

Mayor Dan Clodfelter

Al Austin
John Autry
Ed Driggs
Claire Fallon
David L. Howard

Mayor Pro Tem Michael D. Barnes

Patsy Kinsey
Vi Lyles
LaWana Mayfield
Greg Phipps
Kenny Smith

**CITY COUNCIL MEETING
Monday, June 8, 2015**

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

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31	34	Bojangles Coliseum Interior Renovations
34	40	Time Warner Cable Arena Upgrades

CITY COUNCIL AGENDA
Monday, June 8, 2015

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5:00 P.M. DINNER BRIEFING, Room 267

1. Mayor and Council Consent Item Questions

Resource(s): Hyong Yi, City Manager's Office

Time: 5 minutes

Synopsis

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

2. Brentwood Storm Drainage Improvement Project Phase 2 Change Order

Resources: Jennifer Smith, Engineering & Property Management

Time: 15 minutes

Synopsis

- The Brentwood Storm Drainage Improvement project is one of five flood control projects that began construction in Fiscal Year 2014.
- Staff will present to the City Council information on the Brentwood Storm Drainage Improvement project – Phase 2 change order to include:
 - Background of the project,
 - Overview of the change order, and
 - Summary of costs.

Future Action

The City Council is requested to approve the Brentwood Storm Drainage Improvement Phase 2 Change Order, agenda item 37, page 44.

3. Dance Hall Ordinance

Resource(s): Coerte Voorhees, Police

Time: 15 minutes

Synopsis

- On February 26, 2001, the City Council enacted the Dance Hall Ordinance (Ordinance) to address concerns of illegal drugs and other dangerous criminal activity that occurred at raves and late night clubs.
- On September 30, 2014, a district court order declared the Ordinance unconstitutionally vague and overbroad.
- Staff will provide a presentation to explain the purpose and intent of the Ordinance, to provide examples of dance halls and enforcement, and to explain the suggested revisions to the Ordinance.
- The City Council will be asked to adopt an ordinance amending the Dance Hall Ordinance at tonight's Council Policy Agenda meeting.

Future Action

The City Council is requested to approve the Dance Hall Business Ordinance Amendment, agenda item 17, page 20.

4. LYNX Blue Line Extension

Resource(s): Danny Rogers, CATS

Time: 15 minutes

Synopsis

- The LYNX Blue Line Extension is currently under construction with major activities occurring throughout the corridor. These activities are especially noticeable along North Tryon Street from Old Concord Road to the University, and in the uptown area.
- The project team has been working continuously to keep the project progressing; however, the complexity of the project (17 construction contracts, three railroads, a University, private developer, City and North Carolina Department of Transportation road projects, and numerous utility companies) has made it challenging to remain on schedule.
- The briefing will describe the efforts and contract adjustments being requested related to the Council Business Agenda Item 19 amendments to a) Civil A Construction contract b) Construction Management contract and c) to Design Services/Construction Management contract
- The requested action can be done within the current budget and is required to maintain the current schedule for a project opening in summer 2017.

Future Action

The City Council is requested to consider the LYNX Blue Line Extension – Civil Construction and Construction Services Amendments agenda item 19, on page 22.

5. Answers to Mayor and Council Consent Item Questions

Resource(s): Hyong Yi, City Manager's Office

Time: 10 minutes

Synopsis

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

Introductions

Invocation

Pledge of Allegiance

6:30 P.M. AWARDS AND RECOGNITIONS, COUNCIL CHAMBER

6. Jeb Blackwell Award Recognition

Action: Mayor Clodfelter will recognize Jeb Blackwell, Director of the City's Engineering & Property Management Department for his selection as one of America's Top 10 public works leaders for 2015 by the American Public Works Association.

7. Community Wildlife Habitat Designation Honors

Action: Mayor Clodfelter will recognize Charlotte's national status as a Certified Community Wildlife Habitat.

8. World Refugee Day Proclamation

Action: Mayor Clodfelter will read a proclamation recognizing June 20, 2015, as World Refugee Day.

9. Green Teacher Network Presentation

Action: Mayor Clodfelter and the City Council will hear a presentation about the Green Teacher Network activities in Charlotte.

10. Myers Park Woman's Basketball Team Recognition

Action: Mayor Clodfelter will recognize the Lady Mustangs, Myers Park High School for their winning 2015 season.

11. NeighborWorks® Week

Action: Mayor Clodfelter will read a proclamation recognizing the week of June 6, 2015, as NeighborWorks® Week.

CONSENT

- 12. Consent agenda items 24 through 54 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk.**

Consideration of Consent Items shall occur in the following order:

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

PUBLIC HEARING

13. Civil Liberties

- Action:**
- A. Hold a public hearing on a proposed resolution on the Protection of Civil Liberties and a proposed Ordinance amending the Citizen Review Board Ordinance, and**
 - B. Consider adopting the recommended resolution and ordinance.**

Staff Resource(s): Ron Carlee, City Manager's Office
 Willie Ratchford, Community Relations Committee
 Robert Hagemann, City Attorney's Office
 Rodney Monroe, Police
 Kerr Putney, Police
 Mark Newbold, Police

Explanation

- On December 8, 2014, Chief of Police Rodney Monroe and Willie Ratchford, Director, Community Relations Committee briefed the City Council on a request to consider enactment of a local Civil Liberties (Civil Rights) Ordinance.
- On January 12, 2015, the City Council adopted a motion that:
 - Acknowledged the role that the Charlotte-Mecklenburg Police Department (CMPD) plays in the application of fair and equal justice;
 - Embraced principles related to Civil Rights;
 - Directed the City Manager to have CMPD undertake a comprehensive review of its Directives, Standard Operating Procedures, training and other policies in light of the principles embraced by the Council; and
 - Asked the Manager and City Attorney, in cooperation with the Chief, to prepare a proposed Civil Liberties resolution or ordinance.
- On June 1, 2015, staff presented to the City Council:
 - The outcome of CMPD's review;
 - A proposed Civil Liberties Resolution; and
 - A proposed ordinance that would amend the Citizens Review Board Ordinance
- The proposed resolution would establish City Council policies regarding:
 - Arbitrary profiling;
 - Passive protests and peaceful demonstrations;
 - The collection, retention, usage, and sharing of data collected by electronic technology;
 - Interactions between officers and members of the public;
 - Training of officers regarding the policies established through the resolution; and
 - Implementation and accountability.
- The ordinance amendment would give the Citizens Review Board jurisdiction to hear complaints of arbitrary profiling
- In addition to the proposed action, the City and CMPD have recently acted on or implemented the following:
 - Body-worn cameras to be fully deployed by the fall,
 - "Implicit Bias" training,
 - "Dismantling Institutional Racism" training,
 - "Cultural Competency" training,

- An Early Warning System designed to identify developing patterns of inappropriate behavior,
- Fair and consistent disciplinary policies and practices, and
- Amendments to the Citizens Review Board ordinance to lower the standard for determining that a hearing is warranted.

Attachment 1

Model Ordinance: Local Civil Rights Restoration Act

Motion adopted by the City Council on January 12

City Attorney Memorandum

CMPD Chart

City Manager Memorandum

Proposed Resolution on the Protection of Civil Liberties

Proposed Ordinance amending the Citizen Review Board Ordinance

POLICY

14. City Manager's Report

15. FY2016 & FY2017 Operating Budget and FY2016-FY2020 Community Investment Plan

Action: Adopt the FY2016 Appropriations and Tax Levy Ordinance, the Capital Investment Plan Resolution for FY2016-FY2020, the FY2016 Pay and Benefits Resolution and associated Human Resources contracts, and other items related to the Annual Ordinance adoption:

- A. The FY2016 Operating Appropriations and Tax Levy Ordinance,
- B. The FY2017 Operating Plan Resolution,
- C. The FY2016-FY2020 Community Investment Plan Resolution,
- D. The City Code to add a Small Business Fee and Change the residential disposal fee to a general solid waste fee for single and multi-family residential units,
- E. The FY2016 Storm Water Interlocal Agreement,
- F. The Charlotte Water Rate Methodology by revising the Revenue Manual,
- G. The FY2016 Transit Operating Budget and Debt Service Budget, which was approved by the Metropolitan Transit Commission on April 22, 2015,
- H. The FY2016 Pay and Benefits Plan Resolution and associated Human Resources contracts,
- I. Outside Agencies and Municipal Service Districts contracts,
- J. Other Budget Items,
- K. Charlotte-Mecklenburg Housing Partnership contract, and
- L. Future Work Plan for FY2017 Budget Planning.

Committee Chair: Council member Greg Phipps

Staff Resource(s): Kim Eagle, Management & Financial Services

Policy

As required by state law, the City of Charlotte adopts annual appropriations and tax levy ordinance and considers related actions by July 1 of each fiscal year.

Background

- Since January 2015, the Mayor and City Council held eight Budget Workshops and the required Public Hearing to shape development of this budget.
- The City Manager's Recommended Budget was presented on May 4, 2015.
- The FY2016 total budget reflects unanticipated reductions to local revenues and continued cuts to General Fund expenditures, while remaining a strong value tax and rate payers; highlights include:
 - 1.0¢ increase to the property tax rate;
 - Elimination of 100.75 full-time equivalent positions, while avoiding lay-offs;

- Maintains prior expenditure reductions, includes further cuts to the General Fund, with minor increases in the areas of public safety and contracts for solid waste services;
- A small pay plan adjustment in an amount that is half of the City's benchmarks; and
- A revision to Storm Water and Charlotte Water rate structures that better reflect actual customer usage.
- The FY2016-FY2020 Community Investment Plan matches the City's highest priority needs with a financing schedule. The General Community Investment Plan that focuses on meeting the needs of a growing community by focusing on livability, getting around, and job growth. The Enterprise Capital budgets respond to an aging infrastructure and growing service demands.

Approved Changes to the Manager's Recommended Budget from June 1st Council Straw Votes

- Following the May 13th and May 16th Straw Votes meetings, on June 1st, Council approved the following budget amendments for the City Manager's Recommended operating budget:
 - Amendment 1: Eliminate Council Discretionary Fund for FY2016 in the amount of \$100,000.
 - Amendment 2: Decrease Single Family Solid Waste Fee from \$47 to \$25 annually.
 - Amendment 3: Increase Multi-Family Solid Waste Fee from \$24 to \$25.
 - Amendment 4: Restore General Fund transfer for paving in the amount of \$857,265 using one-time funding from asset sales.
 - Amendment 5: Restore Bike Charlotte Program in the amount of \$35,000.
 - Amendment 6: Increase transfer of Property Tax Rate from Debt Service Fund to General Fund from the City Manager's recommended amount of 0.25¢ to 0.41¢.
 - Amendment 7: Implement a Solid Waste Small Business Fee of \$250.
 - Amendment 8: Adjust the recommended tax rate increase to 1.00¢.

A. Adopt the FY2016 Operating Appropriations and Tax Levy Ordinance Budget Overview

- The budget sustains essential services in community safety, the environment, transportation and planning, housing and neighborhood development, economic development and global competitiveness, and the administrative support that they require.
- The total FY2016 budget is \$2.13 billion, with \$1.23 billion for operating expenditures and \$901.5 million for capital expenditures (all funds). The General Fund operating budget totals \$521.0 million (net of transfers).
- The total budget includes the following key revenues:
- Property tax rate of 47.87¢, an increase of 1.00¢;
 - Water and Sewer rates increase by 2.72%, or \$1.55 per month for the typical user; and
 - Expand the detached single-family residential Storm Water rates from two tiers to four. Revise the rate methodology to charge a flat rate for each tier based on the same per square foot rate (\$0.0033) applied to the median impervious area of each tier. Use the same square foot rate to charge all other parcels based on each parcels impervious area.

Property Tax Rate

- The property tax rate for FY2016 is 47.87¢ per \$100 of assessed valuation, a 1.00¢ increase from the prior year. The FY2016 assessed value is estimated at \$91.99 billion, with an estimated collection rate of 97.5%.

Purpose	FY2015 Tax Rate	FY2016 Tax Rate	Change
General Fund	36.00¢	37.41¢	1.41¢
Municipal Debt Service Fund (Capital)	9.67¢	9.26¢	-0.41¢
Pay-As-You-Go Fund (Capital)	1.20¢	1.20¢	0.0¢
Total	46.87¢	47.87¢	1.00¢

Attachment 2**Annual Budget Ordinance****B. Adopt the FY2017 Operating Plan Resolution**

- The Manager's Recommended Budget includes recommendations for the next two years of operating budgets. The first year, 2016, is listed in Section A of this action.
- A resolution is adopted at the beginning of each two-year plan. The resolution approves the FY2017 Operating Plan as recommended by the City Manager and as amended by Council on June 1st. Adoption of the FY2017 Plan does not appropriate funds.

C. Adopt the FY2016-FY2020 Community Investment Plan Resolution

- The resolution approves the five-year Community Investment Plan expenditure and financing plan totaling \$3.5 billion (all funds).

General Fund Community Investment Plan

- The capital program is based on property tax rates as follows:
 - 9.26¢ for the Municipal Debt Service Fund, a 0.41¢ reduction from the current year due to a transfer of a portion of the dedicated property tax rate to the General Fund. This reduction does not affect the existing debt capacity currently committed to the debt-funded capital program.
 - 1.20¢ for the Pay-As-You-Go Fund, unchanged from the prior year.
- The FY2016-FY2020 five year General Community Investment Plan totals \$749.2 million, comprised of the following categories:
 - Housing and Neighborhood Development: \$218.6 million,
 - Transportation: \$343.5 million,
 - Economic Development: \$60.5 million,
 - Environmental Services: \$16.5 million, and
 - Facility Investments: \$110.1 million.
- The General Community Investment Plan is supported by the approved 2014 bond referendum and two proposed bond referenda in 2016 and 2018. A fourth bond referendum in 2020 will be reflected in future five-year Community Investment Plans beginning in FY2017.

Enterprise-Funded Community Investment Plans

- Enterprise programs are financially self-sustaining and do not rely on property tax or general government revenues.
- Charlotte Area Transit System totals \$646.6 million and is funded by federal and state grants and the one half-cent sales tax for transit.

- Aviation totals \$1.1 billion and is funded by \$737.6 million in revenue bonds, \$283.7 million in Federal Aviation Administration and Transportation Security Administration funding, and \$114.6 million in cash.
- Storm Water totals \$332.7 million and is funded by \$202.5 million in cash and \$130.2 million in revenue bonds.
- Charlotte Water (Water and Sewer) totals \$633.5 million, funded by \$289.8 million in cash and \$343.7 million in revenue bonds.

Attachment 2[Annual Budget Ordinance](#)**Attachment 3**[Community Investment Plan Resolution](#)**D. Amend the City Code to add a Small Business Fee and change the residential Disposal Fee to a General Solid Waste Fee for Single and Multi-Family Residential Units**

- Section 10 of City Code outlines collection for a residential disposal fee and the collection of garbage from small businesses that are also small waste generators.
- As part of the Straw Votes meetings, the City Council voted to make changes to the budget that require an amendment to City Code:
 - Rename the fee from “Residential Solid Waste Disposal Fee” to “Residential Solid Waste Services Fee” to align with the name on the property tax bill;
 - Decrease Single-family Solid Waste Fee from \$47 to \$25 annually;
 - Increase Multi-family Solid Waste Fee from \$24 to \$25 annually; and
 - Implement a Solid Waste Small Business Fee of \$250 annually.
- These changes become effective on July 1, 2015.

Attachment 4[Revisions to Section 10 City Code](#)

E. Approve the FY2016 Storm Water Interlocal Agreement

- In accordance with the Interlocal Agreement on storm water services, this action will inform the County of the amount to be charged for the City's portion of the fee. The Mecklenburg County Board of County Commissioners will vote on storm water fee changes on June 16.
- The fees for FY2016 revise the existing two tier methodology to four tiers charging a flat rate for each tier based on the same per square foot rate (\$0.0033) applied to the median impervious area of each tier. Use the same square foot rate to charge all other parcels based on each parcels impervious area:

Fee Category	FY2015 Monthly Fee	FY2016 Monthly Fee
Detached single-family homes with less than 2,000 sq. ft. impervious area	\$5.52	\$5.52
Detached single-family homes with 2,000 to 2,999 sq. ft. of impervious area	\$8.13	\$8.13
Detached single-family homes with 3,000 to 4,999 sq. ft. of impervious area	\$8.13	\$12.04
Detached single-family homes with 5,000 or more sq. ft. of impervious area	\$8.13	\$19.91
Commercial and multi-family per acre of impervious area	\$135.56	\$143.73

- The change to 4 tiers will result in additional revenue of \$7.8 million in FY2016.
- In accordance with the Interlocal Agreement on storm water services, the Mecklenburg County Board of County Commissioners conducted a public hearing on changes to the City's portion of the storm water fee on May 19, 2015. The City Council also conducted a public hearing on storm water fees on May 11, 2015.

Attachment 2
[Annual Budget Ordinance](#)

F. Amend the Charlotte Water Rate Methodology by Revising the Revenue Manual

- The Charlotte Water rate methodology changes with the adoption of the Fiscal Year 2016 budget.
- The schedule of water and sewer rates, fees, and charges is calculated according to the rate methodology, as codified in the revenue manual, and Charlotte Water's approved budget and is published annually.
- The Revenue Manual revisions include:
 - Elimination of rate subsidy for Tier 1 water customers;
 - Increasing the availability fee to recover approximately 25% of annual debt service in FY2016 with a long-term goal of incremental movement to recovering 40% of annual debt service;
 - Calculating capacity fees for new connections based on system replacement cost new less depreciation instead of net book value;
 - Changing the way customers are billed for water used from fire hydrants for construction and special projects to be sure full costs are recovered;
 - Adding fees to recover the cost of reviewing and inspecting water and sewer facilities associated with new development consistent with City cost recovery policy; and
 - Technical and procedural changes that clarifies and updates the language.
- A joint public hearing between the City Council and the Charlotte Water Advisory Committee was held on May 11, 2015.

G. Adopt the FY2016 Transit Operating Budget and Debt Service Budget which was approved by the Metropolitan Transit Commission on April 22, 2015

Policy

The Transit Governance Interlocal Agreement calls for the Metropolitan Transit Commission (MTC) to annually approve a Transit Operating Program and a Transit Capital Program by April 30. Following the MTC's approval, the Transit Operating and Capital Programs are forwarded to the Charlotte City Council for approval. Upon approval, the Charlotte City Council shall fund the programs through its budget process and/or project ordinances.

Budget Overview

- The proposed FY2016 Transit Operating and Debt Service Budgets and the proposed FY2016-FY2010 Transit Community Investment Plan have been developed in compliance with Charlotte Area Transit System Financial Policies including annual contribution to the Transit Revenue Reserve Fund, year-end fund balance, debt service coverage ratios, and the transfer of balances to the Capital program.
- The FY2016 Transit Operating Budget:
 - Reflects a 4.2% growth in annual operating and maintenance costs in FY2016;
 - Adds 5,000 bus revenue service hours, which are partially funded by Federal funds; and
 - Adds 35 project positions for maintenance, acceptance start-up and testing of new rail cars for the LYNX Blue Line Extension project. Positions are fully funded by the project.

Attachment 2 [Annual Budget Ordinance](#)

Attachment 5
Resolution by MTC

H. Adopt the FY2016 Employee Pay and Benefits Plan Resolution and associated Human Resources contracts

- The recommendations included in the FY2016 Pay and Benefits Report include the following:

Pay Plans

- In the Public Safety Pay Plan, the budget includes the following:
 - 2.5% or 5.0% step adjustments; and
 - 0.75% market adjustment.
- In the Broadbanding Pay Plan, the recommended budget includes a 1.5% merit pool.

Benefits

- The City contribution to group insurance coverage increases only 4% due to the City's commitment to the Council adopted philosophy of: aggressive cost management for benefits, employees expected to fairly share in the cost of benefits, moderate level of benefits and pay, and proactive support of wellness programs to reduce future costs.
- The following plan options evaluated during FY2016 include:
 - Renegotiating or rebidding the medical plan - Currently the medical benefit plan is administered by Blue Cross Blue Shield of North Carolina. Provide the City Manager or his designee the authority to either renegotiate or rebid the current contract during FY2016. If the contract is rebid, provide the City Manager or his designee be authorized to select a vendor and execute the contract and future contract amendments with the selected vendor upon completion of the bid process.
 - Evaluating/implementing a Consumer Driven Health Option - In an effort to continue to control rising health care costs, it is anticipated the City will evaluate the feasibility of implementing a Consumer Driven Health Plan (also referred to as a CDHP or high-deductible health plan) with either a Health Reimbursement Arrangement or a Health Care Savings Account in FY2016. In order to successfully implement this option, an approximate 12-18 month lead time is required for set-up and communications. If the plan is warranted, provide the City Manager or his designee the authority to proceed with implementation of a Consumer Driven Health Plan upon completion of the evaluation process.
- Medical Premiums
 - Effective January 1, 2016, increase employee contributions for medical coverage in the PPO Plus Wellness Plan by 4% and 0% in the Basic PPO Wellness Plan.
 - Effective July 4, 2015, restrict enrollment in the PPO Plus Plan to only those employees and pre-65 retirees currently enrolled in the health insurance plan. New hires will only be permitted to enroll in the PPO Basic Plan and any future plan additions.
 - Provide the City Manager the authority to establish the medical premium structure and wellness incentive amounts within the overall health insurance budget.

- Dental Plan/Premiums
 - The City currently contributes \$28 per month to both dental plan options.
 - Currently the dental plan is administered by Ameritas. The current contract will expire December 31, 2015. Upon receipt of renewal information, it may be necessary to rebid the dental plan.
 - Provide the City Manager or his designee the authority to renegotiate the current contract or if the contract is rebid, it is recommended that the City Manager or his designee be authorized to select a vendor and execute the contract and future contract amendments with the selected vendor upon completion of the bid process.
 - Provide the City Manager or his designee the authority to establish the dental premium structure including increasing the City's funding within the overall health insurance budget.

- Non-Medicare Retiree Premiums
 - Effective January 1, 2016, increase non-Medicare retiree premiums consistent with the overall health insurance budget increases. Provide the City Manager or his designee the authority to establish the premium structure for non-Medicare retirees within the overall health insurance budget.

- Medicare-Eligible Retiree Premiums
 - As part of the FY2010 budget process, City Council provided the City Manager or his designee the authority to approve changes including plan options, vendors, and future contracts/contract amendments to the fully-insured medical and prescription drug plans for Medicare-eligible retirees.
 - Since these plans are fully insured, it is recommended that the City Manager or his designee be authorized to approve rate increases and vendor changes as necessary to appropriately fund these plans upon receipt of renewal rates from the Administrator of the Medicare-eligible retiree coverage.

- Other benefits
 - The City is currently evaluating provisions in the School Support Leave Policy related to an increase in the number of matching hours granted for employee involvement in school activities and tutoring. Following the completion of the evaluation, provide the City Manager or his designee the authority to increase the number of matching hours of School Support Leave from the current maximum of eight to a maximum of twenty-four.
 - The City is currently evaluating provisions in the Vacation Leave Policy related to carryover of unused vacation at the end of the calendar year. Currently, any accrued vacation leave balance over twice an employee's annual accrual is forfeited at the end of each calendar year, during the pay period containing December 31st. Upon completion of the evaluation process, provide the City Manager or his designee the authority to change the current Vacation Leave Policy to allow for the rollover of forfeited vacation leave in to the employee's sick leave balance.

Attachment 6
[Pay & Benefits Resolution](#)

I. Approve Outside Agencies Contracts

- The following table lists the individual Outside Agency and Municipal Service District contracts.
- A "Scope of Services" for these agencies is provided as an attachment.

Annual Outside Agency Contract

General Fund Financial Partners	FY2016 Amount
Arts & Science Council	\$2,940,823
Community Building Initiative	50,000
Safe Alliance	333,977
TOTAL	\$3,324,800

Dedicated Revenue Sources Financial Partners	FY2016 Amount
Charlotte Regional Visitors Authority	\$13,597,941
Charlotte Regional Visitors Authority - Film Commission	150,000
TOTAL	\$13,747,941

100% Federal Grant Funded Financial Partners	FY2016 Amount
Carolinas Care Partnership	\$1,640,862
Charlotte Family Housing	330,000
TOTAL	\$1,970,862

100% PAYGO Funded Financial Partners	FY2016 Amount
Community Link	\$450,000
Crisis Assistance Ministry	380,000
TOTAL	\$830,000

PAYGO/Federal Share Funded Financial Partners	FY2016 Amount
Charlotte-Mecklenburg Housing Partnership – Affordable Housing	\$1,960,000
Charlotte-Mecklenburg Housing Partnership – House Charlotte	231,000
TOTAL	\$2,191,000

Out of School Time Partners	FY2016 Amount
Greater Enrichment Program	\$200,000
Citizen Schools	200,000
Police Activities League	200,000
YWCA	200,000
Bethlehem Center, Inc.	113,934
Behailu Academy	66,000
TOTAL	\$979,934

Municipal Service District Contracts

- The FY2016 tax rates for the five Municipal Service Districts remain unchanged from the FY2015 rates.

Municipal Service Districts Summary			
District	Agency	FY2016 Tax Rate	FY2016 Contract Amount*
District 1- Center City	Charlotte Center City Partners	1.68¢	\$1,257,608
District 2- Center City	Charlotte Center City Partners	2.33¢	\$750,059
District 3- Center City	Charlotte Center City Partners	3.58¢	\$1,197,654
District 4-South End	Charlotte Center City Partners	6.68¢	\$794,701
District 5- University City	University City Partners	2.79¢	\$643,792

*Actual contract revenue is determined by tax rate revenue

City Memberships and Subscriptions

- All General Fund memberships and subscriptions in the Non-Departmental budget are held flat at their FY2015 funding level.
- The following two General Fund membership and subscriptions contracts are above \$100,00 and require City Council approval:
 - Charlotte Regional Partnership = \$141,008
 - Centralina Council of Governments = \$175,542

FY2016 Public Art Work Plan

- The Arts & Science Council administers the Public Art Program, receiving 15% of the 1% allocated to Public Art as specified in Section 15-233 of the Charlotte City Code.
- The FY2016 Public Art Work Plan was distributed to the City Council as a part of the Council-Manager Memo on May 8, 2015.
- The FY2016 Allocations are:
 - General Community Investment Fund = \$0
 - Aviation Community Investment Fund = \$665,685
- In addition to implementing the Airport Art projects, the FY2016 Work Plan continues the progress underway on projects from prior year General Community Investment Plan allocations as well as begins planning for the upcoming FY2017 allocation, which is currently estimated to be \$292,340.

Charlotte-Mecklenburg Workforce Development Board

- Job Training Contract for implementing federally-funded Workforce Investment Act in an amount up to \$10,745,099.
- Source of funds includes Workforce Investment Act Grants in an amount of \$7,731,530, and carry-over of unexpended FY2015 Grants in an amount of \$3,500,000.

Attachment 7Description of Services**J. Approve Other Budget Items**

- The budget ordinance included is the City's annual budgetary operating ordinance. Sections 1 through 14 of this ordinance reflect the items included in the Manager's Recommended Budget and all Council amendments.
- The remainder of the annual ordinance (Sections 15 through 78) serves to make budgetary corrections to the current fiscal year for technical, accounting and other "wind-up" tasks necessary prior to the fiscal year's end.

Sections 14 through 26 General Capital Project Funds

- Sections 15 through 26 appropriate and consolidate funding to prepare existing accounts for transactions presented in the FY2016-2020 Community Investment Plan and make other capital project technical adjustments.

Sections 27 through 32 CATS Operating and Capital Projects Funds

- Section 27 appropriates a contribution from the Foundation For the Carolinas.
- Sections 28 through 31 transfer existing funding.
- Section 32 adjusts amount within the CATS Capital Project Funds to reflect revised funding amounts from grants and local resources.

Sections 33 through 46 Aviation Operating and Capital Projects Funds

- Sections 33 through 43 transfer existing funding.
- Section 44 appropriates a State Aid to Airports grant.
- Section 45 appropriates a transfer from Aviation Discretionary Fund for settlements for lawsuits related to noise.
- Section 46 appropriates excess construction proceeds.

Sections 47 through 53 Other Funds

- Section 47 appropriates additional grant proceeds for the Muddy Creek Restoration project.
- Section 48 appropriates funding for unemployment insurance as directed by the State.
- Section 49 appropriates funding for interest on property tax refunds for appeals.
- Section 50 appropriates funds received from Intergraph pertaining to the computer aided dispatch system.
- Section 51 appropriates a transfer from refunding savings of 2002 and 2003 General Obligation bonds to be applied to other post-employment liability.
- Section 52 authorizes the City Manager to execute final closeout of the Federal Security Grant for the 2012 Democratic National Convention.
- Section 53 authorizes the City Manager to transfer funds required by the Federal Aviation Administration to implement the Airport Corrective Action Plan.

Sections 54 through 78

- Section 54 includes technical accounting changes necessary to clarify or correct FY2014 and other prior-year budgetary ordinances.
- Sections 55 through 78 give the Chief Financial Officer authority to make specific routine appropriations and transfers within the adopted budget.

Attachment 2Annual Budget Ordinance**K. Approve the FY2016 Charlotte-Mecklenburg Housing Partnership Contract**Affordable Housing Contract

\$1,960,000

- The contract includes funding to address planning for future multi-family and single-family housing development by increasing affordable homeownership and rental opportunities.

House Charlotte Program Administration

\$231,000

- The contract funds the administration of the House Charlotte program.

L. Approve the Future Work Plan for FY2017 Budget Planning

- The following items will be evaluated during FY2016, and will be included as part of the FY2017 work plan for the Budget Committee or other City Council Committees as appropriate, leading up to the City Council's January 2016 Retreat, including:
 - Solid Waste Services delivery and cost recovery model;
 - Labor and Trades pay plan options;
 - Asset Sales and Facility Sale and Lease Back Opportunities;
 - Cost Allocation/Overhead;
 - Take Home Vehicles;
 - Fund Balance Policy; and
 - City funding of State responsibilities (e.g. District Attorney's Office).

16. Charlotte-Mecklenburg Coalition for Housing Name Change

Action: Approve the Housing & Neighborhood Development recommendation for the name change of the Charlotte-Mecklenburg Coalition for Housing to the Housing Advisory Board of Charlotte-Mecklenburg.

Committee Chair: Council member Patsy Kinsey

Staff Resource(s): Mary Gaertner, Neighborhood & Business Services
Pamela Wideman, Neighborhood & Business Services

Explanation

- The Charlotte-Mecklenburg Coalition for Housing (CMCH) was established in May 2010 to serve as the group responsible for overseeing the implementation of the Charlotte-Mecklenburg 10-Year Plan to End and Prevent Homeless, which is mandated by HUD.
- The CMCH is a joint City/County appointed community-based advisory board. Appointments are made by the Mayor (3 appointees), the City Council (8 appointees), and the Mecklenburg Board County Board of Commissioners (5 appointees).
- At their August 26, 2014 meeting, the CMCH began discussing the need to change the name of the CMCH to better reflect their activities and work in the community, all of which support creating more housing opportunities. The CMCH's scope of work will not change.
- A subcommittee was assigned to draft a potential list of new names for CMCH.
- At the December 16, 2014, meeting the CMCH board voted unanimously to request the board name change to the Housing Advisory Board of Charlotte-Mecklenburg.

Housing & Neighborhood Development Committee Discussion

On February 25, 2015, the Housing & Neighborhood Development Committee discussed the proposed name changes and agreed to the proposed name change.

Next Steps

- If action is approved, the Mecklenburg County Board of County Commissioners will be notified of the name change.

17. Dance Hall Business Ordinance Amendment

Action: Approve the Community Safety Committee recommendation to adopt an ordinance amending Chapter 6 of the Charlotte City Code entitled "Dance Hall Businesses" to redefine dance hall.

Committee Chair: Council member Claire Fallon

Staff Resource(s): Ann Wall, City Manager's Office
Coerte Voorhees, Police
Richard Perlungher, Police

Explanation

- On February 26, 2001, the City Council enacted a Dance Hall Ordinance (Ordinance) to address concerns of illegal drugs and other dangerous criminal activity that occurred at raves and late night dance halls.
- Dance hall is currently defined as: "any place or area of property operated as open to the public which: (1) has music, either live or electronically produced or transmitted; (2) has space available for dancing or dancing is permitted, whether such dancing takes place or not; and, (3) allows admission by payment of a direct or indirect charge, fee, donation, or any form of consideration, or by the purchase, possession, or presentation of a ticket or token."
- The Ordinance contains exceptions for the following:
 - Private residences or residential facilities not open to the general public;
 - Places owned and operated by the federal, state, or local government;
 - Public or private elementary, middle, and high schools as well as colleges and universities;
 - Places owned or operated by bona fide religious organizations; and
 - Establishments regulated by alcoholic beverage control laws in G.S. Ch. 18B.
- On September 30, 2014, a district court order declared the Dance Hall Ordinance, unconstitutionally vague and overbroad. The district court found that the current definition of dance hall would include locations, such as the Harris YMCA, Regal Cinemas, NASCAR Hall of Fame, Discovery Place, and Planet Fitness.
- The Ordinance amends the following language:
 - Exclude locations identified in the court order without excluding locations that operate as dance halls by limiting application to locations holding dances.
 - Dance hall will be defined as "any place or area of property where a dance(s) open to the public is held, which allows admission by payment of a direct or indirect charge, fee, donation, or any form of consideration, or by the purchase, possession, or presentation of a ticket or token."
 - Add exception for bona fide non-profit charitable organizations, such as a 501(c)(3).
 - Clarify that the Ordinance applies to ABC regulated establishments that remain open or in operation between the hours of 2:30 a.m. and 7:00 a.m.
- The Ordinance will be effective upon City Council approval.

Community Safety Committee Discussion

- Staff reported to the Community Safety Committee that an amendment to the Ordinance was necessary in light of the district court order issued on September 30, 2014.
- On April 9, 2015, the Committee voted unanimously (Fallon, Austin, and Phipps present; Barnes and Smith were absent) to recommend the ordinance to the full City Council.

- On May 11, 2015, the City Council referred the matter back to the Committee.
- On May 14, 2015, the Committee discussed the item and requested staff to provide additional information. Also, staff polled the Committee for a special meeting date, May 26, to allow final discussion of the item.
- On May 26, 2015, staff recommended to the Committee a revised amendment regarding ABC regulated establishments and the Committee voted unanimously (Fallon, Austin, Barnes and Smith were present; Phipps was absent) to recommend the ordinance to the full City Council for the June 8 Council Business Meeting.

Fiscal Note

- Funding: Not Applicable

Attachment 8

[Ordinance Amending Dance Hall Business](#)

18. City Council Meeting Schedule Amendment

Action: Approve the Governance & Accountability Committee recommendation to amend the 2015 City Council calendar by moving the date for the City Manager’s Evaluation from July 27 to July 20, 2015.

Committee Chair(s): Council member David Howard

Staff Resource(s): Carol Jennings, City Manager’s Office

Explanation

- After reviewing the schedule for the City Manager’s evaluation, the Committee voted unanimously (Howard, Kinsey, Phipps; Mayfield and Autry were absent) to move the evaluation meeting from July 27 to July 20, 2015, to accommodate more members of the City Council.
- The meeting will be from 12:00 – 3:30 p.m. in CH14.

Attachment 9

[Timeline for Completing the City Manager’s Fiscal Year 2015 Evaluation](#)

BUSINESS

19. LYNX Blue Line Extension – Civil Construction and Construction Services Amendments

Staff Resource(s): John Muth, CATS
Jeb Blackwell, Engineering & Property Management
Danny Rogers, CATS

Explanation

A write-up for this item will be included in the Council-Manager Memo on Friday, June 5, 2015.

20. Nominations to Boards and Commissions

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

A. HISTORIC DISTRICT COMMISSION

- One appointment for a resident owner of Hermitage Court for an unexpired term beginning immediately and ending June 30, 2015, and then continuing for a full three-year term beginning July 1, 2015, and ending June 30, 2018.
 - Lisa Yarbrough has failed to meet the City Council attendance policy requirement

Attachment 10

[Applications](#)

B. TRANSIT SERVICES ADVISORY COMMITTEE

- One appointment for a van pool rider for an unexpired term beginning immediately and ending January 31, 2016.
 - William Grimm, Jr. has resigned.

Attachment 11

[Applications](#)

21. Appointments to Boards and Commissions

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

A. CITIZENS' REVIEW BOARD

- One appointment for an unexpired term beginning immediately and ending July 31, 2015, and then continuing for a full three-year term beginning August 1, 2015, and ending July 31, 2018.
 - Jennifer Jackson by Council members Autry and Mayfield.
 - Janet Lama by Council members Barnes and Kinsey.
 - David Smith by Council member Driggs.
 - Richard Thaxton by Council members Austin, Howard and Phipps.

Attachment 12

[Applications](#)

B. KEEP CHARLOTTE BEAUTIFUL

- One appointment for a three-year term beginning July 1, 2015, and ending June 30, 2018.
 - Casey Brewer by Council member Driggs.
 - Sheila Etheridge by Council members Barnes and Howard.
 - Laura Sieckmann by Council members Autry and Fallon.
 - Christina Tierce by Council member Kinsey.

Attachment 13

[Applications](#)

22. Conclusion of Consent Agenda

23. Mayor and City Council Topics

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

CONSENT

Introduction to CONSENT

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



On April 8, 2013, the City Council voted to replace the City's Small Business Opportunity (SBO) Program with the Charlotte Business INCLUSION program. On July 1, 2013, the City phased in the Charlotte Business INCLUSION program into all of its practices and procedures.

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

A handout of Charlotte Business INCLUSION Policy references is included as an attachment at the end of the Council Business Agenda.

Disadvantaged Business Enterprise

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

Contractors and Consultants

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

The Property Transaction process following the City Council approval for condemnation is referenced at the end of the Council Business Agenda.

24. Fire Department Urban Search and Rescue Lease

Action: Approve a two-year lease extension with two, one-year options with Carlson Real Estate Company for warehouse and office space for the Fire Department's Urban Search and Rescue Team at 3140 Yorkmont Road, at \$9,933.08 per month with a 2% annual escalation beginning March 15, 2017.

Staff Resource(s): Jon Hannan, Fire
Tim O'Brien, Engineering & Property Management

Explanation

- The Charlotte Fire Department requests to extend the lease for two additional years, with two one-year options to renew, while the City develops a long-term plan to accommodate Urban Search and Rescue (USAR) team.
- Throughout the course of this lease, CFD will work to develop a permanent plan to meet this need. The plan will include a thorough assessment of other potential locations.
- Renewing the lease provides CFD with a short-term solution to meet the need for storage. Should this option be selected, CFD would work through the City's next budget development process to request funding for the structure.
- The lease extension will be funded by the 2014 Urban Area Security Initiative (UASI) federal grant.

Background

- USAR is considered a "multi-hazard" discipline used for a variety of emergencies or disasters, including earthquakes, hurricanes, storms and tornadoes, floods, terrorists' activities, and hazardous materials.
- The USAR Team is a NC State Type 1 National Incident Management System (NIMS) Standard, which is the highest standard recognized by the Federal Emergency Management Administration. This team houses equipment that can deploy across North Carolina and the southeastern states. The team responds to building collapses, flood events, confined space rescues, and other technical rescues.
- The warehouse facility houses five tractor trailers, six 28-foot trailers, two 25-foot generators, and eight 8-foot generators. There are also five offices and a conference room used for training and to ready the team for deployments.
- There are no City facilities with sufficient ceiling height to accommodate the tractor trailers that are stored in this warehouse facility.
- The facility is 18,338 square feet of office and warehouse.
- The rental rate will remain at \$6.50 per square foot for the first year, which is similar to comparable properties.
- The landlord is responsible for utilities, maintenance of the building, common areas, property taxes, and insurance.

Charlotte Business INclusion

This is a real estate lease extension contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

- Funding: Emergency Management 2014 UASI Grant

Funding Source	FY2016
2014 UASI Grant Funds	\$119,197/annually
Total Funding for Two Years	\$238,394

25. Governor's Highway Safety Program Grant Application for Traffic Safety

Action: A. Adopt a resolution authorizing the Charlotte-Mecklenburg Police Department to apply for a \$20,000 grant from the Governor's Highway Safety Program and,

B. Adopt a budget ordinance appropriating \$20,000 in grant funds contingent Charlotte is the successful grant recipient.

Staff Resource(s): Jeff Estes, Police
Davis Sloan, Police

Explanation

- The Charlotte-Mecklenburg Police Department has the opportunity to apply for \$20,000 in grant funds from the Governor's Highway Safety Program (GHSP).
 - \$12,500 will be used to purchase five additional dual antenna radar units. Radar units will be used in police vehicles and have the capability to help enforce speed limit laws while the officer is driving or parked stationary.
 - \$600 will be used for the data plan to cover the GHSP issued technology equipment.
 - \$400 will be used for local traffic safety meetings coordinated by the Police Department.
 - \$900 will be used for six stream light flashlights for conducting traffic stops and at checking stations.
 - \$2,000 will be used for the sergeant to travel to meetings throughout North Carolina.
 - \$3,600 will fund out-of-state travel for the sergeant over the Traffic Unit who also serves as the Regional Law Enforcement Liaison for GHSP.
 - The sergeant provides training for other departments in the region and attends an annual, national conference related to traffic enforcement.
- GHSP requires that the City Council pass a resolution to authorize CMPD to apply for the grant funding.
- The grant is for a period of one year and does not require matching funds from the City.

Fiscal Note

- Funding: Governor's Highway Safety Program

Attachment 14

[Budget Ordinance Resolution](#)

26. Governor's Highway Safety Program Grant Application for DWI Task Force

Action: A. Adopt a resolution authorizing the Charlotte-Mecklenburg Police Department to apply for third-year funding in the amount of \$466,799 from the Governor's Highway Safety Program for a Driving While Impaired Task Force, and

B. Adopt a budget ordinance appropriating \$466,799 in grant funds and \$200,056 in City matching funds.

Staff Resource(s): Jeff Estes, Police
David Sloan, Police

Explanation

- On October 28, 2013, the City Council accepted a grant from the Governor's Highway Safety Committee to fund a Driving While Impaired (DWI) Task Force.
- The task force is comprised of six officers and one sergeant, whose focus is DWI enforcement and education.
- The grant funds the salaries and benefits for the experienced officers assigned to the task force.
- The grant period is four years, but the Governor's Highway Safety Program requires a new application for each year.
- The Fiscal Year 2016 grant is for \$666,855, of which \$466,799 is funded with Governor's Highway Safety Program funds and \$200,056 with City matching funds from Police's Operating Budget.
- The grant funded the officers at 100% in Fiscal Year 2014, 85% in Fiscal Year 2015, 70% in Fiscal Year 2016, and 50% in Fiscal Year 2017. In Fiscal Year 2018, the City would assume the full cost of the task force, estimated at \$507,127 plus future salary adjustments.
- The grant offsets costs associated with salaries and benefits of the positions. Over the grant period of four years, the City anticipates a net savings of \$385,186.
- In the second year of operation, the DWI Task Force has charged 1,507 drivers with DWI, issued 9,291 traffic citations, and charged over 100 individuals with drug-related offenses. The Task Force also has participated in 30 seatbelt enforcement operations, six media events, and four community safety events.

Fiscal Note

- Funding: Governor's Highway Safety Program Grant and Police Operating Budget

Fiscal Year	Grant Amount	City Amount	City Percentage
2014	\$982,717	\$0	\$0
2015	\$563,921	\$99,516	15%
2016	\$466,799	\$200,056	30%
2017	\$345,751	\$345,751	50%
2018	\$0	\$507,127	100%

Attachment 15

[Budget Ordinance](#)
[Resolution](#)

27. University of Chicago Research Project for Charlotte-Mecklenburg Police Department

Action: Authorize access to the University of Chicago of specified personnel records for the purpose of researching and developing an Early Intervention System for law enforcement to identify training opportunities.

