

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

Michael Barnes
Nancy Carter
Andy Dulin
Anthony Foxx
Patsy Kinsey

John W. Lassiter
Don Lochman
James Mitchell, Jr.
Patrick Mumford
Warren F. Turner

CITY COUNCIL MEETING

Monday, June 11, 2007

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

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CITY COUNCIL AGENDA

Monday, June 11, 2007

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Hotel/Motel Ordinance

Resources: Keith Parker, City Manager's Office
Capt. Diego Anselmo, Charlotte-Mecklenburg Police
Walter Abernethy, Neighborhood Development

Time: 20 minutes

Synopsis

- Staff will present proposed changes to Chapters 11 and 15 of the City Code to allow Code Enforcement personnel to inspect hotels and motels and give police more authority to address criminal activity at these locations. The changes will include:
 - Establishment of minimum fitness standards for hotels/motels
 - Inspection authority for Code Enforcement and civil penalties for violations
 - Hotel requirements for public safety purposes
 - Cooperation with Police requirements and penalties for violations

Future Action

- A public hearing on the ordinance changes will be held at the June 25 Council meeting. Unless the ordinance is referred back to the Community Safety Committee, Council will be asked to approve the changes at its July 23 meeting.

2. Hamilton Street 8 acres in Greenville Neighborhood

Resources: Eric Johnson, Engineering & Property Management
J. R. Steigerwald, Engineering & Property Management

Time: 20 minutes

Synopsis

- The eight acre site located in the Greenville neighborhood is currently zoned R-5 located between Brookshire Blvd. and Hamilton St. The property was acquired by the City in 1911 for \$500 dollars and currently has an assessed value of \$130,000. No development activity on site has occurred for over 20 years.
- On March 5, 2007, The Drakeford Company submitted a letter to the City seeking to purchase the 8 acre tract.
- During the same period, The Ark Group expressed interest in purchasing the site and has articulated interest in the past as to acquiring the site.
- The Greenville community has expressed support for both potential buyers.

- Real Estate Division was asked to handle the disposal of this property. An update of the 2006 appraisal was commissioned for densities of R-12 MF, R-17 MF and R-22 MF.
- The Greenville Neighborhood is experiencing revitalization with the successful redevelopment of Fairview Homes. Seven Acres should begin construction this summer and has a residential component of 68 townhomes and a 12,000+ square feet of commercial development.
- The Charlotte-Mecklenburg Housing Partnership has Double Oaks under contract for re-development and has sought assistance from the City of Charlotte. The Music Factory is building its next phase and re-aligning Seaboard Road for better connectivity.
- The Mandatory Referral process is complete. It is recommended that only residential development occur on this site. If the development is at a higher density than R-12MF, it will be necessary to have an acceptable site plan that provides for height restrictions and sufficient buffering from the adjacent single family housing.
- Options for disposing of the property include conducting a direct sale with one of the potential buyers, sell the property through an RFP process and or defer any action on this property until current redevelopment activities in the area completed.
- The staff recommendation is to hold the property for a minimum of three years. Activities that should occur prior to revisiting the sale of this property would be the completion of Seven Acres, the disposition of the Double Oaks and the construction of residential development in the Music Factory existing holdings.

Future Action

- Should City Council decide to proceed with the sale of the property, Council can provide a desired outline for timing. If City Council agrees to defer any action on the site, the Real Estate Division will bring it back to City Council's attention when the desired period of time has passed and there is renewed interest in the property.

3. Redistricting Plan

Resource: Mike Boyd, City Attorney's Office

Time: 20 minutes

Synopsis

- Review of the three redistricting plans considered by the Redistricting Committee

Future Action

- A redistricting plan must be approved no later than the beginning of the filing period for candidates for the district Council seats which is July 6, 2007.
- The Redistricting Committee meets on Thursday, June 7th.

Attachment 1

Redistricting Plan A Map and associated statistics
Redistricting Plan B Map and associated statistics
Redistricting Plan C Map and associated statistics
Briefing Paper on Redistricting
Factors That May Be Considered in Redistricting
Resolution Revising Boundaries of Council Electoral Districts

4. Discussion of House Bill 1492 – Solid Waste Management Act of 2007

Resources: Boyd Cauble, City Manager’s Office
Mujeeb Shah-Khan, City Attorney’s Office
Victoria Garland, Solid Waste Services

Time: 20 minutes

Synopsis

- At the June 4 Council Meeting, the Mayor and Council asked that this item be placed on the June 11th agenda for discussion.
- SB 1492 is currently in a stake-holder review process but is likely to be considered by the Senate soon.
- In its current form, key provisions of the bill are as follows:
 - Allows moratorium on large landfills to lapse
 - Establishes heightened permitting and design standards for new landfills
 - Establishes significant new and increased permitting fees
 - Establishes a \$2.50 per ton tipping fee – proceeds distributed as follows:
 - \$1.00 per ton for remediation of orphan landfills
 - \$1.00 per ton for fluorescent lamp recycling program including grants to local governments
 - \$0.05 per ton for oyster shell recycling
 - \$0.45 per ton for litter reduction
- Effects on City of Charlotte include
 - Approximately \$420,000 per year in additional tipping fees
 - Cost of permitting fees and landfill design standards would be pushed down to solid waste collectors/disposers

Future Action

- Discuss/Consider Council legislative stance on this bill

Attachment 2

Senate Bill 1492 Proposed Committee Substitute (5/29/2007 version)

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

CONSENT

- 5. Consent agenda items 20 through 45 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

6. Draft Bryant Park Land Use & Streetscape Plan



Action: Receive citizen comments on the draft Bryant Park Land Use & Streetscape Plan, Concept Plan.

Committee Chair: John Lassiter

Staff Resource: Kent Main, Planning Department

Policy

This is a draft policy document for the Bryant Park area updating existing policy in *Central District Plan* (1993).

