

ORDINANCE NUMBER: 1421-X

0-29

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1382-X, ESTIMATING FEDERAL AND STATE GRANT REVENUES AND PROVIDING AN APPROPRIATION FOR THE PURCHASE OF BUSES AND OTHER TRANSIT CAPITAL EQUIPMENT. THIS ORDINANCE ALSO AMENDS FUNDING ADVANCES SPECIFIED IN ORDINANCE NO. 1382-X.

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

Section 1. That the sources of revenue of Ordinance No. 1382-X are hereby amended as follows:

<u>Source</u>	<u>Original</u>	<u>Revised</u>
FY2000 FTA Grant	\$5,500,000	\$7,584,186
NC DOT Grant	680,625	921,845
Transfer from Fund 7801;814.00	683,520	1,074,973
Total	\$6,864,145	\$9,581,004

Section 2. That the appropriation level in Ordinance No. 1382-X is hereby revised from \$6,864,145 to \$9,581,004 and is appropriated to Fund 2078 as follows:

<u>Center - Title</u>	<u>Amount</u>
840.00 - FY 2000 Capital Grant	
840.01 - Bike Racks	\$62,554
840.02 - Replacement Buses	3,670,500
840.03 - Expansion Buses	1,806,000
840.04 - Equipment for Buses	320,000
840.05 - New Vanpool Vehicles	500,000
840.06 - New Service Vehicles	70,000
840.07 - Replacement Service Vehicles	60,000
840.08 - ITS System	1,211,950
840.09 - TMOC Parking Lot	1,200,000
840.10 - Maintenance Equipment	280,000
840.11 - Office Equipment	100,000
840.12 - Commuter Register	300,000
Total	\$9,581,004

Section 3. That Section 3 of Ordinance No. 1382 -X is hereby amended to read as follows: The Finance Director is hereby authorized to advance the sums of \$5,826,930 to 2078; 871.11 and \$4,928,850 to 2078; 840.00 from 7801; 814.00 - Contribution to CIP. The advances are intended to cover the Federal and State Grant funding of this ordinance and Ordinance No. 1327-X. That the purpose of the advances is to provide funding at this time to facilitate timely purchase of buses and that the advances shall

revert to their original source upon receipt of Federal and State Grant funding.

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 All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective immediately.

Approved as to Form.

City Attorney

Revised	Original	Source
\$7,584,188	\$8,500,000	FY2000 FTA Grant
921,845	880,828	NC DOT Grant
1,074,873	883,820	Transfer from Fund 7801 814-00
\$9,581,004	\$10,264,648	Total

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of December, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 764-765.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1999.

Brenda R. Freeze, CMC
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 1422-X

0-30

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, ESTIMATING FEDERAL AND STATE GRANT FUNDING AND PROVIDING AN APPROPRIATION FOR PLANNING/DESIGN OF TRANSIT HUBS.

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

Section 1. That the sum of \$300,000 is hereby estimated to be available from the following sources:

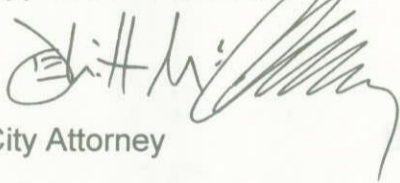
<u>Source</u>	<u>Amount</u>
Federal Transportation Administration Grant	\$240,000
NC Department of Transportation Grant	30,000
Transfer from Fund 7801; 814.00	30,000
Total	\$300,000

Section 2. That the sum of \$300,000 is hereby appropriated to Public Transport-Center Capital Project Fund 2078; 871.13 - Transit Hubs.

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

Section 4. This ordinance shall be effective immediately.

Approved as to Form:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of December, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 766.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1999.

Brenda R. Freeze, CMC
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 1423-X

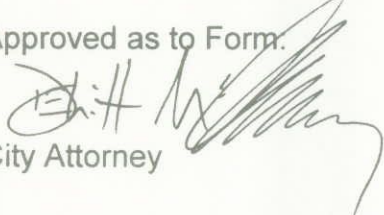
0-31

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 2000-2001 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR U.S DEPARTMENT OF JUSTICE GRANT.

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

- Section 1. That the sum of \$970,000 is hereby estimated to be available from the U.S. Department of Justice to fund the Regional Community Policing Institute which develops and provides training in community policing for police departments in North and South Carolina.
- Section 2. That the sum of \$970,000 is hereby appropriated to the Police Department Grant Budget in fund 0413.
- Section 3. That the existence of this program may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.
- Section 4. It is the intent of this ordinance to be effective upon its adoption.

Approved as to Form.