Staff Resource(s): Sherie Pearsall, Police
Linda Fox, Police
Crystal Cody, Police

Explanation

- The Charlotte-Mecklenburg Police Department (CMPD), in partnership with the University of Chicago, is participating in a federal initiative sanctioned by the White House to develop a system to be used by law enforcement nationwide to identify training opportunities based on tracking data of actual police activities and the use of an Early Intervention System.
- CMPD was chosen from a select group of cities to participate in the initiative.
- The University of Chicago has requested data from the Charlotte-Mecklenburg Police Department (CMPD) to use to develop analytical tools to track and identify areas requiring training to provide for improved policing practices.
- Some of the data requested includes personnel records, which can be released by the City Council, pursuant to North Carolina G.S. 160A-168(c2), for academic institutions for statistical, research, or teaching purposes when the institution certifies that no information will be released, which would identify any employees.
- The proposed Agreement between the University of Chicago and CMPD to produce the requested data, which is attached, contains the required certification.
- The result of this research will assist CMPD in developing and implementing training for officers to insure the training corresponds to current issues facing officers based on factors identified.
- CMPD will receive a non-exclusive, royalty-free license to use the software developed from this research at no cost.
- CMPD seeks City Council approval of access to personnel records by the University of Chicago subject to the limitations imposed in the attached Agreement and Certification.

Fiscal Note

- Funding: Not Applicable

Attachment 16

[University of Chicago Research Project Agreement, Description, and Certification](#)

28. Police Janitorial Services Contract Extension

Action: Authorize the City Manager to extend the existing contract with Sizemore, Inc., for janitorial services at Charlotte-Mecklenburg Police Department Headquarters and Police/Fire Training Academy for seven months.

Staff Resource(s): Lisa Goelz, Police
Mike Bedard, Police
Diane Overstreet, Fire

Explanation

- On October 11, 2010, the City Council approved a contract with Sizemore, Inc. for an initial term of three years and two, one-year renewals for janitorial services for the Charlotte-Mecklenburg Police Department Headquarters and the Police and Fire Training Academy.
- The service provider performs all cleaning services and provides all materials, equipment, paper products, and supervision to maintain each facility.
- The contract term expires on November 2, 2015.
- The Management & Financial Services Department will solicit for Citywide janitorial services contract with an estimated execution date of June 1, 2016.
- Extending the contract with Sizemore, Inc. will allow the Police Department to join other facilities in the Citywide solicitation, providing further opportunities for volume discounts, M/W/SBE Utilization, and greater flexibility of vendors.
- Estimated contract expenditures are \$213,026 for the remaining seven months of the contract.

Selection Process

- On August 10, 2010, the City issued a Request for Proposal (RFP) for janitorial services. In response to the RFP, the City received 15 proposals from interested service providers.
- The Project Team, consisting of staff from Procurement Management, Police, and the Fire Departments, evaluated the proposals and recommended award of the contract to Sizemore, Inc. as the service provider best meeting the City's needs in terms of qualifications, experience, and cost effectiveness.

Charlotte Business INclusion

The City negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). For this contract extension, Sizemore Inc. has committed 3.21% of the total contract amount to the following certified firms:

- KS Image Solutions (SBE)(uniforms)
- Mobley's Professional Cleaning Services (SBE, MBE)(carpet cleaning)

Fiscal Note

- Funding: Police Operating Budget

29. Resurfacing Contract for Fiscal Year 2015

Action:

A. Award a unit price contract in the amount of \$4,628,028.90 to the lowest responsive bidder Blythe Construction, Inc. for the Resurfacing Fiscal Year 2015-A project for a term of one year, and

B. Authorize the City Manager to approve up to two renewals in the amount not to exceed the original contract amount.

Staff Resource(s): Charles Jones, Transportation
Bryan Tarlton, Engineering & Property Management

Explanation

- The 2015-A resurfacing contract will pave an estimated 85 lane miles.
- Mileage paved is dependent upon asphalt price stability throughout the contract.
- The 2015-A contract will target streets with pavement failures contributing to the development of potholes.
- The contract work includes:
 - Traffic control,
 - Asphalt and concrete pavement milling,
 - Base failure repair,
 - Asphalt surface treatment,
 - Utility adjustments,
 - Manhole frame and cover replacements,
 - Wheelchair ramp construction and repair,
 - Sidewalk repair and maintenance,
 - Asphalt paving, and
 - Pavement marking.
- On April 27, 2015, an Invitation to Bid was advertised; five bids were received from interested service providers. Blythe Construction, Inc. was the lowest responsive bidder.
- The contract, in conjunction with resurfacing contracts approved by the City Council on March 24, 2014, and May 27, 2014, will pave an estimated 162 lane miles during calendar year 2015.
- The attachment represents the streets that are scheduled for paving activities through the end of calendar year 2015. This list by City Council district includes streets remaining from the 2014 contracts and those included in this action.
- Street resurfacing for 2015 is scheduled to be completed by mid-October 2015, depending on weather conditions.
- Staff anticipates bringing the Fiscal Year 2016 contract to the City Council for consideration in fall 2015.

Background

- Resurfacing is the most effective treatment to preserve and maintain the condition of streets within the City of Charlotte.
- Timely resurfacing of streets improves ride quality, reduces the occurrence of potholes, and reduces the need for more costly repairs in the future.
- Streets are selected for repaving based on a pavement condition rating and recommendations from a pavement analysis system, which uses formulas based on the budget, pavement life expectancy, and overall pavement condition impacts.

- Staff also evaluates streets for distresses and other conditions that may benefit from resurfacing as well as review documented resident and business concerns.
- Coordination with other City projects occurs to provide economies of scale on cost for project-level resurfacing.

Charlotte Business INclusion

Established SBE Goal: 22.00%

Committed SBE Goal: 22.34%

Blythe Construction, Inc. exceeded the established subcontracting goal, and has committed 22.34% (\$1,033,934.90) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Dot Construction, Inc. (SBE) (\$486,245) (concrete, structure adjust)
- All Points Trucking, Inc. (SBE) (\$306,000) (hauling)
- Martin Resources, LLC (SBE) (\$204,000) (hauling)
- RAM Pavement Services, Inc. (SBE) (\$37,689.90) (pavement marking)

Fiscal Note

- Funding: Powell Bill Street Maintenance Fund

Attachment 17

[List of Streets](#)

30. Private Developer Funds for Traffic Signal Improvements

Action: **A. Authorize the City Manager to execute a Developer Agreement between the City of Charlotte and Providence Road Farms, LLC, and**

B. Adopt a budget ordinance appropriating \$388,500 in private developer funds for traffic signal improvements.

Staff Resource(s): Scott Putnam, Transportation

Explanation

- The \$388,500 in private developer funding is restricted to traffic signals/upgrades and related work associated with a developer project.
- Providence Road Farms, LLC is fully funding traffic signal modifications and new traffic signal installations to mitigate traffic impacts of their development project in accordance with conditional site plan commitments for rezoning petition 2013-085/Matthews Farm approved by the City Council on April 28, 2014.
- Providence Road Farms, LLC contributed \$388,500 for traffic signal modifications at the Interstate-485 Outer Loop/Providence Road intersection and steel pole traffic signal installations at the Golf Links Drive/Providence Road and Ardrey Kell Road/Providence Road intersections.
- Payment made by the developer is in response to estimates of work prepared by Charlotte Department of Transportation and supplied to the developer.
- Any funding contributed by the developer for a signal project that is unused by the City will be refunded after project completion.

Fiscal Note

- Funding: Developer Contributions

Attachment 18

[Map](#)

[Budget Ordinance](#)

31. Bojangles Coliseum Interior Renovations

- Action:**
- A. Award a contract in the amount of \$3,281,095 to the lowest responsive bidder Encompass Building Group for the Bojangles' Coliseum Phase 1A – Interior Renovation project,**
 - B. Award a contract in the amount of \$1,090,950 to the lowest responsive bidder Edison Foard Construction Services, Inc. for the Bojangles' Coliseum Phase 1C – Charlotte Checkers Locker Room Upfit, and**
 - C. Approve an increase in the City contract #1200803 with Inter Technologies Corporation in an amount not to exceed \$600,000 for the purchase of a new audio system.**

Staff Resource(s): William Haas, Engineering & Property Management
 Steve Bagwell, Charlotte Regional Visitors Authority
 Tera Black, Charlotte Checkers

Explanation

- 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.
- On March 20, 2015, the Engineering & Property Management Department advertised Invitations to Bid on Phase 1 interior renovations.
 - On March 27, 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 March 31, 2015, an additional site walk-through was conducted by Engineering & Property Management's Charlotte Business INCLUSION liaisons to afford SBE and MBE certified contractors an additional opportunity to meet the project team and interested primes, review draft plans and specifications, discuss subcontracting opportunities and MSBE subcontracting goals, and to tour the facility.
 - By bid closing, the City did not receive the minimum number of bids as required by North Carolina General Statute 143-129.
 - On April 14, 2015, the projects were re-advertised.
- Phase 1 renovation projects will prepare the facility for the Charlotte Checkers 2015 season.

Action A

- On April 22, 2015, three bids were received from interested general contractors.
- Encompass Building Group was identified as the lowest responsive bidder.
- The Phase 1A Interior Renovation project includes:
 - New facades on the concession booths,
 - Renovations to five auxiliary dressing rooms,
 - Renovations to the event-level hospitality space,
 - Epoxy floor paint in the seating bowl,
 - Sports lighting and controls,
 - Handrails going up the steps within the seating bowl, and
 - Asbestos removal.
- Construction on this project is expected to be complete prior to the start of the Checkers season.

Action B

- On April 14, 2015, three bids were received from interested general contractors.
- Edison Foard Construction Services, Inc. was identified as the lowest responsive bidder.
- The Phase 1C Charlotte Checkers Locker Room Upfit project includes:
 - Training rooms,
 - Coaches offices,
 - Lockers,
 - Equipment storage, and
 - Increased ventilation.
- Construction on this project is expected to be complete prior to the start of the Checkers season.

Actions C

- The existing audio system is in poor condition. Event producers typically rent audio equipment for their specific show because the existing system provides poor quality and is unreliable.
- The new audio system will allow for more flexibility with configurations required for various events, change settings and system controls.
- The new audio system will be used for sporting events, graduation ceremonies and other events held at the coliseum.
- Inter Technologies Corporation, Inc. has a national contract awarded through the Charlotte Cooperative Purchasing Alliance (CCPA) program that offers competitively obtained contracts to public agencies and non-profits. The cooperative purchase is made through contract R5195.
- On March 26, 2012, the City Council approved a contract with Inter Technologies and eight other vendors to provide technology products in the aggregate estimated annual amount of \$1,500,000. Additional funds are needed for the Inter Technologies contract for the purchase of the new audio system.

Future Action

- The City Council will be asked to approve additional Phase 1 items at the July 27 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.

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 Arena, a move that is supported by the Charlotte Hornets.
- It improves and solidifies the business model for the Coliseum.
- The Checkers can go back home to where they started in Charlotte.

- It creates economic vitality in the Independence Boulevard corridor.
- The agreement between CRVA and the Checkers includes:
 - The team will begin 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: 18.00%

Committed SBE Goal: 18.10%

Encompass Building Group, Inc. exceeded the established SBE subcontracting goal, and has committed 18.10% (\$594,010) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- All-Pro Builders & Restorations, LLC (SBE, MBE) (\$450,000) (construction Service)
- Clear Site Industrial (SBE) (\$137,290) (demolition)
- Mr. Clean Maintenance Company (SBE, MBE) (\$6,720) (cleaning)

Established MBE Goal: 7.00%

Committed MBE Goal: 13.92%

Encompass Building Group, Inc. exceeded the established MBE subcontracting goal, and has committed 13.92% (\$456,720) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- All-Pro Builders & Restorations, LLC (SBE, MBE) (\$450,000) (construction Service)
- Mr. Clean Maintenance Company (SBE, MBE) (\$6,720) (cleaning)

Action B

Established SBE Goal: 12.00%

Committed SBE Goal at time of Bid: 2.67%

Committed SBE Utilization to date: 5.09%

Edison Foard Construction Services, Inc. failed to meet the established SBE subcontracting goal, but earned the minimum Good Faith Effort Points (Part B: Section 5 of the Charlotte Business INclusion Policy). Edison Foard Construction Services, Inc. committed 2.79% (\$30,497) of the total contract amount to the following certified firms:

- Stevens Interiors, Inc. (SBE) (\$30,497) (drywall)

Subsequent to Bid Opening, Edison Foard has committed an additional 2.29% (\$25,000) to the following SBE firm for a total of 5.09% (\$55,497):

- Environmental Heating & Air (SBE) (\$25,000) (HVAC controls)

A further detailed summary of the Good Faith Efforts is attached.

Established MBE Goal: 5.00%

Committed MBE Goal at time of bid: 20.93%

Committed MBE Utilization to date: 41.81%

Edison Foard Construction Services, Inc. exceeded the established MBE subcontracting goal, and has committed 20.93% (\$228,300) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INCLUSION Policy):

- Superior Mechanical Systems, Inc. (MBE) (\$228,300) (HVAC)

Subsequent to Bid Opening, Edison Foard has committed an additional 20.89% (\$227,876) to the following MBE firm for a total of 41.81% (\$456,176):

- Republic Electric Co. (MBE) (\$227,876) (electrical)

Actions C

This is a cooperative purchasing contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INCLUSION Policy).

Fiscal Note

- Funding: Convention Center Capital Project Fund

Attachment 19

[Bojangles Coliseum Renovation – City Council Action Summary \(rev. 1\)](#)

[Good Faith Effort Summary](#)

32. CATS Bus Stop Improvements for Fiscal Year 2015 – Contract B

Action: Award a contract in the amount of \$129,317.50 to the lowest responsive bidder Armen Construction, LLC for the CATS bus stop improvements for Fiscal Year 2015 – Contract B.

Staff Resource(s): Becky Chambers, Engineering & Property Management
Steve Warren, CATS

Explanation

- The project will construct improvements to bus stops at various locations throughout the City. The improvements will provide for the Americans with Disabilities Act compliant concrete waiting pads, a minimum of 5x8-foot in size.
- On March 4, 2015, an Invitation to Bid was advertised; two bids were received from interested service providers.

Award to the Lowest Responsive Bidder

- Staff recommends the contract be awarded to the lowest responsive bidder Armen Construction, LLC.
- The apparent low-bidder, The Huffstetler Group, Inc., did not meet the established DBE goal or the Good Faith Efforts, therefore was not compliant with the Disadvantaged Business Enterprise Program.
- Staff recommends the bid of \$96,197.50 from The Huffstetler Group, LLC be rejected as non-responsive.

Disadvantaged Business Enterprise

Established DBE Goal: 6.2%

Committed DBE Goal: 100%

Armen Construction, LLC met and exceeded the established DBE goal and has committed 100% (\$129,317.50) of the total contract amount. Armen Construction is a DBE, MBE, and SBE contractor.

- Armen Construction, LLC (DBE, MBE, SBE) (\$129,317.50) (all work)

Fiscal Note

- Funding: CATS Community Investment Plan

33. Prosperity Village Northwest Arc Phase B

Action: Award a contract in the amount of \$2,690,175.30 to the lowest responsive bidder Carolina Cajun Concrete, Inc. for the Prosperity Village Northwest Arc Phase B.

Staff Resource(s): Dan Leaver, Engineering & Property Management

Explanation

- The Prosperity Village Northwest Arc Phase B project will construct the northwest part of the thoroughfare providing access to the Interstate-485 westbound on-ramp and eastbound off-ramp in the Prosperity Village area. The project is not essential to the interchange functionality but will enhance the road network when completed.
- Phase B will include construction of Benfield Road north of Ridge Road Extension, Summer Creek Lane extension, and widening on existing Prosperity Church Road.
- The construction work involves:
 - Installation of concrete curb and gutter,
 - Sidewalk,
 - Driveways,
 - Storm drainage,
 - Asphalt pavement,
 - Pavement markings, and
 - Utility modifications.
- On April 9, 2015, the City advertised an Invitation to Bid for the Prosperity Village Northwest Arc Phase B project; four bids were received from interested service providers.
- Carolina Cajun Concrete, Inc. was the lowest responsive bidder.
- Funding for this project is related to the Prosperity Church Road Northwest Arc funding approved at the Council Business Meeting on July 22, 2013.
 - This project is eligible for reimbursement of up to 80% through the Federal Surface Transportation Program-Direct Attributable funding. The remaining 20% will be paid by the City.
- Construction is expected to be completed by second quarter 2016.

Disadvantaged Business Enterprise (DBE)

Established DBE Goal: 11.00%

Committed DBE Goal: 60.01%

Carolina Cajun Concrete, Inc. exceeded the established DBE goal and has committed 60.01% (\$1,614,491.30) of the total contract amount to the following certified DBE firms:

- Carolina Cajun Concrete, Inc. (DBE, SBE) (\$1,500,555) (remaining items).
- Ground Effects (DBE, SBE) (\$39,750.30) (pavement marking)
- On Time Construction (DBE, SBE, MBE) (\$39,186) (masonry drainage structures)
- Streeter Trucking (DBE, SBE, MBE) (hauling) (\$35,000)

Fiscal Note

- Funding: Transportation Community Investment Plan

Attachment 20

[Map](#)

34. Time Warner Cable Arena Upgrades

Action: Award a contract in the amount of \$1,979,865.30 to the lowest responsive bidder Comprehensive Technical Group, LLC for the Time Warner Cable Arena Upgrades Video Replay Control Room RF Distribution – TV Display.

Staff Resource(s): William Haas, Engineering & Property Management
Steve Bagwell, Charlotte Regional Visitors Authority

Explanation

- On September 8, 2014, the City Council approved \$27.5 million in capital investment for the Time Warner Cable Arena. The capital plan will be completed over the course of five years with most of the improvements performed in the summers of 2015-2019.
- The action will enable the Arena operator to broadcast “in-house” video in high-definition. The scope includes:
 - Removal of the existing standard definition video system;
 - Removal of approximately 550 televisions;
 - Installing a new high-definition video and video replay system feeding the in-house broadcast system, center hung displays, and video displays throughout the arena; and,
 - Installing approximately 550 high-definition televisions throughout the facility.
- On April 28, 2015, the Engineering & Property Management Department advertised Invitations to Bid on the Time Warner Cable Arena Video Replay Control Room RF Distribution–TV Display.
- On May 5, 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 May 19, 2015, a bid opening occurred with a total of three bids received from interested service providers.
- On June 22, the City Council will be asked to approve an additional construction contract for work to be completed before the Hornets season begins.
- Construction is expected to be complete by fourth quarter 2015.

Award to the Lowest Responsive Bidder

- Staff recommends the contract be awarded to the lowest responsive bidder Comprehensive Technical Group.
- The apparent low-bidder, AFL Network Services, LLC, did not comply with the bid requirements and did not sign the Bid Form.
- Staff rejected the bid from AFL Network Services, LLC as non-responsive.

Background

- On November 24, 2014, the City Council authorized the City Manager to award an architectural contract to AECOM of NC, Inc. for design services related to the capital plan. The design and administration services will improve areas, such as refurbishment of interior finishes, seating bowl modifications, scoreboard replacement, and facility operational improvements.
- The improvements will allow the Arena to maintain multi-use venues, competitiveness, and operational reliability well into the future.

Charlotte Business INclusion

Established SBE Goal: 5.00%

Committed SBE Goal: 8.59%

Comprehensive Technical Group, LLC exceeded the established SBE subcontracting goal, and has committed 8.59% (\$170,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Carrothers Enterprise, LLC (SBE/MBE) (\$170,000) (labor & install)

Established MBE Goal: 5.00%

Committed MBE Goal: 8.59%

Comprehensive Technical Group, LLC exceeded the established MBE subcontracting goal, and has committed 8.59% (\$170,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Carrothers Enterprise, LLC (SBE/MBE) (\$170,000) (labor & install)

Fiscal Note

- Funding: Tourism Capital Project Fund

Attachment 21

[Time Warner Cable Arena – City Council Action Summary](#)

35. Rodman Street Storm Drainage Repair

Action: Award a contract in the amount of \$488,708 to the lowest responsive bidder OnSite Development LLC for the 3110 Rodman Street storm drainage maintenance and repair project.

Staff Resource(s): Stewart Edwards, Engineering & Property Management

Explanation

- The project will improve the storm drainage infrastructure on multiple properties to reduce flooding of streets and homes in the Grier Heights neighborhood on Rodman Street between Burkland Drive and Wheatley Avenue.
- This work will include:
 - Improvement of 300 linear feet of storm drainage system,
 - Installation of box culvert,
 - Replacement of curb, gutter, and sidewalk,
 - Asphalt pavement replacement, and
 - Relocation of utilities.
- On March 31, 2015, the City advertised an Invitation to Bid for 3110 Rodman Street; five bids were received from interested service providers.
- OnSite Development, LLC was the lowest responsive bidder.
- Construction is expected to be complete first quarter 2016.

Charlotte Business INclusion

Established SBE Goal: 11%

Committed SBE Goal: 17.14%

Onsite Development, LLC exceeded the established SBE subcontracting goal, and has committed 17.14% (\$83,760) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc. (SBE) (\$19,000) (concrete)
- Axiom Foundations, LLC (SBE) (\$18,000) (foundations)
- MTS Trucking Inc. (SBE, MBE) (\$15,000) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$15,000) (hauling)
- B&N Grading, Inc. (SBE) (\$9,000) (paving)
- JV Trucking (SBE) (\$7,760) (hauling)

Established MBE Goal: 6%

Committed MBE Goal: 6.14%

Onsite Development, LLC exceeded the established MBE subcontracting goal, and has committed 6.14% (\$30,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- MTS Trucking Inc. (SBE, MBE) (\$15,000) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$15,000) (hauling)

Fiscal Note

- Funding: Storm Water Community Investment Plan

Attachment 22

[Map](#)

36. Oak Lake Boulevard Storm Drainage Repair

Action: Award a contract in the amount of \$374,696.91 to the lowest responsive bidder OnSite Development, LLC for the 3232 Oak Lake Boulevard Storm Drainage Maintenance and Repair project.

Staff Resource(s): Stewart Edwards, Engineering & Property Management

Explanation

- The project will replace failed storm drainage infrastructure under a public roadway located in an area near Tyvola Road and Yorkmont Road in southwest Charlotte.
- The work will include:
 - 1,500 linear feet of pipe lining,
 - Improvement of 203 linear feet of storm drainage system,
 - Curb and gutter,
 - Concrete sidewalk,
 - Asphalt pavement replacement, and
 - Erosion control measures.
- On March 17, 2015, the City advertised an Invitation to Bid for 3232 Oak Lake Boulevard; two bids were received from interested service providers.
- OnSite Development, LLC was the lowest responsive bidder.
- Construction is expected to be complete first quarter 2016.

Charlotte Business INclusion

Established SBE Goal: 11%

Committed SBE Goal: 11.29%

Onsite Development, LLC exceeded the established subcontracting goal and has committed 11.29% (\$42,300) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- B&N Grading, Inc. (SBE) (\$24,000) (paving)
- R.R.C. Concrete, Inc. (SBE) (\$6,800) (concrete)
- JV Trucking (SBE) (\$5,750) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$5,750) (hauling)

Fiscal Note

- Funding: Storm Water Community Investment Plan

Attachment 23

[Map](#)

37. Brentwood Storm Drainage Improvement, Phase 2

Action: Approve change order #1 in the amount of \$2,029,703.39 with Zoladz Construction Company, Inc. for the Brentwood Storm Drainage Improvement project, Phase 2.

Staff Resource(s): Jennifer Smith, Engineering & Property Management

Explanation

- The Brentwood Storm Drainage Improvement project is one of five flood control projects that began construction in Fiscal Year 2014.
- Change order #1 in the amount of \$2,029,703.39 will provide funds to accommodate major items for this project:
 - Rock Removal – The actual amount of rock to be removed from the site for the storm drainage installation was higher than estimated based on the subsurface analysis.
 - Select Material - The increase in volume of rock encountered and the poorly graded composition of the remaining on-site soil did not meet the backfill specification, thus reducing the amount of suitable on-site material planned for use as backfill. In addition, the designer underestimated the original quantity of select material.
 - Asphalt Milling – The actual amount of asphalt to be milled was higher than estimated due to the irregularly sloped surface of the roadway. To return the roadway to the proper slope, additional milling was necessary.
 - Installation of the redesigned dual 54-inch pipe under Norfolk Southern Railroad that was originally part of Brentwood Storm Drainage Improvement project Phase 1.
- The change order will not change the scheduled project completion date of second quarter 2016.
- The total construction contract amount for Phase 2, including change order #1, is \$9,540,714.98.
 - The estimated cost for both phases of the Brentwood Storm Drainage Improvement project was \$11,961,318.08.
 - The cost of Phase 1 plus Phase 2, including the proposed change order, is \$1,352,863 below the project estimate.
 - If the Phase 2 project estimate was updated with the adjusted quantities, and based on unit bid prices, Zoladz would remain the low-bidder.

	Project Estimate	Bid Price	Anticipated Final Cost	Over/(Under) Project Estimate
Phase 1	\$2,025,318	\$1,941,837	\$1,067,740	(\$957,578)
Phase 2	\$9,936,000	\$7,511,012	\$9,540,715	(\$395,285)
Total	\$11,961,318	\$9,452,849	\$10,608,455	(\$1,352,863)

Background

- The Brentwood Storm Drainage Improvement project was originally proposed as one construction contract. Due to concerns of pavement stability at Remount Road, the project was broken into two phases.
 - On July 22, 2013, the City Council awarded \$1,941,837.46 to Ferebee Corporation for Phase 1; and on August 26, 2013, awarded \$7,511,011.59 to Zoladz Construction for Phase 2.
- The boundaries of Brentwood Phase 2 are Remount Road to the south, Remount Road and Weyland Avenue to the west, Barringer Drive to the east, and Marlowe Avenue to the north. Phase 1 is surrounded by Phase 2.
- Phase 1 work included installation of 140 feet of dual 54-inch pipe under the Norfolk Southern Railroad. All work scoped in Phase 1 was completed by Ferebee Corporation, except for the pipe under the railroad and incidental items necessary to restore the property.
 - While conducting the pipe installation work, Ferebee Corporation discovered material under the railroad, which required a different pipe installation method, thus forcing a shutdown of Phase 1. Ferebee proposed an alternative method; however, during the evaluation, City staff proposed a different alternative method. City staff and Ferebee Corporation were unable to reach an agreement on cost and scope for either of the alternative methods.
 - At that time, Zoladz Construction Company, Inc. offered a quote for the second alternative method and to complete the unfinished work on Phase 1.
 - In February 2014, the City and Ferebee Corporation mutually agreed to release the company from the remaining work.
 - City staff evaluated the proposal from Zoladz Construction Company, Inc. and recommends that the remaining Phase 1 work be added to the Phase 2 contract.

Charlotte Business INclusion

All additional work involved in this change order will be performed by Zoladz and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy). Zoladz has committed 14.04% (\$285,000) of the total change order amount to the following certified firms:

- Trull Contracting (SBE, WBE) (\$250,000) (asphalt)
- All Points Trucking (SBE) (\$35,000) (hauling)

Fiscal Note

- Funding: Storm Water Community Investment Plan

Attachment 24

[Map](#)

38. Engineering Services for Various Storm Drainage Improvement Projects

Action: Approve five contracts for engineering analysis and design services for various storm drainage improvement projects for five years each with the following consultants:

- Mulkey Engineers & Consultants (\$1,250,000),
- Dewberry Engineers Inc. (\$1,250,000),
- LandDesign, Inc. (\$1,250,000),
- Hazen and Sawyer, P.C. (\$1,250,000), and,
- Kimley-Horn and Associates, Inc. (\$1,250,000).

Staff Resource(s): Stewart Edwards, Engineering & Property Management

Explanation

- The consultants will provide engineering analysis and design services for various storm drainage maintenance and repair projects (AI, A, and B priority requests for service), ranging from single property repairs to area-based drainage problems.
- Specific tasks associated with the services shall include, but are not limited to:
 - Coordination with property owners,
 - Site assessment activities,
 - Hydrologic and hydraulic analysis,
 - Determination of alternatives to address the applicable drainage issues,
 - Recommendation of a preferred solution,
 - Evaluation of downstream impacts,
 - Preparation construction drawings, and
 - Provision of assistance as needed throughout construction.
- Work assignments will be generated in response to requests for services received by City Storm Water Services from task orders issued by the project manager.
- On December 1, 2014, the City advertised a Request for Qualifications for engineering services; 28 proposals were received and 6 firms were selected for project work.
- Only five firms are included in this request. A request for Council Action on the sixth contract will be submitted at a later date.
- The use of consultants allows their specific expertise to be matched to the appropriate projects on a task-order basis.
- City staff evaluated the proposals and recommends the selection of the top six ranked firms.

Charlotte Business INclusion

The City negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Each of the Prime consultants have included MWSBEs on its project team, and for each work order issued committed 10.00% of their total contract amounts to the following certified firms:

Mulkey Engineers & Consultants Inc.

- Hinde Engineering (SBE) (utility relocation)
- Capstone Civil Group (SBE, MBE) (geotechnical)
- Carolina Wetland Services Inc.(SBE, WBE) (stream restoration)

Dewberry Engineers Inc.

- Carolina Wetland Services Inc. (SBE, WBE) (environmental services)
- R. Joe Harris & Associates, PLLC (SBE) (surveying)
- Avioimage Mapping Services (SBE) (aerial photography)

LandDesign, Inc.

- LDSI, Inc. (SBE) (surveying)
- Barry Lambert Engineering, PC (SBE) (structural engineering)
- Lyons Utility Locating, LLC (SBE) (utility locate)

Hazen and Sawyer, P.C.

- Joel E. Wood & Associates, PLLC (SBE) (geotechnical)
- Carolina's Wetland Services, Inc. (SBE, WBE) (permitting)
- Survey & Mapping Control, Inc. (SBE) (surveying)

Kimley-Horn and Associates, Inc.

- James Mauney & Associates, P.A. (SBE) (survey and mapping)
- Hinde Engineering, Inc. (SBE) (utility coordination)
- Boyle Consulting Engineers, PLLC (SBE) (geotechnical)
- CMW Design Strategies, PLLC (SBE) (landscape architecture)
- Barry D. Davis Surveying, LLC (SBE) (survey and mapping)

Fiscal Note

- Funding: Storm Water Community Investment Plan

39. Airport Fixed Based Operator Management Agreement

- Action:**
- A. Approve a two-year agreement with Wilson Air Center-North Carolina, LLC as the Fixed Based Operator Services Manager at Charlotte Douglas International Airport, and**
 - B. Authorize the City Manager to extend the contract for five additional, one-year terms with possible price adjustments as stipulated by the contract at the time of renewal.**

Staff Resource(s): Brent Cagle, Aviation

Explanation

- In March 2004, the Airport advertised for Fixed Based Operators (FBO) to provide services at the Airport to meet the needs of private and corporate aviation tenants.
- On October 11, 2004, the City Council approved a management contract with Wilson Air Center for an initial five-year term with the option to extend the agreement for an additional five years.
- The contract is for staffing and expertise to provide FBO services including management of hangar leases, fueling, and providing amenities to locally-based and itinerant aircraft operators at the Airport.
- For these services, Wilson Air Center-North Carolina, LLC will receive an annual management fee of \$250,000, an incentive fee of 5% of the surplus revenues generated, and will be eligible for an additional 1% service incentive fee if certain service metrics are accomplished.
- The Airport is currently undertaking a significant master planning effort, which includes analysis for long-range growth and development of the FBO area. The study is examining capacity, facility development and construction, and forecasting to meet future needs. During this period of growth and expansion, the Airport would like to maintain continuity of service with Wilson Air Center.
- Wilson Air Center is currently one of the top ranking FBOs in the country contributing the Airport's success. The one year renewal terms allow the airport maximum flexibility for the future.
- The services provided by Wilson Air Center will generate approximately \$3 million in net revenue annually to the Airport.

Charlotte Business INclusion

All additional work involved in this contract amendment will be performed by Wilson Air Center-North Carolina, LLC and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy). For this contract, Wilson Air Center-North Carolina, LLC has committed 15.32% (\$185,200) of the qualifying projected operational expenses to the following certified firms:

- Commercial Flooring Solutions – Charlotte, LLC (WBE) (\$108,200) (carpet/floor cleaning)
- Chef Charles Catering (SBE)(\$70,000) (catering services)
- SAFETYMART (SBE, WBE) (\$7,000) (safety equipment & supplies)

Fiscal Note

- Funding: Aviation Operating Budget

40. Airport Firefighting Vehicles

Action: Award a unit price contract with Oskosh Airport Products, LLC for the purchase of two Aircraft Rescue Firefighting vehicles.

Staff Resource(s): Jack Christine, Aviation

Explanation

- The Airport is required by Federal Aviation Regulations (FAR) to provide Aircraft Rescue and Fire Fighting (ARFF) equipment on the airfield for aircraft operations. Charlotte Fire Department staffs the two stations located on the Airport's airfield.
- The amount of ARFF equipment required is determined by an index based on the size and frequency of aircraft operating at the airport. Based on current operations, the Airport is required to have at least three ARFF vehicles with a combined water capacity of at least 4,000 gallons and 500 lbs. of extinguishing agent. In an emergency, the first vehicle must arrive at the scene within three minutes and the other two vehicles within four minutes.
- The ARFF vehicles being replaced are each over 20 years old and have reached the end of their useful life.
 - These vehicles were approved as part of the City's Fiscal Year 2015 Capital Replacement Equipment List.
 - The total estimated cost is \$1,274,060.
- On April 17, 2015, the Aviation Department issued an Invitation to Bid for the ARFF vehicles; three bids were received from interested service providers.
- Oskosh Airport Products, LLC was the lowest responsive, responsible bidder.
- The unit prices are set forth in the proposed contract and are available upon request.
- The Aviation Department intends to seek reimbursement for 75% of the equipment cost from a Federal Aviation Administration Airport Improvement Program Grant, and the remainder from the Passenger Facility Charge Fund.

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

41. CATS Credit Card Transaction Services Contract Renewal

- Action:**
- A. Approve a unit price contract renewal with Elavon, Inc. to provide on-going credit card transaction services for a term of one year, and**
 - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments at the time of renewal based on satisfactory performance and current support needs of the system.**

Staff Resource(s): Dee Pereira, CATS
Shyry Greene, CATS
Robert Campbell, Management & Financial Services

Explanation

- CATS currently contracts with Elavon, Inc. to process credit card transactions on LYNX Blue Line ticket vending machines.
- In September 2013, the City Manager approved the contract with Elavon, Inc. for \$96,500. The contract authorized Elavon, Inc. to process credit card transactions from ticket vending machines on light rail platforms.
- On July 28, 2014, the City Council approved contract amendment #1 in the amount of \$54,500 with Elavon, Inc., which increased the annual amount of the contract to \$151,000.
- In order to reduce the per-transaction cost and align with Citywide credit card transaction processing services, CATS planned to use a state contract to procure credit card processing services through First Data Merchant Services. However, after extensive discussions, the identified gateway provider for First Data could not provide the required compliance standards to allow CATS the ability to transition to First Data's processing services.
- CATS is currently evaluating new gateway providers and technology compatibility options, which will delay the transition to the bank used by other City departments.
- Due to the extended project timeline to negotiate additional lower cost, technology compatible options for this service, and the expiration of funding for the current contract, CATS requests approval to renew the contract with Elavon, Inc. This contract renewal will provide for an extension of on-going services to process credit card transactions.
- The estimated annual expenditures for on-going credit card transaction services is \$180,000.

Charlotte Business INclusion

No subcontracting goals were established for this contract renewal because there are no opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy.)

Fiscal Note

- Funding: CATS Operating Budget

42. Ultra-Low Sulfur Diesel Fuel

- Action:**
- A. Award a unit price contract with the lowest responsive bidder James River Solutions for the purchase of Ultra-Low Sulfur Diesel fuel on a fixed-price basis for an initial term of two years,**
 - B. Award a unit price contract with the lowest responsive bidder Mansfield Oil Company for the purchase of Ultra-Low Sulfur Diesel fuel on a variable index-price basis for an initial term of two years, and**
 - C. Authorize the City Manager to renew either or both contracts for up to three additional, one-year terms.**

Staff Resource(s): Larry Kopf, CATS
Edward Pullan, CATS

Explanation

- CATS manages fuel purchases using both fixed-price forward and variable index-price methods, in order to ensure a consistent supply of fuel for bus operations and to reduce price volatility. These methodologies are standard practice in an industry where prices are volatile.
- Fixed-price purchasing provides cost stability, whereas variable index-price purchasing enables CATS to take advantage of favorable fuel market price conditions. Using these practices has resulted in fuel purchases below the established budget projections in the past.
- On March 13, 2015, CATS publicly advertised an Invitation to Bid for both fixed-price and variable index-price diesel fuel supply contracts; 10 bids were received from interested providers.
- James River Solutions was selected as the lowest responsive, responsible bidder for the fixed price contract.
- Mansfield Oil Company was selected as the lowest responsive, responsible bidder for the variable index price contract.
- The annual expenditure for diesel fuel through both contracts is estimated to be \$12,200,000 (\$7,000,000 fixed-price; \$5,200,000 variable index-price).

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: CATS Operating Budget

43. CATS Operations – South Tryon Facility Lighting Upgrade

Action: Award a contract in the amount of \$305,594.78 to the lowest responsive bidder Lighting Services, Inc. for the replacement and upgrade of the CATS South Tryon Bus Facility light fixtures.

Staff Resource(s): Steve Warren, Facilities Manager

Explanation

- The light fixtures in the CATS South Tryon Bus Facility parking deck and in the bus canopies are beyond their useful life and are in need of replacement.
- The contract with Lighting Services, Inc. will provide for the replacement of the old fixtures with state-of-the-art LED light fixtures.
- The work will include:
 - Removing 346 existing metal halide light fixtures;
 - Replacement with LED light fixtures; and
 - Controls Commissioning.
- On March 11, 2015, the City issued an Invitation to Bid; 10 bids were received from interested replacement service providers.

Award to the Lowest Responsive Bidder

- Staff recommends the contract be awarded to the lowest responsive bidder, Lighting Services, Inc.
- The apparent low-bidder, Watson Electric, did not comply with Buy America certification requirements.
- Staff rejected the bid from Watson Electric as non-responsive.

Disadvantaged Business Enterprise

Pursuant to the Department of Transportation DBE Program, subpart C, no DBE utilization goal was set for this solicitation and resultant because there will be no subcontracting opportunities.

Fiscal Note

- Funding: CATS Community Investment Plan

Funding Source	Amount
Federal Transit Administration Grant NC-04-0046 (80%)	\$244,475.82
CATS Community Investment Plan Local Funding (20%)	\$61,118.96
Total Funding	\$305,594.78

44. Purchase of Aqua North Carolina, Inc. Water and Sewer Systems

Action: Approve a purchase contract in the amount of \$2,520,100 with Aqua North Carolina, Inc. to buy three water and sewer systems in Mecklenburg County.

Staff Resource(s): Barry Shearin, Charlotte Water

Explanation

- Throughout Mecklenburg County there are water and sewer systems that are owned and operated by private companies. Most were constructed in portions of the county where public water and sewer were not available and provide water from wells and sewer service from small treatment plants.
- Charlotte Water has purchased a number of those systems over the past several decades as the City's water and sewer system has grown and is able to easily connect to the privately-owned systems. Further, with many of the purchases funding was available as a part of annexations.
- Charlotte Water has been approached by residents of three systems in the Mint Hill area for consideration to purchase their systems. In one of the systems residents are concerned about water quality, and in all three systems high monthly costs are a concern.
- All three systems provide both water and sewer service. All three systems will be connected to the Charlotte Water system, and one will be connected to the public sewer system allowing the existing treatment plant to be decommissioned. The other two wastewater plants will be operated by Charlotte Water until sewer lines are extended to those areas.
- The estimated cost to make improvements to the systems to add fire hydrants, replace water meters, replace some undersized pipe, and make the connections is \$350,000.
- Connection to the Ashe Plantation neighborhood also requires a water main extension along Lawyers Road that is estimated to cost \$500,000, but does provide opportunity for water service to other properties not currently served. These improvements will be constructed using existing approved contracts.
- The systems are owned by Aqua North Carolina and after discussions with Aqua, they have agreed to sell the systems to Charlotte Water. The negotiated price is comparable to that paid to purchase systems from Aqua North Carolina and Carolina Water Service during the 2009 and 2011 annexations.

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 Community Investment Plan

Attachment 25

[Map](#)

45. Pre- and Post-Blast Surveys & Blast Monitoring Services

Action: Approve three professional services contracts to the following firms for pre and post blast surveys and blast monitoring services:

- Terracon Consultants, Inc. (\$273,891.20),
- Terracon Consultants, Inc. (\$279,429), and
- ECS Carolinas, LLP (\$355,489.63).

Staff Resource(s): Barry Shearin, Charlotte Water

Explanation

- It is anticipated that some rock will be encountered during the construction of four upcoming projects, and that blasting will be required to remove the rock. The general contractor is responsible for the blasting, removal, and disposal of rock and is liable for any property damage resulting from their blasting operations.
- Terracon Consultants, Inc. and ECS Carolinas, LLP will distribute letters to properties within a 500-foot radius of the blasting area, giving the community members the opportunity to have a pre-blast survey. These firms will conduct the surveys to document the condition of the structures prior to blasting. Post-blast surveys will be conducted upon property owner request. These surveys include photographic documentation and condition assessment of affected properties. Public meetings will be held prior to construction to address citizens' concerns regarding blasting, and the overall project.
- Terracon Consultants, Inc. and ECS Carolinas, LLP will also assist the general contractor with damage claim investigations documenting the property owners' area of concern. The findings will be provided in a summary report for the City.
- On December 16, 2014, Charlotte Water issued a Request for Qualifications for pre- and post-blast surveys and blast monitoring services for four projects; five responses were received from interested service providers.
- Charlotte Water staff evaluated the responses and selected Terracon Consultants, Inc. and ECS Carolinas, LLP due to their qualifications and ability to meet the expected construction schedules.
- Terracon Consultants, Inc. will provide services for the following projects:
 - Steele Creek Pumping Station Replacement, \$273,891.20, and
 - Taggart Creek Outfall/Paw Creek Force Main, \$279,429
- ECS Carolinas, LLP will provide services for the following projects:
 - Briar Creek Relief Sewer Phase III, \$355,489.63, and
 - Clarkes Creek, \$45,408.
- Separate contracts are being executed for each project to facilitate better cost accounting for the individual projects.

Charlotte Business INclusion

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

- For the Steele Creek Pumping Station Replacement project, Terracon Consultants, Inc. committed 4.02% (\$11,000) of the total contract amount to Ionian Consulting Services (SBE) (field surveys).
- For the Taggart Creek Outfall/Paw Creek Force Main project, Terracon Consultants, Inc. committed 4.00% (\$11,180) to Ionian Consulting Services (SBE) (field surveys).

- For the Briar Creek Relief Sewer Phase III project, ECS Carolinas, LLP committed 4.00% (\$14,219.59) to Amicus Engineering (SBE) (blast surveys).

Fiscal Note

- Funding: Charlotte Water Community Investment Plan

Attachment 26

[Map](#)

46. Charlotte Water Street Main Engineering Design Contracts

Action: Approve two professional services contracts each in the amount of \$200,000 for street main water and sewer design with:

- Gavel and Dorn Engineering, PLLC, and
- Willis Engineers.

Staff Resource(s): Barry Shearin, Charlotte Water

Explanation

- Charlotte Water designs and constructs water and sewer lines to extend service to new customers as well as to replace lines that are old and leaking.
- To improve response time to customer requests and to address water quality concerns, consultants are used to extend staff during peak times.
- The contract provides preliminary design, final design, and drafting services.
- Staff anticipates each firm will design an estimated 20 projects or approximately 20,000 feet of sewer or water lines during the life of each contract.
- On April 6, 2015, Charlotte Water issued a Request for Qualifications; 10 responses were received from interested service providers.
- Charlotte Water staff evaluated the responses and selected Gavel and Dorn Engineering, PLLC and Willis Engineers based on their experience in providing similar services, timeliness of past projects, and overall qualifications of the key project team members.

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).

Gavel and Dorn Engineering, PLLC and Willis Engineers are both City SBEs.

Fiscal Note

- Funding: Charlotte Water Community Investment Plan

47. Utility Field Surveying Services

Action: Approve a professional services contract in the amount of \$200,000 with Lawrence Associates, PA for surveying services required for the design and construction of water and sewer improvements.

