

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, August 25, 2008

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

Item #	Page #	Title
10	6	Charlotte Area Transit System Fare Increase
13-D	9	Police and Miscellaneous Vehicles
13-E	10	Refuse Cab/Chassis and Truck Bodies
13-H	12	Police Metro Station
13-I	12	Airport Landscaping Maintenance Contract
13-J	13	Airport Overflow Parking Lot Paving
26	28	Airport Runway Project Change Order
27	29	Airport Taxiway Bridge Construction
28	30	Airport Jet Fuel Pipeline Relocation
29	30	Airport Runway Testing Services Contract
30	31	FAA Grant Amendment Acceptance
37	36	South Corridor Light Rail Project Bland Street Station Area – Common Area Improvements
38	37	Light Rail Vehicle Engineering for Additional Vehicles

CITY COUNCIL AGENDA
Monday, August 25, 2008

TABLE OF CONTENTS

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
5:00 P.M. Dinner Briefing Conference Center			
1.	Mayor and Council Consent Item Questions	1	
2.	Independence Boulevard Economic Development Grant	1	1
3.	2008 Market Research of City Services	2	
4.	Merger of Mayor's International Cabinet and Charlotte Sister Cities	2	
5.	Answers to Mayor and Council Consent Item Questions	2	
6:30 P.M. Citizens' Forum Meeting Chamber			
7:00 P.M. Awards and Recognitions Meeting Chamber			
Consent			
6.	Consent agenda items 13 through 42 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.	3	
Public Hearing			
7.	Public Hearing on General Obligation Bond Referendum	4	2
Policy			
8.	City Manager's Report	5	
9.	Vetoed Motion Regarding Belmont Retail Development	5	3
Business			
10.	Charlotte Area Transit System Fare Increase	6	4

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
11.	Appointments to Boards and Commissions	6	5
12.	Mayor and Council Topics	7	
Consent I			
13.	Various Bids	8	
	A. Fluoride	8	
	B. Aluminum Sulfate	9	
	C. Water and Sewer Service Tap Installations	9	
	D. Police and Miscellaneous Vehicles	9	6
	E. Refuse Cab/Chassis and Truck Bodies	10	
	F. Firefighting Turnout Gear Boots	11	
	G. Central Avenue at Eastland Mall Streetscape	11	
	H. Police Metro Station	12	
	I. Airport Landscaping Maintenance Contract	12	
	J. Airport Overflow Parking Lot Paving	13	
	K. Bus Shelters and Benches	13	
	L. Bus Shelter and Benches Installation and Repair	13	
	M. Concrete Pads for Bus Shelters and Benches	14	
14.	Refund of Business Privilege License Taxes	14	7
15.	In Rem Remedy	15	8-11
Consent II			
16.	Water and Sewer Revenue Bonds and Bond Anticipation Notes	17	12
17.	Airport Revenue Bonds	18	13
18.	Debt Issuance – Remarketing Agent Modification	18	14
19.	Amendment to Agreement with Law Firm in South Carolina vs. North Carolina Suit Over Water Rights	19	
20.	Vehicular Wayfinding Sign Design Services	20	
21.	Private Developer Funds Appropriation	21	15

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
22.	Charlotte Traffic Management Center Operations Guide	22	
23.	Fire Station #3 Renovations	23	
24.	Planning and Design Engineering Services for Neighborhood Improvement Projects	24	16
25.	Geotechnical and Construction Materials Testing for Street Maintenance Projects	27	
26.	Airport Runway Project Change Order	28	
27.	Airport Taxiway Bridge Construction	29	17
28.	Airport Jet Fuel Pipeline Relocation	30	
29.	Airport Runway Testing Services Contract	30	18
30.	FAA Grant Amendment Acceptance	31	19
31.	Federal Aviation Administration Office Lease	32	
32.	Governor's Highway Safety Program Resolution	32	20
33.	Federal Homeland Security Grant Distribution of Authorized Equipment	33	21
34.	Helicopter-Aquatic Rescue Team Grant	34	
35.	Auction Services	34	
36.	Supplemental Municipal Agreement for Relocation and Adjustment of Utility Lines	36	22
37.	South Corridor Light Rail Project Bland Street Station Area – Common Area Improvements	36	
38.	Light Rail Vehicle Engineering for Additional Vehicles	37	
39.	Authorization to Execute Transit Grants	38	23

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
40.	City Manager's Compensation	39	
41.	Property Transactions	40	
42.	Meeting Minutes	44	

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. Independence Boulevard Economic Development Grant

Resource: Tom Flynn, Economic Development

Time: 15 minutes

Synopsis

- Faison and Associates are developing a 155,000 square foot Wal-Mart on Independence Boulevard at Pierson Drive.
- City Council approved the rezoning for this project on May 15, 2006.
- This rezoning included constructing the beginning of the frontage road across this property from Pierson Drive, parallel to Independence Freeway, to the adjacent Coliseum Center Property (see attached site plan).
- This frontage road will help the eventual redevelopment of the Coliseum Center property by providing access to the Independence/Pierson Drive Interchange.
- This road is estimated to cost \$400,000.
- Faison has encountered significant environmental issues on the site and is currently working with the North Carolina Department of Environment, Health and Natural Resources on a Brownfield Agreement. Clean up costs have yet to be determined, but they will be significant.
- Faison and Associates request a \$500,000 Economic Development grant to assist with these costs.
- The funding source would be the Business Corridor Economic Development Fund.

Future Action

- Staff requests that City Council refer this issue to the Economic Development & Planning Committee for review and recommendation.

Attachment 1

Site Plan

3. 2008 Market Research of City Services

Resources: Kim McMillan, Corporate Communications
Keith Richardson, Corporate Communications

Time: 30 minutes

Synopsis

- Corporate Communications will provide an overview of citizens' perceptions related to the City of Charlotte's services, issues that are most important to citizens, sources of information for residents and use of customer service tools (311, online bill pay, park and pay and drive thru pay stations).
- Staff will share comparisons of ratings from 2004 to 2008. Staff will also explain how staff plans to use the research information to improve and communicate services.

Future Action

No action is necessary.

4. Merger of Mayor's International Cabinet and Charlotte Sister Cities

Resources: Dennis Marstall, Mayor's Office
Alan Gordon, Mayor's International Cabinet
Terri DeBoo, Charlotte Sister Cities

Time: 15 minutes

Synopsis

The Chairs of the Mayor's International Cabinet and Charlotte Sister Cities (two non profit corporations that are financial partners with the City) will highlight their proposal to merge the two corporations under a new name and board structure to better focus on a growing international Charlotte.

Future Action

The Council will be asked to support the merger of the two corporations at the September 8, 2008 Business Meeting.

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 13 through 42 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 General Obligation Bond Referendum



Action: A. Hold a public hearing on the adoption of bond orders authorizing the General Obligation Bond Referendum for November 4, 2008, and

B. Introduce each of the three bond orders and approve a resolution to authorize a General Obligation Bond Referendum including \$170,200,000 of Street Bonds, \$47,000,000 of Neighborhood Improvement Bonds and \$10,000,000 of Housing Bonds on November 4, 2008.

Staff Resource: Scott Greer, Finance
Joel Levy, Finance

Explanation

- On July 28, 2008 Council approved resolutions authorizing staff to proceed with actions necessary to conduct a general obligation bond referendum for these bonds. This is the second of three council actions required.
- These bond orders authorize the type and amount of bonds to be placed on the November 4, 2008 referendum ballot and will take effect when approved by the voters.
- These bond orders authorize a tax sufficient to pay annual principal and interest on the bonds and confirm that a sworn statement of the City's debt is on file with the City Clerk for public inspection. The existing tax rate adopted by Council in June 2008 is projected to be sufficient to pay debt service on these bonds when they are issued.
- The City's FY2009-2013 Capital Investment Plan includes projects to be funded by these bonds.
- The action does the following:
 - Introduction of bond orders for \$170,200,000 of Street Bonds, \$10,000,000 of Housing Bonds and \$47,000,000 of Neighborhood Improvement Bonds
- The third and final action will be City Council certifying the results of the bond referendum in November 2008.

Funding

Municipal Debt Service Fund

Attachment 2

Resolution

Referendum Schedule

POLICY

8. City Manager's Report

9. Vetoed Motion Regarding Belmont Retail Development



Action: Revote on motion to approve the Economic Development and Planning Committee recommendations to direct staff to:

1. Secure an option on Robert Lunn property at Parkwood Avenue and Pegram Street for appraised value of \$472,125, and
2. Engage Charlotte Mecklenburg Development Corporation (CMDC) in pre-development work to determine commercial/retail redevelopment feasibility for Parkwood and Pegram.

