

# **City of Charlotte**

*Charlotte-Mecklenburg Government Center  
600 East 4th Street  
Charlotte, NC 28202*



## **Meeting Agenda**

**Monday, July 27, 2015**

**Council Chambers**

### **City Council Business Meeting**

*Mayor Daniel Clodfelter  
Mayor Pro Tem Michael Barnes  
Council Member Al Austin  
Council Member John Autry  
Council Member Ed Driggs  
Council Member Claire Fallon  
Council Member David Howard  
Council Member Patsy Kinsey  
Council Member Vi Lyles  
Council Member LaWana Mayfield  
Council Member Greg Phipps  
Council Member Kenny Smith*

**CITY COUNCIL AGENDA  
Monday, July 27, 2015**

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**Legislation Text**

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**File #:** 15-956 **Agenda #:** 1.

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**CITY COUNCIL MEETING  
Monday, July 27, 2015**

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

<b>Item#</b>	<b>Title</b>
9	Public Hearing for Floodplain Regulations Ordinance Revisions
13	Approval of the Refunding of Water Sewer Revenue Bonds
14	Approval of Permanent Financing for Water/Sewer Capital Projects
31	Charlotte-Mecklenburg Police Westover Division Change Order
34	Bojangles Coliseum Food Service Upgrades and Ice Plant Repairs
73	Budget and Performance Management



## Legislation Text

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**File #:** 15-929 **Agenda #:** 2.

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### Mayor and Council Consent Item Questions

**Resource(s):**

Ann Wall, City Manager's Office

**Time:** 5 minutes

**Synopsis:**

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



## Legislation Text

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**File #:** 15-840 **Agenda #:** 3.

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### Employee Health Clinics

**Committee Chair:**

Council member Greg Phipps

**Staff Resource(s):**

Cheryl Brown, Human Resources

**Time:** 10 minutes

**Explanation**

- Healthcare costs continue to rise, with unmanaged health and chronic conditions as the primary drivers.
- On April 28, 2014, the City issued a Request for Proposal (RFP) for employee health clinic services. In response to the RFP, the City received nine proposals from interested service providers.
- The project team evaluated the proposals and recommends awarding the contract to OurHealth as the service provider best meeting the City's needs in terms of qualifications.
- The OurHealth model initially implements five medical clinics strategically located throughout the City. The use of the clinic is voluntary and employees are free to retain their Primary Care Physician (PCP) and use the clinic in conjunction with their PCP.
- Implementing employee health clinics result in numerous benefits to both the City and employees/retirees/dependents, such as control medical cost increases, redirect care from expensive and inappropriate settings, and improve employee productivity.
- On June 29, 2015, the Budget Committee voted unanimously (Phipps, Driggs, Kinsey, Lyles, and Mayfield) to approve the recommendation to the full City Council.

**Future Action**

The City Council is requested to consider the Employee Health Clinic, agenda item 68.





## Legislation Text

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**File #:** 15-893 **Agenda #:** 4.

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### **Interstate-485 South and U.S. 74 Managed Lanes Projects**

**Staff Resource(s):**

Norm Steinman, Transportation  
Tim Gibbs, Transportation

**Time:** 45 minutes

**Explanation**

- The Charlotte Regional Transportation Planning Organization (CRTPO) has prepared its recommended FY2016-2025 Transportation Improvement Program. The CRTPO Board is scheduled to adopt this Program at their August 19 meeting.
- Included in the dozens of transportation projects (highways, transit, and pedestrian/bicycle) programmed for construction between FY2016 and FY2025 are the Interstate-485 South and U.S. 74 (Independence) managed lanes projects.
- The presentation will cover hours of operation, access and egress locations, eligibility of user categories, and the schedule for implementation of the managed lanes projects in Charlotte.

**Future Action**

This presentation is for information only.



**Legislation Text**

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**File #:** 15-930 **Agenda #:** 5.

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**Answers to Mayor and Council Consent Item Questions**

**Staff Resource(s):**

Ann Wall, City Manager's Office

**Time:** 10 minutes

**Synopsis**

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



Legislation Text

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**File #:** 15-895 **Agenda #:** 6.

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**Women's Equality Day Proclamation**

**Action:**

**Mayor Clodfelter will read a proclamation recognizing August 26, 2015, as Women's Equality Day.**



Legislation Text

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File #: 15-717 Agenda #: 7.

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**National Night Out Proclamation**

**Action:**

**Council member Phipps will read a proclamation recognizing August 4, 2015, as National Night Out in Charlotte.**



Legislation Text

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File #: 15-952 Agenda #: 8.

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**Consent agenda items 29 through 100 may be considered in one motion except for 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. Consider of Consent Items with citizens signed up to speak to the item.



## Legislation Text

File #: 15-739 Agenda #: 9.

### Public Hearing for Floodplain Regulations Ordinance Revisions

**Action:**

- A. Conduct a public hearing on a minor revision to the Floodplain Regulations Ordinance, and**
- B. Adopt an Ordinance revision converting preliminary floodplain maps to final, effective September 2, 2015.**

**Staff Resource(s):**

Daryl Hammock, Engineering & Property Management

**Explanation**

- To remain in the National Flood Insurance Program, the Federal Emergency Management Agency requires all jurisdictions affected by the new maps to amend their floodplain ordinances to include new effective dates.
- For the purpose of revising the maps, the County was divided into three geographic sections and Ordinance revisions have been occurring in three phases representing the three sections.
- On June 25, 2012, the City Council approved amendments to the Floodplain Regulations Ordinance, which permitted preliminary maps to be used for local regulation.
- On January 27, 2014, the City Council approved converting Section 1 of the preliminary maps to final.
- Staff recommends a minor ordinance revision to change the effective date of floodplain maps to September 2, 2015, at which time the preliminary status of the maps will cease.
- Action item B will convert Section 2 preliminary maps to final maps.
- The third and final phase to convert preliminary maps for Section 3 to final will be completed in 2016, and Council will be asked to approve the conversion at that time.
- The Federal Emergency Management Agency also requires a change to clarify delegation of management of the ordinance, designating the Storm Water Services Manager as the floodplain administrator.

**Background**

- Through an Interlocal Agreement, Mecklenburg County administers the City's floodplain ordinance along with all other floodplain ordinances in Mecklenburg County. This ensures a consistent local program Countywide.
- It is standard practice to periodically review and re-evaluate floodplain mapping, depending on the amount of development in watersheds. Storm Water Services last re-evaluated floodplain maps in this area in 2000.
- The maps show property susceptible to flooding and are used by staff to regulate development and by the Federal Emergency Management Agency for flood insurance purposes.
- Community involvement efforts included seven public meetings and multiple communications to the more than 5,500 directly-affected citizens through direct mailings, as well as a water bill insert, television and printed media communication, and a web page with proposed flood maps and

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**File #:** 15-739 **Agenda #:** 9.

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information on how to provide public comment.

**Fiscal Note**

Funding: The proposed revisions to the Floodplain Ordinance will not impact the Storm Water Services budget or the general fund.

**Attachment**

Floodplain Ordinance Revision  
Map of Three Phases

**Section. 9-37. Basis for establishing the Special Flood Hazard Areas**

The FEMA and Community Special Flood Hazard Areas are those identified in the effective Flood Insurance Study (FIS) for Mecklenburg County dated ~~February 19, 2014~~ September 2, 2015, and its accompanying Flood Insurance Rate Maps (FIRM), and local or FEMA approved revisions to the FIRM and/or FIS which are adopted by reference and declared to be a part of this ordinance.

In areas where a Preliminary FIRM and Preliminary FIS exist, Community Base Flood Elevations shown on the Preliminary FIRM and Preliminary FIS shall be used for local regulatory purposes, if they are higher than those shown on the effective FIRM and FIS. The initial Flood Insurance Rate Maps are as follows for the jurisdictional areas at the initial date:

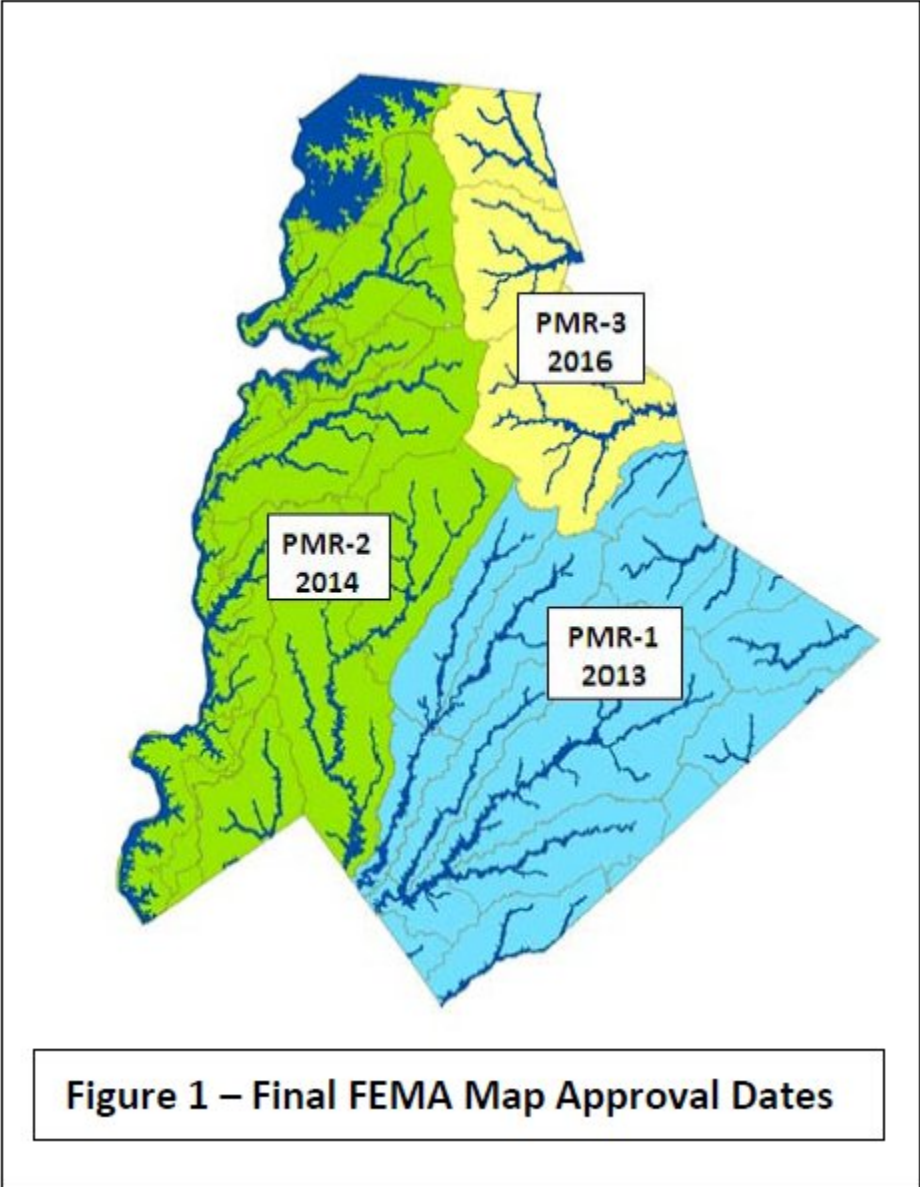
City of Charlotte dated August 15 1978,

Mecklenburg County Unincorporated Area, dated June 1, 1981.

**Section. 9-61. Designation of Floodplain Administrator.**

The City ~~Manager~~ designates the Storm Water Services Manager ~~County Floodplain Administrator, and~~ or his or her designees as the Floodplain Administrator and the County Floodplain Administrator or his or her designated agent as the persons with the authority to administer, implement and enforce the provisions of this ordinance through a properly executed, legally binding interlocal agreement.







## Legislation Text

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**File #:** 15-699 **Agenda #:** 10.

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### Public Hearing on Voluntary Annexation

**Action:**

- A. Hold a public hearing for the Marsh Tract II voluntary annexation, and**
- B. Adopt an ordinance with an effective date of July 27, 2015, to extend the corporate limits to include this property and assign it to the adjacent Council District 7.**

**Staff Resource(s):**

Jonathan Wells, Planning

**Policy**

The 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.

**Explanation**

- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- A petition has been received from the owners of this 12.58-acre property located west of the 3900 block of Tilley Morris Road in south Mecklenburg County.
- The property is owned by Marsh Mortgage Company.
- The property is vacant and is zoned R-12MF (CD): residential multi-family conditional and NS: neighborhood services.
- The property is located within Charlotte's extraterritorial jurisdiction and shares boundaries with current city limits.
- The property adjoins a site planned for a single-family residential development also owned by the petitioner.
- Intent of the annexation is to include the entire limit of future Ardrey Kell Road (to be constructed by petitioner) on petitioner's property into City limits thereby subjecting the road to City design guidelines.
- Annexation of this property will allow for more orderly extension of City development review, City services and capital investments in the future.
- The effective annexation date for this property is July 27, 2015.
- The Annexation Ordinance assigns the annexed area to adjacent City Council district 7.

**Fiscal Note**

Funding: Not Applicable

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**File #:** 15-699 **Agenda #:** 10.

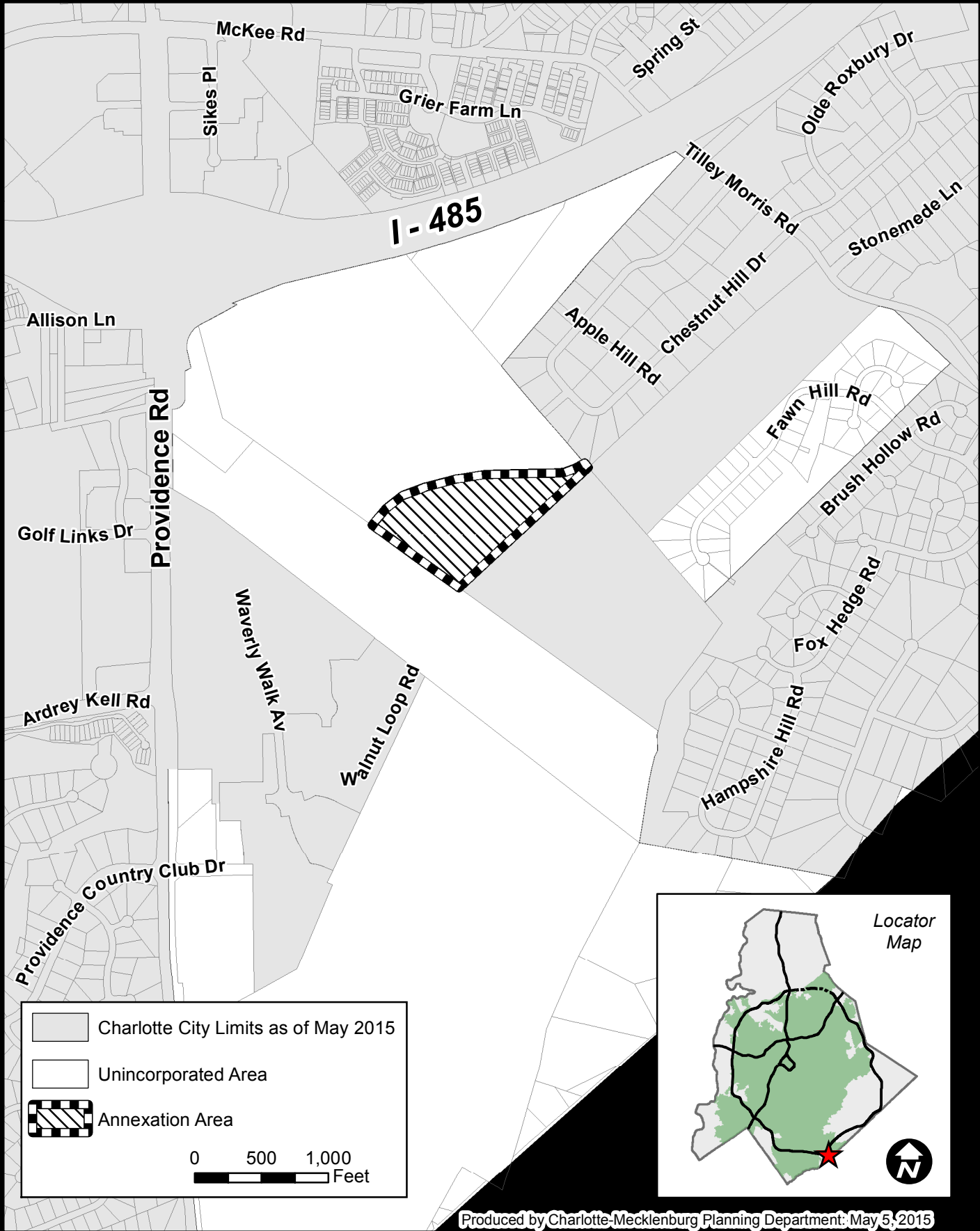
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**Attachment**

Map  
Annexation Ordinance

# Marsh Tract II

## Proposed Voluntary Annexation



Produced by Charlotte-Mecklenburg Planning Department: May 5, 2015

ORDINANCE NO. \_\_\_\_\_

**MARSH TRACT II AREA**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council has been petitioned under G.S. 160A-31(a) to annex the area described below; and

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Meeting Chamber of the Charlotte - Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on July 27, 2015 after due notice by the Mecklenburg Times on July 14, 2015; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Charlotte as of July 27, 2015 (effective date):

**LEGAL DESCRIPTION**

A portion of Mecklenburg County Tax Parcel: 231-231-01

To find the true Point of Beginning: commencing at NCGS monument "sixteen" having NC grid coordinates (NAD 83) n: 481,362.44, E: 1,470,361.07 thence S 66-13-04 E 3571.62 feet ground distance, 3571.08 feet grid distance (combined grid factor 0.99984914) to a #2 rebar being on the southern line of Chestnut Hills Subdivision, said rebar being the southwest corner of Lot 3, Chestnut Hills as recorded in Map Book 18, page 262 of the

Mecklenburg County Public Registry; thence with a new line within the property of Marsh Mortgage Co. the following four (4) courses and distances: 1) S47-38-16W 40.02 feet to a #5 rebar; 2) S40-47-24E 20.02 feet to a point; 3) S47-36-55W 1.05 feet to a point; 4) with an arc of a circular curve to the right having a radius of 731.44 feet an arc length of 298.94 feet and a chord bearing and distance of N 59-18-53 E 296.86 feet to a point said point being the true **Point of Beginning**; Thence continuing with the new line within the property of Marsh Mortgage Co. with the following six (6) courses and distances; 1) S18-59-09E 76.01 feet to a point; 2) N70-39-34E 22.64 feet to a point; 3) S41-29-39E 16.46 feet; 4) S47-38-16W 399.88 feet to a #5 rebar; 5) with an arc of a circular curve to the right having a radius of 2,000.00 feet an arc length of 166.05 feet and a chord bearing and distance of S 50-00-58 W 166.00 feet to a #5 rebar; 6) with an arc of a circular curve to the left having a radius of 1,500.00 feet an arc length of 396.62 feet and a chord bearing and distance of S 44-49-11 W 395.46 feet to a #5 rebar; thence northwest on the line of the Star City Development Co. Inc. being Mecklenburg County tax parcel 231-131-05 with the following bearing and distance N54-16-24W 956.74 feet to a point; thence with a new line within the property of Marsh Mortgage Co. the following four (4) courses and distances: 1) with an arc of a circular curve to the right having a radius of 798.00 feet an arc length of 450.53 feet and a chord bearing and distance of N 73-17-40 E 444.57 feet to a point; 2) N 89-28-06 E 764.01 feet to a point; 3) with an arc of a circular curve to the left having a radius of 732.00 feet an arc length of 235.75 feet and a chord bearing and distance of N 80-14-31 E 234.73 feet to a point said point being the true **Point of Beginning**, being +- 12.58 acres.

Section 2. Upon and after July 27, 2015 (effective date) the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte and shall be entitled to the same privileges and benefits as other parts of the City of Charlotte. Said territory shall be subject to municipal taxes according to G.S.160A-58.10.

Section 3. Subject to change in accordance with applicable law, the annexed territory described above shall be included in the following Council electoral district: 7.

Section 4. The Mayor of the City of Charlotte shall cause to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. 163-288.1.

Adopted this 27th day of July, 2015.

APPROVED AS TO FORM:

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Charlotte City Attorney



# City of Charlotte

Charlotte-Mecklenburg  
Government Center  
600 East 4th Street  
Charlotte, NC 28202

## Legislation Text

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**File #:** 15-949 **Agenda #:** 11.

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## City Manager's Report





## Legislation Text

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**File #:** 15-754 **Agenda #:** 12.

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### Prosperity Hucks Area Plan

**Action:**

**Approve the Transportation & Planning Committee recommendation to adopt the Prosperity Hucks Area Plan - Concept Plan with proposed revisions, and receive as information the Implementation Guide and related material.**

**Committee Chair:**

Council member Vi Lyles

**Staff Resource(s):**

Kent Main, Planning

**Explanation**

- The Prosperity Hucks Area Plan (Plan) encompasses about 6,200 acres. It is bounded generally on the northwest by Eastfield Road and the town of Huntersville; on the northeast by the Cabarrus County line, on the southeast by Beard Road and Mallard Creek Road, on the south by various property lines south of Hucks Road, and to the west by various property lines west of Browne Road.
- The Plan establishes a vision and provides policy direction to guide future growth and development consistent with the Centers, Corridors and Wedges Growth Framework. It updates the Prosperity Church Road Villages Plan (1999).
- The City Council will be asked to adopt Volume I: Concept Plan.
  - Volume II: Implementation Guide is a tool for staff to track projects and is not adopted by the City Council.
  - Volume III: Existing Conditions provides information from the initial area analysis and also is not adopted.

**Planning Process**

- The Plan development process began in November 2012. The original draft Plan was completed in December 2013 and was scheduled for public comment at the City Council meeting on February 24, 2014.
- Public comment was deferred because of significant community concerns pertaining to:
  - Extent of multi-family development,
  - Location and type of retail uses,
  - Level of detail in design guidance, and
  - Provision of open space.
- As a result, staff undertook an intensive community dialog process during spring and summer 2014 to address the concerns. This included core group meetings, well-attended small group discussions, a group mapping exercise, a drop-in charrette, and a public forum.
- The new refined draft Plan addresses community concerns, and provides greater detail in

recommendations and design guidance. It was presented at a public meeting in April 2015.

### **Plan Recommendations**

- The Plan area includes an Activity Center and a substantial Wedge Area. The vision for the Activity Center is of a community serving mixed-use area complementing and enhancing the surrounding neighborhoods with a rich variety of retail, office, entertainment, and residential uses in a well-designed and appropriately scaled form.
- The Plan includes detailed recommendations for each of the 15 Policy Areas within the Activity Center. The recommendations cover land use, community design, mobility, and open space. In addition the Policy Areas identify locations appropriate for residential, retail, office and other uses, including anchor retail uses, and uses with drive-through facilities and/or gasoline pumps as well as address appropriate residential types and densities, building and parking orientations, relationship to other surrounding uses, street network standards, and incorporation of open space.
- The vision for the Wedge is to remain primarily lower-density, single-family neighborhoods, with new development continuing to provide a high-quality of life and protection for tree canopy. Policies identify appropriate locations and design guidance for smaller scale retail uses, limited areas of slightly higher residential density, open space, and institutional uses.

### **Charlotte-Mecklenburg Planning Commission (Planning Committee)**

- On May 19, 2015, the Planning Committee received public comment. Six area residents spoke all in support of the Plan. Comments included praise for the stronger, more explicit policy language in the Plan, success in mitigating concerns, and transparency of the process with the public's ideas included in the Plan.
- On June 16, 2015, the Planning Committee unanimously recommended approval of the plan with the staff proposed revisions.

### **Transportation & Planning Committee Discussion**

- The Transportation & Planning Committee reviewed the draft Plan during their regular meetings on May 11 and May 28, 2015.
- On July 13, 2015, the Committee voted unanimously, 4-0 (Lyles, Howard, Kinsey, Phipps; Smith was absent) to recommend adoption of the Prosperity Hucks Area Plan with the staff proposed revisions.

### **City Council Discussion**

- On June 22, 2015, the City Council received public comments from five speakers. All the speakers were in support of the Plan.
- Speaker comments included how residents came together, how the plan responded to concerns, the balanced nature of recommendations, and the need for diligence in following the Plan as development proposals come forward.

### **Fiscal Note**

Funding: Not Applicable

### **Attachment**

Prosperity Hucks Area Plan, Refined Draft  
Prosperity Hucks Proposed Revisions to Refined Draft

PROSPERITY HUCKS AREA PLAN  
Proposed Revisions to March 30, 2015 Refined Draft Plan  
Comparative Text, as of May 27, 2015

Recommendation and Location	Nature of Change	Original	Revision (new or changed material underlined)
<b>A. Changes to Plan Recommendations</b>			
1. Page 32, Policy Area C8: Land Use #3	Provide for a possible retail anchor use in Policy Area C8 as in other similar areas.	<b>Retail development should include a variety of small shop space</b> for uses such as retailers, offices, and restaurants. No single retail tenant space should exceed 20,000 square feet on the ground floor.	<b><u>Retail development may include an anchor use of up to about 50,000 square feet on the ground floor. The anchor use should be complemented by small shop space (retail, office, restaurants). The intent is to provide for vital street-oriented activity within the area.</u></b>
2. Page 32, Policy Area C8: Land Use #4	Provide for a use with a drive-through facility in Policy Area C8 as in other similar areas.	<b>Additional land uses with drive-through facilities and/or gasoline pumps</b> are not appropriate at this location. The area in combination with area C9 is already well served by several drive-through facilities in place or approved.	<b><u>Land uses with drive-through facilities should be limited, but may be appropriate near the I-485 off-ramp if designed according to the guidelines for such uses in the Community Design section of this document; they should not be located along Benfield Road or the extension of Prosperity Crossing Road. Land uses with gasoline pumps are not appropriate at this location due to the proximity to similar existing facilities.</u></b>
3. Policy Area Community Design items: C-1, p. 19, #9 C-2, p. 22, #9 C-5, p. 28, #6 C-7, p. 31, #6 C-8, p. 33, #8 C-9, p. 35, #8 C-11, p. 38, #3 C-12, p. 40, #6 C-13, p. 41, #4 C-14, p. 42, #6 C-15, p. 43, #6	Clarify intent and provide for some flexibility on ways to meet the intent.	<b>Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'.</b> Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.	<b><u>Residential uses should be oriented to the street.</u></b> The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible. <b><u>To provide a sense of privacy for first floor residents, buildings should have an appropriately designed front yard setback from the sidewalk. This typically would be 8', resulting in a setback from the curb of 22' to 24'. Alternative approaches that provide a sense of privacy also may be appropriate, such as increasing the setback, installing additional landscaping, and/or raising the first floor (providing vertical separation.).</u></b>

Recommendation and Location	Nature of Change	Original	Revision (new or changed material underlined)
4. Page 61, New Item T15 (to be renumbered in final document)	Provide additional transit policy for a wider range of possible future services.	<i>(New item)</i>	<u>Seek opportunities to enhance transit service: As the area's population grows and diversifies, demand for transit service is likely to increase and change. Flexibility and innovation will be needed to meet changing demands and service expectations. Future opportunities to enhance transit service could include such things as adding special services to various destinations, such as airport, schools, light rail, and job centers; and/or creating a hub or central location for use by a variety of transportation providers.</u>
<b>B. Minor mapping or narrative changes to clarify language and intent</b>			
5. Page 2, paragraph 3	Minor language change to add clarity.	It establishes a framework for a walkable, urban, mixed use center that supports and is connected to the surrounding neighborhoods. This development pattern is made possible by a unique street network specifically designed to facilitate walkable urban form.	It establishes a framework for a walkable, <u>pedestrian-friendly</u> mixed use center that supports and is connected to the surrounding neighborhoods. This development pattern is made possible by a unique street network specifically designed to facilitate <u>walkable</u> form.
6. Page 3, Top left picture caption	Minor language change to add clarity.	Active street-level uses and pedestrian-scaled streetscapes create a vibrant urban environment.	Active street-level uses and pedestrian-scaled streetscapes create a vibrant <u>walkable</u> environment.
7. Page 6, paragraph 1	Minor language change to acknowledge public input.	The need for this plan was identified based on an analysis of a number of criteria including existing land use patterns, recent rezoning petitions, and population growth.	The need for this plan was identified based on an analysis of a number of criteria including existing land use patterns, recent rezoning petitions, <u>public input</u> , and population growth.
8. Page 13, paragraph 3, Two Core Areas.	Minor language change to clarify that the north and south core areas are equally important.	...While both Core Areas might include a full range of walkable uses, the North Core would be expected to emphasize retail. The South Core would have a stronger employment emphasis, reflecting office uses already in place.  <b>North Core</b> <i>(text and all bullets)</i> <b>South Core</b> <i>(text and all bullets)</i>	...While both Core Areas might include a full range of walkable uses, the North Core would be expected to emphasize retail. The South Core, <u>while also emphasizing retail, would have a strong employment component as well</u> , reflecting office uses already in place.  <i>delete</i> <i>delete</i>
9. Page 18, and Page 32, Vision for North and South Core Areas	Minor language change to remove confusion over North and South Core area visions.	<b>Vision:</b> (caption and text)	<i>delete</i>

Recommendation and Location	Nature of Change	Original	Revision (new or changed material underlined)
10. Page 49, paragraph 3	Emphasize intention to encourage a park once approach to parking.	The Activity Center should be built around a network of small block pedestrian- and bicycle-friendly streets connected to a robust system of parks, open spaces, and greenways.	The Activity Center should be built around a network of small block pedestrian- and bicycle-friendly streets connected to a robust system of parks, open spaces, and greenways, <u>and allow for parking once and walking to multiple destinations.</u>
11. Page 61, Item T3	Emphasize the intention to improve connectivity of the bicycle network.	<b>Construct appropriate bicycle facilities on thoroughfares:</b> As infrastructure development occurs, new bicycle facilities should be included along any thoroughfare with a new or relocated curb line. For example, all streets classified as an Avenue or Boulevard should, at a minimum include bicycle lanes or other separated bicycle facilities as appropriate.	<b>Construct appropriate bicycle facilities on thoroughfares <u>and provide for better bicycle connectivity.</u></b> As infrastructure development occurs, new bicycle facilities should be included along any thoroughfare with a new or relocated curb line. For example, all streets classified as an Avenue or Boulevard should, at a minimum include bicycle lanes or other separated bicycle facilities as appropriate.
12. About Page 67, New small map	Provide an additional map to show the heirarchy of Local Streets, Avenues, and Boulevards.	The street types recommended for the plan area correspond to the street types identified in the USDG.	The street types recommended for the plan area correspond to the street types identified in the USDG. <u>The following map illustrates these street types by category within the plan area. (Insert new small map depicting Two- &amp; Three lane Avenues, Four- &amp; Five-Lane Avenues, and Boulevards)</u>
13. Page 74, Item I-5	Clarify the need for additional schools at all grade levels.	Additional schools will be needed if the area grows as projected.	Additional schools <u>at all grade levels</u> will be needed if the area grows as projected.
14. Page 74, Item I-6	Add a specific reference to police	<b>Ensure that public facilities (including schools, libraries, and the like) are well connected</b> to the surrounding area and to each other to take advantage of joint use opportunities.	<b>Ensure that public facilities <u>and services</u> (including schools, libraries, <u>police support</u>, and the like) are well connected</b> to the surrounding area and to each other to take advantage of joint use opportunities.
15. Implementation Guide Page 79, Land Use Item C1- C15 and W1-W12 (Information, not to be adopted)	Emphasize continuing need for effective public input through rezoning and development processes.	Use land use and community design policies to guide and evaluate development proposals.	Use land use and community design policies to guide and evaluate development proposals. <u>Maintain active public input throughout the development process.</u>

In addition, minor typographical corrections that do not impact the intent of the plan will be made in the final published plan. All numbered items will be renumbered in a coherent and consecutive sequence reflecting additions, deletions, and corrections.



Legislation Text

File #: 15-780 Agenda #: 13.

**Approval of the Refunding of Water Sewer Revenue Bonds**

**Action:**

- A. Adopt a bond order that makes certain statements of fact concerning the refunding of Water & Sewer Revenue Bonds (Series 2002 B&C, 2005A, 2006A),**
- B. Provide for the issuance of Water & Sewer Revenue Refunding Bonds in an amount not to exceed \$350 million and authorize the termination of related contracts, and**
- C. Authorize City staff to take necessary actions to complete the financing, including making application to the Local Government Commission.**

**Staff Resource(s):**

Scott Greer, Management & Financial Services  
Barry Gullet, Charlotte Water

**Explanation**

- On February 11, 2002, the City Council approved the issuance of \$325 million in Water Sewer Revenue Bonds to fund \$185 million in new projects and to refund \$140 million of outstanding debt. Variable rate revenue bonds were issued and the City entered into contracts with Bank of America to guarantee a fixed interest rate lower than could have been achieved with traditional financing.
- In 2005 and 2006 financing for new projects totaling \$133.4 million were issued at a fixed-rate.
- Current market conditions allow the refunding of all of these existing outstanding revenue bonds and terminating related contracts with a net savings estimate of \$9.8 million.
- The restructuring will reduce the risks and costs associated with the variable rate issuances from 2002.
- The Local Government Commission is expected to review this transaction for approval during its August meeting. Upon approval, the transaction is scheduled to close at the end of August.

**Fiscal Note**

Funding: Charlotte Water Debt Service Fund

**Attachment**

Bond Order-Charlotte Water Sewer Refunding 2015

## **BOND ORDER**

**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS**

**WHEREAS**, the City of Charlotte, North Carolina (the “City”) is authorized by the State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the “Act”), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time, revenue and revenue refunding bonds of the City for the purposes as specified in the Act;

**WHEREAS**, the City has determined to issue Water and Sewer System Refunding Revenue Bonds, Series 2015 of the City (the “2015 Bonds”) in a principal amount not to exceed \$350,000,000 for the following purposes:

(1) to refund all or a portion of the following bonds (collectively, the “*Refunded Bonds*”): (a) the City’s Variable Rate Water and Sewer System Revenue Bonds, Series 2002B (the “*2002B Bonds*”); (b) the City’s Variable Rate Water and Sewer System Refunding Revenue Bonds, Series 2002C (the “*2002C Bonds*”); (c) the City’s Water and Sewer System Refunding Revenue Bonds, Series 2005A maturing on and after December 1, 2015; and (d) the City’s Water and Sewer System Revenue Bonds, Series 2006A maturing on and after July 1, 2017 (the “*Refunded 2006A Bonds*”);

(2) to pay all or a portion of the costs incurred in connection with the termination of the City’s interest rate swap agreements between the City and Bank of America, N.A. related to the 2002B Bonds and the 2002C Bonds (collectively, the “*2002 Swaps*”); and

(3) to pay the corresponding costs of issuing the 2015 Bonds;

**WHEREAS**, the City has determined to issue the 2015 Bonds in an additional principal amount not to exceed \$180,000,000 for the following purposes:

(1) to prepay in full the City’s Water and Sewer System Revenue Bond Anticipation Note, Series 2014 (the “*2014 Note*”); and

(2) to pay the corresponding costs of issuing the 2015 Bonds;

**WHEREAS**, the City has determined to issue the 2015 Bonds with a fixed rate of interest;

**WHEREAS**, the City will issue the 2015 Bonds under a General Trust Indenture dated as of May 15, 2000 between the City and First Union National Bank, the successor to which is U.S. Bank National Association, as trustee (the “*Trustee*”), and Series Indenture, Number 15 dated as of August 1, 2015 (the “*Series Indenture*,” and together with the General Indenture, the “*Indenture*”) between the City and the Trustee;

**WHEREAS**, the City and the Local Government Commission of North Carolina (the “*Commission*”) have arranged for the sale of the 2015 Bonds to Wells Fargo Bank, National Association, on its own behalf and on behalf of Merrill Lynch, Pierce, Fenner & Smith Incorporated, PNC Capital Markets LLC and J. P. Morgan Securities LLC (collectively, the “*Underwriters*”), under the terms of a Bond Purchase Agreement (the “*Purchase Agreement*”) among the City, the Commission and the Underwriters, pursuant to which the City and the Commission will sell the 2015 Bonds to the Underwriters in accordance with the terms and conditions set forth therein;

**WHEREAS**, in connection with the issuance of the 2015 Bonds and the refunding of the 2002B Bonds and the 2002C Bonds, the City will terminate the 2002 Swaps;

**WHEREAS**, in addition to retaining the Underwriters for the sale of the 2015 Bonds, the City Council wants to (1) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (2) approve the selection by the Underwriters of McGuireWoods LLP, as underwriters’ counsel; (3) retain DEC Associates, Inc., as financial advisor; (4) retain Waters and Company, LLC, as financial consultant; and (5) retain U.S. Bank National Association, as trustee for the 2015 Bonds (collectively, the “*Financing Team*”);

**WHEREAS**, the City Council wants the Chief Financial Officer (1) to file with the Commission an application for its approval of the 2015 Bonds, on a form prescribed by the Commission, requesting in such application that the Commission approve (a) the negotiation of the sale of the 2015 Bonds to the Underwriters, (b) the City’s use of the Financing Team in connection with the issuance of the 2015 Bonds and (c) the termination of the 2002 Swaps, and stating in such application such facts and to attach thereto such exhibits in regard to the 2015 Bonds and to the City and its financial condition as may be required by the Commission; and (2) to take all other action necessary for the issuance of the 2015 Bonds;

**WHEREAS**, copies of the forms of the following documents relating to the transactions described above have been filed with the City:

- (1) the Series Indenture;
- (2) the Purchase Agreement;
- (3) an Escrow Agreement dated as of August 1, 2015 (the “*Escrow Agreement*”) between the City and U.S. Bank National Association, as escrow agent, related to the Refunded 2006A Bonds; and
- (4) a Preliminary Official Statement (the “*Preliminary Official Statement*”) with respect to the 2015 Bonds.

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:**

**Section 1.** The 2015 Bonds are hereby authorized and will be issued pursuant to the Act to raise the money required, in addition to any funds which may be made available for such purpose from any other source, to (a) refund the Refunded Bonds, (b) prepay in full the Note, (c) pay all or a portion of the costs incurred in connection with the termination of the 2002 Swaps and (d) pay the costs of issuing the 2015 Bonds, all as set out fully in the documents attached to the City’s application to the Commission. The use of the proceeds of the 2015 Bonds, as described, is necessary in order to achieve debt service savings for the City and to reduce the risks to the City related to the 2002 Swaps.



**Section 2.** The Financing Team is hereby approved in connection with the issuance by the City of the 2015 Bonds. The City Manager and the Chief Financial Officer are hereby authorized to retain other such professionals as may be necessary and prudent to carry out the purposes and intent of this Resolution.

**Section 3.** The Chief Financial Officer, with advice from the City Attorney and bond counsel, is hereby authorized and designated to file an application with the Commission for its approval of the issuance of the 2015 Bonds.

**Section 4.** The City Council finds and determines, and asks the Commission to find and determine from the City's application and supporting documentation, as follows:

- (a) the issuance of the 2015 Bonds is necessary or expedient;
- (b) the not to exceed stated principal amount of the 2015 Bonds will be sufficient, but is not excessive, when added to other moneys available to the Water and Sewer System to refund the Refunded Bonds and to prepay the 2014 Note;
- (c) the Water and Sewer System, as now constituted and after the completion of the refunding of the Refunded Bonds and the prepayment of the 2014 Note, is feasible;
- (d) the City's debt management procedure and policies are excellent; and
- (e) the 2015 Bonds can be marketed at a reasonable interest cost to the City.

**Section 5.** The aggregate principal amount of the 2015 Bonds authorized by this order will not exceed \$530,000,000. The 2015 Bonds hereby authorized will be special obligations of the City, secured by and paid solely from the proceeds thereof or from Net Revenues (as defined in the General Indenture).

**Section 6.** The City's issuance of the 2015 Bonds, in substantially the form to be set forth in the Series Indenture, is hereby in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the 2015 Bonds are hereby approved and confirmed and are incorporated herein by reference. The proceeds from the sale of the 2015 Bonds will be deposited in accordance with the Series Indenture.

The principal of, premium, if any, and interest on the 2015 Bonds will not be payable from the general funds of the City, nor will the 2015 Bonds constitute a legal or equitable pledge, charge, lien or encumbrance on any of the City's property or on any of its income, receipts or revenues except the funds which are pledged under the Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City is pledged for the payment of the principal of, premium, if any, or interest on the 2015 Bonds, and no holder of the 2015 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

**Section 7.** The form and content of the Series Indenture and the Escrow Agreement, including the exhibits thereto, are hereby in all respects approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and City Clerk or Deputy City Clerk of the City (collectively, the "Authorized Officers") are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Series Indenture and the Escrow Agreement for

and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture and the Escrow Agreement, the Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Series Indenture and the Escrow Agreement as executed. The Trustee is hereby appointed as Registrar and Paying Agent under the Series Indenture.

**Section 8.** The City Council requests that the Commission sell the 2015 Bonds through negotiation to the Underwriters pursuant to the terms of the Purchase Agreement at a true interest cost not to exceed 5.00%. The form and content of the Purchase Agreement are in all respects approved and confirmed, and the Authorized Officers are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Purchase Agreement, the Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Agreement as executed.

**Section 9.** The City Manager and the Chief Financial Officer of the City, or their respective designees, are hereby directed, individually and collectively, to evaluate, pursue and negotiate the termination of the 2002 Swaps. The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute and deliver any agreements and other documentation necessary to achieve the termination of the 2002 Swaps either before, after or in connection with the issuance of the 2015 Bonds.

**Section 10.** The form and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the final Official Statement (the "*Official Statement*") by the Underwriters in connection with the sale of the 2015 Bonds is hereby in all respects authorized, approved and confirmed.

**Section 11.** The City Manager or Chief Financial Officer of the City is hereby authorized to execute a no-arbitrage certificate to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

**Section 12.** If any one or more of the covenants, agreements or provisions contained in this Bond Order is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such covenants, agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Bond Order or of the 2015 Bonds authorized hereunder.

**Section 13.** No stipulation, obligation or agreement contained in this Bond Order or contained in the 2015 Bonds, the General Indenture, the Series Indenture, the Escrow Agreement, the Purchase Agreement or any other instrument related to the issuance of the 2015 Bonds is a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and

no such officer, agent or employee is personally liable on the 2015 Bonds or subject to personal liability or accountability by reason of the issuance thereof.

**Section 14.** The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do any and all other acts and to execute any and all other documents which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Bond Order, the General Indenture, the Series Indenture, the Escrow Agreement or the Purchase Agreement; except that none of the above is hereby authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the City is bound, (d) any rule or regulation of the City or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

**Section 15.** The Authorized Officers, or their respective designees, are hereby authorized and directed, individually and collectively, to prepare and furnish, when the 2015 Bonds are issued, certified copies of all the proceedings and records of the City Council relating to the 2015 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2015 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, constitute representations of the City as to the truth of all statements contained therein.

**Section 16.** All acts and doings of the Authorized Officers, or their respective designees, that are in conformity with the purposes and intent of this Bond Order and in the furtherance of the issuance of the 2015 Bonds and the execution, delivery and performance of the Series Indenture, the Escrow Agreement and the Purchase Agreement, the termination of the 2002 Swaps and the application to the Commission related thereto are hereby in all respects approved and confirmed.

**Section 17.** All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 18.** This Bond Order will take effect immediately on its adoption and, pursuant to Section 159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the foregoing order titled "**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS**" was adopted by the following vote:

AYES:

NAYS:

*PASSED, ADOPTED AND APPROVED* this 27<sup>th</sup> day of July, 2015.

STATE OF NORTH CAROLINA             )  
  )  
CITY OF CHARLOTTE                         )             ss:

I, \_\_\_\_\_, the \_\_\_\_\_ of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a bond order titled “**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS**” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 27<sup>th</sup> day of July, 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 July, 2015.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
City Clerk  
City of Charlotte, North Carolina



## Legislation Text

File #: 15-845 Agenda #: 14.

### Approval of Permanent Financing for Water/Sewer Capital Projects

**Action:**

- A. Adopt a bond order that makes certain statements of fact concerning long-term Water and Sewer Revenue Bonds,**
- B. Provide for the issuance of Water & Sewer Revenue Bonds in an amount not to exceed \$180 million, and**
- C. Authorize City staff to take necessary actions to complete the financing, including making application to the Local Government Commission.**

**Staff Resource(s):**

Scott Greer, Management & Financial Services

Barry Gullet, Charlotte Water

**Explanation**

- On May 12, 2014, the City Council approved the issuance of \$180 million in short-term water and sewer revenue bonds to fund ongoing project construction for the Charlotte Water Community Investment Plan (CIP), with conversion to permanent debt estimated in Fiscal Year 2016.
- The Water and Sewer Financial Plan anticipates future annual rate increases of 3%-5%, which includes the cost of current and future debt service and operating. This action to convert the short-term financing of capital construction costs over the last two fiscal years to permanent financing will not change these anticipated annual rate increases.
- The use of bond proceeds were as follows:
  - Maintaining existing treatment facilities to ensure reliable treatment processes and regulatory compliance;
  - Rehabilitation and replacement of existing water and sewer infrastructure that has met its useful performance life; and
  - Specific projects include replacing aging water and sewer lines along Independence Boulevard, replacement of the Steele Creek Wastewater Lift Station, upgrades to the Sugar Creek Wastewater Treatment Plan and the Irwin Creek Wastewater Treatment Plant, and replacing the Upper Taggart Creek sewer line.
- The Local Government Commission is expected to review this transaction for approval during its August meeting. Upon approval, the transaction is scheduled to close at the end of August.

**Next Steps**

- An additional action will be included on the August 24 Council Business Meeting agenda to request the City Council approve the authorization a new short-term bond program to fund future ongoing construction expenses approved in the Charlotte Water CIP.

**Fiscal Note**

Funding: Charlotte Water Debt Service Fund

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**File #:** 15-845 **Agenda #:** 14.

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**Attachment**

Bond Order-Charlotte Water Sewer 2015 Refunding

## BOND ORDER

**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS**

**WHEREAS**, the City of Charlotte, North Carolina (the “City”) is authorized by the State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the “Act”), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time, revenue and revenue refunding bonds of the City for the purposes as specified in the Act;

**WHEREAS**, the City has determined to issue Water and Sewer System Refunding Revenue Bonds, Series 2015 of the City (the “2015 Bonds”) in a principal amount not to exceed \$350,000,000 for the following purposes:

(1) to refund all or a portion of the following bonds (collectively, the “*Refunded Bonds*”): (a) the City’s Variable Rate Water and Sewer System Revenue Bonds, Series 2002B (the “*2002B Bonds*”); (b) the City’s Variable Rate Water and Sewer System Refunding Revenue Bonds, Series 2002C (the “*2002C Bonds*”); (c) the City’s Water and Sewer System Refunding Revenue Bonds, Series 2005A maturing on and after December 1, 2015; and (d) the City’s Water and Sewer System Revenue Bonds, Series 2006A maturing on and after July 1, 2017 (the “*Refunded 2006A Bonds*”);

(2) to pay all or a portion of the costs incurred in connection with the termination of the City’s interest rate swap agreements between the City and Bank of America, N.A. related to the 2002B Bonds and the 2002C Bonds (collectively, the “*2002 Swaps*”); and

(3) to pay the corresponding costs of issuing the 2015 Bonds;

**WHEREAS**, the City has determined to issue the 2015 Bonds in an additional principal amount not to exceed \$180,000,000 for the following purposes:

(1) to prepay in full the City’s Water and Sewer System Revenue Bond Anticipation Note, Series 2014 (the “*2014 Note*”); and

(2) to pay the corresponding costs of issuing the 2015 Bonds;

**WHEREAS**, the City has determined to issue the 2015 Bonds with a fixed rate of interest;

**WHEREAS**, the City will issue the 2015 Bonds under a General Trust Indenture dated as of May 15, 2000 between the City and First Union National Bank, the successor to which is U.S. Bank National Association, as trustee (the “*Trustee*”), and Series Indenture, Number 15 dated as of August 1, 2015 (the “*Series Indenture*,” and together with the General Indenture, the “*Indenture*”) between the City and the Trustee;



**WHEREAS**, the City and the Local Government Commission of North Carolina (the “*Commission*”) have arranged for the sale of the 2015 Bonds to Wells Fargo Bank, National Association, on its own behalf and on behalf of Merrill Lynch, Pierce, Fenner & Smith Incorporated, PNC Capital Markets LLC and J. P. Morgan Securities LLC (collectively, the “*Underwriters*”), under the terms of a Bond Purchase Agreement (the “*Purchase Agreement*”) among the City, the Commission and the Underwriters, pursuant to which the City and the Commission will sell the 2015 Bonds to the Underwriters in accordance with the terms and conditions set forth therein;

**WHEREAS**, in connection with the issuance of the 2015 Bonds and the refunding of the 2002B Bonds and the 2002C Bonds, the City will terminate the 2002 Swaps;

**WHEREAS**, in addition to retaining the Underwriters for the sale of the 2015 Bonds, the City Council wants to (1) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (2) approve the selection by the Underwriters of McGuireWoods LLP, as underwriters’ counsel; (3) retain DEC Associates, Inc., as financial advisor; (4) retain Waters and Company, LLC, as financial consultant; and (5) retain U.S. Bank National Association, as trustee for the 2015 Bonds (collectively, the “*Financing Team*”);

**WHEREAS**, the City Council wants the Chief Financial Officer (1) to file with the Commission an application for its approval of the 2015 Bonds, on a form prescribed by the Commission, requesting in such application that the Commission approve (a) the negotiation of the sale of the 2015 Bonds to the Underwriters, (b) the City’s use of the Financing Team in connection with the issuance of the 2015 Bonds and (c) the termination of the 2002 Swaps, and stating in such application such facts and to attach thereto such exhibits in regard to the 2015 Bonds and to the City and its financial condition as may be required by the Commission; and (2) to take all other action necessary for the issuance of the 2015 Bonds;

**WHEREAS**, copies of the forms of the following documents relating to the transactions described above have been filed with the City:

- (1) the Series Indenture;
- (2) the Purchase Agreement;
- (3) an Escrow Agreement dated as of August 1, 2015 (the “*Escrow Agreement*”) between the City and U.S. Bank National Association, as escrow agent, related to the Refunded 2006A Bonds; and
- (4) a Preliminary Official Statement (the “*Preliminary Official Statement*”) with respect to the 2015 Bonds.

