC
Property Address: Jomac Drive
Total Parcel Area: 624,973 SF (14.347 acres)
Property to be acquired by Easements: 10,212 sq. ft. (.234 ac.) in Sanitary Sewer Easement, plus 4,850 sq. ft. (.111 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: I-G
Use: Commercial
Tax Code: 139-092-17
Purchase Price: \$18,000
Council District: N/A (Mint Hill)

- D. Project:** Charlotte Water Town of Pineville 8" Sanitary Sewer, Parcel #2
Owner(s): James K. Polk Lodge # 759 AF AM, Trustees
Property Address: 900 Hill Street
Total Parcel Area: 425,325 SF (9.7641 acres)
Property to be acquired by Easements: 5,536 sq. ft. (.127 ac.) in Sanitary Sewer Easement, plus 19,908 sq. ft. (.457 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and bushes
Zoned: NC
Use: Single-family Residential
Tax Code: 221-051-19
Purchase Price: \$23,000
Council District: N/A (Pineville)
- E. Project:** Lyon Court Storm Drainage Improvement project, Parcel #121, #122, and #123
Owner(s): Guthrie Holding Company, LLC
Property Address: Landis Avenue
Total Parcel Area: 18,451 SF (0.424 ac.)
Property to be acquired by Fee: 17,955 sq. ft. (.412 ac.) in Fee Simple, plus 496 sq. ft. (.011 ac.) in Fee Simple within Existing Right-of-Way (**TOTAL TAKE**)
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: R-22MF
Use: Single-family Residential
Tax Code: 095-072-07
Purchase Price: \$198,000
Council District: 1
- F. Project:** Lyon Court Storm Drainage Improvement project, Parcel #128
Owner(s): Todd Bolyard and Drew Bolyard
Property Address: 2055 Randall Street
Total Parcel Area: 9,020 SF (0.207 ac.)
Property to be acquired by Easements: 6,361 sq. ft. (.146 ac.) in Storm Drainage Easement, plus 1,930 sq. ft. (.044 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: R-5
Use: Single-family Residential
Tax Code: 095-073-11
Purchase Price: \$96,000
Council District: 1

Condemnations

- G.** **Project:** Charlotte Water Matthews-Mint Hill Sanitary Sewer, Parcel #1
Owner(s): McEwen Associates LLC, et al and any other parties of interest
Property Address: 7700 Matthews-Mint Hill Road
Total Parcel Area: 38,482 SF (.8834 ac.)
Property to be acquired by Easements: 1,594 sq. ft. (.037 ac.) in Sanitary Sewer Easement, plus 5,687 sq. ft. (.131 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: B-D
Use: Commercial
Tax Code: 197-037-07
Appraised Value: \$20,500
Property Owner's Counteroffer: None
Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation
Council District: N/A (Mint Hill)
- H.** **Project:** Lyon Court Storm Drainage Improvement project, Parcel #2
Owner(s): Arthur C. Okoli and Rhonda S. Okoli and any other parties of interest
Property Address: 1805 Tippah Avenue
Total Parcel Area: 10,218 SF (0.235 ac.)
Property to be acquired by Easements: 4,572 sq. ft. (.105 ac.) in Natural Channel Easement
Structures/Improvements to be impacted: Fence and footbridge
Landscaping to be impacted: Trees
Zoned: R-5
Use: Single-family Residential
Tax Code: 095-064-20
Appraised Value: \$20,400
Property Owner's Counteroffer: \$195,000
Property Owner's Concerns: Property owners are concerned with the compensation amount.
City's Response to Property Owner's Concerns: Compensation amount was established by an independent certified appraiser. Staff suggested that the property owner could obtain an independent appraisal.
Recommendation: To avoid delay in the project schedule staff recommends proceeding to condemnation during which negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.
Council District: 1

32. 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.

33. 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.

**CITY OF CHARLOTTE
OFFICE OF THE CITY ATTORNEY
Memorandum**

TO: Mayor and City Council

FROM: Robert E. Hagemann, City Attorney

DATE: February 3, 2015

RE: Non-Discrimination

At your November 24, 2014 meeting, Scott Bishop of the Human Rights Campaign gave a presentation in which he proposed adding marital status, familial status, sexual orientation, gender expression, and gender identity to the list of protected characteristics in several City non-discrimination ordinances. In response, Council asked me to prepare a briefing paper and to draft a proposed ordinance that would implement the request.

History of Protected Characteristics

The Civil Rights Act of 1964 provided, among other things, broad federal protections against discrimination in public accommodations based on race, color, religion, and national origin (Title II) and in employment based on race, color, religion, sex, and national origin (Title VII). Protections against employment discrimination based on age (1967) and disability (1990) were subsequently enacted.

There are no federal laws that expressly prohibit discrimination based on sexual orientation, gender expression, or gender identity. However beginning with an ordinance adopted by the City of Minneapolis in 1975, and according to the attached FAQ from the Human Rights Campaign, seventeen states (North Carolina is not one of them), the District of Columbia, and more than 225 cities and counties have passed laws prohibiting discrimination based on sexual orientation and gender identity.

City Ordinances

1. Public Accommodations

In 1968 the Charlotte City Council adopted an ordinance prohibiting discrimination in public accommodations. The ordinance was based on the 1964 federal law and covered race, color, religion, and national origin. In 1972, the Council amended the ordinance to include sex.

As part of the 1985 recodification of the entire City Code, the public accommodations ordinance was modified to treat sex differently than race, color, religion, and national origin, establishing protections only in restaurants, hotels, and motels, and even then

carving out restrooms, bathhouses and similar facilities which are in their nature distinctly private, as well as dormitory lodging facilities such as the YMCA and YWCA.

While we have been unable to find any documentation that clearly states the reasons for this change in approach, the City Attorney at the time believes it was recommended by the contractor for the recodification likely due to lingering concerns stemming from the debate over the Equal Rights Amendment which some argued would do away with single sex restrooms.

The public accommodations ordinance does not specify an enforcement mechanism, but pursuant to state law, a violation of the ordinance is enforceable as a misdemeanor (fine up to \$500, no active time unless three previous violations) or through equitable relief (*i.e.*, a court order directing a cessation of the violation). In practice, the Community Relations Committee typically seeks voluntary compliance through a conciliation process.

2. Community Relations Committee

At the same time the 1968 public accommodations ordinance was adopted, Council established the Community Relations Committee. Among the Committee's duties is a charge to provide an annual report that may include "recommendations of the committee for legislation or other actions to eliminate or reduce discrimination with respect to [the protected characteristics]". In addition, through the conciliation process, the Committee is authorized to "[a]pprove or disapprove plans to eliminate or reduce discrimination with respect to [the protected characteristics]".

3. Passenger Vehicles for Hire

The passenger vehicles for hire ordinance provides that "[n]o company operating certificate holder, vehicle operating permit holder, or driver shall refuse or neglect to transport any person on the basis of race, color, religion, sex or national origin". The ordinance is enforced through civil penalties and revocation of operating certificates and permits.

4. Commercial Non-Discrimination

The commercial non-discrimination ordinance was adopted in 2003 as part of the Council's response to the dismantling of the woman and minority business development program after the City was sued in federal court. The ordinance prohibits businesses that seek to contract with the City from "discriminating in the solicitation, selection, hiring or treatment of vendors, suppliers, subcontractors or commercial customers on the basis of race, gender, religion, national origin, ethnicity, age, or disability." The ordinance provides for enforcement through the rescission, suspension or termination of a current contract, and the disqualification from bidding and contract awards for a period of not more than two years.

Description of Proposed Amendments

The proposed amendments would simply add “marital status, familial status, sexual orientation, gender identity, and gender expression” to the list of protected characteristics in the passenger vehicles for hire and commercial non-discrimination ordinances as well as the list of protected characteristics that the Community Relations Committee is authorized to make recommendations for legislation or other actions to eliminate or reduce discrimination and to approve or disapprove plans to eliminate discrimination through the conciliation process.

With regards to the public accommodations ordinance, the proposed amendments would not only add these five characteristics to the general prohibition of discrimination, but would also add “sex” to the general prohibition and delete the separate section dealing with sex. This would bring the City’s ordinance in line with the trend across the country of not carving out “sex” in an attempt to preserve the right of businesses to provide separate restroom facilities (*i.e.*, it is not discriminatory to provide separate men’s and women’s restroom facilities).

Regarding the concerns expressed at the November 24 meeting, the Human Rights Campaign asked me to provide the attached document that provides some perspectives from twelve states.

enclosures

NON-DISCRIMINATION POLICIES AND ORDINANCES: FAQ

Beginning with an ordinance passed in Minneapolis in 1975, **17 states**, the District of Columbia, and **more than 200 cities and counties** have enacted laws prohibiting discrimination based on sexual orientation and gender identity. More than 500 private businesses across the United States, including 61% of Fortune 500 companies, have voluntarily adopted policies that prohibit discrimination based on sexual orientation and gender identity.

WHY ARE THESE LAWS AND POLICIES NEEDED?

- The motivation behind these protections is simple, but powerful: **the goal is to protect people from arbitrary discrimination** in employment, housing, public accommodations, and other areas. A person’s sexual orientation or gender identity has nothing to do with their job performance, or their qualifications as a good renter, or their right to receive service at a business open to the public. People should be judged on their merits and not be denied opportunities because of prejudice.
- In jurisdictions without protections against discrimination based on sexual orientation or gender identity, LGBT people simply have no legal protection against even the most outrageous forms of discrimination, unless they live in a city or county with applicable anti-discrimination protections.
- One reason why it is particularly urgent to prohibit discrimination based on gender identity is the reality that **transgender people experience unusually high rates of discrimination**: Forty-seven percent have experienced an adverse job outcome, such as being fired, not hired or denied a promotion.¹ Transgender people report having difficulty making ends meet because, although they possess valuable skills and experience, they often cannot find work because they face discrimination from employers.
- It’s important to note that **laws against discrimination do not prevent employers from firing incompetent employees and do not prevent landlords from turning down unqualified renters**. These laws simply make sure that all employees get a fair chance at working hard to get ahead without being singled out or judged based on factors irrelevant to their ability to work or pay their bills.

WHAT CAN CITIES DO?

- Nearly all cities have the ability to pass municipal non-discrimination ordinances that prohibit discrimination against lesbian, gay, bisexual and transgender (LGBT) people within the city’s jurisdiction. Cities often already have non-discrimination ordinances that prohibit discrimination against other protected classes (such as race, religion, national origin, age, etc.), and extending these protections to LGBT people is as simple as adding “sexual orientation, gender identity and expression” to the list of protected classes.
- Cities also have the ability to prohibit discrimination in the city workplace by adopting non-discrimination policies that protect city employees from discrimination on the basis of their sexual orientation and gender identity or expression.
- City contractors can also be required to have non-discrimination policies in order to make a contracting proposal to the city.

¹ National Center for Transgender Equality and the National Gay and Lesbian Task Force “National Transgender Discrimination Survey” http://transequality.org/Resources/NCTE_prelim_survey_econ.pdf, November 2009.