Committee Chair: John Lassiter

Staff Resource: Tom Flynn, Economic Development

Explanation

- At the July 28, 2008 City Council meeting, the motion referenced in the action item above passed by a seven to three vote.
- Council members Burgess, Foxx, Lassiter, Peacock, Mitchell, Barnes and Carter voted in favor of the motion. Council members Cooksey, Dulin and Turner voted against the motion. Council member Kinsey was absent for the vote.
- The Mayor vetoed the motion.
- By City Charter, the item is required to be on the agenda of the next regular or special meeting of Council. In order for such action to become effective, seven affirmative votes are required at this meeting.
- Veto Upheld:
 - If the vote on the motion is less than seven affirmative votes, the veto is upheld and the reimbursement agreement for the acquisition of the convenience stores is not approved.
- Veto Not Upheld:
 - If the motion receives seven or more affirmative votes, the reimbursement agreement for the acquisition of the convenience stores is approved.

Attachment 3

Belmont Retail Development Council Action from July 28, 2008

BUSINESS

10. Charlotte Area Transit System Fare Increase



Action: Adopt a budget ordinance appropriating \$2,099,450 in additional revenues to the Transit Fund as a result of increased transit fares, as approved by the Metropolitan Transit Commission.

Staff Resources: Keith Parker, Charlotte Area Transit System
Dee Pereira, Charlotte Area Transit System

Explanation

- On June 18, 2008 the Metropolitan Transit Commission (MTC) voted unanimously to raise the base rate by 20 cents (\$0.20) and other pass rates proportional to the base rate effective October 6, 2008.
- The significant increases in the cost of fuel in FY2008 over the prior year forced CATS to make a special request to raise the base fare. The increase will partially offset the impact on the budget from rising fuel costs.
- The MTC and Transit Services Advisory Committee (TSAC) held a public hearing on the fare increase on May 28, 2008. Ten citizens attended, nine spoke at the hearing and ten citizens sent email comments. Speakers included express bus riders, a monthly pass holder, and representatives from Metrolina Association for the Blind, Homeless Helping Homeless, and the Citizens Transit Advisory Committee. Comments varied as citizens voiced understanding of the burden of increasing fuel prices, concern for the fare increase's effect upon specific populations, concern with the level of services, suggestions to offset increasing fuel prices and the cost effectiveness of current transit options.
- According to the MTC's Fare Policy for CATS, a modest increase in fare levels is recommended every two years to ensure that fare revenues keep pace with inflation and reflect a fair-share contribution by riders to the costs of operating the transit system.
- City Council's role is to appropriate the funds.

Attachment 4
Budget Ordinance

11. Appointments to Boards and Commissions

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

A. PLANNING COMMISSION

- One appointment for an unexpired term beginning immediately and ending June 30, 2010.
 - Tracy Finch by Council member Mitchell
 - Greg Godley by Council member Kinsey
 - Christopher M. Olds by Council member Burgess
 - David Romero by Council member Dulin
 - Leigh W. Rounds by Council member Lassiter
 - Claire Fallon by Council members Foxx and Lassiter

Attachment 5
Applications

12. Mayor and Council Topics

Council members may share information and raise topics for discussion.

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.

CONSENT I

13. Various Bids

A. Fluoride

CMU

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$412,000 by LCI, Ltd., for a term of one year and authorize the City Manager to renew the contract for two additional one year terms with possible price adjustments as authorized by the contract. This is a unit price contract for the supply of fluoride (fluorosilicic acid), used in water treatment.

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. Aluminum Sulfate **CMU**

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$1,094,800 by Alchem, Inc., for a term of one year and authorize the City Manager to renew the contract for two additional one year terms with possible price adjustments as authorized by the contract. This is a unit price contract for the supply of aluminum sulfate, used in water treatment.

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).

C. Water and Sewer Service Tap Installations **CMU**

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$103,600 by Dallas 1 Construction LLC, for construction of sanitary sewer and water service tap installations at 1312 and 1321 College Street for new residential buildings.

Small Business Opportunity

Under the revised SBO Policy, construction contracts under \$200,000 are considered informal with regard to the SBE subcontracting goal setting process, therefore establishing SBE goals are not required (Appendix Section 29.1 of the SBO Policy).

D. Police and Miscellaneous Vehicles **CMPD**

Staff Resources: Rick Smith, Charlotte-Mecklenburg Police
Mehl Renner, Business Support Services

Action

Award low bid unit price contracts to the following vendors for Items #1 through #7 for the term of one year and authorize the City Manager to renew each contract for two additional one year terms with possible price adjustments as authorized by the contract. Most of these items are used by the Charlotte-Mecklenburg Police Department for law enforcement duties. Otherwise, vehicles under contract are for potential use by all key business units. The total expenditure will depend on the approved capital outlay for FY2009 and beyond for subsequent contract terms.

Item	Description, Vendor Awarded	Low Bid Amount
1.	Ford Crown Victoria / Police Benson Ford Mercury	\$22,697
2.	Chevrolet Impala / Police Parks Chevrolet	\$20,055
3.	Animal Control Van / Police Parks Chevrolet	\$35,317
4.	Chevrolet Tahoe Parks Chevrolet	\$29,775
5.	Mid-Size 4-Door Sedan / Standard Gas Parks Chevrolet	\$18,319
6.	Mid-Size 4-Door Sedan / Hybrid Parks Chevrolet	\$23,448
7.	Ford Escape SUV / Standard Benson Ford Mercury	\$17,869

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).

Attachment 6

Questions and Answers Police and Miscellaneous Vehicles

E. Refuse Cab/Chassis and Truck Bodies SWS

Staff Resources: Victoria Garland, Solid Waste Services
Mehl Renner, Business Support Services

Action

Award low bid unit price contracts to the following vendors for Items #1 through 4 for the term of one year and authorize the City Manager to renew each contract for two additional one year terms with possible price adjustments as authorized by the contract. These items of equipment are used by Solid Waste Services for refuse pickup requirements. The FY2009 expenditure is expected to be \$2,233,440 for six automated and six rear loader trucks in need of replacement due to high operational maintenance costs. The bid also includes two automated and two rear loader trucks for the proposed 2009 annexation. The delivery lead time is 210 days for the complete unit of both types of refuse trucks.

Item	Description, Vendor Awarded	Low Bid
1.	Automated Cab and Chassis Mack Truck of Charlotte	\$112,750
2.	Rear Loader Cab and Chassis Charlotte Truck Center	\$112,509
3.	Automated Body McNeilus Companies	\$83,986
4.	Rear Loader Body Amick Equipment Co., Inc.	\$62,995

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).

F. Firefighting Turnout Gear Boots Fire

Staff Resource: Rich Granger, Fire
Genetta Carothers, Business Support Services

Action

Award the low bid unit price contract to Municipal Emergency Services for providing firefighting turnout gear boots to the Charlotte Fire Department for a term of one year and authorize the City Manager to renew up to four additional one year terms with possible price adjustments as authorized by the contract. The anticipated annual expenditure is \$44,047.80.

The Charlotte Fire Department requires firefighting turnout gear boots as personal protection for firefighters entering a fire. New and replacement boots are needed as a result of 36 approved new positions and replacing 1/8 of the boots based on an eight year replacement cycle. Extra boots are stored at the Logistics Warehouse.

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).

G. Central Avenue at Eastland Mall Streetscape EPM

Staff Resource: Keith Carpenter, Engineering & Property Management

Action

Award the low bid of \$1,503,723.26 by Gelder-Thompson Contracting, Grading, Paving and Utilities LLC. This project will continue streetscape improvements along Central Avenue between Sharon Amity and Reddman Road to supplement CATS Eastland Community Transit Center and existing businesses in the area. The work includes traffic control; grading and drainage; concrete curb, driveways, wheelchair ramps, traffic

islands; electrical conduit and pull boxes, water system adjustments and relocations; asphalt milling and paving and pavement marking lines and symbols. Construction completion is scheduled for fourth quarter of 2009.

Small Business Opportunity

Established SBE Goal: 9.0%

Committed SBE Goal: 15.8%

Gelder-Thompson committed 15.8% (\$238,197.70) of the total contract amount to the following SBE firm(s): ACS Pavement Markings Inc. (\$21,270.70) and R.E. Sifford Utility Inc. (\$216,927).

H. Police Metro Station Police

Staff Resource: Bruce Miller, Engineering & Property Management

Action

Award the low bid of \$2,850,623.71 by Ike's Construction, Inc. This project consists of construction of the new 11,837 square feet police station on Beatties Ford Road. Construction completion is scheduled for first quarter 2010.

Small Business Opportunity

Established SBE Goal: 10%

Committed SBE Goal: 11.39%

Ike's Construction Inc. committed 11.39% (\$309,357) of the total contract amount to the following SBE firms: Bobby's Painting Co. Inc., James Seals & Stripes, Inc., Cochrane Steel Industries, Inc., C & R Janitorial Service, B & G Waterproofing Inc., Stuart Page Company, Inc., Reliable Woodworks, Inc., Concrete Pumping of Concord and Gastonia Iron Works.

