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Michael D. Barnes
Dr. Jason Burgess
Nancy Carter
Warren Cooksey
Andy Dulin

Mayor Pro Tem Patrick D. Cannon

David L. Howard
Patsy Kinsey
James Mitchell, Jr.
Edwin Peacock III
Warren Turner

CITY COUNCIL MEETING
Monday, April 11, 2011

CITY COUNCIL AGENDA
Monday, April 11, 2011

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5:00 P.M. DINNER BRIEFING

Conference Center

1. Mayor & Council Consent Item Questions

Resource: Eric Campbell, City Manager's Office

Time: 5 minutes

Synopsis

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

2. Mecklenburg County Consolidated Capital Planning Initiative

Resource: Bobbie Shields, County Manager's Office

Time: 20 minutes

Synopsis

- In 2010, IBM launched a competitive grant to award 100 communities technical assistance.
- In October 2010, Mecklenburg County was one of three in the U.S. selected to participate.
- In November 2010, a team of five executives worked with local stakeholders to identify strategies and recommendations aimed at maximizing the County's capital planning initiatives.
- This planning process involved staff from the County, the City, Charlotte Mecklenburg Schools, and the Mecklenburg towns.
- Recommendations include:
 - Using and strengthening many capital planning structures already in place (Joint Use Task Force and area planning)
 - Creating a neighborhood modeling effort as a means of strategic decision-making (expansion of the Neighborhood Quality of Life Study)
- The model does not propose relinquishing the City's capital planning authority or funding to the County.
- This initiative is consistent with City Council's *Infrastructure General Development Policy* (2007) and will serve to be a catalyst in its implementation, most notably in meeting the following Guiding Principles contained in the policy:
 - "Define infrastructure needs comprehensively and with enhanced coordination among infrastructure providers"
 - "Seek regional solutions – where applicable – to infrastructure issues and problems"
- The Mecklenburg County Board of Commissioners is asking local elected bodies (City Council and Mecklenburg towns) to consider Resolutions of Support for the initiative.
- The town boards of Huntersville and Matthews have already adopted Resolutions of Support.

- No expenditure of City funds is involved.

Future Action

- The Resolution of Support is scheduled for Council consideration on April 25, 2011

3. Business Investment Grant Program Update

Resource: Brad Richardson, Neighborhood & Business Services

Time: 20 minutes

Synopsis

- The Charlotte-Mecklenburg Business Investment Program was created in 1998 in partnership with Mecklenburg County to encourage the attraction, retention and/or expansion of businesses and jobs.
- The program provides grants to companies based upon the amount of new property tax generated, subject to minimum thresholds for job creation and capital investment.
- Staff will provide Council with an overview of the current policy guidelines and historical performance.

Future Action

- Staff recommends a referral to the Economic Development Committee to conduct a review of the program and propose updates to the current policy.

4. Charlotte Region Fast Lanes Study Phase 3

Resources: Norm Steinman, Transportation
Timothy Gibbs, Transportation

Time: 30 minutes

Synopsis

- This will be the third in a series of studies to analyze area roadways to determine where High Occupancy Toll (HOT) lanes or other types of managed lanes should be implemented in the Charlotte region to reduce the impact of congestion during peak travel periods.
- Phase 1 evaluated all freeways and select arterials in a ten-county region surrounding Charlotte to identify the most promising corridors for *Fast Lanes* projects.
- Phase 2 involved preliminary evaluations of physical design, revenue, and operating/maintenance costs along roadways that remained after the initial screening.
- The objectives of the work in Phase 3 will be to:
 - Familiarize the public with the concept of congestion pricing
 - Develop a better understanding of policy and technical issues associated with the use of congestion pricing
 - Determine community acceptance for the next managed lanes corridor(s) (The region's first HOT lanes project is expected to be built on I-77 North)
 - Define the preferred managed lanes project(s) for those corridors
- The Phase 3 Study will begin in summer 2011 and will take approximately one year to complete.

Funding

- In November 2009, the City submitted a grant application for \$400,000 from the Value Pricing Program administered by the Federal Highway Administration (FHWA). The total grant application for \$500,000 included a non-federal match of 20% (\$100,000).
- In August 2010, FHWA notified the City that this funding request was approved. In January 2011, the \$100,000 non-federal match was appropriated by the North Carolina Department of Transportation (NCDOT).

Future Action

A Municipal Agreement for the project between the City and NCDOT will be on the May 9 City Council agenda.

5. Answers to Mayor and Council Consent Item Questions

Resource: Eric Campbell, City Manager's Office

Time: 10 minutes

Synopsis

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

7:00 P.M. AWARD AND RECOGNITIONS
Meeting Chamber

6. Fair Housing Month Proclamation

Action: Mayor Anthony Foxx to present Fair Housing Month Proclamation in recognition of fair and equal housing opportunities in the City of Charlotte and Mecklenburg County.

7. Dr. Charles Sifford Recognition

Action: Mayor Anthony Foxx to recognize Dr. Charles Sifford for his contribution to the Professional Golf Association and to the City of Charlotte.

CONSENT

- 8. Consent agenda items 15 through 43 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

9. Public Comment on Independence Boulevard Area Plan

Action: Continue to receive public comments on the Independence Boulevard Area Plan.

Committee Chair: James Mitchell

Staff Resource: Alysia Osborne, Planning Department

Explanation

- On March 28, City Council received public comment and voted to continue the public comment session on April 11 to allow for additional feedback on the area plan.
- The purpose of the Independence Boulevard Area Plan is to recommend feasible land use and street network strategies to help reverse the trend of disinvestment, position the corridor for growth, and reinforce existing neighborhoods for continued stability and livability.
- The Area Plan does not reevaluate existing plans for rapid transit or highway improvements along Independence Boulevard. However, the Area Plan included those decisions in the plan development process and provides flexibility to respond if transit and highway plans are modified in the future.
- The Area Plan builds on the results of the Independence Boulevard Land Use & Infrastructure Study, completed in April, 2007 which recommended development of a clear vision and predictable future to create reinvestment along the corridor.
- The 2007 Study also supported modifications to the transitional setback (required right-of-way) along Independence Boulevard to improve redevelopment opportunities. Council voted to modify portions of the transitional setback in April 2010 and on March 21, 2011, to eliminate the transitional setback completely in areas where the Independence Boulevard Road project is complete. The Area Plan recognizes the 2010 modifications and staff will recommend changes to reflect the March 21 Council action.
- The Plan Area includes a large part of the Southeast Growth Corridor, as well as six proposed transit station areas identified in the 2030 Transit Corridor System Plan.
- A summary of the major recommendations include:
 - Protecting and enhancing existing neighborhoods
 - Creating nodes of more intense mixed use development at key locations in a more pedestrian-friendly format
 - Providing more connectivity and accessibility for businesses and residents
 - Recapturing green/open space and making it an amenity for development
 - Supporting quality design
- Public kick-off meetings for the Area Plan were held in June and July of 2008 with over 500 people in attendance where 150 stakeholders volunteered for the Citizen Advisory Group (CAG) to work closely with staff throughout the plan development process. A public workshop was held in October of 2008 with 192 people in attendance. The Independence CAG met a total of six times throughout 2008-2011. A final public workshop was

held in May 2010 with 75 people in attendance. A final CAG meeting was held on March 3, 2011.

Charlotte-Mecklenburg Planning Commission (Planning Committee)

- The Planning Committee received public comment at their meeting on May 18, 2010. Most citizens expressed concerns about the current Independence road project, particularly about the schedule and property acquisition process. Other concerns were about the transitional setback along Independence Boulevard.
- The Planning Committee held an additional public comment session on March 15, 2011. Citizens' concerns were mostly about past property impacts of the Independence Boulevard road project. In addition, there were some concerns that the Area Plan did not address the changes to the transitional setback along Independence Boulevard that Council was scheduled to modify on March 21. The draft Area Plan will include those changes when it is adopted. A few speakers were concerned that the Area Plan needed to incorporate the recommendations from the recent Urban Land Institute, Daniel Rose Fellowship study, particularly related to future rapid transit and streetcar. Staff believes the Area Plan provides enough flexibility to respond to transit and/or streetcar if future transit plans are modified.
- The Planning Committee is scheduled to make a recommendation at their April 19 meeting.

Economic Development Committee

- The Economic Development Committee received an overview on May 26, 2010. However, the Committee delayed action to allow time to address the transitional setback issues.
- City Council's Economic Development Committee received an additional overview of the area plan at their meeting on March 10, 2011. The Committee voted unanimously (Council members Mitchell, Cannon, Dulin, Burgess, Kinsey) to forward the plan to Council for public comment on March 28.
- After public comment, the area plan will be reviewed again by the Economic Development Committee, with a subsequent recommendation to the City Council.

Website

Document is available on the Planning Department website at <http://charmeck.org/city/charlotte/planning/AreaPlanning/Plans/IndependenceBlvdAreaPlan/Pages/home.aspx>

POLICY

10. City Manager's Report

11. FY2012 Council Focus Area Plans

Action: Approve the Council Committees' recommended FY2012 Strategic Focus Areas Plans for:

- A. Community Safety
- B. Economic Development
- C. Environment
- D. Housing & Neighborhood Development
- E. Transportation

Committee Chairs: Patrick Cannon
James Mitchell
Edwin Peacock
Patsy Kinsey
David Howard

Explanation

- Staff drafted Focus Area Plans for Council's review. Several Committees reviewed the Plans prior to the annual retreat in February. The Council reviewed the plans at the annual retreat.
- Following the retreat, each Committee reviewed and approved their respective plans. Each initiative has performance measures.
- City Strategy is documented in the Focus Area Plan and includes corporate objectives that guide and direct planning, decision making, and the accomplishment of the vision and mission. The Focus Area Plans are used to monitor success in the accomplishment of City strategy and adherence to Council's goals and priorities. Key initiatives from the five focus areas are described below.