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:**

**Section 1.** The 2015 Bonds are hereby authorized and will be issued pursuant to the Act to raise the money required, in addition to any funds which may be made available for such purpose from any other source, to (a) refund the Refunded Bonds, (b) prepay in full the Note, (c) pay all or a portion of the costs incurred in connection with the termination of the 2002 Swaps and (d) pay the costs of issuing the 2015 Bonds, all as set out fully in the documents attached to the City’s application to the Commission. The use of the proceeds of the 2015 Bonds, as described, is necessary in order to achieve debt service savings for the City and to reduce the risks to the City related to the 2002 Swaps.

**Section 2.** The Financing Team is hereby approved in connection with the issuance by the City of the 2015 Bonds. The City Manager and the Chief Financial Officer are hereby authorized to retain other such professionals as may be necessary and prudent to carry out the purposes and intent of this Resolution.

**Section 3.** The Chief Financial Officer, with advice from the City Attorney and bond counsel, is hereby authorized and designated to file an application with the Commission for its approval of the issuance of the 2015 Bonds.

**Section 4.** The City Council finds and determines, and asks the Commission to find and determine from the City's application and supporting documentation, as follows:

- (a) the issuance of the 2015 Bonds is necessary or expedient;
- (b) the not to exceed stated principal amount of the 2015 Bonds will be sufficient, but is not excessive, when added to other moneys available to the Water and Sewer System to refund the Refunded Bonds and to prepay the 2014 Note;
- (c) the Water and Sewer System, as now constituted and after the completion of the refunding of the Refunded Bonds and the prepayment of the 2014 Note, is feasible;
- (d) the City's debt management procedure and policies are excellent; and
- (e) the 2015 Bonds can be marketed at a reasonable interest cost to the City.

**Section 5.** The aggregate principal amount of the 2015 Bonds authorized by this order will not exceed \$530,000,000. The 2015 Bonds hereby authorized will be special obligations of the City, secured by and paid solely from the proceeds thereof or from Net Revenues (as defined in the General Indenture).

**Section 6.** The City's issuance of the 2015 Bonds, in substantially the form to be set forth in the Series Indenture, is hereby in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the 2015 Bonds are hereby approved and confirmed and are incorporated herein by reference. The proceeds from the sale of the 2015 Bonds will be deposited in accordance with the Series Indenture.

The principal of, premium, if any, and interest on the 2015 Bonds will not be payable from the general funds of the City, nor will the 2015 Bonds constitute a legal or equitable pledge, charge, lien or encumbrance on any of the City's property or on any of its income, receipts or revenues except the funds which are pledged under the Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City is pledged for the payment of the principal of, premium, if any, or interest on the 2015 Bonds, and no holder of the 2015 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

**Section 7.** The form and content of the Series Indenture and the Escrow Agreement, including the exhibits thereto, are hereby in all respects approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and City Clerk or Deputy City Clerk of the City (collectively, the "Authorized Officers") are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Series Indenture and the Escrow Agreement for

and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture and the Escrow Agreement, the Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Series Indenture and the Escrow Agreement as executed. The Trustee is hereby appointed as Registrar and Paying Agent under the Series Indenture.

**Section 8.** The City Council requests that the Commission sell the 2015 Bonds through negotiation to the Underwriters pursuant to the terms of the Purchase Agreement at a true interest cost not to exceed 5.00%. The form and content of the Purchase Agreement are in all respects approved and confirmed, and the Authorized Officers are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Purchase Agreement, the Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Agreement as executed.

**Section 9.** The City Manager and the Chief Financial Officer of the City, or their respective designees, are hereby directed, individually and collectively, to evaluate, pursue and negotiate the termination of the 2002 Swaps. The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute and deliver any agreements and other documentation necessary to achieve the termination of the 2002 Swaps either before, after or in connection with the issuance of the 2015 Bonds.

**Section 10.** The form and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the final Official Statement (the "*Official Statement*") by the Underwriters in connection with the sale of the 2015 Bonds is hereby in all respects authorized, approved and confirmed.

**Section 11.** The City Manager or Chief Financial Officer of the City is hereby authorized to execute a no-arbitrage certificate to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

**Section 12.** If any one or more of the covenants, agreements or provisions contained in this Bond Order is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such covenants, agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Bond Order or of the 2015 Bonds authorized hereunder.

**Section 13.** No stipulation, obligation or agreement contained in this Bond Order or contained in the 2015 Bonds, the General Indenture, the Series Indenture, the Escrow Agreement, the Purchase Agreement or any other instrument related to the issuance of the 2015 Bonds is a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and

no such officer, agent or employee is personally liable on the 2015 Bonds or subject to personal liability or accountability by reason of the issuance thereof.

**Section 14.** The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do any and all other acts and to execute any and all other documents which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Bond Order, the General Indenture, the Series Indenture, the Escrow Agreement or the Purchase Agreement; except that none of the above is hereby authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the City is bound, (d) any rule or regulation of the City or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

**Section 15.** The Authorized Officers, or their respective designees, are hereby authorized and directed, individually and collectively, to prepare and furnish, when the 2015 Bonds are issued, certified copies of all the proceedings and records of the City Council relating to the 2015 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2015 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, constitute representations of the City as to the truth of all statements contained therein.

**Section 16.** All acts and doings of the Authorized Officers, or their respective designees, that are in conformity with the purposes and intent of this Bond Order and in the furtherance of the issuance of the 2015 Bonds and the execution, delivery and performance of the Series Indenture, the Escrow Agreement and the Purchase Agreement, the termination of the 2002 Swaps and the application to the Commission related thereto are hereby in all respects approved and confirmed.

**Section 17.** All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 18.** This Bond Order will take effect immediately on its adoption and, pursuant to Section 159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the foregoing order titled "**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS**" was adopted by the following vote:

AYES:

NAYS:

*PASSED, ADOPTED AND APPROVED* this 27<sup>th</sup> day of July, 2015.

STATE OF NORTH CAROLINA )  
 ) ss:  
CITY OF CHARLOTTE )

I, \_\_\_\_\_, the \_\_\_\_\_ of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a bond order titled “**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS**” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 27<sup>th</sup> day of July, 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 July, 2015.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
City Clerk  
City of Charlotte, North Carolina



## Legislation Text

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**File #:** 15-785 **Agenda #:** 15.

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### **Amend Stormwater Ordinance**

**Action:**

**Amend Chapter 18 - Stormwater Ordinance to exempt the City from paying a stormwater fee for public street rights-of-way.**

**Staff Resource(s):**

Kim Eagle, Management & Financial Services  
Daryl Hammock, Engineering & Property Management

**Explanation**

- On May 11, 2015, a public hearing was held on the Stormwater Ordinance. There were no comments.
- The City ordinance exempts certain categories of property from paying a stormwater fee.
- Although state roads have been exempt from paying a fee since the program began, the City's public street rights-of-way were not exempt.
- Early in the program, the City's general fund paid a contribution to the program in lieu of paying a fee specifically based on City street impervious area.
- The general fund contribution rose proportionately with the percentage of annual fee increases, but did not rise to reflect increases in impervious area.
- In Fiscal Year 2007, the City Council capped future contributions from the City's general fund to the stormwater enterprise fund at the Fiscal Year 2006 level of approximately \$5.7 million.
- The City's general fund often invests in stormwater system improvements through neighborhood and transportation improvement and transit projects.
- Most large NC cities do not pay a stormwater fee based on impervious surface for public street rights-of-way.
- The surrounding Mecklenburg towns do not pay a stormwater fee.
- The amendment would allow an exemption for public rights-of-way within the City, which will result in the ordinance being consistent with the current practice of how it collects stormwater fees.
- This ordinance change will not affect the payment amount from the General Fund to Storm Water Services.

**Background**

- Under North Carolina law for public enterprises, cities are authorized to set and collect fees to fund storm drainage maintenance and replacement, and to comply with Federal Clean Water Act requirements.
- The City and Mecklenburg County together established a combined stormwater utility in January 1993 and began assessing fees to most public and private property.

**Fiscal Note**

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**File #:** 15-785 **Agenda #:** 15.

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Funding: Not Applicable

**Attachment**

Amended Stormwater Ordinance



Sec. 18-39. - Stormwater service charges

(a) Pursuant to an interlocal agreement entitled "Agreement for Operation of a Single Storm Water System within Mecklenburg County," which became effective January 1, 1994, the city manager shall request the county to set and revise, from time to time, the service rate charge ~~in accordance with the "Storm Water Rate Methodology," dated May 13, 1996, a copy of which is on file in the office of the city clerk, or any subsequent methodology~~ agreed to and adopted by both governing bodies. Upon the expiration or termination of such interlocal agreement, the city council shall establish the service rate charge and base rate charge.

(b) Payment will be applied to a customer's bill in the following order:

- (1) Civil penalties assessed pursuant to this chapter;
- (2) Delinquent fees for water and/or sewer;
- (3) Stormwater; and
- (4) Water and/or sewer.

(Code 1985, § 18-4)

Sec. 18-40. - Exemptions and credits applicable to service charges

(a) Except as provided in this section, no public or private property shall be exempt from stormwater service charges or receive a credit or offset against such service charges. No exemption or reduction in stormwater service charges shall be granted based on the age, tax or economic status, race, or religion of the customer, or other condition unrelated to the cost of providing stormwater services and facilities.

(b) The following exemptions from stormwater service charges shall be allowed:

- (1) Undeveloped land.
- (2) Public road rights-of-way which have been conveyed to and accepted for maintenance by the city and the state and are available for use in common by the general public for motor vehicle transportation, but this exemption shall not apply to any other uses of developed land for public purposes, such as, but not limited to, ~~public street rights-of-way conveyed to and accepted for maintenance by the city,~~ offices, airports, maintenance yards, water and wastewater treatment plants and water reservoirs, parking lots or garages, parks, recreation facilities, libraries, schools, colleges, universities, social service centers, public housing, hospitals, convalescent centers, and other developed land used for public purposes. This exemption also shall not apply to internal site roadways within such public facilities; to private roads or drives; or to internal roads, drives, and parking areas in privately owned properties.
- (3) Railroad tracks, but this exemption shall not apply to railroad stations, maintenance buildings, or other developed land used for railroad purposes.



## Legislation Text

File #: 15-834 Agenda #: 16.

### Amend the City's Benefits Plans

**Action:**

**Amend the City's group benefits plans to limit benefits to spouses (same-sex or opposite sex) and dependents and to discontinue benefits for same-sex domestic partners, effective January 1, 2016.**

**Staff Resource(s):**

Cheryl Brown, Human Resources

**Explanation**

- As part of the Fiscal Year 2013 budget process, On July 11, 2012, the City Council authorized the City Manager or his designee to design, develop, and implement policies and programs to extend benefit coverage to same-sex domestic partners, effective January 1, 2013. Benefit coverage was not extended to opposite-sex domestic partners as these couples had the option to get married and add their spouse due to marriage.
- In light of the recent United States Supreme Court decision in Obergefell v. Hodges relating to state recognition of same-sex marriages under the Equal Protection Clause of the United States Constitution, staff recommends ending the policy offering coverage for same-sex domestic partners at the expiration of the current benefit plan year (December 31, 2015), and offering benefit coverage to legal spouses of all qualifying City employees, whether same-sex or opposite-sex spouses, effective at the beginning of the next benefit plan year (January 1, 2016). With the recent ruling, same-sex couples now have the option of legally-recognized marriage; therefore, this change will treat both same-sex couples and opposite-sex couples the same.
- As of July 1, 2015, 19 employees and non-Medicare-eligible retirees have selected benefit coverage under this extension.
- An employee's same-sex domestic partner who chooses not to get married, thus not qualify for spousal coverage will have the opportunity to obtain insurance coverage through the Health Insurance Marketplace.
- Employees who subsequently get married after the conclusion of the City's Open Enrollment period may then add their spouse, same-sex or opposite-sex, to the City's health plan within 31 days from the date of marriage.
- Representatives from the City's Human Resources Department have spoken with all affected employees and pre-Medicare-eligible retirees to explain the change and options for continued coverage.
- With an effective date of January 1, 2016, this recommendation will permit same-sex domestic partner benefits to remain available both to existing and newly qualified employees through the remainder of this benefit plan year. It also provides adequate time for dependents to obtain coverage through other means such as the Health Insurance Marketplace or their own employer.

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**File #:** 15-834 **Agenda #:** 16.

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**Fiscal Note**

Funding: Not Applicable



## Legislation Text

File #: 15-891 Agenda #: 17.

### NBA All-Star Game

**Action:**

**Approve a City Services Agreement describing specific services, event support, licensing, advertising, and permitting commitments with the National Basketball Association for hosting the 2017 All-Star Game in Charlotte. Through an agreement with the Charlotte Regional Visitors Authority, the City's contribution for City services will be capped at \$600,000.**

**Staff Resource(s):**

Tom Murray, Charlotte Regional Visitors Authority  
Ron Kimble, City Manager's Office  
Cindy White, City Attorney's Office

**Explanation**

- A proposal to host the 2017 National Basketball Association (NBA) All-Star Game was developed by the Charlotte Hornets and Charlotte Sports Foundation, with support from the City of Charlotte and Charlotte Regional Visitors Authority (CRVA).
- The Hornets and Sports Foundation delivered the proposal to the NBA in August 2014.
- In April 2015, the NBA representatives travelled to Charlotte for a site visit and to hold contract discussions.
- The NBA announced Charlotte as the site for the 2017 All-Star Game on June 23, 2015.
- Expenses to support the All-Star Game will be offset by revenues and is expected to leverage at least \$60 million in direct spending and \$100 million in economic impact in Charlotte.

**Economic and Community Benefits**

- The All-Star Game, a celebration of athletic excellence in the NBA, is held in February of each year.
- Various All-Star events will be held in multiple venues.
- The direct economic benefit from the event is expected to be at least \$60 million, an amount between that of the CIAA and the Democratic National Convention.
- Expected spending by visitors and organizations associated with the 2017 All-Star Game is estimated to generate at least \$7.2 million in state and local tax receipts as a result of the event.
- The NBA also develops legacy service projects during the All-Star event that generates additional community benefits for the host community.
- During the 2015 NBA All-Star event in New York, 754 health and fitness events were held impacting over 1 million children.
- Multiple events were held in New York during the All-Star Week that provided positive impacts for sustainability, women in technology, veterans, disabled athletes, Special Olympics, and at-risk children.
- It is expected that the NBA will produce a similar volume and quality of community programs in Charlotte in 2017.
- Recent host cities include New York in 2015, New Orleans in 2014, Houston in 2013, and Orlando

in 2012. Toronto will host in 2016.

- New Orleans (the most recent host for which economic information is available) hosted 54,576 visitors to the All-Star Game in 2014. Total direct spending during the New Orleans All-Star event, including visitors and organizations associated with the event, was \$60.4 million.
- Total economic impact for the City of New Orleans was \$106.1 million, including spending by the host organizations and other indirect and induced spending during the event.
- Additionally, the All-Star Game will enhance the City's marketing efforts through 22.3 million television viewers, 1.2 billion social media impressions, and will be seen in as many as 215 countries in nearly 50 languages. This will bring additional national and international exposure to Charlotte.

## **Funding Proposal**

### City of Charlotte

- The City of Charlotte's recommended funding commitment to support the NBA All-Star Game includes a \$600,000 in-kind contribution primarily in the form of public safety and traffic control costs and a \$1.5 million appropriation from Hospitality Tax funds in 2017.
- The City and CRVA will also solicit support from the State of North Carolina and Mecklenburg County.

### Charlotte Regional Visitors Authority

- CRVA will invest \$1.0 million in Business Development funds and commit \$250,000 in event profits to fund the Local Organizing Committee, which is in charge of coordinating the event.
- In addition to providing funding support, CRVA will host All-Star events at the Charlotte Convention Center and Bojangles Coliseum and handle destination management responsibilities for the event.

### Charlotte Hornets

- The Charlotte Hornets will commit \$150,000 in event profits to help fund the Local Organizing Committee.
  - The Hornets will collaborate with the Charlotte Sports Foundation to generate \$1.5 million in sponsorship and ticket package sales revenue to further fund the Local Organizing Committee.
  - CRVA and the Hornets will split 50/50 the risk on sponsorship and ticket package sales revenue above/below \$1.5 million.
  - In addition to providing funding support, the Hornets will host All-Star events at Time Warner Cable Arena.
  - Total revenues identified to support the event are estimated to be **\$5,856,400**, including the following:
    - City In-Kind Services: \$600,000,
    - Hospitality Taxes: \$1,500,000,
    - CRVA Business Development: \$1,000,000,
    - CRVA Food and Beverage Net Income: \$250,000,
    - Sponsorship Packages: \$1,500,000,
    - Hornets Time Warner Cable Arena Event Net Income: \$150,000, and
    - Support from State, support from Mecklenburg County, and/or sponsorship sales that exceed budget: \$856,400.
  - Total expenses to hold the event in Charlotte are estimated to be **\$5,856,400**, including the following:
    - Use of Time Warner Cable Arena: \$1,606,400\*,
    - Use of Charlotte Convention Center and Bojangles Coliseum: \$1,000,000,
    - Destination Management: \$1,150,000,
    - Host Fee: \$750,000,
    - City Services: \$600,000, and
    - Sales Tax for Complimentary and Sponsor Tickets: \$750,000.
- \*This is the cap on expense at the Time Warner Cable Arena. Any expenditure savings below the*

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**File #:** 15-891 **Agenda #:** 17.

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*cap will be shared 50/50 between the Hornets and CRVA.*

**Fiscal Note**

- Funding for City services will be included in the City Manager's Fiscal Year 2017 Recommended Budget and will not come from the General Fund Operating Budget. Currently, it is anticipated that the City's in-kind costs, estimated at \$600,000, will be funded from the excess proceeds from the sale of Interstate-277 land parcels.
- The City's contribution for City services will be capped at \$600,000, with the CRVA providing funding for any expenses above \$600,000.
- The City's Fiscal Year 2017 budget will include allocations of hospitality funding to the CRVA with a contract in place covering the use of such funding.

**Attachment**

City Services Agreement

## CITY SERVICES AGREEMENT

This CITY SERVICES AGREEMENT (“**City Services Agreement**”), dated as of May \_\_, 2015 between NBA ENTERTAINMENT, a division of NBA Properties, Inc. (“**NBAE**”), and the CITY OF CHARLOTTE (the “**City**”). Capitalized terms used but not defined in the main body of this City Services Agreement will have the definitions ascribed to them in Exhibit B.

1. City shall be responsible for:

(a) furnishing and/or obtaining on behalf of NBAE and its designees, at no cost to NBAE or its designees, all approvals, inspections, licenses or permits (including, but not limited to any “special event” permits) from City or other local authorities necessary to enable NBAE and its designees during the Arena License Period to conduct the Events, including NBA Fan Events, at locations to be determined by NBAE, (i) to execute NBAE’s local transportation plans for the Events, including NBA Fan Events, which will be developed in consultation with the City (including, without limitation, the execution of any street closures and the staff needed to enact such closures), (ii) establish a security perimeter around each of the Designated Locations (as defined below) that are used to host Events, including NBA Fan Events, in consultation with local traffic and public safety authorities, (iii) conduct the sale of merchandise at the Events, including NBA Fan Events, and any NBA All-Star venues (including, but not limited to, the Arena, the Charlotte Convention Center (the “**Convention Center**”), the Bojangles Coliseum (the “**Coliseum**”) and Hotels) and (iv) subject to applicable law, including, without limitation, ordinances pertaining to decorative signs or banners and temporary on-site signs, and except to the extent prohibited by contract, decorate (A) any streets, facilities and other community locations (e.g., street poles, bus stops) within one-half mile of any NBA All-Star venue, (B) Charlotte Douglas International Airport, (C) the Arena, Convention Center, Coliseum and Hotels and (D) any facilities controlled by City ((A), (B), (C) and (D), collectively, “**Designated Locations**”) with any Event or NBA Fan Events, and/or Event or NBA Fan Event sponsor-identified, signage and/or decorations (which shall be produced, supplied and installed at no cost to City) beginning no earlier than thirty (30) days prior to the Arena License Period and ending at the conclusion of the Arena License Period and to conduct events and activities, including, without limitation, product displays and food and other product sampling activities, in public areas on and around the premises of the Designated Locations;

(b) consistent with applicable law, reasonably cooperate, including by providing enforcement personnel, with NBAE’s efforts to prohibit and oppose during the Arena License Period: (i) the distribution of counterfeit or otherwise unlicensed merchandise relating to any Event, including NBA Fan Event (and/or any participant therein) in any of the Designated Locations; (ii) “ambush marketing” relating to any Event, Event participant or NBA All-Star generally (i.e., any third party marketing initiative (e.g., signage, sampling, events) within any of the Designated Locations other than activity on private property that is in conformance with applicable law that implies (or attempts to imply) an unauthorized association with any NBA All-Star event (or any participant therein) or otherwise unreasonably detracts from or interferes with, the promotion activities of NBAE or its designees in connection with any Event) during the Arena License Period; (iii) the issuance of any temporary sales, structures, sampling, signage, inflatables, building wraps, and/or entertainment permits or other vendor license to any vendor not authorized by the City in close consultation with NBAE which allows such vendor to operate within one-half mile of any Event location, including any NBA Fan Event; and (iv) the unlawful operation of outdoor sound systems by anyone not authorized by the City in close consultation with NBAE located within one-half mile of any Event location ((i), (ii), (iii) and (iv), collectively, the “**Prohibited Activities**”);

(c) consistent with applicable law, enacting and enforcing all reasonably necessary ordinances or policies against any and all of Prohibited Activities or any other unauthorized promotional activities during the Arena License Period which unreasonably detract from or interfere with, the promotional activities of NBAE and its designees in connection with the Events, including, without limitation, such appropriate designation as will effectuate the terms of this City Services Agreement.. No later than one hundred and eighty (180) days prior to the first Event, the City shall, consistent with applicable law, provide NBAE with details of, and enforcement powers related to, such resolutions, policies and/or ordinances; and

(d) providing the personnel and services set forth in Exhibit A throughout the Arena License Period in connection with the Events.

2. NBAE shall have the right to terminate this City Services Agreement upon notice to the City if the Arena License Agreement is terminated for any reason.

3.

(a) Except as otherwise agreed by the parties in writing in connection with the marketing of the Events using City-provided assets, the City shall not, by this City Services Agreement, obtain any right to use the names, trademarks, logos or other proprietary designations of NBAE, the NBA or its member teams (collectively the “Marks”), including, but not limited to, any Marks related to the Events, nor the City have the right to use, refer to, or incorporate in marketing or other materials the Marks in any manner without the prior written approval of NBAE (which approval may be granted or withheld in NBAE’s sole discretion) in each instance.

(b) The City shall grant NBAE the non-exclusive, royalty-free license to use, and to authorize its licensees to use, the City name and any City-controlled logos, images and depictions of the City landscape or skyline, including identifying buildings or other sites, as would be contained in photographs or other depictions of the City which may be incorporated into Event-related merchandise (e.g., t-shirts, hats) and advertising and promotional materials (e.g., banners, print and television advertisements, programming, large-scale building “wraps”) in all media throughout the world in perpetuity, and shall cause any other party with rights to any City-controlled logos, images and depictions of such building(s) which may be incorporated into merchandise and advertising and promotional materials, to grant NBAE the non-exclusive royalty-free license to include, and to authorize its licensees to include, any such logos, images and depictions in all media throughout the world in perpetuity, provided that nothing herein shall be deemed to grant a license to use any logos, images or depictions that are not controlled by the City, or to require the City to obtain a license to use such logos, images or depictions from a third party. The City acknowledges and agrees that such Event-related merchandise and materials may be distributed by NBAE and its licensees throughout the world in perpetuity. The City agrees to defend, hold harmless and indemnify NBAE, its affiliates and their respective licensees from and against, any and all third party claims, damages, costs (including reasonable attorneys’ fees) arising out of claims that the City, or any other such party, does not have the right to grant the license to City-controlled logos, images and depictions as provided herein.

4. The City shall identify in writing to NBAE the representatives from all of the venues, facilities, governmental entities and other community leaders whose services and/or other participation are required in connection with the Events (e.g., airport, public safety, hotel community, Arena, Coliseum and Convention Center officials) to participate in an operational host group (the “**Operational Host Group**”) to be established and managed by Charlotte Arena Operations, LLC (“**CAO**”), and make such Operational Host Group available to NBAE or its



designees for telephonic and in-person meetings as requested by NBAE in the NBA All-Star planning process beginning at least one year prior to the Arena License Period. The Operational Host Group shall maintain a close partnership with the local government to fulfill a variety of responsibilities, including the adoption of tax exemptions and anti-ambush marketing measures and the coordination of municipal agency participation and cooperation.

5.

(a) The City represents and warrants to NBAE that: (i) the City has the full power, authority and legal right to enter into and perform this City Services Agreement; (ii) this City Services Agreement, when signed by both parties, will be a legal, valid and binding obligation of the City, enforceable against the City in accordance with its terms; (iii) the performance by the City of its obligations under this City Services Agreement does not and will not violate or infringe any right of any person or entity; (iv) the City will perform its obligations under this City Services Agreement in a professional and diligent manner in accordance with all applicable laws, regulations and rules, and will avoid any conflicts of interest in the performance of its obligations; and (v) the City has not taken and will not take any action that interferes in any manner with NBAE's rights under this City Services Agreement or that is otherwise inconsistent with the terms of this City Services Agreement. The City further represents and warrants that, as of the date hereof, except for taxes imposed by the State of North Carolina, neither the City nor the Charlotte Regional Visitors Authority or any other entity currently imposes any tax or other levy or charge on the sale, distribution or use of tickets to any of the Events held within Mecklenburg County, N.C except for fees charged by third party ticketing agents.

(b) NBAE represents and warrants that it has the right and authority to enter into and fully perform this City Services Agreement.

6.

(a) The City will indemnify, defend and hold harmless the NBAE, NBA Properties, Inc., the NBA and its member teams, and each of their respective affiliates, officers, directors, owners, successors and assigns from and against any damages, claims, liabilities, and costs, including reasonable attorneys' fees, court costs and related disbursements, or losses of any kind or nature whatsoever (whether incurred by NBAE in actions involving third parties or in actions against the City to enforce its rights hereunder) to the extent it may in any way arise from (i) the acts or omissions of City, its respective employees or other persons retained by the City or (ii) any breach by the City of the terms (including, any representation, warranty or covenant) of this City Services Agreement. Nothing contained in this City Services Agreement shall constitute or be construed as a waiver of the City's governmental immunity or as establishing an exception to the public duty doctrine.

(b) NBAE will indemnify, defend and hold harmless the City and its officers, employees, representatives, council persons, consultants and agents from and against any damages, claims, liabilities, and costs, including reasonable attorneys' fees, court costs and related disbursements, or losses of any kind or nature whatsoever (whether incurred by the City in actions involving third parties or in actions against NBAE to enforce its rights hereunder) to the extent it may in any way arise from (i) the acts or omissions of NBAE, its respective employees or other persons retained by NBAE or (ii) any breach by NBAE of the terms (including, any representation, warranty or covenant) of this City Services Agreement.

(c) The parties' obligations under this Section 6 shall survive termination or expiration of this City Services Agreement.

7. Notwithstanding anything contained herein to the contrary, to the extent this City Services Agreement (including Exhibit A) requires the City to grant or obtain any consent, approval, inspection, license or permit or to perform any obligation that falls within the authority of or requires the permission of a third party, the City agrees to undertake reasonable efforts to cause such third party to comply, but the City shall not be liable for any failure or refusal on the part of a third party to grant such consent, approval, inspection, license or permit or to perform such obligation.

8. No Indirect Damages. IN NO EVENT SHALL EITHER PARTY BE LIABLE UNDER ANY PROVISION OF THIS AGREEMENT FOR ANY SPECIAL, INDIRECT, INCIDENTAL, CONSEQUENTIAL, EXEMPLARY, TREBLE OR PUNITIVE DAMAGES, IN CONTRACT, TORT OR OTHERWISE, WHETHER OR NOT CAUSED BY OR RESULTING FROM THE SOLE OR CONCURRENT NEGLIGENCE OF SUCH PARTY OR ANY OF ITS OFFICERS, CITY COUNCIL MEMBERS, BOARD OF GOVERNORS, EMPLOYEES OR AGENTS. NOTWITHSTANDING THE FOREGOING, THIS LIMITATION OF LIABILITY SHALL NOT APPLY TO THIRD-PARTY CLAIMS.

9. If a major event such as a natural disaster, accident or visit from a politician or political candidate requires a significant unanticipated use of City resources, the City shall manage its resources accordingly and is excused from its obligations under this City Services Agreement to the extent necessary to do so.

10. The City will not assign this City Services Agreement and shall not delegate any of its obligations under this City Services Agreement without the prior written consent of NBAE (which consent may be granted or withheld in NBAE's sole discretion).

11. This City Services Agreement shall be governed and construed in accordance with the laws of the State of North Carolina, without regard to its choice-of-law principles, provided that to the extent permitted by law any matters concerning enforcement of NBAE's intellectual property rights shall be governed by the laws of the State of New York. Any claim arising under this City Services Agreement shall be prosecuted exclusively in a court of competent jurisdiction located within the City of Charlotte, North Carolina, and the parties consent to the jurisdiction of such court and to the service of process by mail.

12. This City Services Agreement constitutes the entire agreement and understanding between the parties and cancels, terminates and supersedes any prior agreement or understanding relating to the subject matter of this City Services Agreement. This City Services Agreement may not be amended or otherwise modified except by a writing signed by both parties that references this City Services Agreement.

13. This City Services Agreement may be executed by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement. Delivery of an executed counterpart of a signature page to this City Services Agreement by facsimile or other generally acceptable electronic means (e.g., PDF) shall be effective as delivery of a manually executed counterpart of this City Services Agreement.

[SIGNATURE PAGE FOLLOWS]

**IN WITNESS WHEREOF**, the parties hereto have entered into this City Services Agreement as of the date first set forth above.

NBA ENTERTAINMENT, a division of  
NBA Properties, Inc.

CITY OF CHARLOTTE

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

EXHIBIT:  
EXHIBIT A

CITY SERVICES AND PERSONNEL

**CITY SERVICES AND PERSONNEL**

The City shall:

• **Traffic/Vehicle Staging/Parking**

1. Provide, at no cost to NBAE, curb space near the Designated Locations to stage buses, luxury sedans, and passenger vans, park production trailers and vehicles and uplink trucks and operate commercial generators, throughout NBAE's license period at the Convention Center;
2. Be responsible, at no cost to NBAE, for any sign posting, deployment and cones, barricades and other equipment, meter bagging and otherwise implementing the street or curb lane closures necessary to effectuate NBAE's Event production and transportation plans, subject to review and consent by the City, which consent will not be unreasonably withheld or delayed;
3. Provide, at no cost to NBAE, a minimum of six hundred (600) bike racks (or similar equipment) to be used as barricades for Event transportation services and/or line queuing and all necessary street closing and/or directional electronic signage;
4. On or prior to June 1, 2016, provide NBAE with contact information for local suppliers for any additional bike rack requirements; and
5. Provide a traffic liaison or officer to provide consultation on City and Arena traffic management planning, at no cost to NBAE.

• **Police Services**

1. Provide, at no cost to NBAE, the following police services:
  - A number of police officers and resources sufficient, as reasonably agreed to by NBA Security after pre-event walkthroughs and advance planning meetings with the City Police Department, to ensure public safety and effective crowd traffic management in all public areas in the City and in and around the Events and the Fan Events (collectively, the "**Event-Related Venues**") and venues for NBA Sanctioned Community Events (as defined below), provided that the City shall not be required to provide police officers and resources to ensure public safety and facilitate crowd traffic inside of the Event-Related Venues or inside the facilities where NBA Sanctioned Community Events are held (other than facilities owned by the City that are not managed by the CRVA). The City will conduct bomb sweeps at (i) the Arena, (ii) the Coliseum, (iii) the Convention Center and (iv) such other Event-Related Venues as the City reasonably determines necessary, in consultation with NBAE. As used herein, "**NBA Sanctioned Community Events**" means those All-Star-related community service projects and activities arranged by NBAE in the Greater Charlotte area during the 2016-17 NBA season concluding with NBA All-Star 2017.

- The City and other relevant municipalities, and their respective relevant agencies, must provide all on-duty and off-duty law enforcement officers, security officers, fire department personnel, medical response teams, canine-assisted explosive teams and all other public safeties in connection with all Event Related Venues and Event-related transportation as reasonably determined necessary by the City to protect public safety, including, without limitation, if requested by NBAE and if reasonably necessary to protect public safety, police escorts for the movements of up to 3 NBA player buses, the NBA Commissioner and the NBA Board of Governors, in accordance with a mutually approved public safety plan, at no cost to NBAE or its designees, provided that excluding the NBA Commissioner, the City will not be required to provide police escorts for more than ten (10) movements per day at no cost to NBAE, and provided further that the City shall not be required to provide, at no cost to NBAE, police officers and resources to ensure public safety and facilitate crowd traffic inside of the Hotels or inside the facilities where NBA Sanctioned Community Events are held (other than facilities owned by the City);
  - City and other relevant municipalities, and their respective relevant agencies, in coordination with NBAE and its designees shall (i) develop a comprehensive public safety and traffic control plan for all Events and (ii) utilizing National Incident Management System (NIMS) protocols, develop a comprehensive, coordinated plan for emergency preparedness and incident response. These plans must include, without limitation, the following: command and control, communication, traffic and crowd control, threat assessment, incident response and emergency preparedness. Such plans shall be developed and implemented at no cost to NBAE or its designees and shall employ the highest industry standards and best practices taking into account similar events, including prior NBA All-Stars; and
  - The Operational Host Group and all relevant public safety officials, at no cost to NBAE, shall attend an incident response “tabletop exercise” to be organized by NBAE within sixty (60) days prior the Arena License Period.
2. Provide, at no cost to NBAE, the following airport support: deliver to NBAE signed letters evidencing the commitment of senior management of the area airport(s) to cooperate with NBAE’s Events-related needs, including but not limited to, arrival and departure of private planes, charters and VIP guests.
  3. If requested by NBAE, provide one management level public safety representative, who will work with NBAE during all or such portion of the Arena License Period requested by NBAE and serve as NBAE’s liaison point of contact for all sanctioned Event security matters.

- **Other Services**

1. Permit NBAE to use, at no cost to NBAE, landmarks and cityscapes controlled by the City and trademarks and other intellectual property controlled by the City in NBAE’s creative design for NBA All-Star related merchandise and collateral materials;

2. Secure, at no cost to NBAE, all necessary permits for NBAE to conduct the Events and the promotion thereof (except for building and construction permits), including for NBAE (i) subject to Section 1(a) of the City Services Agreement, to hang street-pole banner at prime locations around Event-related venues beginning no later than January 15, 2017, through conclusion of the Arena License Period and waive and cause all other relevant governmental entities to waive any charges in connection with the installation of such street-pole banners or other Event signage in the City, and (ii) to conduct its Event-related transportation plan, and waive and cause all other relevant governmental entities to waive any charges or other costs associated with securing City permits required in connection with NBAE's effectuating such plan;
3. Other than the advertising signage being provided to NBAE at no cost to NBAE as set forth herein, grant to NBAE a right of first refusal to purchase (or authorize sponsors and/or other third parties to purchase) any and all advertising signage at rates on the city/state transportation vehicles and locations (including buses, bus stops, trolleys, light rail service, subways, monorails, taxis and any other billboard or signage location controlled and/or permitted by the City or other governmental entity) during the three (3) month period prior to and including the 2017 NBA All Star Game, it being understood that such rates shall be consistent with the lowest rates charged for similarly sized advertising running for six (6) months or less within the twelve (12) month period immediately prior to the 2017 NBA All Star Game, provided that: (a) the City shall not be required to breach any contract with any other advertiser or third party that was entered into prior to the date of this City Services Agreement; and (b) NBAE's first refusal rights under this paragraph shall terminate three (3) months prior to the date of 2017 NBA All Star Game. NBAE will provide the City with a written list of official sponsors at least three (3) months prior to the date of the 2017 NBA All Star Game to ensure that the NBAE's rates are properly applied. The City will notify NBAE in writing of any advertising offers subject to the NBAE's right of first refusal. In order to exercise its right of first refusal with respect to an advertising offer, NBAE must meet both of the following requirements: (x) within five (5) business days after receipt of the City's notice, NBAE must notify the City that NBAE intends to exercise its option to purchase the advertising; and (y) within fifteen (15) business days after receipt of the City's notice, and following good faith negotiations between NBAE and the City or its third party agent, NBAE must be willing to sign a contract with the City or its third party agent to purchase the specified advertising. If NBAE fails does not meet these requirements, NBAE's right of first refusal shall expire with respect to such advertising opportunity. NBAE will comply with the Metropolitan Transit Commission's advertising policy and the City's zoning ordinance for transit advertising.
4. Shall:
  - o develop and implement a sustainability program designed to leave an environmentally sustainable footprint in the City, and which shall include the collection (in public and non-public areas) and appropriate recycling of all recyclable materials (including, but not limited to, cardboard boxes, paper, electronic equipment such as batteries and cabling, cans, bottles and appropriate building materials); and

- submit its sustainability program for NBAE review prior to August 1, 2016, and after the Events, provide NBAE with all data requested by NBAE on the City's recycling activities; and
- 5. Provide such additional support and assistance as NBAE may reasonably request in connection with the Events at no cost to NBAE if the City can do so without material cost. If NBAE requires additional support and assistance that will require a material expenditure by the City, NBAE will request such services in writing from the City and the parties will work in good faith to agree on terms under which such additional support and assistance will be provided.

**DEFINITIONS**

The following terms shall have the meanings ascribed below for purposes of the City Services Agreement.

**“Arena”** means the venue currently known as the Time Warner Cable Arena in Charlotte, NC.

**“Arena License Agreement”** means the agreement between NBAE and CAO with respect to NBAE’s use of the Arena in connection with NBA All-Star 2017.

**“Arena License Period”** means the period commencing at 6:00 AM on February 10, 2017 and concluding at 11.59 PM on February 20, 2017.

**“Events”** means the events and activities conducted by or on behalf of NBAE and official, NBA sanctioned events conducted by or behalf of NBAE sponsors or other designees in connection with NBA All-Star 2017.

**“Hotel”** means any hotel with which NBAE has entered into or will enter into a contract governing NBAE’s use of such hotel in connection with NBA All-Star 2017.

**“NBA Fan Events”** means certain Events taking place at the Convention Center.





## Legislation Text

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**File #:** 15-849 **Agenda #:** 18.

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### **Charlotte International Cabinet Restructuring**

**Action:**

**Approve changes to the charge and structure of appointments to the Charlotte International Cabinet.**

**Staff Resource(s):**

Bill Cronin, Neighborhood & Business Services  
Alexis Gordon, Neighborhood & Business Services

**Explanation**

- The history of the Charlotte International Cabinet is as follows:
  - 1992: the Mayor’s International Cabinet (MIC) was created.
  - 2008: City Council merged MIC and Charlotte Sister Cities Committee to create Charlotte International Cabinet (Cabinet).
  - 2012: The Lee Institute conducted a study of the mission and structure of the Cabinet and recommended the creation of an Office of International Relations to separate Charlotte Sister Cities as an independent non-profit, and limit the size of the Cabinet to no more than 21 members (previously 30 members).
  - 2013: City Council accepts the recommendation and creates the Office of International Relations. A hold is placed on Cabinet appointments to cause attrition.
  - 2014: Began discussions on a possible restructure of appointments due to a category imbalance.
  - 2015: Immigrant Integration Task Force recommended an evaluation of the charges and composition of the Cabinet.
- The Office of International Relations proposes the following reorganization:
  - Retain the same number of appointments: 14 by the City Council and 7 by the Mayor;
  - Reassign categorized appoints to be in line with other citizen advisory boards;
  - The Chair and Vice-Chair will be selected by the Mayor; and
  - Minor changes to the Cabinet’s charge to reflect a new structure and focus of work.

**Fiscal Note**

Funding: Not Applicable

**Attachment**

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**File #: 15-849 Agenda #: 18.**

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Proposed Charlotte International Cabinet Membership Structure and Charge

# Proposed Revisions to the Charlotte International Cabinet

## Cabinet Structure

Current make-up of Cabinet:

- 21 members (14 by Council, 7 by Mayor)
- Non-Profit (2 by Council, 1 by Mayor)
- Business (4 by Council, 1 by Mayor)
- Education (2 by Council, 3 by Mayor)
- Cultural/Ethnic (2 by Council, 1 Mayor)
- Open (4 by Council, 1 by Mayor)

Proposed make-up of Cabinet (shown in table below):

- 21 members (14 by Council, 7 by Mayor)
- NC Consular Corp (1 by Mayor)
- Airport (1 by Council)
- Charlotte Regional Visitor Authority (1 by Council)
- Charlotte Chamber of Commerce (1 by Council)
- Mecklenburg County (1 by Mayor)
- Cultural/Ethnic (2 by Council, 1 by Mayor)
- International Business (2 by Council, 1 by Mayor)
- Education/Non-profit (2 by Council, 1 by Mayor)
- At- large (4 by Council, 2 by Mayor)

Member Category	Appointment	Current Member	Start of Term	Term Expires	Possible Re-appointments
NC Consular Corps <sup>1</sup>	Mayor	---	2015	2018	1
Airport <sup>2</sup>	City Council	---	2015	2018	1
Charlotte Regional Visitors Authority <sup>2</sup>	City Council	---	2016	2019	1
Charlotte Regional Partnership <sup>1</sup>	City Council	---	2016	2019	1
Charlotte Chamber <sup>1</sup>	City Council	---	2016	2019	1
Mecklenburg County <sup>2</sup>	Mayor	---	2016	2019	1
Cultural/Ethnic <sup>3</sup>	City Council	---	2015	2018	1
Cultural/Ethnic	Mayor	Troy Pelshak	2013	2016	1
Cultural/Ethnic	City Council	Xin Zhang	2015	2018	0
International Business <sup>3</sup>	City Council	---	2015	2018	1
International Business	Mayor	Al Killeffer	2013	2016	1
International Business	City Council	Sean Gautam	2013	2016	1
Education/Non-profit <sup>3</sup>	Mayor	Loren Fauchier	2013	2016	1
Education/Non-profit	City Council	Candace Murray	2013	2016	1
Education/Non-profit	City Council	Jian Zhang	2015	2018	0
At-Large	City Council	---	2015	2018	1
At-Large	Mayor	Madelyn Baer	2013	2016	1
At-Large	Mayor	Nancy Carter	2013	2016	1
At-Large	City Council	Cindy Barnes	2014	2017	0
At-Large	City Council	Larken Egleston	2015	2018	0
At-Large	City Council	Yolanda Perry	2013	2016	1

Notes:

- 1) A member of the organization or a staff person is eligible for appointment
- 2) A staff member is eligible for appointment
- 3) See next page for definition of category

- **Cultural/Ethnic:** nominees will represent the diversity in our community through their cultural/ethnic background or by being on the board or in the employment of an organization which serves our culturally/ethnically diverse population.
- **International Business:** nominees will represent our growing global economy by being an international entrepreneur or an international business owner or employee.
- **Education/Non-profit:** nominees will represent the institutions and organizations which provide the skills and experiences necessary to build a globally competitive population by being a member or employee of an educational institution or a non-profit organization in Charlotte.

**Cabinet Charge**

<b>Current</b>	<b>Proposed</b>
Provide input and recommendations to City Council on topics pertaining to international affairs of domestic and foreign origin.	Provide input and recommendations to City Council on topics pertaining to international affairs of domestic and foreign origin. <i>(no change)</i>
Promote a forum for the international community to raise issues, discuss and have input into City policy responses.	Promote a forum <i>to convene the international, immigrant, and other communities to raise visibility of issues facing the community at large, and promote collaboration among Charlotte's diverse population.</i>
Encourage growth of international business through partnerships that support globally-competent workforce development, entrepreneurship, and foreign direct investment.	Encourage growth of international business through partnerships that support globally- <u>competitive</u> workforce development, entrepreneurship, foreign direct investment, <u>and exporting.</u>
Keep City Council and City staff abreast of conditions in the international community that may affect business-government relations.	Keep City Council and City staff abreast of conditions in the international <u>and immigrant communities,</u> and <u>how these conditions might</u> affect business-government relations.
Advise Mayor and City Council on international travel and on formal invitations for incoming delegations.	Advise Mayor and Council on international travel and on formal invitations for incoming delegations. <i>(no change)</i>

\*indicates revised wording



Legislation Text

File #: 15-851 Agenda #: 19.

**Business Investment Grant for Dimensional Investment Fund Advisors, LP**

**Action:**

**Approve the City's share of a Business Investment Grant to Dimensional Investment Fund Advisors, LP for a total estimated amount of \$2,787,453 over seven years (total City/County grant estimated at \$7,638,584).**

**Staff Resource(s):**

Bill Cronin, Neighborhood & Business Services

**Explanation**

- Dimensional Fund Advisors, LP (the Company) is a leading global investment firm founded in 1981, and based in Austin, Texas. Their primary business is investment management.
- The Company has more than 850 employees across 11 offices in eight countries; serving clients in more than 25 countries.
- The Company provides investment solutions for institutions, such as pension funds, retirement plans, insurance companies, governments and agencies, endowments and foundations, and financial advisors.
- On July 8, 2015, the Company announced its decision to establish an east coast regional headquarters in Charlotte to support company growth and provide better support to regional clients, and improve the company's capacity to recruit regional talent.
- The Company considered competitive offers in Austin, Texas, and York County, South Carolina.
- The project will include the following:
  - \$98 million in capital investment (\$88 million for a new regional headquarters facility and \$10 million in technology, machinery, and furniture and fixtures)
  - 316 new jobs over five years (85% locally hired and 15% relocated) with an average annual wage of \$154,000 (318% of the regional average wage)
  - New jobs will be in the areas of financial advising, portfolio management, research, compliance, trading, and corporate operating positions in legal, finance, and executive leadership.

Business Investment Grant

- The project meets each of the City Council-approved criteria for Regional Headquarters project for a seven-year term.
- On June 22, 2015, the City Council indicated its intent to approve a Business Investment Grant to the Company in a closed session.
- On July 7, 2015, the Mecklenburg County Board of County Commissioners indicated its intent to approve a Business Investment Grant to the Company in a closed session, and will vote in public session on August 4, 2015.
- The state of North Carolina has awarded an \$11.9 million Job Development Investment Grant.
- The general terms and conditions of this grant include:

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**File #:** 15-851 **Agenda #:** 19.

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- A portion of the grant must be repaid if the company moves this investment from Charlotte within seven years of the end of the grant term.
- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
- All property taxes due from the company must be paid before a grant payment is made.

**Fiscal Note**

Funding: Business Investment Grant

**Attachment**

Business Investment Grant Analysis

## Business Investment Grant Project Analysis

	Estimated Business Investment Grant Paid	Estimated City Taxes Paid	Net Revenue to City
Year 1	\$408,753	\$454,170	\$45,417
Year 2	\$404,535	\$449,483	\$44,948
Year 3	\$400,739	\$445,265	\$44,527
Year 4	\$397,364	\$441,515	\$44,152
Year 5	\$394,410	\$438,235	\$43,823
Year 6	\$391,880	\$435,422	\$43,542
Year 7	\$389,771	\$433,079	\$43,308
Year 8		\$430,735	\$430,735
Year 9		\$428,861	\$428,861
Year 10		\$426,986	\$426,986
Year 11		\$424,486	\$424,486
Year 12		\$424,486	\$424,486
Year 13		\$424,486	424,486
<b>Total</b>	<b>\$2,787,453</b>	<b>\$5,657,209</b>	<b>\$2,869,757</b>



## Legislation Text

File #: 15-786 Agenda #: 20.

### LYNX Blue Line Extension Long-Term Financing

**Action:**

- A. Adopt a resolution authorizing the negotiation of an amendment to an installment financing contract and submission of an application to the U.S. Department of Transportation for a Transportation Infrastructure Finance and Innovation Act Loan,**
- B. Set a public hearing related to the financing of the LYNX Blue Line Extension project, and**
- C. Authorize the payment of expenses associated with loan closing including but not limited to legal fees, financial advisory fees, and other required costs.**

**Staff Resource(s):**

Dee Pereira, CATS  
Scott Greer, Management & Financial Services

**Explanation**

- On March 25, 2013, the City Council approved a financing plan for the CATS LYNX Blue Line Extension (BLE) project. The \$1.16 billion BLE project is funded through a federal grant (50%), state grant (26%), and local share (24%).
- The local share of the project is \$281 million, of which up to \$180 million will be financed through long-term debt. The remaining \$101 million is funded from short-term financing and local funding sources primarily comprised of transit sales tax revenue.
- Since 2013, the City has explored financing options including a loan from the U.S. Department of Transportation (USDOT) under the Transportation Infrastructure Finance and Innovation Act (TIFIA). The federal TIFIA program provides credit assistance for qualified projects of regional and national significance. Many large-scale transportation, transit, railroad, intermodal freight, and port access projects are eligible for assistance.
- In April 2014, the Transit Funding Working Group made a recommendation to pursue TIFIA credit assistance on the BLE project.
- A TIFIA loan is directly funded from the federal government and provides long-term fixed interest rates less than traditional financing in the public markets and provides for greater repayment flexibility.
- In November 2014, the City submitted a TIFIA Letter of Interest to the USDOT.
- On June 19, 2015, based on review of CATS' eligibility and creditworthiness for the BLE project, USDOT issued an invitation to the City to submit an application for TIFIA credit assistance, which is the last step in the TIFIA loan process.
- The execution and closing of the TIFIA loan is subject to negotiation of an agreement with a target closing date in September 2015.
- The expenses associated with the loan application include but are not limited to legal fees, financial advisory fees, and other costs estimated to be between \$300,000 and \$500,000.

**Next Steps**



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**File #:** 15-786 **Agenda #:** 20.

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- City Council will need to approve expenses associated with this loan.
- A public hearing is required by state statute to enter into an installment financing contract such as the TIFIA loan.
- The public hearing on the long-term financing is August 24, 2015, at 7:00 p.m.
- After the public hearing, a City Council action will be required for final approval of the installment financing.