Explanation

- The Bryant Park area is about 360 acres in the vicinity of West Morehead Street, Wilkinson Boulevard, Berryhill Road and Freedom Drive.
- Existing land use plans still indicate industrial use for the area, planned before emergence of the dramatic commercial and residential opportunities now underway.
- There are several major development projects, with accompanying rezonings, pending in the area.
- The need for comprehensive vision for land use, street networks and infrastructure has led to accelerated planning effort for this plan.
- The West Transit Corridor extends through the study area.
- County Park & Recreation's Stewart Creek Greenway, under construction in parts of the area, is a prime amenity and determinant for plan.
- Land Use Recommendations:
 - Along West Morehead Street: redevelopment as walkable mixed-use development. Maintain existing underlying industrial zoning to facilitate remaining warehouse/industrial occupants.
 - Radiator Specialty site, vicinity of Wilkinson Boulevard & Suttle Avenue: redevelopment for office and other mixed use development
 - Former Westwood Apartments site: redevelopment for residential use, transitioning from high density at south and east to lower density compatible with single-family west across Berryhill Road.
 - Wesley Village site, near Thrift Road and Freedom Drive: residential redevelopment fronting on greenway
 - Industrial area, vicinity of Freedom Drive, Thrift Road and Tuckaseegee Road: Continuing warehouse, industrial, office, and retail uses for the present. Expect that over time mixed uses and residential may emerge.
- Cross Sections and Streetscape Recommendations:
 - Within proposed Pedestrian Overlay Zoning District (PED), street cross sections and setbacks identical to those in adjoining approved West Morehead PED district to be required

-
- Wide sidewalks, tree plantings and buildings close to street
 - Street and Pedestrian Improvements:
 - Plan includes network of proposed new streets to improve connectivity for new, more intense proposed uses; some to be provided by developers; others may require public investment
 - Includes new Stewart Creek Parkway along creek and greenway for improved general circulation
 - Includes new Bryant Parkway from Wilkinson Boulevard north to West Morehead Street, aligning with Gay Street/Julian Price/Millerton
 - Includes various improvements, traffic circles, etc, along existing West Morehead Street, Tuckaseegee Road, and Berryhill Road

Public Input

- Charlotte Mecklenburg Planning Committee: Received staff briefing and public comments at their meeting on May 29th.
 - Eight attendees, including business and property owners, developers, and neighborhood association leadership, attended and chose not to speak.
 - Planning Committee is scheduled to make its recommendation on June 26th.
- City Council's Economic Development and Planning Committee: Scheduled to receive staff briefing on June 6th.
 - Committee has had prior briefings during planning process. Due to committee's interest in the plan as it relates to pending area rezonings, staff is moving the plan forward at a rapid pace.
 - Notice of public comment at the Council meeting on June 11th has been mailed to property owners and residents in anticipation of committee's direction.
 - Staff anticipates a committee recommendation on July 18th, and action by City Council on July 23rd.

Attachment 3

Proposed Revisions to May 1, 2007 Draft Document
Draft Bryant Park Land Use and Streetscape Plan, May 1, 2007

POLICY

7. City Manager's Report

8. FY2008 & FY2009 Operating Budget and FY2008-2012 Capital Investment Plan

Action: Adopt FY2008 Appropriations and Tax Levy Ordinance, the FY2009 Operating Resolution, the Capital Investment Plan Resolution for Fiscal Years 2008-2011, the FY2008 Pay and Benefits Resolution and other items related to the Annual Ordinance adoption.

Committee Chair: Don Lochman

Staff Resource: Listed under each section

Policy

As required by state law, the City of Charlotte adopts an annual appropriations and tax levy ordinance and considers related actions prior to June 30 of each fiscal year.

Explanation

Council is requested to adopt the following actions:

- A. The FY2008 Appropriations and Tax Levy Ordinance (Ruffin Hall)
- B. The FY2009 Operating Resolution (Ruffin Hall)
- C. The FY2008-2012 Capital Investment Plan Resolution (Ruffin Hall)
- D. The FY2008 Pay and Benefits Plan Resolution (Tim Mayes)
- E. Outside Agencies Contracts (Ruffin Hall)
- F. Municipal Service Districts Contracts (Ruffin Hall)
- G. Human Services Contracts (Stanley Watkins)
- H. Housing Development and Support Contracts (Stanley Watkins)
- I. Other Contracts (Ruffin Hall)
- J. Public Art Program (Ruffin Hall)
- K. Storm Water Fee Increase (Tim Richards)
- L. Other Budget Items (Ruffin Hall)

A. Adopt the FY2008 Appropriations and Tax Levy Ordinance

Budget Overview

- On May 7th, 2007, the City Manager presented the recommended FY2008 and FY2009 Strategic Operating Plan and the FY2008-2012 Capital Investment Plan to the Mayor and City Council. Since February 2007, the Mayor and City Council held two budget retreats and the required public hearing to shape development of this budget.

- In addition to the budget retreats and public hearing, the Council met on May 16th and 30th to ask questions and consider changes.
- The total recommended budget for FY2008 is \$1.61 billion, with \$985.2 million for operating expenses and \$621.7 million for capital expenditures (all funds).
- The General Fund operating budget totals \$466.7 million.
- The recommended budget addresses Council's focus areas and priorities and includes the following key revenues:
 - A tax rate of 45.86¢ per \$100
 - An average increase in Storm Water fees of 7.0%
 - An average monthly Water and Sewer rate increase of 6.25% for residential customers
 - An increase in CATS of 10¢ for local and basic express bus fares
- The Manager's Recommended Budget for FY2008 continues implementation of the strategic investments made in the FY2007 budget.
- In support of the Council's Focus Areas of Community Safety, Transportation, Economic Development, Housing and Neighborhood Development and Environment, these investments started in last year's FY2007 budget included the following:
 - Training and equipping 70 additional police officers
 - Increasing street resurfacing
 - Initiating additional capital projects including roads, sidewalks, neighborhood improvements and affordable housing

Property Tax Rate

- The property tax rate for FY2008 is recommended at **45.86¢** per \$100 of assessed valuation. The FY2008 assessed value is estimated at \$70.6 billion, with an estimated collection rate of 97.50%. The distribution of the recommended tax rate is as follows:

General Operations	36.98¢
General Debt Payments	7.37¢
Pay-As-You-Go Capital	1.51¢
Total	45.86¢

