City of Charlotte

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

Meeting Agenda

Monday, August 24, 2015

Council Chambers

City Council Business Meeting

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

Monday, August 24, 2015  5:00 PM  Council Chambers

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Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202
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CITY COUNCIL MEETING
Monday, August 24, 2015
In addition to the previously advertised public hearing items, Departments have asked that the time sensitive items listed below not be deferred.

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Agenda #: 2. File #: 15-1151 Type: Dinner Briefing

**Mayor and Council Consent Item Questions**

**Staff Resource(s):**
Hyong Yi, City Manager’s Office

**Time:** 5 minutes

**Synopsis:**
Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the dinner meeting.
Zoning Ordinance Update

Committee Chair:
Council member Vi Lyles

Staff Resource(s):
Bridget Dixon, Planning
Alysia Osborne, Planning

Time: 15 minutes

Explanation
- The purpose of the dinner briefing is to provide a status update on the Zoning Ordinance rewrite process, with an emphasis on consultant selection.
- On June 9, 2014, the City Council approved funding for consultant services to support a comprehensive update of the Charlotte Zoning Ordinance. The funding was approved through the Fiscal Year 2015 budget process.
- A multi-departmental selection team has chosen a consultant team, which will be led by Camiros and will include Parker Poe, Gantt Huberman Architects, and Wray Ward.
- On August 10, 2015, staff provided an update on consultant selection and the ordinance rewrite process to the Transportation & Planning Committee.

Future Action
A full scope and contract for consulting services for the Zoning Ordinance Update will be brought to the City Council for approval in the fall.
Rezoning Process Update

Staff Resource(s):
Laura Harmon, Planning
Tammie Keplinger, Planning

Time: 30 minutes

Explanation

- The purpose of the dinner briefing is to present recommended changes to the rezoning process. The focus will be on recommendations related to the length of meetings and changes to the staff analyses and presentations for individual petitions.
- The City Council holds monthly rezoning meetings to make decisions on rezoning petitions and to hold public hearings.
- A rezoning petition is a request to make a change from the existing zoning district to a new zoning district for specified property. A zoning district defines the allowed use and development standards for the property.
- The City Council has expressed concerns about the increased length of recent rezoning meetings. The length of these meetings reflects the increased number of rezonings petitions, which has grown from 78 submittals in Fiscal Year 2011 to 138 in Fiscal Year 2015.
- The City Council has also provided feedback on additional information and analysis needed for council members to assess rezoning petitions.

Future Action
The presentation is for information only.
Agenda #: 5. File #: 15-1152 Type: Dinner Briefing

Answers to Mayor and Council Consent Item Questions

Staff Resource(s):
Hyong Yi, City Manager’s Office

Time: 10 minutes

Synopsis
Staff responses to questions from the beginning of the dinner meeting.
Closed Session

Action:

Adopt a motion pursuant to North Carolina General Statute 143-318.11(a)(4) to go into closed session to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.
Watch For Me NC Proclamation

Mayor Clodfelter will read a proclamation recognizing October 11-17, 2015, as Watch for Me NC Week.
Pediatric Cancer Awareness Month

Mayor Clodfelter will read a proclamation recognizing September 2015 as Pediatric Cancer Awareness Month.
Sickle Cell Partners of the Carolinas Day Proclamation

Mayor Clodfelter will read a proclamation recognizing September 12, 2015, as Sickle Cell Partners of the Carolinas Day.
Dyslexia Awareness Month

Mayor Clodfelter will read a proclamation recognizing October 2015 as Dyslexia Awareness Month.
Good Neighbor Month

Mayor Clodfelter will read a proclamation recognizing September 2015 as Good Neighbor Month
Agenda #: 12. File #: 15-1188 Type: Consent Item

Consent agenda items 33 through 100 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

A. Consideration of consent Items that have not been pulled, and
B. Consider of Consent Items with citizens signed up to speak to the item.
Public Hearing on Blue Line Extension Financing

Action:
A. Conduct a public hearing relating to the financing of the LYNX Blue Line Extension project,
B. Adopt the final resolution regarding the plan of finance for the project, and
C. Authorize the City Manager to take necessary actions to complete the financing and pay the associated fees of the transaction.

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

Explanation
- On March 25, 2013, the City Council approved a financing plan for the CATS LYNX Blue Line Extension (BLE) project. The $1.16 billion BLE project is funded through a federal grant (50%), a state grant (26%), and local funding (24%).
- The local share of the project is $281 million, primarily comprised of transit sales tax revenue. Up to $180 million of the local share will be financed through long-term debt.
- In April 2014, the Transit Funding Working Group made a recommendation to pursue credit assistance for the BLE project from the Transportation Infrastructure Finance and Innovation Act (TIFIA) program.
- A TIFIA loan is directly funded from the federal government and provides greater repayment flexibility and lower long-term fixed interest rates than are available from traditional financing in the public markets.
- In November 2014, the City submitted a TIFIA Letter of Interest to the U.S. Department of Transportation (USDOT).
- On June 19, 2015, based on review of the BLE project’s eligibility and creditworthiness, USDOT issued an invitation to the City to submit an application for TIFIA credit assistance, which is the last step in the TIFIA loan application process.
- On July 27, 2015, as required by North Carolina state statute, the City Council set a public hearing regarding the financing for August 24, 2015.
- The execution and closing of the TIFIA loan is subject to negotiation of a loan agreement with a target closing date in September 2015.
- This is the last Council action necessary for this financing.

Fiscal Note
Funding: CATS Debt Service Fund
Attachment
Bond Resolution
A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on August 24, 2015:

Members Present:

Members Absent:

Councilmember _______________ introduced the following resolution, a summary of which had been provided to each Councilmember, copy of which was available with the City Council and which was read by title:

RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS

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

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

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

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

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

WHEREAS, the City’s payment obligations with respect to the TIFIA Loan, if approved, would be established under Amendment Number Four to the Installment Purchase Contract dated as of September 1, 2015 (the “Fifth Amendment,” and together with the 2003 Contract, the “Contract”) between the City and the Corporation, and in connection with the City’s execution and delivery of the Fifth Amendment, the Corporation would execute and deliver a Certificate of Participation (Transit Projects/Phase III), Series 2015D (the “2015 TIFIA Certificate”) under the 2003 Indenture and Supplemental Indenture, Number Eight dated as of September 1, 2015 (the “Eighth Supplement” and together with the 2003 Indenture, the “Indenture”) between the Corporation and the Trustee;

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

WHEREAS, in connection with the execution and delivery of the Fifth Amendment, the Eighth Supplement and the TIFIA Certificate, USDOT requires the City to enter into a TIFIA Loan Agreement (the “TIFIA Loan Agreement”) among USDOT, the City and the Corporation under which the City will make certain representation, warranties and covenants related to the Project and the performance of its obligations related to the Federal credit assistance being provided for the Project;

WHEREAS, consistent with the City’s financial policies for the Charlotte Area Transit System, the City Council of the City of Charlotte, North Carolina (the “City Council”) has determined that it is in the best interests of the City to enter into the installment purchase financing described above to accomplish the financing of the Project and to pay a portion of the costs of executing and delivering the Fifth Amendment;

WHEREAS, there has been described to the City Council the Fifth Amendment and the TIFIA Loan Agreement (collectively referred to herein as the “Instruments”), copies of which have been made available to the City Council, which the City Council proposes to approve, enter into and deliver to effectuate the proposed installment purchase financing;

WHEREAS, it appears that each of the Instruments is in an appropriate form and is an appropriate instrument for the purposes intended;

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

Section 1. Ratification of Instruments. All actions of the Mayor, the City Manager, the Deputy City Manager, the City’s Chief Financial Officer, the City Clerk, the Chief Executive Officer of Charlotte Area Transit System (“CATS”) and the Chief Financial Officer of CATS and their respective designees (collectively, the “Authorized Officers”), whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. Authorization of Instruments. The City approves the transactions contemplated by the Instruments, which will be a valid, legal and binding obligations of the City in accordance with its terms. The form and content of the Instruments are hereby in all respects authorized, approved and confirmed, and the Authorized Officers or their respective designees, individually or collectively, are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the
Instruments, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City’s approval of any and all changes, modifications, additions or deletions therein from the form and content of the Instruments presented to the City Council. From and after the execution and delivery of the Instruments, the Authorized Officers, or their designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Instruments as executed.

Section 3. City Representative. Each of the Authorized Officers is hereby designated as the City’s representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments, and each is authorized to proceed with the financing of the Project in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which City Attorney is authorized to furnish on behalf of the City. The City’s representative and their designees are in all respects authorized, individually and collectively, to supply on behalf of the City all information pertaining to the City contemplated by the Instruments. The Authorized Officers or their respective designees are hereby authorized, empowered and directed, individually and collectively, to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments and the continued compliance and administration of the transactions contemplated by the Instruments or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 4. Severability. If any section, phrase or provision of this Resolution is declared invalid for any reason, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 5. Repealer. All motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 6. Effective Date. This Resolution will take effect immediately on its adoption.

On motion of Councilmember _______________________, seconded by Councilmember _______________________, the foregoing resolution titled “RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS” was duly adopted by the following vote:

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 24th day of August, 2015.
I, ____________________, the ____________________ of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution entitled “RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 24th day of August, 2015, the reference having been made in Minute Book _____, and recorded in full in Resolution Book ______, Page(s) ______.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ___ day of August, 2015.

_________________________________
____________________
__________ City Clerk
City of Charlotte, North Carolina
Rezoning Petition 2015-014

Action:

Render a decision on proposed rezoning 2015-14 by Park Sharon Properties, LLC
- From R-3 (single-family residential)
- To UR-2 (CD)(urban residential, conditional)

Staff Resource(s):
Tammie Keplinger, Planning

Explanation

- The public hearing on this rezoning petition was held on May 18, 2015.
- The property is approximately 4.66 acres located on the northeast corner at the intersection of Park Road and Sharon Road. (Council District 6 - Smith)
- The petition proposes 19 for sale single-family attached dwelling units and a maximum of 36 for rent or for sale multi-family dwelling units, at an overall density of 11.8 units per acre.
- The City Council deferred the decision on this sufficiently protested petition from July 20 to August 24 as the full Council was not present.
- The Zoning Committee found the petition to be consistent with the South District Plan and the General Development Policies. Therefore, the petition was found to be reasonable and in the public interest based on the staff analysis and the public hearing.
- The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the noted modifications.
- Staff agrees with the recommendation of the Zoning Committee.

Attachment
Zoning Committee Statement of Consistency
Zoning Committee Recommendation
Staff Analysis
Vicinity Map
Locator Map
Site Plan
Zoning Committee Statement of Consistency
Rezoning Petition 2015-014

The Zoning Committee found this petition to be consistent with the *South District Plan* and the *General Development Policies*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends residential land uses at this location and the site meets the *General Development Policies (GDP)* criteria for 12 dwelling units per acre.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the proposed request:

- Provides connectivity via a new street; and
- Provides buffers, landscaped areas and fencing abutting existing single family dwellings; and
- Limits the three-story building to the intersection of Sharon Road and Park Road; and
- Contributes to the civic design of the street.
Note: The petitioner is requesting a deferral of the decision on this petition to the July 27, 2015 Business meeting.

REQUEST

- Current Zoning: R-3 (single family residential)
- Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

- Approximately 4.66 acres located on the northeast corner at the intersection of Park Road and Sharon Road.
- (Council District 6 - Smith)

SUMMARY OF PETITION

- The petition proposes 18 for-sale single family attached dwelling units and a maximum of 36 for-rent or for-sale multi-family dwelling units, at an overall density of 11.6 units per acre.

PROPERTY OWNER

- John L. Allen, Jr., Kathryn Allen and Willeen A. Roy

PETITIONER

- Park Sharon Properties, LLC

AGENT/REPRESENTATIVE

- John Carmichael, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETING

- Meeting is required and has been held. Report available online.
- Number of people attending the Community Meeting: 86

STATEMENT OF CONSISTENCY

- This petition is found to be consistent with the South District Plan and the General Development Policies, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends residential land uses at this location and the site meets the General Development Policies (GDP) criteria for 12 dwelling units per acre.

Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the proposed request:
  - Provides connectivity via a new street; and
  - Provides buffers, landscaped areas and fencing abutting existing single family dwellings; and
  - Limits the three-story building to the intersection of Sharon Road and Park Road; and
  - Contributes to the civic design of the street;

By a 6-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Nelson).

ZONING COMMITTEE ACTION

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:

1. Labeled the 10-foot landscape/buffer area referenced in Note F under the heading of Streetscape and Landscaping/Screening.
   Amended Note F under Streetscape and Landscaping/Screening as follows: "A minimum 10-foot wide landscape area shall be established along that portion of the site’s boundary adjacent to tax parcel 179-112-38 as more particularly depicted on the rezoning plan. Trees and shrubs shall be installed within this 10-foot wide landscape/buffer area in accordance with the landscape plan on the rezoning plan."

2. Amended Note I under the heading of Streetscape and Landscaping/Screening to clarify the location of the yards referenced as follows: "Fences may be installed to enclose the yards of the single family attached dwelling units at the option of the petitioner or the ultimate owners of the single family attached dwelling units. The potential locations of these optional fences are depicted on the rezoning plan; however, the ultimate locations of any such fences may deviate from what is depicted on the rezoning plan."
plan due to the final grade of the site.”

3. Revised the site plan to label the portion of the proposed access on Sharon Road that stubs to abutting residential property located north of the subject property as a public Residential Medium street. Amended Note I under the heading of Transportation to state that the proposed street shall terminate at a point 32 to 40 feet from the northerly boundary line of the site, and the petitioner shall dedicate right-of-way from the terminus of the improvements relating to the Residential Medium Street to the northerly boundary line of the site as depicted on the rezoning plan to accommodate a potential future vehicular connection to the parcels of land located to the north of the site in the event such parcels are redeveloped.

4. Amended Note G under the heading of Architectural Standards to specify that the permitted exterior building materials for the elevations of the multi-family buildings that front Sharon Road and Park Road are designated and labelled on the conceptual architectural renderings set out on Sheet RZ-2 and these exterior building materials shall be utilized on all elevations of the multi-family building (i.e. brick predominately utilized on all sides of the multi-family building). The use of cementitious siding shall be permitted for accent features, which shall include, but not be limited to, bay windows, dormers, shed roofs, and gables.

5. Amended Note E under heading of Transportation to delete the word “shelter” and instead reference bus concrete waiting pad.

6. Along the entire Sharon Road frontage, replacing the back of curb sidewalk with an eight-foot wide planting strip and a six-foot wide sidewalk.

7. Reduced the number of for-sale single family attached dwelling units from 19 to 18 units.

8. Petitioner shall, at its sole cost and expenses, restripe that portion of Sharon Road that is more particularly depicted on the rezoning plan. The restriping of Sharon Road shall be completed by Petitioner prior to the issuance of a certificate of occupancy for the first new building constructed on the site.

9. Petitioner shall construct that portion of the public Residential Medium Street that is depicted on the rezoning plan. As depicted on the rezoning plan, the Residential Medium Street and any improvements relating thereto shall terminate at a point located approximately 32 to 40 feet from the northerly boundary line of the site. Petitioner shall dedicate right-of-way from the terminus of the improvements relating to the Residential Medium Street to the northerly boundary line of the site as depicted on the rezoning plan to accommodate a potential future vehicular connection to the parcels of land located to the north of the site in the event that such parcels are redeveloped. This right-of-way area shall remain unimproved except for a fence and landscaping until such time that the Residential Medium Street is extended to the northerly boundary line of the site in connection with the redevelopment of the parcels of land located to the north of the site.

10. Prior to the issuance of a certificate of occupancy for the first new building constructed on the site, the petitioner shall submit the sum of $12,000 or a letter of credit in the amount of $12,000, to CDOT to pay for and fund the installation of a pedestrian refuge in Sharon Road. This $12,000 payment, or letter of credit, shall be held by CDOT for the three-year period commencing on the date of the issuance of a certificate of occupancy for the first new building constructed on the site. If CDOT makes the decision to install the pedestrian refuge within this three-year period, then these funds shall be used by CDOT to pay for the installation of the pedestrian refuge. If CDOT does not make the decision to install the pedestrian refuge within this three-year period or determines not to install the pedestrian refuge prior to the expiration of this three-year period, then the $12,000 payment of the letter of credit shall be returned to the petitioner. CDOT and the petitioner shall
enter into an escrow agreement to document this agreement.

11. The maximum height of the multi-family building shall be 50 feet as measured from the average grade at the base of the structure.

12. The maximum height of the multi-family building, as measured only from that specific point on Sharon Road designated as "Point A- Elevation 680 Feet" on the rezoning plan, shall be 55 feet.

13. The maximum height of the single family attached dwelling units shall be 45 feet as measured from the average grade at the base of the structure.

14. Amended Note F under Architectural Standards as follows: Set out on Sheet RZ-2 are conceptual architectural renderings of the elevations of the multi-family buildings that front Sharon Road and Park Road that are intended to depict the general conceptual architectural style and character of the elevations of the multi-family buildings that front these public streets. Accordingly, the elevations of the multi-family buildings that front Sharon Road and Park Road shall be designed and constructed so that such elevations are substantially similar in appearance to the conceptual architectural renderings set out on Sheet RZ-2 with respect to architectural style, character, and primary building materials. Notwithstanding the foregoing, changes and alterations to the elevations of the multi-family buildings that front the relevant public streets which do not materially change the overall conceptual architectural style and character shall be permitted.

15. Amended Note H under Architectural Standards as follows: Set out on Sheet RZ-2 are conceptual architectural renderings of the front elevation of the single family attached dwelling units that will face the site (designated as the "Exterior Facing Townhome Elevation") and conceptual architectural renderings of the rear elevation of the single family attached dwelling units that will face the internal portions of the site (designated as the "Interior Facing Townhome Elevation") that are intended to depict the general conceptual architectural style and character of the front and rear elevations of the single family attached dwelling units. Accordingly, the front elevation of the single family attached dwelling units shall be designed and constructed so that such elevation is substantially similar in appearance to the Exterior Facing Townhome Elevation with respect to architectural style, character and primary building materials, and the rear elevation of the single family attached dwelling units shall be designed and constructed so that such elevation is substantially similar in appearance to the Interior Facing Townhome Elevation with respect to architectural style, character and primary building materials. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted. Additionally, notwithstanding the above, the single family attached dwelling units may utilize a hip roof, a gable roof or a combination thereof.

16. Amended Note I under Architectural Standards as follows: The permitted exterior building materials for the single family attached dwelling units are designated and labelled on the Exterior Facing Townhome Elevation and the Interior Facing Townhome Elevation set out on Sheet RZ-2, and these exterior building materials shall be utilized on the side elevations of the single family attached dwelling units (i.e. brick predominantly utilized on all sides of the single family attached dwelling units). The use of cementitious siding shall be permitted for accent features, which shall include but not be limited to bay windows, dormers, shed roofs, and gables.

17. Amended Note D under Streetscape and Landscaping/Screening as follows: A minimum 30-foot wide landscape area shall be established along those boundaries of the site that are more particularly depicted on the rezoning plan. Trees and shrubs shall
be installed within this 30-foot wide landscape area in accordance with the landscape plan on the rezoning plan. The 30-foot wide landscape area is a portion of the site’s tree save area under the Tree Ordinance, and petitioner will comply with the requirements of the Tree Ordinance with respect to the preservation of trees located within the 30-foot wide landscape area.

18. Petitioner may remove trees from the 30-foot wide landscape area as required to install the fence described below in paragraph G within the 30-foot wide landscape area. Petitioner shall take reasonable measures to minimize the loss of trees in connection with the installation of the fence, including meandering the fence up to five feet from a centerline bearing.

19. Amended Note G under Streetscape and Landscaping/Screening to specify that the petitioner shall install a minimum six-foot tall fence within the 30-foot wide landscape area as depicted on the rezoning plan, and the fence may meander up to five feet from a centerline bearing.

20. Amended Note H under Streetscape and Landscaping/Screening to specify that the petitioner shall install a minimum seven-foot tall wall along that portion of the site’s boundary adjacent to tax parcel 179-112-38.

21. Amended Note I under Streetscape and Landscaping/Screening as follows: Fences may be installed to enclose the yards of the single family attached dwelling units at the option of the petitioner or the ultimate owners of the single family attached dwelling units. The potential locations of these optional fences are depicted on the rezoning plan; however, the ultimate locations of any such fences may deviate from what is depicted on the rezoning plan due to the final grade of the site.

22. Construction activities may not be conducted on the site on Sundays.

23. Any construction activities conducted on the site on Saturdays may not commence prior to 8:30 a.m. and must cease by 7 p.m.

24. Concrete may be poured on the site only between the hours of 7 a.m. and 8 p.m.

25. Amended Elevations on Sheet RZ-2 to amend the Perimeter Fence Detail to reflect prefinished black aluminum (simulated wrought iron) fence pickets and rails and prefinished black aluminum (simulated wrought iron) fence post.

26. Amended Elevations on Sheet RZ-2 to label Elevation 03 as Exterior Facing Townhome Elevation.

27. Amended Elevations on Sheet RZ-2 to add Elevation 07 Interior Facing Townhome Elevation.

28. Proposed left-turn lane reflected on Sharon Road

29. Proposed setbacks and future back of curb location reflected along Sharon Road and Park Road.

VOTE
Motion/Second: Nelson/Ryan
Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, and Sullivan
Nays: None
Absent: Walker
Recused: None

ZONING COMMITTEE DISCUSSION
Staff provided a summary of the petition and noted that all outstanding issues have been addressed. Staff noted that CDOT amended their comments for the petition from those listed in the staff analysis, and worked with the petitioner to address all transportation issues.

STAFF OPINION
Staff agrees with the recommendation of the Zoning Committee.
PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - The petition proposes 18 for-sale single family attached dwelling units and a maximum of 36 for-rent or for-sale multi-family dwelling units, at an overall density of 11.6 units per acre.
  - Single family attached units limited to two stories in height, with a pitched roof.
  - Multi-family units are limited to three stories excluding the below grade parking structure.
  - The maximum height in feet of the multi-family building shall be 50 feet as measured from the average grade at the base of the structure.
  - The maximum height in feet of the multi-family building as measured only from that specific point on Sharon Road designated as "Point A- Elevation 680 Feet" on the rezoning plan shall be 55 feet.
  - The maximum height in feet of the single family attached dwelling units shall be 45 feet as measured from the average grade at the base of the structure.
  - Site access via Sharon Road and Park Road.
  - A concrete waiting pad will be provided for the existing bus stop located on Sharon Road abutting the site.
  - Petitioner to dedicate and convey 35 feet of right-of-way from the existing centerline of the Sharon Road right-of-way, and 50 feet from the existing centerline of the Park Road right-of-way, to the extent that such right-of-way does not already exist.
  - Proposed building materials include brick veneer, with architectural grade asphalt shingles, painted metal railings, and painted, vinyl or stucco trim and soffits. Vinyl is prohibited as an exterior building material except that vinyl may be utilized on the soffits and trim and vinyl windows may be installed on the multi-family building.
  - Conceptual architectural renderings for buildings along public streets, and exterior and interior facing townhome elevations. The elevations of the multi-family buildings that front Sharon Road and Park Road shall be designed and constructed so that such elevations are substantially similar in appearance to the conceptual architectural renderings set out on Sheet RZ-2 with respect to architectural style, character and primary building materials.
  - The permitted exterior building materials for the single family attached dwelling units as designated and labelled on the Exterior Facing Townhome Elevation and the Interior Facing Townhome Elevation shall be utilized on the side elevations of the single family attached dwelling units (i.e. brick predominantly utilized on all sides of the single family attached dwelling units). The use of cementitious siding shall be permitted for accent features, which shall include but not be limited to bay windows, dormers, shed roofs, and gables.
  - A minimum 30-foot wide landscape area shall be established along those boundaries of the site that are more particularly depicted on the rezoning plan. Trees and shrubs shall be installed within this 30-foot wide landscape area in accordance with the landscape plan on the rezoning plan.
  - The petitioner shall install a minimum seven-foot tall wall along that portion of the site’s boundary adjacent to tax parcel 179-112-38.
  - Fences may be installed to enclose the yards of the single family attached dwelling units at the option of the petitioner or the ultimate owners of the single family attached dwelling units. The potential locations of these optional fences are depicted on the rezoning plan; however, the ultimate locations of any such fences may deviate from what is depicted on the rezoning plan due to the final grade of the site.
  - Construction activities may not be conducted on the site on Sundays.
  - Any construction activities conducted on the site on Saturdays may not commence prior to 8:30 a.m. and must cease by 7 p.m.
  - Concrete may be poured on the site only between the hours of 7 a.m. and 8 p.m.
  - An eight-foot planting strip and six-foot sidewalk will be provided along the site’s frontage on Sharon Road and a 13-foot planting strip and six-foot sidewalk will be provided along the frontage on Park Road.
  - A minimum 20-foot setback from the back of curb along all public streets.
  - Freestanding lighting limited to 20 feet in height.
  - Freestanding lighting fixtures will be fully capped, shielded and downwardly directed. Lighting fixtures attached to buildings will be decorative, capped and downwardly directed.
  - Petitioner shall, at its sole cost and expenses, restripe that portion of Sharon Road as shown on the rezoning plan, and the restriping shall be completed by Petitioner prior to the issuance of a certificate of occupancy for the first new building constructed on the site.
• Petitioner shall construct that portion of the public Residential Medium Street and any improvements relating thereto, which shall terminate at a point located approximately 32 to 40 feet from the northerly boundary line of the site.
• Prior to the issuance of a certificate of occupancy for the first new building constructed on the site, the petitioner shall submit the sum of $12,000 or a letter of credit in the amount of $12,000, to CDOT to pay for and fund the installation of a pedestrian refuge in Sharon Road. This $12,000 payment, or letter of credit, shall be held by CDOT for the three-year period commencing on the date of the issuance of a certificate of occupancy for the first new building constructed on the site.
• Public Plans and Policies
  • The South District Plan (1993) recommends residential land uses at this location.
  • The plan references the residential locational criteria of the General Development Policies (GDP) for areas of higher density. The site currently meets the General Development Policies (GDP) criteria for 12 dwelling units per acre.

<table>
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<tr>
<th>Assessment Criteria</th>
<th>Density Category – up to 12 dua</th>
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<tr>
<td>Meeting with Staff</td>
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<td>Sewer and Water Availability</td>
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<td>Land Use Accessibility</td>
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<td>Design Guidelines</td>
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<td>Other Opportunities or Constraints</td>
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<tr>
<td><strong>Minimum Opportunities or Constraints</strong></td>
<td><strong>NA</strong></td>
</tr>
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</table>

| **Total Points** | 12 |

• The proposed request is consistent with the South District Plan and the General Development Policies.

DEPARTMENT COMMENTS (see full department reports online)
• Charlotte Area Transit System: No issues.
• Charlotte Department of Neighborhood & Business Services: No issues.
• Transportation: No issues.
• Charlotte Fire Department: No comments received.
• Charlotte-Mecklenburg Schools: No issues.
• Charlotte-Mecklenburg Storm Water Services: No issues.
• Charlotte Water: No issues.
• Engineering and Property Management: No issues.
• Mecklenburg County Land Use and Environmental Services Agency: No issues.
• Mecklenburg County Parks and Recreation Department: No issues.
• Urban Forestry: No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)
• Site Design: The following explains how the petition addresses the environmentally sensitive site design guidance in the General Development Policies-Environment.
  • Minimizes impacts to the natural environment by building on an infill lot.

OUTSTANDING ISSUES
• No issues.
Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Sonja Sanders  (704) 336-8327
REQUEST

Current Zoning:  R-3 (single family residential)
Proposed Zoning:  UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 4.66 acres located on the northeast corner at the intersection of Park Road and Sharon Road.  
(Council District 6 - Smith)

SUMMARY OF PETITION

The petition proposes 19 for-sale single family attached dwelling units and a maximum of 36 for-rent or for-sale multi-family dwelling units, at an overall density of 11.8 units per acre.

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues.  The petition is consistent with the residential use called for in the South District Plan.  In addition, the site meets the criteria set forth in the General Development Policies for an increase in density up to 12 dwelling units per acre.

PROPERTY OWNER

John L. Allen, Jr., Kathryn Allen and Willeen A. Roy

PETITIONER

Park Sharon Properties, LLC

AGENT/REPRESENTATIVE

John Carmichael, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETING

Meeting is required and has been held.  Report available online.  
Number of people attending the Community Meeting:  86

PLANNING STAFF REVIEW

- Proposed Request Details
  The site plan accompanying this petition contains the following provisions:
  - Maximum of 19 for-sale single family attached dwelling units.
  - Maximum of 36 for-rent or for-sale multi-family dwelling units.
  - Single family attached units limited to two stories in height, with a pitched roof.
  - Multi-family units are limited to three stories excluding the below grade parking structure.
  - Site access via Sharon Road and Park Road.
  - A concrete waiting pad will be provided for the existing bus stop located on Sharon Road abutting the site.
  - Petitioner to dedicate and convey 35 feet of right-of-way from the existing centerline of the Sharon Road right-of-way, and 50 feet from the existing centerline of the Park Road right-of-way, to the extent that such right-of-way does not already exist.
  - Proposed building materials include brick veneer, with architectural grade asphalt shingles, painted metal railings, and painted, vinyl or stucco trim and soffits.  Vinyl is prohibited as an exterior building material except that vinyl may be utilized on the soffits and trim and vinyl windows may be installed on the multi-family building.
  - Building perspectives along public streets.
  - A six-foot tall wood fence with brick columns and a 30-foot wide "Class B" buffer will be provided along the perimeter of the site that abuts single family residential zoning and/or land use, except for a seven-foot tall brick wall that will be provided along the southern boundary of a property (tax parcel 179-112-38) containing an abutting single family detached dwelling.
  - An eight-foot planting strip and six-foot sidewalk will be provided along the site's frontage on Sharon Road and a 13-foot planting strip and six-foot sidewalk will be provided along the frontage on Park Road.
  - A minimum 20-foot setback from the back of curb along all public streets.
  - Freestanding lighting limited to 20 feet in height.
  - Freestanding lighting fixtures will be fully capped, shielded and downwardly directed.  Lighting fixtures attached to buildings will be decorative, capped and downwardly directed.

- Existing Zoning and Land Use
  - The subject property is currently vacant.  Surrounding uses include single family detached dwellings, and attached residential condominiums and townhomes.
- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**
  - The *South District Plan* (1993) recommends residential land uses at this location.
  - The plan references the residential locational criteria of the *General Development Policies* (GDP) for areas of higher density. The site meets the *General Development Policies* (GDP) criteria for 12 dwelling units per acre.

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<tr>
<td><strong>Minimum Points Needed:</strong> 12</td>
<td><strong>Total Points:</strong> 12</td>
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- The proposed request is consistent with the *South District Plan* and the *General Development Policies*.

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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT has the following comments:
  1. The future curb line of Sharon Road should accommodate 43 total feet of pavement width. Revise the site plan view to provide dimensions and notes, and revise notes under the heading of Transportation to reflect the following improvements:
     a. Within the existing splitter island at the intersection of Park Road along Sharon Road, relocate the curb line to create a five-foot wide bicycle lane.
     b. Along the site’s frontage where existing curb and gutter is present, relocate the curb line to create a five-foot wide bicycle lane.
     c. Establish the new back of curb location at 24 feet from center line where curb and gutter does not exist.
     d. Along the entire Sharon Road frontage, replace the back of curb sidewalk with an eight-foot wide planting strip and a six-foot wide sidewalk.
     e. Make necessary modifications at the splitter island such as relocating curb ramps, relocating pedestrian signal poles, remarking crosswalks, and any other modifications or various appurtenances deemed necessary by CDOT.
  2. Revise the site plan to include dedication of a minimum 50-foot wide easement in which the internal private street can be extended at a future date should the parcels to the north redevelop.
- **Vehicle Trip Generation:**
  - Current Zoning: 170 trips per day.
  - Proposed Zoning: 500 trips per day.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate three students, while the development allowed under the proposed zoning will produce three students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
• Mecklenburg County Parks and Recreation Department: No issues.
• Urban Forestry: No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

• Site Design: The following explains how the petition addresses the environmentally sensitive site design guidance in the General Development Policies-Environment.
  • Minimizes impacts to the natural environment by building on an infill lot.

OUTSTANDING ISSUES

• The petitioner should:
  1. Label the 20-foot landscape area referenced in Note F under the heading of Streetscape and Landscaping/Screening.
  2. Amend Note I under the heading of Streetscape and Landscaping/Screening to clarify the location of the yards referenced.
  3. The portion of the proposed access on Sharon Road that stubs to abutting residential property located north of the subject property must be a dedicated public street constructed to a Residential Medium street classification, which provides an eight-foot planting strip and a six-foot sidewalk.
  4. Add a note under the heading of Architectural Standards specifying whether buildings will have brick on all four sides.
  5. Amend Note E under heading of Transportation to delete the word "shelter."
  6. Locate the future back-of curb on the site plan and measure the setback from the future back of curb, instead of the right-of-way line.
  7. Address Transportation comments.

Attachments Online at www.rezoning.org

• Application
• Site Plan
• Locator Map
• Community Meeting Report
• Charlotte Area Transit System Review
• Charlotte Department of Neighborhood & Business Services Review
• Transportation Review
• Charlotte-Mecklenburg Schools Review
• Charlotte-Mecklenburg Storm Water Services Review
• Charlotte Water Review
• Engineering and Property Management Review
• Mecklenburg County Land Use and Environmental Services Agency Review
• Mecklenburg County Parks and Recreation Review
• Urban Forestry Review

Planner: Sonja Sanders (704) 336-8327
Acreage & Location: Approximately 4.66 acres located on the northeast corner at the intersection of Park Road and Sharon Road.
Petition #: 2015-014

Petitioner: Park Sharon Properties, LLC

Zoning Classification (Existing): R-3
(Residential, Single Family)

Zoning Classification (Requested): UR-2(CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 4.66 acres located on the northeast corner at the intersection of Park Road and Sharon Road.

Map Produced by the Charlotte-Mecklenburg Planning Department, 12-1-2014. Zoning Map(s) 147, 158

Requested UR-2(CD) from R-3

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay

FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District
ENVIRONMENTAL FEATURES

A. Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.
B. The location, size, and type of storm water management systems are subject to review and approval as part of the Rezoning Plan.

DEVELOPMENT STANDARDS

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Park Road (the "Multi-Family Building") shall be 3 stories. The below grade parking structure shall not be counted towards the maximum 3 story height limit.
B. The maximum height in feet of the Multi-Family Building shall be 50 feet as measured from the average grade at the points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT")

I. Fences may be installed to enclose the yards of the single family attached dwelling units at the option of the owner, subject to review and approval by the City of Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").

G. Petitioner shall install a minimum 6 foot tall fence within the 30 foot wide landscape area as generally depicted on the Rezoning Plan. A detail of this fence is set out on the Rezoning Plan. The fence may meander as provided in paragraph 179-112-38 as more particularly depicted on the Rezoning Plan. A detail of this wall is set out on the Rezoning Plan.

C. The maximum height in feet of the Multi-Family Building as measured only from that specific point on Sharon Road which may be involved in any future development thereof. A. Construction activities may not be conducted on the Site on Sundays. B. Any construction activities conducted on the Site shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance. C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date of the issuance of a certificate of occupancy for the first new building constructed on the Site. 

F. Prior to the issuance of a certificate of occupancy for any building constructed on the Site, Petitioner shall dedicate and preserve for public use a strip of land adjacent to Park Road as required to provide right of way measuring 50 feet from the existing centerline of the Park Road right of way, in the exact position at any right of way, in the exact position at any right of way.

C. Concrete may be poured on the Site only between the hours of 7 AM and 8 PM.

A. Petitioner shall install a minimum 6 foot tall fence within the 30 foot wide landscape area as generally depicted on the Rezoning Plan. A detail of this fence is set out on the Rezoning Plan. The fence may meander as provided in paragraph 179-112-38 as more particularly depicted on the Rezoning Plan. A detail of this wall is set out on the Rezoning Plan.

B. The location, size, and type of storm water management systems are subject to review and approval as part of the Rezoning Plan.

ENVIRONMENTAL FEATURES

A. Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.
B. The location, size, and type of storm water management systems are subject to review and approval as part of the Rezoning Plan.

DEVELOPMENT STANDARDS

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Park Road (the "Multi-Family Building") shall be 3 stories. The below grade parking structure shall not be counted towards the maximum 3 story height limit.
B. The maximum height in feet of the Multi-Family Building shall be 50 feet as measured from the average grade at the points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT")

I. Fences may be installed to enclose the yards of the single family attached dwelling units at the option of the owner, subject to review and approval by the City of Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").

G. Petitioner shall install a minimum 6 foot tall fence within the 30 foot wide landscape area as generally depicted on the Rezoning Plan. A detail of this fence is set out on the Rezoning Plan. The fence may meander as provided in paragraph 179-112-38 as more particularly depicted on the Rezoning Plan. A detail of this wall is set out on the Rezoning Plan.

C. The maximum height in feet of the Multi-Family Building as measured only from that specific point on Sharon Road which may be involved in any future development thereof. A. Construction activities may not be conducted on the Site on Sundays. B. Any construction activities conducted on the Site shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance. C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date of the issuance of a certificate of occupancy for the first new building constructed on the Site. 

F. Prior to the issuance of a certificate of occupancy for any building constructed on the Site, Petitioner shall dedicate and preserve for public use a strip of land adjacent to Park Road as required to provide right of way measuring 50 feet from the existing centerline of the Park Road right of way, in the exact position at any right of way, in the exact position at any right of way.

C. Concrete may be poured on the Site only between the hours of 7 AM and 8 PM.

A. Petitioner shall install a minimum 6 foot tall fence within the 30 foot wide landscape area as generally depicted on the Rezoning Plan. A detail of this fence is set out on the Rezoning Plan. The fence may meander as provided in paragraph 179-112-38 as more particularly depicted on the Rezoning Plan. A detail of this wall is set out on the Rezoning Plan.

B. The location, size, and type of storm water management systems are subject to review and approval as part of the Rezoning Plan.
Agenda #: 15. File #: 15-1098 Type: Zoning Decision

Rezoning Petition 2015-026

Action: Render a decision on proposed rezoning 2015-026 by Robert Drakeford
- From R-5 (single-family residential)
- To UR-2 (CD) (urban residential, conditional)

Staff Resource(s):
Laura Harmon, Planning

Explanation
- The public hearing on this rezoning petition was held on June 15, 2015.
- The property is approximately 1.14 acre located on the north and south sides of McClintock Road near the intersection of St. Julien Street and McClintock Road. (Council District 1 - Kinsey)
- The petition proposes two developments on the north and south sides of McClintock Road totaling 12 single-family detached, two to three-story dwellings.
- The City Council deferred the decision on this sufficiently protested petition to August 24, as requested by the petitioner on July 20, 2015, since not all Council members were present at the meeting.
- The Zoning Committee found this petition to be consistent with the Central District Plan and the General Development Policies. Therefore, the petition was found to be reasonable and in the public interest based on the staff analysis and the public hearing.
- The Zoning Committee voted 6-0 to recommend APPROVAL of this petitions as modified.
- Staff agrees with the recommendation of the Zoning Committee.

Attachment
Zoning Committee Statement of Consistency
Zoning Committee Recommendation
Staff Analysis
Vicinity Map
Locator Map
Site Plan
Zoning Committee Statement of Consistency
Rezoning Petition 2015-026

The Zoning Committee found this petition to be consistent with the *Central District Plan* and the *General Development Policies*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends residential land uses at this location and the site meets the *General Development Policies* (GDP) criteria for over 17 dwelling units per acre.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the:

- Request is consistent and compatible with the character and pattern of the surrounding land uses; and
- Units are accessed via residential alleys; and
- Development contributes to the health, safety and welfare of the neighborhood due to access via rear alleys.
REQUEST
Current Zoning:  R-5 (single family residential)
Proposed Zoning:  UR-2(CD) (urban residential, conditional)

LOCATION
Approximately 1.14 acres located on the north and south sides of McClintock Road near the intersection of St. Julien Street and McClintock Road.
(Council District 1 - Kinsey)

SUMMARY OF PETITION
The petition proposes two developments on the north and south sides of McClintock Road totaling 12 single family detached, two to three-story dwellings.

PROPERTY OWNER
Curry Family Partnership LLC, Ruth and Henry Purser, Patrick Rothe, Derick Ritter and Angela Wright

PETITIONER
Robert Drakeford

AGENT/REPRESENTATIVE
Robert Drakeford

COMMUNITY MEETING
Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12

STATEMENT OF CONSISTENCY
This petition is found to be consistent with the Central District Plan and the General Development Policies, based on information from the staff analysis and the public hearing, and because:

- The plan recommends residential land uses at this location and the site meets the General Development Policies (GDP) criteria for over 17 dwelling units per acre.

Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the:

- Request is consistent and compatible with the character and pattern of the surrounding land uses; and
- Units are accessed via residential alleys; and
- Development contributes to the health, safety and welfare of the neighborhood due to access via rear alleys;

By a 6-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Labovitz).

ZONING COMMITTEE ACTION
The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:

1. Labeled the area on the north side of McClintock Road as Area A and the area on the south side of McClintock Road as Area B.
2. Amended Note 4E to reflect a six-foot sidewalk and eight-foot planting strip along St. Julien Street.
3. Added a note that no garage shall be oriented toward a public street.
4. Homes constructed on the site will have raised brick foundations with brick porch steps/stoops and brick porch columns standing five feet above finished grade minimum. Building materials will consist of two variations of hardi panel siding per home with windows.
5. Corner Lot #6 in Area A will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.
6. Corner Lot #4 in Area B will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.
7. The side of garage #6 in Area A and garage #4 in Area B will have a window on the side facing St. Julien Street.
8. Homes on Lots 5, 6, and 7 in Area A will be two stories maximum.
9. Homes on Lots 3 and 4 in Area B will be two stories maximum and Lots 1, 2, and 5 will be three stories maximum.
10. Homes in Area A will have a 25-foot minimum setback measured from the property line.
11. The home on Lot #7 in Area A will have a 50-foot minimum front setback as measured from the back of curb on St. Julien Street.
12. Homes in Area B facing McClintock Road will have a 20-foot minimum front setback measured from the back of curb of McClintock Road.
13. The home on Lot 5 in Area B will have a 30-foot minimum front setback as measured from the back of curb on St. Julien Street.
14. A 20-foot minimum setback for heated living space as measured from back of curb for side of homes facing St. Julien Street will be provided. A 16-foot minimum overall setback measured from back of curb for side of homes facing St. Julien Street will be provided.
15. Evergreen foundation shrubs will be planted where applicable along the side of homes facing St. Julien Street; the shrubs will be 30 inches tall and spaced five feet on center at installation.
16. Evergreen shrubs will be planted along the northwest corner of the alley facing St. Julien Street for screening in Area A. Shrubs will be 30 inches tall and spaced five feet on center at installation.
17. A five-foot tall privacy fence will be installed at the northern corner of Area A behind homes on Lots 1 and 7.
18. Amended Note H under heading of Architectural Standards as follows: Garages at home numbers 1 and 7 north of McClintock Road, Area A, will be one story maximum. Home numbers 2, 3, 4, 5, and 6 garages will have optional heated living space above. This space will be additional living space for the primary homes.
19. Amended Note I under heading of Architectural Standards as follows: Garages for homes numbers 1, 2, 3, 4, and 5 located south of McClintock Road in Area B will have optional heated living space above. This space will be additional living space for the primary home.