I. Airport Landscaping Maintenance Contract Airport

Staff Resource: Jerry Orr, Airport

Action

Award the low bid of \$1,420,000 to Valleycrest Landscape Maintenance. Valleycrest will provide all equipment and personnel to maintain the landscaping at the Airport Terminal, FBO area and the offsite properties that have been acquired through the land acquisition program. The contract period is 40 months. The contract allows the City to terminate, without cause, with seven days notice.

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).

Funding

Airport Operating Budget

J. Airport Overflow Parking Lot Paving Airport**Staff Resource:** Jerry Orr, Airport**Action**

Award the low bid of \$228,850 by Blythe Construction, Inc. to pave a portion of the 4,000 space overflow parking lot. This space is needed to accommodate the operation during construction of the Business Valet Parking Deck at the corner of Wilkinson Boulevard and Harlee Avenue.

Small Business Opportunity

The project cost was estimated to be less than the formal construction threshold of \$200,000, so an informal bid process was conducted and a SBE goal was not established (Appendix Section 29.1 of the SBO Policy). Subsequent to the bid opening, however, Blythe Construction committed 6.00% (\$13,731) to the following SBE: AllPoints Trucking.

K. Bus Shelters and Benches CATS**Staff Resource:** Jim Zingale, CATS**Action**

Award the low bid of \$160,140 to Brasco International, Inc., on a unit cost basis for an estimated annual sum of \$160,140 for approximately 20 bus shelters and benches. These bus shelters will be used for enhancement of bus stops in accordance with CATS' objective to improve the quality of its transportation services. Authorize the City Manager to renew the agreement with possible price adjustments for up to four, one year renewals and to amend or terminate the contract on behalf of the City.

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).

L. Bus Shelter and Benches Installation and Repairs CATS**Staff Resource:** Jim Zingale, CATS**Action**

Award the low bid of \$62,751 to Little Mountain Builders, on a unit cost basis, for an estimated annual sum of \$62,751. The contractor will install approximately 20 shelters and benches and provide various repair services to an estimated six shelters and five benches in one year. The bus shelters will be used for future enhancement of bus stops in accordance with CATS' objective to improve the quality of its transportation services. Repair work will be necessary to maintain passenger amenities in good condition, and prolong the life of existing shelters and

benches. Authorize the City Manager approve up to four, one year renewals and to amend or terminate the contract on behalf of the City.

Small Business Opportunity

Informal contracts are not subject to establishing SBE subcontracting goals, and are considered exempt contracts. (Appendix Section 23.1 of the SBO Policy) Over 30 construction and construction related certified small businesses enterprises (SBEs), and two minority contractors associations (Metrolina Minority Contractors Association and Hispanic Contractors Association of the Carolinas) were notified of the invitation to bid one month to two weeks before the bid opening. A SBE was present at the pre-bid meeting. No SBEs submitted a bid for this contract.

M. Concrete Pads for Shelters and Benches CATS

Staff Resource: Jim Zingale

Action

Award the low bid of \$183,250 to Eagle Wood, Inc., on a unit cost basis for an estimated annual sum of \$183,250. These concrete pads are for the bus shelters and benches that will be used for future enhancement of bus stops in accordance with CATS' objective to improve the quality of its transportation services. Authorize the City Manager to approve up to four, one year renewals and to amend or terminate the contract on behalf of the City.

Small Business Opportunity

Under the revised SBO Policy, construction contracts under \$200,000 are considered informal with regard to the SBE subcontracting goal setting process, therefore establishing SBE goals are not required (Appendix Section 29.1 of the SBO Policy). However, over 30 construction and concrete certified small businesses enterprises (SBEs), and two minority contractors associations (Metrolina Minority Contractors Association and Hispanic Contractors Association of the Carolinas) were notified of the invitation to bid one month to two weeks before the bid opening. A SBE was present at the pre-bid meeting. No SBEs submitted a bid for this contract.

14. Refund of Business Privilege License Taxes

Action: Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$4,457.58.

Staff Resource: Teresa Smith, Finance

Attachment 7

Resolution
List of business license refunds

15. In Rem Remedy

For In Rem Remedy #A-E, 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.

Complaint:

- A. 922 Woodside Avenue (Neighborhood Statistical Area 46 – Villa Heights Neighborhood)

Field Observation:

- B. 217 S. Cloudman Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)
- C. 7109-11 Old Statesville Road aka 4800 Henderson Circle (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood)
- D. 7109-23 Old Statesville Road aka 4800 Henderson Circle (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood)

Complaint:

A. 922 Woodside Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 922 Woodside Avenue (Neighborhood Statistical Area 46 – Villa Heights Neighborhood).

Attachment 8

Field Observation:

B. 217 S. Cloudman Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 217 S. Cloudman Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

Attachment 9

C. 7109-11 Old Statesville Road aka 4800 Henderson Circle

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 7109-11 Old Statesville Road aka 4800 Henderson Circle (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood).

Attachment 10

D. 7109-23 Old Statesville Road aka 4800 Henderson Circle

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 7109-23 Old Statesville Road aka 4800 Henderson Circle (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood).

Attachment 11

CONSENT II

16. Water and Sewer Revenue Bonds and Bond Anticipation Notes

- Action:**
- A. Adopt the bond order authorizing the issuance of up to \$350 million of Water and Sewer System Revenue Bonds and re-authorization of the \$400 million Water and Sewer System Revenue Bond Anticipation Note program, and**
 - B. Authorize the approval, execution and delivery of various documents in connection with the issuance of up to \$350 million Water and Sewer System Revenue Bonds and the re-authorization of up to \$400 million Water and Sewer System Commercial Paper Revenue Bond Anticipation Notes.**

Staff Resources: Scott Greer, Finance
Joel Levy, Finance

Explanation

- On July 28, 2008 Council approved application to the Local Government Commission and set the financing team for the issuance of Water and Sewer Revenue Bonds and reauthorization of the Water and Sewer Commercial Paper Revenue Bond Anticipation Notes program.
- This is the second and final action required to complete the transaction which:
 - Authorizes the bond order
 - Provides for the sale of the revenue bonds
 - Provides for sale of new bond anticipation notes
 - Sets forth the terms and conditions upon which the revenue bonds and bond anticipation notes are to be issued
 - Approves necessary matters in connection with the issuance, sale and delivery of the bond anticipation notes
- The Series Indenture document, which binds the City to repay the debt, is available with the City Clerk or can be provided electronically.

Funding

Water and Sewer Revenue Bond Debt Service Fund

Attachment 12

Resolution
Bond Order

17. Airport Revenue Bonds

Action: Adopt a resolution setting a public hearing for September 22, 2008 regarding the issuance of up to \$287,095,000 in Airport Revenue Bonds for Airport Capital Investment Projects and refunding of 1993A and 1997A Revenue Bonds.

Staff Resources: Scott Greer, Finance
Joel Levy, Finance
Jerry Orr, Airport

Explanation

- This action is the first of three to approve the issuance of up to \$287,095,000 in Airport Revenue Bonds.
- Debt is being considered to:
 - Fund \$182,910,000 in new capital investment initiatives
 - Refund \$62,100,000 in 1993A Airport Revenue Bonds from a variable rate to a fixed rate issue
 - Refund \$42,085,000 in 1997A Airport Revenue Bonds from a variable to a fixed rate issue
- Repayment of this debt will be solely from Airport Revenues.
- The resolution sets a public hearing for September 22, 2008.
- The next action will be City Council's approval to issue the revenue bonds (September or October 2008).

Attachment 13

Resolution

18. Debt Issuance - Remarketing Agent Modification

Action: Adopt a resolution:

- A. Authorizing the City Finance Director to change the remarketing agents from UBS (Union Bank of Switzerland) for the following previously issued debt instruments:
 - 2007B Airport Revenue Bonds
 - 2004B Transit COPS
- B. Approve Bank of America as the remarketing agent for 2007B Airport revenue bonds, and
- C. Approve Merrill Lynch as the remarketing agent for the 2004B Transit COPS.

Staff Resource: Scott Greer, Finance
Joel Levy, Finance

Explanation

- UBS (Union Bank of Switzerland), the lead underwriters for Airport and Transit, has announced it is exiting the municipal securities market.
- The UBS transportation underwriting team, which was chosen through a competitive process, has relocated to Merrill Lynch.

- The City has two issues of existing variable rate debt (one airport and one transit) being remarketed by UBS which must be now placed with another bank.
- The 2007B Airport Revenue Bonds will be remarketed by Bank of America, who was chosen as Co-Senior Manager in the 2007 competitive selection process and who will remarket all current variable rate airport bonds.
- The 2004B Transit COPS will be remarketed by Merrill Lynch, and they will assume the role of primary Transit underwriter with the same staff that worked with the City from UBS.