Staff Resource(s): Barry Shearin, Charlotte Water

Explanation

- Charlotte Water uses survey services for design and construction of water and sanitary sewer infrastructure. Periodically the demand for these services exceeds Charlotte Water staff's capacity to perform these tasks in a timely manner.
- The contract will provide surveying services to augment existing in-house surveying staff.
- On April 6, 2015, Charlotte Water issued a Request for Qualifications; seven responses were received from interested service providers.
- Charlotte Water staff evaluated the responses and selected Lawrence Associates, PA based on their experience and available staffing to provide the requested services.
- As a part of this contract, Lawrence Associates, PA will provide the following services:
 - Route surveying and mapping,
 - Construction staking,
 - Easement map preparation, and
 - As-built surveying.

Charlotte Business INclusion

The City negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). For this contract, Lawrence Associates, PA has committed 3.00% (\$6,000) to the following certified firm:

- Avioimage Mapping Services, Inc. (SBE) (\$6,000) (aerial mapping)

Fiscal Note

- Funding: Charlotte Water Community Investment Plan

48. Citywide Interpretation, Translation, Transcription and Related Services

- Action:**
- A. Approve contracts with the following companies for citywide interpretation, translation, transcription and related services for an initial term of three years:**
- Language Line Services, Inc.,
 - Choice Translating, Inc.,
 - Net Transcripts, Inc.,
 - Optimal Phone Interpreters, and
 - Language Resource Center, Inc., and
- B. Authorize the City Manager to amend the contracts 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): Robert Campbell, Management & Financial Services

Explanation

- City departments, including but not limited to Police, Fire, CharMeck 311, CATS, Charlotte Water, Neighborhood & Business Services, and Corporate Communications & Marketing provide citizen services that may require interpretation, translation, transcription, and other related services.
- These services are typically used to assist with interpretation and translation on general as well as emergency communications needs to provide court-certified interpreters, to communicate with the audibly impaired, to perform investigative research and reporting, and/or to provide language proficiency testing to City personnel.
- On March 10, 2015, the City issued a Request for Proposal (RFP) for Interpretation, Translation, Transcription, and Related Services. In response to the RFP, the City received 17 proposals from interested service providers.
- The Project Team, consisting of staff from Management & Financial Services, Police, Fire, and other City Departments, evaluated the proposals and recommends awarding the contracts to the companies detailed in Action Item A, as best meeting the City's needs in terms of qualifications, experience, cost effectiveness, MWSBE utilization, and acceptance of the City's contract terms.
- Translation services are used to provide translation from one language to another in differing forms of media including verbal, audio, and written.
- Transcription services are used to convert audio format to a written format, and include recordings generated in the duties of law enforcement and/or community information.
- Multiple awards are recommended to ensure 24/7 availability, flexibility, and alternative solutions in the provision of services to best fit the particular needs of the City.
- The service providers will be paid a fixed-price based on the type of services provided. A list of each service provider's rate schedule is available upon request.
- Total annual expenditures in the aggregate across all of the above contracts are estimated to be \$125,000.
- City departments have spent approximately 20% or \$25,000 of the estimated annual contract value with Choice Translating, Inc. (SBE) each year over the past several years. Language Resource Center Inc. (SBE), as a new vendor, has no expenditure history with the City.

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).

Choice Translating, Inc., and Language Resource Center, Inc. are certified SBEs.

Fiscal Note

- Funding: Various Department's Operating Budgets

49. 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 \$206,535.56, and**
- B. Adopt a resolution authorizing the refund of business privilege license payments in the amount of \$78.25.**

Staff Resource(s): Robert Campbell, 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 May 11, 2015, totaled \$376,680.57.

Fiscal Note

- Funding: Not Applicable

Attachment 27

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

[List of Business Privilege Refunds and Resolution](#)

50. Meeting Minutes

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

April 06, 2015: Council Workshop
April 08, 2015: Budget Workshop
April 13, 2015: Business Meeting
April 17, 2015: Budget Workshop
April 20, 2015: Zoning Meeting

51. In Rem Remedy

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

The In Rem Remedy item (s) is listed below by category identifying the street address and neighborhood.

Public Safety

- A. 3627 Avalon Avenue (Neighborhood Profile Area 6)
- B. 5117 Elcar Drive (Neighborhood Profile Area 83)
- C. 3316 Fincher Drive (Neighborhood Profile Area 160)
- D. 1408 Montford Drive (Neighborhood Profile Area 393)

Field Observation:

- E. 2606 Bancroft Street (Neighborhood Profile Area 369)
- F. 4835 Hidden Valley Road (Neighborhood Profile Area 371)
- G. 2704 Mayfair Avenue (Neighborhood Profile Area 321)

Public Safety:**A. 3627 Avalon Avenue**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3627 Avalon Avenue (Neighborhood Profile Area 6).

Attachment 28**B. 5117 Elcar Drive**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 5117 Elcar Drive (Neighborhood Profile Area 83).

Attachment 29**C. 3316 Fincher Drive**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3316 Fincher Avenue (Neighborhood Profile Area 160).

Attachment 30**D. 1408 Montford Drive**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1408 Montford Drive (Neighborhood Profile Area 393).

Attachment 31**Field Observation:****E. 2606 Bancroft Street**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2606 Bancroft Street (Neighborhood Profile Area 369).

Attachment 32**F. 4835 Hidden Valley Road**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4835 Hidden Valley Road (Neighborhood Profile Area 371).

Attachment 33

G. 2704 Mayfair Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2704 Mayfair Avenue (Neighborhood Profile Area 321).

[Attachment 34](#)

PROPERTY TRANSACTIONS

52. Sale of Property: 1215 South Boulevard

Action: **A. Adopt a resolution proposing to accept the offer from Lat Purser & Associates to purchase approximately .512 acres and building at 1215 South Boulevard (Parcel Identification Number 123-025-05) for \$1,650,000, and**

B. Authorize the advertisement of the proposed sale for upset bids in accordance with the resolution and authorize the City Manager to execute all documents necessary to complete the sale of the property in accordance with the Resolution.

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

Explanation

- Fire Investigation staff moved from the building at 1215 South Boulevard to the new Fire Administration campus in first quarter 2015.
- An appraisal of the property established the fair market value at \$1,637,300.
- The property was listed for sale on the City's website (<http://cityproperties.charlottenc.gov>), and a "For Sale" sign was posted on the property. Notifications were also sent to brokers and developers who have previously expressed interest in this property.
- Lat Purser & Associates presented the highest initial offer.
- If City Council approves this action, Lat Purser & Associates' offer will be advertised for upset bid based on the following terms and conditions:
 - Purchase price of \$1,650,000,
 - Earnest money deposit of \$82,500,
 - Due diligence period of 75 days,
 - Closing within 30 days after the expiration of the due diligence period and any extensions, and
 - All non-refundable deposits will be applied to the purchase price.
- If there are upset bids, staff will present the highest final bid to the City Council for approval.
- If there are no upset bids, staff will proceed to sell the property to Lat Purser & Associates.

Background

- The building at 1215 South Boulevard was constructed as a fire station in 1958 and has been used for the Fire Investigation unit since a new fire station was built at 1819 South Boulevard, approximately five blocks south of the property.
- The parcel was reviewed through the Departmental Polling and Mandatory Referral processes. No public uses were identified for the property.
- The Planning Committee of the Charlotte-Mecklenburg Planning Commission recommended approval to sell the property for transit-supportive, mixed-use development.

Fiscal Note

- Funding: Proceeds from the sale of the property will be deposited in the General Fund Pay-As-You-Go Community Investment Plan.

Attachment 35

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

53. Sale of Property: 8529 East W. T. Harris Boulevard

Action:

A. Adopt a resolution proposing to accept the offer from Bisharah Libbus to purchase approximately .620 acres of vacant land at 8529 East W. T. Harris Boulevard (Parcel Identification Number 109-171-06) for \$35,000, and

B. Authorize the advertisement of the proposed sale for upset bids in accordance with the resolution and authorize the City Manager to execute all documents necessary to complete the sale of the property in accordance with the Resolution.

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

Explanation

- The property is a vacant remnant parcel near the intersection of Albemarle Road and East W. T. Harris Boulevard, behind the CATS Park and Ride lot.
- An appraisal of the property established the fair market value at \$35,000.
- The property was listed for sale on the City's website (<http://cityproperties.charlottenc.gov>).
- Mr. Libbus presented the highest initial offer.
- If City Council approves this action, Mr. Libbus' offer will be advertised for upset bid based on the following terms:
 - Purchase price of \$35,000,
 - Earnest money deposit of \$1,750,
 - Due diligence period of 14 days,
 - Closing within 30 days after the expiration of the due diligence period, and
 - All non-refundable deposits will be applied to the purchase price.
- If there are upset bids, staff will present the highest final bid to the City Council for approval.
- If there are no upset bids, staff will proceed to sell the property to Mr. Libbus.

Background

- The parcel was purchased with the intention of developing an interchange at East W. T. Harris Boulevard and Albemarle Road. The City opted to choose a more cost effective design, which resulted in this parcel becoming surplus.
- The parcel was reviewed through the Departmental Polling and Mandatory Referral processes. No public uses were identified for the property.
- The Planning Committee of the Charlotte Mecklenburg Planning Commission recommended approval to sell the parcel.
- The property is zoned O-1 (office use) and also can be used for general retail, such as barber shops, beauty salons, and banks.

Fiscal Note

- Funding: Proceeds from the sale of the property will be deposited in the General Fund Pay-As-You-Go Community Investment Plan.

Attachment 36

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

54. Property Transactions

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

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

Acquisitions

- A.** **Project:** Aviation Master Plan
Owner(s): Edward & Geri Wiertel
Property Address: 9103 Snow Ridge Lane
Total Parcel Area: .332 acres
Property to be acquired in Fee: .332 acres in Fee Simple
Property to be acquired by Easements: N/A
Structures/Improvements to be impacted: Single-family Residence
Landscaping to be impacted: Trees and shrubs
Zoned: R-3
Use: Single-family Residential
Tax Code: 141-111-49
Purchase Price: \$128,000
Council District: N/A
- B.** **Project:** Aviation Master Plan
Owner(s): Charlotte Family Housing, Inc.
Property Address: 8225 Robbie Circle and vacant tract
Total Parcel Area: .487 acres
Property to be acquired in Fee: .487 acres in Fee Simple
Property to be acquired by Easements: N/A
Structures/Improvements to be impacted: Single-family Residence
Landscaping to be impacted: Trees and shrubs
Zoned: R-3
Use: Single-family Residential
Tax Code: 141-111-14 & 141-111-90
Purchase Price: \$131,000
Council District: N/A
- C.** **Project:** Aviation Master Plan
Owner(s): David N. Palmer
Property Address: 5200 Shopton Road
Total Parcel Area: 3.122 acres
Property to be acquired in Fee: 3.122 acres in Fee Simple
Property to be acquired by Easements: N/A
Structures/Improvements to be impacted: Single-family Residence
Landscaping to be impacted: Trees and shrubs
Zoned: R-3
Use: Single-family Residential
Tax Code: 141-111-21
Purchase Price: \$180,000
Council District: N/A

- D. Project:** Briar Creek Relief Sewer Phase III, Parcel #33
Owner(s): Interrurban Windsor, LLC
Property Address: 3217 Shamrock Drive
Total Parcel Area: 69,585 sq. ft.
Property to be acquired by Easements: 33,764 sq. ft. (.775 ac.) in Sanitary Sewer Easement, plus 15,820 sq. ft. (.363 ac.) in Access Easement, plus 69,585 sq. ft. (1.597 acres) in Temporary Construction Easement
Structures/Improvements to be impacted: Apartment Buildings
Landscaping to be impacted: Trees
Zoned: R-17MF
Use: Multi-family
Tax Code: 099-063-45
Purchase Price: \$770,000
Council District: 1
- E. Project:** Lilly Mill Drainage Improvements, Parcel #6
Program: Flood Control
Owner(s): Jose L. S. Gamez and Melissa S. Gamez
Property Address: 2232 Ramblewood Lane
Total Parcel Area: 32,512 sq. ft.
Property to be acquired by Easements: 11,888 sq. ft. (.273 ac.) in Storm Drainage Easement, plus 1,062 sq. ft. (.024 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: 173-254-12
Purchase Price: \$32,425
Council District: 6
- F. Project:** Lilly Mill Drainage Improvements, Parcel #50
Program: Flood Control
Owner(s): Doris Suzie O'Neal
Property Address: 2836 Huntingtowne Farms Lane
Total Parcel Area: 24,288 SF
Property to be acquired by Easements: 8,098 sq. ft. (.186 ac.) in Storm Drainage Easement, plus 4,920 sq. ft. (.113 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: No improvements are affected.
Landscaping to be impacted: Trees and various plantings
Zoned: R-3
Use: Single-family Residential
Tax Code: 173-221-85
Purchase Price: \$16,075
Council District: 6
- G. Project:** Lyon Court Storm Drainage Improvement project, Parcel #15 and #17
Program: Flood Control
Owner(s): Morningside Association, Inc.
Property Address: Morningside Drive

Total Parcel Area: 78,763 sq. ft.

Property to be acquired by Easements: 882 sq. ft. (.02 ac.) in Storm Drainage Easement, plus 6,472 sq. ft. (.149 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: MUDD-0

Use: Multi-family

Tax Code: 129-024-08 and 129-024-12

Purchase Price: \$15,450

Council District: 1

H. Project: Taggart Creek Outfall Phase 2, Parcel #17

Owner(s): Morrison Building, LLC

Property Address: 4837 Morris Field Drive

Total Parcel Area: 669,517 sq. ft.

Property to be acquired by Easements: 4,333 sq. ft. (.099 ac.) in Sanitary Sewer Easement, plus 1,641 sq. ft. (.038 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-1(CD)

Use: Commercial

Tax Code: 115-073-01

Purchase Price: \$15,250

Council District: 3

Condemnations

- I. Project:** Briar Creek Relief Sewer Phase III, Parcel #89
Owner(s): Frank Cereijo Nores, III and any other parties of interest
Property Address: 5613 Rupert Lane
Total Parcel Area: 35,395 sq. ft.
Property to be acquired by Easements: 5,760 sq. ft. (.132 ac.) in Sanitary Sewer Easement, plus 5,720 sq. ft. (.131 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R-4
Use: Single-family Residential
Tax Code: 097-075-29
Appraised Value: \$4,725
Property Owner's Counteroffer: None
Property Owner's Concerns: The property owner is concerned with the design and how it would impact future development of his property and does not agree with the compensation amount.
City's Response to Property Owner's Concerns: Staff looked into other design options and determined that the current design was the best engineering design.
Outstanding Concerns: The property owner has become non-responsive.
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: 5
- J. Project:** Taggart Creek Outfall Phase 2, Parcel #19
Owner(s): 1992 Robert E.L. Winston Family Irrevocable Trust and any other parties of interest
Property Address: Morris Field Drive
Total Parcel Area: 196,649 sq. ft.
Property to be acquired by Easements: 2,177 sq. ft. (.05 ac.) in Sanitary Sewer Easement, plus 4,422 sq. ft. (.102 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: I-2
Use: Industrial
Tax Code: 115-102-03
Appraised Value: \$875
Property Owner's Counteroffer: \$4,020
Property Owner's Concerns: The property owner is concerned with the compensation amount.
City's Response to Property Owner's Concerns: Staff reviewed the appraisal provided by the property owner, and was able to justify an increase over the appraised value; however, this amount was rejected by the owner.
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: 3

55. 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 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

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.

56. 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.

Model Ordinance: Local Civil Rights Restoration Act

This model legislation's sections include the following:

- Limits on intelligence collection and surveillance to functionally restore the Fourth Amendment's warrant requirement;
- Limits on profiling according to political speech or activity;
- A prohibition on profiling according to race, religion, country of origin, or gender;
- Data collection and disclosure requirements to ensure transparency of potential profiling;
- A prohibition on federal immigration enforcement operations by local officials; and
- A provision for a civil action and damages to enable the measure's provisions to be enforced by aggrieved individuals acting in the public interest.

More information: <http://constitutioncampaign.org/lcrra>

Ordinance to restore Fourth Amendment protections and ensure the focus of local law enforcement agencies on their core public safety mission by limiting their surveillance, intelligence collection, and immigration enforcement activities, and ensuring transparency into potential profiling by race, religion, or national origin

Whereas [list local law enforcement agencies] (“local law enforcement agencies”) are accountable to this municipality; responsible for its public safety while granted limited resources; and charged with a mission to serve and protect its law-abiding residents, rather than to monitor, harass or intimidate them;

Whereas the Constitution and Bill of Rights ensure the rights of law-abiding Americans to be free from arbitrary state scrutiny, surveillance, searches, interrogations, seizures, or arrest;

Whereas public trust in law enforcement officers, and their reciprocal respect for the rule of law, are vital to promoting public safety;

Whereas federal agencies responsible for collecting domestic intelligence, such as the Federal Bureau of Investigations (“FBI”), have repeatedly and systematically exceeded their authorities, violated the privacy and First Amendment rights of law-abiding Americans and even veterans subjected to unjustified and unreasonable surveillance;

Whereas oversight by neither the Congress nor the Article III Judiciary has achieved transparency into the expanding array of domestic spying and surveillance programs and policies pursued by federal agencies, with mounting support from local agencies;

Whereas the Inspector General of the Department of Homeland Security (“DHS”) found in March 2010 that local immigration enforcement under 287(g) of the Immigration and Nationality Act has led to rampant racial profiling and widespread violations of the rights of US citizens, and documents obtained from Immigration and Customs Enforcement (“ICE”) and the FBI in June 2011 prove that the agencies colluded to mislead local jurisdictions about the Secure Communities Initiative;

Whereas several States, including Arizona and Georgia, have sought to institutionalize suspicion by association by requiring incremental scrutiny of individuals, including US citizens, based on their national origin;

Whereas federal legislation needed to curb rule of law abuses—such as the JUSTICE Act, the End Racial Profiling Act, and comprehensive immigration reform—has not been enacted and does not appear near the top of the national agenda;

Whereas the ongoing secrecy surrounding domestic surveillance activities has precluded the effective operation of democratic checks and balances; and

Whereas the experiences of localities across the United States demonstrate conclusively that allowing local law enforcement agencies to focus on their core public safety mission (without the distraction or counter-productive pursuit of federal immigration enforcement or intelligence collection mandates) enhances public safety,

BE IT RESOLVED:

That [the City of _____] remains firmly committed to the protection of civil rights and civil liberties for all people, and enacts this ordinance to secure those aims.

I. Definitions

- A. "Observation" or "monitoring" means surveillance, monitoring, or data collection facilitated by human intelligence, undisclosed participation by law enforcement agents or informants, warrantless wiretaps, remote or live imaging, data recorded from cellular telephones, internet, and other telecommunications devices, or other routine or spontaneous investigative activities.
- B. "Data Centers" means any facilities accepting public funds to facilitate the collection, dissemination, or analysis of intelligence data concerning non-criminal behavior collected through observation by federal, state, or local law enforcement agencies.
- C. "Non-Criminal Intelligence Information" means information about activities that are not criminal in nature, collected outside the context of an investigation of a criminal act that has occurred.
- D. "Local Law Enforcement Agencies" include [_____].
- E. "Investigatory Activity" means any stop, interrogation, search, seizure, use of force, or arrest.
- F. "Frisk" includes a pat down.

II. Safeguards on Surveillance

- A. **Information Collection:** Law enforcement agents shall conduct searches of individuals in this jurisdiction only on the basis of probable cause that a criminal offense has been committed, or on a basis previously held by a court to be consistent with rights under the Constitutions of the United States and State of [State].
 - 1. In accordance with federal law, Reasonable Suspicion that a criminal offense has been committed may justify a cursory frisk of outer clothing, or the collection or retention of intelligence information related to suspected criminal activity.
 - 2. Local law enforcement agencies shall not engage in efforts to collect or retain information about the lawful activities of individuals or groups without reasonable suspicion that such activities relate to criminal activity.
 - 3. Observation or searches unsupported by individualized suspicion are per se unreasonable and may not provide a basis for arrest, prosecution, or the collection or retention of intelligence information.
 - 4. Local law enforcement agencies may not pursue, engage in, or support either electronic or physical surveillance activities unless supported by reasonable

suspicion that a criminal offense has been or may be committed, or a judicial warrant specific to the time, place, and target of such surveillance.

5. Intelligence collection activities unsupported by reasonable suspicion that a criminal offense has been or may be committed, or a judicial warrant, are per se unreasonable and prohibited.

B. Information Dissemination:

1. Local law enforcement agencies may not supply Intelligence Information to federal officials absent reasonable suspicion that a criminal offense has been or may be committed. Incident reports concerning allegedly suspicious activities may not be reported to databases directly or indirectly accessible by federal officials absent reasonable suspicion that a criminal violation has been or may be committed.

2. Intelligence Information may not be disseminated to military or private sector organizations. Intelligence related to a criminal investigation that has been collected by local authorities may be disseminated only to law enforcement agencies; local authorities may not include military or private sector actors, nor Data Centers (see I.B.) through which military or private sector actors could gain access directly or indirectly to such data.

3. Local law enforcement agencies shall **not participate in inter-agency bodies** that disseminate non-criminal intelligence information unless those bodies comply with 28 C.F.R. Part 23 and its requirements regarding information receipt, maintenance, security, and dissemination.

III. Limits on Undercover Infiltration and Political Profiling

A. Local law enforcement authorities shall not engage in undercover infiltration, or undisclosed participation of any kind, in groups or organizations pursuing First Amendment-protected (speech, political or religious) activity, absent probable cause that a criminal offense may be committed.

B. Any investigation involving religious institutions or political organizations shall be pursued through the most minimally invasive methods available, and shall require active and recurring internal oversight.

C. Local law enforcement authorities may not select individuals, organizations, associations, or institutions for any investigatory activity, to any extent, on the basis of their First Amendment-protected (speech, political or religious) activities.

D. Local authorities shall not collect, disseminate or maintain non-criminal Intelligence Information about the political, religious or social views, associations, or activities of any individual or any group, association, corporation, business, partnership, or other organization unless such information relates to criminal activity and there is reasonable suspicion to believe that the Subject may be involved.

IV. Profiling According to Race, Religion, National Origin, or Political Point of View

A. Local law enforcement agents and agencies shall not select individuals for observation, interrogations, searches, frisks, or arrests based in any part on the individual's race, ethnicity, country or region of origin, or religion (except where trustworthy information relevant to the locality and timeframe links an individual of a particular race, ethnicity, country or region of origin, or religion to a specific criminal incident or scheme, and other factors support reasonable suspicion).

B. Local law enforcement agents and agencies shall not demand an individual's identification absent reasonable suspicion of criminal activity.

C. Measures to Verify Potential Profiling According to Race, Religion, or National Origin: Following any observation, stop, frisk, search, interrogation, or arrest of any individual, the agent initiating that activity shall record the following information about the Subject on a standardized Encounter Form:

1. the date, time, and location of the investigatory activities;
2. the particular investigatory tactics employed;
3. the amount of time, if any, during which the subject(s) of the investigatory activities was detained;
4. a description of any frisk or search, including the areas, vehicles, materials, or units of stored (physical or electronic) information searched;
5. whether force was employed, and if so, for what reason, of what sort, and the effect of such force on the subject(s);
6. the nature of the suspicion prompting the investigatory activity, and the specific basis or bases for that suspicion;
7. the approximate age of the subject, as perceived by the officer;
8. the sex and gender of the subject, as perceived by the officer;
9. the country or region of origin of the subject, as perceived by the officer;
10. the religion of the subject, as perceived by the officer.
11. the race or ethnicity of the person observed, searched, or interrogated, as perceived by the officer.
12. with what criminal violation, if any, any subject was ultimately charged;

A. Privacy.

1. The identification of characteristics described in sections IV(A)(7-11) above (e.g., age, sex, gender, country or region of origin, religion, and race or ethnicity)

shall be based on the observation and perception of the law enforcement agent conducting the stop, search, or other investigatory activity. A subject of investigatory activities shall not be asked to provide such information.

2. Data collected pursuant to IV(C) shall (i) exclude personally identifiable information; (ii) be stored separately from databases accessible to operational law enforcement personnel from any agency; (iii) be maintained securely, protected by encryption or other security measures to protect against theft or unauthorized access, and; (iii) be audited and analyzed on an annual basis by an independent entity responsible for analysis.

B. Accountability. Encounter Forms shall be identifiable by sequential serial numbers. Those assigned to particular agents will be tracked and recorded. Agents shall deliver copies of each Encounter Form to the local law enforcement agency, which shall periodically deliver them to an independent entity responsible for analysis.

C. Transparency.

1. Subjects of investigatory interactions such as stops, frisks, interrogations, searches or arrests shall receive copies of the Enforcement Form relating to their interaction. Encounter Forms shall include guidance on how to file a complaint about, or commendation of, the agent with whom they interacted.

2. Subjects of observation or monitoring shall not receive such documentation, but monitoring activities shall be documented through Encounter Forms, and subjected to an internal audit to ensure compliance.

3. The information collected through Encounter Forms shall be aggregated and publicly disclosed every six months in a report to the [local legislative body] including statistics reflecting the rates at which Subjects of various races, religions, and national origins are represented at each investigatory stage.

4. The report, as well as individual Encounter Forms, shall also be made available to litigants who allege discriminatory profiling (See Section VIII), or defendants seeking to exclude from prosecution evidence obtained through a potentially unconstitutional search.

V. Limits on Local Immigration Enforcement Activities

A. Local law enforcement agencies shall not participate in activities related to enforcing federal immigration laws.

1. **Local immigration enforcement.** Local law enforcement agencies shall not engage in agreements with the Department of Homeland Security (“DHS”) components, including Immigration and Customs Enforcement (“ICE”), to facilitate the enforcement of federal immigration law. Programs for which such engagement is prohibited include, but are not limited to: agreements under section 287(g) of the Immigration and Nationality Act; the Secure Communities Initiative; the Criminal Alien Program; and Next Generation Identification.

2. **Detainers.** Facilities under the jurisdiction of this body shall not be used to detain individuals held for suspected immigration violations. Law enforcement agents shall not make arrests or detain individuals based on administrative warrants or requests by federal agencies for removal, including those generated by the federal Immigration and Customs Enforcement agency (ICE) or the National Crime Information Center (NCIC) database. Local officials shall not hold individuals based on detainers requested by ICE.

3. **Sharing Arrest Data.** Local law enforcement agencies may not share arrest data (including but not limited to fingerprints) with state or federal counterparts, including the Federal Bureau of Investigations (FBI), unless it relates to suspected violent felonies. Data pertaining to individuals suspected of misdemeanors or nonviolent felonies shall not be shared with other law enforcement agencies absent an express duty under federal or state law.

B. Privacy.

1. Local law enforcement authorities shall not monitor, stop, detain, question, interrogate, or search a person solely for the purpose of determining that individual's immigration status. The use of an otherwise valid criminal investigation or arrest as a pretext to ascertain information about an individual's immigration status is prohibited.

2. Local law enforcement authorities shall not inquire about the immigration status of any crime victim or witness, or suspects of alleged misdemeanors, nor shall they refer such information to federal immigration enforcement authorities.

3. Local law enforcement authorities shall not initiate a criminal investigation based solely on information or suspicion that an individual has committed a civil violation by residing in the United States without proper authorization.

4. Local law enforcement agencies shall tow a vehicle of an unlicensed driver only after granting an opportunity to allow the unlicensed driver to secure his or her vehicle on the scene, or to contact another source to recover the vehicle

VI. Limits on Cooperation with Federal or Military Officials

A. Activities undertaken by local law enforcement agencies in coordination with federal counterparts, including joint intelligence analysis activities involving Data Centers or federal intelligence agencies, shall be strictly limited to:

1. Criminal law enforcement, or
2. Disaster preparedness and recovery activities.

B. Local law enforcement agencies may coordinate their activities with military or National Guard personnel only to the extent their activities relate specifically to disaster preparedness and recovery.

C. **Disaster Response.** Under no circumstances will due process be suspended: even in the event that a natural disaster precludes the normal operation of courts, local agencies or deputized private contractors shall not be authorized to impose summary penalties without judicial process (as, for example, occurred in New Orleans in 2005).

VII. Limits to Protect Dissent

D. Law enforcement activities undertaken in the context of political demonstrations, or other activities protected by the First Amendment, shall be subject to the following limitations:

1. **Free Speech zones:** No fences shall be erected, or exclusion zones delineated, that curtail public access to public streets.
2. **Mass arrests:** Arrests of individuals engage in First Amendment protected activity must rely on articulable facts supporting probable cause to believe that that every individual subjected to arrest committed a criminal offense, beyond their presence in a particular location at a particular time. Arrests to pre-empt criminal activity are not authorized. Any individual arrested for failure to obey a time, place, or manner restriction must be allowed an opportunity to depart from the area.
3. **Police checkpoints:** No screening checkpoint shall subject any individual to a search absent reasonable suspicion of criminal activity.
4. **Condition of confinement** during mass arrests: Individuals subjected to arrest for participation in First Amendment protected activity shall not be subjected to shackling absent a specific threat of violence, shall be allowed access to counsel within six hours, and shall be given a copy of any incident report relating to their arrest to use for exculpatory purposes.
5. **Use of force:** no non-lethal weapons may be used until after an act of proportionate violence is committed, nor may undercover law enforcement agents commit the act serving as a predicate for the deployment of nonlethal weapons, nor in any circumstances may rubber bullets, bean bags, or wooden dowels be aimed at areas above the thighs.
6. **Crowd control technology:** Any purchase by law enforcement authorities of equipment for crowd control purposes (including but not limited to tasers, tear gas, pepper spray, and Long Range Audio Devices (LRADs)) shall require prior notice to the public, a meaningful opportunity to comment, and the affirmative approval of the City Council.

VIII. Transparency and Accountability Provisions

A. **Training.** Local law enforcement agencies shall conduct training activities to ensure that all officers are knowledgeable about the provisions of this ordinance.

B. **Equipment Purchases.** Any purchase by local authorities of electronic technologies to enable monitoring or information collection (including but not limited to electronic body

scanners, drone aircraft, driver's license plate scanners, and closed circuit television cameras) shall require prior notice to the public, a meaningful opportunity to comment, and the affirmative approval of the City Council.

C. **Accountability for Potential Abuses.** Law enforcement officials shall not engage in the unnecessary use of force, nor may they tamper with evidence or hide exculpatory evidence. Allegations that officials either employed unnecessary force, tampered with evidence, withheld potentially exculpatory evidence, or engaged in biased policing practices violating Section III(B), shall be cause for an independent investigation by a civilian review board and, where justified, appropriate departmental disciplinary measures or dismissal.

D. **Public Right to Observe Police Activities.** Law enforcement officials shall respect the rights of members of the public to observe and to capture video and/or sound recordings of police activities during the discharge of their public duties. In exercising these rights, members of the public do not have a right to physically or otherwise interfere with the discharge of officers' duties, nor do members of the public have a right to otherwise violate the law.

IX. Civil Action and Injunctive Relief

A. Any person subjected to law enforcement activity exceeding the limits imposed by this Ordinance may file in a court of competent jurisdiction a civil action for declaratory or injunctive relief against either

1. the local law enforcement agency employing the individual agent whose conduct constituted a violation,
2. the individual agent(s) responsible for the injury, or both.

B. Litigants shall be allowed access to aggregate data collected under Section III-A.

C. A disparate impact on communities of a particular race, country of origin, religion, or sexual orientation shall constitute a violation of this Ordinance.

X. Severability

A. The provisions of this Ordinance shall be severable. If any phrase, clause, sentence or provision of this Ordinance is declared by a court of competent jurisdiction to violate the Constitution of the United States or the Constitution of the State of [State], or if its applicability to any agency, person or circumstance is held invalid, the validity of the remainder of the Ordinance and its applicability to any other agency, person or circumstances shall not be affected.

XI. Distribution

A. Local agencies shall train all officers on the implications of this Ordinance for their respective responsibilities. Agencies shall also conduct written and behavioral assessment to ensure that this measure is understood and followed by officers.

B. The [city executive official] shall send copies of this ordinance to our US Congressional and Senate representatives, the US Senate Committee on the Judiciary, the US Senate Select Committee on Intelligence, the US House of Representatives Committee on the Judiciary, the US House of Representatives Permanent Select Committee on Intelligence, the US Attorney General, and the President of the United States.

MOTION ADOPTED BY CITY COUNCIL
January 12, 2015

I make a motion as follows:

- (A) The Mayor and Council understand the critical and important role that the Charlotte-Mecklenburg Police Department plays in the application of fair and equal justice under the Constitution. To this end, we express our deep appreciation and admiration for their commitment to all members of our community. We further recognize CMPD's desire to serve all, and to continue to foster and maintain public trust with all members of our community.
- (B) The Mayor and Council hereby embrace the following Civil Rights principles as policy guidance in support of CMPD's mission to protect the community:
- (1) Arbitrary profiling by law enforcement based on race, color, religion, sex, national origin, sexual orientation, disability, or political affiliation is unacceptable;
 - (2) A person's First Amendment rights to engage in political activity, to peacefully assemble, and to protest and engage in peaceful demonstrations should be fully respected; the infiltration, monitoring, or other response to such activities unrelated to a law enforcement function is unacceptable;
 - (3) Infiltrating or monitoring a group by law enforcement for political purposes is unacceptable;
 - (4) The gathering, dissemination, and retention of data and information pertaining to members of the public by law enforcement other than for law enforcement purposes or to comply with state or federal law is unacceptable;
 - (5) It is not the responsibility of local law enforcement to enforce federal immigration laws; and
 - (6) Transparency and accountability are essential for fostering and maintaining public trust and confidence in law enforcement. To that end, law enforcement shall be as transparent as public safety concerns permit, and appropriate mechanisms for accountability should be established and maintained.
- (C) The City Manager is hereby directed to have the Charlotte-Mecklenburg Police Department undertake a comprehensive review of its Directives, Standard Operating Procedures, Training, and other policies and practices in light of the principles enumerated in Section (B), and shall repeal, revise, or amend the same as necessary to ensure that these principles are respected.
- (D) Following the review directed in Section (C), the City Manager and City Attorney, in cooperation with the Chief of Police, shall prepare and recommend a proposed Civil Liberties resolution or ordinance for Council's consideration following a Council public hearing.

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

TO: Mayor and City Council

FROM: Robert E. Hagemann, City Attorney *REH*

DATE: May 26, 2015

RE: Civil Rights Ordinance/Resolution

You will recall a dinner presentation earlier this year when I discussed the differences between an ordinance and a resolution, and described the attributes and enforcement options of an ordinance. This is to restate the essence of my presentation and to recommend to you that a Council policy that is in response to the proposed "Model Ordinance: Local Civil Rights Restoration Act" be by resolution rather than ordinance.

While Council resolutions and ordinances are articulations of Council policy, unlike a resolution, an ordinance is a municipal law. Ordinances are primarily used to regulate private activity (*e.g.*, zoning ordinance, noise ordinance). Pursuant to G.S. 160A-175, an ordinance may be enforced only by the City. Enforcement may be through:

- misdemeanor prosecution (fine up to \$500, no active time unless at least three prior convictions with a maximum sentence of 20 days)
- civil penalties
- equitable enforcement/injunction (*i.e.*, court order mandating or prohibiting actions)

Significantly, in North Carolina municipalities does not have the authority to create a private cause of action. That is, a citizen cannot sue for a violation of an ordinance.

Given the City's authority to discipline employees coupled with the jurisdiction of the Civil Service and Citizens Review Boards, it does not strike me as appropriate to sanction officers who violate Council's civil rights policy through the means available for enforcing ordinances.

In addition, it is my opinion that enacting Council policy in this context through an ordinance could create false or unrealistic expectations for the public, now and in the future. For that reason, along with the fact that the City Manager is obligated to carry out the policy directives of the City Council regardless of whether those policies are in the form of an ordinance, resolution, or motion, it is my recommendation that the Council's policy on this matter be articulated through a resolution rather than an ordinance.

City's Proposed Civil Liberties Resolution	CMPD Directives/SOPs	Rule of Conduct	Training Practices	Model Civil Rights Ordinance
<p>Sec. 1. Definitions.</p> <p>Sec. 2 Protecting Individual Rights - No Arbitrary Profiling.</p> <p>A. Arrest/Search: Arbitrary profiling shall not be a factor in establishing probable cause.</p> <p>B. Voluntary Contact: Arbitrary profiling shall not be a motivation for establishing a voluntary contact with a subject. Officers shall document contact.</p> <p>C. Consent to Search: Arbitrary Profiling shall not be a motivating factor when asking for consent to search.</p> <ol style="list-style-type: none"> 1. Officers must have a articulable reason before asking for consent to search. 2. Request for consent must be voluntary. 	<p>CMPD Directive 600-017 Arbitrary Profiling</p> <p>A. 600-017 II A.1,2: Cannot use Arbitrary Profile for a motive in initiating any police activity. (See also IV. D.)</p> <p>B. 600-017 II A.2: Cannot use Arbitrary Profile as a motivation to initiate police activity (See also IV. C.)</p> <p>C. 600-017 II and IV, 500-004 Search Definitions</p> <ol style="list-style-type: none"> 1. 600-017 II.A.1: Cannot use Arbitrary Profile as a factor in the selection of whom to stop and search. 2. 500-004 Search Definitions: Before consent search there must be a clear and 	<p>Rule of Conduct 41 "Arbitrary Profiling"</p> <p>Rule of Conduct 41 "Arbitrary Profiling"</p> <p>Rule of Conduct 41 "Arbitrary Profiling"</p>	<p>Cultural Diversity Training; Implicit Bias Training, Tactical Communications, De-escalation training. Yearly Legal review of Resolution.</p>	<p>Sec. IV. Profiling According to Race, Religion, National Origin, or Political Point of View.</p>

City's Proposed Civil Liberties Resolution

CMPD Directives/SOPs

Rule of Conduct

Training Practices

Model Civil Rights Ordinance

<p>3. Officers shall not consent to search without first establishing an Articulable Reason for such request.</p> <p>4. A request for consent to search will always be noted in at least on CMPD retrievable record system.</p> <p>D. Use of Force: Arbitrary Profiling shall not be a motivating factor in deciding when to use force.</p> <p>E. Immigration enforcement: Arbitrary Profiling related to a person's citizenship or immigration status shall not be a motivating factor in taking any police action.</p> <p>1.2.3 Officers shall not question individuals regarding citizenship or status unless there is reasonable suspicion that the person is involved in criminal street gang or terrorism activities.</p>	<p>voluntary expression of consent issued by subject.</p> <p>3. 600-017 IV.D.2: Officer must have articulable reason before asking for consent.</p> <p>4. 4. 600-017 IV.D: Reason for consent will be documented in Field Interview or narrative of police report.</p> <p>D. CMPD Directives 600-017 - 600-020. All force must be reasonably necessary and based on objective threat. (Force cannot not be motivated by an arbitrary profile)</p> <p>E. 600-017 II. F. CMPD will not undertake immigration related investigations and will not inquire into the immigration status of persons encountered during police operations.</p> <p>1.2.3. CMPD Directive 800-017 Arbitrary Profiling</p>	<p>Rule of Conduct 28 "Use of Force"</p> <p>Rule of Conduct 41 "Arbitrary Profiling"</p> <p>Rule of Conduct 41 "Arbitrary Profiling"</p>	<p>Yearly use of force training. Firearms training Simulator, Yearly Subject Control and Arrest Techniques.</p>	<p>Sec. V. Limits on Local Immigration Enforcement Activities</p>
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City's Proposed Civil Liberties Resolution

CMPD Directives/SOPs

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<p>Sec. 3. Protecting Individual Rights – Passive Protests and Peaceful Demonstrations.</p> <p>A. Officers shall not respond to or monitor a Lawful Assembly except for the purpose of facilitating a Legitimate Law Enforcement Objective.</p> <p>B. Officers shall not investigate, prosecute, retaliate, prevent, or hinder any person from lawfully participating in First Amendment Activities.</p> <p>C. Collection and Retention of Data: Officers shall not collect or retain information on persons associated with Lawful Assembly passive or peaceful demonstration based on that person’s race gender, ethnicity, religion, age, citizenship, sexual orientation, or other Arbitrary Stereotype, or that individual’s support for unpopular causes protected by the First Amendment.</p> <p>D. Questioning Participants: Officers shall not question person regarding their social, political or religious views. Questioning shall be limited</p>	<p>A. 800-016 A.1. Officers shall not respond to or monitor First Amendment Activity except for the purpose of facilitating a Legitimate Law enforcement Objective.</p> <p>B. 800-016 IV A 2. Officers shall not investigate, prosecute, retaliate, prevent, or hinder any person from lawfully participating in First Amendment Activities.</p> <p>C. 800- 016 IV.A. 3: Collection and retention of data. CMPD employees shall not collect, document, or retain information on persons associated with a First Amendment Activity based solely on that individual’s</p> <ul style="list-style-type: none"> a. Ethnicity, national origin, race; or b. Religious, political or social beliefs or associations; or c. Sexual orientation; or d. Support for unpopular causes protected by the First Amendment. <p>D. 800-016 IV D.5. CMPD employees shall not question witnesses, event participants or arrestees regarding their social, political, or</p>	<p>Rule of Conduct 28, “Use of Force.”</p> <p>Rule of Conduct 2 “Violation of Rules and Directives.”</p> <p>Rule of Conduct 2 “Violation of Rules and Directives.”</p> <p>Rule of Conduct 2 “Violations of Rules and Directives.”</p>	<p>Operational Plan in place prior to large scale event that addresses 1st Amendment concerns.</p> <p>1st Amendment training during briefing.</p> <p>Civil Emergency Unit Training.</p> <p>1st Amendment matrix</p> <p>Operational Plan in place prior to large scale event that addresses 1st Amendment concerns.</p> <p>1st Amendment training during briefing.</p> <p>Civil Emergency Unit Training.</p>	<p>Sec. II A. Safeguards on Surveillance</p> <p>Sec. II. B Intelligence Information Dissemination.</p> <p>III. Limits on Undercover Infiltration and Political Profiling</p>
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<p>to issues related to criminal conduct or developing information related to a Legitimate Law Enforcement Objective.</p> <p>E. Officers shall not confiscate an electronic recording device because a person is recording police activity.</p> <p>F. Public's right to observe and record: Officers shall not interfere with the public's right to observe and record police activity unless the person's physical presence is interfering with a police function such as an arrest. Officers shall direct the person to the closest location where they can continue to observe and record police activities.</p> <p>G. Establishing Communication: CMPD shall, if possible, establish communication with protest group and seek voluntary compliance of a plan that will ensure the public's safety. CMPD shall develop response options that are fluid and that focus on the prevention of violence against persons and property.</p>	<p>religious views. All questions shall be limited to issues related to criminal conduct or to developing information related to a Legitimate Law Enforcement Objective.</p> <p>E. 800-016 IV.6. Officers shall not seize electronic recording devices simply because a person is recording police activity.</p> <p>F. CMPD 1st Amendment Matrix: The public has the right to record police activity so long as they do not physically interfere with an official duty or function.</p> <p>G. Required under CMPD 1st Amendment Matrix.</p>	<p>Rule of Conduct 2 "Violations of Rules and Directives."</p> <p>Rule of Conduct 2 "Violations of Rules and Directives."</p> <p>Rule of Conduct 2 "Violations of Rules and Directives."</p>	<p>1st Amendment matrix and on line training for directives.</p>	
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<p>Sec. 4 Electronic Technology.</p> <p>A. Retaining Data: Retention of information shall only be retained if it is relevant to legitimate law enforcement function unless retention required by state or federal law.</p> <p>B. Purging Data: Data will be purged within reasonable time established by written directive. Data purged unless relevant to criminal investigation and/or prosecution of a person suspected of committing a crime, relevant to City's defense of a claim or potential claim, or to comply with state or federal law.</p>	<p>SOP, Real Time Crime Center, SOP Automated License Plate Reader, CMPD Directive 400-005 Digital Mobile Video Recordings, CMPD Directive 400-006 Body Worn Camera .</p> <p>A. All camera data in Real Time Crime Center is retained for 10 days unless it has evidentiary value. Release of data must be through court order. License plate information retained for 6 months unless it has evidentiary value. Digital Mobile Video Recordings held for a period depending on the type of event. (See 400-005 IV 4 for retention schedule) otherwise erased after 90 days. Body Worn Cameras data held for a specific period depending upon the event. (See 400-006 F. 7. for retention schedule)</p> <p>B. Per SOPS and relevant directives mentioned above all digital recording data is erased after specific time period unless it becomes part of a criminal file or potential claim against City.</p>	<p>Rule of Conduct 2 "Violations of Rules and Directives."</p> <p>Rule of Conduct 2 "Violations of Rules and Directives."</p>	<p>On-line training.</p> <p>On-line training.</p>	
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<p>C. Collect / Disseminate Data / Groups: Officers shall not collect or disseminate information about groups based on their political, religious, or social views unless information is directly related to articulable criminal behavior.</p> <p>D. Individual Privacy/Identity: Officers will not use techniques that identify participant unless identity is relevant to criminal investigation or defending against a claim against the City.</p> <p>E. Linked data: Data will not be lined from different devices or serves without a legitimate function.</p> <p>Sec 5. Tactical Communication, De-escalation, Prevention.</p> <p>A. Officers shall maintain professional composure</p>	<p>C. CMPD Directive 800-016 IV. A. 3. B. CMPD employees shall not collect, document, or retain information on persons associated with a First Amendment activity based solely on that individuals religious, political or social beliefs.</p> <p>D. CMPD Directive 800-016 IV. e: No person's likeness sufficient for identification purposes will be photographed or recorded in any manner unless it is related to a Legitimate Law Enforcement Objective.</p> <p>E. CMPD SOP Real Time Crime Center II: Leverage technology to assist criminal investigations during the initial stages of response.</p> <p>A. CMPD Directive 100-004 Discipline Philosophy: Employees are expected to conduct themselves both in interactions with each other and with the pubic, in a manner that conveys respect, honesty, integrity, and dedication to</p>	<p>Rule of Conduct 2 "Violations of Rules and Directives."</p> <p>Rule of Conduct 2 "Violations of Rules and Directives."</p> <p>Rule of Conduct 2 "Violations of Rules and Directives."</p> <p>Rule of Conduct 2 "Violations of Rules and Directives."</p>	<p>On-line training.</p> <p>De-escalation tactical communications will be taught during yearly in-service.</p>	
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<p>B. CMPD shall maintain an early intervention system to monitor, identify and prevent inappropriate police conduct.</p> <p>Sec. 6 Training.</p> <p>CMPD shall provide yearly training to its Officers regarding the provisions of this Resolution.</p> <p>Sec. 7. Implementation and Accountability.</p> <p>A. City Manager shall ensure policies of resolution shall be implemented by the Chief of Police who shall ensure the policies shall be incorporated into CMPD directives and training.</p> <p>B. Appeals of complaints for arbitrary profiling may be filed with the Citizens Review Board as provided by Chapter 16 of the City Charlotte Code.</p>	<p>public service.</p> <p>B. CMPD Directive 800-010 I. C. Early Intervention System: A system that identifies through the use of established thresholds, specific areas of employee performance that need intervention.</p>	<p>Rule of Conduct 2 "Violations of Rules and Directives."</p>	<p>Training will be provided by Legal during yearly in-service.</p>	<p>Sec. VIII. Transparency and Accountability</p>
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**CITY MANAGER'S OFFICE
M E M O R A N D U M**

May 27, 2015

TO: Mayor and City Council
R. Carlee
FROM: Ron Carlee, City Manager
SUBJECT: Protection of Civil Liberties

Pursuant to guidance from the City Council at your meeting on January 12, 2015, the Chief of Police, City Attorney, and I have reviewed the "Model Ordinance: Local Civil Rights Restoration Act," which members of the public submitted to the Mayor and City Council. The review included a detailed analysis of directives and practices in the Charlotte-Mecklenburg Police Department (CMPD). Based on this review, we are submitting to you the following documents for your consideration:

- Proposed Charlotte City Council Civil Liberties Resolution (Resolution).
- Proposed Ordinance Amending Chapter 16 of the Charlotte City Code to expand the authority of the Charlotte Citizen Review Board to hear appeals of complaints alleging a violation of arbitrary profiling as prohibited in the Resolution.
- Memorandum from the City Attorney explaining the recommended form of action.
- Chart from the Chief of Police detailing how the provisions of the Resolution are implemented through CMPD's directives.