VOTE

Motion/Second: Ryan/Labovitz
Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, and Sullivan
Nays: None
Absent: Walker
Recused: None

ZONING COMMITTEE

DISCUSSION

Staff provided a summary of the petition and noted that all outstanding issues have been addressed. The petition is consistent with the Central District Plan. There was no further discussion.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- Proposed Request Details
  - The site plan accompanying this petition contains the following provisions:
    - The petition proposes 12 single family detached dwellings.
    - Area A (located on the north side of McClintock Road)
      - Proposes seven single family detached dwelling units, at a density of 10.24 units per acre.
      - Dwellings will be accessed off McClintock Road via a 10-foot driveway and residential alley.
      - Homes in Area A will have a 25-foot minimum setback measured from the property line.
      - The home on Lot #7 in Area A will have a 50-foot minimum front setback as measured from the back of curb on St. Julien Street.
      - Corner Lot #6 in Area A will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.
      - The side of garage #6 in Area A will have a window on the side facing St. Julien Street.
• Homes on Lots 5, 6, and 7 in Area A will be two stories maximum and homes on Lots 1, 2, 3, and 4 will be three stories maximum.
• Garages on Lots 1 and 7 in Area A will be a maximum of one story. Garages on Lots 2, 3, 4, 5, and 6 will have optional heated living space above, which will be additional living.
• Area B (located on the south side of McClintock Road)
  • Proposes five single family detached dwelling units, at a density of 10.9 units per acre.
  • Dwellings will be accessed off St. Julien Street via an alley.
  • A 20-foot setback will be provided for Lots 1-6 along McClintock Road, and a 20-foot setback will be provided for Lot 5 along St. Julien Street.
  • The side of garage #4 in Area B will have a window on the side facing St. Julien Street.
  • Corner Lot #4 in Area B will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.
  • Homes on Lots 3 and 4 in Area B will be two stories maximum and Lots 1, 2 and 5 will be three stories maximum.
  • All garages in Area B will have optional heated living space above, which will be additional living space for the primary home.
  • Homes in Area B facing McClintock Road will have a 20-foot minimum front setback measured from the back of curb of McClintock Road.
  • The home on Lot 5 in Area B will have a 30-foot minimum front setback as measured from the back of curb on St. Julien Street.
  • A 16-foot side yard will be provided for the side of dwellings facing St. Julien Street. The remaining lots will have a side yard of 3.75 feet, reduced from five feet as allowed per the zoning ordinance.
  • Maximum building height of 40 feet and up to three stories.
  • An eight-foot planting strip and eight-foot sidewalk will be provided along the project’s frontage on McClintock Road, and a six-foot sidewalk and eight-foot planting strip along the site’s frontage on St. Julien Street.
  • Homes constructed on the site will have raised brick foundations with brick porch steps/stoops and brick porch columns standing five feet above finished grade minimum. Building materials will consist of two variations of hardi panel siding per home with windows. Roofing will be comprised of architectural asphalt shingles. Vinyl is prohibited as a building material but may be used on windows, soffits, garage doors, and handrails/railling.
  • Building renderings reflect prominent front porches and architectural style that is compatible and consistent with the character of the neighborhood.
  • Dwellings located on corner lots fronting public streets will have a minimum of two windows on the ground floor, three windows on the second floor, and one on the third floor on the side of the house facing the street, in order to avoid blank walls.
  • No garage shall be oriented toward a public street.
  • A 20-foot minimum setback for heated living space as measured from back of curb for the side of homes facing St. Julien Street will be provided.
  • A 16-foot minimum overall setback measured from back of curb for the side of homes facing St. Julien Street will be provided.
  • Evergreen foundation shrubs will be planted where applicable along the side of homes facing St. Julien Street and along the northwest corner of the alley facing St. Julien Street for screening; the shrubs will be 30 inches tall and spaced five feet on center at installation.
  • Detached lighting will be limited to 15 feet in height. All new lighting will be full cut-off type lighting fixtures excluding decorative lighting.

• **Public Plans and Policies**
  • The Central District Plan (1993) recommends single family land uses up to four units per acre for most of the subject properties, and office for one of the properties.
  • The plan references the residential locational criteria of the General Development Policies (GDP) for areas of higher density. The site currently meets the General Development Policies (GDP) criteria for the density requested.

<table>
<thead>
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<th>Assessment Criteria</th>
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<td>Land Use Accessibility</td>
<td>2</td>
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<td>Connectivity Analysis</td>
<td>5</td>
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<td>Road Network Evaluation</td>
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<td>Design Guidelines</td>
<td>4</td>
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<tr>
<td>Other Opportunities or Constraints</td>
<td>NA</td>
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<td><strong>Minimum Points Needed:</strong> 14</td>
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The residential use proposed by the petition is consistent with the *Central District Plan*, which recommends single family residential uses for all but one lot included in the rezoning petition. For that lot, the proposed residential use is inconsistent with plan’s recommendation for office uses. The proposed densities of 10.24 and 10.9 units per acre are consistent with the density of over 17 dwelling units per acre supported by the *General Development Policies* (GDPs).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System**: No issues.
- **Charlotte Department of Neighborhood & Business Services**: Developer must comply with the City’s housing policies if seeking public funding.
- **Transportation**: No issues.
- **Charlotte Fire Department**: No comments received.
- **Charlotte-Mecklenburg Schools**: No issues.
- **Charlotte-Mecklenburg Storm Water Services**: No issues.
- **Charlotte Water**: No issues.
- **Engineering and Property Management**: No issues.
- **Mecklenburg County Land Use and Environmental Services Agency**: No issues.
- **Mecklenburg County Parks and Recreation Department**: No issues.
- **Urban Forestry**: No issues.

**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design**: The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - Minimizes impacts to the natural environment by building on infill lots.

**OUTSTANDING ISSUES**

- No issues.

Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner**: Sonja Sanders  (704) 336-8327
REQUEST

Current Zoning:  R-5 (single family residential)
Proposed Zoning:  UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 1.14 acres located on the north and south sides of McClintock Road near the intersection of St. Julien Street and McClintock Road.
(Council District 1 - Kinsey)

SUMMARY OF PETITION

The petition proposes two developments on the north and south sides of McClintock Road totaling 12 single family detached, two to three-story dwellings.

STAFF RECOMMENDATION

Staff recommends approval upon resolution of outstanding issues. The residential use proposed by the petition is consistent with the Central District Plan, for all but one lot included in the rezoning petition. For that lot, the proposed residential use is inconsistent with plan’s recommendation for office uses. The proposed densities of 10.24 units per acre (on the north side of McClintock Road) and 10.9 units per acre (on the south side of McClintock Road) are consistent with the density of over 17 dwelling units per acre supported by the General Development Policies (GDPs). In addition, the petition is compatible and consistent with the character and pattern of the surrounding land uses.

PROPERTY OWNER

Curry Family Partnership LLC, Ruth and Henry Purser, Patrick Rothe, Derick Ritter and Angela Wright

PETITIONER

Robert Drakeford

AGENT/REPRESENTATIVE

Robert Drakeford

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 12

PLANNING STAFF REVIEW

• Proposed Request Details
  The site plan accompanying this petition contains the following provisions:
  • The petition proposes 12 single family detached dwellings.
  • Area A (located on the north side of McClintock Road)
    • Proposes seven single family detached dwelling units, at a density of 10.24 units per acre.
    • Dwellings will be accessed off McClintock Road via a 10-foot driveway and residential alley.
    • A 20-foot setback will be provided for Lots 1-6 along McClintock Road, and a 30-foot setback will be provided along St. Julien Street for Lot 7.
  • Area B (located on the south side of McClintock Road)
    • Proposes five single family detached dwelling units, at a density of 10.9 units per acre.
    • Dwellings will be accessed off St. Julien Street via an alley.
    • A 20-foot setback will be provided for Lots 1-6 along McClintock Road, and a 20-foot setback will be provided for Lot 5 along St. Julien Street.
    • A 16-foot side yard will be provided for the side of dwellings facing St. Julien Street. The remaining lots will have a side yard of 3.75 feet, reduced from five feet as allowed per the zoning ordinance.
  • Maximum building height of 40 feet and up to three stories, with raised foundations.
  • One story garages will be provided for each unit, with an option for a second story.
  • An eight-foot planting strip and eight-foot sidewalk will be provided along the project’s frontage on McClintock Road, and a six-foot sidewalk and eight-foot planting strip along the site’s frontage on St. Julien Street.
  • Building materials consist of hardiplank siding, wood, a masonry base, and veneer stoop elements. Roofing will be comprised of architectural asphalt shingles. Vinyl is prohibited as a building material but may be used on windows, soffits, garage doors and handrails/railings.
• Building renderings reflect prominent front porches and architectural style that is compatible and consistent with the character of the neighborhood.
• Dwellings located on corner lots fronting public streets will have a minimum of two windows on the ground floor, three windows on the second floor, and one on the third floor on the side of the house facing the street, in order to avoid blank walls.
• Detached lighting will be limited to 15 feet in height. All new lighting will be full cut-off type lighting fixtures excluding decorative lighting.

Existing Zoning and Land Use
• The subject properties are developed with single family dwellings and a duplex dwelling unit. Surrounding properties located to the west of St. Julien Street contain single family detached dwellings, duplex dwelling units, office, retail and warehouse uses in R-5 (single family residential), O-2 (office) MUDD-O (mixed use development, optional), and B-2 (general business). Some properties lie within the Plaza Central Pedestrian Overlay (PED) zoning district. Properties on the east side of St. Julien Street are zoned R-5 (single family residential) and are developed with single family detached units and duplex units.

Public Plans and Policies
• The Central District Plan (1993) recommends single family land uses up to four units per acre for most of the subject properties, and office for one of the properties.
• The plan references the residential locational criteria of the General Development Policies (GDP) for areas of higher density. The site currently meets the General Development Policies (GDP) criteria for the density requested.

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The residential use proposed by the petition is consistent with the Central District Plan, which recommends single family residential uses for all but one lot included in the rezoning petition. For that lot, the proposed residential use is inconsistent with plan’s recommendation for office uses. The proposed densities of 10.24 and 10.9 units per acre are consistent with the density of over 17 dwelling units per acre supported by the General Development Policies (GDPs).

DEPARTMENT COMMENTS (see full department reports online)
• Charlotte Area Transit System: No issues.
• Charlotte Department of Neighborhood & Business Services: Developer must comply with the City’s housing policies if seeking public funding.
• Transportation: No issues.
  • Vehicle Trip Generation:
    Current Zoning: 460 trips per day.
    Proposed Zoning: 100 trips per day.
• Charlotte Fire Department: No comments received.
• Charlotte-Mecklenburg Schools: The development allowed under the existing zoning would generate three students, while the development allowed under the proposed zoning will produce one student. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
• Charlotte-Mecklenburg Storm Water Services: Replace the existing notes under the heading
Environmental Features and replace with the following: “The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.”

- **Charlotte-Water**: No issues.
- **Engineering and Property Management**: Show tree save areas and right-of-way trees on the site plan.
- **Mecklenburg County Land Use and Environmental Services Agency**: No issues.
- **Mecklenburg County Parks and Recreation Department**: No issues.
- **Urban Forestry**: No issues.

**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design**: The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - Minimizes impacts to the natural environment by building on infill lots.

**OUTSTANDING ISSUES**

- The petitioner should:
  1. Label the area on the north side of McClintock Road as Area A and the area on the south side of McClintock Road as Area B.
  2. Amend Note 4E to reflect a six-foot sidewalk and eight-foot planting strip along St. Julien Street.
  3. Add a note that garages may not be oriented toward the public streets.

**Attachments Online at www.rezoning.org**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Sonja Sanders  (704) 336-8327
Acreage & Location: Approximately 1.14 acre located on the north and south sides of McClintock Road near the intersection of St. Julien Street and McClintock Road.
Petition #: 2015-026
Petitioner: Robert Drakeford

Zoning Classification (Existing): R-5
(Residential, Single Family)

Zoning Classification (Requested): UR-2(CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 1.14 acre located on the north and south sides of McClintock Road near the intersection of St. Julien Street and McClintock Road.

Map Produced by the Charlotte-Mecklenburg Planning Department, 5-22-2015.
City Manager’s Report
LYNX BLE State Full Funding Grant Agreement Amendment

Action: Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the State Full Funding Grant Agreement for the LYNX Blue Line Extension project.

Staff Resource(s):
John Muth, CATS
Danny Rogers, CATS
Brad Thomas, City Attorney’s Office

Explanation
- As a result of cost savings on the LYNX Blue Line Extension (BLE) project, staff has identified several key improvements that would provide significant benefits for long-term capacity, safety, and connectivity. On April 22, 2015, the Metropolitan Transit Commission passed a resolution to use local and state full funding grant agreement (FFGA) funds to add three specific project improvements that were not approved for federal participation through the federal FFGA, and request that the North Carolina Department of Transportation (NCDOT) participate in the cost of these improvements.

- The state FFGA for the BLE was executed on March 5, 2012. This amendment would permit the City and the state of North Carolina to adjust the scope of the state FFGA and use cost savings to build the additional improvements listed below.
  - An expanded North Yard facility to add vehicle maintenance capacity. The current plans are for a 5,000 square foot operations building. The building would be expanded to a 20,000 square foot facility with maintenance space for two light rail vehicles. In early 2012, CATS received favorable pricing for light rail vehicles, which allowed for the purchase of four additional vehicles for the BLE project (total of 22). Additional maintenance capacity at the North Yard is needed to ensure adequate long-term maintenance capacity for CATS vehicles. This addition is included in the North Yard contract bid package. The City Council action on the award of this contract is anticipated on September 28, 2015. A future change order to the BLE Track and Systems contract will also be required for approval by the City Council.
  - A pedestrian bridge spanning the North Carolina Railroad Corridor to connect to the Sugar Creek Station. This bridge will improve safety and reduce the walking distance to access the station from North Davidson Street and the nearby Howie Acres neighborhood. A bid alternate is included in the Sugar Creek Parking Garage contract package for this expanded facility. The City Council action on the award of this contract is anticipated on September 28, 2015.
  - An extended pedestrian bridge at the JW Clay Blvd/UNC Charlotte station crossing over the northbound lanes of North Tryon Street (US 29). The University of North Carolina at
Charlotte (UNC Charlotte) and Carolinas Medical Center - University Hospital have committed to participate in the funding for approximately 50% of the cost of the bridge extension. This extension would be added as a change order to the JW Clay Parking Garage contract.

- The total estimated cost for these changes is $20,000,000. NCDOT would fund an equal 50% share, up to a total of $10,000,000 for the work. Financial participation by the Hospital and the University will reduce funding requirements from NCDOT and the City equally. If additional funding partners are secured for any of the changes, NCDOT and the City will share equally in the savings. NCDOT’s participation in these additional improvements does not modify the maximum state financial contribution of $299,071,000.

- On August 5, 2015, the Multi-Modal Committee of the North Carolina Board of Transportation received the proposed amendment for information in anticipation for full Board approval on September 3, 2015.

**Fiscal Note**

Funding: CATS Community Investment Plan

**Attachment**

Resolution
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AMENDMENT TO THE STATE FULL FUNDING GRANT AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) FOR THE LYNX BLUE LINE EXTENSION PROJECT FOR THE THREE ADDITIONAL IMPROVEMENTS DESCRIBED BELOW;

A motion was made by ______________________ and seconded by _________________ for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation (NCDOT) is authorized by N.C.G.S. 136-44.20 to provide State matching funds for “New Start” fixed guideway projects in development pursuant to 49 U.S.C. § 5309, such as the City of Charlotte’s LYNX Blue Line Extension (BLE) Project;

WHEREAS, On April 25, 2011, City Council authorized the City Manager to execute a State Full Funding Grant Agreement with NCDOT for a 25% partnership share of the cost of the LYNX BLE Project;

WHEREAS, On March 5, 2012, the City executed a State Full Funding Grant Agreement for the LYNX Blue Line Extension Project;

WHEREAS, As a result of cost savings on the BLE Project, the City has identified several key improvements that would provide significant benefits for long-term capacity, safety, and connectivity.

WHEREAS, On April 22, 2015, the Metropolitan Transit Commission passed a resolution to use local and State FFGA funds to add three specific project improvements that were not approved for federal participation through the federal FFGA, and request that the NCDOT participate in the cost of these improvements. The State FFGA for the BLE was executed on March 5, 2012. This amendment would permit the City and the State to adjust the scope of the State FFGA and use cost savings to build the additional improvements listed below;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, in its regular session duly assembled, as follows:

1. That the City Manager or designee is authorized to negotiate and execute an Amendment to the State Full Funding Grant Agreement (SFFGA) with the North Carolina Department of Transportation (NCDOT) for the three additional improvements described BELOW as; A. Expanded North Yard Facility B. Pedestrian Bridge spanning the NCRR Corridor at Sugar Creek, and C. An Extended Pedestrian Bridge at the JW Clay Station crossing over the northbound lanes of North Tryon Street;

A. EXPAND NORTH YARD FACILITY:

The current Plans are for a 5,000 square foot operations building. The building would be expanded to a 20,000 square foot facility with maintenance space for two
Light Rail Vehicles (LRVs). In early 2012, CATS received favorable pricing for LRVs, which allowed for the purchase of four additional vehicles for the BLE project (total of 22). Additional maintenance capacity at the North Yard is needed to ensure adequate long-term maintenance capacity for CATS vehicles. A bid alternate is included in the North Yard contract package for this expanded facility.

B. A PEDESTRIAN BRIDGE SPANNING THE NC RAILROAD CORRIDOR TO CONNECT TO SUGAR CREEK STATION:

This bridge will improve safety and reduce the walking distance to access the station from North Davidson Street and the nearby Howie Acres neighborhood. A bid alternate is included in the North Yard contract package for this expanded facility.

C. AN EXTENDED PEDESTRIAN BRIDGE AT THE JW CLAY/UNC CVCHARLOTTE STATION CROSSING OVER THE NORTHBOUND LANES OF NORTH TRYON STREET (US 29):

The University of North Carolina at Charlotte (UNC Charlotte) and the Carolinas Medical Center – University Hospital strongly support this change as a significant safety enhancement for access to the station form the surrounding area.

TOTAL ESTIMATED COST:

The total estimated cost for these changes is $20,000,000. NCDOT would fund an equal 50 percent share, up to a total of $10,000,000 for the work. If additional funding partners are secured for any of the changes, NCDOT and the City will share equally in the savings. NCDOT’s participation in these additional improvements does not modify the maximum state financial contribution of $299,071,000.

ADOPTED this the ___ day of ________________, 2015.
Charlotte Regional Workforce Development Consortium Agreement

Action: Adopt a resolution to approve an amended and restated Charlotte Regional Workforce Consortium Agreement.

Staff Resource(s):
Bill Cronin, Neighborhood & Business Services
Anna Schleunes, City Attorney’s Office

Explanation
- In 1999, the City of Charlotte and Mecklenburg County entered into the Charlotte Regional Workforce Consortium Agreement (Agreement) that established a consortium to act jointly as a local workforce development board pursuant to the 1982 Job Training Partnership Act, the Social Security Act, the North Carolina Employment and Training Grant Program, and the 1998 Workforce Investment Act.
- CharlotteWorks, formerly Charlotte-Mecklenburg Workforce Development Board, is named in the Agreement as the local workforce development board for the City of Charlotte and Mecklenburg County.
- The recently adopted Workforce Innovation and Opportunity Act (WIOA) replaces the former Workforce Investment Act of 1999 and requires a few minor modifications to the Agreement.
- A 25-member board of directors representing various industries and organizations in Charlotte-Mecklenburg governs the activities of CharlotteWorks.
- Although the WIOA allows for the joint appointment of board members by the City and Mecklenburg County, currently, the City appoints all 25 members of the board.
- Mecklenburg County recently expressed an interest in having an opportunity to appoint members of the CharlotteWorks board.
- CharlotteWorks is requesting approval of an amended and restated Agreement that includes the necessary WIOA modifications and allocates 20% of board appointments to Mecklenburg County.
- Under this new arrangement, the City will retain 20 board members, appointed by the Mayor as it is in the current structure, and Mecklenburg County will appoint five board members, all of which are to be appointed by the Mecklenburg County Commission Chair. Mecklenburg County’s appointments will begin in Fiscal Year 2017.
- The Mecklenburg County Board of County Commissioners will be asked to approve this item at their meeting on September 1, 2015.

Attachment
CharlotteWorks Board of Directors 2015
Resolution
Amended and Restated Charlotte Regional Workforce Consortium Agreement
<table>
<thead>
<tr>
<th>Category Represented</th>
<th>Member’s Name &amp; Title</th>
<th>Employer/Agency</th>
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<tr>
<td>Business</td>
<td>Dan Roselli</td>
<td>Packard Place</td>
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<td>Business</td>
<td>Toya Allen</td>
<td>Cornerstone on Demand</td>
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<td>Jerome Festa</td>
<td>Wells Fargo International Group</td>
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<td>Doug Rowe</td>
<td>Lend Lease</td>
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<td>Mark Short</td>
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<td>Business</td>
<td>Larry Wilson</td>
<td>Carolinas Healthcare System</td>
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<tr>
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<td>PNC Bank</td>
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<td>Siemens</td>
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<td>Peak 10</td>
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<td>Robert Fish</td>
<td>Insight CXO</td>
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<td>Brian McMurray</td>
<td>American Airlines</td>
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<tr>
<td>Business</td>
<td>Robin Thornton</td>
<td>Great Wolf Lodge</td>
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<tr>
<td>Community Organization</td>
<td>Patrick Graham</td>
<td>The Urban League</td>
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<tr>
<td>Community Organization</td>
<td>Michael Elder</td>
<td>Goodwill Industries of the Southern Piedmont</td>
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<td>Karen Brackett-Browning</td>
<td>Charlotte Area Fund, Inc.</td>
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<td>Community Organization</td>
<td>Dennis Marstall</td>
<td>United Way of Central Carolina</td>
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<tr>
<td>Private Foundation</td>
<td>Carol Morris</td>
<td>Foundation for the Carolinas</td>
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<tr>
<td>Economic Development</td>
<td>Kati Hynes</td>
<td>Charlotte Chamber of Commerce</td>
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<tr>
<td>Education (K-12)</td>
<td>Akeshia Craven-Howell</td>
<td>Charlotte Mecklenburg Schools (CMS)</td>
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<tr>
<td>Employment Services</td>
<td>Tim Mayes</td>
<td>NC Commerce - Division of Workforce Solutions</td>
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<td>Higher Education</td>
<td>Betty Doster</td>
<td>UNC Charlotte</td>
</tr>
<tr>
<td>Organized Labor</td>
<td>Marcus Bass</td>
<td>North Carolina Association of Educators</td>
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<tr>
<td>Provider of Adult Education and Literacy</td>
<td>Kathi McLendon</td>
<td>Central Piedmont Community College</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>Georgia Gulledge</td>
<td>NC Department of Vocational Rehabilitation</td>
</tr>
<tr>
<td>Vacant</td>
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING AN AMENDED AND RESTATED CHARLOTTE REGIONAL WORKFORCE CONSORTIUM AGREEMENT

WHEREAS, in 1985, the City of Charlotte and Mecklenburg County entered into an agreement allowing the City to act as administrative and fiscal agent for the Job Training Partnership Act; and

WHEREAS, on August 7, 1998, the Workforce Investment Act (WIA) replaced the Job Training Partnership Act; and

WHEREAS, on April 12, 1999, the Charlotte City Council approved the Charlotte-Mecklenburg Workforce Investment Consortium Agreement with Mecklenburg County as a replacement for the December 1985 Charlotte Mecklenburg Job Training Consortium Agreement and authorized the Mayor to execute the new agreement.

WHEREAS, the goal of the Charlotte-Mecklenburg Workforce Investment Consortium Agreement is to establish a comprehensive service delivery system for various job training and job placement programs thereby eliminating or reducing the possibility of duplicating services between the City of Charlotte and Mecklenburg County; and

WHEREAS, the WIA and WIOA require local elected officials to appoint a Workforce Investment Board to govern the local program; and

WHEREAS, the City and Mecklenburg County desire to amend and restate the 1999 Consortium Agreement to reflect recently enacted federal legislation titled the “Workforce Innovation and Opportunity Act” and to revise a provision regarding the appointment of members to the local workforce development board to grant twenty percent (20%) of such appointments to Mecklenburg County; and

WHEREAS, a copy of the Amended and Restated Charlotte Regional Workforce Consortium Agreement is attached.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled, that the Amended and Restated Charlotte Regional Workforce Consortium Agreement hereafter entered into between the City of Charlotte and Mecklenburg County is hereby approved and ratified and the Mayor is authorized to execute same.
ARTICLE I. TITLE AND PURPOSE

The contiguous units of local government listed below agree to establish a consortium to act jointly as a local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014. This consortium shall be known as the Charlotte Regional Workforce Consortium.

ARTICLE II. MEMBERSHIP

The Consortium shall be composed of the following independent and contiguous units of general purpose local government:

City of Charlotte
Mecklenburg County

ARTICLE III. CERTIFICATION AND AUTHORITY

1. AUTHORITY UNDER STATE AND LOCAL LAW

The member units of government certify that they possess full legal authority, as provided by state and local law, to enter into this agreement and to fulfill the legal and financial requirements of operating as a local Workforce Development Area under the WIOA for the entire geographic area covered by this agreement.

2. SPECIFIC RESOLUTIONS TO ENTER INTO AGREEMENT

A copy of each resolution giving the City and County specific authority to enter into this consortium agreement is attached to this document.

3. DESIGNATION OF CHIEF ELECTED OFFICIALS FROM EACH MEMBER UNIT OF GOVERNMENT

The Mayor of the City of Charlotte and the Mecklenburg County Commission Chair shall be designated as the Chief Local Elected Officials (CLEOs) for the Charlotte Regional Workforce Area for purposes of the WIOA and upon whose representation the State, the workforce development board and the other member unit may rely. All actions of the CLEOs authorized or required by the WIOA shall be exercised jointly by them and such persons shall be the signatories of this agreement and shall be authorized to execute such other agreements as are necessary for the WIOA.

4. DESIGNATION OF CHIEF ELECTED OFFICIAL FOR LOCAL WORKFORCE DEVELOPMENT AREA

In accordance with N.C.G.S. 160A-463(b), and except as set forth herein, the member units provide that the Mayor of the City of Charlotte shall be authorized to exercise the functions of the local area chief elected official which are required under the Workforce Innovation and Opportunity Act.
ARTICLE IV. DURATION

This agreement will become effective on July 1, 2015 or the date of the last chief elected official’s signature (whichever is the later date) and shall continue in effect until the local Workforce Development Area is re-designated by the Governor of North Carolina or by termination of this Agreement by a member unit of government as provided for in Article XI.

ARTICLE V. ASSURANCES AND CERTIFICATIONS

The member units will comply with the requirements of the WIOA, and regulations promulgated thereunder, all other applicable federal regulations, the statutes of the State of North Carolina, and, written directives and instructions relevant to local workforce development area operation from the Governor of North Carolina or his/her designee.

ARTICLE VI. FINANCING

1. It is anticipated that funding necessary to implement this agreement will be derived from federal grant funds received through the State of North Carolina.

2. The units of local government acknowledge that they are jointly and severally accountable for liabilities arising out of activities under the WIOA, and all funds received by the local workforce development area pursuant to WIOA. Liability includes, but is not limited to, responsibility for prompt repayment from non-program funds of any disallowed costs by the administrative entity of the local workforce development area, or any of its sub-recipients or contractors, or the Workforce Development Board.

3. Any entity or joint agency created or designated by this local workforce development area, including the Workforce Development Board, and Administrative Entity, shall be considered a public agency for the purposes of the Local Government Budget and Fiscal Control Act.

ARTICLE VII. ESTABLISHMENT OF A WORKFORCE DEVELOPMENT BOARD

1. The member units of government agree that the Workforce Development Board has been established in accordance with Section 107 of the Workforce Innovation and Opportunity Act and applicable State of North Carolina laws.

2. Pursuant to Section 107(a) of the WIOA, Charlotte Works is designated to be the Local Workforce Development Board (Local Board) for the local area. Pursuant to Section 107(c)(2) of WIOA, the Local Board will be certified by the Governor every two years. Pursuant to Section 107(b) of the WIOA, the Mayor and the Commission Chair shall jointly appoint members to the Local Board and forward those appointments to the Governor of the State of North Carolina for certification.

3. In accordance with the WIOA, the Mayor and Commission Chair shall each appoint members to the Local Board who meet the composition requirements of Section 107(b)(2) of the WIOA. The actual Local Board appointments by the City and County shall approximate the population ratio of the City and County. Using U.S. Census projections, the current Local Board appointment breakdown shall be as follows:
80% City of Charlotte  
20% Mecklenburg County

4. Members of the Local Board may be removed in accordance with the Local Board’s adopted bylaws.

5. The Local Board, CLEO and the Governor shall negotiate local performance accountability measures pursuant to Section 107(d)(9) of the WIOA and any amendment thereto.

6. The Local Board shall conduct program oversight of local youth workforce investment activities, local employment and training activities and the one-stop delivery system in the Local Area, all as authorized and required by the WIOA.

7. The Local Board shall provide oversight of workforce development activities to ensure appropriate use, management and investment of funds to maximize performance outcomes.

ARTICLE VIII. DESIGNATION OF LOCAL GRANT SUBRECIPIENT AND LOCAL FISCAL AGENT

In accordance with Section 107(d)(12)(B) of the WIOA, the City of Charlotte will be designated as the local fiscal agent. The fiscal agent will disburse all funds for workforce investment activities at the discretion of the Local Board, in accordance with requirements of the WIOA.

ARTICLE IX. DISTRIBUTION OF FINANCIAL LIABILITY FOR DISALLOWED COSTS

The CLEOs shall be liable for misuse of grant funds allocated to the Local Area, pursuant to Section 107(d)(12)(B)(i)(I) of the WIOA. Designation of a local fiscal agent does not diminish such liability. In the event that any expenditure of funds is disallowed by the U.S. Department of Labor or the State of North Carolina, repayment of such funds shall occur in the following priority:

a. The Local Board or its designee shall take all reasonable steps, including the institution of suit, to recover such funds from the agency or individual creating the misuse.

b. The Local Board or its designee shall take all reasonable steps, including the institution of suit, to recover such funds from any applicable insurance carrier or bond issuer.

c. The CLEOs, with the assistance and cooperation of the Local Board, will seek a waiver of liability pursuant to the WIOA.

d. The funds may be recouped in one or more future program years, as permitted by law.
e. The City and the County will repay such funds in amounts equal to the percentage of board appointments allotted to each CLEO.

ARTICLE X. AMENDMENTS

The agreement may be amended at any time upon the consent of all of the parties as evidenced by resolution of the governing bodies of each member government and as approved by the State.

ARTICLE XI. TERMINATION

The parties to this agreement may request termination at any time upon six months prior written notice, such termination to be effective when the Governor considers local Workforce Development Area re-designations or at the end of the then current grant administration agreement program year.

Daniel Clodfelter  
Mayor,  
City of Charlotte

Trevor Fuller  
Chairman,  
Mecklenburg County Board of Commissioners
2015 Multi-Jurisdictional Hazard Mitigation Plan

Action:

A. Adopt a resolution to approve the 2015 Multi-Jurisdictional Hazard Mitigation Plan, and

B. Appoint the Charlotte-Mecklenburg Emergency Management Office (in collaboration with the City’s Storm Water and Planning Departments) to ensure an annual review of the Multi-Jurisdictional Hazard Mitigation Plan and compliance with state and federal regulations every five years.

Staff Resource(s):
Richard Granger, Fire

Explanation
- The purpose of the five-year plan is to mitigate the impact of identified natural hazards, such as flooding, tornados, severe storms, earthquakes and solar events.
- In Section 322 of The Federal Disaster Mitigation Act of 2000, local governments must develop an All-Hazards Mitigation Plan (Plan) in order to receive Hazard Mitigation Grant funds and other disaster-related assistance funding.
- The multi-jurisdictional Plan includes the City of Charlotte, Mecklenburg County, and six adjoining jurisdictional towns all of whom must approve independently.
- To date, the Plan has been approved by the state of North Carolina and the Federal Emergency Management Agency. Both North Carolina Emergency Management and the Federal Emergency Management Agencies review the Plan to ensure it meets a stringent checklist before requesting local governing body approval.
- The 2015 Multi-Jurisdictional Hazard Mitigation Plan is available for review upon request.

Fiscal Note:
Funding: Not applicable

Attachment
Resolution
WHEREAS, the citizens and property within Mecklenburg County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to flooding, winter storms, hurricanes and tropical storms, severe thunderstorms and tornadoes, droughts, wildfires and earthquakes; and

WHEREAS, Mecklenburg County and the City of Charlotte desire to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the state of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 ---Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S.166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act to require local governments to develop an All-Hazards Mitigation Plan in compliance with 44 CFR Part 201 in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding, and that said Plan must be updated and re-adopted within a five year cycle; and

WHEREAS, the City of Charlotte, Mecklenburg County and its other participating municipal jurisdictions have performed a comprehensive review and evaluation of each section of the previously approved 2005 Multi-jurisdictional Hazard Mitigation Plan and has updated the said Plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

WHEREAS, it is the intent of the Charlotte City Council to fulfill this obligation in order that the City will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the City of Charlotte and Mecklenburg County;

NOW, therefore, be it resolved that the Charlotte City Council hereby:

1. Adopts the 2015 Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan; and

Vests the Charlotte-Mecklenburg Emergency Management Office with the responsibility, authority, and the means to:

(a) Inform all concerned parties of this action.

(b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring
3. Appoints the Charlotte-Mecklenburg Emergency Management Office to assume that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the plan to assure that the Plan is in compliance with all State and Federal regulations and that any substantial revisions or amendments to the Plan (those that result in fundamental changes to the Plan) are developed and presented to the Mecklenburg County Board of Commissioners for consideration.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.
Authorization of Water Sewer Revenue Bond Anticipation Note

Action:
A. Adopt the bond order authorizing the issuance of up to $180,000,000 of revenue bond anticipation notes,
B. Adopt a bond resolution for the approval, execution, and delivery in connection with the issuance of up to $180,000,000 of revenue bond anticipation notes, and
C. Authorize the City Manager to take necessary actions to complete the financing, including making application to the Local Government Commission.

Staff Resource(s):
Robert Campbell, Management & Financial Services
Barry Gullet, Charlotte Water

Explanation
- The City Council adopted Community Investment Plan for Charlotte Water includes capital projects that will be funded from debt.
- The debt issuance is planned in two steps: a short-term construction period draw program which will be converted to long-term, fixed rate revenue bonds once construction nears completion. This model of financing is the lowest cost, promotes rate stability, and is recognized by rating agencies as a best practice.
- Through use of construction period financing, the water and sewer rate payers will experience a projected 4.05% rate increase in Fiscal Year 2017. Were the City to use traditional revenue bonds, the increase in Fiscal Year 2017 would be 7.8%. By using the construction period draw program, the rate payers save an average of approximately $19.00 per year over the next seven years.
- The construction period financing will be in the form of an $180,000,000 privately-placed drawdown program.
  - The drawdown program is a short-term financing approach to take advantage of the current low interest rate environment.
  - It is anticipated the program will be replaced with long-term debt once the $180,000,000 is fully drawn down in the next 24-30 months.
- Over the next 24-30 months, these proceeds will be used for the following categories of projects:
  - Maintain existing treatment facilities to ensure reliable treatment processes and regulatory compliance;
  - Rehabilitation and replacement of existing water and sewer infrastructure that has met its useful performance life;
  - Specific projects include: Dixie Berryhill water and sewer projects, Steele Creek Lift Station replacement, McDowell Basin trunk sewers, Clem Branch pump station improvements, Sugar Creek Wastewater Treatment Plant-Phase II, and McAlpine Creek final clarifier.
  - Since the CIP is funded on a cash-flow basis, some of the projects funded with these proceeds are already underway and others will be starting within the next two years. Several of these projects are needed to allow economic development to continue as planned.
Charlotte Water’s financial plan that Council reviewed during the Fiscal Year 2016 budget process included the proposed program with modest rate increases anticipated in future fiscal years to meet capital and operational needs.

Provided as an attachment is Charlotte Water’s Financial Plan. The Plan includes funding for the $1.3 billion Community Investment Plan, which is comprised of the following:

- 68% PAYGO funding, and
- 32% debt funding.

The projection has an average rate increase of 4.09% including:

- 4.05% in Fiscal Year 2017,
- 4.10% in Fiscal Year 2018,
- 4.11% in Fiscal Year 2019,
- 4.14% in Fiscal Year 2020,
- 4.20% in Fiscal Year 2021,
- 4.05% in Fiscal Year 2022, and
- 4.00% in Fiscal Year 2023.

These are the projected rate increases currently estimated to be necessary to maintain the capital program. The actual rate increases must be approved annually by the City Council.

The current action adopts the bond order and bond resolution for the program.

The Local Government Commission is anticipated to review the transaction for approval at its meeting on September 8, 2015.

**Fiscal Note**
Funding: Charlotte Water Debt Service Fund

**Attachment**
Bond Order
Bond Resolution
Water and Sewer Projection Summary
A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on August 24, 2015:

Members Present:

Members Absent:

Councilmember _______________ introduced the following resolution, a summary of which had been provided to each Councilmember, copy of which was available with the City Clerk and which was read by title:

**RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $180,000,000**

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

**WHEREAS,** the City has previously issued Water and Sewer System Revenue Bonds under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is U.S. Bank National Association, as trustee, (the “Trustee”), as amended (the “General Indenture”);

**WHEREAS,** the City has determined to issue its Water and Sewer System Revenue Bond Anticipation Note, Series 2015 (the “Bond Anticipation Note”) in an aggregate principal amount not to exceed $180,000,000 to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the “Water and Sewer System”), including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land for the Water and Sewer System (the “Projects”);

**WHEREAS,** the City will issue the Bond Anticipation Note under the General Indenture and Series Indenture, Number 16 dated as of September 1, 2015 (the “Series Indenture”) between the City and the Trustee; and

**WHEREAS,** the City and the LGC have arranged for Wells Fargo Municipal Capital Strategies, LLC (the “Bank”) to purchase the Bond Anticipation Note and advance the funds to finance the Projects.
under the terms of an Amended and Restated Note Purchase and Advance Agreement to be dated on or about September 15, 2015 (the “Purchase Agreement”); and

WHEREAS, an application has been filed with the LGC requesting approval of the Bond Anticipation Note as required by the Act, and the Secretary of the LGC has notified the City that the application has been approved by the LGC.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 1. In order to raise the money required to finance the Projects, in addition to any funds which may be made available for such purpose from any other source, the Bond Anticipation Note is hereby authorized and shall be issued pursuant to the Act.

Section 2. The aggregate principal amount of the Bond Anticipation Note authorized by this order shall not exceed $180,000,000. The Bond Anticipation Note hereby authorized shall be special obligations of the City, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the City from or in connection with the operation of the City’s Water and Sewer System.

Section 3. The issuance of the Bond Anticipation Note by the City, in substantially the form to be set forth in the Series Indenture, be and the same hereby is in all respects approved and confirmed. The form and content of the Bond Anticipation Note and the provisions of the Series Indenture and the Purchase Agreement with respect to the Bond Anticipation Note (including without limitation the maturities and rate setting mechanisms) shall be approved and confirmed in a subsequent resolution of the City Council.

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

Section 4. The Bond Anticipation Note shall be purchased by the Bank under the terms of the Purchase Agreement as shall be approved in a subsequent resolution of the City Council.

Section 5. The proceeds from the sale of the Bond Anticipation Note shall be deposited in accordance with the Series Indenture.

Section 6. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Note authorized hereunder.

Section 7. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.
Section 8. This Bond Order shall take effect immediately on its adoption and pursuant to §159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.
I, ____________________, the ____________________ of the City of Charlotte, North Carolina, 
DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution entitled 
“RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF WATER AND SEWER 
SYSTEM REVENUE BOND ANTICIPATION NOTE OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN 
THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $180,000,000” adopted by the City Council of 
the City of Charlotte, North Carolina, at a meeting held on the 24th day of August, 2015, the reference 
having been made in Minute Book _____, and recorded in full in Resolution Book ______. Page(s) 
______.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ___ 
day of August, 2015.

_________________________________

____________City Clerk 
City of Charlotte, North Carolina
A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on August 24, 2015:

Members Present:

Members Absent:

Councilmember _______________ introduced the following resolution, a summary of which had been provided to each Councilmember, copy of which was available with the City Clerk and which was read by title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, FOR THE APPROVAL, EXECUTION AND DELIVERY OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2015

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

WHEREAS, the City has previously issued Water and Sewer System Revenue Bonds under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is U.S. Bank National Association, as trustee, (the “Trustee”), as amended (the “General Indenture”), to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the “Water and Sewer System”);

WHEREAS, the City Council (the “City Council”) of the City of Charlotte, North Carolina (the “City”) hereby determines that it is necessary to improve its Water and Sewer System, including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land (the “Projects”) at an estimated cost not to exceed $180,000,000;

WHEREAS, the City Council has determined to issue a not to exceed $180,000,000 Water and Sewer System Revenue Bond Anticipation Note, Series 2015 of the City (the “Bond Anticipation Note”) to finance the Projects under the General Indenture and Series Indenture, Number 16 dated as of September 1, 2015 (the “Series Indenture”) between the City and the Trustee;

WHEREAS, Wells Fargo Municipal Capital Strategies, LLC (the “Bank”) will purchase the Bond Anticipation Note and provide the City with the funding for the Projects on a draw-down basis under the terms of the Series Indenture and an Amended and Restated Note Purchase and Advance Agreement
dated on or about September 15, 2015 (the “Purchase Agreement”) among the City, the Bank and the North Carolina Local Government Commission;

WHEREAS, the City Council has considered and recognized that variable interest rate debt instruments may subject the City to the risk of higher interest rates in the future and that in addition to the variable interest cost;

WHEREAS, the City Council believes that a draw-down program as contemplated in the Series Indenture and the Purchase Agreement is superior to a fixed rate financing because it will lower the City’s overall cost of capital;

WHEREAS, the City Council wants to (A) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (B) approve Wells Fargo Municipal Capital Strategies, LLC, as the purchaser of the Bond Anticipation Note; (C) retain DEC Associates, Inc., as the financial advisor, and Waters and Company, LLC, as the financial consultant; (D) retain U.S. Bank National Association, as trustee and paying agent for the Bond Anticipation Note; and (E) retain such other professionals as the Chief Financial Officer of the City determines may be necessary to carry out the financing contemplated in this Resolution (collectively, the “Financing Team”);

WHEREAS, the City Council wants the Chief Financial Officer of the City to file with the Local Government Commission of North Carolina (the “Commission”) an application for its approval of the Bond Anticipation Note, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (a) the negotiation of the sale of the Bond Anticipation Note to the Bank and (b) the City’s use of the Financing Team and (2) state in such application such facts and to attach thereto such exhibits in regard to the Bond Anticipation Note and to the City and its financial condition, as may be required by the Commission, and to take all other action necessary to the issuance of the Bond Anticipation Notes; and

WHEREAS, copies of the Series Indenture and the Purchase Agreement have been filed with the City and made available to the City Council;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA DOES RESOLVE AS FOLLOWS:

Section 1. That the issuance of the Bond Anticipation Note by the City in the principal amount not to exceed $180,000,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the General Indenture and the Series Indenture, be and the same hereby are in all respects approved and confirmed, and the form and content of the Bond Anticipation Note set forth in the Series Indenture be and the same hereby are in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the Bond Anticipation Note (including without limitation the maturities and rate setting mechanisms) be and the same hereby are approved and confirmed and are incorporated herein by reference.

The Bond Anticipation Note is to be issued by the City for the purpose of providing funds (1) to finance the costs of the Projects and (2) to pay the costs of issuing the Bond Anticipation Note all as set out fully in the documents attached to the City’s application to the Commission. The use of the proceeds of the Bond Anticipation Note, as described, is necessary in order to meet the expanding needs of the users of the Water and Sewer System and to assure that the Water and Sewer System remains in full compliance with all state and federal requirements for the provision of water and sanitary sewer services.

The Bond Anticipation Note shall be a special obligation of the City. The principal of, premium, if any, and interest on the Bond Anticipation Note shall not be payable from the general funds of the City,
nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the Bond Anticipation Note, and no holder of Bond Anticipation Note has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 2. That the Chief Financial Officer of the City with advice from the City Attorney and bond counsel, is hereby authorized, directed and designated to file an application with the North Carolina Local Government Commission for its approval of the issuance of the Bond Anticipation Note. The Financing Team for the Bond Anticipation Note is hereby approved.

Section 3. That the City Council finds and determines and asks the Commission to find and determine from the City’s application and supporting documentation:

(a) that the issuance of the Bond Anticipation Note is necessary or expedient;
(b) that the not to exceed stated principal amount of the Bond Anticipation Note will be sufficient but is not excessive, when added to other money available to the Water and Sewer System, for the proposed Projects;
(c) that the Water and Sewer System as now constituted and as it will be constituted after the completion of the Projects is feasible;
(d) that the City’s debt management procedure and policies are excellent; and
(e) that the Bond Anticipation Note can be marketed at a reasonable interest cost to the City.

Section 4. That the form and content of the Series Indenture and the exhibits thereto be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager and City Clerk of the City, or their respective designees, be and they hereby are authorized, empowered and directed to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Series Indenture, the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Series Indenture as executed.

Section 5. That the City Council requests that the Commission sell the Bond Anticipation Note through negotiation to the Bank pursuant to the terms of the Purchase Agreement but at an initial interest rate not exceeding 4.00% and thereafter at an interest rate to be set in accordance with the Purchase Agreement. The form and content of the Purchase Agreement is in all respect approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager or the Chief Financial Officer of the City, or their respective designees, are hereby authorized, empowered and directed to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to him or her seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Purchase Agreement, the Mayor, the City Manager, the Deputy City Manager and the Chief Financial Officer of the City, or their respective designees, are hereby authorized, empowered and directed to do all such acts.
and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Agreement as executed.

