

City of Charlotte

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



Meeting Agenda

Monday, January 25, 2016

Council Chambers

City Council Business Meeting

Mayor Jennifer W. Roberts
Mayor Pro Tem Vi Lyles
Council Member Al Austin
Council Member John Autry
Council Member Ed Driggs
Council Member Julie Eiselt
Council Member Claire Fallon
Council Member Patsy Kinsey
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Greg Phipps
Council Member Kenny Smith



City of Charlotte

Meeting Agenda

City Council Business Meeting

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

Monday, January 25, 5:00 P.M.

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Agenda Date: 1/25/2016

Agenda #: File #: 15-2369a **Type:** Dinner Briefing

CITY COUNCIL MEETING
Monday, January 25, 2016

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

Item#	Title
15	Architectural Services for the Discovery Place Renovations
18	LYNX Blue Line Extension J.W. Clay Boulevard Parking Garage Pedestrian Bridge Extension



Agenda Date: 1/25/2016

Agenda #: 1. **File #:** 15-2312 **Type:** Dinner Briefing

Mayor and Council Consent Item Questions

Staff Resource(s):

Debra Campbell, 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.



Agenda Date: 1/25/2016

Agenda #: 2. **File #:** 15-2284 **Type:** Dinner Briefing

Immigrant Integration Implementation Team

Staff Resource(s):

Alexis Gordon, Neighborhood & Business Services

Time: 30 minutes

Explanation

- On November 25, 2013, the City Council adopted a resolution to create an inter-agency Immigrant Integration Task Force (Task Force) to maximize immigrants' economic and civic contributions to the city of Charlotte. In 2014, 29 members were appointed to the Task Force.
- The Task Force was asked to:
 - Review the recommendations of the 2007 Mayor's Immigration Study in order to leverage previous research and conclusions.
 - Research and recommend policies, including those from other new immigrant gateway cities, that facilitate access to City services for all residents of Charlotte, including its immigrant populations, while addressing gaps in civic engagement.
 - Prepare a report with recommendations to the City Council that promotes awareness among the public of the availability of existing programs and services facilitating immigrant integration.
 - Seek opportunities to better educate the overall Charlotte community on how embracing immigrant communities will help to move the city forward.
- In 2014, the Task Force conducted a community-wide survey and listening tour to identify perceived barriers in Charlotte's growing immigrant community.
- On January 15, 2015, members of the Task Force presented their draft recommendations to the public for community feedback.
- On February 5, 2015, staff presented the recommendations to the Economic Development and Global Competitiveness Committee.
- On March 23, 2015, the Task Force Chair and Co-Chair presented recommendations to City Council and shared the draft report.
- In April 2015, the City Manager appointed an internal committee to review, assess, and implement the recommendations of the Task Force Report.
- The presentation will review the recommendations of the Task Force, and discuss strategies and timelines developed by the internal implementation team.

Future Action

The presentation is for information only.



Agenda Date: 1/25/2016

Agenda #: 3. **File #:** 15-2340 **Type:** Dinner Briefing

City Council Retreat Update

Committee Chair:

Kenny Smith

Staff Resource(s):

Carol Jennings, City Manager's Office

Time: 25 minutes

Explanation

- The 2016 Annual Retreat will be held at the Graylyn Conference Center in Winston-Salem on January 27-29, 2016.
- Willie Ratchford, Dr. Owen Furseth from the University of North Carolina at Charlotte, and Dee O'dell with the Economic Opportunities Task Force will be the presenters.
- Dr. Carl Stenberg and Lydian Altman will facilitate day two and three.
- Retreat Packets will be delivered on Friday, January 22, 2016.

Future Action

The presentation is for information only.



Agenda Date: 1/25/2016

Agenda #: 4. **File #:** 15-2343 **Type:** Dinner Briefing

LYNX Blue Line Extension Update

Staff Resource(s):

John Lewis, CATS

Time: 20 minutes

Explanation

- The purpose of the presentation is to provide a status update on the LYNX Blue Line Extension (BLE) project.
- The presentation will focus on:
 - Progress to date including photographs of current construction activities;
 - Schedule highlights/challenges; and
 - Importance of the four LYNX BLE items, in Consent, on tonight's agenda.

Future Action

The City Council is asked to consider tonight approving four Consent agenda items related to the LYNX BLE project. These items are critical to maintaining the aggressive project schedule for opening in summer 2017. The BLE agenda items are:

- LYNX BLE J.W. Clay Boulevard Parking Garage Pedestrian Bridge Extension (Item #18);
- LYNX BLE Civil B/C Change Order (Item #19);
- LYNX BLE Street Lighting Agreements with Duke Energy (Item #20); and
- LYNX BLE Track and System Contract Amendment (Item #21).



Agenda Date: 1/25/2016

Agenda #: 5.**File #:** 15-2313 **Type:** Dinner Briefing

Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Debra Campbell, City Manager's Office

Time: 10 minutes

Synopsis

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



Agenda Date: 1/25/2016

Agenda #: 6. **File #:** 15-2314 **Type:** Consent Item

Consent agenda items 12 through 34 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

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



Agenda Date: 1/25/2016

Agenda #: 7. **File #:** 15-2311 **Type:** Public Hearing Item

Public Hearing on a Resolution to Close a Portion of Greenwood Cliff

Action:

Continue a public hearing to close a portion of Greenwood Cliff to February 22, 2016. This item will not be heard until the Pearl Park project is ready for City Council consideration. The Economic Development & Global Competitiveness Committee will consider the Pearl Park Tax Increment Grant after Mecklenburg County considers it, likely to occur early to mid-February.

Staff Resource(s):

Jeff Boenisch, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The abandonment of Greenwood Cliff would allow for an extension of the existing Pearl Park Way (Pearl Park Project).
- City Council voted to continue this public hearing at its Council Business Meeting on November 23, 2015.
- There are three primary actions necessary for the Pearl Park Project to move forward (reference attached Memorandum):
 - Approval of a proposed Text Amendment (January 19, 2016)
 - Decision on the Pearl Park Way Extension Tax Increment Grant (January 25, 2016)
 - Closing of a portion of Greenwood Cliff (February 22, 2016)
- The resolution to close this portion of Greenwood Cliff contains a contingency statement that requires the construction of Pearl Park Way Extension and Berkley Place Extension to be completed within five years of this action.
- The City intends to keep Greenwood Cliff open to the public until the conditions outlined in the contingency statement are met.
- Greenwood Cliff is located in City Council District 1.

Petitioners

Agenda #: 7.File #: 15-2311 Type: Public Hearing Item

Midtown Partners II, LLC

Right-of-Way to be Abandoned

Greenwood Cliff is located northwest of Kenilworth Avenue, neighboring the Pearl Street Neighborhood Park.

Reason

The closing of a portion of Greenwood Cliff will occur in exchange for the construction of the new Pearl Park Way extension. This first phase of this street connection will occur between Kenilworth Avenue and the remaining portion of Greenwood Cliff. In addition, this street closing will allow a number of abutting properties to be recombined in order to accommodate a new development consisting of mixed housing, office, and commercial uses. The proposed development is consistent with the Midtown-Morehead-Cherry Area Plan.

Notification

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

Adjoining property owner(s)

Mr. Alan Mayfield - Notified/no response

Mr. James Keenan - Has concerns that the proposed project design not adversely impact remaining properties.

Mr. David Earnhardt - Notified/no response

Mr. Allen James - Notified/no response

Mr. William Turner - No objections

Mr. Chester Helt - Has concerns, which he and the petitioner are working to resolve.

D&R Properties of Charlotte, LLC - Notified/no response

Amy ENT, LLC - Notified/ no response

ODOM Family, LLC - Notified/no response

Nameste Properties No. 1, LLC - Notified/no response

Liberty Greenwood Cliff, LLC - Notified/no response

Neighborhood/Business Association(s)

Charlotte Regional Realtor® Association - No objections

Private Utility Companies - No objections

City Departments

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

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



City of Charlotte

Charlotte-Mecklenburg
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Charlotte, NC 28202

Agenda Date: 1/25/2016

Agenda #: 8. **File #:** 15-2315 **Type:** Policy Item

City Manager's Report



Agenda Date: 1/25/2016

Agenda #: 9.**File #:** 15-2093 **Type:** Policy Item

Amend Stormwater Ordinance

Action:

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

Committee Chair:

Greg Phipps

Staff Resource(s):

Kim Eagle, Management & Financial Services

Jennifer Smith, Engineering & Property Management

Explanation

- The City Ordinance exempts certain categories of property from paying a stormwater fee.
- Although state roads have been exempt from paying a fee since the program began, the City's public street rights-of-way were not exempt.
- Early in the program, the City's General Fund paid a contribution to the program in lieu of paying a fee specifically based on City street impervious area.
- The General Fund contribution rose proportionately with the percentage of annual fee increases, but did not rise to reflect increases in impervious area.
- In Fiscal Year 2007, the City Council capped future contributions from the City's General Fund to the Storm Water Enterprise Fund at the Fiscal Year 2006 level of approximately \$5.7 million.
- The City's General Fund often invests in stormwater system improvements through neighborhood and transportation improvement and transit projects.
- It is uncommon for large NC cities to pay a stormwater fee based on impervious surface for public street rights-of-way. Raleigh, Durham, and Winston-Salem do not pay stormwater fees for city-maintained streets.
- The six surrounding towns in Mecklenburg County do not pay municipal stormwater fees to themselves for their own town-maintained streets.
- Charlotte and all six towns do pay County stormwater fees based on impervious surface for their public street rights-of-way.
- The amendment would allow an exemption for public rights-of-way within the City, and result in the Ordinance being consistent with the current collection practice for stormwater fees.
- The ordinance change will not affect the payment amount from the General Fund to Storm Water Enterprise Fund, which is \$5.7 million in Fiscal Year 2016.
- On May 11, 2015, a public hearing was held on the Stormwater Ordinance. There were no

Agenda #: 9.File #: 15-2093 Type: Policy Item

comments.

Budget Committee Discussion

- On September 28, 2015, the Budget Committee (Committee) voted unanimously (Phipps, Driggs, Lyles, and Mayfield; Kinsey was not present) to amend the Stormwater Ordinance.
- Additionally, the Committee requested that the Council review the City contribution during the budget process.

Background

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

Attachment

Amended Stormwater Ordinance

AN ORDINANCE AMENDING CHAPTER 18 ENTITLED "STORMWATER" OF THE CITY OF CHARLOTTE CODE OF ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Chapter 18, Article II "Rates and Charges" of the Charlotte Code of Ordinances is amended as follows:

Section 1. Section 18-39, subsection (a) shall be amended by deleting reference to the "Storm Water Rate Methodology" document dated May 13, 1996, or any subsequent methodology:

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

Section 2. Section 18-40, subsection (b)(2) shall be amended by adding an exemption for city rights-of way:

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

(1) Undeveloped land.

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

(3) Railroad tracks, but this exemption shall not apply to railroad stations, maintenance buildings, or other developed land used for railroad purposes.

Section 3. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 _____ day of _____, 2016, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 2016.

Stephanie C. Kelly, MMC, City Clerk



Agenda Date: 1/25/2016

Agenda #: 10. **File #:** 15-2299 **Type:** Appointment

Appointment to Keep Charlotte Beautiful

Action:

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

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for an unexpired term beginning immediately and ending June 30, 2018.
 - Orlando Jacobs by Council member Fallon.
 - Taylor Lee by Council member Mitchell.
 - Dave Pettine by Council members Driggs, Phipps, and Smith.
 - Amy Villegas-McCleave by Council members Austin, Autry, and Mayfield.
 - Brian Withrow by Council member Kinsey.

Attachment

Keep Charlotte Beautiful Applicants



City of Charlotte, NC

KEEP CHARLOTTE BEAUTIFUL

BOARD DETAILS

 **OVERVIEW**

 **SIZE** 20 Seats

 **TERM LENGTH** 3 Year

 **TERM LIMIT** 2 Terms

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.