NON-DISCRIMINATION POLICIES AND ORDINANCES: FAQ

RESPONDING TO COMMON COUNTERARGUMENTS

- **Special Rights.** Anti-discrimination laws do not create “special rights” for LGBT Americans. The right to work, rent a home, or shop for groceries is not a “special” right, and that is why we already have civil rights laws protecting against many forms of discrimination including race, religion, gender, disability and national origin. An inclusive law simply puts LGBT Americans on the same footing as everyone else.
- **Flood of Litigation.** An anti-discrimination law will not create a flood of litigation or harm small businesses. Experience with other state and local laws which protect LGBT workers has shown that LGBT people file discrimination claims at the same rate that people in other protected classes do; and, because the LGBT community is smaller than many of the other protected classes that there simply has not been a notable increase in litigation.
- **Redundant Protections.** The Employment Non-Discrimination Act would add discrimination on the basis of sexual orientation and gender identity into federal law, but even if ENDA becomes law it only deals with employment discrimination. A recent decision by the EEOC that forbids gender identity discrimination in federal employment is an important, but similarly limited, development. 29 states do not prohibit discrimination on the basis of sexual orientation and 33 do not prohibit discrimination on the basis of gender identity.
- **Bathroom Concerns.** Anti-discrimination laws forbidding discrimination on the basis of gender identity allow transgender people to use the bathroom in which they feel most comfortable and physically safe. The claim that these laws provide men access to women’s rooms in order to assault women and girls is fear-mongering, fundamentally untrue, and insulting. Assault is and continues to be illegal, no matter who is perpetrating it or where it occurs. Transgender people deserve the ability to be able to use bathrooms in peace and safety, and the truth is that they are far more likely to be the *victims* of harassment and violence in bathrooms than they are to be the perpetrators – particularly if they are forced to use a bathroom that is inconsistent with their gender identity or expression.
- **Religious Organizations.** Religious organizations can choose to hire members of their own faith and exclude applicants based on virtually any reason, so long as the work those people are hired to perform is related to the organization’s religious activities. Those rights are not affected by a non-discrimination ordinance that includes protections for LGBT people.
- **Religious Individuals.** Existing non-discrimination laws at the state and local level obligate business owners to serve people of all faiths and races even when doing so challenges the religious views of the business owner. For example, the Christian owner of a florist shop may not refuse to provide flowers for the wedding of an interfaith couple, nor would it for an inter-racial couple. Businesses engaged in public commerce should be held to this same standard in relation to LGBT people.

<http://mediamatters.org/research/2014/03/20/15-experts-debunk-right-wing-transgender-bathro/198533>

Experts in 12 states -- including law enforcement officials, government employees, and advocates for victims of sexual assault -- have debunked the right-wing myth that sexual predators will exploit transgender non-discrimination laws to sneak into women's restrooms, calling the myth baseless and "beyond specious."

Colorado

State Law Has Prohibited Discrimination In Public Accommodations Since 2008. In 2008, Colorado expanded its Anti-Discrimination Act, which prohibits discrimination in public accommodations, to include sexual orientation and gender identity as a protected class. [*The Denver Post*, 5/29/08]

Coalition Against Sexual Assault: Opponents Of Protections Are Creating "Unsubstantiated Fear." Alexa M. Priddy, director of training and communications at the Colorado Coalition Against Sexual Assault, reported no problems as a result of her state's non-discrimination law. In an email to *Media Matters*, she wrote:

Denying equal rights is yet another form of discrimination against transgender individuals, which is pervasive within our society and institutions. Such criticisms of this law and ads [that] invoke what we see as "trans panic," an attempt to create fear of transgender people and a false label of trans individuals as sexual predators.

CCASA would love to see the real focus be on the realities that transgender people are far too often targeted for sexual violence, and if they seek support through victim services or the criminal justice system in the aftermath, they often face continued discrimination from the very people who are there to help. Sexual assault is already an under-reported crime, and we see this increase with marginalized communities. We want to focus on creating safety for transgender survivors and not on creating unsubstantiated fear. [Email exchange, 3/8/14]

Connecticut

State Law Has Prohibited Discrimination In Public Accommodations Since 2011. In 2011, Connecticut Gov. Dannel Malloy signed into law legislation prohibiting discrimination in public accommodations based on gender identity or expression. [*Bay Windows*, 7/6/11]

State Commission On Human Rights: "Unaware Of Any Sexual Assault." In an email to *Media Matters*, Jim O'Neill, legislative liaison and spokesman for the Connecticut Commission on Human Rights in Opportunities, reported no problems as a result of the state's non-discrimination law:

I am unaware of any sexual assault as the result of the CT gender identity or expression law. I'm pretty sure it would have come to our attention. [Email exchange, 3/6/14]

Hawaii

State Law Has Prohibited Discrimination In Public Accommodations Since 2006. In 2006, Hawaii expanded its non-discrimination laws to prohibit discrimination in public accommodations on the basis of sexual orientation and gender identity. [Hawaii Civil Rights Commission, accessed 3/12/14]

State Civil Rights Commission: Non-Discrimination Law "Has Not Resulted In Increase[d] Sexual Assault Or Rape." William Hoshijo, executive director of the Hawaii Civil Rights Commission, told *Media Matters* in an email:

In Hawai'i, the protection against discrimination in public accommodations on the basis of sex, including gender identity or expression, has not resulted in increase sexual assault or rape in women's restrooms. The HCRC is not aware of any incidents of sexual assault or rape causally related or attributed to the prohibition against discrimination on the basis of gender identity or expression. (In contrast to anecdotal reports of transgender students being harassed and bullied in school restrooms when forced to use an assigned restroom inconsistent with their gender identity.) [Email exchange, 3/6/14]

Iowa

State Law Has Prohibited Discrimination In Public Accommodations Since 2007. In 2007, the Iowa Civil Rights Act was expanded to prohibit discrimination on the basis of sexual orientation and gender identity in public accommodations. [Iowa Civil Rights Commission, accessed 3/14/14]

Des Moines Police Department: "We Have Not Seen That." In an interview with *Media Matters*, Des Moines Police Department spokesman Jason Halifax stated that he hadn't seen cases of sexual assault related to the state's non-discrimination ordinance:

We have not seen that. I doubt that's gonna encourage the behavior. If the behavior's there, [sexual predators are] gonna behave as they're gonna behave no matter what the laws are. [Phone interview, 3/13/14]

Maine

State Law Has Prohibited Discrimination In Public Accommodations Since 2005. In 2005, Maine adopted legislation prohibiting discrimination in public accommodations on the basis of gender identity and sexual orientation. [GLAD, **2/25/14**]

State Human Rights Commission: "No Factual Basis" For Sexual Assault Fears. In an email to *Media Matters*, Executive Director Amy Sneirson of the Maine Human Rights Commission said that the state's non-discrimination law hadn't led to increased sexual assault or rape:

I know that this concern persists but I personally have not seen any factual basis for it.

I am not aware of any increased sexual assault or rape in women's restrooms as a result of Maine's 2005 adoption of protections in the Maine Human Rights Act for sexual orientation (which, in Maine, includes "a person's actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression"). [Email exchange, 3/7/14]

Massachusetts

Cambridge Has Prohibited Discrimination In Public Accommodations Since 1997. In 1997, the city of Cambridge expanded its non-discrimination ordinance to prohibit discrimination against transgender people in public accommodations. [National Gay and Lesbian Task Force, **July 2008**]

Cambridge Police Superintendent: "No Incidents" Of Transgender Protections Being Abused. Police Superintendent Christopher Burke told *Media Matters* in an email:

Back in 1984 Cambridge enacted an ordinance that established the Human Rights Commission. The purpose of the ordinance was to protect the human rights of all citizens of the City. In 1997 this ordinance was amended to specifically include gender identity and expression. Much like the Transgender Equal Rights Bill proposal, the City of Cambridge sought to offer protection to transgender individuals from being harassed, fired from a job, denied access to a public place, or denied or evicted from housing. Since this 1997 amendment there have been no incidents or issues regarding persons abusing this ordinance or using them as a defense to commit crimes. **Specifically, as was raised as a concern if the bill were to be passed, there have been no incidents of men dressing up as women to commit crimes in female bathrooms and using the city ordinance as a defense.** [Email exchange, 3/7/14, emphasis added]

State Victims' Advocacy Group: Fears About Transgender Protections Are "Beyond Specious." Toni Troop, spokeswoman for the statewide sexual assault victims organization Jane Doe Inc., told *Media Matters* in an email:

The argument that providing transgender rights will result in an increase of sexual violence against women or men in public bathrooms is beyond specious. The only people at risk are the transgender men and women whose rights to self-determination, dignity and freedom of violence are too often denied. We have not heard of any problems since the passage of the law in Massachusetts in 2011, nor do we expect this to be a problem. While cases of stranger rape and sexual violence occur, sexual violence is most often perpetrated by someone known to the victim and not a stranger in the bush or the bathroom. [Email exchange, 3/7/14, emphasis added]

Minnesota

State Law Has Prohibited Discrimination In Public Accommodations Since 1993. In 1993, Minnesota amended its Human Rights Act to prohibit discrimination against transgender people in public accommodations. [OutFront Minnesota, accessed 3/13/14]

Minneapolis Police Department: Fears About Sexual Assault "Not Even Remotely" A Problem. Minneapolis police spokesman John Elder told *Media Matters* in an interview that sexual assaults stemming from Minnesota's 1993 transgender non-discrimination law have been "not even remotely" a problem. Based on his experience, the notion of men posing as transgender women to enter women's restrooms to commit sex crimes "sounds a little silly," Elder said. According to Elder, a police department inquiry found "nothing" in the way of such crimes in the city. [Phone interview, 3/11/14]

Nevada

State Law Has Prohibited Discrimination In Public Accommodations Since 2011. In 2011, Nevada enacted three transgender non-discrimination laws, including a law explicitly prohibiting discrimination in public accommodations. [National Gay and Lesbian Task Force, 6/2/11]

Las Vegas Police Department: No Problems Since Passage Of Non-Discrimination Law. Asked whether Nevada's 2011 gender identity law had fueled a rise in sex crimes, Las Vegas Police Department spokesman Jesse Roybal told *Media Matters*, "the answer would be no." After the department's lieutenant for sexual assault ran a check of crimes since 2011, Roybal told *Media Matters* that the department had not "had any incidents involving transgender suspects." [Phone interview, 3/6/14, 3/11/14]

New Mexico

State Law Has Prohibited Discrimination In Public Accommodations Since 2003. In 2003, New Mexico amended its Human Rights Act to prohibit discrimination on the basis of sexual orientation and gender identity in public accommodations. [The Williams Institute, **September 2009**]

Albuquerque Police Department: "Unaware Of Any Cases Of Assault" Due To Non-Discrimination Law. Officer Tasia Martinez, Public Information Officer for the Albuquerque Police Department, told *Media Matters* in an email:

We are unaware of any cases of assault in our city as a result of transgendered [sic] accommodations. [Email exchange, 3/13/14]

Oregon

State Law Has Prohibited Discrimination In Public Accommodations Since 2007. In 2007, Oregon enacted the Oregon Equality Act, which prohibits discrimination in public accommodations on the basis of sexual orientation and gender identity. [Lambda Legal, accessed **3/13/14**]

Bureau of Labor And Industries: "Zero Allegations" Of Assault Due To 2007 Law. Oregon Bureau of Labor and Industries spokesman Charlie Burr told *Media Matters* in an email:

The Oregon Equality Act protects the rights of LGBT Oregonians in employment, housing and public places and has done so without any incidents of LGBT assaults on women in public restrooms that we're aware of. Our agency has encountered zero allegations of LGBT assault related to this public accommodation protection. [Email exchange, 3/7/14]

Portland Police Department: "I Have Never Heard Of Any Issues Like This." Portland Police Department spokesman Peter Simpson wrote in an email to *Media Matters*:

I have never heard of any issues like this in Portland. We have a very low rate of sexual assault/rape crimes here overall. [Email exchange, 3/7/14]

Rhode Island

State Law Has Prohibited Discrimination In Public Accommodations Since 2001. In 2001, Rhode Island explicitly prohibited discrimination on the basis of gender identity or expression in public accommodations. [GLAD, 2/25/14]

State Commission for Human Rights: No Increase In Sex Crimes Due To Non-Discrimination Law. Rhode Island Commission for Human Rights Executive Director Michael D. Evora told *Media Matters* in an email:

The Commission for Human Rights has not taken in any cases alleging gender identity discrimination in respect to bathroom usage in public facilities since the law was amended to prohibit such discrimination. In addition, we are not aware of any affect the passage of the law has had on incidents of assault in public restrooms. [Email exchange, 3/7/14]

Vermont

State Law Has Prohibited Discrimination In Public Accommodations Since 2007. In 2007, Vermont explicitly prohibited discrimination on the basis of gender identity in public accommodations. [GLAD, 3/4/14]

State Human Rights Commission: "We Are Not Aware" Of Any Problems From Non-Discrimination Law. In an email to *Media Matters*, the Vermont Human Rights Commission's Karen Richards said:

I have only been here a short time so was checking with my staff to find out if they were aware of any issues. ... We are not aware of any other issues or problems similar to this caused by prohibiting discrimination against those who are transgendered. [Email exchange, 3/7/14]

Montpelier Police Department: No Complaints. Montpelier Police Chief Tony Facos responded to an email inquiry about whether the state's non-discrimination law had led to incidents of rape or sexual assault in women's restrooms, stating, "We do not have any complaints related to this issue." [Email exchange, 3/10/14]

ORDINANCE NUMBER: _____

AMENDING CHAPTERS 2, 12, and 22

AN ORDINANCE AMENDING CHAPTER 2 OF THE CHARLOTTE CITY CODE ENTITLED “ADMINISTRATION”, CHAPTER 12 ENTITLED “HUMAN RELATIONS”, AND CHAPTER 22 ENTITLED “VEHICLES FOR HIRE”

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

Section 1. Article V of Chapter 2 of the Charlotte City Code is amended as follows:

“Sec. 2-151. - Policy statement.