City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of December, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 767.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1999.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 1424-X

0-32

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR SANITARY SEWER REHABILITATION

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

- Section 1. That the sum of \$261,898.29 is hereby estimated to be available from an agreement with StarPort I, LLC in reimbursement for the relocation of a storm drainage line.
- Section 2. That the sum of \$261,898.29 is hereby appropriated to Water and Sewer Capital Project Fund (2071) - Sanitary Sewer Rehabilitation (636.44)
- Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the 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:

H. M. ...

CERTIFICATION

City Attorney

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of December, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 768.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1999.

Brenda R. Freeze, CMC

Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 1425-X

0-33

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR THE MCDOWELL CREEK BASIN PROJECT

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

Section 1. That the sum of \$425,000 is available from the Water and Sewer Capital Project Fund (2071) - Regional Plant Facilities Study (632.02).

Section 2. That the sum of \$425,000 is hereby appropriated to Water and Sewer Capital Project Fund (2071) - McDowell Creek Basin (631.50).

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the 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:

J. H. Mink
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of December, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 769.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1999.

Brenda R. Freeze, CMC
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 1426

AMENDING CHAPTER 15

AN ORDINANCE AMENDING CHAPTER 15 OF THE CITY CODE, ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS" TO PROVIDE AUTHORITY TO AWARD CONTRACTS DURING AN EMERGENCY WITHOUT COMPLYING WITH STATE LAW.

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

Section 1. Chapter 15 shall be amended by adding a new subsection entitled (h) to Section 15-28 to read as follows:

"(h) During the existence of a proclaimed state of emergency involving the health and safety of the people or their property, the City Manager is authorized to award contracts for construction or repair work and for the purchase of apparatus, supplies, materials or equipment without regard to the amount of such a contract and without complying with N.C.G.S. 143-129; provided that, the expeditious award of such a contract is reasonably necessary to address the effects of such emergency. In the absence of the City Manager, the following officials shall have the same authority as is herein provided to the City Manager: the Deputy City Manager, any Assistant City Manager or the chief purchasing official of the City. The City Manager shall submit a report to the City Council summarizing all contracts awarded pursuant to this section as soon as reasonably possible after the state of emergency has ended.

Section 2. This ordinance shall become effective upon adoption.

Approved as to form:



Senior Deputy City Attorney

AMENDING CHAPTER 15

1998

ORDINANCE NO. 1998-14

AN ORDINANCE AMENDING CHAPTER 15 OF THE CITY CODE, ENTITLED
"OFFENSES AND MISCELLANEOUS PROVISIONS", TO PROVIDE
AUTHORITY TO AWARD CONTRACTS DURING AN EMERGENCY WITHOUT
COMPLYING WITH STATE LAW.

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

Section 1. Chapter 15 shall be amended by adding a
new subsection entitled (h) to Section 15-28 to read as
follows:

"(h) During the existence of a proclaimed state of
emergency involving the health and safety of the
people or their property, the City Manager is
authorized to award contracts for construction of
repair work and for the purchase of supplies,
supplies, materials or equipment without regard for
the amount of such a contract and without complying
with N.C.G.S. 143-159, provided that, the
expedient award of such a contract is reasonably
necessary to address the effects of such emergency.
In the absence of the City Manager, the following
officials shall have the same authority as is herein
provided to the City Manager: The Deputy City
Manager, any purchasing officer of the City, the City Manager

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of December, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 770-771.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1999.

Brenda R. Freeze, CMC
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 1448
FEE CREDIT PROVISIONS

AN ORDINANCE AMENDING THE STORMWATER

EXPLANATION

Approved by City Council Dec. 13, 1999
Processed by City Clerk on April 24, 00

ORDINANCE 1448

The DATE of this ordinance IS IN SEQUENCE

The ORDINANCE NUMBER of this ordinance IS OUT OF SEQUENCE

The PAGE NUMBERS of this ordinance ARE OUT OF SEQUENCE

EXPLANATION: The agenda item for this action did not reflect the customary words "approve an ordinance", therefore one was not processed. At a later date, this issue arose and it was determined that the intent for a "text amendment" to be approved was in the action.

The MINUTES were amended as a typo.

This did not go back to Council.

April 24, 2000

Lynne A. Clem

City Clerk's Office

13. Storm Water Fee Credit Provisions Amendment

Action: Adopt an amendment to Chapter 18 of the City Code to change the percentages of allowable storm water fee credits to 40% for peak and 60% for volume.

Staff Resource: Job Blackwell, Engineering and Property Management

Explanation:

Charlotte Storm Water Services was established in 1993 to provide a comprehensive solution to the drainage problems experienced by the City's 2,400 miles of drainage system. The program activities include the planning, design, reconstruction and repair of the City's drainage infrastructure on public and private property. Also included are surface water quality programs required to comply with the Clean Water Act.