 **CONTACT**

 Denise Coleman

 (704) 353-1235

 dcolmena@ci.charlotte.nc.us

MEMBERSHIP BREAKDOWN

7 by Mayor; 13 by City Council



DETAILS

MEETING INFORMATION

Meeting Day - 1st Tuesday monthly
Meeting Time - 11:30 a.m.
Meeting Location - Old City Hall
Time Commitment - 4 to 5 hours per month

ENACTING RESOLUTION

ENACTING RESOLUTION WEBSITE

ADDITIONAL INFORMATION



City of Charlotte, NC

KEEP CHARLOTTE BEAUTIFUL

BOARD ROSTER



RUSSELL ADAMS
1 Term Jul 01, 2014 - Jun 30, 2017

Email: russell.scott.adams@gmail.com
Phone: 615-613-1952

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



JOSHUA ARNOLD
1 Term Jul 01, 2015 - Jun 30, 2018

Email: joshua.arnold1@tw.cable.com
Phone: mobile: 704-964-9932

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



ROBERT COMBS
1 Term Jul 01, 2014 - Jun 30, 2017

Email: robert.c.combs@gmail.com
Phone: 919-622-4133

Office Old City Hall
Position Board Member
Category None
Appointed by Mayor



CAMILLE CUNNINGHAM
Partial Term Jul 22, 2013 - Jun 30, 2016

Email: camille.chapman@gmail.com
Phone: 980-233-1043

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



RUSSELL FERGUSON
1 Term Jul 01, 2013 - Jun 30, 2016

Email: russferguson@gmail.com
Phone: 919-308-1996

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



FRANCENE GREENE
Partial Term Sep 08, 2014 - Jun 30, 2017

Email: fvgreene@gmail.com
Phone: 704-953-7781

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



JAMES A HILDRETH
Partial Term Apr 27, 2015 - Jun 30, 2017

Email: james.a.hildreth@gmail.com
Phone: mobile: 7046902009

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



TIFFANY HUGHES
1 Term Jul 01, 2015 - Jun 30, 2018

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



KELLEY HYLAND

Office Old City Hall
Position Board Member



1 Term Jul 01, 2013 - Jun 30, 2016

Email: hyland_kelley@gmail.com
Phone: 980-254-6216

Category None
Appointed by City Council



CHARLES JEWETT
1 Term Jul 01, 2015 - Jun 30, 2018

Email: melvinjewett@yahoo.com

Office Old City Hall
Position Board Member
Category None
Appointed by Mayor



JOSHUA MIDDLETON
1 Term Jul 01, 2015 - Jun 30, 2018

Email: josh.middleton1@gmail.com
Phone: 910-603-5070

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



VINETA PRITCHARD
1 Term Jul 01, 2014 - Jun 30, 2017

Email: vpritch@gmail.com

Office Old City Hall
Position Board Member
Category None
Appointed by Mayor



DEBORAH ROBINSON
1 Term Jul 01, 2015 - Jun 30, 2018

Email: drobinson@vmg1.com

Office Old City Hall
Position Board Member
Category None
Appointed by Mayor



THERESA ROSA-COREY
1 Term Mar 13, 2015 - Jun 30, 2018

Office Old City Hall
Position Board Member
Category None
Appointed by Mayor



AUDREY SINGER
1 Term Jul 01, 2015 - Jun 30, 2018

Office Old City Hall
Position Board Member
Category None
Appointed by City Council



JANIE SUMPTER
Partial Term Aug 25, 2015 - Jun 30, 2016

Email: janie.sumpter@email.com

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



CHRISTINA TIERCE
1 Term Jul 01, 2015 - Jun 30, 2018

Email: christina.t.hogan@gmail.com

Position Board Member
Category None
Appointed by City Council



ANN WOOD
1 Term Jul 01, 2015 - Jun 30, 2018

Email: adavisw@gmail.com
Phone: 704-661-7054

Office Old City Hall
Position Board Member
Category None
Appointed by Mayor



SARAH ZDEB

1 Term Jul 01, 2015 - Jun 30, 2018

Email: thezebs@gmail.com
Phone: 704-661-2328

Office: Old City Hall
Position: Board Member
Category: None
Appointed by: City Council



MICHAEL ZYTKOW

Partial Term Jan 13, 2014 - Jun 30, 2016

Email: michael_zytkow@yahoo.com
Phone: 980-200-5178

Office: Old City Hall
Position: Board Member
Category: None
Appointed by: City Council

Application Form

Profile

Orlando Jacobs
First Name Middle Initial Last Name

[Redacted]
Email Address

Please provide your mailing address below:

[Redacted] [Redacted]
Street Address Suite or Apt

Charlotte NC 28215
City State Postal Code

Is your mailing address the same as your home address?

[Redacted]

If your home address differs from your mailing address, please provide your home address in the field below:

[Redacted]

[Redacted] [Redacted]
Primary Phone Alternate Phone

District 4
City Council District

African American
Ethnicity

Democrat
Political Party

Male
Gender

[Redacted]
Date of Birth

Are you a registered voter of Mecklenburg County?

Yes No

List any boards you are currently serving on:

[Redacted]

List any boards you have served on in the past:

[Redacted]

Which Boards would you like to apply for?

Civil Service Board, Keep Charlotte Beautiful

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

As a community liason , I have been involved with ensuring diversity and transparency remain an effective element towards progress. I believe that it takes a person of great strength and commitment to oversee the progress residents and citizens alike wish to see and as a young individual filled with passion to seek change wish to partake in that growth

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

As the president of the Citiside home owners association I have partnered with keep charlotte beautiful in mu community and connected residents with area responsibility. I have motivated individual to be responsible in areas that otherwise became nuisances and enjoy benefiting the welfare of others .

n/a
Current Employer:

n/a

Years in current position:

n/a

Job Title:

Brief description of duties:

Other employment history:

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

Yes No

If yes, please explain complete disposition:

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?

Yes No

If yes, please explain conflict:

Application Form

Profile

Taylor A Lee
First Name Middle Initial Last Name

[Redacted]
Email Address

Please provide your mailing address below:

[Redacted] [Redacted]
Street Address Suite or Apt

Huntersville NC 28078
City State Postal Code

Is your mailing address the same as your home address?

[Redacted]

If your home address differs from your mailing address, please provide your home address in the field below:

[Redacted]

[Redacted] [Redacted]
Primary Phone Alternate Phone

District 2
City Council District

Caucasian/Non-Hispanic
Ethnicity

Independent
Political Party

Male
Gender

12/28/1997
Date of Birth

Are you a registered voter of Mecklenburg County?

Yes No

List any boards you are currently serving on:

List any boards you have served on in the past:

Which Boards would you like to apply for?

Community Relations Committee, Keep Charlotte Beautiful, Planning Commission

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

I want to improve Charlotte to make it an even greater city than it already is. I feel that if I serve on a board I will be able to give back to the city and I will be involved in my local government.

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

Boy State Attendee 2015 Eagle Scout Multiple leadership experiences

Food Lion
Current Employer:

1/2

Years in current position:

Cashier

Job Title:

Brief description of duties:

• Provide prompt, accurate and friendly service to customers • Be friendly, courteous and cooperative with other store associates • Engage and interact with customers to create a positive shopping experience • Follow procedures in handling cash, checks, coupons, gift cards, partner cards, food stamps and WIC vouchers • Maximize sales through excellent customer service

Other employment history:

Worth Development- Digital Marketing Associate Boy Scouts of America- Camp Counselor

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

Yes No

If yes, please explain complete disposition:

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?

Yes No

If yes, please explain conflict:

Application Form

Profile

Dave **Pettine**
First Name Middle Initial Last Name

[Redacted]
Email Address

Please provide your mailing address below:

[Redacted] [Redacted]
Street Address Suite or Apt

Charlotte **NC** **28211**
City State Postal Code

Is your mailing address the same as your home address?

[Redacted]

If your home address differs from your mailing address, please provide your home address in the field below:

[Redacted]

[Redacted] [Redacted]
Primary Phone Alternate Phone

District 6
City Council District

Ethnicity

Political Party

Male
Gender

01/03/1977
Date of Birth

Are you a registered voter of Mecklenburg County?

Yes No

List any boards you are currently serving on:

[Redacted]

List any boards you have served on in the past:

[Redacted]

Which Boards would you like to apply for?

Keep Charlotte Beautiful

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

As a professional, AICP certified planner, I understand the value in involvement and participation by residents in improving our communities. I feel that I can provide meaningful input that will help continue the board's work in improving our communities through neighborhood awareness, beautification efforts and cleanups, and their overall goal of promoting and facilitating partnerships between citizens, businesses, and government to ensure a clean and healthy environment.

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

I have been in the planning profession for over 10 years and feel my background and experience can be a valuable asset to the board's goals. I am very familiar with community participation, facilitating partnerships, grant writing, review and implementation. I have worked at various levels in the planning profession, including as a planning director for almost 5 years. In those roles, I have been able to interact and work with a diverse group of citizens, local leaders, and the business community to foster meaningful relationships that improved the communities I was serving. I'd like to bring that experience to help improve my community, and the communities of Charlotte. Thank you for your consideration.

[Redacted]

Planning Communities, LLC

Current Employer:

1

Years in current position:

Senior Program Manager

Job Title:

Brief description of duties:

Oversee and work on various planning projects for clients ranging from local jurisdictions in North and South Carolina, NCDOT, NC Division of Parks and Recreation, as well as Federal Highways, the American Public Health Association, and other local and state agencies across the country.

Other employment history:

Worked for York County, SC from 2005 to September 2014. Served as Long Range Planner, Zoning Administrator, Asst. Planning Director, and Planning Director in my time there.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

Yes No

If yes, please explain complete disposition:

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?

Yes No

If yes, please explain conflict:

Application Form

Profile

Amy _____ Villegas-McCleave _____
First Name Middle Initial Last Name

Email Address

Please provide your mailing address below:

Street Address

Suite or Apt

Charlotte _____ NC _____ 28215 _____
City State Postal Code

Is your mailing address the same as your home address?

If your home address differs from your mailing address, please provide your home address in the field below:

Primary Phone

Alternate Phone

District 5 _____
City Council District

Other _____
Ethnicity

Independent _____
Political Party

Female _____
Gender

10/21/1965 _____
Date of Birth

Are you a registered voter of Mecklenburg County?

Yes No

List any boards you are currently serving on:

List any boards you have served on in the past:

Which Boards would you like to apply for?

Bechtler Arts Foundation Board, Charlotte Mecklenburg Public Access Corporation, Keep Charlotte Beautiful

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

I am interested in neighborhoods connected with public communications, arts and beautiful surroundings. It is my philosophy that citizens of Charlotte should have access to the best Charlotte has to offer. This should be done at any socioeconomic level.

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

I am a native of the city and have the passion to assist citizens.

Johnson C. Smith University _____
Current Employer:

5

Years in current position:

Communications Coordinator
(Admissions Office)

Job Title:

Brief description of duties:

Coordinate all communications (print & electronic) for potential in-coming students to the university.

Other employment history:

Charlotte School of Law - Career Services (part-time); CPCC - Office of EECO - Assistant (part-time);
Charlotte Meck. School - Myers Park Tutor (part-time)

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

Yes No

If yes, please explain complete disposition:

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?

Yes No

If yes, please explain conflict:

Application Form

Profile

Brian **G** **Withrow**
First Name Middle Initial Last Name

[Redacted]
Email Address

Please provide your mailing address below:

[Redacted] [Redacted]
Street Address Suite or Apt

Charlotte **NE** **28205**
City State Postal Code

Is your mailing address the same as your home address?

[Redacted]

If your home address differs from your mailing address, please provide your home address in the field below:

[Redacted]

[Redacted] [Redacted]
Primary Phone Alternate Phone

District 1
City Council District

African American
Ethnicity

Prefer Not to Say
Political Party

Male
Gender

12/14/1982
Date of Birth

Are you a registered voter of Mecklenburg County?

Yes No

List any boards you are currently serving on:

N/A

List any boards you have served on in the past:

N/A

Which Boards would you like to apply for?

Charlotte International Cabinet, Keep Charlotte Beautiful

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

I would like to serve on both boards because of the passion for inclusion and diversity within the Charlotte community and the purpose of presenting the city in the best way. These boards will allow suggestions to be made that will shape the future of Charlotte's through agriculture and cultural demographics.

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

Throughout my life I have participated in international events and organizations that have allowed me to travel the world domestically and internationally. These experiences have given me perspectives on the World that are used in my every understanding of society being able to learn new languages such as French, Spanish, and Japanese and use these languages to navigate social difficulties. I also am an alumni of the NC Cooperative Extension where I have studied, learned, and applied agricultural concepts to improve a particular location. Through working with various farms, herb societies, and landscapers I've learned how to be sustainable and how it affects everyday life.

The Home Depot

Current Employer:

3

Years in current position:

Merchandiser

Job Title:

Brief description of duties:

• Supervised and delegated tasks to 5-12 associates each day improving efficiency by 50%. • Reduced costs by saving \$75,000 by increasing productivity among 5-12 associates. • Created and developed strategies to maximize sales revenue, and eliminate inaccuracies during inventory.

Other employment history:

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

Yes No

If yes, please explain complete disposition:

Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?