Mr. Willie Ratchford has coordinated engagement with members of the community who brought these requests to the City, and we recommend the following process:

- Briefing of the Mayor and City Council on June 1
- City Council public hearing on the recommendations on June 8
- City Council action on the recommendations on either June 8 or such other date that the Council may deem appropriate.

In making these recommendations, we want to reiterate that these efforts are not in response to documented deficiencies or practices within CMPD. To the contrary, many of the provisions contained in the Resolution have been previously incorporated into CMPD's directives and practices.

Professional police departments recognize that protection of the basic rights of life and liberty is integral to their very existence. The challenge is to ensure the protection of civil liberties while not sacrificing the essential need to protect life and property from criminal activity.

The recommended Resolution and Ordinance Amendment are proactive efforts that reinforce the City's commitment, and especially CMPD's commitment, to promoting positive relations between the community and the police. CMPD's multiple efforts to promote a strong partnership with the communities that they serve include, among other community activities, the following:

- Deployment of body worn cameras to all field officers
- Training on "Implicit Bias"
- Training on "Dismantling Institutional Racism"
- "Cultural Competency" training
- Implementation of an Early Warning System to identify developing patterns of inappropriate behavior
- Implementation of fair and consistent disciplinary policies practices

The proposed Resolution would affirm the City Council's policies on the protection of civil liberties, and both empowers and obligates CMPD to implement such policies. The ability for members of the public to appeal complaints alleging violations of the Resolution provides an additional safeguard to ensure that the City Council's policies are being faithfully implemented.

The consequences of a fractured community and police relations have been very visible in a number of cities over the past several months. Charlotte, however, has worked hard to avoid such a fracture, building a partnership that recognizes that communities – especially economically challenged communities – need the police and that the police very much need the community in order to do their jobs effectively. An "us versus them" environment is dangerous for everyone and one that everyone works hard to avoid in Charlotte. The proposed Resolution is an effort to jointly articulate and reinforce policies that are equally important for the Charlotte community and Charlotte's police.

**PROPOSED
CHARLOTTE CITY COUNCIL RESOLUTION
ON THE PROTECTION OF CIVIL LIBERTIES
May 26, 2015**

WHEREAS, the Charlotte City Council recognizes that the community is comprised of a diverse population, which is vital to the City of Charlotte; and

WHEREAS, the Council seeks to foster trust with all members of our community; and

WHEREAS, the Council opposes governmental measures that arbitrarily single out individuals within our diverse population for scrutiny or enforcement activity; and

WHEREAS, the Council opposes law enforcement practices that do not further the Charlotte Mecklenburg Police Department's mission of protecting the health, safety and welfare of all members of the community, and

WHEREAS, the Council wishes to make it clear that the City of Charlotte is committed to protecting the civil liberties of all members of the community; and

WHEREAS, the Council is committed to fostering trust and respect within the community, and to that end the Council affirms its commitment to protecting and preserving the basic rights and civil liberties of all persons to be free from arbitrary governmental interference.

NOW THEREFORE, BE IT RESOLVED that the Charlotte City Council hereby establishes the following policies for the further protection of civil liberties and to promote and support positive and collaborative relations between the Officers of the Charlotte-Mecklenburg Police Department and the communities within which they serve. No provisions of this Resolution are intended to protect criminal activity, but are intended to foster trust between the CMPD and the community.

Section 1. Definitions

A. **Arbitrary Profiling:** Any Police Activity that is motivated in part by race, gender, ethnicity, religion, age, citizenship, sexual orientation, gender identity, or any Arbitrary Stereotype rather than the behavior of an individual or information that leads to a particular individual that is reasonably suspected to be, or to have been engaged in specific criminal activity.

B. **Arbitrary Stereotype:** A conventional, oversimplified opinion, conception, or belief regarding a person, group, event, or issue that is thought to typify or conform to an unvarying pattern, lacking any individuality.

C. **Articulate Reason:** A fact not based on an Arbitrary Stereotype that is capable of being determined and recited.

- D. CMPD: The Charlotte-Mecklenburg Police Department.
- E. Electronic Technology: Technology that records and stores electronic data concerning an individual and/or an individual's property and effects such as traffic and security cameras, license plate readers, digital mobile recorders, and body cameras.
- F. Lawful Assembly/Passive Protests: First Amendment protected activity held on public property such as public parks and sidewalks that is traditionally used for demonstrations. It includes speeches, picketing, spontaneous marches, assemblies and protests.
- G. Legitimate Law Enforcement Objective: The detection and investigation of criminal behavior; the apprehension and prosecution of criminals; the identification of potential acts of civil disobedience designed to unlawfully disrupt legitimate and lawful activities; and the identification of governmental resources necessary to staff a First Amendment Activity sufficient to protect persons and property.
- H. Non-Violent Civil Disobedience: Traditional non-violent activity where some or all participants violate regulatory ordinances or statutes and participate in activities such as sit-ins, blocking traffic, blocking entrances and exits to selected buildings or property.
- I. Officer: A sworn Charlotte-Mecklenburg Police Department law enforcement officer.
- J. Police Activity: Any actions taken by Officers toward an individual that are due to his or her position as an Officer, including but not limited to the following: any act of investigation; a Voluntary Contact or a request for consent to search either a person or property; a detention of a person or vehicle including the issuance of a traffic citation or warning; an arrest of a person or a seizure of property.
- K. Reasonable Suspicion: Knowledge of articulable facts or circumstances that are objectively, and without resort to Arbitrary Profiling, sufficient to induce a reasonable person under the attendant circumstances to suspect that an individual has engaged, is engaging, or is about to engage in criminal activity.
- L. Probable Cause: Knowledge of articulable facts or circumstances that are objectively, and without resort to Arbitrary Profiling, sufficient to induce a reasonable person under the attendant circumstances to believe that an individual has committed or is committing a criminal offense or an infraction.
- M. Tactical Communication: An Officer's use of words and presence designed to de-escalate a tense situation.
- N. Voluntary Contact: A consensual contact between an Officer and a member of the public under circumstances that a reasonable person would feel free to leave and/or terminate the encounter.

Section 2. Protecting Individual Rights During Police Encounters – Arbitrary Profiling Prohibited

CMPD shall reject the use of individual or unique traits or associations within a group that are unrelated to criminal behavior as a reason to employ governmental action which includes but is not limited to police detentions, stop and frisks, arrests, searches, seizures, Voluntary Contacts, and consent searches.

A. Arrests/Searches based on Probable cause: Arbitrary Profiling shall not be used as a factor to establish Probable Cause for either an arrest or search.

B. Voluntary Contacts: Arbitrary Profiling shall not be the motivation for establishing a Voluntary Contact. In a Voluntary Contact, an Officer will not prevent the person from leaving or terminating the contact; Officers shall adhere to the constitutional rights of those individuals contacted; and Officers shall complete a field interview report documenting the contact.

C. Consent to Search:

1. Arbitrary Profiling shall not be a motivating factor asking someone to consent to search their person or property.
2. All consent searches must be voluntary and the person's refusal may not be used as a reason to detain a subject.
3. Officers shall not request consent to search without first establishing an Articulate Reason for such request.
4. A request for consent to search will always be noted in at least one CMPD retrievable record system.

D. Use of Force: Arbitrary Profiling shall not be a motivating factor in the use of force. An Officer shall not use force unless it is reasonably necessary.

E. Immigration enforcement:

1. Arbitrary Profiling related to a person's citizenship or immigration status shall not be a motivating factor for any police activity.
2. Suspicion that a person is undocumented shall not alone be the basis for contact, detention, or arrest.
3. Officers shall not question any person regarding his or her citizenship or immigration status unless there is Reasonable Suspicion, supported by objective and clearly defined evidence, that the person is involved in criminal street gang activity or terrorism related activities.

Section 3. Protecting Individual Rights – Passive Protests and Peaceful Demonstrations

A. Officers shall not respond to or monitor Lawful Assembly/Passive Protests except for the purpose of facilitating a Legitimate Law Enforcement Objective.

B. Officers shall not investigate, prosecute, retaliate, prevent, or hinder any person from lawfully participating in First Amendment Activities.

C. CMPD shall not collect, document or retain information on persons associated with a Lawful Assembly/Passive Protests based on that individual's race, gender, ethnicity, religion, age, citizenship, sexual orientation, gender identity, or other Arbitrary Stereotype, or that individual's support for unpopular causes protected by the First Amendment.

D. Officers shall not question witnesses, event participants, or arrestees regarding their social, political, or religious views. Questions shall be limited to issues related to criminal conduct or to developing information related to a Legitimate Law Enforcement Objective.

E. Officers shall not take, confiscate or seize a participant or spectator's camera, cell phone or other electronic recording device because they are recording Police Activity.

F. Officers shall not interfere with the public's right to observe and record police activities in a public area unless that person's physical presence is interfering with a police function such as an arrest or maintaining the flow of traffic in which case, if feasible, Officers shall direct the person to the closest location where they can continue to observe and record police activities.

G. During Lawful Assembly/Passive Protests , CMPD shall attempt to establish and maintain communication with the event holder(s) and work with organizers and event monitors to gain voluntary compliance to ensure the safety of the public and protection of property while preserving First Amendment rights. Officer's response options shall remain fluid and focus on the prevention of violence against persons or destruction of property. Officers' response options include de-escalation and may include delaying or suspending enforcement actions for regulatory ordinances depending on the circumstances.

Section 4. Electronic Technology

A. Information obtained from Electronic Technology shall only be retained if it is relevant to a legitimate law enforcement function or to the extent retention is required by state or federal law.

B. All data obtained from Electronic Technology shall be purged from any storage system or server within a reasonable time period established by a written directive unless the data is relevant to the investigation and prosecution of a person suspected of committing a crime, is relevant to the City's defense of a claim or potential claim, or to comply with state or federal law.

C. Officers shall not collect, maintain or disseminate information of any individual, association, organization, corporation, business or partnership based their political, religious or social views, associations or activities, unless said information is directly related to articulable criminal behavior.

D. The use of Electronic Technology shall not be conducted in a manner that identifies a person except in circumstances where the person's identity is relevant to the investigation and prosecution of a person suspected of committing a crime or is relevant to the City's defense of a claim or potential claim.

E. The City shall not link data from different devices and or servers unless there is an articulable objective related to legitimate law enforcement or public safety function.

Section 5. Tactical Communication, De-Escalation, Prevention

A. Officers shall treat all persons with respect and fairness even when a person is agitated or distraught. Officers shall maintain a professional composure. CMPD shall incorporate tactical communication and de-escalation tactics into its yearly inservice training.

B. CMPD shall maintain an early intervention system that monitors and assesses Officer conduct to identify inappropriate behavior and patterns of behavior.

Section 6. Training

CMPD shall provide yearly training to its Officers regarding the provisions of this resolution.

Section 7. Implementation and Accountability

A. The City Manager shall ensure that these polices are implemented through the Chief of Police, who shall ensure that the provisions of this resolution are incorporated into the directives of CMPD and its training program.

B. Appeals of complaints related to Arbitrary Profiling may be filed with the Citizens Review Board as provided by Chapter 16 of the Charlotte City Code.

ORDINANCE NUMBER: _____

AMENDING CHAPTER 16

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

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

Section 1. Sec. 16-58 of the Charlotte City Code is amended as follows:

Sec. 16-58. Duties and responsibilities.

(a) The citizens review board shall:

- (1) Serve as an advisory board to the chief of police, the city manager, and the city council.
- (2) Hear appeals by the citizens who filed complaints of disciplinary dispositions imposed by the chief of police or his designee relating to allegations of misconduct against a sworn police officer. The board may hear appeals of complaints regarding alleged violations of the following rules: use of force, unbecoming conduct, ~~and~~-arrest, search and seizure, and arbitrary profiling. In addition, the disposition of the review of any discharge of a firearm by an officer which results in the death or injury of a person may be appealed to this board by the person injured or the next of kin if death occurs. When a death results and there is no next of kin, any member of the city council or the chairperson of the community relations committee may file an appeal pursuant to section 16-59. The disciplinary actions that may be reviewed shall include the findings of the chief of police that an allegation has been categorized as: sustained, not sustained, exonerated, or unfounded. The dispositions that may be reviewed for the discharge of firearms shall include: justified, not justified, or accidental. The board may review only appeals of citizen complaints arising from incidents that occur after the effective date of the ordinance from which this section derives. The board may not review appeals of decisions of the city manager or the civil service board. No hearing conducted under this division is intended to supplant civil or criminal remedies or proceedings, nor civil service proceedings under section 4.61 of the city charter.
- (3) The board, in its discretion, also may make recommendations to the chief of police and the city manager concerning policies, procedures or training of police officers.
- (4) As required by state law, maintain as confidential all personnel information to which the members gain access as a member of the board. In addition, board members shall be required to execute and adhere to a confidentiality agreement that is satisfactory to the city.

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

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

Approved as to form: _____

City Attorney

**2015-2016 BUDGET ORDINANCE
ADOPTED JUNE 08, 2015**

BE IT ORDAINED by the City of Charlotte, North Carolina;

Section 1. The following amounts are hereby appropriated for the operation of the City government and its activities for the fiscal year beginning July 1, 2015 and ending June 30, 2016 according to the following schedules:

SCHEDULE A. GENERAL OPERATING FUND (1000)	594,827,732
SCHEDULE B. CHARLOTTE WATER OPERATING FUND (6200)	333,987,396
SCHEDULE C. CHARLOTTE AREA TRANSIT SYSTEM OPERATING FUNDS CONSOLIDATED	144,618,956
SCHEDULE D. AVIATION OPERATING FUNDS- CONSOLIDATED	228,068,715
SCHEDULE E. STORM WATER OPERATING FUND (6300)	68,999,306
SCHEDULE F. CHARLOTTE WATER DEBT SERVICE FUNDS- CONSOLIDATED	147,838,630
SCHEDULE G. MUNICIPAL DEBT SERVICE FUND (3000)	121,945,663
SCHEDULE H. AVIATION DEBT SERVICE FUNDS - CONSOLIDATED	48,095,189
SCHEDULE I. CONVENTION CENTER DEBT SERVICE FUND (3021)	23,767,443
SCHEDULE J. STORM WATER DEBT SERVICE FUND (6320)	12,176,700
SCHEDULE K. CHARLOTTE AREA TRANSIT SYSTEM DEBT SERVICE FUNDS CONSOLIDATED	21,352,838
SCHEDULE L. TOURISM DEBT SERVICE FUND (3022)	12,705,446
SCHEDULE M. POWELL BILL FUND (1001)	25,874,428
SCHEDULE N. CONVENTION CENTER TAX FUND (2001)	47,345,081
SCHEDULE O. INSURANCE AND RISK MANAGEMENT FUND (7100)	3,351,677
SCHEDULE P. TOURISM OPERATING FUND (2002 & 2003)	29,959,472
SCHEDULE Q. CEMETERY TRUST FUND (5000)	96,000
SCHEDULE R. NASCAR HALL OF FAME TAX FUND (2004)	13,421,061
SCHEDULE S. NASCAR HALL OF FAME DEBT SERVICE FUND (3024)	9,621,061
SCHEDULE T. CULTURAL FACILITIES DEBT SERVICE FUND (3023)	15,820,631
SCHEDULE U. AVIATION DISCRETIONARY FUND (6001)	31,648,903

Section 2. The following amounts are hereby appropriated for capital projects by City Government and its activities for the fiscal year beginning July 1, 2015 according to the following Schedules:

SCHEDULE A. WORKFORCE INVESTMENT ACT FUND (2750)	7,810,852
SCHEDULE B. NEIGHBORHOOD DEVELOPMENT GRANTS FUND (2700)	2,933,285
SCHEDULE C. PUBLIC SAFETY AND OTHER GRANTS FUND (2600)	7,106,054
SCHEDULE D. PUBLIC SAFETY 911 SERVICES FUND (2300)	2,317,076
SCHEDULE E. HOME GRANT FUND (2701) PROJECTS	2,860,490
SCHEDULE F. COMMUNITY DEVELOPMENT FUND (2702) PROJECTS	5,433,380
SCHEDULE G. PAY AS YOU GO FUND (4000)	
Contribution to Other Funds:	
General Capital Projects Fund	23,591,986
Charlotte Area Transit System Fund (MOE)	20,106,177
Charlotte Area Transit System Fund (CityLYNX Gold Line Phase 1 Operations)	1,503,291
HOME Grant Fund	502,098
Cultural Facilities Operating Fund	8,272,222
Cultural Facilities Operating Fund- Synthetic Tax Increment Financing	40,765
Contractual Services- County/Towns	663,686
Contractual Services- Synthetic Tax Increment Financing	18,734
TOTAL PAY AS YOU GO FUND	54,698,959

SCHEDULE H. GENERAL CAPITAL PROJECTS FUND (4001)

	PL Project	Source	
Affordable Housing Program	6133750004	2014 Housing Bonds (\$7.5M) & Program Income (\$0.3M)	7,800,000
Traffic Control Devices Upgrade Program	4292000008	2014 Street Bonds	3,500,000
Traffic Signal System Coordination Program Upgrade	4292000026	2014 Street Bonds	1,500,000
Repair and Replace Bridges Program	4290000005	2014 Street Bonds	2,000,000
Innovative Housing Program	6110100016	Pay-As-You-Go	3,955,107
In Rem Remedy	6110100014	Pay-As-You-Go	550,000
A Way Home (Rental Assistance Endowment)	6110100063	Pay-As-You-Go	900,000
Neighborhood Matching Grants	6110100026	Pay-As-You-Go	325,000
Sidewalk and Curb and Gutter Repairs	4288650002	Pay-As-You-Go	550,000
Road Planning/Design/ROW	4288550009	Pay-As-You-Go	1,192,036
Short Term Road Congestion Improvements	4288400000	Pay-As-You-Go	2,876,019
Business Grant Program	6110100005	Pay-As-You-Go	100,000
Economic Opportunity Task Force	6110100085	Pay-As-You-Go	100,000
Environmental Services Program	8010750001	Pay-As-You-Go	1,200,000
Tree Trimming & Removal Program	8094500001	Pay-As-You-Go	1,400,000
Tree Replacement Program	8094500002	Pay-As-You-Go	700,000
Building Maintenance Program	8040400001	Pay-As-You-Go	3,643,824
Roof Replacement Program	8040400002	Pay-As-You-Go	1,500,000
Parking Lot and Deck Repairs	8040400003	Pay-As-You-Go	300,000
CMGC and Plaza Maintenance	8047700001	Pay-As-You-Go	700,000
Fire Station Renovations	8010150017	Pay-As-You-Go	400,000
Landscape Maintenance and Median Renovation	8046650001	Pay-As-You-Go	250,000
Technology Investments	1400900001	Pay-As-You-Go	500,000
CMGC Elevator Upgrades	8010150026	Pay-As-You-Go	800,000
ADA Facility Improvements Project	8010150029	Pay-As-You-Go	400,000
Central Division Police Station	8010150042	2016 COPs	13,500,000
CityLYNX Gold Line Capital Reserve	1400900012	Pay-As-You-Go - Transit Investment	1,500,000
TOTAL GENERAL CAPITAL PROJECTS FUND			52,141,986

SCHEDULE I. TOURISM CAPITAL PROJECTS FUND (4022)

Baseball Stadium Allocation			682,782
Arena Maintenance Reserve			1,975,664
Ovens/Bojangles Capital Maintenance & Repair			400,000
TOTAL TOURISM CAPITAL PROJECTS FUND			3,058,446

SCHEDULE J. STORM WATER CAPITAL PROJECTS FUND (6360)

Storm Water Repairs to Existing Drains			24,600,000
Storm Water Pollution Control			2,750,000
Storm Water Restoration/Mitigation			4,150,000
Post Construction Control Program			750,000
Storm Water Flood Control Projects			27,400,000
TOTAL STORM WATER CAPITAL PROJECTS FUND			59,650,000

SCHEDULE K. CHARLOTTE WATER CAPITAL PROJECTS FUND (6261)

Rehabilitation and Replacement			39,800,000
Regulatory Requirements			4,680,000
Capacity for Growth			28,985,000
Commitment to Public Projects and Utility Operations			29,735,400
TOTAL CHARLOTTE WATER CAPITAL PROJECTS FUND			103,200,400

SCHEDULE L. CHARLOTTE AREA TRANSIT SYSTEM CAPITAL PROJECTS FUNDS - CONSOLIDATED**(Note: CATS Capital Projects are to be appropriated according to timeline to be designated during FY2016)**

Transit Vehicles			10,950,517
Transit Facilities			2,169,163
Transit Maintenance & Equipment			9,555,490
Transit Support			5,297,830
Transit Corridor Development			356,877,688
TOTAL CHARLOTTE AREA TRANSIT SYSTEM CAPITAL PROJECTS FUNDS			384,850,688

SCHEDULE M. AVIATION CAPITAL PROJECTS FUND - CONSOLIDATED

	<u>PL Project</u>	<u>Source</u>	
Taxiway A and C OFA Clearing	4020901548	Aviation Discretionary - Pay-As-You-Go	1,000,000
FY16 Bus Fleet Purchases	4020901549	Aviation Discretionary - Pay-As-You-Go	4,290,000
FY16 Vehicle Transponders	4020901550	Aviation Discretionary - Pay-As-You-Go	550,000
FY16 EOC - Primary & Backup	4020901551	Aviation Discretionary - Pay-As-You-Go	250,000
FY16 TSA Command Vehicle Equipment	4020901552	Aviation Discretionary - Pay-As-You-Go	95,000
FY16 Terminal Infrastructure Update	4020901553	Aviation Discretionary - Pay-As-You-Go	1,330,000
FY16 Airfield Pavement Repairs	4020901557	Aviation Discretionary - Pay-As-You-Go	2,000,000
FY16 Airfield Equipment	4020901558	Aviation Discretionary - Pay-As-You-Go	1,480,200
FY16 Technology Enhancements	4020901559	Aviation Discretionary - Pay-As-You-Go	3,957,800
Project Contingency Line	4020901560	Aviation Discretionary - Pay-As-You-Go	3,461,794
Project Miscellaneous Costs	4020901561	Aviation Discretionary - Pay-As-You-Go	5,192,690
FY16 FBO Capital Items	4020901554	Aviation Excluded Centers - Pay-As-You-Go	555,000
FY16 FBO Infrastructure Updates	4020901556	Aviation Excluded Centers - Pay-As-You-Go	200,000
FY16 Excluded Infrastructure Updates	4020901557	Aviation Excluded Centers - Pay-As-You-Go	550,000
TOTAL AVIATION CAPITAL PROJECTS FUNDS			24,912,484

Section 3. It is estimated that the following revenues will be available during the fiscal year beginning on July 1, 2015 and ending on June 30, 2016 to meet the appropriations shown in Section 1 according to the following schedules:

SCHEDULE A. GENERAL OPERATING FUND (1000)

Taxes			
Property Tax			337,609,694
Property Tax - Synthetic TIF			2,411,196
Sales Tax			88,803,000
Sales Tax on Utilities			41,820,000
Tax Reimbursements			4,031,235
Police Services			20,425,963
Solid Waste Disposal Fees			9,327,591
Business Privilege Licenses			0
Other Revenues			
Licenses and Permits			18,852,694
Fines, Forfeits and Penalties			2,604,762
Interlocal Grants and Agreements			10,107,690
Federal Grants and State Shared Revenues			2,923,022
General Government			7,977,363
Public Safety			4,908,991
Cemeteries			568,286
Use of Money and Property			556,504
Sale of Salvage and Land			1,667,265
Other Revenues			876,089
Intragovernmental Revenues			29,737,677
Transferred Revenues			5,923,722
Transfers from Other Funds			3,694,988
TOTAL GENERAL FUND			594,827,732

SCHEDULE B. CHARLOTTE WATER OPERATING FUND (6200)

Variable Rate Revenues			260,375,882
Fixed Rate Revenues			54,855,593
Specific Service and Capacity Revenues			18,762,000
Industrial Waste Surcharge			4,300,000
Interest on Investments			694,698
Other Revenues			3,905,233
Union County			3,201,542
TOTAL CHARLOTTE WATER OPERATING FUND			346,094,948

SCHEDULE C. CHARLOTTE AREA TRANSIT SYSTEM OPERATING FUNDS CONSOLIDATED

Half-Percent Sales Tax (STC Fund)			74,492,000
Maintenance of Effort:			
Town of Huntersville			18,566
Mecklenburg County			192,942
City of Charlotte			20,106,177
Passenger Revenues and Service Reimbursements			32,778,026
State Operating Assistance Grants			12,904,823
Other Revenues			4,126,423
TOTAL CHARLOTTE AREA TRANSIT SYSTEM FUNDS CONSOLIDATED			144,618,957

SCHEDULE D. AVIATION OPERATING FUNDS- CONSOLIDATED

Concessions			54,163,382
Parking			44,543,026
Terminal			37,434,268
Airfield Usage			27,216,979
Cargo Area and Ground Rents			26,531,177
Other			6,380,755

Interest on Investments	677,554
Passenger Facility Charges	25,521,742
Contract Facility Charges	5,599,832
TOTAL AVIATION OPERATING FUND	228,068,715
SCHEDULE E. STORM WATER OPERATING FUND (6300)	
Storm Water Fees	67,188,269
Fund Balance- Unappropriated	1,811,037
TOTAL STORM WATER OPERATING FUND	68,999,306
SCHEDULE F. CHARLOTTE WATER DEBT SERVICE FUNDS- CONSOLIDATED	
Contribution from Water and Sewer Operating Fund	147,277,630
Interest on Investments	1,000
Proceeds from Sale of Bonds	
Premium from Sale of Bonds	50,000
Interest Transferred from Other Funds	510,000
TOTAL WATER AND SEWER DEBT SERVICE FUNDS	147,838,630
SCHEDULE G. MUNICIPAL DEBT SERVICE FUND (3000)	
Property Tax	83,366,852
Property Tax - Synthetic TIF Appreciation	730,124
Sales Tax	16,539,822
Interest on Investments	1,071,000
Interest Transferred from Other Funds	
General	552,500
Contribution from Other Funds	
General - Equipment	14,553,950
General - Public Safety Communications	1,687,288
Powell Bill	1,595,162
County Share - CMGC and Park and Rec. L/P	750,000
Other	1,098,966
TOTAL MUNICIPAL DEBT SERVICE FUND	121,945,664
SCHEDULE H. AVIATION DEBT SERVICE FUNDS - CONSOLIDATED	
Contribution from Aviation Operating Fund - For GARBS Debt Service	43,610,163
Contribution from Rental Car Facilities	4,470,026
Proceeds from Sale of Debt	
Premium from Sale of Debt	
Interest on Investments	15,000
TOTAL AVIATION DEBT SERVICE FUNDS	48,095,189
SCHEDULE I. CONVENTION CENTER DEBT SERVICE FUND (3021)	
Contribution from Convention Center Tax Fund	23,767,443
TOTAL CONVENTION CENTER DEBT SERVICE FUND	23,767,443
SCHEDULE J. STORM WATER DEBT SERVICE FUND (6320)	
Contribution from Storm Water Operating Fund	12,176,700
TOTAL STORM WATER DEBT SERVICE FUND	12,176,700
SCHEDULE K. CHARLOTTE AREA TRANSIT SYSTEM DEBT SERVICE FUNDS CONSOLIDATED	
Transfers from CATS Operating Funds (Half-Percent Sales Tax)	10,550,838
BLE Debt Proceeds/FFGA/SFFGA	7,891,000
Federal Formula Grant	2,911,000
TOTAL CATS DEBT SERVICE FUNDS CONSOLIDATED	21,352,838
SCHEDULE L. TOURISM DEBT SERVICE FUND (3022)	
Contribution from Tourism Operating Fund	12,654,446
Interest on Investments	51,000
TOTAL TOURISM DEBT SERVICE FUND	12,705,446

SCHEDULE M. POWELL BILL FUND (1001)	
State Gas Tax Refund	20,586,852
Transfer from General Fund	3,403,735
Interest on Investments	80,000
Street Degradation Fee	650,000
Fund Balance- Unappropriated	1,153,841
TOTAL POWELL BILL FUND	25,874,428
SCHEDULE N. CONVENTION CENTER TAX FUND (2001)	
Taxes	45,738,125
Interest on Investments	238,000
Lease of City Funded Bank of America Stadium Improvements	1,000,000
Fund Balance - Unappropriated	368,956
TOTAL CONVENTION CENTER TAX FUND	47,345,081
SCHEDULE O. INSURANCE AND RISK MANAGEMENT FUND (7100)	
Intergovernmental Revenues	
City of Charlotte - General Fund	1,016,061
City of Charlotte - Other Funds	874,028
Mecklenburg County	837,646
Board of Education	590,917
Other Agencies and Misc revenues	33,025
TOTAL INSURANCE AND RISK MANAGEMENT FUND	3,351,677
SCHEDULE P. TOURISM OPERATING FUND (2002 & 2003)	
Occupancy Tax	9,246,705
Rental Car Tax	3,229,268
Interest on Investments	289,000
Contribution from Hornets	987,832
Transfers for Vehicle Rental Tax from PAYG	8,272,222
Transfers for Synthetic TIF Agreements from:	
General Fund	1,291,230
Municipal Debt Service	319,564
PAYGO	40,765
Contribution from Mecklenburg County	2,948,040
Contribution from Center City Partners	50,694
Fund Balance-Unappropriated	3,284,151
TOTAL TOURISM OPERATING FUND	29,959,472
SCHEDULE Q. CEMETERY TRUST FUND (5000)	
Fund Balance- Unappropriated	96,000
TOTAL CEMETERY TRUST FUND	96,000
SCHEDULE R. NASCAR HALL OF FAME TAX FUND (2004)	
Occupancy Tax	11,920,889
Interest on Investments	102,000
Fund Balance - Unappropriated	1,398,172
TOTAL NASCAR HALL OF FAME OPERATING FUND	13,421,061
SCHEDULE S. NASCAR HALL OF FAME DEBT SERVICE FUND (3024)	
Contribution from NASCAR HOF Tax Fund	9,621,061
TOTAL NASCAR HALL OF FAME DEBT SERVICE FUND	9,621,061
SCHEDULE T. CULTURAL FACILITIES DEBT SERVICE FUND (3023)	
Contribution from Cultural Facilities Operating Fund	12,320,631
2016 COPS Proceeds (Discovery Place Technology Upgrades)	3,500,000
TOTAL CULTURAL FACILITIES DEBT SERVICE FUND	15,820,631
SCHEDULE U. AVIATION DISCRETIONARY FUND (6001)	
Fund Balance - Unappropriated	31,648,903
TOTAL AVIATION DISCRETIONARY FUND	31,648,903

Section 4. It is estimated that the following revenues will be available during the fiscal year beginning July 1, 2015 and ending on June 30, 2016 to meet the appropriations shown in Section 2 according to the following Schedules:

SCHEDULE A. WORKFORCE INVESTMENT ACT FUND (2750)

Workforce Investment Act (WIA) Grants 7,810,852

TOTAL WORKFORCE INVESTMENT ACT FUND 7,810,852

SCHEDULE B. NEIGHBORHOOD DEVELOPMENT GRANTS FUND (2700)

Housing Opportunities for People with Aids (HOPWA) Grant 1,794,703

Emergency Shelter Grant 444,353

Double Oaks Loan Repayment 694,229

TOTAL NEIGHBORHOOD DEVELOPMENT GRANTS FUND 2,933,285

SCHEDULE C. PUBLIC SAFETY AND OTHER GRANTS FUND (2600)

Federal and State Grants and Reimbursements 5,219,264

Assets Forfeiture Funds 1,141,790

Miscellaneous grants, donations, and other contributions 400,000

Contribution from General Fund 345,000

TOTAL PUBLIC SAFETY GRANTS FUND 7,106,054

SCHEDULE D. PUBLIC SAFETY 911 SERVICES FUND (2300)

NC 911 Fund Distributions 2,302,076

Interest on Investments 15,000

TOTAL PUBLIC SAFETY 911 SERVICES FUND 2,317,076

SCHEDULE E. HOME GRANT FUND (2701)

HUD HOME Grant Funds 2,008,392

Contribution from Pay As You Go Fund 502,098

HOME Grant Program Income 350,000

TOTAL HOME GRANT FUND 2,860,490

SCHEDULE F. COMMUNITY DEVELOPMENT FUND (2702)

Community Development Block Grant 5,183,380

Community Development Program Income 250,000

TOTAL COMMUNITY DEVELOPMENT FUND 5,433,380

SCHEDULE G. PAY AS YOU GO FUND (4000)

Property Tax 10,819,338

Property Tax - Synthetic TIF 93,138

Interest on Investments 287,130

Sales Tax 16,539,822

Motor Vehicle Licenses 12,870,643

Vehicle Rental Tax 11,003,963

PAYGO Fund Balance Reserve (4000-00-00--0000-000000-000000-000-302951) 628,725

FY2016 Capital Reserve 1,594,372

Sale of Land 709,028

Contribution from Mecklenburg County 152,800

TOTAL PAY AS YOU GO FUND 54,698,959

SCHEDULE H. GENERAL CAPITAL PROJECTS FUND (4001)

Contribution from Pay As You Go Fund 23,591,986

Contribution from Other Funds -

 Innovative Housing Program Income 150,000

 Affordable Housing Program Income 300,000

 Business Grant Program Income 100,000

2014 Street Bonds 7,000,000

2014 Housing Bonds 7,500,000

Certificates of Participation (Central Police Station) 13,500,000

TOTAL GENERAL CAPITAL PROJECTS FUND 52,141,986

SCHEDULE I. TOURISM CAPITAL PROJECTS FUND (4022)

Contribution from Tourism Operating Fund 3,058,446

TOTAL TOURISM CAPITAL PROJECTS FUND 3,058,446

SCHEDULE J. STORM WATER CAPITAL PROJECTS FUND (6360)

Storm Water Revenue Bonds	15,150,000
Contribution from Storm Water Operating Fund	43,000,000
Program Income	1,500,000

TOTAL STORM WATER CAPITAL PROJECTS FUND 59,650,000

SCHEDULE K.CHARLOTTE WATER CAPITAL PROJECTS FUND (6261)

Water Revenue Bonds	16,130,000
Sewer Revenue Bonds	21,885,000
Contribution from Water and Sewer Operating Fund	65,185,400

TOTAL CHARLOTTE WATER CAPITAL PROJECTS FUND 103,200,400

SCHEDULE L. CHARLOTTE AREA TRANSIT SYSTEM CAPITAL PROJECTS FUNDS - CONSOLIDATED

Federal Transit Grants	126,163,000
Debt Proceeds	226,031,000
NCDOT Transit Grants	25,500,000
Contribution from CATS Operating Fund	7,156,688
TOTAL CATS CAPITAL PROJECTS FUNDS	384,850,688

SCHEDULE M. AVIATION CAPITAL PROJECT FUND (6064)

Aviation Discretionary - Pay-As-You-Go	23,607,484
Aviation Excluded Center - Pay-As-You-Go	1,305,000
TOTAL AVIATION CAPITAL PROJECTS FUNDS	24,912,484

Section 5. That the sum of up to \$21,630,000 is estimated to be available from the proceeds of the FY2016 Installment Payment Contract (Lease Purchase) and is hereby appropriated to the funds listed below. Interest earnings on these lease purchase proceeds are hereby appropriated to the respective funds' Control Centers for allocation for future capital equipment needs in the current and future years until the funds are depleted.

General Capital Equipment Fund	14,700,000
Water & Sewer Capital Equipment Fund (6263)	4,600,000
Powell Bill (Street Maintenance) Capital Equipment Fund	1,700,000
Issuance Expense	630,000

Total 21,630,000

Section 6. The following tax rates are hereby levied on each one hundred dollars (\$100) valuation of taxable property, as listed for taxes as of January 1, 2015, for the purpose of raising revenue from property taxes as set forth in the foregoing revenue estimates, and in order to finance the Funds' appropriations:

General Fund (for the general expenses incidental to the proper government of the City)	Tax Rates \$0.3741
Municipal Debt Service (for the payment of interest and principal on outstanding debt)	\$0.0926
Pay As You Go Fund (for dedication to the General Capital Projects Fund for capital improvements)	\$0.0120

TOTAL RATE PER \$100 VALUATION OF TAXABLE PROPERTY \$0.4787

Such rates of tax are based on an estimated total appraised valuation of property for the purpose of taxation of \$91,992,101,515 and an estimated rate of collection of ninety-seven and five tenths percent (97.5%).

Section 7. That the sum of \$1,257,608 is hereby appropriated to the Municipal Service District 1; that the sum of \$750,059 is hereby appropriated to the Municipal Service District 2; and that the sum of \$1,197,654 is hereby appropriated to Municipal Service District 3. These funds will provide for planning, promotion, and revitalization activities within the designated center city Municipal Service Districts for the period beginning July 1, 2015 and ending June 30, 2016.

Section 8. That the sum of \$794,701 is hereby appropriated to the Municipal Service District 4. These funds will provide for planning, promotion, and revitalization activities within the designated South End Municipal Service District for the period beginning July 1, 2015 and ending June 30, 2016.

Section 9. That the sum of \$643,792 is hereby appropriated to the Municipal Service District 5. These funds will provide for planning, promotion, and revitalization activities within the designated University City Municipal Service District for the period beginning July 1, 2015 and ending June 30, 2016.

Section 10. That the following estimated revenues are hereby available from the following sources to finance the operations of the Municipal Service Districts:

SCHEDULE A. MUNICIPAL SERVICE DISTRICT 1 (2101)	
Property Taxes	1,257,608

TOTAL DISTRICT 1 1,257,608

SCHEDULE B. MUNICIPAL SERVICE DISTRICT 2 (2102)	
Property Taxes	750,059

TOTAL DISTRICT 2 750,059

SCHEDULE C. MUNICIPAL SERVICE DISTRICT 3 (2103)	
Property Taxes	1,197,654

TOTAL DISTRICT 3	1,197,654
SCHEDULE D. MUNICIPAL SERVICE DISTRICT 4 (2104)	
Property Taxes	794,701
TOTAL DISTRICT 4	794,701
SCHEDULE E. MUNICIPAL SERVICE DISTRICT 5 (2105)	
Property Taxes	643,792
TOTAL DISTRICT 5	643,792

Section 11. The following tax rates are hereby levied on each one hundred dollars (\$100) valuation of taxable property, as listed for taxes as of January 1, 2014, for the purpose of raising the revenue from property taxes to finance the foregoing appropriations in the Municipal Service Districts

Municipal Service District	Tax Rates	Valuation	Collection Rate (%)
Municipal Service District 1	\$0.0168	7,701,402,881	97.20%
Municipal Service District 2	\$0.0233	3,311,871,720	97.20%
Municipal Service District 3	\$0.0358	3,441,770,592	97.20%
Municipal Service District 4	\$0.0668	1,223,942,505	97.20%
Municipal Service District 5	\$0.0279	2,373,968,211	97.20%

Section 12. That the City Manager is hereby authorized to move appropriations for reorganizations within and between funds. Any offsetting increases and decreases to both estimated revenues and appropriations may occur to accommodate these changes.

