

**AN ORDINANCE AMENDING ARTICLES I AND III OF CHAPTER 2 AND ARTICLE VII OF CHAPTER 10 OF THE CITY CODE OF THE CITY OF WINSTON-SALEM**

**BE IT ORDAINED**, by the Mayor and Winston-Salem City Council as follows:

*Revisions to Chapter 2*

Section 1: Article I of Chapter 2. Administration. Section 2-2. Purchasing, contracts, surplus property, acquisitions, and settlement authority generally., in particular, subparagraphs (e), (g) and (h) is hereby amended to read as follows:

**“Sec. 2-2. Purchasing, contracts, surplus property, acquisitions, deeds, and settlement authority generally.**

“(e) The city manager may acquire by purchase an interest in real property on behalf of the city for the highest appraised value based upon an appraisal report prepared for the city or tax value, provided the same does not exceed \$100,000. The city manager shall submit, annually, to the city council a written report setting forth the names of the persons from whom such property or property interest is purchased, a general description of the property or interest in property acquired, the purchase price paid therefor, and the intended use of the property or interest in property. Additionally, the city manager may approve the settlement of contested acquisitions or condemnation actions in an amount not to exceed ten (10) percent of: (1) the highest appraised value of the property to be acquired or condemned based upon an appraisal report prepared for and at the city’s request, or (2) tax value in the event said value is used to determine the value of the property to be acquired or condemned, provided the city manager’s settlement authority shall not exceed \$100,000 per transaction or case. In the event ten (10) percent of the aforementioned appraised value or tax value is minimal given the nature of the property to be acquired or condemned, the city manager or his designee shall have the authority to settle such contested acquisitions or condemnation actions for an amount not to exceed ~~\$1,000~~ 2,500 if ten (10) percent of the aforementioned appraised value or tax value is less than ~~\$1,000~~ 2,500, given that the cost of litigation may equal if not exceed that amount.

(g) For real estate transactions approved by city council, the city manager shall have the authority to execute deeds and such other conveyance instruments disposing of city property.

~~(g)~~ (h) Effective July 1, 2018, contracts funded with federal grant or loan funds shall be procured in a manner that conforms with all applicable Federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200).

~~(h)~~ (i) A violation of subsection (a) or (b) of this section, or any part thereof, shall constitute a misdemeanor and shall subject the offender to a fine of not more than \$500.00 or imprisonment for not more than 30 days.”

Section 2, Article III, Division 15 of Chapter 2 is hereby written to read as follows:

**“Division 15: Stormwater Advisory Board**

**Sec. 2-300. Creation; purpose and duties.**

There is hereby created a board, to be known as the Stormwater Advisory Board of the City of Winston-Salem (“Stormwater Advisory Board”), whose purpose shall be to participate in the development and implementation of all parts of Winston-Salem’s Stormwater Management Plan.

**Sec. 2-301. Membership.**

The Stormwater Advisory Board shall be composed of five members, who shall be residents of the city. City employees are not eligible to serve on the Stormwater Advisory Board. Such members shall be appointed by the city council upon recommendation by the mayor. Members shall be composed of a balanced representation of all affected parties, including residents, business owners, and environmental organizations in the MS4 area and/or affected watershed. Two volunteer opportunities will be made available to board members yearly.

**Sec. 2-302. Term of members; vacancies; compensation of members.**

Initially the members of the Stormwater Advisory Board shall be appointed for staggered terms. Two members shall be appointed initially to serve a two-year term. Three members shall be appointed initially to serve a three-year term. All subsequent appointments shall be for three-year terms. Initial appointees may serve for their initial term plus one additional three-year term. Members shall hold office until their successors are appointed. Any vacancy resulting from a cause other than the expiration of a term shall be filled only for the unexpired portion of the term. Appointees are eligible to serve consecutive terms in accordance with section 2-62 of the City Code. Members shall serve without compensation.

**Sec. 2-303. Officers.**

The mayor shall designate the initial chairperson of the Stormwater Advisory Board, who shall serve one year. Thereafter, the board shall elect its own chairperson, each to serve one year. The board shall also elect from its number a vice-chairperson, who shall serve as chairperson in the chairperson's absence. The vice-chairperson shall serve for one year. The stormwater director shall serve as secretary to the board.

**Sec. 2-304. Meetings.**

The Stormwater Advisory Board shall meet at least two times per calendar year in the months of April and October to carry out the purpose set out above. These meetings shall be held on such days and at such hours as may be fixed by the board.

**Sec. 2-305. Removal.**

Members of the board shall serve at the pleasure of the mayor and city council and may be removed by the mayor and city council. In order for the board to carry out its duties and responsibilities, it is necessary for all members to attend the meetings. Board members shall abide by the city's attendance and ethics policies. If it is determined that a board member has a prohibited interest or relationship, or fails to abide by the city's ethics policy, said member shall be removed from the board by the city council.

**Sec. 2-306. Staff Support.**

Staff from the Stormwater Department will provide staff support to the board.”

Section 3. Section 2-63. Public bodies designated; meetings. is modified to include the “Stormwater Advisory Board of the City of Winston-Salem” to be inserted, in alphabetical order, in the list of public bodies.

***Revisions to Chapter 10***

Section 4. Sec. 10-249. Sale of property by sale., subparagraph (a), is hereby amended to read as follows:

**“Sec. 10-249. Sale of property by the city.**

- (a) *Authorization.* Pursuant to city code section 2-2, ~~The~~ the city manager or his designee ~~shall be authorized~~ is authorized to sell the acquired property through any statutorily authorized methods of sale.”

Section 5. This ordinance shall be effective upon adoption.