Additions to the City Manager's Recommended Budget

- Council approved the following additions to the City Manager's recommended budget on May 30, 2007:
 - \$200,000 for Workforce Initiative for Supportive Housing (W.I.S.H.), funded from reallocation of federal grant program funds (HOME program)
 - \$15,000 for YWCA Central Carolinas After School Enrichment, funded from Council's Discretionary account

Additional Changes to the City Manager's Recommended Budget

- Council approved the following changes to the City Manager's recommended budget on May 30, 2007:

- \$193,750 from Advantage Carolina financial partner, to be moved to Capital Reserve
- \$21,000 from Answer Guy marketing video segment, to be moved to Capital Reserve
- \$3,400,000 from Craighead land purchase, to be moved to Unprogrammed Capital, to be allocated by Council at a later date

Attachment 4

Ordinance

B. Adopt the FY2008 & FY2009 Operating Plan Resolution

- The Manager's Recommended Budget includes recommendations for the next two years of operating budgets. The first year, FY2008, is listed in Section A of this action.
- A resolution is adopted at the beginning of each two-year plan. The resolution approves the FY2008 Operating Plan as recommended by the City Manager and as amended by Council on May 30th. Adoption of the FY2009 Plan does not appropriate funds.

Attachment 5

Resolution

C. Adopt the FY2008-2012 Capital Investment Plan (CIP) Resolution

- The resolution approves the five-year Capital Investment Plan expenditure and financing plan totaling \$3.2 billion (all funds).
- The increase in the five-year capital program is due to a \$530.5 million increase in Water and Sewer, partially offset by a decrease of \$160.4 million in CATS.
- The capital program is based on property tax rates as follows:
 - 7.37¢ for the Municipal Debt Service Fund (no change from FY07)
 - 1.51¢ for the Pay-As-You-Go Fund (no change from FY07)

Municipal Debt-Funded

- The FY2008-2012 general government Capital Investment Plan totals \$591.4 million. Funding highlights of the general government program include:
 - \$131.2 million in authorized general government debt; including
 - o \$78.6 million in Street Bonds
 - o \$18.7 million in Neighborhood Bonds
 - o \$5.0 million in Affordable Housing Bonds
 - o \$28.9 million in Certificates of Participation for government facilities
 - \$308.1 million in new general government bonds over two bond referenda: 2008 and 2010. Major projects under the bonds include:
 - o \$222.4 million for Transportation
 - o \$50.0 million for Neighborhood Improvements
 - o \$20.0 million for Affordable Housing
 - o \$15.7 million for unprogrammed priority projects

Pay-As-You-Go-Funded

- The FY2008-2012 CIP includes \$245.4 million in Pay-As-You-Go and current revenues, a \$75.3 million increase over the current FY07-11 CIP. This increase is due to inclusion of the Vehicle Rental Tax (\$38.3 million), Capital Reserve (\$14.5 million), Sale of Land (\$12.0 million), Capital Fund Balance (\$800,000), and projected growth in Pay-As-You-Go revenues.
- Major projects under Pay-As-You-Go funding include:
 - \$92.0 million for Transit Maintenance of effort
 - \$38.3 million from Vehicle Rental Tax for cultural facilities, county/towns share, and road planning and design
 - \$24.8 million for Innovative Housing
 - \$23.5 million for building and roof maintenance

Enterprise-Funded

- These programs are financially self-sustaining and do not rely on property tax or general government revenues.
- Storm Water totals \$153.2 million and includes \$79.7 million for Flood Control Projects in neighborhood water basins.
- Charlotte Area Transit System (CATS) totals \$694.1 million and includes \$498.9 million for future transitway planning and construction.
- Water and Sewer totals \$1.1 billion which includes \$197.0 million for a new waste water treatment plant along Long Creek and \$118.0 million for a Northeast Water Transmission Main.
- Aviation totals \$630.2 million which includes \$207.1 million for a Third Parallel Runway.

Attachment 6

Resolution

D. Adopt the FY2008 Employee Pay and Benefits Plan and Resolution

- The recommendations included in the FY2008 Pay and Benefits Report includes the following:

CompensationPublic Safety Pay Plan

- Public Safety employees will receive increases of 3.7% (if at top step) or 8.7% (if not at top step) during FY2008.
- A 3.7% structural market adjustment for all steps in the Public Safety Pay Plan. Public Safety employees will receive this increase effective July 1, 2007.
- Funding for 5.0% pay step increases

Broadbanding Pay Plan

- A 3.7% merit increase budget for all eligible employees in the Broadbanding Pay Plan
- Merit increases will range from 0 to 8% based on market position and performance level, but total merit increases in each Business Unit will not exceed 3.7%.

- Increases may also be awarded to employees whose positions are reclassified to higher levels, to correct pay inequities, to grant market adjustments for those employees significantly below market, or to reward employees for completing a defined skills program or for obtaining certifications. These increases must be funded from the overall 3.7% increase.
- Includes funding of \$162,753 in the General Fund to bring employees in the following positions in Solid Waste Services to an appropriate hiring rate: Laborer, Sanitation Equipment Operator, Equipment Operator I – III, and Sanitation Team Lead. Employee recruitment and retention have been especially difficult for these positions.
- A 3.7% increase to the band minimum and maximum rates in the Broadbanding pay structure. No employees will receive an increase as the result of this recommendation.

