

**Mayor Patrick L. McCrory      Mayor Pro Tem Susan Burgess**

Michael D. Barnes  
Nancy Carter  
Warren Cooksey  
Andy Dulin  
Anthony Foxx

Patsy Kinsey  
John Lassiter  
James Mitchell, Jr.  
Edwin Peacock III  
Warren Turner

**CITY COUNCIL MEETING**  
**Monday, April 28, 2008**

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

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**CITY COUNCIL AGENDA  
Monday, April 28, 2008**

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## 5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

### 1. Mayor & Council Consent Item Questions

**Resource:** Curt Walton, City Manager

**Time:** 5 minutes

**Synopsis**

- Mayor and Council may ask questions about Consent I and Consent II agenda items. Staff will address as many questions as possible at the end of the dinner meeting.

### 2. Charlotte Regional Visitors Authority Update on Airport Related Tourism Activities and Recent Basketball Tournaments

**Resources:** Mike Crum, CRVA  
Tim Newman, CRVA  
Janet Godfrey, CRVA  
Jerry Orr, Aviation

**Time:** 10 minutes

**Synopsis**

The CRVA will update the City Council on:

- The implementation timeline and status of a new Welcome Center at Charlotte Douglas International Airport
- A report on progress made with the new approach for advertising sales at the Airport
- A summary of the economic impact and success of the recently held CIAA, ACC and Second Round NCAA Tournaments in Charlotte

**Future Action**

This is for information only.

### 3. Division Wrecker Services

**Resources:** Major Tim Danchess, CMPD  
Marcy Mars, Procurement Services Division  
Catherine Zanga, City Attorney's Office

**Time:** 30 minutes

**Synopsis**

- At the April 14 dinner briefing, City Council requested additional information about wrecker services. Attached are questions and answers about the service, selection process and criteria.

- The City contracts with wrecker services to meet the needs of CMPD, CDOT, and Neighborhood Development Code Enforcement (Code Enforcement)
  - CMPD: collisions, disabled vehicles, driver arrests, evidence, seizures, recovered stolen vehicles
  - CDOT: illegally parked vehicles, special events
  - Code Enforcement: junked, abandoned and hazardous vehicles
- The City is currently divided into zones for the purpose of wrecker services; there are seven zones covered under five contracts.
- Current contracts were awarded by Council in October 2001 for five years with two optional one-year extensions.
- Staff proposes to have the wrecker service areas mirror the 13 police division configuration implemented by CMPD in January 2007. This change will reduce confusion and provide a number of benefits including enhanced service delivery and improved accountability.
- Staff was prepared to submit a list of recommended service providers to City Council in September 2007, however, elected to redo that process as part of a settlement agreement with Eastway Wrecker Service.
- Eastway was not recommended for contract award as a result of the 2007 process, and expressed concerns that this was in retaliation for a lawsuit Eastway filed against the City.
- An audit of the procurement process was conducted by retired Superior Court Judge Chase Saunders and uncovered no wrongdoing, however, it did identify several procedural safeguards that could be instituted to help prevent claims of bias, unfairness or retaliation.
- The City felt it best to redo the process with those safeguards in place, which included:
  - Having a member of the Privatization and Competition Advisory Committee (PCAC) sit in on evaluation committee meetings to observe
  - Recording the committee's discussions and making those recordings available upon request
  - Conducting meetings with each participating service provider to answer questions and address concerns
- The second one-year extension of the 2001 contracts was partially renewed through May 2008 to accommodate the current procurement process.
- The procurement process staff overview team was comprised of representatives from BSS/Procurement Services, CMPD, CDOT and Code Enforcement. One member from the PCAC observed the procurement process.
- Ten proposals were received and were evaluated on criteria including:
  - Background and experience of the wrecker company, including references, background checks and prior contract performance
  - Operational qualifications such as equipment and personnel
  - Customer service philosophy
  - Facility, including lot size, storage capability, and security
  - Business processes
  - Financial viability
- The evaluation process included site visits, background investigations, service provider presentations and interviews.
- As a result of the process, staff recommendation is to award contracts to eight service providers to serve the 13 divisions.
- Current contracts expire on May 31, 2008 and service providers require a transition period of at least 30 days to prepare for the new contracts to begin on June 1, 2008.

- A comprehensive recommendation book will be provided to Council on Friday, April 25.

#### **Future Action**

- The division wrecker services item is #14, page 16 of this agenda.
- Transition period would begin May 1, 2008.
- Contracts would be signed by May 17, 2008.
- New service would begin on June 1, 2008.

#### **Attachment 1**

Questions and Answers

## **4. Blue Line Extension – Sugar Creek Road Alternative Alignment Update**

**Resources:** Tom Warshauer, Economic Development  
Peter Zeiler, Economic Development

**Time:** 15 minutes

#### **Synopsis**

- The LYNX Blue Line Extension is the formal name given to the continuation of the LYNX Blue Line from Center City north to I-485, which was identified as the “Northeast Corridor” in the 2025 Corridor System Plan.
- Two options for the revitalization of North Tryon between Sugar Creek Road and Old Concord Road are being explored.
  - The MTC’s adopted Locally Preferred Alternative of continuing with the Blue Line Extension (BLE) along the North Carolina Rail Road (NCRR) Right of Way to Old Concord Road and using infrastructure improvements and other targeted revitalization activities along the same segment of North Tryon to capitalize on redevelopment opportunities (referred to as the NCRR Alignment).
  - As also directed by the MTC and Council, an alternative alignment of the Blue Line Extension entering the North Tryon Right of Way at Sugar Creek Road instead of near Old Concord Road (referred to as the Sugar Creek Alignment).
- Preliminary Engineering has begun for the Blue Line Extension of LYNX. Exploration of the alignment options is underway to seamlessly integrate the preferred option into the overall project.
- Criteria for evaluating the alternatives have been developed by a multi-departmental staff team. The criteria include:
  - Comparison of infrastructure costs
  - Anticipated economic development
  - Land use implications
  - Transit and traffic impacts of each option
- Among the key issues being explored are:
  - Transit Oriented Development opportunities
  - Grade separations and traffic impacts at Sugar Creek and Eastway
  - Median design and function
  - Intersection redesign and traffic flows
  - Impact on existing businesses
  - Redevelopment opportunities
- The City Manager’s draft FY2009 Capital Investment Plan includes \$25.3 million over five years for implementation of the preferred option.

**Future Action**

Staff requests referral to the Economic Development Committee.

**Attachment 2**

BLE – Sugar Creek/NCRR Alignment Coordination Synopsis

**5. Answers to Mayor & Council Consent Item Questions**

**Resource:** Curt Walton, City Manager

**Time:** 10 minutes

**Synopsis**

- Staff response to questions from the beginning of the dinner meeting.

**6:30 P.M. CITIZENS' FORUM**

**7:00 P.M. AWARDS AND RECOGNITIONS  
MEETING CHAMBER**

**CONSENT**

- 6. Consent agenda items 19 through 36 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

## PUBLIC HEARING

### 7. Public Hearing on Resolution to Close a Residual Portion of W. 5<sup>th</sup> Street

**Action:** A. Conduct a public hearing to close a residual portion of W. 5<sup>th</sup> Street, and  
B. Adopt a Resolution to Close

**Staff Resource:** Linda Poissant, Transportation

#### **Policy**

To abandon right-of-way that is no longer needed for public use

#### **Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council Action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

#### **Petitioner**

Mr. Chad Frazier

#### **Right-of-Way to be abandoned**

A residual portion of W. 5<sup>th</sup> Street

#### **Location**

Located within the Biddleville Community beginning approximately 35 feet from Frazier Avenue continuing northwestwardly approximately 175 feet to its terminus at Flint Street

#### **Reason**

To incorporate the right-of-way into adjacent property owned by the petitioner and to increase the existing lot size for a more viable set back for the proposed residential single family construction

#### **Notification**

In accordance with City Policy, the Charlotte Department of Transportation has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

#### Adjoining property owners

Esterlene P. Fisher – No objections

#### Neighborhood/Business Associations

Bibleville Wellness Association – No objection

Biddleville Residents & Friends – No objection

Biddleville/Five Points Community – No objection

Greenville HOA & Resident Association – No objection

McCrorey Heights-Oaklawn Association – No objection  
Oaklawn Community Improvement Organization – No objection  
Seversville Community Organization – No objection  
Smallwood In Action – No objection  
Third Ward (Committee to Restore and Preserve) - No objection  
Third Ward Neighbors Association – No objection

Private Utility Companies – No objections

City Departments –

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 3**

Map  
Resolution

**8. Public Hearing on Resolution to Close a Portion of Lincoln Street**

**Action:**    **A. Conduct a public hearing to close a portion of Lincoln Street, and**  
**B. Adopt a Resolution to Close**

**Staff Resource:**    Linda Poissant, Transportation

**Policy**

To abandon right-of-way that is no longer needed for public use

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council Action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

**Petitioner**

The Boulevard at Church and Bland LLC – Kenneth J. Abner

**Right-of-Way to be abandoned**

A portion of Lincoln Street

**Location**

Located within the Dilworth Community beginning from S. Church Street continuing southeastwardly approximately 165 feet to its terminus at the private street portion of Lincoln Street

**Reason**

To incorporate the right-of-way into adjacent property owned by the petitioner in order to correct the inconsistent current right-of-way transition from a current public street to a private street between S. Church and Winnifred Streets

**Notification**

In accordance with City Policy, the Charlotte Department of Transportation has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining property owners

NVR, Incorporated – No objections

Neighborhood/Business Associations

Charlottetown Terrace (CHA) – No objection

Dilworth Community Development Association – No objection

Olmstead Park HOA – No objection

Private Utility Companies – No objections

City Departments –

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 4**

Map

Resolution

## ZONING

### 9. Rezoning Petition 2007-128

**Action:** Render a decision on proposed rezoning 2007-128 by Stone-Hunt Development, LLC, for a change from R-8, single family residential to UR-2 (CD) urban residential conditional district for approximately 6.76 acres located on both sides of Main Street between Baxter Street and Baldwin Avenue.