Community Safety

- Reduce crime and life/property damage from fires
- Enhance citizen safety through crime and fire prevention activities and education
- Build collaborations with partners that enhance Charlotte's community safety initiatives
- Utilize technology to enhance operational effectiveness and customer service
- Develop recruitment strategies that attract diverse applicant pools to the Police and Fire Departments

Economic Development

- Help grow small businesses in our community
- Continue to focus on job and tax base growth in business corridors
- Focus on continuous improvement within the permitting and regulatory environment to facilitate job and tax base growth and to improve the customer experience
- Work with economic development partners to grow and retain businesses in the community's targeted industry sectors of energy and environment,

finance, health care, manufacturing, defense, motorsports, tourism, film, and international firms

Environment

- Promote and participate in the development of a sustainable community
- Lead by example by practicing environmental stewardship in City operations and facilities
- Seek and support collaborative and regional solutions to environmental problems
- Facilitate the growth of the clean energy industry, including the alternative energy sector

Housing and Neighborhood Development

- Create healthy and vibrant neighborhoods by improving and implementing quality physical infrastructure
- Strengthen opportunities for public and private partnerships to encourage the integration of education, recreation, employment, and housing resources in identified redevelopment areas
- Develop and recommend policies that will assist with increasing the supply of affordable housing
- Redesign the Quality of Life Study to more accurately reflect the City's neighborhood conditions

Transportation

- In order to enhance multi-modal mobility, environmental quality and long-term sustainability, collaborate with local and regional partners on land use, transportation and air quality strategies and projects.
- Prioritize, design, construct, and maintain convenient and efficient transportation facilities to improve safety, neighborhood livability, promote transportation choices, and meet land use objectives, and make progress on a plan to reach a pavement survey rating of 90 over five years
- Communicate land use and transportation objectives as outlined in the Transportation Action Plan (TAP)
- Seek financial resources, external grants, and funding partnerships necessary to implement transportation programs and services

Attachment 1

FY2012 Strategic Focus Area Plans

BUSINESS

12. Business Investment Grant for Bluestar Silicones

- Actions:**
- A. Approve contracts between the City of Charlotte, the NC Department of Commerce (NCDOC) and Bluestar Silicones for a \$340,000 One North Carolina Grant from the State to Bluestar Silicones,**
 - B. Adopt a budget ordinance appropriating \$340,000 from a One North Carolina Grant to Bluestar Silicones, and**
 - C. Approve the City's share of a Business Investment Grant to Bluestar Silicones for a total estimated amount of \$120,264 over three years (Total City/County grant estimated at \$340,207).**

Staff Resource: Brad Richardson, Neighborhood & Business Services

Policy

Supports the development of an economic environment that attracts new businesses, retains existing businesses and offers a diverse economic mix

Explanation

- Bluestar Silicones (Bluestar), a subsidiary of China National Bluestar Group, is a French manufacturer of silicone-based adhesives and sealants for a wide range of industries including paper (e.g. labels), energy (e.g. solar panel assembly), and healthcare (e.g. dental molds).
- The company's North America Headquarters is currently located in New Jersey, and it operates two U.S. manufacturing plants in Rock Hill, SC and Ventura, CA.
- On February 15, 2011, Bluestar announced a consolidation of its North American manufacturing operations into one facility in southwest Charlotte, located at 12345 Virkler Drive after considering sites in York and Lancaster Counties in South Carolina.

One NC Grant

- On February 25, 2011, the State awarded a \$340,000 One North Carolina Grant to Bluestar as part of the company's relocation to Charlotte.
- By State statute, the City is required to administer a performance contract with Bluestar to ensure compliance with the State's job creation and capital investment standards.

Business Investment Grant

- One North Carolina Grants require a local match.
- Bluestar's relocation to Charlotte meets all of the Council-approved requirements for a three-year Business Investment Grant:
 - Capital investment of \$9.5 million in real estate and equipment
 - Creation of 125 new jobs over three years. This number includes approximately 52 employees currently located in Rock Hill that the company expects to retain
 - Average annual wage of \$63,000 (146% of the local average)

- On October 18, 2010, the Board of County Commissioners indicated its intent to approve a Business Investment Grant to Bluestar in the amount of \$219,943 in a closed session.
- On November 8, 2010, City Council indicated its intent to approve a Business Investment Grant to Bluestar in the amount of \$120,264 in a closed session.
- If approved, the following schedule is an estimate of the Investment Grant payments to Bluestar. This estimate is the City and County share of the grant and represents 90% of net new property taxes paid by the company over the three-year term:

Year	City	County	Totals
1	\$44,118	\$80,684	\$124,802
2	\$39,949	\$73,060	\$113,009
3	\$36,197	\$66,199	\$102,396
Total	\$120,264	\$219,943	\$340,207

- The project is estimated to have an annual direct economic impact of \$17 million on the local economy, generating an average of \$126,000 in new property taxes to the City and County annually.
- The general terms and condition of this grant include:
 - A portion of the grant must be repaid if the company moves this investment from Charlotte within three years of the end of the grant term.
 - Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
 - All property taxes due from the company must be paid before a grant payment is made.
- On March 15, 2011, the Board of County Commissioners approved the County’s portion of the Business Investment Grant to Bluestar.

Funding

State of North Carolina: One North Carolina Fund Business Investment Grant Account; first payment is estimated to occur in FY2013.

Attachment 2

Budget Ordinance

13. Nominations to Boards and Commissions

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

A. BECHTLER ARTS FOUNDATION BOARD

- One appointment for a three-year term beginning July 1, 2011. Lynn Good is eligible and would like to be reappointed.

Attachment 3

Applications

B. BUSINESS ADVISORY COMMITTEE

- Four appointments for three-year terms beginning April 29, 2011.
 - Tunis Hunt, Michael Orzech, Linda Daniel and Wesley Carter are eligible and would like to be reappointed.

Attachment 4

Applications

C. CHARLOTTE INTERNATIONAL CABINET

- One appointment for an education representative for a three-year term beginning July 1, 2011.
 - Nadine Russell, an education representative, is eligible and would like to be reappointed.
- One appointment for a cultural/ethnic representative for a three-year term beginning July 1, 2011.
 - Randall Eaton, a cultural/ethnic representative, has completed his service and is not eligible for reappointment.

Attachment 5

Applications

D. CHARLOTTE MECKLENBURG COALITION FOR HOUSING

- One appointment for an affordable housing representative for a three-year term beginning July 1, 2011.
 - David Furman, affordable housing representative, is eligible and would like to be reappointed.
- One appointment for a financial representative for a three-year term beginning July 1, 2011.
 - Patrick Williams, financial representative, is eligible and would like to be reappointed.

Attachment 6

Applications

E. CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION

- Three appointments for three-year terms beginning July 1, 2011.
 - Jay Rao, Sophia Matthews and Linda Webb are eligible and would like to be reappointed.

Attachment 7

Applications

F. CHARLOTTE REGIONAL VISITORS AUTHORITY

- One appointment for a hotel/convention representative for a three-year term beginning July 1, 2011.
 - Tom Manno, a hotel/convention representative, is eligible and would like to be reappointed.
- One appointment for a town representative for a three-year term beginning July 1, 2011.
 - Paul Jamison, town representative, is eligible and would like to be reappointed.
- Two appointments for at-large representatives for three-year terms beginning July 1, 2011.
 - T. Anthony Lindsey, at-large representative, is eligible and would like to be reappointed.
 - Viola Lyles, at-large representative, has completed her service and is not eligible for reappointment.

Attachment 8

Applications

G. CITIZENS' TRANSIT ADVISORY GROUP

- Two appointments for two-year terms beginning July 1, 2011
 - Henry Antshel is eligible and would like to be reappointed.
 - Jonathan Goldberg is eligible, but does not wish to be reappointed.

Attachment 9

Applications

H. CIVIL SERVICE BOARD

- One appointment for a three-year term beginning May 16, 2011.
 - Mary Hopper has completed her service and is not eligible for reappointment.

Attachment 10

Applications

I. CMUD ADVISORY COMMITTEE

- One appointment for a three-year term for a water/sewer contractor beginning July 1, 2011.
 - Marco Varela, water/sewer contractor, is eligible and would like to be reappointed.

Attachment 11

Applications

J. COMMUNITY RELATIONS COMMITTEE

- One appointment for a three-year term beginning July 1, 2011.
 - Audrey Madans is eligible and would like to be reappointed.
- One appointment for an unexpired term beginning immediately and ending June 30, 2013.
 - Beverly Grant-Turner has resigned.

Attachment 12

Applications

K. HISTORIC DISTRICT COMMISSION

- One appointment for a three-year term beginning July 1, 2011 for a Dilworth Historic District business owner.
 - Dominick Ristaino, Dilworth business owner representative, is eligible and would like to be reappointed.

Attachment 13

Applications

L. KEEP CHARLOTTE BEAUTIFUL

- Four appointments for three-year terms beginning July 1, 2011.
 - Anthony Ashworth and Sara Downing are eligible and would like to be reappointed.
 - Kevin Brown and Henri Rumph are eligible, but do not wish to be reappointed.

Attachment 14

Applications

M. NEIGHBORHOOD MATCHING GRANTS FUND REVIEW TEAM

- One appointment for a business representative for a two-year term beginning April 16, 2011.
 - Jennifer Sage, business representative, is eligible, but does not wish to be reappointed.
- One appointment for a school system employee as recommended by the Superintendent of the Charlotte Mecklenburg School System for an unexpired term ending April 15, 2012.
 - Claudia Ollivierre has resigned.