**Fiscal Note**

Funding: CATS Community Investment Plan

**Attachment**

Resolution- Charlotte Transit TIFIA Financing

EXTRACTS FROM MINUTES OF CITY COUNCIL

\* \* \*

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on July 27, 2015:

Members Present:

Members Absent:

\* \* \* \* \*  
\* \* \*

Councilmember \_\_\_\_\_ moved that the following resolution (the “*Resolution*”) be adopted, a copy of which was available with the City Council and which was read by title:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**

*WHEREAS*, the City of Charlotte, North Carolina (the “*City*”) is a municipal corporation duly created and validly existing under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the “*State*”);

*WHEREAS*, the City has the power pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment financing contracts in order to finance and refinance the purchase of real and personal property used, or to be used, for public purposes and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

*WHEREAS*, the City previously entered into (1) an Installment Purchase Contract dated as of December 1, 2003 (as previously amended, the “*2003 Contract*”) with New Charlotte Corporation (the “*Corporation*”) to finance and refinance mass transit facilities and equipment and (2) a Deed of Trust and Security Agreement dated as of December 1, 2003 (as amended, the “*Deed of Trust*”) from the City to the deed of trust trustee named therein to provide a security interest in certain transit facilities financed with proceeds of the Contract;

*WHEREAS*, in connection with the City’s execution and delivery of the 2003 Contract, the Corporation has executed and delivered multiple series of certificates of participation (the “*Existing Certificates*”) under an Indenture of Trust dated as of December 1, 2003 (as previously amended and supplemented, the “*2003 Indenture*”) between the Corporation and Wachovia Bank, National Association, the successor to which is U.S. Bank National Association, as trustee (the “*Trustee*”), each evidencing

proportionate undivided interests in rights to receive certain revenues (the “*Revenues*”) under the 2003 Contract;

*WHEREAS*, the City has been invited by the United States Department of Transportation (“*USDOT*”) to submit an application for Federal credit assistance under the Transportation Infrastructure Finance and Innovation Act in a principal amount not to exceed \$180,000,000 (the “*TIFIA Loan*”), the proceeds of which, if approved, would be used by the City to finance the completion of the City’s LYNX Blue Line, commonly referred to as the Blue Line Extension (the “*Project*”);

*WHEREAS*, the City’s payment obligations with respect to the TIFIA Loan, if approved, would be established under an amendment to the 2003 Contract (the “*Contract Amendment*,” and together with the 2003 Contract, the “*Contract*”), and in connection with the City’s execution and delivery of the Contract Amendment, the Corporation would execute and deliver an additional certificate of participation (the “*2015 TIFIA Certificate*”) under the 2003 Indenture and a supplemental indenture thereto (the “*Supplemental Indenture*,” and together with the 2003 Indenture, the “*Indenture*”);

*WHEREAS*, the 2015 TIFIA Certificate, and the City’s payment obligations with respect thereto under the Contract, would be secured on parity with the Existing Certificates in accordance with the terms of the Indenture and the Deed of Trust;

*WHEREAS*, the City hereby determines that it is in the City’s best interests to submit to USDOT an application for the TIFIA Loan on a form prescribed by USDOT (the “*TIFIA Application*”) and, if the TIFIA Application is approved, to execute and deliver the Contract Amendment, which would permit the City to finance the completion of the Project at an interest rate, and on terms, favorable to the City;

*WHEREAS*, no deficiency judgment may be rendered against the City in any action for its breach of the Contract, and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

*WHEREAS*, a public hearing on the Contract Amendment with respect to the financing of the Project after publication of a notice with respect to such public hearing must be held; and

*WHEREAS*, the City hereby determines that all findings, conclusions and determinations of the City in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract Amendment and the Project to be financed thereby.

*NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:*

*Section 1. Authorization to Negotiate Contract Amendment and Related Documentation.* The Mayor, the City Manager, the Deputy City Manager, the City’s Chief Financial Officer, the Chief Executive Officer of Charlotte Area Transit System (“*CATS*”) and the Chief Financial Officer of CATS (collectively, the “*Authorized Officers*”), with advice from the City Attorney and Parker Poe Adams & Bernstein LLP, as special counsel to the City, are hereby authorized and directed to proceed and negotiate on behalf of the City for the financing of the Project pursuant to the TIFIA Loan as evidenced by the Contract Amendment, to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina, as amended, and any other related documentation as may be required by USDOT.

*Section 2. Application to USDOT.* The Authorized Officers or their designees are hereby authorized and directed, individually and collectively, (a) to file with USDOT the TIFIA Application and all relevant transactions contemplated thereby, (b) to state in the TIFIA Application such facts and to attach thereto such exhibits regarding the Project, the City and the City's financial condition as may be required by USDOT, and (c) to the extent required by USDOT in accordance with the terms of the TIFIA Application, to reimburse USDOT for its expenses related to services provided by USDOT's outside advisors in connection with the evaluation of the TIFIA Application and the negotiation of the TIFIA Loan and related documents (irrespective of USDOT's final decision with respect to the TIFIA Application). Each Authorized Officer is hereby authorized to execute and deliver the TIFIA Application for the purposes stated therein.

*Section 3. Direction to Retain Special Counsel, Financial Advisor and Financial Consultant.* The Authorized Officers, with advice from the City Attorney, are hereby authorized and directed, individually and collectively, to retain the assistance of Parker Poe Adams & Bernstein LLP, as special counsel, DEC Associates, Inc., as financial advisor, and Ernst & Young Infrastructure Advisors, LLC, as financial consultant.

*Section 4. Ratification.* All actions of the Authorized Officers and any other appropriate officers and agents of the City, whether previously or hereinafter taken, in furtherance of this Resolution and in compliance with applicable law are hereby approved, ratified and authorized in all respects.

*Section 5. Public Hearing.* The City Council will conduct a public hearing (the "Public Hearing") on August 24, 2015 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, concerning the Contract Amendment, the proposed financing of the Project and any other transactions contemplated therein and associated therewith.

*Section 6. Notice of Public Hearing.* The City Clerk is hereby directed to cause a notice of the Public Hearing, in substantially the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the City no fewer than 10 days prior to the Public Hearing.

*Section 7. Repealer.* All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

*Section 8. Effective Date.* This Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA )  
 ) ss:  
 CITY OF CHARLOTTE )

I, \_\_\_\_\_, the \_\_\_\_\_ of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 27<sup>th</sup> day of July, 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 July, 2015.

\_\_\_\_\_  
 \_\_\_\_\_ City Clerk  
 City of Charlotte, North Carolina

## EXHIBIT A

### NOTICE OF PUBLIC HEARING

The City of Charlotte, North Carolina (the “City”) previously entered into (a) an Installment Purchase Contract dated as of December 1, 2003 and related amendments (collectively, the “2003 Contract”) to finance and refinance mass transit facilities and equipment and (b) a Deed of Trust and Security Agreement dated as of December 1, 2003 and a related amendment (as amended, the “Deed of Trust”) to provide a security interest in a portion of the personal and real property financed and refinanced with the proceeds of the 2003 Contract.

At its July 27, 2015 meeting, the City Council of the City of Charlotte, North Carolina (the “City”), adopted a resolution which authorized the City to apply to the United States Department of Transportation (“USDOT”) for Federal credit assistance under the Transportation Infrastructure Finance and Innovation Act in a principal amount not to exceed \$180,000,000 (the “TIFIA Loan”), which, if approved, would be used by the City to finance the completion of the City’s LYNX Blue Line, commonly referred to as the Blue Line Extension (the “Project”). The City’s payment obligations with respect to the TIFIA Loan would be established under an amendment to the 2003 Contract (the “Contract Amendment,” and together with the 2003 Contract, the “Contract”).

The City’s obligations under the Contract will be secured by a lien on the property described in the Deed of Trust, which includes the following property located in Charlotte, North Carolina and all improvements thereon: (1) the South Boulevard Bus Maintenance Facility and the Light Rail Maintenance Facility, located at 3200 South Boulevard, (2) the City’s leasehold interest in the tract of real property that is the subject of a long-term lease and operating agreement dated as of April 1, 2005 between The Charlotte-Mecklenburg Board of Education, as lessor, and the City, as lessee, located at 9510 South Boulevard, (3) the J.W. Clay Boulevard Parking Deck, located at 9327 through 9331 J.W. Clay Boulevard, (4) the Old Concord Road Park and Ride located at 5448 North Tryon Street, (5) the University City Boulevard Parking Deck located at 7100 MacFarlane Boulevard, and (6) the Sugar Creek Parking Deck located at 600 E. Sugar Creek Road. To further secure the City’s obligations under the Contract, the City has granted a security interest in certain equipment and other personal property financed with proceeds of the Contract. Any lien or security interest created under the Contract or Deed of Trust will terminate on payment by the City of all installment payments due under the Contract.

*NOTICE IS HEREBY GIVEN*, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on August 24, 2015 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract Amendment. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract Amendment and the Project to be financed thereby.

/s/ Stephanie C. Kelly  
City Clerk  
City of Charlotte, North Carolina

Published: August \_\_, 2015



Legislation Text

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File #: 15-796 Agenda #: 21.

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**Nominations to the Citizen’s Review Board**

**Action:**

**Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk’s Office

**Explanation**

- Four appointments for three-year terms beginning August 1, 2015, and ending July 31, 2018.
  - Alan Adler, Jason Baker and Robbie Harrison have completed two full terms of service, therefore, are not eligible for reappointment.
  - Theresa Halsey is eligible and interested in being considered for reappointment.
- One appointment for an unexpired term beginning immediately and ending July 31, 2018.
  - Richard Thaxton is no longer eligible to serve.


**Attachment**


Citizen’s Review Board Applicants





# CITIZENS REVIEW BOARD (B/O)

## BOARD DETAILS

 **OVERVIEW**

 **SIZE** 11 Seats

 **TERM LENGTH** 3 Year




 **TERM LIMIT** 2 Terms

**Membership** - Members are appointed for three year terms, with no member serving more than two consecutive terms. The City Council shall designate one of the initial members as Chairperson and one as Vice-Chairperson. Thereafter, the Board shall elect a Chairperson and Vice-Chairperson from the membership. Individuals with a felony conviction or Class A1 misdemeanor conviction shall not be eligible to serve. Individuals with a Class 1 or Class 2 misdemeanor conviction within three years of their nomination for appointment shall be ineligible to serve. Members are required to attend all business meetings and hearings in accordance with the attendance policies promulgated by City Council. Members must be continually domiciled within Mecklenburg County and must be registered to vote within the County. Board members shall attend and successfully complete the Charlotte-Mecklenburg Police Department's Citizens' Academy and receive training on relevant legal and policy issues as required by the City Manager. Per Council's policy, effective Feb. 10, 1997, a background check will be conducted on all nominees to this committee.

**Responsibilities** - to serve as an advisory Board to the Chief of Police, City Manager and City Council. They CRB reviews appeals by citizens who file complaints on dispositions imposed by the Chief of Police or his designee to relating allegations of misconduct against a sworn police officer. The Board may hear complaints regarding alleged violations of the following rules: use of force, unbecoming conduct, and arrest, search and seizure. In addition, the disposition of the review of any discharge of a firearm by an officer which results in the death or injury of a person may be appealed to this Board by the person injured or the next of kin in the event of death.



**CONTACT**

 Stephanie Kelly  
 (704) 336-2248  
 Sckelly@Ci.Charlotte.Nc.Us



**DETAILS**

**MEMBERSHIP BREAKDOWN** 3 by Mayor; 5 by City Council; 3 by City Manager

**MEETING INFORMATION**

Meeting Day - 2nd & 4th Tuesday monthly (as needed)  
 Meeting Time - 4:00 p.m.  
 Meeting Location - Government Center Building/600 East 4th Street  
 Time Commitment - 1 to 2 hours per month

**ENACTING RESOLUTION**

**ENACTING RESOLUTION WEBSITE**

**ADDITIONAL INFORMATION**



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City of Charlotte, NC

## CITIZENS REVIEW BOARD (B/O)

### BOARD ROSTER



#### ALAN ADLER

2 Term Aug 01, 2012 - Jul 31, 2015

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by City Council



#### JASON BAKER

2 Term Aug 01, 2012 - Jul 31, 2015

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by City Council



#### HENRY BLACK

Partial Term Nov 05, 2014 - Jul 31, 2015

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by City Manager



#### CLARENCE DARNELL

Partial Term Jul 11, 2014 - Jul 31, 2015

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by Mayor



#### SANDRA DONAGHY

Partial Term Nov 27, 2013 - Jul 31, 2015

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by Mayor



#### THERESA A HALSEY

1 Term Aug 01, 2012 - Jul 31, 2015

Email: theresa.halsey@wellsfargo.com  
Phone: mobile: (704) 277-0346

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by City Council



#### ROBBIE HARRISON

2 Term Aug 01, 2012 - Jul 31, 2015

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by City Council



#### HARVEY KATOWITZ

2 Term Aug 01, 2012 - Jul 31, 2015

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by Mayor



#### RICHARD THAXTON

Office Government Center Building, 600 E. 4Th Street  
Position Board Member



Partial Term Jun 08, 2015 - Jul 31, 2015

Email: richardthaxton@hotmail.com  
Phone: mobile: (818) 605-7986

Category None  
Appointed by City Council



#### GREGORY WEST

2 Term Aug 01, 2012 - Jul 31, 2015

Email: gbw@att.net

Office Government Center Building, 600 E. 4Th Street  
Position Chairman  
Category None  
Appointed by City Manager



#### VACANCY

Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by City Manager

### Application Form

#### Profile

Ralph Fischer  
First Name Middle Initial Last Name

wnwd@earthlink.net  
Email Address

11631 Abernathy Rd  
Street Address Suite or Apt

Charlotte NC 28216  
City State Postal Code

Mobile: (704) 576-1034 Mobile: (704) 576-1034  
Primary Phone Alternate Phone

District 2  
City Council District

Caucasian/Non-Hispanic  
Ethnicity

Democrat  
Political Party

Male  
Gender

07/22/1952  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Citizens Review Board (B/O)

Why are you interested in serving on these boards/ committees?  
Current events regarding Police/Public interactions prompted my initial interest in the Citizens Academy. During the process I came to understand I could and should endeavor to get involved in my community on a

higher level. Charlotte is my home and I hope to participate in the process to make it better place for everyone.

#### Please describe any background or abilities that qualify you to serve on these boards/ committees.

Analyzing problems, identifying issues and coming up with a course of action is what I have been doing in my daily life as technician, a supervisor, a manager and now a Principal engineer in the wireless communications business. I have worked around the country with people of many ethnic backgrounds. I am a consensus builder by nature. As long both parties feel their grievance's are getting a fair hearing progress can be made. I have the skills and confidence to part of the Citizens Review Board and most importantly I believe in doing what's right not just expedient.

None  
List any boards you are currently serving on:

St Marks's Episcopal Church Board  
List any boards you have served on in the past:

Verizon Wireless  
Current Employer:

12  
Years in current position:

Principal Engineer Interconnect  
Job Title:

#### Brief description of duties:

I review and analyze the connectivity in the Verizon Wireless Network in NC, SC and TN. This involves interacting with multiple fiber providers and phone companies to analyze capacity and address any problems that would affect the integrity of the wireless network. I am responsible for a group of people that analyze data and place orders. I serve as a mentor to junior employees and have a background in point to point microwave technology.

#### Other employment history:

25 Years in the wireless communications business. Working for Cellular One (Boardman Ohio), GTE (Wilmington NC), Sprint (Miami FL), Cricket (Nashville TN) and Verizon Wireless (Charlotte NC). Each transition represents a growth in position and responsibilities. I have managed groups as large as 35 employee's, maintaining a network 24 x 7 - 365 days a year.

**Application Form**

Status: submitted

**Profile**

Antonio \_\_\_\_\_ C \_\_\_\_\_ Gaither \_\_\_\_\_  
First Name Middle Initial Last Name

acgaitner67@gmail.com \_\_\_\_\_  
Email Address

1428 Longbrook Dr \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28270 \_\_\_\_\_  
City State Postal Code

Mobile: (704) 287-3630 \_\_\_\_\_ Business: (256) 310-0458 \_\_\_\_\_  
Primary Phone Alternate Phone

District 6 \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

04/19/1967 \_\_\_\_\_  
Date of Birth

**Are you a registered voter?**  
 Yes  No

**Which Boards would you like to apply for?**  
 Citizens Review Board (B/O), Civil Service Board (B/O), Passenger Vehicle For Hire (B/O), Transit Services Advisory Committee

**Why are you interested in serving on these boards/ committees?**  
 I would like to make a difference in the looking at the type of people we hire in these positions

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

I retired from the U.S.ARMY after serving this country for 28 years I retired as 1SG I had a staff six NCO's and I was over training and day to day operations for 265 soldiers I'm a two time War Vet union Steward for APWU MVS department.

none \_\_\_\_\_  
List any boards you are currently serving on:

none \_\_\_\_\_  
List any boards you have served on in the past:

USPS \_\_\_\_\_  
Current Employer:

15 \_\_\_\_\_  
Years in current position:

MVS Driver \_\_\_\_\_  
Job Title:

**Brief description of duties:**  
 Transport mail local from stations to main plant to be processed.

**Other employment history:**  
 Retired 1SG U.S.ARMY 28 years total service.

INCUMBENT

City Of Charlotte Boards & Commissions

Submit Date: Jun 23, 2015

Status: submitted

### Application Form

#### Profile

Theresa \_\_\_\_\_ A \_\_\_\_\_ Halsey \_\_\_\_\_  
First Name Middle Initial Last Name

theresa.halsey@wellsfargo.com \_\_\_\_\_  
Email Address

6245 Hackberry Creek Trail #516 \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28269 \_\_\_\_\_  
City State Postal Code

Mobile: (704) 277-0346 \_\_\_\_\_  
Primary Phone Alternate Phone

District 2 \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

09/13/1961 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Charlotte Mecklenburg Public Access Corporation, Citizens Review Board

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

To continue to better serve the community, keeping the community safe, educate and make objective determinations and respect all rights for everyone.

INCUMBENT

Please describe any background or abilities that qualify you to serve on these boards/ committees.

Reappointment for the Citizens Review Board--served 3 years. Community Coordinator and actively involved in my community by serving on Court Watch; problem solver; Toastmasters International Competent Communicator and Competent Leader; administrative background; numerous years of work experience.

Citizens Review Board \_\_\_\_\_  
List any boards you are currently serving on:

Citizens Review Board \_\_\_\_\_  
List any boards you have served on in the past:

Wells Fargo Bank, N.A. \_\_\_\_\_  
Current Employer:

15 years \_\_\_\_\_  
Years in current position:

Loan Documentation Specialist 5 \_\_\_\_\_  
Job Title:

Brief description of duties: \_\_\_\_\_

Perform loan documentation duties on complex loan packages to ensure compliance with Company policies and government regulations.

Other employment history: \_\_\_\_\_

Volunteer Work, Finance Ministry, State Conference Planning Committee; NC MedAssist 5K Committee, Quality Control Reviewer; Bank Officer; Post Closing Specialist; Residual Value Claims Processor; Lease Sales Specialist; Customer Service Representative; Lease Support Assistant; Administrative Assistant

**Application Form**

**Profile**

Nanci \_\_\_\_\_ J \_\_\_\_\_ Hightower \_\_\_\_\_  
First Name Middle Initial Last Name

zeefabulous1@gmail.com \_\_\_\_\_  
Email Address

10308 Garrett Grigg Rd \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28262 \_\_\_\_\_  
City State Postal Code

Home: (704) 965-1313 \_\_\_\_\_  
Primary Phone Alternate Phone

District 4 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Independent \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

03/26/1947 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Citizens Review Board (B/O)

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

After attending the academy I would like to be more involved. I have also recently been accepted as one of your volunteers. I begin training on July 18. Also I enjoyed being on the board of my HOA for two years and

am now an active volunteer in my community.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I believe I understand what is required of a Board Member. During my career I acted as secretary to a Board of twenty in Washington, DC. I realize the seriousness and responsibility of the position.

None \_\_\_\_\_  
List any boards you are currently serving on:

Mallard Glen HOA \_\_\_\_\_  
List any boards you have served on in the past:

N/A - Retired \_\_\_\_\_  
Current Employer:

\_\_\_\_\_  
Years in current position:

\_\_\_\_\_  
Job Title:

Brief description of duties: \_\_\_\_\_

Other employment history: \_\_\_\_\_

Basically, I have been in the banking industry most of my career. I have been a teller and worked my way up to VP-Chief Operating Officer. Other than that I am a playwright and an author. I can provide a resume if necessary but I have not worked a "real" job for ten years.

**Application Form**

Status: submitted

**Profile**

Jennifer \_\_\_\_\_ Jackson \_\_\_\_\_  
First Name Middle Initial Last Name

jacksonjenni@att.net \_\_\_\_\_  
Email Address

1012 McLaughlin Drive \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NE 28212 \_\_\_\_\_  
City State Postal Code

Home: (704) 536-8879 \_\_\_\_\_ Mobile: (704) 488-7011 \_\_\_\_\_  
Primary Phone Alternate Phone

District 5 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

03/06/1971 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Citizens Review Board (B/O)

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

Please describe any background or abilities that qualify you to serve on these boards/ committees.

List any boards you are currently serving on:

List any boards you have served on in the past:

MI Homes of Charlotte, LLC \_\_\_\_\_  
Current Employer:

12 \_\_\_\_\_  
Years in current position:

AP Supervisor/Executive Administrator \_\_\_\_\_  
Job Title:

**Brief description of duties:**

Manage daily operations of accounts payable and assistance with monthly/quarterly/yearly financials; Administrative Support for Division President. Jennifer Jackson Citizen's Review Board

**Other employment history:**

Almost 20 years in the building industry - purchasing, administrative, accounts payable and legal. Prior to homebuilding, worked for a local attorney as a legal secretary as well as property title searches.

**Application Form**

**Profile**

Marc \_\_\_\_\_ A \_\_\_\_\_ Jensen \_\_\_\_\_  
First Name Middle Initial Last Name

marcj@carolina.rr.com \_\_\_\_\_  
Email Address

4517 Saxonbury Way \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28269 \_\_\_\_\_  
City State Postal Code

Mobile: (980) 406-4194 \_\_\_\_\_ Home: (980) 237-2274 \_\_\_\_\_  
Primary Phone Alternate Phone

District 4 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

02/25/1950 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Citizens Review Board (B/O), Mint Museum Board Of Trustees

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

Citizen's Review Board: I believe we need to maintain and present an unbiased disciplinary attitude when it comes to resolving issues between our citizens and our police force. While we cannot fail to support our

officers, we must also maintain an open mind with our citizens' concerns. Mint Museum: Art broadens the horizons of Charlotte's citizens, while presenting an image of our community to those who visit Charlotte. I believe we have some of the finest museums in the country. Our exhibits must continue to evolve to appeal to our citizens.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

Citizens Review Board: I have little background regarding the Review Board but have been exposed to much of the complicated decisions our police officers are face with on a continual basis through the Citizens Academy. Mint Museum: I have been a student of art and have a great interest in art.

List any boards you are currently serving on:  
Manufacturers Association, Z.  
Trustee and Board Chair, Horn  
Memorial Hospital, Ida Grove, Iowa  
List any boards you have served on in the past:

Retired, Byron Originals Inc, Ida  
Grove, Iowa  
Current Employer:

30 years employment with last  
employer prior to retirement  
Years in current position:

Marketing Manager  
Job Title:

Brief description of duties:

Distribution network, pricing, advertising, public relations, export sales management

Other employment history: \_\_\_\_\_



**Application Form**

Status: submitted

**Profile**

**Janet** \_\_\_\_\_ **Lama** \_\_\_\_\_  
First Name Middle Initial Last Name

**taoindia@yahoo.com** \_\_\_\_\_  
Email Address

**1116 Scaleybark Road Apt 314** \_\_\_\_\_  
Street Address Suite or Apt

**Charlotte** \_\_\_\_\_ **NC** \_\_\_\_\_ **28209** \_\_\_\_\_  
City State Postal Code

**Home: (704) 522-6238** \_\_\_\_\_  
Primary Phone Alternate Phone

**District 1** \_\_\_\_\_  
City Council District

**Caucasian/Non-Hispanic** \_\_\_\_\_  
Ethnicity

**Independent** \_\_\_\_\_  
Political Party

**Female** \_\_\_\_\_  
Gender

**12/13/1945** \_\_\_\_\_  
Date of Birth

**Are you a registered voter?** \_\_\_\_\_

Yes  No

**Which Boards would you like to apply for?** \_\_\_\_\_

Citizens Review Board (B/O)

**Why are you interested in serving on these boards/ committees?** \_\_\_\_\_

I am committed to fairness in all matters that concern citizens and officers in our community.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

Member Community Relations Committee and CRC Police Sub-committee. Member of the Citizen Review Board/CRC Task force. Graduate of Citizens Academy.

\_\_\_\_\_  
List any boards you are currently serving on:

**NAACP Executive Board** \_\_\_\_\_  
List any boards you have served on in the past:

**Retired** \_\_\_\_\_  
Current Employer:

\_\_\_\_\_  
Years in current position:

\_\_\_\_\_  
Job Title:

**Brief description of duties:** \_\_\_\_\_

**Other employment history:** \_\_\_\_\_

American Accent/Culture Trainer for call center reps/tech support in India; substitute teacher, tutor (math/reading), Adjunct Faculty at LIU Friends World Program (India). Administrative Assistant, Recorded training lessons, program development

**Application Form**

**Profile**

LeRoy \_\_\_\_\_ Moyer \_\_\_\_\_  
First Name Middle Initial Last Name

apwuldm@gmail.com \_\_\_\_\_  
Email Address

935 Sardis Cove Drive \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC 28270  
City State Postal Code

Home: (704) 941-7331 \_\_\_\_\_ Mobile: (704) 941-7331 \_\_\_\_\_  
Primary Phone Alternate Phone

District 6 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

08/03/1959 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Citizens Review Board (B/O)

Why are you interested in serving on these boards/ committees?  
This is a very important Board during these difficult times in our community and the country as a whole. I believe bringing a new fresh face and view to this Board will give the city an opportunity to show that it's

serious about concerns of those in the community. I have no particular ties to any group or individuals in the community and can approach this task eyes wide open.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

I served six years as a military policeman in the Army which provides me with some limited idea of what it's like to serve a community in law enforcement. I have spent nearly 25 years as union representative for the American Postal Workers Union and have investigated and handled hundreds of issues related to employee conduct and other related issues.

n/a \_\_\_\_\_  
List any boards you are currently serving on:

n/a \_\_\_\_\_  
List any boards you have served on in the past:

United States Postal Service \_\_\_\_\_  
Current Employer:

30 \_\_\_\_\_  
Years in current position:

Custodian \_\_\_\_\_  
Job Title:

Brief description of duties:  
I work as a custodian for the USPS

Other employment history:  
I have served as local president for the Charlotte Area Local, APWU for six years and as state president of the Pennsylvania Postal Workers, APWU for ten years

### Application Form

#### Profile

David \_\_\_\_\_ Smith \_\_\_\_\_  
First Name Middle Initial Last Name

smith.davidjr@yahoo.com \_\_\_\_\_  
Email Address

281 Davidson Gateway Drive \_\_\_\_\_  
Street Address Suite or Apt

Davidson \_\_\_\_\_ NC \_\_\_\_\_ 28036 \_\_\_\_\_  
City State Postal Code

Home: (704) 400-6765 \_\_\_\_\_  
Primary Phone Alternate Phone

District Y \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

01/29/1965 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Citizens Review Board (B/O)

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

I believe in the administration of justice for all citizens and that all citizens receive due process. Serving on this committee will allow me to listen and contribute a positive understanding of views by people that need to

be heard.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

As a former prosecutor, student of the Police Citizens Academy and educational instructor in colleges as well as correctional institutions, I believe that I bring a well balanced and unbiased outlook to any issue presented before me.

Committee - Police Task Force  
Subcommittee United Way  
Fundraising Board

List any boards you are currently serving on:  
Engineering Board Joint  
Apprenticeship Training Committee  
of Local 379

List any boards you have served on in the past:

Quoin Inc. \_\_\_\_\_  
Current Employer:

Nine Months \_\_\_\_\_  
Years in current position:

Software Engineering Technical  
Writer & Linux Trainer \_\_\_\_\_  
Job Title:

Brief description of duties:

Currently write documentation for both hardware and software at Lowes corporate headquarters.

Other employment history:

RDS and DEW Electrical ITT Technical College CPCC IBM College of New Rochelle

**Application Form**

**Profile**

Barbara \_\_\_\_\_ E \_\_\_\_\_ Votik \_\_\_\_\_  
First Name Middle Initial Last Name

bvotik@carolina.rr.com \_\_\_\_\_  
Email Address

11501 Abernathy Road \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28216 \_\_\_\_\_  
City State Postal Code

Mobile: (704) 953-2786 \_\_\_\_\_ Home: (704) 399-1102 \_\_\_\_\_  
Primary Phone Alternate Phone

District 2 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

04/10/1944 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Citizens Review Board (B/O)

Why are you interested in serving on these boards/ committees?  
I feel my life time experience will help me LISTEN and REVIEW the information given. Now that I've completed the CMPD Citizens Academy I have much better understanding of what it takes to be successful

as a police officer. I have the time to do necessary research on each case and want to help the citizens of Charlotte-Mecklenburg understand the honest and good officer and what he/she is trying to do on the job. If an officer is guilty, there should be consequences and those I can recommend to the Chief.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

Because of my experience in sales and classrooms, I am able to weed out the "fluff" and get the true story. I am fair minded and don't make a decision until I have all the facts.

List any boards you are currently serving on:

Diversity Council for the City  
List any boards you have served on in the past:

Retired  
Current Employer:

2  
Years in current position:

Retired  
Job Title:

Brief description of duties:  
At last I can do the things I want to without a job getting in my way. I now can work behind the scenes in my husband's business (which I did while subbing). Some of my goals as a retired person are to volunteer for Citizens Review Committee.

Other employment history:  
CMS and Gaston County Schools as substitute teacher, Owner of Mind Your Own Business (a bookkeeping and office management service), partner with husband in Servpro of N. Mecklenburg (fire and water disaster restoration company), Brother International Corp (trainer, marketing development and finally sales manager of the South Florida territory, where I successfully worked with the Hispanic community,) and taught in Prince William County VA and Emporia VA. For more detail, please see my attached resume.

**Application Form**

Status: submitted

**Profile**

Nicholas \_\_\_\_\_ X \_\_\_\_\_ Wind-McJeters \_\_\_\_\_  
First Name Middle Initial Last Name

nick@remote-learner.net \_\_\_\_\_  
Email Address

7306 Lakeside Drive \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28215 \_\_\_\_\_  
City State Postal Code

Mobile: (704) 606-9623 \_\_\_\_\_ Business: (985) 606-9623 \_\_\_\_\_  
Primary Phone Alternate Phone

District 5 \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

02/12/1985 \_\_\_\_\_  
Date of Birth

**Are you a registered voter?** \_\_\_\_\_

Yes  No

**Which Boards would you like to apply for?** \_\_\_\_\_

Citizens Review Board (B/O), Civil Service Board (B/O)

**Why are you interested in serving on these boards/ committees?** \_\_\_\_\_

After living in the city for 20 years, I would like to serve, help and make a difference in my community and this is one of many ways I plan to participate.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

Completed CMPD Citizens Academy, Spring 2015.

**None** \_\_\_\_\_  
List any boards you are currently serving on:

**None** \_\_\_\_\_  
List any boards you have served on in the past:

**Remote-Learner** \_\_\_\_\_  
Current Employer:

7 \_\_\_\_\_  
Years in current position:

**Technical Account Manager** \_\_\_\_\_  
Job Title:

**Brief description of duties:** \_\_\_\_\_

Project manager assigned to high-value accounts to verify clients needs and expectations are met.

**Other employment history:** \_\_\_\_\_

Remote-Learner (2007-present) Culminis Inc, Charlotte, NC (2005-2007) Charlotte-Mecklenburg Schools (2003-2005)



Legislation Text

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File #: 15-873 Agenda #: 22.

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**Nomination to the Domestic Violence Advisory Board**

**Action:**

**Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a three-year term beginning September 22, 2015, and ending September 21, 2018.
  - Eddie Sanders is eligible and interested in being considered for reappointment.

**Attachment**


Domestic Violence Advisory Board Applicants





City of Charlotte, NC


# DOMESTIC VIOLENCE ADVISORY BOARD (O)

## BOARD DETAILS

 **OVERVIEW**


 **SIZE** 12 Seats


 **TERM LENGTH** 3 Year


 **TERM LIMIT** 2 Terms


**Membership** - In January 2009, the Board of County Commissions approved increasing board membership by one. Background checks will be conducted on all nominees to this committee.


**Responsibilities** - Periodic (and at least annual) review and evaluations of all Charlotte and Mecklenburg domestic violence programs and services. Make recommendations to the Board of County Commissioners and Charlotte City Council. Interim reports may be presented as deemed appropriate by a majority of members of the DVAB or as requested by the Charlotte City Council or the Board of County Commissioners.

 **CONTACT**

 Kimberly Livingston

 (704) 432-1967

 [Kimberly.Livingston@Mecklenburgcountync.Gov](mailto:Kimberly.Livingston@Mecklenburgcountync.Gov)

 **DETAILS**

**MEMBERSHIP BREAKDOWN** 2 by Mayor; 4 by City Council; 6 by County Commission

**MEETING INFORMATION**

Meeting Day - 2nd Tuesday monthly  
 Meeting Time - 6:00 p.m.  
 Meeting Location - Hal Marshall Services Center/700 North Tryon Street  
 Time Commitment - 3 hours per month

**ENACTING RESOLUTION**

**ENACTING RESOLUTION WEBSITE**

**ADDITIONAL INFORMATION**

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City of Charlotte, NC

## DOMESTIC VIOLENCE ADVISORY BOARD (O)

### BOARD ROSTER



**MYNA ADVANI**

**1 Term** May 01, 2012 - Apr 30, 2015

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**PATRICK BURRIS**

**2 Term** May 01, 2012 - Apr 30, 2015

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**BEATRICE COTE**

**2 Term** Sep 23, 2014 - Sep 22, 2017

Email: bethere06@gmail.com  
Phone: home: (704) 535-8481

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** City Council



**SHANTE COTTON**

**2 Term** Sep 22, 2014 - Sep 21, 2017

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** Mayor



**JACQUELINE DIENEMANN**

**2 Term** Sep 22, 2013 - Sep 21, 2016

Email: jpdien@mi-connection.com

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Chairman  
**Category** None  
**Appointed by** City Council



**NICOLE IVORY**

**1 Term** May 01, 2012 - Apr 30, 2015

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**ERIK LINDAHL**

**1 Term** Jun 16, 2015 - Apr 30, 2018

Email: boards@charlottenc.com

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**LUCY ROBINSON**

**1 Term** Jun 16, 2015 - Apr 30, 2018

Email: email@email.com

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**RASHADA RUSSELL**

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member



**Partial Term** Apr 13, 2015 - Sep 21, 2016

Email: rashuss1@gmail.com

**Category** None  
**Appointed by** City Council



**EDDIE SANDERS**

**Partial Term** Jan 13, 2014 - Sep 21, 2015

Email: eddie\_sanders@hotmail.com  
Phone: mobile: 7044910070

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** City Council



**JANICE SHIRLEY**

**1 Term** Jun 16, 2015 - Apr 30, 2018

Email: email1@email.com

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**TINA WHITTAKER**

**Partial Term** Aug 08, 2014 - Sep 21, 2017

Email: tw hitt80@hotmail.com  
Phone: home: (704) 657-3381

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** Mayor

INCUMBENT

City Of Charlotte Boards & Commissions

Submit Date: Jul 07, 2015

Status: submitted

### Application Form

#### Profile

Eddie Sanders  
First Name Middle Initial Last Name

eddie\_sanders@hotmail.com  
Email Address

11338 Erwin Ridge Ave  
Street Address Suite or Apt

Charlotte NC 28213  
City State Postal Code

Mobile: 7044910070 Home: 7049006671  
Primary Phone Alternate Phone

District 4  
City Council District

African American  
Ethnicity

Democrat  
Political Party

Male  
Gender

08/10/1968  
Date of Birth

Are you a registered voter?

Yes  No

Which Boards would you like to apply for?

Domestic Violence Advisory Board (O)

Why are you interested in serving on these boards/ committees?

I was appointed to fill an unexpired term on the Domestic Violence Advisory Board beginning January 13, 2014 and ending September 21, 2015. I would like to be considered for reappointment to the DVAB.

INCUMBENT

Please describe any background or abilities that qualify you to serve on these boards/ committees.

Serving people and developing community relations within the community is part of my job as a Minister in the Greater Charlotte Community. Therefore, continuing to serve on the Domestic Violence Advisory Board will allow me to continue to serve as a community advocate as well as utilize my talents and abilities in public service in the Greater Charlotte Community.

#### Domestic Violence Advisory Board.

List any boards you are currently serving on:  
 metro waste management board  
 Member, July 2005 – July 2009  
 {Louisville, KY}

List any boards you have served on in the past:

ITT Technical Institute  
Current Employer:

4 months  
Years in current position:

Adjunct Instructor  
Job Title:

#### Brief description of duties:

\* Teaches Social Psychology classes to individuals who are seeking their Associate and Bachelor degrees.

#### Other employment history:



## Legislation Text

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**File #:** 15-874 **Agenda #:** 23.

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### **Nominations to the Historic Landmarks Commission**

**Action:**

**Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- Two appointments for three-year terms ending July 16, 2018.
  - Joseph Elliott is eligible and interested in being considered for reappointment.
  - Michael Rogers has completed two full terms of service, therefore, is not eligible for reappointment.


**Attachment**




Historic Landmarks Commission Applicants




# HISTORIC LANDMARKS COMMISSION (O)




## BOARD DETAILS

 OVERVIEW


-  **SIZE** 12 Seats
-  **TERM LENGTH** 3 Year
-  **TERM LIMIT** 2 Terms


**Membership -** Terms are for three years. A majority of the members must have demonstrated special interest, experience, or education in history or architecture. The President of the Mecklenburg Historical Association serves as a non-voting, ex-officio member. No member may serve more than two consecutive full terms, or no more than six years.

 CONTACT

-  Mary Dominick
-  (704) 376-9115
-  [Mary.Dominick@Mecklenburgco.untync.Gov](mailto:Mary.Dominick@Mecklenburgco.untync.Gov)

**Responsibilities -** To ensure the preservation of any property that embodies elements of the cultural, social, economic, political, or architectural history of Charlotte and Mecklenburg County for the education, pleasure, and enhancement of the residents of the City and County.

 **MEMBERSHIP BREAKDOWN** 2 by Mayor; 4 by City Council; 6 by County Commission

 **MEETING INFORMATION**

- Meeting Day - 2nd monthly
- Meeting Time - 6:00 p.m.
- Meeting Location - 2100 Randolph Road
- Time Commitment - 10 hours per month

### ENACTING RESOLUTION

### ENACTING RESOLUTION WEBSITE

### ADDITIONAL INFORMATION

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City of Charlotte, NC

## HISTORIC LANDMARKS COMMISSION (O)

### BOARD ROSTER



**NATHAN CLARK**

**1 Term** Aug 01, 2014 - Jul 31, 2017

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**LARKEN EGLESTON**

**1 Term** Jul 17, 2014 - Jul 16, 2017

Email: le46069@yahoo.com  
Phone: mobile: (704) 519-7128

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** City Council



**JOSEPH ELLIOTT**

**1 Term** Jul 17, 2012 - Jul 16, 2015

Email: jelliott@therbagroup.com

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** City Council



**DAVID ERDMAN**

**2 Term** Jul 17, 2013 - Jul 16, 2016

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** Mayor



**DAVID GIESER**

**1 Term** Sep 20, 2011 - Jul 31, 2015

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**PAULA LESTER**

**2 Term** Aug 01, 2013 - Jul 31, 2016

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**MARK MILLER**

**1 Term** Aug 01, 2012 - Jul 31, 2015

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**LEONARD NORMAN**

**1 Term** Jul 17, 2014 - Jul 16, 2017

Email: lennorman@ymail.com  
Phone: home: (704) 804-2329

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** City Council



**JOHN PURSLEY**

**Office** 2100 Randolph Road  
**Position** Board Member



**2 Term** Aug 01, 2014 - Jul 31, 2017

**Category** None  
**Appointed by** County Commission



**MICHAEL ROGERS**

**2 Term** Jul 17, 2012 - Jul 16, 2015

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** City Council



**JOHN SHURLEY**

**2 Term** Aug 01, 2014 - Jul 31, 2017

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission



**JILL WALKER**

**2 Term** Jul 17, 2013 - Jul 16, 2016

**Office** 2100 Randolph Road  
**Position** Board Member  
**Category** None  
**Appointed by** Mayor

**Application Form**

Status: submitted

**Profile**

Christopher \_\_\_\_\_ Allred \_\_\_\_\_  
First Name Middle Initial Last Name

cralled@hotmail.com \_\_\_\_\_  
Email Address

415 W 7th Street Apt G \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28202 \_\_\_\_\_  
City State Postal Code

Home: (704) 661-5061 \_\_\_\_\_ Business: (704) 344-9098 \_\_\_\_\_  
Primary Phone Alternate Phone

District 1 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Independent \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

01/20/1975 \_\_\_\_\_  
Date of Birth

**Are you a registered voter?** \_\_\_\_\_  
 Yes  No

**Which Boards would you like to apply for?** \_\_\_\_\_  
 Historic District Commission, Historic Landmarks Commission, Planning Commission

**Why are you interested in serving on these boards/ committees?** \_\_\_\_\_  
 I am a Fourth Ward resident and licensed architect interested in working with the city to ensure Charlotte continues to grow in a positive direction especially within its Historic Districts.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

I have lived in Charlotte the past 22 years and in Fourth Ward the past 14 and have grown to appreciate the direction and city has taken in my time here and want to continue to see this progress continue. As a registered architect and AIA member, I take a keen interest in the city as it's being developed, how it grows and how it utilizes the environment.

\_\_\_\_\_  
List any boards you are currently serving on:

\_\_\_\_\_  
List any boards you have served on in the past:

**RBA Group** \_\_\_\_\_  
Current Employer:

3 \_\_\_\_\_  
Years in current position:

**Design Director** \_\_\_\_\_  
Job Title:

**Brief description of duties:** \_\_\_\_\_  
 Design all projects within the office to ensure quality work inhabits our built environment.

**Other employment history:** \_\_\_\_\_  
 FMK Architect, Habitat Architecture Group

**Profile**

Richard \_\_\_\_\_ Clark \_\_\_\_\_  
First Name Middle Initial Last Name

rdclark1992@gmail.com \_\_\_\_\_  
Email Address

14806 Cane field dr \_\_\_\_\_  
Street Address Suite or Apt

charlotte \_\_\_\_\_ NC 28273 \_\_\_\_\_  
City State Postal Code

Home: (980) 200-8115 \_\_\_\_\_  
Primary Phone Alternate Phone

District 3 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

03/26/1992 \_\_\_\_\_  
Date of Birth

**Are you a registered voter?** \_\_\_\_\_  
 Yes  No

**Which Boards would you like to apply for?** \_\_\_\_\_  
Domestic Violence Advisory Board, Historic Landmarks Commission, Storm Water Advisory Committee

**Why are you interested in serving on these boards/ committees?** \_\_\_\_\_  
I would like to serve in my community and it would help me start my political career.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

\_\_\_\_\_  
List any boards you are currently serving on:

\_\_\_\_\_  
List any boards you have served on in the past:

**Goodwill** \_\_\_\_\_  
Current Employer:

**1** \_\_\_\_\_  
Years in current position:

**Cashier** \_\_\_\_\_  
Job Title:

**Brief description of duties:** \_\_\_\_\_

**Other employment history:** \_\_\_\_\_



**Application Form**

Status: submitted

**Profile**

Joseph \_\_\_\_\_ D \_\_\_\_\_ Elliott \_\_\_\_\_  
First Name Middle Initial Last Name

joeelliottarchitect@gmail.com \_\_\_\_\_  
Email Address

333 West Trade St \_\_\_\_\_ #2400 \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28202 \_\_\_\_\_  
City State Postal Code

Home: (704) 340-1888 \_\_\_\_\_  
Primary Phone Alternate Phone

District 2 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

\_\_\_\_\_  
Date of Birth

**Are you a registered voter?** \_\_\_\_\_

Yes  No

**Which Boards would you like to apply for?** \_\_\_\_\_

Historic Landmarks Commission (O)

**Why are you interested in serving on these boards/ committees?** \_\_\_\_\_

Reapplying for an existing appointment

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

\_\_\_\_\_

\_\_\_\_\_  
List any boards you are currently serving on:

\_\_\_\_\_  
List any boards you have served on in the past:

\_\_\_\_\_

**Self Employed** \_\_\_\_\_

Current Employer:

\_\_\_\_\_  
Years in current position:

**Architect** \_\_\_\_\_

Job Title:

**Brief description of duties:** \_\_\_\_\_

**Other employment history:** \_\_\_\_\_

**Application Form**

**Profile**

David \_\_\_\_\_ Hale \_\_\_\_\_  
First Name Middle Initial Last Name

davidmhale@gmail.com \_\_\_\_\_  
Email Address

1827 The Plaza \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28205 \_\_\_\_\_  
City State Postal Code

Mobile: (858) 405-8280 \_\_\_\_\_  
Primary Phone Alternate Phone

District 1 \_\_\_\_\_  
City Council District

Prefer not to Answer \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

01/13/1978 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Historic District Commission, Historic Landmarks Commission

Why are you interested in serving on these boards/ committees?  
I live in Plaza Midwood, an area that attracted us because of its historic charm. Since moving here, my wife and I have taken a keen interest in helping to preserve that history and character -- both in our neighborhood

and beyond. Given Charlotte's immense growth, I'd love to have a role in also preserving its history.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

I'm a professional reporter, I'm skilled understanding multiple facets of complex ideas and experienced at research, interviewing and building bridges between disparate agendas. I also have a background in business and economics. As such, I think I'd be good at balancing the need to build Charlotte's future while maintaining its history.

**Plaza Midwood Neighborhood Association**

List any boards you are currently serving on:  
  
List any boards you have served on in the past:

ESPN  
Current Employer:

3  
Years in current position:

Reporter  
Job Title:

**Brief description of duties:**  
Report and write for the world's largest sports Web site.

**Other employment history:**  
Reporter for the Wilmington, Del. News Journal, the Macon Telegraph and the Albany (Ga.) Herald; Public relations for multiple sports franchises; Numerous accounting positions

**Application Form**

**Profile**

Richard W. Saltrick  
First Name Middle Initial Last Name

saltrick@hotmail.com  
Email Address

541 E. 9th St. Suite or Apt  
Street Address

Charlotte NC 28202  
City State Postal Code

Mobile: (954) 540-6560  
Primary Phone Alternate Phone

District 1  
City Council District

Caucasian/Non-Hispanic  
Ethnicity

Democrat  
Political Party

Male  
Gender

07/18/1967  
Date of Birth

Are you a registered voter?

Yes  No

Which Boards would you like to apply for?

Historic Landmarks Commission, Storm Water Advisory Committee

Why are you interested in serving on these boards/ committees?

Our family recently moved to Charlotte, and we want to be active and involved in the city. I believe my education and experience can be useful on several boards. Prior to moving here, I was City Engineer in

Miami Beach and developed its latest stormwater plan and oversaw the environmental resources staff. I was also involved in preserving its historic districts and landmarks.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I oversaw Miami Beach's 50-year stormwater master plan that included climate change and protection of environmental resources. I worked with the Dutch Consulate to have stormwater and climate change experts. I was interviewed by national magazines and spoke at conferences on stormwater and climate change. I also managed the environmental staff and oversaw mitigation and enhancement projects.

List any boards you are currently serving on:

List any boards you have served on in the past:

retired  
Current Employer:

8 months  
Years in current position:

Job Title:

Brief description of duties:

Other employment history:

Prior to being City Engineer in Miami Beach, I was a consultant and designed numerous stormwater systems and environmental mitigation projects.

**Profile**

Tina Whittaker  
First Name Middle Initial Last Name

twhitt80@hotmail.com  
Email Address

4115 Wiinedale Lane  
Street Address Suite or Apt

Charlotte NC 28205  
City State Postal Code

Home: (704) 657-3381  
Primary Phone Alternate Phone

District 1  
City Council District

African American  
Ethnicity

Democrat  
Political Party

Female  
Gender

12/28/1980  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Domestic Violence Advisory Board, Historic Landmarks Commission, Storm Water Advisory Committee

Why are you interested in serving on these boards/ committees?  
Females ages 18 to 24 and 25 to 34 generally experienced the highest rates of intimate partner violence. Black females experienced intimate partner violence at a rate 35% higher than that of white females, and

about 22 times the rate of women of other races. Because I am a part of of this demographic I feel it is important to contribute to the Domestic Violence board which is my first choice.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I qualify to serve on the selected boards due my communication, education and professional background I feel i can add a valuable perspective to each board.

None  
List any boards you are currently serving on:

None  
List any boards you have served on in the past:

Miracle Prayer Mat, LLC  
Current Employer:

1 year  
Years in current position:

Founder, CEO  
Job Title:

Brief description of duties:  
responsibilities as a director, decision maker, leader, manager and executor. Involves the press and the rest of the outside world, as well as the organization's management; the decision-making role involves high-level decisions about policy and strategy. As a leader of the company, I drive change within the organization. As a manager my duties include the organization's day-to-day operations.

Other employment history:  
Belk Corporate, Ecom

**Application Form**

**Profile**

Cameron \_\_\_\_\_ Wright \_\_\_\_\_  
First Name Middle Initial Last Name

camwclt@bellsouth.net \_\_\_\_\_  
Email Address

10309 Balmoral Circle \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28210 \_\_\_\_\_  
City State Postal Code

Mobile: (704) 904-1667 \_\_\_\_\_ Business: (980) 229-3020 \_\_\_\_\_  
Primary Phone Alternate Phone

District 6 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

12/04/1963 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Historic Landmarks Commission (O)

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

I am a native Charlottean who has witnessed first hand as this city transformed from a small Southern town into a world class city. I have traveled extensively and have witnessed what other municipalities have

accomplished in preserving the past. We must embrace our rich inheritance that is an affirmation of our traditions and values steeped in history.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I am a published author and historian. The Southern Surfcaster ( The History Press, 2012 ) My Southern Soul ( Projected Publication Spring 2016 ( The History Press ) Listed, North Carolina Bibliography Historical Publications / UNC - Chapel Hill My area of historical concentration is The American South 1770 to 1950 I lecture at several colleges and universities on topics of my expertise.

enjoy working with groups both large and small as we work toward a common goal.

List any boards you are currently serving on:  
Association ( Past President )  
Beverly Woods Civic Association ( Past Chairman )

List any boards you have served on in the past:

Multi-Flex Pipe Systems \_\_\_\_\_

Current Employer:

One Year \_\_\_\_\_

Years in current position:

Director of Business Development \_\_\_\_\_

Job Title:

Brief description of duties:

My primary functions involve working on a regional / national stage as we bring our company into the forefront of industrial piping manufacturing and distribution.

Other employment history:

NC Coastal Conservation Association - Executive Director Ceramco - Printech, Inc. - Senior Vice President ( 21 years )



Legislation Text

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File #: 15-876 Agenda #: 24.