It is the policy of the city not to enter into a contract with any business firm that has discriminated in the solicitation, selection, hiring or treatment of vendors, suppliers, subcontractors or commercial customers on the basis of race, gender, religion, national origin, ethnicity, age, marital status, familial status, sexual orientation, gender identity, gender expression, or disability, or on the basis of any otherwise unlawful use of characteristics regarding such vendor's, supplier's, or commercial customer's employees or owners in connection with a city contract or solicitation; provided that nothing in this commercial non-discrimination policy shall prohibit or limit otherwise lawful efforts to remedy the effects of discrimination that has occurred or is occurring in the marketplace.

Sec. 2-152. - Purpose and intent.

It is the intent of the city to avoid becoming a passive participant in private sector commercial discrimination by refusing to procure goods and services from business firms that discriminate in the solicitation, selection, hiring, or treatment of vendors, suppliers, subcontractors, or commercial customers on the basis of race, gender, religion, national origin, ethnicity, age, marital status, familial status, sexual orientation, gender identity, gender expression, or disability in connection with city contracts or solicitations by providing a procedure for receiving, investigating, and resolving complaints of discrimination involving city contracts or solicitations.

Sec. 2-153. - Definitions.

For purposes of this article, the following terms have the meanings indicated unless the context clearly requires a different meaning.

...

Discrimination means any disadvantage, difference, distinction, or preference in the solicitation, selection, hiring, or treatment of a vendor, supplier, subcontractor or commercial customer on the basis of race, gender, religion, national origin, ethnicity, age, marital status, familial status, sexual orientation, gender identity, gender expression, or disability, or on the basis of any otherwise unlawful use of characteristics regarding such vendor's, supplier's, or commercial customer's employees or owners in connection with a city contract or solicitation;

provided that nothing in this definition or article shall prohibit or limit otherwise lawful efforts to remedy the effects of discrimination that has occurred or is occurring in the marketplace.

...

Sec. 2-166. - Mandatory nondiscrimination contract clause.

Every contract and subcontract shall contain a nondiscrimination clause that reads substantially as follows:

As a condition of entering into this agreement, the company represents and warrants that it will fully comply with the city's commercial non-discrimination policy, as described in section 2, article V of the City Code, and consents to be bound by the award of any arbitration conducted thereunder. As part of such compliance, the company shall not discriminate on the basis of race, gender, religion, national origin, ethnicity, age, marital status, familial status, sexual orientation, gender identity, gender expression, or disability in the solicitation, selection, hiring, or treatment of subcontractors, vendors, suppliers, or commercial customers in connection with a city contract or contract solicitation process, nor shall the company retaliate against any person or entity for reporting instances of such discrimination. The company shall provide equal opportunity for subcontractors, vendors and suppliers to participate in all of its subcontracting and supply opportunities on city contracts, provided that nothing contained in this clause shall prohibit or limit otherwise lawful efforts to remedy the effects of marketplace discrimination that has occurred or is occurring in the marketplace. The company understands and agrees that a violation of this clause shall be considered a material breach of this agreement and may result in termination of this agreement, disqualification of the company from participating in city contracts or other sanctions.

Sec. 2-167. - Contractor bid requirements.

All requests for bids or proposals issued for city contracts shall include a certification to be completed by the bidder or proposer in substantially the following form:

The undersigned bidder or proposer hereby certifies and agrees that the following information is correct:

1. In preparing ~~it's~~ its enclosed bid or proposal, the bidder or proposer has considered all bids and proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in discrimination as defined in section 2.
2. For purposes of this section, discrimination means discrimination in the solicitation, selection, or treatment of any subcontractor, vendor, supplier or commercial customer on the basis of race, ethnicity, gender, age, religion, national origin, marital status, familial status, sexual orientation, gender identity, gender expression, disability or any otherwise unlawful form of discrimination. Without limiting the foregoing, discrimination also includes retaliating against any person or other entity for reporting any incident of discrimination.

3. Without limiting any other remedies that the city may have for a false certification, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the city to reject the bid or proposal submitted with this certification, and terminate any contract awarded based on such bid or proposal. It shall also constitute a violation of the city's commercial non-discrimination ordinance and shall subject the bidder or proposer to any remedies allowed thereunder, including possible disqualification from participating in city contracts or bid processes for up to two years.
4. As a condition of contracting with the city, the bidder or proposer agrees to promptly provide to the city all information and documentation that may be requested by the city from time to time regarding the solicitation and selection of suppliers and subcontractors in connection with this solicitation process. Failure to maintain or failure to provide such information shall constitute grounds for the city to reject the bid or proposal and to any contract awarded on such bid or proposal. It shall also constitute a violation of the city's commercial non-discrimination ordinance, and shall subject the bidder or proposer to any remedies that are allowed thereunder.
5. As part of its bid or proposal, the bidder or proposer shall provide to the city a list of all instances within the past ten years where a complaint was filed or pending against bidder or proposer in a legal or administrative proceeding alleging that bidder or proposer discriminated against its subcontractors, vendors, suppliers, or commercial customers, and a description of the status or resolution of that complaint, including any remedial action taken.
6. As a condition of submitting a bid or proposal to the city the bidder or proposer agrees to comply with the city's commercial non-discrimination policy as described in section 2, article V of the city code, and consents to be bound by the award of any arbitration conducted thereunder.”

Section 2. Article II of Chapter 12 of the Charlotte City Code is amended as follows:

“Sec. 12-27. - Powers.

Within the limitations provided by law, the community relations committee created under this article has the power to:

...

- (9) Render at least annually a written report to the mayor and to the city council and to the chairman and the board of county commissioners. The report may contain recommendations of the committee for legislation or other actions to eliminate or reduce discrimination with respect to race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin.

...

Sec. 12-29. - Powers of conciliation division.

Within the limitations provided by law, the conciliation division of the community relations committee created by this article has the power to:

...

- (3) Approve or disapprove plans to eliminate or reduce discrimination with respect to race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin;

...”

Section 3. Article III of Chapter 2 of the Charlotte City Code is amended as follows:

“Sec. 12-58. - Prohibited acts.

(a) It shall be unlawful to deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin.

(b) It shall be unlawful to make, print, circulate, post, mail or otherwise cause to be published a statement, advertisement, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation will be refused, withheld from, or denied any person because of race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin, or that any person's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable because of race, color, religion or national origin; provided, however, this section does not apply to a private club or other establishment not, in fact, open to the public.

~~Sec. 12 59. - Prohibited sex discrimination.~~

~~(a) It shall be unlawful to deny a person, because of sex, the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a restaurant, hotel, or motel.~~

~~(b) This section shall not apply to the following:~~

~~(1) Restrooms, shower rooms, bathhouses and similar facilities which are in their nature distinctly private.~~

~~(2) YMCA, YWCA and similar types of dormitory lodging facilities.~~

~~(3) A private club or other establishment not, in fact, open to the public.”~~

Section 4. Article II of Chapter 22 of the Charlotte City Code is amended as follows:

“Sec. 22-31. - Conduct of certificate holders, permit holders, drivers.

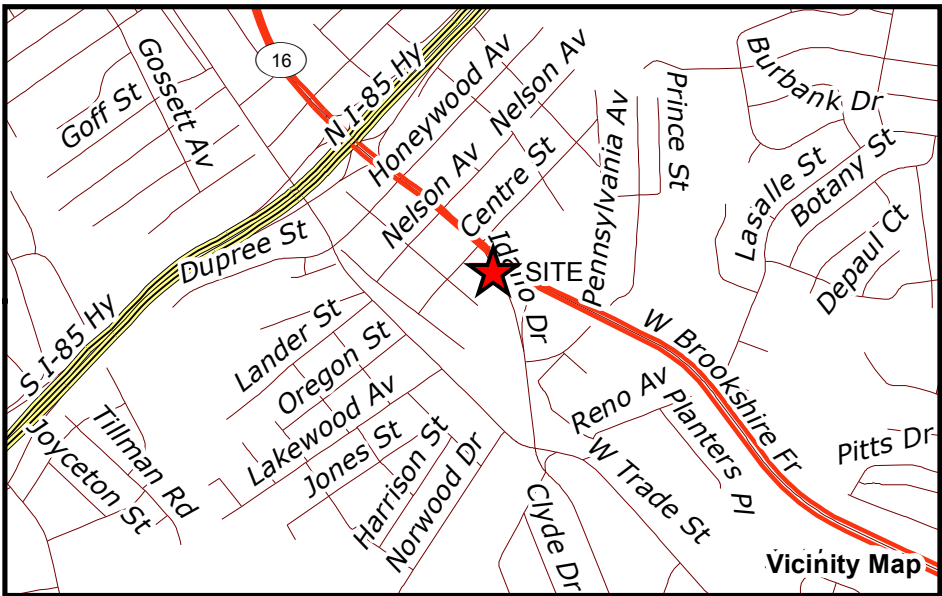
...

(i) No company operating certificate holder, vehicle operating permit holder, or driver shall refuse or neglect to transport any person on the basis of race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin. In addition, no company operating certificate holder, vehicle operating permit holder, or driver shall refuse or neglect to transport any person on the basis of disability when such service can be provided to a person with a disability with reasonable accommodation.”

Section 5. This ordinance shall be effective April 1, 2015.