Funding

Airport Revenue
Transit Debt Service

Attachment 14

Resolution

19. Amendment to Agreement with Law Firm in South Carolina vs. North Carolina Suit Over Water Rights

Action: Approve amendment to the Agreement for Professional Services with the law firm of Hogan & Hartson to represent the City of Charlotte's interests in the law suit filed by South Carolina against North Carolina over water rights in the Catawba River increasing the cost ceiling to \$1,800,000.

Staff Resource: Mac McCarley, City Attorney's Office

Explanation

- South Carolina's water rights suit against North Carolina before the United States Supreme Court alleges that North Carolina is using more than its fair share of the water from the Catawba River. One of three examples cited in South Carolina's suit of improper water use is North Carolina's approval of an inter-basin transfer of water from the Catawba by Charlotte of up to 33 million gallons per day. Under long standing case law, the US Supreme Court has the authority to hear and resolve disputes between states over water rights in rivers that flow from one state into another.
- Council approved retaining the law firm of Hogan & Hartson to represent the City in this suit on January 11, 2008 with a not to exceed amount of \$400,000.
- The City has been allowed to join the suit as a party. Duke Energy and the Catawba River Water Supply Project have also been allowed to intervene.
- The costs of taking an active role in this litigation have been substantial to date and are expected to continue at a significant level. This amendment increases the cost ceiling under this agreement by \$1,400,000, which is the estimated amount of legal expenses for the current fiscal year. Legal expenses in any litigation are difficult to estimate, particularly in a suit as complicated and as contentious as this one. Updates on the litigation will be provided as the litigation progresses and as the cost ceiling is approached in the amended professional services agreement with Hogan & Hartson.

Small Business Opportunity

Legal services are not subject to establishing SBE subcontracting goals and are considered exempt contracts (Appendix Section 23.9 of the SBO Policy).

Funding

The Renovation of Utilities Administrative Offices (5100 Brookshire Boulevard) Capital Investment Plan project will be delayed and the funds will be used to pay the legal fees.

20. Vehicular Wayfinding Sign Design Services

Action: Approve an agreement with 212 Harakawa, Inc. for schematic design services for Vehicular Wayfinding Signs in Center City for \$376,500.

Staff Resources: Jim Kimbler, Transportation

Explanation

- This agreement provides design services for Center City Parking and Wayfinding Signs. The project goal is to efficiently direct motorists to parking for venues while improving traffic flow and air quality.
- Vehicular Wayfinding Signage is the second phase of the Center City Parking and Wayfinding System. The first phase was pedestrian wayfinding.
- 212 Harakawa, Inc. will provide schematic design services for the vehicular directional signs begun during the pedestrian wayfinding design process, including vehicular directional signage, electronic parking signage and NCDOT Wayfinding signage.

History

- The Request for Proposals in 2005 for design of a Center City Wayfinding System included a provision to retain the Design Team to assist in the design and installation of the vehicular wayfinding system.
- The initial contract was executed July 31, 2006 for Center City Pedestrian Wayfinding Signs following consultant selection through the request for proposal process in 2005. The total contract amount of \$149,330 included one amendment.
- City Council received a project overview on April 9, 2007 and then approved a contract for fabrication and installation of pedestrian wayfinding signs on May 29, 2007.

NCDOT Business Opportunity

Established NCDOT DBE/WBE Goal: 5.00%

Committed NCDOT DBE/WBE Goal: 6.64%

The consultant, 212/Harakawa Inc., exceeded the NCDOT DBE/WBE goal and committed 6.64% (\$25,000) of the total contract amount to the following firms: Brinkley Design (\$10,000) and DAWA Inc. (\$15,000).

Funding

NCDOT Congestion Mitigation and Air Quality Municipal Agreement: Center City Parking and Wayfinding System (80% federal and 20% state funds)

21. Private Developer Funds Appropriation

Action: Adopt a budget ordinance appropriating \$301,000 in Private Developer Funds for Traffic Signal Improvements.

Staff Resource: Liz Babson, Transportation

Explanation

- The budget ordinance estimates and appropriates \$301,000 in private developer funding for traffic signals and work associated with developer projects. The funding is restricted to these projects.
- The following developers are fully funding traffic signal installations/improvements to mitigate traffic impacts around their respective development projects:
 - UNC Charlotte contributed \$122,500 for the installation of a traffic signal and mast arms at the intersection of Mallard Pointe Shopping Center, UNCC Driveway and N. Tryon Street.
 - Mallard Pointe Associates, LLC, contributed \$142,500 for the installation of a traffic signal and mast arms at the intersection of Mallard Pointe Shopping Center, UNCC Driveway and N. Tryon Street.
 - Ashley Court Apartments, LLC, contributed \$10,000 for the installation of a traffic signal at the intersection of Berkeley Place Drive and Mallard Creek Church Road.
 - Pinnacle Point LLC, contributed \$10,000 for the installation of a Traffic signal at the intersection of Berkeley Place Drive and Mallard Creek Church Road.
 - Cedar Walk Condominiums, LLC, contributed \$16,000 to fund a traffic signal modification at the intersection of Ardrey Kell and Marvin Road.
- The above signals meet the same criteria as other traffic signals approved by the City.
- Payments made by the developer are in response to estimates of work prepared by CDOT and supplied to the developer.
- CDOT will install and operate these new signals as part of the existing signal systems in the area.

Funding

Developer Contributions

Attachment 15

Budget Ordinance

22. Charlotte Traffic Management Center Operations Evaluation

Action: Approve a professional services contract in the amount of \$153,500 with Grice & Associates, Inc. for the evaluation of the Charlotte Traffic Management Center, and development of an operations guide.

Staff Resource: Brian Fowler, Transportation

Explanation

- CDOT conducted a request for qualifications process to enlist the services of a consultant with national experience in traffic management center design and operations to evaluate Charlotte's Traffic Management Center (CTMC), and produce an operations guide. The selection committee evaluated five consultants, interviewed three, and selected Grice & Associates, Inc. to perform this work.
- The CTMC is the City's nerve center for its Intelligent Transportation Systems, and also critical to regional Traffic Incident Management in cooperation with the Metrolina Regional Traffic Management Center. Its primary functions are:
 - Traffic observation using traffic management cameras
 - Collection and dissemination of traffic information
 - Signal system timing adjustments to mitigate the impacts of incidents and events
- Both the City and the State are rapidly expanding infrastructure and improving technology that will allow much greater opportunities for traffic information and management than have existed in the past.
- Achieving the effectiveness of traffic management that the City desires will require that operators perform complex evaluation/decision/action processes within minutes.
With the impending expansion and capabilities of the City's and State's combined infrastructure and systems, decision support tools are absolutely necessary for CTMC operators. This project will develop a desktop reference, or guide for operators, and accompanying tools for use in incident mitigation. The use of a guide and tools by operators will ensure timely, effective and consistent actions for traffic management, which reduces congestion and accidents.

Small Business Opportunity

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). On this contract, no SBEs were selected as part of the overall consultant project team.

Funding

Transportation Capital Investment Plan

23. Fire Station #3 Renovations

Action: **A. Reject the low bid from R. Black & Associates, LLC for failure to comply with the Small Business Program Policy, and**

B. Award the construction contract for Fire Station #3 Renovations to Book Construction, Inc. for \$316,395.60.

Staff Resources: Rich Granger, Fire
 Bruce Miller, Engineering & Property Management

Explanation

- Fire Station #3 is located at 6512 Monroe Road and was built in 1974.
- This project includes constructing an exercise facility (1,100 square feet), bathroom and shower for females, and bringing this older station's mechanical and electrical systems up to current standards in size and function.
- Firefighters are required to pass a physical fitness requirement each year which requires an appropriate fitness program. The exercise facility allows firefighters to exercise and remain close to the fire truck for emergency response.
- Providing separate and adequate bath facilities for females protects the City from employment discrimination claims.
- City Council approved funding for renovation for existing Fire Stations in FY2005.
- Construction completion is scheduled for second quarter of 2009.

Reject the Low Bid from R. Black & Associates, LLC

- Reject the low bid of \$308,372 from R. Black & Associates, LLC.
- R. Black & Associates, LLC failed to meet the SBE utilization goal and good faith efforts of the Small Business Development Program established for this project.

Award the construction contract to Book Construction, Inc.

- Award the construction contract to Book Construction, Inc. as the lowest responsive and responsible bidder.

Summary of Bids

R. Black & Associates, LLC	\$308,372.00
Book Construction, Inc.	\$316,395.60
H & H Remodeling, LLC	\$327,600.00
H.C. Rummage General Contractor	\$348,600.00
MV Momentum Construction, LLC	\$354,000.00
Ponder & Co., Inc.	\$399,600.00
Camp's Construction Company	\$419,016.00

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 12.86%

Book Construction, Inc. exceeded the SBE established goal and committed 12.86% (\$40,700) to the following SBE firms: Controlled Climate HVAC, Inc. and Gastonia Iron Works.