Yes No

If yes, please explain conflict:



City of Charlotte

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

Agenda Date: 1/25/2016

Agenda #: 11. **File #:** 15-2316 **Type:** Business Item

Mayor and City Council Topics

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



Agenda Date: 1/25/2016

Agenda #: 12.**File #:** 15-2276 **Type:** Consent Item

Criminal Information Access Fees

Action:

- A. Approve an annual license agreement for an approximate amount of \$150,000 per year with the NC Department of Justice-State Bureau of Investigation for the use of approximately 900 Division of Criminal Information terminals, and**

- B. Authorize the City Manager to renew the agreement for as long as the City uses the system.**

Staff Resource(s):

Katrina Graue, Police
Crystal Cody, Police

Explanation

- The Division of Criminal Information (DCI) serves as a central telecommunications network linking local, state, and national criminal justice and law enforcement agencies for the purposes of collecting, organizing, and disseminating data on crimes and criminals.
- The central computer network operates 24 hours a day, seven days per week.
- During traffic stops, patrol officers use DCI to retrieve law enforcement data, such as vehicle registration, stolen vehicle notifications, and driver's license information.
- Police detectives use DCI to retrieve criminal history records as a part of their investigative work.
- The user fee is based on the number of authorized DCI terminals. Accordingly, the amount may vary from year to year.
- The current billing rate from the NC State Bureau of Investigation is \$25 per month for a desktop terminal and \$12 per month for each mobile terminal.
- Currently, there are 116 desktop terminals and 785 mobile terminals.
- Mobile units are in all marked patrol vehicles and designated unmarked vehicles.

Charlotte Business INclusion

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

Fiscal Note

Funding: Police Operating Budget



Agenda Date: 1/25/2016

Agenda #: 13.**File #:** 15-1891 **Type:** Consent Item

Animal Licensing and Registration Services

Action:

- A. Approve a contract with PetData Inc. for the administration of the City's animal registration and licensing program for an initial term of three years, and**

- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.**

Staff Resource(s):

Charles Bannerman, Police

Explanation

- Animal Care and Control Division of the Charlotte-Mecklenburg Police Department requires a comprehensive package of services in support of ongoing needs for licensing and license renewals for approximately 84,000 pets on an annual basis.
- The City initially contracted the services in 2005 based upon a recommendation from the City's Privatization and Competition Advisory Committee.
- Since March 2005, when the City first contracted the services, the number of licensed pets has increased from approximately 50,000 to 85,000 (as of November 30, 2015).
- The licensing program promotes compliance with rabies vaccinations and the recovery of lost animals wearing their tags. The fee structure also promotes animal population control through spay and neutering.
- The City requires turnkey animal licensing services, including:
 - Licensing and license renewal form creation, and supply of forms to approximately 75 veterinarians within Mecklenburg County;
 - Processing of completed forms and management of a database, including entering approximately 140,000 rabies certificates each year, 30,000 microchips, and transferring data to Animal Care and Control;
 - Mailing of licenses and tags to citizens or veterinarians; and
 - A customer service line answering approximately 12,000 Mecklenburg County area calls annually.
- Residents pay a fee for each pet license or annual renewal:
 - The vendor deposits all revenue into the City's General Fund.
 - The City pays the vendor a percentage of the fee from each license or renewal deposited.
- On October 23, 2015, the City issued a Request for Proposals (RFP) for Animal Licensing Software and Services. In response to the RFP, the City received two proposals from interested service

Agenda #: 13.File #: 15-1891 Type: Consent Item

providers.

- The Project Team, consisting of staff from the Police Department and Management & Financial Services Department evaluated the proposals and determined that PetData Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to the RFP requirements. PetData has a transparent approach to providing animal licenses and rabies certificates at a competitive rate and seamless integration with the City's animal database.
- Staff anticipates renewing the contract for up to two additional, one-year terms at prices to be negotiated based on market conditions.
- Estimated contract expenditures are \$250,000 annually.

Charlotte Business INclusion

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

Fiscal Note

Funding: Police Operating Budget

Attachment

Resident Fee Structure Chart

Resident Fee Structure Chart

License Type	Total License Fee	Fee paid to PetData Contracts Years 1-3	Fee paid to PetData Contract Years 4 and 5
One-year Spay/Neuter License	\$10.00	\$4.25/each	\$4.40/each
License late fee collection	\$10.00	\$2.50/collection	\$2.50/collection
Three-year Spay/Neuter License	\$25.00	\$8.25/additional year	\$8.40/additional year
Replacement License	\$2.00	\$4.25/each	\$4.40/each
One-year Fertile License	\$30.00	\$4.25/each	\$4.40/each
Senior License	\$0	\$0	\$0
Service License	\$0	\$0	\$0



Agenda Date: 1/25/2016

Agenda #: 14.**File #:** 15-2072 **Type:** Consent Item

Landscape Maintenance Services

Action:

Approve landscaping maintenance contracts with each of the following vendors:

- **West Elmwood Cemetery: Napper Services, LLC, \$205,920,**
- **East Elmwood Cemetery: Napper Services, LLC, \$124,800,**
- **Evergreen Cemetery: Napper Services, LLC, \$112,320,**
- **East District: Taylor’s Landscaping Service, Inc., \$230,100,**
- **CATS Blue Line (South): Taylor’s Landscaping Service, Inc., \$617,889,**
- **CATS Blue Line (North): Taylor’s Landscaping Service, Inc., \$226,044, and**
- **CATS North Davidson Bus Facility: Roundtree Companies, LLC, \$52,833.30.**

Staff Resource(s):

Quin Hall, Engineering & Property Management

Explanation

- These contracts provide continuous landscape maintenance services for several City-owned buildings, medians, three cemeteries, and a CATS bus facility.
- On November 5, 2015, three separate Requests for Proposals were advertised, 19 proposals were received from nine interested service providers, for a total of seven contracts, for the following areas:
 - City-owned facilities located in the east district;
 - City-owned cemeteries; and
 - City-owned properties along the CATS Blue Line Light Rail Transit and North Davidson Bus Facility.
- The Evaluation Committee comprised of City staff from Engineering & Property Management and CATS, selected the firms based on qualifications and experience of the firm in providing similar services for similar projects, qualifications and relevant experience of key team members, availability of team members, available equipment resources, price, and responsiveness of proposal package.
- For this service, the City’s MWSBE vendors included 100% utilization with the following firms:
 - Napper Services, LLC,
 - Roundtree Companies, LLC, and
 - Taylor’s Landscaping Service, Inc.
- Total expenditures across all of the above contracts are estimated to be \$1,569,906.30 in the aggregate over the three year term.
- Work is anticipated to begin March 1, 2016.
- Contracts for Central, Center City East, South Corridor, East, West, and North Districts as well as the CATS South Tryon Bus Facility will be brought to City Council in winter 2017.

Agenda #: 14.File #: 15-2072 Type: Consent Item

Cemeteries

- These contracts include turf mowing and edging, trash, leaves and debris removal, minor tree and shrub pruning, insect, disease and weed control, and mulching.
- Napper Services, LLC was selected for West Elmwood Cemetery, East Elmwood Cemetery, and Evergreen Cemetery.

East District

- The contract consists of 13 facilities including the Belmont Center, Central Avenue Parking Lot, Charlotte Department of Transportation Street Maintenance Division (Orr Road), Fleet Management - Louise Avenue Shop, Fire Equipment Warehouse, Solid Waste Services Administration Office, Solid Waste Services Employee Parking Lots, Light Vehicle Facility, Charlotte-Mecklenburg Police Department - Providence Division, Charlotte-Mecklenburg Police Department - Eastway Division, Solid Waste Services - Truck Washing Station, Solid Waste Services - Sanitation Truck Parking Lot and Solid Waste Services - Special Services Holding Lots.
- The contract includes turf maintenance, shrub maintenance, groundcover maintenance, perennial maintenance, trash and debris removal, storm debris pickup, limited tree maintenance, snow and ice removal, and stormwater Best Management Practice maintenance.
- Taylor's Landscaping Service, Inc. was selected for the East District.

CATS Blue Line (South)

- The contract includes turf maintenance, landscape maintenance, irrigation maintenance; operation managed vegetative areas ground maintenance, stormwater Best Management Practice maintenance, and snow and ice removal.
- Taylor's Landscaping Service, Inc. was selected for CATS Blue Line (south).

CATS Blue Line (North)

- The contract includes turf maintenance, landscape maintenance, irrigation maintenance; operation managed vegetative area grounds maintenance, stormwater Best Management Practice maintenance, and snow and ice removal.
- Taylor's Landscaping Service, Inc. was selected for CATS Blue Line (north).

CATS North Davidson Bus Facility

- The contract includes turf maintenance, landscape maintenance, and snow and ice removal.
- Roundtree Companies, LLC was selected for CATS North Davidson Bus Facility.

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). However, all of these contracts will be awarded to the following certified firms, resulting in 100% (\$1,569,906.30) total MWSBE utilization:

- Napper (SBE, MBE)
- Roundtree (SBE)
- Taylor's (SBE)

Fiscal Note

Funding: Engineering & Property Management Operating Budget



Agenda Date: 1/25/2016

Agenda #: 15.**File #:** 15-2091 **Type:** Consent Item

Architectural Services for the Discovery Place Renovations

Action:

Approve a contract in the amount up to \$159,200 with Little Diversified Architectural Consulting, Inc. for architectural services for Discovery Place renovations.

Staff Resource(s):

William Haas, Engineering & Property Management

Explanation

- Discovery Place, Inc. is a science museum that opened in 1981 with significant renovations occurring in 2010. To keep pace with technology and current innovations in the fields of science and engineering, Discovery Place desires to renovate/modify three existing spaces in the museum to accommodate new exhibits and lab areas.
- Discovery Place also plans to upgrade the technology in the 3-D theater to create a more flexible theater space for live theatrical shows, speakers, demonstrations, and community conversations that could be shared more broadly.
- Discovery Place will celebrate 35 years at the North Tryon Street location in late 2016 and would like to unveil these new spaces at that time. Design will need to begin immediately for construction to begin in the summer of 2016.
- The scope of work will include:
 - Designing attractive, functional spaces that will operate efficiently to meet the needs of the Museum;
 - Mechanical, electrical, and plumbing design services;
 - Preparing bid documents and obtaining necessary permits; and
 - Providing construction administration services.
- On October 25, 2015, the City issued a Request for Qualifications (RFQ) for Architectural Services for the Discovery Place Renovations. In response to the RFQ, the City received five proposals from interested professional service providers.
- The Project Team, consisting of staff from Engineering & Property Management and Discovery Place, Inc., evaluated the proposals and determined that Little Diversified Architectural Consulting, Inc. is the best qualified firm to meet the City's needs based on demonstrated competence and qualifications of professional services.
- The City Council approved \$3.5 million in Tourism Capital Funding as part of the Fiscal Year 2016 Community Investment Plan for these renovations.
- Construction is expected to occur in the summer of 2016.

Agenda #: 15.File #: 15-2091 Type: Consent Item

- The City Council will be asked to approve a construction contract in the second quarter of 2016.

Charlotte Business INclusion

The City required proposers to submit an MSBE Participation Plan outlining their solicitation and utilization efforts (Part C: Section 2.1(c) of the Charlotte Business INclusion Policy). Little Diversified Consulting has identified on its project team, and will commit 27.83% (\$44,300) of the total contract amount to, the following certified firms:

- AME Engineering (SBE) (\$42,000) (mechanical, electrical engineering)
- R.M. Rutherford & Associates (SBE) (\$2,300) (cost estimating)

Fiscal Note

Funding: Tourism Capital Projects Fund



Agenda Date: 1/25/2016

Agenda #: 16.**File #:** 15-2252 **Type:** Consent Item

Bobby Lane and Nancy Drive Storm Drainage Improvements

Action:

Award a contract in the amount of \$943,886.08 to the lowest responsive bidder Sealand Contractors Corp. for the Bobby Lane and Nancy Drive Storm Drainage Improvements project.

Staff Resource(s):

Stewart Edwards, Engineering & Property Management

Explanation

- The project involves installing approximately 1,160 feet of new storm drainage and replacing associated utilities along Bobby Lane and Nancy Drive. This project is in Council District 5 off of Craig Avenue and is surrounded by Wendover Road, Monroe Road, Sharon Amity Road, and Randolph Road.
- The work will include:
 - Storm drainage,
 - Sanitary sewer,
 - Water line,
 - Sidewalk,
 - Curb and gutter,
 - Driveways, and
 - Asphalt pavement replacement.
- On November 20, 2015, the City issued an Invitation to Bid for the Bobby Lane and Nancy Drive Storm Drainage Improvement project; six bids were received from interested service providers.
- Sealand Contractors Corp. was selected as the lowest responsive, responsible bidder.
- Construction is expected to be completed by the end of third quarter 2016.