Benefits

- Effective January 1, 2008, increase the Emergency Room copay from \$100 to \$150
- Effective January 1, 2008, change the in-network durable medical equipment provision from 100% coverage to 85% after the deductible
- Effective August 1, 2007, implement the Custom Care Retail benefit under the prescription drug program
- Provide the City Manager the authority to begin work in FY2008 to determine if a consumer driven health care option should be implemented, and if so, proceed with implementation (including vendor selection, contract and future contract amendment, execution and communications). The goal of consumer-directed health care is to provide information about providers and treatments, developing enhanced Internet tools and, perhaps, most importantly, giving patients a greater financial stake in care decisions.
- Provide the City Manager the authority to either renegotiate or rebid the current prescription drug program. If the contract is rebid, provide the City Manager the authority to select a vendor and execute the contract and future contract amendments with the selected vendor upon completion on the bid process. The renegotiated contract will be executed within budgeted funds.
- Increase City's funding for group insurance coverages for employees and retirees by 6.8%
- Effective January 1, 2008, increase the employee and retiree base premiums as follows:
 - Increase the base medical premiums for employees and retirees by 6.7%
 - Increase the base dental premiums for employees by 8%
- Effective January 1, 2008, increase the employee share from 12% to 15% of the total premium for employee only medical coverage and from 33% to 34% of the total premium for employee/dependent medical coverage
- Effective January 1, 2008, increase the retiree share from 20% to 25% of the total premium for retiree only medical coverage and from 43% to 44% of the total premium for retiree/dependent coverage
- Effective January 1, 2009, it is recommended that the employee and retiree cost share be increased as follows if the base premium increase remains at a modest level:

- Increase the employee only share from 15% to 20% of the total premium
- Increase the employee/dependent share from 34% to 35% of the total premium
- Increase the retiree only share from 25% to 30% of the total premium
- Increase the retiree/dependent share from 44% to 45% of the total premium
- Provide the City Manager the authority to approve a new life insurance vendor effective July 1, 2007, negotiate terms of the group life plan and execute the contract and any future contract amendments.
- Allow covered surviving spouses and/or dependent children of employees “killed in the line of duty” the option to continue medical coverage under the City’s group plan for up to three years at the same rate of premium being paid at the time of the employee’s death. Coverage to the spouse would extend to the spouse’s remarriage or three years from the employee’s death, whichever is earlier. Coverage to dependent children would extend to the spouse’s remarriage, the dependents no longer qualifying for coverage based on medical plan eligibility guidelines or three years from the date of the employee’s death, whichever is earlier. Provide the City Manager the authority to define “killed in the line of duty.”

Attachment 7

Resolution

E. Approve Outside Agency Contracts

Below are the outside agency (or Financial Partners) contracts for Council. Complete copies of the contracts are available upon request. The scope of services for each agency is attached.

Charlotte Regional Visitors Authority (CRVA) \$10,049,757

- City funding for CRVA is used to promote economic development in the Charlotte-Mecklenburg area by promoting the area as a destination for convention, leisure and sports-related travel.
- Funding allocated to CRVA is derived from a portion of the proceeds of the prepared food and beverage tax and a portion of the countywide occupancy tax.

United Family Services (Victims’ Assistance) \$323,714

- The Victims’ Assistance Program provides crisis intervention, community counseling, education, and individual assistance to victims of violent crimes and to families of homicide victims.

Attachment 8

Arts & Science Council (ASC) \$2,942,000

- The Arts & Science Council oversees community-wide cultural planning, fundraising, grant administration, technical assistance, facility review, and

other responsibilities to advance the cultural life of Charlotte and Mecklenburg County.

Attachment 9

Charlotte Regional Partnership \$119,435

- The Partnership is a regional economic development organization that works with local governments, the Chamber, and others to enhance economic activity in the region. The amount of City funding is derived on a per capita figure based on city population.
- As a separate action, on June 11th, Council will consider funding the Charlotte Regional Partnership's request for \$25,000 for the Film Division from the Council Discretionary Account.

Attachment 10

F. Approve the Municipal Service District Contracts with Charlotte Center City Partners and University City Partners

- The municipal service districts (MSDs) were created to enhance the economic viability and quality of life in select areas. Three MSDs are located in the Center City, the fourth is located in the South End area, and the fifth is located in the University City area. Revenues for these districts are generated through ad-valorem taxes paid by property owners in the districts in addition to the City's regular property tax rate.
- In FY2008, the City will contract with Charlotte Center City Partners (CCCP) for services in the three Center City Municipal Service Districts as well as for services in the South End Municipal Service District. The City will also contract with University City Partners for services in the University City Municipal Service District. The FY2008 contract amounts are increased 4.7% over the FY2007 amounts due to increases in property valuations in the Uptown and University City districts.
- The FY2008 tax rates in the five MSDs remain unchanged from the FY2007 rates.

Municipal Service Districts Summary		
District	FY08 Tax Rate	FY08 Contract Amount
District 1-Center City	1.74 ¢	\$775,761
District 2-Center City	1.24 ¢	\$205,849
District 3-Center City	2.71 ¢	\$560,622
District 4-South End	6.68 ¢	\$357,182
District 5-University City	3.00 ¢	\$189,228

Attachment 11

G. Approve the FY2008 Human Services Contracts

- The 2006-2010 Consolidated Action Plan for Housing and Community Development, approved by Council on June 13, 2005, identifies priorities for federal housing and community development resources including the Community Development Block Grant (CDBG) and Innovative Housing Funds. Human services contracts for After School Enrichment Programs are part of the projected FY2008 CDBG and Innovative Housing-funded activities.
- The contracts provide educational enrichment activities for elementary, middle, and high school students of families with low incomes who reside in the Housing and Neighborhood Development boundaries. The following contracts are funded by the human/public services component of the CDBG program:
 - Bethlehem Center \$199,207
 - Greater Charlotte Enrichment Program \$605,854
- The following five contracts will be funded with Innovative Housing Funds:
 - YWCA Central Carolinas After School \$129,546
 - Charlotte-Mecklenburg Schools After-School Enrichment \$185,576
 - Charlotte-Mecklenburg Schools Northwest After School Coalition \$60,000
 - St. Paul Enrichment Program \$57,735
 - YMCA Community Development \$48,699

H. Approve the FY2008 Housing Development and Support Contracts

- The 2006-2010 Consolidated Action Plan for Housing and Community Development, approved by Council June 13, 2005, establishes strategies to provide affordable housing and supportive services for low and moderate-income families and individuals as part of an overall community revitalization strategy.