Approved as to form

City Attorney



CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
 Development Services Division

Right-of-Way Abandonment Petition 2014-06

A portion of Darby Avenue

Right-of-Way Abandonment Area

RESOLUTION CLOSING A PORTION OF DARBY AVENUE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Darby Avenue, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Darby Avenue to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

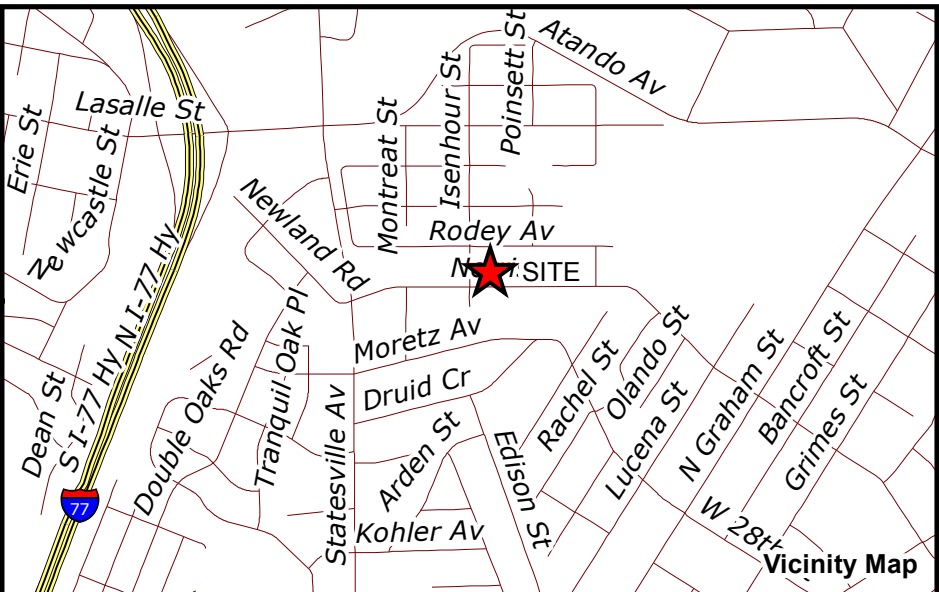
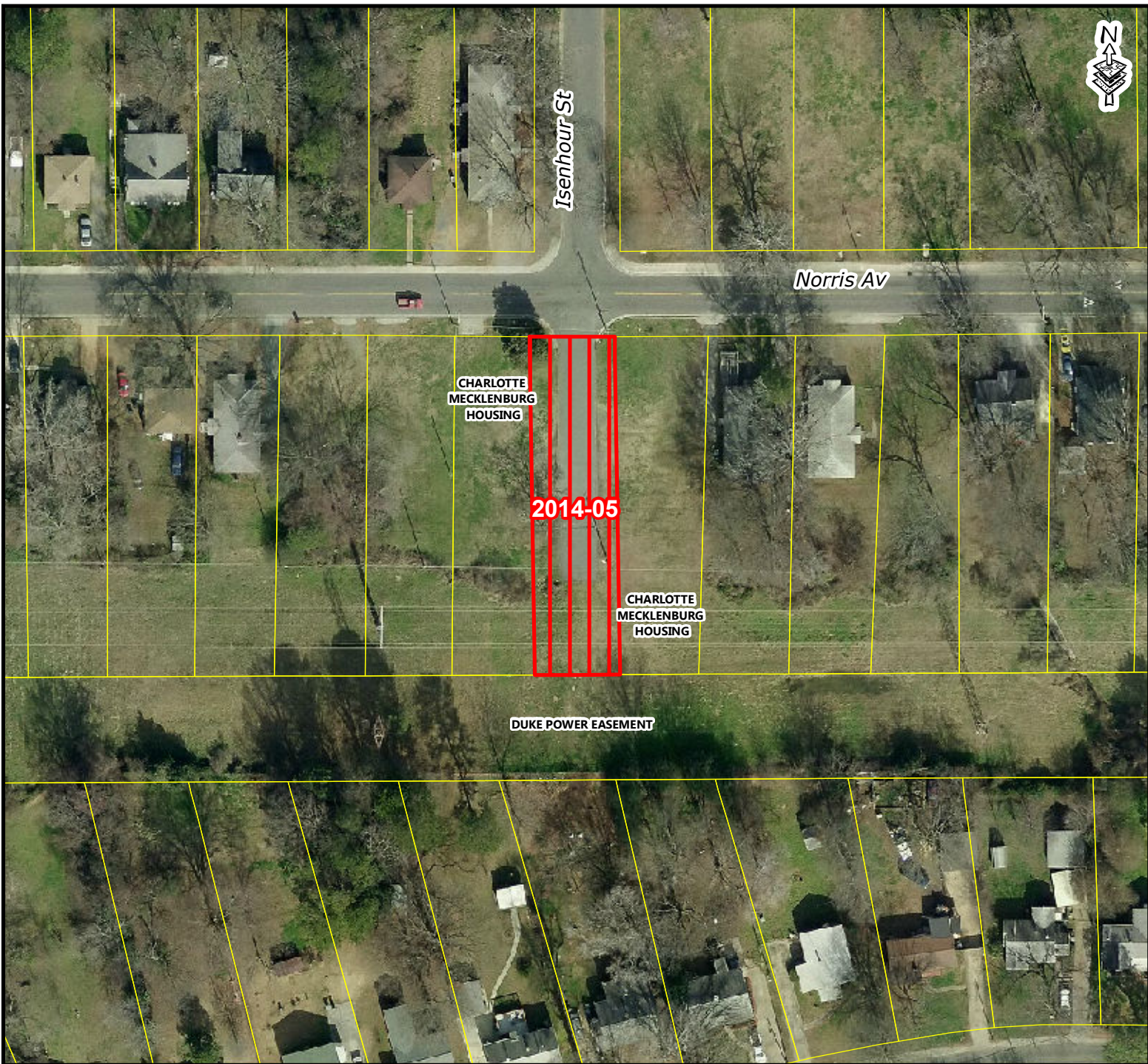
WHEREAS, the city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S. 160A-299; and

WHEREAS, an easement shall be reserved in favor of Charlotte-Mecklenburg Utilities, Duke Energy, Piedmont Natural Gas, and AT&T over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of water lines, sewer lines, cable, conduit, and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 9th day of February, 2015, and City Council determined that the closing of a portion of Darby Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 9, 2015, that the Council hereby orders the closing of a portion of Darby Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the documents marked "Exhibit B", all of which are attached hereto and made a part hereof.


BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.



CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
 Development Services Division

Right-of-Way Abandonment Petition 2014-05

A portion of Isenhour Street

Right-of-Way Abandonment Area 

RESOLUTION CLOSING A PORTION OF ISENHOUR STREET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Isenhour Street, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Isenhour Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S. 160A-299; and

WHEREAS, an easement shall be reserved in favor of AT&T and Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of cable, conduit, and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 9th day of February, 2015, and City Council determined that the closing of a portion of Isenhour Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 9, 2015, that the Council hereby orders the closing of a portion of Isenhour Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the documents marked "Exhibit B", all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE APPROPRIATING CONTRIBUTION FROM CHARLOTTE CHECKERS EQUIPMENT AND IMPROVEMENTS TO BOJANGLES COLISEUM

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

- Section 1. That the sum of \$250,000 is hereby estimated to be available from the Charlotte Checkers (Funding Source: 2000)
- Section 2. That the sum of \$250,000 is hereby appropriated to the Convention Center Capital Projects Fund 4021, Bojangles Coliseum Renovations Project A
- 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 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

3 Appointed By Mayor (M)
 8 Appointed By City Council (C)

PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

(11 Members)

Last Revised Date:

Membership - Initial terms will be staggered; all future terms will be for two years. Each member will be limited to two consecutive terms. The Mayor will select the Chairman. The Mayor and Council will appoint citizens knowledgeable in the fields of management, accounting, human resources, marketing and customer service. Representative skills may include some or all of the following: work management and specifications, cost accounting, customer relations, performance measurement and analysis, employee relations, quality assurance, asset divestment, and procurement and bidding process.

Responsibilities - To monitor the progress of the City in implementing services contracting and asset management, recommend services and assets to be considered for competition and privatization, and to advise on ways to improve current contracted services with service delivery problems; to assist and advise the City on issues in implementing the goals and processes adopted by Council for services contracting and asset management. This may include review of requests for proposal, cost comparison methodologies, bid processes, etc.; to serve as an advisor to both the City Council and the City Manager on matters regarding privatization and competition in general; to review the existing legal system for contracting and may develop and recommend local legislation to modify such systems; to be a resource regarding concerns about fairness of any bidding processes. As a result, the committee may be asked to review bid proceedings and hear grievances from parties involved.

Legend:

Member Name	Appointed By	Legend	Dist	Appoint Date	Reappoint Date	Term	Exp. Date
* Chairman							
<u>Council</u>							
Antonio Briceno	H/M	C	2	1/28/2013		2 yrs	03/01/2015
Christopher Brown	W/M	C	6	2/14/2011	1/14/2013	2 yrs	03/01/2015
Felisha Fletcher	B/F	C	2	11/10/2014		Unexp	03/01/2016
Jaye Alexander	N/M	C	4	1/28/2013		2 yrs	03/01/2015
Julian Wright, Jr.	W/M	C	1	4/23/2012	1/13/2014	2 yrs	03/01/2016
Katherine Payerle	W/F	C	5	1/23/2012	1/13/2014	2 yrs	03/01/2016
Morris McAdoo	B/N	C	4	1/13/2014		Unexp	03/01/2015
Robert Diamond	W/M	C	3	1/28/2013		2 yrs	03/01/2015
<u>Mayor</u>							
John Murchison	W/M	M	1	5/10/2011	7/3/2014	2 yrs	03/01/2016
Michael Ranken	W/N	M	1	12/2/2013		2 yrs	03/01/2015
Thomas Pollan	N/N	M	1	6/18/2010	12/2/2013	2 yrs	03/01/2016

First Name:	Sarah
Last Name:	Cherne
City:	Charlotte
City Council District (Check your district at Locate My District)	6
Political Affiliation:	Republican
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I have an interest in serving my community and am especially interested in a role that enhances an opportunity to bring together government and the private sector to solve problems, provide solutions and build better communities. I have an interest in economic development and creating environments that attract job investment and am deeply committed to public service.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	As a CEO and non-profit leader, I wear many "hats" on a daily basis and believe I am uniquely qualified to serve on this committee. I represent an important sector of our local economy and daily combat challenges around partnership, finances, and efficiency secure the operations. I believe that the unique challenges I face in the non-profit arena will benefit the focus and direction of PCAC.
List any boards you are currently serving on:	I currently Chair the North Carolina Financial Literacy Council (an appointed role by the Gov of NC) and sit on the Bond Oversight Committee for the CMS School Board. I also serve as the Finance Chair for the Meck GOP Board.
List any boards you have served on in the past:	
Current Employer:	Junior Achievement of Central Carolinas
Job Title:	President & CEO
Brief Description of Duties: (Max 400 characters)	I am responsible for the oversight of a non-profit organization that spans 50 counties in both South & North Carolina. In addition to working with thousands of volunteers and serving over 33k students annually, I am responsible for the ethical and efficient oversight of all organizational operations for a \$1.6M organization that supports 16 staff and three office locations across the region.
Other Employment History: (Max 250 characters)	I have been a non-profit leader for the past 20 years and have worked for three Nationally recognized organizations. I am known as a "change agent" and have turned-around struggling non-profit entities and put them on a trajectory to stability.

Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	
Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	01/11/15
Column1	

First Name:	Torrey
Last Name:	Feimster
City:	Charlotte
City Council District (Check your district at Locate My District)	6
Political Affiliation:	Republican
Gender:	Male
Race/ Ethnic Background:	African American
Why are you interested in serving on these boards/ committees? (Max 400 characters)	For approximately ten years, I have been involved serving the community in some compacity through the jobs I've had. Currently, my career/position does not allow me to be directly involved with the community, so I would love to become active and serve on my own time. I believe serving community through the boards I listed above would be rewarding, and I could make a significant impact.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	My previous two positions have allowed me to build tremendous relationships with individuals from various areas of the community such as business leaders, corporate executives, neighborhood leaders/organizers, politicians, education and health professionals, non-profit executives, etc. Essentially, my role was to bridge gaps and build social capital among the various groups.
List any boards you are currently serving on:	
List any boards you have served on in the past:	
Current Employer:	Global Endowment Management
Job Title:	Operations Associate
Brief Description of Duties: (Max 400 characters)	I provide operational support for direct private investments made by our analysts, principals and partners.
Other Employment History: (Max 250 characters)	Director of Corporate Relations/Assistant to the President at Johson C. Smith University -2010 -2012 Publisher of Pride Magazine, 2003 - 2010
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	
Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	

Date Signed:	09/16/14
--------------	----------



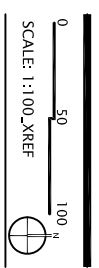
design resource group

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

2459 wilkinson boulevard, suite 200
 charlotte, nc 28206
 p 704.343.0006 f 704.353.5093
 www.drginc.com