Charlotte Business INclusion

Established SBE Goal: 14%

Committed SBE Goal: 14.00%

Sealand Contractors Corp. met the established SBE subcontracting goal, and has committed 14.00% (\$132,145) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Darnell Jones Trucking, Inc. (SBE, MBE) (\$67,567) (hauling)
- On Time Construction, Inc. (SBE, MBE) (\$62,610) (concrete/masonry)
- A1 Precision Fence Company (SBE) (\$1,968) (fence installation)

Agenda #: 16.File #: 15-2252 Type: Consent Item

Established MBE Goal: 6%

Committed MBE Goal: 13.79%

Sealand Contractors Corp. exceeded the established MBE subcontracting goal, and has committed 13.79% (\$130,177) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

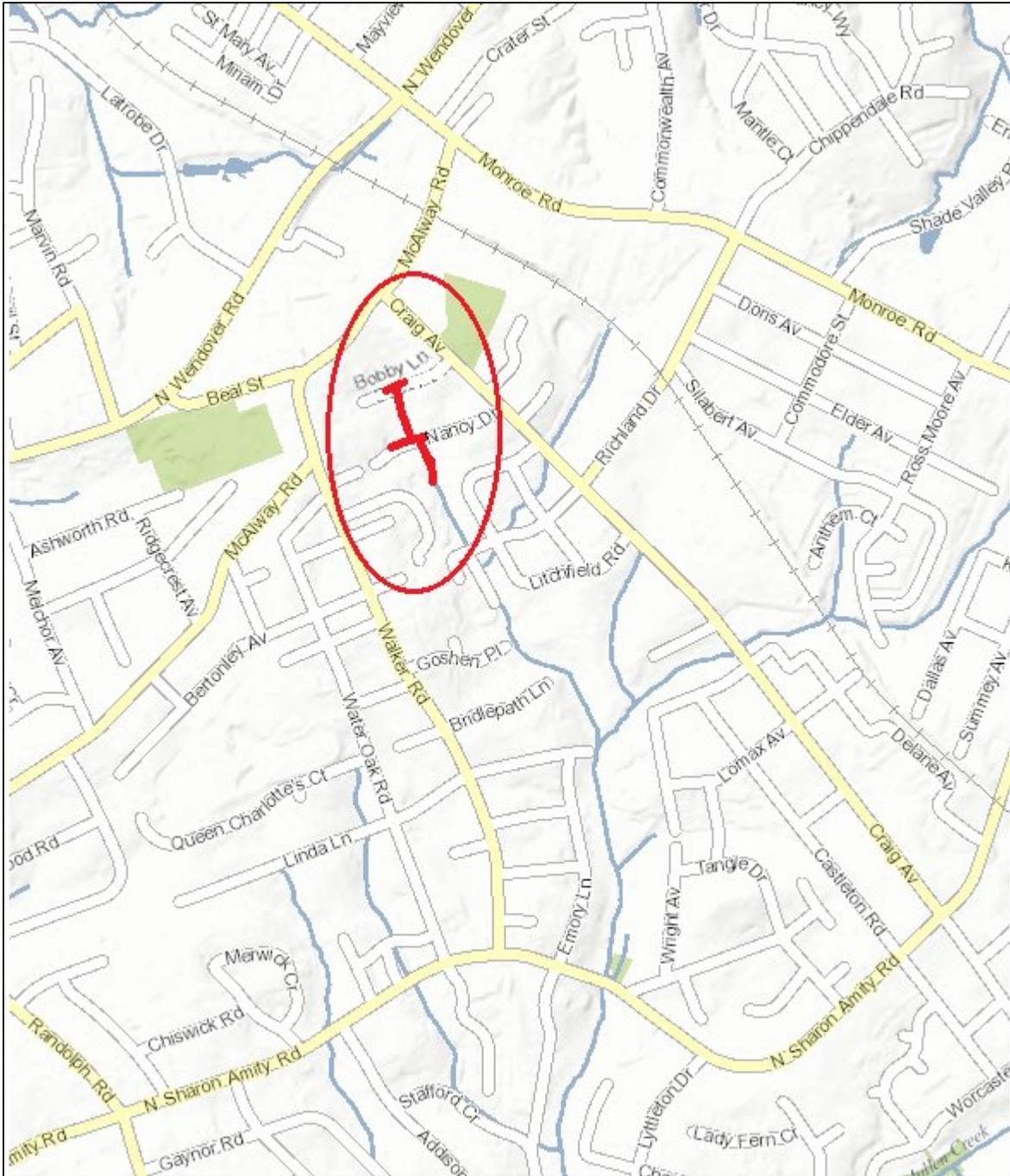
- Darnell Jones Trucking, Inc. (SBE, MBE) (\$67,567) (hauling)
- On Time Construction, Inc. (SBE, MBE) (\$62,610) (concrete/masonry)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment

Map



Location Map: Bobby Lane and Nancy Drive Storm Drainage Improvements (Council District 5)



Agenda Date: 1/25/2016

Agenda #: 17. **File #:** 15-2165 **Type:** Consent Item

Parkwood Phase 1 Storm Drainage Improvement Project Change Order

Action:

Approve change order #1 for \$456,500 to Sealand Contractors, Corp. for the Parkwood Storm Drainage Improvement project.

Staff Resource(s):

Susan Tolan, Engineering & Property Management

Explanation

- The Parkwood Storm Drainage improvement/flood control project includes:
 - Four separate culvert installations,
 - Storm drainage,
 - Channel improvements,
 - Sanitary sewer relocations,
 - Water line relocations,
 - Curb and gutter,
 - Sidewalk, and
 - Erosion control.
- On May 27, 2014, the City Council awarded the original contract in the amount of \$5,136,776.56.
- The City deleted the N. Brevard Street culvert installation from the project, resulting in a reduction of approximately \$365,000. City Council will be asked to approve a separate construction contract once the proposed redevelopment plans are finalized.
- Change order #1 in the amount of \$456,500 will provide funds to accommodate the following overruns in contract items:
 - Rock removal exceeds the quantity that was estimated based on the subsurface analysis.
 - Additional backfill material due to the volume of rock encountered and the poorly graded composition of the remaining on-site soil.
 - The total amount of rock removal and select material overrun is \$821,101.40. Due to the deletion of the N. Brevard Street culvert work from the contract, the entire amount is not included in the change order.
- The total value of the contract including this change order is \$5,593,276.56 and funding is available in the program budget.
- The project is on schedule to meet the completion date of December 2016.

Background

- In October 2015, City staff was informed of a private redevelopment plan in the project area. The preliminary redevelopment plans indicated possible removal of a house that if left in place, would require significant work from the City when replacing the culvert at N. Brevard Street.

Charlotte Business INClusion

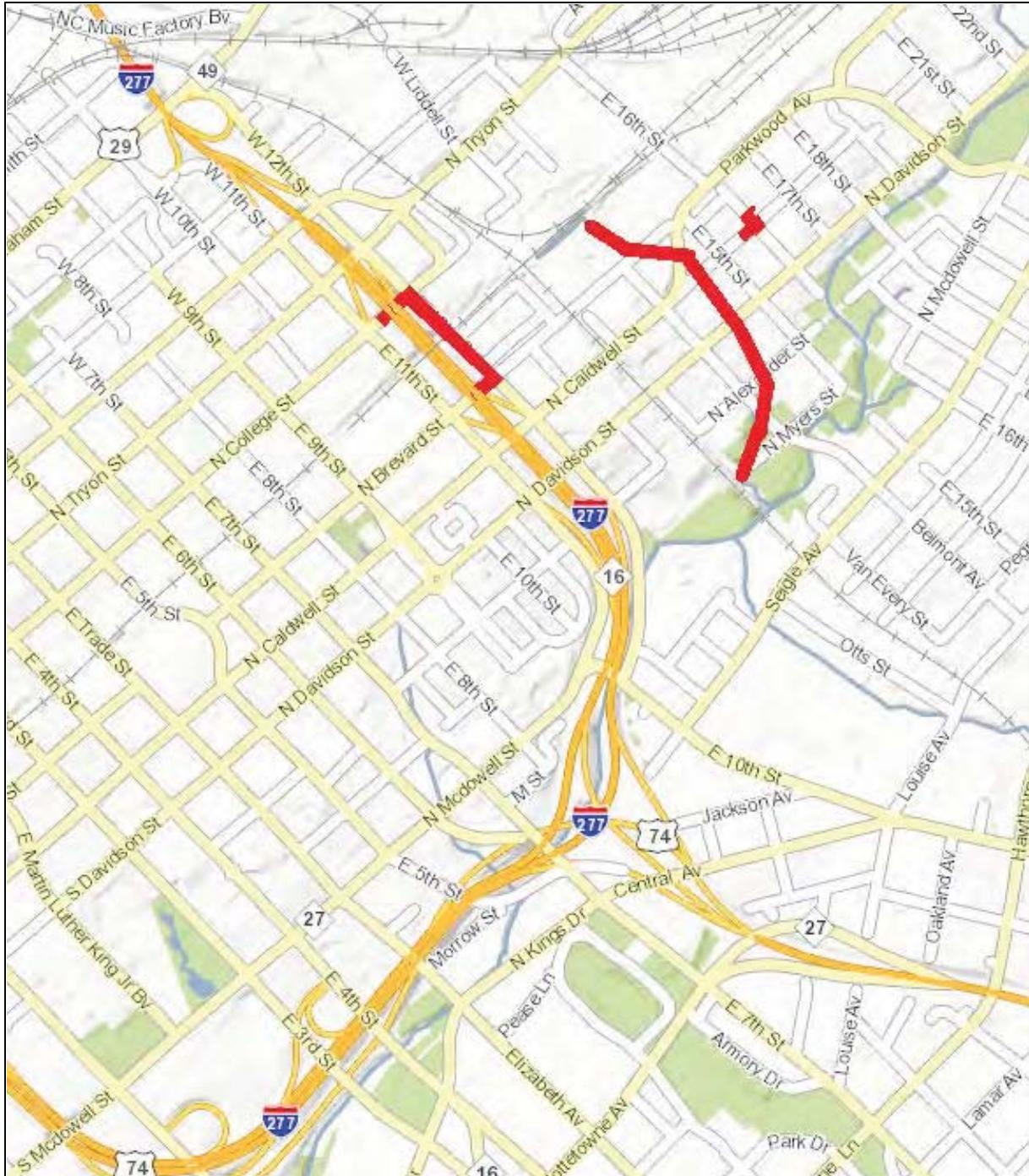
All additional work involved in this change order will be performed by Sealand Contractors and their existing subcontractors (Part D: Section 6 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment

Map



**Location Map: Parkwood Storm Drainage Improvements, Phase 1
(Council District 1)**



Agenda Date: 1/25/2016

Agenda #: 18.File #: 15-2167 Type: Consent Item

LYNX Blue Line Extension J.W. Clay Boulevard Parking Garage Pedestrian Bridge Extension

Action:

Approve a change order in an amount up to \$4,000,000 to China Construction America of South Carolina, Inc. for the LYNX Blue Line Extension J.W. Clay Boulevard Parking Garage project.

Staff Resource(s):

John Lewis, CATS
Danny Rogers, CATS

Explanation

- On August 25, 2014, the City Council awarded a contract in the amount of \$24,758,871.50 to China Construction America of South Carolina, Inc. for the LYNX Blue Line Extension J.W. Clay Boulevard Parking Garage project.
- On November 23, 2015, the City Council authorized the City Manager to negotiate and execute a Pedestrian Bridge Agreement with the University of North Carolina at Charlotte and Carolinas Healthcare System. The Pedestrian Bridge Agreement allows those parties to provide a financial contribution in the amount of \$600,000 each to assist in the extension of the parking garage's planned pedestrian bridge in exchange for branding opportunities on the structure.
- The parking garage is five levels with 800 parking spaces and will include:
 - Two bus bays along a private street adjacent to the parking garage;
 - A pedestrian bridge connecting the garage to the station platform; and
 - Elevators at both ends of the pedestrian bridge.
- The change order in the amount up to \$4,000,000 will allow for the pedestrian bridge to be extended from the station platform to the east side of North Tryon Street. The Foundation for the University of North Carolina has agreed to grant a transit facilities easement to allow for the tower needed to accommodate the new terminus of the extended pedestrian bridge.
- The execution of the easement agreement is currently underway. The University of North Carolina at Charlotte intends to connect to the proposed pedestrian bridge in the future.
- The contribution of Carolinas Healthcare System is contingent upon them placing their logo on the bridge's terminus tower. The logo will require City Council approval of a rezoning request to allow the logo size required in the agreement with Carolina Healthcare System. City Council will be asked to approve the rezoning request at a City Council Meeting later this spring.
- The proposed change order amount represents the entire cost of construction and will be paid for with existing project contingency and the total \$1.2 million financial contribution from the above funding partners.

Agenda #: 18.File #: 15-2167 Type: Consent Item

- The new total value of the contract is \$28,427,912.50.

Disadvantaged Business Enterprise (DBE)

The additional \$4,000,000 in contract scope authorized by this change order will be held to the original contract DBE goal of 12.5%

Fiscal Note

Funding: CATS Community Investment Plan



Agenda Date: 1/25/2016

Agenda #: 19.File #: 15-2108 Type: Consent Item

LYNX Blue Line Extension Civil B/C Change Order

Action:

Approve a change order in the amount of \$4,500,000 to the LYNX Blue Line Extension Civil B/C Construction contract with The Lane Construction Corporation.