**Staff Resource:** Tammie Keplinger, Planning

#### Explanation

- The decision on this protested petition was deferred from April 21<sup>st</sup> to April 28th since not all Council members were present at the April 21st zoning meeting.
- The Zoning Committee voted 4-1 to recommend approval of this petition with the following modifications:
  - Large maturing trees at 40-feet on center will be provided in the planting strip along all public right of way.
  - The petitioner has provided details of the screening fence around the dumpsters.
  - Common open spaces and amenities are shown.
  - The maximum number of buildings is limited to 14.
  - The parking space configuration in the parking lot is shown.
  - The development standard notes commit to minimum 10% tree save area as per the tree ordinance and these areas are indicated on the site plan.
  - Buffer and screening abutting the single-family homes is provided with a note that if the developer purchases those properties, the buffer will no longer be required.
  - The minimum 400 square foot private open space sub lot is shown for each townhome unit.
  - Building elevations have been provided with a commitment to materials.
  - The maximum height of the lighting is 15-feet.
  - The trees that are to be saved are labeled.
  - Parking areas will be screened from the public right-of-way and the abutting properties are required by the Zoning Ordinance.
  - The petitioner will put all "new" utilities underground.
  - Note # 9 the first asterisk had been corrected to state "standard 2'-6" curb" not "stand 2'-6" curb";
  - Note #20 has been corrected to state "acquires" not "Aquarius".

#### Attachment 5

Zoning Committee Recommendation

Staff Analysis

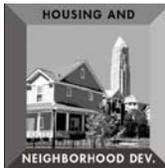
Site Map

## POLICY

### 10. City Manager's Report

-Property Crime Update

### 11. Initial City Foreclosure Strategy



**Action:** Approve the Housing and Neighborhood Development Committee's recommendations to adopt an initial foreclosure strategy for the City of Charlotte.

**Committee Chair:** Susan Burgess

**Staff Resource:** Stanley Watkins, Neighborhood Development

#### Policy

As part of the FY2007 Priorities, the City Council identified foreclosures as a critical issue and directed the Housing and Neighborhood Development Committee to examine the issue and make recommendations to the City Council.

#### Explanation

- At Council's direction, the Housing and Neighborhood Development Committee has been reviewing and researching foreclosure issues since March 2007. The Committee has reviewed local and national foreclosure trends, discussed best practices in other cities and states, examined local efforts regarding foreclosure, discussed state and federal efforts and proposed local foreclosure initiatives. On April 1 the Committee hosted the Council on a tour of impacted neighborhoods.
- On April 18, 2008 the City Council's Housing and Neighborhood Development Committee approved an initial foreclosure strategy for the City of Charlotte.
- The Committee felt it is important for the City to adopt an initial foreclosure strategy, given the challenges currently faced by several neighborhoods heavily impacted by foreclosure. A few highly impacted foreclosure neighborhoods have experienced foreclosures and vacant properties upwards of 55%, increased calls for service for police and code enforcement, and a wide variety of quality of life issues.
- The Committee agreed that an initial strategy should be adopted now, which can be revised as new opportunities become available and/or new challenges are identified. This is because foreclosure is a national crisis and there are several pieces of federal legislation pending that may affect how Charlotte deals with this issue.
- The City's initial foreclosure strategy is designed to accomplish the following objectives:
  - Link property owners faced with foreclosure to financial counseling resources
  - Provide information about financial resources and mortgage assistance to residents faced with foreclosure

- Address priority neighborhoods whose quality of life is affected by high foreclosure rates with a neighborhood preservation approach in collaboration with private and non-profit agencies and initiatives
- The foreclosure strategy has two major components – Education, Outreach and Advocacy and Neighborhood Preservation.
- The Education, Outreach and Advocacy component has a city-wide focus and includes the following:
  - Establish city website for resources/referrals, with links to national, state and local organizations providing assistance
  - Conduct targeted information/outreach campaign to residents in highly impacted foreclosure neighborhoods so they will know where to seek help
  - Work with local pre and post-homeownership counseling agencies to increase services
  - Coordinate with financial institutions to make mortgage assistance information available
  - Work with state and federal agencies to implement foreclosure prevention and intervention strategies
  - Monitor and support as appropriate state and federal legislation related to the foreclosure crisis
- The Neighborhood Preservation component will include the following:
  - Select a highly impacted neighborhood to participate in a pilot project
  - Form neighborhood preservation team (includes public, private, non-profit and resident members)
  - Establish neighborhood preservation goals
  - Develop a coordinated strategy
    - o Community Safety
    - o Code Enforcement
    - o Foreclosure Prevention/Financial Literacy Counseling
    - o Housing Purchase/Rehabilitation/Resale
    - o Infrastructure
    - o Neighborhood Capacity Building
    - o Employment
    - o Social Services
    - o Youth Involvement and Engagement
  - Develop Implementation and Resource Plan
  - Monitor/report progress to the City Council and other interested agencies
- The Self-Help Community Development Corporation (CDC) proposes to address the foreclosure issue in the Peachtree Hills neighborhood, which is located in west Charlotte, off of Auten Road in the Oakdale community. They intend to acquire, rehabilitate, sell and/or lease up to 25 foreclosed and vacant homes. Preference will be given to existing residents in the neighborhood.
- The Peachtree Hills neighborhood has become severely challenged due to the high number of foreclosures. Between 2003 and 2007, 28 of the 147 homes have been foreclosed upon and currently about 40 homes in the area are vacant. Over the past year, there have been 360 calls for police services and 99 housing and nuisance and code enforcement cases.
- The Self-Help CDC is making a significant investment using internal capital. The Committee proposes that the City work with Self-Help targeting Peachtree Hills as the pilot neighborhood for the City's preservation strategy.

- Resources for implementation of the education, outreach and advocacy component of the City's preservation strategy will be provided with existing budget allocations. Resources for the preservation component will require possible reallocation of resources and/or additional resources. The Committee will discuss resources at its May meeting and will make a recommendation to Council thereafter.

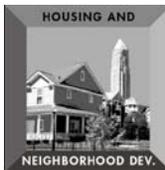
#### **Committee Discussion**

The Committee unanimously approved the adoption of the Initial Foreclosure Strategy. Members in attendance: Burgess, Barnes, Cooksey, and Lassiter. The Committee indicated that it was very important that the City move forward at this time and consider resources at a later date. Some concern was expressed regarding the potential impact of reallocating resources to address this issue. Staff was requested to provide a detailed resource impact report at the May 14, 2008 Committee meeting.

#### **Attachment 6**

City's Initial Foreclosure Strategy  
Background on Foreclosure Issue

## **12. Annual Housing Grants to Replace Payment in Lieu of Taxes Agreements**



**Action:** Approve the Housing and Neighborhood Development Committee's recommendations to:

- A. Adopt a budget ordinance appropriating \$229,389 in addition to the \$744,727 previously appropriated and approve grants to 10 mixed income affordable housing developments for a total amount not to exceed \$974,116, and**
- B. Approve Annual Housing Grant agreements with 13 mixed income affordable housing developments for the affordability period for each development.**

**Committee Chair:** Susan Burgess

**Staff Resource:** Charles Woodyard, Charlotte Housing Authority  
Stanley Watkins, Neighborhood Development  
Richard Woodcock, Neighborhood Development

#### **Policy**

The City's FY2006-2010 Consolidated Plan was approved by City Council on June 13, 2005. The Plan identified the need for affordable, safe and decent housing for low and moderate-income families. The Plan reaffirmed the three basic goals of the City's Housing Policy- preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

#### **Explanation**

- On September 10, 2007 the City Council approved grants to five mixed income, affordable housing developments to offset property taxes that

were due for tax years 2002-2006. These grants were necessary to ensure that the developments could remain financially viable.