Attachment 15

Applications

N. PLANNING COMMISSION

- One appointment for a three-year term beginning July 1, 2011.
 - Joel Randolph has completed his service and is not eligible for reappointment.

Attachment 16

Applications

O. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

- One appointment for an unexpired term beginning immediately and ending March 1, 2012.
 - Collette Alston has resigned.

Attachment 17

Applications

P. PUBLIC ART COMMISSION

- One appointment for an education representative for a three-year term beginning July 1, 2011.
 - Susan Tompkins, education representative, has completed her terms of service and is not eligible for reappointment.

Attachment 18

Applications

Q. RESIDENTIAL RENTAL PROPERTY REVIEW BOARD

- One appointment for a three-year term beginning July 1, 2011.
 - Delores Reid-Smith, rental industry representative, is eligible and would like to be reappointed.

Attachment 19

Applications

R. STORM WATER ADVISORY COMMITTEE

- One appointment for a representative of land development for a three-year term beginning June 25, 2011.
 - James Baysinger II is eligible and would like to be reappointed.

Attachment 20

Applications

14. Mayor and Council Topics

Council members may share information and raise topics for discussion.

CONSENT

Introduction to CONSENT

Consent consists of routine items that have been approved in the budget. Price lists for unit price contracts are available upon request.

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. For the procurement of professional services and/or engineering architectural and surveying services, the North Carolina General Statutes 143-64.31 requires that units of government "select firms qualified to provide such services on the basis of demonstrated competence and qualification...without regard to fee other than unit price information, and therefore to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm."

15. Eastburn Storm Drainage Improvements

Action: Award the low bid contract of \$5,064,939 to Blythe Development for construction of the Eastburn Storm Drainage Improvements.

Staff Resource: Jennifer Smith, Engineering & Property Management

Explanation

- Bids for this project were initially placed on the February 14 business agenda, but pulled by the City Manager due to questions about possible affiliation between the prime contractor and one of the SBE contractors.
- A staff review established that Blythe Brothers Contracting, the SBE subcontractor in the first bid, had not misrepresented any information but the collection of more detail revealed that it was affiliated with the prime contractor, Blythe Development. This finding resulted in the City Manager rejecting all of the bids and initiating a rebidding of the project.
- This project was identified as a storm water capital improvement project through the ranking process that involves analysis of customer drainage requests including complaints of structure and road flooding.
- Construction will include grading, drainage culverts and structures, curb and gutter, driveways, sidewalks, stream restoration features, water line and sanitary sewer relocations, milling, resurfacing and landscaping.
- The watershed area is primarily urbanized consisting of single and multi-family residential mixed with commercial development.
- The area is bound by Fairview Road to the north, Archdale Drive to the south, Park Road to the east and Sharon Road to the west.
- Completion is scheduled for the second quarter of 2013.

Small Business Opportunity

Established SBE Goal: 10%

Committed SBE Goal: 10.03%

Blythe Development committed 10% (\$508,100) of the total contract amount to the following SBE firms: Landmark Materials (hauling), R&N Construction (landscape/erosion), Bullington Construction (guardrail and fence installation), Absolute Business Connections (traffic control), Aardvark Engineers (geotech testing) and On Time Construction (masonry).

Funding

Storm Water Capital Investment Plan

16. McCrorey Heights Neighborhood Improvement Project

Action: Award the low bid contract of \$1,133,889.75 to United Construction, Inc. for the McCrorey Heights Neighborhood Improvement project.

Staff Resource: Lamar Davis, Engineering & Property Management

Explanation

- Construction will include sidewalk, wheel chair ramps, planting strips, curb and gutter and storm water drainage improvements in the McCrorey Heights neighborhood.

- The project boundaries are Oaklawn Avenue, Beatties Ford Road, Brookshire Boulevard and I-77.
- This project was funded in the 2008 Bonds.
- Construction is expected to be complete third quarter 2012.

Small Business Opportunity

Established SBE Goal: 9%

Committed SBE Goal: 7.06%

United Construction, Inc. failed to meet the SBE goal, but earned the required number of Good Faith Effort Points (Part B: Section 2.1 of the SBO Policy).

United committed 7.06% (\$80,000) of the total contract amount to the following SBE firm(s): Kay's Construction Co. (Concrete & Erosion Control) and Streeter Trucking (Hauling). A further detailed analysis of United Construction's SBE efforts results are provided in the Good Faith Efforts Summary attachment.

Funding

Neighborhoods Capital Investment Plan

Attachment 21

Good Faith Efforts Summary

17. CMPD Lake Wylie Boathouse Fuel System Replacement

Action: Award the low bid contract of \$109,230 to Petroleum Equipment & Service, Inc. for the CMPD Lake Wylie Boathouse Fuel System project replacement.

Staff Resources: Katrina Graue, CMPD
Sue Rutledge, Engineering & Property Management
Douglas Pierotti, Engineering & Property Management

Explanation

- CMPD's Steele Creek Division provides police boat patrol on Lake Wylie.
- The existing gasoline underground storage tank (UST) system at the Lake Wylie Boathouse provides fuel for patrol boats and is a backup source to the boathouse located at Fire Station #38.
- The existing UST system was installed in 1994. A routine State EPA inspection revealed the underground fuel lines were in violation of current regulations due to recent more stringent requirements than at the time of installation. The age and condition of the system also contributed to the need for replacement.
- This 60-day contract will provide fueling upgrades including replacement of the fuel line and dispenser to bring the system back into compliance.

Small Business Opportunity

Construction contracts under \$200,000 are informal contracts and are exempt from SBE goals (Appendix Section 23.1 of the SBO Policy). The City's vendor list was reviewed prior to bidding and there are no registered, certified SBE's with the City for this specialty fueling work. However, Petroleum Equipment and Service, Inc. committed 11.03% of the total contract to the following SBE: Blew, Inc. (electrical work).

Funding

Government Facilities Capital Investment Plan

18. Sugar Creek Wastewater Treatment Plant Secondary Clarifier Rehabilitation

Action: Award the low bid contract of \$1,778,500 to Crowder Construction Co. for the repair and rehabilitation of the basins and equipment for secondary clarifier equipment at the Sugar Creek Wastewater Treatment Plant.

Staff Resource: Barry Gullet, Utilities

Explanation

- The Sugar Creek Wastewater Treatment Plant has six circular tanks used to clarify the wastewater before it is discharged to the stream, called secondary clarifiers. These tanks range in age from about 10 years to several decades.
- When the plant staff drained one of the tanks for maintenance, high groundwater tables caused the floor slab to rise up, damaging the tank floor slab and treatment equipment in the tank. In evaluating the problem and needed repairs, staff determined all of the tanks and the equipment in them are in need of rehabilitation.
- This contract includes repairing the damaged floor slab, reinforcing one of the other tank floors, and rehabilitating the mechanical treatment equipment in all of the tanks, including replacement of some of the equipment.

Small Business Opportunity

No SBE goal was set for this project because subcontracting opportunities were not identified (Part B: Section 2.4 of the SBO Policy.)

Funding

Utilities Capital Investment Plan

19. Various Bus Parts

Action: A. Approve a one-year contract for bus parts to the lowest responsive and responsible bidder, National Fleet Services, for an amount not to exceed \$412,000, and

B. Authorize the City Manager to execute up to two, one-year renewals with possible price adjustments as stipulated in the contract.

Staff Resource: Larry Kopf, Transit

Explanation

- This is a unit price contract for bus parts that will be purchased as needed for maintenance and repair. The contract includes 150 parts in 13 major component categories including seals, bearings, wheel studs, hubs, lug nuts, and alternators.
- On February 14, 2011, an Invitation to Bid was publically advertised and a pre-bid conference was held on March 7, 2011. Ten bids were received.

- National Fleet Services was the only vendor to bid on all items in all component categories.

Small Business Opportunity

No SBE goals are established for purchases of goods & equipment (Appendix Section 18 of the SBO Policy).

Funding

Transit Operating Budget

20 . Ultra-Low Sulfur Diesel Fuel

- Action:**
- A. Approve a two-year contract to the lowest responsive and responsible bidder, Quick Fuel Fleet Services, for the purchase of Ultra-Low Sulfur Diesel fuel on a fixed-price forward purchase basis for an amount not to exceed \$13,000,000,**
 - B. Approve a two-year contract to the lowest responsive and responsible bidder, The Guttman Group, for the purchase of Ultra-Low Sulfur Diesel fuel on a variable index-price basis for an amount not to exceed \$5,500,000, and**
 - C. Authorize the City Manager to execute up to three one-year renewal options for each contract.**

Staff Resource: Tom Livingston, Transit

Explanation

- Historically, CATS had solicited daily price quotes for diesel fuel purchases, a procedure that was price competitive, but left CATS vulnerable to supply disruptions and price volatility.
- In 2009, the City awarded a contract for ultra-low sulfur diesel fuel that would aid in assuring a consistent supply of fuel for CATS bus operations and reduce price volatility.
- Under the 2009 contract, CATS manages fuel purchases on either fixed-price forward or variable index-price, based on market pricing conditions. This methodology is standard practice in an industry where volatile prices change on an hourly basis.
- The 2009 contract was awarded to a single vendor for both purchasing methods. Two years ago during that solicitation, staff noted that more advantageous pricing and greater bidding competition might be achieved by splitting the purchase of diesel fuel under two separate suppliers with each contracted under a different pricing method (fixed-price forward or variable index-price).
- The most recent solicitation secured very competitive pricing for both the fixed- and variable-price methods with the result being that CATS has the potential to realize savings of more than \$13,000/month when compared to the current contract.

Small Business Opportunity

No SBE goals are established for purchases of goods and equipment (Appendix Sec. 18 of the SBO Policy).