WOODFIELD NORTHLAKE 2
 CHARLOTTE ETJ, NORTH CAROLINA

WOODFIELD INVESTMENTS, LLC
 3328 LANDERWOOD DRIVE
 CHARLOTTE, NC 28210
 704.560.2793



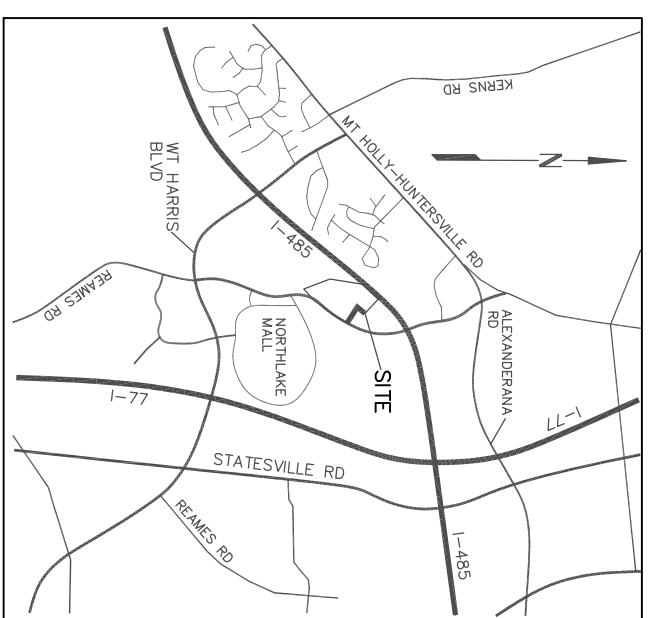
PROJECT #: 217-025
 DRAWN BY: JL
 CHECKED BY: BS

**ANNEXATION 2
 BOUNDARY**

NOVEMBER 11, 2014

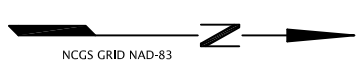
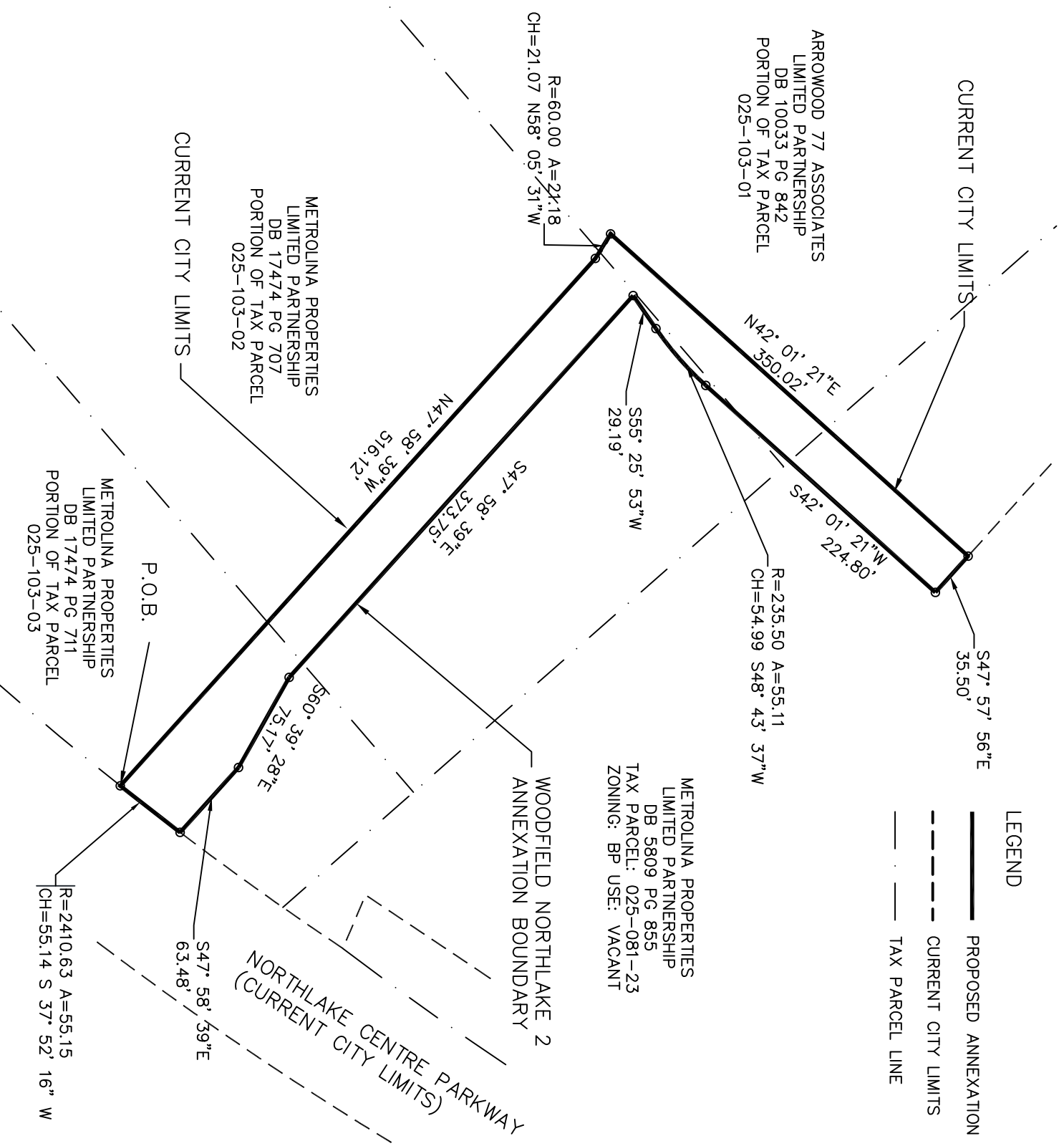
REVISIONS:

EXHIBIT 1-1



LEGEND

- PROPOSED ANNEXATION
- - - CURRENT CITY LIMITS
- TAX PARCEL LINE



THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

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**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31**

WOODFIELD NORTHLAKE II AREA

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on February 23, 2015.

Section 2. The area proposed for annexation is described as follows:

LEGAL DESCRIPTION

All those certain tract of land lying and being in Long Creek Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a point located on the westerly right-of-way margin of Northlake Centre Parkway (a variable width public right-of-way) as shown on plat recorded in Map Book 43 at Page 55) in the Mecklenburg County Registry, said point also being on the city limits line of the City of Charlotte and having N.C. NAD-83 Grid Coordinates (N: 589,890.7102 ft., E: 1,447,060.0790 ft.); thence with the City limits with an arc of a circular curve to the left having a radius of 2,410.63 feet, an arc distance of 55.15' feet (Chord Bearing = N 37-52-16 E 55.14 feet) to a point; thence N 47-58-39 W 63.48 feet to a point; thence N 60-39-28 W 75.17 feet to a point; thence N 47-58-39 W 373.75' feet to a point; thence N 55-25-53 E 29.19 feet to a point; thence with the arc of a circular curve to the left having a radius of 235.50 feet, an arc distance of 55.11 feet (Chord Bearing = N 48-43-37 E 54.99 feet) to a point; thence N 42-01-21 E 224.80 feet to a point; thence N 47-57-56 W 35.50 feet to an existing #4 rebar, said point also being on the city limits line of the City of Charlotte; thence S 42-01-21 W 350.02 feet to an existing #4 rebar; thence with the arc of a circular curve to the right having a radius of 60.00 feet, an arc distance of 21.18 feet (Chord Bearing = S 58-05-31 E 21.07 feet) to an existing #4 rebar; thence S 47-58-39 E 516.12 feet to an existing # 4 rebar, the point and place of BEGINNING containing 0.75 acres more or less.

PORTIONS OF TAX PARCELS 025-103-01, 025-103-02, 025-103-03, 025-081-23

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$372,475 FOR THE CONTRACT WITH LS3P ASSOCIATES TO PROVIDE DESIGN SERVICES FOR AN EXPANSION OF CONCOURSE E.

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

Section 1. That the sum of \$372,475 is hereby appropriated from the Aviation Discretionary Fund for the contract with LS3P Associates

Section 2. That the sum of \$372,475 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901529
Source	6000
Type	60006001
Year	0000

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 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 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$147,595.80 TO AMEND THE CONTRACT WITH AECOM TECHNICAL SERVICES OF NORTH CAROLINA, INC. FOR ENVIRONMENTAL SITE ASSESSMENT SERVICES

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

Section 1. That the sum of \$147,595.80 is hereby appropriated from the Contract Facility Charge Fund (6003) for the contract amendment with AECOM Technical Services of North Carolina, Inc.

Section 2. That the sum of \$147,595.80 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901506
Source	6000
Type	60006003
Year	0000

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 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 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$545,219.53 FOR THE CONTRACT WITH AVEREST, INC. TO PURCHASE OUTDOOR BATTERY CHARGERS FOR THE EGSE VEHICLES

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

Section 1. That the sum of \$545,219.53 is hereby appropriated from the Aviation Discretionary Fund for the contract with Averest, Inc.

Section 2. That the sum of \$545,219.53 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901521
Source	6000
Type	60006001
Year	0000

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 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

Property Tax Refund Requests

BENNETT, HENRY W	\$ 124.91
HINTZ, STEVEN D	17.04
NMHG FINANCIAL SERVICES INC	125.64
NMHG FINANCIAL SERVICES INC	144.44
SOLOW, ERIC C	14.60
VLAHOS, GEORGE	137.65
VLAHOS, GEORGE	147.64
WRIGHT, BOYD	1.24
WRIGHT, BOYD	1.24
WRIGHT, BOYD	1.24
WRIGHT, BOYD	1.18
	<u><u>\$ 716.82</u></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 26th day of January 2015 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 _____ 2015 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 _____, 2015.

ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 101 LAKEWOOD AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF EFREM FESSEHASION 10048 ATKINS RIDGE DRIVE CHARLOTTE, NC 28213

WHEREAS, the dwelling located at 101 Lakewood Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 101 Lakewood Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	101 Lakewood Avenue
Neighborhood	Neighborhood Profile Area 88
Council District	#2
Owner(s)	Efrem Fessehasion
Owner(s) Address	10048 Atkins Ridge Drive Charlotte, NC 28213
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Tenant Complaint
◆ Date of the Inspection:	6/16/2014
◆ Title report received, revealing parties in interest:	7/18/2014
◆ Owner and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	7/31/2014
◆ Held hearings for owner and parties in interest by:	8/27/2014
◆ Owner and parties in interest attend hearing:	No
◆ Filed Lis Pendens:	9/11/2014
◆ Received letter of intent to repair from owner:	9/12/2014
◆ Owner and parties in interest ordered to demolish structure by:	10/1/2014
◆ Owner issued Supplemental Order to repair by:	11/19/2014
◆ Owner has not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$5,110
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$26,355	Acquisition & Rehabilitation Cost (Existing structure: 870 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$672,626	New Replacement Structure Cost (Structure: 1,000 sq. ft. total) Economic Life: 50 years Estimated cost-\$703,236	Demolition Cost \$5,110
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 36,300 - Garage/Shed/Porch: \$ 0 Land: \$ <u>7,200</u> Total Acquisition: \$ 43,500 Estimated Rehabilitation Cost: \$ 43,500 Outstanding Loans \$ 585,000 Property Taxes owed: \$ 613 Interest on Taxes owed: \$ <u>13</u> Total: \$ 629,126	Acquisition: Tax values: - Structure: \$ 36,300 - Garage/Shed/Porch: \$ 0 - Land: \$ <u>7,200</u> Total Acquisition: \$ 43,500 New structure: \$ 69,000 Demolition: \$ 5,110 Outstanding Loans: \$ 585,000 Property Taxes owed: \$ 613 Interest on Taxes owed: \$ <u>13</u> Total: \$ 659,736	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$26,355 (\$30.29 /sq. ft.), which is 72.603 % of the structure tax value, which is \$36,300.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, electrical, plumbing and heating violations: Improper piers with missing footers. Improperly installed joists. Holes and cracks in walls and ceilings. Heating equipment not operational. Windows not weather tight, not properly operational and decayed casing. Damaged plumbing fixtures. Missing breaker panel covers, interior and exterior, damaged electrical receptacles.
- The building is 35 years old and consists of 870 square feet total.
- A new 1,000 sq. ft. structure can be built for \$69,000.