Section 6. The City Manager or Chief Financial Officer of the City is hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 7. No stipulation, obligation or agreement herein contained or contained in the Bond Anticipation Note, the General Indenture, the Series Indenture, the Purchase Agreement or any other instrument related to the issuance of the Bond Anticipation Note shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the Bond Anticipation Note or be subject to personal liability or accountability by reason of the issuance thereof.

Section 8. The City Manager, the Deputy City Manager, the Chief Financial Officer, the City Treasurer and the City Debt Manager, or their respective designees, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (a) this Resolution and the Bond Order, (b) the General Indenture, (c) the Series Indenture and (d) the Purchase Agreement; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1) the specific provisions of this Resolution or the Bond Order, (2) the specific provisions of the General Indenture or the Series Indenture, (3) the specific provisions of the Dealer Agreements and the Issuing and Paying Agency Agreement, (4) any agreement to which the City is bound, (5) any rule or regulation of the City or (6) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 9. All acts and doings of the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer, the City Treasurer, the City Debt Manager and the City Clerk of the City, and their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bond Anticipation Note and the execution, delivery and performance of the Series Indenture and the Purchase Agreement shall be, and the same hereby are, in all respects approved and confirmed.

Any provision in this Resolution that authorizes more than one officer of the City to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

Section 10. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Note authorized hereunder.

Section 11. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 12. This Resolution is effective on its adoption.
STATE OF NORTH CAROLINA  )
 ) ss:
CITY OF CHARLOTTE  )

I, ____________________, the ____________________ of the City of Charlotte, North Carolina,
DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution entitled “A
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, FOR THE
APPROVAL, EXECUTION AND DELIVERY OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND
SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2015” adopted by the City Council of
the City of Charlotte, North Carolina, at a meeting held on the 24th day of August, 2015, the reference
having been made in Minute Book _____, and recorded in full in Resolution Book ______. Page(s)
_______.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ___
day of August, 2015.

_________________________________
____________________
_______ City Clerk
City of Charlotte, North Carolina
### Water and Sewer Projection Summary

($ 000’s where applicable)

<table>
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<th>Capital program</th>
<th>Prior</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
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<td>166,298</td>
<td>95,533</td>
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<td>130,774</td>
<td>116,674</td>
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<td>$201,533</td>
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<td>$180,286</td>
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<td>$120,674</td>
<td>865,160</td>
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| PAYGO as % of total | 53% | 73% | 47% | 61% | 89% | 69% | 67% | 97% | 68% |

| Interim financing outstanding (6/30) | $171,704 | $59,000 | $118,000 | $102,000 | $158,000 | $62,000 | $61,000 | $61,000 |

| Capital program by bond issue: | | | | | | | | | |
| Series 2015 issue dated 8/27/15 | $171,704 | $8,296 | | | | | | |
| Series 2017 issue dated 7/1/17 | $59,000 | $59,000 | | | | | | |
| Series 2019 issue dated 7/1/19 | $102,000 | $56,000 | | | | | | |
| Series 2021 issue dated 7/1/21 | $10,000 | $52,000 | | | | | | |
| Series 2023 issue dated 7/1/23 | | | | | | | | $61,000 | $61,000 |

| Number of water customers | 262,836 | 264,150 | 265,471 | 266,798 | 268,132 | 269,473 | 270,820 | 272,174 |

| % incr. in avg. residential bill | 4.05% | 4.10% | 4.11% | 4.14% | 4.20% | 4.05% | 4.00% |
| % incr. in water sales volume | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% |

| Total revenue | $342,893 | $357,020 | $373,187 | $390,906 | $410,279 | $431,227 | $452,359 | $474,489 |
| Total operating expenditures | $121,646 | $122,973 | $129,217 | $134,647 | $140,133 | $146,366 | $152,875 | $159,682 |
| Net income available for DS | $221,247 | $234,047 | $243,970 | $256,259 | $270,146 | $284,862 | $299,484 | $314,806 |

| Total revenue bond DS/ll | $109,227 | $115,872 | $120,385 | $128,041 | $128,648 | $136,254 | $137,857 | $138,136 |
| Total G.O. and other DS | $37,148 | $38,055 | $35,485 | $31,501 | $24,387 | $19,872 | $10,682 | $10,580 |
| Total DS | $146,375 | $153,927 | $155,870 | $159,542 | $154,035 | $156,126 | $148,539 | $148,716 |

| DS as % of total revenue | 43% | 43% | 42% | 41% | 38% | 36% | 33% | 31% |

| DS coverage - revenue bonds | 2.03 | 2.02 | 2.03 | 2.00 | 2.08 | 2.09 | 2.17 | 2.28 |
| DS coverage - total | 1.51 | 1.52 | 1.57 | 1.61 | 1.75 | 1.82 | 2.02 | 2.12 |

| Unrestricted fund balance in operating fund | $162,687 | $155,807 | $147,907 | $151,625 | $152,736 | $156,472 | $177,416 | $213,506 |
| As % of op. exp. and DS | 61% | 56% | 52% | 52% | 52% | 52% | 59% | 69% |
Wastewater Treatment Plant Polychlorinated Biphenyl Decontamination Testing Services

Action:

A. Approve a contract in the amount of $1,000,000 for environmental consulting and testing services with S&ME, Inc.,

B. Authorize the City Manager to renew the contract with S&ME, Inc. for one additional term, and

C. Approve a budget ordinance appropriating $2,000,000 from the Charlotte Water Fund Balance to the Charlotte Water Operating Fund.

Staff Resource(s):
Barry Gullet, Charlotte Water

Explanation

- On February 6, 2014, wastes containing polychlorinated biphenyl (PCB) and trichlorobenzene were illegally discharged to the sewage collection system that flows to the Mallard Creek Wastewater Treatment Plant (WWTP) and the collection system that flows to the McAlpine Creek WWTP.

- Since that time, Charlotte Water has been developing decontamination and sampling plans for the Environmental Protection Agency (EPA), decontaminating rental equipment, and disposing of highly contaminated biosolids. Before this decontamination project could begin, Charlotte Water had to sample and monitor PCB concentrations to ensure that PCB levels in the biosolids were declining to prevent re-contaminating the facility.

- Structures and equipment contaminated with PCBs above certain thresholds are regulated by EPA and require decontamination to levels and by methods outlined in the Toxic Substance Control Act (TSCA).

- Materials contaminated with PCBs above certain thresholds are also regulated by the EPA and TSCA and are required to be disposed of in permitted hazardous waste landfills, boiled, or incinerated.

- On June 8, 2015, Charlotte Water issued a Request for Qualifications for environmental engineering and testing at Mallard Creek WWTP; nine responses were received from interested service providers.

- The selection committee, comprised of Charlotte Water and Engineering & Property Management staff, evaluated the responses and selected S&ME, Inc. based on project team and firm experience and qualifications, testing capability, lab facility experience and ability to process large volumes of samples.

- The contract also includes work to be performed at the McAlpine Creek WWTP for preliminary sampling to prepare the EPA required decontamination plan for that facility.

- Charlotte Water will renew this contract for the project at McAlpine Creek WWTP depending on
Agenda #: 21.  File #: 15-1083  Type: Business Item

pricing, availability of funds, and performance on the Mallard Creek WWTP PCB decontamination project.

Charlotte Business INClusion
The City negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). For this contract, S&ME, Inc. has committed 2.50% ($25,000) to the following certified firms:

- Prism Laboratories, Inc. (WBE) ($20,000) (analytical lab services)
- Enviro-Equipment, Inc. (SBE, WBE) ($5,000) (equipment rental)

Fiscal Note
Funding: Charlotte Water Operating

Attachment
Budget Ordinance
ORDINANCE NO. 

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE, APPROPRIATING $2,000,000 FOR ADDITIONAL COSTS REQUIRED FOR PCB DECONTAMINATION SERVICE

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

Section 1. That the sum of $2,000,000 is available in the Charlotte Water Fund Balance

Section 2. That the sum of $2,000,000 is hereby appropriated to the Charlotte Water Operating Fund: 6200-70-00-7090-709021-000000-000-521910

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

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
Airport Terminal Elevated Roadway System and Pedestrian Tunnels

Action:

A. Award a contract in the amount of $41,864,014.13 to the lowest responsive bidder Flatiron Constructors, Inc.-Blythe Development Company, A Joint Venture plus an acceleration clause in an amount not to exceed $1,875,000 for a total amount of $43,739,014.13, for the construction of the new elevated roadway and passenger tunnel system,

B. Approve contract amendment #2 for $1,617,669 to HNTB of North Carolina for construction administration and inspection services,

C. Approve a contract in the amount of $1,971,800 with Summit Engineering, Inc. for quality assurance testing,

D. Approve contract amendment #2 for $273,677.77 to Scheidt & Bachmann USA, Inc for the Ground Transportation Management System that will control commercial vehicle access,

E. Approve a contract with AT&T not to exceed $158,800.31 to relocate an AT&T communications cable, and

F. Adopt a budget ordinance appropriating a total of $47,760,961.21, including $36,112,013 from the Aviation Passenger Facility Charge Fund and $11,648,948.21 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

Staff Resource(s):
Jack Christine, Aviation

Explanation

- The Airport Elevated Roadway project will expand the current road system in front of the terminal to provide additional access capacity for local passengers. Both the upper and lower level will include five lanes for passenger vehicles and three lanes for commercial vehicles, while new pedestrian tunnels will allow travelers to access the Hourly Deck/Rental Car Facility without having to cross lanes of traffic.

Action A: Construction

- The project involves construction of eight at-grade vehicle lanes and eight elevated vehicle lanes between the new hourly parking deck and the main terminal as well as the structural portion of future pedestrian tunnels below the new roadway system. The project is a combination of roadway, bridge and building construction.

- On June 4, 2015, Aviation issued an Invitation in Bid for construction of the Terminal Elevated Roadway System; four bids were received from interested service providers.
Agenda #: 22  File #: 15-920  Type: Business Item

- Flatiron Constructors, Inc.-Blythe Development Company, A Joint Venture, was the lowest responsive bidder.
- The project will cause some disruptions to the flow of passengers and traffic accessing the Terminal. In order to ensure the contractors complete this project as quickly as possible and reduce operational impact, the Aviation Department included an acceleration clause in the contract, which will allow the contractors to earn an additional $1,875,000 if the project is completed by meeting milestones in accordance with the clause.

Action B: Construction Administration and Inspection Services
- On November 8, 2010, the City Council approved a design contract to HNTB North Carolina, P.C. in the amount of $1,292,280 for a terminal elevated roadway system to replace and expand the capacity of the current terminal roadway system.
- On September 10, 2012 the City Council approved contract amendment #1 in the amount of $362,081 to HNTB North Carolina, P.C. for additional design services.
- Contract amendment #2 in the amount of $1,617,669 includes construction and administration services for the duration of the project.
- The new total value of the contract is $3,272,030.

Action C: Testing Services
- On March 9, 2015, the City issued a Request for Qualifications for testing services; nine proposals were received from interested service providers.
- Aviation Department staff evaluated and selected Summit Engineering & Construction Services, Inc. in terms of geotechnical expertise, bridge inspection expertise, and experience with caisson inspections.

Action D: Equipment
- As part of this construction, the Airport’s Ground Transportation Management System needs to be relocated and installed in these new roadway traffic lanes. Contract amendment #2 in the amount of $273,677.77 will allow Scheidt & Bachmann USA, Inc., that is the provider of this system, to install the necessary equipment when the roadway system is completed.
- On June 23, 2014, the City Council approved a design contract to Scheidt & Bachmann USA, Inc. in the amount of $1,055,783 for the Ground Transportation Management System that controls commercial vehicle access.
- On September 22, 2014 the Aviation Director approved contract amendment #1 in the amount of $13,822.38 to Scheidt & Bachmann USA, Inc. for additional scope related to design services.
- The new total value of the contract is $1,343,283.15.

Action E: Communications Cables
- AT&T provides the telecommunication services for the Airport. There are major communications feeds that require re-routing due to this construction. This fee will pay AT&T to relocate this communications cable into the terminal building.
Action F: Budget Ordinance

- The Federal Aviation Administration approved Passenger Facility Charge (PFC) Application #5, which included $36,112,013 in PFC fund authority to pay for the Terminal Elevated Roadway project.
- Aviation is funding the remaining amount of $11,648,948.21 using the Aviation Discretionary Fund.
- Aviation will request an amendment to the PFC Application to obtain additional authority to pay for the revised total amount of PFC-eligible expenses.
- The acceleration clause of $1,875,000 is not PFC-eligible and will be paid with Airport cash if all conditions are met.

Charlotte Business INClusion

Action A:
Established SBE Goal: 7%
Committed SBE Goal: 7.40%
Flatiron Constructors, Inc.-Blythe Development Company exceeded the established SBE subcontracting goal, and has committed 7.40% ($3,100,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):
- Border Rebar LLC (MBE, SBE) ($2,535,000) (furnish and install rebar)
- Dakota Contracting Company, Inc. (MBE, SBE) ($565,000) (furnish and install storm drain water)

Established MBE Goal: 4%
Committed MBE Goal: 7.40%
Flatiron Constructors, Inc.-Blythe Development Company exceeded the established MBE subcontracting goal, and has committed 7.40% ($3,100,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):
- Border Rebar LLC (MBE, SBE) ($2,535,000) (furnish and install rebar)
- Dakota Contracting Company, Inc. (MBE, SBE) ($565,000) (furnish and install storm drain water)

Action B:
All additional work involved in this amendment will be performed by HNTB of North Carolina and its existing subconsultants (Part D: Section 6 of the Charlotte Business INClusion Policy). HNTB of North Carolina has committed 6.77% ($109,440) of this amendment to the following certified firm:
- McFarland Construction (MBE, SBE) ($109,440) (construction administration)

Action C:
The City negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). On this contract, Summit Engineering, Inc. has committed 10.44% ($205,875) of the total contract amount to the following certified firms:
- On-Spec Engineering, PC (SBE) ($205,875) (material testing and delivery)

Action D:
No subcontracting goal was established for this amendment because there are no opportunities (Part D: Section 6 of the Charlotte Business INClusion Policy).
Fiscal Note
Funding: Aviation Community Investment Plan
The Aviation Department intends to seek Federal Aviation Administration approval to use PFC funds to pay for the additional PFC-eligible costs of these projects as an amendment to PFC Application #5.

Attachment
Budget Ordinance
ORDINANCE NO. ______________________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING
AN APPROPRIATION OF $47,760,961.21 FOR THE AIRPORT TERMINAL ELEVATED ROADWAY SYSTEM
AND PEDESTRIAN TUNNELS

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

Section 1. That the sum of $36,112,013 is hereby appropriated from the Aviation Passenger Facility Charge Fund

Section 2. That the sum of $36,112,013 is hereby appropriated in the Aviation Community Investment Plan Fund

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<th>Amount: $6,000,000</th>
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<tr>
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Section 3. That the sum of $11,648,948.21 is hereby appropriated from the Aviation Discretionary Fund

Section 4. That the sum of $11,648,948.21 is hereby appropriated in the Aviation Community Investment Plan Fund

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</table>

Section 5. 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 6. All ordinances in conflict with this ordinance are hereby repealed.

Section 7. This ordinance shall be effective upon adoption.

Approved as to form:

__________________________________________
City Attorney
Jonas Federal Courthouse Property Exchange

Action:

A. Approve the exchange of real property between the City and the General Services Administration (GSA) wherein, in February 2017, the City would transfer the Jonas Federal Courthouse property located at 401 West Trade Street to the GSA and the GSA would transfer the property located at 501 East Trade Street and currently used as a parking lot to the City,

B. Approve a lease extension of the Jonas Federal Courthouse for property located at 401 West Trade Street between the GSA as Tenant and City of Charlotte as Landlord for an additional period from December 16, 2015 to February 20, 2017, for a total amount of $1,799,063,

C. Adopt a budget ordinance appropriating $3,300,000 for the purpose of completing roof replacement to the Jonas Federal Courthouse facility,

D. Authorize the City Manager to negotiate contracts for the design and construction of roof replacement to the courthouse building for an amount not to exceed $3,300,000, and

E. Extend Queens University’s Option to purchase the Jonas Federal Courthouse property, to match the extended General Services Administration lease term.

Staff Resource(s):
Ron Kimble, City Manager’s Office
Tony Korolos, Engineering & Property Management
William Haas, Engineering & Property Management
Catherine Cooper, Senior City Attorney

Explanation

- The General Services Administration (GSA) is an independent agency of the United States government that manages and supports the basic functions of federal agencies including real property administration.

- The Jonas Federal Courthouse property, currently owned by the City, is located at 401 West Trade Street (parcel identification number 073-113-04). The 2.96-acre property includes the 112,025 square foot courthouse building, which was constructed in 1934 and originally served as Charlotte’s main post office.

- The 501 East Trade Street property, currently owned by the GSA, is a 3.2-acre unimproved lot, used as a parking lot (parcel identification number 080-054-01).

- In 2004, GSA was seeking a site for a new federal courthouse to be constructed. The City owned the East Trade Street site and exchanged it for the courthouse, anticipating that the new
courthouse would be constructed on the East Trade Street site. At the time the values of the two properties were within $100,000 of each other.

- Since 2004, GSA has paid over $10 million rent to the City for the use of the Jonas Federal Courthouse.

- When the City became owner of the federal courthouse property in 2004, Council granted Queens University an option to purchase the property and use it for educational purposes. The option could be exercised only at the time GSA’s lease terminated and GSA no longer needed to occupy the property.

- Within the past year, GSA has indicated that a new courthouse will not be constructed, so GSA needs to continue to occupy the Jonas Federal Courthouse property.

- The City and the GSA therefore desire to reverse the 2004 property exchange, which will result in the termination of Queens’ option to purchase the courthouse.

- GSA has requested a delay of the property exchange, during which time they would remain as tenant, while the City would manage the courthouse roof replacement project.

- The Queens option to purchase the courthouse property would terminate, on its own terms, when GSA’s lease is terminated at the time of the property exchange.

### Land Exchange Terms

- Professional appraisal indicates that the City’s federal courthouse property is currently valued at $12,640,000, and the GSA’s 501 East Trade Street property is valued at $15,500,000, for a difference of $2,860,000 in favor of the GSA.

- In order to equalize the values of the properties being exchanged, to account for the additional $2,860,000 owed by the City to the GSA, the parties have agreed that the City will replace the roof at the courthouse property. The estimated cost of roof replacement is $3,300,000. The City proposes to undertake the roof replacement project, agreeing to be responsible for $2,860,000 of those costs, as additional consideration to equalize the property exchange, with GSA being responsible for the remaining costs. The City will utilize the GSA lease payment revenues from December 2014 through February 2017, to cover the $2,860,000.

- Since the roof replacement project is expected to be completed by early 2017, the GSA lease extension will allow the project to be completed before the property exchange takes place.

- After the land exchange, the City will continue to operate the parking lot on the East Trade Street property, recognizing parking revenues of approximately $450,000 per year until the property is sold.

### Roof Replacement

- City staff estimates the cost of design, roof construction and staff/administration costs to be $3,300,000.

### Appropriation of Funds

- Appropriate $3,300,000 for the design and roof construction.

- The City will use the GSA lease payment revenues from December 2014 through February 2017 that total $2,875,400, to cover $2,860,000 of the costs.

- The GSA will pay the remainder of the actual cost of the roof design and construction.
Award of Construction Contract

- Because the roof is in poor condition, the City plans to complete the roof replacement as quickly as possible.
- By authorizing the City Manager to award the contracts, approximately one month can be saved in project duration. The City will advertise the project and seek competitive bids.
- The total cost of the design and construction work will not exceed $3,300,000.
- CBI goals will be established based on the scope of work.
- The project is anticipated to be complete in the first quarter 2017.

Lease Terms

- The proposed lease extension carries the following terms:
  - GSA to pay annual rent of $1,512,337.50 from December 16, 2015, through December 15, 2016, and increasing by 3.5% December 16, 2016, through February 20, 2017.
  - GSA to pay all costs of property operations, maintenance, and capital improvements (except the cost of roof replacement will be paid as described above).
- If the City Council approves the extension of the GSA lease, staff will also extend the Queens option, as required by the terms of that agreement, for another year or until the property exchange takes place.

Fiscal Note

Funding: General Facilities Community Investment Plan

Attachment

Location Map
Budget Ordinance
Location Map: Jonas Federal Courthouse Lease Extension (Council District 2)
ORDINANCE NO. ____________________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $3,300,000 FOR DESIGN AND CONSTRUCTION OF ROOF REPAIRS TO THE JONAS FEDERAL COURTHOUSE PROPERTY

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

Section 1. That the sum of $3,300,000 hereby estimated to be available from the following sources: City of Charlotte ($2,860,000, funding source 5000-50001200-0000) and General Services Administration ($440,000, funding source 5000-50001100-2017)

Section 2. That the sum of $3,300,000 is hereby appropriated in the General Capital Investment Fund (4001) into the following projects:
Jonas Courthouse Roof Renovation - 80404004
GL: 4001-80-10-8040-804040-000000-000-530500

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
City of Charlotte

Agenda Date: 8/24/2015

Agenda #: 24. File #: 15-1130  Type: Business Item

City Attorney’s Compensation

Action:
Consider a 2015 Compensation Adjustment for the City Attorney

Staff Resource(s):
Cheryl Brown, Human Resources

Explanation
- On August 24, 2015, the Mayor and the City Council met to conduct the City Attorney’s performance evaluation and discuss a potential compensation adjustment.
- The Human Resources Director has assisted the Mayor and the City Council on the details associated with the City Attorney’s compensation.
Nomination to the Business Advisory Committee

Action: Nominate citizens to serve as specified.

Staff Resource(s):
Stephanie Kelly, City Clerk

Explanation
- One appointment for an unexpired term beginning immediately and ending April 28, 2017.
  - Edward Peugh has failed to meet the City Council attendance policy requirement.

Attachment
Business Advisory Committee Applicants
Membership - Original appointments were made to expire on a staggered basis: one, two, and three year terms. Terms thereafter are for three years with no member serving more than two consecutive terms. Six members appointed by City Council; five members recommended by the Charlotte Chamber (one from each Area Council) and confirmed by City Council; one member recommended by the Manufacturer’s Council and confirmed by City Council; and one member recommended by the Arrowood Association and confirmed by City Council. Mayor appoints Chair.

On December 13, 2010, City Council changed the structure of the Committee to add a specific focus on small business. These changes increased the committee members from thirteen (13) to twenty (20) with membership from designated industry sectors, including energy, financial services, health care, technology and transportation/logistics. The seats held by Arrowood Association and the Manufacturer’s Council were removed with their representation now thru either the chamber or the industry sectors. The focus on small businesses was increased by adding members from the Hispanic Contractors Association. Additional small business focus includes representation from the National Association of Women Business Owners, Charlotte-Mecklenburg Black Chamber of Commerce, Charlotte-Mecklenburg Latin-American Chamber of Commerce, the Carolinas Asian-American Chamber of Commerce and the Metrolina Native American Association.

Responsibilities -

Provide recommendations and advice to Council on ways the City can help business in Charlotte, with a particular emphasis on small businesses; Provide a forum for businesses to raise issues, discuss and have input into City policy responses to these issues; Provide input and recommendations on the City’s Economic Development Focus Area Plan, with a particular emphasis on small business development; City contracting programs; revitalization of distressed business districts; business recruitment, retention and expansion efforts; public/private partnership projects; and business customer service; Keep City Council and City Department Managers abreast of conditions in the business community and how these conditions might affect business-government relations and needs for public services.

MEMBERSHIP BREAKDOWN

- 2 by Mayor
- 6 by City Council (12 City Council appointments with recommendations from the following: 1 Carolinas Asian-American Chamber of Commerce recommendation, 1 Charlotte-Mecklenburg Black Chamber of Commerce recommendation, 1 Charlotte-Mecklenburg Latin-American Chamber of Commerce recommendation, 1 Hispanic Contractors Association recommendation, 1 Metrolina Minority Contractors Association recommendation, 1 National Association of Women Business Owners recommendation, 5 Chamber of Commerce recommendations)
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<tr>
<th>Name</th>
<th>Term Duration</th>
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<th>Position</th>
<th>Category</th>
<th>Appointed By</th>
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<tr>
<td>MILAGRITOS AGUILAR</td>
<td>1 Term May 12, 2014 - Apr 28, 2017</td>
<td>Government Center Building, 600 E 4Th Street</td>
<td>Board Member</td>
<td>Certified SBE Recommended By Hispanic Contractors Association For Appointment By City Council</td>
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<td>JULIE AYERS</td>
<td>1 Term May 12, 2014 - Apr 28, 2017</td>
<td>Government Center Building, 600 E 4Th Street</td>
<td>Board Member</td>
<td>Recommended By The National Association Of Women Business Owners For Appointment By City Council</td>
<td>City Council</td>
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<tr>
<td>WALTER BAUCOM II</td>
<td>2 Term Feb 14, 2011 - Apr 28, 2017</td>
<td>Government Center Building, 600 E 4Th Street</td>
<td>Board Member</td>
<td>Recommended By The Metrolina Native American Association For Appointment By City Council</td>
<td>City Council</td>
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<tr>
<td>NIMISH BHATT</td>
<td>2 Term Jan 24, 2011 - Apr 28, 2017</td>
<td>Government Center Building, 600 E 4Th Street</td>
<td>Board Member</td>
<td>Recommended By The Asian American Chamber Of Commerce For Appointment By City Council</td>
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<tr>
<td>JOHN BRADBERRY</td>
<td>1 Term Apr 29, 2013 - Apr 30, 2016</td>
<td>Government Center Building, 600 E 4Th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Mayor</td>
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<tr>
<td>EDWARD BRYANT</td>
<td>1 Term Apr 29, 2014 - Apr 28, 2017</td>
<td>Government Center Building, 600 E 4Th Street</td>
<td>Board Member</td>
<td>Certified SBE Recommended By Metrolina Minority Contractors Association For Appointment By City Council</td>
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<tr>
<td>LEE M COCHRAN</td>
<td>1 Term Apr 27, 2015 - Apr 28, 2018</td>
<td>Government Center Building, 600 E 4Th Street</td>
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<td>JULIO COLMENARES</td>
<td>2 Term Jan 24, 2011 - Apr 28, 2017</td>
<td>Government Center Building, 600 E 4Th Street</td>
<td>Board Member</td>
<td>Recommended By The Latin American Chamber Of Commerce For Appointment By City Council</td>
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VIRGINIA DEATLEY  
2 Term  Apr 29, 2015 - Apr 28, 2018  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category Recommended By The Charlotte Chamber Of Commerce  
Appointed by City Council  
Email: ndeatley@mac.com

SEAN GAUTAM  
1 Term  Apr 29, 2014 - Apr 28, 2017  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Email: sean.gautam@intelligrity.com

DEALVA W GLENN  
Partial Term  May 27, 2014 - Apr 28, 2016  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by City Council  
Email: dealva@dwilsonagency.com

MANOJ GOVINDAN  
Partial Term  Jun 03, 2013 - Apr 28, 2016  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Appointed by Mayor

ROBERT GRAJEWSKI  
1 Term  Apr 29, 2015 - Apr 28, 2018  
Position Board Member  
Category Recommended By The Charlotte Chamber Of Commerce  
Appointed by City Council  
Email: robert.grajewski@gmail.com

THOMAS HSIAO  
1 Term  Apr 13, 2015 - Apr 28, 2017  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category Recommended By The Charlotte Chamber Of Commerce  
Appointed by City Council  
Email: thomash@supergreensolutions.com

G.WESLEY JONES  
2 Term  Jun 28, 2010 - Apr 28, 2016  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category Recommended By The Charlotte Chamber Of Commerce

EDWARD PEUGH  
1 Term  Apr 29, 2014 - Apr 28, 2017  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category None  
Email: edwardpeugh@gmail.com

WILL RUSSELL  
1 Term  Apr 27, 2015 - Apr 28, 2018  
Position Board Member  
Category None  
Appointed by City Council  
Email: w.russell78@gmail.com

LESTER SELBY  
1 Term  Apr 29, 2014 - Apr 28, 2017  
Office Government Center Building, 600 E. 4Th Street  
Position Board Member  
Category Recommended By The Black Chamber Of Commerce For Appointment By City Council  
Email: lester.selby@cmbcc.org
JONATHAN UTRUP  
Term: Apr 29, 2014 - Apr 28, 2017  
Office: Government Center Building, 600 E. 4Th Street  
Position: Board Member  
Category: Recommended By The Charlotte Chamber Of Commerce  
Email: jonathan.utrup@gmail.com

GREGORY WILEY  
Office: Government Center Building, 600 E. 4Th Street  
Position: Board Member  
Category: None  
Email: gwiley@optimapa.com
Not in a Designated Industry Sector

City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jun 25, 2015
Status: submitted

Profile

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<tr>
<th>Corey</th>
<th>R Alexander</th>
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<tbody>
<tr>
<td>First Name</td>
<td>Last Name</td>
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coreyalexander@xcenri.com

Email Address

7404 Crestside Ln

Street Address

Charlotte

City

NC

State

28227

Postal Code

Mobile: (704) 618-7169

Business: (704) 372-4701

District 5

City Council District

African American

Ethnicity

Democrat

Political Party

Male

Gender

05/03/1991

Date of Birth

Are you a registered voter?

- Yes  - No

Which Boards would you like to apply for?

- Business Advisory Committee, Community Relations Committee

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

I am interested in serving on these boards because I am invested in the City of Charlotte and I want to give back to the community. I want the ability to be a catalyst for change in the city for the betterment and benefit for all citizens of Charlotte and Mecklenburg County.

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

My experience as a business owner and recruiter has given me the ability to understand the necessity for people to come together to make changes and make a difference to enhance their surroundings. I have had the ability to network and serve on other boards and committees which has given me the desire to continue serving at the city level.

YMCA Linsnan Emphasis Committee, and The Bii and Me Foundation.

List any boards you are currently serving on:

List any boards you have served on in the past:

Xcenri

Current Employer:

9 months

Years in current position:

Staffing Manager

Job Title:

Brief description of duties:

I recruit primarily within the office services field looking for individuals who excel at law, accounting, customer service, sales, project management, administration, HR, and much more.

Other employment history:

The Ross Center (November 2010 - June 2014) YMCA (May 2005 - Present)
# FINANCIAL SERVICES SECTOR

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</tr>
<tr>
<td>M</td>
<td>Alexander II</td>
</tr>
<tr>
<td>First Name</td>
<td>Last Name</td>
</tr>
<tr>
<td><a href="mailto:jayealexander@att.net">jayealexander@att.net</a></td>
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<td><strong>Address</strong></td>
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</tr>
<tr>
<td>216 Orange Street</td>
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<tr>
<td>Suite #4</td>
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<td><strong>Home</strong></td>
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</tr>
<tr>
<td>(704) 372-5990</td>
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<td><strong>Mobile</strong></td>
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<tr>
<td>(980) 318-3326</td>
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<td><strong>Are you a registered voter?</strong></td>
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<td><strong>Which Boards would you like to apply for?</strong></td>
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<tr>
<td>Business Advisory Committee, Charlotte Community Capital Loan Fund</td>
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<td><strong>Why are you interested in serving on these boards/committees?</strong></td>
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<tr>
<td>Jaye is extremely passionate about finance, access to capital markets, commercial markets. Jaye's formal education (BS, BBA, and MBA) with a foundation in Accounting, Finance, Commercial Financing, Equipment</td>
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Leasing, Federal Tax Specialist.

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

focus on commercial mortgages for the investor, raising capital, private equity for main street America. entrepreneurship shining brightly the engine of capitalism moving mezzanine funding, private placement financing for small and mid-sized firms,

Compassion Advisory Committee; Charlotte Community Relations Committee

List any boards you are currently serving on:

Citizens Capital Budget Advisory Committee

List any boards you have served on in the past:

J.M. ALEXANDER, LLC
Current Employer:

21
Years in current position:

President / Director
Job Title:

Brief description of duties:

M ALEXANDER, is a financial and mortgage brokerage source with a clear focus on the business to business markets. We can provide funding only in the commercial arena staff. We are focused on commercial mortgages financing, factoring.

Other employment history:

Agenda Packet Page 94
NOT IN A DESIGNATED INDUSTRY SECTOR

City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jun 24, 2015
Status: submitted

Profile

Kyle
First Name
kyle.m.bender@gmail.com
Email Address
1020 Montford Dr
Street Address
Charlotte
City NC 28209
State Zip Code
Mobile: (704) 942-6316
Primary Phone

Bender
Last Name

Are you a registered voter?

☐ Yes ☐ No

Which Boards would you like to apply for?

Business Advisory Committee, Charlotte Community Capital Loan Fund, Planning Commission

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

I'd like to use my knowledge to help others and learn more about the city

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

My business is residential real estate where I own and operate a property management company and a real estate sales team

Cystic Fibrosis Foundation
List any boards you are currently serving on:
Just CFF
List any boards you have served on in the past:

Scarlett Properties
Current Employer:
10
Years in current position:

President
Job Title:

Brief description of duties:

Manage Business, People, Sales, Properties

Other employment history:
NOT IN A DESIGNATED INDUSTRY SECTOR

City Of Charlotte Boards & Commissions

Submit Date: Jun 29, 2015
Status: submitted

Profile

Manuel Betancur

First Name: Manuel
Middle Initial: 
Last Name: Betancur

manolobetancur@gmail.com
Email Address

5111 Silabert Ave
Suite or Apt: 

Charlotte, NC 28205
City: Charlotte
State: NC
Postal Code: 28205

Mobile: (980) 213-8507
Primary Phone

Mobile: (704) 568-2120
Alternate Phone

District 5
City Council District

Hispanic
Ethnicity

Democrat
Political Party

Male
Gender

05/08/1976
Date of Birth

Are you a registered voter?
● Yes ○ No

Which Boards would you like to apply for?
Business Advisory Committee, Passenger Vehicle For Hire

Why are you interested in serving on these boards/committees?
Because I am an active member of this community who wants to contribute to make Charlotte a better city for my children. As an american citizen but also as an immigrant I want to be the voice of all those thousand of new comers who already have or are starting a business in Charlotte, and because I still believe in the American Dream, I still believe that every person can fight for their dreams.

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

I own the oldest Latino bakery in Charlotte founded twenty years ago. We went from 6 employees to 20 and currently sell our products in almost 100 stores in NC and Virginia, including Harris Teeter. I also founded the first designated driver company in Charlotte. 15 years ago when I was in college I was a dish-washer, finish college and have been an entrepreneur ever since.

List any boards you are currently serving on:

List any boards you have served on in the past:

Las Delicias Bakery, Charlotte's Angels, and Mamas Coffee House
Current Employer:

8 years
Years in current position:

CEO of the three Companies
Job Title:

Brief description of duties:
Management for the three different kind business, Sales representative, new products development, decision maker.

Other employment history:

FINANCIAL SERVICES SECTOR

City Of Charlotte Boards & Commissions

Application Form

Profile

Mary  
First Name

Boyd  
Middle Initial

Last Name

boyd acctax@gmail.com  
Email Address

1028 Coliseum Dr  
Street Address

Suite or Apt

Charlotte  
City

NC  
State

28205  
Postal Code

Mobile: (980) 395-5648  
Primary Phone

Alternate Phone

District 1  
City Council District

African American  
Ethnicity

Democrat  
Political Party

Female  
Gender

02/20/1958  
Date of Birth

Are you a registered voter?

☒ Yes ☐ No

Which Boards would you like to apply for?

Business Advisory Committee, Charlotte Community Capital Loan Fund, Charlotte Regional Visitors Authority

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

I want to use my knowledge in helping Charlotte-Mecklenburg government.

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

List any boards you are currently serving on:

List any boards you have served on in the past:

Boyd’s Acctax Consulting LLC  
Current Employer:

2 years  
Years in current position:

Licence Public Accountant  
Job Title:

Brief description of duties:

Developed business start up for accounting, taxation and payroll

Other employment history:
NOT IN A DESIGNATED INDUSTRY SECTOR

City Of Charlotte Boards & Commissions

Application Form

Submit Date: Aug 10, 2015
Status: submitted

Profile

Robyn A. Crigger
rcrigger@compasscareer.com
8509 Crown Crescent Court, Charlotte, NC 28227
Business: (704) 849-2500 Home: (704) 882-6332

City Council District:
Caucasian/Non-Hispanic
Republican
Female
08/29/1949
Are you a registered voter? Yes

Which Boards would you like to apply for?
Business Advisory Committee

Why are you interested in serving on these boards/committees?
As a business owner in Charlotte for over 21 years, I'd like to do what I can to help other budding business owners and improve areas to benefit employers and the community at large.

Please describe any background or abilities that qualify you to serve on these boards/committees.
I have been the President of the National Association of Women Business Owners, been on the Board of the Metropolitan Business & Professional Women, as well as a Board Member of the Aldersgate Retirement Community. I have also been involved in the Charlotte Chamber East Area Council in the past and am registered as an MWBE. When owner of Sedona Staffing, we supported the Mayor's Youth Summer Work Program. Also, a member of the Charlotte Economic Club.

Crown Point Business Park Board, CA SHRM Member Support Committee
List any boards you are currently serving on:

List any boards you have served on in the past:

Compass Career Mgmt Solutions
21+

Brief description of duties:
Develop programs and services for clients, work with Controller to manage funds, Market services to employers and individuals, Provide Job Search Support Group for HR Professionals, Service clients (Coaching, Training, etc.), arrange for advertising, etc.

Other employment history:
Have held business administrative positions for real estate firms in Atlanta, GA and Moline, IL. Substitute teacher for CMS in 1980's.
Please describe any background or abilities that qualify you to serve on these boards/committees.

I am currently the Business Workforce Issues Committee Chair for the Charlotte Chamber of Commerce and believe this would create great synergy for both entities. I am also, very involved with many business activities in town and would bring a wealth of knowledge as well.

no city or county boards at this time.
List any boards you are currently serving on:
Charlotte Sister Cities; Charlotte International Cabinet; Business Advisory Committee
List any boards you have served on in the past:

Terri DeBoo Ideas@Work
Current Employer:

2
Years in current position:

Business Growth Advisor
Job Title:

Brief description of duties:
I help businesses build strategies for growth. Offering businesses new to Charlotte help assimilating, integrating, acculturating, and acclimating into the city. And, existing businesses grow through strategic planning, training and connectivity.

Other employment history:
All American Roofing, Flame industries, Mary Kay Cosmetics, Columbia Sussex Corporation

Agenda Packet Page 99
NO T IN A DESIGNATED INDUSTRY SECTOR

City Of Charlotte Boards & Commissions
Application Form
Submit Date: Aug 11, 2015
Status: submitted

Profile

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth</td>
<td>Frere</td>
</tr>
</tbody>
</table>

Email Address: egfreer@gmail.com

Address: 1313 Westover St, Charlotte, NC 28205

Phone: Mobile: (252) 341-2345, Home: (252) 341-2345

City Council District: NA

Ethnicity: NA

Political Party: NA

Gender: Female

Date of Birth: NA

Are you a registered voter? Yes

Which Boards would you like to apply for? Bechtler Arts Foundation Board, Bicycle Advisory Committee, Business Advisory Committee, Charlotte Area Fund Board Of Directors (O), Citizens’ Transit Advisory Group, Development Review Board, Mint Museum Board Of Trustees, Planning Commission (O), Public Art Commission, Storm Water Advisory Committee, Transit Services Advisory Committee, Zoning Board Of Adjustment (BIO)

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

I want to be involved in CharMeck’s civil engagement opportunities and believe that my educational and professional background can be an asset to many of the boards, commissions, and committees.

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

I am a Landscape Architect and hold a Master’s degree in Urban Design. As a resident of one of Charlotte’s most vibrant inner suburbs, I have a personal investment to better Charlotte and surrounding areas. Having spent 7 years working at UNC Charlotte, I’ve been exposed to various types of issues involving the city, county, and state agencies.

List any boards you are currently serving on: NA

List any boards you have served on in the past: NA

University of North Carolina at Charlotte

Current Employer: NA

Years in current position: 7

Facilities Management-Design Services, Project Manager

Job Title: NA

Brief description of duties:

Design campus site improvements, provide guidance about development to campus stakeholders, and provide professional services typically involved in all phases of development including: programming and site analysis, schematic design, design development, construction documentation, and construction management.

Other employment history:

Agenda Packet Page 100
FINANCIAL SERVICES SECTOR

City Of Charlotte Boards & Commissions
Application Form

Profile

Mark
First Name

Frietch
Last Name

mark.frietch@icloud.com
Email Address

715 N Church St Unit 213
Address

Charlotte, NC 28202
City State Zip Code

Home: (704) 965-9117
Primary Phone

District 2
City Council District

Caucasian/Non-Hispanic
Ethnicity

Republican
Political Party

Male
Gender

01/26/1973
Date of Birth

Are you a registered voter?
Yes

Which Boards would you like to apply for?
Business Advisory Committee, Passenger Vehicle For Hire, Privatization/Competition Advisory Committee

Why are you interested in serving on these boards/committees?
I am interested in the boards I selected because of my interest in helping Charlotte remain competitive and attractive to organizations looking to relocate here. I also believe the boards have a strong impact on the safety and lives of the citizens. I would welcome the opportunity to serve Charlotte and have an impact on how we grow.

Please describe any background or abilities that qualify you to serve on these boards/committees.
I have a background in building value propositions for organizations that help them stay competitive in the talent acquisition industry. I feel this background and living in the downtown area provide a perspective that the boards of interest can utilize.

List any boards you are currently serving on:
Cornelius Land Development Code Committee

List any boards you have served on in the past:

Capital One (Contract Role)
Current Employer:

Less than 1
Years in current position:

Recruiter
Job Title:

Brief description of duties:
Recruit Loan Officers to join Capital One in a variety of geographic markets.

Other employment history:
Recruiting projects since 2009. Worked with Companies such as TWC, Wells Fargo, and Ingersoll Rand.
Please describe any background or abilities that qualify you to serve on these boards/committees.

I've operated my own business for 14 years and have formed a number of local relationships with those in the Charlotte-Mecklenburg community. I understand the need for new ideas and to provide leadership to the community from which I make a living.

Board Member, Kappa Foundation of Charlotte (Marketing Liaison)

List any boards you are currently serving on:
Community College Computer Training Advisory Board (Past Member)

List any boards you have served on in the past:

TechnikOne

Current Employer:

14 years

Years in current position:

Partner

Job Title:

Brief description of duties:

Digital marketing agency where I oversee business operations and creative execution for all client projects

Other employment history:

Capital markets auditor for NationsBank (now Bank of America)

City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jun 19, 2015
Status: submitted

Profile

Martin
First Name
Jospeh
Last Name
mmcneese@technikone.com
Email Address
9425 Long Creek Green Drive 307
Street Address
Charlotte
City
NC
State
28216
Postal Code

Business: (704) 332-4921
Primary Phone
Alternate Phone

District 2
City Council District

African American
Ethnicity
Independent
Political Party

Male
Gender
01/28/1975
Date of Birth

Are you a registered voter?

- Yes    - No

Which Boards would you like to apply for?