- City Council also instructed staff to establish a study committee to develop an alternative agreement addressing mixed income affordable housing developments owned by private for-profit entities. The total number of projects to be covered by these agreements is 13.
- Local housing authorities are tax-exempt organizations. However, the U. S. Department of Housing and Urban Development (HUD) requires housing authorities to enter into Payments in Lieu of Taxes (PILOT) agreements to partially offset the cost of City services for public housing developments.
- PILOTs are equal to 10 percent of the shelter rent (total rents minus utilities) for housing development properties.
- The CHA had partnered with 13 Limited Liability Companies (LLCs) to develop mixed income affordable housing developments. During the past year, the Mecklenburg County Attorney determined that PILOT agreements were not valid for the 13 mixed income affordable housing developments because the LLCs that own the buildings were not tax exempt entities.
- The PILOT Policy Study Committee has produced a report examining the effect that payment of property taxes would have on each of the 13 developments and alternatives for insuring the developments are financially viable and deliver the housing assistance they had proposed.
- The 13 developments are composed of the following:
  - Five developments owe property taxes for tax years 2002-2007
  - Five newer developments owe property taxes for tax year 2007
  - The three newest developments will begin to pay property taxes for tax year 2008.

**10 Grants for Mixed Income Affordable Housing Developments, not to exceed \$974,116**

- A grant which represents the amount owed for back taxes is now required for 10 developments where the CHA is a partner. The developments assumed PILOT agreements with the City and the County. As noted above, each of the 10 developments is owned by a private, for profit entity, which is a requirement of the Low Income Housing Tax Credits financing that these developments have received.
  - For taxes owed to date, the LLCs will pay the back taxes to the County (the City's tax collector) and then the City will grant back an amount equal to the City's portion of the back taxes.
  - On September 10, 2007, City Council approved grants not to exceed \$744,727 for five affordable housing developments for tax years 2002-2006. City Council is requested to approve grants to cover back taxes which include the 2007 tax year and five additional developments that owe taxes for 2007. The new amount for the 10 projects for tax years 2002-2007 (plus interest) totals \$974,116. Accordingly, an additional appropriation of \$229,389 is necessary.
  - The table below indicates the back taxes owed to the City and County and PILOT payments made by the 10 LLCs as of May 1, 2007.

	<b>Taxes Owed by the five LLCs for 2002-2006</b>	<b>Taxes Owed by the 10 LLCs for 2007</b>	<b>Interest January-April</b>	<b>Total Taxes and Interest Owed by the 10 LLCs for 2002-2007</b>	<b>PILOT Payments Made by the LLCs 2002-2007</b>
<b>City of Charlotte</b>	\$683,058	\$250,168	\$40,890	\$974,116	\$648,445
<b>Mecklenburg County</b>	\$1,251,096	\$457,514	\$74,862	\$1,783,472	\$648,445

### **13 Annual Housing Grant Agreements with Mixed Income Affordable Housing Developments for the Affordability Periods**

- The operating proformas of these developments assumed the payment of a PILOT and not property taxes. The grants are necessary if the developments are to maintain their financial integrity in future years. The 13 projects include 1,563 units, 880 of which serve families with incomes at 30% or below the Area Median Income.
  - In future years, the LLCs will pay full property taxes and the City and County will make Annual Housing Grants for the difference between the calculated PILOT payment and the property taxes paid. For the 13 projects, the City's Annual Housing Grant is estimated to be \$221,000.
  - Annual Housing Grants would continue for the affordability period of each housing development. Affordability periods range from 30 to 54 years.
  - Annual Housing Grants for FY09 will be included in the City's proposed Capital Investment Plan FY09 budget.
  - Upon proof of payment of property taxes, the City will pay the grants to the Charlotte Housing Authority for distribution to the 13 affordable housing developments.
- Mecklenburg County has also been part of these affordable housing agreements and will consider similar grant measures after the City Council's action.

### **Committee Action**

The Housing and Neighborhood Development Committee considered the PILOT Policy Study Committee's recommendations at its meeting on April 18, 2008. The Committee voted unanimously to recommend the issues to City Council for approval. Committee members in attendance: Burgess, Barnes and Cooksey.

### **Funding**

The budget ordinance estimates revenues of \$229,389 in property tax payments from mixed income affordable housing developments and provides for the appropriations of these revenues. City Council previously appropriated \$744,727 and now is requested to appropriate an additional \$229,389. The appropriation will be expended by granting the developers of the mixed income developments full reimbursements of the property taxes. There is no net impact to the City budget.

**Attachment 7**  
 Budget Ordinance  
 PILOT Policy Study Committee Report

### 13. Health Insurance for Survivors

**Action:** Approve amending the current policy of continuing medical insurance to surviving spouses/dependents as it relates to public safety officers killed in the line of duty.

#### Policy

Effective March 31, 2007, if an a employee is "killed in the line of duty" as defined by the City Manager, covered surviving spouses and/or dependents may continue medical coverage at the active employee rate under the City group plan as follows: coverage to the spouse can be continued until the earlier of the spouse's remarriage or three years from the date of the employee's death; coverage to the dependent children may be continued until the earlier of the spouse's remarriage, the dependents no longer qualifying for coverage based on medical plan guidelines (age 19 or age 25 if a fulltime student), or three years from the date of the employee's death.

#### Explanation

- Mayor McCrory has placed this item on the agenda for consideration by Council.
- Provide the City Manager or his designee the authority to amend the current policy as it applies to non public safety employees, consistent with the provisions outlined below.
- Amend the current policy retroactive to March 31, 2007 for surviving spouses/dependents of public safety officers (uniformed Police Officers and Firefighters) "killed in the line of duty", as defined by the City Manager.
- Allow surviving spouses and/or dependent children of public safety officers "killed in the line of duty" the option to participate in the medical insurance plan, regardless of whether they were previously covered, as follows:
  - Surviving spouses may continue coverage until the earlier of the spouse's remarriage or attainment of Medicare (typically age 65)
  - Dependent children may continue medical coverage until they no longer qualify for coverage based on the medical plan eligibility guidelines (age 19 or to age 25 if full time student).
- Surviving spouses/dependents will continue to pay the active employee rate for three years from the employees' date of death, as provided in the current policy. After the three year period, surviving spouses/dependents will pay the retiree rate based on 20 years of service.
- Since the City is self-insured, the costs to the City are the administrative fees paid to the insurance company plus actual claim costs. The estimated premium set aside for the City to cover anticipated costs for the first year is approximately \$11,186.
- Information received from other large North Carolina cities indicates that Durham, Greensboro and Winston-Salem offer continuation of medical coverage only through COBRA for three years (survivor pays full cost plus 2%) in the event an employee is killed in the line of duty. Raleigh allows the surviving spouse to continue coverage to age 65 by paying the full

cost (City and employee share) and the dependents may continue until age 26 if a full time student.

**Funding**

City self-insurance fund

**Attachment 8**

Definition for "killed in the line of duty"

Death benefits payable for in the line of duty

## BUSINESS

### 14. Division Wrecker Services

- Action:**
- A. Approve the award of Division Wrecker Services Contracts for an initial term of five years with the eight following service providers:**
- A1 Thompson Towing
  - Bradley's Truck Service
  - Dellinger Wrecker Service
  - Eastway Wrecker Service
  - Hunter Auto and Wrecker Service
  - Larry Campbell's Towing & Recovery
  - Southern Star of Charlotte, Inc.
  - Williams Wrecker
- B. Authorize the City Manager to approve up to two, one-year renewal options contingent upon the service providers' satisfactory performance.**

**Staff Resource:** Major Tim Danchess, Police Department  
 Marcy Mars, Business Support Services  
 Catherine Zanga, City Attorney's Office, CMPD

#### **Explanation**

- At the April 14 dinner briefing, City Council requested additional information about wrecker services. Attached are questions and answers about the service, selection process and criteria.
- The City contracts with private wrecker service companies to tow approximately 22,000 vehicles per year, broken down as follows:
  - CMPD tows 18,700 (mainly vehicles involved in collisions, disabled vehicles, and vehicles seized for evidence and forfeiture).
  - CDOT tows 2715 (illegally parked vehicles in the center city).
  - CED tows 600 (junked and abandoned vehicles).
- There are two aspects to the customer service objectives are for these contracts:

#### Public safety and traffic flow

- Clear the road quickly and ensure that glass and debris are properly removed from the street
- Reduce time police officers spend at the accident scene
- Have dispatch call the correct wrecker company
- Know which company is responsible for cleaning up the street
- Know immediately where a car was towed
- Be able to identify vehicles that have been stolen
- Receive cooperation in resolving customer complaints

#### Customers whose vehicles are being towed

- Reduce time waiting for a wrecker
- Provide a safe place to retrieve towed vehicles
- Provide safe and secure vehicle storage to avoid theft or damage to towed vehicles
- Provide convenient hours and multiple means of payment

- Make it easy to find towed vehicles and ensure they receive courteous treatment from the towing companies

### **Price Structure**

- The City established a price of \$85 per basic tow based on a market survey and input from the towing companies. The cost is fixed over the five year term of the contract as well as the two, one year renewal terms.
- The City sets a price rather than seeking price bids to avoid confusion for citizens and make contract monitoring and administration easier. Otherwise, there would be different charges depending on the area of the City and the towing company. Additionally, when the City had price competition in 2001, all companies, with the exception of one, bid the maximum price allowed (and the City subsequently changed the one lower price to make all prices consistent).