Funding

Transit Operating Budget

21. Various Vehicles

- Action:**
- A. Award the low bid unit price contract for the purchase of mid-sized sedan hybrids, and 2000 gallon fuel trucks to the following:**
 - 1. Capital Ford of Wilmington**
 - 2. Charlotte Truck Center**
 - B. Award the second low bid unit price contract for the purchase of combination storm drain cleaning trucks to Rush Truck Centers of N.C. Inc. dba Rush International Truck Center, and**
 - C. Authorize the City Manager to extend the contracts for two additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The FY2011 expenditures are anticipated to total \$410,650.**

Staff Resource: Charles Robinson, Business Support Services

Explanation

- Mid Sized Sedan Hybrid - Citywide:
 - The mid-size sedan hybrid Ford contract is replacing the existing hybrid contract with General Motors because General Motors is no longer offering a mid-size hybrid vehicle.
 - This contract will provide solid pricing for user departments to consider environmentally friendly alternatives in compliance with the City's Fleet and Motorized Equipment Asset Management Policy. The unit price is \$26,022.
 - The City currently has 39 hybrid vehicles in the fleet.
- Fuel Truck and Storm Drain Cleaning Truck - Charlotte Department of Transportation (CDOT):
 - Fuel Truck
 - This unit is used by the Street Maintenance Division to transport fuel for off-road equipment at designated job locations throughout the City.
 - This unit is equipped with the most current high efficiency diesel engines that reduce harmful emissions and meets EPA required guidelines. The unit price is \$105,150.
 - This vehicle will replace a 1999 Ford Sterling SMJ210 - life to date maintenance costs total \$40,501.04. Pending mechanical repairs to continue the use of this vehicle total \$32,500.
 - Storm Drain Cleaning Truck
 - This unit is used by the Street Maintenance Division for cleaning storm drain gutters and drain basins.
 - This vehicle will replace a 1999 Ford Sterling SMJ284 - life to date maintenance costs total \$201,009.40. Pending mechanical repairs to continue the use of this vehicle total \$19,500.
 - The second lowest bidder was chosen because the low bidder had an exception to specification requirements deemed necessary for CDOT's requirements (ITB 269-2011-072 Section 4, 15.1). The unit price is \$305,500.

Small Business Opportunity

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

Funding

Capital Equipment Lease Purchase Fund

22. Airport Baggage Claim Renovations

Action: **A. Award the low bid contract of \$1,943,250 to Edison Foard, Inc. for renovations in the baggage claim lobby, and**

B. Adopt a budget ordinance in the amount of \$1,943,250 from the Airport Discretionary Fund.

Staff Resource: Jerry Orr, Aviation

Explanation

- The passenger terminal at the Airport was opened in May 1982. The baggage claim level has been expanded, and portions renovated, over time, which has created a combination of inconsistent finishes as new and better products were used in the expanded sections of the lobby.
- The most current renovation project was the installation of the new information counter in the middle of the baggage claim lobby, which was approved by Council in March 2009.
- This contract will install new lighting, a new drop ceiling, terrazzo flooring and new wall finishes throughout the baggage claim level to provide a more consistent and updated image.
- The renovations will be complete during the summer of 2011.

Small Business Opportunity

Established SBE Goal: 9.00%

Committed SBE Goal: 10.15%

Edison Foard, Inc. exceeded the established SBE goal, and committed 10.15% (\$189,111) of the base bid amount to the following SBE firms: Stevens Interior (framing/drywall), Mekki Modular Systems, Inc. (carpet), Cautmica, LLC (paint), Window2Wall, Inc. (glass).

Funding

Aviation Capital Investment Plan

Attachment 22

Budget Ordinance

23. NCDOT Agreement for Public Art on Beatties Ford Road Business Corridor

Action: Adopt a resolution approving an encroachment agreement with the North Carolina Department of Transportation to install City Public Art in the Beatties Ford Road Business Corridor at the West Trade Street and I-77 underpass.

Staff Resources: Linda Poissant, Charlotte Department of Transportation
Katie McCoy, Budget & Evaluation Office

Explanation

- During the FY2009 and FY2010 budget processes, Council approved a portion of Public Art Ordinance funds totaling \$125,000 to be allocated to Business Corridors.
- The W. Trade Street/I-77 underpass was identified by City staff, the Arts & Science Council, and Public Art Commission as a key location for public art since it is currently viewed as the key barrier separating Uptown from the Beatties Ford Road Business Corridor, Johnson C. Smith University (JCSU), and other neighborhoods to the west.
- Additionally, in 2009, the President of JCSU assembled key stakeholders from the Planning Commission, Neighborhood & Business Services Department, arts community, and surrounding neighborhood groups to assess and evaluate ways to improve the W. Trade Street corridor, specifically the pedestrian environment between JCSU and Uptown Charlotte. As a result, an artistic lighting project at the W. Trade Street/I-77 underpass was identified as a key recommendation of the Beatties Ford Road Business Corridor Revitalization Study. JCSU offered to partner with the City by contributing \$75,000 to City's Public Art project at this site.
- At the November 1, 2010 Council Dinner Briefing, the Arts & Science Council presented this project as part of the annual Public Art Mid-Year Update.
- Because the W. Trade Street/I-77 underpass is located within NCDOT right-of-way, City staff, ASC staff, and JCSU staff met extensively with NCDOT staff on the installation of public art at this location. Per NCDOT Policy, a Council Resolution is required to proceed with an encroachment agreement between the City and NCDOT to install the public art.
- This project is the first in North Carolina to seek approval for public art installation in NCDOT owned right-of-way under the new "North Carolina Public Art on the Right of Way Policy," which was adopted by NCDOT in December 2010.
- A site plan indicating the location of the artwork is attached.
- On April 4, City Council was briefed on this project.

Funding

Funds allocated to this project are as follows:

City Public Art Ordinance	\$125,000
JCSU Contribution	<u>75,000</u>
Total	\$200,000

Attachment 23

W. Trade Street/I-77 Underpass Site Plan
Resolution

24. Right Moves for Youth Contract

Action: Approve a contract with Right Moves for Youth, in the amount of \$134,692, for programs for at-risk youth.

Staff Resources: Ruth Story, CMPD
Karl Bannerman, CMPD

Explanation

- Right Moves for Youth operates school based clubs designed to reduce the dropout rate by enhancing the participants' academic achievement, leadership ability, life skills awareness, self esteem, and civic responsibility.
- Program participants are selected based on criteria including, but not limited to, excessive absences, inappropriate social behavior, consistent performance below grade level, low self esteem, and unstable home environments.
- CMPD is contracting with Right Moves for Youth for a number of activities during this fiscal year.
- Right Moves will provide a program manager and two club coordinators to handle the day-to-day operation of the clubs, develop program content, develop and monitor program goals and objectives, recruit and supervise program volunteers, and facilitate communication between the schools and the clubs. There are currently 110 clubs serving 2,687 students at 67 schools. \$80,000 will be used for these salaries.
- Right Moves will operate a six-week outdoor summer camp program for middle school students who would otherwise be unsupervised during the summer. The camp will provide educational opportunities as well as team building and leadership development activities for approximately 100 students. \$20,000 will cover the cost of the camp counselors, equipment, supplies, and lunches for participants.
- Gang of One is contracting with Right Moves for Youth to conduct a summer camp for middle school students called Camp METS (Motivation-Endurance-Trust-Strength). The students will be exposed to a variety of outdoor experiences and will keep journals detailing their experiences. The camp will run for five weeks with 15 students per week attending. The cost is \$14,692.
- \$20,000 will cover the costs of other Right Moves programs including college tours for high school students and the Tools for Life Program which stresses life skills and decision making.

Funding

\$20,000 from Police operating budget, \$50,000 from the 2010 Justice Assistance Grant, \$50,000 from police assets forfeiture funds, and \$14,692 from Gang of One grant funds.

25. Transit Exterior Advertising Program

- Action:**
- A. Approve an advertising contract with a three-year minimum revenue guarantee of \$2,662,500 plus a percentage share of revenue for exterior advertising services to Titan Outdoor, LLC, and**
 - B. Authorize the City Manager to renew the Contract annually up to two times with a five-year total minimum revenue guarantee of \$5,087,500 plus a percentage share of revenue.**

Staff Resource: Olaf Kinard, Transit

Explanation

- Since 2008, CATS experienced a significant reduction in sales tax receipts due to the recession and volatile fuel prices. In response, CATS has taken several budget-reducing actions including:
 - Reducing over \$23 million in operating expenses
 - Laying off employees and eliminating vacant positions
 - Implementing fare increases
 - Altering services
 - Reducing the Blue Line Extension's estimated capital cost by approximately 20%
- In September 2010, the Metropolitan Transit Commission (MTC) approved reinstating exterior advertisements on revenue vehicles along with permitting advertisements on other CATS assets to provide additional revenue. The CATS assets available for advertisements include:
 - Exterior and interior of vehicles (some branded vehicles excluded, such as Gold Rush and Sprinter)
 - LYNX Blue Line issued ticket stock
 - Printed schedules
 - Mobile / Wi-Fi technologies
 - Kiosks on rapid transit stations
- The advertising contract with Titan Outdoor would be effective upon adoption and advertising would begin appearing on CATS' assets in July. The contract revenue is included in CATS' FY2012 and FY2013 budgets.
- On October 11, 2010, City Council received a briefing on the exterior advertising program.

Project History

- In the late 1970s, when the City began managing the bus system, paid advertising existed on the exterior of transit buses. By the late 1990s, annual advertising revenue reached approximately \$200,000 but had started to decline.
- In FY2001, the MTC approved discontinuing exterior advertisements on buses due to the emerging new brand, CATS, and the continuing decline in advertising revenue. At that time, CATS management expected exterior advertisements might be a more viable option to reconsider once the fleet size had grown and the CATS brand had matured.