101 Lakewood Avenue



Lakewood Av

101 Lakewood Av

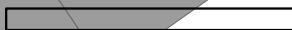
Rozelles Ferry Rd

06512902

Boyd St

100

Feet



101 Lakewood Avenue



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2201 CAMP GREENE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ROBERT NICHOLSON AND BETTY JEAN NICHOLSON 1705 QUEEN CITY DRIVE APT.50 CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 2201 Camp Greene Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2201 Camp Greene Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	2201 Camp Greene Street
Neighborhood	Neighborhood Profile Area 361
Council District	#3
Owner(s)	Robert Nicholson and Betty Jean Nicholson
Owner(s) Address	1705 Queen City Drive Apt.50 Charlotte, NC 28208
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	11/26/2013
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	1/16/2014
◆ Held hearings for owner(s) by:	2/14/2014
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	3/27/2014
◆ Owner(s) ordered to demolish structure by:	3/31/2014
◆ Discovered an alternate address for one of the owner(s)	
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	7/15/2014
◆ Title report received:	7/27/2014
◆ Held hearings for owner(s) by:	8/6/2014
◆ Owner(s) attend hearing:	No
◆ Owner(s) ordered to demolish structure by:	9/22/2014
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$11,460
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

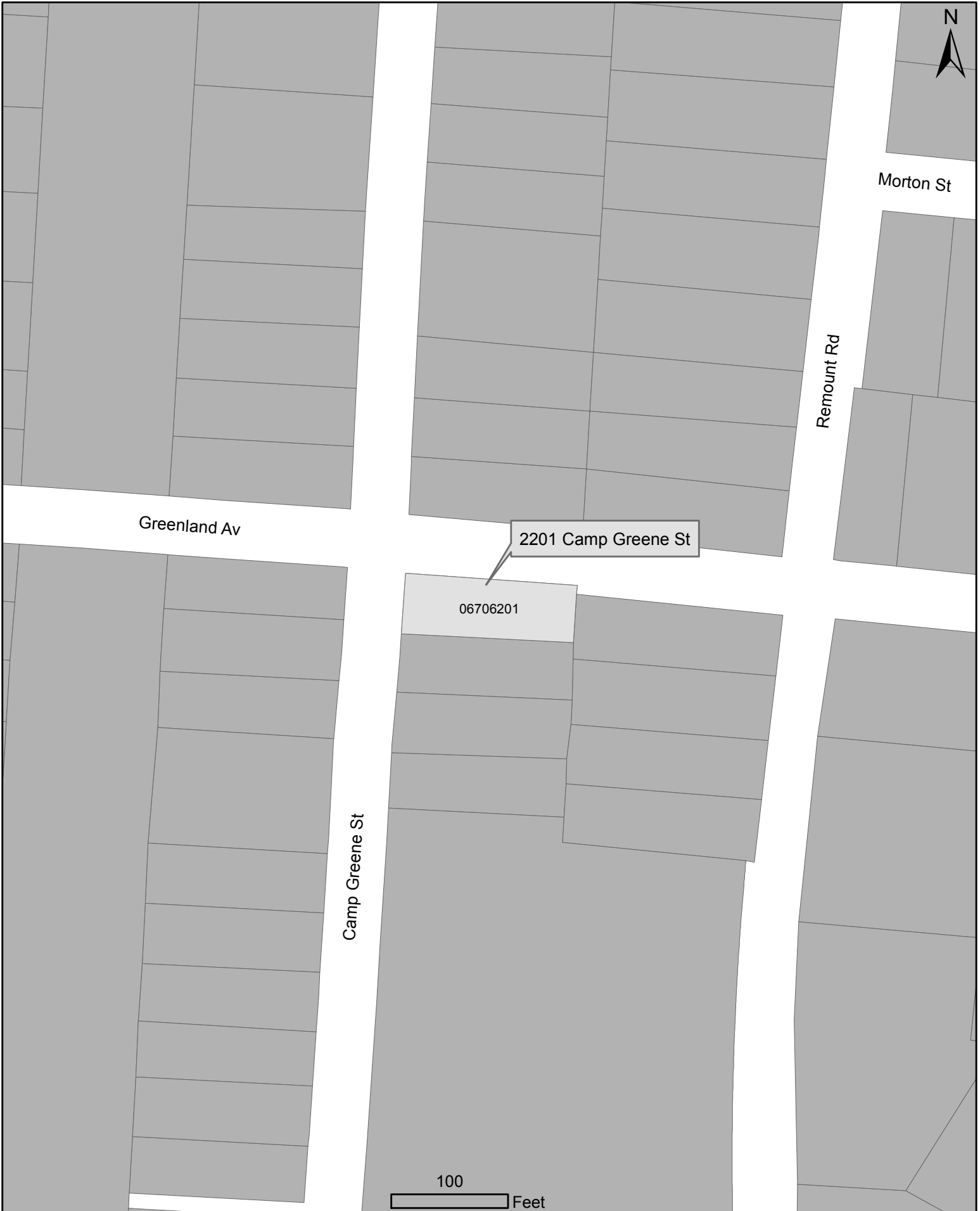
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$72,186	Acquisition & Rehabilitation Cost (Existing structure: 1,650 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$161,332	New Replacement Structure Cost (Structure: 1,650 sq. ft. total) Economic Life: 50 years Estimated cost-\$204,142	Demolition Cost \$11,460
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 56,900 - Garage/Shed/Porch: \$ 700 Land: \$ <u>19,000</u> Total Acquisition: \$ 76,600 Estimated Rehabilitation Cost: \$ 82,500 Outstanding Loans \$ 0 Property Taxes owed: \$ 2,096 Interest on Taxes owed: \$ <u>136</u> Total: \$ 84,732	Acquisition: Tax values: - Structure: \$ 56,900 - Garage/Shed/Porch: \$ 700 - Land: \$ <u>19,000</u> Total Acquisition: \$ 76,600 New structure: \$ 113,850 Demolition: \$ 11,460 Outstanding Loans: \$ 0 Property Taxes owed: \$ 2,096 Interest on Taxes owed: \$ <u>136</u> Total: \$ 127,542	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$72,186 (\$43.74 /sq. ft.), which is 126.864% of the structure tax value, which is \$56,900.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, heating and electrical violations: Flooring not reasonably level. Fire damaged walls, ceilings, windows, roof sheathing, roof covering, siding and trim. Missing heating equipment, water heater and electrical wiring.
- The building is 88 years old and consists of 1,650 square feet total.
- A new 1,650 sq. ft. structure can be built for \$113,850.

2201 Camp Greene Street



2201 Camp Greene Street



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2420 GRIMES STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HEIRS OF SAMUEL K. BYERS 2420 GRIMES STREET CHARLOTTE, NC 28206

WHEREAS, the dwelling located at 2420 Grimes Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2420 Grimes Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	2420 Grimes Street
Neighborhood	Neighborhood Profile Area 369
Council District	#1
Owner(s)	Heirs of Samuel K. Byers
Owner(s) Address	2420 Grimes Street Charlotte, NC 28206
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	7/30/2014
◆ Title report received, revealing party in interest:	8/21/2014
◆ Owner and party in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	10/7/2014
◆ Held hearings for owner and party in interest by:	10/27/2014
◆ Owner and party in interest attend hearing:	No
◆ Owner and party in interest ordered to demolish structure by:	11/26/2014
◆ Filed Lis Pendens:	12/5/2014
◆ Owner has not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$5,210
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

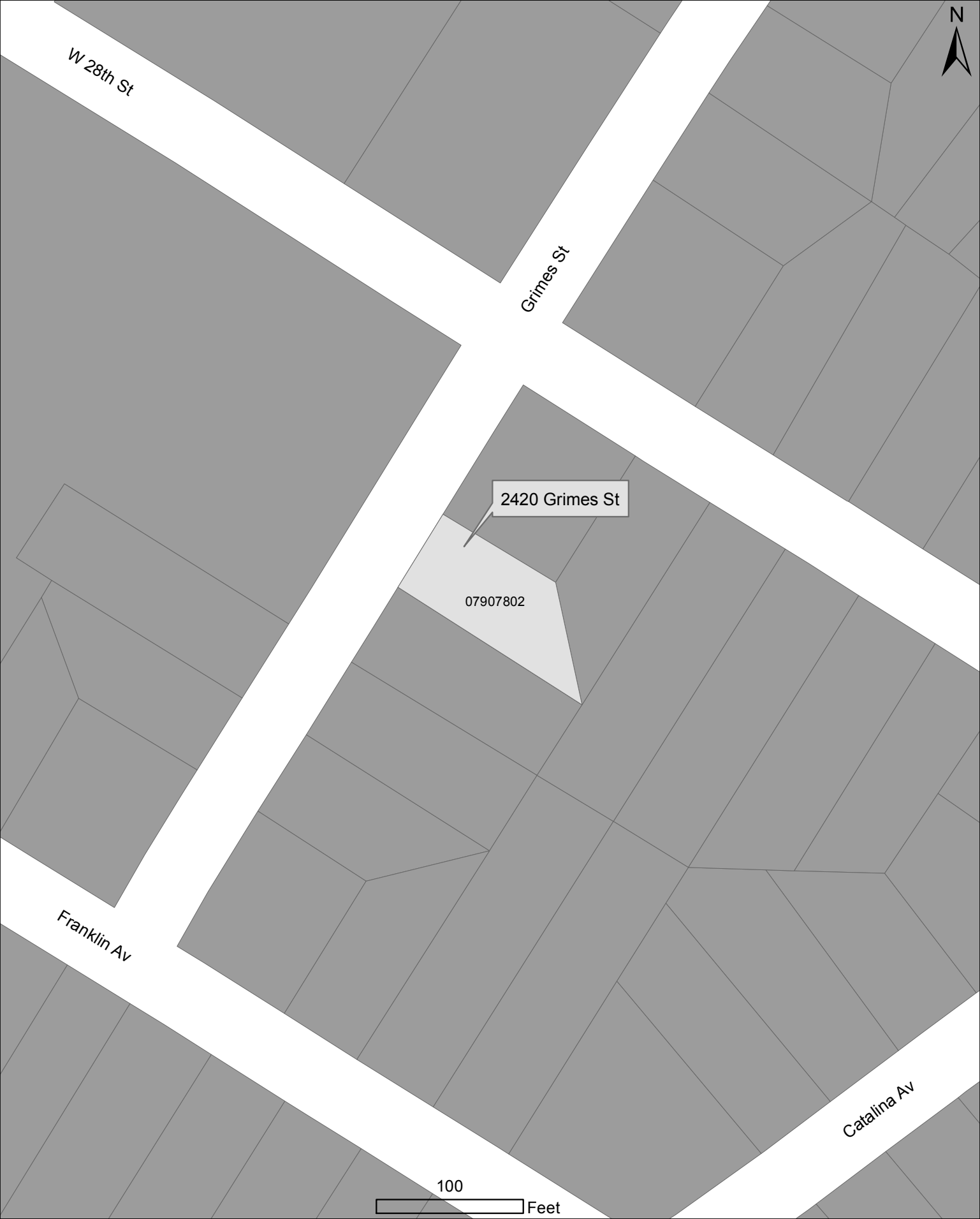
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$39,415	Acquisition & Rehabilitation Cost (Existing structure: 948 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$137,996	New Replacement Structure Cost (Structure: 1,000 sq. ft. total) Economic Life: 50 years Estimated cost-\$164,806	Demolition Cost \$5,210
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 700 - Garage/Shed/Porch: \$ 0 Land: \$ <u>18,000</u> Total Acquisition: \$ 18,700 Estimated Rehabilitation Cost: \$ 47,400 Outstanding Loans \$ 66,500 Property Taxes owed: \$ 4,530 Interest on Taxes owed: \$ <u>866</u> Total: \$ 119,296	Acquisition: Tax values: - Structure: \$ 700 - Garage/Shed/Porch: \$ 0 - Land: \$ <u>18,000</u> Total Acquisition: \$ 18,700 New structure: \$ 69,000 Demolition: \$ 5,210 Outstanding Loans: \$ 66,500 Property Taxes owed: \$ 4,530 Interest on Taxes owed: \$ <u>866</u> Total: \$ 146,106	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$39,415 (\$41.57 /sq. ft.), which is 5,630.71 % of the structure tax value, which is \$700.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing and heating violations: Flooring rotted, or missing in several places. Holes and cracks in walls and ceilings. Missing entry door. Decay roof sheathing and rafters. Damaged plumbing fixtures. Missing heating equipment.
- The building is 66 years old and consists of 948 square feet total.
- A new 1,000 sq. ft. structure can be built for \$69,000.