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**Nominations to the Passenger Vehicle for Hire Board**

**Action:**

**Nominate citizens to serve on specified. Incumbents may be reappointed at this meeting.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- Three appointments for three-year terms ending July 1, 2018.
  - Andrew Thompson (Category 2 - driver or chauffer) has completed two full terms of service and is not eligible for reappointment.
  - Diatra Fullwood (Category 3 - representative of the Hospitality & Tourism Industry) is eligible and interested in being considered for reappointment.
  - Carolyn Carr (Category 4 - one user of passenger vehicles for hire) is eligible but no longer interested in being considered for reappointment.


**Attachment**


Passenger Vehicle for Hire Board Applicants





# PASSENGER VEHICLE FOR HIRE (B/O)

## BOARD DETAILS

 **OVERVIEW**

 **SIZE** 11 Seats

 **TERM LENGTH** 3 Year

 **TERM LIMIT** 2 Terms

Membership - This committee was approved by City Council on May 8, 2000. Initial terms will be staggered with all future terms being for three years.

The Mayor's appointments shall be as follows: Category #1- one (1) taxicab, limousine or other vehicle for hire company owner; Category #2- one (1) shall be a driver or chauffeur; Category #3- one (1) representative of the Hospitality & Tourism Industry. The Mayor shall designate one of the 11 members as chairman.

The City Council's appointments shall be as follows: Category #1- one (1) taxicab, limousine or other vehicle for hire company owner; Category #2- one (1) is the vehicle owner of a passenger vehicle for hire or limousine; Category #3- one (1) representative of the Hospitality & Tourism Industry; Category #4- one (1) a user of passenger vehicles for hire; Category #5- one (1) person with a disability or a representative from an organization that represents persons with disabilities.

The three (3) members appointed by the City Manager shall be citizens with no financial interest or business affiliation with either the passenger vehicle for hire, limousine or hospitality/tourism industries.




All members are required to live in Mecklenburg County and a local background check will be conducted on all nominations.

Responsibilities - Ensure to preserve the safety, welfare and proper of the visitors, and citizens of Charlotte using passenger vehicles for hire and limousines through the enforcement and regulations of the policies and provisions within the Passenger Vehicle for Hire Ordinance.

the duties include: 1) hearing and ruling on appeals as submitted to the board from company owners, drivers and others as outlined within the ordinance; 2) review, establish, and monitor taxicab rates (through industry information and public hearings); 3) review and monitor the number of company, vehicle, and driver permits to ensure proper servicing of the public by the passenger vehicles for hire industry (results of which would be recommendations to City Council).



### CONTACT

 Kirk Young  
 (704) 200-3246  
 Kyoung1@Cmpd.Ord

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### DETAILS

**MEMBERSHIP BREAKDOWN** 3 by Mayor; 5 by City Council; 3 by City Manager

**MEETING INFORMATION**  
Meeting Day - 1st Tuesday monthly  
Meeting Time - 1:00 p.m.  
Meeting Location - West Services Center/4150 Wilkinson Blvd  
Time Commitment - 1 to 2 hours per month

**ENACTING RESOLUTION**

**ENACTING RESOLUTION**

**WEBSITE**

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**ADDITIONAL INFORMATION**

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City of Charlotte, NC

## PASSENGER VEHICLE FOR HIRE (B/O)

### BOARD ROSTER



#### CAROLYN CARR

1 Term Jul 02, 2012 - Jul 01, 2015

Email: ccarr@cmpd.org

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category Category 4: User Of Passenger Vehicles For Hire  
Appointed by City Council



#### HELENA CONNORS

Partial Term Feb 19, 2015 - Jul 01, 2018

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category None  
Appointed by City Manager



#### WILLIAM DOBBINS

1 Term Jul 02, 2013 - Jul 01, 2016

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category Category 3: Representative Of The Hospitality And Tourism Industry  
Appointed by Mayor



#### ABDIRAHMAN DUALE

2 Term Jul 02, 2013 - Jul 01, 2016

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category Category 2: Driver Or Chauffeur  
Appointed by Mayor



#### SHEILA T ETHERIDGE

1 Term Feb 19, 2015 - Jul 01, 2018

Email: sheila.etheridge@wishartnorris.com  
Phone: home: 7045423044

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category None  
Appointed by City Manager



#### MARK FRIETCH

Partial Term Feb 19, 2015 - Jul 01, 2018

Email: mark.frietch@icloud.com  
Phone: home: (704) 965-9117

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category None  
Appointed by City Manager



#### DIATRA FULLWOOD

1 Term Jul 02, 2012 - Jul 01, 2015

Email: diatra.fullwood@visitcharlotte.com  
Phone: mobile: 7045072369

Office West Services Center, 4150 Wilkinson Boulevard  
Position Chairman  
Category Category 3: Representative Of The Hospitality And Tourism Industry  
Appointed by City Council



#### MAYUR KHANDELWAL

2 Term Jul 02, 2013 - Jul 01, 2016

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category Category 1: Taxicab, Limousine Or Other Vehicle For Hire Company Owner  
Appointed by Mayor



#### BYRON MUMFORD

1 Term Jul 02, 2015 - Jul 01, 2018

Email: bmumf19568@aol.com  
Phone: home: (704) 900-7197

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category Category 5: Person With A Disability Or Rep From Organization That Reps Persons With Disabilities  
Appointed by City Council



#### ANDREW THOMPSON

2 Term Jul 02, 2012 - Jul 03, 2015

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category Category 2: The Vehicle Owner Of A Passenger Vehicle For Hire Or Limousine  
Appointed by City Council



#### ROBERT E WALKER

2 Term Jul 02, 2015 - Jul 01, 2018

Email: walkerslimo@aol.com  
Phone: home: (704) 504-5586

Office West Services Center, 4150 Wilkinson Boulevard  
Position Board Member  
Category Category 1: Taxicab, Limousine Or Other Vehicle For Hire Company Owner  
Appointed by City Council

CATEGORY 2: DRIVER/CHAUFFER  
NO APPLICANTS FIT THIS CATEGORY

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CATEGORY 3: REPRESENTATIVE OF THE  
HOSPITALITY & TOURISM INDUSTRY

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INCUMBENT

City Of Charlotte Boards & Commissions

Status: reapplying

### Application Form

#### Profile

Diatra \_\_\_\_\_ Fullwood \_\_\_\_\_  
First Name Middle Initial Last Name

diatra.fullwood@visitcharlotte.com \_\_\_\_\_  
Email Address

715 Parkside Terrace Lane \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28202 \_\_\_\_\_  
City State Postal Code

Mobile: 7045072369 \_\_\_\_\_  
Primary Phone Alternate Phone

District 1 \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

10081966 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Tree Advisory Commission

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

I'm currently a member of the Charlotte Garden Club. Through some of our members and speakers, Charlotte's tree canopy has become of interest to me. I also have an interest in Horticulture; therefore, being

INCUMBENT

on this commission will allow me to learn while being an advocate.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

#### Passenger Vehicle For Hire

List any boards you are currently serving on:

List any boards you have served on in the past:

#### Charlotte Regional Visitors Authority

Current Employer:

7 \_\_\_\_\_  
Years in current position:

#### Visitor Information Center Manager

Job Title:

#### Brief description of duties:

I manage a staff of 12 at Charlotte Douglas International Airport's Visitor Center. We provide information to passengers visiting Charlotte and the surrounding area about accommodations, what to see, where to go and where to eat. Since we're located in the airport, we provide airport and airline information such as flight (arrival and departure) information, transportation, etc.

#### Other employment history:

Prior to my work at the Visitor Info Center, I managed the Executive Dining Room at Wachovia (currently Wells Fargo). A position at the Charlotte Coliseum on Tyvola Road is what brought me to Charlotte over 20 years ago.

CATEGORY 4: USER OF PASSENGER  
VEHICLES FOR HIRE

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NO APPLICANTS FIT THIS CATEGORY

THE FOLLOWING APPLICANT DOES NOT FIT  
ANY OF THE REQUIRED CATEGORIES

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Application Form

Status: submitted

Profile

Antonio C Gaither
First Name Middle Initial Last Name

acgaitner67@gmail.com
Email Address

1428 Longbrook Dr
Street Address Suite or Apt

Charlotte NC 28270
City State Postal Code

Mobile: (704) 287-3630 Business: (256) 310-0458
Primary Phone Alternate Phone

District 6
City Council District

African American
Ethnicity

Democrat
Political Party

Male
Gender

04/19/1967
Date of Birth

Are you a registered voter?
Yes No

Which Boards would you like to apply for?
Citizens Review Board (B/O), Civil Service Board (B/O), Passenger Vehicle For Hire (B/O), Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?
I would like to make a difference in the looking at the type of people we hire in these positions

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I retired from the U.S.ARMY after serving this country for 28 years I retired as 1SG I had a staff six NCO's and I was over training and day to day operations for 265 soldiers I'm a two time War Vet union Steward for APWU MVS department.

none
List any boards you are currently serving on:

none
List any boards you have served on in the past:

USPS
Current Employer:

15
Years in current position:

MVS Driver
Job Title:

Brief description of duties:
Transport mail local from stations to main plant to be processed.

Other employment history:
Retired 1SG U.S.ARMY 28 years total service.



Legislation Text

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File #: 15-877 Agenda #: 25.

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**Nominations to the Transit Services Advisory Committee**

**Action:**

**Nominate citizens to serve as specified. Incumbents may be reappointed at this time.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a Suburban Employer served by Charlotte Transit beginning immediately and ending January 31, 2018.
  - David Harris has resigned.
- One appointment for a van pool representative beginning immediately and ending January 31, 2016 and then continuing for a full three-year term beginning February 1, 2016, and ending January 31, 2019.
  - William Grimm Jr. has resigned.

**Attachment**


Transit Services Advisory Committee Applicants








# TRANSIT SERVICES ADVISORY COMMITTEE


## BOARD DETAILS




 **OVERVIEW**


-  **SIZE** 15 Seats
-  **TERM LENGTH** 3 Year
-  **TERM LIMIT** 2 Terms

**Membership** - Council voted on September 10, 1990 to establish this committee. The first members were appointed on January 14, 1991, with staggered terms to begin on January 31, 1991. Future appointments will be made for three year terms. Council's appointments are (1) one major suburban employer served by Charlotte Transit, (2) one neighborhood organization leader, (3) one local service passenger, (4) one express service passenger, and (5) either a local or express service passenger. The Mayor's appointments are (1) one uptown employer served by Charlotte Transit, and (2) one disabled citizen who uses Charlotte Transit. There is no age requirement.

**Responsibilities** - This committee will serve as a forum for citizen suggestions and complaints concerning fares, routes, and schedules. It will serve as an advocacy group for public transportation services and review staff recommendations on service provision transit policies. The committee will review and make recommendations on minimum performance standards for the system. The committee will explore emerging issues in public transit and work with staff on solutions.

 **CONTACT**

-  Duretta Weicken
-  (704) 336-3517
-  Dweicken@Ci.Charlotte.Nc.Us

 <b>DETAILS</b>	<b>MEMBERSHIP BREAKDOWN</b>	2 by Mayor; 6 by City Council; 1 by County Commission; 6 by Mecklenburg County Towns
	<b>MEETING INFORMATION</b>	Meeting Day
	<b>ENACTING RESOLUTION</b>	
	<b>ENACTING RESOLUTION WEBSITE</b>	
	<b>ADDITIONAL INFORMATION</b>	



City of Charlotte, NC

# TRANSIT SERVICES ADVISORY COMMITTEE

## BOARD ROSTER



**CHRISTINE BRYANT**

**1 Term** Oct 04, 2010 - Oct 04, 2013

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** None  
**Appointed by** Town of Huntersville



**ROB CORNWELL**

**1 Term** May 09, 2009 - May 11, 2015

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** None  
**Appointed by** Town of Davidson



**DEIDRE EVANS**

**1 Term** Feb 01, 2011 - Jan 31, 2014

Email: evansfreez@aol.com

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** Disabled Citizen Using Charlotte Transit  
**Appointed by** Mayor



**JAMES HILSMAN**

**Partial Term** Jun 23, 2014 - Jan 31, 2017

Email: jah37779@email.cpc.edu

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** Express Service Passenger  
**Appointed by** City Council



**WALTER HORSTMAN**

**1 Term** N/A - Jan 31, 2014

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** None  
**Appointed by** Town of Matthews



**SCOTT JERNIGAN**

**1 Term** Apr 02, 2013 - Feb 03, 2016

Email: scott.jernigan@ncdps.gov

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Chairman  
**Category** None  
**Appointed by** County Commission



**GEORGE SCHAEFFER, III**

**2 Term** Feb 01, 2011 - Jan 31, 2017

Email: george.schaeffer@wachovia.com

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** Local/Express Service Passenger  
**Appointed by** City Council



**JEAN VEATCH**

**1 Term** Dec 07, 2011 - Dec 07, 2015

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** None  
**Appointed by** Town of Cornelius



**MICHAEL WARNER**

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member



**2 Term** Feb 01, 2015 - Jan 31, 2018

Email: mikewarner@gmail.com

**Category** Neighborhood Organizational Leader  
**Appointed by** City Council



**ANTHONY WESLEY**

**2 Term** Feb 01, 2010 - Jan 31, 2016

Email: anthonywesley1@bellsouth.net  
Phone: 704-900-7967

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** Local Service Passenger  
**Appointed by** City Council



**VACANCY**

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** Suburban Employer Served By Charlotte Transit  
**Appointed by** City Council



**VACANCY**

**Appointed by** Mayor



**VACANCY**

**Appointed by** Town of Pineville



**VACANCY**

**Office** Government Center Building, 600 E. 4Th Street  
**Position** Board Member  
**Category** Van Pool Rider  
**Appointed by** City Council



**VACANCY**

**Appointed by** Town of Mint Hill

SUBURBAN EMPLOYER SERVED BY THE  
CHARLOTTE TRANSIT

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# SUBURBAN EMPLOYER SERVED BY CHARLOTTE TRANSIT

City Of Charlotte Boards & Commissions

Submit Date: Jun 24, 2015

## Application Form

Status: submitted

### Profile

Chris \_\_\_\_\_ Middle \_\_\_\_\_ Maloy \_\_\_\_\_  
First Name Middle Initial Last Name

chrisnvsc@gmail.com \_\_\_\_\_  
Email Address

PO BOX 30212 \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28230 \_\_\_\_\_  
City State Postal Code

Mobile: (516) 986-3355 \_\_\_\_\_ Business: (704) 987-5280 \_\_\_\_\_  
Primary Phone Alternate Phone

District 1 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Independent \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

07/13/1980 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

My interest in TSAC is community involvement, and provide perspective as a daily CATS system user. After attending the Charlotte MTC meeting on 3/11/15, I was informed of an opening on the TSAC.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I am currently a daily reverse commuter from my home in Charlotte (uptown&south end), to my office in Davidson, NC. For the last 18 months, the 77x has gotten me to my office in Davidson, and home in the evening.

List any boards you are currently serving on:

List any boards you have served on in the past:

MSC Industrial Supply

Current Employer:

7

Years in current position:

es Operations Supervisor

Job Title:

Brief description of duties:

Responsible for Sales Ops and Support for 1500+ Field and Call Center associates in a hot-line environment answering 2500+ inquiries per week - simple to complex. In addition I participate in teams that manage Sales Compensation, Incentives, and Goals, Productivity, Facilities, and Emergency Communication.

Other employment history:

Employed at MSC since 2000, in many roles from Call Center, Distribution, Training, Operations, and Sales Operations.

VAN POOL REPRESENTATIVE  
NO APPLICANTS FIT THIS CATEGORY

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THE FOLLOWING APPLICANTS DO NOT FIT  
THE CATEGORY REQUIREMENTS

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**Application Form**

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**Profile**

Styianos \_\_\_\_\_ Alatsis \_\_\_\_\_  
First Name Middle Initial Last Name

salatsis@gmail.com \_\_\_\_\_  
Email Address

2206 Sarah Marks Ave Unit 4 \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC 28203 \_\_\_\_\_  
City State Postal Code

Mobile: (253) 720-4059 \_\_\_\_\_  
Primary Phone Alternate Phone

District 1 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

06/16/1985 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Bechtler Arts Foundation Board, Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
I have great interest in these subject matters.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

I am a CFA charterholder, meaning I have a thorough understanding of finance. Secondly, I have an MBA from Duke University.

Carolina Voices \_\_\_\_\_  
List any boards you are currently serving on:

\_\_\_\_\_  
List any boards you have served on in the past:

Wells Fargo & Company \_\_\_\_\_  
Current Employer:

2 \_\_\_\_\_  
Years in current position:

Market Risk Consultant \_\_\_\_\_  
Job Title:

Brief description of duties:  
\_\_\_\_\_

Other employment history:  
\_\_\_\_\_

**Application Form**

**Profile**

Jeffrey \_\_\_\_\_ Berlin \_\_\_\_\_  
First Name Middle Initial Last Name

zeroimpactreefs@gmail.com \_\_\_\_\_  
Email Address

5930 union pacific ave \_\_\_\_\_  
Street Address Suite or Apt

charlotte \_\_\_\_\_ NC 28210 \_\_\_\_\_  
City State Postal Code

Home: (980) 385-2338 \_\_\_\_\_  
Primary Phone Alternate Phone

District 6 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

03/06/1987 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

I'm interested in the Transportation Committee because I want to be part of improving the experience people have on our roads and public transit systems.I believe by reducing the friction that people must endure to

travel the city, we can make Charlotte a national standard in dealing with congested roadway.We can utilize current city cameras & lights to make traveling a more pleasant experience.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

By Making sure that we are utilizing the equipment we currently have at full potential and reaching out to citizens and observing feedback and data from them with specialized reporting methods. We can then do the best job possible to make traveling throughout the city a pleasant experience for everyone before making decisions that will affect the quality of life for people in Charlotte.

\_\_\_\_\_  
List any boards you are currently serving on:

\_\_\_\_\_  
List any boards you have served on in the past:

self zero impact reefs llc \_\_\_\_\_  
Current Employer:

\_\_\_\_\_  
Years in current position:

\_\_\_\_\_  
Job Title:

**Brief description of duties:**

Grow coral and maintain saltwater tanks.

**Other employment history:** \_\_\_\_\_



**Application Form**

**Profile**

Helena \_\_\_\_\_ Middle \_\_\_\_\_ Connors \_\_\_\_\_  
First Name Middle Initial Last Name

hconnor2@uncc.edu \_\_\_\_\_  
Email Address

10214 Little Creek Road \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28227 \_\_\_\_\_  
City State Postal Code

Mobile: (702) 334-8456 \_\_\_\_\_ Business: (704) 687-0279 \_\_\_\_\_  
Primary Phone Alternate Phone

District 6 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Independent \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

04/09/1963 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Citizens' Transit Advisory Group, Passenger Vehicle For Hire, Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

I have over 7 years experience in the Transportation to include transit, charter bus service, car share, bicycle share and disability transport. I relocated to Charlotte, NC in 2012 for a promotion and have gained a deep

appreciation for the city and the people of Charlotte. Therefore, I would like to take a more active role in helping the city to grow and prosper.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I am a retired US Air Force Veteran and I did serve on Airman of the Month Boards to select the most outstanding Airman from a group of 12. In the transportation business, I have be a Safety Manager, Operations Manager, and a General Manager. I understand the inner workings of transit and have working knowledge of the rules and regulations which govern interstate and intrastate commerce.

List any boards you are currently serving on:  
Committee, Horizon Coach Lines  
Transportation and Maintenance  
Candidate Hiring Boards, UNCC

List any boards you have served on in the past:

University of North Carolina at  
Charlotte

Current Employer:

.5 \_\_\_\_\_  
Years in current position:

Transportation Manager

Job Title:

Brief description of duties:

Monitor and evaluate CATS and SafeRide data to provide trend and use data for distribution. Work with the car share provider to ensure that vehicles are maintained and safe at all times. Collect vehicle usage data from vendor and submit to Director. Monitor employee work and conduct. Comply with all federal, state, and local requirements for equipment and ADA regulations.

Other employment history:

1981 - 2001 USAF, Technical Sergeant 2001-2008 Broker/ Realtor 2008-2011 South West Excursions and Educational Tours - GM 2011-2014, CoachAmerica - Horizon Coach lines - GM 2014 - UNCC Transportation Manager

### Application Form

#### Profile

Antonio \_\_\_\_\_ C \_\_\_\_\_ c aither \_\_\_\_\_  
First Name Middle Initial Last Name

aitherkris@gmail.com \_\_\_\_\_  
Email Address

2) 03 Lonbrook Dr \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 03084 \_\_\_\_\_  
City State Postal Code

Mobile: (813) 603-6664 \_\_\_\_\_ Business: (813) 603-6664 \_\_\_\_\_  
Primary Phone Alternate Phone

District \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

4) 09/09/80 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
 Citizens Advisory Board / Civil Service Board / Personnel / Fire / Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
 I would like to make a difference in the community. I have the type of people that hire in these positions

#### Please describe any background or abilities that qualify you to serve on these boards/ committees.

I retired from the US Army after serving in this country for 03 years. I retired as a Staff Sergeant and worked in various training and day-to-day operations for over 10 years. I was a member of the American Legion and the M7S department.

none \_\_\_\_\_  
List any boards you are currently serving on:

none \_\_\_\_\_  
List any boards you have served on in the past:

SPS \_\_\_\_\_  
Current Employer:

21 \_\_\_\_\_  
Years in current position:

M7S Driver \_\_\_\_\_  
Job Title:

Brief description of duties:  
 Transport mail locally from stations to main plant to be processed.

Other employment history:  
 Retired Staff Sergeant / US Army (03 years total service)

**Application Form**

**Profile**

David \_\_\_\_\_ Harris \_\_\_\_\_  
First Name Middle Initial Last Name

engharris@yahoo.com \_\_\_\_\_  
Email Address

3201 Plantation Road \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28270 \_\_\_\_\_  
City State Postal Code

Mobile: (727) 421-1730 \_\_\_\_\_  
Primary Phone Alternate Phone

District 7 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Independent \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

03/20/1970 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Transit Services Advisory Committee, Zoning Board Of Adjustment

Why are you interested in serving on these boards/ committees?  
As an civic-minded engineering design professional, I am aware of the political and logistical challenges that transportation and development pose for our region. As a business owner and MBA candidate, I understand

the financial challenges as well. I want to provide sensible solutions with an eye toward the city's future.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

I believe that my civic involvement and background in Civil Engineering and construction make me an excellent candidate for the seat. I have executed projects beginning with the bidding/contract phase through design, submittal and construction for municipal, state and commercial clients. I am also an MBA candidate at UNCC with a focus on Real Estate and finance.

Transit Funding Working Group \_\_\_\_\_  
List any boards you are currently serving on:  
Planning Organization (MPO)  
Citizen Advisory Committee  
(Pinellas County, FL)  
List any boards you have served on in the past:

ENGHarris, PLLC \_\_\_\_\_  
Current Employer:

Years in current position:

Owner \_\_\_\_\_  
Job Title:

**Brief description of duties:**

Civil engineer focused on transportation and infrastructure finance. Serve as construction- and project-management liaison; research, write and present proposals and technical reports; draft roadway plans; calculate construction quantities and estimates; perform structural analysis; provide David Harris Zoning Board of Adjustment utility coordination; develop Maintenance of Traffic plans; serve as mentor for junior engineers.

**Other employment history:**

Civil Engineering (Transportation, Geotechnical, Structural); General Contracting; Media; Finance; International Consulting

### Application Form

#### Profile

Dwayne \_\_\_\_\_ @eynard \_\_\_\_\_  
First Name Middle Initial Last Name

dheynard9.ci.charlotte.nc.us \_\_\_\_\_  
Email Address

3801 grandrift Hd \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28215 \_\_\_\_\_  
City State Postal Code

Mobile: (704-5) 610 / \_\_\_\_\_  
Primary Phone Alternate Phone

District 4 \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Independent \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

08/23/4 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Charlotte-Mecklenburg Public Access Corporation, Transit Services Advisory Committee, Management Advisory Board

Why are you interested in serving on these boards/ committees?  
I would like to improve the conditions in my community, to make it a better place to live and to enjoy.

#### Please describe any background or abilities that qualify you to serve on these boards/ committees.

I have served my country in the US Army for 28 years and the city of Charlotte for 2k years. In that time I have gained a broad perspective in dealing with community, organizations and people.

List any boards you are currently serving on:  
Safety Board US Army 0302 to 04612  
List any boards you have served on in the past:

Charlotte Fire Dept \_\_\_\_\_  
Current Employer:  
2k \_\_\_\_\_  
Years in current position:

Firefighter/EMT \_\_\_\_\_  
Job Title:

Brief description of duties:  
Protect the citizens from the risk of fire and other hazards. Crash fire airport rescue, Emergency vehicle operator, hazardous materials technician.

Other employment history:  
U.S. Army Reserve 28 Years First sergeant, medical specialist, CBHN specialist, master driver

**Application Form**

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**Profile**

Nathaniel \_\_\_\_\_ Lewis \_\_\_\_\_  
First Name Middle Initial Last Name

nathaniel.lewis@gmail.com \_\_\_\_\_  
Email Address

715 North Graham ST STE 510 \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28202 \_\_\_\_\_  
City State Postal Code

Mobile: (860) 997-0265 \_\_\_\_\_  
Primary Phone Alternate Phone

District 2 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

06/01/1981 \_\_\_\_\_  
Date of Birth

**Are you a registered voter?** \_\_\_\_\_

Yes  No

**Which Boards would you like to apply for?** \_\_\_\_\_

Business Advisory Committee, Transit Services Advisory Committee

**Why are you interested in serving on these boards/ committees?** \_\_\_\_\_

To put my professional experience to good use in the city I plan to call home for the rest of my life.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

- Columbia Business School MBA - Over 10 years of consulting experience as part of IBM's business transformation group

\_\_\_\_\_  
List any boards you are currently serving on:

\_\_\_\_\_  
List any boards you have served on in the past:

IBM \_\_\_\_\_  
Current Employer:

11 \_\_\_\_\_  
Years in current position:

Associate Partner \_\_\_\_\_  
Job Title:

**Brief description of duties:** \_\_\_\_\_

**Other employment history:** \_\_\_\_\_

**Application Form**

**Profile**

Corine \_\_\_\_\_ MacH \_\_\_\_\_  
First Name Middle Initial Last Name

corinemachD. 0@ yahooxcom \_\_\_\_\_  
Email Address

2R18 Sonoma ( alley DriTe \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 2) 214 \_\_\_\_\_  
City State Postal Code

3ome: -8046. 00V085@ \_\_\_\_\_ Mobile: -R486@ R02@ \_\_\_\_\_  
Primary Phone Alternate Phone

District 2 \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

0. 9@. 58 \_\_\_\_\_  
Date of Birth

Are you a registered voter? \_\_\_\_\_

Yes  No

Which Boards would you like to apply for? \_\_\_\_\_

Citizens ' eTiev Board, CiTil SerTice Board, gransit SerTices AdTisory Committee

Why are you interested in serving on these boards/ committees? \_\_\_\_\_

I am the NAACP CharlotteVMechHenbur7 Branch President and belieTe I must be part of a collaboratiTe effort to effect chan7eun my Cityx

Please describe any background or abilities that qualify you to serve on these boards/ committees.

Iv orHed on the C' B in NYI am also a foundin7 member of the Charlotte C' B CoalitionI am a retired ( P of a 40,000 member gransit / nionI Hov or7anizin7,mobilizin7,community buildin7,gransit systems,labor lav ,OS3A standards,mediation,CiTil SerTice policies and 7uidelines,etcx

List any boards you are currently serTin7 on:

None in Charlotte

List any boards you haTe serTed on in the past:

Center fir Community Chan7e

Current Employer:

4 years

Years in current position:

Or7anizerConsultant

Job gitle:

Brief description of duties:

Other employment history:

grain Operator,( ice President gw / 100 V.8 years

### Application Form

#### Profile

James \_\_\_\_\_ Middle Initial \_\_\_\_\_ Marascio \_\_\_\_\_  
First Name Last Name

am3.marascio@comcast.net \_\_\_\_\_  
Email Address

5(0) Ne@combe Ct \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 2(277) \_\_\_\_\_  
City State Postal Code

Mobile: -7049151700H \_\_\_\_\_ Rome: -704954115) 45 \_\_\_\_\_  
Primary Phone Alternate Phone

District 7 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

01/25/1971 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
\_\_\_\_\_  
 Yes  No

Which Boards would you like to apply for?  
\_\_\_\_\_  
Priority/Competition Advisory Committee, Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
\_\_\_\_\_  
I believe that it is important for the city to ensure competition in the process of bidding for government services and to have a balanced portfolio of services providers compared to other cities in the Charlotte public

transportation appears underutilized. I think that this service should be a key component to the city's growth strategy, ensuring productivity, accessibility and livability.

Please describe any background or abilities that qualify you to serve on these boards/ committees.  
\_\_\_\_\_

I am a member of an early-stage business executive team and treasurer of another Charlotte start-up business. In 2010, I helped found the Charlotte Regional Technology Executives Council - CVJ EC9. And I have sat on the executive committee of a non-profit foundation since 2004. For nearly four years, I have served as the chairman of foundation's board of directors.

Foundation Digital Signage Federation -nominated, a candidate for election results.

List any boards you are currently serving on:  
Charlotte Regional Technology Executives Council Delta Chi Fraternity Board of Regents

List any boards you have served on in the past:  
\_\_\_\_\_

11 Giraffes \_\_\_\_\_  
Current Employer:

715 \_\_\_\_\_  
Years in current position:

Chief Technology Officer & Vice President of Operations \_\_\_\_\_  
Job title:

Brief description of duties:  
\_\_\_\_\_

Member of a SaaS executive team focused on retail media solutions. Responsible for product innovation, development, fulfillment & marketing. Maintain product roadmap vision and direction through consultation with sales team, channel sales network, and client input.

Other employment history:  
\_\_\_\_\_

**Application Form**

**Profile**

Tremona Morrison-Pittman  
First Name Middle Initial Last Name

tremonamp@gmail.com  
Email Address

5850 Sullins Road  
Street Address Suite or Apt

Charlotte NC 28214  
City State Postal Code

Home: (704) 394-0880  
Primary Phone Alternate Phone

District 3  
City Council District

African American  
Ethnicity

Democrat  
Political Party

Female  
Gender

08/13/1970  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
I have a special needs child that has been approved for Special Transportation, however is unable to obtain it due to our location in regards to an existing CATS stop. Special Transportation has not been the most user

friendly consumer product offered by Mecklenburg County or the City of Charlotte.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I am a parent and a native Charlottean looking for continued growth but consideration with inclusion.

None  
List any boards you are currently serving on:

None  
List any boards you have served on in the past:

Novant Health  
Current Employer:

6  
Years in current position:

Registered Medical Assistant  
Job Title:

Brief description of duties:  
Patient care includes obtaining vitals, patient call backs, obtaining authorizations for migraine prophylaxis and other neurology medications. Posting financial charges for polysomnograms

Other employment history:  
US Army, AT&T, substitute teacher with Charlotte Mecklenburg schools.



### Application Form

#### Profile

Joshua \_\_\_\_\_ Niday \_\_\_\_\_  
First Name Middle Initial Last Name

zniday1@uncc.edu \_\_\_\_\_  
Email Address

9391 ' helo Dr \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28212 \_\_\_\_\_  
City State Postal Code

Home: ( ) 04- 53 ) 38 \_\_\_\_\_ Mobile: ( ) 04- / ) 56 ) 09 \_\_\_\_\_  
Primary Phone Alternate Phone

District 5 \_\_\_\_\_  
City Council District

Caucasian Non-Hispanic \_\_\_\_\_  
Ethnicity

Republican \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

04/18/ / 3 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
CitiTens/ ransit Advisory Group, ' ransit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
I am interested for tgo reasonsx' he first reason is because I am a colle. e student gith a passion for . overnment and politics and I g ant to serve my CityxI also g ant these tgo boards specifically, because I am a

re. ular customer for CA' SxI have ekperienced both the . ood and bad and I could speaWto personal experiences in those meetin. s that could help improve our local transit systemx

#### Please describe any background or abilities that qualify you to serve on these boards/ committees.

I am currently g orWn. on my Political Science de. ree and I am g orWn. gith my qniversity to try to add an q rban Studies as g ellxI have served in Student Government at my qniversity so I Wlog basic protocol for hog to conduct myself durin. a meetin. xIve never served for the City of Charlotte before, but I am confident that I can learn j uicWly and provide ideas that others may not havex

List any boards you are currently serwin. on:

List any boards you have served on in the past:

#### Your Event Source

Current Employer:

less than 1 \_\_\_\_\_  
Years in current position:

Creg member \_\_\_\_\_  
Job ' itle:

#### Brief description of duties:

WorWevents, provide customer service, novelties and inflatables and ensurin. that customers are safe at all timesx

#### Other employment history:

Carog inds Wendys

### Application Form

#### Profile

MARK \_\_\_\_\_ SHOW \_\_\_\_\_  
First Name Middle Initial Last Name

parrotfeat@bellsouth.net \_\_\_\_\_  
Email Address

11723 RIMROCK CANYON DRIVE \_\_\_\_\_  
Street Address Suite or Apt

CHARLOTTE \_\_\_\_\_ NC \_\_\_\_\_ 28226 \_\_\_\_\_  
City State Postal Code

Mobile: (704) 519-5933 \_\_\_\_\_  
Primary Phone Alternate Phone

District 7 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

02/10/1967 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Citizens' Transit Advisory Group, Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
Being a frequent user of mass transit at all times of the day as well as weekends and holidays, I feel that I can bring a different perspective to the advisory group or committee.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

A long time user of mass transit in a variety of cities and a keen eye for observation.

List any boards you are currently serving on:

List any boards you have served on in the past:

Various \_\_\_\_\_  
Current Employer:

25+ \_\_\_\_\_  
Years in current position:

various \_\_\_\_\_  
Job Title:

Brief description of duties:  
As a stagehand who works in the greater Charlotte area, I have a variety of job titles and duties, depending on the type of production.

Other employment history:  
Various including retail and film work.

**Application Form**

**Profile**

Brett \_\_\_\_\_ Wallace \_\_\_\_\_  
First Name Middle Initial Last Name

wallacebp@pbworld.com \_\_\_\_\_  
Email Address

8422 Delberry Lane \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28277 \_\_\_\_\_  
City State Postal Code

Mobile: (980) 214-0380 \_\_\_\_\_ Home: (704) 541-1816 \_\_\_\_\_  
Primary Phone Alternate Phone

District 7 \_\_\_\_\_  
City Council District

Caucasian/Non-Hispanic \_\_\_\_\_  
Ethnicity

Other \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

03/21/1975 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
I am a daily transit customer and truly believe in the importance of a strong transit system to improve the quality of life for all residents of the region. Professionally, I am a transit planner / engineer, and my duties

center on improving transit connections as part of projects across the country. Serving on the TSAC would enable me to apply my skills to help enhance transit here at home.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

I have worked on many efforts to redesign or implement new transit services. I led the redesign of the entire bus network in Charleston, SC, resulting in annual ridership increasing from 2.9 million passenger trips in 2006 to nearly 5 million passenger trips today. I recently led the development of an operational plan for new DC Circulator bus service on the National Mall in Washington, DC.

\_\_\_\_\_  
List any boards you are currently serving on:

\_\_\_\_\_  
List any boards you have served on in the past:

Parsons Brinckerhoff \_\_\_\_\_  
Current Employer:

2 \_\_\_\_\_  
Years in current position:

Senior Supervising Planner \_\_\_\_\_  
Job Title:

**Brief description of duties:**

Managing and working on planning and engineering projects for all transit modes. Working with broad-based teams of technical specialists on multi-disciplinary projects.

**Other employment history:**

Previously worked for other consulting firms including HDR, URS Corporation, and Wilbur Smith Associates.

**Application Form**

**Profile**

Melisa \_\_\_\_\_ Young \_\_\_\_\_  
First Name Middle Initial Last Name

myou765@gmail.com \_\_\_\_\_  
Email Address

4200 Hovis Rd. \_\_\_\_\_ Lot #77 \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28208 \_\_\_\_\_  
City State Postal Code

Home: (704) 905-6599 \_\_\_\_\_ Mobile: (704) 858-3720 \_\_\_\_\_  
Primary Phone Alternate Phone

District Y \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Independent \_\_\_\_\_  
Political Party

Female \_\_\_\_\_  
Gender

06/30/1972 \_\_\_\_\_  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Charlotte Area Fund Board Of Directors, Citizens Review Board, Transit Services Advisory Committee

Why are you interested in serving on these boards/ committees?  
Just to get the feel of doing something new, and experience it with the citizens of North Carolina, if possible.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

The only background I have is completing the Citizens Academy with CMPD. Which was an experience of my life. Something I will always carry with me. I have encouraged others that I work with to get involved, and feel the experience as well.

N/A  
List any boards you are currently serving on:

N/A  
List any boards you have served on in the past:

Crowne Plaza Executive Park  
Current Employer:

2years  
Years in current position:

Director of Security  
Job Title:

**Brief description of duties:**  
Initial foot patrols, vehicle patrols, run shuttles to and from airport, daily reports, supervise others, shipping and receiving, maintaining safety for guests and associates at the hotel. Operating alarms, giving details to CMPD if there is an incident, maintaining on-site issues.

**Other employment history:**  
Charlotte Marriott Executive Park, before it transitioned to Crowne Plaza, basically do the same job duties, except supervise, employed with them 02/10.2009/ until 06-01-2013, and still working there.



Legislation Text

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File #: 15-896 Agenda #: 26.

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**Nomination to the Waste Management Advisory Board**

**Action:**

**Nominate citizens to serve as specified. Incumbents may be reappointed at this time.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One recommendation by the City Council for appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending November 5, 2015, and then continuing for a full three-year term beginning November 6, 2015, and ending November 5, 2018.
  - Howard Cohen has failed to meet the City Council attendance policy requirement.

**Attachment**


Waste Management Advisory Board Applicants






City of Charlotte, NC

# WASTE MANAGEMENT ADVISORY BOARD

## BOARD DETAILS

 **OVERVIEW**

-  **SIZE** 20 Seats
-  **TERM LENGTH** 3 Year
-  **TERM LIMIT** 2 Terms

**Membership** - The City Council is to recommend five (5) members for approval by the County Commission. Terms are for three years and appointees must be a resident of Mecklenburg County.


**Responsibilities** - Evaluate all decisions to construct additional waste-to-energy facilities in the future and consult and advise the City and County governing bodies on the merits and cost efficiencies of such decisions prior to the time they are made.

 **CONTACT**

-  Lynn Streeter
-  (704) 336-4304
-  [Lynn.Streeter@Mecklenburgcountync.Gov](mailto:Lynn.Streeter@Mecklenburgcountync.Gov)

 **MEMBERSHIP BREAKDOWN**

5 recommended by City Council and appointed by County Commission; 15 by County Commission

 **DETAILS**

**MEETING INFORMATION**

- Meeting Day - 3rd Tuesday monthly
- Meeting Time - 11:30 a.m.
- Meeting Location - Hal Marshall Services Center/700 N. Tryon
- Time Commitment - 4 hours per month

**ENACTING RESOLUTION**

**ENACTING RESOLUTION WEBSITE**

**ADDITIONAL INFORMATION**

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City of Charlotte, NC

# WASTE MANAGEMENT ADVISORY BOARD

## BOARD ROSTER



**HENRY ANTSEL**  
Partial Term May 07, 2014 - Sep 21, 2016

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category Recommended by City Council  
Appointed by County Commission



**LINDA ASHENDORF**  
2 Term Apr 01, 2014 - Mar 31, 2017

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**ELIZABETH DONOVAN**  
2 Term Jul 01, 2015 - Jun 30, 2018

Email: boards@charlottenc.gov

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**MARTIN DOSS**  
1 Term Feb 02, 2014 - Feb 01, 2017

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category Recommended by City Council  
Appointed by County Commission



**CONNIE HARRIS**  
2 Term Sep 30, 2012 - Sep 30, 2015

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**DWAYNE HEYWARD**  
1 Term Dec 02, 2014 - May 18, 2016

Email: dheyward@ci.charlotte.nc.us  
Phone: mobile: (704) 577-1066

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category Recommended by City Council  
Appointed by County Commission



**MELVIN JEWETT**  
1 Term Sep 02, 2014 - Aug 31, 2017

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**KENNETH MORRIS**  
1 Term Nov 05, 2013 - Oct 30, 2016

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**ANTHONY MORRISON**

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member



1 Term Oct 01, 2013 - Jul 13, 2016

Category Recommended by City Council  
Appointed by County Commission



**JEREMY OBRIEN**  
2 Term Jul 01, 2013 - Jun 30, 2016

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**STEVEN PEPPER**  
2 Term Jul 01, 2013 - Jun 30, 2016

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**RITA PLYER**  
2 Term Mar 15, 2013 - Mar 14, 2016

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**ISMAEL SANCHEZ**  
1 Term Sep 01, 2014 - Aug 31, 2017

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**MARTIN SANFORD**  
2 Term Oct 31, 2013 - Oct 30, 2016

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**CARL TERRELL**  
1 Term Mar 01, 2015 - Feb 28, 2018

Email: boards@ci.charlotte.nc.us

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**LOUIS WATTS**  
1 Term Mar 15, 2013 - Mar 14, 2016

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission



**VACANCY**

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category Recommended by City Council  
Appointed by County Commission



**VACANCY**

Office Hal Marshall Center, 700 N. Tryon Street  
Position Board Member  
Category None  
Appointed by County Commission





**VACANCY**

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission

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**VACANCY**

**Office** Hal Marshall Center, 700 N. Tryon Street  
**Position** Board Member  
**Category** None  
**Appointed by** County Commission

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**Application Form**

Status: submitted

**Profile**

Jason \_\_\_\_\_ Thomas \_\_\_\_\_  
First Name Middle Initial Last Name

jason.thomas@goodwillsp.org \_\_\_\_\_  
Email Address

9232 Newfield Street \_\_\_\_\_  
Street Address Suite or Apt

Charlotte \_\_\_\_\_ NC \_\_\_\_\_ 28216 \_\_\_\_\_  
City State Postal Code

Mobile: (704) 315-0370 \_\_\_\_\_ Business: (980) 636-1298 \_\_\_\_\_  
Primary Phone Alternate Phone

District 2 \_\_\_\_\_  
City Council District

African American \_\_\_\_\_  
Ethnicity

Democrat \_\_\_\_\_  
Political Party

Male \_\_\_\_\_  
Gender

05/24/1980 \_\_\_\_\_  
Date of Birth

**Are you a registered voter?**  
 Yes  No

**Which Boards would you like to apply for?**  
 Waste Management Advisory Board

**Why are you interested in serving on these boards/ committees?**  
 My Director (Patrick Darrow) was a previous member until he relocated out of Mecklenburg County. My comp-nay would like a representative to continue on this board.

**Please describe any background or abilities that qualify you to serve on these boards/ committees.**

List any boards you are currently serving on:

List any boards you have served on in the past:

**Goodwill Industries of the Southern  
Piedmont**  
Current Employer:

3 \_\_\_\_\_  
Years in current position:

**Environmental Enterprises  
Operations Manager**  
Job Title:

**Brief description of duties:**  
 Directs activities of the Recycling and eCommerce Departments to ensure net performance provides satisfactory financial support for the organization and training opportunities in support of the Agency's mission and strategic objectives. Manages customer and vendor relationships for both departments. Directly supervises the staff of the Recycling and eCommerce departments.

**Other employment history:**

**Application Form**

**Profile**

Jay D. Winfrey  
First Name Middle Initial Last Name

jdwinfrey@bigrecycling.net  
Email Address

8323 Paces Oaks Blvd 925  
Street Address Suite or Apt

Charlotte NC 28213  
City State Postal Code

Mobile: (704) 615-3775  
Primary Phone Alternate Phone

District 3  
City Council District

African American  
Ethnicity

Democrat  
Political Party

Male  
Gender

01/24/1980  
Date of Birth

Are you a registered voter?  
 Yes  No

Which Boards would you like to apply for?  
Waste Management Advisory Board

Why are you interested in serving on these boards/ committees?  
I feel like waste management, and recycling in particular, is one of the industries that will propel Charlotte into an even bigger metropolis of the South in coming years. Having an effective, cost reducing, and maybe even

profitable system in place to handle our waste is of extreme importance.

Please describe any background or abilities that qualify you to serve on these boards/ committees.

I'm President of a new Startup in Charlotte Called Big Recycling.

List any boards you are currently serving on:  
However looking forward to the opportunity serve as an addition to the current board.  
List any boards you have served on in the past:

Big Recycling  
Current Employer:

6 months  
Years in current position:

President  
Job Title:

**Brief description of duties:**

I serve as the President and Ceo of a Startup here in Charlotte, Big Recycling. I am responsible for the daily operations, marketing and management for this new endeavor. Serving in this capacity gives me ability to use day to day, real world experience on the Waste Management Advisory Board.

Other employment history:  
Retail Management 11yrs Customer Service 8yrs Sales Trainer 5yrs



**Legislation Text**

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**File #:** 15-953 **Agenda #:** 27.

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**Conclusion of Consent Agenda**



# City of Charlotte

Charlotte-Mecklenburg  
Government Center  
600 East 4th Street  
Charlotte, NC 28202

## Legislation Text

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**File #:** 15-954 **Agenda #:** 28.

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### Mayor and City Council Topics

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



Legislation Text

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File #: 15-872 Agenda #: 29.

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**Sexual Assault Cold Cases Grant for a Prosecutor Position**

**Action:**

- A. Authorize the City Manager to accept a two-year grant from the Governor’s Crime Commission in the amount of \$121,106.34 to fund a prosecutor position for Sexual Assault cases, and**
- B. Adopt a budget ordinance appropriating \$121,106.34 in funds from the North Carolina Governor’s Crime Commission.**

**Staff Resource(s):**

Darrell Price, Police  
Melanie Peacock, Police

**Explanation**

- The North Carolina Governor's Crime Commission awarded a grant in the amount \$121,106.34 to the Charlotte-Mecklenburg Police Department (CMPD) Cold Case unit, including an in-kind match of \$40,368.78. The project total is \$161,475.12.
- Currently the assistant district attorney position, which works with the Cold Case unit, will no longer be funded through the 2011 National Institute of Justice Solving Cold Cases with DNA grant or CMPD’s operating budget.
- Prosecution of cold cases is very specialized. For the two years of the grant funding, the retained assistant district attorney (retired) will begin training current assistant district attorneys to take over this specific case load after the grant period has ended, thus requiring no further funding from the CMPD’s operating budget.
- The two-year grant period is from July 1, 2015, through June 30, 2017.

**Fiscal Note**

Funding: North Carolina Governor’s Crime Commission and Police Operating Budget

**Attachment**

Budget Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE  
APPROPRIATING \$121,106.34 FROM THE NORTH CAROLINA GOVERNOR'S CRIME COMMISSION  
TO FUND A PROSECUTOR POSITION FOR SEXUAL ASSAULT CASES**

---

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

- Section 1. That the sum of \$121,106.34 is hereby estimated to be available from the North Carolina Governor's Crime Commission
- Section 2. That the sum of \$121,106.34 is hereby appropriated to the General Grants and LTD Project Fund (2600), project 3030220002; GL 2600-30-30-3090-303022-000000-000000-000-530500
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon adoption.

Approved as to form:

\_\_\_\_\_  
City Attorney



Legislation Text

File #: 15-870 Agenda #: 30.

**Juvenile Diversion Program Grant for New, Temporary Positions**

**Action:**

- A. Authorize the City Manager to accept a grant from the North Carolina Governor’s Crime Commission in the amount of \$97,737.75 to fund two, new full-time positions for the Juvenile Diversion Program, and**
- B. Adopt a budget ordinance appropriating \$97,737.75 in funds from the North Carolina Governor’s Crime Commission.**

**Staff Resource(s):**

Vicki Foster, Police  
Anthony Hall, Police

**Explanation**

- The Governor’s Crime Commission awarded a grant in the amount of \$97,737.75 for the Juvenile Diversion Program, including an in-kind match of \$32,579.25 from Charlotte-Mecklenburg Police Department (CMPD), Charlotte-Mecklenburg Schools, and the Huntersville Police Department. The project total is \$130,317.
- The grant will fund two, temporary full-time positions: a program assistant and a diversion specialist, which will support youth-related positive engagement activities and efforts in the Charlotte-Mecklenburg community.
- The program assistant and diversion specialist positions will be responsible for youth referrals from schools and agencies currently outside the boundary of the City of Charlotte and ineligible for diversion.
- Additional staff will allow capacity to extend program participation, by approximately 100 youth, particularly minorities, in an effort to redirect behaviors that may lead to legal repercussions.
- In addition, CMPD will contract with outside agencies to provide life skills workshops covering topics, such as substance abuse, goal setting, and decision making for youth referred to the diversion program.
- Based upon their assessment, participants will be assigned to attend eight hours of training in a specific two-day workshop, no greater than six hours per day, covering conflict resolution, decision-making, academic excellence, and/or critical thinking.
- Parent/guardians will participate in two hours of training designed to assist in understanding and directing their child.
- The grant period is from July 1, 2015, through June 30, 2016.
- At the end of the grant period, the positions will no longer be funded or may be requested through the City’s annual budget process.

**Fiscal Note**

Funding: North Carolina Governor’s Crime Commission and Police Operating Budget

**Attachment**

Budget Ordinance



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE  
APPROPRIATING \$97,737.75 FROM THE NORTH CAROLINA GOVERNOR'S CRIME COMMISSION  
TO FUND THE JUVENILE OFFENDER DIVERSION PROGRAM

---

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

- Section 1. That the sum of \$97,737.75 is hereby estimated to be available from the North Carolina Governor's Crime Commission
- Section 2. That the sum of \$97,737.75 is hereby appropriated to the General Grants and LTD Project Fund (2600), project 304032005; GL 2600-30-30-3090-304032-000000-000000-000-530500
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon adoption.

Approved as to form:

\_\_\_\_\_  
City Attorney



Legislation Text

File #: 15-808 Agenda #: 31.