Funding

Government Facilities Capital Investment Plan

24. Planning and Design Engineering Services for Neighborhood Improvement Projects

- Action:** Approve engineering services contracts using 2006 voter-approved Neighborhood Improvement Bonds with:
- A. US Infrastructure of Carolina, Inc. (USI) in the amount of \$388,062 for design services for the York/Cama Neighborhood Improvement Project,
 - B. Gannett Fleming in the amount of \$382,232 for design services for the Lincoln/Wilson Heights Neighborhood Improvement Project,
 - C. Gannett Fleming in the amount of \$149,860 for planning services for the McCrorey Heights Neighborhood Improvement Project,
 - D. US Infrastructure of Carolina, Inc. (USI) in the amount of \$427,674 for design services for the Colonial Village/Sedgefield Neighborhood Improvement Project,
 - E. Kimley-Horn and Associates, Inc. in the amount of \$305,329 for design services for the Eastway-Sheffield Neighborhood Improvement Project,
 - F. Kimley-Horn and Associates, Inc. in the amount of \$212,808 for design services for the Farm Pond Neighborhood Improvement Project,
 - G. Kimley-Horn and Associates, Inc. in the amount of \$184,159 for design services for the Delta Lake Neighborhood Improvement Project,
 - H. US Infrastructure of Carolina, Inc. (USI) in the amount of \$137,400 for planning services for the Eastwoods Neighborhood Improvement Project,
 - I. US Infrastructure of Carolina, Inc. (USI) in the amount of \$400,926 for design services for the Tryon Hills Neighborhood Improvement Project,
 - J. Turnbull/Sigmon Design, PA in the amount of \$159,600 for planning services for the Shannon Park Neighborhood Improvement Project,
 - K. Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) in the amount of \$333,000 for design services for the Newell-South Neighborhood Improvement Project, and
 - L. URS Corporation – North Carolina (URS) in the amount of \$158,988 for planning services for the Shamrock Gardens Neighborhood Improvement Project.

Staff Resource: Carl Jarrett, Engineering and Property Management

Explanation

- This item awards 12 professional services contracts – four for planning and eight for design. The funding for these contracts was included in the 2006 Neighborhood Improvement Bonds. These funds allow for advance planning/design, reducing the wait time for project implementation. The approach is similar to the roads program and the three year vote to drive. Below is a summary of the Neighborhoods and Bond Year for construction.

CONSULTING FIRM	NEIGHBORHOOD	BOND YEAR FOR CONSTRUCTION FUNDING
USI	York Cama	2006
Gannett Fleming	Lincoln/Wilson Heights	2008
Gannett Fleming	McCrorey Heights	2008
USI	Colonial Village/Sedgefield	2008
Kimley-Horn	Eastway-Sheffield	2008
Kimley-Horn	Farm Pond	2010
Kimley-Horn	Delta Lake	2010
USI	Eastwoods	2010
USI	Tryon Hills	2010
Turnbull/Sigmon	Shannon Park	2010
PBS&J	Newell-South	2010
URS	Shamrock Gardens	2010

- The Neighborhood Improvement Program provides infrastructure improvements such as curb and gutter, sidewalk, storm drainage, street resurfacing and street trees.

Planning Phase Engineering Services for Neighborhood Improvement Projects

- Nineteen consulting firms submitted qualification packages to provide engineering services for the neighborhood projects. Chosen firms were selected pursuant to a Council approved qualifications-based selection process performed in accordance with NC State General Statutes.
- The four planning contracts will include a review of existing infrastructure and identify alternatives for roadway and pedestrian improvements by conducting a series of public meetings and developing conceptual plans, planning reports and cost estimates.
- The planning phase is expected to last nine to 12 months.

Design Phase Engineering Services for Neighborhood Improvement Projects

- On May 14, 2007, Planning Phase contracts were approved for 14 Neighborhood Improvement Projects. Planning phase work is now either completed or nearing completion. The eight design phase contracts are the third and final group of several design phase contracts that have been presented to Council for approval over the past several months.
- The chosen firms were selected pursuant to a Council approved qualifications-based selection process performed in accordance with NC State General Statutes.
- These design contracts will carry forward the planning phase work. Deliverables include 50%, 70%, 90% and 100% Design Plans for each neighborhood.

- The design phase is expected to last 12 to 18 months. Allowances for real estate and construction phase assistance activities are also included in the contract.

Small Business Opportunity

York/Cama Neighborhood Improvement

The City negotiated an SBE goal with USI after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). USI committed 3.01% (\$11,690) of the total contract amount to the following SBE firm: Utility Coordination Consultants, Inc.

Lincoln/Wilson Heights Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). On this contract, no SBEs were selected as part of the overall consultant project team.

McCrorey Heights Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). Gannett Fleming included SBEs on their project team; however the work to be completed by the Consultant in this phase will not require the services of those SBEs.

Colonial Village Neighborhood Improvement

The City negotiated an SBE goal with USI after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). USI committed 2.73% (\$11,690) of the total contract amount to the following SBE firm: Utility Coordination Consultants, Inc.

Eastway-Sheffield Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). Kimley-Horn included SBEs on their project team; however the work to be completed by the Consultant in this phase will not require the services of those SBEs.

Farm Pond Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). Kimley-Horn included SBEs on their project team; however the work to be completed by the Consultant in this phase will not require the services of those SBEs.

Delta Lake Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). Kimley-Horn included SBEs on their project team; however the work to be completed by the Consultant in this phase will not require the services of those SBEs.

Eastwoods Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). USI included SBEs on their project team; however the work to be completed by the Consultant in this phase will not require the services of those SBEs.

Tryon Hills Neighborhood Improvement

The City negotiated an SBE goal with USI after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). USI committed 2.92% (\$11,690) of

the total contract amount to the following SBE firm: Utility Coordination Consultants, Inc.

Shannon Park Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). Turnbull/Sigmon included SBEs on their project team; however the work to be completed by the Consultant in this phase will not require the services of those SBEs.

Newell-South Neighborhood Improvement

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). PBS&J included SBEs on their project team; however the work to be completed by the Consultant in this phase will not require the services of those SBEs.

Shamrock Gardens Neighborhood Improvement

The City negotiated an SBE goal with URS after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). URS committed 21.99% (\$34,977) of the total contract amount to the following SBE firm: Neighboring Concepts, PLLC.

Funding

2006 Neighborhood Improvement Bonds

Attachment 16

Map of neighborhoods

25. Geotechnical and Construction Materials Testing for Street Maintenance Projects

- Action:**
- A. Approve a contract with Terracon Consultants, Inc. in the amount of \$150,000 for geotechnical and construction materials testing services, and**
 - B. Authorize the City Manager to execute two renewals in the amount of \$150,000 each.**

Staff Resources: Bong Vang, Engineering & Property Management
Jeff Black, Transportation

Explanation

- This contract provides geotechnical engineering and construction materials testing services on various Street Maintenance Projects. These projects include the resurfacing, curb and concrete replacement, and annexation projects.
- Testing services are provided to ensure contract specifications are met.
- The materials tested include soil, asphalt, and concrete being utilized on City projects.

Contract with Terracon Consultants, Inc.

- Terracon Consultants, Inc. was selected in June 2008, pursuant to a Council approved qualifications-based selection process performed in accordance with NC State General Statutes.

- Terracon was selected as the most qualified of 18 firms which responded to the City's Request for Qualifications.
- The City may renew the contract up to two times in the amount of \$150,000.
- The renewals are the City's option as an incentive to the Consultant for good performance.

Small Business Opportunity

Terracon Consultants, Inc. listed in their proposal the following SBEs as supporting team members: Red Dog Drilling and On Target Utility Locate Services, Inc. Terracon will utilize these SBEs for each work order as this project evolves (Part C: Section 2.2 of the SBO Policy).

Funding

Street Maintenance – Powell Bill Fund

26. Airport Runway Project Change Order

Action: Approve change order #4 with E.S. Wagner Company, LLC in the amount of \$1,468,699.31 for additional work on the Third Parallel Runway.

Staff Resource: Jerry Orr, Airport

Explanation

- In February 2007 Council approved a contract with E.S. Wagner in the amount of \$43,626,829 for the grading of the new runway.
- In August 2007 Council approved Change Order #1 in the amount of \$3,514,989 which allowed the Airport to expedite the paving of Wallace Neel Road and provided for additional clearing and erosion control modifications.
- In January 2008 Council approved Change Order #2 in the amount of \$1,585,744 which provided funding for additional clearing around the runway to improve line of sight from the Air Traffic Control Tower, additional pavement for the relocation of Wallace Neel Road and payment for fuel escalation.
- In May 2008 Council approved Change Order #3 in the amount of \$2,099,884 which provided funding for constructing a road to the future airfield electrical vault, additional erosion control measures and maintenance, and payment for fuel escalation.
- As with the other change orders, this change order takes advantage of favorable bid pricing due to the large quantities in contract and facilitates an expedited runway construction schedule.
- Change Order #4 includes:
 - Additional clearing for navigational aid lights
 - Payment for fuel escalation to date as calculated using the NCDOT fuel escalation formula as required by the contract

Disadvantaged Business Enterprise

ES Wagner Co., LLC committed to 13.5% DBE participation with the original contract. They maintain that commitment with the addition of this change order.