2420 Grimes Street



2420 Grimes Street



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 716 PRINCE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HEIRS OF ANNA SPRINGS 716 PRINCE STREET CHARLOTTE, NC 28216

WHEREAS, the dwelling located at 716 Prince Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 716 Prince Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	716 Prince Street
Neighborhood	Neighborhood Profile Area 292
Council District	#2
Owner(s)	Heirs of Anna Springs
Owner(s) Address	716 Prince Street Charlotte, NC 28216
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	3/7/2014
◆ Title report received, revealing parties in interest:	8/8/2014
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	9/16/2014
◆ Held hearings for owner(s) and parties in interest by:	10/1/2014
◆ Owner(s) and parties in interest attend hearing:	No
◆ Filed Lis Pendens:	10/16/2014
◆ Owner(s) and parties in interest ordered to demolish structure by:	11/26/2014
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$7,760
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

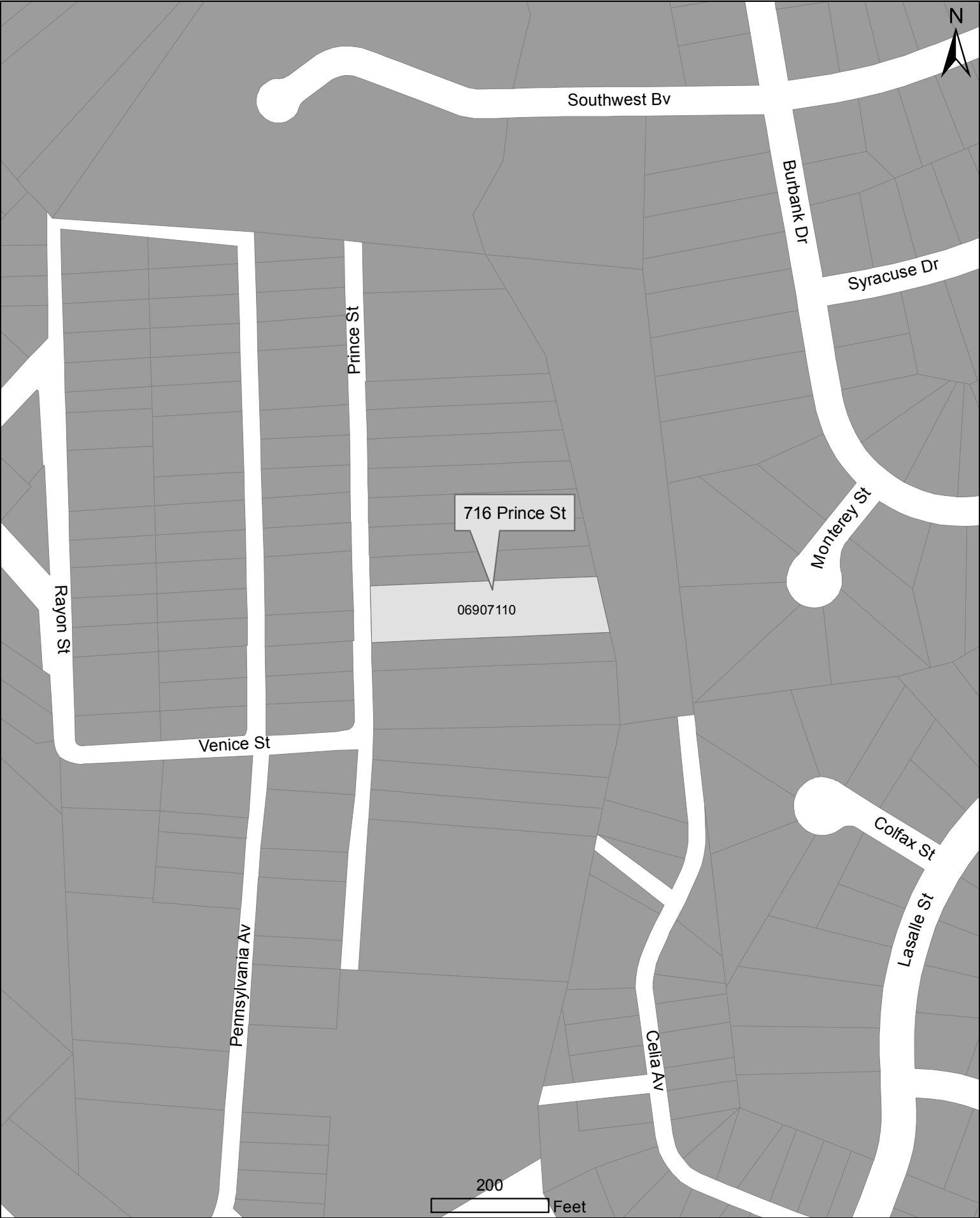
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$44,745	Acquisition & Rehabilitation Cost (Existing structure: 1,497 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$129,756	New Replacement Structure Cost (Structure: 1,497 sq. ft. total) Economic Life: 50 years Estimated cost-\$165,959	Demolition Cost \$7,760
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 29,300 - Garage/Shed/Porch: \$ 0 Land: \$ 17,100 Total Acquisition: \$ 46,400 Estimated Rehabilitation Cost: \$ 74,850 Outstanding Loans \$ 0 Property Taxes owed: \$ 6,019 Interest on Taxes owed: \$ 2,487 Total: \$ 83,356	Acquisition: Tax values: - Structure: \$ 29,300 - Garage/Shed/Porch: \$ 0 - Land: \$ 17,100 Total Acquisition: \$ 46,400 New structure: \$ 103,293 Demolition: \$ 7,760 Outstanding Loans: \$ 0 Property Taxes owed: \$ 6,019 Interest on Taxes owed: \$ 2,487 Total: \$ 119,559	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$44,745 (\$29.88 /sq. ft.), which is 152.713% of the structure tax value, which is \$29,300.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, electrical and heating violations: Flooring decayed in several places. Water damaged ceiling covering. Windows not reasonably weather tight. Areas of exterior siding and trim decayed. Roof sheathing decayed. Electrical wiring damaged. Heating equipment missing.
- The building is 65 years old and consists of 1,497 square feet total.
- A new 1,497 sq. ft. structure can be built for \$103,293.

716 Prince Street



716 Prince St

06907110

200

Feet

716 Prince Street



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 724 PRINCE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HEIRS OF LONNIE SPRINGS, JR. 6728 EASTFIELD PARK DRIVE CHARLOTTE, NC 28269

WHEREAS, the dwelling located at 724 Prince Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 724 Prince Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	724 Prince Street
Neighborhood	Neighborhood Profile Area 292
Council District	#2
Owner(s)	Heirs of Lonnie Springs, Jr.
Owner(s) Address	6728 Eastfield Park Drive Charlotte, NC 28269
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Title report received, revealing parties in interest:	2/20/2014
◆ Date of the Inspection:	3/31/2014
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	4/8/2014
◆ Held hearings for owner(s) and parties in interest by:	4/23/2014
◆ Owner(s) and parties in interest attend hearing:	No
◆ Filed Lis Pendens:	5/9/2014
◆ Owner(s) and parties in interest ordered to demolish structure by:	5/28/2014
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$3,870
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

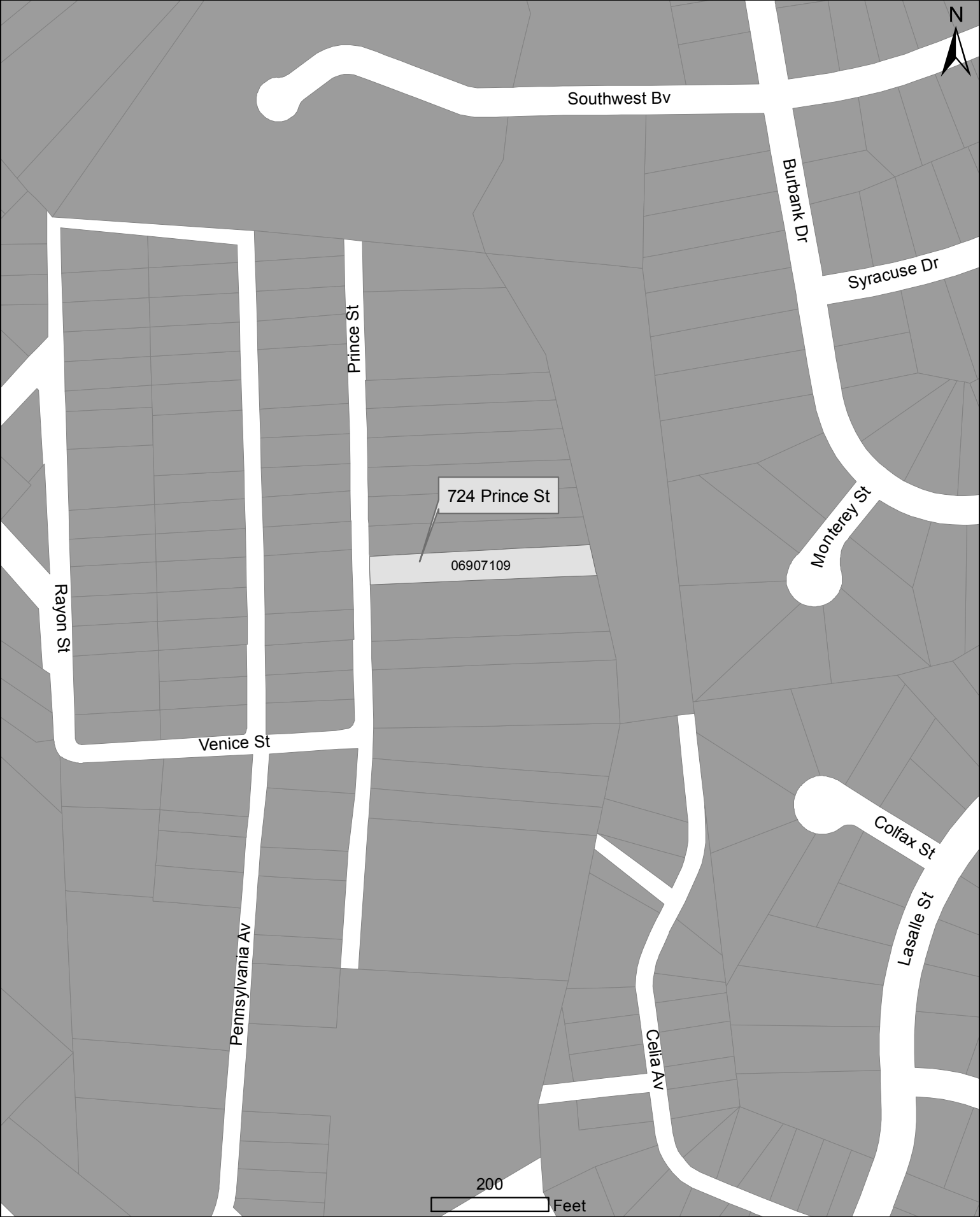
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$30,175	Acquisition & Rehabilitation Cost (Existing structure: 616 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$67,654	New Replacement Structure Cost (Structure: 1,000 sq. ft. total) Economic Life: 50 years Estimated cost-\$109,724	Demolition Cost \$3,870
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 18,000 - Garage/Shed/Porch: \$ 0 Land: \$ <u>11,400</u> Total Acquisition: \$ 29,400 Estimated Rehabilitation Cost: \$ 30,800 Outstanding Loans \$ 0 Property Taxes owed: \$ 4,691 Interest on Taxes owed: \$ <u>2,763</u> Total: \$ 38,254	Acquisition: Tax values: - Structure: \$ 18,000 - Garage/Shed/Porch: \$ 0 - Land: \$ <u>11,400</u> Total Acquisition: \$ 29,400 New structure: \$ 69,000 Demolition: \$ 3,870 Outstanding Loans: \$ 0 Property Taxes owed: \$ 4,691 Interest on Taxes owed: \$ <u>2,763</u> Total: \$ 80,324	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$30,175 (\$48.98 /sq. ft.), which is 167.638% of the structure tax value, which is \$18,000.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing and heating violations: Flooring and sub-structure is loose, rotted, or missing in several places. Water damaged ceiling covering. Windows not reasonably weather tight. Interior wall covering damaged. Areas of exterior siding and trim decayed. Damaged masonry piers. Broken waste line piping. Water supply lines damaged. Heating equipment missing.
- The building is 56 years old and consists of 616 square feet total.
- A new 1,000 sq. ft. structure can be built for \$69,000.