Selection Process

- The City issued a Request for Proposal (RFP) on January 18, 2011. Five proposals were received, all of which were deemed to be responsive.

- The selection committee, consisting of CATS team members from Marketing, Bus and Rail Operations, Finance, and Safety & Security, evaluated and rated each proposal based on the processes and criteria outlined in the RFP.
- The two highest-rated vendors were invited to make presentations and answer questions from the selection committee after which the selection committee evaluated the vendors based on their responses and presentations. In both rounds of evaluations the selection committee ranked Titan Outdoor, LLC the highest.

Contract Terms

- The vendor will manage and administer the sale, production, installation and removal of advertisements on CATS assets, including the interior and exterior of bus and rail vehicles, ticket stock, printed schedules and other assets as they become available.
- The contract will provide for a three-year term with two, one-year renewals. Each term year will have a predetermined minimum revenue guarantee in addition to a percentage share of revenue above the minimum guarantee.
- Because there has not been an exterior advertisement program in existence for over a decade, the first three months of the contract will not require minimum payments as the vendor establishes a new advertising media market. However, the vendor will make payments based on the revenue generated during the initial three months at the predetermined revenue share percentage. The outline below is the vendor’s Minimum Guarantee Revenue and Revenue Share Percentage by year.

	Minimum Guarantee Revenue	CATS Revenue Share Percentage
Year 1	\$ 562,500	55.0 %
Year 2	\$ 1,000,000	57.5 %
Year 3	\$ 1,100,000	57.5 %
Year 4	\$ 1,175,000	57.5 %
Year 5	\$ 1,250,000	57.5 %
Total	\$ 5,087,500	57.5 %

Small Business Opportunity

- For services based contracts the city seeks to negotiate SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). Titan Outdoor, LLC included the following SBEs in their overall contract proposal for all of the following services:
 - Havoline Fast Lube – Servicing office vehicles
 - W.E.G. Electrical – Electrical/HVAC/Alarm Services
 - Delargy’s Office Supply – Office supplies
 - PEAK Cleaning – Janitorial Services
 - Hawk Sanitation & Recycling – Waste Management Services
 - Urban Disposal, Inc. – Recycling Services

The work to be completed by these SBEs is not directly in support of the revenue sharing aspect of the advertising contract; however, they will be utilized for various services and maintenance activities associated with operation of Titan Outdoor’s Charlotte facility being opened for this contract.

26. Water Meter Equipment Purchase and Installation

- Action:**
- A. Approve the purchase and installation of water meter equipment from Badger Meter, Inc. by the sole source exception authorized by NC G.S. 143-129(e)(6), not to exceed \$6,200,000, and**
 - B. Approve the purchase of new technology pilot testing from Badger Meter, Inc. by the sole source exception authorized by NC G.S. 143-129(e)(6), not to exceed \$225,000.**

Staff Resource: Barry Gullet, Utilities

Sole Source Exception

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 1. Performance or price competition is not available;
 2. A needed product is available from only one source of supply; or
 3. Standardization or compatibility is the overriding consideration.
- Sole sourcing of the water meter equipment is necessary to ensure compatibility with current equipment.
- Purchases made under the sole source exception require City Council approval.

Explanation

- This agreement supports Utilities' customer service improvements and implementation of the 40-point plan presented to Council at the October 4, 2010 workshop.
- In 2002, Utilities contracted with Badger Meter, Inc. to convert to an automated, drive-by water meter reading system that included Itron, Inc transmitters.
- This proposed agreement extends the relationship with Badger and provides:
 - Necessary equipment (meters and registers) to maintain the system
 - Pilot of new technology
 - Replacement of all remaining older model electronic transmitters (ERTs) to improve system reliability
 - Option to provide price protection to upgrade equipment, based on pilot study results

Details of Agreement Components

- Extending the 2008 contract so that Badger will continue to provide all needed water meter equipment, for standard on-going operation of the system, for a two-year term for an amount not to exceed \$2,940,000
- Replacement of 50W model ERTs with 60W ERTs - 60,000 units at a discounted price of \$2,300,000
- A cost protection option for Utilities to upgrade the 60,000 replacement ERTs from 60W to 100W, if the pilot studies demonstrate that this technology is the most reliable and cost effective for the city, at a cost of an additional \$16 each, or up to \$960,000
- A pilot usage study of new technology that is still compatible with existing meters for \$225,000

Replacement Summary

- The latest generation of Itron ERTs (model 60W) has proven much more reliable than earlier models (model 50W). Utilities has been replacing residential 50W ERTs with model 60W upon failure to transmit provided at no cost by Badger and Itron per warranty. At this time, Utilities has replaced approximately one-half of the almost 240,000 residential ERTs in the system.
- Utilities is now working to accelerate the replacement of all residential 50W ERTs, with 60W ERTs, to ensure the highest level of system reliability possible with existing technology.

Current System Components

- Model 60W ERTs	- approx. 120,000
- Model 50W ERTs (to be replaced)	- <u>approx. 120,000</u>
Total Existing Residential ERTs	= approx. 240,000

- On March 28, City Council approved a contract with Itron for the purchase and installation of water meter equipment. This contract included the replacement of 60,000 50W ERTs with 60W ERTs at no cost to the City.
- The Badger agreement will replace the remaining 60,000 50W ERTs in the system, eliminating use of all 50W from the system.

Pilot Study

- Badger has very recently developed a new transmitter system with added features, including the ability to internally store hourly water usage data. The new system is still compatible with existing water meters. Utilities proposes to conduct a pilot usage study of the Badger Orion to determine the usefulness of the added features and to confirm its reliable operation. The pilot usage study will include up to 1,000 installed transmitters, and operational support.
- The pilot usage study will take place in the Peninsula neighborhood in Cornelius and in the Faires Farm neighborhood in Charlotte. These neighborhoods were chosen because of their water use patterns and because baseline data was established in both neighborhoods during last summer's meter equipment audit. If the proposed agreement is approved, installation will begin in the fall of 2011.
- After comparing the results of the two pilot studies (previously approved Itron 100W pilot and this Badger Orion pilot study), if the Itron model 100W ERT pilot usage study proves to be more beneficial, the proposed agreement provides that Utilities may substitute model 100W ERTs, for the 60W ERTs, by paying \$16 additionally for each device as described above.

Small Business Opportunity

Sole source contracts are exempt (Appendix Section 23.2 of the SBO Policy).

Funding

Equipment and Utilities Capital Investment Plan

27. Piedmont Natural Gas Line Relocation

Action: Approve the agreement with Piedmont Natural Gas in the amount of \$427,741 for the relocation of a high pressure gas line to make room for the McAlpine Relief Sewer Phase 3 pipe line.

Staff Resource: Barry Gullet, Utilities

Explanation

- The McAlpine Relief Sewer Phase 3 project extends from Colony Road up to Sardis Road. This new relief sewer, which will be bid this summer, is being installed between the existing McAlpine trunk sewer and a Piedmont Natural Gas line.
- There are several areas where the Piedmont Natural Gas line is too close to the existing sewer to facilitate installation of the planned relief sewer and therefore the gas line needs to be moved.
- Piedmont Natural Gas currently has a contractor working on maintenance items in this area, and they will use this contractor to relocate their gas lines.
- Piedmont Natural Gas prepared the estimate for this work based on existing rates from the contractor they are using for gas line maintenance.

Small Business Opportunity

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

Funding

Utilities Capital Investment Plan

28. Sale of Private Water and Sewer Systems in Cabarrus County to the Town of Harrisburg

Action: Approve the sale of the private water and sewer systems, acquired from Carolina Water Service, to the Town of Harrisburg in the amount of \$5,945,341.

Staff Resource: Barry Gullet, Utilities

Explanation

- The 2009 Hood Road North and South Annexation Areas contained numerous private water and sewer systems owned by Carolina Water Service.
- On February 28, 2011, Charlotte City Council approved the purchase of those systems.
- Portions of those systems, particularly the Cabarrus Woods neighborhood, are in Cabarrus County within the water and sewer service area for the Town of Harrisburg.
- The Town of Harrisburg has indicated it would like to purchase those systems within its service area and staff has negotiated a proposed agreement for that purchase.
- The Town would pay Charlotte Mecklenburg Utilities (CMU) \$5,945,341, which is the amount CMU paid to Carolina Water Services, for this system.

- The purchase will be financed by CMU for a period of 12 years, at no interest, with semi-annual payments made to CMU beginning January 1, 2012. An evaluation of this payment schedule has determined that it has a better payback than if CMU was required to operate and maintain those portions of the system on a retail basis.
- This arrangement also allows the Town of Harrisburg to take over operation and maintenance of the systems as soon as the transfer is made from Carolina Water Services and eliminates any expenditure CMU would have been required to make in order to integrate the systems into the overall CMU water and sewer system.

29. Cisco Technology Products

Action:

A. Approve contracts for providing Cisco technology products and services for the term of five years in the estimated annual amount of \$2,000,000 to the following vendors:

1. CDW-Government
2. DISYS
3. NWN

B. Authorize the City Manager to approve up to two, one-year renewal options with possible price adjustments as authorized by the contract.

Staff Resource: Charles Robinson, Business Support Services

Explanation:

- Cisco products are used for the City's technology network infrastructure.
- Each live network jack in the City is powered by a Cisco switch. These switches connect to other Cisco switches, routers, wireless hotspots and firewalls to form the majority of the City network infrastructure.
- The infrastructure connects every City user to all of the applications and services that are used to complete their daily work, including but not limited to 911, 311, Charmeck.org, email and public safety radio.
- Recent additions to the network include the City traffic control system and environmental controls in buildings from CMGC to the Mint Museum of Art.
- Business Support Services issued a Request for Proposal (RFP) to provide Cisco Products and Services to the City of Charlotte on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA).
- The CCPA is a cooperative purchasing group developed by BSS/PSD. The CCPA is designed to competitively solicit and secure contracts for the purchase of goods and services that may be used by other public agencies regionally and nationwide. The City will receive an administrative fee of 1% to 2% for all participating public agency sales volumes with the potential to generate \$100,000 in revenue.