**Charlotte-Mecklenburg Police Westover Division Change Order**

**Action:**

**Approve change order #1 in the amount of \$485,000 to Randolph & Son Builders, Inc. for the Charlotte-Mecklenburg Police Department Westover Division Station.**

**Staff Resource(s):**

William Haas, Engineering & Property Management  
Lisa Goelz, Police  
Patrick Mumford, Neighborhood & Business Services

**Explanation**

- Construction began in February 2015 and the project is 40% complete.
- Change order #1 in the amount of \$485,000 will provide funds to cover costs associated with the removal of buried trash and petroleum saturated soil.
- Land was previously owned by a construction company and allowances have been included in the contract for anticipated unsuitable soils.
- However, site work to date has uncovered large quantities of buried trash including tires, microwaves, utility poles and shovels.
- The petroleum-based soil has also been discovered and will require export to a special landfill site approved by the North Carolina Department of Natural Resources.
- The excavation, export, and infill of the anticipated remaining material will extend beyond current contract amounts.
- Change order #1 will increase the current contract value from \$5,744,413.83 to \$6,229,413.83. Funds will be transferred from the project contingency available in the project budget.
- The project is expected to be completed under budget.
- Construction is expected to be complete by first quarter 2016.

**Background**

- On January 27, 2014, the City Council approved the land purchases for this project.
- Six parcels were combined to create a 5-acre site at 2550 West Boulevard.
- The Charlotte-Mecklenburg Police Department Westover Division and the Neighborhood & Business Services Southwest Service Area Team will be located at the new 16,250 square-foot facility.

**Charlotte Business INclusion**

The work involved in this change order will be performed by Randolph & Son Builders, Inc. and its existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy). Randolph & Sons Builders is on track to meet their SBE commitment of 19.54% and their MBE commitment of 5.11%.

**Fiscal Note**

Funding: General Facilities Community Investment Plan

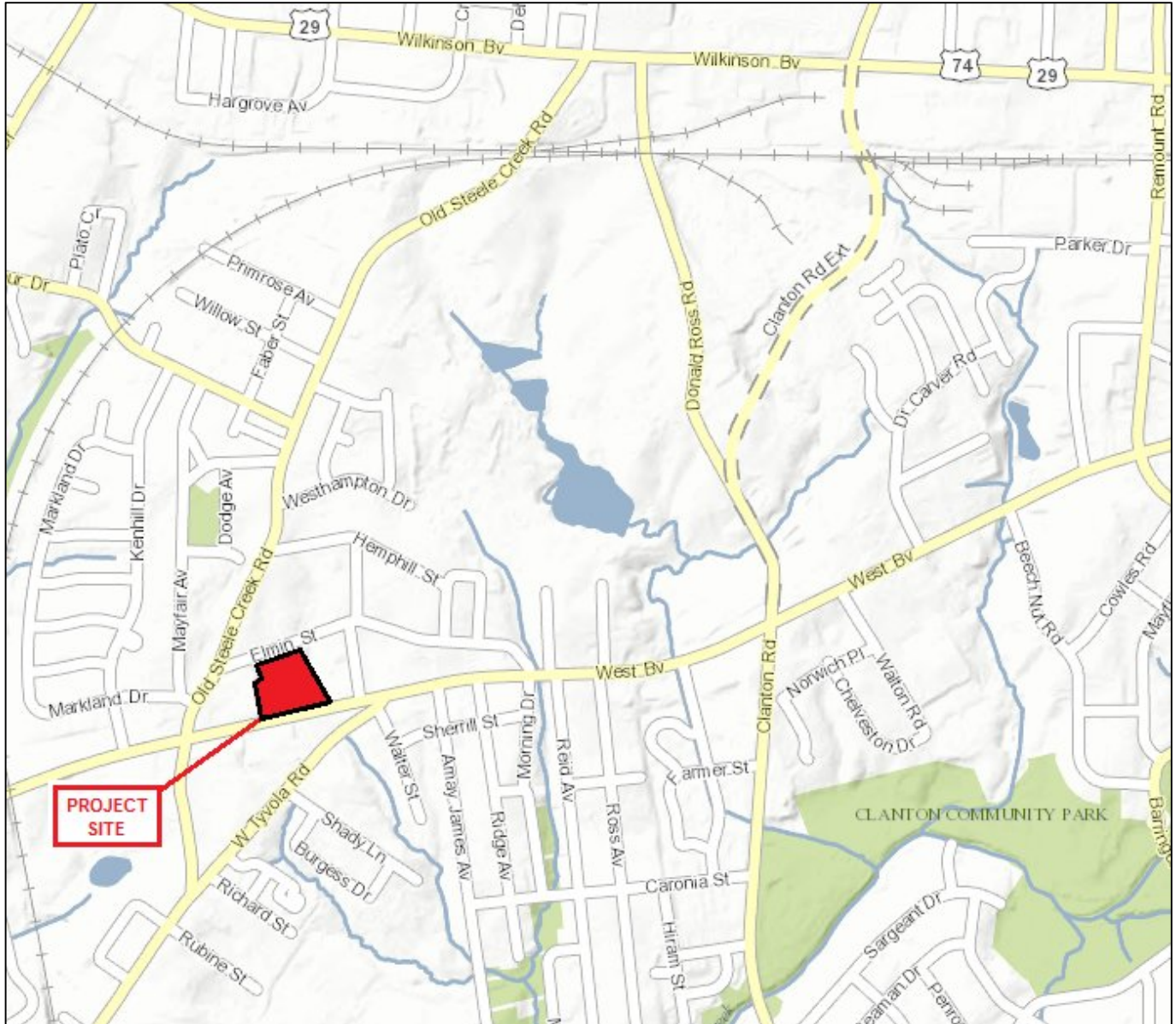
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**File #:** 15-808 **Agenda #:** 31.

---

**Attachment**

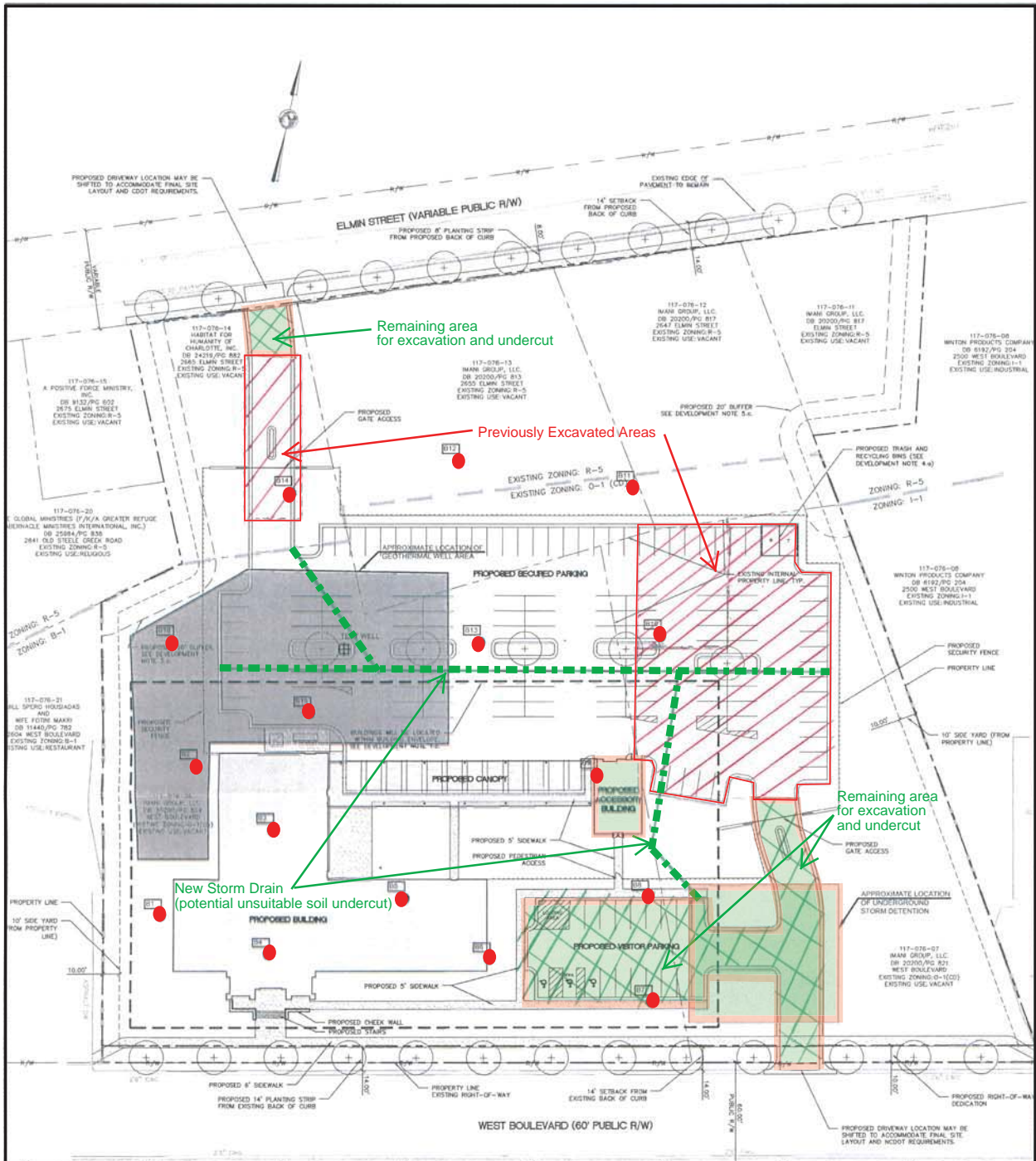
Map  
Rendering  
Unsuitable Soil Site Plan



**Location Map: Charlotte-Mecklenburg Police Department  
Westover Division Station (Council District 3)**



**Project Rendering: Charlotte-Mecklenburg Police Department  
Westover Division Station (Council District 3)**



# Charlotte-Mecklenburg Police Department Westover Division Unsuitable Soil Site Plan

APPROXIMATE SCALE IN FEET



## Legend

- Geotech Boring Location
- ▨ Previously Excavated Areas
- ▨ Remaining area for excavation and undercut
- - - New Storm Drain (potential unsuitable soil undercut)



Legislation Text

File #: 15-778 Agenda #: 32.

**Interlocal Agreement between the City of Charlotte and the Charlotte Mecklenburg Board of Education**

**Action:**

- A. Adopt a resolution for the Interlocal Agreement between the City of Charlotte and the Charlotte-Mecklenburg Board of Education for construction of the University Pointe Boulevard road extension on portions of the Zebulon Vance High and James Martin Middle School Campus, including the acquisition of all property rights from the school campus necessary to complete the project, and**
- B. Authorize the City Manager to execute any and all documents necessary to comply with the terms of the Agreement.**

**Staff Resource(s):**

Dan Leaver, Engineering & Property Management  
Charles Anzalone, Engineering & Property Management  
Julie Millea, Engineering & Property Management

**Explanation**

- The City is designing a road improvement project to extend the existing University Pointe Boulevard to IBM Drive to improve vehicular, pedestrian, and bicycle travel.
- As part of the project, the City requires both fee-simple and easements across the properties owned and operated by the Charlotte-Mecklenburg Board of Education known as Zebulon Vance High School and James Martin Middle School.
- Plans for the project include:
  - A new public road,
  - Private access road,
  - Bridge over Interstate-85 and roundabout at the intersection of IBM Drive and the new University Pointe Boulevard extension,
  - Bicycle lanes,
  - Curb and gutter,
  - Planting strips
  - Sidewalks,
  - A new culvert over Doby Creek, and
  - Driveway and parking lot improvements.
- The appraised fair market value of the school property needed by the City for the project is \$388,275, and the Charlotte-Mecklenburg Board of Education has indicated that it will grant the property rights upon payment of this amount in compensation.
- A construction contract is expected to be presented to the City Council for award by the end of 2015.

**Charlotte Business INclusion**

This is an interlocal agreement contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business

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**File #:** 15-778 **Agenda #:** 32.

---

INClusion Policy).

**Fiscal Note**

Funding: General Transportation Community Investment Plan

**Attachment**

Interlocal Agreement

Map

Site Plan

Resolution



STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

INTERLOCAL AGREEMENT FOR ROAD IMPROVEMENTS AT THE CHARLOTTE-  
MECKLENBURG SCHOOLS GOVERNORS VILLAGE CAMPUS

This Interlocal Agreement (the "Agreement") is made and entered into as of the \_\_\_\_ of June, 2015, between The Charlotte-Mecklenburg Board of Education ("CMBE") and the City of Charlotte, a North Carolina municipal corporation (the "City"), (jointly, the "Parties").

RECITALS

WHEREAS, the City is designing and intends to build a road improvement project to extend the existing University Pointe Boulevard to IBM Drive for the purpose of improving vehicular, pedestrian and bicycle travel (the "Project"); and

WHEREAS, as part of the Project, the City requires certain right-of-way across the property owned and operated by CMBE known as Zebulon Vance High School and James Martin Middle School (individually, the "Vance School Site" and "Martin School Site", respectively, and collectively, the "School Site"); and

WHEREAS, as part of the Project, the City plans certain new road-related improvements including a new public road, a private access road, a bridge over I-85, a roundabout at the intersection of IBM Drive and the new University Pointe Boulevard extension, paved bicycle and traffic lanes, curb and gutter, planting strips, sidewalks, a new culvert over Doby Creek, and driveway and parking lot improvements as further identified on "Exhibit A", attached hereto and incorporated herein by reference; and

WHEREAS, CMBE desires to cooperate with the City for the benefit of the City and the community as a whole and the City desires to fairly compensate CMBE for land taken to complete this project; and

WHEREAS, the Parties desire to establish and set forth in this Agreement the general responsibilities and obligations of the Parties for the construction of the Project:

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the parties hereto agree as follows:

The City will:

1. Produce and submit to CMBE Operations staff for review and approval signed and sealed engineering design plans ("Design Plans") for the Project; said Design Plans to be certified by the City to provide for sufficient turn lanes, sight distances and on-site stacking, where sufficient shall mean "no less than what a professional engineer's standard of care would be as found in the 2011 edition of the American Association of State Highway and Transportation Officials' *A Policy on Geometric Design of Highways and Streets*, also known as the "Green Book", such that the School Site and the use thereof is in compliance with any applicable laws and ordinances including driveway permitting requirements that may be applicable to the School Site. It is the intent of the City that the final design shall create a system of access for the school use of the School Site such that no future road improvements will be required by the City for CMBEs use of the School Site for its current use as a high school and a middle school having a similar number of students as it now has (approximately 1,100 middle school students and approximately 2000 high school students) and that the City would issue a driveway permit to CMBE if the School Site access and driveways were developed in the manner proposed by the City in connection with this Project).
2. Produce and provide to CMBE plats, signed by a professional land surveyor (as defined by NCGS Chapter 89C), showing the rights-of-way, easements and fee simple areas on the School Site necessary for construction of the Project (the "Plats").
3. Secure all necessary consents and approvals from Duke Energy for work associated with the Project.
4. Secure all necessary consents, permits, easements, and encroachments from the North Carolina Department of Transportation, North Carolina Department of Environment and Natural Resources, and/or other regulatory bodies for work associated with the Project.
5. Construct the improvements on School Site in accordance with the approved Design Plans.
6. Be responsible for costs of all work contracted by the City for this Project, including, but not limited to, those associated with any utility relocation (and ensure that none of these costs are the responsibility of the CMBE).
7. Complete certain improvements on the School Site to mitigate the impacts of

the Project including a new parking lot area, a new private access driveway from Neal Road, with a traffic signal, as more specifically described on Exhibit B attached hereto and incorporated herein by reference, and to be installed no later than June 9, 2016, such date being contingent on item # 10 below.

8. Schedule construction of the Project at dates and times mutually satisfactory to CMBE Operations staff and City staff such that pick-up and drop-off times are not disrupted by construction activity, and that disruptions to other school functions are minimized as much as possible. A proposed schedule and phasing plan, and contingency plan are attached hereto as Exhibit C. In no event shall access be limited on school days, including both before and after school hours.

9. Compensate CMBE the appraised fair market value, as determined by an independent MAI appraiser, for the property rights acquired in the amount of \$388,275.00.

10. Install a traffic signal at the Neal Rd./school access road intersection. The CMBE will be required to dedicate any necessary rights-of-way and easements for property under its control in order for the City to install this signal, as specified in Item 1 under the section entitled "CMBE Will", below.

11. Upon request, provide CMBE with technical data showing predicted levels-of-service of the roundabout at the IBM Drive/University Pointe Boulevard intersection, for the opening and/or design years of the project.

12. Reconfigure the front parking lot of Martin Middle School to accommodate a vehicle queue of approximately 2070 feet, in excess of the 2003 feet recommended by the NCDOT *MSTA School Queue Calculator* for a middle school of 1200 students, but without eliminating any existing parking spaces.

13. Perform traffic signal warrant studies at the intersection of Vance High School and University Pointe Boulevard at post- Project completion intervals of 30 days, 3 months, and 6 months. Should any study show that a traffic signal is warranted, the City will, at its own expense, install the traffic signal within 30 days after the study has been received by the City. The process of determining whether the traffic signal is warranted is more fully described in a letter dated July 20 from Danny Pleasant to Ann Clark, a copy of which is attached hereto as Exhibit D. Should CMBE determine that a crossing guard at this intersection is necessary, the City will pay 50% of the cost of a guard for 7 months after the roadway is open to traffic.

14. Make improvements to an existing storm water detention pond to make it a size sufficient to treat 4.07 acres of impervious area. The pond will be necessary to treat 2.75 acres of City property and should therefore have excess capacity to treat an additional 1.32 acres of additional impervious property in the future.

Notwithstanding the foregoing, the City's inability to commence the Project for any

reason shall not constitute a breach of this Agreement, nor result in any City liability to CMBE or third persons, whatsoever (but once the Project is commenced the City is required to comply with this Agreement and shall be liable for any breach

CMBE will:

1. Convey to the City those rights-of-way, easements, and fee simple areas on the School Property which are necessary to construct the Project as shown on the Design Plans, and as provided herein.
2. Make the above-described conveyances within fifteen (15) days after the day by which: a) the City has provided CMBE staff with final deeds, easements and Plats, and b) the City and CMBE have approved this Interlocal Agreement.
3. Accept the return of rights of way, easements, and/or fee simple areas from the City in the event that the Project is not constructed as anticipated.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the date first written above.

THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

By: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

Title: Superintendent

APPROVED AS TO FORM:

\_\_\_\_\_  
School Board Attorney                      Date

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I, a Notary Public for the County and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is Superintendent of The Charlotte-Mecklenburg Board of Education, a corporate body formed and existing in accordance with Chapter 115C of the General Statues of North Carolina, and that by authority duly given and as the act of the corporate body, the foregoing instruction was signed in its

name by him/her as its Superintendent.

WITNESS my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

*[Notarial Seal/Stamp]*

CITY OF CHARLOTTE

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_ City Clerk

STATE OF NORTH CAROLINA  
MECKLENBURG COUNTY

I, \_\_\_\_\_, a Notary Public, do hereby certify that \_\_\_\_\_  
Personally appeared before me this day and acknowledged that she is the \_\_\_\_\_ City Clerk  
of the City of Charlotte, a political subdivision of the State of North Carolina, and that by  
authority duly given and as the act of the City, the foregoing instrument was signed in its  
name by its \_\_\_\_\_ City Manager, and attested by \_\_\_\_\_ as its \_\_\_\_\_ City  
Clerk.

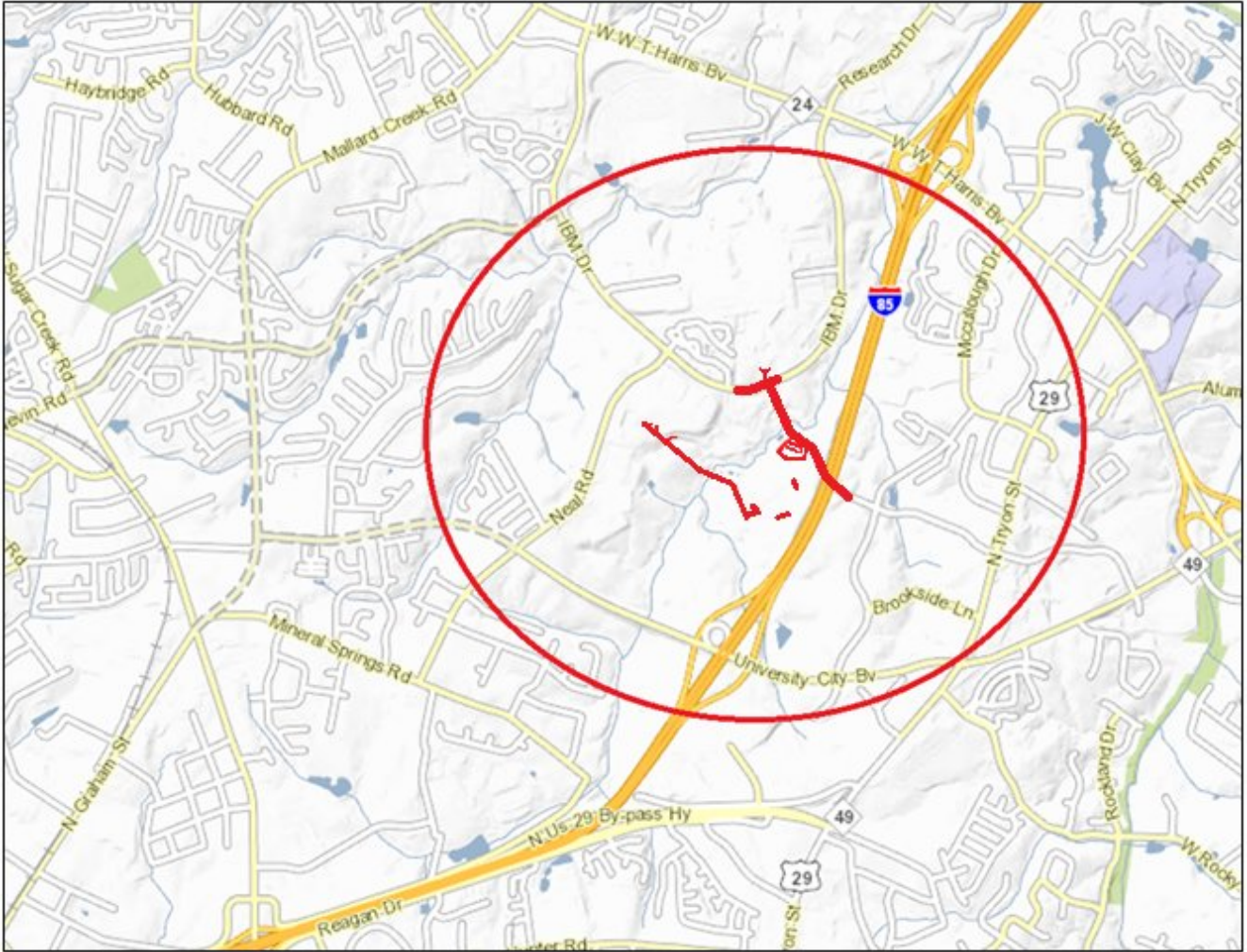
WITNESS my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

My Commission Expires:

---

*[Notarial Seal/Stamp]*



**Location Map: Interlocal Agreement Between the City of Charlotte and the Charlotte-Mecklenburg Board of Education (Council District 4)**



SHEET 1	512-09-068 JOB NO.	1"=100' SCALE
	CAD FILE PATH	
OF 1	RCC PREPARED BY	DBG CHECKED BY
	DBG APPROVED BY	02/20/15 DATE

**UNIVERSITY POINTE BOULEVARD**

INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITION

Plans Prepared By:  
**PARSONS BRINCKERHOFF**

121 W. Trade Street Suite 1950  
Charlotte, North Carolina 28202  
Phone: (704) 342-5401  
Fax: (704) 342-8472





**RESOLUTION AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT  
BETWEEN THE CITY AND THE CHARLOTTE-MECKLENBURG BOARD OF  
EDUCATION FOR ROAD IMPROVEMENTS AT GOVERNOR'S VILLAGE CAMPUS**

WHEREAS, the City is designing and intends to build a road improvement project to extend the existing University Pointe Boulevard to IBM Drive for the purpose of improving vehicular, pedestrian and bicycle travel (the "Project"); and

WHEREAS, as part of the Project, the City requires certain right-of-way across the property owned and operated by CMBE known as Zebulon Vance High School and James Martin Middle School (individually, the "Vance School Site" and "Martin School Site", respectively, and collectively, the "School Site"); and

WHEREAS, as part of the Project, the City plans certain new road-related improvements including a new public road, a private access road, a bridge over I-85, a roundabout at the intersection of IBM Drive and the new University Pointe Boulevard extension, paved bicycle and traffic lanes, curb and gutter, planting strips, sidewalks, a new culvert over Doby Creek, and driveway and parking lot improvements as further identified on "Exhibit A", attached hereto and incorporated herein by reference; and

WHEREAS, CMBE desires to cooperate with the City for the benefit of the City and the community as a whole and the City desires to fairly compensate CMBE for land taken to complete this project; and

WHEREAS, The City and CMBE have negotiated and desire to enter into an interlocal agreement to establish their respective financial and general responsibilities for the exchange of property and for construction of the City's University Pointe Boulevard Project on CMBE property; and

WHEREAS, Article 20 of Chapter 160 A of the North Carolina General Statutes authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into contracts and agreements to specify the details of these joint undertakings:

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CHARLOTTE HEREBY:

1. Approves and ratifies the attached Interlocal Agreement Between the City and the Charlotte-Mecklenburg Board of Education for Road Improvements at Governor's Village Campus; and
2. Authorizes the Manager to execute the Interlocal Agreement in substantially the form presented to City Council with technical corrections and minor modifications, as he may deem necessary, consistent with the spirit and intent of the transactions; and
3. Authorizes the City Manager to take all actions necessary to effectuate the transactions contemplated by the Interlocal Agreement referenced herein; and
4. Directs that this Resolution be reflected in the minutes of the Charlotte City Council.

Adopted July 27th, 2015



Legislation Text

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File #: 15-789 Agenda #: 33.

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**Bank of America Stadium Phase II Budget Ordinance**

**Action:**

**Adopt a budget ordinance appropriating \$23.5 million to complete Phase II financing of Bank of America Stadium Improvements.**

**Staff Resource(s):**

Ron Kimble, City Manager's Office  
Randy Harrington, Management & Financial Services

**Explanation**

- On April 22, 2013, the City Council approved business terms with the Carolina Panthers to fund improvements to Bank of America Stadium as part of a 10-year partnership.
- In accordance with the business terms, the City will provide \$75 million to finance certain improvements to the Bank of America Stadium as part of an overall \$112.5 million upgrade to the facility in three phases.
- Funding for the City's investment is provided from existing 1% food and beverage tax and 3% occupancy tax.
- On October 28, 2013, the City Council approved \$28.0 million in funding for Phase I of the City-funded Stadium Improvements.
- On March 23, 2015, the City Council adopted a resolution to proceed with the financing of Phase II of the project for \$23.5 million.
- Adoption of the Budget Ordinance will enable the funds to be used for Phase II projects.
- Phase II improvements include planning, acquisition and construction of security, access, technology, communications, landscape, and infrastructure improvements.
- The final \$23.5 million appropriation for Phase III of the Stadium Improvement projects to complete the City's \$75 million financing is scheduled for Fiscal Year 2018.

**Fiscal Note**

Funding: Convention Center Capital Projects Fund

**Attachment**

Budget Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FROM THE CONVENTION CENTER CAPITAL PROJECTS FUND FOR PHASE II IMPROVEMENTS TO BANK OF AMERICA STADIUM

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

- Section 1. That the sum of \$23,500,000 is hereby estimated to be available from proceeds of capital debt in the Convention Center Capital Projects Fund 4021 (3200-32001200-2015)
- Section 2. That the sum of \$23,500,000 is hereby appropriated in the Convention Center Capital Project Fund 4021 in Project 8010150033-3000000000 - Bank of America Stadium Improvement
- 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



Legislation Text

File #: 15-616 Agenda #: 34.

**Bojangles Coliseum Food Service Upgrades and Ice Plant Repairs**

**Action:**

- A. Authorize the City Manager to negotiate a contract not to exceed \$800,000 to the lowest responsive bidder Encompass Building Group, Inc. for the Bojangles Coliseum Phase 1B Concessions Renovation Upfit,**
- B. Award a contract in the amount of \$176,045 to the lowest responsive bidder Edward Don & Company for kitchen and food service equipment purchase, and**
- C. Award a contract in the amount of \$239,523 to the lowest responsive bidder Carolina Industrial Refrigeration Inc. for the Bojangles Coliseum Ice Plant Repairs & Upgrades.**

**Staff Resource(s):**

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

**Explanation**

Action A

- On December 8, 2014, the City Council approved \$15,953,375 in capital repairs and improvements for the Bojangles' Coliseum over the next two years.
- The Phase 1B Concessions Renovation Upfit project includes:
  - Renovations to food service areas and back of house concession spaces,
  - Upgrades to food and supply storage,
  - Installation of owner provided kitchen equipment and,
  - Health code requirements.
- The work is expected to be complete by October 2015 and is integral to the return of the Charlotte Checkers to the Bojangles Coliseum for the 2015-2016 season. The food service renovations are critical for Phase I completion.
- This upfit will be the first major upgrade of the food service areas since 1995 when the building was re-opened.
- The Engineering & Property Management Department advertised Invitations to Bid for Phase 1B - Interior Renovations on June 1, 2015.
- On June 9, 2015, a pre-bid conference and walk-through was held on site to actively solicit participation and discuss with potential bidders the scope of work.
- On June 22, 2015, an additional site walk-through opportunity was made available.
- By bid closing the City did not receive the minimum number of bids as required by North Carolina General Statute 143-129.
- The project was re-advertised on June 30, 2015.
- On July 8, 2015, two bids were received from interested general contractors.
- Encompass Building Group, Inc. was identified as the lowest responsive bidder.
- Cost negotiations are necessary because all bids exceeded the estimate for this scope of work.
- North Carolina General Statute allows negotiation with the lowest responsible bidder, making reasonable changes to the plans and specifications as may be necessary to bring the contract price

within the funds available.

### **Reject Low-Bid Explanation**

- The apparent low bidder, Metcon, Inc. failed to meet the CBI goals.
- Staff rejected the bid from Metcon, Inc. as non-responsive.

### Action B

- The kitchen and food service equipment purchase includes:
  - New ovens and grills,
  - New refrigerators and freezers,
  - New hoods and fire suppression equipment and
  - Additional hand and mop sinks.
- On July 16, 2015, two bids were received from interested vendors.
- Edward Don & Company was identified as the lowest responsive bidder.
- This equipment will meet current health code requirements.
- Redesigned concession layouts will also provide more menu choices for visitors of the coliseum.

### Action C

- The existing ice plant system is 22-years-old and in need of repair.
- The Ice Plant Repairs & Upgrades project includes:
  - Flushing and neutralizing calcium residue from the existing system,
  - Replacing filters, pumps and compressors, and
  - Rebuilding the refrigeration system.
- On June 23, 2015, a pre-bid conference and walk-through was held on site to actively solicit participation and discuss with potential bidders the scope of work.
- By bid closing the City did not receive the minimum number of bids as required by North Carolina General Statute 143-129.
- The project was re-advertised on June 30, 2015.
- On July 8, 2015, one bid was received from Carolina Industrial Refrigeration.

### **Future Action**

- The City Council will be asked to approve additional Phase 1 items at the August 24<sup>th</sup> Council Business Meeting.
- Phase 2 scope of work will include upgrades to facility electrical and HVAC systems as well as exterior improvements to sidewalks and storm drainage.
- Phase 2 work is scheduled to be completed June thru October 2016.

### **Background**

- Bojangles Coliseum opened as the Charlotte Coliseum in 1955 and has been operating for 59 years.
- It was the first free-span dome in the United States. The Coliseum's exterior has been designated a historic landmark.
- The Coliseum is owned by the City of Charlotte and operated by the Charlotte Regional Visitors Authority (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 Time Warner Arena, a move that is supported by the Charlotte Hornets,
  - It improves and solidifies the business model for the Coliseum,

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**File #: 15-616 Agenda #: 34.**

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- The Checkers can go back home to where they started in Charlotte, and
- It creates economic vitality in the Independence Boulevard corridor.
- The agreement between CRVA and the Checkers includes:
  - The team will begin to play in the Coliseum in October 2015,
  - The Checkers will pay market rent,
  - The team and CRVA will share concessions and advertising revenue,
  - CRVA will keep 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

Established SBE Goal: 14%

Committed SBE Goal: 15.63%

Encompass Building Group, Inc. exceeded the established SBE subcontracting goal, and has committed 15.63% (up to \$125,040) of the total contract amount to the following certified firm (Part B: Section 3 of the Charlotte Business INclusion Policy):

- All-Pro Builders & Restorations, LLC (SBE, MBE) (up to \$125,040) (construction services)

Established MBE Goal: 5%

Committed MBE Goal: 15.63%

Encompass Building Group, Inc. exceeded the established MBE subcontracting goal, and has committed 15.63% (up to \$125,040) of the total contract amount to the following certified firm (Part B: Section 3 of the Charlotte Business INclusion Policy):

- All-Pro Builders & Restorations, LLC (SBE, MBE) (up to \$125,040) (construction services)

Action B

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

Actions C

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

**Fiscal Note**

Funding: Convention Center Capital Project Fund

**Attachment**

Bojangles Coliseum Renovation - City Council Action Summary (rev. 2)

**Bojangles Coliseum Renovation - Council Action Summary - Rev 2**

Line Item	Original Project Budget 11/24/2015	Charlotte Checkers Contribution	Revised Total Budget	CBI Commitment		RCA Amount	Council Date	Difference	Comments
				SBE	MBE				
Scoreboard & LED Ribbon	\$1,085,000	\$125,000	\$1,210,000	0.00%	0.00%	\$1,527,252	9-Feb	(\$317,252)	Initial budget projections were based on the existing scoreboard size and the existing static advertising panels. The size of the scoreboard was increased for better visibility and display. LED lighting was added as a feature to the advertising panels. Project contingency will be used to cover the cost difference. The cooperative purchase is made through Contract R5195. Cooperative group purchases and are exempt from CBI goal requirements (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).
Ice Decking & Zamboni	\$135,000	\$125,000	\$260,000	0.00%	0.00%	\$248,000	9-Feb	\$12,000	Line item savings will be allocated towards project contingency. No CBI goal was established because there are no opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).
Hockey Equipment	\$167,500	\$0	\$167,500	0.00%	0.00%	\$140,824	9-Feb	\$26,676	Equipment purchased from the Charlotte Hornets. Line item savings will be allocated towards project contingency. No CBI goal was established because there are no opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).
Architectural Services	\$662,500	\$0	\$662,500	36.25%	1.63%	\$800,000	9-Feb	(\$137,500)	Contract finalized for \$800,000. Combined SBE and MBE participation.
Event Seating & Related Accessories	\$1,500,000	\$0	\$1,300,000	17.13%	17.13%	\$975,000	13-Apr	\$325,000	Line item savings will be allocated towards project contingency. Revised budget removed demolition and epoxy flooring from the seating contractor's scope of work. Demolition and epoxy flooring have been added to the Phase I general contractor's scope of work. Combined SBE and MBE participation.
Bojangles Renovations Phase IA - Interior Renovation	\$2,500,000	\$0	\$2,625,000	18.10%	13.92%	\$3,281,095	8-Jun	(\$656,095)	Revised total includes ADA improvements. Combined SBE and MBE participation.
Sound System	\$500,000	\$0	\$600,000	0.00%	0.00%	\$600,000	8-Jun	\$0	The cooperative purchase is made through Contract R5195. Cooperative group purchases and are exempt from CBI goal requirements (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy). Revised total includes A/V controls console relocation.
Checkers Locker Room	\$450,000	\$0	\$650,000	5.09%	41.81%	\$1,090,950	8-Jun	(\$440,950)	Revised total includes \$200,000 in electrical and HVAC modifications.
Ice Plant Repairs & Upgrades	\$175,000	\$0	\$175,000	0.00%	0.00%	\$239,523	27-Jul	(\$64,523)	This specialized scope of work includes repair and replacement of ice system parts. The existing ice plant system is 22-years-old.
Concessions Renovation	\$500,000	\$0	\$500,000	15.63%	15.63%	\$800,000	27-Jul	(\$300,000)	RCA amount includes cost negotiations. Scope of work includes renovation of back of house concession spaces and upgrades per the NC health code.
Food Service Equipment	\$175,000	\$0	\$175,000	0%	0%	\$176,045	27-Jul	(\$1,045)	Some existing equipment will be refurbished and reused.
<b>Totals</b>	<b>\$7,850,000</b>	<b>\$250,000</b>	<b>\$8,325,000</b>	<b>15.62%</b>	<b>10.16%</b>	<b>\$9,878,689</b>		<b>(\$1,553,689)</b>	Costs difference funded from project contingency and phase II items maybe reprioritized to fund phase I costs.

**Future Council Agenda Items**

	Original Project Budget 11/24/2014		Expected CBI Goal	Expected Council Date	Comments
Signage and Graphics	\$90,000		> 15%	24-Aug	
Bojangles Renovations Phase II	Appox. \$5,000,0000		> 15%	2016	Mechanical, electrical, structural and site improvements.



Legislation Text

File #: 15-734 Agenda #: 35.

**Tree Removal and Pruning Arborist Services**

**Action:**

- A. Approve a contract with each of the following firms for tree removal arborist services (Fiscal Year 2016) in an amount not to exceed:**
  - 1. Heartwood Tree Service, LLC. (\$167,000),
  - 2. The Davey Tree Expert Company (167,000),
  - 3. Cadieu Tree Experts, Inc. (\$194,000),
  - 4. HRF Enterprises, LLC. (\$167,000), and
  - 5. E. Schneider Enterprises, LLC, dba Schneider Tree Care (\$167,000), and
  
- B. Authorize the City Manager to renew the contracts for one additional year.**
  
- C. Approve a contract with each of the following firms for tree pruning arborist services (Fiscal Year 2016) in an amount not to exceed with the option to renew for one additional year:**
  - 1. E. Schneider Enterprises, LLC, dba Schneider Tree Care (\$75,000),
  - 2. Heartwood Tree Service, LLC (\$50,000),
  - 3. Arboguard Inc., dba Arboguard Tree Specialists (\$100,000), and
  - 4. The Davey Tree Expert Company (\$75,000), and
  
- D. Authorize the City Manager to renew the contracts for one additional year.**

**Staff Resource(s):**

Quin Hall, Engineering & Property Management

**Explanation**

- The following contracts will provide tree removal and pruning services for various locations within the City of Charlotte.
- The City will issue work orders for specific individual projects separately to each contractor.
- In May 2015, a Request for Proposals for these services was advertised; 14 firms submitted a proposal - seven for tree removal services and seven for tree pruning services.
- None of the firms that submitted a Request for Proposals are MWSBEs.
- Firms were selected based on criteria that included capability to perform, past performance, and pricing using the City Council-approved selection process.

**Tree Removal and Tree Arborist Services**

- These contracts will include the removal of trees identified by the City that are storm damaged, diseased/deteriorated, or pose a safety hazard to the public.
- Services include stump grinding, debris removal and disposal, seeding, mulching, and clean up.
- These contracts will include systematic tree pruning services throughout the City for completing street tree pruning.
- Multiple crews can be retained for faster, ongoing pruning services as well as quick response to



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**File #: 15-734 Agenda #: 35.**

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storm events.

- Systematic tree pruning is important in reducing safety and liability issues as well as maintaining the overall health of the tree.

**Charlotte Business INClusion**

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

**Fiscal Note**

Funding: General Pay-As-You-Go Community Investment Plan



Legislation Text

File #: 15-745 Agenda #: 36.

**Scaleybark Road Traffic Calming**

**Action:**

**Award a contract in the amount of \$1,433,650.61 to lowest responsive bidder Sealand Contractors Corp. for the Scaleybark Road Traffic Calming project.**

**Staff Resource(s):**

Tim Greene, Engineering & Property Management  
Johanna Quinn, Transportation

**Explanation**

- The project will install traffic calming features along Scaleybark Road between Conway Avenue and Woodlawn Road.
- The work will include:
  - Grading,
  - Drainage,
  - Concrete sidewalks,
  - Curb,
  - Wheelchair ramps and driveways,
  - Retaining walls,
  - Water mains and services,
  - Asphalt paving, and
  - Pavement markings.
- On May 22, 2015, the City advertised an Invitation to Bid for Scaleybark Road Traffic Calming; less than three bids were received from interested service providers.
- On July 9, 2015, the project was re-bid per NC General Statute 143.132 (a). Two bids were received from interested service providers, and staff was able to accept the bids per NC General Statute 143.129 (b).
- Sealand Contractors Corp. was the lowest responsive bidder.
- Construction is expected to be complete by fourth quarter 2016.

**Background**

- Innovative traffic calming tools include, curb extensions, bumpouts, and pavement markings to delineate alternate street uses, such as on-street parking and bicycle lanes.
- Traffic calming projects are typically identified in response to citizen requests and traffic/speed studies.
- Street improvements such as this traffic calming project often require the upgrade of existing utility infrastructure, including water, sewer, and storm drainage systems as part of the overall work. Any needed utility upgrades, as identified by Charlotte Water or Storm Water Services, are routinely incorporated into these general capital projects while the street is under construction.
- The cost of the water main and sewer upgrades will be reimbursed by Charlotte Water.

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**File #: 15-745 Agenda #: 36.**

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**Charlotte Business INclusion**

Established SBE Goal: 13.00%

Committed SBE Goal: 13.00%

Sealand Contractors Corp. met the established SBE subcontracting goal, and has committed 13.00% (\$186,375.30) of the total contract amount to the following certified firms: (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Darnell Jones Trucking, Inc. (SBE, MBE) (\$64,807) (hauling)
- D's Trucking Services Inc. (SBE) (\$64,806) (hauling)
- MDJ Construction (SBE) (\$23,544) (sidewalk/driveway)
- On Time Construction, Inc. (SBE, MBE) (\$20,550) (masonry)
- Carolina Wetland Services, Inc. (SBE) (\$4,697.30) (erosion control)
- Spot Em Inc. (SBE) (\$3,275) (utility locating)
- R & N Construction Group, LLC (SBE) (\$3,000) (retaining wall)
- Boudreaux's Iron Shop, Inc. (SBE) (\$1,696) (handrail)

Established MBE Goal: 4.00%

Committed MBE Goal: 5.95%

Sealand Contractors Corp. met the established MBE subcontracting goal, and has committed 5.95% (\$85,357) of the total contract amount to the following certified firms: (Part B: Section 3 of the Charlotte Business INclusion Policy):

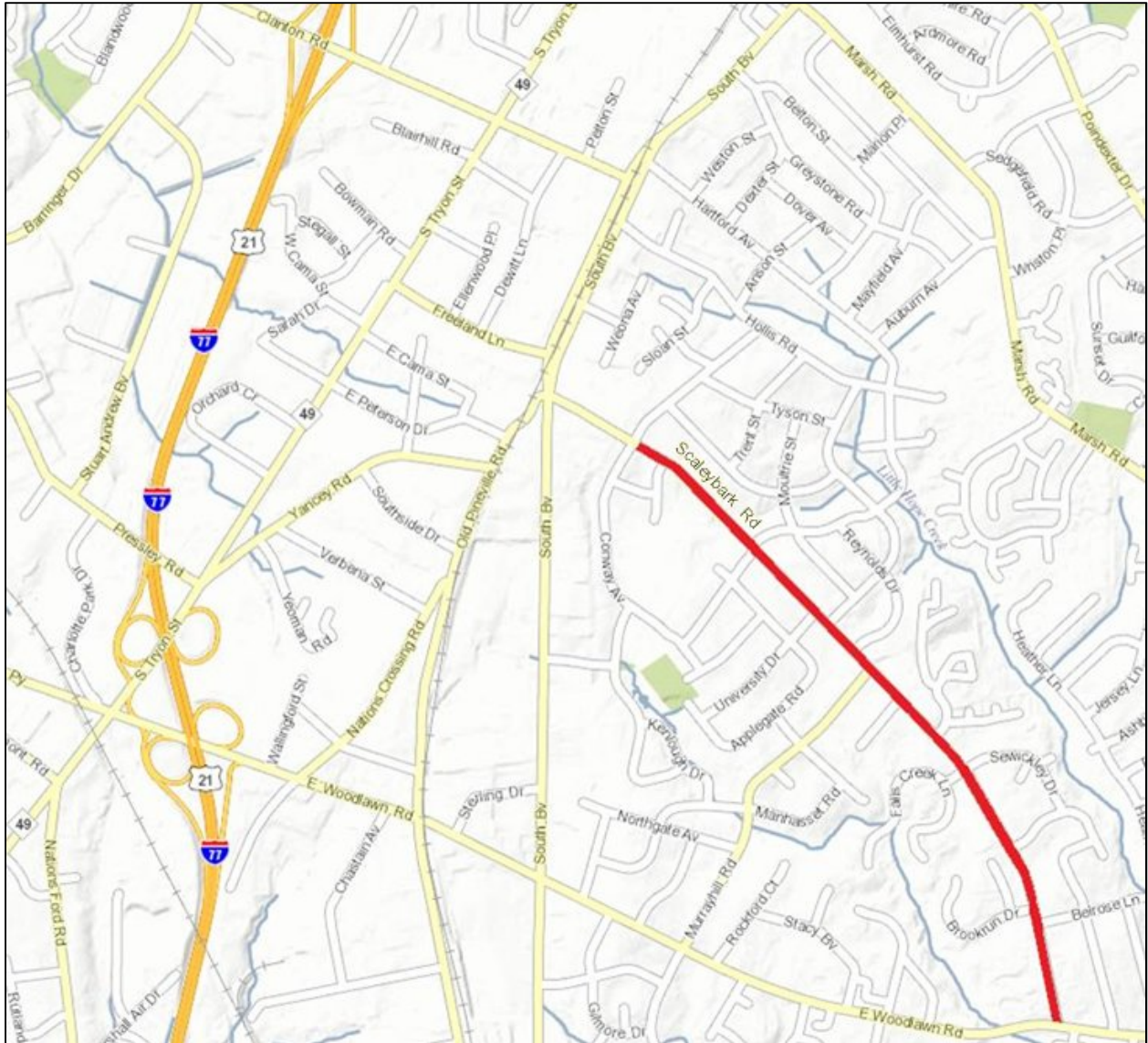
- Darnell Jones Trucking, Inc. (SBE, MBE) (\$64,807) (hauling)
- On Time Construction, Inc. (SBE, MBE) (\$20,550) (masonry)

**Fiscal Note**

Funding: General Transportation Community Investment Plan, Charlotte Water Community Investment Plan, and Storm Water Community Investment Plan

**Attachment**

Map



**Location Map: Scaleybark Road Traffic Calming (Council District 1)**



Legislation Text

File #: 15-856 Agenda #: 37.

**Private Developer Funds Appropriation**

**Action:**

**Adopt a budget ordinance appropriating \$232,269 in private developer funds for traffic signal improvements with the following developers: Toringdon Future Development, LLC, Old Towne Investments, LLC, Marsh Realty Company, Bradford Charter Holdings, LLC, and Dixie River Land Company, LLC.**

**Staff Resource(s):**

Scott Putnam, Transportation

**Explanation**

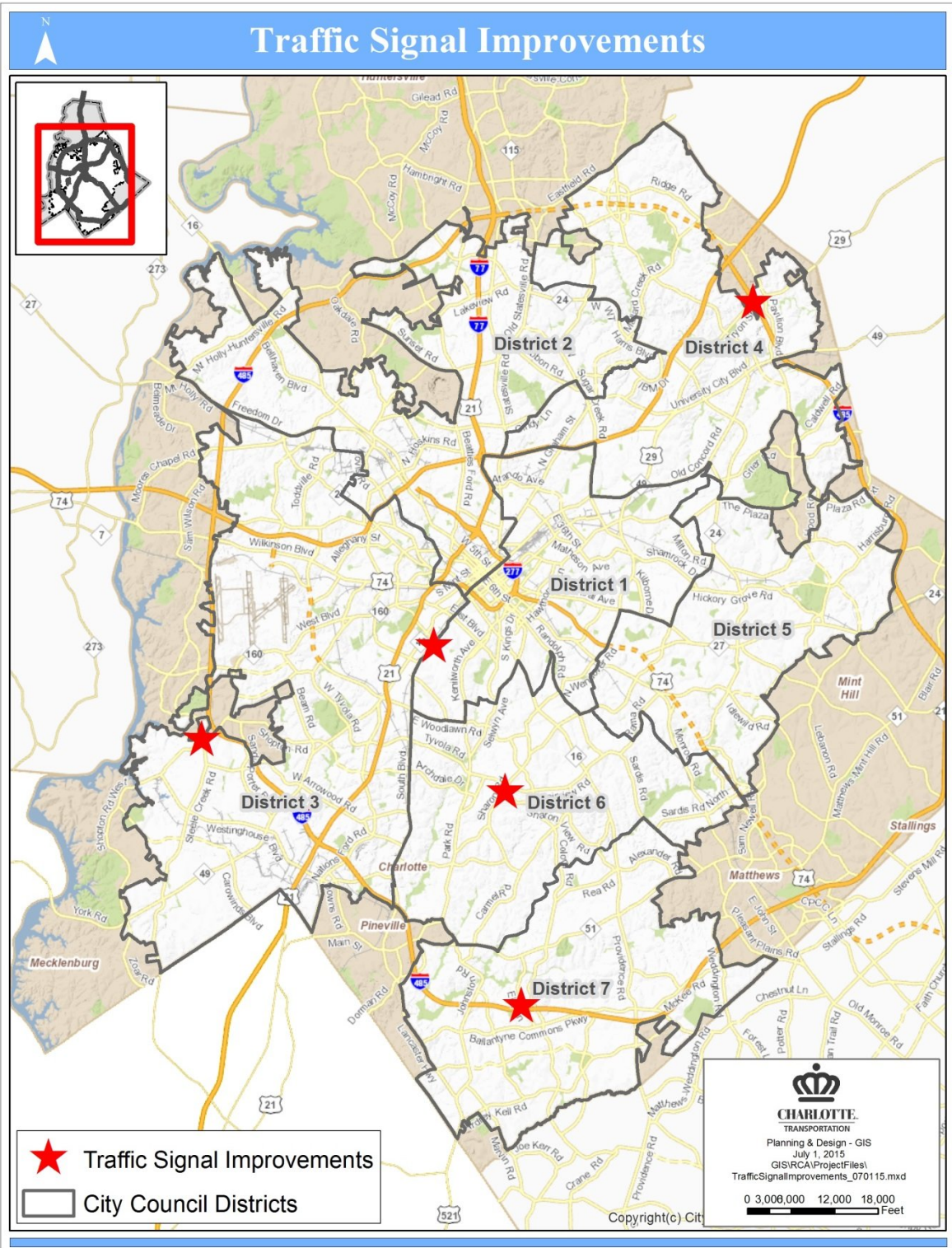
- The \$232,269 is restricted to traffic signals, upgrades, and related work to the developer projects listed below.
- The following developers are fully funding traffic signal installations and improvements to mitigate traffic impacts around their respective development projects:
  - Toringdon Future Development, LLC contributed \$75,000 for a new traffic signal installation at the intersection of Endhaven Lane and Elm Lane.
  - Old Towne Investments, LLC contributed \$95,269 for modifications to the existing traffic signal at the intersection of Sharon Road and Ashley Park Lane.
  - Marsh Realty Company contributed \$36,500 for modifications to the existing traffic signal at the intersection of South Boulevard and Poindexter Drive.
  - Bradford Charter Holdings, LLC contributed \$14,000 for modifications to the existing traffic signal at the intersection of Interstate-485 with the NC 29 Ramp.
  - Dixie River Land Company, LLC contributed \$11,500 for modifications to the existing traffic signal at the intersection of Trojan Drive and Dixie River Road.
- Payments made by developers are in response to estimates of work prepared by the Charlotte Department of Transportation and supplied to the developers.
- Any funding contributed by developers for signal projects that is unused by the City will be refunded after project completion.