Section 13. That the sum of \$721,291.39 is hereby estimated to be available from Mecklenburg County for Fire Protection Services for the period of July 1, 2015 through June 30, 2016 in the Mallard Creek, Newell, and Providence Volunteer Fire Department areas and is hereby appropriated to the General Capital Equipment Fund 4500, Project 3120300009 - Fire Apparatus Capital Equipment

FY16 above, FY15 below

Capital Budget Prep

Section 14. That the sum of \$5,000,000 in various capital project appropriations in the General Capital Investment Fund 4001 is available from the following sources and is hereby transferred to the General Capital Investment Fund 4001, Project 4288550003 - Beatties Ford-Capps Hill Mine to Sunset

Projects	PL Project	Funding Source	Decrease	Increase
Rea Road Widening	4288550005	Street Bonds (3300)	2,000,000.00	
Little Rock Road Realignment	4288600010	Street Bonds (3300)	1,000,000.00	
Johnson Oehler Rd FTM	4288760003	Street Bonds (3300)	1,000,000.00	
Business Quarter Revitalization	6188790003	Other Funds (6000) (GF)	272,126.23	
Business Quarter Revitalization	6188790003	Street Bonds (3300)	427,873.77	
Idlewild Road Widening	4288200011	Street Bonds (3300)	300,000.00	
Beatties Ford-Capps Hill Mine to Sunset	4288550003	Other Funds (6000) (GF)		272,126.23
Beatties Ford-Capps Hill Mine to Sunset	4288550003	Street Bonds (3300)		4,727,873.77
Total			5,000,000.00	5,000,000.00

Section 15. That the sum of \$3,500,000 in various capital project appropriations in the General Capital Investment Fund 4001 is available from the following sources and is hereby transferred to the General Capital Investment Fund 4001, Project 6188790001 - North Tryon Redevelopment

Projects	PL Project	Funding Source	Decrease	Increase
Small Area Plans	6088780001	Street Bonds (3300)	1,200,000.00	
Beatties Ford Road Median	8010600029	Street Bonds (3300)	720,000.00	
Ballentyne Commons/Elm Lane Intersection	4288200021	Street Bonds (3300)	500,000.00	
Commonwealth Streetscape	8010600031	Other Funds (6000) (GF)	450,000.00	
Freedom Drive Widening	4288650037	Street Bonds (3300)	100,000.00	
Brookshire/Hovis/Oakdale Intersection	4288550007	Pay-As-You-Go (4000)	70,000.00	
Scaleybark/South Blvd Intersection Improvement	4288600006	Street Bonds (3300)	460,000.00	
North Tryon Redevelopment	6188790001	Pay-As-You-Go (4000)		70,000.00
North Tryon Redevelopment	6188790001	Other Funds (6000) (GF)		450,000.00
North Tryon Redevelopment	6188790001	Street Bonds (3300)		2,980,000.00
Total			3,500,000.00	3,500,000.00

Section 16. That the sum of \$2,008,719 in various capital project appropriations in the General Capital Investment Fund 4001 is available from the following sources and is hereby transferred to the General Capital Investment Fund 4001, Project 1400900008 - Reserve for Potential CIP Needs

Projects	PL Project	Funding Source	Decrease	Increase
Scaleybark/South Blvd Intersection Improvement	4288600006	Street Bonds (3300)	1,538,500.00	
Harris Blvd/The Plaza Intersection	4288550008	Street Bonds (3300)	170,219.00	
Eastway Police Station	8010150020	Other Funds (6000) (GF)	300,000.00	
Reserve for Potential CIP Needs	1400900008	Other Funds (6000) (GF)		300,000.00
Reserve for Potential CIP Needs	1400900008	Street Bonds (3300)		1,708,719.00
Total			2,008,719.00	2,008,719.00

Section 17. That the sum of \$665,153.60 in various capital project appropriations in the General Capital Investment Fund 4001 is available from the following sources and is hereby transferred to the General Capital Investment Fund 4001, Project 1400900010 - Pay As You Go Reserve

<u>Projects</u>	<u>PL Project</u>	<u>Funding Source</u>	<u>Decrease</u>	<u>Increase</u>
Whitewater	8010200002	Current Revenue (5000)	285,716.00	
Annex Fire Station: Miranda	8010150016	Pay-As-You-Go (4000)	68,237.60	
Construction of Annexation Fire Stations	8010150015	Other Funds (6000) (GF)	61,200.00	
Eastland Mall Area Improvements	6188700004	Other Funds (6000) (GF)	250,000.00	
Pay As You Go Reserve	1400900010	Other Funds (6000) (GF)		311,200
Pay As You Go Reserve	1400900010	Current Revenue (5000)		285,716
Pay As You Go Reserve	1400900010	Pay-As-You-Go (4000)		68,237.60
Total			665,153.60	665,153.60

Section 18. That the sum of \$750,000 is available in Pay-As-You-Go Fund 4000 Undesignated Fund Balance from Solid Waste Services HVAC Settlement deposit and is hereby appropriated in General Capital Investment Fund 4001, to project 1400900010 - Pay-As-You-Go Reserve

Section 19. That the sum of \$50,000 is available in General Capital Investment Fund 4001 (4001-80-10-0000-000000-000000-000-47160) from Solid Waste Services HVAC Settlement deposit and is hereby appropriated in General Capital Investment Fund 4001, to project 1400900010 - Pay-As-You-Go Reserve

Section 20. That the sum of \$3,744,536 is available from the General Fund 1000 Fund Balance in excess of 16% and is hereby appropriated for transfer to the Pay-As-You-Go Fund 4000 to be allocated as follows:

FY2016 Capital Reserve appropriation (Section 4, Schedule G, FY2016 Annual Ordinance)	1,594,372.00
To be programmed for future years in Fund Balance Reserve Account 4000-00-00--0000-000000-000000-000-302951	1,250,890.00
FY2016 Appropriation to General Capital Investment Fund 4001, Pay-As-You-Go Reserve (see FY2015 Wind-up Section 21)	899,274.00

Section 21. That the sum of \$899,274 is available in Pay-As-You-Go Fund 4000 Capital Reserve and is hereby appropriated in General Capital Investment Fund 4001, to project 1400900010 - Pay-As-You-Go Reserve

Section 22. That the sum of \$1,700,000 is available in General Capital Investment Fund 4001, Project 1400900002 - Manager's Technology Reserve and is hereby transferred to General Capital Investment Fund 4001, to Project 1710000001 - PeopleSoft Upgrade

Section 23. That the sum of \$809,034 is available in General Capital Investment Fund 4001, Project 8010150023 - Fire Investigations Renovations and is hereby transferred to General Capital Investment Fund 4001, Project 8040400001 - Building Improvements

Section 24. That the sum of \$486,869.66 is available in General Fund 1000 (GL1000-80-80-8030-000000-000000-000-440680) from developer contributions to the tree preservation fund, per the City's Tree Ordinance, and is hereby appropriated in the General Capital Investment Fund 4001 to the Tree Preservation & Mitigation Project 8030100005

Section 25. That the sum of \$36,052.20 is available in General Capital Investment Fund 4001, Contri/Donat Fr Priv Srcs (GL 4001-42-42-0000-000000-000000-000-470150) from Rack Room Shoes developer contributions and is hereby appropriated to in the General Capital Investment Fund 4001 to Project 4288500016 - University Point Blvd Connector

Section 26. That \$6,061,144.04 is available from the listed sources and is hereby appropriated to the indicated projects and funds.

<u>Projects</u>	<u>Fund</u>	<u>Project</u>	<u>Source</u>	<u>Amount</u>
CDBG	2702	6180100008	Program Income (5000)	126,827.67
HOME	2701	6133750008	Program Income (5000)	1,132,504.14
Rehabilitation Loan Program	2704	6133750007	Program Income (5000)	34,125.00
Affordable Housing Program	4001	6133750004	Program Income (5000)	32,885.37
Mayor's Youth Employment Program (Bank of America)	2700	6110100047	Grants Proceeds (5000)	113,512.00
Mayor's Youth Employment Program (Bank of America)	2700	6110100047	Grants Proceeds (5000)	21,700.00
City Within a City Loan Program	4001	6110100009	Program Income (5000)	95,962.21
House Charlotte Program	4001	6133750002	Program Income (5000)	89,375.73
Economic Development Loans	2703	6110100083	Program Income (5000)	8,330.64
Economic Development Loans	2703	6110100083	Program Income (5000)	2,345,197.63
Lead Based Paint Program	2700	6180100006	Program Income (5000)	14,080.00
Mecklenburg Mill Section 108 Loan	2700	6133750011	Program Income (5000)	903,732.65
Double Oaks Loan	2700	6133750014	Program Income (5000)	835,516.00
Neighborhood Leadership Awards Program (Foundation of the Carolinas)	1000	Division 6140	Grants Proceeds (5000)	5,000.00
Redevelopment of First Ward around UNCC	4001	6110100080	Program Income (5000)	302,795.00
Redevelopment of First Ward around UNCC	4001	6110100080	Program Income (5000)	(400.00)
Total				6,061,144.04

CATS

Section 27. Appropriate NC State University Telemetrics Grant (F1514) for \$80,337 and the related grant match of \$27,643 to CATS' Project 4151101028

Section 28. Estimate revenue and appropriate a state grant for \$25,000,000 for CATS project 4131502000 for fund 6161

Section 29. Estimate revenue and appropriate \$2,188,571 to CATS Operating Fund for Airport Services

Section 30. Transfer \$8,472 for insurance refund from CATS Operating Fund 6100 to Fund 6160-4111103002

Section 31. Transfer \$8,849.03 from CATS Fund 6165 Project 4111101002 to Fund 6160 Project 4111101002

Section 32. That Sections 2 and 4 Schedule L of Ordinance 5405X dated June 9, 2014 are hereby amended to reflect changes to the Charlotte Area Transit System Capital Projects Fund

	<u>Original</u>	<u>Revised</u>
Section 2 Schedule L		
Transit Vehicles	7,281,815	7,284,815
Transit Facilities	4,584,162	4,584,162
Transit Maintenance & Equipment	9,009,042	9,009,042
Transit Support	5,330,071	5,330,071
Transit Corridor Development & Planning	179,679,336	182,446,000
Total	205,884,426	208,654,090
Section 4 Schedule L		
Federal Transit Grants	120,275,000	120,275,000
NCDOT Transit Grants	24,383,000	24,383,000
Debt Financing (City of Charlotte)	56,329,000	59,098,664
Contribution from CATS Operating Fund	4,897,426	4,897,426
Total	205,884,426	208,654,090

Aviation

Section 33. Transfer \$94,473 from Aviation Discretionary Fund 6001 for Automated Passport Kiosks Project to Fund 6064; Project number 4020902990

Section 34. Transfer \$66,484.66 from Aviation Discretionary Fund 6001 for CLT Center Renovations Phases 8 & 9 in Fund 6064 Project 4020902986

Section 35. Transfer \$1,239,454 from Aviation Discretionary Fund 6001 for Siemens Postal, Parcel & Aviation Logistics for Consolidated Inline Baggage System in Fund 6000

Section 36. Transfer \$355,000 from Aviation Discretionary Fund 6001 for Aviation Paint Truck in Fund 6064

Section 37. Transfer \$127,340.50 from Aviation Discretionary Fund 6001 for utility work in Fund 6070-4020905602

Section 38. Transfer \$47,890 from Aviation Discretionary Fund 6001 for Change Order 1 to Contract 1301185 for engineering design services for runway 18L/36R in Fund 6064-4020902981

Section 39. Transfer \$8,529,108 from Aviation Operating Fund 6000 to Aviation Discretionary Fund 6001 for the amortization of swap term payments and refunding of 1997A bonds (non-PFC portion)

Section 40. Transfer \$20,000,000 from Aviation Discretionary Fund 6001 to the Aviation Community Investment Plan Fund 6064 Project 4020901543

Section 41. Transfer \$672,312.47 from the Aviation Discretionary Fund 6001 to the Aviation Art Program Fund 6060, Project 4020906227

Section 42. Transfer \$978,635 from Aviation Discretionary Fund 6001 for construction and testing costs of the non-grant eligible portion of the construction contract in Fund 6064 Project 4020901517

Section 43. Transfer \$70,080 from Fund 6064 Project 4020901510 and \$23,360 from Fund 6064, Project 4020901511 a total of \$93,440 to Project 4020901512 in Aviation Fund 6064

Section 44. Appropriate \$90,000 to Fund 6070; Project 4020905602 - Rental Car Storage Facility from interest income Source 5000

Section 45. Appropriate \$6,000,000 to Fund 6069 Project 4020905501. Aviation received a \$6,000,000 Grant used to call outstanding 2011C Variable Rate General Aviation Revenue Bonds.

Section 46. Appropriate \$11,766,919 from Aviation Discretionary Fund 6001 for capital expenditures in Fund 6064 for the following projects 4020901501 \$711,000; 4020901502 \$1,838,999; 4020901503 \$2,631,920; 4020901504 \$435,000; 4020901505 \$150,000; 4020902996 \$2,000,000; and 4020902997 \$4,000,000.

Other Funds

Section 47. Estimate and appropriate a state grant for \$5,000 for Fund 2600, Project 3140650002 for Charlotte Fire Department Emergency Management

Section 48. Transfer \$5,271,921 for Neighborhood & Business Services street bonds/commercial paper from Projects 8009100011 and 6110100081 to Project 6110100080 for the Brevard & 8th Street Improvement Project

Section 49. Appropriate \$40,000 to Fund 2600 Project 3050000005 from asset forfeiture fund balance (US Justice: 1300-13001100-0000) to fund a CMPD Homicide minor project

Section 50. Appropriate \$14,000 to Fund 2600 Project 3050000004 from asset forfeiture fund balance (US Justice: 1300-13001200-0000) to fund a CMPD Operational need minor project

Section 51. Transfer \$324,880 from Fund 2600 Project 3050000003 to Fund 2600 Project 3050000004 for Police Body Cameras as previously approved by City Council

Section 52. Appropriate a contribution of \$71,720.12 from FY14 Regional Response Team funds to Fund 2600, Project 3120300007; Funding Source: 5000-50009000-2014

Section 53. Appropriate a loan of \$14,700,000 from Municipal Debt Service (3000) to General Capital Equipment (4500) to be repaid over a five years.

TECHNICAL

Section 54. That the following ordinances are hereby revised as follows:

Reference	Revised to:
Ordinance 5323-x dated March 24, 2014:	To read sum of \$1,770,055 is available from the Aviation Excluded Fund , rather than Aviation Discretionary Fund
Ordinance 5405-x, dated June 9, 2014 Section 24:	To read sum of \$1,381,969.90 is to be transferred to Fund 4001, Project 1400900010 rather than Fund 4000.
Ordinance 5405-x, dated June 9, 2014 Section 1 & 3	Schedule U to read appropriate and estimate an additional \$11,735,334 transferred from Aviation Operating Fund 6000 and appropriated to Fund 6001
Ordinance 5464-x	To read Source 6000 and Type 60006001 rather than Source 5000 and Type 50009000
Ordinance 5465-x	To read Source 6000 and Type 60006001 rather than Source 3100 and Type 31001120
Ordinance 5463-x	To read Project number 31406700001 rather than 3140000001
Ordinance 5454-x	To appropriate \$483,916 in Major Project 3050000084 rather than Minor Projects (85-88)
Ordinance 5454-x	To estimate a contribution from Time Warner Cable for Joint Duct Bank A and appropriate \$42,398.16 in Major Project 4131502000
Ordinance 5454-x	To estimate a contribution from TW Telecom for Joint Duct Bank A and appropriate \$85,823 in Major Project 4131502000
Ordinance 5454-x	To estimate a contribution from Time Warner Cable for Joint Duct Bank B and appropriate \$2,590 in Major Project 4131502000
Ordinance 5454-x	To estimate a contribution from Time Warner Cable for Joint Duct Bank C and appropriate \$127,741.60 in Major Project 4131502000
Ordinance 5454-x	To estimate a contribution from Time Warner Cable for Joint Duct Bank B and appropriate \$153,869.94 in Major Project 4131502000
Ordinance 5454-x	To estimate a contribution from Level 3 Communications for Joint Duct Bank B and appropriate \$130,966.10 in Major Project 4131502000
Ordinance 5454-x	To estimate a contribution from TW Telecom for Joint Duct Bank B and appropriate \$32,626.04 in Major Project 4131502000
Ordinance 5454-x	To estimate a contribution from TW Telecom for Joint Duct Bank C and appropriate \$175,400.21 in Major Project 4131502000
Ordinance 5440-x	To appropriate to Project 3050110002, rather than 3050110001 in the amount of \$563,921
Ordinance 5441-x	To appropriate to Project 4288300001 rather than 4292000018 in the amount of \$366,000
Ordinance 5569-x	To appropriate to Fund 6070 and Project 4020905601 not Fund 6064 and Project 4020901506 in the amount of \$147,595.80
Ordinance 5900-x	To read Source 3300 rather than Source 3000
Ordinance 5535-x Section 4:	To read Fund 4021 rather than Fund 4022.
Ordinance 5405-x, dated June 9, 2014 Section 1:	Schedule B to appropriate \$3,000,000 from Charlotte Water Fund Balance to the following accounts: \$2,782,300 to 6200-70-72-7040-704060-000000-000-520590 \$184,500 to 6200-70-72-7040-704086-000000-000-521910: \$33,200 to 6200-70-72-7040-704086-000000-000-520540:
Ordinance 5405-x, dated June 9, 2014 Section 4:	Schedule C to estimate and appropriate an additional \$121,075 received from a Fair Housing grant from HUD to Project 1130900002.
Ordinance 5405-x, dated June 9, 2014 Section 4:	Schedule C to estimate and appropriate an additional \$7,419 received from private contributions to Project 1130900003 based on actual collections.
Ordinance 5405-x, dated June 9, 2014 Section 4:	Schedule C to estimate and appropriate an additional \$59,150 to Project 1130900001 based on actual collections.
Ordinance 5405-x, dated June 9, 2014 Section 3:	Schedule A to estimate and appropriate an additional \$10,200 received from Zoning Permit and Annexation fees to Division 1200 based on actual collections.
Ordinance 5405-x, dated June 9, 2014	To reinstate Project 1840100001 and appropriate and estimate \$285,618.27 for Public Safety Radio Program.

Ordinance 5460-X, dated September 8, 2014	To correctly account for the appropriation/transfer of funds in the amount of \$1,566,835 to General Fund Expenditure Accounts in Fire and Police and to the appropriate Aviation Revenue accounts
Ordinance 5569-X, dated February 9, 2015	To read Fund 6070, Project 4020905601 instead of Fund 6064, Project 4020901506
Ordinance 5930-X, dated May 11, 2015	To read Fund 6069 instead of Fund 6064 and to transfer funds from Fund 6069, Project 4020905502 to the Aviation Discretionary Fund 6001 to replace the grant funds from the Transportation Security Administration
Ordinance 5405-x, dated June 9, 2014 Section 72	To read The City Manager or his designee is hereby authorized to pay insurance premiums, risk management claims, legal fees, utility bills, escrow payments, annual hardware/software maintenance and support fee renewals, refunds (excluding tax refunds), auction fees; payments to Mecklenburg County in accordance with Council authorized agreements; payments to transit management company, and payments to the property management/leasing company for CATS' Charlotte Transit Center (CTC).
Ordinance 5405-x, dated June 9, 2014 Section 70	To read That the Chief Financial Officer or his designee is hereby authorized to auction non-United States denominated coins and United States currency that is considered to be damaged, rare and/or collectors' coins collected by the City for deposit into the City's cash pool account.

STANDARD LANGUAGE FOLLOWS

- Section 55.** That any remaining encumbrances in operating funds are hereby authorized for reappropriation from which expenditures may be made during the year.
- Section 56.** That the entire sums available from MSD Funds 2101, 2102, 2103, and 2104 fund balances as of June 30, 2015 for MSDs #1, #2, #3, and #4 is hereby appropriated for payment to Charlotte Center City Partners (CCCP).
- Section 57.** That the Chief Financial Officer or his designee is hereby authorized to carry forward the authorizations for any Federal, State, Local, other third party grants, or program- specific community contributions for the duration of the grants' or contributions' authorized performance periods; and that any appropriation of local funding required, such as a grant match, is authorized to be carried forward as well.
- Section 58.** Sections of this ordinance estimate federal and/or state grant participation. Upon receipt of the grant assistance, the sources and levels of funding for the project specified may be adjusted to reflect permanent financing. Until permanent financing is realized, the Chief Financial Officer or his designee is hereby authorized to advance funding from the appropriate fund's fund balance to cover the estimated grant revenue as specified in the above sections. Upon receipt of grant revenue, funds advanced to the project shall revert back to the source fund's fund balance. If grant funding is not realized, the advance may be designated as the permanent source of funding. The total project appropriation level shall not exceed the amounts specified unless amended by a subsequent ordinance.
- Section 59.** That the Chief Financial Officer or his designee is hereby authorized to appropriate interest earnings for any Federal, State, Local, or other third party grants or other revenues for the duration of the grants' or other revenues' authorized performance periods.
- Section 60.** That the Chief Financial Officer or his designee is hereby authorized to appropriate interest on investments on HUD-related revolving loan funds as required by HUD to return related interest earnings to HUD at fiscal years' end.
- Section 61.** That the Chief Financial Officer or his designee is hereby authorized to advance cash from the General Capital Project equity of the City's cash pool account to general capital projects that are bond financed (unissued) and that have City Council authorized appropriations. Upon issuance of permanent financing, the funds will be repaid to the General Capital Project equity of the City's cash pool account.
- Section 62.** That the Chief Financial Officer or his designee is hereby authorized to advance cash from the Utilities equity of the City's cash pool account to water and sewer projects that are bond financed (unissued) and that have City Council authorized appropriations. Upon issuance of permanent financing, the funds will be repaid to the Utilities equity of the City's cash pool account.
- Section 63.** That the Chief Financial Officer or his designee is hereby authorized to transfer interest earnings from the City's various operating and capital funds to the appropriate debt service funds according to Council policy, except where specific exceptions have been authorized.
- Section 64.** That the Chief Financial Officer or his designee is hereby authorized to transfer sales tax revenues between Transit Operating Funds and the Transit Debt Service Funds as necessary to facilitate CATS financial policies.
- Section 65.** That the Chief Financial Officer or his designee is hereby authorized to appropriate amounts needed to fund current fiscal year debt issues that have been approved by Council.
- Section 66.** That the Chief Financial Officer or his designee is hereby authorized to appropriate amounts needed to satisfy federal government regulations related to interest earnings on debt issues.
- Section 67.** That the Chief Financial Officer or his designee is hereby authorized to transfer revenues from the Tourism and Convention Center Tax Funds to the Charlotte Regional Visitors Authority as stipulated in State of North Carolina General Statutes, contractual or other required payments.
- Section 68.** That occupancy and prepared food and beverage tax revenues are hereby available and are authorized to be appropriated in the amounts needed to make payments to Charlotte Regional Visitors Authority as specified in the Council- authorized agreement.
- Section 69.** That prepared food and beverage tax revenues are hereby available and are authorized to be appropriated for transfer in the amounts needed to make payments to the Mecklenburg County towns (Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville) as stipulated in House Bill 715, Session Law 2001 and interlocal agreement approved by Council resolution June 13, 2005.
- Section 70.** That as annual wireless communications user fees exceed annual debt service and other operating expenditures for wireless infrastructure system operations in General Fund 1000 the excess is hereby authorized to be appropriated for transfer to the General Capital Improvement Fund 4001 for future digital communications upgrades as specified in Council- authorized interlocal agreements. Any shortfall in collections from system user fees will be carried forward to the future fiscal year(s) and will be deducted from future transfers to the CIP until depleted.

Section 71. That the Chief Financial Officer or his designee is hereby authorized to adjust the funding source for Water and Sewer Capital Projects as necessary to reflect the applicable source as Pay As You Go or bond proceeds.

Section 72. That the Chief Financial Officer or his designee is hereby authorized to auction non-United States denominated coins and United States currency that is considered to be damaged, rare and/or collectors' coins collected by the City for deposit into the City's cash pool account.

Section 73. That the Chief Financial Officer or his designee is hereby authorized to pay sales and use tax as required.

Section 74. The Chief Financial Officer or his designee is hereby authorized to pay insurance premiums, risk management claims, legal fees, utility bills, escrow payments, annual hardware/software maintenance and support fee renewals, refunds (excluding tax refunds), auction fees; payments to Mecklenburg County in accordance with Council authorized agreements; payments to transit management company, and payments to the property management/leasing company for CATS' Charlotte Transit Center (CTC).

Section 75. That the sum of General Fund 1000 Fund Balance in excess of 16% is hereby available for transfer and appropriation to the Pay-As-You-Go Fund 4000 Fund Balance

Section 76. That the City Manager is hereby authorized to adjust appropriations in accordance with any Council amendments to this budget ordinance made at the June 08, 2015 Council Business Meeting

Section 77. Copies of this ordinance shall be furnished to the Director of Finance, City Treasurer, and Chief Accountant to be kept on file by them for their direction in the disbursement of City funds.

Section 78. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 79. It is the intent of this ordinance to be effective July 1, 2015, except for Sections 14 through 78, which are to be effective upon adoption.

Approved as to form:

City Attorney

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING
THE FIVE-YEAR COMMUNITY INVESTMENT PLAN FOR FISCAL YEARS 2016 TO 2020.

WHEREAS, the City of Charlotte recognizes the importance of developing long- range capital investment planning to maintain the growth and vitality of the community; and

WHEREAS, the City of Charlotte continuously develops and reviews the policy, financial and planning assumptions and impacts of capital investment projects for the City; and

WHEREAS, the City of Charlotte has a five-year Community Investment Plan based on policy assumptions, so stated in the FY2016-FY2020 Community Investment Plan that balances potential physical development with long-range financial capacity; and

WHEREAS, The Community Investment Plan is amended from time to time to reflect changes in capital planning of the community,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it hereby adopt the Community Investment Plan for fiscal years 2016 to 2020.

This 8th day of June 2015

Sec. 10-141. — ~~Residential solid waste disposal fee~~ Residential ~~ss~~ solid waste facilities/services fee.

~~(a)~~ Purpose. This fee is for the ~~use of solid waste facilities and/or for the provision of solid waste services.~~

~~(ab)~~ Levying & Billing Relationship to Machinery Act. The ~~residential~~ solid waste ~~disposal~~ fee levied against residential properties shall be billed with property taxes, payable in the same manner as property taxes, and collected in any manner by which delinquent personal or real property taxes can be collected, all as provided in G.S. 105-271 et seq.

~~(cb)~~ Administration. The county tax administrator will levy and collect the fee and may promulgate additional rules and regulations necessary for the implementation of this section not inconsistent with the specific provisions set forth in this in this section.

~~(de)~~ Residential Property affected. The solid waste fee levied against residential properties is imposed upon all property in the city which is a residence. The fee is imposed on each separate residence.

~~(ed)~~ Date as of which ownership and eligibility for imposition of the solid waste fee levied against residential properties fee-is to be determined. The ownership of property subject to the solid waste fee levied against residential properties fee shall be determined as of January 1, 1996, for the fiscal year beginning July 1, 1996, and as of January 1 of each year thereafter for each successive fiscal year for which the fee is imposed. If any property subject to the solid waste fee levied against residential properties fee as of January 1 is destroyed, demolished or removed, becomes uninhabitable, or otherwise loses its eligibility for the fee prior to July 1 and remains as such as of July 1 of that calendar year, the property will not be subject to the solid waste fee levied against residential properties fee. A change of ownership of the property between January 1 and July 1 will not cause the property to lose its eligibility for imposition of the solid waste fee levied against residential properties fee. A residence which is vacant due to being partially completed as of January 1 shall not be subject to the solid waste fee levied against residential properties fee, even though it is fully completed as of July 1. A residence which is vacant due to being renovated as of January 1 shall be subject to the solid waste fee levied against residential properties fee, provided the residence is occupied or available for occupancy as of July 1.

~~(fe)~~ Exclusion of the solid waste fee levied against residential properties fee. For the first fiscal year in which the solid waste fee levied against residential properties fee is imposed (July 1, 1996, through June 30, 1997), the solid waste fee levied against residential properties fee shall not be imposed on any residence which, at all times from July 1, 1996, through December 31, 1996: (i) has its waste collected by a private contractor who disposes of the solid waste at a solid waste facility provided by the private contractor; and (ii) does not use any of the county's solid waste services (including landfills, incinerators, yard waste sites, or recycling facilities, including drop sites). For subsequent fiscal years, the solid waste fee levied against residential properties fee shall not be imposed on any residence which, at all times from January 1 of the calendar year in which the fiscal year opens through December 31 of the calendar year, meets the same requirements as set forth in (i) and (ii) of this subsection.

(gf) *Assessment procedure.* The tax administrator shall determine ~~on~~ which properties to assess the solid waste fee levied against residential properties fee shall be levied and shall include the amount of the solid waste fee levied against residential properties fee on the tax bill of the owner of the property as of January 1. If ~~the~~ solid waste fee levied against residential properties is fee imposed on a residence which is not assessed for property taxes by the tax administrator in connection with or as a part of a specific parcel of land, then the solid waste fee levied against residential properties shall be billed by a separate bill to the owner of the residence. Residences which are exempt from property taxation but which are subject to the solid waste fee levied against residential properties fee shall be billed by a separate bill to the owner of the residence.

(hg) *Late ~~assessment/levy~~ of the solid waste fee levied against residential properties fee.* If the tax administrator fails to assess/levy the solid waste fee levied against residential properties fee on one or more residences in the city during the normal billing period due to inadvertence or other good reason, the solid waste fee levied against residential properties fee may be levied-assessed at any time during the applicable fiscal year or the next succeeding fiscal year. For purposes of determining the due date and applicability of interest, the late levy-assessment shall be deemed to be ~~a fee~~ the fiscal year beginning on July 1 of the calendar year in which the solid waste fee levied against residential properties fee is assessed/levied.

(ih) *Due dates; interest for nonpayment.* The solid waste fee levied against residential properties fee is due September 1, 1997, and September 1 of each successive year for which the solid waste fee levied against residential properties fee is imposed. The solid waste fee levied against residential properties fee is payable at par if paid before January 6 following the opening of the fiscal year. Any portion of the solid waste fee levied against residential properties fee not paid on or before January 6 is delinquent and interest will accrue as follows: For the period January 6 to February 1, interest accrues at the rate of two percent, and for the period February 1 until the principal amount of the fee and the accrued interest is paid, interest accrues at the rate of three-fourths of one percent per month or fraction thereof.

(ij) *Appeals.* The owner of property upon which a solid waste fee levied against residential properties fee is assessed/levied by the tax administrator shall have the right to file a notice of exception with the tax administrator at any time prior to the date the solid waste fee levied against residential properties fee becomes delinquent, unless the notice of the solid waste fee levied against residential properties fee is mailed less than 30 days prior to the delinquent date, in which event the owner shall have 30 days after the date of mailing in which to file a notice of exception. Upon receipt of a timely exception, the tax administrator shall arrange a conference with the owner to afford ~~him~~ an opportunity to present-review any evidence or argument ~~he-the owner~~ may have regarding the solid waste fee levied against residential properties fee, and the tax administrator shall have the authority to authorize a rebate or refund of the solid waste fee levied against residential properties fee if ~~he-the tax administrator~~ concludes the solid waste fee levied against residential properties fee is not owed. Within 15 days after the conference the tax administrator shall give written notice to the owner of his final decision. In a case in which an agreement is not reached, the owner shall have 15 days from the date the notice is mailed to appeal the tax administrator's decision to the city manager or designee of the city manager ~~county waste management advisory board ("board")~~. ~~The board shall have the right to appoint a special committee consisting of at least five persons from the board to hear the appeals.~~ Notwithstanding any pending exceptions by the owner to the tax administrator or appeal to the ~~board~~ city manager or designee of the city manager, the owner shall pay the solid waste fee levied against residential properties fee prior to the date interest accrues, subject to refund, without interest, if the final appeal is decided in the owner's favor. If a solid waste fee levied against residential properties fee is refunded, the city ~~finance director~~ shall issue the refund.

(k) *Liens.* The solid waste fee levied against residential properties fee shall be a lien on real and personal property under the same rules as set forth in G.S. 105-355, and other sections of the Machinery Act.

(l) *Partial payments.* The tax administrator shall be entitled to collect partial payments of the solid waste fee levied against residential properties fee. If a bill from the tax administrator includes a combination of property taxes or other assessments with the solid waste fee levied against residential properties fee, the tax administrator shall apply any partial payments in the order in which such payments are now applied under the hierarchy utilized by the office of the tax administrator, with the solid waste fee levied against residential properties fee to be applied at the lowest priority of the hierarchy existing as of the date of this section.

(m) *Imposition on multiple owners.* If there are multiple owners of property on which the solid waste fee levied against residential properties fee is imposed and such multiple owners are assessed separately for the property taxes, the solid waste fee levied against residential properties fee shall be levied on a ratable basis in accordance with the percentage of interest owned by the multiple owners.

(n) *Adjustment of solid waste fee levied against residential properties fee.* If the city council determines that a solid waste fee levied against residential properties fee has been assessed/levied against a type of residence in an amount which is in excess of the solid waste fee levied against residential properties fee which should have been levied, the city council shall have the authority to direct the county tax administrator and/or the city finance director to refund, rebate, or credit an appropriate amount to the affected property owners either in the fiscal year for which the solid waste fee levied against residential properties fee was levied or in the next fiscal year. If a portion of a solid waste fee levied against residential properties fee is refunded, rebated, or credited, the adjustment of the solid waste fee levied against residential properties fee shall be from funds administered by the city's finance director.

Sec. 10-142. - Nonresidential solid waste services fee.

(a) *Purpose.* This fee is for the provision of solid waste services.

(b) *Billing/Relationship to Machinery Act.* The solid waste fee levied against commercial properties shall be billed to commercial properties meeting the requirements of subsection (d) below.

(c) *Administration.* The city manager or a designee of the city manager will bill and collect the solid waste fee levied against commercial properties and ~~and~~ may promulgate additional rules and regulations necessary for the implementation of this section not inconsistent with the specific provisions set forth in this ~~in this~~ section.

(d) *Commercial property affected.* The solid waste fee levied against commercial properties is imposed upon any commercial property which is provided solid waste services by the City. The fee shall be imposed on each separate commercial property.

**METROPOLITAN TRANSIT COMMISSION
ACTION ITEM
STAFF SUMMARY**

SUBJECT: Transit Program Approval **DATE: April 22, 2015**
FY2016-FY2017 Operating and Transit Debt Service Budgets
FY2016-FY2020 Transit Community Investment Plan

ACTION

- A.** Approve FY2016-FY2017 Transit Operating and Transit Debt Service Fund budgets as follows:

Operating

Income: \$135,274,464
Expense: \$135,274,464

Debt Service

Income: \$28,766,057
Expense: \$28,766,057

- B.** Approve the FY2016-FY2020 **Transit Community Investment Plan** as follows:

Income	\$1,029,470,000
Expense	\$ 646,626,293

- C.** Authorize CATS Chief Executive Officer to:
Present the MTC approved FY2016-FY2017 Operating and Transit Debt Service Budgets and the FY2016-FY2020 Transit Community Investment Plan to the Charlotte City Council for review and inclusion in the City of Charlotte's budget.

POLICY IMPACT:

The FY2016-FY2017 Transit Operating Budget and the FY2016-FY2020 Transit Community Investment Plan have been developed in compliance with CATS Financial Policies including annual contribution to the Transit Revenue Reserve Fund, year-end fund balance, debt service coverage ratios, and the transfer of balances to the Capital program.

BACKGROUND

The proposed FY2016-FY2017 Transit Operating and Debt Service Budgets and the proposed FY2016-FY2020 Transit Capital Investment Plan provide:

- A. Core Mass Transportation Services
- B. A structurally balanced financial plan
- C. A focus on asset maintenance and future growth

The FY2016-FY2017 Transit Operating Budget:

- Operating (Sales Tax) Allocation is the amount of total Transit Sales Tax which is deposited into the CATS operating fund after debt service costs have been satisfied. This amount is \$56,121,508 for FY2016 and \$52,462,966 for FY2017
- Reflects a 4.2% growth in annual operating and maintenance (O&M) costs in FY2016.
- Adds 5,000 bus revenue service hours, which are partially funded by Federal funds
- Adds 35 project positions for maintenance, acceptance start-up and testing of new rail cars for the BLE project. These positions will be fully funded by the BLE project in FY2016.

The FY2016-FY2017 Debt Service Budget:

- Receives grant and sales tax revenue that pays for eligible debt service costs
- Budgets for payment of debt services costs
- Transfers \$1.5 million to the (Debt) Revenue Reserve Fund

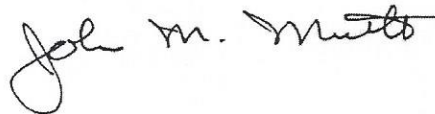
The FY2016-FY2020 Community Investment Plan focuses on:

- Asset Maintenance
 - Replacement of Revenue Vehicles
 - Transit Bridge Program
 - Rail car truck overhaul
 - Upgrades to the radio system and fare boxes
- Construction of the LYNX Blue Line Extension

ATTACHMENT(S):

- 1) Attachment 1-Budget Summary
- 2) Attachment 2-Financial Performance Objectives
- 3) Attachment 3-Service (Operations) Changes
- 4) Attachment 4a-Operating Income
- 5) Attachment 4b-Operating Program Detail
- 6) Attachment 4c-Staffing Summary
- 7) Attachment 5-Debt Summary
- 8) Attachment 6a-CIP Revenue
- 9) Attachment 6b-CIP Expenses
- 10) Attachment 7-Jurisdictional Data

SUBMITTED AND RECOMMENDED BY:



John M. Muth
Interim CEO, Charlotte Area Transit System
Interim Director of Public Transit, City of Charlotte

Recommendation:

Approve action

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING
CHANGES TO THE CITY PAY PLANS AND EMPLOYEE GROUP INSURANCE PLANS FOR
FISCAL YEAR 2016

WHEREAS, the City of Charlotte desires to provide its employees with a competitive pay package and recognizes the importance of rewarding employees for their performance; and

WHEREAS, the City of Charlotte desires to provide its employees with a competitive benefits package; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it hereby adopt the pay and benefits recommendations for fiscal year 2016

This 8th day of June 2015

FY2016 Financial Partners Description of Services

General Fund Financial Partners

Arts & Science Council (ASC) \$2,940,823

- The Arts & Science Council oversees community-wide cultural planning, fundraising, grant administration, technical assistance, facility review, and other responsibilities to advance the cultural life of Charlotte and Mecklenburg County.

Community Building Initiative \$50,000

- The Community Building Initiative (CBI) builds the capacity and commitment of individuals, organizations, institutions, and the broad community to successfully work together towards a more inclusive and equitable community. CBI's services support the City through two strategic approaches with programmatic components: leadership in a diverse world, and community events and outreach.

Safe Alliance \$333,977

- The Victim Assistance Program provides crisis intervention, community counseling, education, and individual assistance to victims of violent crimes and to families of homicide victims.

Charlotte Regional Visitors Authority (CRVA) \$13,747,941

- Tourism Marketing (\$4,721,222)
 - Funds the City's general tourism marketing services contract with CRVA. The amount is based on a portion of projected collections of the occupancy tax and a \$35,000 City contribution for special events.
- Charlotte Convention Center Promotion and Business Development Activities (\$8,876,719)
 - Funding allocated to the Authority is derived from a portion of the proceeds of the prepared food and beverage tax and a portion of the countywide occupancy tax.
- Film Commission (\$150,000)
 - Supports the Charlotte Regional Film Commission

100% Federal Grant Funded Financial Partners

Carolinas CARE Partnership \$1,640,862

- Carolinas CARE Partnership manages the City's Housing Opportunities for Persons with HIV/AIDS (HOPWA) federal grant. Responsibilities include:
 - Awarding restricted-use grants to qualified organizations in the ten-county metropolitan statistical area (MSA) to provide housing and supportive services for people living with HIV and AIDS.
 - Distributing funds available through the HOPWA program in compliance with U.S. Department of Housing and Urban Development regulations
 - Ensuring that all HOPWA funds are expended to provide maximum access to housing for eligible people affected by HIV and AIDS
 - Assisting approximately 530 persons with HIV/AIDS annually
 - Monitoring distribution and proper expenditure of funds distributed to grantee agencies in the region

Charlotte Family Housing \$330,000

- Charlotte Family Housing (CFH) provides supportive housing services and rehouses homeless working families into rental units throughout the City. CFH also provides services at three (3) temporary/transitional shelters.
- The contract is performance-based; therefore, the funding is up to \$330,000. The goal in FY2016 is to serve 75 families per month through the program.

100% PAYGO Funded Financial Partners

Community Link \$450,000

- Community Link provides pre and post homeownership counseling services and literacy training with an emphasis in creating homeownership in the City's neighborhoods.
- The FY2016 goal is to serve approximately 1500 clients.

Crisis Assistance Ministry \$380,000

- The Crisis Assistance Ministry provides critical assistance to low-income families through:
 - Energy Assistance Program (\$180,000) – These funds provide direct payments to utility companies for low-income families who are unable to pay their utility bills during times of financial crisis. This program serves approximately 1,000 families annually.
 - Rental Assistance Program (\$200,000) – These funds are for low-income families who are unable to their rent and avoid which address the housing problems. This program assists approximately 600 families annually.

PAYGO/Federal Share Funded Financial Partners

Charlotte-Mecklenburg Housing Partnership–Affordable Housing \$1,960,000

- This contract includes funding to address planning for future multi-family and single-family housing developments by:
 - Increase affordable homeownership opportunities. CMHP will assist 100 families to become homeowners.
 - Increase affordable rental opportunities.

Charlotte-Mecklenburg Housing Partnership–HouseCharlotte \$231,000

- This contract funds the administration of the HouseCharlotte program. The House Charlotte program is outsourced for cost savings and program efficiencies.

Out of School Time Partners

FY2016 is the first year of the two-year contract period approved by City Council. The adopted budget numbers listed below represent the amount for each year (FY2016 and FY2017).

- The Community Development Block Grant and Innovative Housing Funds contracts provide educational enrichment activities for elementary, middle, and high school students of families with low incomes who reside in the Housing and Neighborhood Development boundaries.

- On May 9, 2011, Charlotte City Council approved the development and issuance of a Request for Proposals for Out-of-School Time Programs that uses evidence-based standards for school-age care. FY2016 is the fourth year of the formal Request for Proposals process.
- On November 10, 2014, Council approved Out of School Time program modifications:
 - Reduce maximum per agency funding from \$300,000 to \$200,000;
 - Implement a \$1,200 cost per-child allocation, not to exceed maximum per agency funding amount
- The following six organizations are funded for FY2016 and FY2017 :

– Greater Enrichment Program, Inc. (GEP)	\$200,000
– Citizen Schools	\$200,000
– Police Activities League (PAL)	\$200,000
– YWCA of Central Carolinas	\$200,000
– Bethlehem Center, Inc.	\$113,934
– Behailu Academy	\$66,000

Municipal Service Districts

Municipal Service District Contracts with Charlotte Center City Partners and University City Partners \$4,643,814

- The municipal service districts (MSDs) were created to enhance the economic viability and quality of life in select areas. Three MSDs are located in the Center City, the fourth is located in the South End area, and the fifth is located in the University City area. Revenues for these districts are generated through ad-valorem taxes paid by property owners in the districts in addition to the City’s regular property tax rate.
- In FY2016, the City will contract with Charlotte Center City Partners for services in the three Center City Municipal Service Districts as well as for services in the South End Municipal Service District. The City will also contract with University City Partners for services in the University City Municipal Service District.
- Charlotte Center City Partner’s mission is to envision and implement strategies facilitating and promoting the economic, social, and cultural development of Charlotte’s Center City to help create a viable, livable, memorable, and sustainable Center City with modern infrastructure, a tapestry of great urban neighborhoods, and a diversity of thriving businesses.
- University City Partners works to promote, encourage, and coordinate the University City’s long-term economic vitality as a regional center for education, commerce, shopping, and entertainment.
- The FY2016 tax rates in the five MSDs remain unchanged from the FY2015 rates.

ORDINANCE NO. _____

AMENDING CHAPTER 6

AN ORDINANCE ENTITLED AMENDING CHAPTER 6, ARTICLE III OF THE CITY CODE, ENTITLED "DANCE HALL BUSINESSES"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA THAT:

Section 1: Section 6-252 of the City Code is amended to read as follows:

Sec. 6-252. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult dance hall means any dance hall that admits patrons 18 years of age or older.

Breach of the peace means repeated acts that disturb the public order, including, but not limited to, homicide, assault, affray, communicating threats, unlawful possession of dangerous or deadly weapons, and discharging firearms.

Chief of police means the chief of the Charlotte-Mecklenburg Police Department, or his designee.

City manager means the city manager, or his designee, who shall not be an employee of the Charlotte-Mecklenburg Police Department.

Conviction and *convicted mean* a finding of guilt for a violation of a municipal or county ordinance or state or federal law, an adjudication withheld on such a finding of guilt, an adjudication of guilt on any plea of guilty or nolo contendere, or the forfeiture of a bond or bail when charged with a violation of a municipal or county ordinance or state or federal law.

