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WEEK IN REVIEW:

Mon (June 13)	Tues (June 14)	Wed (June 15)	Thurs (June 16)	Fri (June 17)
2:00 PM Transportation and Planning Committee, Room 280 5:00 PM Council Business Meeting, Room 267 7:00 PM Budget Adoption Meeting, Meeting Chamber			12:00 PM Community Safety Committee, Room 280	

CALENDAR DETAILS:

Monday, June 13

- 2:00 PM Transportation and Planning Committee, Room 280
AGENDA: Charlotte WALKS; Development ordinance and policy update; Permitting and inspections process review
- 5:00 PM Council Business Meeting, Room 267
- 7:00 PM Budget Adoption Meeting, Meeting Chamber

Thursday, June 16

- 12:00 PM Community Safety Committee, Room 280
AGENDA: Ground transportation at CLT; Joint communications center

June and July calendars are attached.



June-July 2016.pdf

AGENDA NOTES:

Agenda Item #38 – LYNX Blue Line Extension Rail Operations Control Center Upfit

Staff Resources: Jill Brim, CATS 704-336-2267, jbrim@charlottenc.gov

Kathleen Cishek, E&PM, 704-432-5214, ksantimaw@charlottenc.gov

John Joye, City Attorney's Office, 704-432-1271, jjoye@charlottenc.gov

At Monday's meeting, Council will be asked to approve this item, which is a rebid construction package. The new bid is the result of the City's February 26, 2016 termination of its contract with BPM Construction, Inc. (BPM), one of the Blue Line Extension (BLE) project's prime contractors. This issue was communicated previously in the February 17 Council-Manager Memo (attached).

BPM has contested the termination of its contract for default. The dispute resolution process mandated by the contract was followed and culminated in a mediation held on April 18, 2016. The mediation ended in an impasse. BPM filed a lawsuit against the City on April 27, 2016. The City's answer will include claims for default against BPM and its Surety.

As the litigation process unfolds, the City is continuing to proceed with the BLE project and rebid the work that remains incomplete due to the termination of BPM. The unfinished work has been segmented into separate phases in order to continue the overall BLE project schedule as well as rail operations and maintenance. Monday night's item is the first in a series of rebid construction packages that will be brought to City Council for approval.



2.17.16 CMM.pdf

INFORMATION:

June 17 – Mayor’s Youth Employment Program (MYEP) Summer Internship Kickoff

*Staff Resources: David Jessup, NBS, 704-591-7285, david.jessup@charlottenc.gov
Steve Wood, NBS, 704-336-4161, swood@charlottenc.gov*

City Council is invited to join the Mayor, local employers, interns, and community supporters to kick off the summer internship season for the Mayor’s Youth Employment Program (MYEP) on Friday, June 17, 2-4 p.m. at CenterStage@NoDa, 2315 N. Davidson Street (feel parking is available). This year, 70 employers will host 359 interns. In addition to highlighting the summer placements, participants will also celebrate the program’s 30 years of community impact.

Over the past three decades, MYEP has sought to build partnerships with host employers in the private, public, and non-profit sectors in order to provide career experiences for program participants. These opportunities help youth develop career goals, stay in school, achieve academically, and enhance social skills necessary to succeed in life.

Future Work Plan for FY2018 Budget Planning

Staff Resource: Kim Eagle, Management & Financial Services, 704-336-3700, keagle@charlottenc.gov

Information pertaining to a Future Work Plan for FY2018 Budget Planning is included in the June 13 FY2017 Operating Budget and FY2017-FY2021 Community Investment Plan agenda item. The purpose of this work plan is to outline items that will be evaluated throughout FY2017 by staff, the Budget Committee, other Council committees, or the full Council in preparation for the January 2017 Council Retreat and the FY2018 budget development process. The primary emphasis of this work is to consider the City’s long-term financial stability and service provision.

FY2018 budget work plan items include:

Service and Program Review

- Conduct a detailed review of all services and programs provided by the City of Charlotte. The purpose of the review is to evaluate current services and the level of service provided.
- Once completed, the service and program review will be used by staff and City Council to consider options for ensuring the long-term sustainability of City services and associated supporting revenues. This process may include the development of an advisory committee, or other structure, to assist with the review and recommendation of revenue options and overall financial planning.