### **History**

- The current contracts were awarded by Council in October 2001 for five years with two optional one year extensions;
- During 2007, a redistricting initiative within CMPD significantly modified the boundaries utilized to dispatch calls for Police services throughout the County.
- Staff opted to switch the towing contracts from zones to police divisions to avoid confusion and manage the contracts more efficiently.
- The service providers submitted proposals for the newly drawn divisions on June 8, 2007, and in September staff planned to submit a list of recommended service providers to City Council in September.
- The Council award date was initially postponed until November due to a large public records request. In November staff elected to redo the procurement process as part of a settlement agreement with Eastway Wrecker Service.
- Eastway was not recommended for contract award at that time, and expressed concerns that this was in retaliation for a lawsuit Eastway filed against the City seeking damages based on its interpretation of the 1994 wrecker service contract. That lawsuit came up for trial in early November.
- While an investigation by retired Superior Court Judge Chase Saunders uncovered no wrongdoing in connection with the 2007 procurement process, the City did identify several procedural safeguards that could be instituted to help preclude claims of bias, unfairness and retaliation.
- Assessing the costs and benefits, staff felt it best to redo the procurement process with those safeguards in place rather than face expensive and lengthy litigation over what had happened up to that point. The procedural safeguards instituted include:
  - Having a member of the Privatization and Competition Advisory Committee (PCAC) sit in on evaluation committee meetings to observe discussions and monitor for impartiality and fairness
  - Recording the committee's discussions, and making those recordings available to the participating service providers upon request
  - Giving each participating service provider an opportunity to make a presentation to the committee, and to answer the committee's questions and concerns about its proposal

### **Current Selection Process**

- The new procurement process started on January 18, 2008 with the issuance of a new RFP.
- The City received 10 proposals on February 13, 2008 and worked through late March to meet with each company and conduct the evaluation.
- The Evaluation Team consisted of staff representatives from Procurement Services, CMPD, CDOT and Neighborhood Development/ Code Enforcement.
- Evaluation Criteria included:
  - Background and experience of the wrecker company, including references, background checks and prior contract performance
  - Operational qualifications such as equipment and personnel
  - Customer service approach
  - Facility, including lot size, storage capability and security
  - Business processes
  - Financial viability
  - Insurance requirements
  - Willingness and ability to comply with the RFP and contract terms and conditions
  - Interviews and presentations from vendors
  - Location in relation to division boundaries
- The process resulted in the Evaluation Team recommending contracts awards to eight towing companies to serve the 13 divisions.
- A comprehensive book explaining the committee's recommendation for each division will be provided to Council on Friday, April 25, 2008.
- Current contracts expire on May 31, 2008 with the option to extend through October. Service providers and City staff require a transition period of at least 30 days to prepare for the new contracts to begin.

### **Small Business Opportunity**

No SBE goal was set for this contract because subcontracting opportunities are not anticipated (Part C: Section 2.4 of the SBO Policy). Two of the eight Service Providers, Larry Campbell's Towing and Williams Wrecker, are certified Small Business Enterprises with the City. These vendors will be acting in a primary capacity and will not act as a subcontractor.

### **Funding**

The services provided under this contract are paid for directly by vehicle owners.

### **Attachment 1**

Questions and Answers

## 15. Sale of I-277 Surplus Parcels 1, 2 and 3



- Action:**
- A. Adopt a resolution proposing to accept the offer from Greenwood Development Company to purchase parcel 1 of the I-277 surplus right of way for the amount of \$180 per square foot (approximately \$28,270,000),**
  - B. Adopt a resolution proposing to accept the offer from Prada, LLC to purchase parcel 2 of the I-277 surplus right of way for the amount of \$145 per square foot (approximately \$23,660,665) with a reduction for areas encumbered by utility easements,**
  - C. Adopt a resolution proposing to accept the offer from Lincoln Harris Properties, LLC to purchase parcel 3 of the I-277 surplus right of way for the amount of \$96 per square foot (approximately \$6,988,579),**
  - D. Instruct the City Clerk to advertise the proposed sales for upset bids in accordance with the resolution, and**
  - E. Authorize the City Manager to execute all documents necessary to complete sale of the property in accordance with the resolution.**

**Staff Resource:** Jim Schumacher, City Manager's Office

### Explanation

- Five parcels of surplus I-277 right of way to be deeded to the City by the North Carolina Department of Transportation have been marketed nationwide for sale upon completion of the interchange modifications.
- Staff and real estate consultants have negotiated with several potential buyers of parcels 1, 2, and 3 and recommend for City Council approval the offer to purchase from Greenwood Development LLC, Prada, LLC, and Lincoln Harris Properties, LLC.
- The Greenwood offer includes the following terms:
  - Price of \$180 per square foot, which exceeds the MAI appraised value of \$175 per square foot
  - A deposit of 5% of the purchase price
  - A due diligence period up to 300 days
  - Closing within 30 days of the City's receipt of deed to the parcel.
- The Prada offer includes the following terms:
  - Price of \$145 per square foot, which is the appraised value
  - A deposit of 5% of the purchase price
  - A due diligence period up to 270 days
  - Closing within 30 days of the City's receipt of deed to the parcel.
- The Lincoln Harris offer includes the following terms:
  - Price of \$96 per square foot, which exceeds the MAI appraised value of \$90 per square foot
  - A deposit of 5% of the purchase price
  - A due diligence period up to 360 days
  - Closing within 30 days of the City's receipt of deed to the parcel.
- Mandatory Referral will be completed prior to the sales.

- Staff is working with the state to address issues for parcel 4. Parcel 5 is scheduled for Council action in summer 2008.

### **Background**

- In accordance with the Center City Transportation Plan, approved by the City Council in 2006, the City is modifying the I-277/Caldwell Street interchange. The modifications will result in surplus NCDOT right of way.
- As a component of the funding plan for the NASCAR Hall of Fame, Governor Michael Easley and the North Carolina Department of Transportation agreed to provide \$5 million in construction funding for the modifications and deed five parcels of surplus right of way to the City. The proceeds of selling the land provides \$20 million towards the construction of the Hall of Fame and recoups the City and State's cost of making the interchange modifications.
- Private development of the land will create hundreds of millions of dollars of tax base, providing annual tax revenues to both the City and County.

### **Attachment 9**

Resolutions  
Survey of Sites

## **16. Nominations to Boards and Commissions**

**Action: Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.**

### **A. BICYCLE ADVISORY COMMITTEE**

- One appointment for an unexpired term beginning immediately and ending December 31, 2010.
  - Gregory Johnson resigned.

### **Attachment 10**

Applications

### **B. BUSINESS ADVISORY COMMITTEE**

- One three year appointment for an Arrowood Association representative beginning April 29, 2008.
  - Jeanette McLennan Savage is eligible but does not want to be reappointed.
- Two three year appointments for Charlotte Chamber representatives beginning April 29, 2008.
  - Eric Dudley is eligible and would like to be reappointed.
  - Leigh Rounds is not eligible to be reappointed. The Chamber has recommended Michael Orzech.
- Two three year appointments at large beginning April 29, 2008.
  - Wanda B. Craig and Renata Henderson do not want to be reappointed.
- One three year appointment for a representative for the Manufacturer's Council.
  - Dale C. Stoller does not want to be reappointed.

### **Attachment 11**

Applications

**C. CHARLOTTE REGIONAL VISITORS AUTHORITY**

- Two appointments for three year terms beginning July 1, 2008.
  - Viola A. Lyles is eligible and would like to be reappointed.
  - William J. Spears is not eligible to be reappointed.

**Attachment 12**

Applications

**D. CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION**

- Three appointments for three year terms beginning July 1, 2008.
  - Anja Arnoldt, Kenneth A. Gjertsen and Jay Rao are eligible and would like to be reappointed.

**Attachment 13**

Applications

**E. CITIZENS' REVIEW BOARD**

- One appointment for an unexpired term beginning immediately and expiring July 31, 2009.
  - Vanessee Burns resigned.

**Attachment 14**

Applications

**F. CITIZENS' TRANSIT ADVISORY GROUP**

- One appointment for an unexpired term beginning immediately and expiring June 30, 2009.
  - Christopher S. Edwards resigned.

**Attachment 15**

Applications

**G. CIVIL SERVICE BOARD**

- One appointment for a three year term beginning May 16, 2008.
  - Mary Hopper is eligible and would like to be reappointed.

**Attachment 16**

Applications

**H. HISTORIC DISTRICT COMMISSION**

- One appointment for a three-year term for Business/Operator Dilworth beginning July 1, 2008.
  - Jane Anne McDermott is eligible and would like to be reappointed.

**Attachment 17**

Applications

**I. HOUSING TRUST FUND ADVISORY BOARD**

- One appointment for a three year term for a developer/construction representative beginning May 1, 2008.
  - Robert Drakeford is eligible and would like to be reappointed.
- One appointment for a three year term for a neighborhood representative beginning May 1, 2008.

- Rickey V. Hall is not eligible to be reappointed.
- One appointment for a three year term for a real estate representative beginning May 1, 2008.
  - Anthony Lindsey is not eligible to be reappointed.