**Fiscal Note**

Funding: Developer Contributions

**Attachment**

Map  
Budget Ordinance



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$232,269 FOR TRAFFIC SIGNAL IMPROVEMENTS

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

- Section 1. That the sum of \$232,269 hereby estimated to be available from the following private developer sources: Toringdon Future Development, LLC (\$75,000), Old Towne Investments (\$95,269), Marsh Realty Company (\$36,500), Bradford Charter Holdings, LLC (\$14,000), and Dixie River Land Company, LLC (\$11,500) 232269
- Section 2. That the sum of \$232,269 is hereby appropriated in the General Capital Investment Fund (4001) into the following projects:  
Toringdon Future Development, LLC - 4292000190 (\$75,000)  
Old Towne Investments, LLC - 4292000192 (\$95,269)  
Marsh Realty Company - 4292000193 (\$36,500)  
Bradford Charter Holdings, LLC - 4292000194 (\$14,000)  
Dixie River Land Company, LLC - 4292000195 (\$11,500)
- 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



Legislation Text

File #: 15-752 Agenda #: 38.

**Nevin Road Sidewalk Improvements**

**Action:**

**Award a contract in the amount of \$868,574.96 to the lowest responsive bidder Sealand Contractors Corp. for the Nevin Road Sidewalk Improvements project.**

**Staff Resource(s):**

Bette Frederick, Engineering & Property Management

**Explanation**

- In support of the City’s Sidewalk Program to enhance connectivity, offer transportation choices, and improve pedestrian safety, the project will provide six-foot wide sidewalk, eight-foot wide planting strips, and storm drainage improvements (where applicable) along the north side of Nevin Road from Lake Road to Alpine Lane and a portion of Lake Drive from Nevin Road to Alpine Lane (approximately 1.06 miles).
- The project will also include the following infrastructure:
  - Accessible ramps,
  - Concrete driveways,
  - Pedestrian refuge island with pedestrian crossing,
  - Fifty-foot pedestrian bridge over Irwin Creek, and
  - Bus waiting pads.
- On June 9, 2015, the City issued an Invitation to Bid; three bids were received from interested service providers.
- Sealand Contractors Corp. was selected as the lowest responsive bidder.
- Construction is expected to be complete fourth quarter 2015.

**Charlotte Business INclusion**

Established SBE Goal: 13.00%

Committed SBE Goal: 13.00%

Sealand Contractors Corp. met the established SBE subcontracting goal, and has committed 13.00% (\$112,915) of the total contract amount to the following certified firms: (Part B: Section 3 of the Charlotte Business INclusion Policy):

- D’s Trucking Services Inc. (SBE) (\$49,704) (hauling)
- Darnell Jones Trucking, Inc. (SBE, MBE) (\$28,059) (hauling)
- On Time Construction, Inc. (SBE, MBE) (\$15,370) (concrete, masonry)
- Boudreaux’s Iron Shop, Inc. (SBE) (\$14,400) (handrail)
- Carolina Wetland Services, Inc. (SBE) (\$5,382) (erosion control)

Established MBE Goal: 5.00%

Committed MBE Goal: 5.00%

Sealand Contractors Corp. met the established MBE subcontracting goal, and has committed 5.00% (\$43,429) of the total contract amount to the following certified firms: (Part B: Section 3 of the Charlotte



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**File #:** 15-752 **Agenda #:** 38.

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Business INClusion Policy):

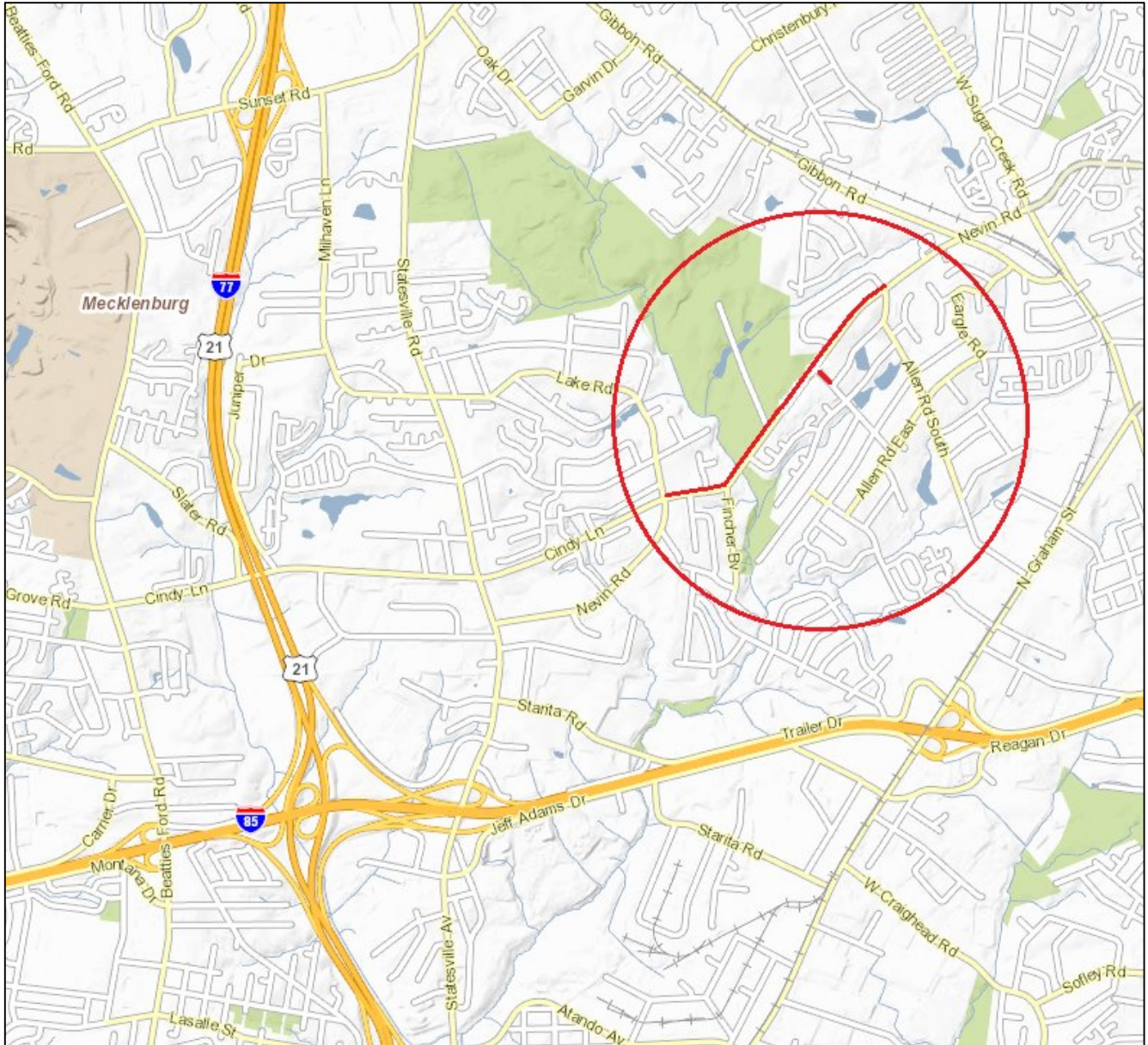
- Darnell Jones Trucking, Inc. (SBE, MBE) (\$28,059) (hauling)
- On Time Construction, Inc. (SBE, MBE) (\$15,370) (concrete, masonry)

**Fiscal Note**

Funding: General Transportation Community Investment Plan

**Attachment**

Map



**Location Map: Nevin Road Sidewalk Improvements (Council Districts 2 and 4)**



Legislation Text

File #: 15-792 Agenda #: 39.

**Underground Locating Services**

**Action:**

- A. Approve two service contracts (one with Storm Water Services and one with Transportation) with One Call Concepts Locating Services, Inc. to provide underground locating services for an initial term of three years, and**
- B. Authorize the City Manager to renew the two contracts for an additional one-year term with possible price adjustments and to amend the contracts consistent with the City's business needs and the purpose for which the contracts were approved.**

**Staff Resource(s):**

Stewart Edwards, Engineering & Property Management  
Charles Abel, Transportation

**Explanation**

- City of Charlotte Storm Water Services currently has more than 5,000 miles of storm drainage system.
- Charlotte Department of Transportation has more than 250 miles of fiber optic communications cables.
- The Underground Damage Prevention Act, effective October 2014, has increased the demands and requirements of City-provided underground locating thus increasing the demand for locating services.
- Locating demands are anticipated to increase as construction and telecom needs increase and infrastructure updates continue.
- On May 1, 2015, Charlotte Water issued a Request for Proposals for Charlotte Water, Storm Water, and Charlotte Department of Transportation to select a vendor to provide underground locating services; three proposals were received from interested service providers.
- The project team, consisting of staff from Charlotte Water and Engineering & Property Management, evaluated the proposals and determined that One Call Concepts Locating Services, Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness.
- The unit prices, set forth in the contract, are available upon request.
- Estimated contract expenditures for Storm Water Services are approximately \$3,000,000 total for the three-year term.
- Estimated contract expenditures for the Charlotte Department of Transportation are approximately \$120,000 total for the three-year term.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Storm Water Services Operating Budget and General Transportation Community Investment Plan

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**File #: 15-792 Agenda #: 39.**

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Legislation Text

File #: 15-871 Agenda #: 40.

**West Terminal Ramp Expansion Design Services Contract Amendment**

**Action:**

- A. Approve Contract Amendment #1 in the amount of \$411,806 to Talbert, Bright, and Ellington, Inc. for Design Services for the Demolition and Environmental Remediation of the West Terminal Ramp Expansion, and**
- B. Adopt a budget ordinance appropriating \$411,806 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- On September 22, 2014, the City Council approved a design contract with Talbert, Bright and Ellington, Inc. in the amount of \$2,783,581 for the West Terminal Ramp Design.
- The West Terminal Ramp Expansion is located on the site of the old rental car return facilities on Rental Car Road.
- Contract amendment #1 in the amount of \$411,806 will include the demolition and environmental remediation contract documents in order to properly dispose of any contaminated facilities and soil.
- An environmental assessment was conducted by AECOM of NC to determine the extent of any environmental contamination and to develop the process by which to dispose of this material. AECOM will be a subcontractor to Talbert, Bright, and Ellington, Inc. during the contract document preparation and will be monitoring the remediation process during the removal and demolition phase.
- The new total value of the contract including the amendment is \$3,195,387.

**Disadvantage Business Enterprise**

All additional work involved in this amendment will be performed by Talbert, Bright, and Ellington, Inc. and their existing sub consultants. For this amendment Talbert, Bright, and Ellington, Inc. has committed 9.76% (\$40,200) of this amendment to the following certified firms:

- Prism Laboratories, INC. (DBE,WBE) (\$40,200) (analytical service)

**Fiscal Note**

Funding: Aviation Community Investment Plan

**Attachment**

Budget Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$411,806 FOR CONTRACT AMENDMENT #1 WITH TALBERT, BRIGHT AND ELLINGTON, INC. FOR DESIGN SERVICES FOR THE DEMOLITION AND ENVIRONMENTAL REMEDIATION OF WEST TERMINAL RAMP EXPANSION

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

Section 1. That the sum of \$411,806 is hereby appropriated from the Aviation Discretionary Fund for contract amendment #1 with Talbert, Bright and Ellington, Inc.

Section 2. That the sum of \$411,806 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901506
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



Legislation Text

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File #: 15-631 Agenda #: 41.

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**Airport East Terminal Expansion Phase II Design Contract Amendment**

**Action:**

**Approve contract amendment #1 in the amount of \$417,360 with DAS Architecture, Inc. for the LEED Certification Plan for the East Terminal Expansion 2015 - Phase II.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- The Aviation Department developed the East Terminal Expansion design and construction in two phases. Phase I included the construction of additional space at the baggage level for conveyors and sorters and was completed in 2012.
- Phase I design also included some preliminary design for Phase II - construction of a food court and additional circulation space on the departures level. After reviewing the initial design of Phase II, airline partners requested that additional work on the project be put on hold.
- On December 8, 2014, the City Council approved a contract with DAS Architecture, Inc. in the amount of \$704,800 to restart Phase II design and to add a third level for tenant office space.
- The Aviation Department determined that the project could achieve LEED certification in accordance with the City's draft Sustainability Policy by adjusting the original design.
- The amendment's scope is to determine what is needed to ensure certification, revise the bid package, administer the process with the United States Green Building Council, and provide the required commissioning services to complete the building start-up.
- The new total value of the contract including the amendment is \$1,122,160. The project remains within budget.

**Charlotte Business INclusion**

The work involved in this amendment will be performed by DAS Architecture, Inc. and its existing sub-consultants (Part D: Section 6 of the Charlotte Business INclusion Policy). For this amendment, DAS Architecture has committed 10.06% (\$42,000) to the following certified firm:

- System WorCx, PLLC (SBE) (\$42,000) (LEED Commissioning)

**Fiscal Note**

Funding: Aviation Community Investment Plan



Legislation Text

File #: 15-737 Agenda #: 42.

**Concourse E Phase VIII Design Contract Amendment**

**Action:**

- A. Approve contract amendment #1 in the amount of \$472,730 with LS3P Associates for additional design services of Concourse E Phase VIII, and**
- B. Adopt a budget ordinance appropriating \$472,730 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- The Aviation Department has constructed Concourse E in multiple phases to meet the growing demand of the airline partners. Phase I of construction on Concourse E began in 1999.
- On February 9, 2015, the City Council awarded a contract with LS3P Associates in the amount of \$372,475 for design services of Concourse E Phase VIII, which included space for six new gates, adequate holdroom, passenger boarding bridges, concessions, and restrooms.
- American Airlines has requested four additional gates with holdrooms and support space, bringing the total number of gates to 10 in this phase.
- Contract amendment #1 in the amount of \$472,730 will accommodate the additional design work needed for the additional space.
- The new total value of the contract including the amendment is \$845,205.

**Charlotte Business INclusion**

The work involved in this amendment will be performed by LS3P Associates and its existing sub-consultants (Part D: Section 6 of the Charlotte Business INclusion Policy). For this amendment, LS3P Associates has committed 23.69% (\$111,990) to the following certified firm:

- Wilson Group Architects PA (SBE) (\$111,990) (architectural design and construction administration)

**Fiscal Note**

Funding: Aviation Community Investment Fund

The airlines will pay for the total cost of Phase VIII Expansion through rates and charges.

**Attachment**

Budget Ordinance



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$472,730 FOR CONTRACT AMENDMENT #1 WITH LS3P ASSOCIATES FOR ADDITIONAL DESIGN SERVICES OF CONCOURSE E PHASE VIII

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

Section 1. That the sum of \$472,730 is hereby appropriated from the Aviation Discretionary Fund for contract amendment #1 with LS3P Associates

Section 2. That the sum of \$472,730 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:

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City Attorney



## Legislation Text

File #: 15-705 Agenda #: 43.

### Runway and Taxiway Rehabilitation Design Services Contract Amendment

**Action:**

- A. Approve contract amendment #2 in the amount of \$181,345 with W.K. Dickson & Co. Inc. for airfield design services to rehabilitate the Runway and Taxiway Pavement, and**
- B. Adopt a budget ordinance appropriating \$181,345 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- On May 28, 2013, the City Council awarded a contract to W.K. Dickson & Co. Inc. in the amount of \$196,000 for design services of rehabilitating Runway 18L-36R and associated taxiway pavements.
- On February 2, 2015, the Aviation Director approved contract amendment #1 in the amount of \$47,890 for additional design and construction administrative services related to the Runway 18L-36R project.
- Contract amendment #2 in the amount of \$181,345 includes the redesign of the Runway 5-23/Taxiways D, A, and M pavement rehabilitation project to include bidding services, construction administration, construction inspection, and quality assurance testing.
- The total contract amount including the amendments will be \$425,235.

**Disadvantage Business Opportunity**

All additional work involved in this amendment will be performed by W.K. Dickson & Co. Inc. and its existing sub-consultants. W.K. Dickson & Co. Inc. has committed 33.09% (\$60,000) of this amendment to the following certified firm:

- On Spec Engineering PC (DBE) (\$60,000) (quality assurance testing)

**Fiscal Note**

Funding: Aviation Community Investment Plan

**Attachment**

Budget Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$181,345 FOR THE CONTRACT WITH WK DICKSON FOR AIRFIELD DESIGN SERVICES FOR THE REHABILITATE THE RUNWAY AND TAXIWAY PAVEMENT**

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

Section 1. That the sum of \$181,345 is hereby appropriated from the Aviation Discretionary Fund for the contract with WK Dickson

Section 2. That the sum of \$181,345 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901603
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:

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City Attorney



**Legislation Text**

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**File #:** 15-604 **Agenda #:** 44.

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**Passenger Boarding Bridges and Ancillary Equipment**

**Action:**

- A. Award a contract in the amount of \$2,718,228 to the lowest responsive bidder John Bean Technologies Corporation for the purchase of three passenger boarding bridges and ancillary equipment, and**
- B. Adopt a budget ordinance appropriating \$2,718,228 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- A passenger boarding bridge is a device that passengers use to board an aircraft.
- The Aviation Department is replacing two, older passenger boarding bridges and installing a new one on Concourse A to accommodate the airlines' needs.
- In addition to the passenger boarding bridges, the Aviation Department is also replacing the preconditioned air units and ground power units for each of the three gates.
- On May 8, 2015, the City issued an Invitation to Bid for the purchase and installation of the three passenger boarding bridges, preconditioned air units, and ground power units; two bids were received from interested service providers.
- John Bean Technologies Corporation was selected as the lowest responsive bidder.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Aviation Community Investment Plan

The Aviation Department will seek reimbursement for this purchase from the Passenger Facility Charge (PFC) fund upon Federal Aviation Administration approval of PFC application #6.

**Attachment**

Budget Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$2,718,228 FOR THE CONTRACT WITH JOHN BEAN TECHNOLOGIES CORPORATION FOR THE PURCHASE OF THREE PASSENGER BOARDING BRIDGES AND ANCILLARY EQUIPMENT**

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

- Section 1. That the sum of \$2,718,228 is hereby appropriated from the Aviation Discretionary Fund for the contract with John Bean Technologies Corporation
- Section 2. That the sum of \$2,718,228 is hereby appropriated in the Aviation Community Investment Plan Fund
- |         |            |
|---------|------------|
| Fund    | 6064       |
| Project | 4020901539 |
| 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:

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City Attorney



Legislation Text

File #: 15-864 Agenda #: 45.

**Interstate-85 Airport Directional Signage Municipal Agreement**

**Action:**

- A. Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation in the amount of \$176,013.10 for signage modifications associated with the Josh Birmingham Parkway Realignment project,**
- B. Authorize the City Manager to approve the final reimbursement request for the actual costs of construction, and**
- C. Adopt a budget ordinance appropriating \$176,013.10 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- The Aviation Department recently completed the Josh Birmingham Parkway Realignment project, which now connects the new Entrance Roadway to Little Rock Road and creates a direct route from Interstate-85 to the front of the Terminal.
- The Aviation Department is entering into a Municipal Agreement with North Carolina Department of Transportation (NCDOT) to modify existing interstate guide signs along Interstate-85 between Interstate-485 and Freedom Drive directing vehicles to the Airport.
- The estimated total cost of \$176,013.10 includes the design, fabrication, and associated labor for installation of the signs.
- Should the actual cost be different from the estimated amount of this Agreement, the City Manager will sign a Supplemental Agreement for the cost differential. Final invoice differences can be attributed to:
  - Actual unit price bids being different than estimate;
  - Changes in material costs between when the estimate was prepared and the completion of the project; or
  - Required design modifications resulting NCDOT project changes.
- The format and cost-sharing philosophy are consistent with past Municipal Agreements.

**Charlotte Business INclusion**

This is an Interlocal Agreement contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy.

**Fiscal Note**

Funding: Aviation Community Investment Plan

**Attachment**

Budget Ordinance

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**File #: 15-864 Agenda #: 45.**

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Resolution

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$176,013.10 FOR A RESOLUTION WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR SIGNAGE MODIFICATIONS ASSOCIATED WITH THE JOSH BIRMINGHAM PARKWAY REALIGNMENT PROJECT

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

Section 1. That the sum of \$176,013.10 is hereby appropriated from the Aviation Discretionary Fund for the resolution with the North Carolina Department of Transportation

Section 2. That the sum of \$176,013.10 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6072
Project	4020902992
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



ACTION A

**RESOLUTION**

EXTRACT FROM THE MINUTES OF A regular  
MEETING OF THE Charlotte City Council  
HELD ON July 27, 2015

The following resolution was introduced by \_\_\_\_\_  
seconded by \_\_\_\_\_, read in full, considered  
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF THE MUNICIPAL AGREEMENT FOR A PROJECT  
KNOWN AS Interstate-85 Airport Directional Signage BETWEEN THE  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF  
CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the \_\_\_\_\_ CITY COUNCIL \_\_\_\_\_ of  
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby  
authorizes, adopts, approves, accepts and ratifies the execution  
of a municipal agreement between the North Carolina Department of  
Transportation and the City of Charlotte, North Carolina

SECTION 2. That the Execution of said Municipal Agreement  
in quadruplicate on behalf of said City Council by Ron Carlee,  
City Manager and the impression of the official seal of the City  
of Charlotte and the attestation by Stephanie Kelly; City  
Clerk is hereby authorized, adopted, approved, accepted and  
ratified.

SECTION 3. That the \_\_\_\_\_ City Manager \_\_\_\_\_ is hereby authorized to execute payment requests under the Municipal Agreement on behalf of said \_\_\_\_\_ City of Charlotte \_\_\_\_\_.



## Legislation Text

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**File #:** 15-831 **Agenda #:** 46.

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### Aircraft Deicing Operator

**Action:**

**Authorize the City Manager to approve additional expenses related to the contract with Integrated Deicing Services, LLC from time to time consistent with the City's business needs for the duration of the contract.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- The Aviation Department presently provides aircraft deicing services for the airlines, with the airlines reimbursing the Aviation Department for all deicing facilities, materials, and services through a deicing use charge.
- On September 13, 2010, the City Council approved a three-year contract with Integrated Deicing Services, LLC (IDS -formerly Contego Systems, LLC) to operate an aircraft deicing facility at the Airport. The contract included an option for a three-year extension exercisable by the City Council.
- On September 8, 2014, the City Council approved the extension and amendment of the original contract for additional services that IDS would undertake at the request of the Aviation Department, including the procurement of deicing fluid and additional management responsibilities.
- The September 8 action included a statement in the explanation that the contract amount, including the three-year extension, was estimated to be \$8,070,000. In actuality, this number represented the projected cost of a three-year extension only. The revised, estimated contract amount for the initial three-year term and the three year extension is \$14,500,000.
- The action will authorize the City Manager to approve additional funds for Airport deicing operations in an amount not to exceed \$14,500,000 through the expiration of the three-year extension.

**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).

**Fiscal Note**

Funding: Aviation Operating Budget



Legislation Text

File #: 15-830 Agenda #: 47.

**Airport Building Automation System Upgrade**

**Action:**

- A. Approve the purchase of the Airport Building Automation System Upgrade, as authorized by the sole source exemption of G.S. 143-129 (e)(6), and**
- B. Approve a contract with Johnson Controls, Inc. for the purchase and installation of building automation hardware in an amount not to exceed \$392,561.**

**Staff Resource(s):**

Jack Christine, Aviation

**Sole Source Exemption**

- 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 this contract due to compatibility with existing equipment.
- The City Council must approve purchases made under the sole source exception.

**Explanation**

- The Airport has a Building Automation System (BAS), MetaSys, that controls and monitors all heating, air conditioning, and lighting systems at the Airport. This allows the Airport to optimize the systems for energy savings, and to remotely control the systems to efficiently operate the system and over-ride it in an emergency.
- The Airport’s BAS was originally installed in the Airport Terminal in the 1980’s using the technology that was current at the time.
- As the Aviation Department expanded the Terminal, there were subsequent additions to the BAS using technology that was current at the time of construction.
- Original parts of the Terminal still use the original controller components and related connectivity that were installed in the 1980’s. These older components are no longer serviceable and parts are no longer available.
- Johnson Controls, Inc. installed the original BAS and is currently under contract with the Airport to maintain the system. Johnson Controls will maintain this new equipment under the existing maintenance agreement as they are the manufacturer of the system components.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Aviation Community Investment Plan



## Legislation Text

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**File #:** 15-781 **Agenda #:** 48.

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### Airport Waste Hauling

**Action:**

**Approve a one-year contract with Waste Management of the Carolinas for airport waste hauling and disposal.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- As part of Aviation's commitment to the environment, Aviation entered into a contract for the provision of single-stream recycling of the Airport's waste at an onsite recycling center.
- The Aviation Department terminated the existing contract due to the current contractor's inability to meet their contractual obligations. The Airport's waste hauling and disposal service was subcontracted to Waste Management of the Carolinas as part of this existing recycling contract.
- Waste Management of the Carolinas, in its subcontractor role, has a team available, badged, trained, and familiar with Airport operations.
- Each month, the Airport generates on average over 3,000 tons of refuse making it necessary that there is no interruption in waste hauling and disposal services.
- The contract will allow Waste Management to provide these services from August 1, 2015, to July 31, 2016.
- The Aviation Department requested and was granted by Procurement Services a waiver to the formal solicitation requirement for this contract to ensure there was no interruption in service. This one-year period will provide ample time to review current business processes and complete a formal solicitation for both waste hauling and disposal services and the recycling contract.
- The annual estimated expenditure is \$750,000.

**Charlotte Business Inclusion**

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

**Fiscal Note**

Funding: Aviation Operating Budget

**Attachment**

Waste Management Emergency Waiver

# MEMO

**TO:** Kay Elmore, Procurement Services Division Manager

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**CC:** Ron Carlee, City Manager

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**FROM:** Jack Christine, Deputy Aviation Director 

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**DATE:** July 1, 2015

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**RE:** Waste Hauling and Disposal

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## Background

Flint River Recycling is the current contractor overseeing all recycling operations at the On Site Charlotte Airport Recycling center (OSCAR) and has been since January 22, 2015. They are currently subcontracting to Waste Management to haul and deliver all trash bins from the Airport terminal and other Airport locations to the OSCAR where Flint River Recycling will sort and collect all recyclable items. All other waste is diverted to a local landfill. Flint River is responsible for shipping and selling all recyclables and depositing all profits into an Aviation account.

After repeated efforts from Aviation management to assist, Flint River Recycling has yet to meet its contractual requirements and is currently in breach of this contract. Flint River Recycling has been given reasonable time and opportunities to cure these issues without success.

If and when Aviation chooses to terminate this contract with Flint River Recycling, Aviation must be immediately able to enter into a contract to remove and haul solid waste from the Airport to the local landfill.

## Recommendation

Due to the immediate need to contract for solid waste disposal caused by the current vendor's breach of contract, Aviation has decided to waive the competitive process and to enter into an agreement with Waste Management to provide solid waste disposal from July 8, 2015 through July 31, 2015 via purchase order and August 1, 2015 through July 31, 2016 via contract. This term will provide Aviation with the time needed to execute a solicitation for solid waste hauling and disposal and the operation of the OSCAR.



Legislation Text

File #: 15-764 Agenda #: 49.

**Airport Financial and Business Consulting Services**

**Action:**

- A. Approve contracts with the following companies for financial, business, and passenger facility charges consulting services for an initial term of five years with:**
  - 1. Newton and Associates, Inc.,**
  - 2. Frasca and Associates, LLC, and**
  - 3. LeighFisher, Inc., and**
- B. Authorize the City Manager to amend the contract from time to time consistent with the City’s business needs and to renew the contracts for up to two additional, one-year terms.**

**Staff Resource(s):**  
Brent Cagle, Aviation

**Explanation**

- The Aviation Department uses a combination of full-time staff and consultants to prepare financial statements, financial models and analysis, and to oversee the Airport’s fiscal and business operations.
- On March 24, 2015, the Aviation Department issued a Request for Proposals for the following services: financial consulting, business consulting, and Passenger Facility Charge (PFC) consulting services. The Aviation Department received eight proposals for these services.
- A selection committee composed of Aviation Department staff and Management & Financial Services staff recommends the firms listed in Action Item A for various scopes of work:
  - Newton and Associates, Inc. has served as a financial and business consultant to the Airport since 1997. The selection committee chose them for financial and business consulting work based on the extensive and proven experience with the Airport’s history, and their involvement with current financial and business projects, including the development of the Airport Financial Plan, calculation of airline rates and charges, and negotiations of key business and revenue contracts.
  - The selection committee also selected Newton and Associates, Inc. for PFC administrative consulting services based on their successful development and administration of PFC programs at Charlotte Douglas and other airports across the country.
  - On November 25, 2013, the City Council approved a contract with Frasca and Associates, LLC financial advisory services for the Airport. They filled an integral role in the development of the Airport’s first Annual Report, development of the Airport’s Strategic Financial Plan, and are currently involved in developing rate models related to airline lease negotiations. The selection committee selected Frasca for financial consulting based on their current performance as well as their experience with other large hub airports.
  - LeighFisher, Inc. is a global leader in aviation consulting and has previously provided consulting services to the Aviation Department. The committee selected LeighFisher, Inc. for business consulting services based on their experience with the development of concession and other non-aeronautical revenue programs at other large hub airports

throughout the county.

- Multiple contracts will ensure availability, flexibility, and alternative solutions in the provision of services to best fit the particular needs of the Airport.
- The hourly rates to be charged by the service providers vary based on the experience and qualifications of each firm's consultants. A list of hourly billing rates is available upon request.
- Total aggregate expenditures across all of the above contracts are estimated to be \$4,000,000 over the five year term.

### **Charlotte Business INclusion**

Subcontracting goals were not established on these contracts because there were no identified subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy). However, Newton & Associates, LLC is a City SBE. In addition, for Frasca and Associates, the City negotiated subcontracting participation after the proposal selection process, resulting in a commitment of 10% (\$75,000) of their total contract amount to the following certified firm: Charles O Simmons - CPA (MBE) (\$75,000) (financial analysis).

### **Fiscal Note**

Funding: Aviation Operating Budget and Aviation Community Investment Plan





Legislation Text

File #: 15-769 Agenda #: 50.

**Airport Passenger Facility Charge Application Development #6**

**Action:**

- A. Approve a professional services contract in an amount not to exceed \$235,000 with Newton & Associates, Inc. for Passenger Facility Charge Application #6 development, and**
- B. Adopt a budget ordinance appropriating \$235,000 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):**  
Brent Cagle, Aviation

**Explanation**

- The Federal Aviation Administration (FAA) has authorized the Airport to collect a Passenger Facility Charge (PFC) in the amount of \$3.00 for all revenue passengers boarding a commercial flight in Charlotte.
- The FAA restricts the use of these funds to certain types of expenses and requires all airports to submit an application detailing the use of these expenditures.
- Since implementing the PFC program in 2004, the Aviation Department has submitted five PFC applications to fund such items as airfield and terminal expansion, the purchase of new airport fire-fighting equipment, and passenger boarding units.
- The application process requires extensive knowledge of the PFC project eligibility and restrictions.
- On March 24, 2015, the Aviation Department issued a Request for Proposals for PFC application development services in conjunction with financial and business consulting services. The Aviation Department received seven proposals for the development of the Airport's sixth PFC application.
- A selection committee of Aviation Department staff and Management & Financial Services staff selected Newton & Associates, Inc. for the development of PFC application #6 based on their previous success in the development and approval of PFC Applications #1 through #5, successful administration of the existing program, and their familiarity with the Airport's existing community investment plan.

**Charlotte Business INclusion**

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy). Newton & Associates, Inc. is a SBE.

**Fiscal Note**

Funding: Aviation Community Investment Plan

The Airport will seek reimbursement for expenses associated with this contract from the PFC fund upon FAA approval of PFC application #6.

**Attachment**

Budget Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$235,000 FOR A CONTRACT WITH NEWTON & ASSOCIATES, INC.FOR PASSENGER FACILITY CHARGE APPLICATION #6 DEVELOPMENT**

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

Section 1. That the sum of \$235,000 is hereby appropriated from the Aviation Discretionary Fund for the contract with Newton & Associates, Inc.

Section 2. That the sum of \$235,000 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901601
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:

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City Attorney



Legislation Text

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File #: 15-696 Agenda #: 51.

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**Airport Vehicle and Equipment Fuel Contract**

**Action:**

- A. Award a unit price contract to the lowest responsive bidder Petroleum Traders Corporation for the purchase of fuel products for three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- The Aviation Department uses four types of fuel for its operations: ethanol-enhanced gasoline, unleaded gasoline, ultra-low-sulfur diesel, and ultra-low sulfur red-dyed diesel.
- On March 31, 2015, Aviation issued an Invitation to Bid; five bids were received from interested service providers.
- TAC Energy was initially the lowest responsive bidder but withdrew the bid based on their inability to meet the requirements necessary for the fuel operations.
- Petroleum Traders Corporation was selected as the lowest responsive bidder based on a compilation of rates for the four fuel products.
- The contract provides pricing based on the Oil Price Information Service Gross Average Rack Price on Thursday of each week plus a margin.
- The annual expenditures are estimated to be \$4,000,000 based on current oil prices.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Aviation Operating Fund



Legislation Text

File #: 15-747 Agenda #: 52.

**Airport Shuttle Bus Washing**

**Action:**

- A. Approve a contract with Klean First Professionals for bus washing services for the term of three years, and**
- B. Authorize the City Manager to amend the contract from time to time consistent with the City’s business needs and to renew the contracts for up to two additional, one-year terms.**

**Staff Resource(s):**

Jack Christine, Aviation

**Explanation**

- Auto industry best practices suggest that a regular washing program can prolong the finish life and defer corrosion by removing environmental decontaminants from vehicle surfaces. In addition to normal weather exposure, numerous construction projects have increased the frequency of washing needed to maintain the cleanliness of the buses.
- On May 22, 2015, the Aviation Department issued an Invitation to Bid for bus washing services; 13 bids were received from interested service providers.
- Klean First Professionals was the second lowest bidder, and the lowest responsible bidder.
- Klean First Professionals has extensive experience with large fleet washing operations, having worked previously for Mecklenburg Transportation System and Charlotte-Mecklenburg Schools.
- Annual expenditures under the contract are estimated to be \$127,920.
- The selected vendor maintained a static unit price for cleaning each bus in the submitted bid documentation, which is \$30 per unit per week for all five potential contract years.

**Reject the Low-Bid Explanation**

- The Aviation Department deemed Gentry Cleaners, Inc. not responsible due to the inability to meet reference requirements of the Invitation to Bid.

**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).

**Fiscal Note**

Funding: Aviation Operating Fund



## Legislation Text

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**File #:** 15-719 **Agenda #:** 53.

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### **Analytical Laboratory Services**

**Action:**

**Approve a services contract with Pace Analytical Services, Inc. to provide analytical laboratory services testing for a term of two years.**

**Staff Resource(s):**

Barry Shearin, Charlotte Water

**Explanation**

- The Federal Safe Drinking Water Act requires all drinking water suppliers to analyze their product for various compounds. This monitoring and analysis ensures drinking water meets Environmental Protection Agency and North Carolina Department of Environment and Natural Resources regulatory requirements for consumer health and safety.
- The services in this contract include additional analyses of compounds listed under review for future regulations and analyses related to the assessment of new treatment strategies under consideration. The water quality testing associated with this contract includes source water monitoring for pharmaceuticals and personal care products, drinking water compliance, and sampling associated with special projects such as the corrosion control study Charlotte Water is currently conducting in an effort to enhance water quality in the distribution system.
- The existing Charlotte Water Laboratory Services division is not equipped to perform these specific types of analyses.
- On May 14, 2015, Charlotte Water issued a Request for Proposals for these specific analytical laboratory services; three proposals were received from interested service providers.
- Pace Analytical Services, Inc. was selected based on best overall value, which includes their experience, background, approach, and pricing.
- The annual expenditures are anticipated to total \$74,640.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Charlotte Water Operating Budget



Legislation Text

File #: 15-725 Agenda #: 54.

**Waste Water Treatment Process Control Preventative Maintenance Services**

**Action:**

**Approve a contract with Hach Company for process control equipment preventative maintenance services for a term of three years.**

**Staff Resource(s):**

Barry Shearin, Charlotte Water

**Explanation**

- Charlotte Water uses Hach electronic equipment to monitor and control wastewater treatment processes in the plants. The equipment monitors and controls parameters such as dissolved oxygen, nutrient levels, ammonia, pH, alkalinity, and other physical and chemical values at various points within each of the plants.
- Equipment of this type requires periodic calibration, maintenance, and repair of equipment.
- The equipment allows plant managers to better control the amount of electricity and chemicals used during the treatment process while improving water quality.
- These support services ensure the integrity of data reported to the state and federal regulatory agencies.
- On May 18, 2015, Charlotte Water issued a Request for Proposals (RFP) for process control equipment preventative maintenance services. The RFP was electronically advertised in addition to a notice of advertisement distributed to 28 potential vendors. One proposal was received from an interested service provider.
- Charlotte Water staff evaluated the proposal and determined that Hach Company’s proposal meets the City’s needs in terms of qualifications, experience, cost, appropriate response time, value, and responsiveness to the RFP requirements.
- Total estimated annual expenditures are \$282,282, and the estimated total over a three-year timeframe is \$826,846.
- Estimated three year expenditures for Union County in the amount of \$36,000 will be refunded back to Charlotte Water as part of the current existing interlocal agreement.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Charlotte Water Operating Budget



Legislation Text

File #: 15-729 Agenda #: 55.

**Steele Creek Pumping Station Replacement Project**

**Action:**

**Award a contract in the amount of \$44,321,000 to the lowest responsive bidder English Construction Company, Inc. for construction services for the Steele Creek Pumping Station Replacement project.**

**Staff Resource(s):**

Barry Shearin, Charlotte Water

**Explanation**

- Located in southwestern Mecklenburg County, the Steele Creek Pumping Station is one of the largest wastewater pump stations in the sewer system. This station serves an area approximately bounded by Interstate-485/Interstate-77, the Catawba River, the North/South Carolinas state line, and Shopton Road West. It has been in operation since 1981 and conveys wastewater to the McAlpine Creek treatment plant in Pineville.
- The replacement project is needed to accommodate growth in the region.
- The project will include building a new pumping station and more than six miles of large diameter pipe.
- On April 6, 2015, Charlotte Water presented information about this project to the City Council Environment Committee.
- The construction is scheduled to take approximately two years.
- On April 28, 2015, Charlotte Water issued an Invitation to Bid for construction services for the Steele Creek Pumping Station Replacement project; four bids were received from interested service providers.
- English Construction Company, Inc. was selected as the lowest responsive bidder.
- Due to the nature of this project, the engineer’s estimate showed approximately 10% of the total project, estimated at \$44.5 million, was for labor. The vast majority of the project is attributed to the cost of materials and supplies. As a result, Charlotte Water recognized the need to have an aggressive outreach effort to enhance MWSBE participation.
- Charlotte Water contracted with Lil Associates II Inc., a City of Charlotte SBE and MBE, to assist with administering the Charlotte Business INclusion process on this project. Their services included establishing the project goals and facilitating two outreach sessions to connect prime contractors and SBE/MBEs prior to the bid opening.

**Charlotte Business INclusion**

Established SBE Goal: 2.00%

Committed SBE Goal: 2.15%

English Construction Company, Inc. exceeded the established SBE subcontracting goal, and has committed 2.15% (\$948,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- P&TL, Inc. (SBE) (\$385,000) (erosion control)

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**File #: 15-729 Agenda #: 55.**

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- A-1 Precision Fence Company (SBE) (\$143,000) (fence and gates)
- Oliver Paving Company, Inc. (SBE, WBE) (\$136,000) (paving)
- MTS Trucking, Inc. (SBE, MBE) (\$126,000) (hauling)
- Sanders Constructors, Inc. (SBE) (\$126,000) (clearing)
- Martin Landscaping Company, Inc. (SBE) (\$25,000) (landscaping)
- D's Trucking Service, Inc. (SBE, WBE) (\$3,500) (hauling)
- Diamond Trucking of NC Inc. (SBE, MBE) (\$3,500) (hauling)

Established MBE Goal: 2.00%

Committed MBE Goal: 0.88%

English Construction Company, Inc. failed to meet the established MBE subcontracting goal, but earned the minimum Good Faith Efforts (Part B: Section 5 of the Charlotte Business INClusion Policy). English Construction Company, Inc. has committed 0.88% (\$386,692) of the total contract amount to the following certified firms:

- CITI, LLC (MBE) (\$257,192) (instrumentation and programming)
- MTS Trucking, Inc. (SBE, MBE) (\$126,000) (hauling)
- Diamond Trucking of NC Inc. (SBE, MBE) (\$3,500) (hauling)

A further detailed write-up of English Construction Company, Inc. Good Faith Efforts is included as an attachment.

**Fiscal Note**

Funding: Charlotte Water Community Investment Plan

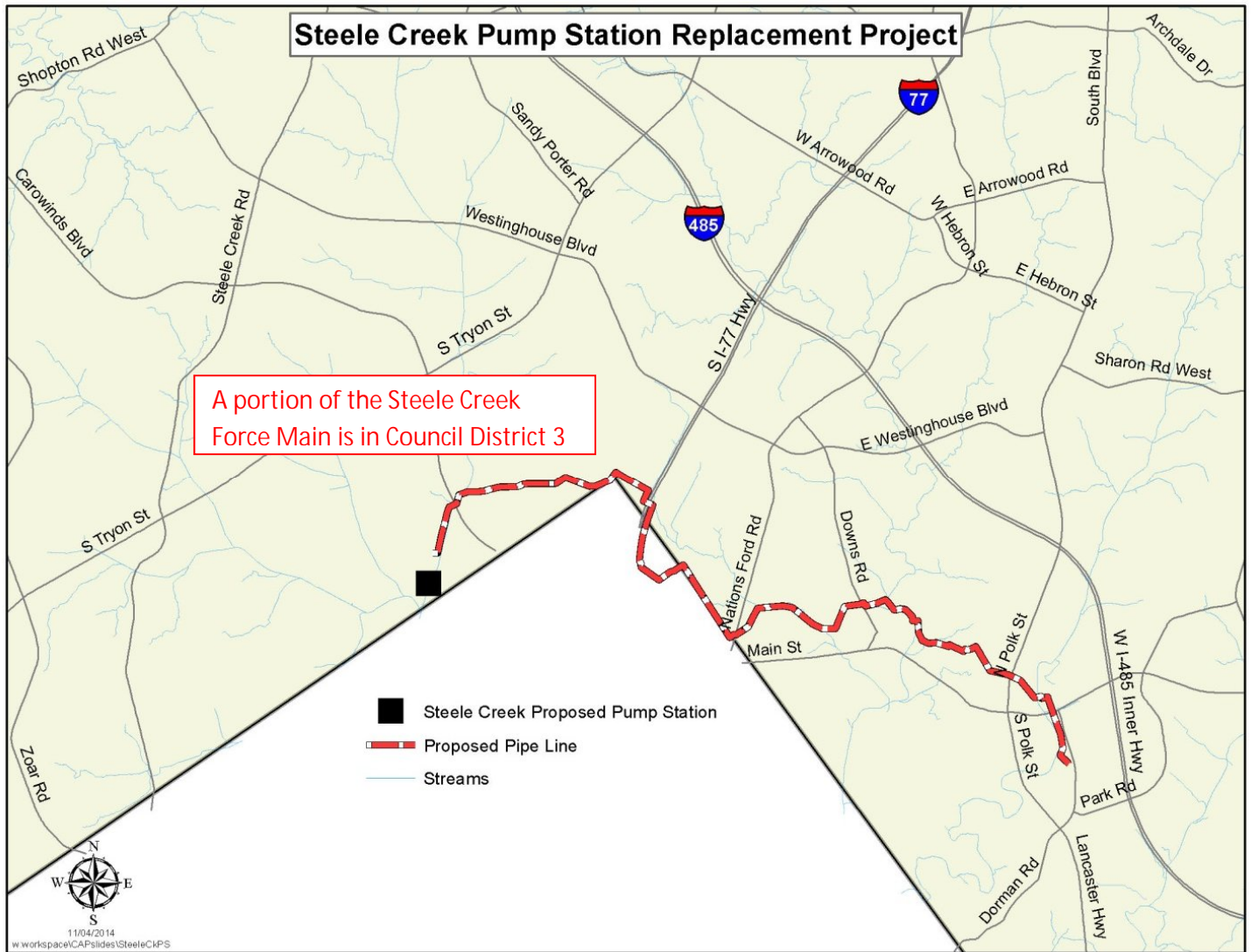
**Attachment**

Map

Good Faith Efforts



# Steele Creek Pumping Station Replacement Project - Map



## **Good Faith Efforts Summary for Steele Creek Pumping Station Replacement Project**

### **Background**

The Steele Creek Pumping Station Replacement contract was bid on June 11, 2015. A total of four (4) firms submitted bids for the contract. Staff is recommending contract award to the low bidder, English Construction Company, Inc. with a total contract award amount of \$44,321,000.00.

The Established MBE and SBE Goals for this project were both set at 2%, as derived from the City's subcontracting goal setting formula.

At bid opening, English Construction documented and committed MBE participation totaling 0.88% (\$386,692.00) to the following certified MBE firms: CITI, LLC (instrumentation and programming); MTS Trucking, Inc. (hauling); and Diamond Trucking of NC of Inc. (hauling).

### **Good Faith Effort (GFE) Summary**

Per the City's CBI Policy (Part B: Section 2.1), because the Established MBE Goal on this contract was not met at bid opening, English Construction was required to submit documentation reflecting their efforts in earning the required minimum 50 Good Faith Effort (GFE) points, out of a total available 155 GFE points. City staff has reviewed English Construction's documentation and confirmed English Construction's achievement of 55 GFE points, comprised of the following efforts:

- GFE 5.3.1: Contacts (10 points)
- GFE 5.3.2: Making Plans Available (10 points)
- GFE 5.3.3: Breaking Down Work (15 points)
- GFE 5.3.4: Working With MSBE Assistance Organizations (10 points)
- GFE 5.3.5: Attendance at Pre-Bid (10 points)



Legislation Text

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File #: 15-726 Agenda #: 56.

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**Delivery of Sugar Water to Wastewater Treatment Plants**

**Action:**

**Approve contracts for the delivery of sugar water from the following vendors:**

- 1. Coca-Cola Bottling Co. Consolidated (\$250,000),**
- 2. Independent Beverage Corporation (\$120,000), and**
- 3. Choice USA Beverage, Inc. (\$50,000).**

**Staff Resource(s):**

Barry Shearin, Charlotte Water

**Explanation**

- Charlotte Water currently contracts for delivery of sugar water to its wastewater treatment facilities. Sugar water is a waste product from local beverage companies to use in place of more expensive chemicals in the wastewater treatment process. Due to the limited availability of sugar water from any one company, Charlotte Water has three contracts for the delivery of sugar water.
- Savings from the use of this product and others like it have resulted in savings of approximately \$200,000 over the past year.
- Using sugar water in the wastewater treatment process is environmental-friendly. It is used as a food source at the treatment plants that gets metered into the system for biological treatment of wastewater.
- Due to the unique service and the limited number of vendors that can provide this service, in the past Charlotte Water received approval from the City Manager's office to waive a solicitation process for this service.
- The contract price is for delivery costs only as the product is provided free. This delivery price is determined by negotiation with each producer.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Charlotte Water Operating Budget



Legislation Text

File #: 15-727 Agenda #: 57.

**Water Main Cleaning and Epoxy Lining Contract**

**Action:**

- A. Approve contract renewal #2 in the amount of \$3,923,685.77 with Heitkamp, Inc. for water main cleaning and epoxy lining services, and**
- B. Authorize the City Manager to approve up to one additional renewal with possible price adjustments based on the Construction Cost Index.**

**Staff Resource(s):**

Barry Shearin, Charlotte Water

**Explanation**

- Charlotte Water operates and maintains more than 4,200 miles of water mains throughout Mecklenburg County with some aged more than 75 years. Cleaning and lining service are needed to restore hydraulic capacity and maintain water quality. The focus of the work is older areas of the water distribution system and will restore approximately 6.5 miles of water mains.
- Projects are currently planned for the Ashley Park and Chantilly/Grier Heights areas.
- Contract renewal #2 in the amount of \$3,923,685.77 is needed to continue funding additional rehab needs that have been identified. The renewals are contingent on the contractor's performance and the need for the work.
- On April 9, 2012, the City Council awarded the original contract in the amount of \$3,639,782.71.
- On October 28, 2013, the City Council awarded contract renewal #1 in the amount of \$3,748,976.20.
- The new contract total including renewals is \$11,312,444.68.

**Charlotte Business INclusion**

The work involved in this contract renewal will be performed by Heitkamp, Inc. and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy). For this renewal, Heitkamp, Inc. has committed 7.73% (\$303,472) to the following certified firms:

- Central Carolina Underground, Inc. (SBE) (\$225,000) (excavation)
- Conmat Development, Inc. (SBE) (\$39,236) (sidewalk and concrete)
- Shippo Fire Equipment Sales, Inc. (SBE, MBE) (\$39,236) (backflow calibration)

**Fiscal Note**

Funding: Charlotte Water Community Investment Plan



Legislation Text

File #: 15-791 Agenda #: 58.