Staff Resource(s):

John Lewis, CATS
Jeb Blackwell, Engineering
Danny Rogers, CATS

Explanation

- On April 14, 2014, the City Council awarded the Blue Line Extension (BLE) Civil construction contract for segment B/C, from Old Concord Road to the end of line at UNC Charlotte, to The Lane Construction Corporation in the amount of \$119,051,742.33.
- On January 26, 2015, City Council approved a contract amendment in the amount of \$21,700,000 to settle delay claims related to utility relocations and to accelerate the work to recover the contract schedule.
- The change order will transfer \$4.5 million from the overall BLE project contingency to the Civil B/C contract with The Lane Construction Corporation. These funds will be used to further accelerate the project schedule and to complete the following additional work items:
 - Upgrade the fencing from welded wire to galvanized steel picket along North Tryon Street to improve the visual quality of the corridor;
 - Add luminaire arms on signal poles;
 - Modify intersection design to improve pedestrian safety;
 - Design and quantity revisions based on field conditions and utility conflicts;
 - Add an additional payment and incentive to further accelerate Segments B and C. The earlier completion will allow the Track and Systems contractor to proceed with a more efficient sequence of work.
- The costs associated with this amendment are within the current project budget from existing project contingency.
- The new total value of the contract with The Lane Construction Corporation is \$145,251,742.33.

Disadvantaged Business Enterprise (DBE)

Any additional contract scope authorized by this change order will be held to the original contract DBE goal of 20%.

Fiscal Note

Funding: CATS Community Investment Plan



Agenda Date: 1/25/2016

Agenda #: 20.File #: 15-2200 Type: Consent Item

LYNX Blue Line Extension - Street Lighting Agreements with Duke Energy

Action:

Authorize the City Manager to negotiate and execute agreements in a total amount up to \$2,000,000 with Duke Energy for the installation of street and pedestrian lighting for the LYNX Blue Line Extension project.

Staff Resource(s):

John Lewis, CATS
Stephen Bolt, Transportation
Danny Rogers, CATS

Explanation

- As part of the LYNX Blue Line Extension (BLE) project, CATS will make one-time, upfront payment for street and pedestrian LED lighting to be provided and installed by Duke Energy within the BLE project limits.
- The monthly lighting bill will be paid by the Charlotte Department of Transportation as part of the public lighting agreement between the City of Charlotte and Duke Energy. The standard monthly costs-per-light will apply for these lights.
- The payment estimate is based upon the installation of 374 street lights, 222 pedestrian lights, and a 10% contingency.
- The cost for these payments is included in the approved BLE Project budget.

Disadvantaged Business Enterprise (DBE) Opportunity

Pursuant to Department of Transportation DBE Program, subpart C, no DBE utilization goal was set for this solicitation and resultant due to no subcontracting opportunities.

Fiscal Note

Funding: CATS Community Investment Plan

Additional lighting will have an on-going operating cost to the City's General Fund of approximately \$8,500 per month.



Agenda Date: 1/25/2016

Agenda #: 21.**File #:** 15-2107 **Type:** Consent Item

LYNX Blue Line Extension - Track and Systems Contract Amendment

Action:

Approve contract amendment #3 in the amount of \$4,500,000 to the LYNX Blue Line Extension Track and Systems contract with Balfour Beatty Infrastructure, Inc. for settlement of all Contractor delay related claims and to amend the contract schedule.

Staff Resource(s):

John Lewis, CATS
Jeb Blackwell, Engineering & Property Management
Danny Rogers, CATS

Explanation

- The Blue Line Extension project has been on an aggressive schedule to implement service as quickly as possible.
- In 2014, the Blue Line Extension project experienced significant delays in utility relocation work, which delayed the follow-on civil construction work. Acceleration amendments with the Civil A and Civil B/C contractors were executed in 2015 to partially recover the schedule and to maintain the revenue service opening date for summer 2017.
- Staff has now completed negotiations with the Track and Systems contractor related to those same schedule delays and mitigation efforts.
- Contract amendment #3 in the amount of \$4,500,000 will:
 - Settle all Contractor claims related to delay through December 15, 2015;
 - Amend the contract schedule accordingly; and
 - Add incentives for the contractor to meet a projected opening for summer 2017.
- The costs associated with this amendment can be accommodated within the current project budget from existing project contingency.

Background

- On April 14, 2014, the City Council awarded a construction contract to Balfour Beatty Infrastructure Inc. for \$130,805,444.31 to perform Track and Systems construction for the Blue Line Extension (BLE) and Blue Line Capacity Expansion project (BLCE).
- Nine change orders have been processed to date. On October 26, 2015, the City Council approved change order #9 in the amount of \$7,000,000 for additional work items to be constructed, bringing the current contract value to \$137,805,444.31.
- On March 9, 2015, contract amendment #1 was approved to allow for payment of stored materials off-site.
- On August 2, 2015, contract amendment #2 was approved to grant access and add an intermediate contract time related to Segment A1.
- Contract amendments #1 and #2 were administrative and did not affect the contract value.
- Contingent upon approval of contract amendment #3, the new total value of the contract including

Agenda #: 21.**File #:** 15-2107 **Type:** Consent Item

amendments/change orders will be \$142,305,444.31.

Disadvantaged Business Enterprise (DBE) Opportunity

Any additional contract scope authorized by this change order will be held to the original contract DBE goal of 9.2%

Fiscal Note

Funding: CATS Community Investment Plan



Agenda Date: 1/25/2016

Agenda #: 22.**File #:** 15-2176 **Type:** Consent Item

Transit Scheduling Software Maintenance and Upgrade Licensing Agreement

Action:

- A. Approve an annual, flat fee contract with GIRO, Inc. for maintenance and support of the HASTUS transit scheduling software system, and**
- B. Authorize the City Manager to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.**

Staff Resource(s):

Larry Kopf, CATS

Explanation

- The HASTUS Scheduling System is the software system that CATS has used since 2000 to:
 - Review operator work assignments for optimal use of overtime;
 - Maintain low idle time; and
 - Increase cost-effectiveness in operations.
- The software increases the efficiency of operator use and wages, which are CATS Bus Operations' largest cost drivers.
- In 2007, CATS began a project to upgrade and expand the HASTUS Scheduling System, resulting in a software suite that includes multiple modules used for daily dispatching, management of driver work assignments, pay and attendance, analysis of actual on street running time to schedule time, and coordinating schedule development with contractual and statutory obligations and parameters.
- On October 26, 2015, the City Council approved an agreement with GIRO, Inc. to upgrade the existing HASTUS Scheduling System and all of its modules. That upgrade is in the process of being implemented and is expected to be fully operational during Fiscal Year 2017.
- The contract with GIRO, Inc. will provide post-warranty maintenance and future routine upgrade licensing going forward. It also provides CATS with the ability to obtain future upgrades for only the cost of implementation services, which would be negotiated at the time of the future upgrade.
- The proposed annual flat fee for these services are:
 - Year 1: \$201,500,
 - Year 2: \$206,537,
 - Year 3: \$211,700, and
 - Subsequent years: no more than 3% escalation over previous year's fee.

Agenda #: 22.**File #:** 15-2176 **Type:** Consent Item

Charlotte Business INclusion

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

Fiscal Note

Funding: CATS Operating Budget



Agenda Date: 1/25/2016

Agenda #: 23.**File #:** 15-2230 **Type:** Consent Item

CATS In-Ground Bus Lift Replacement

Action:

Award a contract in the amount of \$104,996.27 to the lowest responsive bidder, Lifting Solutions LLC, for the purchase of an In-Ground Bus Lift.

Staff Resource(s):

Larry Kopf, CATS
Edward Pullan, CATS

Explanation

- The contract with Lifting Solutions LLC is for the purchase and installation of a replacement in-ground bus lift to service the tire installation bay at the the CATS North Davidson bus facility.
- On November 6, 2015, the City issued an Invitation to Bid for an In-Ground Bus Lift; two bids were received from interested service providers.
- Lifting Solutions LLC was selected as the lowest responsive, responsible bidder.

Charlotte Business INClusion

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: CATS Community Investment Plan



Agenda Date: 1/25/2016

Agenda #: 24. **File #:** 15-1938 **Type:** Consent Item

Airport Asset Management Software Support

Action:

- A. Approve a contract with AECOM Technical Services of North Carolina, Inc. to provide Cityworks technical support for an initial term of three years,**

- B. Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments,**

- C. Approve a contract with Amazon Web Services, Inc. to provide cloud hosting services, and**

- D. Authorize the City Manager to purchase such additional software license, services, and hardware as needed from time to time to optimize the City's use of the system, and to approve other amendments consistent with the City's business needs and the purpose for which the contract was approved, included price adjustments.**

Staff Resource(s):

Brent Cagle, Aviation

Explanation

- On April 17, 2014, Aviation posted a Request for Proposals for CityWorks software services in support of work and asset management needs, soliciting proposals from qualified firms interested in implementation of CityWorks for the Airport.
- CityWorks is the standardized asset management software for the City.
- Aviation staff evaluated the proposals and selected AECOM Technical Services of North Carolina, Inc. (AECOM) as the provider that best meet the City's needs based on AECOM's comprehensive proposal, successful implementation of CityWorks at General Mitchell International Airport in Milwaukee, and breadth of experience with airports.
- On June 23, 2014, the City Council approved an agreement with AECOM to provide implementation services for the setup and configuration of CityWorks as the Airport's work and asset management tool in the amount of \$205,000.
- Aviation is extending the existing contract with AECOM Technical Services of North Carolina, Inc. to provide ongoing technical support services, and received a waiver of solicitation from the Interim Aviation Director.
- The annual estimated amount of the contract with AECOM Technical Services of North Carolina, Inc. is \$150,000.
- As a part of the CityWorks implementation, AECOM configured and the launched the software in the Amazon AWS Cloud for cost effectiveness and better user accessibility.

Agenda #: 24.File #: 15-1938 Type: Consent Item

- Aviation staff evaluated the effectiveness of the CityWorks system in the cloud and determined that on-going cloud hosting is the best course of action to meet Airport operational needs.
- The annual estimated cost for Amazon AWS Cloud is \$20,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Aviation Operating Budget



Agenda Date: 1/25/2016

Agenda #: 25.**File #:** 15-2260 **Type:** Consent Item

Airport Planning and Environmental Documentation Services

Action:

- A. Approve a contract with Landrum & Brown in the amount of \$200,000 to provide planning and environmental services as needed, and**

- B. Adopt a budget ordinance appropriating \$200,000 from the Aviation Discretionary Fund to the Aviation Community Investment Fund.**

Staff Resource(s):

Jack Christine, Aviation

Explanation

- Federal Aviation Administration (FAA) grant assurances require the Airport to adhere to National Environmental Policy Act (NEPA), which includes conducting environmental analysis prior to development of Airport capital projects.
- Maintaining on-call services for planning and environmental services will aid the Airport in determining proper analysis and creating a plan to approach future development.
- The contract with Landrum & Brown will provide assistance for staff to prepare the NEPA documentation required for actions, including but not limited to staff training, land acquisition, demolition, and historic resource surveys.
- On August 13, 2014, Aviation issued a Request for Qualifications for professional services for NEPA Environmental Review Documentation.
- A selection committee selected Landrum & Brown as one of three firms for future environmental documentation services. Landrum & Brown was selected for these on-call services because of their familiarity with the Airport's development program as a result of their recent submittal of the Airfield Capacity Enhancement Plan and Terminal Capacity Enhancement Plan to the FAA.
- The pricing for these services are based on the size and nature of the various projects. Aviation staff will review and verify the estimates for each project.

Disadvantaged Business Enterprise

The City negotiated subcontracting participation after the proposal selection process. For this contract, Landrum & Brown has committed to utilize, as the project evolves, 3% (\$6,000) of the total contract amount to a certified DBE firm.

Fiscal Note

Funding: Aviation Community Investment Plan

Agenda #: 25.**File #:** 15-2260 **Type:** Consent Item

Attachment

Budget Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$200,000 TO FUND A CONTRACT FOR PLANNING AND ENVIRONMENTAL SERVICES

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

- Section 1. That the sum of \$200,000 is available from the Aviation Discretionary Fund for the contract with Landrum & Brown for planning and environmental services.

- Section 2. That the sum of \$200,000 is hereby appropriated in the Aviation Community Investment Plan Fund (6064) to the following projects:

Fund	6064
Project	4020901542
Source	6000
Type	60006001
Year	0000

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

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

- Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney



Agenda Date: 1/25/2016

Agenda #: 26.**File #:** 15-2092 **Type:** Consent Item

Central Business District Sanitary Sewer Modeling and Evaluation

Action:

Approve a contract with CDM Smith Inc. in the amount of \$687,200 for providing engineering services for sewer system evaluation within and surrounding the Central Business District of Charlotte.