**Attachment 18**

Applications

**J. KEEP CHARLOTTE BEAUTIFUL**

- Four appointments for three year terms beginning July 1, 2008.
  - Kevin Brown, Julie Diggs and William C. Scheppegegrell are eligible and would like to be reappointed.
  - Thomas L. Uhlir is not eligible to be reappointed.
- One appointment for an unexpired term beginning immediately and expiring June 30, 2010.
  - Myra Martin Clark resigned.

**Attachment 19**

Applications

**K. NEIGHBORHOOD MATCHING GRANTS FUND**

- Five appointments for two year terms beginning immediately, all five are eligible and would like to be reappointed.
  - Mary L. Boyd, business representative
  - Ralphine D. Caldwell, non-profit organization,
  - Jennie Crismore, neighborhood organization leader
  - Nevada W. Graham, neighborhood representative
  - Bernadette H. Johnson, neighborhood representative
- One appointment for an at-large member for a two year term beginning April 15, 2008.
  - David Frazier is not eligible to be reappointed.
- One appointment for a business representative beginning immediately and ending April 15, 2010.
  - Alan M. Teitleman resigned.

**Attachment 20**

Applications

**L. PAROLE ACCOUNTABILITY COMMITTEE**

- Two appointments for three year terms beginning June 2, 2008.
  - Sandra S. Donaghy and Randall Scott Miller are both eligible and would like to be reappointed.

**Attachment 21**

Applications

**M. PLANNING COMMISSION**

- One appointment for a three year term beginning July 1, 2008.
  - Joel Randolph is eligible and would like to be reappointed.

**Attachment 22**

Applications

**N. PUBLIC ART COMMISSION**

- One appointment for a three year term beginning July 1, 2008.
  - Susan O. Tompkins is eligible and would like to be reappointed.

**Attachment 23**

Applications

**O. SISTER CITIES COMMITTEE**

- Eight appointments for two year terms beginning immediately.
  - Jason D. Boone, Steve Goldberg, Sue Gorman and Gail VanDerVeer are eligible and would like to be reappointed.
  - William H. Carstarphen and Matthew Cowell are not eligible to be reappointed.
  - Olma Echeverri and Wylie Williams resigned.

**Attachment 24**

Applications

**P. STORM WATER SERVICES ADVISORY COMMITTEE**

- One two year appointment for a developer, design professional beginning June 25, 2008 and ending June 24, 2010.
  - David Stewart does not want to be reappointed.

**Attachment 25**

Applications

**17. Mayor and Council Topics**

Council members may share information and raise topics for discussion.

**18. Closed Session**

**Action: Adopt a motion to go into closed session.**

- A. To consult with attorneys employed or retained by the City of Charlotte in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling of the case captioned *Atlantic Skanska, Inc. v. City of Charlotte and CH2M Hill, Inc.*, WDNC 3:07CV266, and**
- B. Pursuant to NCGS 143-318.11(a)(4) to discuss matters relating to the location of industries or businesses in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.**

**CONSENT I**

## Introduction to CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget, are low bid and comply with Small Business Opportunity Program Policy.

Consent II consists of routine items that have also been approved in the budget, but require additional explanation.

The City's Small Business Opportunity (SBO) Program's purpose is to enhance competition and opportunity in City contracting with small businesses in the Charlotte metropolitan statistical area. Participation of small business enterprises (SBE) is noted where applicable. Contracts recommended for award as of March 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization. Professional service contracts recommended for award as of August 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization.

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit.

Contractors and Consultants

All contractor and consultant selections follow the Council approved process unless described otherwise.

## 19. Various Bids

### A. Police Car Wireless Modems

CMPD

**Staff Resource:** Ron Horton

**Action**

Award a low bid, unit price contract of \$555.31 to Quality Communications of Lakewood, New Jersey in the amount of \$416,482.50 for the purchase of 750 Sierra Wireless Airlink Pinpoint Modems. These modems are used in the patrol cars to enable network access for the Officers.

**Small Business Opportunity**

No SBE goals are established for purchases of goods and equipment due to limited opportunities for subcontracting (Appendix Section 18 of the SBO policy).

### B. Urban Area Security Initiative Pickup Trucks

CMPD

**Staff Resource:** Rich Granger

**Action**

Use an existing unit price contract with Parks Chevrolet in the amount of \$36,558 for the purchase of Chevrolet 4x4 Crew Cab Diesel trucks. The City will purchase 10 trucks, funded by Homeland Security grant, for a total expenditure of \$365,580. The City is the host or coordinating agency for the region. These units will be placed in the Urban Area Security Initiative counties to be used to pull mass casualty equipment trailers stationed in each county for the deployment of specialized medical equipment in large scale emergency situations requiring regional mutual aid. One truck is for the City. A future Council action will allow disposition of this property to the UASI counties.

**Small Business Opportunity**

No SBE goals are established for purchases of goods and equipment due to limited opportunities for subcontracting (Appendix 18 of the SBO Policy).

**C. Fire Hose Fire**

**Staff Resource:** Rich Granger

**Action**

Award the low bid, unit price contract to Municipal Emergency Services, Inc., Charlotte, North Carolina for providing fire hoses to the Fire Department for a term of one year and authorize the City Manager to renew up to four additional one-year terms. The anticipated annual expenditure is \$100,000. Fire hose is replaced on an as needed basis, typically every eight to ten years unless damaged at a fire.

Every fire truck carries three hose sizes. Each size has a different application depending on the type of fire and amount of water needed. The unit prices are listed below:

- 5" Large Diameter Supply Line – 100' - \$479.39
- 1 ¾" Attack Line – 50' - \$84.00
- 2 ½" Attack Line – 50' - \$120.62

**Small Business Opportunity**

No SBE goals are established for purchases of goods and equipment due to limited opportunities for subcontracting (Appendix Section 18 of the SBO Policy).

**D. Combination Sewer Cleaning Truck CMU**

**Staff Resource:** Doug Bean

**Action**

Award the low unit price bid of \$257,690 by Rodders and Jets Supply Company of Sumter, South Carolina for providing combination sewer cleaning trucks for the term of one year and authorize the City Manager to renew for two additional one-year renewal terms. It is anticipated that eight trucks will be purchased in FY2008 for a total expenditure of \$2,061,520. These trucks will replace seven of the oldest and most problematic machines, with one addition to the fleet, which is needed to help reduce the number of sewer overflows.

Combination sewer cleaning trucks are heavy duty trucks specially equipped with a combination of high pressure cleaning hoses and pumps that use water jets to dislodge debris from the sewer lines and a large vacuum unit to remove the dislodged debris and transport it for disposal.

Sewer lines must be cleaned periodically to prevent blockages that cause sanitary sewer overflows (SSO's) and to clear blockages that have already caused SSO's. Utilities is required to clean at least 10% of the sewer system lines each year by NC Department of Environmental and Natural Resources (DENR) rules. Last year, Utilities cleaned 992 miles or 28.9% of the system. In addition to that requirement, the US Environmental Protection Agency (EPA) issued an Administrative Order in February 2007 that requires operation and maintenance of the sewer system in a manner that reduces the number of SSO's that occur. While the NC DENR requirement is being exceeded, the current cleaning rate is not sufficient to satisfy the requirements of the US EPA's Administrative Order.

Cleaning is limited by a shortage of equipment and staff coupled with the excessive down time of the current combination sewer cleaning trucks that is resulting from their age and condition. The number of combination trucks in operation has not increased since 2005 when two were added.

Failure to provide enough cleaning to lower SSO rates is likely to result in additional enforcement action by NC DENR and by US EPA, including escalating fines and moratoriums on new sewer connections.

The current fleet includes 11 combination trucks. Utilities needs to replace seven of these. Four of the seven are 10 years old and the other three are 13 years old. The expected service life for these trucks is eight years.

This fiscal year, repair costs on the trucks to be replaced has been \$185,533 in addition to routine maintenance. Utilities has leased trucks to partially offset the downtime at a cost of over \$36,000. Even with the leased trucks, there have been equipment shortages due to downtime in the last 15 months of 595 truck-days.

Existing staff will be reallocated to create a crew to operate the added combination truck.

Purchase of this equipment was budgeted in FY2008. The procurement process for this equipment was initiated in September 2007, but that attempt was unsuccessful due to protests over the equipment specifications. That led to revisions to the bidding documents and re-bidding for the equipment. The process resulting in the current bids was initiated February 5, 2008.

**Small Business Opportunity**

No SBE goals are established for purchases of goods & equipment due to limited opportunities for subcontracting (Appendix Section 18 of the SBO policy).

**Attachment 26**

Equipment Replacement Schedule

**20. Refund of Property Taxes**

**Action: A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$10,903.72.**

**Staff Resource:** Sherry Hite, Finance

**Attachment 27**

Resolution

List of property tax and business license refunds

**21. In Rem Remedy**

**For In Rem Remedy #A-I, 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
- 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.