**Transfer Surplus Land at Sugar Creek Waste Water Treatment Plant**

**Action:**

**Approve the transfer of approximately 9.5 acres of surplus land (Portion of tax identification number 173-061-02) located along Little Sugar Creek, south of Archdale Road to Mecklenburg County.**

**Staff Resource(s):**

Barry Shearin, Charlotte Water  
Tim O'Brien, Engineering & Property Management

**Explanation**

- The property to be transferred is approximately 9.5 acres of a 17.97-acre parcel. Most of the land being transferred is in the 100-year flood plain with steep terrain and generally not developable. The land is located south of the Sugar Creek Waste Water Treatment Plant and is zoned R-4. The property was acquired in 1931, possibly to expand the treatment plant facility.
- Little Sugar Creek is within the area to be transferred to Mecklenburg County. Duke Power and Piedmont Natural Gas have utility easements that run the length of the property to be conveyed.
- The Future Land Use Plan calls for this area along Little Sugar Creek to be designated as greenway. Due to the inability to construct within the flood plain area, the highest and best use for the portion of the land being transferred to Mecklenburg County is for greenway purposes.
- Transferring the land to Mecklenburg County will likely make the remaining property (approximately 8.5 acres) more valuable and more attractive to developers since it will benefit from the amenity of a greenway trail.
- No Charlotte Water utility lines within the area will be transferred; and no plans for future needs within the area to be transferred.

**Background**

- Mecklenburg County is working in partnership with the City's Cross Charlotte Trail which will result in a continuous north/south greenway and multi-use trail across the County.
- Along with this portion of the Little Sugar Creek Greenway Trail, Mecklenburg County Park and Recreation Department will be constructing the greenway trail through Charlotte Water's Sugar Creek Waste Water Treatment Plant property. A fence will be installed to protect the plant and keep pedestrians restricted from the treatment plant operating area.
- The Charlotte Mecklenburg Planning Committee recommended approval by a 5-0 vote to include this parcel to the greenway system as it will serve a critical need in providing linkages to other greenway trails, including the Cross Charlotte Trail.

**Fiscal Note**

Funding: Not applicable

**Attachment**

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**File #: 15-791 Agenda #: 58.**

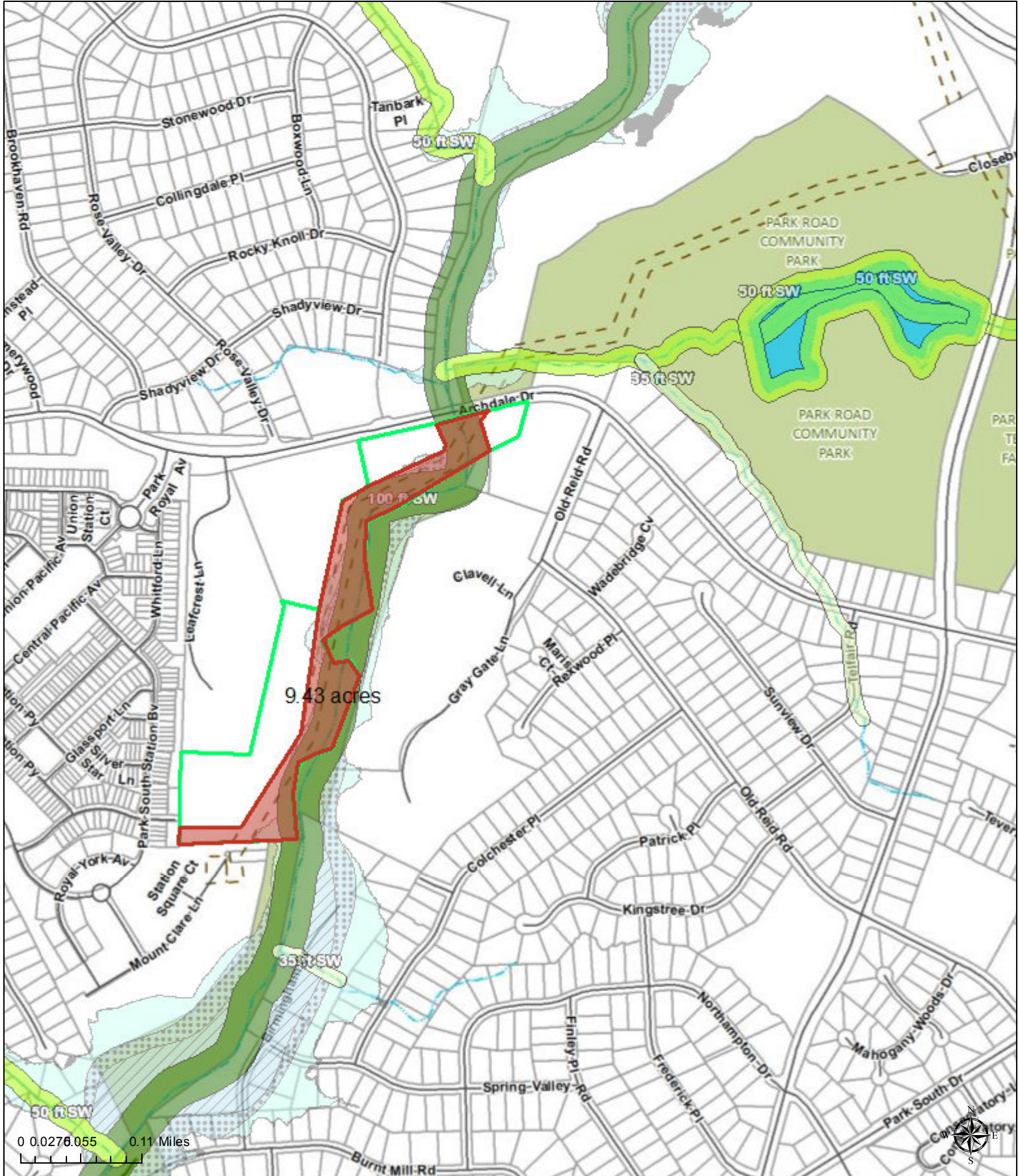
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Map

# Polaris 3G Map – Mecklenburg County, North Carolina

9.43 acres(410854.51 sq ft)

Council District 6



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

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June 27, 2015



Legislation Text

File #: 15-728 Agenda #: 59.

**Cummins Diesel Original Equipment Manufacturer Repair Parts**

**Action:**

- A. Approve a unit price contract to the lowest responsive bidder MHC Kenworth for Cummins diesel original equipment manufacturer repair and replacement parts for the term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two additional, one-year terms and amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.**

**Staff Resource(s):**

Chris Trull, Management & Financial Services

**Explanation**

- The contract will provide Management & Financial Services, Fleet Management with Cummins original equipment manufacturer (OEM) diesel repair and replacement parts for fleet vehicles, including but not limited to, fuel system parts, injectors, seals, engine cooling systems components, internal engine components, turbochargers, and related power-plant repair, and maintenance items.
- Cummins diesel engines power numerous pieces of equipment in the City fleet including but not restricted to fire apparatus, construction equipment, and other heavy/medium trucks.
- An Invitation to Bid was issued and included specifications for 62 various diesel parts not currently provided through other heavy vehicle parts contracts; four bids were received from interested service providers.
- MHC Kenworth submitted the lowest responsive bid.
- Fleet Management will purchase parts on a unit cost basis as needed.
- Annual expenditures under the contract are estimated to be \$300,000.

**Fiscal Note**

Funding: Management & Financial Services Operating Budget

**Charlotte Business INclusion**

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





Legislation Text

File #: 15-733 Agenda #: 60.

**Vehicle and Equipment Purchases from State Contracts**

**Action:**

- A. Approve the purchase of vehicles and fleet equipment from state contracts as authorized by G.S. 143-129(e)(9),**
- B. Approve a contract with the following vendors for the purchase of vehicles and equipment for a term of one-year under NC Department of Purchase and Contract number 065A, 065C, 070A, 070G, 070Q, and 760H:**
  - 1. Asheville Ford Lincoln,**
  - 2. Capital Ford of Raleigh,**
  - 3. Capital Ford of Wilmington,**
  - 4. Charlotte Truck Center,**
  - 5. Godwin Manufacturing,**
  - 6. Horace G. Ilderton, LLC,**
  - 7. James River Equipment,**
  - 8. Knapheide,**
  - 9. Piedmont Truck Center,**
  - 10. Rob's Hydraulics, and**
  - 11. Sir Walter Chevrolet.**

**Staff Resource(s):**

Chris Trull, 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**

- Management & Financial Services collaborates with other City departments on an annual basis to assess vehicles and equipment in determining replacement needs based on a rating of vehicle usage, age, maintenance costs, and condition.
- State contracts aggregate purchasing power state-wide to provide goods to public agencies at the best value.
- 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.
- In Fiscal Year 2015, the City solicited bids for vehicles commonly purchased from state contract in order to verify that state contracts were providing the best value for the City. The resulting bids received by the City reflected higher pricing than available from the state contract for every item for which bids were solicited.
- The unit prices set forth in the proposed contracts is available upon request.

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**File #:** 15-733 **Agenda #:** 60.

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- Annual expenditures are estimated to be \$6,475,500 as shown the attachment.

**Charlotte Business INclusion**

These contracts are purchased off a State contract and are exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

**Fiscal Note**

Funding: Various General and Enterprise Capital Equipment Replacement Funds

**Attachment**

Estimated Spend By Vendor

<u>Vendor</u>	<u>Vehicle/Equipment Type</u>	<u>Estimated Spend</u>
Asheville Ford Lincoln	SUVs	\$ 64,000
Capital Ford of Raleigh	Pickups and SUVs	\$ 640,000
Capital Ford of Wilmington	Pickups and SUVs	\$ 1,752,000
Charlotte Truck Center	Heavy Truck Cab/Chassis	\$ 1,364,000
Godwin Manufacturing	Dump Truck Bodies	\$ 286,000
Horace G. Ilderton, LLC	Vans	\$ 25,000
James River Equipment	Construction Equipment	\$ 70,000
Knapheide	Service Truck Bodies	\$ 122,500
Piedmont Truck Center	Pickups and Light Truck Cab/Chassis	\$ 1,159,000
Rob's Hydraulics	Construction Equipment	\$ 340,000
Sir Walter Chevrolet	SUVs	\$ 653,000
Total		\$ 6,475,500



Legislation Text

File #: 15-788 Agenda #: 61.

**Vehicle and Equipment Purchases from Cooperative Contracts**

**Action:**

- A. Approve the purchase of vehicles and fleet equipment from cooperative purchasing contracts as authorized by G.S. 143-129(e)(3), and**
- B. Approve a contract with the following vendors for the purchase of vehicles and equipment for a one-year term under Houston-Galveston Area Council Buy contracts HT06-14 and SC01-15:**
  - 1. Chastang’s Bayou City Autocar,**
  - 2. Grande Truck Center,**
  - 3. Hi-Vac Corporation,**
  - 4. Houston Frightliner-Western Star, and**
  - 5. Sewer Equipment Co. of America.**

**Staff Resource(s):**

Chris Trull, Management & Financial Services

**Cooperative Purchasing Exemption**

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

**Explanation**

- Management & Financial Services collaborates with other City departments on an annual basis to assess vehicles and equipment in determining replacement needs based on a rating of vehicle usage, age, maintenance costs, and condition.
- Cooperative purchasing contracts aggregate purchasing power at a regional or national level to provide goods to public agencies at the best value.
- The vendors above have contracts awarded through Houston-Galveston Area Council Buy that offer competitively obtained contracts to public agencies for public works vehicles and equipment.
- The unit prices, set forth in the proposed contracts, are available upon request.
- Annual expenditures are estimated to be \$2,065,000.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: General and Enterprise Capital Equipment Replacement Funds

**Attachment**

Estimated Spend by Vendor

<u>Vendor</u>	<u>Vehicle/Equipment Type</u>	<u>Estimated Spend</u>
Chastang's Bayou City Autocar	Refuse Truck Cab/Chassis	\$ 1,230,000
Grande Truck Center	Dump Truck Cab/Chassis	\$ 405,000
Hi-Vac Corporation	Sewer Cleaning Truck	\$ 180,000
Houston Freightliner-Western Star	Pothole Patching Truck	\$ 190,000
Sewer Equipment Co. of America	Sewer Cleaning Equipment	\$ 60,000
Total		\$ 2,065,000



## Legislation Text

File #: 15-741 Agenda #: 62.

### Freightliner and Sterling Truck Parts and Services

**Action:**

- A. Approve the purchase of Freightliner and Sterling Truck Original Equipment Manufacturer replacement and repair parts and services, as authorized by the sole source exemption of G.S. 143-129 (e)(6),**
- B. Approve a contract with Charlotte Truck for the purchase of original equipment manufacturer replacement and repair parts and services for an initial term of three years, and**
- C. Authorize the City Manager to extend a contract for up to two additional, one-year terms with possible price adjustments as deemed reasonable and appropriate by the City Manager.**

**Staff Resource(s):**

Chris Trull, Management & Financial Services

**Sole Source Exemption**

- 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 this contract because there is only one supply source.
- The City Council must approve purchases made under the sole source exception.

**Explanation**

- The City currently operates 129 Freightliner and Sterling heavy trucks and related operating systems for the Solid Waste Services Department and Transportation Department. Currently the Transportation Department has three additional units on order for the Street Maintenance Division.
- Charlotte Truck Center is the sole factory authorized dealer and distributor of Freightliner and Sterling Truck warranty and non-warranty repair and replacement original equipment manufacturer parts and service for the Charlotte service area.
- Freightliner and Sterling dealers and distributors are required by the manufacturer to maintain existing warranties, parts standardization, reliable supply chains, factory support, service methods, and training.
- Annual expenditures under the contract are estimated to be \$450,000.

**Charlotte Business INclusion**

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

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**File #:** 15-741 **Agenda #:** 62.

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**Fiscal Note**

Funding: Management & Financial Services Operating Budget



Legislation Text

File #: 15-742 Agenda #: 63.

**Vector, Elgin, and ProPatch Truck Parts and Services**

**Action:**

- A. Approve the purchase of Vector, Elgin, and ProPatch original equipment manufacturer replacement and repair parts and services authorized by the sole source exemption of G.S. 143-129(e)(6),**
- B. Approve a contract with Public Works Equipment for the purchase of original equipment manufacturer replacement and repair parts and services for an initial term of three years, and**
- C. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs.**

**Staff Resource(s):**

Chris Trull, Management & Financial Services

**Sole Source Exemption**

- 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 this contract because there is only one supply source.
- The City Council must approve purchases made under the sole source exception.

**Explanation**

- The City currently operates 33 units of Vector, Elgin, and ProPatch and related operating systems for Solid Waste Services and Transportation Street Maintenance Divisions with an additional three units on order for the Street Maintenance Division.
- Public Works Equipment is the sole Factory Authorized Dealer and Distributor of Vector, Elgin, and ProPatch warranty and non-warranty repair and replacement original equipment manufacturer parts and services for the Charlotte, NC service area.
- Vector, Elgin, and ProPatch dealers and distributors are required by the manufacturer to maintain existing warranties, parts standardization, reliable supply chains, factory support, service methods, and training.
- Annual expenditures under the contract are estimated to be \$300,000.

**Charlotte Business INclusion**

This is a Sole Source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

**Fiscal Note**

Funding: Management & Financial Services Operating Budget





## Legislation Text

File #: 15-817 Agenda #: 64.

### International Truck Parts and Services

**Action:**

- A. Approve the purchase of International Original Equipment Manufacturer Truck replacement and repair parts and services authorized by the sole source exemption of G.S. 143-129(e)(6),**
- B. Approve a contract with Rush Truck Center for the purchase of International original equipment manufacturer Truck replacement and repair parts and services for an initial term of three years, and**
- C. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as deemed reasonable and appropriate by the City Manager.**

**Staff Resource(s):**

Chris Trull, Management & Financial Services

**Sole Source Exemption**

- 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 this contract because there is only one supply source.
- The City Council must approve purchases made under the sole source exception.

**Explanation**

- The City currently operates 122 units of International heavy trucks and related operating systems for Solid Waste Services and Transportation Street Maintenance Divisions with additional units planned for purchase.
- Rush Truck Center is the sole Factory Authorized Dealer and Distributor of International Truck warranty and non-warranty repair and replacement original equipment manufacturer parts and service for the Charlotte, NC service area.
- International dealers and distributors are required by the manufacturer to maintain existing warranties, parts standardization, reliable supply chains, factory support, service methods and training.
- Annual expenditures under the contract are estimated to be \$400,000.

**Charlotte Business INclusion:**

This is a Sole Source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

**Fiscal Note**

Funding: Fleet Management Operating Budget



Legislation Text

File #: 15-766 Agenda #: 65.

**Bus Maintenance Parts**

**Action:**

- A. Award a unit price contract to the lowest responsive bidder Carolina Powertrain for the purchase of alternators and voltage regulators for a three-year term,**
- B. Award a unit price contract to the lowest responsive bidder TruckPro for the purchase of brake drums, metal shoe linings, and brake chambers for a three-year term,**
- C. Award a unit price contract to the lowest responsive bidder Mohawk Manufacturing and Supply for the purchase of wheel seals and slack adjusters for a three-year term,**
- D. Award a unit price contract to the lowest responsive bidder MHC Kenworth for the purchase of other bus maintenance parts, including wheel studs, S-Cams, bearings, races, and lug nuts for a three-year term, and**
- E. Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the City's business needs and the purpose for which the contracts were approved.**

**Staff Resource(s):**

Larry Kopf, CATS  
Edward Pullan, CATS

**Explanation**

- Various parts are required for the ongoing maintenance and repair of the CATS bus fleet.
- On May 8, 2015, CATS issued an Invitation to Bid; seven bids were received from interested providers.
- Multiple contracts allow for award based on the lowest responsive bidder per product line.
- Bus parts will be purchased on an as needed basis under the contract terms. The unit prices are set forth in the proposed contracts and are available upon request.
- Annual expenditures for all four contracts are estimated to be \$550,000.
- Staff anticipates renewing the contracts for up to two additional, one-year terms at prices to be negotiated based on market conditions.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: CATS Operating Budget



## Legislation Text

File #: 15-782 Agenda #: 66.

### Safety Supplies

**Action:**

- A. Award unit price contracts to the lowest responsive bidders for the purchase of Safety Supplies, for a term of one-year to the following vendors:**
  - 1. Northern Safety Co Inc., and
  - 2. Korman Signs, and
- B. Authorize the City Manager to renew the contract for up to three additional, one year terms with possible price adjustments as deemed reasonable and appropriate by the City Manager.**

**Staff Resource(s):**

Kay Elmore, Management & Financial Services

**Explanation**

- City departments routinely purchase safety supplies for daily operations including but not limited to Personal Protective Equipment, such as safety vests and hard hats for use in field operations as well as Traffic Control devices such as signs and cones to ensure safety of the public and staff.
- Traffic Control signs are required for any work occurring within the right of way and provide communication to motorists, cyclists and pedestrians to increase the safety of both citizens and workers.
- On May 5, 2015, an Invitation to Bid was issued for safety supplies; eight bids were received by interested service providers. The bids were evaluated and awarded by category (i.e. Personal Protection Equipment and Traffic Control).
- Northern Safety Co. Inc. is the lowest responsive bidder for personal protective equipment, and Korman Signs is the lowest responsive bidder for traffic control devices.
- The unit prices, set forth in the proposed contract, are available upon request.
- The resulting contracts are available for use citywide.
- The combined annual expenditures are estimated to be \$670,000.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Various Departments' Operating Budgets



Legislation Text

File #: 15-684 Agenda #: 67.

**Exchange of Right-of-Way along the LYNX Light Rail Corridor with Solis Southline/Terwilliger Pappas**

**Action:**

- A. Approve a resolution authorizing an exchange of right-of-way between the City of Charlotte and Solis Southline/Terwilliger Pappas or its successors and assigns (Property Owner) involving Tax Identification #12104114, #12104122, and #12104124, and**
- B. Authorize the City Manager to execute all necessary documents to complete the exchange of right-of-way between the City of Charlotte and Property Owner.**

**Staff Resource(s):**

Tina M. Votaw, CATS  
Tim O'Brien, Engineering & Property Management

**Explanation**

- The Property Owner proposes to build a 300-unit apartment complex in the South End at the corner of Remount Road and South Boulevard between the East/West Light Rail Station and the New Bern Light Rail Station.
- In order to construct the apartment complex, the Property Owner requires use of some of the City's unused "excess" rail right-of-way.
- The City's ownership of the LYNX right-of-way between Scaleybark and Uptown is known as a "charter right-of-way", which is similar to an easement right. The adjacent property owners possess ownership of the underlying "fee simple" title, subject to the City's use as a rail corridor.
- The charter right-of-way in this particular section of the rail corridor is approximately 130 feet wide, which is wider than necessary for rail purposes. Therefore, the City issued an Administrative Policy which states that the City will generally retain approximately 70 feet in width for rail purposes while allowing the excess right-of-way of approximately 30 feet in width on either side to be used by the adjacent Property Owner. Alternatively, the excess right of way may be retained by the City as buffer if needed.
- Consistent with previous City Council actions, the City may release its charter rights on the excess right-of-way to facilitate transit supportive redevelopment.
- The Property Owner will exchange property rights with the City for full and fair consideration as required by law. Fair consideration can be any combination of cash, real, or personal property and other benefits.
- The methodology for valuing the excess right-of-way was established by the City's appraisal staff. The percentages below are applied to the contract price.
  - The excess right-of-way being conveyed by the City to the Property Owner has a higher value (50%) because it is outside the active rail corridor and can be incorporated into the proposed adjacent development and,
  - The right-of-way being conveyed by the Property Owner to the City has a lesser value (10%) since it has already been used as part of the light rail corridor.
- The right-of-way exchange includes three important elements:

1. The exchange only occurs when the Property Owner's proposed redevelopment is consistent with the City's vision; Council approved station area plans and zoning ordinances.
  2. The right-of-way ends up in the hands of the party that will maximize its use, i.e., the City will have full ownership of the active rail corridor, while the adjacent Property Owner obtains the excess right of way unrestricted by the charter right of way and,
  3. The exchange results in substantial redevelopment along the light rail corridor. The assessed value of the new developments that have been constructed and, therefore, the property tax revenues received by the City and the County are typically 5-10 times greater than the assessed value of the property prior to the right-of-way exchange and subsequent redevelopment.
- Due to redevelopment of the site into the apartment complex, property tax revenues to the City will increase from approximately \$32,000/year to approximately \$150,000/year.
  - The exchange is recommended for the following reasons:
    - The City will receive approximately \$221,350 in property and improvements including:
      - Deed to approximately 15,214 square feet, valued at approximately \$51,350.
      - Improvements of approximately \$95,000 consisting of ballast rail curb adjacent to the northbound light rail track and streetscape improvements including decorative fence and new multi-use sidewalk along the rail corridor to facilitate access to the light rail stations and further complete the Rail Trail adjacent to the rail corridor.
      - The Property Owner will be required to maintain all of the new streetscape improvements, including the new multi-use path, landscaping, irrigation, fencing, etc. at a cost of approximately \$7,500/annually or approximately \$75,000 over 10 years.
    - Property Owner will receive from the City:
      - Deed to approximately 12,661 square feet of excess right-of-way, valued at approximately \$213,650, along with a License Agreement that will require the Property Owner to construct as well as maintain the new streetscape improvements as described above.

### **Background**

The Transit Station Area Plans approved by the City Council define development standards for property adjacent to the rail corridor and envision that excess right-of-way will be incorporated into adjacent transit supportive development.

### **Attachment**

Resolution

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING AND APPROVING THE EXCHANGE OF LAND RIGHTS IN THE  
LYNX RAIL CORRIDOR WITH SOLIS SOUTHLINE/TERWILLIGER PAPPAS  
(OR ITS SUCCESSORS AND ASSIGNS).**

WHEREAS, the City of Charlotte (the “City”) purchased the 130 foot wide Charter Right-of-Way, formerly owned by the Norfolk Southern Railroad; and

WHEREAS, in 2008, the City, through the action of its Council, adopted the New Bern Transit Station Area Plan to guide the development along the buffer area of the Right of Way; and

WHEREAS, the City is working with Solis Southline/Terwilliger Pappas (the “Developer”) regarding property adjacent to the Right of Way having tax I. D. numbers 12104122, 12104124 and 12104114; and

WHEREAS, the buffer area in the Right of Way in which the Developer is interested lies outside of that portion of the Right of Way used for public transit; and

WHEREAS, in order to proceed with the development of the for mentioned property, the City of Charlotte agrees to exchange property rights for a full and fair compensation, as provided by the North Carolina General Statutes; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, as follows:

- A. The City shall receive from the Developer (or its successors and assigns), the following, which is a full and fair compensation for the exchange of property rights:
  1. Deed to approximately 15,200 square feet of underlying fee simple interest that will remain in use as part of the rail corridor.
  2. Installation of ballast rail curb and streetscape improvements including decorative fence, new multi-use path/sidewalk to facilitate pedestrian access between the light rail stations and further complete the Rail Trail.
  3. Maintenance of the streetscape improvements.
- B. The City shall release its charter (i.e. easement) rights to approx. 12,700 square feet for use by the Developer (or its successors and assigns) and shall grant a license agreement to the Developer (or its successors and assigns) in order to construct and maintain the streetscape improvements.

FURTHER RESOLVED, that the City Council for the City of Charlotte authorizes the City Manager (or his designee) to execute the necessary legal documents to complete the exchange of the land rights between the City and the Developer, or its successors and assigns,

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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, and the reference having been made in Minute Book \_\_\_\_\_, Page \_\_\_\_\_, and recorded in full in Resolutions Book \_\_\_\_\_, Page \_\_\_\_\_.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Legislation Text

File #: 15-847 Agenda #: 68.

**LYNX Blue Line Extension - Plant Growing Services**

**Action:**

**Approve contracts with the following companies for plant growing services:**

1. **Latham's Nursery, \$228,900,**
2. **Taylor's Nursery, \$145,100,**
3. **H&H Nursery, \$51,800, and**
4. **SS Nursery, \$31,000.**

**Staff Resource(s):**

Danny Rogers, CATS  
Kourtne Vincent, Engineering & Property Management

**Explanation**

- The northern half of the LYNX Blue Line Extension (BLE) project includes reconstruction of four miles of North Tryon Street, creating more than 13 acres of median between the light rail tracks and North Tryon Street. Landscaping is required for these 13 acres.
- Due to the quantity of plant material required, contracting for plant growing services in advance is needed to ensure that an adequate number of plants will be available in accordance with the BLE project schedule.
- On March 30, 2015, the City issued a Request for Proposal (RFP) for plant growing services. In response to the RFP, the City received four proposals from interested service providers.
- City staff evaluated the proposals and recommends all four firms be awarded contracts for growing a portion of the total amount of plant material required for the BLE project.
- The scope of these contracts includes growing and supplying the plant material per BLE project specifications and nursery best management practices.
- A future Invitation to Bid will be issued for the installation and warranty of the plant material.

**Disadvantage Business Enterprise**

Pursuant to Department of Transportation DBE Program, subpart C, no DBE utilization goal was set for this solicitation and resultant due to no/limited subcontracting opportunities

**Fiscal Note**

Funding: Transit Community Investment Plan





## Legislation Text

File #: 15-798 Agenda #: 69.

### CATS Rail Corridor Maintenance - Design Services

**Action:**

- A. Approve professional service contracts with the following companies for engineering and design services for an initial term of three years:**
  - STV Incorporated, and
  - Parsons Brinkerhoff, Inc., and
- B. Authorize the City Manager to renew the contracts for one additional, three-year term with possible price adjustments and to amend the contracts consistent with the City's business needs and purpose for which the contracts were approved.**

**Staff Resource(s):**

Allen Smith III, CATS

**Explanation**

- CATS is responsible for maintaining approximately 9.6 miles of right-of-way along the LYNX Blue Line, which includes preventive maintenance, corrective maintenance, emergency repairs and routine repairs along the rail corridor.
- The companies will be paid the unit prices and hourly rates set forth in the contracts, which are available upon request.
- Estimated contract expenditures for both contracts are \$100,000 annually/\$300,000 in the aggregate over the three-year term.
- On May 1, 2015, the City issued a Request for Qualifications for engineering and design services; three proposals were received.
- City staff evaluated the proposals and recommends the top two highest ranked firms for the services.
- The engineering consultants will provide analysis and design services for various maintenance and infrastructure repairs.
- Specific tasks associated with these services will include, but are not limited to the following:
  - Site assessments;
  - Recommendations of infrastructure improvements;
  - Preparation of construction specifications, drawings, and estimates; and
  - Design services during construction.
- Task orders will be assigned to the engineering consultants on an as needed basis.

**Disadvantaged Business Enterprise**

Because federal funds are being requested, the contracts are required to adhere to Federal DBE requirements. DBE goals will be established for each individual task order as it is developed.

**Fiscal Note**

Funding: CATS Community Investment Plan and CATS Operating Budget



## Legislation Text

File #: 15-803 Agenda #: 70.

### Computer-Aided Dispatch System Upgrade

**Action:**

- A. Approve contract amendment #1 with Intergraph Corporation in the estimated amount of \$190,000, for services to upgrade the Computer-Aided Dispatch System, and**
- B. Authorize the City Manager to expend an additional estimated amount of \$350,000 for ancillary hardware, software, and services to support the upgrade from various vendors.**

**Staff Resource(s):**

Lisa Goelz, Police  
Crystal Cody, Police

**Explanation**

- On December 13, 2010, the City Council approved a Master Contract for System Integration with Intergraph Corporation to upgrade the Charlotte-Mecklenburg Police Department (CMPD) Computer-Aided Dispatch System.
- CMPD uses the system to manage 911 call entry and dispatch for CMPD officers.
- The last upgrade was completed in February 2011. The system must be upgraded every three to four years in order to continue working optimally to support emergency call taking and dispatch activities.
- Intergraph Corporation will provide technical services to upgrade the system, training for the new software versions, and on-site upgrade support.
- CMPD will purchase new 911 center computer workstations and servers (included in the \$350,000) to maintain optimal performance and minimize downtime during the upgrade. This equipment will be procured based on City Procurement policy.
- The new contract value including the amendment is \$903,655. The term for the amendment will be one year to complete technical services for the upgrade.

**Fiscal Note**

Funding: 911 Fund

**Charlotte Business INclusion**

No subcontracting goal was established for this contract amendment because there are no subcontracting opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy).



## Legislation Text

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**File #:** 15-878 **Agenda #:** 71.

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### **Support to the District Attorney's Office - Property Crime Unit**

**Action:**

**Authorize the City Manager to negotiate and execute the Fiscal Year 2016 contract in the estimated amount of \$321,000 with the District Attorney and the North Carolina Administrative Office of the Courts for continued funding of five positions.**

**Staff Resource(s):**

Greg Crystal, Police

**Explanation**

- Since 2008, the City has provided annual funding, via the Charlotte-Mecklenburg Police Department's (CMPD) operating budget, to the District Attorney to support two Assistant District Attorneys and three Victim/Witness Legal Assistants from the North Carolina Administrative Office of the Courts.
- The positions are used to address the backlog of cases in Mecklenburg County and support CMPD crime-fighting initiatives.
- Funding for the District Attorney's Office was discussed during the FY2016 budget development process and approved by Council on June 8, 2015 as part of the Budget Adoption action. While funding has been approved by Council, this action formalizes the agreement.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Police Operating Budget



Legislation Text

File #: 15-833 Agenda #: 72.

Employee Health Clinics

Action:

- A. Authorize the City Manager to negotiate and execute a three-year contract and future contract amendments (including performance guarantees) with OurHealth to administer employee health clinics for City employees and non-Medicare-eligible retirees and their dependents, effective January 1, 2016, and
- B. Authorize the City Manager to extend the contract for an additional two, one-year terms.

Committee Chair:

Council member Greg Phipps

Staff Resource(s):

Cheryl Brown, Human Resources

Explanation

- The City has aggressively managed healthcare costs including: plan design changes; increase promotion of generic drugs; and implementation of a wellness program.
- Healthcare costs continue to rise, with unmanaged health and chronic conditions as the primary drivers.
  - 55% of members are not compliant with a routine physical.
  - 75% of members identified with diabetes are not compliant with at least one of the chronic care guidelines for diabetes.
  - 11% of members had an emergency room visit in the last 12 months.
  - 42% of those visits were non-emergent and could have been treated by a Primary Care Physician (PCP).
    - o Average cost an emergency room visit: \$1,845
    - o Average cost of a PCP visit: \$211
- Implementing employee health clinics will result in the following benefits to both the City and employees/retirees and dependents:
  - City benefits,
    - o Control medical cost increases;
    - o Redirect care from expensive and inappropriate settings;
    - o Improve specialty referrals;
    - o Improve employee productivity;
    - o Enhance employee recruitment and retention efforts;
    - o Improve a culture of health; and
    - o Support employee morale.
  - The health clinics can provide the following benefits to employees, retirees, and dependents:

- Receive good and often better access to affordable/quality care and medications;
  - Improve management of chronic conditions and improved health outcomes;
  - Conveniently located near work and home sites;
  - Enhance patient experience;
  - Reduce lost work time; and
  - Member cost savings.
- The OurHealth model initially implements five medical clinics strategically located throughout the City.
  - Staffed by physicians and nurses, clinics will provide primary care services to employees, non-Medicare-eligible retirees, and dependents at no cost to the member.
  - The use of the clinic is voluntary, and employees are free to retain their primary care provider (PCP) and use the clinic in conjunction with their PCP.
  - The clinics will begin operation on January 1, 2016.

### **Selection Process**

- On April 28, 2014, the City issued a Request for Proposal (RFP) for employee health clinic services. In response to the RFP, the City received nine proposals from interested service providers.
- The project team, consisting of staff from the Human Resources Department, Willis Benefits Consultants, and the City Manager's Office evaluated the proposals and recommends awarding the contract to OurHealth as the service provider best meeting the City's needs in terms of qualifications, experience, and cost.

### **Budget Committee Discussion**

- On June 29, 2015, Human Resources staff presented the proposed Employee Health Clinic recommendations to the Budget Committee.
- On June 29, 2015, the Committee voted unanimously to approve the recommendations to the full City Council (Phipps, Driggs, Kinsey, Lyles, and Mayfield).

### **Performance Guarantees**

- The OurHealth contract will include performance guarantees, including:
  - Annual cap in medical and pharmacy trend rates;
  - Health improvement and improvement in health outcomes;
  - Implementation metrics;
  - Member satisfaction; and
  - Member utilization.

### **Charlotte Business Inclusion**

No subcontracting goals were established because there are no direct subcontracting opportunities. (Part C: Section 2.1(a) of the Charlotte Business INCLUSION Policy).

However, the City will negotiate with OurHealth for MWSBE participation to be included as a part of the operational activity of the clinics.

OurHealth has identified MWSBE vendors in the following scopes of work:

- Architectural Services
- Construction
- Door/Window Graphics
- Electrical/Wiring Services
- Engineering

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**File #: 15-833 Agenda #: 72.**

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- Facilities Maintenance
- Interior Design
- Janitorial Services
- Security/Alarm Services
- Signage
- Technology Support Services

**Fiscal Note**

Funding: Funded within the overall health insurance budget through the Self-Insurance Fund

**Attachment**

Employee Health Clinic Presentation from Budget Committee Meeting on June 29, 2015



**CHARLOTTE**  
HUMAN RESOURCES

# Employee Health Clinic Briefing

Cheryl Brown, Director of Human Resources

July 27, 2015



## Concept

A network of shared medical clinics strategically located throughout the City. Staffed by physicians and nurses, clinics will provide primary care services to employees, retirees and dependents at no cost to the member. The use of the clinic is voluntary and employees are free to retain their Primary Care Physician (PCP) and use the clinic in conjunction with their PCP. Primary care services include:

- Annual physicals, routine preventive services and personal health risk assessments
- Convenient care for common illness
- Minor injury care
- Routine care for chronic health conditions
- Onsite generic prescriptions
- Onsite lab work
- Referrals to quality cost effective specialists





## Why This Model for the City

Healthcare costs continue to rise – unmanaged health and chronic conditions are primary drivers.

- Charlotte area cost for primary care providers is 21% higher than the cost for the same services statewide
- 11% increase in medical trend driven by higher inpatient admissions, higher price of service, increased ER utilization and increased number of high cost claimants
- 55% of members are not compliant with a routine physical
- 75% of members identified with diabetes are not compliant with at least one of the chronic care guidelines for diabetes
- 11% of members had an ER visit in the last 12 months
  - 42% of those visits were non-emergent and could have been treated by a Primary Care Physician
    - Average ER visit: \$1,845
    - Average PCP visit: \$211



## Benefits of a Clinic

City Benefits	Employee/Retiree/Dependent Benefits
Control Medical Cost Increases	Better Access to Affordable/Quality Care & Medications
Redirect Care from Expensive and Inappropriate Settings	Improve Management of Chronic Conditions
Improve Specialty Referrals	Enhance Patient Experience
Improve Employee Productivity	Proximal Locations (work/home/school)
Reduce Absenteeism	Improve Health Outcomes
Enhance Recruit & Retain Efforts	Reduce Lost Work Time
Improve Culture of Health	Member Cost Savings
Support Employee Morale	Remove Compliance Barriers



# Employers Investing in the Clinic Concept

## Regional

Parkdale Mills  
Charlotte Pipe and Foundry  
BMW Manufacturing  
Coca Cola  
BB&T

City of Greensboro  
City of Concord  
Queens University  
Davidson College  
City of Gastonia

## Nationwide

Banker's Life and Casualty  
City, County, Schools, Sheboygan, WI  
State of Texas  
Snyder's Lance  
City of Chattanooga, TN  
Lexington-Fayette Urban County Government, KY

City of Indianapolis, IN  
City of Charleston, WV  
State of Montana  
hhgregg  
Colonial Penn

## Process

- Issued RFP in 2013. Nine vendors responded including CHS, Novant and HealthStat. CHS and Novant were eliminated based on RFP response and ability to provide services requested.
- Four vendors were selected as finalists – CareHere, OurHealth, A10 Clinical, HealthStat.
- Fall 2014 finalist selected – OurHealth.
- Presented clinic proposal to City Council Budget Committee in March 2015.
- City Council Budget Committee voted on June 29 to advance Health Clinic approval to full Council.
- City Council Vote – July 27, 2015.
- January 1, 2016 clinic grand opening.

## About OurHealth



Founded in 2009 in Indianapolis, IN, OurHealth is revolutionizing health care delivery by driving utilization and improving employee health through state-of-the-art healthcare clinics designed for exceptional care. The OurHealth solution for the City:

- Network of five shared clinics throughout the City offering primary care to covered employees, pre-65 retirees, spouses and their dependents
- As OurHealth clinic membership grows, additional clinics will be added at no cost to the City, which will increase access and convenience
- OurHealth is responsible for clinic build-out costs. The City is not responsible for leasing, upfitting or maintaining the clinic buildings
- OurHealth is responsible for employment of staff and investment in technology and resources
- Low risk to City vs. onsite model



# Financial Investment

## Cost

Per employee per month fee of \$39.58 with lab and drug costs billed separately, at cost. Total annual fixed cost (based on 7,000 employees and pre-65 retirees):

- - \$3,324,936
- - This cost is not an additional budget request, but would be redirected costs from the health plan to the employee clinic.

## Break Even Analysis

Total of 16,901 visits are required in the clinic annually or 1.1 clinic visits per member per year. The current average among clients is 1.43-1.80 clinic visits per member per year.



## Return on Investment

### Net Annual Savings (City Investment – Annual Savings)

- \$3.2M Year One
- \$4.3M Year Two
- \$5.2M Year Three
  
- This will occur from decreased outpatient utilization, improved health outcomes, and controlling cost variance of community providers.
  
- Additional absenteeism and presenteeism costs savings will occur.
  
- Additional savings when we shift the wellness services to the clinic.



## Outcomes

To have a successful clinic, utilization drives improved health outcomes and cost savings. To drive utilization it is imperative that the customer service, services provided and quality of care be excellent. During the contracting phase there will be performance guarantees around the following four tenets. This will not only protect the City's investment, this will clearly outline clinic operation expectations.

- If we make this investment, will people use the clinic?
- If people use it, will they have a superior experience?
- If people use it and have a positive experience, are health metrics improving?
- Ultimately, if health metrics are improving, are we as an employer saving money?





# Performance Guarantees

## Member Utilization

% of members will have at least one, two or more clinic visits annually

## Health Improvement

% of members will improve health outcomes (cholesterol, A1C, blood pressure, tobacco cessation)

## Customer Satisfaction

% rate their service as "Excellent" or "Good."

Documented appointment scheduling wait time less than 48 hours

Documented waiting room waiting time not to exceed 10 minutes

## Annual Trend Cap

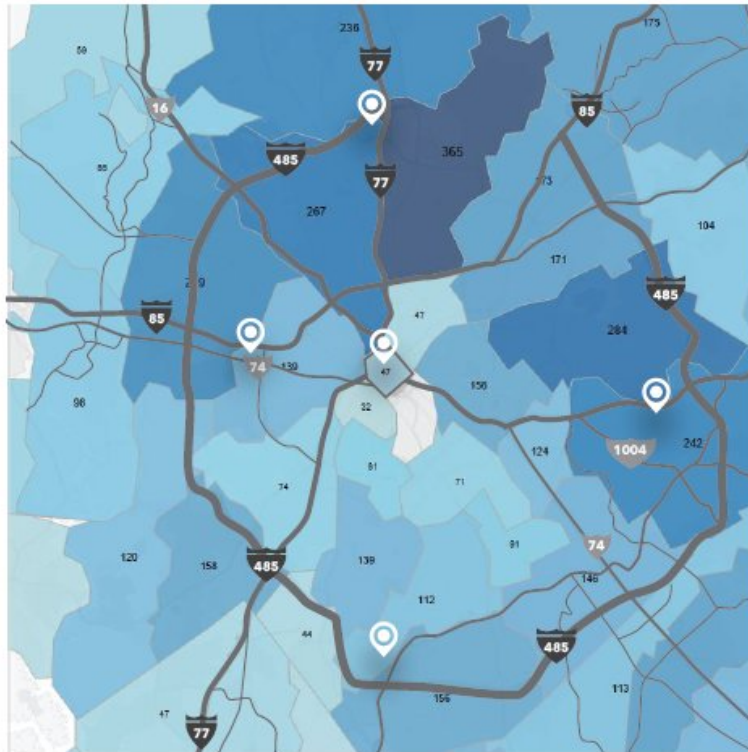
Medical Trend -7%

Pharmacy Trend- 11.5%

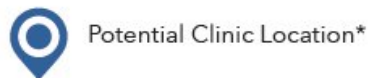
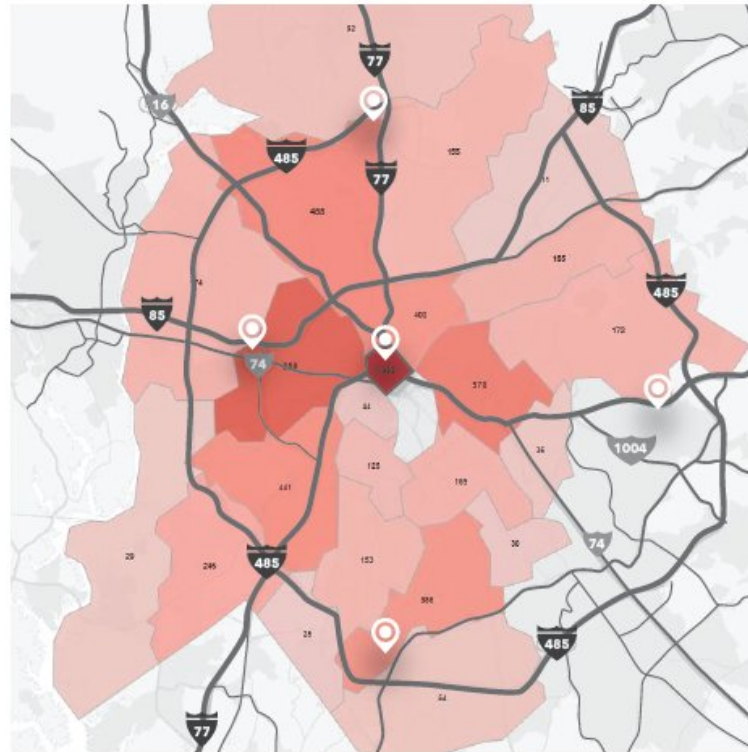


# Proposed Area Clinic Sites Work/Home Location Based

HOME LOCATIONS



WORK LOCATIONS



*\*For illustrative purposes only. Actual locations may be several miles from pin.*



**Note:** Darker colors on the maps indicate a higher concentration of employees in that area.



CHARLOTTE™

# Questions



Legislation Text

File #: 15-850 Agenda #: 73.

**Budget and Performance Management Software Maintenance and Subscription**

**Action:**

- A. Approve a two-year maintenance service contract with Obero, Inc. for Clarity and Cognos Disclosure Management software for an annual amount of \$113,971.99 (two year total of \$227,973.98), and**
- B. Authorize the City Manager to approve up to two additional, one-year renewals with possible price adjustments at the time of renewal based on satisfactory performance and current support needs of the system.**

**Staff Resource(s):**

David North, Innovation & Technology  
Eric Hershberger, Management & Financial Services

**Explanation**

- On August 25, 2014, the City Council approved the software maintenance and subscription contracts with IBM for Clarity and Cognos Disclosure Management (CDM) for \$99,355 annually.
- Clarity is the City's budget and performance management system, which allows the City to produce and monitor the Operating and Capital budgets.
- The Office of Strategy & Budget uses CDM to produce the citywide Strategic Operating Plan.
- IBM in conjunction with Obero, Inc. has approached the City to offer a Dual Entitlement Renewal Program for the software maintenance and subscription agreement for Clarity.
- The new agreement, which is \$14,616.99 per year greater than what was previously approved by the City Council, will preserve several future opportunities:
  - Clarity is becoming a legacy software system, and IBM will discontinue support within the next four to five years. This agreement will allow the City dual entitlement on the software licenses for both Clarity and TM1 (IBM's primary budgeting and performance management system).
  - IBM would provide \$40,000 in lab design services to assist in determining if TM1 would be an appropriate replacement to Clarity.
  - After evaluating other Budget solutions, if the City selects TM1, Obero and IBM would migrate existing Clarity and CDM server environments to a cloud environment, which would save the City the cost of replacing and maintaining the existing servers.
- CDM will remain unchanged.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Innovation & Technology Operating Budget



Legislation Text

File #: 15-855 Agenda #: 74.

**Customer Relationship Management - Code Enforcement Case Management System**

**Action:**

- A. Approve a professional services contract with RMSource, Inc. in the amount of \$217,810 for the continued development of Microsoft Dynamics CRM, a new code enforcement case management system,**
- B. Approve a three-year contract for annual service support from RMSource, Inc. not to exceed \$27,600 per year, and**
- C. Authorize the City Manager to extend the service support contract for an additional one-year term.**

**Staff Resource(s):**

Jeffrey Stovall, Innovation & Technology  
Patrick Mumford, Neighborhood & Business Services

**Explanation**

- In 2012, Neighborhood & Business Services (NBS) began exploring replacement options for CityView, a case management system for Code Enforcement (i.e. health and sanitation, minimum housing code, non-residential building code, zoning, and graffiti), which is currently on a platform that is no longer supported.
- In consultation with Innovation & Technology, NBS undertook a business assessment and evaluation process resulting in the identification of Microsoft Dynamics Customer Relationship Management (CRM) as a potential replacement for CityView. Previously, the City had used the CRM tool to assist with special event permitting during the 2012 Democratic National Convention.
- On March 25, 2013, the City Council approved \$139,372 for web hosting services for CRM as part of the initial scoping process. Along with the hosting fees, an additional \$68,000 has been paid toward preliminary development work.
- At this time, additional customized development on CRM is necessary to ensure adherence with Code Enforcement procedures as determined by local and state statutes, and to further enhance the management of compliance letters, photo storage, and other documentation.
- RMSource has provided development services related to CRM as well as other applications that interface with 311 systems. The firm is familiar with the City's information technology environment and security protocols, and it currently provides hosting services for Charneck.org, the City and County website.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: Technology Project Evaluation Team Funds and Neighborhood & Business Services Operating Budget

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**File #: 15-855 Agenda #: 74.**

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Legislation Text

File #: 15-827 Agenda #: 75.

Collection Agency Services

Action:

- A. Authorize the City Manager to negotiate and approve a contract with Professional Recovery Services, Inc. for collection agency services for an initial term of three years, and
- B. Authorize the City Manager to renew the contract for up to two additional, one-year terms and to amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.

Staff Resource(s):

Susan Walker, Management & Financial Services

Explanation

- Management & Financial Services requires collection agency services for past due semi-annual accounts for storm water services, past due invoices related to code enforcement, Charlotte Water utility tap liens, and other services.
- In February 2013, the Financial Services Division began submitting past due invoices primarily related to code enforcement to the company for collection.
- In January 2014, the Revenue Division began a pilot program for submitting active semi-annual storm water accounts to the company for collection.
- The company has met or exceeded expectations during the initial years in which the collections services for these account types have been piloted. Management & Financial Services’ staff recommends it is in the City’s best interests to enter into a term contract to continue the services. The company has collected approximately 35% of Revenue Division delinquent accounts and approximately 20% of Financial Services Division delinquent accounts. The industry average is 16-18% for collecting on these types of delinquent accounts.
- The company will electronically submit, update, and process payments as well as submit semi-annual Storm Water accounts to and from the clearinghouse for the NC Debt Setoff Program.
- The Company will be paid 18% of gross funds collected. There is no charge for services related to the NC Debt Setoff Program and no fee is paid to the company for debts collected through debt setoff.
- The estimated contract expenditures are \$100,000 annually.

Charlotte Business INclusion

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

Fiscal Note

Funding: Management & Financial Services Operating Budget



Legislation Text

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File #: 15-809 Agenda #: 76.

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**Refund of Property and Business Privilege License Taxes**

**Action:**

- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$10,835.40, and**
- B. Adopt a resolution authorizing the refund of business privilege license payments in the amount of \$129.96.**

**Staff Resource(s):**

Teresa Smith, Management & Financial Services

**Explanation**

Notification of Property Tax and Business Privilege License Tax refunds due to clerical or assessor error are provided to the City by Mecklenburg County.

**Pearson Review Update**

- 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 June 8, 2015, totaled \$165,575.42.