Funding

Airport Capital Investment Plan. Funds are available in the runway grading budget to fund this change order. Funds came from the 2007 General Airport Revenue Bond Issue, the debt service of which is paid by Passenger Facility Charge revenues.

27. Airport Taxiway Bridge Construction

- Action:**
- A. Award a low bid contract to E.S. Wagner Co., LLC in the amount of \$18,901,768.21 for the construction of two taxiway bridges associated with the Third Parallel Runway,**
 - B. Approve change order #5 with E.S. Wagner Co., LLC in the amount of \$2,191,341 for the excavation of dirt for the taxiway bridges, and**
 - C. Adopt a budget ordinance in the amount of \$21,093,110 from the Airport Discretionary Fund to be repaid with proceeds from the upcoming 2008 General Airport Revenue Bond issue.**

Staff Resource: Jerry Orr, Airport

Explanation

- In October 2007 City Council approved a contract with TY Lin International/HJ Ross for the design of two taxiway bridges.
- Action A will fund the construction of the bridges to allow for future development of 300 acres of Airport land for aeronautical and non-aeronautical purposes between the two taxiways that will connect the new runway to the existing airfield.
- Action B will fund a change order to the runway grading contract with E.S. Wagner to excavate the dirt for the bridges. Funding this item through a change order takes advantage of the favorable bid prices due to the large quantities in the grading contract.

Disadvantaged Business EnterpriseAction A

Established DBE Goal: 3%

Committed DBE Goal: 6%

ES Wagner Co., LLC committed to using three certified DBEs totaling \$1,130,709 for the taxiway bridge construction contract. They met the goal and provided all required DBE documentation.

Action B

ES Wagner Co., LLC committed to 13.5% DBE participation with the original contract. They maintain that commitment with the addition of this change order.

Funding

Airport Capital Investment Plan. Permanent funding for this contract will come from proceeds of the upcoming 2008 General Airport Revenue Bond issue. The taxiway bridge project will be included in the next Passenger Facility Charge (PFC) Application, which, when approved by FAA, will allow the bond debt service to be paid with PFC revenues.

Attachment 17
Budget Ordinance

28. Airport Jet Fuel Pipeline Relocation

Action: Approve a Pipeline Accommodation Agreement with Colonial Pipeline Company in the amount of \$240,000 to provide a new concrete-encased jet fuel pipeline to replace an existing line as part of the Old Dowd Road Relocation project.

Staff Resource: Jerry Orr, Airport

Explanation

- The Airport fuel farm that stores jet fuel for the air carriers is supplied via underground pipelines from the Pawcreek fuel depot.
- Colonial Pipeline Company owns one of the pipelines serving the facility, which runs parallel to Old Dowd Road.
- Part of the Old Dowd Road relocation project includes a new road bridge over the Norfolk Southern railroad that will connect Old Dowd Road to Wilkinson Boulevard in the vicinity of the pipeline.
- This agreement will pay Colonial Pipeline Company to design and install approximately 180 feet of new concrete-encased pipe parallel to the existing pipeline. After the new line is installed the existing line will be removed.

Disadvantaged Business Enterprise

Work will be self-performed by Colonial Pipeline Company.

Funding

Airport Capital Investment Plan. Funding for this agreement comes from existing Federal Aviation Administration grant funds and proceeds of the 2007 General Airport Revenue Bonds, the debt service of which is paid for with Passenger Facility Charge revenues.

29. Airport Runway Testing Services Contract

Action:

A. Approve a contract with Mactec Engineering and Consulting, Inc. in the amount of \$1,250,000 for testing services for the paving of the Third Parallel Runway, and

B. Adopt a budget ordinance in the amount of \$1,250,000 from the Airport Discretionary Fund to be replaced with future grant funds and proceeds from the upcoming 2008 General Airport Revenue Bond issue.

Staff Resource: Jerry Orr, Airport

Explanation

- In May 2008, City Council awarded a contract to Hi-Way Paving, Inc. in the amount of \$69,629,709.50 for the paving and lighting of the new runway.

- The Federal Aviation Administration (FAA) requires the Airport owner to conduct and document a testing program for the runway pavement strength and depth during construction.
- This amendment provides the testing services required for the duration of the paving contract.
- Mactec Engineering & Consulting, Inc. was chosen through a Request for Qualification competitive selection process. The fee was negotiated by the Aviation Director after the selection was made.

Disadvantaged Business Enterprise

Established DBE Goal: 5%

Committed DBE Goal: 5%

Funding

Airport Capital Investment Plan. Permanent funding for this contract will come from future FAA grant funds and proceeds from the upcoming 2008 General Airport Revenue Bond issue, the debt service of which will be paid with Passenger Facility Charge revenues.

Attachment 18

Budget Ordinance

30. FAA Grant Amendment Acceptance

Action:

A. Adopt a resolution accepting a Federal Aviation Administration (FAA) Airport Improvement Program grant amendment in the amount of \$2,404,198 for grading and drainage for the third parallel runway, and

B. Adopt a budget ordinance appropriating \$2,404,198 in FAA grant funds.

Staff Resource: Jerry Orr, Airport

Explanation

- Each year the Airport qualifies for FAA entitlement funds based on passenger enplanements. The Airport's FY2008 entitlement funds are \$9,369,458.
- In June City Council accepted a grant for 75% of the Airport's scheduled FY 2008 entitlement funds, as well as \$13,000,000 in discretionary grant funds related to the Letter of Intent issued by FAA for funding the Third Parallel Runway project.
- Congress recently approved a funding bill that allows FAA to fully fund the entitlement grants for airports. This amendment allocates the remainder of Charlotte's entitlement funds for the year.
- These grant funds will be used to reimburse the Airport for a portion of the costs associated with grading and drainage for the Third Parallel Runway.

Attachment 19

Resolution

Budget Ordinance

31. Federal Aviation Administration Office Lease

Action: Approve a lease extension with the Federal Aviation Administration – Weather Control Bureau for office space located on Morris Field Drive.

Staff Resource: Jerry Orr, Airport

Explanation

- On October 1, 2003, the Airport leased 804 square feet of office space to the Federal Aviation Administration (FAA)–Weather Control Bureau for one year with annual renewals.
- The FAA requests an extension of the lease under the same terms and conditions for two additional years, until September 30, 2010.
- The proposed extension will provide office space at a rate of \$8,844 per year.
- The FAA–Weather Control Bureau is a required function to be located on Airport property. The Weather Control Bureau provides hourly weather observations.

32. Governor’s Highway Safety Program Resolution

Action: Adopt a resolution authorizing the Charlotte-Mecklenburg Police Department to apply for a \$16,000 grant from the Governor’s Highway Safety Program.

Staff Resource: Andy Kornberg, Police

Explanation

- CMPD wishes to apply for a \$16,000 grant from the Governor’s Highway Safety Program.
- The funds will be used to purchase two tower lights at a cost of \$8,000 each that will be used at DWI (driving while impaired), driver’s license, and other traffic checkpoints held at night. The additional lighting will make traffic checkpoints safer for both the officers and the citizens who are stopped.
- There are no matching funds required for the grant.
- The Governor’s Highway Safety Program requires Council to pass a resolution approving the grant application as a routine part of their application process.

Funding

\$16,000 from the Governor’s Highway Safety Program

Attachment 20

Resolution

33. Federal Homeland Security Grant Distribution of Authorized Equipment

- Action:**
- A. Approve the distribution of Homeland Security related equipment purchased using Urban Areas Security Initiative (UASI) Grant and Metropolitan Medical Response System (MMRS) funds from the Department of Homeland Security to the local government agencies listed on the attached chart, and**
 - B. Authorize Chief Jon Hannan to execute any documentation required to finalize the distribution.**

Staff Resources: Jon Hannan, Fire
Jeff Dulin, Fire

Explanation

- The Department of Homeland Security (DHS), through the Federal Emergency Management Agency (FEMA) created the Urban Areas Security Initiative Grant (UASI) and the Metropolitan Medical Response System (MMRS) Grant programs to reimburse state and local governments for equipment, training, planning and exercise activities related to preparing for terrorism.
- Charlotte has received funding from the UASI Grant Program since FY2004 and funding from the MMRS Grant Program since FY2005. Council has approved the receipt of the grants each year.
- As required by grant guidelines, Charlotte applied for the grant based on a regional approach that included the North Carolina counties of Cabarrus, Catawba, Gaston, Iredell, Lincoln, Stanly and Union and the South Carolina counties of Lancaster and York.
- Charlotte Fire Department is the coordinating agency for regional grants. One of the Fire Department's responsibilities is to procure equipment and distribute it to the designated regional agency.
- Council originally approved the distribution of items from the FY2004 UASI Grant on April 11, 2005 and the FY2005 UASI Grant on November 27, 2006.
- Due to savings, it was possible to purchase additional items with FY2004 and FY2005 UASI funding. These items were not included in the Council actions on the dates listed above.
- This will be the first distribution of items procured with MMRS funding and FY2006 UASI funding.
- City Council approval of this distribution is required by N.C.G.S. 160A-274.
- All equipment that was purchased was listed on the Homeland Security Grant Program Authorized Equipment List.