**Public Safety:**

- A. 4916 Sharon Road (Neighborhood Statistical 182 – Beverly Woods Neighborhood)
- B. 4506 Wildwood Avenue (Neighborhood Statistical 19 – Thomasboro/Hoskins Neighborhood)

**Complaint:**

- C. 2657 Dr. Carver Road (Neighborhood Statistical Area 8 – West Blvd. Neighborhood)
- D. 6413 McBride Street (Neighborhood Statistical Area 143 – Oak Forest Neighborhood)

**Field Observation:**

- E. 2615 Dr. Carver Road (Neighborhood Statistical Area 8 – West Blvd. Neighborhood)
- F. 4601 Olney Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)
- G. 3051 Ridge Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood)
- H. 13821 River Shore Drive (Neighborhood Statistical Area 106 – Steel Creek Neighborhood)
- I. 1036 Tennyson Drive (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)

**Public Safety:**

**A. 4916 Sharon Road**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4916 Sharon Road (Neighborhood Statistical Area 182 – Beverly Woods Neighborhood).**

**Attachment 28  
Ordinance**

**B. 4506 Wildwood Avenue**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4506 Wildwood Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).**

**Attachment 29  
Ordinance**

**Complaint:**

**C. 2657 Dr. Carver Road**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2657 Dr. Carver Road (Neighborhood Statistical Area 8 – West Blvd. Neighborhood).**

**Attachment 30  
Ordinance**

**D. 6413 McBride Street**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6413 McBride Street (Neighborhood Statistical Area 143 – Oak Forest Neighborhood).**

**Attachment 31  
Ordinance**

**Field Observation:**

**E. 2615 Dr. Carver Road**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2615 Dr. Carver Road (Neighborhood Statistical Area 8 – West Blvd. Neighborhood).**

**Attachment 32  
Ordinance**

**F. 4601 Olney Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4601 Olney Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

**Attachment 33  
Ordinance**

**G. 3051 Ridge Avenue**

**Action:** Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3051 Ridge Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood).

**Attachment 34  
Ordinance**

**H. 13821 River Shore Drive**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 13821 River Shore Drive (Neighborhood Statistical Area 106 – Steel Creek Neighborhood).

**Attachment 35  
Ordinance**

**I. 1036 Tennyson Drive**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1036 Tennyson Drive (Neighborhood Statistical Area 18 – Enderly Neighborhood).

**Attachment 36  
Ordinance**

## CONSENT II

### 22. General Obligation Refunding Bonds

- Action:**
- A. Approve a resolution stating facts concerning the proposed bond issue to refund the City's General Obligation Bonds, Series 1999,**
  - B. Introduce and approve a bond order for up to \$40 million of General Obligation Refunding Bonds,**
  - C. Direct the City Clerk to publish the adopted bond order for up to \$40 million of General Obligation Refunding Bonds, and**
  - D. Adopt a Bond Resolution authorizing the sale of and the terms for General Obligation Refunding Bonds, Series 2008, which would refund the City's General Obligations Bonds, Series 1999 and General Obligation Refunding Bonds, Series 1998.**

**Staff Resource:** Greg Gaskins, Finance

#### Explanation

- On June 10, 1999, the City issued \$39,680,000 in General Obligation Bonds.
- These bonds are eligible for advance refunding if market conditions are favorable for substantial savings.
- Currently \$29,930,000 is outstanding.
- This action states facts related to the refunding, introduces and adopts a bond order for the refunding, and directs the City Clerk to publish the bond order in the newspaper.
- This action authorizes up to \$40 million in refunding bonds.
- Council on April 14, 2008 gave similar approval to the refunding of the City's General Obligation Refunding Bonds, Series 1998.
- The City will only issue these refunding bonds if market conditions generate sufficient savings. The current market is not conducive to generating sufficient savings; however, approval of this action will allow the City to move quickly to realize these savings once market conditions improve.
- Savings from the refunding to be used for Pay-As-You Go capital projects and debt service.

#### Funding

Municipal Debt Service Fund  
 Water & Sewer Fund  
 Stormwater Fund

#### Attachment 37

Bond Order  
 Findings Resolution

Bond Resolution

## 23. Transit Certificate of Participation Restructuring

**Action:** Approve a resolution amending the installment purchase agreement with the New Charlotte Corporation which will allow for restructuring Variable Rate 2005 Transit Certificates of Participation (COPs).

**Staff Resource:** Greg Gaskins, Finance

### Explanation

- On July 25, 2005 Council authorized the sale of \$125 million in variable rate COPs which temporarily funded construction of the South Corridor light rail line in anticipation of receipt of federal grants.
- In 2007 Council increased the funding of the project by \$36 million, using the temporary debt as a source of funding.
- This action converts the temporary debt into permanent financing matching the repayment schedule to that of the City's permanent debt issued in 2005.
- The restructuring creates cash flow savings by increasing the time the debt has to be repaid from 12 to 27 years.
- The restructuring will convert the COPs from variable rate to fixed rate debt.
- The New Charlotte Corporation is a non-profit corporation organized under state law to assist the City with its COPs financing.

### Funding

Transit Debt Service Fund

### Attachment 38

Resolution

## 24. Utility Billing Professional Software Services

**Action:** Approve a six month contract with Milestone Software Solutions, Inc. not to exceed \$144,000 for professional services related to implementation of the field service application of the utility billing and management system.

**Staff Resource:** Chip Harris, Finance  
Denise Foreman, Utilities

### Explanation

- This contract will provide for short-term technical assistance to upgrade the field service application of the utility billing and management system (UMS).
- The upgrade of the field service application is the final phase of a three year, \$5.6 million project to upgrade the utility billing and management system.
- The field service application is being upgraded to automate scheduling, routing, execution and closing of over 20 additional types of service orders including leak investigations, move in/out requests, meter inspections,

and water quality inquiries. Cross-trained service technicians will utilize laptops to receive service request notes in the field. The order will include routing to the site, customer information, service request notes and will enable the technician to work and close the order in the field. The real-time service order information will be accessible by customer service representatives at 311 and Utilities to enable better communication to our customers.

- Milestone Software Solutions has the technical expertise to link data between the mobile application and utility billing and management system. Milestone will also test components of the application to ensure seamless service to customers.
- Funding for this technical assistance was included in the project budget and is financed through short-term debt.

#### **Small Business Opportunity**

No SBO goal was set for this contract because subcontracting opportunities are not anticipated (Part C: Section 2.4 of the SBO Policy).

#### **Funding**

Utilities Capital Equipment Fund

## **25. Municipal Agreement for FY2008 Metropolitan Planning Program Grant**

**Action: Approve a resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation (NCDOT) in support of the planning activities identified in the FY 2008 Unified Planning Work Program (UPWP) for the Mecklenburg-Union Metropolitan Planning Organization (MUMPO)**

**Staff Resource:** Chad Howell, Transportation

#### **Explanation:**

- The Federal Transit Administration (FTA) awarded the FY2008 Section 5303 grant to the City of Charlotte in September 2007.
- The total award for the City of Charlotte is \$423,140, of which \$338,512 (80%) is federal funds, \$42,314 (10%) is state funds. The City's match of 10% is \$42,314, making the total reimbursement percentage 90%.
- This funding is included in the Council's adopted FY2008 budget and this Municipal Agreement is necessary to receive the federal and state reimbursement listed above.
- This is a long-standing federal grant that the City of Charlotte has received and utilized as the lead planning agency and sole fixed route transit operator for the MUMPO.
- In 2007, NCDOT began requiring grant recipients to enter into a new Municipal Agreement each year in order to receive these funds.
- The City must use the funds to support transit-planning activities. In the past, the Charlotte Department of Transportation (CDOT) has primarily used these funds for travel demand modeling activities related to transit. A copy of the MUMPO approved UPWP work tasks for these funds is attached and examples of past uses of these funds are listed below:
  - Travel surveys – On-board transit surveys

- Travel forecasting
- Forecast of input data – Development of future year population, household, employment, and school enrollment
- Regional Travel Demand Model Maintenance
- Fund Special Studies as needed
- Transportation is responsible for the deliverables associated with this grant. However, Transit is the recognized grant recipient because the FTA awarded 80% of the funds. Transportation will continue to manage the day-to-day planning activities associated with this grant.

### **Funding**

Transportation Operating Budget

### **Attachment 39**

Resolution

## **26. Air National Guard Agreement for New Airport Fire Station Design**

**Action: Approve an agreement with the National Guard Bureau to reimburse the City \$420,000 for the cost of designing a new fire station at the Airport.**

**Staff Resource:** Jerry Orr, Aviation

### **Explanation**

- The Air National Guard currently supplies the Airport fire station and a portion of the fire trucks under an "Operational Fire Protection Agreement" dated February 27, 2002, at no cost to the City.
- The station is staffed by 36 Charlotte Fire Department firefighters whose cost is paid from the Aviation Fund.
- The Airport's fire and rescue vehicles must be able to respond to the midpoint of the furthest runway within three minutes.
- An additional Airport fire station will be required to meet their response time when the new runway opens. There will be two fire stations at the Airport when the new runway opens.
- Under this agreement, the City will select an architect through a competitive qualifications based selection process, contract with the architect, and be reimbursed by the National Guard Bureau for architectural fees.
- After approval of the design, the National Guard Bureau will program the funds to construct the new station.