Business Advisory Committee, Domestic Violence Advisory Board, Keep Charlotte Beautiful

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

Having lived in Charlotte for nearly 16 years and seen this city transform before my eyes, I want to get more involved in the community from a civic viewpoint.
**TECHNOLOGY SERVICES SECTOR**

**City Of Charlotte Boards & Commissions**

**Application Form**

<table>
<thead>
<tr>
<th>Profile</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Nathaniel</td>
<td>Lewis</td>
<td></td>
</tr>
<tr>
<td>First Name</td>
<td>Last Name</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:nathaniel.lewis@gmail.com">nathaniel.lewis@gmail.com</a></td>
<td>Email Address</td>
<td></td>
</tr>
<tr>
<td>715 North Graham ST STE 510</td>
<td>Street Address</td>
<td></td>
</tr>
<tr>
<td>Charlotte</td>
<td>NC</td>
<td>28202</td>
</tr>
<tr>
<td>City</td>
<td>State</td>
<td>Postal Code</td>
</tr>
<tr>
<td>Mobile: (860) 997-0265</td>
<td>Phone</td>
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</tr>
<tr>
<td>District 2</td>
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<td>City Council District</td>
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<tr>
<td>06/01/1981</td>
<td>Date of Birth</td>
<td></td>
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<tr>
<td>Are you a registered voter?</td>
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<td>Which Boards would you like to apply for?</td>
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<td></td>
</tr>
<tr>
<td>Business Advisory Committee, Transit Services Advisory Committee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Why are you interested in serving on these boards/ committees?</td>
<td>To put my professional experience to good use in the city I plan to call home for the rest of my life.</td>
<td></td>
</tr>
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</table>
ENERGY SERVICES SECTOR

City Of Charlotte Boards & Commissions
Submit Date: Jun 26, 2015
Status: submitted

Profile

Justin
First Name
Trinca
Last Name
justin.trinca@gmail.com
Email Address
3630-201 Sterling Magnolia Ct S
Street Address
Charlotte
City
NC
State
28211
Zip Code
Mobile: (919) 451-2838
Primary Phone

District 1
City Council District
Caucasian/Non-Hispanic
Ethnicity
Independent
Political Party
Male
Gender
11/09/1988
Date of Birth
Are you a registered voter?
Yes ☐ No ☐

Which Boards would you like to apply for?
Business Advisory Committee, Privatization/Competition Advisory Committee

Why are you interested in serving on these boards/committees?
These would be great opportunities to be a part of the decisions made in Charlotte that affect our community. I also think I could provide a different perspective and possibly have a longer outlook into the future since I am relatively young. I plan to be in Charlotte for a long time and would be able to look past just the present and see the potential in the future.

Please describe any background or abilities that qualify you to serve on these boards/committees.
I graduated from Queens University with a Bachelor’s Degree in Business. I then attended Charlotte School of Law while working for a small law firm. Currently I work for Airgas maintaining compliance with local, state, and federal regulations. I also attended Queens University completing my MBA with a concentration in Finance. I am also in the process of building an online business.

List any boards you are currently serving on:

List any boards you have served on in the past:

Airgas
Current Employer:
1
Years in current position:

Regulatory Compliance
Job Title:
Brief description of duties:
Maintain compliance with regulatory programs at the local, state, and federal levels including: EPA, DHS, OSHA, and DENR.

Other employment history:
Please visit my page on LinkedIn at: www.linkedin.com/in/justin-trinca/ for previous job history, education, and volunteer work.
### Profile

<table>
<thead>
<tr>
<th>Name</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen</td>
<td><a href="mailto:svaughanca@gmail.com">svaughanca@gmail.com</a></td>
</tr>
<tr>
<td>Vaughan</td>
<td></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Address</th>
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</tr>
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<tbody>
<tr>
<td>9435 Ardrey Woods Drive</td>
<td></td>
</tr>
<tr>
<td>Charlotte</td>
<td>NC 28277</td>
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<th>Phone Numbers</th>
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<tr>
<td>(704) 540-8765</td>
<td>(704) 544-8429</td>
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<th>District</th>
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<td>District 7</td>
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<td>Business:</td>
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<td>08/21/1970</td>
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<th>Voter Status</th>
<th>Whether you are a registered voter?</th>
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<tbody>
<tr>
<td></td>
<td>Yes ☐ No ☐</td>
</tr>
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</table>

### Other Information

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

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

Being a native of Charlotte, I have a vested interest in being sure all citizens have a fair opportunity to present their case and be heard. However, I also believe that anyone selected to review these issues must be able to be objective and knowledgeable to be able to appreciate both sides of the issue and review the evidence impartially to come to a just conclusion.

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

Alumni of the CMPD, FBI, and Sheriff’s Office Citizens’ academies; 20+ year career as a CPA and certified fraud examiner means I am logical, analytical, and trained to look for the truth; Married to a woman of a different race, and with members of my own family of multiple races gives me experience of relating to multiple cultures.

<table>
<thead>
<tr>
<th>Board Name</th>
<th>Position</th>
</tr>
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<tbody>
<tr>
<td>Alumni</td>
<td>(Lumbee), Lorraine Harper of the NCACPA Scholarship Committee (Member)</td>
</tr>
<tr>
<td>Indonesian American Association of the Carolinas</td>
<td>Treasurer</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Current Employer</th>
<th>Years in current position</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>McArthur, McKeiver, &amp; Vaughan, PLLC</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

**Brief description of duties:**

Staff training & development, process monitoring, client management, financial statement, tax, consulting, and forensic engagements

**Other employment history:**

Stephen F Vaughan, CPA, PA President 2 years; Clayton S Parsons, CPA, PA 8 years; Gleiberman, Spears, Shepherd & Mennaker 1 year; Scharf Pera & Co. 9 years
Nominations to the Civil Service Board

Action: Nominate citizens to serve as specified.

Staff Resource(s):
Stephanie Kelly, City Clerk

Explanation
- Two appointments for three-year terms ending May 15, 2018.
  - Newly created seats requested of the General Assembly and ratified on May 21, 2015.

Attachment
Civil Service Board Applicants
MEMBERSHIP BREAKDOWN

3 by Mayor; 6 by City Council

MEETING INFORMATION

Meeting Day - 1st Tuesday monthly
Meeting Time - 4:00 p.m.
Meeting Location - Government Center Building
Time Commitment - 1 hour monthly; 2 to 5 hearings per year which can last from 1 to 3 days

ENACTING RESOLUTION

ADDITIONAL INFORMATION
# BOARD ROSTER

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Dates</th>
<th>Position</th>
<th>Category</th>
<th>Appointed By</th>
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<tbody>
<tr>
<td>Clement L Abernethy III</td>
<td>May 16, 2014 - May 15, 2017</td>
<td>Board Member</td>
<td>None</td>
<td>Mayor</td>
</tr>
<tr>
<td>Karen Burke</td>
<td>May 16, 2013 - May 15, 2016</td>
<td>Vice Chair</td>
<td>None</td>
<td>City Council</td>
</tr>
<tr>
<td>Lisa Crawford</td>
<td>Jul 20, 2012 - May 15, 2015</td>
<td>Board Member</td>
<td>None</td>
<td>Mayor</td>
</tr>
<tr>
<td>German De Castro</td>
<td>May 16, 2013 - May 15, 2016</td>
<td>Board Member</td>
<td>None</td>
<td>Mayor</td>
</tr>
<tr>
<td>Norman Garness</td>
<td>May 16, 2015 - May 15, 2018</td>
<td>Board Member</td>
<td>None</td>
<td>City Council</td>
</tr>
<tr>
<td>Ashley Hewitt</td>
<td>May 16, 2015 - May 15, 2018</td>
<td>Board Member</td>
<td>None</td>
<td>City Council</td>
</tr>
<tr>
<td>Jason M McGrath</td>
<td>May 16, 2014 - May 15, 2017</td>
<td>Chairman</td>
<td>None</td>
<td>City Council</td>
</tr>
<tr>
<td>Vacancy</td>
<td></td>
<td>Board Member</td>
<td></td>
<td></td>
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<tr>
<td>Vacancy</td>
<td></td>
<td>Board Member</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
List any boards you have served on in the past:

Which Boards would you like to apply for?

Civil Service Board (B/O), Community Relations Committee (O), Tree Advisory Commission

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

I have lived in Charlotte since I was 2 years old. I consider this my only home and because of this I care deeply about the upkeep of the city. I would like a chance to give back to this community that has given me so much, including a wonderful place to grow up.

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

I am a Junior currently studying Economics and Political Science at UNC Charlotte. I am hoping that my studies thus far have prepared me enough to sit on a board/committee. I also love being outdoors and as such very much care about the conservation of trees in the city.

Advent Lutheran Church
Current Employer:

1 year
Years in current position:

Administrative Assistant
Job Title:

Brief description of duties:

Daily administrative tasks including scheduling, answering phone calls, and routine paperwork.
City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jul 10, 2015
Status: submitted

Profile

Antonio C Gaither
First Name Middle Initial Last Name

acgaither67@gmail.com
Email Address

1428 Longbrook Dr
Street Address

Charlotte NC 28270
City State Zip Code

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

District 6
City Council District

African American
Ethnicity

Democrat
Political Party

Male
Gender

04/19/1967
Date of Birth

Are you a registered voter?

☐ Yes ☐ No

List any boards you have served on in the past:

Which Boards would you like to apply for?

Citizens Review Board (B/O), Civil Service Board (B/O), Passenger Vehicle For Hire (B/O), Transit Services Advisory Committee

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

I would like to make a difference in the looking at the type of people we hire in these positions

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

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

USPS
Current Employer:

15
Years in current position:

MVS Driver
Job Title:

Brief description of duties:

Transport mail local from stations to main plant to be processed.
List any boards you have served on in the past:

Which Boards would you like to apply for?

Civil Service Board (B/O)

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

I served on this board for seven years and enjoyed it. Over the past twenty years, I have worked with the police and fire departments in Charlotte and Matthews. I know how time consuming it is to be a member of this board, and I realize that it takes commitment that not everyone can or is willing to make. Being retired, I have the time to commit fully to the responsibilities of the job.

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

Previous board service. 80 hours toward degree in Criminal Justice. Attendance at CMPD, Matthews PD, and FBI Citizens Academies. Volunteer work for CMPD and MPD. Trip to FBI HQ in Washington and Quantico. Ridealongs with CMPD, CFD, and MPD.

Retired - CMS Teacher and Administrator
Current Employer:

Years in current position:

Job Title:

Brief description of duties:

For 25 years taught English as a Second Language or was ESL Specialist for Charlotte-Mecklenburg Schools.
List any boards you have served on in the past:

Which Boards would you like to apply for?

Civil Service Board (B/O)

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

I worked & retired from Civil Service via the Federal Govt. This board makes decisions that effect people's lives. The work place is a place that we need policies in place to help make employees more productive and valued.

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


Retired

Current Employer:

31 years

Years in current position:

Nuclear Medicine Administrator and Clinical Instructor

Job Title

Brief description of duties:

Managed a budget of about million half dollars, staff of 10 at the most and minimum of 6. Help set-up the classes and taught the clinical aspect of Nuclear Medicine.
List any boards you have served on in the past:

---

Which Boards would you like to apply for?

Civil Service Board (B/O)

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

I have recently retired and have the time to serve on this committee. I have worked for the government for 40 years and would like to continue serving the citizens of this community.

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

Having served as City Council's Boards/Commissions Clerk, I understand the process and the integrity the Civil Service Board requires. While working in the DA's Office, I learned the process of the legal systems. I truly enjoy working with and serving the citizens of our community.
List any boards you have served on in the past:

---

Which Boards would you like to apply for?

Civil Service Board (B/O)

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

I feel at this time of my life I would like to serve my community and my city. I am interested in the governing bodies and those who are employed.

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

I successfully ran a contracting business for many years. I employed many subcontractors and worked with many custom building clients. I know that is necessary to consider carefully the views of all concerned and make a prudent decision.

---

Retired
Current Employer:

Years in current position:

Job Title:

Brief description of duties:
List any boards you have served on in the past:

Which Boards would you like to apply for?

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

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

As a graduate of CMPD Citizens Academy & League of Women Voters Civics 101 program, I am volunteering to assist in the advisory process, particularly given my extensive experience during my almost 35-year career in the FBI. In assignments throughout the country, I encountered very diverse investigative, human resource, training & performance issues as a supervisor of law enforcement officers.

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

As a Supervisory Special Agent, I inspected cases, including Civil Rights, to ensure compliance with laws & regulations. I evaluated recruits during legal, investigative, firearms & defensive tactics training. Through years of liaison with local, state & federal agencies and fire & public safety agencies, I am extremely familiar with accepted practices.

Retired from Federal Bureau of Investigation Headquarters

1988-2008

Supervisory Special Agent,
Washington, DC

Brief description of duties:

Investigative and supervisory assignments throughout the United States, including New Jersey-New York & Washington, DC, areas as well as at the Legal Attaché Offices of American Embassies. Represented the FBI on task forces, interagency working groups & at conferences overseas.
**Profile**

<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle Initial</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nicholas</td>
<td>X</td>
<td>Wind-McJetters</td>
</tr>
</tbody>
</table>

nick@remote-learner.net  
Email Address: 

7306 Lakeside Drive  
Street Address: 

Charlotte  
City: 

NC  
State: 

28215  
Postal Code: 

Mobile: (704) 606-9623  
Primary Phone: 

Business: (985) 606-9623  
Alternate Phone: 

District 5  
City Council District: 

African American  
Ethnicity: 

Democrat  
Political Party: 

Male  
Gender: 

02/12/1985  
Date of Birth: 

Are you a registered voter?  
- Yes  
- No  

List any boards you have served on in the past:  

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

Why are you interested in serving on these boards/committees?  
After living in the city for 20 years, I would like to serve, help and make a difference in my community and this is one of many ways I plan to participate.  

Please describe any background or abilities that qualify you to serve on these boards/committees.  
Completed CMPD Citizens Academy, Spring 2015.  

Remote-Learner  
Current Employer: 

7  
Years in current position: 

Technical Account Manager  
Job Title: 

Brief description of duties:  
Project manager assigned to high-value accounts to verify clients needs and expectations are met.
Nominations to the Passenger Vehicle for Hire Board

Action: Nominate citizens to serve as specified.

Staff Resource(s): Stephanie Kelly, City Clerk

Explanation
- Two appointments for three-year terms ending July 1, 2018.
  - Andrew Thompson (Category 2 - driver or chauffer) has completed two full terms of service, therefore, is not eligible for reappointment.
  - Carolyn Carr (Category 4 - one user of passenger vehicles for hire) is eligible but not interested in being considered for reappointment.

Attachment
Passenger Vehicle for Hire Applicants
MEMBERSHIP BREAKDOWN

- 3 by Mayor;
- 5 by City Council;
- 3 by City Manager

MEETING INFORMATION

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

ENACTING RESOLUTION

City of Charlotte, NC
PASSENGER VEHICLE FOR HIRE (B/O)

BOARD DETAILS

OVERVIEW

SIZE  11 Seats
TERM LENGTH  3 Year
TERM LIMIT  2 Terms

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

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

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

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

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

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

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

The duties include: 1) hearing and ruling on appeals as submitted to the board from company owners, drivers and others as outlined within the ordinance; 2) review, establish, and monitor taxicab rates (through industry information and public hearings); 3) review and monitor the number of company, vehicle, and driver permits to ensure proper servicing of the public by the passenger vehicles for hire industry (results of which would be recommendations to City Council).
<table>
<thead>
<tr>
<th>Name</th>
<th>Term</th>
<th>Start Date - End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAROLYN CARR</td>
<td>1 Term</td>
<td>Jul 02, 2012 - Jul 01, 2015</td>
</tr>
<tr>
<td>HELENA CONNORS</td>
<td></td>
<td>Feb 19, 2015 - Jul 01, 2018</td>
</tr>
<tr>
<td>WILLIAM DOBBINS</td>
<td></td>
<td>Jul 02, 2013 - Jul 01, 2016</td>
</tr>
<tr>
<td>ABDIRAHMAN DUALE</td>
<td></td>
<td>Jul 02, 2013 - Jul 01, 2016</td>
</tr>
<tr>
<td>SHEILA T ETHERIDGE</td>
<td></td>
<td>Feb 19, 2015 - Jul 01, 2018</td>
</tr>
<tr>
<td>MARK FRIETCH</td>
<td>Party Term</td>
<td>Feb 19, 2015 - Jul 01, 2018</td>
</tr>
<tr>
<td>DIATRA FULLWOOD</td>
<td>2 Term</td>
<td>Jul 02, 2015 - Jul 01, 2018</td>
</tr>
<tr>
<td>MAYUR KHANDEWAL</td>
<td>2 Term</td>
<td>Jul 02, 2013 - Jul 01, 2016</td>
</tr>
</tbody>
</table>

**BYRON MUMFORD**
- Office: West Services Center, 4150 Wilkinson Boulevard
- Position: Board Member
- Category: Category 5: Person With A Disability Or Rep From Organization That Reps Persons With Disabilities
- Appointed by: City Council
- Term: Jul 02, 2015 - Jul 01, 2018
- Email: bmumford@charlotte.org

**ANDREW THOMPSON**
- Office: West Services Center, 4150 Wilkinson Boulevard
- Position: Board Member
- Category: Category 3: Representative Of The Hospitality And Tourism Industry
- Appointed by: Mayor
- Term: Jul 02, 2012 - Jul 03, 2015

**ROBERT E WALKER**
- Office: West Services Center, 4150 Wilkinson Boulevard
- Position: Board Member
- Category: Category 1: Taxi Cab, Limousine Or Other Vehicle For Hire Company Owner
- Appointed by: City Council
- Term: Jul 02, 2015 - Jul 01, 2018
- Email: rwalker@lincg.com
# DOES NOT MEET EITHER CATEGORY REQUIREMENT

## City Of Charlotte Boards & Commissions

### Application Form

<table>
<thead>
<tr>
<th>Profile</th>
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<tbody>
<tr>
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<table>
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<tr>
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<tr>
<td><a href="mailto:acgaither67@gmail.com">acgaither67@gmail.com</a></td>
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<table>
<thead>
<tr>
<th>Address</th>
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<tbody>
<tr>
<td>1428 Longbrook Dr</td>
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<tr>
<td>Suite or Apt</td>
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</table>

<table>
<thead>
<tr>
<th>City</th>
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<tbody>
<tr>
<td>Charlotte</td>
<td>28270</td>
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<table>
<thead>
<tr>
<th>Primary Phone</th>
<th>Alternate Phone</th>
</tr>
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<tbody>
<tr>
<td>Mobile: (704) 287-3630</td>
<td>Business: (256) 310-0458</td>
</tr>
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<table>
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<table>
<thead>
<tr>
<th>Date of Birth</th>
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<tbody>
<tr>
<td>04/19/1967</td>
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<table>
<thead>
<tr>
<th>Registered Voter</th>
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<td>Yes</td>
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List any boards you have served on in the past:

List any boards you are currently serving on:

Which Boards would you like to apply for?

- Citizens Review Board (B/O), Civil Service Board (B/O), Passenger Vehicle For Hire (B/O), Transit Services Advisory Committee

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

I would like to make a difference in the looking at the type of people we hire in these positions.

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

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Current Employer</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
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<table>
<thead>
<tr>
<th>MVS Driver</th>
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</thead>
<tbody>
<tr>
<td>Job Title:</td>
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</table>

<table>
<thead>
<tr>
<th>Brief Description of Duties</th>
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</thead>
<tbody>
<tr>
<td>Transport mail local from stations to main plant to be processed.</td>
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</table>
Nominations to the Transit Services Advisory Committee

Action: Nominate citizens to serve as specified.

Staff Resource(s): Stephanie Kelly, City Clerk

Explanation
- One appointment for a local/express service passenger for an unexpired term beginning immediately and ending January 31, 2017.
  - George Schaeffer has failed to meet the City Council attendance policy requirement.
- One appointment for a van pool representative beginning immediately and ending January 31, 2016, and then continuing for a full three-year term beginning February 1, 2016, and ending January 31, 2019.
  - William Grimm has resigned.

Attachment
Transit Services Advisory Committee Applicants
Membership - Council voted on September 10, 1990 to establish this committee. The first members were appointed on January 14, 1991, with staggered terms to begin on January 31, 1991. Future appointments will be made for three year terms. Council’s appointments are (1) one major suburban employer served by Charlotte Transit, (2) one neighborhood organization leader, (3) one local service passenger, (4) one express service passenger, and (5) either a local or express service passenger. The Mayor's appointments are (1) one uptown employer served by Charlotte Transit, and (2) one disabled citizen who uses Charlotte Transit. There is no age requirement.

Responsibilities - This committee will serve as a forum for citizen suggestions and complaints concerning fares, routes, and schedules. It will serve as an advocacy group for public transportation services and review staff recommendations on service provision and transit policies. The committee will review and make recommendations on minimum performance standards for the system. The committee will explore emerging issues in public transit and work with staff on solutions.
# TRANSPORT SERVICES ADVISORY COMMITTEE

## BOARD ROSTER

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Start - Term End</th>
<th>Office Location</th>
<th>Position</th>
<th>Category</th>
<th>Appointed By</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHRISTINE BRYANT</td>
<td>Oct 04, 2010 - Oct 04, 2013</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Town of Huntersville</td>
</tr>
<tr>
<td>ROB CORNWELL</td>
<td>May 09, 2009 - May 11, 2015</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Town of Davidson</td>
</tr>
<tr>
<td>DEIDRE EVANS</td>
<td>Feb 01, 2014 - Jan 31, 2017</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>Disabled Citizen Using Charlotte Transit</td>
<td>Mayor</td>
</tr>
<tr>
<td>GREGORY HARDEE</td>
<td>Aug 10, 2015 - Jan 31, 2016</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>Uptown Employer Served by Charlotte Transit</td>
<td>Mayor</td>
</tr>
<tr>
<td>JAMES HILSMAN</td>
<td>Jun 23, 2014 - Jan 31, 2017</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>Express Service Passenger</td>
<td>City Council</td>
</tr>
<tr>
<td>WALTER HORSTMANN</td>
<td>N/A - Jan 31, 2014</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Town of Matthews</td>
</tr>
<tr>
<td>SCOTT JERNIGAN</td>
<td>Apr 02, 2013 - Feb 03, 2016</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Chairman</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>GEORGE SCHAEFFER, III</td>
<td>Feb 01, 2011 - Jan 31, 2017</td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>Local Express Service Passenger</td>
<td>City Council</td>
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<tr>
<td>JEAN VEATCH</td>
<td></td>
<td>Government Center Building, 600 E 4th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Town of Cornelius</td>
</tr>
</tbody>
</table>

**MICHAEL WARNER**  
Office: Government Center Building, 600 E 4th Street  
Position: Board Member  
Category: Neighborhood Organizational Leader  
Appointed by: City Council

**ANTHONY WESLEY**  
Office: Government Center Building, 600 E 4th Street  
Position: Board Member  
Category: Local Service Passenger  
Appointed by: City Council

**VACANCY**  
Office: Government Center Building, 600 E 4th Street  
Position: Board Member  
Category: Suburban Employer Served by Charlotte Transit  
Appointed by: City Council

**VACANCY**  
Appointed by: Town of Pineville

**VACANCY**  
Appointed by: City Council

**VACANCY**  
Appointed by: Town of Mint Hill
List any boards you have served on in the past:

Which Boards would you like to apply for?

CitHtransRtransit Advisory Group, transit Services Advisory Committee

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

I am interested for 10 reasons. The first reason is because I am a college student with a passion forTorrent's policies and politics and I want to serve my city. I also want these types of boards specifically, because I am a retail customer for CA's. I have experienced both the worst and bad, and I could speak to personal experiences in those meetings that could help improve our local transit system.

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

I am currently working on my political science degree, and I am interested in community service to try to add a young voice to the conversation. I have served in Student Government at my university, so I know the basic protocols for how to conduct myself during meetings. I have lived in the City of Charlotte before, but I am confident that I can learn more and provide ideas that others may not have.
**LOCAL / EXPRESS SERVICE PASSENGER**

City Of Charlotte Boards & Commissions  
Application Form  
Submit Date: Jun 24, 2015  
Status: submitted

### Profile

<table>
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<tr>
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<th>SHOW</th>
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</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Middle Initial</td>
</tr>
<tr>
<td><a href="mailto:parrotfeat@bellsouth.net">parrotfeat@bellsouth.net</a></td>
<td>Email Address</td>
</tr>
<tr>
<td>11723 RIMROCK CANYON DRIVE</td>
<td>Street Address</td>
</tr>
<tr>
<td>CHARLOTTE</td>
<td>NC 28226</td>
</tr>
<tr>
<td>Mobile: (704) 519-5933</td>
<td>Alternate Phone</td>
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<tr>
<td>District 7</td>
<td>City Council District</td>
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<tr>
<td>Caucasian/Non-Hispanic</td>
<td>Ethnicity</td>
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<tr>
<td>Democrat</td>
<td>Political Party</td>
</tr>
<tr>
<td>Female</td>
<td>Gender</td>
</tr>
<tr>
<td>02/10/1967</td>
<td>Date of Birth</td>
</tr>
</tbody>
</table>

**List any boards you have served on in the past:**

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

- Citizens' Transit Advisory Group, Transit Services Advisory Committee

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

Being a frequent user of mass transit at all times of the day as well as weekends and holidays, I feel that I can bring a different perspective to the advisory group or committee.

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

A long time user of mass transit in a variety of cities and a keen eye for observation.

**Are you a registered voter?**

- Yes  
- No

**List any boards you are currently serving on:**

**Various**

Current Employer:

- 25+ Years in current position:

**Brief description of duties:**

As a stagehand who works in the greater Charlotte area, I have a variety of job titles and duties, depending on the type of production.
LOCAL / EXPRESS SERVICE PASSENGER

City Of Charlotte Boards & Commissions

Submit Date: Jun 24, 2015

Application Form

Status: submitted

Profile

Brett
First Name

Wallace
Middle Initial

Middle Initial

Wallace
Last Name

wallacebp@pbworld.com
Email Address

8422 Delberry Lane
Street Address

Suite or Apt

Charlotte
City

NC
State

28277
Postal Code

Mobile: (980) 214-0380
Primary Phone

Home: (704) 541-1816
Alternate Phone

District 7
City Council District

Caucasian/Non-Hispanic
Ethnicity

Other
Political Party

Male
Gender

03/21/1975
Date of Birth

Are you a registered voter?

☐ Yes ☐ No

List any boards you have served on in the past:

Which Boards would you like to apply for?

Transit Services Advisory Committee

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

I am a daily transit customer and truly believe in the importance of a strong transit system to improve the quality of life for all residents of the region. Professionally, I am a transit planner / engineer, and my duties center on improving transit connections as part of projects across the country. Serving on the TSAC would enable me to apply my skills to help enhance transit here at home.

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

I have worked on many efforts to redesign or implement new transit services. I led the redesign of the entire bus network in Charleston, SC, resulting in annual ridership increasing from 2.9 million passenger trips in 2006 to nearly 5 million passenger trips today. I recently led the development of an operational plan for new DC Circulator bus service on the National Mall in Washington, DC.

---

Parsons Brinckerhoff
Current Employer: 2

Years in current position:

Senior Supervisor
Job Title:

Brief description of duties:

Managing and working on planning and engineering projects for all transit modes. Working with broad-based teams of technical specialists on multi-disciplinary projects.
City of Charlotte Boards & Commissions
Application Form

Submit Date: Aug 04, 2015
Status: submitted

Profile

William
First Name
P
Middle Initial
Elkin Jr
Last Name

belkin@interflexgroup.com
Email Address

114 Elmhurst Lane
Street Address

Mooresville
City
NC
State
28115
Postal Code

Home: (704) 663-7416
Primary Phone

Mobile: (704) 756-5509
Alternate Phone

Which Boards would you like to apply for?

Transit Services Advisory Committee

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

I am interested in learning more about the benefits of public transportation, opportunities available for
the greater Charlotte area, and also how to reduce traffic in greater Charlotte and I-77. I have been a VanPool
primary driver for 10 years or so and have seen the benefits of carpooling and public transportation. I have
also spent a good deal of time outside the US where public transportation is more widely accepted and used.

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

I am the CFO of an $240MM international packaging company, and have the skills, talents and abilities
commensurate with that position. I have also been treasurer of our church for 15 years. I think I have the ability
to learn and process new information, and help build consensus and collaboration for new ideas and
initiatives.

Interflex Group
Current Employer:

18
Years in current position:

CFO
Job Title:

Brief description of duties:

Responsible for all areas of Banking, Finance, Accounting, Legal, IT/MIS, Audit and Tax. Also responsible for
our international locations.
VAN POOL RIDER

City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jul 23, 2015
Status: submitted

Profile

Kalan Pegg
First Name Middle Initial Last Name
kalan.pegg@delhaize.com
Email Address
9615 Bonita Lane Apt 620
Street Address Suite or Apt
Charlotte NC 28262
City State Zip Code
Business: (704) 310-4528 Mobile: (336) 984-6658
Primary Phone Alternate Phone

District 4
City Council District

Caucasian/Non-Hispanic
Ethnicity

Independent
Political Party

Male
Gender

08/18/1988
Date of Birth

Are you a registered voter?

- Yes  - No

List any boards you have served on in the past:

Which Boards would you like to apply for?

Transit Services Advisory Committee

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

I have been fortunate enough to call Charlotte my home for about 15 months now and plan reside here for much longer. I currently commute to work in Salisbury and have joined the CATs van pool system to help reduce the travel costs for myself. I believe the van pool program is fantastic but I find many of my coworkers, for various reasons, are skeptical of whether joining a van pool would be beneficial to them. I also have a good number of coworkers that were/are unaware that a van pool program exists. My goal would be to promote that van pool program and try to find ways to encourage more people to partake in this program and the public transportation that is offered as a whole. I would really appreciate the opportunity to give people a voice when it comes to public transportation, especially when it is something I have a vested interest in.

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

I am an accountant by profession and have spent time working on budgets and cost analysis as well as researching production efficiencies in a processing plant setting. I believe this would help me analyze the current structure to be sure we are getting the most out of the resources available.

Delhaize America
Current Employer:

1 Years in current position:

Sr. Financial Accountant - Health Care
Job Title:

Brief description of duties:
List any boards you have served on in the past:

Which Boards would you like to apply for?

Transit Services Advisory Committee

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

To learn more about the Transit system and its plans for the future and ensure that the public's interests are in line with the Transit plans.

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

I have been a police officer since 1996. The experience I have gained over the years in law enforcement has taught me the importance of focusing on traffic patterns and human behavior. I believe I would be an asset to this committee.

Date of Birth

Are you a registered voter?

Yes ☐ No ☐

List any boards you are currently serving on:

Nuclear Security Officer III

Brief description of duties:

Nuclear security.
City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jun 24, 2015
Status: submitted

Profile

Stylianos
First Name

Alatis
Last Name

salatsis@gmail.com
Email Address

2206 Sarah Marks Ave Unit 4
Street Address

Charlotte
City

NC
State

28203
Postal Code

Mobile: (253) 720-4059
Primary Phone

District 1
City Council District

Caucasian/Non-Hispanic
Ethnicity

Republican
Political Party

Male
Gender

06/16/1985
Date of Birth

Are you a registered voter?

Yes ☐ No ☐

List any boards you have served on in the past:

List any boards you are currently serving on:

Which Boards would you like to apply for?

Bechtler Arts Foundation Board, Transit Services Advisory Committee

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

I have great interest in these subject matters.

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

I am a CFA charterholder, meaning I have a thorough understanding of finance. Secondly, I have an MBA from Duke University.

Wells Fargo & Company
Current Employer:

2
Years in current position:

Market Risk Consultant
Job Title:

Brief description of duties:
List any boards you have served on in the past:

<table>
<thead>
<tr>
<th>Board Name</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
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</table>

Which Boards would you like to apply for?

- **Transit Services Advisory Committee**

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

I'm interested in the Transportation Committee because I want to be part of improving the experience people have on our roads and public transit systems. By reducing the friction that people must endure to travel, the city can make Charlotte a national standard in dealin. j i h con c ested road ay. We can utilize current city cameras & li. hts to make travelining a more pleasant experience.

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

By Makin', sure that j e are util ti, the equipment j e currently ha le at full potential and reachin. out to civi's and obsers. Feedback and data from them j i h special repon. We can then do the best job possible to make travelining through the city a pleasant experience for everyone before makin' decisions that j ill affect the quality of life for people in Charlotte.

Are you a registered voter?

- ☺ Yes
- ☐ No

List any boards you are currently serving on:

<table>
<thead>
<tr>
<th>Board Name</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
</table>
List any boards you have served on in the past:

Which Boards would you like to apply for?

Bechtler Arts Foundation Board, Citizens' Transit Advisory Group, Transit Services Advisory Committee

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

My family and I moved to Charlotte in 2012. I have had the opportunity to grow and love Charlotte. I’m intimately involved with my neighborhood, my work community and with the Y-guides. I feel now that I have an opportunity to serve my community and help improve the quality of life for all Charlotte Residents. I am passionate about improving transit and making the arts accessible to all.

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

I have been with Bank of America for 13 years, and currently lead a team responsible for "big data" analytics focused on satisfaction. In prior roles I have used behavioral customer data to improve marketing strategy and profitability. I'm happy to share my organizational leadership to support the services that Charlotte provides to all.

Bank of America
Current Employer:

3
Years in current position:

Senior Vice President, Customer Analytics
Job Title:

Brief description of duties:

Delivering analytic insights and strategy development to improve customer experience in the on-line and mobile environments.
City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jun 24, 2015
Status: submitted

Profile

Helena
First Name

Connors
Middle Initial

Last Name

hconnor2@unc.edu
Email Address

10214 Little Creek Road
Street Address

Suite or Apt

Charlotte
City

NC
State

28227
Postal Code

Mobile: (702) 334-8456
Primary Phone

Business: (704) 687-0279
Alternate Phone

District 6
City Council District

Caucasian/Non-Hispanic
Ethnicity

Independent
Political Party

Female
Gender

04/09/1963
Date of Birth

Are you a registered voter?

☐ Yes ☐ No

List any boards you have served on in the past:

Which Boards would you like to apply for?

Citizens’ Transit Advisory Group, Passenger Vehicle For Hire, Transit Services Advisory Committee

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

I have over 7 years experience in the Transportation to include transit, charter bus service, car share, bicycle share and disability transport. I relocated to Charlotte, NC in 2012 for a promotion and have gained a deep appreciation for the city and the people of Charlotte. Therefore, I would like to take a more active role in helping the city to grow and prosper.

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

I am a retired US Air Force Veteran and I did serve on Airman of the Month Boards to select the most outstanding Airman from a group of 12. In the transportation business, I have be a Safety Manager, Operations Manager, and a General Manager. I understand the inner workings of transit and have working knowledge of the rules and regulations which govern interstate and intrastate commerce.

University of North Carolina at Charlotte
Current Employer:

5
Years in current position:

Transportation Manager
Job Title:

Brief description of duties:

Monitor and evaluate CATS and SafeRide data to provide trend and use data for distribution. Work with the car share provider to ensure that vehicles are maintained and safe at all times. Collect vehicle usage data from vendor and submit to Director. Monitor employee work and conduct. Comply with all federal, state, and local requirements for equipment and ADA regulations.
Profile

Elizabeth Frere
First Name       Middle Initial       Last Name

eyfrere@gmail.com
Email Address

1313 Westover St
Street Address

Charlotte NC 28205
City       State       Zip Code

List any boards you have served on in the past:

Which Boards would you like to apply for?

Bechtler Arts Foundation, Bicycle Advisory Committee, Business Advisory Committee, Charlotte Area Fund Board of Directors (0), Citizens’ Transit Advisory Group, Development Review Board, Mint Museum Board of Trustees, Planning Commission (0), Public Art Commission, Storm Water Advisory Committee, Transit Services Advisory Committee, Zoning Board of Adjustment (B/O)

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

I want to be involved in CharMeck’s civil engagement opportunities and believe that my educational and professional background can be an asset to many of the boards, commissions, and committees.

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

I am a Landscape Architect and hold a Master’s degree in Urban Design. As a resident of one of Charlotte’s most vibrant inner suburbs, I have a personal investment to better Charlotte and surrounding areas. Having spent 7 years working at UNC Charlotte, I’ve been exposed to various types of issues involving the city, county, and state agencies.

Aa University of North Carolina at Charlotte
Current Employer:

Years in current position:

Facilities Management-Design Services, Project Manager
Job Title:

Brief description of duties:

Design campus site improvements, provide guidance about development to campus stakeholders, and provide professional services typically involved in all phases of development including: programming and site
**List any boards you have served on in the past:**

---

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

- Citizens z e i e v Board (B6)
- C' il Ser' i a e Board (B6)
- PassenYer gehiäe For Vire (B6)
- l ransit Ser'i a e Ad' isory Committee

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

I would like to make a difference in the type of people we hire in these positions.

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

I retired from the x SPS Mg after ser' i a e for 08 years. I had a staff of NC5 soldiers and I was a one time War gen'ion. I've been part of the Mg department.

---

**x SPS**
Current Employer:

---

**21**
Years in current position:

---

**Mg S Dr' er**
Job Title:

---

**Brief description of duties:**

I ransport mail local from stations to main plant to be processed.
**City Of Charlotte Boards & Commissions**

**Application Form**

Submit Date: Jun 26, 2015
Status: submitted

---

**Profile**

David Harris

<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle Name</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

engharris@yahoo.com

Email Address

3201 Plantation Road

Street Address

Charlotte, NC 28270

City | State | Postal Code
---|---|---
Charlotte | NC | 28270

Mobile: (727) 421-1730

Primary Phone | Alternate Phone
---|---

District 7

City Council District

Caucasian/Non-Hispanic

Ethnicity

Independent

Political Party

Male

Gender

03/20/1970

Date of Birth

Are you a registered voter?

- Yes
- No

List any boards you have served on in the past:

---

List any boards you are currently serving on:

---

Which Boards would you like to apply for?

Transit Services Advisory Committee, Zoning Board Of Adjustment

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

As an civic-minded engineering design professional, I am aware of the political and logistical challenges that transportation and development pose for our region. As a business owner and MBA candidate, I understand the financial challenges as well. I want to provide sensible solutions with an eye toward the city’s future.

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

I believe that my civic involvement and background in Civil Engineering and construction make me an excellent candidate for the seat. I have executed projects beginning with the bidding/contract phase through design, submittal and construction for municipal, state and commercial clients. I am also an MBA candidate at UNCC with a focus on Real Estate and finance.

ENGHarris, PLLC

Current Employer:

Years in current position:

Owner

Job Title:

Brief description of duties:

Civil engineer focused on transportation and infrastructure finance. Serve as construction- and project-management liaison; research, write and present proposals and technical reports; draft roadway plans; calculate construction quantities and estimates; perform structural analysis; provide David Harris Zoning Board of Adjustment utility coordination; develop Maintenance of Traffic plans; serve as mentor for junior engineers.
List any boards you have served on in the past:

Which Boards would you like to apply for?

Business Advisory Committee, Transit Services Advisory Committee

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

To put my professional experience to good use in the city I plan to call home for the rest of my life.

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

- Columbia Business School MBA - Over 10 years of consulting experience as part of IBM's business transformation group

IBM

Current Employer:

11

Years in current position:

Associate Partner

Job Title:

Brief description of duties:
List any boards you have served on in the past:

Which Boards would you like to apply for?

City of Raleigh Board, Charlotte/Mechanicsville Board, ztransit Services Advisory Committee

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

I am the NAACP Charlotte/Mechanical Branch President and believe I must be part of a collaborative effort to effect change in my community.

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

I grocery on the Cvb in NY Ram also a founding member of the Charlotte Cvb Coalition Ram a retired (P of a 40,000 member Ztransit x neionRHoog ofVani' inV, mobil/mobil' inV/community buildinV, Ztransit systems, labor lag, OS- A standards, mediation, C)i'il Ser'i'ce policies and Vudelines, etc/R

Center for Community CharVe

Current Employer:

4 years
Years in current position:

OnVani- er Consultant

Job title:

Brief description of duties:
List any boards you have served on in the past:

Which Boards would you like to apply for?

Privatization/Competition Advisory Committee, Transit Services Advisory Committee

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

I know that it is important for the city to ensure competition in the process of bidding for government services and to have a balanced portfolio service providers. Compared to other cities I visit, Charlotte’s public transportation appears underutilized. I think that this service should be a key component to the city’s growth strategy, ensuring productivity, accessibility and livability.

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

I am a member of an early-stage business executive team and treasurer of another Charlotte start-up business. In 2010, I helped found the Charlotte Regional Technology Executives Council (CRTEC). And I have sat on the executive committee of a non-profit foundation since 2008. For nearly four years, I have served as the chairman of foundation’s board of directors.

11Giraffes
Current Employer:

7.5
Years in current position:

Chief Technology Officer & Vice President of Operations
Job Title:

Brief description of duties:

Member of a SaaS executive team focused on retail media solutions. Responsible for product innovation, development, fulfillment & marketing. Maintain product road map vision and direction through consultation with sales team, channel sales network and client input.
Agenda Packet Page 140

DOES NOT FIT ANY CATEGORY REQUIREMENT

City Of Charlotte Boards & Commissions
Application Form

Submit Date: Jun 24, 2015
Status: submitted

Profile

Melissa Young
First Name Middle Name Last Name
myou765@gmail.com
Email Address
4200 Hoxis Rd Lot #77
Street Address Suite or Apt
Charlotte NC 28208
City State Zip Code
(704) 905-6599 (704) 858-3720
Home: Mobile:
Primary Phone Alternate Phone

District Y
City Council District

African American
Ethnicity

Independent
Political Party

Female
Gender

06/30/1972
Date of Birth

Are you a registered voter?
☐ Yes ☐ No

List any boards you have served on in the past:

Which Boards would you like to apply for?
Charlotte Area Fund Board Of Directors, Citizens Review Board, Transit Services Advisory Committee

Why are you interested in serving on these boards/committees?
Just to get the feel of doing something new, and experience it with the citizens of North Carolina, if possible.

Please describe any background or abilities that qualify you to serve on these boards/committees.
The only background I have is completing the Citizens Academy with CMPD. Which was an experience of my life. Something I will always carry with me. I have encouraged others that I work with to get involved, and feel the experience as well.

Crowne Plaza Executive Park
Current Employer:

2 years
Years in current position:

Director of Security
Job Title:

Brief description of duties:
Initial foot patrols, vehicle patrols, run shuttles to and from airport, daily reports, supervise others, shipping and receiving, maintaining safety for guests and associates at the hotel. Operating alarms, giving details to CMPD if there is an incident, maintaining on-site issues.
Agenda #: 29. File #: 15-982 Type: Appointment

Appointments to the Citizens Review Board

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

Staff Resource(s):
Stephanie Kelly, City Clerk

Explanation
- Four appointments for three year terms ending July 31, 2018.
  - Ralph Fischer by Council members Austin and Mayfield
  - Antonio Gaither by Council members Austin and Mayfield
  - Nanci Hightower by Council members Driggs, Fallon, and Phipps
  - Jennifer Jackson by Council member Driggs
  - David Smith by Council member Driggs
  - Deborah Stevenson by Council member Phipps
  - Barbara Votik by Council member Driggs
  - Nicholas Wind-McJetters by Council members Austin, Mayfield, and Phipps

Attachment
Citizens Review Board Applicants
## Membership Breakdown

3 by Mayor; 5 by City Council; 3 by City Manager

## Meeting Information

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

## Contact

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

---

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

Responsibilities - to serve as an advisory Board to the Chief of Police, City Manager and City Council. They CRB reviews appeals by citizens who file complaints on dispositions imposed by the Chief of Police or his designee to relating allegations of misconduct against a sworn police officer. The Board may hear complaints regarding alleged violations of the following rules: use of force, unbecoming conduct, and arrest, search and seizure. In addition, the disposition of the review of any discharge of a firearm by an officer which results in the death or injury of a person may be appealed to this Board by the person injured or the next of kin in the event of death.
<table>
<thead>
<tr>
<th>Name</th>
<th>Term Start</th>
<th>Term End</th>
<th>Office</th>
<th>Position</th>
<th>Category</th>
<th>Appointed By</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ALAN ADLER</strong></td>
<td>Aug 01, 2012 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>City Council</td>
</tr>
<tr>
<td><strong>JASON BAKER</strong></td>
<td>Aug 01, 2012 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>City Council</td>
</tr>
<tr>
<td><strong>HENRY BLACK</strong></td>
<td>Nov 05, 2014 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>City Manager</td>
</tr>
<tr>
<td><strong>CLARENCE DARNELL</strong></td>
<td>Jul 11, 2014 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>Mayor</td>
</tr>
<tr>
<td><strong>SANDRA DONAGHY</strong></td>
<td>Nov 27, 2013 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>Mayor</td>
</tr>
<tr>
<td><strong>THERESA A HALSEY</strong></td>
<td>Aug 01, 2012 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>City Council</td>
</tr>
<tr>
<td><strong>ROBBIE HARRISON</strong></td>
<td>Aug 01, 2012 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>City Council</td>
</tr>
<tr>
<td><strong>HARVEY KATOWITZ</strong></td>
<td>Aug 01, 2012 - Jul 31, 2015</td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>New</td>
<td>Mayor</td>
</tr>
<tr>
<td><strong>RICHARD THAXTON</strong></td>
<td></td>
<td></td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td></td>
<td></td>
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</table>
**Profile**

<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle Initial</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ralph</td>
<td></td>
<td>Fischer</td>
</tr>
</tbody>
</table>

wmd@earthlink.net

Email Address

11631 Abemathy Rd
Street Address

Suite or Apt

Charlotte
City

NC
State

28216
Postal Code

Mobile: (704) 576-1034
Primary Phone

Mobile: (704) 576-1034
Alternate Phone

District 2
City Council District

Caucasian/Non-Hispanic
Ethnicity

Democrat
Political Party

Male
Gender

07/22/1952
Date of Birth

Are you a registered voter?
Yes

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

Why are you interested in serving on these boards/committees?
Current events regarding Police/Public interactions prompted my initial interest in the Citizens Academy. During the process I came to understand I could and should endeavor to get involved in my community on a higher level. Charlotte is my home and I hope to participate in the process to make it better place for everyone.