Selection Process

- In response to the RFP, the City received eight proposals.
- The Evaluation Team, comprised of staff from Business Support Services, IT and Procurement Services evaluated service providers on the following criteria:
 - Background and experience of the company, including references
 - Operational qualifications of personnel

- Customer service approach
- Business processes
- Insurance requirements
- Willingness and ability to comply with the RFP and contract terms and conditions
- Trade-in credits and
- Cost of service provision, to include but not limited to, administrative fees
- After thorough evaluation, the Evaluation Team unanimously recommends CDW Government, DISYS Solutions, Inc., and NWN Corporation as the service providers that best met the established requirements.

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

Various KBU operating budgets on individual as needed basis

30. Engineering Services for Johnston Oehler Road

Action: Approve a contract in the amount of \$950,000 with URS Corporation-North Carolina for engineering design services for Johnston Oehler Road.

Staff Resource: Tim Greene, Engineering & Property Management

Explanation

- This contract with URS Corporation-North Carolina (URS) will provide funding for design services.
- On April 13, 2009, City Council approved the planning contract in the amount of \$276,505 with URS, Inc. The contract was subsequently amended on October 11, 2010 in the amount of \$94,655 to provide funding to analyze two new roadway alignments.
- URS was initially selected using the Council approved qualifications-based selection process. Continuing the design with URS is the most effective and efficient method to proceed, given their successful work to date.
- Funding for this project was included in the 2010 Transportation Bonds.

Background

- In May 2006, Charlotte City Council adopted the 25-year Transportation Action Plan (TAP).
- Farm-to-Market (FTM) roads are identified in the TAP as being generally deficient in their ability to adequately serve the rapidly developing urban land uses surrounding them.
- The Johnston Oehler FTM project will upgrade Johnston Oehler Road, from Mallard Creek Road to the proposed Prosperity Ridge Road, to urban street standards to improve safety and traffic flow. Improvements will include additional lanes, sidewalks, bicycle lanes and landscaping.
- Additionally, the project will construct two side roads off Johnston Oehler Road to connect to the future I-485.

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). URS Corporation-North Carolina committed 7.45% (\$70,741) of the total contract amount to the following SBE firms: Hinde Engineering, Inc. (utility management); Joel E. Wood & Associates, PLLC (geotechnical); and On Target Utility Locate Services (utility locator).

Funding

Transportation Capital Investment Plan

31. Various Storm Water Repair and Maintenance Projects

- Action:**
- A. Approve the following contracts for engineering services for various storm water repair and maintenance projects:**
 - 1. Latham-Walters Engineering, Inc. in the amount of \$250,000
 - 2. Mulkey Engineers & Consultants in the amount of \$500,000
 - 3. ESP Associates, P.A. in the amount of \$500,000.
 - B. Authorize the City Manager to renew each contract once for the original contract amount.**

Staff Resource: Jennifer Smith, Engineering & Property Management

Explanation

- The consultants will provide engineering analysis and design services for various storm water repair and maintenance projects ranging from single property repairs to area-based drainage problems.
- The firms were selected using the Council approved qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task order basis.
- Specific tasks associated with the services shall include but are not limited to:
 - Coordination with property owners
 - Site assessment activities
 - Hydrologic and hydraulic analysis
 - Determination of alternatives to address the applicable drainage issues
 - Recommendation of a preferred solution
 - Evaluation of downstream impacts
- Work assignments shall be generated in response to Request for Services received by City Storm Water Services.
- Work assignments will be written task orders issued by the City Project Manager.

Small Business Opportunity

For professional services based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy).

Latham-Walters Engineering, Inc. included the following SBEs as part of their supporting team: Boyle Consulting Engineers, PLLC (geotechnical); and James Mauney & Associates, P.A. (surveying). These SBEs will be utilized as the project evolves.

Mulkey Engineers & Consultants included the following SBEs as part of their supporting team: Hinde Engineering, Inc. (utility design); Capstone Civil Group, PA (geotechnical); and Carolina Wetland Services (stream restoration). These SBEs will be utilized as the project evolves.

ESP Associates, P.A. included the following SBEs as part of their supporting team: AmeriDrill Corporation (geotechnical); Wescott Structures, P.A. (structural engineering); and Estes Design, Inc. (environmental & ecological). These SBEs will be utilized as the project evolves.

Funding

Storm Water Capital Investment Plan

32. Uniformed Guard Service

Action: Authorize the City Manager to extend the current CMGC/City Hall Uniformed Guard Service contract with AlliedBarton Security Services, LLC for an additional one year period at the existing annual contract amount of \$578,406.19.

Staff Resource: Sue Rutledge, Engineering & Property Management

Explanation

- The current contract with AlliedBarton for uniformed guard services will expire April 30, 2011. Under the terms of the contract, the City Manager will approve the final one-year renewal prior to May 1, 2011.
- Due to the contractor's good performance and to take advantage of existing prices, staff recommends an additional year be added, extending the contract period to April 30, 2013. A new selection process will begin in early 2013.
- AlliedBarton will honor the existing terms and conditions for an additional one year period ending April 30, 2013.
- Staffing levels and coverage hours can be adjusted under this contract at the same unit price.

Background

- In February 2007, City Council approved a three-year contract effective May 2007 with an option to renew for two additional one-year periods.
- Contract pricing has remained fixed with the same terms and conditions for the entire duration of the contract, including all renewals.

Small Business Opportunity

No SBE goal was set for this contract extension because subcontracting opportunities were not identified. This contract extension complies with Part D: Section 6 of the SBO Policy.

Funding

Engineering & Property Management Operating Budget

33. North Church Street/CSXT Railroad Corridor Municipal Agreement

- Action: A: Adopt a resolution authorizing the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the North Church Street/CSXT Rail Crossing Closure & Improvements, and**
- B: Adopt a budget ordinance in the amount of \$1,270,000, including appropriating \$975,000 in State funding, \$20,000 in CSXT funding, and transferring \$275,000 from existing transportation capital appropriations.**

Staff Resources: Alan Morrison, Engineering & Property Management
Tim Gibbs, Charlotte Department of Transportation

Explanation

- This is one of several projects intended to improve grade crossing safety within the City of Charlotte.
- Construction will include a two-way conversion of the 900 block of North Church Street, the extension of Wadsworth Place (from North Tryon Street to Church Street) and signalization of North Tryon Street at Wadsworth Place.
- These improvements are necessary in order to maintain access to adjacent properties during the North Church Street/CSXT closure.
- In addition to these roadway improvements, CDOT, NCDOT and CSXT agreed to add turnaround areas at the ends of the closed section of North Church Street to allow large vehicles to have adequate ingress and egress to businesses.
- NCDOT requested the City manage the projects related to the closing of the CSXT at-grade crossing on North Church Street.
- This project includes funding from NCDOT (\$975,000), Transportation Capital Investment Plan (\$200,000), Business Corridor Revitalization Fund (\$75,000) and CSXT (\$20,000).
- Construction is expected to be complete in December 2013.

Funding

North Carolina Department of Transportation (975,000), Transportation Capital Investment Plan (\$200,000), Business Corridor Revitalization Fund (\$75,000) and CSXT (\$20,000).

Attachment 24

Map
Resolution
Budget Ordinance

34. Computer and Related Equipment Disposal Services

- Action:**
- A. Adopt a resolution approving the donation of surplus computers and related equipment to Goodwill Industries of the Southern Piedmont,**
 - B. Approve a contract for Computers and Related Equipment Disposal Services with Goodwill Industries of the Southern Piedmont for an initial term of two years, and**
 - C. Authorize the City Manager to approve up to three one-year contract renewal options as authorized by the contract.**

Staff Resource: Charles Robinson, Business Support Services

Explanation

- The waste stream for obsolete computers and related equipment is growing rapidly in volume and complexity.
- Electronic waste (e-waste) is the fastest growing stream of waste in the United States.
- Federal and state law requires specialized procedures for disposal of electronic assets for environmental and privacy reasons.
- The recycling of surplus computers and related equipment can involve:
 - Refurbish and reuse
 - Recovery of valuable components or materials for reuse
 - Recycling of components and materials that no longer have value or use
- Goodwill Industries of the Southern Piedmont is located in Charlotte and offers all required services associated with e-waste management at no charge.
- Using Goodwill for computers and related equipment disposal will provide the following:
 - Proper disposal of unwanted computers and related equipment
 - Reduce e-waste by refurbishing and reusing computers
 - Necessary packing requirements for secure freight pickup
 - Secure data destruction services as required by the City
 - Necessary reporting documentation
- G.S. 160A-280 requires that City Council adopt a resolution approving all donations. A list of surplus computers and related electronic equipment will be established for each donation cycle and placed on a Council agenda for approval.

Selection Process

- There was no formal bid process for this project due to the unique business model of Goodwill Industries, specifically the cost neutral opportunity for the City.
- There were two informal proposals received for the purpose of ensuring that Goodwill was the best option for the City. In both proposals, the programs would cost the City money to implement and would not provide the unique opportunity to create local jobs and provide local citizens the opportunity to purchase refurbished computers.

Contract Terms

- The contract will have an initial term of two years with the option to renew for three additional consecutive one-year terms.
- Contract renewal after the initial term is contingent upon the vendor's satisfactory performance.