## 27. Airport Parking Deck Change Order

- Action:**
- A. Approve a change order to LS3P Associates, LTD of Charlotte in the amount of \$144,030 for changes to the Wilkinson Boulevard parking deck design contract, and**
  - B. Adopt a budget ordinance appropriating \$144,030 to be replaced with future General Airport Revenue Bond proceeds.**

**Staff Resource:** Jerry Orr, Aviation

### **Explanation**

- On April 23, 2007 City Council approved a professional services contract with LS3P Associates for the design of a 4,000 space parking deck on Wilkinson Boulevard.
- The new deck will supply additional parking spaces for the Airport's currently operating Business Valet service.
- The deck has been reduced in size to 3,200 spaces by eliminating the sub-basement level due to site conditions, to improve constructability, and to reduce cost and construction duration.
- The Design Team has determined that the 800 parking spaces to be deleted from the project can be provided more economically in the next parking decks to be built.
- This change order will provide for additional architectural and engineering services to modify the plans and specifications.

### **Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 3%

The City negotiated an SBE goal with LS3P Associates for this change order (Part C: Section 2.2 of the SBO Policy). LS3P Associates committed 3.00% (\$4,320) of this change order to the following SBE firm: Eye Design Studio, Inc.

### **Funding**

Airport Capital Investment Plan

### **Attachment 40**

Budget Ordinance

## 28. Supplemental Municipal Agreement for Relocation and Adjustment of Utility Lines

**Action:** Adopt a resolution authorizing the Transportation Key Business Executive to execute a Supplemental Municipal Agreement with the NC Department of Transportation for relocation and adjustment of water and sewer lines long West Catawba Avenue in the amount of \$104,926.12.

**Staff Resource:** Doug Bean, Utilities

### Explanation

- On October 8, 2007 Council approved a Municipal Agreement for the relocation and adjustment of municipally-owned water and sewer lines along West Catawba Avenue from Jetton Road to I-77, in the estimated amount of \$122,443.06.
- The Municipal Agreement was based on a cost estimate prepared by NCDOT.
- Actual bids came in \$104,926.12 over the estimate.
- Utilities is obligated to pay for the work, not based on the estimate, but on the actual bids.
- The format and cost sharing philosophy is consistent with past municipal agreements.

### Funding

Utilities Capital Investment Plan

### Attachment 41

Resolution

## 29. Digester Tank Cleaning for Waste Water Treatment Facilities

**Action:** Approve a contract for \$604,500 with Bio-Nomic Services, Inc. for digester tank cleaning for Charlotte-Mecklenburg Utilities at the Irwin Creek Waste Water Treatment Facility and Mallard Creek Waste Water Treatment Facility.

**Staff Resource:** Doug Bean, Utilities

### Explanation

- Digesters are large wastewater treatment units that break down solids removed from the wastewater. Digesters consist of a large tank where sludge is heated and mixed for an extended time period. Most of the bio-degradable solids are removed from the tanks for disposal through normal operation. Over time, however, there is an accumulation of non-degradable solids such as sand, grit, and plastics that build up in the bottom of the tanks and must be periodically removed by mechanical and manual means. There are six tanks at Irwin Creek and five at Mallard.

- The accumulated solids in the tanks at Irwin and Mallard Creek Plants currently take up about 9 - 12% of the useable volume of the tanks and have reached the level where the functionality of the tanks is significantly diminished.
- The digester tanks at Irwin Creek were last cleaned 10 years ago and those at Mallard seven years ago. This is consistent with industry standard recommendations for cleaning frequency.
- The bio-degradable material that has been treated and removed from the digesters through normal operation is land-applied to agricultural fields as a soil amendment. The non-biodegradable material that has accumulated and must be removed mechanically will be disposed of at an appropriate landfill. The landfill costs are included in the contract amount.

### **Selection Process**

- A Request for Proposals was issued on January 29, 2008 for Digester Tank Cleaning.
- The City received ten proposals on March 5, 2008, and held one month of evaluations.
- Selection criteria included:
  - Cleaning experience in digesters of similar size and nature
  - Safety and training practices of employees
  - Local management
  - Price
- Bio-Nomics' proposal was very complete and addressed all of the requirements listed in the Request for Proposals. It was also the most competitive price. They are a local company that has performed similar work in the past for the City. They have an impeccable safety record and the quality of their work is very good.

### **Importance of Cleaning**

- If the tanks are not cleaned, the build-up will continue to the point where the solids being treated in the digesters will not meet treatment quality regulations and the diminished treatment will reduce methane gas production from the units. If the quality requirements are not met, the material would have to be disposed of at a landfill which would increase disposal cost approximately \$120,000 per year above the cost to land-apply to agricultural land.
- Methane gas, a by-product of the treatment process, is recycled to heat the digester units. As the solids continue to build up in the tanks, methane production declines. Replacing the methane with natural gas for heating will add approximately \$45,000 per month to plant operating costs. The facilities are beginning to experience reduced methane production now.
- The accumulated solids have reached a level in the digester tanks where they are being drawn into the mechanical components (pumps, mixers, heat exchangers) of the digesters. This resulted in repair costs of \$120,000 at Irwin Creek last year and is expected to add another \$75,000 this year if the tanks are not cleaned. Similarly, additional repair and maintenance costs are also expected at Mallard if the tanks there are not cleaned.
- Based on the avoidance of additional operating and maintenance costs that will be incurred if the digesters are not cleaned, the cost of performing this cleaning project now will be recovered in less than two years.

**Small Business Opportunity**

No SBO goal was set for this contract because subcontracting opportunities are not anticipated. (Part C; Section 2.4 of the SBO Policy).

**Funding**

Utilities Capital Investment Plan

**30. Firefighting Foam Contract**

- Action:**
- A. Approve the purchase of F-603A Thunderstorm 3x3 Foam Concentrate without competitive bidding as authorized by the sole source exception of G.S. 143-129(e) (6),**
  - B. Approve a unit price contract with Williams Fire & Hazard Control for the purchase and freight of 265 gallon totes of F-603A Thunderstorm 3x3 Foam Concentrate in the estimated annual amount of \$220,000 for the term of five years.**

**Staff Resource:** Rich Granger, Fire

**Sole Source Exception**

- G.S. 143-129(e) (6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available; or
  - A needed product is available from only one source of supply; or
  - Standardization or compatibility is the overriding consideration.
- Williams Fire & Hazard Control is the manufacturer and sole distributor of this product.
- The City Council must approve purchases made under the sole source exception.

**Explanation**

- Williams Fire & Hazard Control is the manufacturer of F-603A Thunderstorm 3x3 Foam Concentrate and does not sell this product through distributors.
- This is the only foam manufactured to be fully compatible with firefighting foam currently in use.
- Compatibility is vital for both storage and use of the foam during emergencies.
- Purchase of non-compatible foam would require draining all the tanks and replacing all of the foam carried by 55 fire companies. This would cost approximately \$106,400.
- In a typical year, Fire purchases eight totes of foam. However, this number can fluctuate based on the need for foam at major incidents.
- Fire anticipates spending approximately \$41,000 in the first year of the contract for the firefighting foam. In each subsequent year the price will be adjusted based on the Consumer Price Index (CPI).

**Small Business Opportunity**

Contracts entered into without a competitive bidding/proposal process are exempt (Appendix Section 23.2 of the SBO Policy).

**Funding**

Fire Department Operating Budget

**31. Surveying Services for Capital Improvement Projects**

**Action:** Approve Amendment #2 with Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) in an amount not to exceed \$110,000 for surveying services.

**Staff Resource:** David Snider, Engineering & Property Management

**Contracts for surveying services**

- Typical surveying services contracts include but are not limited to: boundary, topographical, physical, and American Land Title Association Surveys, and construction staking.
- This amendment will provide additional funding for surveying services for ongoing Capital Improvement Projects.
- Projects impacted by this amendment include Neighborhood Improvement Program, Sidewalk, Roadway and Storm Water projects.

**Amendment #2 with PBS&J**

- The City Manager approved the original contract in an amount not to exceed \$90,000 on May 23, 2002.
- City Council approved Amendment #1 in an amount not to exceed \$210,000 on November 12, 2007.
- The total contract amount to date including Amendment #2 will be an amount not to exceed \$410,000.
- The hourly rate is competitive for similar contracts.
- This is the final amendment to this contract. The next contract will go through the Council approved professional services selection process.

**Small Business Opportunity**

All additional work involved in this amendment will be performed by Post, Buckley, Schuh & Jernigan, and their existing subconsultants. PBS&J has committed 3.00% (\$3,300) of this amendment (\$110,000) to the following SBE firms: Lyons Utility Locating, On Target Utility Locate, Independent Mapping Consultants, Inc. and Avioimage Mapping Services. This amendment complies with Part D: Section 6 of the SBO Program.