Dance hall means any place or area of property **where a dance(s) open to the public is held which allows admission by payment of a direct or indirect charge, fee, donation, or any form of consideration, or by the purchase, possession, or presentation of a ticket or token.** ~~operated as open to the public which:~~

- ~~(1) Has music, either live or electronically produced or transmitted;~~
- ~~(2) Has space available for dancing or dancing is permitted, whether such dancing takes place or not; and~~

~~(3) — Allows admission by payment of a direct or indirect charge, fee, donation, or any form of consideration, or by the purchase, possession, or presentation of a ticket or token.~~

Notwithstanding the foregoing, a "dance hall" does not include: (i) a private residence or residential facility from which the general public is excluded. A private residence does not include a structure primarily designed as a warehouse or storage structure, regardless of whether an individual is living within the structure; (ii) a place owned and operated by the federal, state, or local government; (iii) a public or private elementary school, middle school, high school, college, or university; (iv) a place owned or operated by a bona fide religious **or charitable** organization, created, organized, existing, and recognized as such pursuant to all applicable laws; or (v) any establishment or place that is regulated by the alcoholic beverage control laws as set forth in G.S. Ch. 18B, **provided that it does not remain open or operate between the hours of 2:30 A.M. and 7:00 A.M.**

Dance hall regulations means the regulations set forth in this article.

Employee describes and pertains to any person who performs any service or entertainment upon the premises of a dance hall business, whether or not the person is denominated an employee, independent contractor, agent, or otherwise, and regardless of whether or not the person is paid a salary, wage, or other compensation by the owner or operator of the business. The term "employee" does not include a person exclusively on the premises for any of the following:

- (1) The repair or maintenance of the premises;
- (2) The delivery of goods to the premises; or
- (3) The delivery of services, such as legal, accounting, insurance, or other similar services provided to businesses generally.

Juvenile means a person under 18 years of age.

Juvenile dance hall means any dance hall whose patrons or admittees are under 18 years of age.

Knowingly means with actual knowledge of a specific fact or, with reasonable inquiry, a reasonable person should have known a specific fact.

Operator means and includes any person who is both present on and in charge of any dance hall business premises.

Owner means the legal owner of a dance hall business and includes the following:

- (1) The owner of a sole proprietorship;
- (2) Each member of a firm, association, or general partnership;
- (3) Each general partner in a limited partnership; or

- (4) Each officer, director, and owner of 50 percent or more of the stock of a corporation.

Permit and *dance hall permit* mean a permit to operate a dance hall.

Permittee means a person in whose name a permit to operate a dance hall has been issued, as well as the individual listed as an applicant on the application for a dance hall permit.

Premises means the interior of a structure and all exterior areas owned or leased by the permittee.

Residential facility means a detached duplex, triplex, quadraplex, attached or multifamily dwelling, manufactured home, mobile home, group home for up to six clients, boardinghouse, or dormitory. A residential facility specifically excludes any structure that primarily functions as a warehouse or storage structure, regardless of whether an individual is residing within the structure.

Section 2: This ordinance shall become effective on June 8, 2015.

Approved as to form:

City Attorney

Timeline for Completing the City Manager's FY15 Evaluation

Evaluation Date: Monday, July 20 meeting, Noon, CMGC Room CH-14

Leading up to the evaluation date:

- *Tue, May 26 The City Manager provides the Governance & Accountability Committee with a recommendation on a multi-rater evaluation, which may include subordinates, peers, or people external to the City with whom the City Manager may work closely.
- Fri, June 19 The City Manager submits to the Mayor/Council via the Mayor/Council packets a self-assessment of his performance based on the dimensions previously set and provides other information he considers important in assessing his performance.
- Mon, June 22 HR sends website link for Mayor/Council to individually complete an online survey of the City Manager on the agreed dimensions. Stated deadline of Sunday, July 5, extend to Wednesday, July 8, if needed.
- Fri, July 10 Results of multi-rater evaluation and online survey go to the Mayor/Council and City Manager in confidential envelopes within the Mayor/Council packets.
- **Mon, July 13 One week prior to the evaluation, the Governance & Accountability Committee reviews all of the evaluation material received by and about the Manager and proposes specific areas to be reviewed with him during the evaluation meeting.

MON, JULY 20

EVALUATION MEETING

- a. The Mayor/Council meets alone to consider the recommended areas of discussion from the Governance and Accountability Committee and may add other items for discussion if agreed to by six members of the Council.
- b. The City Manager joins the Mayor/Council at an appropriate time and provides a self-assessment, addressing the items identified by the Governance & Accountability Committee and any additional items identified by the Council. The Mayor/Council then provides its feedback to the City Manager, as well as holds a general discussion around the City Manager's future work plan.
- c. Mayor/Council meets alone to discuss the interaction of the City Manager, their overall evaluation of performance, and, as appropriate, changes to his employment agreement.

*Assumes 2015 Governance & Accountability Committee meeting schedule will remain the 4th Monday of each month

**A change to the Governance & Accountability Committee meeting schedule will be needed for this meeting (3rd Monday of the month)

Proposed City Manager Evaluation Timeline

Evaluation follow up and preparation for next year's process:

- | | |
|-------------------------|---|
| *Mon, Sep 21 | No more than <u>60 days</u> after the evaluation meeting, the Governance & Accountability Committee meets with the City Manager to assess the effectiveness of the evaluation process and provides recommendations to the Mayor/Council for revision. |
| *Mon, Sept 21 | Unless otherwise changed by <u>October 1</u> , the City Manager provides the Governance & Accountability Committee with recommendations on the dimensions on which he will be evaluated in the coming year, including the work plan. |
| Dependent on above date | The Committee formally recommends the dimensions to the Mayor/Council for decision. |

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

HISTORIC DISTRICT COMMISSION - CHARLOTTE

(12 Members)

O

Last Revised Date:

Membership - One member shall represent the Charlotte-Mecklenburg Planning Commission and shall be recommended for appointment by that commission for a one year term. Each of the Historic districts - Fourth Ward, Plaza-Midwood, Dilworth, Wesley Heights and Hermitage Court shall be represented by one residential property owner (Council appointment). The membership will be expanded by one (a property owner) for each newly designated district. The Board of Directors of neighborhood association of each district shall recommend nominations for their position in compliance with the associations's by-laws, but such recommendations shall not be binding on the City Council.

On April 17, 2006, City Council approved Ordinance No. 3256-Z creating Hermitage Court Historical District. On May 17, 2010, City Council approved Ordinance No. 4419-Z, creating the Wilmore Historic District Overlay. The new historic district will be represented by one residential property owner who shall be appointed by the Mayor.

In addition, the Dilworth Historic District, because of its make-up, shall be represented by the operator of a business in that district.

If any of the district representatives ceases to be a property owner in the respective historic district, that appointee shall be permitted to continue in his position if more than fifty (50) percent of his term has been served.

A majority of the membership shall have demonstrated special interest, experience, or education in history, architecture, and or other relevant discipline; all must reside within the corporate limits of the City of Charlotte- both criteria required by State Statute. Terms are for three years and no member may serve on the Commission for more than two full consecutive terms.

Responsibilities - To ensure the preservation of any areas, structures, site and objects that are significant elements of the cultural, social, economic, political, or architectural history of Charlotte; to safeguard the heritage of the city through the preservation and conservation of historical areas for the education, pleasure, and enhancement of the residents of the City.

Legend:

A-L	At-Large
BOD	Business/Operator Dilworth
PLC	Planning Commission Representative
ROD	Resident/Owner/Dilworth
ROF	Resident/Owner/Fourth Ward
ROH	Resident/Owner/Hermitage Court
ROP	Resident/Owner/Plaza-Midwood
ROW	Resident/Owner/Wilmore
ROWH	Resident/Owner/Wesley Heights

Member Name	Appointed By	Legend	Dist	Appoint Date	Reappoint Date	Term	Exp. Date
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* Chairman

Council

Belinda Corbus W/F	C	A-L	6	4/23/2012		3 yrs	06/30/2015
Dominick Ristaino W/M	C	BOD	1	6/22/2009	5/12/2014	3 yrs	06/30/2017
Donald Duffy W/M	C	A-L	4	4/26/2010	4/8/2013	3 yrs	06/30/2016

James Haden W/F	C	ROF	2	10/27/2014		Unexp	06/30/2016
Lisa Yarbrough W/F	C	ROH	1	4/9/2012		3 yrs	06/30/2015
Rodric Lenhart W/M	C	ROWH	2	4/14/2014		Unexp	06/30/2016
Tamara Titus W/F	C	ROD	1	4/14/2014		Unexp	06/30/2016
Thomas Egan, III W/M	C	ROP	1	4/12/2010	4/8/2013	3 yrs	06/30/2016

Mayor

Debra Glennon W/F	M	A-L	1	5/12/2009	10/12/2012	3 yrs	06/30/2015
Mattie Marshall N/F	M	A-L	2	6/24/2013		3 yrs	06/30/2016
Michael Sullivan N/M	M	PLC	1	6/18/2014		1 yr	06/30/2015
Tim Bender N/M	M	ROW	3	3/11/2013	7/1/2013	3 yrs	06/30/2016

HERMITAGE COURT REPRESENTATIVE

First Name	Claire
Last Name:	Stephens
City:	Charlotte
City Council District (Check your district at Locate My District)	1
Political Affiliation:	Democrat
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I have a great appreciation for the architecture, building materials, and ambiance of Charlotte's historic neighborhoods and districts. I believe it is important to protect these valuable local assets. I know that historic preservation (just like public art) adds quality, character, and increasing value to the cities which protect it.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	I renovated and maintained an historic home in Dilworth for 25 years. I have lived in historically significant homes for almost all of my 38 years in Charlotte. I'm a former history teacher and a visual artist. Have worked on many volunteer boards.
List any boards you are currently serving on:	
List any boards you have served on in the past:	Right Moves for Youth .. founding member, Board of Directors Myers Park Baptist Church, Board of Missions Dilworth Elementary School, PTA Executive Board Piedmont Open Middle School, PTSA President, Executive Board
Current Employer:	Claire Stephens Coaching & Consulting
Job Title:	Educational Consultant, Academic Mentor, Freelance Editor
Brief Description of Duties: (Max 400 characters)	tutoring, teaching, teacher training, academic and essay coaching, experiential-education workshop consulting, editing.
Other Employment History: (Max 250 characters)	Teacher at Charlotte Country Day School, Providence Day School, Piedmont Open Middle School, Trinity Episcopal School, Children's Theatre of Charlotte, Spirit Square Center for Art and Education, Inc.
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	05/22/15

- 1 Appointed By County Commission (Y)
- 2 Appointed By Mayor (M)
- 6 Appointed By City Council (C)
- 6 Appointed By Mecklenburg County Towns

TRANSIT SERVICES ADVISORY COMMITTEE
(15 Members)

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.

Legend:

- DC Disabled Citizen who uses Charlotte Transit
- ESP Express Service Passenger
- L/E Local/Express Service Passenger
- LSP Local Service Passenger
- NOL Neighborhood Organization Leader
- SE Suburban Employer served by Charlotte Transit
- UE Uptown Employer served by Charlotte Transit
- VPR Van Pool Rider

Member Name	Appointed By	Legend	Dist	Appoint Date	Reappoint Date	Term	Exp. Date
* Chairman							
<u>Cornelius</u>							
Jean Veatch N/N			Y	12/7/2011	12/5/2013	3 yrs	12/07/2015
<u>Council</u>							
Anthony Wesley B/M	C	LSP	3	2/11/2008	1/14/2013	3 yrs	01/31/2016
David Harris W/M	C	SE	7	1/26/2015		3 yrs	01/31/2018
George Schaeffer, III W/M	C	L/E	7	4/12/2010	1/13/2014	3 yrs	01/31/2017
James Hilsman B/F	C	ESP	3	6/23/2014		Unexp	01/31/2017
Michael Warner W/M	C	NOL	1	7/25/2011	1/12/2015	3 yrs	01/31/2018
William Grimm Jr. W/M	C	VPR	Y	6/23/2014		Unexp	01/31/2016
<u>County</u>							
Scott Jernigan N/M	Y		2	4/2/2013		3 yrs	02/03/2016
<u>Davidson</u>							
Rob Cornwell N/N			Y	5/9/2009	3/26/2012	3 yrs	05/11/2012
<u>Huntersville</u>							
Christine Bryant N/F			Y	10/4/2010		3 yrs	10/04/2013
<u>Matthews</u>							
Walter Horstman W/M			Y	12/4/2000	2/11/2011	3 yrs	01/31/2014
<u>Mayor</u>							
Dierdra Evans O/F	M	DC	7	1/8/2009	10/14/2011	3 yrs	01/31/2014

Van Pool Representative

No applications fit category requirement

THE FOLLOWING APPLICATIONS DO NOT FIT
THE "VAN POOL REPRESENTATIVE" CATEGORY
REQUIREMENT

First Name	Stylianos
Last Name:	Alatsis
City:	Charlotte
City Council District (Check your district at Locate My District)	1
Political Affiliation:	Republican
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I have great interest in these subject matters.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	I am a CFA charterholder, meaning I have a thorough understanding of finance. Secondly, I have an MBA from Duke University.
List any boards you are currently serving on:	Carolina Voices
List any boards you have served on in the past:	
Current Employer:	Wells Fargo & Company
Job Title:	Market Risk Consultant
Brief Description of Duties: (Max 400 characters)	
Other Employment History: (Max 250 characters)	
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	01/21/15

First Name	Jeffrey
Last Name:	Berlin
City:	charlotte
City Council District (Check your district at Locate My District)	6
Political Affiliation:	Republican
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	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:	
Current Employer:	self zero impact reefs llc
Job Title:	
Brief Description of Duties: (Max 400 characters)	Grow coral and maintain saltwater tanks.
Other Employment History: (Max 250 characters)	
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	10/22/14

First Name	Casey
Last Name:	Celli
City:	Charlotte
City Council District (Check your district at Locate My District)	7
Political Affiliation:	Republican
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I have a passion for public transportation, and would like to help in any way I can to facilitate the continued growth of CATS in Charlotte. You don't need to look far to see that our population density and evolution as a city demand continued investment here.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	I ride CATS uptown from the South Charlotte corridor daily, and love the professionalism, cleanliness, and on-time performance of most routes. Prior to my move to Charlotte in 2012 I served S's the Treasurer of a Homeless and traditional housing shelter in Delaware.
List any boards you are currently serving on:	None
List any boards you have served on in the past:	Treasurer of Homeward Bound (Delaware)
Current Employer:	Bank of America
Job Title:	SVP, Customer Experience Analytics
Brief Description of Duties: (Max 400 characters)	Lead a team of data analysts, focused on improving customer satisfaction
Other Employment History: (Max 250 characters)	Have been employed by Bank of America for 15 years in various roles, principally supporting marketing strategy.
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	12/11/14

First Name	Helena
Last Name:	Connors
City:	Charlotte
City Council District (Check your district at Locate My District)	6
Political Affiliation:	Independent
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I have over 7 years experience in the Transportation to include transit, charter bus service, ca 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. (Max 400 characters)	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:	I currently am not serving on any boards.
List any boards you have served on in the past:	Airman of the Month Boards, USAF Quality Control/ Executive Committee, Horizon Coach Lines Transportation and Maintenance Candidate Hiring Boards, UNCC
Current Employer:	University of North Carolina at Charlotte
Job Title:	Transportation Manager
Brief Description of Duties: (Max 400 characters)	Monitor and evaluate CATS and SafeRide data to provide trend and use data for distributor 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: (Max 250 characters)	1981 - 2001 USAF, Technical Sergeant 2001-2008 Broker/ Realtor 2008-2011 South West Excursions and Educational Tours - GM 2011-2014, Coach America - Horizon Coach lines - GM 2014 - UNCC Transportation Manager
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No

If yes, please explain complete disposition. (Max 250 characters)	
Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	01/07/15

First Name	Nathaniel
Last Name:	Lewis
City:	Charlotte
City Council District (Check your district at Locate My District)	2
Political Affiliation:	Democrat
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	<ul style="list-style-type: none"> - 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:	
Current Employer:	IBM
Job Title:	Associate Partner
Brief Description of Duties: (Max 400 characters)	
Other Employment History: (Max 250 characters)	
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	08/20/14

First Name	Corine
Last Name:	Mack
City:	Charlotte
City Council District (Check your district at Locate My District)	2
Political Affiliation:	Democrat
Gender:	Female
Race/ Ethnic Background:	African American
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I am the NAACP Charlotte- Mecklenburg Branch President and believe I must be part of a collaborative effort to effect changeun my City.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	I worked on the CRB in NY.I am also a founding member of the Charlotte CRB Coalition.I am a retired VP of a 40,000 member Transit Union.I know organizing,mobilizing,community building,Transit systems,labor law,OSHA standards,mediation,Civil Service policies and guidelines,etc.
List any boards you are currently serving on:	
List any boards you have served on in the past:	None in Charlotte.
Current Employer:	Center fir Community Change
Job Title:	Organizer/Consultant
Brief Description of Duties: (Max 400 characters)	
Other Employment History: (Max 250 characters)	Train Operator,Vice President TWU 100 -17 years
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	03/30/15

First Name	Chris
Last Name:	Maloy
City:	Charlotte
City Council District (Check your district at Locate My District)	1
Political Affiliation:	Independent
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	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:	
Current Employer:	MSC Industrial Supply
Job Title:	Sales Operations Supervisor
Brief Description of Duties: (Max 400 characters)	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: (Max 250 characters)	Employed at MSC since 2000, in many roles from Call Center, Distribution, Training, Operations, and Sales Operations.
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	03/18/15

First Name	James
Last Name:	Marascio
City:	Charlotte
City Council District (Check your district at Locate My District)	7
Political Affiliation:	Republican
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	<p>I know that it is important for the city to ensure competition in the process of bidding for government services and to have a balanced portfolio service providers.</p> <p>Compared to other cities I visit, Charlotte's 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.</p>
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	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 (CRTEC). And I have sat on the executive committee of a non-profit foundation since 2008. For nearly four years, I have served as the chairman of foundation's board of directors.
List any boards you are currently serving on:	The Delta Chi Educational Foundation Digital Signage Federation (nominated, awaiting election results)
List any boards you have served on in the past:	Charlotte Regional Technology Executives Council Delta Chi Fraternity Board of Regents
Current Employer:	11Giraffes
Job Title:	Chief Technology Officer & Vice President of Operations
Brief Description of Duties: (Max 400 characters)	Member of a SaaS executive team focused on retail media solutions. Responsible for product innovation, development, fulfillment & marketing. Maintain product road map vision and direction through consultation with sales team, channel sales network and client input.
Other Employment History: (Max 250 characters)	
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	12/23/14

First Name	Tremona
Last Name:	Morrison-Pittman
City:	Charlotte
City Council District (Check your district at Locate My District)	3
Political Affiliation:	Democrat
Gender:	
Race/ Ethnic Background:	African American
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	I am a parent and a native Charlottean looking for continued growth but consideration with inclusion.
List any boards you are currently serving on:	None
List any boards you have served on in the past:	None
Current Employer:	Novant Health
Job Title:	Registered Medical Assistant
Brief Description of Duties: (Max 400 characters)	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: (Max 250 characters)	US Army, AT&T, substitute teacher with Charlotte Mecklenburg schools.
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	04/20/15

First Name	Joshua
Last Name:	Niday
City:	Charlotte
City Council District (Check your district at Locate My District)	5
Political Affiliation:	Republican
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I am interested for two reasons. The first reason is because I am a college student with a passion for government and politics and I want to serve my City. I also want these two board specifically, because I am a regular customer for CATS. I have experienced both the good and bad and I could speak to personal experiences in those meetings that could help improve our local transit system.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	I am currently working on my Political Science degree and I am working with my University to try to add an Urban Studies as well. I have served in Student Government at my University so I know basic protocol for how to conduct myself during a meeting. I've never served for the City of Charlotte before, but I am confident that I can learn quickly and provide ideas that others may not have.
List any boards you are currently serving on:	I am not serving on any boards at the time.
List any boards you have served on in the past:	I have never served on any boards in the past.
Current Employer:	Your Event Source
Job Title:	Crew member
Brief Description of Duties: (Max 400 characters)	Work events, provide customer service, novelties and inflatables and ensuring that customers are safe at all times.
Other Employment History: (Max 250 characters)	Carowinds Wendys
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	03/27/15

First Name	Lloyd
Last Name:	Scher
City:	Charlotte
City Council District (Check your district at Locate My District)	5
Political Affiliation:	Democrat
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	<p>I have worked with Media for 36 years running my Video Taping Company from Charlotte. I have worked with both Nationally and International media outlets.</p> <p>I also have extensive background in Marketing and Customer Service provided TV training for local Major Corporations and Companies. We helped companies and political leaders with training on media interviews and answering media questions.</p>
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	<p>I served 8 years as a Mecklenburg County Commissioner I was elected President of the National Association of Counties Aging Commission.</p> <p>I have extensive experience working with the Atlanta Olympic Media Village I have worked with the ACC and the NCAA.</p> <p>I no longer own or work with Video Taping Services or Scher-Shot Productions having sold my interests in those Companies to my brother</p>
List any boards you are currently serving on:	I currently serve on the Alcohol Beverage Control Board for Mecklenburg County and I am an alternate for the City of Charlotte Zoning Board of Adjustment.
List any boards you have served on in the past:	City of Charlotte Cable Oversight
Current Employer:	Self
Job Title:	Writer Books and Movie Screenplays
Brief Description of Duties: (Max 400 characters)	<p>Create and write short stories and novels both Fiction and Non-Fiction.</p> <p>The material I write I turn into movie scripts</p>
Other Employment History: (Max 250 characters)	<p>East Carolina Bank-Associate Marketing Director</p> <p>NC Department of Commerce-Public Information Officers</p> <p>Puppet Sports-Public Relations Director & Development Director</p>
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	01/08/15

First Name	MARK
Last Name:	SHOW
City:	CHARLOTTE
City Council District (Check your district at Locate My District)	7
Political Affiliation:	Democrat
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	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:	None
List any boards you have served on in the past:	None
Current Employer:	Various
Job Title:	various
Brief Description of Duties: (Max 400 characters)	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: (Max 250 characters)	Various including retail and film work.
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	03/03/15

First Name	Brett
Last Name:	Wallace
City:	Charlotte
City Council District (Check your district at Locate My District)	7
Political Affiliation:	Unaffiliated
Gender:	Male
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	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:	None
List any boards you have served on in the past:	None
Current Employer:	Parsons Brinckerhoff
Job Title:	Senior Supervising Planner
Brief Description of Duties: (Max 400 characters)	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: (Max 250 characters)	Previously worked for other consulting firms including HDR, URS Corporation, and Wilbur Smith Associates.
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	01/14/15

3 Appointed By City Manager (CM)

3 Appointed By Mayor (M)

5 Appointed By City Council (C)

CITIZENS REVIEW BOARD

(11 Members)

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. Boardmembers 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.

Legend:

Member Name	Appointed By	Legend	Dist	Appoint Date	Reappoint Date	Term	Exp. Date
* Chairman							
<u>City Manager</u>							
Gregory West B/M	CM		6	12/19/2006	5/14/2012	3 yrs	07/31/2015
Henry Black B/M	CM		1	11/5/2014		Unexp	07/31/2015
Lance Berger W/M	CM		7	8/11/2010	5/14/2012	3 yrs	07/31/2015
<u>Council</u>							
Alan Adler W/M	C		Y	5/12/2008	6/25/2012	3 yrs	07/31/2015
Carolyn Millen W/F	C		5	3/25/2013		Unexp	07/31/2015
Jason Baker W/M	C		Y	7/27/2009	6/25/2012	3 yrs	07/31/2015
Robbie Harrison B/F	C		4	7/27/2009	6/25/2012	3 yrs	07/31/2015
Theresa Halsey B/F	C		5	7/23/2012		3 yrs	07/31/2015
<u>Mayor</u>							
Clarence Darnell W/M	M		7	7/11/2014		Unexp	07/31/2015
Harvey Katowitz W/M	M		7	9/5/2008	11/27/2013	3 yrs	07/31/2015
Sandra Donaghy W/F	M		2	11/27/2013	11/27/2013	Unexp	07/31/2015

First Name	Jennifer
Last Name:	Jackson
City:	Charlotte
City Council District (Check your district at Locate My District)	5
Political Affiliation:	Republican
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I would like to serve my community and have an interest in the inner workings of our police department.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	Completed the Citizen's Academy specifically to apply for these boards.
List any boards you are currently serving on:	None
List any boards you have served on in the past:	None
Current Employer:	MI Homes of Charlotte, LLC
Job Title:	AP Supervisor/Executive Administrator
Brief Description of Duties: (Max 400 characters)	Manage daily operations of accounts payable and assistance with monthly/quarterly/yearly financials; Administrative Support for Division President.
Other Employment History: (Max 250 characters)	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 proper title searches.
Education:	High School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	06/03/14

First Name	Janet
Last Name:	Lama
City:	Charlotte
City Council District (Check your district at Locate My District)	1
Political Affiliation:	Independent
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	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:	
List any boards you have served on in the past:	NAACP Executive Board
Current Employer:	Retired
Job Title:	
Brief Description of Duties: (Max 400 characters)	
Other Employment History: (Max 250 characters)	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
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	06/03/14

First Name	David
Last Name:	Smith
City:	Davidson
City Council District (Check your district at Locate My District)	Davidson, NC
Political Affiliation:	Republican
Gender:	Male
Race/ Ethnic Background:	African American
Why are you interested in serving on these boards/ committees? (Max 400 characters)	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. (Max 400 characters)	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.
List any boards you are currently serving on:	Charlotte Community Relations Committee - Police Task Force Subcommittee United Way Fundraising Board
List any boards you have served on in the past:	SUNY Oswego Software and Engineering Board Joint Apprenticeship Training Committee of Local 379
Current Employer:	Quoin Inc.
Job Title:	Software Engineering Technical Writer & Linux Trainer
Brief Description of Duties: (Max 400 characters)	Currently write documentation for both hardware and software at Lowes corporate headquarters.
Other Employment History: (Max 250 characters)	RDS and DEW Electrical ITT Technical College CPCC IBM College of New Rochelle
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	09/12/14

First Name	Richard
Last Name:	Thaxton
City:	Charlotte
City Council District (Check your district at Locate My District)	2
Political Affiliation:	Democrat
Gender:	Male
Race/ Ethnic Background:	African American
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I participated in the Citizens Academy with the Charlotte Mecklenburg Police Department. I believe this participation has improved my knowledge of Charlotte, substantially.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	
List any boards you are currently serving on:	None
List any boards you have served on in the past:	None
Current Employer:	N/A
Job Title:	N/A
Brief Description of Duties: (Max 400 characters)	N/A
Other Employment History: (Max 250 characters)	Senior Social Worker with Mecklenburg County; Social Worker with the State of New Mexico; Social Worker with Los Angeles County DCFS and Social Worker with Washoe County Department of Social Services.
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	06/06/14

13 Appointed By City Council (C)

7 Appointed By Mayor (M)

KEEP CHARLOTTE BEAUTIFUL

(20 Members)

Last Revised Date:

Membership - Appointments are for three-year terms and appointees may reside anywhere in Mecklenburg County. No member may serve more than two consecutive full terms.

Responsibilities - Coordinate and participate in neighborhood community improvement projects, Adopt-A-City Street, neighborhood recognition, the Great American Cleanup, and litter prevention programs. Promote partnership between citizens, businesses, and government to ensure a clean and healthy environment. Includes hands-on project work, primarily in the Spring and Fall.

Legend:

Member Name	Appointed By	Legend	Dist	Appoint Date	Reappoint Date	Term	Exp. Date
* Chairman							
<u>Council</u>							
Audrey Singer W/F	C		1	4/13/2015		3 yrs	06/30/2018
Camille Cunningham W/F	C		3	7/22/2013		Unexp	06/30/2016
Francene Greene B/F	C		5	9/8/2014		Unexp	06/30/2017
James Hildreth W/M	C		1	4/27/2015		Unexp	06/30/2017
Joshua Arnold W/M	C		6	9/8/2014	5/11/2015	3 yrs	06/30/2018
Joshua Middleton I/M	C		2	11/10/2014	5/11/2015	3 yrs	06/30/2018
Kelley Hyland W/F	C		4	1/28/2013	4/8/2013	3 yrs	06/30/2016
Lawrence Ferri W/M	C		1	11/8/2010	4/9/2012	3 yrs	06/30/2015
Michael Zytkow W/M	C		4	1/13/2014		Unexp	06/30/2016
Russ Ferguson W/M	C		1	7/23/2012	4/8/2013	3 yrs	06/30/2016
Russell Adams W/M	C		1	7/22/2013	5/12/2014	3 yrs	06/30/2017
Sara Zdeb W/F	C		4	11/10/2014	5/11/2015	3 yrs	06/30/2018
Tiffany Hughes B/F	C		2	4/27/2015		3 yrs	06/30/2018
<u>Mayor</u>							
Ann Wood N/F	M		6	6/24/2013		Unexp	06/30/2015
Charles Jewett W/M	M		6	12/2/2013		Unexp	06/30/2015
Deborah Robinson W/F	M		1	6/17/2014		Unexp	06/30/2015
Joseph Franco W/M	M		1	12/2/2013	7/3/2014	3 yrs	06/30/2017
Robert Combs W/M	M		6	6/17/2014		3 yrs	06/30/2017
Samantha Pendergrass W/F	M		1	12/2/2013		3 yrs	06/30/2016
Theresa Rosa-Corey U/F	M		1	3/13/2015		3 yrs	06/30/2018
Vineta Pritchard B/F	M		4	6/17/2014		3 yrs	06/30/2017

First Name	casey
Last Name:	brewer
City:	Matthews
City Council District (Check your district at Locate My District)	7
Political Affiliation:	Independent
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I have a strong interest in Crime Prevention Through Environmental Design and one of the core principal's of that philosophy is city beautification. I believe clean and visually interestin places can help foster a sense of place and thus encourage positive behaviors and deter unwanted behaviors.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	Architectural Design, Sustainable practices, Recycling
List any boards you are currently serving on:	none
List any boards you have served on in the past:	Keep Charlotte Beautiful 2009 -2012
Current Employer:	LS3P
Job Title:	Architectural Intern
Brief Description of Duties: (Max 400 characters)	Design and construction documents for Schools and recreational centers.
Other Employment History: (Max 250 characters)	
Education:	Graduate School
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	02/25/15

First Name	Sheila
Last Name:	Etheridge
City:	Charlotte
City Council District (Check your district at Locate My District)	6
Political Affiliation:	Democrat
Gender:	Female
Race/ Ethnic Background:	African American
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I relocated to Charlotte almost 15 years ago and have worked here, paid taxes, and been a good citizen. I would like to effect change while at the same time do something useful and fulfilling.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	My abilities and background lean toward the legal profession which enable me to see both sides of any situation in an objective manner. I have common sense.
List any boards you are currently serving on:	National Coalition of 100 Black Women, Queen City Metropolitan Chapter. (I am a volunteer with Performing Arts Center; I do not serve on its board.)
List any boards you have served on in the past:	Urban League Guild Metrolina Paralegal Association Urban Bankers Coaliton (NY)
Current Employer:	Wishart Norris P.A.
Job Title:	North Carolina State Bar Certified Paralegal
Brief Description of Duties: (Max 400 characters)	Legal support services to senior partners in tax and commerical law areas of practice; research, interaction with all people -- clients, outside attorneys, vendors, court personnel, co-workers, etc. communication and technical skills.
Other Employment History: (Max 250 characters)	Early years was civil service worker for Social Security Administration and later for First U.S Army Judge Advocate General; private import/export companies, private foundation; Unite Presbyterian Church-USA Headquarters and private law firms.
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	09/25/14

First Name	Laura
Last Name:	Sieckmann
City:	Charlotte
City Council District (Check your district at Locate My District)	5
Political Affiliation:	Republican
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I am an active member in my community and care deeply for the city of Charlotte. I would enjoy working with others to creatively identify and execute methods to improve Charlotte.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	I have a background in public relations in addition to years of experience volunteering for communities. I have also worked in communication for City Government in the past.
List any boards you are currently serving on:	
List any boards you have served on in the past:	
Current Employer:	Domestic Engineer
Job Title:	
Brief Description of Duties: (Max 400 characters)	
Other Employment History: (Max 250 characters)	
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	08/04/14

First Name	Christina
Last Name:	Tierce
City:	Charlotte
City Council District (Check your district at Locate My District)	1
Political Affiliation:	Democrat
Gender:	Female
Race/ Ethnic Background:	Caucasian
Why are you interested in serving on these boards/ committees? (Max 400 characters)	I have been a Charlotte resident for nine years. Two years ago I purchased my first home in Charlotte, making personal goals to invest my time and energy into the Charlotte community. I have a deep interest in the community and the processes that affect changes and advancements in our neighborhoods and economy. I have the time and resources necessary to serve the committee's needs.
Please describe any background or abilities that qualify you to serve on these boards/ committees. (Max 400 characters)	I have an Associate of Arts degree from CPCC. I plan to finish my bachelor's degree at Queens University majoring in Art History, minoring in Arts Leadership and Administration. For ten years I have held various positions that included administrative assisting, business management, project management, finance/information management, volunteer work for state senate and local city council campaigns.
List any boards you are currently serving on:	
List any boards you have served on in the past:	
Current Employer:	Student
Job Title:	
Brief Description of Duties: (Max 400 characters)	
Other Employment History: (Max 250 characters)	
Education:	College
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No
If yes, please explain complete disposition. (Max 250 characters)	

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?	No
If yes, please explain conflict. (Max 250 characters)	
Date Signed:	04/02/15

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE
APPROPRIATING \$20,000 FROM THE GOVERNOR'S HIGHWAY SAFETY PROGRAM
TO PURCHASE RADAR EQUIPMENT AND FUND TRAINING RELATED TO TRAFFIC ENFORCEMENT

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

Section 1. That the sum of \$20,000 is hereby estimated to be available from the Governor's Highway Safety Program

Section 2. That the sum of \$20,000 is hereby appropriated to the General Grants and LTD Project Fund (2600), project (305011005)

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

North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Charlotte-Mecklenburg Police Department (herein called the "Agency")

(The Applicant Agency)

has completed an application contract for traffic safety funding; and that City Council of City of Charlotte (The Governing Body of the Agency) (herein called the "Governing Body") has thoroughly considered the problem

identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE City Council of City of Charlotte (Governing Body) IN OPEN MEETING ASSEMBLED IN THE CITY OF Charlotte, NORTH CAROLINA,

THIS ____ DAY OF _____, 20____, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Sergeant David B. Sloan (Name and Title of Representative) is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$ 20,000 (Federal Dollar Request) to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$ -0- (Local Cash Appropriation) as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____ (Chairperson/Mayor)

ATTESTED BY _____ (Clerk)

SEAL

DATE _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE
APPROPRIATING \$466,799 FROM THE GOVERNOR'S HIGHWAY SAFETY PROGRAM TO FUND A
DRIVING WHILE IMPAIRED TASK FORCE

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

Section 1. That the sum of \$466,799 is hereby estimated to be available from the Governor's Highway Safety Program

Section 2. That the sum of \$466,799 is hereby appropriated to the General Grants and LTD Project Fund (2600), project (305011004) to fund the Driving While Impaired Task Force

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

North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Charlotte-Mecklenburg Police Department (herein called the "Agency")

(The Applicant Agency)

has completed an application contract for traffic safety funding; and that Charlotte City Council (The Governing Body of the Agency) _____ (herein called the "Governing Body") has thoroughly considered the problem

identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Charlotte City Council IN OPEN MEETING ASSEMBLED IN THE CITY OF Charlotte, NORTH CAROLINA,

(Governing Body)

THIS ____ DAY OF _____, 20 ____, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Sgt. David B. Sloan is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$ 466,799 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
(Name and Title of Representative)
(Federal Dollar Request)
3. That the Governing Body has formally appropriated the cash contribution of \$ 200,056 as required by the project contract; and
(Local Cash Appropriation)
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____
(Chairperson/Mayor)

ATTESTED BY _____
(Clerk)

SEAL

DATE _____

PROJECT AGREEMENT

Data Science for Social Good Summer Program

This Project Agreement (the “Agreement”) is entered into on _____, 2015 by and between the City of Charlotte, a North Carolina municipal corporation, specifically, the Charlotte-Mecklenburg Police Department (the “CMPD”) and the University of Chicago (“UChicago”), an Illinois not-for-profit corporation with offices located at 5801 South Ellis Avenue, Suite 601, Chicago IL 60637, each individually referred to herein as a “Party” and collectively as the “Parties”.

RECITALS

WHEREAS, UChicago will be conducting the *Data Science for Social Good* summer fellowship program (the “Program”) to provide student researchers with an opportunity to learn and develop technical capabilities in research computing and data analytics;

WHEREAS, CMPD wishes to help fulfill the instructional objectives of the Program by offering CMPD data for Program fellows to consider, as outlined in Exhibit A of this Agreement, and by contributing data and other information so that Program fellows, may through the development and use of analytical tools, provide best practices and design specifications for an Early Intervention System (“EIS”) for CMPD;

WHEREAS, both Parties understand that the Program activities described in Exhibit A of this Agreement will be funded by UChicago for the term of this Agreement, and that the activities do not involve encryption or classified technology;

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, the Parties hereto hereby agree as follows:

1. **THE PROJECT.** During the term of this Agreement as set forth in Section 3, the UChicago will perform the activities described in Exhibit A (the “Project”). UChicago may exercise its reasonable discretion and independent judgment using recognized statistical and computational methods in performing the Project to develop design specifications for an effective EIS for law enforcement.
2. **PRINCIPAL CONTACTS.**
 - (a) UChicago’s supervisor for the Project will be Rayid Ghani (the “Project Supervisor”). The Project Supervisor will assign the Program fellows and mentors that will perform the Project. UChicago shall give CMPD written notice of any change to its supervisor.

- (b) CMPD's principal contact for the Project is Jibril Adbum-Muhaymin. CMPD shall give UChicago written notice of any change to its principal contact.

- 3. TERM. This Agreement is effective for the period from _____, 2015 through December 31, 2015, unless sooner terminated in accordance with section 8, Termination, of this Agreement. UChicago is not obligated to perform any work beyond the termination or expiration date of this Agreement.

- 4. EQUIPMENT.
 - (a) Title to any equipment acquired or built by UChicago in order to perform the work under this Agreement vests with UChicago.

- 5. PROJECT OUTCOMES.
 - (a) UChicago will own all intellectual property created or generated in the course of performing the Project, including any software applications ("Software"), inventions (whether or not patentable) conceived, made, developed, or reduced to practice and all rights therein (collectively, "Developed IP"). Developed IP does not include CMPD data sets prepared or otherwise generated directly from CMPD's Confidential Information provided by CMPD hereunder, or any reports that are deliverables to CMPD pursuant to Exhibit A conveying research outcomes, suggestions and/or recommended solutions.

 - (b) To the extent practicable, UChicago will try to release Software developed as analytical tools under the Project as open source software. In the event such Software cannot be made available as open source software, UChicago shall otherwise grant to CMPD a non-exclusive, royalty-free license to use the Software for the purposes set forth in Exhibit A. Notwithstanding anything to the contrary, UChicago is not required to license or incorporate anything into Software that UChicago reasonably believes would infringe another party's intellectual property rights or that UChicago is not authorized to license.

 - (c) It is also understood that North Carolina law limits the release of personnel records. UChicago agrees to abide with the terms of the Certification contained in Exhibit B. UChicago retains the right to use for its own purposes any techniques to gather data, conduct research, or formulate solutions developed in the course of working on the Project. Under no circumstances will UChicago release CMPD data that will disclose information identifying the employees whose files were reviewed. UChicago reserves the right to use the results of any research conducted

under this Agreement for its own teaching, research, and publication purposes.

6. CONFIDENTIALITY.

- (a) In performance of this Agreement the Parties may disclose to each other, either in writing or orally, information which the disclosing Party deems to be proprietary and/or confidential (hereinafter, "Confidential Information"). Confidential Information will consist of all data contributed by CMPD which identifies an employee and subject to the limitations from disclosure set forth in Exhibit B of this Agreement. Confidential Information shall consist of (i) all CMPD data which identifies an employee or other tangible disclosures marked as confidential (ii) oral information reduced to writing within thirty (30) days of oral disclosure and clearly marked as "proprietary" or "confidential." Confidential Information shall be maintained in confidence during the term of this Agreement and for a period of two (2) years following the termination or expiration of this Agreement except in the case of information that could be used to identify an individual which shall remain in confidential in perpetuity, except to the extent that it is required to be disclosed by law, regulation or judicial or administrative process. UChicago shall use Confidential Information solely for the purposes of this Agreement. UChicago will ensure that all individuals with unfettered access to CMPD data will be informed of the terms agreed to by UChicago contained in the Certification (Exhibit B) and agree to be bound by those terms. Each Party shall protect the other Party's Confidential Information from disclosure using at least the same degree of care as it uses to protect its own confidential information. The disclosure of Confidential Information to the receiving Party shall not of itself be construed as a grant of any right or license with respect to the information. In the event the receiving Party is required by law, regulation or judicial or administrative process to disclose any Confidential Information, the receiving Party will promptly notify the disclosing Party in writing, if permitted by law, prior to making any such disclosure in order to facilitate the disclosing Party's seeking of a protective order or other appropriate remedy from the appropriate body.
- (b) Confidential Information does not include information which receiving Party can demonstrate and document: (i) was in its knowledge or possession prior to receipt from disclosing Party; (ii) was public knowledge or becomes public knowledge through no fault of receiving Party; (iii) is or has been properly provided to receiving Party by an independent third party who has no obligation of confidentiality to disclosing Party; or (iv) is thereafter independently developed by receiving Party without reference to the information from disclosing Party.

- (c) UChicago retains the right to refuse to accept any such information that is not considered to be essential to the completion of the Project.
 - (d) Upon termination or expiration of this Agreement, the UChicago will return to the CMPD all tangible copies of CMPD Confidential Information in the UChicago's possession or control and will erase from its computer systems all electronic copies thereof. Upon request, UChicago will provide written verification to CMPD once it has destroyed and/or erased all of CMPD's Confidential Information.
7. EXPORT CONTROLS. Both Parties are subject to applicable U.S. export laws and regulations. CMPD shall identify any export controlled information or materials as such prior to providing such information or materials to UChicago. The UChicago shall have the right to limit or decline receipt of said export controlled information or materials.
 8. TERMINATION. Either Party may terminate this Agreement at any time by giving the other Party not less than thirty (30) days prior written notice. UChicago may also terminate immediately if any of the reasons set forth in section 13, Force Majeure, prevent continuation of the Project. Termination or expiration of this Agreement will not affect either Party's rights or duties under Sections 4, 5, 6, or 12 hereof.
 9. NOTICES. Any notices given under this Agreement shall be in writing and delivered by certified or registered return receipt mail, postage prepaid, or by facsimile addressed to the Parties as follows:

<p>For CMPD:</p> <p>Sherie E. Pearsall Major, Office of Professional Responsibility Charlotte-Mecklenburg Police Department 601 East Trade Street Charlotte, NC 28202</p> <p>Telephone: 704-619-2995 Email: spearsall@cmpd.org</p>	<p>For UChicago:</p> <p>Rayid Ghani DSSG Program Director The University of Chicago The Computation Institute Searle Chemistry Laboratory 5735 S. Ellis Ave. Chicago, IL 60637</p> <p>Telephone: 847-275-8457 Email: rayid@uchicago.edu</p>
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 10. PUBLICITY. Neither Party shall make reference to the other Party in a press release or any other written statement in connection with the Project and the Program without the other Party's prior consent, which consent shall not be unreasonably withheld. If there is no notice of disapproval within 48 hours after delivery to the other party for its review, the materials shall be deemed approved. Notwithstanding the foregoing, UChicago shall be permitted to use CMPD's

name in a list of Program participants, which may also include a brief description of the Project.