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

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

None

List any boards you are currently serving on:
St Mark's Episcopal Church Board

List any boards you have served on in the past:

Verizon Wireless
Current Employer:

12
Years in current position:

Principal Engineer Interconnect
Job Title:

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

Other employment history:
25 Years in the wireless communications business. Working for Cellular One (Boardman Ohio), GTE (Wilmington NC), Sprint (Miami FL), Cricket (Nashville TN) and Verizon Wireless (Charlotte NC). Each transition represents a growth in position and responsibilities. I have managed groups as large as 35 employee’s, maintaining a network 24 x 7 - 365 days a year.
Please describe any background or abilities that qualify you to serve on these boards/committees.

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

List any boards you are currently serving on:

List any boards you have served on in the past:

USPS
Current Employer:

15
Years in current position:

MVS Driver
Job Title:

Brief description of duties:

Transport mail local from stations to main plant to be processed.

Other employment history:

Retired 1SG U.S.ARMY 28 years total service.
City Of Charlotte Boards & Commissions

Application Form

Submit Date: Jul 09, 2015
Status: submitted

Profile

<table>
<thead>
<tr>
<th>Name</th>
<th>J. Hightower</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Nanci</td>
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<tr>
<td>Middle Initial</td>
<td></td>
</tr>
<tr>
<td>Last Name</td>
<td></td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:zeefabulous1@gmail.com">zeefabulous1@gmail.com</a></td>
</tr>
<tr>
<td>Street Address</td>
<td>10308 Garrett Grigg Rd</td>
</tr>
<tr>
<td>City</td>
<td>Charlotte</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>28262</td>
</tr>
<tr>
<td>Primary Phone</td>
<td>Home: (704) 965-1313</td>
</tr>
<tr>
<td>Alternate Phone</td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>District 4</td>
</tr>
<tr>
<td>City Council District</td>
<td></td>
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<tr>
<td>Race</td>
<td>Caucasian/Non-Hispanic</td>
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<td>Political Party</td>
<td>Independent</td>
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<tr>
<td>Gender</td>
<td>Female</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>03/26/1947</td>
</tr>
<tr>
<td>Are you a registered voter?</td>
<td>Yes</td>
</tr>
<tr>
<td>Which Boards would you like to apply for?</td>
<td>Citizens Review Board (B/O)</td>
</tr>
<tr>
<td>Why are you interested in serving on these boards/ committees?</td>
<td>After attending the academy I would like to be more involved. I have also recently been accepted as one of your volunteers. I begin training on July 18. Also I enjoyed being on the board of my HOA for two years and am now an active volunteer in my community.</td>
</tr>
<tr>
<td>Brief description of duties:</td>
<td>Please describe any background or abilities that qualify you to serve on these boards/committees.</td>
</tr>
<tr>
<td>Political Party</td>
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<tr>
<td>Are you a registered voter?</td>
<td>Yes</td>
</tr>
<tr>
<td>Which Boards would you like to apply for?</td>
<td></td>
</tr>
<tr>
<td>Why are you interested in serving on these boards/ committees?</td>
<td>I believe I understand what is required of a Board Member. During my career I acted as secretary to a Board of twenty in Washington, DC. I realize the seriousness and responsibility of the position.</td>
</tr>
<tr>
<td>Brief description of duties:</td>
<td>None</td>
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<tr>
<td>List any boards you are currently serving on:</td>
<td>Maillard Glen HOA</td>
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<tr>
<td>List any boards you have served on in the past:</td>
<td>N/A - Retired</td>
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<td>Current Employer:</td>
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<tr>
<td>Years in current position:</td>
<td></td>
</tr>
<tr>
<td>Job Title:</td>
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Other employment history:

Basically, I have been in the banking industry most of my career. I have been a teller and worked my way up to VP-Chief Operating Officer. Other than that I am a playwright and an author. I can provide a resume if necessary but I have not worked a "real" job for ten years.
<table>
<thead>
<tr>
<th>Profile</th>
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</thead>
<tbody>
<tr>
<td>Jennifer</td>
</tr>
<tr>
<td>First Name</td>
</tr>
<tr>
<td><a href="mailto:jacksonjenni@att.net">jacksonjenni@att.net</a></td>
</tr>
<tr>
<td>Email Address</td>
</tr>
<tr>
<td>1012 McLaughlin Drive</td>
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<tr>
<td>Street Address</td>
</tr>
<tr>
<td>Charlotte</td>
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<tr>
<td>City</td>
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<tr>
<td>Home: (704) 536-8879</td>
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<td>Primary Phone</td>
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<td>Republican</td>
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<td>Political Party</td>
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<tr>
<td>0306/1971</td>
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<tr>
<td>Date of Birth</td>
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<tr>
<td>Are you a registered voter?</td>
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<tr>
<td>Yes</td>
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**Please describe any background or abilities that qualify you to serve on these boards/committees.**

**List any boards you are currently serving on:**

**List any boards you have served on in the past:**

<table>
<thead>
<tr>
<th>MI Homes of Charlotte, LLC</th>
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</thead>
<tbody>
<tr>
<td>Current Employer:</td>
</tr>
<tr>
<td>12</td>
</tr>
<tr>
<td>Years in current position:</td>
</tr>
<tr>
<td>AP Supervisor/Executive</td>
</tr>
<tr>
<td>Administrator</td>
</tr>
<tr>
<td>Job Title</td>
</tr>
</tbody>
</table>

**Brief description of duties:**

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

**Other employment history:**

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

David
Smith

smith.davidjr@yahoo.com

281 Davidson Gateway Drive

Davidson

Home: (704) 400-6765

28036

District Y

City

City Council District

African American

Ethnicity

Republican

Political Party

Male

Gender

01/29/1965

Date of Birth

Are you a registered voter?

Yes

Which Boards would you like to apply for?

Citizens Review Board (B/O)

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

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

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

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

Committee - Police Task Force

Subcommittee United Way

Fundraising Board

List any boards you are currently serving on:

Engineering Board Joint Apprenticeship Training Committee of Local 379

List any boards you have served on in the past:

Quin Inc.

Current Employer:

Nine Months

Years in current position:

Software Engineering Technical Writer & Linux Trainer

Job Title:

Brief description of duties:

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

Other employment history:

RDS and DEW Electrical ITT Technical College CPCC IBM College of New Rochelle
35-year career in the FBI. In assignments throughout the country, I encountered very diverse investigative, human resource, training & performance issues as a supervisor of law enforcement officers.

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

As a Supervisory Special Agent, I inspected cases, including Civil Rights, to ensure compliance with laws & regulations. I evaluated recruits during legal, investigative, firearms & defensive tactics training. Through years of liaison with local, state & federal agencies and fire & public safety agencies, I am extremely familiar with accepted practices.

I am a member of several cultural groups in Charlotte.

Currently, I am serving on:
- Jefferson Barracks Board of Directors
- Museum of Natural History Board of Directors
- Mint Museum's Delphom Service League, etc.

List any boards you have served on in the past:

Retired from Federal Bureau of Investigation Headquarters

Current Employer:

1988-2008

Years in current position:

Supervisory Special Agent,
Washington, DC

Job Title:

Brief description of duties:

Investigative and supervisory assignments throughout the United States, including New Jersey-New York & Washington, DC, areas, as well as at the Legal Attaché Offices of American Embassies. Represented the FBI on task forces, interagency working groups & at conferences overseas.

Other employment history:

**Profile**

<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle Initial</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barbara</td>
<td>E</td>
<td>Votik</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:bvoltk@carolina.rr.com">bvoltk@carolina.rr.com</a></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Suite or Apt</th>
</tr>
</thead>
<tbody>
<tr>
<td>11501 Abernathy Road</td>
<td></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
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</tr>
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<tbody>
<tr>
<td>Charlotte</td>
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<table>
<thead>
<tr>
<th>Primary Phone</th>
<th>Alternate Phone</th>
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<tbody>
<tr>
<td>Mobile: (704) 953-2786</td>
<td>Home: (704) 399-1102</td>
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<table>
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<tbody>
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<table>
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<tr>
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<table>
<thead>
<tr>
<th>Date of Birth</th>
</tr>
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<tbody>
<tr>
<td>04/10/1944</td>
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</table>

<table>
<thead>
<tr>
<th>Are you a registered voter?</th>
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<tbody>
<tr>
<td>Yes</td>
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**Diversity Council for the City**

<table>
<thead>
<tr>
<th>List any boards you are currently serving on:</th>
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<table>
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<tr>
<th>List any boards you have served on in the past:</th>
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<table>
<thead>
<tr>
<th>Current Employer</th>
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<tr>
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<tr>
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<tbody>
<tr>
<td>2</td>
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<table>
<thead>
<tr>
<th>Job Title</th>
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<tbody>
<tr>
<td>Retired</td>
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</tbody>
</table>

**Brief description of duties:**

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

**Other employment history:**

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

I feel my lifetime experience will help me LISTEN and REVIEW the information given. Now that I've completed the CMPD Citizens Academy I have much better understanding of what it takes to be successful as a police officer. I have the time to do necessary research on each case and want to help the citizens of Charlotte-Mecklenburg understand the honest and good officer and what he/she is trying to do on the job. If an officer is guilty, there should be consequences and those I can recommend to the Chief.

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

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

Submit Date: Jul 09, 2015
Status: submitted

Application Form

Profile

Nicholas Wind-McJeters
First Name Last Name
X
Middle Initial

nick@remote-learner.net
Email Address

7306 Lakeside Drive
Street Address
Suite or Apt

Charlotte
City NC 28215
State Postal Code

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

District 5
City Council District

African American
Ethnicity

Democrat
Political Party

Male
Gender

02/12/1995
Date of Birth

Are you a registered voter?

☐ Yes  ☐ No

Which Boards would you like to apply for?

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

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

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

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

Completed CMPD Citizens Academy, Spring 2015.

Remote-Learner
Current Employer:

7
Years in current position:

Technical Account Manager
Job Title:

Brief description of duties:

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

Other employment history:

Appointment to the Historic Landmarks Commission

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

Staff Resource(s):
Stephanie Kelly, City Clerk

Explanation
- One appointment for a three-year term ending July 16, 2018.
  - David Hale by Council members Austin, Barnes, Driggs, and Mayfield
  - Cameron Wright by Council members Driggs, Phipps, and Smith

Attachment
Historic Landmarks Commission Applicants
HISTORIC LANDMARKS COMMISSION (O)

OVERVIEW

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

CONTACT

Mary Dominick
(704) 376-9115
Mary.Dominick@Mecklenburgcountync.Gov

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

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

MEMBERSHIP BREAKDOWN

2 by Mayor; 4 by City Council; 6 by County Commission

MEETING INFORMATION

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

ENACTING RESOLUTION

ADDITIONAL INFORMATION
HISTORIC LANDMARKS COMMISSION (O)

BOARD ROSTER

NATHAN CLARK
- Term: Aug 01, 2014 - Jul 31, 2017
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: County Commission

LARKEN EGGLESTON
- Term: Jul 17, 2014 - Jul 16, 2017
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: City Council

JOSEPH ELLIOTT
- Term: Jul 17, 2012 - Jul 16, 2015
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: City Council

DAVID ERDMAN
- Term: Jul 17, 2013 - Jul 16, 2016
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: Mayor

DAVID GIESER
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: County Commission

PAULA LESTER
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: County Commission

MARK MILLER
- Term: Aug 01, 2012 - Jul 31, 2015
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: County Commission

LEONARD NORMAN
- Term: Jul 17, 2014 - Jul 16, 2017
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: City Council

JILL WALKER
- Term: Jul 17, 2013 - Jul 16, 2016
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: Mayor

MICHAEL ROGERS
- Term: Aug 01, 2014 - Jul 31, 2017
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: City Council

JOHN SHURLEY
- Term: Aug 01, 2014 - Jul 31, 2017
- Office: 2100 Randolph Road
- Position: Board Member
- Category: None
- Appointed by: County Commission

JOHN PURSLEY
- Office: 2100 Randolph Road
- Position: Board Member
**City Of Charlotte Boards & Commissions**

**Application Form**

---

**Submit Date:** Jun 22, 2015  
**Status:** submitted

---

**Profile**

<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle Initial</th>
<th>Last Name</th>
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</thead>
<tbody>
<tr>
<td>David</td>
<td></td>
<td>Hale</td>
</tr>
</tbody>
</table>

**Email Address:** davidmhale@gmail.com

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Suite or Apt</th>
</tr>
</thead>
<tbody>
<tr>
<td>1827 The Plaza</td>
<td></td>
</tr>
</tbody>
</table>

**City:** Charlotte  
**State:** NC  
**Zip Code:** 28205

**Mobile:** (858) 405-8280

---

**District 1**  
**City Council District**

**Ethnicity:** Prefer not to Answer

**Political Party:** Democrat

**Gender:** Male

**Date of Birth:** 01/13/1978

---

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

---

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

---

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

I live in Plaza Midwood, an area that attracted us because of its historic charm. Since moving here, my wife and I have taken a keen interest in helping to preserve that history and character -- both in our neighborhood and beyond. Given Charlotte's immense growth, I'd love to have a role in also preserving its history.

---

**Plaza Midwood Neighborhood Association**

**List any boards you are currently serving on:**

---

**List any boards you have served on in the past:**

---

**ESPN**  
**Current Employer:**

**Years in current position:**

---

**Job Title:** Reporter

**Brief description of duties:**

Report and write for the world's largest sports Web site.

---

**Other employment history:**

Reporter for the Wilmington, Del. News Journal, the Macon Telegraph and the Albany (Ga.) Herald; Public relations for multiple sports franchises; Numerous accounting positions
Please describe any background or abilities that qualify you to serve on these boards/committees.


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

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

List any boards you have served on in the past:

- Multi-Flex Pipe Systems
  Current Employer:
  One Year
  Years in current position:

- Director of Business Development
  Job Title:
  Brief description of duties:
  My primary functions involve working on a regional/national stage as we bring our company into the forefront of industrial piping manufacturing and distribution.

Other employment history:
NC Coastal Conservation Association - Executive Director Ceramco - Printech, Inc. - Senior Vice President (21 years)
Agenda #: 31. File #: 15-988 Type: Appointment

Appointment to the Transit Services Advisory Committee

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

Staff Resource(s):
Stephanie Kelly, City Clerk

Explanation
- One appointment for a Suburban Employer served by Charlotte Transit beginning immediately and ending January 31, 2018.
  - Chris Maloy by Council members Austin, Barnes, Driggs, Mayfield, and Phipps
  - Jeffrey Berlin by Council member Smith
  - David Harris by Council member Driggs

Attachment
Transit Services Advisory Committee Applicants
MEMBERSHIP BREAKDOWN
2 by Mayor; 6 by City Council; 1 by County Commission; 6 by Mecklenburg County Towns

MEETING INFORMATION
Meeting Day

ENACTING RESOLUTION

ENACTING RESOLUTION WEBSITE

ADDITIONAL INFORMATION

Membership - Council voted on September 10, 1990 to establish this committee. The first members were appointed on January 14, 1991, with staggered terms to begin on January 31, 1991. Future appointments will be made for three year terms. Council's appointments are (1) one major suburban employer served by Charlotte Transit, (2) one neighborhood organization leader, (3) one local service passenger, (4) one express service passenger, and (5) either a local or express service passenger. The Mayor's appointments are (1) one uptown employer served by Charlotte Transit, and (2) one disabled citizen who uses Charlotte Transit. There is no age requirement.

Responsibilities - This committee will serve as a forum for citizen suggestions and complaints concerning fares, routes, and schedules. It will serve as an advocacy group for public transportation services and review staff recommendations on service provision transit policies. The committee will review and make recommendations on minimum performance standards for the system. The committee will explore emerging issues in public transit and work with staff on solutions.

CONTACT
Duretta Weicken
(704) 336-3517
Dweicken@Ci.Charlotte.Nc.Us
### BOARD ROSTER

<table>
<thead>
<tr>
<th>Name</th>
<th>Term</th>
<th>Office</th>
<th>Position</th>
<th>Category</th>
<th>Appointed By</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHRISTINE BRYANT</td>
<td>Oct 04, 2010 - Oct 04, 2013</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Town of Huntersville</td>
</tr>
<tr>
<td>ROB CORNWELL</td>
<td>May 09, 2009 - May 11, 2015</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Town of Davidson</td>
</tr>
<tr>
<td>DEIDRE EVANS</td>
<td>Feb 01, 2011 - Jan 31, 2014</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>Disabled Citizen Using Charlotte Transit</td>
<td>Mayor</td>
</tr>
<tr>
<td>JAMES HILSMAN</td>
<td>Jun 23, 2014 - Jan 31, 2017</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>Express Service Passenger</td>
<td>City Council</td>
</tr>
<tr>
<td>WALTER HORSTMAN</td>
<td>N/A - Jan 31, 2014</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>None</td>
<td>Town of Matthews</td>
</tr>
<tr>
<td>SCOTT JERNIGAN</td>
<td>Apr 02, 2013 - Feb 03, 2016</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Chairman</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>GEORGE SCHAEFFER, III</td>
<td>Feb 01, 2011 - Jan 31, 2017</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>Local/Express Service Passenger</td>
<td>City Council</td>
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<tr>
<td>JEAN VEAUGH</td>
<td>Dec 07, 2011 - Dec 07, 2015</td>
<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
<td>None</td>
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<tr>
<td>MICHAEL WARNER</td>
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<td>Government Center Building, 600 E. 4th Street</td>
<td>Board Member</td>
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**VACANCY**

- Office: Government Center Building, 600 E. 4th Street
- Position: Board Member
- Category: Neighborhood Organizational Leader
- Appointed by: City Council

- Office: Government Center Building, 600 E. 4th Street
- Position: Board Member
- Category: Local Service Passenger
- Appointed by: City Council

- Office: Government Center Building, 600 E. 4th Street
- Category: Appointed by: Mayor

- Office: Government Center Building, 600 E. 4th Street
- Category: Appointed by: Town of Pineville

- Office: Government Center Building, 600 E. 4th Street
- Category: Appointed by: City of Mint Hill
SUBURBAN EMPLOYER SERVED BY CHARLOTTE TRANSIT

City Of Charlotte Boards & Commissions
Submit Date: Jun 24, 2015
Application Form
Status: submitted

Profile

Chris
First Name
Maloy
Last Name
chrisnsc@gmail.com
Email Address
PO BOX 30212
Street Address
Charlotte
City
NC
State
28230
Postal Code
Mobile: (516) 986-3355
Primary Phone
Business: (704) 987-5280
Alternate Phone

District 1
City Council District
Caucasian/Non-Hispanic
Ethnicity
Independent
Political Party
Male
Gender
07/13/1990
Date of Birth
Are you a registered voter?  
☐ Yes  ☐ No

Which Boards would you like to apply for?
Transit Services Advisory Committee

Why are you interested in serving on these boards/committees?
My interest in TSAC is community involvement, and provide perspective as a daily CATS system user. After attending the Charlotte MTC meeting on 3/11/15, I was informed of an opening on the TSAC.

Please describe any background or abilities that qualify you to serve on these boards/committees.
I am currently a daily reverse commuter from my home in Charlotte (uptown/south end), to my office in Davidson, NC. For the last 18 months, the 77x has gotten me to my office in Davidson, and home in the evening.

List any boards you are currently serving on:

List any boards you have served on in the past:

MSC Industrial Supply
Current Employer:
7
Years in current position:

es Operations Supervisor
Job Title:

Brief description of duties:
Responsible for Sales Ops and Support for 1500+ Field and Call Center associates in a hot-line environment answering 2500+ inquiries per week - simple to complex. In addition I participate in teams that manage Sales Compensation, Incentives, and Goals, Productivity, Facilities, and Emergency Communication.

Other employment history:
Employed at MSC since 2000, in many roles from Call Center, Distribution, Training, Operations, and Sales Operations.
THE FOLLOWING APPLICANTS DO NOT FIT THE CATEGORY REQUIREMENTS
travel the city, we can make Charlotte a national standard in dealing with congested roadway. We can utilize current city cameras & lights to make traveling a more pleasant experience.

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

By making sure that we are utilizing the equipment we currently have at full potential and reaching out to citizens and observing feedback and data from them with specialized reporting methods. We can then do the best job possible to make traveling throughout the city a pleasant experience for everyone before making decisions that will affect the quality of life for people in Charlotte.

List any boards you are currently serving on:

List any boards you have served on in the past:

self zero impact reefs llc
Current Employer:

Years in current position:

Job Title:

Brief description of duties:

Grow coral and maintain saltwater tanks.

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

I believe that my civic involvement and background in Civil Engineering and construction make me an excellent candidate for the seat. I have executed projects beginning with the bidding/contract phase through design, submittal and construction for municipal, state and commercial clients. I am also an MBA candidate at UNCC with a focus on Real Estate and finance.

Transit Funding Working Group
Citizen Advisory Committee (Pinellas County, FL)

List any boards you have served on in the past:

ENGHarris, PLLC

Current Employer:

Owner

Job Title:

Brief description of duties:

Civil engineer focused on transportation and infrastructure finance. Serve as construction and project-management liaison; research, write and present proposals and technical reports; draft roadway plans; calculate construction quantities and estimates; perform structural analysis; provide David Harris Zoning Board of Adjustment utility coordination; develop Maintenance of Traffic plans; serve as mentor for junior engineers.

Other employment history:

Civil Engineering (Transportation, Geotechnical, Structural); General Contracting; Media; Finance; International Consulting
Appointment to the Waste Management Advisory Board

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

Staff Resource(s):
Stephanie Kelly, City Clerk

Explanation
- One recommendation by City Council for appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending November 5, 2015, and then continuing for a full three-year term beginning November 6, 2015, and ending November 5, 2018.
  - Jason Thomas by Council members Austin, Driggs, Mayfield, and Phipps
  - Jay Winfrey by Council member Fallon

Attachment
Waste Management Advisory Board Applicants
WASTE MANAGEMENT ADVISORY BOARD

MEMBERSHIP BREAKDOWN
5 recommended by City Council and appointed by County Commission; 15 by County Commission

MEETING INFORMATION
Meeting Day - 3rd Tuesday monthly
Meeting Time - 11:30 a.m.
Meeting Location - Hal Marshall Services Center/700 N. Tryon
Time Commitment - 4 hours per month

Responsibilities - Evaluate all decisions to construct additional waste-to-energy facilities in the future and consult and advise the City and County governing bodies on the merits and cost efficiencies of such decisions prior to the time they are made.

Membership - The City Council is to recommend five (5) members for approval by the County Commission. Terms are for three years and appointees must be a resident of Mecklenburg County.

CONTACT
Lynn Streeter
(704) 336-4304
Lynn.Streeter@Mecklenburgcountync.Gov

SIZE  20 Seats
TERM LENGTH  3 Year
TERM LIMIT  2 Terms

OVERVIEW
CONTACT
BOARD DETAILS
DETAILS
MEMBERSHIP BREAKDOWN
MEETING INFORMATION
ENACTING RESOLUTION
WEB SITE
ADDITIONAL INFORMATION
<table>
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<tr>
<th>Name</th>
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<th>Office</th>
<th>Position</th>
<th>Category</th>
<th>Appointed By</th>
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</thead>
<tbody>
<tr>
<td>HENRY ANTSHEL</td>
<td>May 07, 2014 - Sep 21, 2016</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>Recommended by City Council</td>
<td>County Commission</td>
</tr>
<tr>
<td>LINDA ASHENDORF</td>
<td>Apr 01, 2014 - Mar 31, 2017</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
</tr>
<tr>
<td>ELIZABETH DONOVAN</td>
<td>Jul 01, 2016 - Jun 30, 2018</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
</tr>
<tr>
<td>MARTIN DOSS</td>
<td>Feb 02, 2014 - Feb 01, 2017</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>Recommended by City Council</td>
<td>County Commission</td>
</tr>
<tr>
<td>CONNIE HARRIS</td>
<td>Sep 30, 2012 - Sep 30, 2015</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
</tr>
<tr>
<td>DWAYNE HEYWARD</td>
<td>Dec 02, 2014 - May 18, 2016</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>Recommended by City Council</td>
<td>County Commission</td>
</tr>
<tr>
<td>MELVIN JEWETT</td>
<td>Sep 02, 2014 - Aug 31, 2017</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>KENNETH MORRIS</td>
<td>Nov 05, 2013 - Oct 30, 2016</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>ANTHONY MORRISON</td>
<td></td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>JEREMY O BRIEN</td>
<td>Jul 01, 2013 - Jun 30, 2016</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>STEVEN PEPPER</td>
<td></td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
</tr>
<tr>
<td>RITA PLYER</td>
<td>Mar 15, 2013 - Mar 14, 2016</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
</tr>
<tr>
<td>ISMAEL SANCHEZ</td>
<td>Sep 01, 2014 - Aug 31, 2017</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>MARTIN SANFORD</td>
<td>Oct 31, 2013 - Oct 30, 2016</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>CARL TERRELL</td>
<td>Mar 01, 2015 - Feb 28, 2018</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
</tr>
<tr>
<td>LOUIS WATTS</td>
<td>Mar 15, 2013 - Mar 14, 2016</td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>VACANCY</td>
<td></td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
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<tr>
<td>VACANCY</td>
<td></td>
<td>Hal Marshall Center, 700 N. Tryon Street</td>
<td>Board Member</td>
<td>None</td>
<td>County Commission</td>
</tr>
</tbody>
</table>
Please describe any background or abilities that qualify you to serve on these boards/committees.

List any boards you are currently serving on:

List any boards you have served on in the past:

Goodwill Industries of the Southern Piedmont
Current Employer:

3
Years in current position:

Environmental Enterprises
Job Title:

Operations Manager

Brief description of duties:

Directs activities of the Recycling and eCommerce Departments to ensure net performance provides satisfactory financial support for the organization and training opportunities in support of the Agency’s mission and strategic objectives. Manages customer and vendor relationships for both departments. Directly supervises the staff of the Recycling and eCommerce departments.

Other employment history:

Waste Management Advisory Board

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

My Director (Patrick Darrow) was a previous member until he relocated out of Mecklenburg County. My company would like a representative to continue on this board.
profitable system in place to handle our waste is of extreme importance.

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

I’m President of a new Startup in Charlotte Called Big Recycling.

List any boards you are currently serving on:

However looking forward to the opportunity serve as an addition to the current board.

List any boards you have served on in the past:

Big Recycling
Current Employer:

6 months
Years in current position:

President
Job Title:

Brief description of duties:

I serve as the President and Ceo of a Startup here in Charlotte, Big Recycling. I am responsible for the daily operations, marketing and management for this new endeavor. Serving in this capacity gives me ability to use day to day, real world experience on the Waste Management Advisory Board.

Other employment history:

Retail Management 11yrs Customer Service 8yrs Sales Trainer 5yrs
Agenda #: 33. File #: 15-980 Type: Consent Item

Predictive Crime Analytics Software Maintenance Contract

Action:

A. Authorize the City Manager to approve price adjustments and amend the contract with Information Builders for the Predictive Crime Analytics Dashboard system consistent with the City’s business needs and the purpose for which the contract was awarded,

B. Authorize the City Manager to purchase maintenance and support for as long as the City uses the system, and

C. Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to optimize the City’s use of the system.

Staff Resource(s):
Lisa Goelz, Police
Crystal Cody, Police

Explanation

- On November 23, 2009, the City Council authorized the City Manager to approve up to five, one-year renewal options for extended software maintenance and support for the Police Predictive Crime Analytic Dashboard solution.

- On June 22, 2015, the City Council approved contract amendment #3 with Information Builders Inc. in the estimated amount of $250,000 for the implementation of a Predictive Analytic solution related to improved early intervention strategies.

- The Crime Analytic Dashboard provides real time information to the Charlotte-Mecklenburg Police Department (CMPD), allowing staff to identify and track crime trends, plan resource deployment, and measure the effectiveness of crime reduction initiatives.

- CMPD is requesting to enter into a new maintenance and support agreement with Information Builders.

- Annual maintenance for Fiscal Year 2016 is anticipated to be approximately $100,000 with annual increases not to exceed 5%.

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).
Agenda #: 33. File #: 15-980 Type: Consent Item

Fiscal Note
Funding: Police Operating Budget
License Plate Reader Maintenance Contract

Action:
A. Authorize the City Manager to approve price adjustments and amend the contract with NDI Technologies for the Charlotte-Mecklenburg Police Department’s Automated License Plate Reader system consistent with the City’s business needs and the purpose for which the contract was awarded,

B. Authorize the City Manager to purchase maintenance and support for as long as the City uses the system, and

C. Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to optimize the City’s use of the system.

Explanation
- In 2008, the Charlotte-Mecklenburg Police Department (CMPD) entered into an agreement with NDI Technologies to purchase mobile license plate readers for four vehicles.
- City Council approved Democratic National Convention Grant funds to expand the CMPD License Plate Reader program to include 91 fixed-mounted cameras and eight Road Warrior Speed Trailers.
  - Three years of maintenance was purchased to cover equipment and software maintenance.
- The license plate reader technology is in use by the Real Time Crime Center (RTCC) and has become a vital tool in the investigative process.
  - In the last year, the RTCC alerted patrol officers of 1,400 stolen/wanted vehicles based on License Plate Reader alerts.
  - As a result, patrol officers successfully located 458 of those vehicles and completed 248 arrests or citations.
- In order to continue maintenance and support for this system, a new maintenance agreement is required.
  - Cost includes software maintenance, new feature releases, and hardware maintenance for all fixed and mobile license plate reader devices.
- Annual maintenance is anticipated to be approximately $150,000 with annual increases not to
exceed 3%.

**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
Situational Awareness System for the Charlotte-Mecklenburg Police Department

Action:

A. Approve the purchase of situational awareness software, maintenance, and implementation services from a federal contract as authorized by G.S. 143-129 (e)(9a),

B. Approve a contract with the South Carolina Research Authority for the purchase of situational awareness software, maintenance, and implementation services for the term of three years,

C. Authorize the City Manager to approve price adjustments and amend the contract consistent with the City’s business needs and the purpose for which the contract was awarded,

D. Authorize the City Manager to purchase maintenance and support for as long as the City uses the system, and

E. Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time, but not to exceed $250,000 to optimize the City’s use of the system.

Staff Resource(s):
Steve Willis, Police
Crystal Cody, Police

Federal Contract Exemption
G.S. 143-129(e)(9a) allows local governments to purchase from contracts established by the United States government, including any federal agency, if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the federal contract.

Explanation

- Currently, the Charlotte-Mecklenburg Police Department (CMPD) has a number of disparate systems that are used by the department, which include a Video Management System, License Plate Reader System, Computer-Aided Dispatch (CAD) System, Shot Spotter, and CMPD Live.
  - Some of these applications are needed simultaneously with the existing disparate system structure, making usage challenging and cumbersome.
- CMPD requests authorization to purchase the South Carolina Research Authority’s Alastar Situational Awareness system to provide a single-graphical user interface for CMPD’s Real-Time Crime Center (RTCC).
- Using the system, RTCC staff and field managers will be able to more easily and quickly identify available resources and receive real-time information (including video) when responding to an incident. This overall objective will be supported by the system’s ability to provide the following:
  - Integrate systems into a single user friendly interface;
Agenda #: 35. File #: 15-1148  Type: Consent Item

- Access real-time and historical information;
- Access to RTCC, executive staff and field managers through a web browser to allow for access by personnel in the office and in the field;
- Ability to configure access, permission and views based on business rules; and
- Ability to expand to include other systems or departments.

- CMPD desires the project to be completed in a phased approach. By using this approach, basic functionality can be delivered in a timely manner while more complex integrations can be added as time, budget, and resources allow.
  - Phase 1 functionality includes graphical map overlays such as police divisions and critical infrastructure, access to social media feeds and traffic cameras, and access to live web services.
  
  CMPD anticipates that Phases 2 and 3 will consist of application and system integrations, such as integrations with KBCOPS, electronic offender monitoring, and computer-aided dispatch. CMPD anticipates planning Phases 2 and 3 while Phase 1 is being implemented.

- Staff has researched the market and believes the price and terms offered under the new contract are very competitive and that it is in the City’s best interest to procure the Alastar Situational system through the contract.
  - The City will receive licenses for up to 50 concurrent users at no cost.
  - Annual recurring maintenance fees for years one to three are estimated to be $16,200.
  - Expenditures for implementing Phase 1 of the project are estimated to be $179,500. Expenditures for future phases will be determined when CMPD further defines its requirements.

Charlotte Business INClusion
This system is being purchased from an existing governmental contract, and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).

Fiscal Note
Funding:
  - Crime Analysis Capability Building Project grant and Asset Forfeiture Funds
Digital Radios Donation to Johnson C. Smith University

Action:  
Adopt a resolution authorizing the donation of 17 XTS 5000 radios to Johnson C. Smith University for the purpose of enhancing campus security and communication with the Charlotte-Mecklenburg Police Department.

Staff Resource(s): 
Steve Willis, Police  
Lisa Goelz, Police

Explanation  
- North Carolina General Statute 160A-280 authorizes the donation of personal property from a City to a non-profit organization upon adoption of a resolution by the City Council.  
- The Charlotte-Mecklenburg Police Department (CMPD) would like to donate 17 XTS 5000 radios to Johnson C. Smith University (JCSU).  
- CMPD operates on a P25 digital radio system.  
  - JCSU uses an analog radio system which does not allow direct communication with CMPD.  
- JCSU will use the donated radios to improve their inter-operability among campus police.  
- The XTS 5000 radios will create more efficient response time with CMPD officers who patrol near the JCSU campus.  
  - Currently, JCSU campus security must call 911 for CMPD assistance.  
- JCSU would only have access to CMPD’s Metro Division radio channel.  
- Market value of each XTS 5000 radio is $4,500, which includes: radio, programming, charging base, and batteries.  
- JCSU would pay the monthly access fee of $42 per radio and any other maintenance fees.  
- JCSU would accept the donated radios “as is” and without warranty.

Fiscal Note  
Funding:  Not applicable

Attachment  
Resolution
RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA
ON AUGUST 24, 2015

A motion was made by ____________ and seconded by__________________________ for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, North Carolina General Statutes Section 160A-280 authorizes the City to donate surplus personal property belonging to the City to nonprofit organizations incorporated within the United States pursuant to a Resolution adopted after the posting of a public notice of such Resolution at least five days prior to its adoption; and

WHEREAS, the City of Charlotte owns seventeen XTS 5000 radios, which are surplus, obsolete, or unused property and have been determined as eligible for conveyance pursuant to North Carolina law to an eligible nonprofit organization;

NOW, THEREFORE, BE IT RESOLVED by the Charlotte City Council that:

1. The Chief of the Charlotte-Mecklenburg Police Department or the Chief’s designee is hereby authorized to create and execute such documents as may be or become necessary in order to convey full legal ownership of said radios to Johnson C. Smith University ("JCSU"). JCSU shall bear and pay any and all costs or expenses which may be incurred in the transfer of ownership of said radios to JCSU.

   The City shall donate said radios to JCSU only upon the conditions and subject to the execution of covenants by JCSU that:

   A. it shall at all times use and maintain said radios solely for the provision of on campus law enforcement services and the pursuit of recognized "public purposes" it performs as a part of its nonprofit activities;

   B. it shall bear and pay any and all costs or expenses which may be incurred as a result of JCSU’s ownership or use of the radios, including, but not limited to, monthly access fees and any other maintenance fees;

   C. at such time as it shall deem the radios to be unsuitable for further service, JCSU shall dispose of them and shall apply any net proceeds derived from their disposition solely to provide further on campus law enforcement services.

2. JCSU acknowledges that its representatives have heretofore inspected the said vehicle partitions to its satisfaction. The City shall convey, and CMHA shall accept, the said vehicle partitions in "as is" condition, without restriction or limitation, and without warranty of fitness for a particular purpose or other warranty of any kind.

3. Upon and following the said conveyance, the City shall thereafter bear no obligation or responsibility of any type or kind relating to the use, maintenance, expense or ownership of said radios, and all such expenses of ownership shall be the sole responsibility of JCSU.

4. By executing the contractual "Agreement" of conveyance to be provided by the City, JCSU agrees that it has thereupon waived, forgone and forfeited any and all present or future claims against the City arising out of JCSU’s ownership and use of said radios thereafter.
CERTIFICATION
I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the forgoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ____ day of _______, 2015. The reference having been made in Minute Book ________, and recorded in full in Resolution Book _____, Page(s) ________.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the ____ day of _______, 2015.

___________________________________
Stephanie C. Kelly, City Clerk
Mobile Device Donations to Carolina Family Connections and Charlotte Family Housing

Action:
Adopt a resolution authorizing the donation of 15 surplus mobile devices to Carolina Family Connections and Charlotte Family Housing for the purpose of helping students meet the requirements of school curriculums that rely heavily on access to technology.

Staff Resource(s):
Vicki Foster, Police
Torri Tellis, Police

Explanation
- North Carolina General Statue 160A-280 authorizes the donation of personal property from a City to a non-profit organization upon adoption of a resolution by the City Council.
- The Charlotte-Mecklenburg Police Department (CMPD) would like to donate 15 surplus mobile devices (Apple iPad2 - 64 GB tablets) to Carolina Family Connections and Charlotte Family Housing.
- CMPD executive and command staff used the mobile devices. However, the mobile devices were limited in their capabilities and efficiency for law enforcement administrative needs.
- Carolina Family Connections would allow five mobile devices to be used by high school students in their foster care program and an additional five mobile devices to be used by students in the children’s program at Southside Community Church.
  - Carolina Family Connections would retain complete ownership of the mobile devices per the conditions outlined in the donation agreement.
- Charlotte Family Housing would allow five mobile devices to be used by high school students from three of their housing sites.
  - Charlotte Family Housing would retain complete ownership of the mobile devices per the conditions outlined in the donation agreement.
- Based on most recent data, the estimated value of the 15 mobile devices is $1,500.
- Carolina Family Connections and Charlotte Family Housing would accept the donated mobile devices “as is” and without warranty.

Fiscal Note
Funding: Not applicable

Attachment
Resolution
RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA
ON AUGUST 24, 2015

A motion was made by ____________ and seconded by__________________________ for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, North Carolina General Statutes Section 160A-280 authorizes the City to donate surplus personal property belonging to the City to nonprofit organizations incorporated within the United States pursuant to a Resolution adopted after the posting of a public notice of such Resolution at least five days prior to its adoption; and

WHEREAS, the City of Charlotte owns fifteen Apple iPad2 tablets, which are surplus, obsolete, or unused property and have been determined as eligible for conveyance pursuant to North Carolina law to eligible nonprofit organizations;

NOW, THEREFORE, BE IT RESOLVED by the Charlotte City Council that:

1. The Chief of the Charlotte-Mecklenburg Police Department or the Chief’s designee is hereby authorized to create and execute such documents as may be or become necessary in order to convey full legal ownership of said Apple iPad2 tablets to Carolina Family Connections (“CFC”) and Charlotte Family Housing (“CFH”). CFC and CFH shall bear and pay any and all costs or expenses which may be incurred in the transfer of ownership of said Apple iPad2 tablets to CFC and CFH.

   The City shall donate said Apple iPad2 tablets to CFC and CFH only upon the conditions and subject to the execution of covenants by CFC and CFH that:

   A. they shall at all times use and maintain said Apple iPad2 tablets solely for the provision of public services and the pursuit of recognized “public purposes” they perform as a part of their nonprofit activities;

   B. at such time as they shall deem the Apple iPad2 tablets to be unsuitable for further use, CFC and CFH shall dispose of them and shall apply any net proceeds derived from their disposition solely to provide further public services.

2. CFC and CFH acknowledge that its representatives have heretofore inspected said Apple iPad2 tablets to their satisfaction. The City shall convey, and CFC and CFH shall accept, said Apple iPad2 tablets in “as is” condition, without restriction or limitation, and without warranty of fitness for a particular purpose or other warranty of any kind.

3. Upon and following the said conveyance, the City shall thereafter bear no obligation or responsibility of any type or kind relating to the use, maintenance, expense or ownership of said Apple iPad2 tablets, and all such expenses of ownership shall be the sole responsibility of CFC and CFH.

4. By executing the contractual “Agreement” of conveyance to be provided by the City, CFC and CFH agree that they have thereupon waived, forgone and forfeited any and all present or future claims against the City arising out of CFC’s and CFH’s ownership and use of said Apple iPad2 tablets thereafter.
CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the forgoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ____ day of ________, 2015. The reference having been made in Minute Book _______, and recorded in full in Resolution Book _____, Page(s) ________.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the ____ day of ________, 2015.

___________________________________
Stephanie C. Kelly, City Clerk
Regional Automated Property Information Database System

Action:

A. Approve a three-year contract with Business Watch International in the amount of $22,500 annually for a software license subscription of the Regional Automated Property Information Database System,

B. Authorize the City Manager to approve price adjustments and amend the contract system consistent with the City’s business needs and the purpose for which the contract was awarded,

C. Authorize the City Manager to purchase maintenance and support for as long as the City uses the system,

D. Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to optimize the City’s use of the system.

Staff Resource(s):
Steve Willis, Police
Crystal Cody, Police

Explanation
- The Charlotte-Mecklenburg Police Department (CMPD) currently uses the Pawntracker system to record transactions made at area second hand dealers in compliance with State and City Pawnbroker ordinances.
- The current system is limited in functionality and limits the extent CMPD can leverage this information in larceny cases.
- CMPD completed an informal solicitation requesting demonstrations and quotes from three companies providing Property Information Systems.
- Based on the review of functionality and annual expense, CMPD selected Business Watch International and the Regional Automated Property Information Database (RAPID) to replace the existing system.
- The new system will enhance the following:
  - National Criminal Information Center cross-reference with BWI Smart Match functionality;
  - Unlimited law enforcement user licenses;
  - Interfaces to Craigslist and EBAY search tools; and
  - Integration with SIRAS point of sale system to identify potential suspicious transactions.
- The vendor will provide the following services as part of the contract:
  - Secure web-hosting,
  - Second hand dealer data entry and upload utilities for existing store programs,
  - Store set up and training for up to 120 stores, and
Agenda #: 38  File #: 15-979  Type: Consent Item

- Emergency 24-hour helpdesk support.
  - Organized retail theft is one of the fastest growing crime problems, which requires more technical-savvy methods to locate and combat trends.
  - The implementation of this system will provide greater access to commercially available tools allowing detectives to more efficiently investigate these types of crimes and recover property stolen from citizens.
  - Annual subscription is $22,500 for up to 120 stores.

**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 #: 39. File #: 15-985 Type: Consent Item

Reimbursement and Developer Agreement with Sanctuary Management, LLC

Action:

A. Approve a Reimbursement and Developer Agreement between the City of Charlotte and Sanctuary Holdings Charlotte, LLC (Developer),

B. Adopt a budget ordinance appropriating a contribution of $266,000 from Sanctuary Management, LLC to the Rocky River Road West Improvement project, and

C. Authorize the City Manager to execute any and all documents necessary to comply with the terms of the Agreement.

Staff Resource(s):
Jim Keenan, Engineering & Property Management

Explanation

- The Northeast Corridor Infrastructure program includes a project to improve Rocky River Road West in the vicinity of the University City light rail station, currently under construction. This project includes road widening and realignment, curb and gutter, bicycle lanes, planting strips, sidewalks, and street trees.

- Sanctuary Holdings Charlotte, LLC (Developer) is currently constructing an apartment development (Arcadia Apartments) along Rocky River Road West within the City’s project limits. City development ordinances require the Developer to make improvements to the road that include turn lanes, curb and gutter, planting strips, sidewalks, and street trees.

- The City’s project includes realignment of the roadway in the vicinity of the Developer’s project. Therefore, the Developer’s roadway improvements would not be consistent with the City project and would need to be torn out and replaced when the City project is built.

- In order to avoid wasted costs and tear out of the developer’s construction, and to reduce traffic impacts to the local communities, the Developer has agreed to contribute funding and dedicate needed land, in total value commensurate with their development obligation, in exchange for relief of his responsibility for roadway improvements. The City will construct the Developer improvements as part of the overall City project.