Staff Resource(s):

Barry Shearin, Charlotte Water

Explanation

- Sanitary sewer system modeling and evaluation are vital components of regulatory compliance that ensures adequate sanitary sewer system capacity is maintained. Information derived from this study will provide data necessary to determine the location and timing of future sanitary sewer system improvements.
- In their 2015 Center City Development Report, Charlotte Center City Partners identified approximately 49 distinct development projects located within the boundaries of the Central Business District Sanitary Sewer Modeling and Evaluation service area. An accurate sanitary sewer hydraulic model and evaluation are recommended to ensure adequate sanitary sewer system capacity to support continued growth.
- In order to ensure model accuracy, 40 separate sanitary sewer flow monitor data collection sites have been selected within the service area. The installation and services associated with these sites comprise approximately 40% of the total project cost.
- On August 11, 2015, the City issued a Request for Qualifications (RFQ) for Professional Engineering Services for sanitary sewer flow monitoring, hydraulic modeling, study of potential development, forecasting of future demands, evaluation of the existing sewer system performance, and development of recommended improvements within and surrounding the Central Business District of Charlotte. In response to the RFQ, the City received five proposals from interested service providers.
- Charlotte Water staff evaluated the proposals and determined that CDM Smith Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

Charlotte Business INclusion

The City negotiated subcontracting participation after the proposal process (Part C: Section 2.1 (h) of the Charlotte Business INclusion Policy). CDM Smith Inc. has committed 7.28% (\$50,000) of the total contract amount to the following certified firm:

- Barry D. Davis Surveying, LLC (SBE) (\$50,000) (surveying)

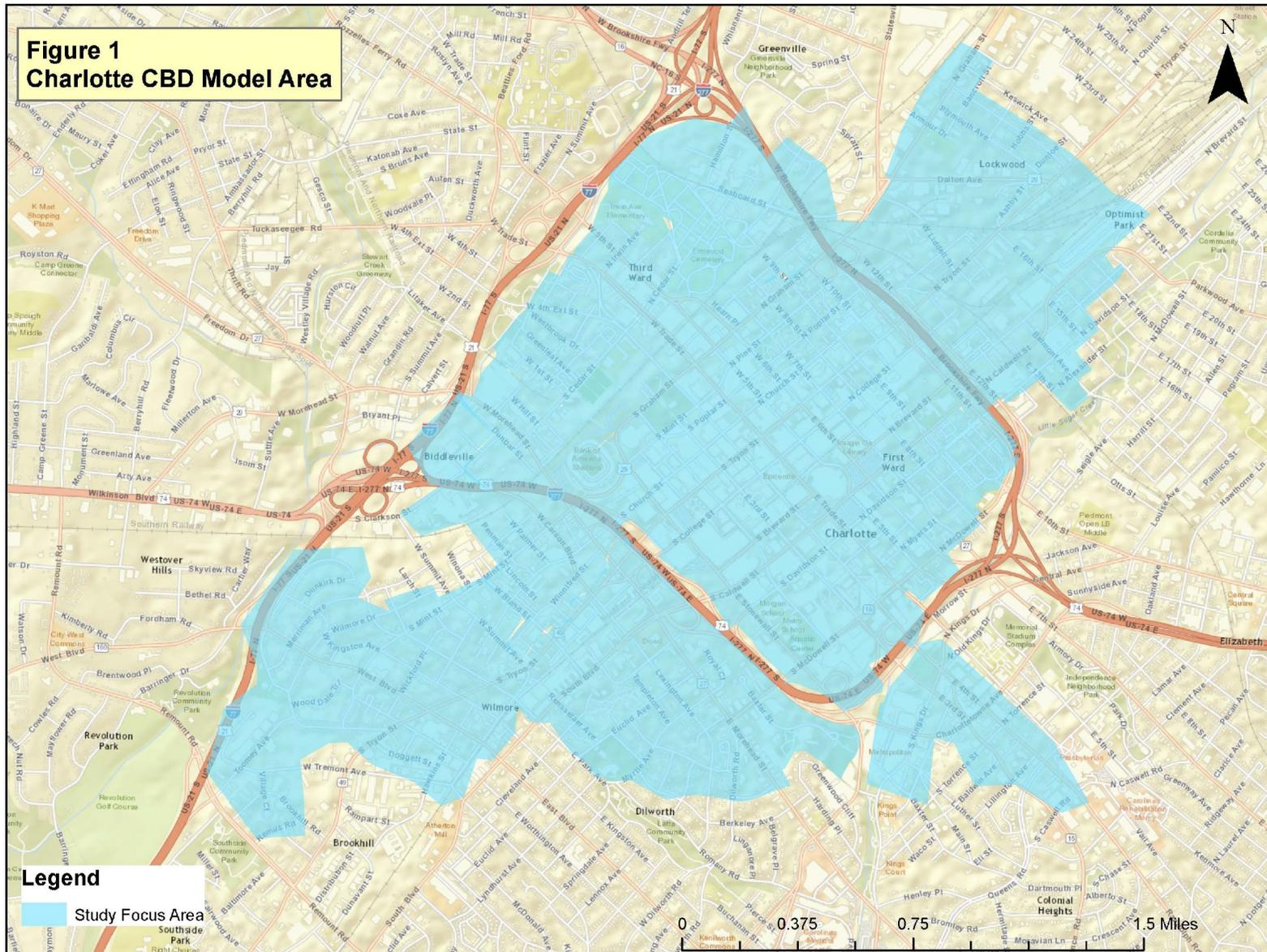
Fiscal Note

Funding: Charlotte Water Community Investment Plan

Agenda #: 26.**File #:** 15-2092 **Type:** Consent Item

Attachment
Map

Central Business District Sanitary Sewer Modeling and Evaluation - Map



Notes: Shaded areas of the map represent areas of study. Areas of study are located within Council Districts 1, 2, and 3.



Agenda Date: 1/25/2016

Agenda #: 27. **File #:** 15-2203 **Type:** Consent Item

Charlotte Water Existing Large Generator Service Contract Amendments

Action:

Approve contract amendments to the following contracts for preventative maintenance and repair of large generators:

- **Carolina Tractor and Equipment Company, Amendment #4 for \$58,000,**
- **Clarke Power Services, Inc., Amendment #5 for \$5,000, and**
- **Cummins Atlantic, LLC, Amendment #4 for \$73,000.**

Staff Resource(s):

Barry Shearin, Charlotte Water

Explanation

- In order to meet permit requirements, Charlotte Water requires reliable backup power to be available at its facilities when utility power is lost. Diesel generators are used to meet this need.
- In December 2010, the City Council approved three contracts each for an initial term of three years, and three one-year renewals, to provide preventative maintenance and repair for 28 of the large generators (>200kw) used throughout Charlotte Water. The original contract amounts and amended totals are as follows:
 - Carolina Tractor and Equipment Company (formerly Carolina CAT) - \$128,100 (initial term), \$314,200 (amended total);
 - Clarke Power Services, Inc. (formerly Covington Power Solutions) - \$89,100 (initial term), \$183,200 (amended total); and
 - Cummins Atlantic, LLC - \$159,000 (initial term), \$391,000 (amended total).
- When the initial contracts were approved and executed, the contract amounts did not include recently purchased generators still under warranty.
- The increased amounts for the contracts will cover the preventative maintenance and repair for the additional 21 generators whose various contracts will expire within the next year.
- The City Council-approved maintenance contracts with these service providers are in their final renewal terms and are scheduled to expire in December 2016. In order to provide for streamlined management of future contracts, Charlotte Water will transition all large generators to the same maintenance and repair schedule prior to the contract expiration dates.

Charlotte Business INclusion

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

Fiscal Note

Funding: Charlotte Water Operating Budget



Agenda Date: 1/25/2016

Agenda #: 28.**File #:** 15-2164 **Type:** Consent Item

Clems Branch Sewer Lift Station Improvements Professional Services Contract Amendment

Action:

Approve contract amendment #1 for \$132,405 to the existing contract with Stantec Consulting Services, Inc. for engineering design and construction administration services for Clems Branch Sewer Lift Station Improvements.

Staff Resource(s):

Barry Shearin, Charlotte Water

Explanation

- On August 25, 2014, the City Council approved a contract with Stantec Consulting Services, Inc. to design improvements to the lift station. Further evaluation revealed the need for additional capacity at the lift station.
- Contract amendment #1 in the amount of \$132,405 will provide the following services:
 - Increase holding tank, addition of grinder and vault, and the relocation of an access road;
 - Design of a protective block wall around the generator;
 - Design and permitting of a water line along the proposed access road; and
 - Additional construction administration and inspection.
- The new total cost of this contract including the amendment is \$530,655.

Background

- The existing Clems Branch Lift Station provides sewer service to customers in the area bounded by Providence Road / Providence Road West, Ardrey Kell Road, Lancaster Highway and the NC/SC state line.
- Requests for sewer capacity in the basin under the Capacity Assurance Program have increased beyond the current capacity of the existing Clems Branch Lift Station.

Charlotte Business INclusion

All additional work involved in this amendment will be performed by Stantec Consulting Services, Inc. and their existing subconsultants (Part D: Section 6 of the Charlotte Business INclusion Policy). Stantec Consulting Services, Inc. has committed 10.38% (\$13,750) of the total contract amendment amount to the following certified firms:

- Carolina Wetland Services (SBE, WBE) (\$8,250) (wetland delineation and permitting)
- Capstone Civil Group, P.A. (SBE, MBE) (\$5,500) (geotechnical)

Agenda #: 28.**File #:** 15-2164 **Type:** Consent Item

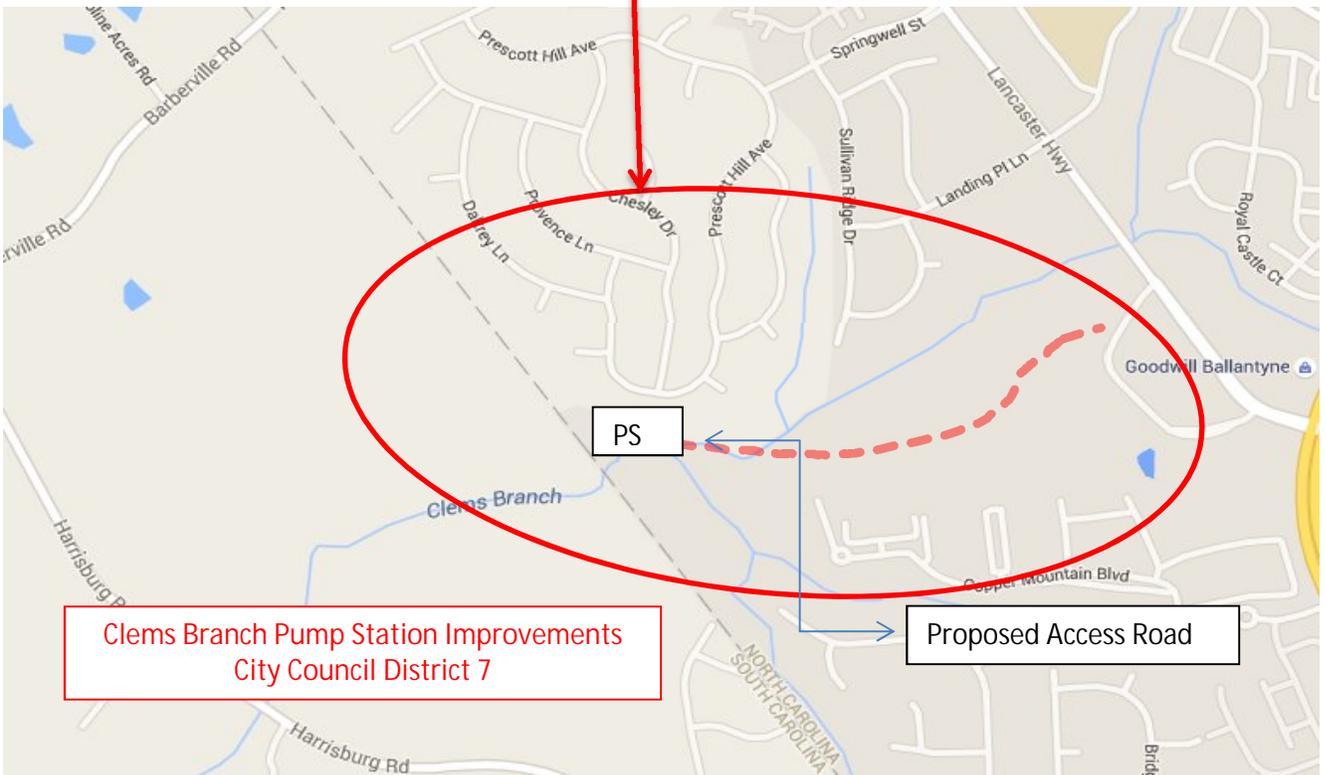
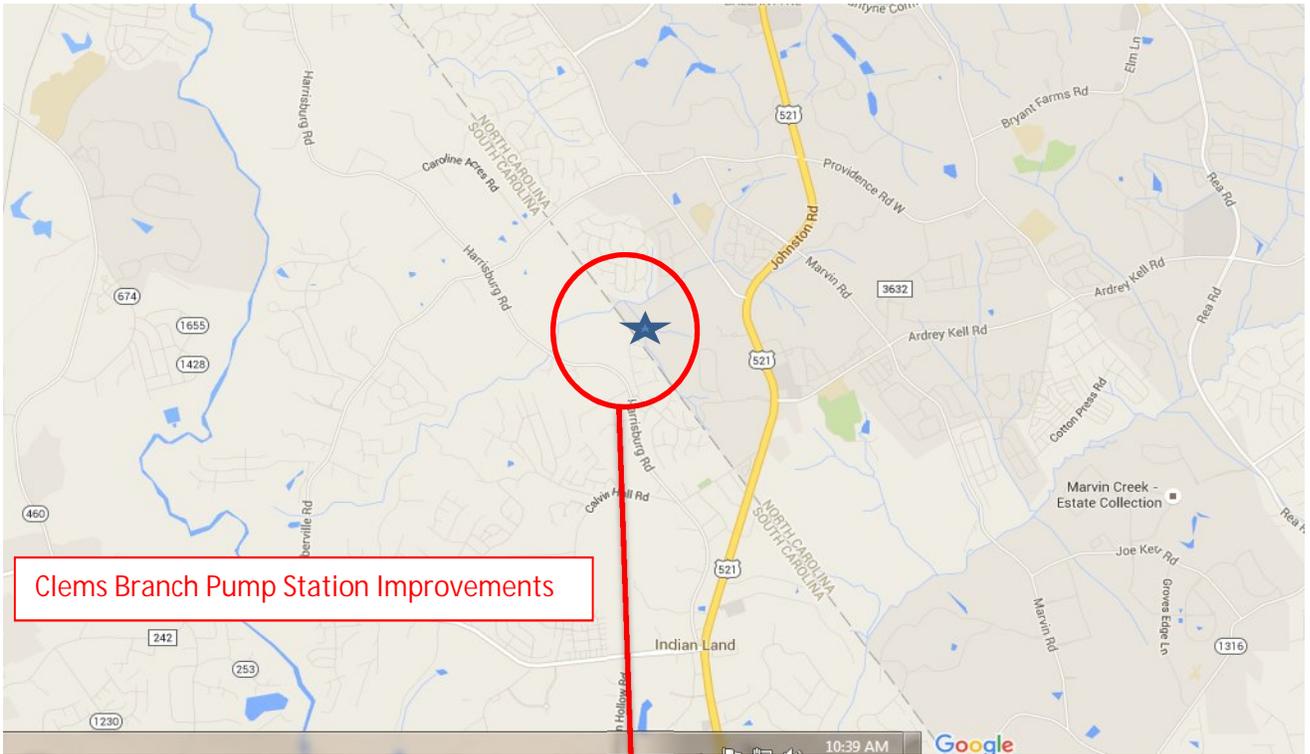
Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment

Map

Clems Branch Sewer Lift Station Improvements Professional Services Contract Amendment - Map





Agenda Date: 1/25/2016

Agenda #: 29.**File #:** 15-2204 **Type:** Consent Item

Security Threat Intelligence Services

Action:

- A. Approve the purchase of the CrowdStrike Falcon Intelligence service from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**

- B. Approve a contract with SHI Government Solutions, Inc. for the purchase of the CrowdStrike Falcon Intelligence service for a term of one year under The Interlocal Purchasing System, contract number 3071615, and**

- C. Authorize the City Manager to extend the contract for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

Staff Resource(s):

Jeffrey Stovall, Innovation & Technology

Cooperative Purchasing Exemption

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

Explanation

- Innovation & Technology has an identified need for information security threat intelligence services. Information security threat intelligence services include intelligence products that are developed through normalized collection, processing, and analysis of data about information security threats and other security-related issues.
- The City of Charlotte is the target of recurring electronic scams, probes, and attacks to determine the defensive posture of the City's information systems and to attempt to compromise those systems. Information security threat intelligence services will provide the City's information security staff with the information needed to both combat ongoing threats and to take proactive steps to more effectively engineer the City's defensive posture to thwart future threats.
- Staff anticipates that this service will facilitate a better defensive posture for City information systems, leading to fewer hours spent remediating information security problems.
- Staff performed an informal quotation process to compare pricing available from various sales channels. Purchasing through the SHI Government Solutions, Inc. contract with The Interlocal Purchasing System will provide pricing that is at least 4% less than other sales channels that were reviewed during this process.
- Annual expenditures are estimated to be \$100,000.

Agenda #: 29.**File #:** 15-2204 **Type:** Consent Item

Charlotte Business INclusion

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

Fiscal Note

Funding: Innovation & Technology Operating Budget



Agenda Date: 1/25/2016

Agenda #: 30.**File #:** 15-2300 **Type:** Consent Item

Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$36,924.51.

Staff Resource(s):

Teresa Smith, Management & Financial Services

Explanation

- Notification of Property Tax and Business Privilege License Tax refunds due to clerical or assessor error are provided to the City by Mecklenburg County.

Pearson Review Update

- In accordance with the ordinance approved by the City Council on January 25, 2016, 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 December 14, 2015, totaled \$783,450.96.

Attachment

List of Property Tax Refunds and Resolution

Property Tax Refund Requests

5915 INGLESIDE, LLC, .	\$	238.28
ADAMS, JAMES A		215.41
ANDERSON, KENNETH JR		215.41
BARRETT, MAMIE H		143.37
BLAKENEY, TOMMIE		215.42
CAGLE, GREGORY L		358.39
CANTY, JOSEPH		1,183.13
CARPENTER, ANTHONY DEWAYN		14.88
CARPENTER, ANTHONY DEWAYN		0.52
CLARK, MICHAEL		215.42
CLEARLIGHT DEVELOPMENT PLLC		67.19
CLEARLIGHT DEVELOPMENT PLLC		47.77
CLEARLIGHT DEVELOPMENT PLLC		49.41
CLEARLIGHT DEVELOPMENT PLLC		71.13
CLEARLIGHT DEVELOPMENT PPLC		69.66
CONSOLIDATED REALTY CO INC		746.54
CONSOLIDATED REALTY CO INC		1,273.58
CONSOLIDATED REALTY CO INC		1,115.78
EASTERN FEDERAL CORP		513.99
ELLIS, CHERYL D		211.10
ERVIN, MARGO		297.75
FISHER, RONALD		175.29
FOUR HUNDRED TWENTY FIVE SOUTH TRYON		1,377.25
FOUR HUNDRED TWENTY FIVE SOUTH TRYON		1,377.25
FOUR HUNDRED TWENTY FIVE SOUTH TRYON		1,466.41
FOUR HUNDRED TWENTY FIVE SOUTH TRYON		1,466.41
HARDY, TYRONE		2.01
HARRIS, PHILLIP THOMAS		24.41
HODGE, RHEA		137.98
HOLOMAN, MARK C		208.00
INTELLIGENT BUILDINGS LLC		40.60
J STIKLEATHER LLC, .		25.88
JENKINS, DARRIN G		215.42
JOHNSON, MARTHA MAE		10.25
KAEWIMON, AREE NAMSOM		105.98
KEESLER, FRANCES MATILDA		0.44
KRYZYNSKI, RICHARD A		125.97
LIGHTHOUSE SOLUTIONS INTERNATI ONAL LLC		386.65
LIGHTHOUSE SOLUTIONS INTERNATI ONAL LLC		403.08
LIGHTHOUSE, SOLUTIONS		357.90
LIGHTHOUSE, SOLUTIONS		400.19
LIGHTHOUSE, SOLUTIONS		386.65
MALLARD CREEK OWNERS ASSOC INC		262.78
MALLARD CREEK OWNERS ASSOC INC		1,028.70

MALLARD CREEK OWNERS ASSOC INC	1,001.17
MALLARD CREEK OWNERS ASSOC INC	1,119.43
MALLARD CREEK OWNERS ASSOC INC	1,073.79
MASON, KENNETH W JR	1.92
MCCARREL, MARGARET KINARD	47.00
MCCARREL, MARGARET KINARD	47.00
MCNEILL, BOBBY ALEXANDER	215.42
MOULTON, KELLEY E	818.58
NEW, VERNON E	58.99
NEW, VERNON E	58.56
NEW, VERNON E	62.81
NEW, VERNON E	65.48
NOBLES, ANDY FRANKLIN JR	215.42
PIRANEO, ANGELO	139.16
PL COLISEUM LP	11,861.15
PRESS GANEY ASSOCIATES INC	272.94
PURE BODY SALON & SPA	308.49
PURE BODY SALON & SPA	36.15
QUICK, RICHARD ANTHONY	215.41
REDDEL, FREDERICK A V	701.39
SEIKO COMPANY STORE THE	170.81
SINGLETON, WALTER RAYMOND	42.28
STRANGE, JASON M	155.10
SUNSHINE DAYCARE PRESCHOOL	447.90
VASILIOGLO, KONSTANTIN	286.74
WHITE, ROBERT C	215.41
WILBURN, ELIZABETH	36.38
	<u><u>\$ 36,924.51</u></u>

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 25th day of January 2016 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.



Agenda Date: 1/25/2016

Agenda #: 31.**File #:** 15-2287 **Type:** Consent Item

Resolution of Intent to Abandon an Alleyway off of W. 28th Street

Action:

A. Adopt a Resolution of Intent to abandon an alleyway off of W. 28th Street, and

B. Set a public hearing for February 22, 2016.

Staff Resource(s):

Jeff Boenisch, Transportation

Explanation

- An alleyway off of W. 28th Street is located in Council District 1.

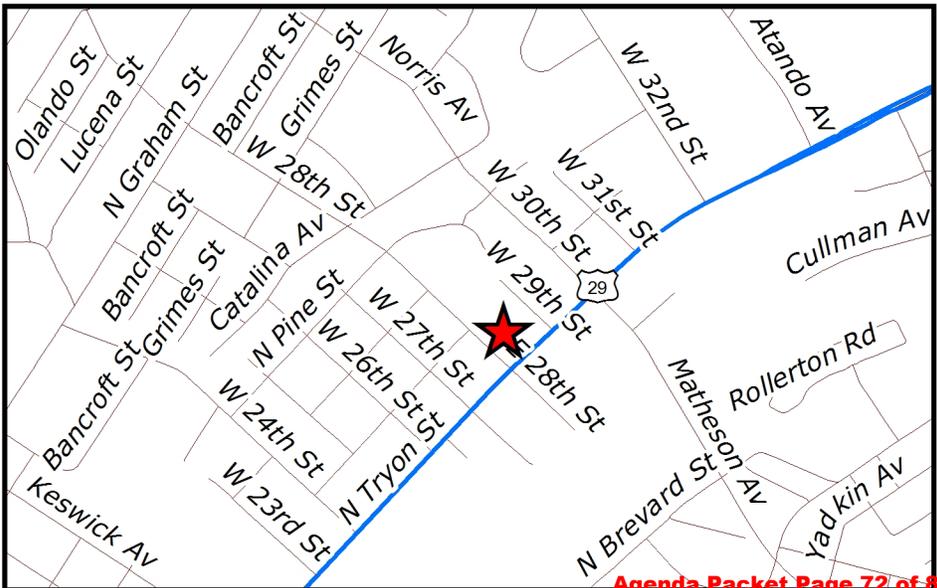
Attachment

Map

Resolution



Alleyway
off of W.
28th Street



CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION

Right-of-Way Abandonment
Petition 2015-18

Right-of-Way Abandonment Area



Alleyway off of W. 28th Street

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE an alleyway off of W. 28th Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Star Investments Group, LLC** has filed a petition to close an alleyway off of W. 28th Street in the City of Charlotte; and

Whereas, an alleyway off of W. 28th Street is located approximately 181 feet northwest from the intersection of W. 28th Street and N. Tryon Street, running 195 feet in a northeastward direction to its terminus, and consists of 1943 square feet, as shown in the map marked “Exhibit A” and is more particularly described by metes and bounds in the document marked “Exhibit B” all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 25, 2016, that it intends to close an alleyway off of W. 28th Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 22nd day of February 2016, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

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



Agenda Date: 1/25/2016

Agenda #: 32.**File #:** 15-2288 **Type:** Consent Item

Resolution of Intent to Abandon a Portion of E. 17th Street and an Alleyway off of E. 17th Street

Action:

- A. Adopt a Resolution of Intent to abandon a portion of E. 17th Street and an alleyway off of E. 17th Street , and**
- B. Set a public hearing for February 22, 2016.**

Staff Resource(s):

Jeff Boenisch, Transportation

Explanation

- A portion of E. 17th Street and an alleyway off of E. 17th Street is located in Council District 1.