**Funding**

Transportation Capital Investment Plan

## 32. Police Central Division Lease Amendment

- Action:**
- A. Approve an amendment to the lease agreement between Bank of America and the City of Charlotte (CMPD) for upfit of the Central Division office at a cost not to exceed \$300,000, and**
  - B. Adopt a budget ordinance appropriating \$300,000 in police assets forfeiture funds to cover the city contribution to the project**

**Staff Resource:** Greg Crystal, CMPD

### **Explanation**

- CMPD leases office space for its Central Division from Bank of America in a building located at 119 East 7<sup>th</sup> Street.
- The department entered into the current lease in 2001.
- The leased space is in need of upfit and reconfiguration to accommodate the Central Division's expansion in personnel and equipment.
- Renovations will include reconfiguration of office workspace, improvements to locker rooms and restrooms, and additional storage space for equipment such as Segways.
- Total cost of the renovations is expected to be \$600,000. Bank of America and CMPD will share the cost of the renovations with each party contributing up to \$300,000.
- CMPD will pay its share of the renovations through assets forfeiture funds.
- All contracts associated with the renovations will be managed by Bank of America. CMPD will make periodic payments to Bank of America in accordance with the terms of the lease amendment.

### **Funding**

Police Assets Forfeiture Funds

### **Attachment 42**

Budget Ordinance

### 33. Vehicle Commissioning and Decommissioning Facility Lease

- Action:**
- A. Approve the lease of a one building that contains approximately 25,000 square feet at 115 Dwelle Street (PID 065-143-55) for use by Business Support Services for the commissioning of vehicles for two years and one optional year for a three year cost not to exceed \$150,000,**
  - B. Approve the leasing of land for outside storage of vehicles at 129 Dupree Street (PID 065-143-59) by BSS for a two year lease term with one optional year for three year cost not to exceed \$72,000, and**
  - C. Authorize the City Manager to execute the leases for both 115 Dwelle Street and 129 Dupree Street.**

**Staff Resource:** Chuck Robinson, Business Support Services

#### Explanation

- The Equipment Management Division (EMD) of Business Support Service (BSS) is responsible for commissioning all vehicles received and decommissioning of all vehicles to be disposed of by the City of Charlotte. Commission of vehicle involves the installation of decals, radio equipment, special lighting, and other equipment on new vehicles. Decommissioning is the removal of these same items prior to the equipment being sold through the City Asset Recovery and Disposal operation. This work is currently staged and performed largely at the Seigle Avenue Shop Facility.
- The commissioning and decommissioning work requires parking for up to 350 vehicles at certain times in the process cycle. In addition to this parking requirement, the maintenance activity of the Seigle Avenue Shop requires parking for up to 100 vehicles.
- EMD has seen a reduction in the number of parking spaces available for maintenance, commissioning and decommissioning activities due to the transfer of land to the Charlotte Housing Authority in support of the Piedmont Courts HOPE VI Program. EMD will lose another 100 parking spaces later this summer as construction on the new Solid Waste Administration building gets underway in the Central Yard area.
- Additionally, the Seigle Avenue Streetscape Project will be replacing the culvert under Seigle Avenue. This project will require easement area, further reducing the available parking space at the Seigle Avenue Shop. The Streetscape Project is scheduled to begin construction by 4<sup>th</sup> quarter 2008 and last approximately one year.
- Staff is currently in the process of conducting geotechnical analysis on land at the City's Irwin Creek wastewater facility to determine if it is a suitable location for the new light vehicle facility. If the location is suitable, design and construction of the facility will take over two years, which makes it necessary to find a temporary location.
- The building at 115 Dwelle Street has large enough doors and enough warehouse space to allow the commissioning and decommissioning of vehicles in a fully enclosed location. The facility will also greatly improve the effectiveness and efficiency of the installation and removal of telecommunications equipment from vehicles.

- While the building at 115 Dwelle Street has sufficient parking for staff, it does not have 350 parking spaces necessary for this process. Fortunately, the adjacent parcel at 129 Dupree Street has adequate land to store all the vehicles. Additionally, the site at 129 Dupree Street has excellent security, which includes two fences that surround the perimeter and monitored security cameras.
- In selecting this location:
  - Staff reviewed over 12 different sites and visited eight locations
  - The rent for the warehouse space at \$2 per square foot is well below market. Other comparable space \$4.50 per square foot.
  - Other locations did not have the level of security that these properties afforded without significant expenditures by the City
- On April 14 Council awarded a contract to Wireless Communications, Inc. to provide vehicle commissioning and decommissioning services.

### Funding

Business Support Services Operating Budget

## 34. Sale of Tyvola Road Parcel to P&L Coliseum, L.P.

**Action:** Adopt a resolution approving the contract for the sale of 5.557 acres on Tyvola Road across from Paul Buck Boulevard (a portion of Tax Parcel I.D. No. 143-133-01) to P&L Coliseum, L.P. (Pope & Land) for \$833,550 for the development of approximately 50,000 square feet of retail space.

**Staff Resource:** Eric Johnson, Engineering & Property Management

### Policy

"City Council will balance the benefits of the sale of any of its assets with other Council policies and goals." *Guidelines for Services and Contracting and Asset Management, July 25, 1994.*

### Explanation

- Pope & Land purchased 154± acres known as the Charlotte Coliseum from the City on March 29, 2006 for a mixed use development.
- Pope & Land has completed the master plan for their mixed use project. It will contain offices, retail, condominiums, townhouses, single-family attached and detached homes, a hotel, restaurants, and a YMCA. It will incorporate a three mile exercise trail around the development.
- During the master planning process, the 5.557 acres across Tyvola Road from the proposed "town square" came under review. The Planning Department supports development of this parcel in coordination with the Pope & Land project.
- The land surrounding this parcel has several uses including a Duke Energy substation, flood plain with major sanitary sewer outfall lines, the Renaissance Park golf course, and a County greenway.
- This parcel has been through mandatory referral process with the Planning Committee recommending approval of the proposed sale, under the condition that development of the portion to be privately developed (frontage portion) be approved with an appropriately designed mixed use (retail/office) development rather than the conventional retail/strip pad/highway-oriented development.

- The parcel has also been through the upset bid process resulting in the price of \$833,550 from Pope & Land. The sale price per acre is equivalent to the former coliseum land across the street.
- The terms of the contract allow for the development of five free standing buildings for retail and restaurant use and will close 30 days after Council approval.
- The proceeds from the sale will go to the Capital Program, in accordance with Council's policy on disposition of property.

### Attachment 43

Master plan for City Park  
 Survey of site  
 Mandatory Referral Report  
 Resolution

## 35. Property Transactions

**Action: Approve the following property transaction(s) (A-C) and adopt the condemnation resolution(s) (D-E).**

NOTE: Condemnation Resolutions are on file in the City Clerk's Office.

### Acquisitions

- A. Project:** Alexander Road Improvements, Parcel # 8  
**Owner(s):** Franklin E. Dilling, a/k/a F.E. Dilling And Wife, Geraldine R. Dilling  
**Property Address:** 6609 Gardner Lane  
**Property to be acquired:** 5,830 sq. ft. (.134 ac.) in Fee Simple, plus 4,498 sq. ft. (.103 ac.) in Existing Right-of-way, plus 667 sq. ft. (.015 ac.) in Sidewalk and Utility Easement, plus 1,055 sq. ft. (.024 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$15,440  
**Remarks:** Compensation was established by independent, certified appraisals related to this property.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 213-372-14  
**Total Parcel Tax Value:** \$247,600
- B. Project:** Conway/ Briabend Storm Drainage Capital Improvement Project, Parcel # 7  
**Owner(s):** Joseph Carr Turner  
**Property Address:** 4243 Firwood Lane  
**Property to be acquired:** 15,203 sq. ft. (.349 ac.) in Fee Simple (Total Acquisition)  
**Improvements:** House  
**Landscaping:** None  
**Purchase Price:** \$210,000  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.

**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 149-115-08  
**Total Parcel Tax Value:** \$114,500

- C. Project:** Southwest Water Trans. Main Phase B, Parcel # 2  
**Owner(s):** Cabarrus Pines, Inc.  
**Property Address:** 8028 Steele Creek Road  
**Property to be acquired:** 14,144 sq. ft. (.325 ac.) in Utility Easement, plus 9,069 sq. ft. (.208 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$25,575  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 141-111-98  
**Total Parcel Tax Value:** \$427,100

### Condemnations

- D. Project:** Beatties Ford Road 5400, Parcel # 1  
**Owner(s):** Delta's Of Charlotte, Inc And Any Other Parties Of Interest  
**Property Address:** 5408 Beatties Ford Road  
**Property to be acquired:** Total Combined Area of 3,654 sq. ft. (.084 ac.) of Sanitary Sewer Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$850  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-8MF (CD)  
**Use:** Multi Family  
**Tax Code:** 037-371-14  
**Total Parcel Tax Value:** \$107,800
- E. Project:** Beatties Ford Road 5400, Parcel # 3  
**Owner(s):** Ronald Lee Cummings And Any Other Parties Of Interest  
**Property Address:** 5308 Beatties Ford Road  
**Property to be acquired:** Total Combined Area of 1,834 sq. ft. (.042 ac.) of Sanitary Sewer Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$9,475  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 037-371-16

Total Parcel Tax Value: \$111,700

### 36. Meeting Minutes

- Action:** Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:
- March 24, 2008
  - March 26, 2008 Budget Retreat
  - April 7, 2008