Fiscal Note
Funding: General Transportation Community Investment Plan

Attachment
Developer Agreement
Budget Ordinance
CONTRACT NUMBER: 2016000178

PURCHASE ORDER NUMBER

AWARD DATE: August 24, 2015

EFFECTIVE DATE:

REIMBURSEMENT AND DEVELOPMENT AGREEMENT

PROJECT:
Rocky River Road West

OWNER:
City of Charlotte

COMPANY:
Sanctuary Holdings Charlotte, LLC
STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

This Development Agreement ("the Agreement") is entered into as of this _____ day of __________________, 2015, being the latter date by which this document has been signed by both parties hereto, as provided in paragraph 3 below (the “Effective Date”), by and between the CITY OF CHARLOTTE, a North Carolina municipal corporation (the “City”) and Sanctuary Holdings Charlotte, LLC a Georgia limited liability company (the “Sanctuary”).

BACKGROUND AND PURPOSE

WHEREAS, the City has a planned roadway improvement project for Rocky River Road West which includes road widening, addition of curb and gutter, bicycle lanes, planting strips, sidewalks, and street trees, as well as required drainage improvements and utility modifications along portions of Rocky River Road West in Charlotte, North Carolina, (the “City Project”); and

WHEREAS, Sanctuary owns the property at 7500 UNIVERSITY CITY BOULEVARD, Charlotte North Carolina, and is currently constructing a multifamily development at this location (“Arcadia”); City ordinances require Sanctuary to make certain road improvements to Rocky River Road West in association with the development of Arcadia to include installation of new curb and gutter and associated pavement, installation of a left turn lane into the property, sidewalk, associated storm drainage improvements, associated utility pole relocations, and street trees (collectively, the “Required Improvements”), and desires to have the Required Improvements completed in conjunction with City Project; and

WHEREAS, the City proposes to have the design of the Required Improvements included in the design of City Project and to construct the Required Improvements as part of the City Project; and

WHEREAS, Sanctuary is willing to pay the City for the costs of constructing the Required Improvements in lieu of completing them itself; and

WHEREAS, the design plans and plat will show that a portion of the City Project and the Required Improvements will have to be constructed outside of existing road right-of-way, on property owned by Sanctuary, and Sanctuary is willing to donate that area so identified on the plans and plat to the City as either easement, fee simple, or both, as required; and

WHEREAS, the parties agree that the Required Improvements and City Project will benefit the public at large and that it is in the parties’ mutual best interest to have the Required Improvements constructed at the same time as City Project so as to minimize the disruption and inconvenience to the transit
system, the motoring public, pedestrians, the new development, buildings and affected area; and the City is in the best position to complete the City Project at this time; and

WHEREAS, the City and Sanctuary have reached agreement on their respective responsibilities for the design, construction and payment of and for their respective improvements and seek to reduce the terms of this agreement to writing. Now, therefore, in consideration of the mutual covenants and agreements set forth herein, the parties agree as follows:

1. The City shall design and construct the Required Improvements on behalf of Sanctuary, in exchange for which Sanctuary shall make a cash payment to the City and donate the additional land area necessary for construction of the City Project.

2. The City shall be responsible for procuring all necessary design, engineering and real estate services necessary in connection with the City Project, and shall also be responsible for the construction of the City Project, inclusive of the Required Improvements.

3. Sanctuary shall be responsible for paying to the City a portion of the estimated cost of the Required Improvements along Rocky River Road West, in the amount of $266,400.00 (the “Payment”). When Developer delivers a signed copy of this Agreement to the City he shall also deliver Payment, in the form of a certified or cashier’s check, made payable to the City of Charlotte, and made so as to be valid and negotiable for a period of 90 days. Once the City has received the signed Agreement and Payment, a) the City will place this Agreement before City Council for approval at its next regular business meeting or as soon thereafter as is possible, and b) Sanctuary may submit a Surety Reduction request form to City Engineering Land Development Division to request that the Phase 1 Map 1 bond amount be reduced by the amount of the Payment (The remaining bond amount should be released upon completion of the real estate transfers described in paragraph 4.) Once Council approves this Agreement, appropriate City staff will sign it and the date of that signature will become the Effective Date.

4. In addition to the cash payment described above, Sanctuary shall transfer to the City those easements and/or fee simple areas necessary to complete construction of the City Project and which are shown on, or are as otherwise negotiated between the parties based on, the attached Exhibit A. Within 180 days from the Effective Date, the City shall prepare and present to Sanctuary those documents necessary to complete the property transfer and Sanctuary agrees to sign and return the documents to the City in a timely manner.

In addition to the foregoing, the parties understand that during the final design and utility relocation of the City Project unexpected conditions may arise which result in the need for the City to acquire additional easement or fee simple area from Sanctuary in order to accommodate utility or roadway infrastructure. In that event, Sanctuary agrees not to unreasonably delay or withhold consent to such transfer and the parties shall negotiate in good faith to accomplish the transfer.

5. Default and Remedies: If either party shall fail to perform its obligations under this Agreement, the other party shall have and may exercise any rights and remedies available at law or in
equity, including, without limitation, the right to require specific performance. Either party may terminate this Agreement for cause if the defaulting party shall fail to cure a material default within thirty (30) days after receiving written notice of the default from the other party, or within such longer period as may be reasonably required if the default cannot be cured within such thirty (30) days and the defaulting party commences the remedial action within that period and diligently completes such action. No remedy contained in this Agreement or otherwise conferred upon or reserved to a party shall be considered exclusive of any other remedy, but each such remedy shall be distinct, separate, and cumulative. Each remedy may be exercised from time to time as often as occasion may arise, or as may be deemed expedient. No delay or omission by either party in exercising any remedy available to it as a result of a default by the other party shall impair that remedy or be construed as a waiver of the default.

6. Project Management and Notices: The City Project Manager shall act as the City’s representative, coordinate the Project, and facilitate communication with Sanctuary and others concerning the City Project. The Sanctuary Project Manager shall act as Sanctuary’s representative, and serve as liaison between Sanctuary and agents of the City. All notices required or permitted to be given hereunder shall be deemed given on the date the notice is emailed, hand delivered, faxed with a mailed copy to follow, or deposited for delivery by U.S. mail, registered or certified, return receipt requested, postage prepaid, properly addressed as follows:

City’s Project Manager: Jim Keenan, PE
Program Manager
Engineering & Property Management
600 East Fourth Street
Charlotte, NC 28202
704.336.4252
jkeenan@charlottenc.gov

Sanctuary Project Manager: Chad L. Howie
CEO/President
Sanctuary Companies, Inc.
770.789.3350
chowie@sanctuarycompanies.com

7. No Third Party Rights: This Agreement is entered into by and between the parties hereto for their exclusive benefit. The parties do not intend to create or establish by this Agreement any third-party beneficiary status or rights, and no such third-party shall be entitled to enforce any right of obligation or enjoy any benefit created or established by this Agreement.

8. Binding Effect: This Agreement shall be binding upon, inure to the benefit of and be enforceable by the parties hereto and their respective successors and assigns.

9 Applicable Law: This Agreement shall be enforced, interpreted and construed by and under the laws of the State of North Carolina.
10. Severability: The invalidity or unenforceability of any one or more phrases, sentences, clauses or provisions of this Agreement shall not affect the validity or enforceability of the remaining portion of this Agreement or any part hereof.

11. Multiple Originals: This Agreement is executed in multiple originals, one of which is being retained by each of the parties hereto and each of which shall be deemed an original hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

THE CITY OF CHARLOTTE
By: ________________________________
Printed Name: _______________________
Title: ______________________________

ATTEST:
________________________
________________________ City Clerk

SANCTUARY HOLDINGS CHARLOTTE, LLC, a Georgia limited liability company

By: Sanctuary Companies, Inc., a Georgia corporation, as co-Manager
By: _________________________________(SEAL)
Chadwell L. Howie, as CEO

Signed, sealed and delivered in the presence of:

________________________
Notary Public
Commission expires: ___________________

(Affix Seal)
ORDINANCE NO. ______________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FROM SANCTUARY MANAGEMENT, LLC TO THE ROCKY RIVER ROAD WEST IMPROVEMENT PROJECT

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

Section 1. That the sum of $266,000 is hereby estimated to be available from Sanctuary Management, LLC

Section 2. That the sum of $266,000 is hereby appropriated in the General Capital Project Fund 4001 in Project 8010400010-1000000000 - Rocky River Road West Improvements

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
Amendment to Interlocal Agreement between the City of Charlotte and the Charlotte-Mecklenburg Board of Education

Action:

A. Authorize the City Manager to execute the amendment to the Interlocal Agreement between the City of Charlotte and the Charlotte-Mecklenburg Board of Education in order to comply with the Council approved interlocal agreement, and

B. Adopt a budget ordinance appropriating the contribution of $321,630 from the Charlotte-Mecklenburg Board of Education to the Rocky River Road West Improvement project.

Staff Resource(s):
Jim Keenan, Engineering & Property Management

Explanation

- The Northeast Corridor Infrastructure program includes a project to improve Rocky River Road West in the vicinity of the University City light rail station, currently under construction. This project includes road widening and realignment, curb and gutter, bicycle lanes, planting strips, sidewalks and street trees.

- Charlotte Mecklenburg Schools is building a new school (Newell Elementary) on Rocky River Road within the City’s project limits. Under the City’s development ordinance, the Charlotte-Mecklenburg Board of Education is responsible for construction of roadway improvements to include road widening, curb and gutter, sidewalks, street trees, and drainage systems.

- City and Charlotte-Mecklenburg Board of Education staff recognized that the roadway improvements required by ordinance would not be consistent with the City project and would therefore be wasted. In order to avoid that waste, both parties agreed to coordinate planning efforts.

- On February 10, 2014, City Council resolved and approved an interlocal agreement between the City and Charlotte-Mecklenburg Board of Education to provide coordinated roadway planning services. The interlocal agreement allowed mutual development of roadway planning information to support both the City’s roadway improvement project and the new school project. The Resolution also authorized the City Manager to negotiate and execute subsequent amendments to the interlocal agreement.

- The interlocal agreement incorporated several options that might be followed upon completion of the planning efforts. Under this Amendment to Interlocal Agreement, and in accordance with the options, the City has elected to relieve Charlotte-Mecklenburg Board of Education of the obligation to build their required roadway improvement, and will construct the improvements as part of the larger City project. In return, Charlotte-Mecklenburg Board of Education will contribute to the City project funds and necessary right-of-way commensurate with their obligations.

- The City project construction is expected to begin in 2018.

Charlotte Business INClusion
This is an interlocal agreement contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).
Agenda #: 40. File #: 15-986 Type: Consent Item

Fiscal Note
Funding: General Transportation Community Investment Plan

Attachment
Amendment to the Interlocal Agreement (Exhibit 1: the full Interlocal Agreement is available upon request)
Exhibit 2: City-CMS Balance Sheet
Map
Budget Ordinance
AMENDMENT TO INTERLOCAL AGREEMENT

This Amendment to Agreement for Pre-Development Cooperation (this "Agreement"), entered into to be effective August 11, 2015, by and between the CITY OF CHARLOTTE, a municipal corporation organized and existing under the laws of the State of North Carolina (the “City”), and THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, a corporate body formed and existing in accordance with Article 5 of Chapter 115C of the General Statutes of North Carolina (“CMBE”).

Background.

City and CMBE previously entered into that certain Interlocal Agreement, a copy of which is attached hereto as Exhibit 1 (the “Original Agreement”). Consistent with the Original Agreement, the parties have worked together such that their cooperation has not negatively impacted the opening of the Newell Elementary School for the 2015-2016 school year and has not created any cost impacts to CMBE more than it otherwise would spend on the preliminary design of the CMBE Baseline Road Improvements. In accordance with that Original Agreement, initial design work has occurred and City and CMBE staffs have jointly evaluated the best way to deliver the proposed City Road Project. Specifically (and consistent with Section 4 of the Original Agreement), City and CMBE have determined that (i) the City Road Project (inclusive of the CMBE Enhanced Road Improvements) is feasible and desired to be constructed as a single project by the City and (ii) CMBE should pay City CMBE’s pro rata share of the cost of the City Road Project (i.e. the amount of the estimated cost of the CMBE Baseline Road Improvements to be determined as part of this preliminary design work) in accordance with Section 4.a.i.

Accordingly, City and CMBE agree to amend the Original Agreement as follows:

Agreement.

1. City to Complete Design and Construct the City Road Project. City agrees to complete the design of the City Road Project and to construct the City Road Project. City expects to commence construction of the City Road Project no later than July 1, 2017 and to complete the City Road Project no later than July 1, 2018.

2. Payment by CMBE. Consistent with the Original Agreement and recitals above, CMBE shall pay City the amount of $321,630, which is agreed to be the additional amount payable by CMBE in order for CMBE to pay CMBE’s pro rata share of the overall cost of City Road Project (see Exhibit 2 for balance sheet for financial terms). Such payment shall be made by CMBE to City no later than October 31, 2015. For clarity, and consistent with the Original Agreement, this payment amount reflects the estimated cost of the CMBE Baseline Improvements (i.e. the work that CMBE would have performed if there were no City Road Project) less the estimated additional costs incurred by CMBE due to the City Road Project (e.g. temporary driveway connection, estimated cost for additional land dedicated, estimated cost of police officer that may be needed).

3. Further Cooperation. CMBE and City agrees to reasonably cooperate with each other in connection with the City Road Project provided such cooperation shall be not require any financial payment beyond the amount contemplated by this Agreement. CMBE does agree to dedicate to the City at no additional cost or expense to the City any land needed for the road right of way and any accompanying sidewalk, drainage or utility easements as reasonably
requested by the City. It is acknowledged that a portion of the needed right of way has already been dedicated as shown on that certain map recorded in Map Book 58, Page 19 in compliance with Chapter 19 of the City Code and that an additional approximately 15-20 foot strip of land along the frontage of the site for permanent road right of way, together with reasonable and appropriate storm drainage and temporary construction easements are expected to be needed after the City completes its additional engineering work needed for permitting of the City Road Project.

4. **Miscellaneous.**

   a. **Notices:** All notices required or permitted to be given hereunder shall be deemed given if emailed, hand delivered or faxed with a mailed copy to follow, or mailed in a sealed wrapper and deposited in the United States Mail, registered or certified, return receipt requested, postage prepaid, properly addressed as follows:

   **If to the City:**

   City of Charlotte
   Engineering & Property Management
   600 East Fourth Street
   Charlotte, NC 28202
   Attention: Jim Keenan, PE

   **Email:** jkeenan@charlottenc.gov

   **If to CMBE:**

   Mike Higgins
   CMS Capital Program Services
   3301 Stafford Drive
   Charlotte, NC 28208
   (704) 201-3406
   m.higgins@cms.k12.nc.us

   Either party may change its notice address, the City Road Project Manager or CMBE Project Manager, as applicable, by giving written notice of the change to the other party in the manner specified above ten (10) days prior to the effective date of such change.
b. No Third Party Rights: This Agreement is entered into by and between the parties hereto for their exclusive benefit. The parties do not intend to create or establish by this Agreement any third-party beneficiary status or rights, and no such third-party shall be entitled to enforce any right of obligation or enjoy any benefit created or established by this Agreement.

c. Binding Effect: This Agreement shall be binding upon, inure to the benefit of and be enforceable by the parties hereto and their respective successors and assigns.

d. Applicable Law: This Agreement shall be enforced, interpreted and construed by and under the laws of the State of North Carolina.

e. Severability: The invalidity or unenforceability of any one or more phrases, sentences, clauses or provisions of this Agreement shall not affect the validity or enforceability of the remaining portion of this Agreement or any part hereof.

f. Captions: The captions and headings set forth in this Agreement are for convenience of reference only and shall not be construed as part of this Agreement.

g. Multiple Originals: This Agreement is executed in multiple originals, one of which is being retained by each of the parties hereto and each of which shall be deemed an original hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF CHARLOTTE
By: _______________________
Title: ____________________________________

THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION
By: ____________________________________
Title: Superintendent
City - CMS balance sheet - Newell Elementary School

Updated on July 23, 2015

<table>
<thead>
<tr>
<th>City owes CMS</th>
<th>CMS owes City</th>
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<tbody>
<tr>
<td>$ 127,613</td>
<td>Planning subcontract w/STV through interlocal agreement</td>
</tr>
<tr>
<td>$ 565,000</td>
<td>Value of Chapter 19 construction avoided in school construction</td>
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<tr>
<td>$ 27,000</td>
<td>Anticipated cost for CMPD traffic control officers in absence of entrance turn lanes</td>
</tr>
<tr>
<td>$ 31,314</td>
<td>Additional cost to CMS for construction of temporary driveway tie-ins</td>
</tr>
<tr>
<td>$ 57,443</td>
<td>Value of real estate necessary for road improvements (only for real estate beyond that needed for Chapter 19 improvements)</td>
</tr>
<tr>
<td>$ 243,370</td>
<td>$ 565,000</td>
</tr>
</tbody>
</table>

$ 321,630 Balance owed to City
Location Map: Rocky River Road West Improvements (Council District 4)
ordinance no. _______________________

an ordinance to amend ordinance number 5949-x, the 2015-2016 budget ordinance providing an appropriation from the charlotte mecklenburg board of education to the rocky river road west improvement project

be it ordained, by the city council of the city of charlotte;

section 1. that the sum of $321,630 is hereby estimated to be available from the charlotte mecklenburg board of education

section 2. that the sum of $321,630 is hereby appropriated in the general capital project fund 4001 in project 8010400010-1000000000 - rocky river road west improvements

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

section 4. all ordinances in conflict with this ordinance are hereby repealed.

section 5. this ordinance shall be effective upon adoption.

approved as to form:

city attorney
Bojangles Coliseum/Ovens Auditorium Parking Lot Expansion

Action: Award a contract in the amount of $2,974,400 to the lowest responsive bidder Blythe Development Company for the Bojangles Coliseum/Ovens Auditorium Parking Lot Expansion Project.

Staff Resource(s): Patrick Mumford, Neighborhood & Business Services
William Haas, Engineering & Property Management
Steve Bagwell, Charlotte Regional Visitors Authority

Explanation
- The Bojangles Coliseum/Ovens Auditorium Parking Lot Expansion project will construct a new 618 space parking lot at 3014 East Independence Boulevard, Charlotte NC 28205 - the site of the former Econolodge motel.
- The existing parking lot has 1,200 parking spaces.
- The project increases parking capacity to meet the current demands of the complex.
- The new parking lot expansion will accommodate visitors to both the Bojangles Coliseum and Ovens Auditorium.
- The scope of work consists of minor site demolition, new asphalt surfaces, retaining walls, landscaping, storm drainage, and site lighting.
- The improvements meet the City’s Land Development requirements.
- Plans to develop the parking lot south of Bojangles Coliseum as an amateur sports facility are on hold.
- If an amateur sports facility is ultimately built, hundreds of parking spaces would be eliminated from the existing parking lot.
- The parking lot expansion project will ease the burden of future parking losses and needs.
- On July 14, 2015, the Engineering & Property Management Department advertised Invitations to Bid.
- On July 21, 2015, a pre-bid conference and walk-through was held on site to actively solicit participation and discuss with potential bidders the scope of work.
- By bid closing the City did not receive the minimum number of bids as required by North Carolina General Statute 143-129.
- The project was re-advertised July 28, 2015.
- On August 5, 2015, two bids were received from interested general contractors.
- Blythe Development Company was identified as the lowest responsive bidder.
On January 13, 2014, the City Council approved the purchase and demolition of the Econolodge motel for an amateur sports development at the Bojangles Coliseum/Ovens Auditorium site.

The Econolodge motel demolition was completed in December 2014.

Construction is expected to be complete in the fourth quarter 2015.

Background

- Bojangles Coliseum/Ovens Auditorium opened in 1955 and has been operating for 59 years.
- The Coliseum was the first free-span dome in the United States. The Coliseum’s exterior has been designated a historic landmark.
- The Bojangles Coliseum/Ovens Auditorium property is owned by the City of Charlotte and operated by the Charlotte Regional Visitors Authority.
- The facilities average more than 100 events annually including graduations, consumer shows, civic events, concerts, and performances with average annual attendance of 183,232.
- The Coliseum and the adjacent Ovens Auditorium hosts the majority of commencement exercises annually for Charlotte-Mecklenburg Schools, as well as many area colleges and private schools.

Charlotte Business INClusion

Established SBE Goal: 11.00%
Committed SBE Goal: 23.74%

Blythe Development Co. exceeded the established SBE subcontracting goal, and has committed 23.74% ($706,062.50) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Landmark Materials, LLC (SBE, MBE) ($222,272) (hauling)
- DLS Landscape (SBE) ($153,403) (landscaping)
- Dakota Contracting Company (SBE, MBE) ($112,560) (storm drain)
- R & N Construction Group, LLC (SBE) ($70,042.50) (retaining wall)
- B & B Concrete Construction of Charlotte, Inc. (SBE, MBE) ($69,960) (concrete)
- Express Logistics Services, Inc. (SBE, MBE) ($38,035) (hauling)
- Ground Effects, Inc. (SBE) ($14,500) (pavement marking)
- Griffin Surveying Services, PA (SBE) ($13,600) (survey)
- P & TL, Inc. (SBE) ($11,690) (erosion control)

Established MBE Goal: 9.00%

MBE Commitments at Time of Bid Submission (8/5/15): 1.27%
MBE Commitments to Date (effective 8/19/15): 5.06%
MBE Commitments (effective 8/19/15) with Inclusion of Asian American Firm*: 12.53%

To date, Blythe Development Co. has committed 5.06% ($150,595) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Dakota Contracting Company (SBE, MBE) ($112,560) (storm drain)
- Express Logistics Services, Inc. (SBE, MBE) ($38,035) (hauling)

*At bid opening Blythe Development Co. committed MBE utilization of $222,272 to Landmark Materials, LLC, an Asian American owned firm. However, Landmark Materials participation cannot be counted towards the MBE subcontracting goal because Asian American owned firms were not
documented as underutilized by the City’s disparity study. If Landmark’s participation were included, the total MBE commitments on the project would equal $372,867 or 12.53%.

Blythe Development Co. did not meet the established MBE subcontracting goal. The CBI Office has granted a waiver of Good Faith Efforts for this project (Part B. Section 6.2 of the Charlotte Business INClusion Policy). In determining whether to grant such waiver, the CBI Office considered the following factors:

- The lowest Bidder, Blythe Development Co., did not comply with the Good Faith Efforts requirements, but has proposed MBE utilization that is greater than that proposed by the second lowest Bidder;
- The City received only two bids for the project. The second bidder proposed 0% MBE participation;
- The second lowest Bidder is $1,129,868 higher than the low bidder;
- The first time this project was advertised the City did not receive the minimum number of bids required by North Carolina Statute;
- The level of effort Blythe Development Co. has undertaken to meet the Good Faith Efforts requirements and MBE goal; and
- Past efforts by Blythe Development Co. to meet subcontracting goals on City projects.

**Fiscal Note**

Funding: General Community Investment Plan

**Attachment**

Site Location Map
Location Map: Bojangles Coliseum/Ovens Auditorium Parking Lot Expansion (Council District 1)
Agenda #: 42. File #: 15-1003 Type: Consent Item

**Time Warner Cable Arena Centralized Beverage System Replacement**

Action: Authorize the City Manager to negotiate and award a contract not to exceed $625,000 for the Time Warner Cable Arena Centralized Beverage System Replacement project.

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

**Explanation**
- On September 8, 2014, the City Council approved $27.5 million in capital investment for the Time Warner Cable Arena. The capital plan will be completed between years 2015 to 2019.
- Of the $27.5 million, $730,000 was budgeted for modifications to food service spaces and equipment.
- On November 24, 2014, the City Council authorized the City Manager to award an architectural contract to AECOM of NC, Inc. for design services related to the capital plan.
- The design team evaluated the centralized beverage system and recommends that elements of this system be replaced before the 2015-2016 Charlotte Hornets season begins to ensure quality and cleanliness.
- Containerized beverages are kept in several coolers within the Arena. Pumps push the beverages through refrigerated piping to each concession stand.
- The current system is almost 10 years old and is original to the building. The portions that will be replaced are at the end of their useful life.
- City staff is in the process of soliciting proposals for this project and will recommend award to the City Manager.
- This contract is being fast tracked so installation can occur in September and October prior to the beginning of the basketball season in late-October. Should the system not be operational at the beginning of the basketball season, temporary provisions will be in place to minimize the disruption in beverage service.
- The current cost estimate is $600,000.
- Manufacturers of beverage distribution systems only allow contractors certified by that manufacturer to install these systems. It is unlikely that a certified installer will be registered in the Charlotte Business Inclusion Program.
**Charlotte Business INClusion**

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

**Fiscal Note**

Funding: Tourism Capital Project Fund

**Attachment**

Time Warner Cable Arena Council Action Summary
### Architectural Services
- Budget: $2,300,000
- Contribution: $0
- Revised Total Budget: $2,300,000
- CBI Commitment: 17.39% SBE, 0.00% MBE
- RCA Amount: $2,300,000
- Council Date: 11/24/14
- Difference: $0
- Design services for the $27.5M capital plan that will involve approximately 15 projects throughout the arena to be completed over 5 years.

### Package B - Video Replay Control Room Distribution - TV Display
- Budget: $1,854,500
- Contribution: $0
- Revised Total Budget: $2,050,000
- CBI Commitment: 8.59% SBE, 8.59% MBE
- RCA Amount: $1,979,865
- Council Date: 6/8/15
- Difference: $70,135
- Scope of work includes removal of the existing standard definition video system, installation of a new high definition video and video replay system, and install/remove approximately 550 televisions which will enable the Arena operator to broadcast "in-house" video in high-definition.

### Package A - Backcourt Restaurant & 21 Suites Renovations
- Budget: $1,057,500
- Contribution: $464,000
- Revised Total Budget: $1,100,000
- CBI Commitment: 17.53% SBE, 13.93% MBE
- RCA Amount: $897,150
- Council Date: 6/22/15
- Difference: $202,850
- Scope of work includes the renovation of the Event level restaurant and the renovation of 21 private suites. Hornets will fund the suites renovations work per the Agreement.

### Replace Beverage/Concession Lines
- Budget: $315,000
- Contribution: $0
- Revised Total Budget: $550,000
- CBI Commitment: 0.00% SBE, 0.00% MBE
- RCA Amount: estimated $550,000
- Council Date: 8/24/15
- Difference: to be determined
- Scope of work includes removal and replacement of worn components of the centralized beverage distribution system.

### Totals
- Original Project Budget: $5,527,000
- Revised Total Budget: $6,000,000
- CBI Commitment: 12.70% SBE, 5.15% MBE
- RCA Amount: $5,727,015
- Council Date: 11/24/14
- Difference: $272,985

### Future Council Agenda Items

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<tr>
<th>Line Items</th>
<th>Original Project Budget 9/08/2014</th>
<th>Hornets Contribution</th>
<th>Revised Total Budget</th>
<th>Expected CBI Goal</th>
<th>Expected Council Date</th>
<th>Comments</th>
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<td>Secondary Tenant/Event Locker Room Alterations</td>
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<td>Fall 2015</td>
<td>Hornets will fund the suites renovations work per the Agreement.</td>
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<td>$504,000</td>
<td>5% - 15%</td>
<td>2016</td>
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Municipal Agreements for Bridge Replacements

Action:

A. Adopt resolutions to authorize the City Manager to execute Municipal Agreements with the North Carolina Department of Transportation for the replacement of Morris Field Drive Bridge and Sardis Lane Bridge, and

B. Adopt budget ordinances appropriating $4,084,000 for the replacement of Morris Field Drive Bridge and Sardis Lane Bridge.

Staff Resource(s):
Allison Brickey, Engineering & Property Management
Gus Jordi, Transportation

Explanation
- The bridges meet North Carolina Department of Transportation criteria for replacement based on a ranking using a combination of sufficiency ratings and current conditions.
  - The Morris Field Drive Bridge spans the Norfolk Southern Railroad tracks and is located between Wilkinson Boulevard and Golf Acres Drive.
  - The Sardis Lane Bridge spans a small spur of Mc Alpine Creek and is located between Carosan Lane and Valleybrook Road.
- The City will be reimbursed up to $3,267,200 of federal funding to be administered through the North Carolina Department of Transportation (NCDOT) to pay for 80% of the costs of preliminary engineering, environmental documentation, real estate acquisition, utility relocation, and construction costs of the projects.
- The total budget for the bridge projects is estimated to be $4,084,000. Contributions from NCDOT total $3,267,200 with the balance being paid by the City’s Bridge Replacement Program ($816,800).
- The City Council will be asked to approve preliminary engineering contracts in early 2016.
- The City will perform the preliminary engineering, real estate acquisition, and construction. NCDOT will administer the money from the federal government and reimburse the City.
- The format and cost sharing of this agreement is consistent with past bridge Municipal Agreements.
- In the interim, the bridges will continue to be maintained for safe travel.

Charlotte Business INClusion
This is a Municipal Agreement contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).
Agenda #: 43. File #: 15-1034  Type: Consent Item

Fiscal Note
Funding: General Transportation Community Investment Plan

Attachment
Maps
Budget Ordinances
Resolutions
Location Map: Morris Field Drive Bridge (Council District 3)
Location Map: Sardis Lane Bridge (Council District 6)
ORDINANCE NO. ____________________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $4,084,000 FOR THE REPLACEMENT OF MORRIS FIELD DRIVE BRIDGE AND SARDIS LANE BRIDGE

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

Section 1. That the sum of $4,084,000 hereby estimated to be available from federal funding administered by the North Carolina Department of Transportation ($3,267,200, funding source 1200) and from the City of Charlotte's Bridge Replacement Program ($816,800) Project #4292000005-100000000, 4001-42-42-4230-429200-000000-000

Section 2. That the sum of $4,084,000 is hereby appropriated in the General Capital Investment Fund (4001) into the following projects:

   - Morris Field Drive Bridge Replacement Project - 4288200053 ($3,100,000)
     (NCDOT $2,480,000, City $620,000)
   - Sardis Lane Bridge Replacement Project - 4288200052 ($984,000)
     (NCDOT $787,000; City $196,800)

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
RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON AUGUST 24, 2015

A motion was made by ______________________________ and seconded by ______________________________ for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, A Municipal Agreement between the City and the North Carolina Department of Transportation (NCDOT) will allow the City to be reimbursed for the Preliminary Engineering, Environmental Documentation, Right of Way Acquisition, Utility Relocation, and Construction for the replacement of the bridge on Morris Field Drive over Norfolk Southern Railroad; and,

WHEREAS, the Municipal Agreement provides for reimbursement not to exceed $2,480,000 of the total cost of the project; and,

WHEREAS, the formant and cost sharing philosophy is consistent with past Municipal Agreements: and,

NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT for NCDOT to reimburse the City up to $2,480,000 for the Preliminary Engineering, Environmental Documentation, Right of Way Acquisition, Utility Relocation, and Construction for the replacement of the bridge on Morris Field Drive over Norfolk Southern Railroad, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.
RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON AUGUST 24, 2015

A motion was made by ______________________________ and seconded by ______________________________ for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, A Municipal Agreement between the City and the North Carolina Department of Transportation (NCDOT) will allow the City to be reimbursed for the Preliminary Engineering, Environmental Documentation, Right of Way Acquisition, Utility Relocation, and Construction for the replacement of the bridge on Sardis Lane over McAlpine Creek; and,

WHEREAS, the Municipal Agreement provides for reimbursement not to exceed $787,200 of the total cost of the project; and,

WHEREAS, the formant and cost sharing philosophy is consistent with past Municipal Agreements: and,

NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT for NCDOT to reimburse the City up to $787,200 for the Preliminary Engineering, Environmental Documentation, Right of Way Acquisition, Utility Relocation, and Construction for the replacement of the bridge on Sardis Lane over McAlpine Creek, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.
Bridge Painting Service

Action:

Award a contract in the amount of $676,697.10 to the lowest responsive bidder Astron General Contracting, Inc. for the paint service to City bridges.

Staff Resource(s):
Gus Jordi, Transportation

Explanation

- The Federal Highway Administration mandates that bridges and culverts be inspected every two years for structural adequacy, safety and functionality.
- The City is responsible for the inspection and maintenance of 208 bridges within Charlotte’s city limits.
  - On March 24, 2014, the City Council approved a contract to inspect City bridges and culverts.
  - On March 23, 2015, the City Council approved a contract for repair design.
- The paint service contract provides for routine maintenance work to eight bridges identified in the inspection process.
- Work includes, but is not limited to:
  - Removal, containment and disposal of the existing paint,
  - Surface preparation,
  - Painting,
  - Traffic control, and
  - Pollution control.
- On June 16, 2015, the City issued an Invitation to Bid for Bridge Painting Service; seven bids were received from interested service providers.
- Astron General Contracting, Inc. was selected as the lowest responsive bidder.
- A bridge structural repair contract will be brought before the City Council this fall.

Background

- City bridges are inspected every two years per federal a requirement, which begins the cycle of City bridge maintenance.
- Repair needs are identified during bridge inspections, and the following contracts are awarded resulting from inspection findings:
Agenda #: 44. File #: 15-943 Type: Consent Item

- Repair design,
- Bridge painting, and
- Bridge structural repair.

Charlotte Business INClusion
Established SBE Goal: 2.00%
Committed SBE Goal: 2.00%
Astron General Contracting, Inc. met the established subcontracting goal, and has committed 2.00% ($13,533.94) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):
  - Roadmasters Traffic Control LLC (SBE, WBE) ($13,533.94) (traffic control)

Fiscal Note
Funding: General Transportation Community Investment Plan

Attachment
Map
List of Bridges
## 2015 Paint Contract - Bridge List

<table>
<thead>
<tr>
<th>Structure Number</th>
<th>Facility Carried</th>
<th>Feature Intersected</th>
<th>City</th>
<th>Last Inspection Date</th>
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<tr>
<td>12</td>
<td>590138 EAST 12TH ST.</td>
<td>TRYON STREET</td>
<td>CHARLOTTE</td>
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<tr>
<td>20</td>
<td>590233 JOHN PRICE ROAD</td>
<td>STEELE CREEK</td>
<td>CHARLOTTE</td>
<td>4/28/2014</td>
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<tr>
<td>31</td>
<td>590370 PARKWAY AVENUE</td>
<td>LAKewood BRANCH</td>
<td>CHARLOTTE</td>
<td>4/24/2014</td>
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<tr>
<td>51</td>
<td>590393 ARCHDALE DRIVE</td>
<td>LITTLE SUGAR CREEK</td>
<td>CHARLOTTE</td>
<td>6/10/2014</td>
</tr>
<tr>
<td>54</td>
<td>590396 PRINCETON AVENUE</td>
<td>LITTLE SUGAR CREEK</td>
<td>CHARLOTTE</td>
<td>4/28/2014</td>
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<tr>
<td>56</td>
<td>590398 MEDICAL CENTER DR.</td>
<td>LITTLE SUGAR CREEK</td>
<td>CHARLOTTE</td>
<td>6/23/2014</td>
</tr>
<tr>
<td>88</td>
<td>590434 SARDIS ROAD</td>
<td>MCALPINE CREEK</td>
<td>CHARLOTTE</td>
<td>6/2/2014</td>
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<tr>
<td>100</td>
<td>590477 WESTMONT DRIVE</td>
<td>SOUTHERN RAILROAD</td>
<td>CHARLOTTE</td>
<td>8/28/2014</td>
</tr>
</tbody>
</table>
Agenda #: 45. File #: 15-998 Type: Consent Item

Wallbrook Drive Storm Drainage Repair

Action: Award a contract in the amount of $297,353.10 to lowest responsive bidder Ferebee Corporation for the Wallbrook Drive storm drainage repair project.

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

Explanation
- The project will improve 1,300 feet of existing storm drainage infrastructure on multiple properties to reduce flooding of streets and homes.
- The project affects eight properties on Wallbrook Drive in the Providence Hills Neighborhood, which is located off McKee Road and Pleasant Plains Road.
- The work will include:
  - Installation of pipe lining,
  - Replacement of storm drainage pipes and structures,
  - Curb and gutter, and
  - Asphalt pavement repair.
- On June 29, 2015, the City advertised an Invitation to Bid for 4101 Wallbrook Drive Storm Water Repair; four bids were received from interested service providers.
- Ferebee Corporation was the lowest responsive bidder.
- Construction is expected to be complete first quarter 2016.

Charlotte Business INClusion
Construction contracts estimated to be less than $300,000 are informal and are exempt from the goal setting process (Part A: Section 3.1 of the Charlotte Business INClusion Policy).

Fiscal Note
Funding: Storm Water Community Investment Plan

Attachment
Map
Location Map: Wallbrook Drive Storm Drainage Repair
(Council District 7)
Agenda #: 46. File #: 15-1020 Type: Consent Item

Princeton-Somerset Storm Drainage Improvement Project

Award a contract in the amount of $1,471,856.10 to the lowest responsive bidder Ferebee Corporation for the Princeton-Somerset Storm Drainage Improvement Project.

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

Explanation
- The Princeton-Somerset Storm Drainage Improvement project is a flood control project that will improve the storm drainage infrastructure to reduce flooding of streets, properties and structures. The project area is located in the Upper Little Sugar Creek Drainage Basin.
- The project area is bounded by Lilac Road to the north, Somerset Drive to the west, Princeton Avenue to the south and Freedom Park to the east.
- The work will include:
  - Storm drainage,
  - Sidewalk,
  - Curb and gutter,
  - Driveways,
  - Wheel chair ramps,
  - Asphalt pavement replacement,
  - Traffic control, and
  - Water and sanitary sewer installation.
- On May 12, 2015, the City issued an Invitation to Bid; five bids were received from interested service providers.
- Ferebee Corporation was selected as the lowest responsive bidder.
- Construction is expected to be complete fourth quarter 2016.

Charlotte Business INClusion
Established SBE Goal: 15.00%
Committed SBE Goal: 18.08%
Ferebee Corporation exceeded the established SBE subcontracting goal, and has committed 18.08% ($266,110) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):
- On Time Construction, Inc. (SBE, MBE) ($110,748) (masonry)
Marty Campbell, Inc. (SBE) ($104,000) (hauling)
Whitesell Trucking, Inc. (SBE) ($21,975) (clearing)
B & B Concrete Construction of Charlotte, Inc. (SBE) ($19,404) (concrete)
Carolina Wetland Services, Inc. (SBE, WBE) ($9,983) (erosion)

Established MBE Goal: 3.00%
Committed MBE Goal: 7.52%
Ferebee Corporation exceeded the established MBE subcontracting goal, and has committed 7.52% ($110,748) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):
  - On Time Construction, Inc. (SBE, MBE) ($110,748) (masonry)

Fiscal Note
Funding: Storm Water Community Investment Plan
Attachment
Map
Location Map: Princeton-Somerset Storm Drainage Improvement Project
(Council District 1)
**Agenda #: 47. File #: 15-1080 Type: Consent Item**

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**Federal Memorandum of Agreement for Airport Traffic Control Tower**

**Action:**

Approve a Memorandum of Agreement that permits the Federal Aviation Administration to construct, operate, and maintain a new Airport Traffic Control Tower at Charlotte Douglas International Airport.

**Staff Resource(s):**

Brent Cagle, Aviation

**Explanation**

- The Airport and the Federal Aviation Administration (FAA) are parties to a master lease agreement that permits the FAA to construct, operate, and maintain FAA-owned navigation, communication and weather aids for the support of air traffic operations on the airfield. This Memorandum of Agreement amends the master lease to include a new tower.

- The Memorandum of Agreement contains the necessary rights of way for ingress and egress to the site, easements, and legal rights to facilitate land development for construction of a new control tower.

- The term shall commence July 01, 2015, and continue through September 30, 2035.

- FAA will pay Aviation no monetary consideration for the use of the land. The rights extended to the FAA are considered to be the obligations necessary for establishing, operating, and maintaining navigational aid facilities at the airport.

- Title to the FAA improvements remains with the FAA during the life of the agreement.

- The FAA estimates commissioning the new tower in late 2019.

**Fiscal Note**

Funding: Not Applicable
Airport Camera and Security System for Parking Facilities

Action:

A. Approve a six-month contract with Faith Group, LLC for the creation and design of a video surveillance system master plan and technical development services for the Airport’s consolidated rental car facility and parking deck, and

B. Authorize the City Manager to approve two additional, six-month term extensions with possible price adjustments as authorized by the terms of the contract.

Explanation

- The Aviation Department is integrating the parking facilities into the Airport’s overall security system. This integration includes new security cameras, emergency communications, and access control.

- The Airport maintains an extensive camera system, which requires replacement of analog equipment and the addition of new digital equipment as the Airport continues to expand and meet technology demands. This will require future investments in hardware and software.

- To optimize this investment, the Aviation Department is developing a comprehensive and scalable video management system to meet security, operations, and facility maintenance needs.

- On May 20, 2014, the City issued a Request for Qualifications for Communications Infrastructure Design Services. The City received 11 proposals from interested service providers.

- The Aviation Department selected the Faith Group and four other firms as qualified vendors. Faith Group was chosen for this particular project based on its experience with airport video systems.

- The contract amount is estimated to be $174,000.

Charlotte Business INClusion
The City negotiated subcontracting participation after the proposal selection process (Part C. Section 2.1(h) of the Charlotte Business INClusion Policy). For this contract, Faith Group, LLC has committed 4.60% ($8,000) of the total contract amount to the following certified firm:

- JCMR Technology Inc. (SBE) ($8,000) (on-site inspection and existing conditions information)

Fiscal Note
Funding: Aviation Community Investment Plan
Airport Multifunction Snowplow

Action:
A. Approve the purchase of 2015 Vammas PSB5500 Airport Multifunction Snowplow, as authorized by the sole source exemption of G.S. 143-129 (e)(6), and
B. Award a contract in the amount of $935,000 with Fortbrand Services, Inc. for the one time purchase of an Airport Multifunction Snowplow.

Staff Resource(s):
Jack Christine, Aviation

Sole Source Exemption
- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.

- Sole sourcing is necessary for this contract because there is only one supply source. Standardization or compatibility is the overriding consideration.
- The City Council must approve purchases made under the sole source exception.

Explanation
- The Aviation Department uses multifunction snowplows to clear and maintain the runways and taxiways during snow and icing conditions.
- On September 23, 2013, the City Council approved the purchase of three used Vammas multifunction snowplows. With this equipment, the Aviation Department has significantly enhanced its snow removal procedures and increased capacity during inclement weather.
- The Aviation Department has identified a need for an additional multifunction snowplow, which will allow for a 33% increase in snow removal capacity, while maintaining equipment uniformity to maximize snow removal capacity and minimize equipment maintenance costs.
- The additional capacity will provide the airlines with more runway availability during snow and ice events.
- Fortbrand Services will provide warranty work as well as operating and maintenance training to Aviation staff. Fortbrand Services will also provide 24/7 technical support and on-site staff during inclement weather conditions at the Airport for the first year of ownership.
Agenda #: 49. File #: 15-894 Type: Consent Item

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).

Fiscal Note
Funding: Aviation Community Investment Plan
The Aviation Department intends to seek Federal Aviation Administration approval to use Passenger Facility Charge funds to pay for this project in Application #6.
Airport Taxiway Safety Area Improvements

Action:
A. Award a contract in the amount of $692,165 to the lowest responsive bidder Dakota Contracting Co. for taxiway safety area improvements,

B. Approve a contract in the amount of $31,207 with Talbert, Bright and Ellington, Inc. for the construction administration of the taxiway safety area improvements, and

C. Adopt a budget ordinance appropriating $723,372 from the Aviation Discretionary Fund to the Aviation Community Investment Plan.

Staff Resource(s):
Jack Christine, Aviation

Explanation
- The project removes unnecessary pavement adjacent to two taxiways to ensure the overall safety of the airfield.
- On June 10, 2009, the Aviation Director approved a design contract with Talbert, Bright and Ellington, Inc. to prepare the construction documents for taxiway safety area improvements. The Aviation Department delayed this project as other higher priority airfield projects were underway. The new contract with Talbert, Bright and Ellington, Inc. will cover the construction administration services for the project.
- On June 18, 2015, the City issued an Invitation to Bid for construction services for the Taxiway Safety Area Improvements; three bids were received from interested service providers.
- Dakota Contracting Co. was the lowest responsive bidder.

Disadvantaged Business Enterprise
Established DBE Goal: 6%
Committed DBE Goal: 7.51%
Dakota Contracting Company exceeded the established subcontracting goal, and has committed 7.51% ($52,000) of the total contract amount to the following certified firm:
- D’s Trucking Service Inc (DBE, SBE, WBE) ($52,000) (hauling)

Dakota Contracting Company is also a City MBE and SBE.

Fiscal Note
Funding: Aviation Community Investment Plan
The project is being 75% funded by a Federal Aviation Administration Grant. The Airport will pay for the
Agenda #: 50  File #: 15-926  Type: Consent Item

25% local share. The Aviation Department intends to seek Federal Aviation Administration approval to use Passenger Facility Charge funds to reimburse the local share for this project in Application #6.