11. **WARRANTIES. ANY RESEARCH OUTCOMES AND OTHER MATERIALS CREATED UNDER THIS AGREEMENT ARE PROVIDED “AS IS”. UCHICAGO MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE WORK OR PRODUCTS OF WORK CREATED UNDER THIS AGREEMENT, INCLUDING THE NON-INFRINGEMENT, OWNERSHIP, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE RESEARCH OR ANY INVENTION OR PRODUCT.** CMPD acknowledges that research and other work performed under the Project will be conducted by student fellows and may not be subject to peer review or independent verification of results. CMPD further acknowledges that the Project is an instructional exercise and, consequently, UChicago will not guarantee any particular outcome or product, but hopes to deliver a set of algorithms which are empirically derived from the data provided to identify which officers are at a risk of an adverse interaction.
12. **LIABILITY.**
 - (a) CMPD agree to hold harmless, indemnify and defend UChicago from all liabilities, demands, damages, expenses and losses arising out of the use or other disposition by CMPD, or by any party acting on behalf or under the authorization of CMPD, of any Project outcomes or deliverables or any items or materials derived from or related thereto. UChicago agrees to indemnify, hold harmless, and defend CMPD from all liabilities, demands, damages, expenses and losses arising out of the gross negligence or willful misconduct of UChicago, or by any party acting on behalf or under the authorization of UChicago.
 - (b) Neither Party shall be liable for any direct, consequential, or other damages resulting from the use of any Project outcomes or deliverables.
13. **FORCE MAJEURE.** Neither Party shall be liable for any failure to perform as required by this Agreement, to the extent such failure to perform is caused by any reason beyond the Party’s reasonable control, or by reason of any of the following occurrences: labor disturbances or labor disputes of any kind, accidents, failure of any governmental approval required for full performance, civil disorders or commotion's, acts of aggression, floods, earthquakes, acts of God, energy or other conservation measures, explosion, failure of utilities, mechanical breakdowns, material shortages, disease, or other such occurrences.
14. **ASSIGNMENT.** Neither Party shall assign its rights nor duties under this Agreement to another without the prior express written consent of the other Party.

15. SEVERABILITY. In the event a court of competent jurisdiction holds any provision of this Agreement to be invalid, such holding shall have no effect on the remaining provisions of this Agreement, and they shall continue in full force and effect.
15. ENTIRE AGREEMENT. This Agreement with its incorporated exhibits, constitutes the entire agreement between the Parties and supersedes all prior negotiations, representations, commitments, offers, contracts and writings. Any amendments or further addenda hereafter made shall be in writing and executed with the same formality.
16. GOVERNING LAW. This Agreement shall be governed by the laws of the State of North Carolina. The Parties agree that courts of competent jurisdiction can be in either North Carolina or Illinois.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement in duplicate by proper persons thereunto duly authorized.

Charlotte-Mecklenburg Police Department

University of Chicago

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT A

PROJECT DESCRIPTION

Overview

There exists a critical gap in knowledge for many police departments on the behaviors that may be most indicative of an officer that needs intervention, training, and counseling. Identifying these behaviors, and creating a systematic method of detecting them, opens new opportunities to develop targeted interventions for officers to prevent adverse interactions. Such a gap in knowledge has taken increased importance in light of recent events involving police departments across the country.

Project Description

The University of Chicago, as part of its Data Science for Social Good Fellowship, is partnering with a number of police departments to develop a prototype Early Intervention System (EIS) that can flag at-risk officers. By using advanced statistical and computational methods, UChicago will analyze officer characteristics and previous behavior patterns to build our knowledge as to what factors are most indicative of future adverse interactions. Using this information, UChicago will develop design specifications and best practices for an EIS for police departments that can then flag officers early, so they may intervene with additional training or other resources which may mitigate the risk of adverse interactions in the future.

Data

For this project, the University of Chicago requests a number of datasets for which to study officer characteristics and behaviors. While by no means an exhaustive list, these include:

- Internal affairs data, including:
 - complaints
 - conduct / directive violations
 - compliments
 - disciplinary action
 - claims/lawsuits/appearances
 - etc.
- Officer activity data, including:
 - traffic stops
 - arrests (discretionary and non-discretionary)
 - pursuits
 - response/resistance/use of force information
 - citations written by officers
 - field interviews
 - raid and search
 - knock and talk activities
 - etc.

- Officer demographic information
- Officer training information
- Officer payroll information including
 - sick time
 - vacation time
 - overtime
 - compensation
 - etc.
- Dispatch data, including:
 - calls for service
 - officers assigned
 - clearance of the call
 - etc.

Deliverables:

The University of Chicago hopes to deliver a set of algorithms which are empirically derived from the data provided to identify which officers are at risk of an adverse interaction.

EXHIBIT B

Certification

Pursuant to North Carolina Personnel Privacy law, North Carolina General Statutes Article 160A Section 160(c2), attached hereto, the University of Chicago (“UChicago”), through the undersigned authorized professional representative, agrees to the following limitations, required by the City of Charlotte North Carolina through its City Council, permitting access to the Charlotte-Mecklenburg Police Department (“CMPD”) Personnel Data:

1. The UChicago, through the undersigned, certifies it is an academic institution that will be provided access to CMPD personnel data.
2. The UChicago , through the undersigned, certifies the CMPD data will be used for an academic research project to use statistical information to develop design specifications for an Early Intervention System to be used by law enforcement.
3. The UChicago, through the undersigned, certifies the access to the CMPD data will be supervised by Rayid Ghani as the professional representative of the UChicago overseeing student researchers.
4. Rayid Ghani on behalf of himself and the UChicago certify that he will not release information identifying the employees disclosed in the CMPD data and the information provided by CMPD will be used solely for statistical, research or teaching purposes.
5. The UChicago, through the undersigned, certifies that all UChicago employees, volunteers, representatives or agents who will have access to the CMPD data will agree to abide by the confidentiality requirements set forth in this Certification, the Project Agreement including all exhibits attached thereto.

6. At the termination of the Project Agreement, the undersigned, on behalf of the UChicago, agrees to provide written verification of the return, destruction and/or erasure of all CMPD data as required by Section 5(d) of the Project Agreement.
7. This certification shall be retained by the City of Charlotte as long as the CMPD data is retained by the UChicago.

Sworn to and subscribed before me

Michael R. Ludwig
Associate VP for Research Admin.
The University of Chicago

this _____ day of _____, 2015.

Notary Public

My commission expires: _____

N.C. Gen. Stat. § 160A-168 (2014)

Privacy of employee personnel records

(a) Notwithstanding the provisions of [G.S. 132-6](#) or any other general law or local act concerning access to public records, personnel files of employees, former employees, or applicants for employment maintained by a city are subject to inspection and may be disclosed only as provided by this section. For purposes of this section, an employee's personnel file consists of any information in any form gathered by the city with respect to that employee and, by way of illustration but not limitation, relating to his application, selection or nonselection, performance, promotions, demotions, transfers, suspension and other disciplinary actions, evaluation forms, leave, salary, and termination of employment. As used in this section, "employee" includes former employees of the city.

(b) The following information with respect to each city employee is a matter of public record:

(1) Name.

(2) Age.

(3) Date of original employment or appointment to the service.

(4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the city has the written contract or a record of the oral contract in its possession.

(5) Current position.

(6) Title.

(7) Current salary.

(8) Date and amount of each increase or decrease in salary with that municipality.

(9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.

(10) Date and general description of the reasons for each promotion with that municipality.

(11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.

(12) The office to which the employee is currently assigned.

(b1) For the purposes of this subsection, the term "salary" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity.

(b2) The city council shall determine in what form and by whom this information will be maintained. Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the city council may have adopted. Any person denied access to this information may apply to the appropriate division of the General Court of Justice for an order compelling disclosure, and the court shall have jurisdiction to issue such orders.

(c) All information contained in a city employee's personnel file, other than the information made public by subsection (b) of this section, is confidential and shall be open to inspection only in the following instances:

(1) The employee or his duly authorized agent may examine all portions of his personnel file except (i) letters of reference solicited prior to employment, and (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.

(2) A licensed physician designated in writing by the employee may examine the employee's medical record.

(3) A city employee having supervisory authority over the employee may examine all material in the employee's personnel file.

(4) By order of a court of competent jurisdiction, any person may examine such portion of an employee's personnel file as may be ordered by the court.

(5) An official of an agency of the State or federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the official having custody of such records to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution (of the employee), or for the purpose of assisting in an investigation of (the employee's) tax liability. However, the official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.

(6) An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.

(7) The city manager, with concurrence of the council, or, in cities not having a manager, the council may inform any person of the employment or nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of a city employee and the reasons for that personnel action. Before releasing the information, the manager or council shall determine in writing that the release is essential to maintaining public confidence in the administration of city services or to maintaining the level and quality of city services. This written determination shall be retained in the office of the manager or the city clerk, and is a record available for public inspection and shall become part of the employee's personnel file.

(c1) Even if considered part of an employee's personnel file, the following information need not be disclosed to an employee nor to any other person:

(1) Testing or examination material used solely to determine individual qualifications for appointment, employment, or promotion in the city's service, when disclosure would compromise the objectivity or the fairness of the testing or examination process.

(2) Investigative reports or memoranda and other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded.

(3) Information that might identify an undercover law enforcement officer or a law enforcement informer.

(4) Notes, preliminary drafts and internal communications concerning an employee. In the event such materials are used for any official personnel decision, then the employee or his duly authorized agent shall have a right to inspect such materials.

(c2) The city council may permit access, subject to limitations they may impose, to selected personnel files by a professional representative of a training, research, or academic institution if that person certifies that he will not release information identifying the employees whose files are opened and that the information will be used solely for statistical, research, or teaching purposes. This certification shall be retained by the city as long as each personnel file examined is retained.

(c3) Notwithstanding any provision of this section to the contrary, the Retirement Systems Division of the

Department of State Treasurer may disclose the name and mailing address of former local governmental employees to domiciled, nonprofit organizations representing 2,000 or more active or retired State government, local government, or public school employees.

(d) The city council of a city that maintains personnel files containing information other than the information mentioned in subsection (b) of this section shall establish procedures whereby an employee who objects to material in his file on grounds that it is inaccurate or misleading may seek to have the material removed from the file or may place in the file a statement relating to the material.

(e) A public official or employee who knowingly, willfully, and with malice permits any person to have access to information contained in a personnel file, except as is permitted by this section, is guilty of a Class 3 misdemeanor and upon conviction shall only be fined an amount not more than five hundred dollars (\$ 500.00).

(f) Any person, not specifically authorized by this section to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a Class 3 misdemeanor and upon conviction shall only be fined in the discretion of the court but not in excess of five hundred dollars (\$ 500.00).

Streets Scheduled for Paving during Calendar Year 2015

Street Maintenance Division

Street Listing By Council District

Please Note: It is inherent with the resurfacing contracts that streets may be added or deleted.

Council District: 1

Airlie St
Birchcrest Dr
Brixton Ct
Cardiff Av
Charles Av
N College St
Cromwell Ct
Donovan Pl
Druid Cr
Enfield Rd
Finchley Dr
Firethorne Rd
Flamingo Av
Glenstar Tr
Hawthorne Ln
Hilliard Dr
Jeff St
N Mcdowell St
Michigan Av
Otts St
Palm Av
Parkwood Av
Springway Dr
Stacy Bv
Sunnyside Av
Tappan Pl
Van Every St
Vanderbrook Rd
Winter St
Woodleaf Rd

Council District: 2

Aviary Hill Wy
Belmorrow Dr
Browns Av
Byrum St
S Cloudman St
Coulwood Dr
Crestview Dr
Daniel Dwayne Dr
Davis Lake Py
Elderbank Dr
Fallsdale Dr

Council District: 2

Gatewood Dr
Hovis Rd
IBM Dr
Kingsway Cr
Leolillie Ln
Marble St
Montcalm St
Nature Pl
Newfound Hollow Dr
North Av
North Canyon Rd
Oak Dr
Oak St
Pinoca St
Pleasant Grove Rd
Reliance St
Remington St
Ridgevalley Dr
Saratoga Dr
Sidney Cr
Silverberry Ct
Syracuse Dr
Travis Floyd Ln
Wabash Av
Wesley Heights Wy
Wildwood Av
Willard St
Williamson St
Winding Canyon Dr

Council District: 3

Alice Av
Allenbrook Dr
Annisa Ct
E Arrowood Rd
W Arrowood Rd
Barringer Dr
Beaconsfield Rd
Camp Greene St
Capra Ct
Clay Av
Credenza Rd
Elmwood Cr

Council District: 3

Elon St
Enderly Rd
England St
Executive St
Farmhurst St
Fazenda Dr
Ganso Ln
Garth Wood Rd
Gateway Bv
Goodrich Dr
Griffith Rd
Hashem Dr
Hazel St
E Hebron St
W Hebron St
Karendale Av
Lanewood Pl
Mathis Dr
Moores Chapel Rd
Nations Ford Rd
Packard St
Reid Meadows Dr
Rogers St
Toddville Rd
Tuckaseegee Rd
Windsong Dr
Withers Cove Park Dr
Woodway Pl

Council District: 4

Allen Rd South
Alpine Ln
Amber Meadows Dr
Atkins Ridge Dr
Brookwood Rd
Canary Ct
Cannon Av
Canyon Dr
Cheyenne Dr
Davis Lake Py
Doby Springs Dr
Eldorado Av
Elizabeth Rd

Streets Scheduled for Paving during Calendar Year 2015

Street Maintenance Division

Street Listing By Council District

Please Note: It is inherent with the resurfacing contract that streets may be added or deleted.

Council District: 4

Fox Glen Rd
Galloway Rd
Glen Brook Ln
Glenluce Av
Glenolden Dr
Green Pasture Rd
Harris Houston Rd
IBM Dr
Lake Dr
Mallard Pine Ct
Mallard Woods Pl
Neal Rd
Old Timber Rd
Poplar Grove Dr
Radrick Ln
Rocky Spring Ct

Council District: 5

Applecross Ln

Briarfield Dr
Cedarbrook Dr
Coatbridge Ln
Denbur Dr
East Lake Rd
Elvis Dr
Forest Way Dr
Glen Brook Dr
Glenmac Rd
Hickory Dr
Hickory Valley Ct
Hobbs Hill Dr
Junction Ct
Knickerbocker Dr
Little Hampton Pl
Old Post Rd
Pine Cr
Starnes Randall Rd
Viola Dr
Wagon Oak Rd

Council District: 6

Eastburn Rd
Edenton Rd
Fernbank Dr
Flintgrove Rd
Giverny Dr
Heidleburg Ln
King Edward Rd
Knights Bridge Rd
Lakeview Dr
Murrayhill Rd
Rama Rd
Sharon Acres Rd
Sulkirk Rd
Sumner Hall Ln
Sunnybrook Dr
Winsford Ct
Wintercrest Ln

Balmoral Cr
Canyon TI
Columbine Cr

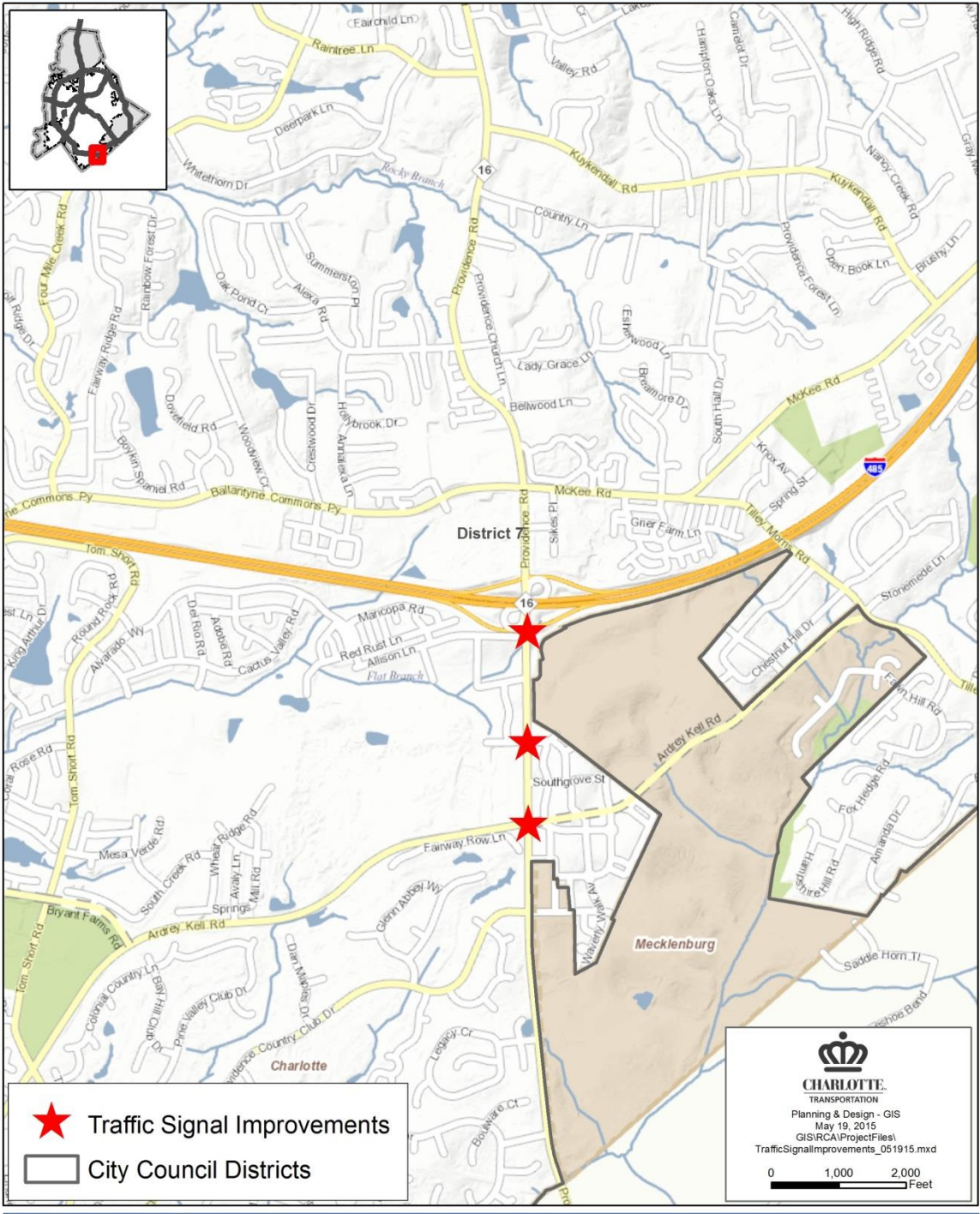
Council District: 7

Allenwood Rd
Armorcrest Ln
Bosham Ln
Brackenbury Ln
Castlebay Dr
Chinchester Ln
Deep Hollow Ct
Deerpark Ln
Foxglove Dr
Hartwicke Pl
Heather Ridge Ct
Heatherford Dr
High Ridge Rd
Highland Forest Dr
Hornell Pl
Kilmonack Ln
Lady Grace Ln
Lancelot Dr
Lawton Bluff Rd
Lee Rea Rd
Oakmeade Dr
Plantation Center Dr
Providence Rd West
Red Bird TI

Council District: 7

Rosegate Ln
Savannah Hills Dr
Smoke Tree Ln
Stillmeadow Dr
Woodcreek Dr

Traffic Signal Improvements



ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$388,500 FOR TRAFFIC SIGNAL IMPROVEMENTS

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

- Section 1. That the sum of \$388,500 hereby estimated to be available from Providence Road Farms, LLC
- Section 2. That the sum of \$388,500 is hereby appropriated in the General Capital Investment Fund (4001) Developer Contributions Project (4292000018)
- 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

Bojangles Coliseum Renovation - Council Action Summary - Rev 1

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 I	\$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.
Totals	\$7,000,000	\$250,000	\$7,475,000	16.37%	10.14%	\$8,663,121		(\$1,188,121)	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
Ice Making System Repairs	\$135,000		0% to 5%	27-Jul	Specialized scope of work
Roof Repairs	\$600,000		5% to 10%	2016	Deferred: This work was originally identified for phase I work.
Concession Food Service Equipment	\$675,000		> 15%	27-Jul	
Signage and Graphics	\$90,000		> 15%	27-Jul	
Bojangles Renovations Phase II	Appox. \$5,000,0000		> 15%	2016	Mechanical, electrical, structural and site improvements.

Good Faith Efforts Summary for Bojangles Coliseum Phase 1C – Charlotte Checkers Locker Room Upfit

Background

The Bojangles Coliseum Phase 1C – Charlotte Checkers Locker Room Upfit Project was bid on April 22, 2015. A total of three (3) firms submitted bids for the contract. Staff is recommending contract award to the low bidder, Edison Foard Construction Services Inc. (Edison Foard) with a total contract award amount of \$1,090,950.

The Established SBE Goal for this project was set at 12%, as derived from the City's subcontracting goal setting formula.

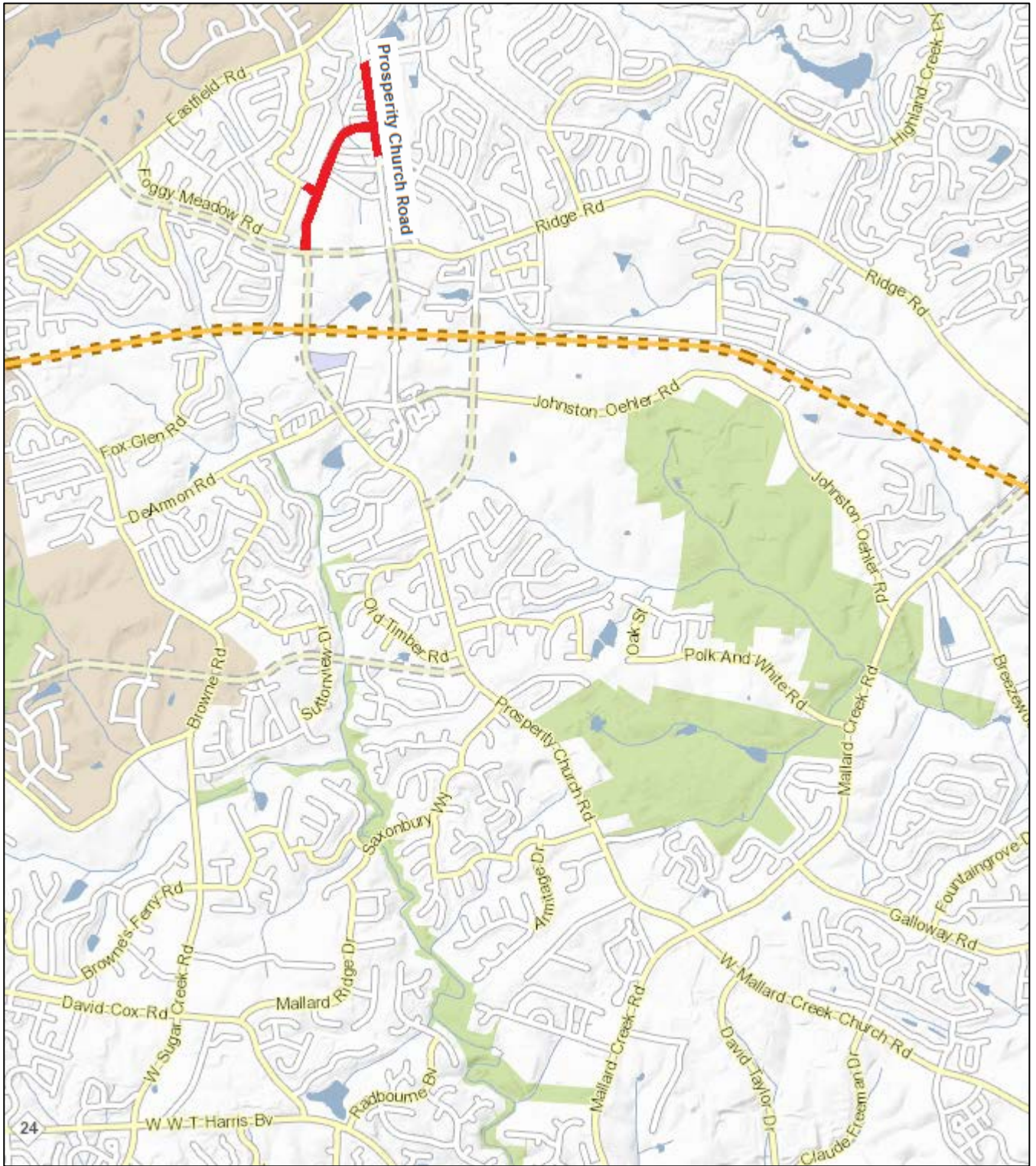
At bid opening, Edison Foard documented and committed SBE participation totaling 2.79% (\$30,497) to the following certified SBE firms: Stevens Interiors, Inc. (drywall).

Subsequent to bid opening, Edison Foard committed an additional 2.29% (\$25,000) to the following certified SBE firm: Environmental Heating & Air (HVAC controls), which increased Edison Foard's total SBE utilization for the project to 5.09% (\$55,497).

Good Faith Effort (GFE) Summary

Per the City's CBI Policy (Part B: Section 2.1), because the Established SBE Goal on this contract was not met at bid opening, Edison Foard 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 Edison Foard's documentation and confirmed Edison Foard's achievement of 65 GFE points, comprised of the following efforts:

- GFE 5.3.1: *Contacts* (10 points)
- GFE 5.3.2: *Making Plans Available* (10 points)
- GFE 5.3.5: *Attendance at Pre-Bid* (10 points)
- GFE 5.3.7: *Negotiating in Good Faith with MBEs/SBEs* (15 Points)
- GFE 5.3.10: *Quick Pay Agreements on the Construction Contract* (20 points)



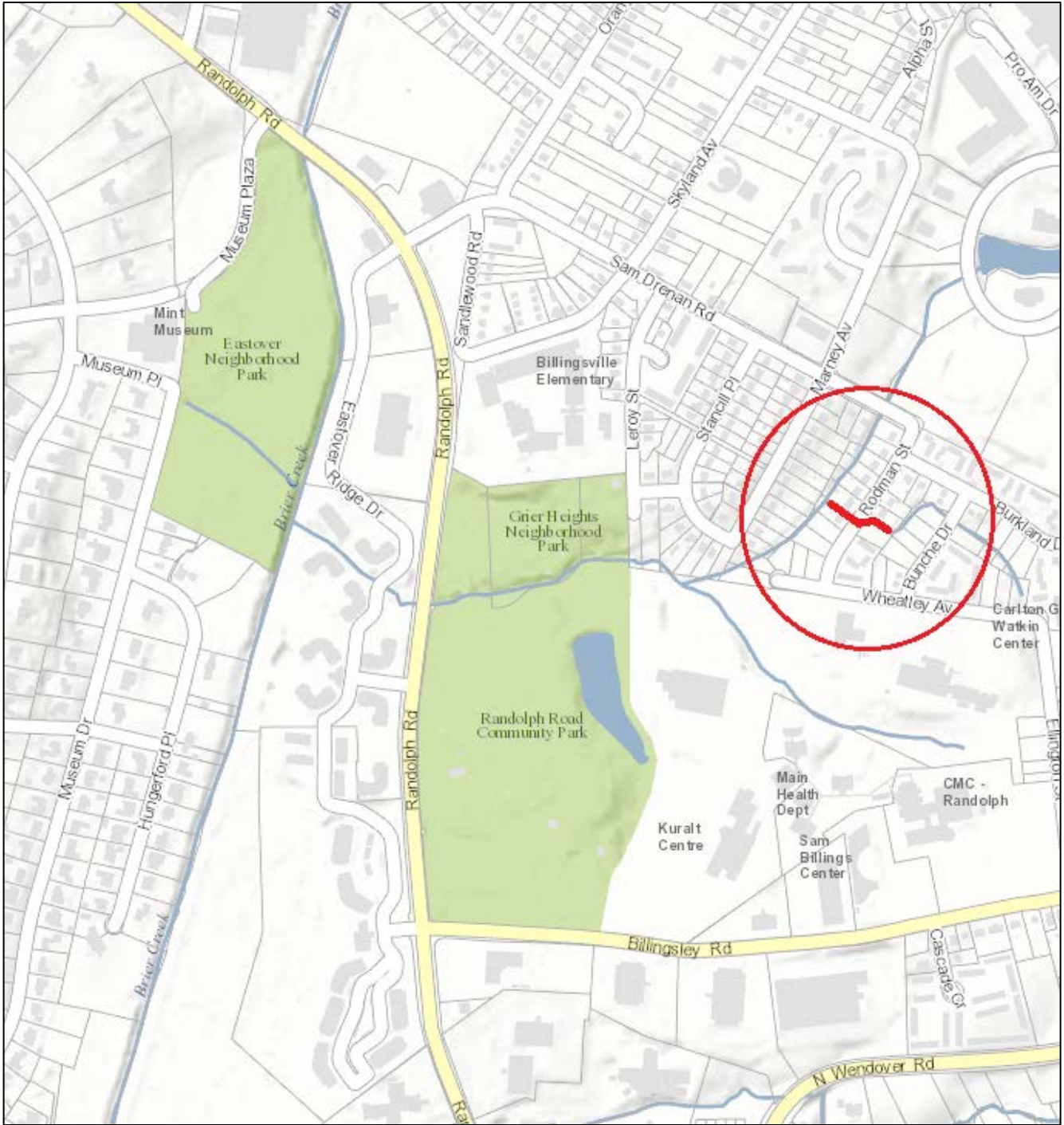
**Location Map: Prosperity Village Northwest Thoroughfare Arc, Phase B
(Council District 4)**

Time Warner Cable Arena Upgrades - Council Action Summary

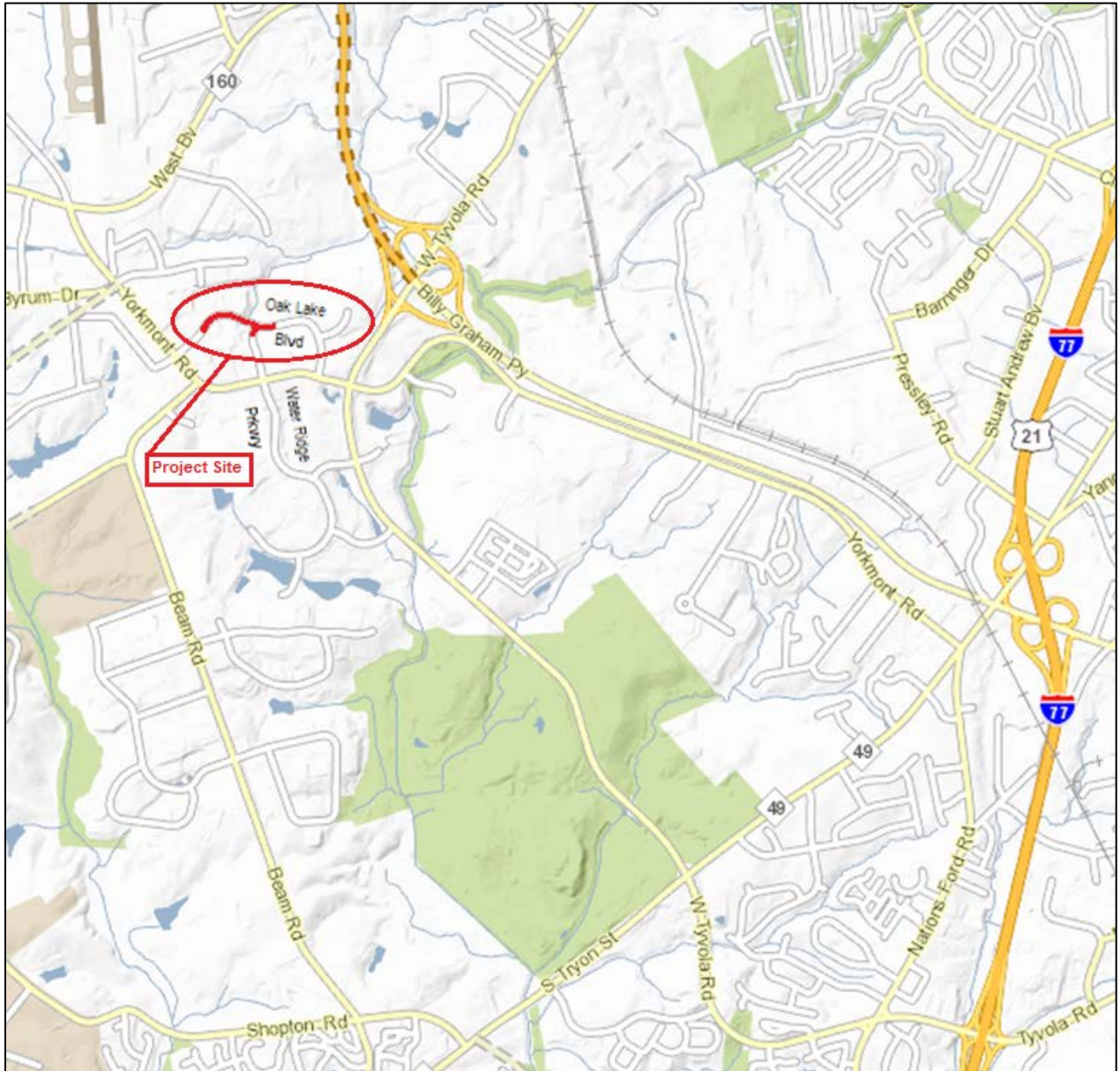
Line Item	Original Project Budget 9/08/2014	Hornets Contributioun	Revised Total Budget	CBI Commitment		RCA Amount	Council Date	Difference	Comments
				SBE	MBE				
Architectural Services	\$2,300,000	\$0	\$2,300,000	17.39%	0.00%	\$2,300,000	11/24/14	\$0	Design services for the \$27.5M capital plan that will involve approximately 15 projects throughout the arena to be completed over 5 years.
Package B - Video Replay Control Room Distribution - TV Display	\$1,854,500	\$0	\$2,050,000	8.59%	8.59%	\$1,979,865	6/8/15	\$70,135	Scope of work includes removal of the existing standard definition video system, installation of a new high definition video and video replay system, and install/remove approximately 550 televisions which will enable the Arena operator to broadcast "in-house" video in high-definition.
				13.32%	3.97%				
Totals	\$4,154,500	\$0	\$4,350,000	17.29%		\$4,279,865		\$70,135	

Future Council Agenda Items

Line Items	Original Project Budget 9/08/2014	Hornets Contribution	Revised Total Budget	Expected CBI Goal			Expected Council Date		Comments
Package A - Backcourt Restaurant & 21 Suites Renovations	\$1,057,500	\$600,000	\$1,100,000	>15%			6/22/15		Scope of work includes the renovation of the Event level restaurant and the renovation of 21 private suites. Hornets will fund the suites renovations work per the Agreement
Secondary Tenant/Event Locker Room Alterations	\$157,500			5%-15%			Fall 2015		
Suites Renovations 22-64	\$1,200,000	\$1,200,000		>15%			2016		Hornets will fund the suites renovations work per the Agreement.
Visitors Locker Room Ph II - Renovate 4 Rooms	\$315,000			>15%			2016		
Event Production Rooms Refurbishment	\$90,000			>15%			2016		
Press Room Refurbishment (3 rooms) - Paint, Carpet, Countertops	\$225,000			>15%			2016		
Scoring & Video Digital Equipment Update	\$6,930,000			5%- 15%			2016		
IT Infrastructure	\$504,000			5%-15%			2016		
Replace Beer Concessions Lines	\$315,000			0%-5%			2016		



Location Map - 3110 Rodman Street Storm Drainage Repair (Council District 1)

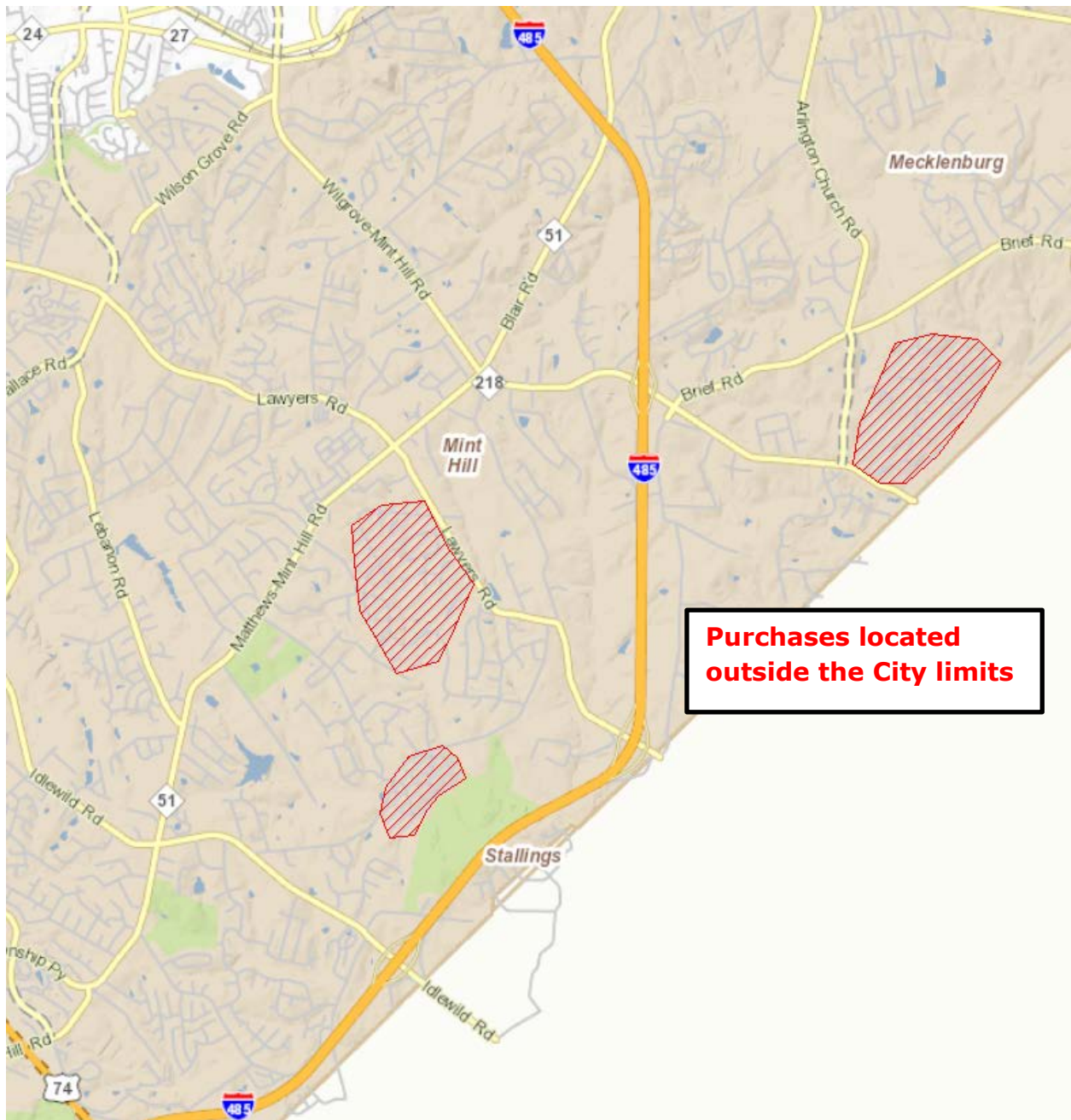


Location Map - Oak Lake Boulevard Storm Drainage Repair (Council District 3)

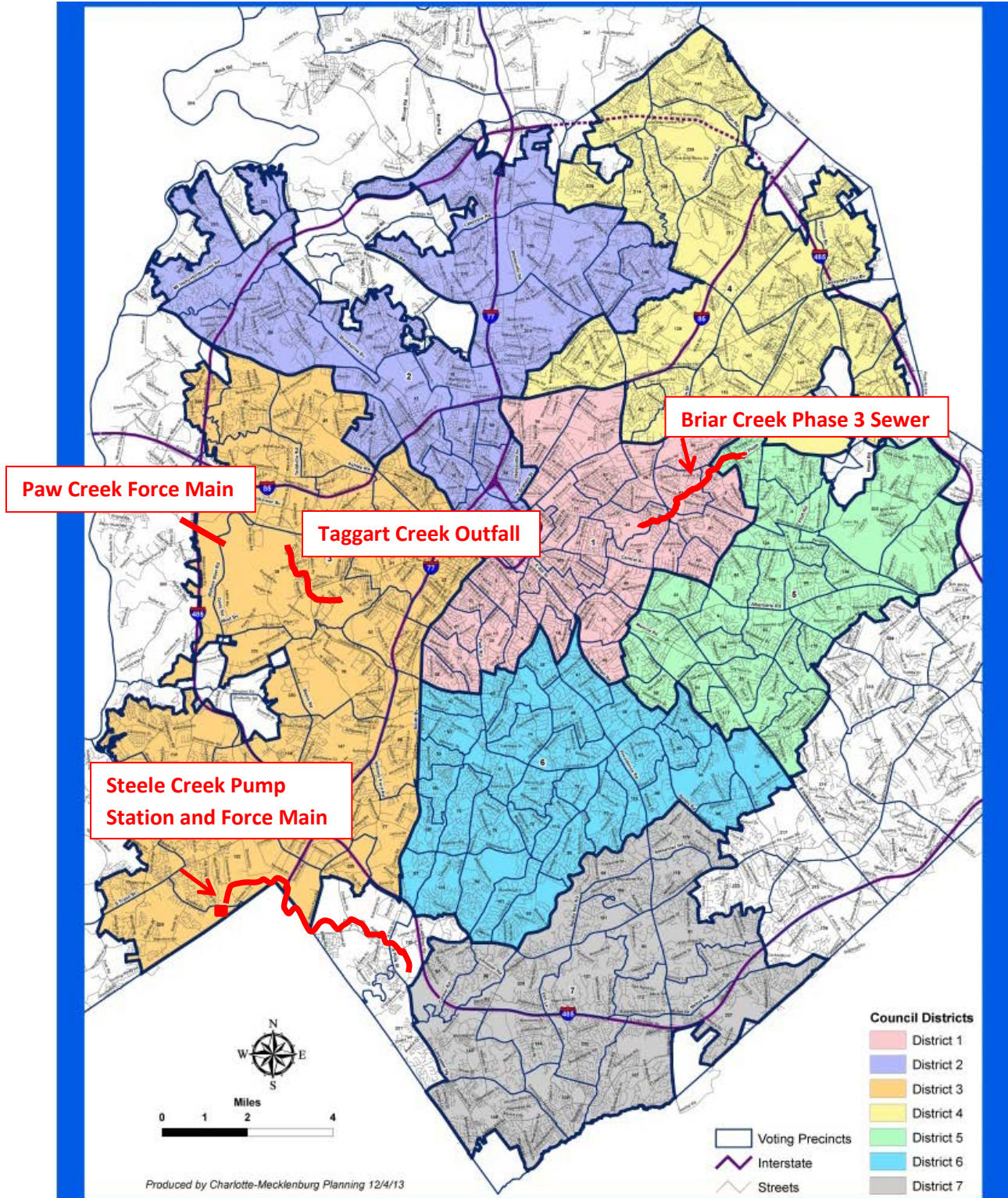


Location Map – Brentwood Storm Drainage Improvement, Phase 2 (Council District 3)

Purchase of Aqua North Carolina, Inc. Water and Sewer Systems - Map



Pre and Post Blast Surveys & Blast Monitoring Services - Map



Property Tax Refund Requests

ALDRSGATE UNITED METHODIST RETIREMENT	\$	6,545.43
ALDRSGATE UNITED METHODIST RETIREMENT		34,429.30
ALDRSGATE UNITED METHODIST RETIREMENT		51,084.24
ALDRSGATE UNITED METHODIST RETIREMENT		10,727.66
ALDRSGATE UNITED METHODIST RETIREMENT		11,986.75
BATTLE, ROBERT WALKER		195.68
BLEAKNEY, TODD		263.04
BONDY, CAROL		352.07
DAVIS, SHARON Y		557.98
DOW JONES & CO INC		3,050.27
ELWOOD, ETHEL D		174.12
GRAVES, LEIGH		23.44
HAINS, KIMBERLY JOHNSON		187.59
HAINS, KIMBERLY JOHNSON		254.51
KULLBERG, HANS		162.99
NEWMAN, ANDREW DAVIS		7.12
OSBORNE, MARGARET		1.29
OSBORNE, MARGARET		1.18
OSBORNE, MARGARET		1.26
OSBORNE, MARGARET		1.39
QMAX		91.36
QUICKEN LOANS INC		5.98
QUICKEN LOANS INC		1,458.77
R B C CORP		653.61
RBC CORPORATION		13,345.53
RBC CORPORATION		28,859.48
RBC CORPORATION		5,201.49
RBC CORPORATION		118.00
RBC CORPORATION		4,510.58
RICOH PRODUCTION PRINT SOLUTIONS LLC		1,319.25
ROBINSON, KURT		4.02
ROBINSON, KURT		3.90
ROUSH AIR LLC		1,237.37
STRAYER UNIVERSITY		2,789.98
STRAYER UNIVERSITY		2,478.50
STRAYER UNIVERSITY		2,339.09
STRAYER UNIVERSITY		4,442.47
STRAYER UNIVERSITY		2,603.48
STRAYER UNIVERSITY		2,513.43
STRAYER UNIVERSITY		2,480.23
STRAYER UNIVERSITY		3,120.62
TOLT SERVICE GROUP		2,343.63
TWO WAY RADIO OF CAROLINA INC		224.73
WADE, TROY WINSTON		289.79
WADE, TROY WINSTON		245.44
XTRA LEASE LLC-CHARLOTTE		3,847.52
	\$	206,535.56

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 8th day of June 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

LA FIESTA GRANDE MEXICAN RESTAURANT	\$ 48.25
SIZZLING WOK RESTAURANT - KENNETH KONG	30.00
	<hr/>
	\$ 78.25

**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 8th day of June 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.

ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3627 AVALON AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF 3627 AVALON AVENUE, CHARLOTTE NC TRUST 3627 AVALON AVENUE CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 3627 Avalon Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 3627 Avalon Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION

Property Address	3627 Avalon Avenue
Neighborhood	Neighborhood Profile Area 6
Council District	#3
Owner(s)	3627 Avalon Avenue, Charlotte NC Trust
Owner(s) Address	3627 Avalon Avenue Charlotte, NC 28208

KEY FACTS

Focus Area	Housing & Neighborhood Development & Community Safety Plan
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CODE ENFORCEMENT INFORMATION

◆ Reason for Inspection:	Public Agency (Charlotte Fire Department)
◆ Date of the Inspection:	8/22/2014
◆ Title report received, revealing parties in interest:	9/25/2014
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	11/21/2014
◆ Held hearing for owner(s) and parties in interest by:	12/3/2014
◆ Owner(s) and parties in interest attend hearing:	No
◆ Owner(s) and parties in interest ordered to demolish structure by:	12/22/2014
◆ Filed Lis Pendens:	1/16/2015
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$7,170
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

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

OPTIONS

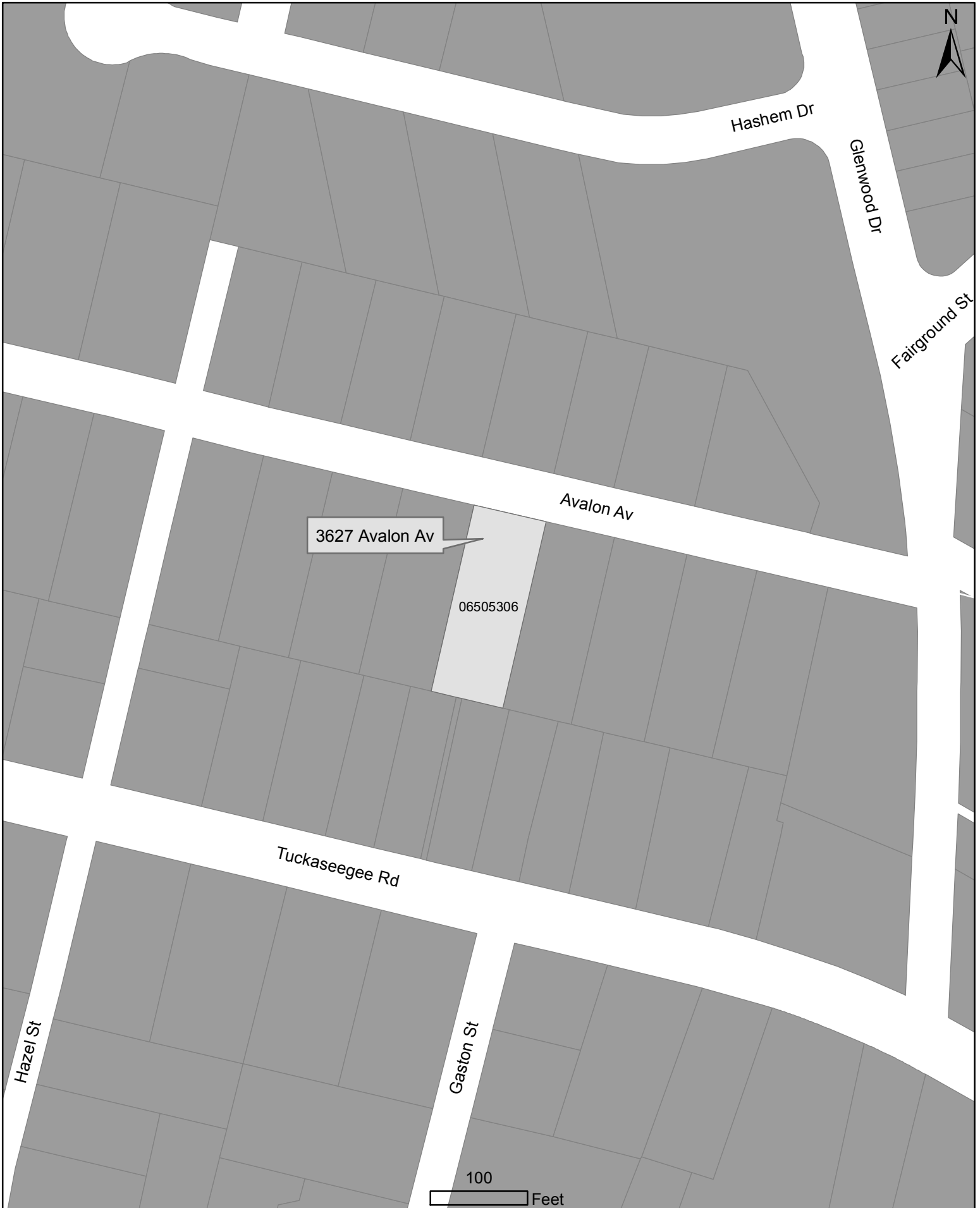
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$51,095	Acquisition & Rehabilitation Cost (Existing structure: 1,369 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$207,523	New Replacement Structure Cost (Structure: 1,369 sq. ft. total) Economic Life: 50 years Estimated cost-\$240,704	Demolition Cost \$7,170
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 56,900 - Terrace: \$ 100 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 67,000 Estimated Rehabilitation Cost: \$ 68,450 Outstanding Loans \$ 71,100 Property Taxes owed: \$ 926 Interest on Taxes owed: <u>\$ 47</u> Total: \$ 140,523	Acquisition: Tax values: - Structure: \$ 56,900 - Terrace: \$ 100 - Land: <u>\$ 10,000</u> Total Acquisition: \$ 67,000 New structure: \$ 94,461 Demolition: \$ 7,170 Outstanding Loans: \$ 71,100 Property Taxes owed: \$ 926 Interest on Taxes owed: <u>\$ 47</u> Total: \$ 173,704	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$51,095 (\$37.32 /sq. ft.), which is 89.797% of the structure tax value, which is \$56,900.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, heating, plumbing and electrical violations: Walls and ceiling framing fire damaged. Exterior siding and trim fire damaged. Interior ceiling and wall covering fire damaged. Windows fire damaged. Roofing and sheathing fire damaged. Heating equipment fire damaged. Plumbing fixtures damaged. Electrical wiring fire damaged.
- The building is 61 years old and consists of 1,369 square feet total.
- A new 1,369sq. ft. structure can be built for \$94,461.

3627 Avalon Avenue



3627 Avalon Avenue



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 5117 ELCAR DRIVE 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 ROBIN U. STOREY 2523 NICKEL RIDGE CT CHARLOTTE, NC 28210

WHEREAS, the dwelling located at 5117 Elcar Drive 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 5117 Elcar Drive in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	5117 Elcar Drive
Neighborhood	Neighborhood Profile Area 83
Council District	Mecklenburg County / Unincorporated
Owner(s)	Robin U. Storey
Owner(s) Address	2523 Nickel Ridge Ct Charlotte, NC 28210
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Public Agency Referral Charlotte-Mecklenburg Police
◆ Date of the Inspection:	8/26/2014
◆ Title report received:	9/25/2014
◆ Owner notified of Complaint and Notice of Hearing by advertisement and certified mail by:	10/16/2014
◆ Held hearing for owner by:	11/11/2014
◆ Owner attend hearing:	No
◆ Owner ordered to demolish structure by:	12/18/2014
◆ Filed Lis Pendens:	1/22/2015
◆ Owner have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$4,000
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

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

OPTIONS

IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$24,775	Acquisition & Rehabilitation Cost	New Replacement Structure Cost	Demolition Cost \$4,000
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition and rehabilitation are not applicable, because this is a manufactured home.	Replacement housing is not applicable, because this structure is manufactured home.	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$24,775 which is 2,065% of the structure tax value, which is \$1,200.
- City rehab costs analysis is not applicable.
- New construction analysis is not applicable.
- Violations include: Structural and plumbing violations: Flooring not structurally sound. Missing ceiling and wall covering. Broken window panes. Unsafe ceiling joists. Missing plumbing fixtures. Waste piping missing. Accessory building not in safe substantial condition.
- The age of the mobile home is unknown.
- Demolition of the mobile home was started but has since ceased.

5117 Elcar Drive



Elcar Dr

Walkers Cove Trl

11339107

5117 Elcar Dr

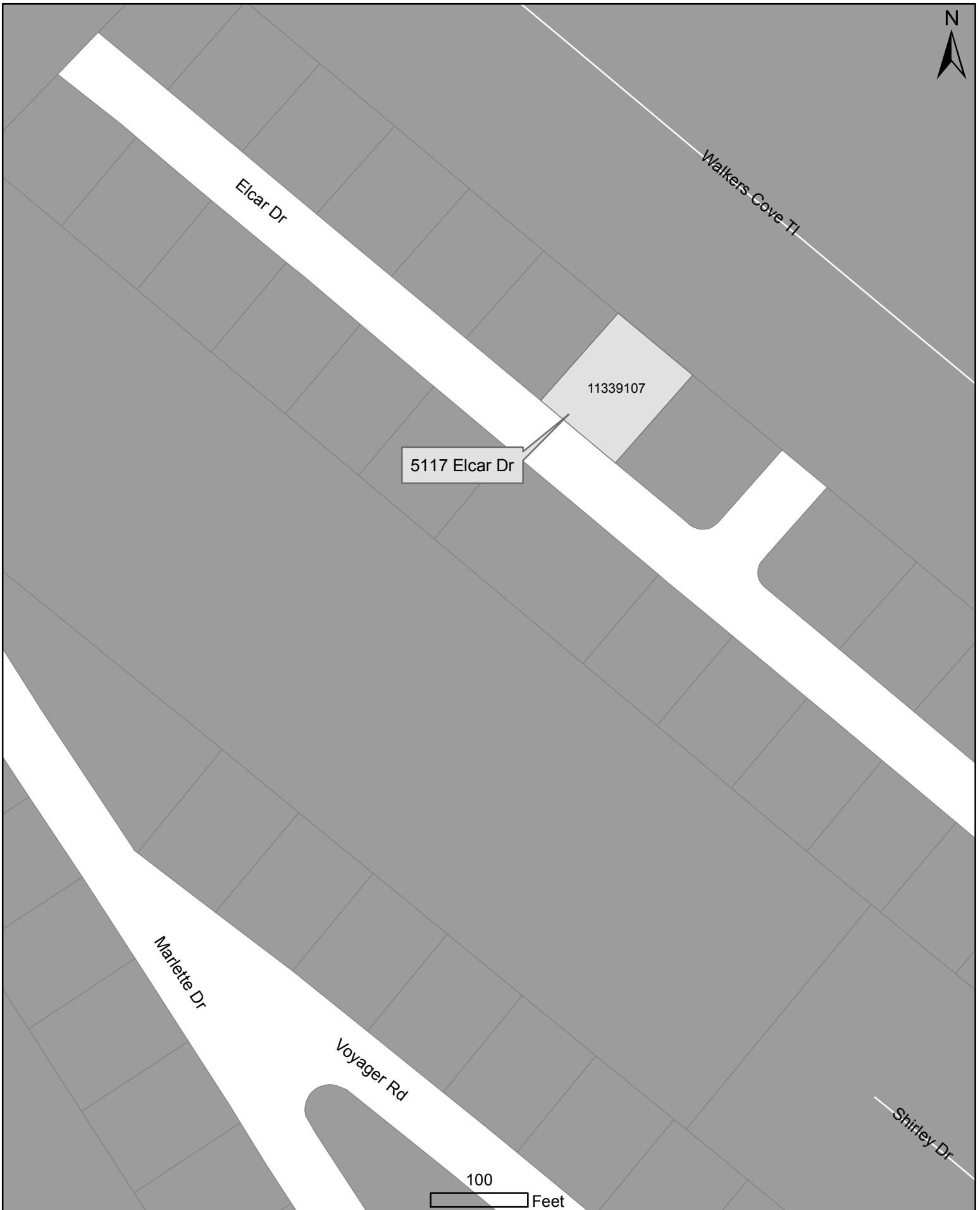
Marlette Dr

Voyager Rd

Shirley Dr

100

Feet



5117 Elcar Drive



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3316 FINCHER DRIVE 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 LLOYD HENRY HILL AND WIFE PHYLLIS MARIE JORDAN HILL 838 S. BLACK CHERRY DRIVE SAINT JOHNS, FL 32259-4099

WHEREAS, the dwelling located at 3316 Fincher Drive 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 3316 Fincher Drive in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	3316 Fincher Drive
Neighborhood	Neighborhood Profile Area 160
Council District	#4
Owner(s)	Lloyd Henry Hill and wife Phyllis Marie Jordan Hill
Owner(s) Address	838 S. Black Cherry Drive Saint Johns, FL 32259-4099
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Public Agency (Charlotte Fire Department)
◆ Date of the Inspection:	6/23/2014
◆ Title report received, revealing parties in interest:	7/14/2014
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	8/19/2014
◆ Held hearing for owner(s) and parties in interest by:	9/15/2014
◆ Owner(s) and parties in interest attend hearing:	No
◆ Owner(s) and parties in interest ordered to demolish structure by:	10/27/2014
◆ Filed Lis Pendens:	12/11/2014
◆ Discovered additional party in interest.	
◆ Party in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	2/13/2015
◆ Held hearing for party in interest by:	3/11/2015
◆ Party in interest ordered to demolish structure by:	4/15/2015
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$5,590
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

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

OPTIONS

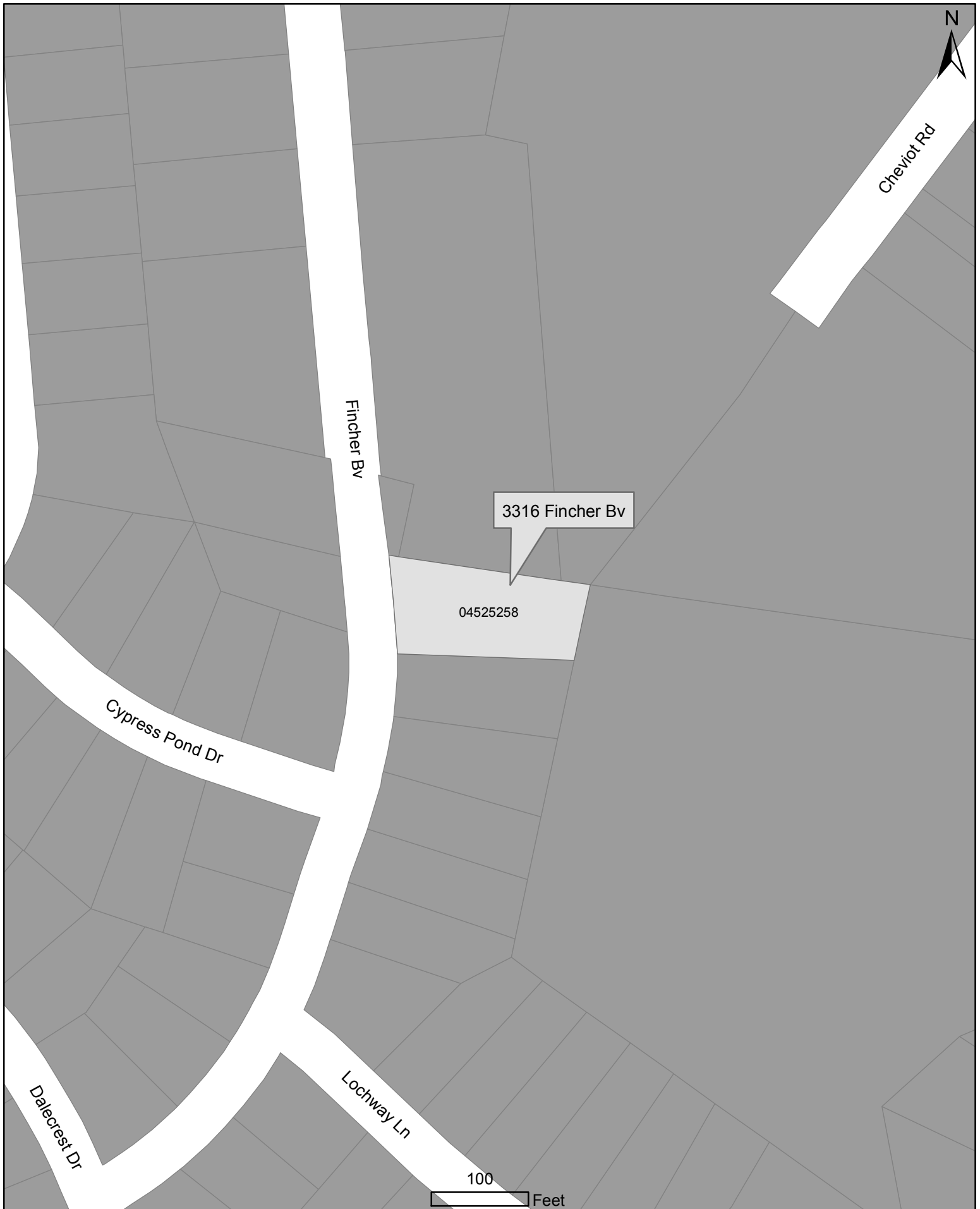
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$70,700	Acquisition & Rehabilitation Cost (Existing structure: 1,316 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$181,143	New Replacement Structure Cost (Structure: 1,316 sq. ft. total) Economic Life: 50 years Estimated cost-\$211,737	Demolition Cost \$5,590
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 52,000 - Terrace: \$ 100 - Land: <u>\$ 10,200</u> Total Acquisition: \$ 62,300 Estimated Rehabilitation Cost: \$ 65,800 Outstanding Loans \$ 47,470 Property Taxes owed: \$ 4,502 Interest on Taxes owed: <u>\$ 1,071</u> Total: \$ 118,843	Acquisition: Tax values: - Structure: \$ 52,000 - Terrace: \$ 100 - Land: <u>\$ 10,200</u> Total Acquisition: \$ 62,300 New structure: \$ 90,804 Demolition: \$ 5,590 Outstanding Loans: \$ 47,470 Property Taxes owed: \$ 4,502 Interest on Taxes owed: <u>\$ 1,071</u> Total: \$ 149,437	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$70,700 (\$53.72 /sq. ft.), which is 135.961% of the structure tax value, which is \$52,000.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, heating, plumbing and electrical violations: Walls and floor framing fire damaged. Exterior siding and trim fire damaged. Interior ceiling and wall covering fire damaged. Windows fire damaged. Heating equipment missing. Plumbing fixtures damaged. Electrical wiring fire damaged. Accessory structure not maintained in a safe and substantial condition.
- The building is 35 years old and consists of 1,316 square feet total.
- A new 1,316sq. ft. structure can be built for \$90,804.

3316 Fincher Boulevard



3316 Fincher Blvd.



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1408 MONTFORD DRIVE 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 WILLIAM EDWARD DURHAM 1408 MONTFORD DRIVE CHARLOTTE, NC 28209

WHEREAS, the dwelling located at 1408 Montford Drive 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 1408 Montford Drive in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	1408 Montford Drive
Neighborhood	Neighborhood Profile Area 393
Council District	#6
Owner(s)	Unknown Heirs of William Edward Durham
Owner(s) Address	1408 Montford Drive Charlotte, NC 28209
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Public Agency Referral (Charlotte-Mecklenburg Police)
◆ Title report received:	5/8/2014
◆ Date of the Inspection:	5/9/2014
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	5/27/2014
◆ Held hearing for owner(s) by:	6/20/2014
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	7/1/2014
◆ Owner(s) ordered to demolish structure by:	7/21/2014
◆ Discovered parties in interest.	
◆ Parties in interest notified of Complaint and Notice of Hearing by certified mail:	5/27/2014 12/1/2014
◆ Held hearings for parties in interest by:	6/20/2014 12/29/2014
◆ Parties in interest attend hearing(s):	No
◆ Parties in interest ordered to demolish structure by:	7/21/2014 2/6/2014 4/8/2015
◆ Owner(s) nor Parties in interest has not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$7,970
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

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

OPTIONS

IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$65,030	Acquisition & Rehabilitation Cost (Existing structure: 1,373 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$250,372	New Replacement Structure Cost (Structure: 1,373 sq. ft. total) Economic Life: 50 years Estimated cost-\$284,429	Demolition Cost \$7,970
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 74,100 - Garage: \$ 2,300 Land: <u>\$ 100,000</u> Total Acquisition: \$ 176,400 Estimated Rehabilitation Cost: \$ 68,650 Outstanding Loans \$ 0 Property Taxes owed: \$ 4,885 Interest on Taxes owed: <u>\$ 437</u> Total: \$ 73,972	Acquisition: Tax values: - Structure: \$ 74,100 - Garage: \$ 2,300 - Land: <u>\$ 100,000</u> Total Acquisition: \$ 176,400 New structure: \$ 94,737 Demolition: \$ 7,970 Outstanding Loans: \$ 0 Property Taxes owed: \$ 4,885 Interest on Taxes owed: <u>\$ 437</u> Total: \$ 108,029	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$65,030 (\$47.36 /sq. ft.), which is 87.759% of the structure tax value, which is \$74,100.
- 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, plumbing, electrical and heating violations: Area of flooring missing. Walls and flooring unsanitary. Roof covering loose/damaged. Broken window panes. Plumbing fixtures are damaged. Electrical fixtures and receptacles damaged. Heating equipment and water heater not operational. Accessory building not in safe substantial condition.
- The building is 64 years old and consists of 1,373 square feet total.
- A new 1,373 sq. ft. structure can be built for \$94,737.

1408 Montford Drive



1408 Montford Drive



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2606 BANCROFT 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 CHARLES EDWIN MCGEE AND HEIRS OF CHARLIE MCGEE (ZIYADUH QAIYIM, FREDRICK H. MCGEE AND RONNIE MCGEE) 2606 BANCROFT STREET CHARLOTTE, NC 28206

WHEREAS, the dwelling located at 2606 Bancroft 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 2606 Bancroft Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	2606 Bancroft Street
Neighborhood	Neighborhood Profile Area 369
Council District	#1
Owner(s)	Charles Edwin McGee and Heirs of Charlie McGee Ziyaduh Qaiyim, Fredrick H. McGee, Ronnie McGee
Owner(s) Address	2606 Bancroft Street Charlotte, NC 28206
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Title report received, revealing parties in interest:	8/21/2014
◆ Date of the Inspection:	8/22/2014
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	10/7/2014
◆ Held hearing for owner(s) and parties in interest by:	10/29/2014
◆ Owner(s) and parties in interest attend hearing:	No
◆ Filed Lis Pendens:	11/12/2014
◆ Owner(s) and parties in interest ordered to demolish structure by:	12/10/2014
◆ Owner submitted a request for an appeal:	11/6/2014
◆ Appeal hearing scheduled for 1/13/2015 owner requested that the hearing be rescheduled.	
◆ Appeal hearing held; the Board passed a unanimous motion to uphold the order to demolish:	2/19/2015
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$7,335
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

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

OPTIONS

IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$65,590	Acquisition & Rehabilitation Cost (Existing structure: 1,402 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$171,358	New Replacement Structure Cost (Structure: 1,402 sq. ft. total) Economic Life: 50 years Estimated cost-\$205,331	Demolition Cost \$7,335
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 66,100 - Garage/Shed/Porch: \$ 0 Land: <u>\$ 18,000</u> Total Acquisition: \$ 84,100 Estimated Rehabilitation Cost: \$ 70,100 Outstanding Loans \$ 0 Property Taxes owed: \$ 9,960 Interest on Taxes owed: <u>\$ 7,198</u> Total: \$ 87,258	Acquisition: Tax values: - Structure: \$ 66,100 - Garage/Shed/Porch: \$ 0 - Land: <u>\$ 18,000</u> Total Acquisition: \$ 84,100 New structure: \$ 96,738 Demolition: \$ 7,335 Outstanding Loans: \$ 0 Property Taxes owed: \$ 9,960 Interest on Taxes owed: <u>\$ 7,198</u> Total: \$ 121,231	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$65,590 (\$46.78 /sq. ft.), which is 99.228% of the structure tax value, which is \$66,100.
- 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, plumbing and heating violations: Areas of flooring and walls are loose, rotted, or missing. Walls and ceiling covering damaged/ missing in areas. Broken window panes. Decayed roof sheathing. Damaged/loose roof covering. Electrical fixtures are damaged/missing or inoperable in multiple areas. Heating equipment and water heater not operational.
- The building is 63 years old and consists of 1,402 square feet total.
- A new 1,402 sq. ft. structure can be built for \$96,738.

2606 Bancroft Street



2606 Bancroft Street



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4835 HIDDEN VALLEY 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 UNKNOWN HEIRS OF JAMES H. CLAWSON AND UNKNOWN HEIRS OF THELMA W. CLAWSON 4835 HIDDEN VALLEY ROAD CHARLOTTE, NC 28213

WHEREAS, the dwelling located at 4835 Hidden Valley 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 4835 Hidden Valley 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:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	4835 Hidden Valley Road
Neighborhood	Neighborhood Profile Area 371
Council District	#4
Owner(s)	Unknown Heirs of James H. Clawson and Unknown Heirs of Thelma W. Clawson
Owner(s) Address	4835 Hidden Valley Road Charlotte, NC 28213
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	5/29/2014
◆ Title report received, revealing parties in interest:	6/10/2014
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	6/27/2014
◆ Held hearings for owner(s) and parties in interest by:	7/21/2014
◆ Owner(s) and parties in interest attend hearing:	No
◆ Filed Lis Pendens:	8/7/2014
◆ Owner(s) and parties in interest ordered to demolish structure by:	8/29/2014
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,225
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

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

OPTIONS

IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$49,975	Acquisition & Rehabilitation Cost (Existing structure: 1,475 sq.ft. total) Economic Life: 15-20 years Estimated cost-\$139,718	New Replacement Structure Cost (Structure: 1,475 sq.ft. total) Economic Life: 50 years Estimated cost-\$173,968	Demolition Cost \$6,225
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 46,400 - Terrace/Patio: \$ 200 - Land: <u>\$ 12,800</u> Total Acquisition: \$ 59,400 Estimated Rehabilitation Cost: \$ 73,750 Outstanding Loans \$ 0 Property Taxes owed: \$ 5,344 Interest on Taxes owed: <u>\$ 1,224</u> Total: \$ 80,318	Acquisition: Tax values: - Structure: \$ 46,400 - Terrace/Patio: \$ 200 - Land: <u>\$ 12,800</u> Total Acquisition: \$ 59,400 New structure: \$ 101,775 Demolition: \$ 6,225 Outstanding Loans: \$ 0 Property Taxes owed: \$ 5,344 Interest on Taxes owed: <u>\$ 1,224</u> Total: \$ 114,568	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$49,975 (\$ 33.88 /sq. ft.) which is 107.704% of the structure tax value, which is \$46,400
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, Electrical and Plumbing: Foundation walls footing undermined, differential settlement of exterior walls, decayed interior subfloors, heating equipment not operational, damaged roof joists, decayed roof sheathing and covering, water damaged electrical wiring, and inoperable plumbing fixtures. Accessory structure not in safe substantial condition.
- The building is 54 years old and consists of 1,475 square feet total.
- A new 1,475 sq. ft. structure can be built for \$101,775

ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2704 MAYFAIR AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF REIGN INVESTMENT CORPORATION 2870 PEACHTREE ROAD SUITE 277 ATLANTA,GA 30305

WHEREAS, the dwelling located at 2704 Mayfair Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2704 Mayfair Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	2704 Mayfair Avenue
Neighborhood	Neighborhood Profile Area 321
Council District	#3
Owner(s)	Reign Investment Corporation
Owner(s) Address	2870 Peachtree Road Suite 277 Atlanta, GA 30305
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Title report received:	5/28/2014
◆ Date of the Inspection:	6/10/2014
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	10/17/2014
◆ Held hearing for owner(s) by:	11/11/2014
◆ Owner(s) attend hearing:	No
◆ Owner(s) ordered to demolish structure by:	12/18/2014
◆ Filed Lis Pendens:	1/22/2015
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$8,875
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

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

OPTIONS

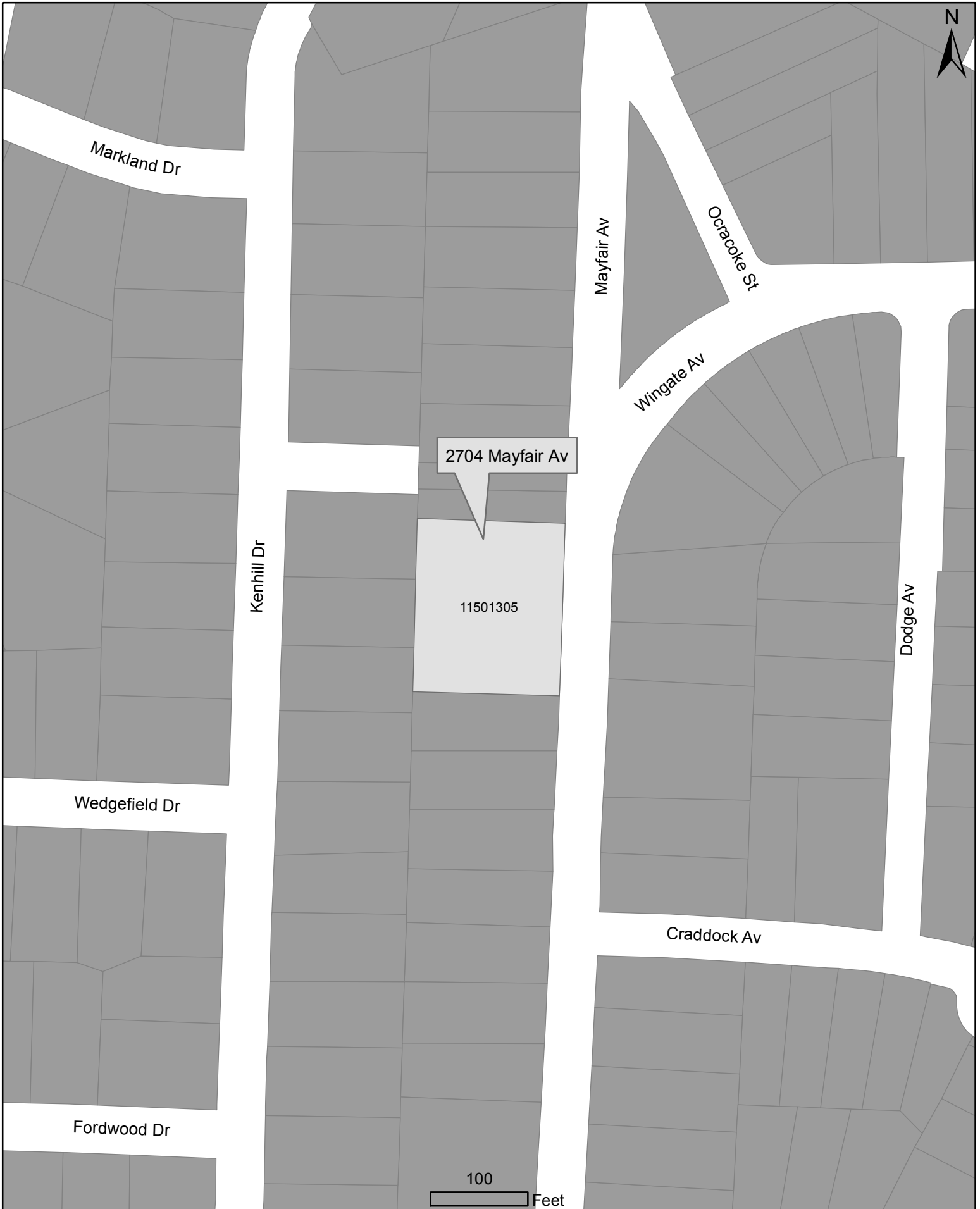
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$53,444	Acquisition & Rehabilitation Cost (Existing structure: 1,710 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$162,162	New Replacement Structure Cost (Structure: 1,710 sq. ft. total) Economic Life: 50 years Estimated cost-\$203,437	Demolition Cost \$8,875
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 39,000 - Garage/shed: \$ 3,100 Land: <u>\$ 27,000</u> Total Acquisition: \$ 69,100 Estimated Rehabilitation Cost: \$ 85,500 Outstanding Loans \$ 0 Property Taxes owed: \$ 5,861 Interest on Taxes owed: <u>\$ 1,701</u> Total: \$ 93,062	Acquisition: Tax values: - Structure: \$ 39,000 - Garage/shed: \$ 3,100 Land: <u>\$ 27,000</u> Total Acquisition: \$ 69,100 New structure: \$ 117,990 Demolition: \$ 8,875 Outstanding Loans: \$ 0 Property Taxes owed: \$ 5,861 Interest on Taxes owed: <u>\$ 1,701</u> Total: \$ 134,337	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$53,444 (\$31.25 /sq. ft.), which is 137.035% of the structure tax value, which is \$39,000.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing, electrical and heating violations: Area of floor girder/sills decayed. Walls and ceiling covering consist of holes and cracks. Roof covering loose/damaged. Areas of exterior siding decayed. Plumbing supply and waste piping missing/damaged. Electrical fixtures and receptacles damaged. Heating equipment not operational.
- The building is 75 years old and consists of 1,710 square feet total.
- A new 1,710 sq. ft. structure can be built for \$117,990.

2704 Mayfair Avenue



2704 Mayfair Av

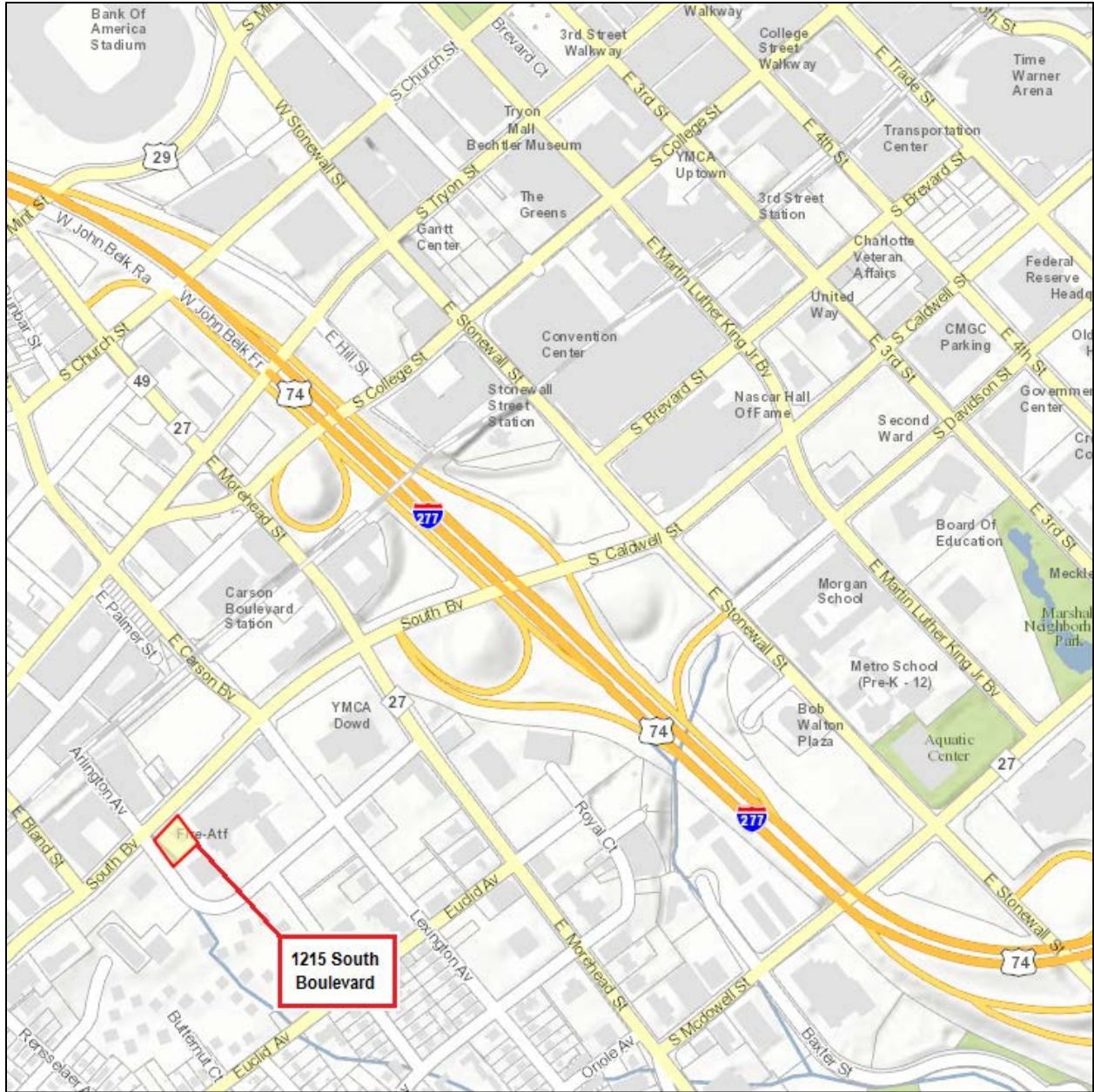
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2704 Mayfair Avenue





Location Map - Sale of 1215 South Boulevard (Council District 1)

**RESOLUTION AUTHORIZING THE SALE OF 1215 SOUTH BOULEVARD BY THE UPSET
BID PROCESS**

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer to purchase the property; and

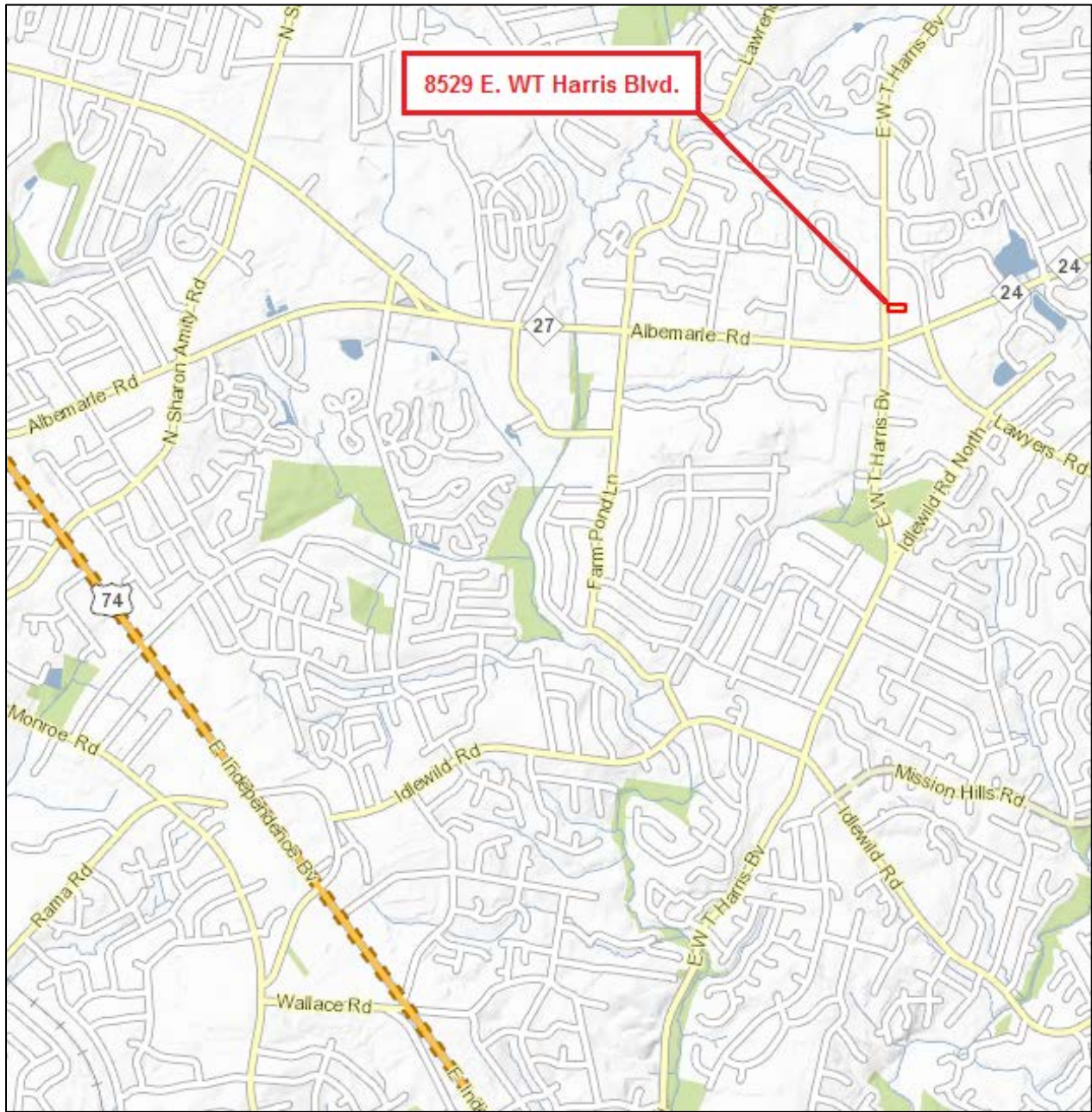
WHEREAS, the City has received an offer to purchase the property described above in the amount of \$1,650,000 submitted by Lat Purser & Associates Inc. a North Carolina limited liability company, and/or its assigns (“Lat Purser”); and

WHEREAS, Lat Purser has paid or will pay the required five percent (5%) deposit on its offer:

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

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269 and accepts the offer by Lat Purser as the initial offer.
2. A notice of the proposed sale shall be published in accordance with the statute. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City of Charlotte Real Estate Manager in the Charlotte Mecklenburg Government Center by the date and time specified in the published notice, which shall be at least ten days after the notice is published. If a qualifying higher bid is received, that bid will become the new offer.
4. If a qualifying higher bid is received, a new notice of upset bid shall be published, and this process shall be repeated until a 10-day period has passed without any qualifying higher bid having been received.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and five percent (5%) of the remainder of that offer, and equals or exceeds all other material terms of the previous offer to the advantage of the City.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The bid may be made in cash, cashier’s check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder pursuant to the terms of the purchase contract.
7. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute all instruments necessary to convey the property to Lat Purser and/or its assigns.

Adopted June 8, 2015



Location Map – Sale of 8529 East W. T. Harris Boulevard (Council District 5)

**RESOLUTION AUTHORIZING THE SALE OF 8529 EAST W.T. HARRIS BLVD. BY THE
UPSET BID PROCESS**

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer to purchase the property; and

WHEREAS, the City has received an offer to purchase the property described above in the amount of \$35,000, submitted by Mr. Bisharah Libbus; and

WHEREAS, Mr. Libbus has paid or will pay the required five percent (5%) deposit on his offer:

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

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269 and accepts the offer by Mr. Libbus as the initial offer.
2. A notice of the proposed sale shall be published in accordance with the statute. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City of Charlotte Real Estate Manager in the Charlotte Mecklenburg Government Center by the date and time specified in the notice, which will be no less than ten days from the date the notice is published. If a qualifying higher bid is received, that bid will become the new offer.
4. If a qualifying higher bid is received, a new notice of upset bid shall be published, and this process shall be repeated until a 10-day period has passed without any qualifying higher bid having been received.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and five percent (5%) of the remainder of that offer, and equals or exceeds all other material terms of the previous offer to the advantage of the City.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The bid may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder pursuant to the terms of the purchase contract.
7. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute all instruments necessary to convey the property to Mr. Bishara Libbus and/or his assigns.

Adopted June 8, 2015