724 Prince Street



724 Prince St

06907109

200

Feet

724 Prince Street



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE BUILDING AT 3326 TUCKASEEGEE ROAD PURSUANT TO THE NON RESIDENTIAL BUILDING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 5, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ALMA D. FRIDAY 1922 STONEYRIDGE DRIVE CHARLOTTE, NC 28214

WHEREAS, the building located at 3326 Tuckaseegee Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Non Residential Building Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said building; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the building located at 3326 Tuckaseegee Road in the City of Charlotte in accordance with the Non Residential Building Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	3326 Tuckaseegee Road (Non-Residential Structure)
Neighborhood	Neighborhood Profile Area 5
Council District	#3
Owner(s)	Alma D. Friday
Owner(s) Address	1922 Stoneyridge Drive Charlotte, NC 28214
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	8/11/2014
◆ Title report received:	8/18/2014
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	8/29/2014
◆ Held hearing for owner(s) by:	9/9/2014
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	10/8/2014
◆ Owner(s) ordered to demolish structure by:	10/9/2014
◆ Discovered that the owner had a Power of Attorney.	
◆ Power of Attorney notified of Complaint and Notice of Hearing by advertisement and certified mail:	10/28/2014
◆ Held hearing for POA by:	11/10/2014
◆ POA attend hearing:	No
◆ POA ordered to demolish structure by:	12/1/2014
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$21,903
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

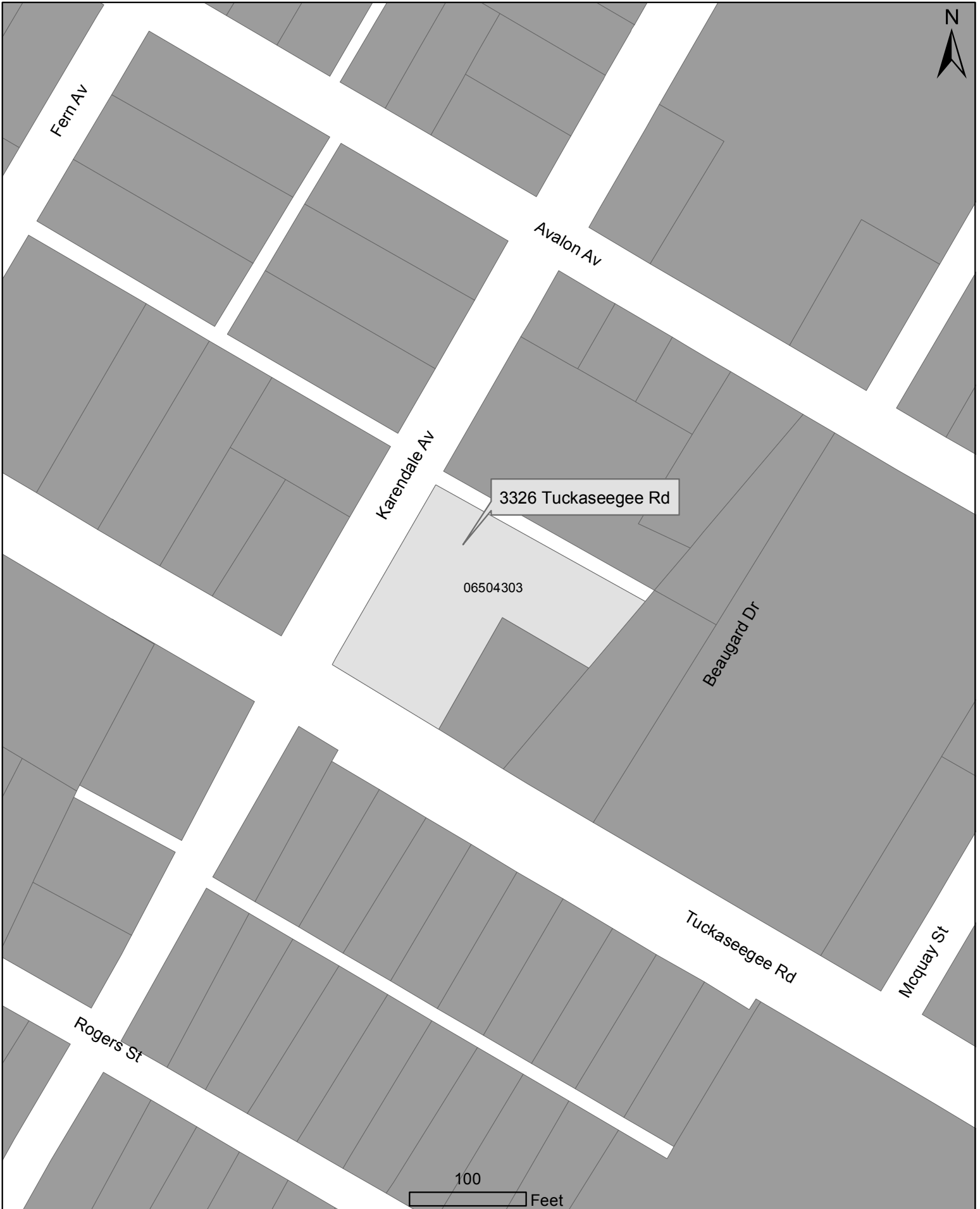
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$137,500	Acquisition & Rehabilitation Cost	New Replacement Structure Cost	Demolition Cost \$21,903
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 50% of the tax value.	Acquisition & Rehabilitation are not applicable, because this is a non-residential building.	Replacement housing is not applicable, because this is a non-residential building.	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

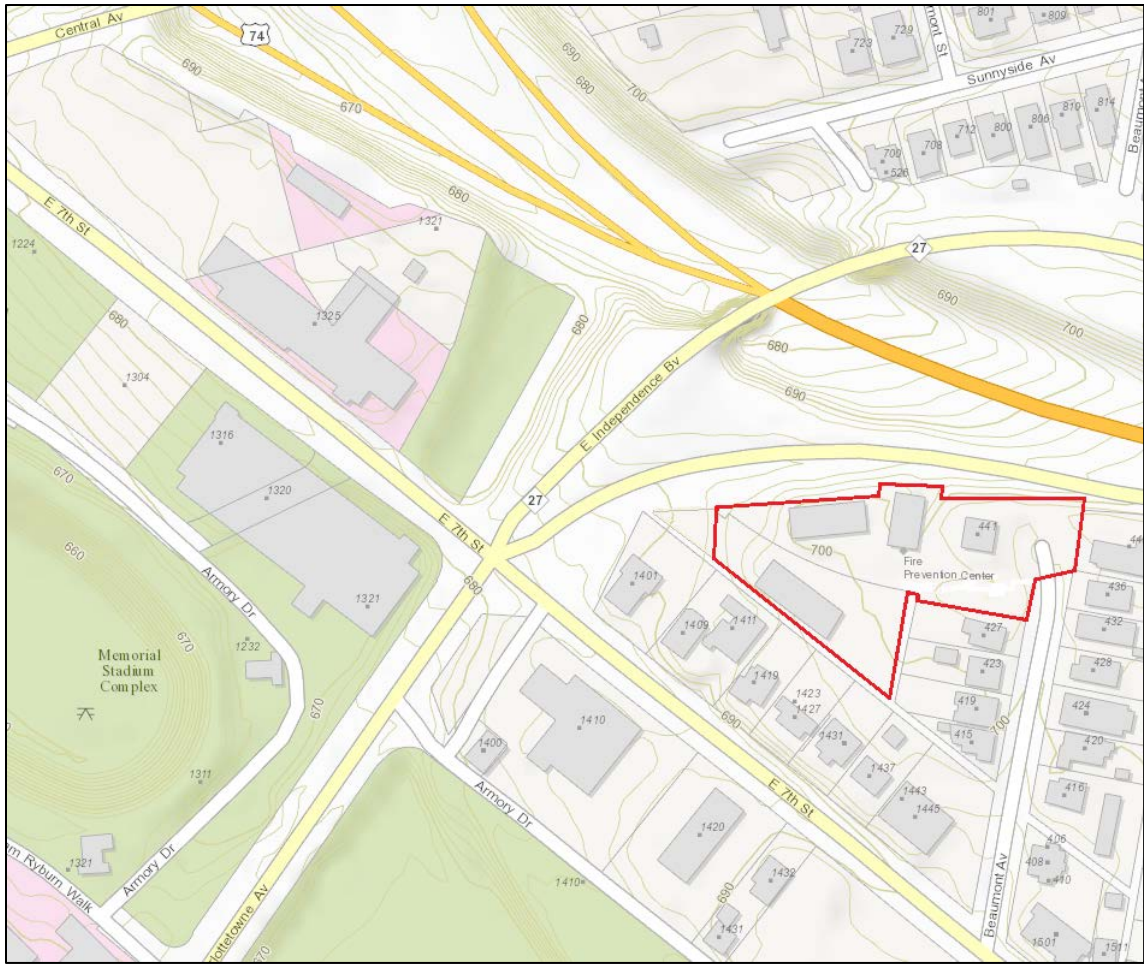
- Estimated In-Rem Repair cost of: \$137,500 (\$25.69sq. ft.), which is 54.326 % of the structure tax value, which is \$253,100.
- Violations include: Plumbing fixtures missing, Building not reasonably weather tight, Unsanitary conditions, Floor structure decayed, Roof not structurally sound, Windows not maintained, Heating equipment unsafe, Electrical wiring has been stripped from walls.
- Structure is not secured.
- The building is 85 years old and consists of 5,352 square feet total.

3326 Tuckaseege Road



3326 Tuckaseegee Road





**Location Map: Sale of Property at 441 Beaumont Avenue
(Council District 1)**

RESOLUTION AUTHORIZING THE SALE OF 1.495 ACRES ON BEAUMONT AVENUE (TAX PARCELS 080-201-14, 080-201-15, 080201-17) TO DELRAY VENTURES, LLC

WHEREAS, on September 8, 2014 City Council authorized sale of this property through the upset bid procedure; and

WHEREAS, the City received an initial offer to purchase the property in the amount of \$781,466, and thereafter published notice of the proposed sale, including the terms under which the offer could be upset; and

WHEREAS, a qualified higher bid was received and the upset bid process was repeated until a ten-day period passed without any qualifying higher bid having been received; and

WHEREAS, the last high qualified bid in the amount of \$1,095,000, and a deposit in the amount of 5% of the bid, was received from Delray Ventures, LLC, a North Carolina limited liability company.

THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE RESOLVES THAT:

No qualifying upset bid having been received after the last public notice, the offer described above is hereby accepted, and the Manager or his designee is authorized to execute the Purchase Contract and such other documents necessary to complete the sale of the property to Delray Ventures, LLC in accordance with the terms and conditions as advertised.

Adopted February 9, 2015.