Solid Waste Services Review

- Continue the evaluation of Solid Waste Services delivery options and appropriate cost recovery model. Council discussed the option to increase the solid waste fee by \$9 in FY2018 (from \$33 to \$42) in order to balance the FY2018 General Fund operating

budget. This option will be evaluated as a part of the overall discussion on Solid Waste Services. This discussion will occur in the fall of 2016 and include ordinance revisions as previously identified. Completion of this Solid Waste Services evaluation will need to take place by the end of calendar year 2016 in order to be prepared for the FY2018 budget development process and any necessary associated contracts.

2016 State Legislative Report #7

Staff Resource: Dana Fenton, City Manager's Office, 704-336-2009, dfenton@charlottenc.gov

Attached is the Week 7 State Legislative Report.



2016 week 7
report.pdf

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			<p>1</p> <p>Mayor and Council to Raleigh</p> <p>12:00pm Housing & Neighborhood Development Committee Mtg., Room 280</p>	<p>2</p> <p>6:30pm CM Mitchell's Engagement Through Economic Development Town Hall Mtg., Room 267</p>	3	4
5	<p>6</p> <p>12:00pm Environment Committee Mtg., Room 280</p> <p>5:00pm Council Workshop/Citizens' Forum, Room 267</p>	7	<p>8</p> <p>NCLM Town Hall Day Raleigh, NC</p>	9	10	11
12	<p>13</p> <p>2:00pm Transportation & Planning Committee Mtg., Room 280</p> <p>5:00pm Council Business Mtg., Room 267</p> <p>7:00pm Budget Adoption, Meeting Chamber</p>	14	15	<p>16</p> <p>12:00pm Community Safety Committee Mtg., Room 280</p>	17	18
19	<p>20</p> <p>12:00pm Council Agenda Briefing (optional), Room 886</p> <p>12:00pm Intergovernmental Relations Committee Mtg., Room 280</p> <p>5:00pm Zoning Meeting, Room Ch-14</p>	21	<p>22</p> <p>5:30pm MTC Meeting, Room 267</p>	23	<p>24</p> <p>25</p> <p>US Conference of Mayors Annual Meeting Indianapolis, IN</p>	
26	<p>27</p> <p>12:00pm Governance & Accountability Committee Mtg., Room 280</p> <p>2:00pm City Manager's Update Mtg., Room CH-14</p> <p>5:00pm Citizens' Forum/Council Business Mtg., Room 267</p>	28	<p>29</p> <p>Mayor and Council to Raleigh</p>	30		

2016

US Conference of Mayors Annual Meeting Indianapolis, IN

July

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1	2
3	4 Independence Day	5	6	7	8	9
10	11 12:00pm Governance & Accountability Committee Mtg., Room 280	12	13	14	15	16
17	18 12:00pm City Manager's Evaluation, Room CH-14 5:00pm Zoning Meeting, Room Ch-14	19	20	21	22	23
24	25 5:00pm Citizens' Forum/Council Business Mtg., Room 267	26	27 5:30pm MTC Meeting, Room 267	28	29	30
31						

2016

Termination of a Construction Contract for CATS Blue Line Extension Project

Staff Resources: Danny Rogers, CATS 704-432-3033, drogers@ci.charlotte.nc.us

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John Joye, City Attorney's Office, 704-432-1271, jjoye@ci.charlotte.nc.us

On February 12, the City of Charlotte gave BPM Construction, Inc. seven-day written notice that their contract would be terminated on the CATS Blue Line Extension (BLE) Project – South Boulevard Light Rail Facility (SBLRF) Upfit.

On April 13, 2015, City Council awarded a contract for the BLE South Boulevard Light Rail Facility Upfit project in the amount of \$3,640,521.90. This contract is the smallest of several prime contracts utilized by the BLE project. BPM was authorized to begin work on June 1, 2015.

The SBLRF Upfit project provides for the addition of a new maintenance mezzanine, enclosure of existing facility space to provide secure parts storage and a parts testing area, expansion of the existing Rail Operation Control Center (ROCC), and HVAC modifications to the testing area, Clean Room and Electronics Shop.

The City's contract with BPM authorizes termination when the contractor "refuses or fails to supply enough properly skilled workers or proper materials" or "otherwise is guilty of substantial breach of a provision of the Contract Documents". The contract completion date was projected to be April 2016. At this time, the City believes approximately 75% of the project work remains to be completed. Staff has attempted to work with the contractor to facilitate completion without success.