Funding

FY2004 - FY2006 Urban Areas Security Initiative and FY2005 – FY2006 Metropolitan Medical Response System Grant funds from the U.S. Department of Homeland Security

Attachment 21

Chart Listing Distribution of Equipment to Local Government Agencies

34. Helicopter-Aquatic Rescue Team Grant

Action: Accept a grant in the amount of \$50,000 from the North Carolina Department of Crime Control & Public Safety, Division of Emergency Management, on behalf of the U.S. Department of Homeland Security to provide equipment and training for the NC Helicopter-Aquatic Rescue Team (HART)

Staff Resource: Jeff Dulin, Fire

Explanation

- The Department of Homeland Security has made funding available through the FY2007 State Homeland Security Grant to provide the NC Helicopter-Aquatic Rescue Team (HART) with funding for training and equipment that will enable first responders to prepare for and respond to acts of terrorism and major disasters.
- NC HART is a highly specialized team consisting of North Carolina National Guard, North Carolina Emergency Management and local emergency services personnel.
- The team can respond at the request of a local emergency management coordinator or NC Emergency Management Area Coordinator. Examples of NC HART missions include: Swiftwater/Flood Rescue, Search for Lost Persons, and Urban or Wilderness High Angle Rescue.
- Grant funding will be spent on rescue equipment, communications equipment and training for members of NC HART.
- A North Carolina National Guard helicopter is used for this training.
- Revenue from the grant was anticipated and included in the FY2009 budget.

Funding

2007 NC HART Grant

35. Auction Services

Action:

- A. Approve a contract with Rogers Realty & Auction Co., Inc. for Auction Services for an initial term of three years with payment from auction proceeds at the commission rate of 9.5% of total gross auction sales plus expenses for all auction types and events,**
- B. Authorize the City Manager to approve up to two, two year renewal options contingent upon the company's satisfactory performance, and**
- C. Authorize the City Manager to approve commission adjustments and expenses as authorized by the contract.**

Staff Resources: Norma Kerns, Business Support Services
Marcy Mars, Business Support Services

Explanation

- The Procurement Services Division (PSD) of Business Support Services provides asset recovery and disposal services to the City of Charlotte,

Mecklenburg County, the Board of Education and the Charlotte Housing Authority.

- PSD's Asset Recovery and Disposal staff, in collaboration with an external service provider, is responsible for the successful disposal of used, seized and surplus assets through live and electronic auction activities.
- PSD currently holds live auctions for:
 - Rolling stock vehicles and equipment
 - Miscellaneous and Police unclaimed assets
 - Computer and miscellaneous assets
- Electronic auctions are used throughout the year for disposal of a variety of assets.
- The total annual gross sales from all Asset Recovery and Disposal auctions for all entities for FY2008 were approximately \$1.8 million.

Selection Process

- In response to a request for proposals, the City received seven proposals. Three proposals were deemed non-responsive and removed from consideration. The final four proposals were taken forward into evaluation, which resulted in two proposals being shortlisted for final consideration.
- The four proposals were reviewed by the Evaluation Team, which was comprised of staff from Business Support Services, the Charlotte-Mecklenburg Police Department and Mecklenburg County.
- The Evaluation Team used a two-step process to evaluate service providers. The first step included the following criteria:
 - Background and experience of the company, including references
 - Operational qualifications such as equipment and personnel
 - Ability to support and manage all aspects of municipal auctions
 - Availability and staffing
 - Customer service approach
 - Business processes
 - Financial viability
 - Insurance requirements
 - Willingness and ability to comply with the RFP and contract terms and conditions
- The second step evaluation criteria included the proposed commission rates. Approximately 43 proposed commission rate scenarios were reviewed. Rogers' commission rate was the most competitive.

History

- Rogers is the current vendor for rolling stock, police unclaimed, and computer/miscellaneous auctions. Gov Deals is the current vendor for electronic auctions. The current commission rates are as follows: 8.5% for rolling stock, 15% for police unclaimed, 12% computer miscellaneous, and 7.5% electronic. The current commission rates average is 10.75%.

Small Business Opportunity

For service based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). On this contract, no SBEs were selected as part of the overall (consultant) project team.

Funding

Auction Proceeds

36. 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 (NCDOT) in the amount of \$153,855.04.

Staff Resource: Doug Bean, Utilities

Explanation

- On April 21, 1999 Council approved a Municipal Agreement for the relocation of water and sewer lines along Highway 29, in the estimated amount of \$487,674.25.
- The Municipal Agreement was based on a cost estimate prepared by NCDOT.
- Actual bids came in \$153,855.04 over the estimate.
- Charlotte-Mecklenburg Utilities is obligated to pay for the work, not based on the estimate, but on the actual bids.
- This Agreement is for the relocation of water and sewer lines along Highway US29 from Blockbuster Boulevard to the Cabarrus County line.
- The format and cost sharing philosophy is consistent with past municipal agreements.
- The Charlotte Department of Transportation administers municipal agreements for Utilities.

Funding

Utilities Capital Investment Plan

Attachment 22

Resolution

37. South Corridor Light Rail Project Bland Street Station Area – Common Area Improvements

Action: Authorize the City Manager to execute an Infrastructure Reimbursement Agreement to be paid from CATS capital fund, in an amount not to exceed \$85,000 with Charlotte Trolley Inc. (CTI) to install improvements to serve the LYNX Blue Line within City-owned property (common area) located adjacent to CTI's new trolley barn/museum.

Staff Resource: John Muth, Charlotte Area Transit System

Explanation

- On May 12, 2008 Council approved the sale of remnant City owned property adjacent to the Bland Street Light Rail Station to The Boulevard Company (TBC) for approximately \$212,254. Council also approved the transfer of \$85,000 of those sale proceeds to Charlotte Trolley Inc. (CTI) in order to have CTI upgrade, install improvements and fund related expenses to the City owned common area adjacent to Charlotte Trolley's

new Museum, the Bland Street Light Rail Station and TBC's future residential project.

- The common area improvements include landscaping, paved areas and lighting that was originally budgeted as part of the South Corridor Light Rail Project and as envisioned as part of the station area planning process, but which were eliminated as a budget reduction measure.
- TBC has now indicated that it cannot complete the transaction with the City. The common area improvements are still necessary to achieve the desired pedestrian access and functionality within the station area. Completion of the improvements also ensures that CTI can obtain its occupancy permits on schedule and vacate its current Atherton Mill site as envisioned, moving into the new Museum on schedule.
- The window of time to install the improvements to the common area is now while CTI's contractor is mobilized and on-site. Therefore, City staff recommends that the improvements be funded through the CATS capital fund. If the sale of the adjacent property occurs in the future to TBC, then the sale proceeds can be used to reimburse the capital account.
- The City Manager is authorized to amend or terminate the agreement on behalf of the City.

Small Business Opportunity

Informal contracts are not subject to establishing SBE subcontracting goals, and are considered exempt contracts (Appendix Section 23.1 of the SBO Policy).

Funding

Transit Capital Investment Plan

38. Light Rail Vehicle Engineering for Additional Vehicles

Action: Approve an amendment to the contract with LTK Engineering Services for Light Rail Vehicle Engineering Support for two years in an amount not to exceed \$500,000.

Staff Resource: Jim Zingale, Charlotte Area Transit System

Policy

Transportation Action Plan (Goal 1) and Focus Area Initiative (1)

Explanation

- An extension of the LTK contract is now needed for vehicle testing and commissioning of the additional four light rail vehicles. This extension will provide for ongoing technical support up to final acceptance of the new vehicles.
- On July 25, 2005 City Council approved a contract with LTK Engineering Services for Light Rail Vehicle Engineering Support for an amount of \$1,300,000. Three subsequent amendments increased the current contract value to \$1,579,189.
- On May 12, 2008 City Council approved the purchase of four light rail vehicles from Siemens Transportation Services.
- In order to verify the rail vehicles conform to the City of Charlotte's specifications and expectations, LTK provides the following engineering services:
 - Manufacturing inspections and quality assurance monitoring

- Review and approval of manufacturer's test procedures
- Final inspections and witnessing of qualification tests
- Civil and systems contracts interface coordination
- Reliability and performance assessment, monitoring and review of engineering change notices
- In any rail vehicle procurement, some costs are governed by the type and duration of the specific task and not the quantity of vehicles. Services such as design and supplier reviews, test procedure reviews and first article inspections, are fixed costs and require the same level of effort whether one vehicle or 16 are being purchased. Other service costs, such as performing in-plant inspections and vehicle testing, vary depending on the number of vehicles being procured.
- The agreement contains a clause authorizing the City Manager to amend or terminate the contract at his discretion.