Small Business Opportunity

No SBE Goal was set for this contract because subcontracting opportunities were not identified (Part C: Section 2.4 of the SBO Policy).

Attachment 25

Resolution
List of Equipment

35. Airport Recycling Center

Action:

- A. Approve a three-year management contract with Go Green, Reduce Reuse Resell, Inc. (Go Green) for the operation and management of the Airport Recycling Center,**
- B. Authorize the City Manager to execute up to two, one-year extensions, and**
- C. Approve a month-to-month contract extension not to exceed \$450,000 for up to one year with Waste Management of the Carolinas, Inc. ("Waste Management") for solid waste disposal services.**

Staff Resource: Jerry Orr, Aviation

Explanation

- Airport staff recommends awarding a management contract to Go Green for the operation of the Airport Recycling Center (ARC). Go Green conducted a waste audit for the Airport in May 2009 identifying the compositions of the solid waste stream. Go Green has since worked with the Airport as a consultant and prepared the initial proposal for the development of the ARC at the Airport.
- The ARC will process the Airport's waste stream to capture all recyclable items, thereby reducing the environmental impact of the Airport and creating a more sustainable waste disposal program.
- The ARC will have the capability to compost certain non-recyclable materials such as food waste and waxed paper products.
- Go Green will oversee the sale of all recyclable goods and compost generated by the ARC on the City's behalf.
- To prepare the ARC facility for operation, the City will take the following future actions:
 - Solicit competitive pricing for the equipment needed to operate the ARC, including balers, conveyors and composting equipment, at an estimated cost of \$1,000,000
 - Solicit bids for the demolition of the interior of the ARC facility at an estimated cost of \$40,000
 - Solicit bids for the up-fit of the electrical and HVAC systems of the ARC facility at an estimated cost of \$50,000
 - Issue an RFP for the transfer of all waste from the Airport terminal to the ARC and the disposal of any non-recyclable waste

- Action C will allow for the continuation of the Airport's existing solid waste disposal services provided by Waste Management pending the opening of the ARC. The Airport anticipates a significant reduction in its solid waste once the ARC is operational. The month-to-month extension of the existing contract will allow staff to observe operation of the ARC and gauge the revised solid waste disposal needs before rebidding that service.
- Once the ARC is operational, the Airport estimates that 7,000 tons of the 10,000 tons of Airport waste that is presently disposed of in the landfill will be recycled or composted (70% of the solid waste stream).
- Payback for the capital invested (\$1,090,000) is less than six years.

Contract Terms

- Go Green will manage and operate the ARC pursuant to a management contract with a three-year initial term and two, one-year extensions exercisable by the City.
- The City will advance funds for Go Green to pay operating expenses for the ARC in accordance with an annual budget prepared by Go Green and approved by the Aviation Director.
- Go Green will be paid consultant fees on an hourly basis not to exceed \$28,200 in connection with the start-up of the ARC.
- Go Green will arrange for the sale of recyclable goods and compost on City's behalf. The first year estimated revenue from the sale of recyclable materials and compost is \$387,242. The City will pay Go Green 50% of all revenue generated by the sale of recyclable goods and compost.
- Go Green will be entitled to 50% of any carbon tax credits earned through an approved carbon credit project.
- The ARC will create 18-20 new jobs at the Airport.
- The City will extend its existing solid waste disposal contract with Waste Management on a month-to-month basis in an amount not to exceed \$450,000 for up to one year.

Small Business Opportunity

Go Green

For professional service-based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). No SBE goal was set for this project because subcontracting opportunities were not identified; however, Go Green is a certified SBE company with the City of Charlotte.

Waste Management of the Carolinas

No SBE goal was set for this contract extension because subcontracting opportunities were not identified. This contract extension complies with Part D: Section 6 of the SBO Policy.

Funding

Aviation Operating Fund

36. Federal Aviation Administration Grant Acceptance

- Action:**
- A. Adopt a resolution accepting a Federal Aviation Administration (FAA) grant in the amount of \$16,804,107 for Airport projects related to the new runway, and**
 - B. Adopt a Budget Ordinance appropriating \$16,804,107 in FAA grant funds; transferring \$9,408,473 of 2007 Series B and \$7,395,634 of 2010 Series C General Airport Revenue Bonds to the Debt Service Fund.**

Staff Resource: Jerry Orr, Aviation

Explanation

- Each year, the Airport qualifies for FAA entitlement funds based on passenger enplanements under the Airport Investment Plan.
- In December 2006, the FAA issued its Letter of Intent to provide \$80 million dollars over eight years in discretionary federal funds to be applied towards the cost of constructing the new runway. The FY2011 allocation of this Letter of Intent is \$12 million dollars and is included in the \$16,804,107 grant offer. This is the fifth installment of the LOI.
- This grant will be used to fund a portion of the costs associated with the following project elements:
 - Runway grading & drainage
 - Runway paving and lighting
 - Runway nav aids

Attachment 26

Resolution
Budget Ordinance

37. Airport Entrance Road Bridge Design

- Action:**
- A. Approve a contract with AECOM, Inc. in the amount of \$325,125 for the design of two bridges for the Airport Entrance Road,**
 - B. Approve a contract with STV/Ralph Whitehead, Inc. in the amount of \$422,260.71 for the design of two bridges for the Airport Entrance Road, and**
 - C. Adopt a budget ordinance in the amount of \$747,385.71 from the Airport Discretionary Fund.**

Staff Resource: Jerry Orr, Aviation

Explanation

- In February, City Council approved a contract with HNTB, Inc. for the design of the Airport Entrance Road. In that action, the Airport stated that a separate Request for Qualifications was issued for the design of four bridges related to the new road.

- The Airport received seven qualification responses, which were reviewed by a selection committee comprised of two Airport Advisory Committee members and three Airport staff members.
- The committee recommended two design firms, AECOM, Inc. and STV/Ralph Whitehead Associates, Inc. (STV/RWA) for the bridge design.
- AECOM, Inc. will design two of the bridges and STV/RWA will design the other two bridges.

Small Business Opportunity

AECOM, Inc.

For professional service-based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). AECOM committed 9.60% (\$31,225) of their total contract amount with the following SBE firms: Richa Graphics, Inc. (printing), Utility Coordination Consultants, Inc. (Utility coordination), AmeriDrill Corporation (Geotec –drilling), and The Survey Company (surveying).

STV/Ralph Whitehead, Inc.

For professional service-based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). STV/Ralph Whitehead, Inc. committed 9.66% (\$40,800) of their total contract amount with the following SBE firms: Survey & Mapping Control, Inc. (land surveying), AmeriDrill Corporation (Geotec –drilling), and Richa Graphics Inc. (printing).

Funding

Aviation Capital Investment Plan

Attachment 27

Map

Budget Ordinance

38. Airport Runway 18C/36C Reconstruction

- Action:**
- A. Approve Change Order #1 with Hi-Way Paving, Inc. in the amount of \$388,560 for LED airfield lighting related to the Runway 18C/36C reconstruction,**
 - B. Approve a contract with S&ME, Inc. in the amount of \$595,706 for construction materials testing services for the Runway 18C/36C reconstruction, and**
 - C. Adopt a budget ordinance in the amount of \$984,266 from the Airport Discretionary Fund.**

Staff Resource: Jerry Orr, Aviation

Explanation

- In January, City Council approved a contract with Hi-Way Paving, Inc. in the amount of \$17,864,856.80 for the reconstruction of Runway 18C/36C.
- In recent years, the Federal Aviation Administration (FAA) has authorized the use of LED airfield lighting rather than the traditional incandescent lighting normally used on the airfield. LED lighting provides a significant operating cost savings due to reduced power consumption.

- During design, the FAA issued a moratorium on the use of LED lighting for the runway centerline and touchdown zone lights. Anticipating the moratorium being lifted, the Airport bid the LED centerline and touchdown zone lighting as an alternate so pricing would be available should the LED lighting be authorized by FAA.
- FAA has lifted the moratorium and with this change order the Airport will accept the alternate bid to install the LED lighting.
- Action B will provide construction materials testing services for the reconstruction of the runway.
- S&ME, Inc. was selected by a selection committee based on the firm's qualifications submitted to the Airport on February, 2, 2011. The selection committee included the Aviation Director and Aviation staff members.

Disadvantaged Business Opportunity

Hi-Way Paving, Inc.

Established DBE Goal: 8.00%

Committed DBE Goal: 8.00%

Hi-Way Paving maintains their original DBE commitment of 8.00% with the addition of this change order. Hi-Way Paving, Inc. committed 8.00% (\$1,429,200) of their base bid amount to three certified DBE companies: All Points Trucking, Inc. (hauling); GC Electrical Solutions, LLC (electrical supplier at 60%) and Martin Landscaping Co., Inc. (seeding).

S&ME, Inc.

For professional service-based contracts, the City negotiates SBE goals after the proposal selection process. S&ME, Inc. committed 8.00% (\$47,656.48) to the following certified DBE Company: On-Spec Testing (testing).

Funding

Aviation Capital Investment Plan

Attachment 28

Budget Ordinance

39. Airport Land Acquisition of 4700–4800 Wilkinson Boulevard

Action: Approve the acquisition of 14.66 acres of property at 4700-4800 Wilkinson Boulevard for the negotiated purchase price of \$285,000.

Staff Resource: Jerry Orr, Aviation

Explanation

- Since 1989, the Airport has been acquiring property impacted by noise under the FAR Part 150 Noise Compatibility Program, which is approved and funded 80% by the Federal Aviation Administration (FAA).
- Using this program, the Airport purchased 42 parcels totaling 33.877 acres along Mulberry Church Road on the north side of Wilkinson Boulevard; however, because the Part 150 Program is voluntary, the Airport did not purchase all the parcels in that neighborhood.
- Charlotte Mecklenburg Development Corporation (CMDC) is a non-profit, public/private partnership of the City, County, and Charlotte Chamber focused on revitalizing distressed, inner-city corridors. This project is

similar to the 33-acre Wilkinson Business Park, which CMDC developed in partnership with the City and County.