A copy of the notice of termination was also sent to BPM's surety, Western Surety Company, asking that it honor its obligations under the performance bond to ensure completion of the project. Representatives of the surety are investigating the project to confirm the status of the remaining work. The surety is aware of the issues with the project and City staff will work with Western Surety to facilitate a smooth transition for the completion of the contract. Staff will keep Council informed of any developments.



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**CITY MANAGER'S OFFICE
M E M O R A N D U M**

June 10, 2016

TO: Ron Carlee, City Manager
Ron Kimble, Deputy City Manager

FROM: Dana Fenton, Intergovernmental Relations Manager

SUBJECT: 2016 State Legislative Report #7

Trending Topics

2016 Appropriations Act ([HB 1030](#) – Dollar) changes made by the Senate were rejected by the House and conferees were appointed.

Body-Worn & Dashboard Cameras / No Public Records ([HB 972](#) – Faircloth) reported out of House Judiciary II on Tuesday, June 7.

Next week, the Senate will be taking up in Committee the General Statute Technical Corrections measures. These are typically taken up in the last few weeks of a legislative session.

Administrative & Fiscal

2016 Appropriations Act ([HB 1030](#) – Dollar): The House rejected the Senate version of HB 1030, and both Senate and House appointed conferees. Points of contention include:

- Senate language to limit state participation in commuter rail, intercity rail, and light rail projects to 10% of project costs, which complicates the House proposal for a “clean repeal” of language from 2015 limiting state participation in light rail projects to \$500,000. The “clean repeal” language was first introduced in **Repeal Light Rail Funding Cap ([HB 988](#) – Torbett / [SB 857](#) – McKissick)**.
- Senate language to repeal a key plank of the 2015 sales tax redistribution compromise that contributed \$17.6 million from State to local sales tax coffers. The repeal of the \$17.6 million contribution to local sales tax coffers was originally proposed in **Change the Local Option Sales Tax Adjustment Factor ([SB 846](#) – Brown)**.
- Senate and House budgets phase in an increase of the personal income tax standard deduction from \$15,500 to \$17,500 but over different time periods. Senate phases it in over two years while the House has a four year phase in period.

No action has been taken on **Repeal House Bill 2** ([HB 946](#) – Jackson / [SB 784](#) – Van Duyn) or **The Equality for All Act** ([HB 1078](#) – Sgro).

Economic Development

No action has been taken by either the House or Senate on the three economic development measures that are focused upon rural economic development. The measures are: **Economic Development Changes and Study** ([HB 1029](#) – S. Martin / [SB 810](#) – Brown), **Eliminate Use of Development Tiers** ([HB 1082](#) – Davis / [SB 844](#) – Hise), and **Prosperity & Economic Opportunity for All NC Act** ([HB 1090](#) – S. Martin / [SB 826](#) – Gunn). The House versions of the bills have been referred to House Rules. The Senate versions have been referred to Senate Commerce with serial referrals to Senate Finance and Appropriations/Base Budget.

Infrastructure

Terminate Agreement for Tolling of I-77 ([HB 954](#) – Jeter): was reported out of House Transportation and Appropriations, and passed the House on June 2 by vote of 81-27. HB 954 referred to Senate Transportation.

Environmental & Planning

Regulatory Reduction Act of 2016 ([HB 169](#) – Hager) reported out of Senate Rules Committee and is calendared for Senate debate on Monday, June 13. HB 169 would repeal recycling requirements for discarded computer equipment and televisions that is based upon US EPA finding that electronics can be safely disposed of in municipal solid waste landfills.

Regulatory Reform Act of 2016 ([SB 303](#) – Barefoot) reported out of House Regulatory Reform and Finance Committees. SB 303 would address various subjects including public records, statute of limitations on land-use violations, rezoning's and simultaneous amendments to comprehensive plans, etc.

Public Safety

Body-Worn & Dashboard Cameras / No Public Records ([HB 972](#) – Faircloth): Legislation recommended by the Joint Legislative Oversight Committee on Justice and Public Safety to establish statewide standards for the release of body-worn and dashboard camera video and audio. HB 972 reported out of House Judiciary II and received serial referral to House Finance.

No action has been taken on **Local Government Immigration Compliance** ([SB 868](#) – Sanderson) that creates “additional incentives” for local governments to comply with State immigration laws. SB 868 referred to Senate Judiciary II, if favorable, to Finance, and if favorable, to Appropriations / Base Budget.