Charlotte Mecklenburg Housing Partnership, Inc. (CMHP) \$2,000,000
Affordable Housing Contract

- This contract includes funding to address planning for future multifamily and single-family housing development by:
 - Increase affordable homeownership opportunities. CMHP will provide 100 units of financial assistance by originating 100 first, second and third mortgages or make grants to families purchasing homes.
 - Increase affordable rental opportunities. CMHP will provide 192 additional rental units.
 - Develop affordable housing - CMHP will begin development or place under construction an additional housing development site.
 - Continue to manage financial procedures and “clean opinion”

Charlotte Housing Authority (City Relocation Services) \$1,498,610

- This contract includes funding to the CHA for the management of part of the City's Relocation Program (households displaced due to fire and code enforcement). The CHA will provide temporary and permanent housing, moving and storage, counseling, case management and capacity building. This contract is a performance based contract, therefore funding is up to \$1,498,610. The goal for FY2008 is to assist up to 150 households.

Regional HIV/AIDS Consortium \$626,000

- The Consortium manages the City Housing Opportunities for Persons with HIV/AIDS (HOPWA) federal grant. Responsibilities include:
 - Awarding restricted-use grants to qualified organizations in the seven-county metropolitan statistical area (MSA) to provide housing and housing-related services for people living with HIV and AIDS. Servicing the seven-county MSA is a requirement for the City to receive the funds.
 - Distributing funds available through the HOPWA program in compliance with 24 CFR Part 574 and other applicable HUD regulations
 - Ensuring that all HOPWA funds are expended to provide maximum access to housing for eligible people affected by HIV and AIDS, including family as defined by 24 CFR Part 574.3
 - Assist 400 persons with HIV/AIDS
 - Monitoring distribution and proper expenditure of funds distributed to grantee agencies in the region

Crisis Assistance Ministry \$380,000

- The Ministry programs provide critical assistance to low-income families.
- Crisis Assistance Energy Assistance (\$180,000) – These funds are used to directly pay utility companies for bills due from low-income families. This program serves approximately 1,175 families at an average of \$140.
- Crisis Assistance Emergency Rental Assistance (\$200,000) – These funds are targeted for low-income families living in specific areas of the City and address housing problems. This program assists approximately 1,250 families at an average cost of \$190 per family.

Community Link \$210,000

- Community Link shall perform the pre-homeownership counseling services as described below:
 - Intensive Pre-Homeownership Counseling with the goal of creating new homeowners in Housing and Neighborhood Development neighborhoods, (including targeted revitalization neighborhoods). Activities will be completed through a combination of classroom and individual training. Activities include but are not limited to:
 - Individualized Credit Report Counseling
 - Individualized Budget Counseling

- Housing Action Plan Counseling
- Finding the Right House for the Right Price and Location
- Negotiating the Loan/Purchase Price/Closing
- The contract is a performance-based contract, therefore funding is up to \$210,000. The goal in FY2008 is to create 100 new, first time homeowners and provide homeownership counseling to 100 residents in the Housing and Neighborhood Development boundaries.

Consumer Credit Counseling Services \$240,000

- Consumer Credit Counseling Service (CCCS) shall perform the post-homeownership counseling services as described below.
 - Intensive Post-Homeownership Counseling with the goal of maintaining homeownership in Housing and Neighborhood Development neighborhoods, (including targeted revitalization neighborhoods). Activities will be completed through a combination of classroom and individual training. Activities include but are not limited to:
 - Avoiding Late Payments
 - Foreclosure Prevention
 - Repayment Plans
 - Forbearance
- \$70,000 increase from last year's FY2007 budget is included for additional housing foreclosure counseling
- The contract is a performance-based contract therefore funding is up to \$240,000. The goal in FY2008 is to serve 772 clients through the program.

Workforce Initiative for Supportive Housing \$200,000

- Workforce Initiative for Supportive Housing (W.I.S.H.) will provide intensive case management, support services, and rental subsidies for individuals or families living in Mecklenburg County who earn between 15 to 30% of Area Median Income.
 - The rental subsidy is intended to bridge the gap between the household's ability to pay and the market rental rate to facilitate and support self sufficiency.
 - The estimated annual cost per participant family is \$6,000, including case management and rental subsidy.
 - The case manager to family ratio is 1 to 20.
 - The assumed average rental subsidy per family is \$250 per month.
 - The assumed average length of time for a family to reach self-sufficiency is five years.
- The contract for W.I.S.H. will be brought to Council for approval at a later date.
- The proposed scope of services and contract documents are currently being developed and are not yet ready for approval with this agenda item.

I. Other Contracts

Children's Theatre of Charlotte, Inc. \$278,100

- The Children's Theatre formerly leased a City-owned facility at 1017 East Morehead Street for which the City paid general operation and maintenance costs.
- In October 2005, the Theatre relocated to ImaginOn: The Joe and Joan Martin Center.
- On September 24, 2003, the City approved a contribution of up to \$270,000 in FY2006 to defray a portion of the Theatre's maintenance and operating costs in the Center.
- In subsequent years increases in the annual contribution would be determined by the City building maintenance staff to support the maintenance and operation of the premises to be occupied by the Theatre.
- The FY2007 contribution was \$278,100 and it remains at this level for FY2008.

Partners in Out of School Time \$282,204

- Partners in Out of School Time (P.O.S.T.) will administer the "Middle School Matters" after school program as described below.
 - Administer a network of out-of-school time programs, activities, and opportunities for up to 300 school-age youth, grades six through eight, of Mecklenburg County (regardless of the student's ability to pay) at three sites - Albemarle Road, Coulwood and Quail Hollow Middle Schools
 - Operated by community-based organizations in schools from school dismissal to 6:00 pm every day school is in session and on teacher workdays
 - Offer a varied mix of curriculum and activities to include: literacy, academics, sports and fitness, community service, positive youth development, college/career connections, and the arts
 - Require daily attendance by youth
 - Monitor specific outcome measures in addition to school attendance, homework completion, and juvenile delinquency
- The contract will be monitored by the Charlotte-Mecklenburg Police Department due to the program's relationship to the Community Safety Focus Area. The program's goal is to expand from three to six sites in FY2009.