- CMDC has been working to redevelop this area as an industrial park, which would make the land compatible with Airport development.
- CMDC has asked the Airport to purchase this parcel for the negotiated price of \$285,000. The 2011 tax value of these parcels is \$2,012,700. Additionally, some of this land is located within the floodplain. An easement will be reserved on this floodplain and adjoining streams to allow for stream preservation and restoration by Storm Water Services.
- The Airport is willing to sell CMDC the parcels currently owned by the Airport to establish the park, subject to the Mandatory Referral Process.
- CMDC has worked with Francis Pruette and Albert Falls, Jr., the land owners at 4700, 4706, 4714, and 4800 Wilkinson Boulevard (Tax Parcel # 061-201-30/31/32/33/34), to acquire that parcel, which is adjoined by parcels owned by the Airport on both sides, in an effort to assemble enough acreage to develop the park.

Funding

Aviation Capital Investment Plan

40. Refund of Property and Business Privilege License Taxes

- Action:**
- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$44,298.04, and**
 - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$2,441.89.**

Staff Resource: Chip Harris, Finance

Attachment 29

Resolution

List of property tax and business license refunds

41. Resolution of Intent to Abandon a Residual Portion of Badger Court

- Action:**
- A. Adopt the Resolution of Intent to abandon a residual portion of Badger Court, and**
 - B. Set a public hearing for May 9, 2011.**

Staff Resources: Linda Poissant, Transportation
Jeff Boenisch, Transportation

Attachment 30

Map

Resolution

PROPERTY ITEMS

42. Property Transactions

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

- The City has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If City Council approves the resolutions, the City Attorney's Office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.

Acquisitions

- A. Project:** Coulwood/GumBranch/KentBerry Sidewalk Projects, Parcel # 10
Owner(s): Jimmy R. Rollins and Wife, Carolyn P. Rollins
Property Address: 406 Coulwood Drive
Property to be acquired: 5,618 sq. ft. (.129 ac.) in Fee Simple, plus 373 sq. ft. (.009 ac.) in Existing Right-of-Way, plus 885 sq. ft. (.020 ac.) in Sanitary Sewer Easement, plus 1,451 sq. ft. (.033 ac.) in Storm Drainage Easement, plus 312 sq. ft. (.007 ac.) in Storm Drainage and Sanitary Sewer Easement Overlap, plus 4,914 sq. ft. (.113 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees and Bushes
Zoned: R-3
Use: Single Family Residential
Tax Code: 031-073-01
Total Parcel Tax Value: \$151,400
Purchase Price: \$11,300
- B. Project:** Fairview Sidewalk, Parcel # 12
Owner(s): Peter Burlos and Wife, Miriam B. Burlos
Property Address: 5727 Fairview Road
Property to be acquired: 1,553 sq. ft. (.036 ac.) in Sidewalk and Utility Easement, plus 678 sq. ft. (.016 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: UR-C

Use: Single Family Residential
Tax Code: 177-053-11
Total Parcel Tax Value: \$343,600
Purchase Price: \$21,100

- C. **Project:** Fairview Sidewalk, Parcel # 13
Owner(s): Mirsa 2, LLC
Property Address: 5709 Fairview Road
Property to be acquired: 151 sq. ft. (.003 ac.) in Storm Drainage Easement, plus 2,926 sq. ft. (.067 ac.) in Sidewalk and Utility Easement, plus 36 sq. ft. (.001 ac.) in Utility Easement, plus 1,375 sq. ft. (.032 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: UR-C
Use: Single Family Residential
Tax Code: 177-053-09
Total Parcel Tax Value: \$451,300
Purchase Price: \$39,075

Condemnations

- D. **Project:** Murrayhill Road Sidewalk, Parcel # 27
Owner(s): Michael Anthony Martin; Mark Patrick Martin And Nina Ann Martin And Any Other Parties Of Interest
Property Address: 5107 Murrayhill Road
Property to be acquired: 1,161 sq. ft. (.027 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-011-27
Total Parcel Tax Value: \$189,100
Appraised Value: \$950
Property Owner's Counteroffer: None
Reason For Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The property owner is against the project and after initial negotiations, has ceased communications. Also, the title abstract indicates issues that may prevent the ability to obtain clear title. In order to maintain the project schedule, condemnation is recommended.
- E. **Project:** Murrayhill Road Sidewalk, Parcel # 53
Owner(s): Audrey L. Claassen, f/k/a Audrey Theresa LaPorte And Any Other Parties Of Interest
Property Address: 5339 Murrayhill Road
Property to be acquired: 1,705 sq. ft. (.039 ac.) in Temporary Construction Easement
Improvements: Driveway
Landscaping: Shrub
Zoned: R-4

Use: Single Family Residential

Tax Code: 171-022-21

Total Parcel Tax Value: \$199,100

Appraised Value: \$1,700

Property Owner's Counteroffer: None

Reason For Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. Staff and the property owner have not resolved the difference in the appraisal and their counter offer. In order to maintain the project schedule, condemnation is recommended.

- F. Project:** Murrayhill Road Sidewalk, Parcel # 60
Owner(s): Vickie Lathe Whitley And Any Other Parties Of Interest
Property Address: 5521 Murrayhill Road
Property to be acquired: 1,900 sq. ft. (.044 ac.) in Temporary Construction Easement
Improvements: Driveway
Landscaping: Tree
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-071-03
Total Parcel Tax Value: \$230,400
Appraised Value: \$2,475
Property Owner's Counteroffer: None
Reason For Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. Staff and the property owner have not been able to reach an agreement. In order to maintain the project schedule, condemnation is recommended.
- G. Project:** Murrayhill Road Sidewalk, Parcel # 71
Owner(s): Larry Albert Brackett And Any Other Parties Of Interest
Property Address: 5633 Murrayhill Road
Property to be acquired: 3,159 sq. ft. (.073 ac.) in Temporary Construction Easement
Improvements: Driveway
Landscaping: Trees
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-071-14
Total Parcel Tax Value: \$216,800
Appraised Value: \$4,575
Property Owner's Counteroffer: None
Reason For Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. Staff and the property owner have not been able to reach an agreement regarding the appraisal. In order to maintain the project schedule, condemnation is recommended.

- H. **Project:** Steele Creek Pump Station Replacement, Parcel # 23
Owner(s): Mirsa 2, LLC And Any Other Parties Of Interest
Property Address: 413 North Polk Street
Property to be acquired: 39,035 sq. ft. (.896 ac.) in Sanitary Sewer Easement
Improvements: None
Landscaping: Trees
Zoned: B-3
Use: Industrial
Tax Code: 205-012-11
Total Parcel Tax Value: \$2,709,300
Appraised Value: \$182,900
Property Owner's Counteroffer: \$256,438
Reason For Condemnation: This project will replace and relocate the Steele Creek Pump Station. The Steele Creek Pump Station is rapidly reaching its maximum capacity. Staff and the property owner have not resolved the difference in the appraisal and their counter offer. In order to maintain the project schedule, condemnation is recommended.
- I. **Project:** Sugaw Creek / Ritch Avenue Neighborhood Improvement Project, Parcel # 5
Owner(s): Nancy Viola Wilson And Any Other Parties Of Interest
Property Address: 3900 Sofley Road
Property to be acquired: 843 sq. ft. (.019 ac.) in Fee Simple, plus 827 sq. ft. (.019 ac.) in Storm Drainage Easement, plus 3,617 sq. ft. (.083 ac.) in Sidewalk and Utility Easement, plus 3,078 sq. ft. (.071 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 087-021-18
Total Parcel Tax Value: \$12,800
Appraised Value: \$2,200
Property Owner's Counteroffer: None
Reason For Condemnation: This NIP project will improve the infrastructure within the Sugaw Creek Neighborhood. The title abstract indicates issues which prevent the ability to obtain clear title. Therefore, condemnation is recommended.
- J. **Project:** Sugaw Creek / Ritch Avenue Neighborhood Improvement Project, Parcel # 10
Owner(s): Gregory Hughes And Any Other Parties Of Interest
Property Address: 4001 Sofley Road
Property to be acquired: 50 sq. ft. (.001 ac.) in Utility Easement, plus 1,548 sq. ft. (.036 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 087-034-02

Total Parcel Tax Value: \$8,500

Appraised Value: \$1,225

Property Owner's Counteroffer: None

Reason For Condemnation: This NIP project will improve the infrastructure within the Sugaw Creek Neighborhood. The title abstract indicates issues which prevent the ability to obtain clear title. Therefore, condemnation is recommended.

- K. Project:** Sugaw Creek / Ritch Avenue Neighborhood Improvement Project, Parcel # 27
- Owner(s):** BTL Properties, LLC And Any Other Parties Of Interest
- Property Address:** 501 Dare Drive
- Property to be acquired:** 2,424 sq. ft. (.056 ac.) in Temporary Construction Easement
- Improvements:** None
- Landscaping:** None
- Zoned:**
- Use:** Multi Family
- Tax Code:** 085-113-06
- Total Parcel Tax Value:** \$165,400
- Appraised Value:** \$900
- Property Owner's Counteroffer:** None
- Reason For Condemnation:** This NIP project will improve the infrastructure within the Sugaw Creek Neighborhood. Staff has been unable to locate the property owner. The title report also indicates issues which prevent the ability to obtain clear title. Therefore, condemnation is recommended.

43. Meeting Minutes

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

- February 14, 2011
- February 21, 2011