Attachment
Budget Ordinance
ORDINANCE NO. ____________________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $723,372 IN AVIATION DISCRETIONARY FUNDS FOR TAXIWAY SAFETY AREA IMPROVEMENTS

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

Section 1. That the sum of $723,372 is hereby appropriated from the Aviation Discretionary Fund for the following contracts:
   Dakota Contracting Co. - $692,165
   Talbert, Bright and Ellington - $31,207

Section 2. That the sum of $723,372 is hereby appropriated in the Aviation Community Investment Plan Fund
   Fund 6064
   Project 4020901548
   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
City of Charlotte

Agenda Date: 8/24/2015

Agenda #: 51. File #: 15-928 Type: Consent Item

Airport Concourse A Passenger Boarding Bridges

Action:

A. Award a contract in the amount of $129,976 to the lowest responsive bidder Metro Landmarks Construction, LLC for the construction of improvements to Concourse A for the installation of three new passenger boarding bridges, and

B. Adopt a budget ordinance appropriating $129,976 From the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

Staff Resource(s):
Jack Christine, Aviation

Explanation

- Due to the merger of American Airlines and US Airways, two of the gates on Concourse A became available to the other carriers using this concourse. The Aviation Department has negotiated with Delta Airlines and United Airlines to each lease one of these gates. The new layout also allows for the installation of a new gate that will be a city-owned gate, which airlines can schedule to use.

- These new operations require improvements and modifications to Concourse A to install one new passenger boarding bridge and replace two older bridges.

- On February 9, 2015, the Deputy Aviation Director approved a design contract in the amount of $20,750 with AME Consulting Engineers, PC to provide the construction documents for modifying two gates and adding a new gate to Concourse A.

- On July 27, 2015, the City Council awarded a contract for the purchase of three passenger boarding bridges.

- On June 26, 2015, the City issued an Invitation to Bid for the make ready package; three bids were received from interested service providers.

- Metro Landmarks Construction, LLC is the lowest responsive bidder.

Charlotte Business INClusion

Construction contracts estimated to be less than $300,000 are informal and are exempt from the goal setting process (Part A: Section 3.1 of the Charlotte Business INClusion Policy). However, Metro Landmarks Construction, LLC. has committed 9.97% ($12,956) of the total contract amount to the following certified firms:

- Pavers, Walls and Stamped Concrete, LLC (MBE, SBE) ($10,464) (concrete)
- Stevens Interiors, Inc. (SBE) ($2,492) (drywall, insulation)

Metro Landmarks Construction, LLC. is also a City MBE and SBE.

Fiscal Note

Funding: Aviation Community Investment Plan
The Aviation Department intends to seek Federal Aviation Administration approval to use Passenger Facility Charge funds to pay for this project in Application #6.

Attachment
Budget Ordinance
ORDINANCE NO. ______________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $129,976 FOR CONSTRUCTION OF IMPROVEMENTS TO CONCOURSE A AND FOR THE INSTALLATION OF THREE PASSENGER BOARDING BRIDGES.

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

Section 1. That the sum of $129,976 is hereby appropriated from the Aviation Discretionary Fund for the contract with Metro Landmarks Construction, LLC for construction and installation

Section 2. That the sum of $129,976 is hereby appropriated in the Aviation Community Investment Plan Fund

<table>
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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
Airport Vehicle Movement Area Transponders

Action:

A. Adopt a resolution accepting a Federal Aviation Administration grant in the amount of $422,610 for the purchase of vehicle movement area transponders,

B. Approve the purchase of vehicle transponders as authorized by the sole source exemption of G.S. 143-129 (e)(6),

C. Approve a contract with Excelis Incorporated for the purchase of vehicle movement areas transponders, related installation, monitoring software, training and verification for the term of one year,

D. Approve a contract with Excelis Incorporated for maintenance services of the vehicle movement areas transponders and related software for the term of five years.

E. Authorize the City Manager to renew the maintenance services contract for up to two additional, 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.

F. Adopt a budget ordinance appropriating $422,610 in Federal Aviation Administration grant funds and $140,870 in local share from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

Staff Resource(s):
Jack Christine, Aviation

Sole Source Exemption

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because there is only one supply source.
- The City Council must approve purchases made under the sole source exception.

Explanation

- The Federal Aviation Administration (FAA) issued an Advisory Circular in November 2011, which provided guidance on the development, installation, testing, approval, and maintenance of vehicle movement area transponders.
- The FAA strongly encourages airport operators to voluntarily equip appropriate vehicles with these
transponders, which allows local FAA air traffic personnel to track Airport-owned vehicles operating on the airfield and help reduce potential incidents involving vehicles and aircraft.

- The first contract includes the purchase and installation of 75 transponders to Aviation Department-owned vehicles.
- The FAA has provided an Airport Improvement Program grant in an amount up to $422,610 to pay for 75% of the purchase and installation cost. The Airport will pay the 25% local share in the amount of $140,870.
- The Aviation Department estimates annual expenditures for software monitoring and maintenance under the contract in the amount of $145,000. These costs will be paid using Aviation Operating funds.

Disadvantaged Business Enterprise
No subcontracting goal was established for this contract because there are no opportunities.

Fiscal Note
Funding: Aviation Operating Budget and Aviation Community Investment Plan

The project is being 75% funded by a Federal Aviation Administration Grant. Aviation will pay for the 25% local share and intends to seek Federal Aviation Administration approval to use Passenger Facility Charge funds to reimburse the local share for this project in Application #6.

Attachment
Budget Ordinance
Resolution
ORDINANCE NO. ____________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $422,610 IN FEDERAL AVIATION ADMINISTRATION GRANT FUNDS AND $140,870 OF DISCRETIONARY FUNDS FOR THE PURCHASE OF VEHICLE MOVEMENT AREA TRANSPONDERS

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

Section 1. That the sum of $422,610 is hereby appropriated from the Federal Aviation Administration Grant funds for the contract with Excelis Incorporated

Section 2. That the sum of $422,610 is hereby appropriated in the Aviation Community Investment Plan Fund 6064 Project 4020901550 Source 6000 Type 60006001 Year 0000

Section 3. That the sum of $140,870 is hereby appropriated from the Aviation Discretionary Fund for the contract with Excelis Incorporated

Section 4. That the sum of $140,870 is hereby appropriated in the Aviation Community Investment Plan Fund 6064 Project 4020901550 Source 6000 Type 60006001 Year 0000

Section 5. 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 6. All ordinances in conflict with this ordinance are hereby repealed.

Section 7. This ordinance shall be effective upon adoption.

Approved as to form:

_________________________________
City Attorney

BE IT RESOLVED, by the CITY COUNCIL of THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby authorizes, adopts, approves, accepts and ratifies the execution of a Grant Agreement between the Federal Aviation Administration and the City of Charlotte, North Carolina

SECTION 2. That the Execution of said Grant Agreement in quadruplicate on behalf of said City Council by Brent Cagle, Interim Aviation Director and the impression of the official seal of the City of Charlotte and the attestation by Stephanie Kelly; City Clerk is hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Aviation Director is hereby authorized to execute payment requests under these Grant Agreements on behalf of said City of Charlotte.
Airport Runway and Taxiway Pavement Rehabilitation

Action:
A. Award a contract in the amount of $3,841,881.20 to the lowest responsive bidder Cedar Peaks Enterprises, Inc. for the rehabilitation of runway and taxiway pavement, and
B. Adopt a budget ordinance appropriating $3,841,881.20 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

Staff Resource(s):
Jack Christine, Aviation

Explanation
- The Airport’s Pavement Management Program has identified Runway 5/23 and Taxiways D, A, and M for rehabilitation of the asphalt pavement to extend the useful life and maintain operational capacity.
- On May 28, 2013, the City Council awarded a contract to WK Dickson, Inc. in the amount of $196,000 for the design of the rehabilitation of the runway and taxiway pavements. On July 27, 2015, the City Council approved contract amendment #1 in the amount of $186,000 for construction administration, quality assurance testing, and project inspection.
- On June 18, 2015, the City issued an Invitation to Bid for construction services for the runway and taxiway pavement rehabilitation. Not enough bids were received; however, on July 16, 2015, the project was re-advertised and two bids were received from interested service providers.
- Cedar Peaks Enterprises, Inc. was the lowest responsive bidder.

Disadvantaged Business Enterprise
Established DBE Goal: 9%
Committed DBE Goal: 9%
Cedar Peaks Enterprises, Inc. met the established subcontracting goal, and has committed 9% ($345,609) of the total contract amount to the following certified firms:
- Apex Petroleum Corporation (DBE) ($201,000) (supply of petroleum products)
- All Points Trucking Inc. (DBE, SBE) ($144,609) (hauling)

Fiscal Note
Funding: Aviation Community Investment Plan
75% of this project is being paid for with Federal Aviation Administration grant. Aviation will pay the remaining 25% and intends to seek Federal Aviation Administration approval to use Passenger Facility Charge funds to pay for the local share of this project in Application #6.
Budget Ordinance
ORDINANCE NO. _______________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5949-X, THE 2015-2016 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $3,841,881.20 IN AVIATION DISCRETIONARY FUNDS FOR REHABILITATION OF RUNWAY AND TAXIWAY PAVEMENT

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

Section 1. That the sum of $3,841,881.20 is hereby appropriated from the Aviation Discretionary Fund for contract with Cedar Peaks Enterprises, Inc.

Section 2. That the sum of $3,841,881.20 is hereby appropriated in the Aviation Community Investment Plan Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>Project</th>
<th>Source</th>
<th>Type</th>
<th>Year</th>
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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
Airport Central Energy Plant Improvements

Action: Award a contract in the amount of $1,869,800 to the lowest responsive bidder Cam-Ful Industries, Inc. for the replacement of three chillers in the Airport’s West Central Energy Plant.

Staff Resource(s): Jack Christine, Aviation

Explanation
- On October 27, 2014, the City Council awarded an engineering design contract to McKim & Creed in the amount of $141,840 for design work related to the replacement of three chillers in the Airport’s west central energy plant.
- The project will replace three chillers in the west central energy plant that were installed in the late 1980s and have reached the end of their useful life.
- On June 12, 2015, the City issued an Invitation to Bid; six bids were received from interested service providers.
- Cam-Ful Industries was the lowest responsive bidder.

Charlotte Business INClusion
Established SBE Goal: 4.00%
Committed SBE Goal: 6.03%
Cam-Ful Industries, Inc. exceeded the established subcontracting goal, and has committed 6.03% ($112,800) of the total contract amount to the following certified firm (Part B: Section 3 of the Charlotte Business INClusion Policy):
- A& W Electric, Inc. (SBE) ($112,800) (electrical)

Fiscal Note
Funding: Aviation Community Investment Plan
Airport Federal Aviation Administration Grant Acceptance

Action:

Adopt a resolution accepting a Federal Aviation Administration grant in the amount of $11,470,826 for Airport projects.

Staff Resource(s):
Jack Christine, Aviation

Explanation
- Each year, the Federal Aviation Administration provides Airport Improvement Program entitlement grant funding based on the Airport’s operations and number of boarded passengers.
- The total amount of the entitlement funding for this year is $11,470,826.
- Per the grant terms, proceeds from this grant will fund 75% of the project costs for the reimbursement of master plan land acquisition, airport firefighting trucks, runway and taxiway pavement rehabilitation, and taxiway safety area improvements.
- Local funds will pay for the remaining 25% of the project costs.
- Management & Financial Services and the Aviation Department will determine the final appropriation of these funds to specific projects.

Fiscal Note
Funding: Aviation Community Investment Plan

Attachment
Resolution

BE IT RESOLVED, by the CITY COUNCIL of THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby authorizes, adopts, approves, accepts and ratifies the execution of a Grant Agreement between the Federal Aviation Administration on behalf of the United States of America and the City of Charlotte, North Carolina

SECTION 2. That the Execution of said Grant Agreement in quadruplicate on behalf of said City Council by Brent Cagle, Interim Aviation Director and the impression of the official seal of the City of Charlotte and the attestation by Stephanie Kelly; City Clerk is hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Interim Aviation Director is hereby authorized to execute payment requests under these Grant Agreements on behalf of said City of Charlotte.
Agenda #: 56. File #: 15-732 Type: Consent Item

12-Inch Water Main Along General Drive

Action:
Award a contract in the amount of $428,026.20 to the lowest responsive bidder Dellinger, Inc. for the construction of a 12-inch water main along General Drive.

Staff Resource(s):
Barry Shearin, Charlotte Water

Explanation
- The purpose of the project is to improve water pressure and flow to the area around General Drive and Ridge Creek Drive.
- On April 27, 2015, Charlotte Water issued an Invitation to Bid for the construction of a 12-inch water main along General Drive; seven bids were received from interested service providers.
- Dellinger, Inc. was selected as the lowest responsive bidder.

Charlotte Business INClusion
No SBE subcontracting goal was established because there are limited subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INClusion Policy). However, Dellinger, Inc. has committed 3.90% ($16,703) of the total contract amount to the following certified firms:
- P&TL, Inc. (SBE) ($12,512) (seeding and matting)
- All Points Trucking, Inc. (SBE) ($4,191) (hauling)

Fiscal Note
Funding: Charlotte Water Community Investment Plan

Attachment
Map
Proposed 12-Inch Water Main Along General Drive - Map

Project Area: General Drive

Project Area is located within City Council District 3
Agenda #: 57. File #: 15-763 Type: Consent Item

Asphalt and Concrete Repair Services

Action:
A. Approve a contract for asphalt and concrete repair services for an initial two-year term with Barry’s Concrete and Service Inc., and
B. Authorize the City Manager to approve two additional, one-year extensions.

Staff Resource(s):
Barry Shearin, Charlotte Water

Explanation
- The contract provides for repairs to sidewalks, driveways, and streets that have been disrupted by Charlotte Water crews in the course of making water and sanitary sewer system repairs.
- Road repairs covered by these contracts will occur primarily outside the Charlotte city limits because the Charlotte Department of Transportation performs roadway repairs within the city limits.
- On June 12, 2015, Charlotte Water issued a Request for Proposals. The deadline for proposals was extended by an additional three weeks during the original solicitation period. No proposals were received, and the Request for Proposals was re-advertised on July 27, 2015. As a result, one proposal was received from Barry’s Concrete and Service Inc.
- Barry’s Concrete and Service Inc. is responsible for furnishing all equipment, personnel, and materials required to perform these repair services.
- The City reserves the right to renew the contract based on the performance of the contractor and the determination that unit prices remain competitive.
- Estimated annual cost is $1,200,000.

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: Charlotte Water Operating Budget
Clarke Creek Tributary Sewer Line

Action: Award a contract in the amount of $2,797,313.15 to the lowest responsive bidder B.R.S., Inc. for construction of the Clarke Creek Tributary Sewer Line.

Staff Resource(s): Barry Shearin, Charlotte Water

Explanation

- The project will install approximately 12,000 linear feet of 18-inch through 24-inch gravity sewer pipe along the North Prong of Clarke Creek, beginning just west of the Skybrook neighborhood to the north side of Ramah Church Road in eastern Huntersville, NC.

- The wastewater will be carried to the Rocky River trunk sewer system for treatment at the Water and Sewer Authority of Cabarrus County’s Rocky River Regional Wastewater Treatment Plant. Charlotte Water has an interlocal agreement with the Water and Sewer Authority of Cabarrus County to perform wastewater treatment at the Rocky River Regional Wastewater Treatment Plant.

- This area does not currently have public sewer service and the proposed sewer line has been designed to handle flows for the build-out of the service area based on existing zoning.

- The need for sanitary sewer in the Clarke Creek North Prong basin was identified in the Charlotte-Mecklenburg Fiscal Year 2001 Community Investment Plan. The project was determined to be necessary in order to accommodate ongoing and predicted growth in the Clarke Creek drainage basin. It will also eliminate an existing wastewater lift station located at the end of the project.

- On July 7, 2015, Charlotte Water issued an Invitation to Bid for the construction of the Clarke Creek Tributary Sewer Line; eight bids were received from interested service providers.

- B.R.S., Inc. was selected as the lowest responsive bidder.

Charlotte Business INClusion

Established SBE Goal: 5.00%
Committed SBE Goal: 5.18%

BRS, Inc. exceeded the established subcontracting goal, and has committed 5.18% ($145,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- MTS Trucking, Inc. (SBE, MBE) ($44,000) (hauling)
- Accutech Surveying and Mapping, LLP (SBE) ($41,000) (surveying)
- P and TL, Inc. (SBE) ($33,000) (erosion control)
- Sanders Constructors, Inc. (SBE) ($27,000) (clearing and grubbing)
Agenda #: 58. File #: 15-1028 Type: Consent Item

Fiscal Note
Funding: Charlotte Water Community Investment Plan

Attachment
Map
Clarke Creek Tributary Sewer Line – Map

Project Area is located outside of City limits
City of Charlotte

Agenda Date: 8/24/2015

Mallard Creek Wastewater Treatment Plant Blower Building Upgrades

Action: Award a contract in the amount of $349,000 to the lowest responsive bidder Edison Foard Construction Services, Inc. for upgrades of the blower building at Mallard Creek Wastewater Treatment Plant.

Staff Resource(s): Barry Shearin, Charlotte Water

Explanation

- One of the processes in the wastewater treatment process uses large blowers to inject air into bubblers at the bottom of several large tanks to aerate the wastewater.

- The building at the Mallard Creek Wastewater Plant that houses the blowers was built in 1979 with only minor modifications and improvements since that time. The current ventilation system has reached the end of its useful life and the roof of the building is leaking.

- The project provides for:
  - Installation of four electrically powered exhaust fans and air intake louvers,
  - Installation of sound attenuation wall and ceiling panels,
  - Installation of discharge piping thermal insulation,
  - Installation of air intake filtration system,
  - Minor paint and caulking, and
  - Re-roofing of the building.

- On July 21, 2015, Charlotte Water issued an Invitation to Bid for Blower Building Upgrades at Mallard Creek Wastewater Treatment Plant; four bids were received from interested service providers.

- Edison Foard Construction Services, Inc. was selected as the lowest responsive bidder.

Charlotte Business INClusion

Established MBE Goal: 3.00%
Committed MBE Goal: 0.00%

Edison Foard Construction Services, Inc. failed to meet the established subcontracting goal, but earned the minimum Good Faith Effort Points (Part B: Section 5 of the Charlotte Business INClusion Policy). However, Edison Foard has committed 1.06% ($3,688) of the total contract amount to the following certified firms:

- B & G Waterproofing, Inc. (SBE) ($2,715) (pressure wash)
- Stevens Interiors, Inc. (SBE) ($973) (drywall, metal stud framing)
A further detailed write-up of Edison Foard’s Good Faith Efforts is attached.

**Fiscal Note**
Funding: Charlotte Water Community Investment Plan

**Attachment**
Map
Good Faith Efforts Summary
Mallard Creek Wastewater Treatment Plant Blower
Building Upgrades - Map

Project Area: Mallard Creek WWTP

Mallard Creek WWTP Site is located in City Council District 4
Good Faith Efforts Summary for Mallard Creek WRF Blower Building Upgrades Project

Background

The Mallard Creek WRF Blower Building Upgrades contract was bid on July 21, 2015. A total of three (3) firms submitted bids for the contract. Staff is recommending contract award to the low bidder, Edison Foard Construction Services, Inc. with a total contract award amount of $349,000.00.

The Established MBE Goal for this project was set at 3%, as derived from the City’s subcontracting goal setting formula.

At bid opening, Edison Foard’s documented and committed MBE participation was 0.00%. Though there was not an Established SBE Goal, Edison Foard documented and committed SBE participation totaling 1.06% ($3,688.00) to the following certified SBE firms: Stevens Interiors, Inc. (drywall, metal stud framing) and B & G Waterproofing, Inc. (pressure wash/replace exterior caulking).

Good Faith Effort (GFE) Summary

Per the City’s CBI Policy (Part B: Section 2.1), because the Established MBE Goal on this contract was not met at bid opening, Edison Foard was required to submit documentation reflecting their efforts in earning the required minimum 50 Good Faith Effort (GFE) points, out of a total available 155 GFE points. City staff has reviewed Edison Foard’s documentation and confirmed Edison Foard’s achievement of 70 GFE points, comprised of the following efforts:

- GFE 5.3.1: Contacts (10 points)
- GFE 5.3.2: Making Plans Available (10 points)
- GFE 5.3.3: Breaking Down Work (15 points)
- GFE 5.3.7: Negotiating in Good Faith with MSBEs (15 points)
- GFE 5.3.10: Quick Pay Agreements on the Construction Contract (20 points)
McDowell Creek Wastewater Treatment Plant Digester Number Four Rehabilitation

Action: Award a contract in the amount of $144,773 to the lowest responsive bidder Carolina Management Team, Inc. for the rehabilitation of Digester Number Four at the McDowell Creek Wastewater Treatment Plant.

Staff Resource(s): Barry Shearin, Charlotte Water

Explanation
- McDowell Creek Wastewater Treatment Plant uses five large concrete digester tanks in the wastewater treatment process.
- Digesters require periodic internal cleaning, inspection, and maintenance. Only one digester can be removed from service at a time.
- The contract provides for internal concrete restoration using a sprayed cement process for the first of the five digesters in the maintenance program. Charlotte Water will bid out rehabilitation services for the remaining four digesters over the next several years.
- On July 7, 2015, Charlotte Water issued an Invitation to Bid for the rehabilitation of Digester Number Four at the McDowell Creek Wastewater Treatment Plant; four bids were received from interested service providers.
- Carolina Management Team, Inc. was selected as the lowest responsive bidder.

Charlotte Business INClusion
Due to the specialty service required for this project, no subcontracting goals were established because there are no subcontracting opportunities. (Part B: Section 2.3 of the Charlotte Business INClusion Policy.)

Fiscal Note
Funding: Charlotte Water Community Investment Plan

Attachment
Map
McDowell Creek Wastewater Treatment Plant Digester
Number Four Rehabilitation - Map

Project Area: McDowell Creek WWTP

Project Area is located outside of City Limits
Access Control and Video Monitoring Services at Charlotte Water Facilities

Action:
A. Approve a services contract to Trinity Access and Video Solutions, Inc. to provide access control, video monitoring, and gate operations support services at all Charlotte Water facilities for an initial term of one year.
B. Authorize the City Manager to approve two additional, one-year extensions.

Staff Resource(s):
Barry Gullet, Charlotte Water

Explanation
- Charlotte Water owns a number of security sensitive facilities that have substantial security and access control equipment such as electronic door and gate access systems, intrusion alarm systems, and video monitoring. The security equipment requires a wide variety of preventative maintenance, repair and installation services. This contract will provide those services.
- On June 19, 2015, Charlotte Water issued a Request for Proposals; three proposals were received from interested service providers.
- Trinity Access and Video Solutions, Inc. was selected based on their qualifications, experience, response time, references, and price.
- Trinity Access and Video Solutions, Inc. will provide preventative maintenance, troubleshooting, repair, and installation services.
- Estimated annual expenditures are $273,920; $73,920 for inspection, testing and preventative maintenance; $200,000 for equipment, installation and repair (based on historical spending); the total estimated three year amount is $821,760.
- Some equipment must be purchased from Trinity Access and Video Solutions, Inc. through an authorized licensed dealer; other needed equipment will be purchased by Charlotte Water and installed by Trinity Access and Video, Inc.
- Purchase Orders will be issued for this work on an as-needed basis and all work paid for based on the hourly or lump sum rates stated in contract for the various types of work.

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).

Trinity Access and Video Solutions, Inc. is a City SBE.
Agenda #: 61. File #: 15-977 Type: Consent Item

Fiscal Note
Funding: Charlotte Water Operating Budget
City of Charlotte

Agenda Date: 8/24/2015

Agenda #: 62. File #: 15-923 Type: Consent Item

CATS Bus Wheel Reconditioning Services

Action:

A. Award a unit price contract to the lowest responsive bidder Global Aviation Services for bus wheel reconditioning services for the term of one-year, and

B. Authorize the City Manager to renew the contract for up to two, additional 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):
Larry Kopf, CATS
Edward Pullan, CATS

Explanation

- The service entails the vendor collecting and transporting wheels to their facility, inspecting wheels for damage, removing burrs and scratches from the wheels and reconditioning/polishing them to a high-gloss finish. The inspection, cleaning and reconditioning helps to ensure their durability and extended use on the bus fleet.

- On May 1, 2015, CATS issued an Invitation to Bid; five bids were received from interested service providers.

- The unit prices are set forth in the proposed contract and are available upon request.

- Annual expenditures under the contract are estimated to be $55,000.

Apparent Low Bidder - Non-responsive

- The apparent low bidder, Snider Fleet Solutions, was determined to be non-responsive.

- Staff recommends award of the contract to the lowest responsive bidder Global Aviation Services.

Charlotte Business INClusion

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

Fiscal Note

Funding: CATS Operating Budget
CATS Bus Maintenance Parts Contract Amendment

Action: Authorize the City Manager to negotiate and execute contract amendment #2 for an amount up to $1,500,000 with Cummins Atlantic for bus engine and engine parts for maintenance of the CATS bus fleet.

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

Explanation
- The Transit Bus Operations Division uses proprietary original equipment manufacturer (OEM) bus parts in the daily maintenance and repair of the transit bus fleet.
- The proprietary OEM parts meet the required specifications and standards to keep the buses in the proper operating condition and to maintain the bus warranty. Bus parts are ordered on an “as needed” basis.
- CATS has traditionally employed fixed route buses for an average of 12 years and approximately 500,000 miles of use, but with improved integrity of bus construction and the CATS bus maintenance regimen. CATS is now working to extend the useful life of these buses to 15-16 years.
- As a result of this effort, there is an increased cost of bus maintenance, including engine and engine parts for those additional years of service.
- On January 27, 2014, the City Council awarded the original contract in the amount of $800,000 to Cummins Atlantic and authorized two renewals ($800,000 each), bringing the total contract value to $2,400,000.
- Contract amendment #1 exercised the first renewal of the contract as authorized by City Council.
- Contract amendment #2 for an amount up $1,500,000 provides additional funds for increased bus parts to be used under the contract in order to maintain the extended useful life of the buses.
- The new total contract value is $3,900,000.

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

Fiscal Note
Funding: Transit Operating Budget and Federal Grants
Agenda #: 64. File #: 15-1064 Type: Consent Item

Maintenance and Support for Accounts Receivable Systems

Action:
A. Approve ongoing maintenance and support for the FICS Loan Producer and Mortgage Servicing software for as long as the City uses the software, with price adjustments as authorized by the contract.

B. Approve ongoing maintenance and support for the Mitchell Humphrey FMS Accounts Receivable software for as long as the City uses the software, with price adjustments as authorized by the contract.

Staff Resource(s):
Sherry Hite, Management & Financial Services

Explanation
- Mitchell Humphrey FMS-AR system is used by Management and Financial Services to bill for services rendered by City departments.
  - Annual maintenance and support for Fiscal Year 2016 is $20,517.00
- Neighborhood and Business Services and Management & Financial Services use the FICS Loan Producer and Mortgage Servicing software, which supports Neighborhood and Business Services affordable housing, economic development and House Charlotte loan programs.
  - Annual maintenance and support for FY2016 is $14,904.00
- These software packages have required functionality that does not exist in other software systems owned by the City.
- The City plans to use these software packages for the foreseeable future because they work well and due to the expense of converting to another package.

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

Fiscal Note
- Funding: Management & Financial Services Operating Budget
LYNX Blue Line Extension Old Concord Park and Ride Lot

Action:
Award a construction contract to the lowest responsive bidder Blythe Development Company for the construction of a Park and Ride Lot at Old Concord Road Station in the amount of $4,927,900.

Staff Resource(s):
John Muth, CATS
Danny Rogers, CATS

Explanation
- The project is to construct the Old Concord Road Park and Ride Lot located adjacent to the Old Concord Road Light Rail Station and platform. The project includes all the grading, paving, and drainage work required to build the 332 stall parking facility as well as two roadway segments totaling about 2,000 feet. The project also includes two bus bays and two bus passenger shelters.
- On June 26, 2015, the City issued an Invitation to Bid for LYNX BLE contract 7A; Old Concord Park and Ride Lot; three bids were received from interested service providers.
- Blythe Development Company was selected as the lowest responsive bidder.

Disadvantage Business Enterprise
Established DBE Goal: 11.80%
Committed DBE Goal: 11.98%
Blythe Development Company exceeded the established DBE subcontracting goal, and has committed 11.98% ($590,450) of the total contract to the following certified firms:
- Drigger Electric and Control Company (DBE, SBE) ($390,450)
- Express Logistics Services, Inc. (DBE, MBE, SBE) ($200,000)

Fiscal Note
Funding: Transit Community Investment Plan
Gradall and Case Equipment Parts and Service

Action:

A. Approve the purchase of Gradall and Case Equipment original equipment manufacturer repair and replacement parts and services, as authorized by the sole source exemption of G.S. 143-129 (e)(6),

B. Approve a contract with Hills Machinery for the purchase of original equipment manufacturer repair and replacement parts and service for an initial term of three years, and

C. Authorize the City Manager to renew the contract for up to two additional, 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):
Chris Trull, Management & Financial Services

Sole Source Exemption

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.

- Sole sourcing is necessary for this contract because there is only one supply source.

- The City Council must approve purchases made under the sole source exception.

Explanation

- The City currently operates numerous units of Gradall and Case construction equipment for Charlotte Water and the Charlotte Department of Transportation.

- Hills Machinery is the sole factory authorized dealer and distributor of Gradall and Case repair and replacement original equipment manufacturer parts and services for the Charlotte service area.

- Gradall and Case Equipment dealers and distributors are required by the manufacturer to maintain existing warranties, parts standardization, reliable supply chains, factory support, service methods, and training.

- Annual expenditures under the contracts are estimated to be $250,000.

Charlotte Business INClusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).
Agenda #: 66. File #: 15-1065 Type: Consent Item

Fiscal Note
Funding: Management & Financial Services Operating Budget
Check Point Internet Security Firewall Maintenance and Support

Action:

A. Approve the purchase of Check Point Software Technologies Ltd. internet security firewall support and maintenance from a federal contract as authorized by G.S. 143-129(e)(9a),

B. Approve contracts with EC America, Inc., immixGroup, Inc., and the Teneo Group for the purchase of Check Point internet security firewall support and maintenance for the term of one year under GSA Schedule No. GS-35F-0511T, which was effective June 27, 2007, and

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

Staff Resource(s):
Jeffrey Stovall, Innovation & Technology

Federal Contract Exemption
G.S. 143-129(e)(9a) allows local governments to purchase from contracts established by the United States government, including any federal agency, if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the federal contract.

Explanation

- The City uses Check Point brand products for its internet-facing security firewalls.
- The City has been using Check Point products since 2001 and has a deep understanding of the company’s product line.
- All City technology services, applications, and users depend on the continued operation of these firewalls.
- The City Council request is for yearly Check Point firewall maintenance and support. This provides hardware replacement, software support, and licenses for the City’s firewalls.
- Check Point products are available through multiple distribution channels, including the federal contract.
- The contract was awarded by the GSA to EC America, Inc., a subsidiary of immixGroup, Inc., on June 27, 2007 for a term of ten years. The Teneo Group is an authorized Participating Dealer to immixGroup under the federal contract.
- The vendors named in Action B are willing to provide to the City at the same or better terms as are provided in the GSA contract.
The unit prices set forth in the proposed contract are available upon request.

Annual expenditures under the contract are estimated to be $150,000.

**Charlotte Business INClusion**
This contract is a federally sourced contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).

**Fiscal Note**
Funding: Innovation & Technology Operating Budget
Information Technology Business Planning Research and Advisory Services

Action:

A. Approve contract extension #1 for a term of one year with Gartner, Inc. for information technology business planning services and resources, including licensing for Gartner’s research knowledge base, benchmarking analytics, and diagnostic tools; and for Gartner analyst consultations, training and other related advisory services for up to $139,600, and

B. Authorize the City Manager to renew the contract for up to two additional, 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):
Jeff Stovall, Innovation & Technology

Explanation

- Innovation & Technology plays a critical delivery function for most City departments including information technology (IT) applications, infrastructure, information security, and public safety communications.

- Gartner, Inc. provides industry leading research regarding the information technology field, including subscriptions to a research knowledge base and analytic tools, as well as advisory services including on-demand access to Gartner analysts. These services have proven invaluable in helping our limited IT staff resources make important technology decisions in a timely manner.

- Gartner Inc. is the world’s leading IT industry research and advisory firm by market share and it services over 14,000 clients globally. It is the acknowledged authority in the information technology field.

- The contract includes two categories of services:
  - The Gartner for IT Leaders Workgroup provides access to research and advice about information technology and the functional responsibilities of specific IT roles as well as the option of inquiry with Gartner analysts.
  - Gartner for IT Executives provides advice and research related to large IT initiatives such as the City’s Enterprise Resource Planning system.

- On July 28, 2014, the City Council approved a one-year contract in the amount of $187,367 with Gartner, Inc.

- The contract extension comprises a reduced scope of services and lower cost when compared with the original contract.
Agenda #: 68. File #: 15-931 Type: Consent Item

- Gartner, Inc. has accumulated a substantial amount of organizational knowledge through their years of service to the City. At this time, it would require substantial additional investment by the City to duplicate these services.

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

**Fiscal Note**
Funding: Innovation & Technology Operating Budget and Technology Capital Investments.
Vehicle and Equipment Radiator, Air Charge Cooler, and Fuel Tank Repair Service

Action:

A. Approve a contract with Bullock’s Cleaning and Radiator Service for radiator, air charge cooler, and fuel tank repairs for an initial term of three years, and

B. Authorize the City Manager to renew the contract for up to two additional, one-year terms 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):
Chris Trull, Management & Financial Services

Explanation

- Management & Financial Services provides services on a wide variety of vehicles including, but not limited to, sedans, pickups, police cars, light duty industrial vehicles, SUVs, medium duty trucks, heavy duty trucks, fire apparatus, refuse collections, and construction equipment.

- Radiator, air charge cooler, and fuel tank repair services are required to ensure availability of vehicles in the fleet to provide essential and emergency services to the citizens of the City of Charlotte.

- The unit prices, set forth in the contract, are available upon request.

- On June 16, 2015, the City issued a Request for Proposal (RFP) for radiator, air charge cooler and fuel tank repair services. In response to the RFP, the City received one proposal from an interested service provider.

- Management & Financial Services staff evaluated the proposal and determined that Bullock’s Cleaning and Radiator Service meets the City’s needs in terms of qualifications, experience, cost, value, and responsiveness to RFP requirements.

- Estimated contract expenditures are $200,000 annually.

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

Fiscal Note
Funding: Management & Financial Services Operating Budget
Credit Card Merchant Services

Action:

A. Approve the purchase of credit card merchant services from a State contract as authorized by G.S. 143-129(e)(9),

B. Approve a contract with Suntrust Merchant Services, LLC for the purchase of credit card merchant services for the term of one-year under the N. C. Office of the State Controller contract, and

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

D. Authorize the City Manager to purchase additional services as needed from time to time to optimize the City’s use of the State’s merchant services contract, including contract renewals, revisions and amendments issued by the State.

Staff Resource(s):
Robert Campbell, Management & Financial Services

State Contract Exemption

G.S. 143-129(e)(9) allows local government to purchase from State contracts if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the State contract.

Explanation

- Credit Card Merchant Services are used across the City in order to accept credit and debit card processing of payments at various locations. City departments including Aviation, CATS, Charlotte Fire Department, Charlotte-Mecklenburg Police Department, Charlotte Water, Engineering & Property Management, Charlotte Department of Transportation, Planning, and Management & Financial Services require credit card merchant services for the provision and payment of citizen services.
- The City Council previously approved use of the State contract for credit card merchant services on October 27, 2014.
- The N.C. Office of the State Controller competitively solicited and awarded a new Master Service Agreement for Merchant Card Services in 2015 for a term of five-years with two additional, one-year renewal options.
- The City now wishes to use the new Master Service Agreement for ongoing merchant services needs across the City. The new State contract provides for more favorable terms and lower fees for credit card merchant services.
- Management & Financial Services will be responsible for holding the Agency Participation Agreement required for use with the Master Service Agreement.
- Annual expenditures are estimated to average $2 million per year.
This contract is purchased off a State contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).

**Fiscal Note**
Funding: Various Departments’ Operating Budgets
General Vehicle Collision Repair Services

Action:

A. Approve contracts with the following companies for General Vehicle Collision Repair Services for an initial term of three years:
   - Don Gardner’s Paint and Body,
   - J & T Body Shop,
   - Maaco Collision Repair,
   - Matthews Mobile Collision Center,
   - Parks Chevrolet, and
   - Sullivan Paint & Body Shop, 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):
Chris Trull, Management & Financial Services

Explanation
   - The City of Charlotte requires qualified service providers to work in conjunction with the City’s Management & Financial Services Department to perform complete turnkey collision repairs and related services (excluding any City applied graphics), on the City’s fleet.
   - Collision repairs may include, but are not restricted to paint and body work, frame, cooling systems and lines, engine components, transmission, steering, and related parts, repairs, or replacement.
   - On June 4, 2015, the City issued a Request for Proposal (RFP) for general collision repair services. In response to the RFP, the City received six proposals from interested service providers.
   - Management & Financial Services staff evaluated the proposals and determined that all six service providers meet the City’s needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
   - Staff anticipates renewing the contract for up to two additional, one-year terms at prices to be negotiated based on market conditions.
   - The service providers will be paid the unit prices set forth in the contract, which is available upon request.
   - Estimated contract expenditures are $600,000 annually.
Charlotte Business INClusion
No subcontracting goals were established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy). One of the firms selected, Sullivan Paint & Body Shop, is a certified SBE.

Fiscal Note
Funding: Not Applicable
Agenda #: 72. File #: 15-1000 Type: Consent Item

Donation of Surplus Computers and Related Equipment to Goodwill Industries

Action: Adopt a resolution approving the donation of surplus computers and related equipment to Goodwill Industries of the Southern Piedmont.

Staff Resource(s): Robert Campbell, Management & Financial Services

Explanation
- On April 11, 2011, the City Council approved a partnership with Goodwill Industries for the management of surplus electronic equipment disposal.
- Since initiation of the partnership, City donated electronics have directly impacted the community by:
  - Making refurbished electronics such as computers and laptops available at discount pricing;
  - Creating opportunities for 1,535 hours of on-the-job training; and
  - Making available employment opportunities in Goodwill electronic recycling and refurbishing operations.
- North Carolina General Statute 160A-280 authorizes the donation of personal property from a City to another governmental unit or nonprofit organization upon adoption of a resolution by the City Council. A list of surplus computers and related electronic equipment will be created for each donation cycle and brought to the City Council for review and approval.
- Throughout the year donations will be made as surplus equipment accumulates.
- All computers with hard drives are securely cleaned of data by the City’s Innovation & Technology Department prior to being transported to the City’s Asset, Recovery, and Disposal facility.

Fiscal Note
Funding: Not Applicable

Attachment
Donation List
Resolution
<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
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<tr>
<td>laptops</td>
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<tr>
<td>monitors</td>
<td>144</td>
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<tr>
<td>other</td>
<td>188</td>
</tr>
<tr>
<td>printers/copiers/scanners</td>
<td>74</td>
</tr>
<tr>
<td>servers</td>
<td>161</td>
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<tr>
<td>tv’s</td>
<td>18</td>
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<tr>
<td><strong>Total items</strong></td>
<td><strong>1546</strong></td>
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</table>

Exhibit - A  (August 24, 2015 Council meeting)
Resolution Authorizing Donation of Personal Property

Whereas, North Carolina G.S. 160A-280 allows a city to donate any personal property that the governing board deems to be surplus, obsolete, or unused to a nonprofit organization and;

Whereas, the City Manager has recommended that the property listed on the attached Exhibit A (the “Property”) be declared as surplus; and

Whereas, the City Manager recommends that the Property be donated to Goodwill Industries of the Southern Piedmont; and

Whereas, City staff posted a public notice of the proposed donation at least five days prior to the adoption of this resolution;

Be it resolved, by the Charlotte City Council that the Property described on Exhibit A is declared surplus and that the City Manager or his designee is authorized to donate such Property to Goodwill Industries of the Southern Piedmont.

Adopted on this ______________ day of ______________, 2015

CERTIFICATION
Public Auction for Disposal of Equipment

Action:
A. Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, and
B. Authorize said items for sale by public auction on September 26, 2015.

Staff Resource(s):
Robert Campbell, Management & Financial Services

Explanation
- Pursuant to North Carolina G.S. 160A-270(b) approval is requested for one public auction as follows:
  - On September 26, 2015, at 10:00 a.m. to dispose of City-owned property declared as surplus.
- The auction is conducted at the City-County Asset Recovery and Disposal facility located at 5550 Wilkinson Blvd, Charlotte, North Carolina.
- The City selected Rogers Realty and Auction Company, Inc., a woman-owned business, as the auction service provider through a competitive selection process.
- A Request for Proposals was issued in 2008, and four proposals were received. On January 28, 2009, the City Council awarded the contract to Rogers Reality & Auction Co. for a term of three years with the option to renew for two additional, two-year renewals.
- On January 28, 2014, the contract was renewed by amendment and it will expire in January 2016. At that time, Management & Financial Services will issue a new solicitation for auction services.
- Services provided include up to 20 days of labor for one employee to assist with set up of the rolling stock auction. On auction day, four auctioneers and all support staff will be onsite to ensure a successful auction. Rogers also provides one employee for one week following the auction to disperse vehicles to buyers.
- The auction company will be compensated for the sale through auction proceeds in the following manner:
  - Rolling stock equipment - 9.50% of the total gross sale price.
  - Miscellaneous items - 9.50% of the total gross sale price.
  - Proceeds go back to the entity (General Fund) or to the Enterprise Fund that owned the vehicle or equipment that was sold.

Fiscal Note
Funding: Not Applicable

Attachment
Property List
Delegation of Authority
Resolution
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<th>MAKE</th>
<th>MODEL</th>
<th>DESCRIPTION</th>
<th>SERIAL NUMBER</th>
<th>Mileage/Hrs</th>
<th>REMOVAL REASON</th>
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<td>F-150</td>
<td>PICKUP TRUCK</td>
<td>1FTR12295NB93768</td>
<td>99921</td>
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</tr>
<tr>
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<td>2006</td>
<td>FORD</td>
<td>F-150 EXT</td>
<td>PICKUP TRUCK</td>
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<td>209929</td>
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</tr>
<tr>
<td>WSU812</td>
<td>2008</td>
<td>FORD</td>
<td>F-150 EXT</td>
<td>PICKUP TRUCK</td>
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<td>143440</td>
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<tr>
<td>WSZ900</td>
<td>1978</td>
<td>N/A</td>
<td>N/A</td>
<td>ATTACHMENT</td>
<td>09282L22HH</td>
<td>0</td>
<td>**Scheduled for Decommission</td>
</tr>
<tr>
<td>WWA012</td>
<td>2000</td>
<td>CHEVROLET</td>
<td>BLAZER</td>
<td>MID SIZE SUV</td>
<td>1GNCS13W0Y229086</td>
<td>83084</td>
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<tr>
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<td>FORD</td>
<td>ESCAPE HYBRID</td>
<td>COMPACT SUV HYBRID</td>
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<tr>
<td>WWA029</td>
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<td>ESCAPE HYBRID</td>
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<tr>
<td>WWH888</td>
<td>1992</td>
<td>CASE</td>
<td>580BCK</td>
<td>WHEELED LOADER/BACKHOE</td>
<td>JAB002002</td>
<td>1323 H</td>
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</tr>
<tr>
<td>WUU051</td>
<td>2003</td>
<td>FORD</td>
<td>F-150</td>
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<td>66222</td>
<td>Age, mileage, and engine</td>
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<tr>
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<td>CHEVROLET</td>
<td>K-2500 EXT</td>
<td>PICKUP TRUCK</td>
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<td>93331</td>
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<tr>
<td>WUU057</td>
<td>2004</td>
<td>FORD</td>
<td>F-150</td>
<td>PICKUP TRUCK</td>
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<tr>
<td>WUU058</td>
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<td>94222</td>
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<tr>
<td>WUU115</td>
<td>2005</td>
<td>CHEVROLET</td>
<td>COLORADO</td>
<td>PICKUP TRUCK</td>
<td>1GCCC196458201512</td>
<td>87317</td>
<td>**Scheduled for Decommission</td>
</tr>
</tbody>
</table>

Various other small tools and equipment

** Note: Listed vehicles and equipment are scheduled for disposal, pending final decommissioning.
DELEGATION OF AUTHORITY

TO TRANSFER TITLES

Rex E. Dye and/or Kay Elmore are hereby authorized to execute on behalf of City of Charlotte such documents as may be necessary to evidence the transfer of titles for the specific vehicles declared as surplus by the City Manager upon the sale of said vehicles at the date and time set forth below:

Date: September 26, 2015 at 10am
Location: 5550 Wilkinson Blvd, Charlotte, North Carolina 28208

This is the _________________________day of_________________, 2015.