Attachment 12

J. Approval of an extension of the Agreement with the Arts & Science Council – Charlotte-Mecklenburg, Inc. and the Public Art Commission for administration of the Art Program and approval of the FY2008 Public Art Work Plan with the exception of the proposed NASCAR Public Art Allocation, to be discussed with City Council on June 25th.

- On May 27, 2003 the City Council adopted an ordinance pertaining to the allocation and administration of funds for public art. The ordinance directs that an amount equal to 1% of the construction costs of eligible capital projects be provided for public art.
- The agreement was updated to incorporate changes from the ordinance and approved by City Council in 2004.
- On January 10, 2005 City Council voted to improve communications between the Mayor and City Council and the Public Art Program. The Council also reaffirmed the 2003 ordinance of 1% of construction costs of eligible capital projects be provided for public art.
- The FY2008 Allocations are:
 - General Government - \$128,148
 - Aviation - \$90,380
 - Charlotte-Mecklenburg Utilities - \$9,000
- At the dinner briefing on May 29th, members of the Council raised questions regarding the NASCAR public art project. An update on the NASCAR project is planned for the June 25th dinner briefing, and this will provide an opportunity to discuss the NASCAR public art issues raised by Council.
- The FY2008 Public Art Work Plan was given to City Council on May 29, 2007.

Attachment 13

Public Art Work Plan

K. Approve the Storm Water fee rates, effective July 1, 2007, for the Minor Drainage System in the City of Charlotte

- In accordance with the Inter-local Agreement on storm water services, this action will inform the County of the amount to be charged for the City's portion of the fee. The County Commission adopted their budget on June 5, 2007.
- The current long-range plan for the storm water program includes annual increases in the City's storm water fee, coupled with bond funding, in order to finance the ongoing response to new and backlogged citizen requests for service. The fee changes for FY2008 are illustrated below:

	FY2007 Monthly Fee	FY2008 Monthly Fee
Detached homes with less than 2,000 sf impervious area	\$3.50	\$3.75
Detached homes with 2,000 sf or more impervious area	\$5.15	\$5.51
Other residential or non-residential development per acre of impervious area	\$85.85	\$91.85

- In accordance with the Inter-local Agreement on storm water services, the Mecklenburg County Board of Commissioners conducted a public hearing on changes to the City's portion of the storm water fee on May 15, 2007. City Council also conducted a public hearing on storm water fees in conjunction with the FY2007 budget public hearing on May 14, 2007.
- The Charlotte-Mecklenburg Storm Water Advisory Committee has been presented the proposed FY2008 and FY2009 Storm Water program.

L. Other Budget Items

- The budget ordinance, which is attachment 4, is the City's annual budgetary operating ordinance. Sections 1 through 12 of this Ordinance reflect the items included in the Manager's Recommended Budget and all Council amendments that Council is approving with this action.
- The remainder of the Annual Ordinance (Sections 13 through 48) makes budgetary corrections to the current fiscal year for technical, accounting and other "wind-up" tasks necessary prior to the fiscal year's end.

Sections 13 through 32

- Section 13 appropriates \$3,737.31 from private contributions to the Charlotte-Mecklenburg Police Department's Steele Creek Division.
- Sections 14 and 15 appropriate additional revenue from Mecklenburg County for the 311 services expansion study (\$500,000) and for a Risk Management safety officer position (\$37,000).
- Section 16 appropriates \$129,500 additional revenue from external wireless communications system users for system-related operating expenses.
- Section 17 appropriates \$2,102,363.83 for Neighborhood Development programs from additional program income, mainly interest income:
 - \$747,621.53 for CDBG, HOME, and other Housing Development Programs
 - \$591,361.10 for additional City Within a City loans
 - \$524,633.68 for Affordable Housing projects
 - \$226,595.22 for the Innovative Housing Program
 - \$12,152.30 for revitalization programs
- Section 18 increases appropriations for various Workforce Investment Act grant programs by \$993,374 based on final grant awards.

Sections 19 through 27 Aviation Operating and Capital Projects Funds

- Sections 19 through 22 adjust projects within the Aviation Operating and Capital Project Funds to reflect revised or additional appropriations for the Discretionary Fund and for the Airport Art Program.
- Section 23 appropriates \$1.55 million in storm water stream restoration/mitigation credits paid by the Airport for the Third Parallel Runway project.
- Sections 24 through 27 reorganize funding for various revenue bond-supported capital projects. Decisions to fund projects in different bond issuances require moving them to alternative account groupings.

- Section 28 appropriates an additional \$62,000 for Mecklenburg County and Towns according to the distribution formula for proceeds from the vehicle rental tax equivalent.

Sections 29 through 32 General Capital Projects

- Section 29 appropriates \$215,000 from private contributions from Lowe's for sidewalk construction fronting their new South Boulevard store.
- Section 30 appropriates \$250,000 from the Pay-As-You-Go Fund fund balance to replenish the City's Productivity Improvements account.
- Section 31 appropriates \$57,000 from private contributions by Crescent Resources LLC for the Dixie River Road Realignment project.
- Section 32 appropriates \$8,120 from private contributions for the neighborhood traffic calming program.

Sections 33 through 48

- Section 33 includes technical accounting changes necessary to clarify or correct FY07 and other prior-year budgetary ordinances.
- Sections 34 through 48 give the Finance Director authority to make specific routine appropriations and transfers within the adopted budget.

9. Charlotte Regional Partnership Film Division Funding

Action: Adopt a budget ordinance appropriating \$25,000 from the City Council's Discretionary Account, increasing the Charlotte Regional Partnership contract funding to \$144,435 for FY2008.

Staff Resources: Tom Flynn, Economic Development Office
Ruffin Hall, Budget and Evaluation

Explanation

- On May 18, 2007, the Charlotte Regional Partnership sent a letter to City staff requesting an additional \$25,000 be added to its FY2008 City appropriation to support the Charlotte Regional Film Commission.
- The Charlotte Regional Partnership is a public/private non-profit economic development consortium. The organization promotes the Charlotte region to various industries and works closely with the Charlotte Chamber.
- The Charlotte Regional Partnership was created in 1991 with each of the 16 counties within the Charlotte region contributing \$0.30 per capita annually.
- In Mecklenburg County, the County and the City of Charlotte split the obligation, each committing \$0.15 per capita on the population of Mecklenburg County.
- The Charlotte Regional Partnership also operates the Charlotte Regional Film Commission, whose mission is to recruit feature films, television series and commercials, and other film-related projects to the Charlotte region.
- In addition to requesting the per capita contribution, the Partnership has, since FY2000, also requested an annual contribution of \$25,000 to support the Film Commission.