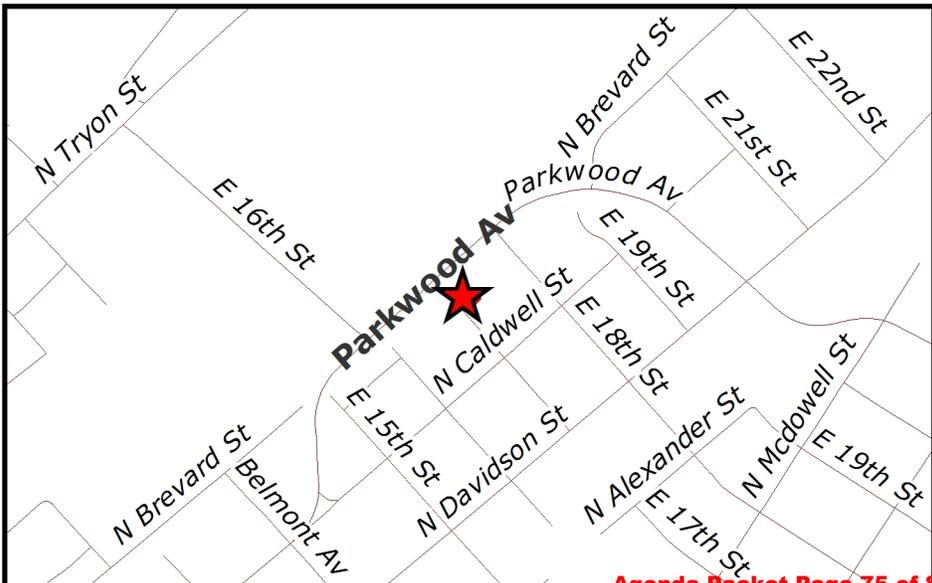
Attachment

Map
Resolution



Residual
portion of
E.17th Street

Alleyway
off E. 17th
Street



CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION

Right-of-Way Abandonment
Petition 2015-16

Right-of-Way Abandonment Area



A residual portion of E. 17th St.
and an adjacent alleyway

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of E. 17th Street and an alleyway off of E. 17th Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **300 Parkwood, LLC** has filed a petition to close a portion of E. 17th Street and an alleyway off of E. 17th Street in the City of Charlotte; and

Whereas, a portion of E. 17th Street is located approximately 74 feet southeast from the intersection of E. 17th Street and Parkwood Avenue, and consists of 1,059.68 square feet; and an alleyway off of E. 17th Street is located approximately 138 feet southeast from the intersection of E. 17th Street and Parkwood Avenue, running 63 feet in a northeastward direction to its terminus, and consists of 506.435 square feet, as shown in the maps marked “Exhibit A-1 and A-2” and is more particularly described by metes and bounds in the documents marked “Exhibit B-1 and B-2” all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 25, 2016, that it intends to close a portion of E. 17th Street and an alleyway off of E. 17th Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 22nd day of February 2016, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

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



Agenda Date: 1/25/2016

Agenda #: 33.**File #:** 15-2283 **Type:** Consent Item

Meeting Minutes

Action:

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

- **December 14, 2015, Combined Business and Zoning Meeting**
- **January 4, 2016, Workshop and Citizens Forum**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office



Agenda Date: 1/25/2016

Agenda #: 34.File #: 15-2240 Type: Consent Item

Land Purchase for Tree Canopy Preservation Program

Action:

- A. Approve the purchase of approximately 24.59 acres located on Hart Road in Mecklenburg County (parcel identification number 031-216-02) for \$270,100, from the Catawba Lands Conservancy, and**

- B. Authorize the City Manager to negotiate and grant a Conservation Easement to the Catawba Lands Conservancy.**

Staff Resource(s):

Tim Porter, Engineering & Property Management
Amanda Byrum, Engineering & Property Management

Explanation

- Effective January 1, 2011, the City Council approved revisions to the City's Tree Ordinance. The revised Ordinance changed tree save and tree planting requirements for commercial development and offered mitigation options at certain development locations.
- One mitigation option allows developers to pay into the Tree Ordinance Mitigation Fund (Fund), administered by the City, in lieu of saving trees on site.
- The City uses the Fund for property acquisition and expenditures associated with ongoing tree preservation and maintenance.
- Since that acquisition, City staff has established a Tree Canopy Preservation Program to set criteria for future acquisitions, including location, acreage, tree quality, rate of development in the area, connectivity to other open space or greenways, and opportunities for stewardship partner involvement.
- Staff researched many properties located primarily within Charlotte's city limits or within the City's extraterritorial jurisdiction and identified this property as a partnership opportunity with the Catawba Lands Conservancy, meeting the program criteria.
- The property is adjacent to the Catawba Wildflower Glen and the Smawley Tract, owned by the Catawba Lands Conservancy, and will provide additional acreage to a contiguous protected area.
- The property contains approximately 20 acres of contiguous mature hardwood forest. The remaining acreage on the property is located within Duke Energy transmission right-of-way, contains two rare plant species, and has been designated a Natural Heritage Site of national significance by the North Carolina Department of Environment & Natural Resources.
- The property was appraised at \$265,000 based on a market value determination of highest and best use at its current zoning of R-3. The purchase price of \$270,100 was negotiated based on the Catawba Lands Conservancy's acquisition of the property at \$245,000, the stewardship fee of \$11,600, and the City's portion of the shared due diligence costs.
- Following acquisition by the City, the Catawba Lands Conservancy will retain a Conservation Easement to ensure stewardship and maintenance of the property in perpetuity.
- The acquisition is structured to allow for a partnership between the City and Catawba Lands

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Conservancy that provides tax benefits to the property owners and shares costs for both the City's tree preservation and Catawba Lands Conservancy's property conservation purposes.

- The Charlotte-Mecklenburg Planning Commission recommended approval for the City to purchase the land.
- Contingent upon City Council approval and acquisition of this property, the Tree Ordinance Mitigation Fund will have a balance of approximately \$1,100,000. Staff has developed a working priority list of up to seven property acquisitions using the remaining balance of the funds.

Fiscal Note

Funding: General Community Investment Plan - Tree Preservation Program

Attachment

Tree Canopy Preservation Program Property Map

Smawley Property Acquisition - Tree Canopy Preservation Program

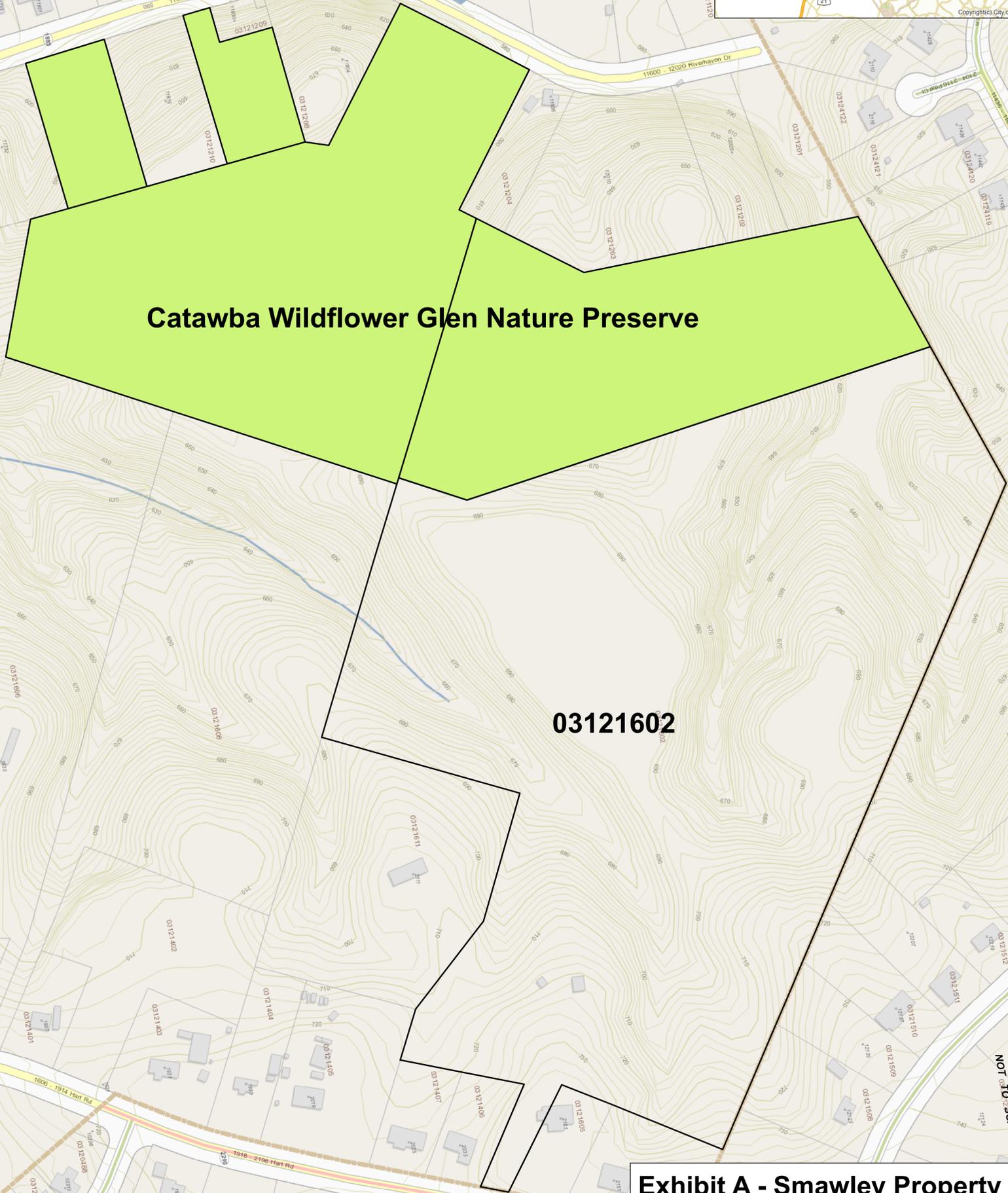
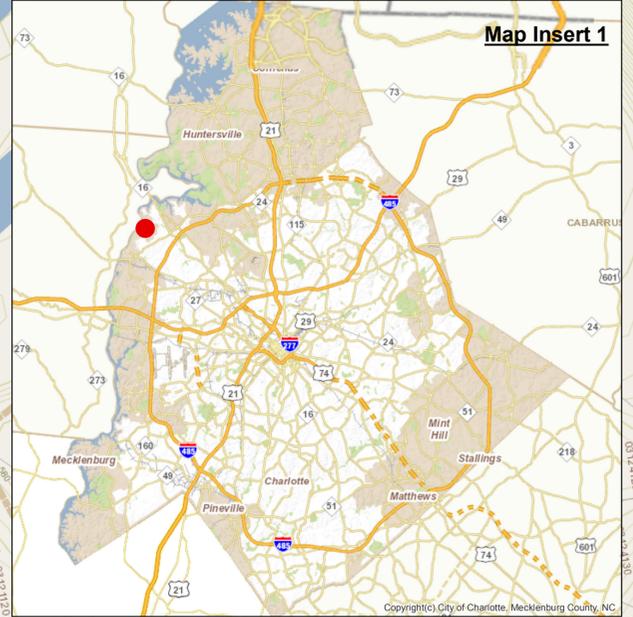


Exhibit A - Smawley Property Map

-  Smawley Property (031-21-602) - 24.591 acres
-  Catawba Lands Conservancy Nature Preserve

User Name: tporter Date: 12/31/2015



Agenda Date: 9/28/2015

Agenda #: 35.File #: 15-1472 Type: Consent Item

Reference - Charlotte Business INClusion Policy

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

Part A: Administration & Enforcement

Appendix Section 20: Contract: For the purposes of establishing an MWSBE subcontracting goal on a Contract, the following are examples of contract types:

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

Appendix Section 27: Exempt Contracts: Contracts that fall within one or more of the following categories shall be "Exempt Contracts" from all aspects of the Charlotte Business INClusion Policy, unless the Department responsible for procuring the Contract decides otherwise:

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

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

Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate

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shall be Exempt Contracts.

Federal Contracts Subject to DBE Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as set forth in 49 CFR Part 26 or any successor legislation shall be Exempt Contracts.

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

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

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

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

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

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

Appendix Section 35: Informal Contracts: Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

Construction Contracts Less Than or Equal To \$500,000:

Service and Commodities Contracts That Are Less Than or Equal To \$100,000:

Part B: Formal Construction Bidding

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

Part B: Section 2.3: No Goals When There Are No Subcontracting Opportunities.

The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

Part C: Services Procurement

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.



Agenda Date: 9/28/2015

Agenda #: 36.File #: 15-1473 Type: Consent Item

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.



Agenda Date: 9/28/2015

Agenda #: 37.File #: 15-1471 Type: Consent Item

Reference - Property Acquisitions and Condemnations

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