Signature: ________________________________
Title: _____________________________________
CHARLOTTE CITY COUNCIL

Resolution Authorizing Sale of Personal Property by Public Auction

Whereas, North Carolina G.S. 160A-270(b) allows the City Council to sell personal property at public auction upon adoption of a resolution authorizing the appropriate official to dispose of the property at public auction and;

Whereas, the City Manager has recommended that the property listed on the attached (Exhibit A) be declared as surplus and sold at public auction; now therefore,

Be it resolved, by the Charlotte City Council that the City Manager or his designee is authorized to sell by public auction on September 26, 2015 at 10:00 a.m. the surplus property described on (Exhibit A), at the City Asset Recovery and Disposal facility, 5550 Wilkinson Blvd, Charlotte, North Carolina, as per the terms and conditions specified in the Auctioneer Services contract approved by this City Council and in accordance with G.S. 160A-270(b). The terms of the sale shall be net cash. The City Manager or his designee is directed to publish at least once and not less than ten days before the date of the auction, a copy of this resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Adopted on this _________________ day of ______________, 2015

CERTIFICATION
Dixie River Road Property Lease for County Recreational Facilities

Action: Approve a ground lease agreement with Mecklenburg County for County use of a City-owned property of approximately 130 acres on Dixie River Road (parcel identification number 113-291-02) for recreational biking and walking trails.

Staff Resource(s):
Tony Korolos, Engineering & Property Management
Barry Shearin, Charlotte Water

Explanation
- The City owns an approximately 130-acre parcel on Dixie River Road (parcel identification number 113-291-02). The property was acquired in 1994 in anticipation of a future water treatment plant.
- Charlotte Water no longer has plans to construct a plant at this time as the southwestern area of the county is currently served by a system of large water mains. The property is also valuable for watershed protection. Charlotte Water has agreed that the property can be used for biking and walking trails, which will allow monitoring of the property along with low intensity public use.
- There is no rent or fee associated with this lease. The initial term is five years with three options to renew for five years each.
- Either the City or Mecklenburg County may elect to terminate the lease upon a 90-day notice.
- Mecklenburg County will be solely responsible for maintenance of the property, including keeping the trails in good order and safe repair. In addition, the County may enter into a Development and Use Agreement with a third party for construction and maintenance of the trails.
- The proposed lease agreement was approved by the Mecklenburg Board County Board of County Commissioners on August 4, 2015.

Attachment
Map
Location Map: Dixie River Road
Parcel Identification: 113-291-02
Transfer Surplus Land at Sugar Creek Waste Water Treatment Plant

Action: Approve the transfer of approximately 9.5 acres of surplus land (Portion of tax identification number 173-061-02) located along Little Sugar Creek, south of Archdale Road to Mecklenburg County.

Explanation
- The property to be transferred is approximately 9.5 acres of a 17.97-acre parcel. Most of the land being transferred is in the 100-year flood plain with steep terrain and generally not developable. The land is located south of the Sugar Creek Waste Water Treatment Plant and is zoned R-4. The property was acquired in 1931 and is no longer needed by Charlotte Water.
- Little Sugar Creek is within the area to be transferred to Mecklenburg County. Duke Power and Piedmont Natural Gas have utility easements that run the length of the property to be conveyed.
- The Future Land Use Plan calls for this area along Little Sugar Creek to be designated as greenway. Due to the inability to construct within the flood plain area, the highest and best use for the portion of the land being transferred to Mecklenburg County is for greenway purposes.
- Transferring the land to Mecklenburg County will likely make the remaining property (approximately 8.5 acres) more valuable since it will benefit from the amenity of a greenway trail. No Charlotte Water utility lines within the area will be transferred; and no plans for future lines within the area.

Background
- Mecklenburg County is working in partnership with the City’s Cross Charlotte Trail which will result in a continuous north/south greenway and multi-use trail across the County.
- Along with this portion of the Little Sugar Creek Greenway Trail, Mecklenburg County Park and Recreation Department will be constructing the greenway trail through Charlotte Water’s Sugar Creek Waste Water Treatment Plant property. A fence will be installed to protect the plant and keep pedestrians from accessing the waste water treatment plant operating area.
- The Charlotte Mecklenburg Planning Committee recommended approval by a 5-0 vote to include this parcel to the greenway system as it will serve a critical need in providing linkages to other greenway trails, including the Cross Charlotte Trail.

Fiscal Note
Funding: Not applicable

Attachment
Map
Little Sugar Creek Greenway Trail

City of Charlotte's portion of greenway (Cross Charlotte Trail)
- From Brandywine Road to Tyvola Road

Mecklenburg County portion of greenway
- From Tyvola Road to Huntingtowne Farms Road
Sale of Parcel 3, Interstate-277 Surplus Land

A. Adopt a resolution proposing to accept the offer from Proffitt Dixon Partners, LLC to purchase Parcel 3 of the Interstate-277 Surplus Land (parcel identification number 125-171-05) for the amount of $4,100,000, and

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

Explanation

- In August 2015, the City received an offer from Proffitt Dixon Partners, LLC for the purchase and development of Parcel 3 of the Interstate-277 surplus land (parcel identification number 125-171-05) located at E. Stonewall Street.
- Proffitt Dixon Partners, LLC submitted a contract that has been accepted as the initial offer and will be advertised for upset bids in accordance with North Carolina General Statute 160A-269.
- The offer from Proffitt Dixon Partners, LLC includes the following terms:
  - Price of $4,100,000. The MAI appraised value is $4,777,000.
  - A deposit of 5% of the purchase price ($205,000) as required per North Carolina General Statute 160A-269.
  - A Due Diligence Period of 90 days and a Contingency Period of 90 days. After the initial 90-day due diligence period, $105,000 of the deposit becomes non-refundable and the balance of $100,000 becomes non-refundable after the expiration of the contingency period.
  - Closing shall occur no later than June 30, 2016.
  - Buyer has the ability to extend the closing date for 30 days by providing written notice to Seller no later than two business days before the closing date and depositing $25,000 which shall be considered Earnest Money Deposit and apply to the Purchase Price.

Request

- The City Council is requested to accept the offer for Parcel 3 from Proffitt Dixon Partners, LLC subject to the upset bid process.
- The proposed sale will be advertised for upset bids in accordance with North Carolina General Statute 160A-269. A qualifying upset bid is one that increases the purchase price by at least 5% plus $50 and meets or exceeds all of the material terms of the contract to the advantage of the City.
- If Proffitt Dixon Partners, LLC submits the highest qualified bid, the City Manager will execute all documents necessary to complete this transaction.
If Proffitt Dixon Partners, LLC does not submit the highest qualified bid, City staff will bring the highest upset bid back to City Council for consideration and action.
- The City Council has the right to accept or reject any offers.

Background
- In accordance with the Center City Transportation Plan, approved by the City Council in 2006, the City modified the Interstate-277/Caldwell Street interchange. The modifications resulted in surplus North Carolina Department of Transportation right-of-way.
- Five parcels of surplus Interstate-277 land deeded to the City by the North Carolina Department of Transportation have been marketed nationwide for sale after completion of the interchange modifications.
- Parcel 5 was sold in mid-2013. Parcels 1, 2 and 4 are under contract with closing later this year and early next year.
- As a component of the funding plan for the NASCAR Hall of Fame, the North Carolina Department of Transportation agreed to provide $5,000,000 in construction funding for the modifications and deed five parcels of surplus right-of-way to the City.
- The current outstanding loan balance is $20,017,102.75 and includes a principal balance of $16,230,794.76 plus accrued interest of $3,786,307.99.
- The proceeds of sale will be applied as payment on the $20,000,000 “land loan” from Wells Fargo and Bank of America, used for the construction of the NASCAR Hall of Fame.
- Private development of the land will result in millions of dollars added to the tax base, providing annual tax revenue to both the City and Mecklenburg County.

Fiscal Note
Funding: Not Applicable

Attachment
Map
Resolution
I-277 Parcel #3 (Council District 1)
RESOLUTION AUTHORIZING THE SALE OF PARCEL 3 OF SURPLUS I-277 RIGHT OF WAY BY THE UPSET BID PROCESS

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer to purchase the property; and

WHEREAS, the City has received an offer to purchase the property described above in the amount of $4,100,000, submitted by Proffitt Dixon Partners, LLC, a North Carolina limited liability company, and/or its assigns (“Proffitt Dixon”); and

WHEREAS, Proffitt Dixon has paid or will pay the required five percent (5%) deposit on its offer:

THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE RESOLVES THAT:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269 and accepts the offer by Proffitt Dixon as the initial offer.

2. A notice of the proposed sale shall be published in accordance with the statute. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer shall submit a sealed bid to the office of the City of Charlotte Real Estate Manager within ten days after the notice of sale is published. If a qualifying higher bid is received, that bid will become the new offer.

4. If a qualifying higher bid is received, a new notice of upset bid shall be published, and this process shall be repeated until a 10-day period has passed without any qualifying higher bid having been received.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000 of that offer and five percent (5%) of the remainder of that offer, and equals or exceeds all other material terms of the previous offer to the advantage of the City.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The bid may be made in cash, cashier’s check, certified check, or wire transfer. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder pursuant to the terms of the purchase contract.

7. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute all instruments necessary to convey the property to Proffitt Dixon Partners, LLC and/or its assigns.

Adopted August 24, 2015
Release of Deed Restrictions for Mecklenburg County

Approve a release of deed restriction on 1.99 acres located at 2701 Statesville Avenue (parcel identification number 077-079-01) requiring that the properties be used for park and recreational purposes.

Staff Resource(s):
Tony Korolos, Engineering & Property Management
Tim O’Brien, Engineering & Property Management
Catherine Cooper, City Attorney’s Office

Explanation
- Mecklenburg County (County) and the Charlotte-Mecklenburg Housing Partnership (CMHP) request the release of the deed restriction on a 1.99 acre property, the site of the Double Oaks Aquatic Center located at 2701 Statesville Avenue (parcel identification number 077-079-01).
- The property is owned by the County; the County and CMHP have agreed to and are ready to move forward with a property exchange that will include this property.
- The terms of the exchange are that the County will give the Double Oaks Aquatic Center site to CMHP, and CMHP will give the County a larger parcel across Statesville Avenue and adjacent to Anita Stroud Park for construction of a new pool facility. Council’s approval to release the deed restrictions will enable the County to begin construction on the new aquatic facility in early October with an anticipated completion date by mid-2016.
- CMHP intends to demolish the Double Oaks Aquatic Center and include the land as part of the commercial / retail development. Demolition of this property will assist in attracting a grocery store and other commercial and retail businesses along the Statesville Road Business Corridor to serve Brightwalk community and eight surrounding neighborhoods, an area which has been determined to be a “food desert”, as defined by USDA.

Background
- In 1983 the City constructed the Double Oaks Aquatic Center on the 1.99 acre property located at 2701 Statesville Avenue. The pool and facilities are obsolete and need to be replaced.
- The 1992 Park and Recreation Consolidation Agreement provided for the transfer of City park property to County. The deeds stipulate that should the County cease to use any of the property for park purposes; it will revert to City ownership upon request, unless the City relinquishes the right.
- In 1997 the City deeded 2701 Statesville Avenue to Mecklenburg County along with other properties as part of the consolidation agreement.
- In 2007, City Council approved several actions relating to the redevelopment of the Double Oaks area that includes approximately 98 acres. The development is known as Brightwalk and will include 300 affordable housing units, 640 market-rate housing units, open space, recreation space, and 108,000 square feet of commercial and retail space.
**Agenda #: 77. File #: 15-1022 Type: Consent Item**

**Fiscal Note**
Funding: Not Applicable

**Attachment**
Map
**Location Map:** Release of Deed Restrictions for Mecklenburg County (Council District 1)
Refund of Property and Business Privilege License Taxes

Action:
A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of $4,793.12, and
B. Adopt a resolution authorizing the refund of business privilege license payments in the amount of $423.82.

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

Pearson Review update:
- In accordance with the ordinance approved by the City Council on August 25, 2014, and the North Carolina law, a list of refunds, which have been paid since the last City Council Business Meeting as a result of the Pearson Review, is available at the City Clerk’s Office.
- The amount of Pearson Review refunds paid since the last City Council Business Agenda Meeting on July 27, 2015, totaled $829,329.81.

Fiscal Note
Funding: Not Applicable

Attachment
List of Property Tax Refunds and Resolution
List of Business Privilege Refunds and Resolution
## Property Tax Refund Requests

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<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
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<tr>
<td>ANSLEY, NINA M</td>
<td>$111.63</td>
</tr>
<tr>
<td>ANSLEY, NINA M</td>
<td>106.87</td>
</tr>
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<td>ANSLEY, NINA M</td>
<td>109.57</td>
</tr>
<tr>
<td>ANSLEY, NINA M</td>
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<td>BEDOYA ALVARO</td>
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<td>BEDOYA, ALVARO</td>
<td>3.82</td>
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<td>BURNICK, WILLIAM E</td>
<td>70.50</td>
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<td>CIRCLE K STORES, INC</td>
<td>1,628.89</td>
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<tr>
<td>CITY OF CHARLOTTE</td>
<td>305.22</td>
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<td>CLINE, STEVEN ROBERT</td>
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<td>92.43</td>
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<tr>
<td>GARY LOFLIN LAW</td>
<td>698.73</td>
</tr>
</tbody>
</table>

*$4,793.12$
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 24th day of August 2015 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.
### Business Privilege License Tax Refunds

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>7TH STREET LOGISTICS</td>
<td>$ 77.96</td>
</tr>
<tr>
<td>GARDENIA REST. - PML CAROLINA INC</td>
<td>345.86</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 423.82</strong></td>
</tr>
</tbody>
</table>
A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.

3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 24th day of August 2015 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.
Agenda #: 79. File #: 15-1149 Type: Consent Item

Order of Collection for Tax Year 2015

Action:
A. Receive as information and record in the minutes the Mecklenburg County Tax Collector’s Settlement for Fiscal Year 2015.
B. Adopt an Order of Collection, NC General Statute 105-373 (3) authorizing the tax collector of Mecklenburg County to collect the taxes set forth in settlement statement for tax year 2015.

Staff Resource(s):
Stephanie Kelly, City Clerk’s Office

Explanation
- According to NC General Statute 105-373, the Tax Collector must submit to the governing body an annual report of the amount collected on each year’s taxes with which he/she is charged, the amount remaining uncollected, and the steps being taken to encourage or enforce payment of uncollected taxes.
- According to NC General Statute 105-373(3), the Tax Collector’s Settlement Statement must be entered into the official record of the governing board.
- The Tax Collector’s Settlement Statement is used to present the real estate and motor vehicle collection rates for the previous tax year and prior years.
- The Tax Collector’s Office issued an Order of Collection to authorize the collection of real estate and motor vehicle taxes for tax year 2015.
- The Order of Collection must be ratified and returned to the Mecklenburg County, Office of the Tax Collector, by September 1, 2015.

Attachment
Tax Collector’s Settlement Order of Collection
MECKLENBURG COUNTY
Office of the Tax Collector

To: Ron Carlee, City Manager
    Randy Harrington, Chief Financial Officer

From: Neal L. Dixon, Tax Collector

Date: July 17, 2015

Subject: Tax Collector’s Settlement for Fiscal Year 2015

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector’s report of settlement to the Charlotte City Council for fiscal year 2015 (tax year 2014).

Total FY 2015 Tax charged to the Tax Collector for Collection: $405,721,661.11

Real Estate & Personal Property Tax

<table>
<thead>
<tr>
<th>Net Levy</th>
<th>Collected</th>
<th>Uncollected</th>
<th>Pct. Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>$405,508,564.80</td>
<td>$403,413,656.49</td>
<td>$2,706,524.36</td>
<td>99.48%</td>
</tr>
</tbody>
</table>

Registered Motor Vehicle Tax

<table>
<thead>
<tr>
<th>Net Levy</th>
<th>Collected</th>
<th>Uncollected</th>
<th>Pct. Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>$213,096.31</td>
<td>$190,170.79</td>
<td>$27,598.91</td>
<td>89.24%</td>
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</table>

Combined Total

<table>
<thead>
<tr>
<th>Net Levy</th>
<th>Collected</th>
<th>Uncollected</th>
<th>Pct. Collected</th>
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</thead>
<tbody>
<tr>
<td>$405,721,661.11</td>
<td>$403,603,827.28</td>
<td>$2,734,123.27</td>
<td>99.48%</td>
</tr>
</tbody>
</table>

At the end of FY 2015 there were a total of 98 parcels with tax bills totaling $70,447.03 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing these tax bills. In addition, the Tax Collector was barred by the U.S. Bankruptcy Court from collecting 266 real estate and personal property tax bills totaling $135,722.19. When the above totals are adjusted to remove these amounts from the net levy calculation for both real estate and registered motor vehicle taxes, the combined collection percentage increased to 99.53%.
Tax Collector's Settlement for Fiscal Year 2015
Page 2

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person.

These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

Prior Year Collections

Real Estate/Personal Property Tax:

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Net Levy</th>
<th>Collected in FY2015</th>
<th>Uncollected</th>
<th>Pct. Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>$331,502,202.60</td>
<td>$ 124,285.04</td>
<td>$ 719,100.46</td>
<td>99.78%</td>
</tr>
<tr>
<td>2009</td>
<td>$347,166,855.76</td>
<td>$ 156,817.85</td>
<td>$ 864,104.38</td>
<td>99.75%</td>
</tr>
<tr>
<td>2010</td>
<td>$353,147,304.52</td>
<td>$ 350,538.84</td>
<td>$ 2,238,684.56</td>
<td>99.37%</td>
</tr>
<tr>
<td>2011</td>
<td>$369,592,632.66</td>
<td>$ 385,180.10</td>
<td>$1,180,371.75</td>
<td>99.68%</td>
</tr>
<tr>
<td>2012</td>
<td>$371,088,441.69</td>
<td>$ 774,452.88</td>
<td>$1,350,199.24</td>
<td>99.64%</td>
</tr>
<tr>
<td>2013</td>
<td>$406,060,416.72</td>
<td>$ 2,153,017.40</td>
<td>$1,655,315.15</td>
<td>99.59%</td>
</tr>
</tbody>
</table>

Registered Motor Vehicle Tax:

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Net Levy</th>
<th>Collected in FY2015</th>
<th>Uncollected</th>
<th>Pct. Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$39,085,511.27</td>
<td>$ 84,624.37</td>
<td>$1,150,954.44</td>
<td>97.06%</td>
</tr>
<tr>
<td>2012</td>
<td>$40,967,912.80</td>
<td>$ 264,167.95</td>
<td>$1,477,314.38</td>
<td>96.39%</td>
</tr>
<tr>
<td>2013</td>
<td>$24,661,055.93</td>
<td>$1,693,351.04</td>
<td>$1,139,725.44</td>
<td>95.38%</td>
</tr>
</tbody>
</table>

Please contact me at Neal.Dixon@MecklenburgCountyNC.gov or 980-314-4488 if you have any questions or comments regarding this settlement report.

North Carolina General Statute 105-373(3) requires that this settlement be submitted to the governing board. The settlement shall be entered into the minutes of the governing body. Please ensure that this settlement is entered into the minutes of the governing body as required by statute.

[Signature]
Tax Collector

July 17, 2015
Date

[Signature]
Notary Public

Sworn to and subscribed before me this 17 day of July, 2015

My Commission expires on 2-5-18

CC: Julie Berger, Deputy Director, Office of the Tax Collector
    Kimberly Deal, Deputy Director, Office of the Tax Collector
ORDER OF COLLECTION

NORTH CAROLINA, CHARLOTTE

TO THE TAX COLLECTOR OF MECKLENBURG COUNTY

GENERAL STATUTE 105-321(b)

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the office of the Tax Assessor and the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in Charlotte and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand official seal, this August 5th, 2015.

Mayor, City of Charlotte

(SEAL)

Attest:

Clerk of Board
Meeting Minutes

Action:

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

- June 08, 2015 Business Meeting/Budget Adoption
- June 15, 2015 Zoning Meeting
- June 22, 2015 Business Meeting
- June 29, 2015 Special Meeting

Staff Resource(s):
Bianca Payne, City Clerk’s Office
Agenda #: 81. File #: 15-1074 Type: Consent Item

In Rem Remedy

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

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

Policy:
- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:
1. Public Safety - Police and/or Fire Dept.
2. Complaint - petition by citizens, tenant complaint or public agency referral
3. Field Observation - concentrated code enforcement program

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

Field Observation: 1915 Garnette Place

Action:
Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1915 Garnette Place (Neighborhood Profile Area 374).

Attachment
ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1915 GARNETTE PLACE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF FURR REALTY COMPANY, INC. 2621 TUCKASEEGEE ROAD CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 1915 Garnette Place in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 1915 Garnette Place in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

_________________________
Senior Assistant City Attorney
## GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Property Address</th>
<th>1915 Garnette Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood</td>
<td>Neighborhood Profile Area 374</td>
</tr>
<tr>
<td>Council District</td>
<td>#2</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Furr Realty Company, Inc.</td>
</tr>
<tr>
<td>Owner(s) Address</td>
<td>2621 Tuckaseegee Road Charlotte, NC 28208</td>
</tr>
</tbody>
</table>

## KEY FACTS

| Focus Area | Housing & Neighborhood Development & Community Safety Plan |

## CODE ENFORCEMENT INFORMATION

- **Reason for Inspection:** Field Observation
- **Date of the Inspection:** 4/3/2015
- **Title report received:** 5/8/2015
- **Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:** 4/28/2015
- **Held hearings for owner(s) by:** 5/13/2015
- **Owner(s) attend hearing:** No
- **Filed Lis Pendens:** 6/5/2015
- **Owner(s) ordered to demolish structure by:** 7/1/2015
- **Owner(s) have not repaired, or complied with order to demolish.**
- **Structure occupied:** No
- **Demolition cost:** $4,590
- **Lien will be placed on the property for the cost of Demolition.**
NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

<table>
<thead>
<tr>
<th>IN-REM REPAIR</th>
<th>REHAB TO CITY STANDARD</th>
<th>REPLACEMENT HOUSING</th>
<th>DEMOLITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated In-Rem Repair Cost: $29,895</td>
<td>Acquisition &amp; Rehabilitation Cost</td>
<td>New Replacement Structure Cost</td>
<td>Demolition Cost</td>
</tr>
<tr>
<td></td>
<td>(Existing structure: 824 sq. ft. total)</td>
<td>(Structure: 1,000 sq. ft. total)</td>
<td>$4,590</td>
</tr>
<tr>
<td></td>
<td>Economic Life: 15-20 years</td>
<td>Economic Life: 50 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Estimated cost-$82,600</td>
<td>Estimated cost-$114,990</td>
<td></td>
</tr>
<tr>
<td>In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.</td>
<td>Acquisition:</td>
<td>Acquisition:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tax values:</td>
<td>Tax values</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Structure: $ 33,900</td>
<td>- Structure: $ 33,900</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Garage/shed: $ 500</td>
<td>- Garage/shed: $ 500</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Land: $ 7,000*</td>
<td>- Land: $ 7,000*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total Acquisition: $ 41,400</td>
<td>Total Acquisition: $ 41,400</td>
<td></td>
</tr>
<tr>
<td>Estimated Rehabilitation Cost: $41,200</td>
<td>Estimated Rehabilitation Cost</td>
<td>New structure: $ 69,000</td>
<td></td>
</tr>
<tr>
<td>Outstanding Loans: $ 0</td>
<td>Outstanding Loans: $ 0</td>
<td>Demolition: $ 4,590</td>
<td></td>
</tr>
<tr>
<td>Property Taxes owed: $ 0</td>
<td>Property Taxes owed: $ 0</td>
<td>Outstanding Loans: $ 0</td>
<td></td>
</tr>
<tr>
<td>Interest on Taxes owed: $ 0</td>
<td>Interest on Taxes owed: $ 0</td>
<td>Property Taxes owed: $ 0</td>
<td></td>
</tr>
<tr>
<td>Total: $ 41,200</td>
<td>Total: $ 73,590</td>
<td>Total: $ 73,590</td>
<td></td>
</tr>
</tbody>
</table>

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:
- Estimated In-Rem Repair cost of: $29,895 ($36.28/sq. ft.), which is 88.185% of the structure tax value, which is $33,900.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- The building is 50 years old and consists of 824 square feet total.
- A new 1,000 sq. ft. structure can be built for $69,000.
- * There are 2 buildings on this one parcel; therefore, the amount of land value has been calculated using one-half (1/2) of the total for the parcel.
Agenda #: 82. File #: 15-1073 Type: Consent Item

In Rem Remedy

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

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

Policy:
- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:
1. Public Safety - Police and/or Fire Dept.
2. Complaint - petition by citizens, tenant complaint or public agency referral
3. Field Observation - concentrated code enforcement program

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

Field Observation: 6806 Fieldvale Place

Action:
Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6806 Fieldvale Place (Neighborhood Profile Area 54).

Attachment
ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 6806 FIELDVALE PLACE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF FELIPE A. ROMAN 12002 COBHAM CT HUNTERSVILLE, NC 28078

WHEREAS, the dwelling located at 6806 Fieldvale Place in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 6806 Fieldvale Place in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

_________________________
Senior Assistant City Attorney
### GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Property Address</th>
<th>6806 Fieldvale Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood</td>
<td>Neighborhood Profile Area 54</td>
</tr>
<tr>
<td>Council District</td>
<td>#3</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Felipe A. Roman</td>
</tr>
<tr>
<td>Owner(s) Address</td>
<td>12002 Cobham Ct Huntersville, NC 28078</td>
</tr>
</tbody>
</table>

### KEY FACTS

<table>
<thead>
<tr>
<th>Focus Area</th>
<th>Housing &amp; Neighborhood Development &amp; Community Safety Plan</th>
</tr>
</thead>
</table>

### CODE ENFORCEMENT INFORMATION

- **Reason for Inspection:** Field Observation
- **Date of the Inspection:** 11/20/2014
- **Title report received, revealing parties in interest:** 12/8/2014
- **Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:** 1/14/2015
- **Held hearings for owner(s) and parties in interest by:** 2/16/2015
- **Owner(s) and parties in interest attend hearing:** No
- **Filed Lis Pendens:** 3/11/2015
- **Owner(s) and parties in interest ordered to demolish structure by:** 3/18/2015
- **Owner(s) have not repaired, or complied with order to demolish:**
- **Structure occupied:** No
- **Demolition cost:** $5,800
- **Lien will be placed on the property for the cost of Demolition:**
NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

<table>
<thead>
<tr>
<th>IN-REM REPAIR</th>
<th>REHAB TO CITY STANDARD</th>
<th>REPLACEMENT HOUSING</th>
<th>DEMOLITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated In-Rem Repair Cost: $35,255</td>
<td>Acquisition &amp; Rehabilitation Cost (Existing structure: 1,066 sq.ft. total) Economic Life: 15-20 years Estimated cost-$148,152</td>
<td>New Replacement Structure Cost (Structure: 1,066 sq.ft. total) Economic Life: 50 years Estimated cost-$174,206</td>
<td>Demolition Cost $5,800</td>
</tr>
<tr>
<td>In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.</td>
<td>Acquisition: Tax values: - Structure: $ 32,400 - Terrace/Patio: $ 400 - Land: $ 9,000 Total Acquisition: $ 41,800</td>
<td>Acquisition: Tax values: - Structure: $ 32,400 - Terrace/Patio: $ 400 - Land: $ 9,000 Total Acquisition: $ 41,800</td>
<td></td>
</tr>
</tbody>
</table>

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:
- Estimated In-Rem Repair cost of: $35,255 ($ 33.07 /sq. ft.) which is 108.811% of the structure tax value, which is $32,400.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, Electrical, Heating and Plumbing: flooring not structurally sound, broken window panes, moisture damaged ceiling covering, cracked exterior brick veneer, damaged entry steps, entry doors damaged, decayed roof sheathing and covering, unsafe electrical wiring observed, damaged electrical fixtures, heating equipment not operational, plumbing fixtures damaged.
- The building is 46 years old and consists of 1,066 square feet total.
- A new 1,066 sq. ft. structure can be built for $73,544.
Aviation Property Transaction - 9423 Dorcas Lane

Action: Approve the following transaction.

Acquisitions

Project: Aviation Master Plan
Program:
Owner(s): Carolyn A. Weise (Robert Summers - Deceased)
Property Address: 9423 Dorcas Lane
Total Parcel Area: 1.231 acres
Property to be acquired by Easements: N/A
Structures/Improvements to be impacted: Single-family Home
Landscaping to be impacted: Trees and shrubs
Zoned: R-3
Use: Single-family Residential
Tax Code: 141-261-62
Purchase Price: $174,000
Council District: N/A
Aviation Property Transaction - 9111 Snow Ridge Lane

Action: Approve the following property acquisition.

Project: Aviation Master Plan
Owner(s): Glen Calvin Wallach
Property Address: 9111 Snow Ridge Lane
Total Parcel Area: .369 acres
Property to be acquired in Fee: .369 acres
Property to be acquired by Easements: N/A
Structures/Improvements to be impacted: Single-family Home
Landscaping to be impacted: Trees and shrubs
Zoned: R-3
Use: Single-family Residential
Tax Code: 141-111-50
Purchase Price: $130,000
Council District: N/A
Agenda Date: 8/24/2015

Agenda #: 85. File #: 15-962 Type: Consent Item

Property Transactions - Lilly Mill Drainage Improvements, Parcel #3

Action: Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #3

Project: Lilly Mill Drainage Improvements, Parcel #3
Program: Flood Control
Owner: Evelyn R. Sharpe, Trustee
Property Address: 2208 Ramblewood Lane
Total Parcel Area: 19,767 sq. ft.

Property to be acquired by Easements: 4,918 sq. ft. (.113 ac.) in Storm Drainage Easement, plus 1,357 sq. ft. (.031 ac.) in Sanitary Sewer Easement, plus 1,809 sq. ft. (.042 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3
Use: Single-family Residential
Tax Code: 173-254-15
Purchase Price: $15,150
Council District: 6
Property Transactions - Lilly Mill Drainage Improvements, Parcel #4

Action: Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #4

Project: Lilly Mill Drainage Improvements, Parcel #4
Program: Flood Control
Owner(s): George H. Webb and Jessica M. Webb
Property Address: 2216 Ramblewood Lane
Total Parcel Area: 23,122 sq. ft.
Property to be acquired by Easements: 6,479 sq. ft. (.149 ac.) in Storm Drainage Easement, plus 1,824 sq. ft. (.042 ac.) in Sanitary Sewer Easement, plus 2,545 sq. ft. (.058 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and various plantings
Zoned: R-3
Use: Single-family Residential
Tax Code: 173-254-14
Purchase Price: $20,000
Council District: 6
Agenda #: 87. File #: 15-964 Type: Consent Item

Property Transactions - Lilly Mill Drainage Improvements, Parcel #5

Action: Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #5

- **Project:** SW: Lilly Mill Drainage Improvements, Parcel #5
- **Program:** Flood Control
- **Owner(s):** Salida, LLC
- **Property Address:** 2224 Ramblewood Lane
- **Total Parcel Area:** 31,677 sq. ft.
- **Property to be acquired by Easements:** 10,430 sq. ft. (.239 ac.) in Storm Drainage Easement, plus 874 sq. ft. (.02 ac.) in Temporary Construction Easement
- **Structures/Improvements to be impacted:** None
- **Landscaping to be impacted:** Trees and various plantings
- **Zoned:** R-3
- **Use:** Single-family Residential
- **Tax Code:** 173-254-13
- **Purchase Price:** $29,450
- **Council District:** 6
Agenda Date: 8/24/2015

Agenda #: 88. File #: 15-965 Type: Consent Item

Property Transactions - Lilly Mill Drainage Improvements, Parcel #7

Action: Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #7

Project: Lilly Mill Drainage Improvements, Parcel #7
Program: Flood Control
Owner(s): Clement Reynolds Marshall, Jr. and Nancy Andrew Marshall
Property Address: 2240 Ramblewood Lane
Total Parcel Area: 27,044 sq. ft.
Property to be acquired by Easements: 7,758 sq. ft. (.178 ac.) in Storm Drainage Easement, plus 794 sq. ft. (.018 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and various plantings
Zoned: R-3
Use: Single-family Residential
Tax Code: 173-254-11
Purchase Price: $23,300
Council District: 6
Property Transactions - Lilly Mill Drainage Improvements, Parcel #12

Action: Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #12

Project: Lilly Mill Drainage Improvements, Parcel #12
Program: Flood Control
Owner(s): Jeffrey W. Rothe and Marcia S. Rothe
Property Address: 2435 Merrywood Road
Total Parcel Area: 21,759 sq. ft.
Property to be acquired by Easements: 5,851 sq. ft. (.134 ac.) in Storm Drainage Easement, plus 2,063 sq. ft. (.047 ac.) in Sanitary Sewer Easement, plus 2,235 sq. ft. (.051 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and various plantings
Zoned: R-3
Use: Single-family Residential
Tax Code: 173-254-05
Purchase Price: $20,775
Council District: 6
Property Transactions - Lilly Mill Drainage Improvements, Parcel #13

Action: Approve the following Acquisition: Lilly Mill Drainage Improvements, Parcel #13

Project: Lilly Mill Drainage Improvements, Parcel #13
Program: Flood Control
Owner(s): Mickie L. Jones and Sheryl C. Jones
Property Address: 2427 Merrywood Road
Total Parcel Area: 36,060 sq. ft.
Property to be acquired by Easements: 12,052 sq. ft. (.277 ac.) in Storm Drainage Easement, plus 1,009 sq. ft. (.023 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and various plantings
Zoned: R-3
Use: Single-family Residential
Tax Code: 173-254-04
Purchase Price: $26,300
Council District: 6
Agenda #: 91. File #: 15-968 Type: Consent Item

Property Transactions - Lyon Court Storm Drainage Improvement Project, #141

Action: Approve the following Acquisition: Lyon Court Storm Drainage Improvement Project, #141

Project: Lyon Court Storm Drainage Improvement Project, Parcel #141
Program: Flood Control
Owner(s): Robin B. Miller
Property Address: 1620 The Plaza
Total Parcel Area: 12,696 sq. ft.
Property to be acquired by Easements: 1,864 sq. ft. (.043 ac.) in Storm Drainage Easement, plus 1,362 sq. ft. (.031 ac.) in Temporary Construction Easement, plus 16 sq. ft. (ac.) in Utility Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and various plantings
Zoned: R-5
Use: Single-family Residential
Tax Code: 095-079-02
Purchase Price: $20,000
Council District: 1
Agenda #: 92. File #: 15-969 Type: Consent Item

Property Transactions - Torrence Creek Tributary Trunk Sewer, Parcel #3

Action: Approve the following Acquisition: Torrence Creek Tributary Trunk Sewer, Parcel #3

Project: Torrence Creek Tributary Trunk Sewer, Parcel #3
Owner(s): Bank of America, N.A.,
Property Address: Reese Boulevard East
Total Parcel Area: 740,956 sq. ft.
Property to be acquired by Easements: 25,910 sq. ft. (.595 ac.) in Sanitary Sewer Easement, plus 50,065 sq. ft. (1.149 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: CB
Use: Industrial
Tax Code: 017-191-04
Purchase Price: $49,350
Council District: N/A (Huntersville)
Agenda #: 93. File #: 15-1030 Type: Consent Item

Property Transactions - Johnston Oehler Farm to Market, parcel #23.1

Action: Approve the following Condemnation: Johnston Oehler Farm to Market, Parcel #23.1

Project: Johnston Oehler Farm to Market, Parcel #23.1
Owner(s): Orville Oehler Thompson, Teddie Clinton Thompson and Richard Kirk Thompson and any other parties of interest
Property Address: 3716 Johnston Oehler Road
Total Parcel Area: 113,074 sq. ft.
Property to be acquired by Easements: 12,459 sq. ft. (.286 ac.) in Storm Drainage Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: R-3
Use: Single-family Residential - Rural Acreage
Tax Code: 029-301-34
Appraised Value: $5,300
Property Owner’s Counteroffer: None
Property Owner’s Concerns: The property owner is concerned with the design of the storm drainage area and the compensation amount.
City’s Response to Property Owner’s Concerns: Staff agreed to redesign the storm drainage area.
Outstanding Concerns: The property owner does not agree with compensation amount.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.
Council District: 4
Agenda #: 94. File #: 15-1164 Type: Consent Item

Property Transactions - Lilly Mill Drainage Improvements, Parcel #10

Action: Approve the following Condemnation: Lilly Mill Drainage Improvements, Parcel #10

Project: SW: Lilly Mill Drainage Improvements, Parcel #10
Program: Flood Control
Owner(s): Estate of Travis Zollicoffer and any other parties of interest
Property Address: 2521 Merrywood Road
Total Parcel Area: 42,353 sq. ft.
Property to be acquired by easements: 12,586 sq. ft. (.289 ac.) in Storm Drainage Easement, plus 4,703 sq. ft. (.108 ac.) in Sanitary Sewer Easement, plus 10,019 sq. ft. (.23 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R-3
Use: Single Family Residential
Tax Code: 173-254-07
Appraised Value: $33,100
Property Owner’s Counteroffer: None
Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.
Council District: 6
Property Transactions - Nevin/Gibbon Road Sidewalk, Parcel #1

Action:

Approve the following Condemnation: Nevin/Gibbon Road Sidewalk, Parcel #1

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

Project: Nevin/Gibbon Road Sidewalk, Parcel #1
Owner(s): Hatem A. Alami and any other parties of interest
Property Address: 5201 Nevin Road
Total Parcel Area: 39,098 sq. ft.
Property to be acquired in Fee: 460 sq. ft. (.011 ac.) in Fee Simple, plus 5,981 sq. ft. (.137 ac.) in Fee Simple within Existing Right-of-Way
Property to be acquired by Easements: 1,610 sq. ft. (.037 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Shrubs
Zoned: R-3
Use: Single-family Residential
Tax Code: 045-372-16
Appraised Value: $1,250
Property Owner's Counteroffer: None
Property Owner's Concerns: The property owner does not like the design of the project. The owner requested for the parcel to be eliminated from the project and for the sidewalk to be relocated to the right of way.
City’s Response to Property Owner’s Concerns: Staff determined this parcel is necessary for the design of the project. However, staff was able to design the sidewalk approximately one foot closer to the road.
Outstanding Concerns: The property owner is still not satisfied with the design of the project.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.
Council District: 1
Agenda #: 96. File #: 15-972 Type: Consent Item

Property Transactions - Nevin/Gibbon Road Sidewalk, Parcel #9

Action:

Approve the following Condemnation: Nevin/Gibbon Road Sidewalk, Parcel #9

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

Project: Nevin/Gibbon Rd SW, Parcel #9
Owner(s): Brooks Holdings, LLC and any other parties of interest
Property Address: 3007 Gibbon Road
Total Parcel Area: 73,291 sq. ft.
Property to be acquired in Fee: 24,748 sq. ft. (.568 ac.) in Fee Simple within Existing Right-of-Way
Property to be acquired by Easements: 408 sq. ft. (.009 ac.) in Storm Drainage Easement, plus 4,511 sq. ft. (.104 ac.) in Sidewalk and Utility Easement, plus 2,805 sq. ft. (.064 ac.) in Temporary Construction Easement, plus 116 sq. ft. (.003 ac.) in Utility Easement, plus 292 sq. ft. (.007 ac.) in Sidewalk Utility Easement and Storm Drainage Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: B-1
Use: Commercial
Tax Code: 045-372-20
Appraised Value: $12,550
Property Owner’s Counteroffer: None
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.
Council District: 2
Agenda #: 97. File #: 15-973 Type: Consent Item

Property Transactions - Nevin/Gibbon Road Sidewalk, Parcel #25

Action:

Approve the following Condemnation: Nevin/Gibbon Road Sidewalk, Parcel #25

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

Project: Nevin/Gibbon Road Sidewalk, Parcel #25
Owner(s): The Heirs of Ralph E. Furr and Nancy L. Furr and any other parties of interest
Property Address: 2625 Derita Avenue
Total Parcel Area: 22,966 sq. ft.
Property to be acquired in Fee: 642 sq. ft. (.015 ac.) in Fee Simple within Existing Right-of-Way
Property to be acquired by Easements: 2,194 sq. ft. (.05 ac.) in Sidewalk and Utility Easement, plus 1,687 sq. ft. (.039 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R-3
Use: Rural Homesite
Tax Code: 045-133-12
Appraised Value: $1,350
Property Owner’s Counteroffer: None
Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.
Council District: 4
Agenda #: 98. File #: 15-974 Type: Consent Item

Property Transactions - Nevin/Gibbon Road Sidewalk, Parcel #33

Action:

Approve the following Condemnation: Nevin/Gibbon Road Sidewalk, Parcel #33

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

**Project:** Nevin/Gibbon Road Sidewalk, Parcel #33  
**Owner(s):** Azzopardi Family Partnership and any other parties of interest  
**Property Address:** 2610 West Sugar Creek Road  
**Total Parcel Area:** 52,271 sq. ft.  
**Property to be acquired by Easements:** 388 sq. ft. (.009 ac.) in Sidewalk and Utility Easement, plus 683 sq. ft. (.016 ac.) in Temporary Construction Easement  
**Structures/Improvements to be impacted:** None  
**Landscaping to be impacted:** Shrubs  
**Zoned:** B-1  
**Use:** Commercial  
**Tax Code:** 047-041-05  
**Appraised Value:** $4,350  
**Property Owner Counteroffer:** None  
**Recommendation:** To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.  
**Council District:** 2
Property Transactions - Nevin/Gibbon Road Sidewalk, Parcel #34

Action:

Approve the following Condemnation: Nevin/Gibbon Road Sidewalk, Parcel #34

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

Project: Nevin/Gibbon Road Sidewalk, Parcel #34
Owner(s): Mark Oil Company, Inc. and any other parties of interest
Property Address: 2600 West Sugar Creek Road
Total Parcel Area: 24,895 sq. ft.
Property to be acquired by Easements: 734 sq. ft. (.017 ac.) in Sidewalk and Utility Easement, plus 999 sq. ft. (.023 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: B-1
Use: Commercial
Tax Code: 047-041-07
Appraised Value: $6,450
Property Owner’s Counteroffer: None
Property Owner’s Concerns: The property owner requested a specific driveway design.

City’s Response to Property Owner’s Concerns: Staff agreed to design the driveway entrances as the property owner requested.

Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

Council District: 2
Property Transactions - Shamrock Gardens Neighborhood Improvement Project, Parcel #51.1

Action: Approve the following Condemnation: Shamrock Gardens Neighborhood Improvement Project, Parcel #51.1

Project: Shamrock Gardens Neighborhood Improvement Project, Parcel # 51.1
Owner(s): W.D. Austin, Jr., And Inga-Lisa Austin and any other parties of interest
Property Address: 2826 Palm Avenue
Total Parcel Area: 19,000 sq. ft.
Property to be acquired by Easements: 1,950 sq. ft. (.045 ac.) in Storm Drainage Easement, plus 1,370 sq. ft. (.031 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: R-4
Use: Single-family Residential
Tax Code: 093-086-08
Appraised Value: $2,050
Property Owner’s Counteroffer: None
Property Owner’s Concerns: The property owner does not understand why the project needs to occur and is concerned that the trees will be damaged during construction
City’s Response to Property Owner’s Concerns: Staff explained the necessity of the project, its benefits, and assured the property owner that the trees will not be damaged during construction
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation for clear title to acquire necessary property rights.
Council District: 1
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.
Reference - Charlotte Business INClusion Policy

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

Part A: Administration & Enforcement

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

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

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

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

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

Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate
shall be Exempt Contracts.

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

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

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

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

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

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

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

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

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

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

**Part B: Formal Construction Bidding**

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

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

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

**Part C: Services Procurement**
**Part C: Section 2.1:** When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each MWSBE that responds to the Proposer’s solicitations and each MWSBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

**Part C: Section 2.1:** No Goal When There Are No MWSBE Subcontracting Opportunities. The City shall not establish an MWSBE Goal for Service Contracts where there are no MWSBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

**Part D: Post Contract Award Requirements**

**Part D: Section 6:** New Subcontractor Opportunities/Additions to Scope, Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new MWSBE subcontracting opportunity, the City shall either:

- Notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or
- Establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.
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.