**Fiscal Note**

Funding: Not Applicable

**Attachment**

List of Property Tax Refunds and Resolution  
List of Business Privilege Refunds and Resolution



Property Tax Refund Requests

ALBIN, REGENIA WILSON	\$ 19.88
ALDERSGATE UNITED METHODIST RETIREMENT	6,095.82
BOOZER, CHARLES W	105.31
BOWEN, HOPE J	17.81
CARTER, R D	151.86
FUNDERBURK, MARTHA M	200.61
GORDON, PEGGY LOU	1.31
GREEN, EUNICE W	10.32
HENDERSON, W WALLACE &W	11.25
HOLT, JOHN WALTER &W	41.24
JAZ-MEKS HAIR SALON	47.85
JAZ-MEKS HAIR SALON	43.56
JAZ-MEKS HAIR SALON	41.98
JAZ-MEKS HAIR SALON	43.33
JAZ-MEKS HAIR SALON	45.79
JORDAN, RITA	202.01
JW HOMES LLC	1,824.82
KANELLOPOULOS, MARY	84.29
KANELLOPOULOS, MARY	84.89
KANELLOPOULOS, MARY	98.21
KANELLOPOULOS, MARY	90.39
LAIRD, VIRGINIA W	43.70
LANGLEY, WILLIAM B	21.52
OSBORNE, MARGARET	1.24
OSBORNE, MARGARET	1.24
PHILLIPS, WADE WILLBURN	155.89
POLKA DOT BAKE SHOP	89.06
POLLARD, MARY	49.38
REESE, ALONIA	19.45
SIMPSON, DWIGHT	27.53
SIPE, CLAUDIA MARIE	57.65
TEUPEN USA INC	1,041.83
WINGFOOT LAND MANAGEMENT CORP	37.89
WINGFOOT LAND MANAGEMENT CORP	26.49
	<u>\$ 10,835.40</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 27th day of July 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.

**Business Privilege License Tax Refund Requests**

2 CHICKS & A TRUCK	\$ 25.00
SERENA'S MOBILE FOOD SERVICES INC	62.50
VITAMIN WORLD INC.	<u>42.46</u>
	<u>\$ 129.96</u>

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

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 27th day of July 2015 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.



Legislation Text

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File #: 15-848 Agenda #: 77.

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**Meeting Minutes**

**Action:**

- A. Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of:**
  - **May 18, 2015: Budget Workshop,**
  - **May 18, 2015: Zoning Meeting,**
  - **May 26, 2015: Straw Votes, and**
  - **June 1, 2015: Workshop,**
- B. Amend Item No. 1 on the previously adopted minutes of the October 15, 2012, Zoning Meeting to correct the Petition Number listed as 2008-31 to Petition No. 2008-039, and**
- C. Amend Item No. 21 on the previously adopted minutes of the March 17, 2014, Zoning Meeting to correct the Petition Number listed as 2014-076 to Petition No. 2014-007.**

**Staff Resource(s):**

Bianca Payne, City Clerk's Office



**Legislation Text**

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**File #: 15-909 Agenda #: 78.**

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**In Rem Remedy: 215 Jones Street**

**Action:**

**Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 215 Jones Street (Neighborhood Profile Area 88).**

**For In Rem Remedy, 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 and 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 item is listed below by category identifying the street address and neighborhood.**

**Public Safety: 215 Jones Street**

**Attachments**

## ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 215 JONES 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 UNKNOWN HEIRS OF KATIE M. MANGRUM C/O WILLIE MANGRUM 85 TENNIS ROAD APT.305 MATTAPAN, MA 02126

WHEREAS, the dwelling located at 215 Jones 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 215 Jones 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:

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Senior Assistant City Attorney





<b>GENERAL INFORMATION</b>	
Property Address	215 Jones Street
Neighborhood	Neighborhood Profile Area 88
Council District	#2
Owner(s)	Unknown Heirs of Katie M. Mangrum c/o Willie Mangrum
Owner(s) Address	85 Tennis Road Apt.305 Mattapan, MA 02126
<b>KEY FACTS</b>	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
<b>CODE ENFORCEMENT INFORMATION</b>	
◆ Reason for Inspection:	Public Agency (Charlotte Fire Department)
◆ Date of the Inspection:	1/22/2015
◆ Title report received, revealing parties in interest:	2/18/2015
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	2/24/2015
◆ Held hearings for owner(s) and parties in interest by:	3/16/2015
◆ Owner(s) and parties in interest attend hearing:	No
◆ Owner(s) and parties in interest ordered to demolish structure by:	3/20/2015
◆ Filed Lis Pendens:	5/8/2015
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$9,715
◆ 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**

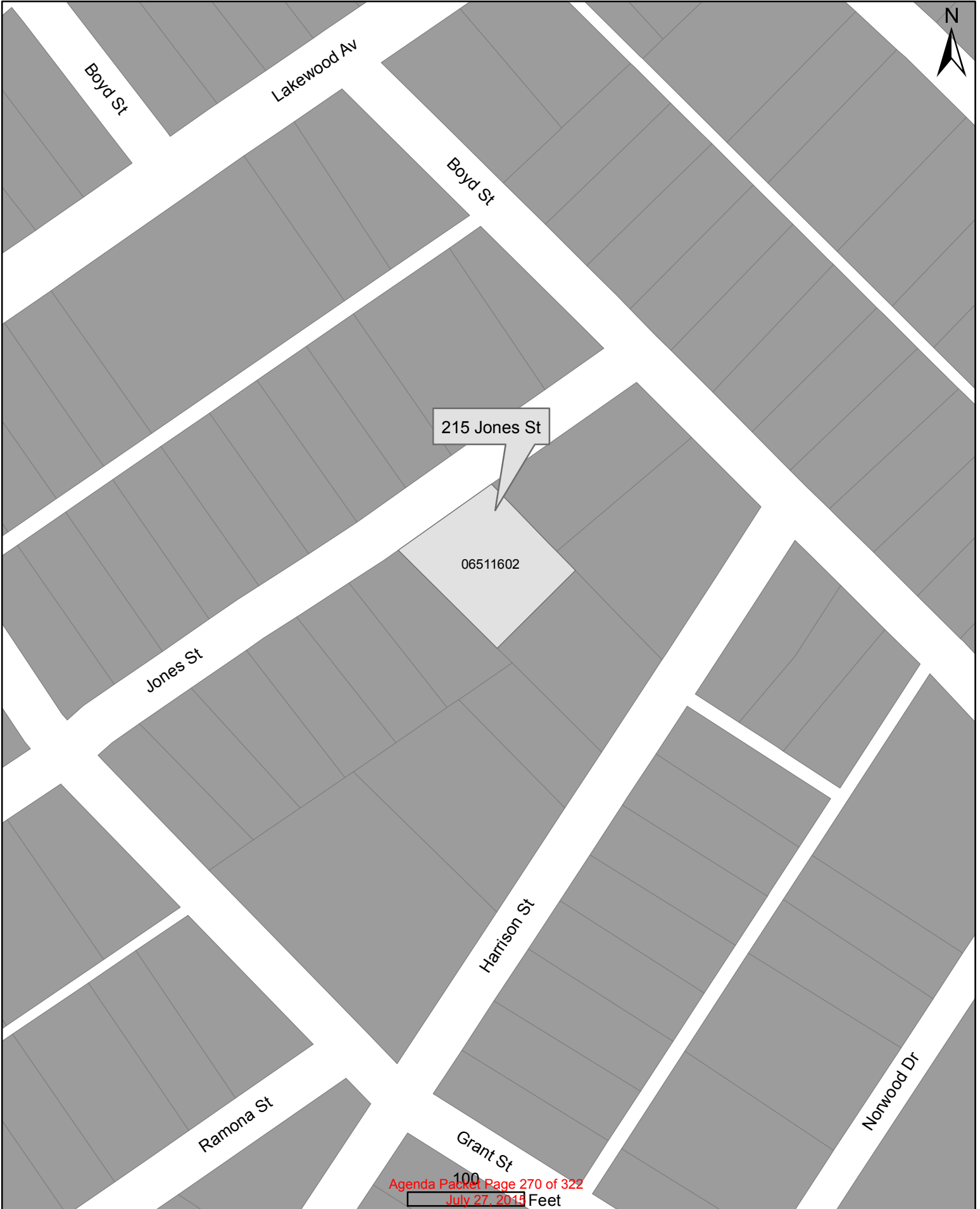
<b>IN-REM REPAIR</b>	<b>REHAB TO CITY STANDARD</b>	<b>REPLACEMENT HOUSING</b>	<b>DEMOLITION</b>
Estimated In-Rem Repair Cost: \$70,052	Acquisition & Rehabilitation Cost (Existing structure: 1,878 sq.ft. total) Economic Life: 15-20 years Estimated cost-\$204,053	New Replacement Structure Cost (Structure: 1,878 sq.ft. total) Economic Life: 50 years Estimated cost-\$249,450	Demolition Cost \$9,715
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 68,100 - Terrace/Storage: \$ 600 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 78,700  Estimated Rehabilitation Cost: \$ 93,900 Outstanding Loans \$ 29,000 Property Taxes owed: \$ 2,222 Interest on Taxes owed: <u>\$ 231</u> Total: \$125,353	Acquisition: Tax values: - Structure: \$ 68,100 - Terrace/Storage: \$ 600 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 78,700  New structure: \$ 129,582 Demolition: \$ 9,715 Outstanding Loans: \$ 29,000 Property Taxes owed: \$ 2,222 Interest on Taxes owed: <u>\$ 231</u> Total: \$ 170,750	

**RECOMMENDATION FOR DEMOLITION**

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$70,052 (\$37.30 /sq. ft.) which is 102.866% of the structure tax value, which is \$68,100.
- 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, Heating and Plumbing: Fire damaged flooring, walls, ceilings, windows, roof sheathing, roof covering, siding and trim. Fire damaged electrical wiring, fixtures, heating equipment. Missing plumbing fixtures. Accessory building not in safe substantial condition.
- The building is 58 years old and consists of 1,878 square feet total.
- A new 1,878 sq. ft. structure can be built for \$129,582.

# 215 Jones Street



# 215 Jones Street





**Legislation Text**

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**File #:** 15-910 **Agenda #:** 79.

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**In Rem Remedy: 1608 LaSalle Street**

**Action:**

**Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1608 LaSalle Street (Neighborhood Profile Area 374).**

**For In Rem Remedy, 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 and 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 item is listed below by category identifying the street address and neighborhood.**

**Field Observation: 1608 LaSalle Street**

**Attachments**

## ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1608 LASALLE 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 HAROLD L. WATKINS 5415 SEATON DRIVE DUNWOODY, GA 30338

WHEREAS, the dwelling located at 1608 LaSalle 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 1608 LaSalle 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



<b>GENERAL INFORMATION</b>	
Property Address	1608 LaSalle Street
Neighborhood	Neighborhood Profile Area 374
Council District	#2
Owner(s)	Harold L. Watkins
Owner(s) Address	5415 Seaton Drive Dunwoody, GA 30338
<b>KEY FACTS</b>	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
<b>CODE ENFORCEMENT INFORMATION</b>	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	5/29/2014
◆ Title report received:	11/25/2014
◆ Owner notified of Complaint and Notice of Hearing by advertisement and certified mail by:	12/8/2014
◆ Held hearing for owner by:	1/7/2015
◆ Owner attend hearing:	No
◆ Owner ordered to demolish structure by:	2/6/2015
◆ Filed Lis Pendens:	2/25/2015
◆ Owner has not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,425
◆ 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**

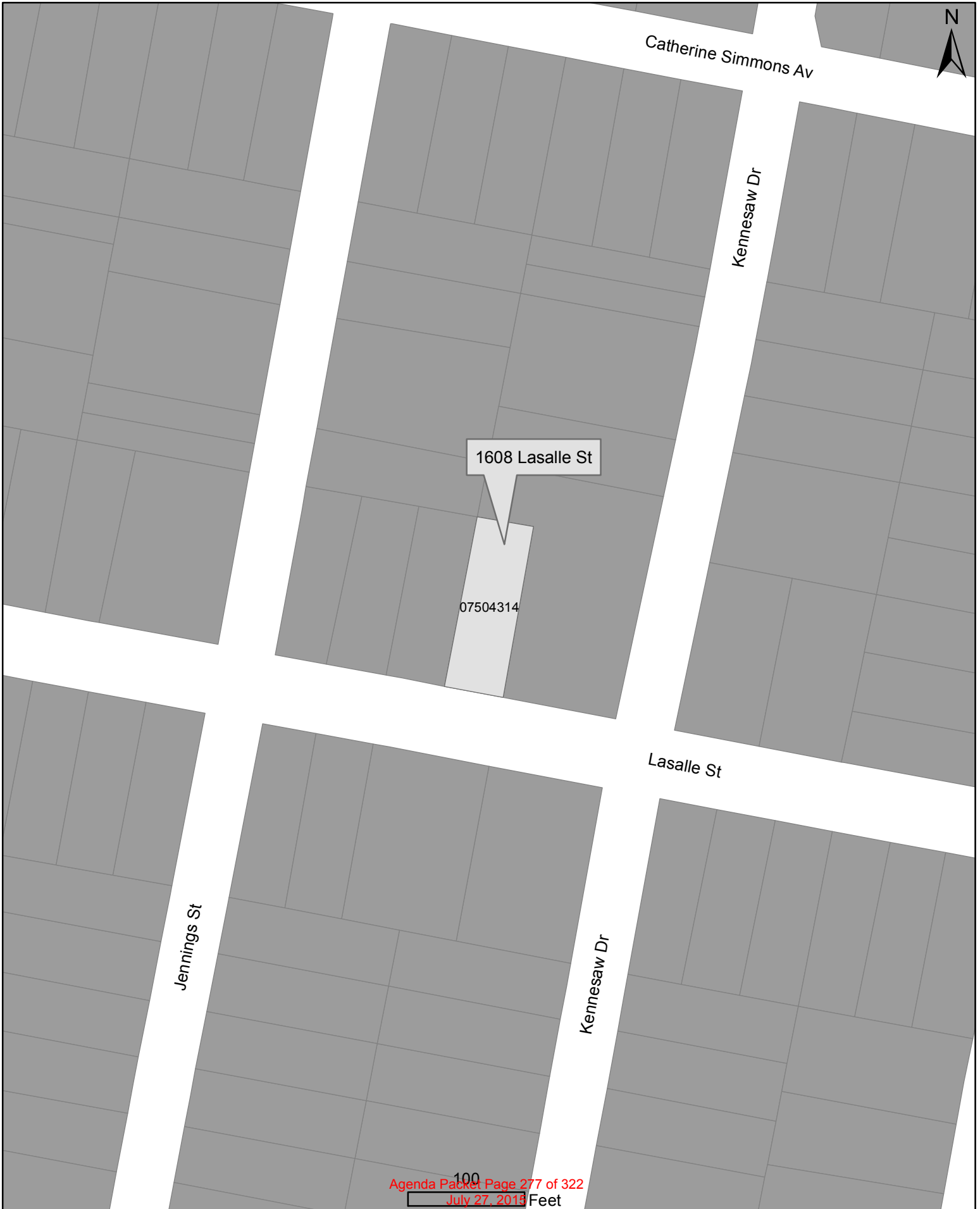
<b>IN-REM REPAIR</b>	<b>REHAB TO CITY STANDARD</b>	<b>REPLACEMENT HOUSING</b>	<b>DEMOLITION</b>
Estimated In-Rem Repair Cost: \$36,755	Acquisition & Rehabilitation Cost (Existing structure: 1,220 sq.ft. total) Economic Life: 15-20 years Estimated cost-\$126,392	New Replacement Structure Cost (Structure: 1,220 sq.ft. total) Economic Life: 50 years Estimated cost-\$155,997	Demolition Cost \$6,425
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 49,600 - Terrace/Patio: \$ 0 - Land: <u>\$ 9,500</u> Total Acquisition: \$ 59,100  Estimated Rehabilitation Cost: \$ 61,000 Outstanding Loans: \$ 0 Property Taxes owed: \$ 4,669 Interest on Taxes owed: <u>\$ 1,623</u> Total: \$ 67,292	Acquisition: Tax values: - Structure: \$ 49,600 - Terrace/Patio: \$ 0 - Land: <u>\$ 9,500</u> Total Acquisition: \$ 59,100  New structure: \$ 84,180 Demolition: \$ 6,425 Outstanding Loans: \$ 0 Property Taxes owed: \$ 4,669 Interest on Taxes owed: <u>\$ 1,623</u> Total: \$ 96,897	

**RECOMMENDATION FOR DEMOLITION**

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$36,755 (\$30.12 /sq. ft.) which is 74.102% of the structure tax value, which is \$49,600
- 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, Heating and Plumbing: floor joists and subflooring decayed, roof sheathing decayed, moisture damage ceiling covering, electrical wiring cut/missing, heating equipment not operational, supply and drain plumbing piping missing.
- The building is 57 years old and consists of 1,220 square feet total.
- A new 1,220 sq. ft. structure can be built for \$84,180.

# 1608 Lasalle Street



1608 Lasalle St

07504314

# 1608 LaSalle Street





## Legislation Text

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**File #:** 15-912 **Agenda #:** 80.

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**In Rem Remedy:** 3120 A&B Tuckaseegee Road

**Action:**

**Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3120 A&B Tuckaseegee Road (Neighborhood Profile Area 5).**

**For In Rem Remedy, 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 and 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 item is listed below by category identifying the street address and neighborhood.**

**Field Observation:** 3120 A&B Tuckaseegee Road

**Attachments**

## ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3120 A&B TUCKASEEGEE ROAD 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 JERRY ALEXANDER 3120 TUCKASEEGEE ROAD CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 3120 A&B 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 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 3120 A&B Tuckaseegee Road 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:

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Senior Assistant City Attorney



<b>GENERAL INFORMATION</b>	
Property Address	3120 A&B Tuckaseegee Road
Neighborhood	Neighborhood Profile Area 5
Council District	#3
Owner(s)	Jerry Alexander
Owner(s) Address	3120 Tuckaseegee Road Charlotte, NC 28208
<b>KEY FACTS</b>	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
<b>CODE ENFORCEMENT INFORMATION</b>	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	1/9/2015
◆ Title report received, revealing parties in interest:	1/21/2015
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	2/3/2015
◆ Held hearings for owner(s) and parties in interest by:	2/25/2015
◆ Owner(s) and parties in interest attend hearing:	No
◆ Owner(s) and parties in interest ordered to demolish structure by:	3/30/2015
◆ Filed Lis Pendens:	4/8/2015
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$8,660
◆ 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**

<b>IN-REM REPAIR</b>	<b>REHAB TO CITY STANDARD</b>	<b>REPLACEMENT HOUSING</b>	<b>DEMOLITION</b>
Estimated In-Rem Repair Cost: \$49,365	Acquisition & Rehabilitation Cost (Existing structure: 1,652 sq.ft. total) Economic Life: 15-20 years Estimated cost-\$179,682	New Replacement Structure Cost (Structure: 1,652 sq.ft. total) Economic Life: 50 years Estimated cost-\$219,730	Demolition Cost \$8,660
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 53,500 - Terrace/Patio: \$ 0 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 63,500  Estimated Rehabilitation Cost: \$ 82,600 Outstanding Loans: \$ 32,631 Property Taxes owed: \$ 899 Interest on Taxes owed: <u>\$ 52</u> Total: \$116,182	Acquisition: Tax values: - Structure: \$ 53,500 - Terrace/Patio: \$ 0 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 63,500  New structure: \$ 113,988 Demolition: \$ 8,660 Outstanding Loans: \$ 32,631 Property Taxes owed: \$ 899 Interest on Taxes owed: <u>\$ 52</u> Total: \$ 156,230	

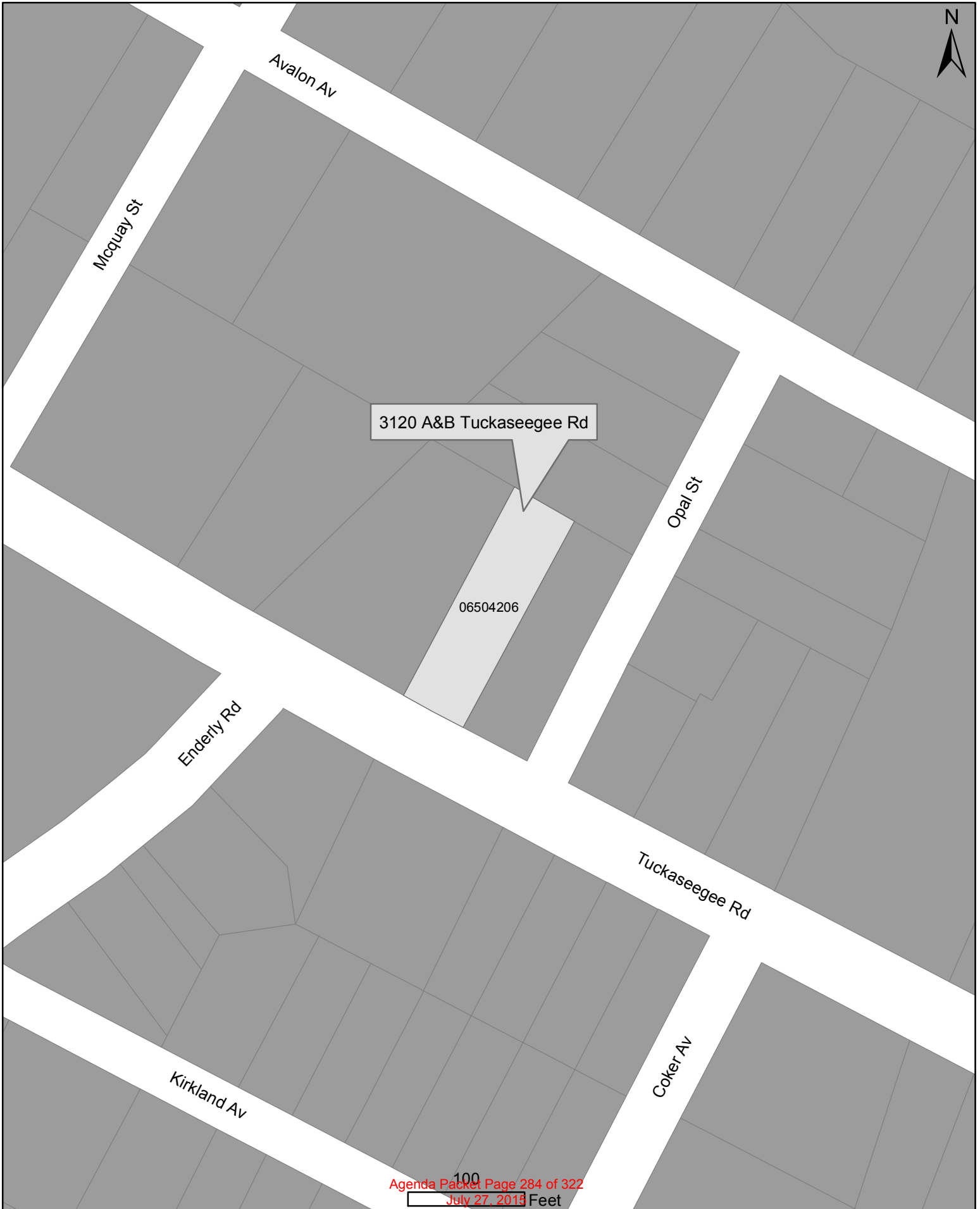
**RECOMMENDATION FOR DEMOLITION**

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$49,365 (\$29.88 /sq. ft.) which is 92.271% of the structure tax value, which is \$53,500.
- 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, Heating and Plumbing: leaning chimney, broken window panes, decayed floor girder, piers without proper support, inoperable electrical outlets, heating equipment not operational, damaged/missing plumbing fixtures.
- The building is 74 years old and consists of 1,652 square feet total.
- A new 1,652 sq. ft. structure can be built for \$113,988.



# 3120 A&B Tuckaseegee Road



# 3120 A&B Tuckasegee Road





## Legislation Text

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**File #:** 15-911 **Agenda #:** 81.

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**In Rem Remedy: 3163 Maury Street**

**Action:**

**Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3163 Maury Street (Neighborhood Profile Area 6).**

**For In Rem Remedy, 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 and 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 item is listed below by category identifying the street address and neighborhood.**

**Field Observation: 3163 Maury Street**

**Attachments**

## ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3163 MAURY 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 WALTER PATTERSON, JR. 3163 MAURY STREET CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 3163 Maury 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 3163 Maury 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



<b>GENERAL INFORMATION</b>	
Property Address	3163 Maury Street
Neighborhood	Neighborhood Profile Area 6
Council District	#3
Owner(s)	Walter Patterson, Jr.
Owner(s) Address	3163 Maury Street Charlotte, NC 28208
<b>KEY FACTS</b>	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
<b>CODE ENFORCEMENT INFORMATION</b>	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	7/23/2014
◆ Title report received:	8/8/2014
◆ Owner notified of Complaint and Notice of Hearing by advertisement and certified mail by:	8/19/2014
◆ Held hearing for owner by:	9/15/2014
◆ Owner attend hearing:	No
◆ Filed Lis Pendens:	9/25/2014
◆ Owner ordered to demolish structure by:	10/17/2014
◆ Owner has not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$8,685
◆ 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**

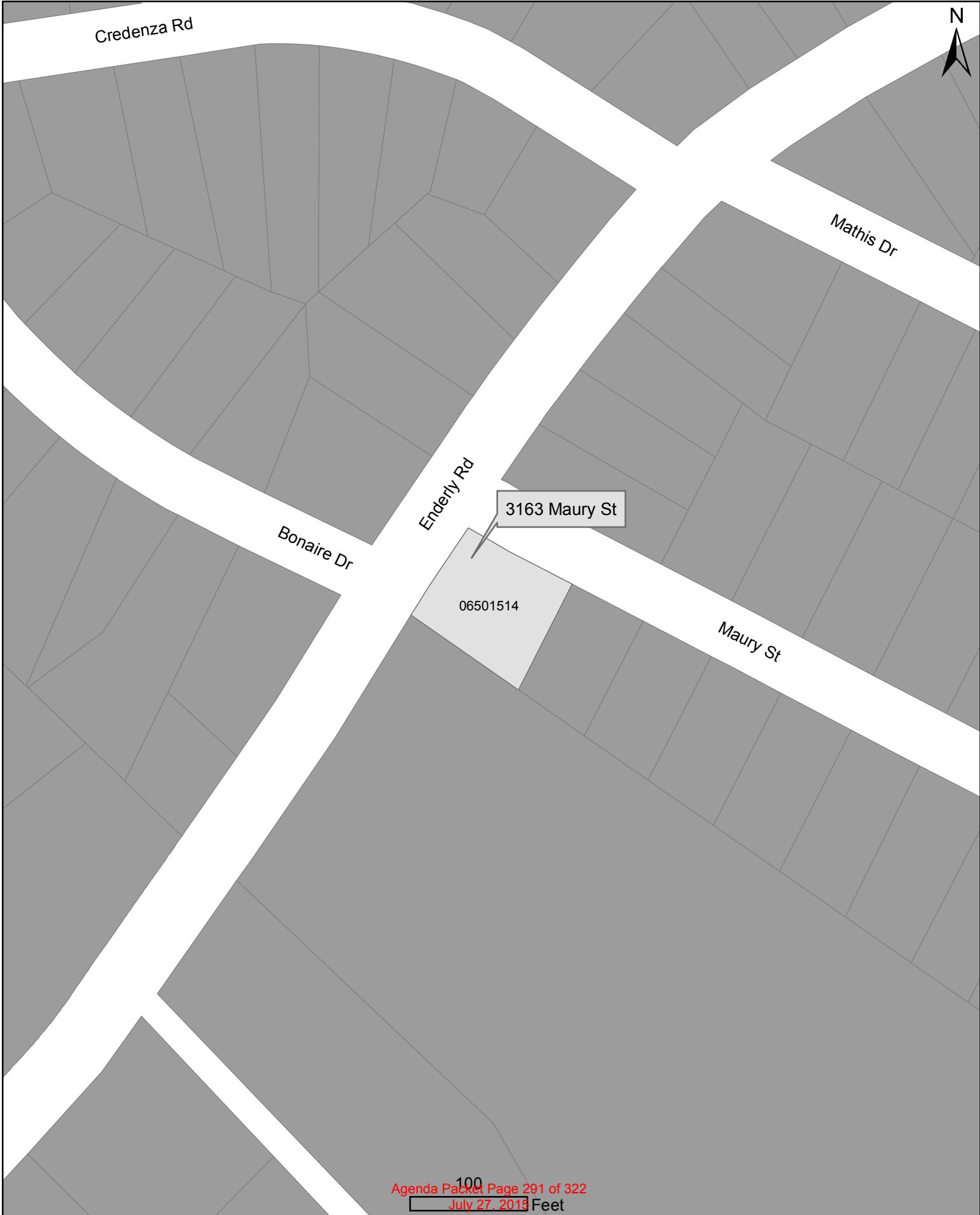
<b>IN-REM REPAIR</b>	<b>REHAB TO CITY STANDARD</b>	<b>REPLACEMENT HOUSING</b>	<b>DEMOLITION</b>
Estimated In-Rem Repair Cost: \$42,500	Acquisition & Rehabilitation Cost (Existing structure: 1,672 sq.ft. total) Economic Life: 15-20 years Estimated cost-\$170,900	New Replacement Structure Cost (Structure: 1,672 sq.ft. total) Economic Life: 50 years Estimated cost-\$211,353	Demolition Cost \$8,685
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 55,100 - Carport: \$ 2,500 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 67,600  Estimated Rehabilitation Cost: \$ 83,600 Outstanding Loans \$ 0 Property Taxes owed: \$ 12,106 Interest on Taxes owed: <u>\$ 7,594</u> Total: \$103,300	Acquisition: Tax values: - Structure: \$ 55,100 - Terrace/Patio: \$ 2,500 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 67,600  New structure: \$ 115,368 Demolition: \$ 8,685 Outstanding Loans: \$ 0 Property Taxes owed: \$ 12,106 Interest on Taxes owed: <u>\$ 7,594</u> Total: \$ 143,753	

**RECOMMENDATION FOR DEMOLITION**

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$42,500 (\$25.41 /sq. ft.) which is 77.132% of the structure tax value, which is \$55,100
- 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, Heating and Plumbing: cracked brick veneer, roof sheathing decayed, broken window panes, unsafe electrical wiring, heating equipment not operational, missing plumbing fixtures, no potable water supply.
- The building is 66 years old and consists of 1,672 square feet total.
- A new 1,672 sq. ft. structure can be built for \$115,368.

# 3163 Maury Street





3163 Maury Street





**Legislation Text**

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**File #:** 15-913 **Agenda #:** 82.

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**In Rem Remedy: 2100 Edison Street**

**Action:**

**Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2100 Edison Street (Neighborhood Profile Area 363).**

**For In Rem Remedy, 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 and 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 item is listed below by category identifying the street address and neighborhood.**

**Public Safety: 2100 Edison Street**

**Attachments**

## ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2100 EDISON 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 UNKNOWN HEIRS OF SADIE D. SAMUEL, UNKNOWN HEIRS OF LELAR DANIEL DAVIS 2100 EDISON STREET CHARLOTTE, NC 28206

WHEREAS, the dwelling located at 2100 Edison 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 2100 Edison 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:

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Senior Assistant City Attorney



<b>GENERAL INFORMATION</b>	
Property Address	2100 Edison Street
Neighborhood	Neighborhood Profile Area 363
Council District	#1
Owner(s)	Unknown Heirs of Sadie D. Samuel, Unknown Heirs of Lelar Daniel Davis
Owner(s) Address	2100 Edison Street Charlotte, NC 28206
<b>KEY FACTS</b>	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
<b>CODE ENFORCEMENT INFORMATION</b>	
◆ Reason for Inspection:	Public Agency (Charlotte Fire Department)
◆ Date of the Inspection:	1/22/2015
◆ Title report received:	1/29/2015
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	3/13/2015
◆ Held hearings for owner(s) by:	3/24/2015
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	4/17/2015
◆ Owner(s) ordered to demolish structure by:	4/23/2015
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$7,405
◆ 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**

<b>IN-REM REPAIR</b>	<b>REHAB TO CITY STANDARD</b>	<b>REPLACEMENT HOUSING</b>	<b>DEMOLITION</b>
Estimated In-Rem Repair Cost: \$32,650	Acquisition & Rehabilitation Cost (Existing structure: 1,405 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$105,381	New Replacement Structure Cost (Structure: 1,405 sq. ft. total) Economic Life: 50 years Estimated cost-\$139,481	Demolition Cost \$7,405
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 27,200 - Carport: \$ 300 - Land: <u>\$ 7,000</u> Total Acquisition: \$ 34,500  Estimated Rehabilitation Cost: \$ 70,250 Outstanding Loans \$ 0 Property Taxes owed: \$ 558 Interest on Taxes owed: <u>\$ 73</u> Total: \$ 70,881	Acquisition: Tax values: - Structure: \$ 27,200 - Carport: \$ 300 - Land: <u>\$ 7,000</u> Total Acquisition: \$ 34,500  New structure: \$ 96,945 Demolition: \$ 7,405 Outstanding Loans: \$ 0 Property Taxes owed: \$ 558 Interest on Taxes owed: <u>\$ 73</u> Total: \$ 104,981	

**RECOMMENDATION FOR DEMOLITION**

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$32,650 (\$23.23 /sq. ft.), which is 120.036% of the structure tax value, which is \$27,200.
- 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, plumbing and electrical violations: Walls and ceiling framing fire damaged. Exterior siding fire damaged. Interior ceiling and wall covering fire damaged. Windows fire damaged. Roofing and sheathing fire damaged. Heating equipment fire damaged. Plumbing supply and waste piping damaged. Electrical wiring/fixtures fire damaged.
- The building is 105 years old and consists of 1,405 square feet total.
- A new 1,405sq. ft. structure can be built for \$96,945.

# 2100 Edison Street



# 2100 Edison Street







Legislation Text

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File #: 15-694 Agenda #: 83.

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**Aviation Property Transaction - 4228 Rockwood Road**

**Action: Approve the following property acquisition.**

- **Project:** Aviation Master Plan
- **Owner(s):** Phyllis Marie Brown
- **Property Address:** 4228 Rockwood Road
- **Total Parcel Area:** 1.27 acres
- **Property to be acquired in Fee:** 1.27 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
- **Tax Code:** 113-161-11
- **Purchase Price:** \$152,000
- **Council District:** N/A



Legislation Text

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**File #:** 15-934 **Agenda #:** 84.

---

**Aviation Property Transaction - 7712 Cooper Lane**

**Action: Approve the following property acquisition.**

**Project:** Aviation Master Plan

**Owner(s):** Nicolas & Amanda Bratnick

**Property Address:** 7712 Cooper Lane

**Total Parcel Area:** .77 acres

**Property to be acquired in Fee:** .77 acres in Fee Simple

**Property to be acquired by Easements:** N/A

**Structures/Improvements to be impacted:** Single-family

**Landscaping to be impacted:** Trees and shrubs

**Zoned:** R-3

**Use:** Single-family

**Tax Code:** 141-104-07

**Purchase Price:** \$160,000

**Council District:** 3



Legislation Text

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**File #:** 15-935 **Agenda #:** 85.

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**Aviation Property Transaction - 9508 and 9524 Dorcas Lane**

**Action:**

**Approve the following property acquisition.**

**Project:** Aviation Master Plan

**Owner(s):** Kathryn Lacy Adkins

**Property Address:** 9508 & 9524 Dorcas Lane

**Total Parcel Area:** 1.37 acres

**Property to be acquired in Fee:** 1.37 acres in Fee Simple

**Property to be acquired by Easements:** N/A

**Structures/Improvements to be impacted:** Single-family

**Landscaping to be impacted:** Trees and shrubs

**Zoned:** R-3

**Use:** Single-family

**Tax Code:** 141-261-71 and 141-261-70

**Purchase Price:** \$300,000

**Council District:** N/A



Legislation Text

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**File #:** 15-936 **Agenda #:** 86.

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**Aviation Property Transaction - 5614 Wilkinson Boulevard**

**Action:**

**Approve the following property acquisition.**

**Project:** Aviation Master Plan

**Owner(s):** Wells Fargo Bank, N.A. Executor of the Estate of Kathryn Beaty

**Property Address:** 5614 Wilkinson Boulevard

**Total Parcel Area:** 1.229 acres

**Property to be acquired in Fee:** 1.229 acres in Fee Simple

**Property to be acquired by Easements:** N/A

**Structures/Improvements to be impacted:** Commercial Building

**Landscaping to be impacted:** N/A

**Zoned:** I-2

**Use:** Commercial

**Tax Code:** 061-263-01

**Purchase Price:** \$725,000

**Council District:** 3



Legislation Text

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File #: 15-933 Agenda #: 87.

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**Aviation Property Transaction - 8420 Tuckaseegee Road**

**Action: Approve the following property acquisition.**

**Project:** Aviation Master Plan  
**Owner(s):** Keith & Judi Bumgarner  
**Property Address:** 8420 Tuckaseegee Road  
**Total Parcel Area:** 2.79 acres  
**Property to be acquired in Fee:** 2.79 acres in Fee Simple  
**Property to be acquired by Easements:** N/A  
**Structures/Improvements to be impacted:** Single-family  
**Landscaping to be impacted:** Trees and shrubs  
**Zoned:** R-3  
**Use:** Single-family  
**Tax Code:** 055-381-47  
**Purchase Price:** \$215,000  
**Council District:** 3



Legislation Text

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File #: 15-802 Agenda #: 88.

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**Property Transactions - Lilly Mill Drainage Improvements, Parcel #14**

**Action:**

**Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #14**

**Project:** Lilly Mill Drainage Improvements, Parcel #14

**Program:** Flood Control

**Owner(s):** Brian Parker and Allison O. Parker

**Property Address:** 2419 Merrywood Road

**Total Parcel Area:** 52,067 sq. ft.

**Property to be acquired by Easements:** 8,059 sq. ft. (.185 ac.) in Storm Drainage Easement, plus 1,147 sq. ft. (.026 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Trees and various plantings

**Zoned:** R-3

**Use:** Single-family Residential

**Tax Code:** 173-254-03

**Purchase Price:** \$11,300

**Council District:** 6



Legislation Text

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File #: 15-898 Agenda #: 89.

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**Property Transactions - Lilly Mill Drainage Improvements, Parcel #17**

**Action:**

**Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #17**

**Project:** Lilly Mill Drainage Improvements, Parcel #17

**Program:** Flood Control

**Owner(s):** Charles W. Hicks and Christine Anne Hicks

**Property Address:** 2100 Wittstock Drive

**Total Parcel Area:** 22,125 sq. ft.

**Property to be acquired by Easements:** 9,023 sq. ft. (.207 ac.) in Storm Drainage Easement, plus 1,474 sq. ft. (.034 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Trees

**Zoned:** R-12

**Use:** Single-family Residential

**Tax Code:** 173-301-26

**Purchase Price:** \$47,400

**Council District:** 1



Legislation Text

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File #: 15-899 Agenda #: 90.

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**Property Transactions - Lyon Court Storm Drainage Improvements,  
Parcels #85, 86, and #88**

**Action:**

**Approve the following Acquisition: Lyon Court Storm Drainage Improvements,  
Parcels #85, #86, and #88**

**Project:** Lyon Court Storm Drainage Improvement Project, Parcel #85, #86 and #88

**Program:** Flood Control

**Owner(s):** Jupiter Group, LLC

**Property Address:** 2221 Central Avenue

**Total Parcel Area:** 45,475 sq. ft.

**Property to be acquired in Fee:** 932 sq. ft. (.021 ac.) in Fee Simple within Existing Right-of-Way

**Property to be acquired by Easements:** 4,013 sq. ft. (.092 ac.) in Storm Drainage Easement,  
plus 6,601 sq. ft. (.152 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Various plantings

**Zoned:** B-1

**Use:** Commercial

**Tax Code:** 095-071-03, 095-071-04 and 095-081-06

**Purchase Price:** \$125,250

**Council District:** 1





Legislation Text

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File #: 15-900 Agenda #: 91.

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**Property Transactions - Lyon Court Drainage Improvement Project,  
Parcel #102**

**Action:**

**Approve the following Acquisition: Lyon Court Drainage Improvement Project,  
Parcel #102**

**Project:** Lyon Court Storm Drainage Improvement Project, Parcel #102

**Program:** Flood Control

**Owner(s):** James H. Spann, Jr.

**Property Address:** 1547 Tippah Park Court

**Total Parcel Area:** 10,678 sq. ft.

**Property to be acquired by Easements:** 4,216 sq. ft. (.097 ac.) in Storm Drainage Easement,  
plus 510 sq. ft. (.012 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** Fence

**Landscaping to be impacted:** Trees

**Zoned:** UR-2

**Use:** Single-family Residential

**Tax Code:** 095-071-31

**Purchase Price:** \$25,000

**Council District:** 1



Legislation Text

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File #: 15-901 Agenda #: 92.

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**Property Transactions - Mallard Creek 9804 8" Sanitary Sewer, Parcel #1**

**Action:**

**Approve the following Acquisition: Mallard Creek 9804 8" Sanitary Sewer, Parcel #1**

**Project:** Mallard Creek 9804 8" Sanitary Sewer, Parcel #1

**Owner(s):** William Franklin Cook, II and Shelley M. Wilfong

**Property Address:** 9518 Mallard Creek Road

**Total Parcel Area:** 91,287 sq. ft.

**Property to be acquired by Easements:** 1,452 sq. ft. (.033 ac.) in Sanitary Sewer Easement, plus 1,695 sq. ft. (.039 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Trees

**Zoned:** R-3

**Use:** Rural Homesite

**Tax Code:** 047-152-12

**Purchase Price:** \$11,925

**Council District:** 4



Legislation Text

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File #: 15-904 Agenda #: 93.

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**Property Transactions - Mallard Creek 9804 8" Sanitary Sewer, Parcel #2**

**Action:**

**Approve the following Condemnation: Mallard Creek 9804 8" Sanitary Sewer, Parcel #2**

**Project:** Mallard Creek 9804 8" Sanitary Sewer, Parcel #2

**Owner(s):** Thomas Andrew Thore, Jr., William Steven Thore, Connie Thore Knight, Phillip Anthony Thore And Robert Paige Thore and any other parties of interest

**Property Address:** 9602 Mallard Creek Road

**Total Parcel Area:** 84,683 sq. ft.

**Property to be acquired by Easements:** 2,745 sq. ft. (.063 ac.) in Sanitary Sewer Easement, plus 1,546 sq. ft. (.035 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Trees

**Zoned:** R-3

**Use:** Rural Homesite

**Tax Code:** 047-152-11

**Appraised Value:** \$10,000

**Property Owner's Counteroffer:** \$11,038

**Recommendation:** To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

**Council District:** 4



Legislation Text

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File #: 15-902 Agenda #: 94.

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**Property Transactions - Mallard Creek 9804 8" Sanitary Sewer, Parcel #3 and #4**

**Action:**

**Approve the following Acquisition: Mallard Creek 9804 8" Sanitary Sewer, Parcel #3 and #4**

**Project:** Mallard Creek 9804 8" Sanitary Sewer, Parcel #3 and #4

**Owner(s):** Piedmont Unitarian Universalist Church, Inc.

**Property Address:** 9704 And 9728 Mallard Creek Road

**Total Parcel Area:** 281,536 sq. ft.

**Property to be acquired by Easements:** 9,916 sq. ft. (.228 ac.) in Sanitary Sewer Easement, plus 5,598 sq. ft. (.129 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** Signs

**Landscaping to be impacted:** Trees

**Zoned:** R-3

**Use:** Rural Homesite

**Tax Code:** 047-152-10 and 047-152-25

**Purchase Price:** \$45,000

**Council District:** 4



Legislation Text

File #: 15-903 Agenda #: 95.

**Property Transactions - Johnston Oehler Farm to Market, Parcel #23.1**

**Action:**

**Approve the following Condemnation: Johnston Oehler Farm to Market, Parcel #23.1**

**Project:** Johnston Oehler Farm to Market, Parcel #23.1

**Owner(s):** Orville Oehler Thompson, Teddie Clinton Thompson and Richard Kirk Thompson and any other parties of interest

**Property Address:** 3716 Johnston Oehler Road

**Total Parcel Area:** 113,074 sq. ft.

**Property to be acquired by Easements:** 12,459 sq. ft. (.286 ac.) in Storm Drainage Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** R-3

**Use:** Single-family Residential - Rural Acreage

**Tax Code:** 029-301-34

**Appraised Value:** \$5,300

**Property Owner's Counteroffer:** None

**Property Owner's Concerns:** The property owner is concerned with the design of the storm drainage area and the compensation amount.

**City's Response to Property Owner's Concerns:** Staff agreed to redesign the storm drainage area.

**Outstanding Concerns:** The property owner does not agree with compensation amount.

**Recommendation:** To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

**Council District:** 4



Legislation Text

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File #: 15-905 Agenda #: 96.

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**Property Transactions - University Pointe Boulevard, Phase 1, Parcel #1**

**Action:**

**Approve the following Condemnation: University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #1**

**Project:** University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #1

**Owner(s):** Brit-Charlotte LLC and any other parties of interest

**Property Address:** 8335 IBM Drive

**Total Parcel Area:** 7,984,548 sq. ft.

**Property to be acquired in Fee:** 9,797 sq. ft. (.225 ac.) in Fee Simple

**Property to be acquired by Easements:** 337 sq. ft. (.008 ac.) in Storm Drainage Easement, plus 32,735 sq. ft. (.777 ac.) in Temporary Construction Easement, plus 3,676 sq. ft. (.059 ac.) in Utility Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Trees and bushes

**Zoned:** RE-2

**Use:** Laboratory/Research

**Tax Code:** 047-111-05

**Appraised Value:** \$38,250

**Property Owner's Counteroffer:** None

**Recommendation:** We are currently waiting on signed documents but to avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

**Council District:** 4



Legislation Text

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File #: 15-906 Agenda #: 97.

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**Property Transactions - University Pointe Boulevard, Phase 1, Parcel #3**

**Action:**

**Approve the following Condemnation: University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #3**

**Project:** University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #3  
**Owner(s):** International Business Machines Corporation and any other parties of interest  
**Property Address:** IBM Drive  
**Total Parcel Area:** 3,232,152 sq. ft.  
**Property to be acquired in Fee:** 1,457 sq. ft. (.033 ac.) in Fee Simple  
**Property to be acquired by Easements:** 3,409 sq. ft. (.078 ac.) in Storm Drainage Easement, plus 20,687 sq. ft. (.475 ac.) in Temporary Construction Easement, plus 1 sq. ft. ( ac.) in Utility Easement  
**Structures/Improvements to be impacted:** None  
**Landscaping to be impacted:** None  
**Zoned:** RE-2  
**Use:** Laboratory/Research  
**Tax Code:** 047-391-09  
**Appraised Value:** \$10,700  
**Property Owner's Counteroffer:** None  
**Recommendation:** We are currently waiting on signed documents but to avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.  
**Council District:** 4



Legislation Text

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File #: 15-907 Agenda #: 98.

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**Property Transactions - University Point Boulevard, Phase 1, Parcel #5**

**Action:**

**Approve the following Condemnation: University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #5**

**Project:** University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #5

**Owner(s):** DDR Belgate LP and any other parties of interest

**Property Address:** NWC Ikea Boulevard/University Pointe Boulevard

**Total Parcel Area:** 683,892 sq. ft.

**Property to be acquired in Fee:** 12,867 sq. ft. (.295 ac.) in Fee Simple

**Property to be acquired by Easements:** 1,655 sq. ft. (.038 ac.) in Storm Drainage Easement, plus 15,849 sq. ft. (.364 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** CC

**Use:** Commercial

**Tax Code:** 047-461-01

**Appraised Value:** \$38,450

**Property Owner's Counteroffer:** None

**Recommendation:** We are currently waiting on signed documents but to avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

**Council District:** 4





Legislation Text

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File #: 15-908 Agenda #: 99.

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**Property Transactions - University Pointe Boulevard, Phase 1, Parcel #14**

**Action:**

**Approve the following Condemnation, University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #14**

**Project:** University Pointe Boulevard Phase 1 (South Bridge over I-85), Parcel #14

**Owner(s):** DDR Belgate LP and any other parties of interest

**Property Address:** 8150 Ikea Boulevard

**Total Parcel Area:** 763,493 sq. ft.

**Property to be acquired by Easements:** 310 sq. ft. (.007 ac.) in Storm Drainage Easement, plus 6,904 sq. ft. (.158 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Various plantings

**Zoned:** CC

**Use:** Commercial

**Tax Code:** 047-461-06

**Appraised Value:** \$15,100

**Property Owner's Counteroffer:** None

**Recommendation:** We are currently waiting on signed documents but to avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

**Council District:** 4



Legislation Text

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File #: 15-942 Agenda #: 100.

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**Property Transactions - Torrence Creek Tributary Trunk Sewer, Parcel #5**

**Action:**

**Approve the following Acquisition, Torrence Creek Tributary Trunk Sewer, Parcel #5**

**Project:** Torrence Creek Tributary Trunk Sewer, Parcel #5

**Owner(s):** North Carolina Department of Transportation

**Property Address:** 12101 Mt. Holly-Huntersville Road

**Total Parcel Area:** 1,978,059 sq. ft.

**Property to be acquired by easements:** 39,800 sq. ft. (.914 ac.) in Sanitary Sewer Easement, plus 68,993 sq. ft. (1.584 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** CB

**Use:** Industrial

**Tax Code:** 017-193-01

**Purchase Price:** \$41,465

**Council District:** N/A



## Legislation Text

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**File #:** 15-950 **Agenda #:** 101.

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### Reference - Charlotte Business INClusion Policy

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

#### **Part A: Administration & Enforcement**

**Appendix Section 20: Contract:** For the purposes of establishing an MWSBE 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, surveying, 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) , and (d) apparatus, supplies, goods or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE, MBE or WBE 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 Charlotte Business INClusion Program Policy.

**Appendix Section 27: Exempt Contracts:** Contracts that fall within one or more of the following categories shall be "Exempt Contracts" from all aspects of the Charlotte Business INClusion Policy, unless the Department responsible for procuring the Contract decides otherwise:

**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.

**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.

**Real Estate Leasing and Acquisition Contracts:** Contracts for the acquisition or lease of real estate

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shall be Exempt Contracts.

**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.

**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.

**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.

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

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

**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).

**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 35: 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:

**Construction Contracts Less Than or Equal To \$500,000:**

**Service and Commodities Contracts That Are 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 MWSBE Goal, each Bidder must either: (a) meet the MWSBE 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 2.3:** No Goals When There Are No Subcontracting Opportunities.

The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

**Part C: Services Procurement**

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**Part C: Section 2.1:** When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each MWSBE that responds to the Proposer's solicitations and each MWSBE 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 2.1:** No Goal When There Are No MWSBE Subcontracting Opportunities. The City shall not establish an MWSBE Goal for Service Contracts where there are no MWSBEs 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 MWSBE subcontracting opportunity, the City shall either:

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



## Legislation Text

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**File #:** 15-955 **Agenda #:** 102.

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### 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.



## Legislation Text

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**File #:** 15-948 **Agenda #:** 103.

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### Reference - Property Acquisitions and Condemnations

- 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
  - Leave 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 a 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.