- In FY2002, the City increased the contribution to the Partnership to include \$25,000 in funding for the Film Commission.
- In FY2003, FY2004, and FY2005, the City held the Partnership's funding flat due to limited budget resources.
- In FY2006, Council reduced funding for the Partnership to \$75,000.
- In FY2007, Council continued funding the Partnership at \$75,000.
- On July 24, 2006, Council appropriated \$37,533 from its Discretionary Account to increase the Partnership's FY2007 appropriation to \$112,533.
- For FY2008, the Manager's recommended budget includes \$119,435 for the City's per capita contribution to the Partnership. The FY2008 recommended contribution to the Partnership does not include funding for the Film Commission.
- For FY2007, Council's Discretionary Account contains a balance of \$37,467. Approving the use of \$25,000 for the Partnership leaves a remaining balance of \$12,467 for FY2007.

Funding

Council Discretionary Account

Attachment 14

Letter from Charlotte Regional Partnership
Budget Ordinance

10. Light Vehicle Maintenance Property Acquisition

- Action:**
- A. Reallocate \$3.4 million from Unprogrammed Capital in the FY2008 capital budget for purchase of the entire "Craighead Road" tract for construction of a new Light Vehicle Maintenance facility,**
 - B. Direct the City Manager to present for approval a Master Plan of operations facilities to serve the City's ultimate jurisdiction of 380 square miles by September 30, 2007, and**
 - C. Direct the City Manager to initiate the process for disposition of land deemed excess by the Master Plan at Craighead Road or other sites and propose future land acquisition as sites are identified for the planned future facilities.**

Staff Resource: Jim Schumacher, Engineering and Property Management

Background

- At the May 30, 2007 Budget Straw Votes meeting, Council voted to move the \$3.4 million in the recommended capital budget from "Craighead Land" to "Unprogrammed Capital." This amendment is included in the budget adoption item considered tonight.

- Council then placed the policy discussion of the purchase of “Craighead Land” on the June 11, 2007 agenda.
- The total site on Craighead Road is 36 acres. The “Craighead Land” project of \$3.4 million provides for the purchase of an additional 26 acres beyond the 10 acres estimated for the City Light Vehicle Maintenance facility.
- The City’s option for purchase includes the entire 36 acres and does not provide for a partial purchase.

Explanation

- A capital project initially funded in FY2004 provides funding to replace some existing operations facilities. A new Street Maintenance facility was completed in the northwest in 2006. A new Light Vehicle Maintenance facility at a new site will be completed by 2010. Solid Waste Service administrative offices and ready room at the existing Central Yard will also be completed by 2010.
- Other operations facilities will need to be expanded or replaced over time due to:
 - Age and condition of the existing facilities
 - Additional capacity needs associated with growth of service area through annexation
 - Additional satellite facilities to optimize operating and travel efficiency
 - Residential development pressure on some existing sites, such as Sweden Road and Landscape Maintenance on Tuckaseegee Road
- Past studies for operations facilities can be organized as a Master Plan, identifying most of the facilities necessary to serve the City’s ultimate jurisdiction in the most efficient way and organize the priority of facilities to allow a systematic, long-term construction program.
- The Master Plan would incorporate all information available at this time. Facts such as the outcome of the vehicle maintenance discussion with Mecklenburg County and long term landfill sites for Solid Waste may not be known by September. The master plan would identify general locations for facilities, allowing property to be acquired as it is available. The plan would allow excess land at City facilities to be declared surplus and marketed for private purchase and development.

11. Redistricting Plan

Action: Consider a resolution to approve Redistricting Plans A, B or C.

Committee Chair: Mayor Pro Tem Susan Burgess

Staff Resource: Mike Boyd, City Attorney’s Office

Explanation

- As a result of voluntary annexations approved since 2005 and the involuntary annexations that will take effect on June 30, 2007, the City Council district

boundaries must be revised to include the annexations. The shift in boundaries will also affect the population of the City as a whole and the affected districts.

- Under applicable law, the populations of the districts cannot vary by more than 5% from the ideal or average district population.
- Relevant population information is as follows:
 - 683,368 - Total estimated, City population, including annexation and in-fill development
 - 97,624 - Average district population
 - 102,505 - Maximum district population
 - 92,743 - Minimum district population
- District 2 is too large with an estimated population of 103,899, and District 6 is too small with an estimated population of 92,123. The remaining districts have estimated populations within the legally, acceptable range.
- Plans A and B are “least change” type plans that seek only to reduce the estimated population of District 2 and increase the estimated population in District 6. Plan A moves precinct 13 from District 2 to District 1 and precinct 8 from District 1 to District 6. Plan B moves precinct 40 from District 1 to District 3 and precinct 98 from District 3 to District 6.
- At its meeting of March 22, 2007, the Redistricting Committee could not agree on a redistricting plan and voted to send Redistricting Plans A and B to Council for its consideration. When redistricting was considered at the April 9th Council meeting, the item was deferred.
- Plan C was submitted later and was considered by the Redistricting Committee on June 7th. Plan C splits precinct 89, with part remaining in District 2 and part moving to District 3. Plan C also moves precinct 96 from District 7 to District 6 and eliminates the split in precinct 205 by moving the portion in District 5 to District 4. The Committee’s action in recommending a redistricting plan will be included in the Manager’s Council Manager Memo of June 8th.
- Plans A, B and C are the only plans submitted to the Committee.
- While there is no formal, statutory deadline for adopting a redistricting plan, the practical deadline is the date for candidates to file for Council district seats. That date is Friday, July 6, 2007.