Disadvantage Business Enterprise

Established DBE Goal: 10%

Committed DBE Goal: 14.12%

Achieved DBE Utilization (as of June 2008): 13.36%

This is an amendment to the original contract awarded by Council dated July 25, 2005. DBEs identified were: Neighboring Concepts PLLC and Railcar Quality Services. The scope of work assigned to Neighboring Concepts PLLC has been completed. LTK Engineering Services will continue to utilize Railcar Quality Services for in-plant quality inspections during the amendment period.

Funding

Transit Capital Investment Plan

39. Authorization to Execute Transit Grants

Action: Adopt a resolution authorizing the City Manager or designee to submit and execute grant applications/agreements with the United States Department of Transportation, the Department of Homeland Security, the Environmental Protection Agency and the North Carolina Department of Transportation (NCDOT).

Staff Resource: Keith Parker, Charlotte Area Transit System
Dee Pereira, Charlotte Area Transit System

Policy

Transportation Action Plan (Goal 5)

Explanation

- The Transit Capital and Operating Programs are funded through federal, state and local funds. The City estimates federal and state grant participation levels and advances funding from the Transit Fund balance to cover estimated grant revenues and the local share. Upon award and/or execution of grants, funds advanced to the program for the Federal and State shares revert to the Transit Fund balance.
- The resolution authorizes the City Manager or his designee to execute funding applications/agreements with the US Department of Transportation, the Department of Homeland Security, the Environmental Protection Agency, and the North Carolina Department of Transportation.

Attachment 23
Resolution

40. City Manager's Compensation

Action: **A. Approve a 2008 Compensation Adjustment for the City Manager, and**

B. Amend the regular Council meeting schedule to begin the September 22 meeting at 4:00 p.m. in Room 280 to discuss FY2009 work plan as a part of the evaluation process.

Staff Resource: Tim Mayes, Human Resources

Explanation

- In 2006 the City Council adopted a Performance Evaluation process, including the forms, evaluation matrix, and potential bonus amounts for the City Manager.
- The City Council met in Closed Session to conduct the performance evaluation for the City Manager on July 21 and July 28, 2008.
- As part of the evaluation processes, facilitator Phillip Boyle, Ph.D., conducted the assessment meetings and summarized the written and verbal feedback regarding the City Manager's performance for FY2008.
- The City Manager was evaluated on Council Focus Area Achievements, Balanced Scorecard Performance and Performance Standards.
- The City Council reviewed total compensation data for comparative cities and non-profit corporations.
- The City Council approved a 3.5% merit increase and a one-time \$16,000 bonus for the City Manager, based on performance, effective July 1, 2008.
- The final session of the 2008 evaluation to discuss the FY2009 work plan will be at 4:00 pm on September 22, 2008.

41. Property Transactions

Action: Approve the following property transaction (s) (A-I) and adopt the condemnation resolution(s) (J-L).

Acquisitions

- A. Project:** Airport Master Plan
Owner(s): Henry Carpender ET AL
Property Address: 4625 Beam Road
Property to be acquired: .54 acres
Improvements: Vacant house
Purchase Price: \$135,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement
Zoned: R-3 Use: Vacant house.
Tax Value: \$99,900
Tax Code: 141-054-09
- B. Project:** Airport Master Plan
Owner(s): Henry Carpender ET AL
Property Address: 7300,7308,7316 Pine Oaks Drive
Property to be acquired: 4.24 acres
Improvements: Vacant land
Purchase Price: \$500,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Vacant land
Tax Value: \$80,800
Tax Codes: 141-053-13, 141-053-14, 141-053-15
- C. Project:** Airport Master Plan
Owner(s): Burchmont Land Associates LLC
Property Address: 2100 Blk Shopton Road
Property to be acquired: 15.68 acres
Improvements: Vacant land
Purchase Price: \$419,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second

appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: B-D(CD) Use: Vacant land

Tax Value: \$227,170(entire 121 acres)

Tax Codes: part of 141-241-01

- D. Project:** Browne Road 7800 - 8" Sanitary Sewer, Parcel # 5
Owner(s): Burnie Odell Allen And Wife, Helen Ledford Allen
Property Address: 4300 Hucks Road
Property to be acquired: 15,475 sq. ft. (.355 ac.) in Sanitary Sewer Easement
Improvements: None
Landscaping: None
Purchase Price: \$15,000
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 - Rural Acreage
Tax Code: 027-641-05
Total Parcel Tax Value: \$347,600
- E. Project:** South Boulevard Left Turn Lane, Parcel # 1
Owner(s): Reitzel, Jimmie And Wife, Barbara Reitzel And Nell F. Doster
Property Address: South Boulevard
Property to be acquired: 619 sq. ft. (.014 ac.) in Fee Simple, plus 241 sq. ft. (.006 ac.) in Storm Drainage Easement, plus 297 sq. ft. (.007 ac.) in Sidewalk and Utility Easement, plus 6,797 sq. ft. (.156 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$6,500
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: B-2
Use: Right Of Way
Tax Code: 205-165-16
Total Parcel Tax Value: \$0
- F. Project:** South Boulevard Left Turn Lane, Parcel # 5
Owner(s): CEW Properties, LLC
Property Address: 7725 South Boulevard
Property to be acquired: 3,076 sq. ft. (.071 ac.) in Fee Simple, plus 2,179 sq. ft. (.050 ac.) in Sidewalk and Utility Easement, plus 349 sq. ft. (.008 ac.) in Utility Easement, plus 4,573 sq. ft. (.105 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None

Purchase Price: \$66,836

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: B-2

Use: Commercial

Tax Code: 173-201-08

Total Parcel Tax Value: \$2,550,440

G. Project: Southwest Water Transmission Main - Phase C, Parcel # 28

Owner(s): Aplix Incorporated

Property Address: 12300 Steele Creek Road

Property to be acquired: 19,725 sq. ft. (.453 ac.) in Utility Easement, plus 9,948 sq. ft. (.228 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$12,250

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: I-2

Use: Industrial

Tax Code: 199-432-99

Total Parcel Tax Value: \$3,543,800

H. Project: Southwest Water Transmission Main - Phase C, Parcel # 40

Owner(s): Bennie W. Thompson And Hubert Star Thompson, Jr.

Property Address: 13000 Steele Creek Road

Property to be acquired: 21,340 sq. ft. (.490 ac.) in Utility Easement, plus 8,053 sq. ft. (.185 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$22,100

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-3

Use: Agriculture

Tax Code: 199-131-04

Total Parcel Tax Value: \$2,620

I. Project: Southwest Water Transmission Main - Phase C, Parcel # 48

Owner(s): Tommy W. McAlister And Wife, Ruby H. McAlister

Property Address: 13608 Steele Creek Road

Property to be acquired: 7,766 sq. ft. (.178 ac.) in Utility Easement, plus 2,631 sq. ft. (.060 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$10,675

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-3

Use: Single Family Residential - Rural Acreage
Tax Code: 199-511-04
Total Parcel Tax Value: \$406,100

Condemnations

- J. Project:** Reedy Creek Basin - Mecklenburg County, Parcel # 38
Owner(s): Bryan S. Ferdinand And Any Other Parties Of Interest
Property Address: 8604 Pine Circle
Property to be acquired: Total Combined Area of 10,856 sq. ft. (.249 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$7,575
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: Rural Homesite
Tax Code: 108-021-02
Total Parcel Tax Value: \$58,900
- K. Project:** Southwest Water Transmission Main - Phase C, Parcel # 29
Owner(s): Pier Giorgio Andretta And Any Other Parties Of Interest
Property Address: 12500 Steele Creek Road
Property to be acquired: Total Combined Area of 13,774 sq. ft. (.316 ac.) of Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$19,075
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: I-1
Use: Industrial
Tax Code: 199-432-98
Total Parcel Tax Value: \$1,703,100
- L. Project:** West Water Main - Phase 1, Parcel # 11
Owner(s): Brookhill Land, LLC And Any Other Parties Of Interest
Property Address: 2548 Remus Road
Property to be acquired: Total Combined Area of 36,884 sq. ft. (.847 ac.) of Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$65,525
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-22MF
Use: Multi Family
Tax Code: 119-053-01 / 119-052-02
Total Parcel Tax Value: \$1,030,100

42. Meeting Minutes

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

- June 23, 2008
- July 21, 2008