To equitably fund construction, operation and maintenance of drainage infrastructure, the City Council adopted a storm water fee based on the amount of impervious surface on each property. The fee was recommended by a citizens storm water task force and the City's consultant (Ogden Engineering and Environmental Services).

The amount of impervious (or hard) surface reflects a property's contribution to storm water runoff ultimately collected and discharged by the City's drainage system. Fee credits (reductions of the monthly charge) were included in the rate structure for owners that take measures on their property to reduce the impact of runoff.

Proportional credits were based on projected storm water program expenditures in three categories:

- 50% of expenditures were projected to be related to peak discharge of storm water. (Peak discharge refers to the greatest flow that will travel downstream during a storm event.)
- 25% was projected for expenditures related to the volume of storm water. (Volume refers to the total amount of water that runs off from a property during a storm event.)
- 25% was projected for activities related to water quality.

The City recently had Ogden Environmental and Engineering Services update the rate allocation for credit purposes based on actual expenditures of the program. The recommended allocations are:

- 40% for peak discharge of runoff.
- 60% for volume of runoff; and
- 0 credit for water quality

In order to meet the City Council's goals for repair and improvement of the drainage infrastructure, expenditures for providing drainage capacity (related to peak and volume) have grown more than originally planned. As a result, water quality costs have been a relatively small share of the total program, and have not exceeded the General Fund contributions to the program. Since the water quality costs are not funded through the monthly fees, it is not appropriate to grant credits on that basis.

The City Attorney supports this amendment based on a recommendation of bond counsel as we move forward toward the issuance of storm water revenue bonds. The City Attorney also supports this amendment as a prudent response to the recent North Carolina Supreme Court decision concerning the City of Durham's storm water program.

The total number of private property storm water accounts in the City (properties that pay the monthly fee) is more than 138,000. Of those, 69 non-single-family accounts receive credits. With the revised credit structure, 63 properties will have lower credits, and higher fees, by an average of 9 percent, or \$69.72 monthly. The monthly fee increase for 50 of the properties is less than \$100. The remaining 13 range up to \$572. Six of the properties will have higher credits and lower monthly fees. There are a few single-family properties that receive a credit. For those single-family properties the credit will remain the same or the fee will decrease.

On December 7, 1999, the Mecklenburg County Board of Commissioners adopted the same recommended fee credit structure.

Community Input:

The fee credit study performed by Ogden Environmental and Engineering Services was presented to the Storm Water Advisory Committee (SWAC) November 18, 1999. Based on the consultant's report and the use of actual expenditure data, SWAC unanimously recommended the new fee credits be adopted by City Council.

The 63 property owners who will experience an increase in their monthly fee were notified of the proposed change by letter.

Attachment 10

- Proposed City Code revision
- Storm Water Advisory Committee Membership

ORDINANCE NO. 1448
FEE CREDIT PROVISIONS

AN ORDINANCE AMENDING THE STORMWATER

EXPLANATION

Section 1. Subsection (3) b. of Section 18-1 of the Charlotte City Code is rewritten to read as follows:

"Equitable and adequate funding is provided by a system of charges that is related to the quantity (volume) of stormwater runoff from developed land.

Section 2. Section 18-2 of the Charlotte City Code is rewritten to read as follows:

Service rate charge shall mean the portion of stormwater service charges applicable to a parcel of developed land which is generally reflective of a parcel's impact on the cost of providing services and facilities to properly control stormwater runoff quantity. The service rate charge will vary from one parcel of developed land to another based upon the amount of impervious surfaces.

Section 3. Subsection (2) a. of Section 18-5 of the Charlotte City Code is rewritten to read as follows:

"Other residential and nonresidential land, and residential homeowners associations which provide measures to mitigate the impacts of runoff on the stormwater system will be eligible for one (1) or more credits to the service rate charge, proportional to the extent those measures address the impacts of peak discharge and total runoff volume from the site. Portions of the service rate charge are available for credit as follows:


- | | |
|---------------------------|------|
| 1. Peak discharge | 40% |
| 2. Total runoff volume .. | 60%" |

Section 4. Subsection (2) c. of Section 18-5 of the Charlotte City Code is deleted in its entirety and Subsections (2) d. e. and f. shall be reclassified as c. d. and e. respectively.

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

Section 6. This ordinance is effective upon adoption.

Approved as to form:




Jonathan R. Street
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of December, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 884A-884B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 2000.



Brenda R. Freeze, CMC, City Clerk