Attachment 1

Redistricting Plan A Map and associated statistics
 Redistricting Plan B Map and associated statistics
 Redistricting Plan C Map and associated statistics
 Briefing Paper on Redistricting
 Factors That May Be Considered in Redistricting
 Resolution Revising Boundaries of Council Electoral Districts

12. Scaleybark Memorandum of Understanding

The draft Memorandum of Understanding will be sent to Council in the Wednesday, June 6th Council-Manager Memorandum. The final Memorandum of Understanding will be sent to Council in the Friday, June 8th Council-Manager Memorandum.

BUSINESS

13. 2009 Annexation Resolutions of Consideration

Action: Adopt a Resolution of Consideration for each of eight 2009 Annexation Study Areas.

Staff Resources: Jonathan Wells, Planning Commission
Mike Boyd, City Attorney's Office

Policy: City Annexation Policy and State Annexation Statutes

Explanation

- Per State law and City policy, areas to be considered for annexation are identified at least one year prior to beginning of formal annexation procedure.
- This is accomplished through adoption of Resolutions of Consideration, which delineate the geographical areas under study for annexation.
- Planning Department staff identified eight areas suitable for evaluation to determine eligibility for annexation, by examining the amount of existing development and the potential for additional development (based upon rezonings and subdivision approvals) over the next year.
- In order to maintain the City's established schedule of undertaking annexations every two years, the study areas need to be identified at this time in order to conform to the 2009 annexation calendar.
- Individual Resolutions of Consideration are to be adopted for each of the eight annexation study areas. The eight study areas are:
 - Mt. Holly
 - Rozzelle's Ferry
 - Beatties Ford
 - Hucks
 - Ridge/Beard
 - Hood
 - Providence/I-485
 - Berewick
- Following adoption of Resolutions, City Council must wait one full year (but not more than two years) before initiating formal annexation proceedings for these areas.
- Detailed studies will be conducted in the coming year to determine what part (or all) of each study area qualifies for annexation.
- Qualifying areas will then be submitted for City Council consideration for annexation.
- Areas identified would be considered for annexation effective June 30, 2009.
- The following is a preliminary timetable of City Council actions in this annexation process:
 - June 11, 2007 – Adopt Resolutions of Consideration, outlining general areas which may be eligible for annexation effective June 30, 2009

- July 2008 – Adopt Resolution of Intent, giving specific boundaries of proposed annexation areas, and approve annexation reports for those areas
- October 2008 – Hold Annexation Public Hearing
- November 2008 – Adopt Annexation Ordinances
- June 30, 2009 – Effective Date of Annexation
- On June 4th Council received a dinner briefing on this topic.

Attachment 15

Resolutions of Consideration
2009 Annexation Study Area Maps

14. Live Oak Apartments Bond Issuance

Action: Adopt a resolution granting the Charlotte Housing Authority's request to issue Multi-Family Housing Revenue Bonds to finance the development of Live Oak Apartments.

Staff Resource: Stan Wilson, Neighborhood Development

Policy

- The City's FY2006-2010 Consolidated Plan was approved by City Council on June 13, 2005.
- The FY2008 U.S. Department of Housing and Urban Development Annual Action Plan and Analysis to Impediments to Fair Housing were approved by City Council on May 29, 2007.
- The plan identified the need for affordable, safe and decent housing for low and moderate-income families.
- The Plan reaffirmed the three basic goals of the City's Housing Policy; preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

Explanation

- The Charlotte Housing Authority requests that the City Council adopt a resolution authorizing the issuance of multi-family housing revenue bonds in an aggregate amount, not to exceed \$21,000,000 to finance the acquisition and construction for the development of the Live Oak Apartments.
- The bond issuance was planned since the inception of the project. The bonds will be State of North Carolina bonds issued by the Charlotte Housing Authority.
- The resolution is required to satisfy the North Carolina General Statutes and Section 147(f) of the Internal Revenue Code of 1986, as amended.
- The Charlotte Housing Authority is the managing partner for the development and will issue the bonds.
- Live Oak consists of 176 multi-family residential units located at 6701 Oaken Gate Lane. The Live Oak development is in neighborhood statistical area 165 (Foxcroft). Thirty-six units will serve households earning 30 percent or less

than the area median income, the remaining 140 units will not be rent restricted.

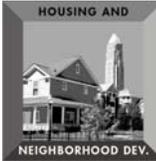
Background

- On January 22, 2007 City Council approved a loan to the Charlotte Housing Authority from the Housing Trust Fund in the amount of \$1,100,000 to help develop Live Oak Apartments. The total project development cost is estimated to be \$28,631,700.

Attachment 16

Project Summary and Map
Resolution

15. 2007 Housing Trust Fund Project Recommendations



- Action:**
- A. Approve financial commitments of \$2,815,375 for Multi-Family Rental Housing New Construction and Rehabilitation projects, and**
 - B. Approve financial commitments of \$720,081 for Special Needs Multi-Family Rental Housing and Rehabilitation projects.**

Staff Resource: Stan Wilson, Neighborhood Development

Policy

- City's FY2006-FY2010 Consolidated Action Plan:
 - Approved by City Council on June 13, 2005
 - Identifies the need for affordable, safe and decent housing for low and moderate-income families
 - Reaffirmed the three basic goals of the City's Housing Policy; preserve the existing housing stock, expand the supply of affordable housing and support family self-sufficiency initiatives

Explanation

- On October 23rd, 2006, City Council approved Housing Trust Fund (HTF) allocation of \$5,021,679 to Multi-Family Rental and Special Needs Housing (New Construction and Rehabilitation).
- Loan and Grant Guidelines are established by the Housing Trust Fund Advisory Board.
- Staff issued Requests for Proposals for each of the housing development categories and evaluated and ranked each proposal based on the Guidelines and Evaluation Criteria established by the Housing Trust Fund Advisory Board.
- The four projects recommended for funding represent a total of 253 affordable housing units of which 53 (21%) serve households earning 24% and below the area median income (which is < \$15,456 for a household of four).

- The overall leverage ratio of the FY2007 projects recommended for funding is 1:45 with \$15,918,067 in total development costs.
- The balance of \$1,486,223 left from multi-family RFP will be available to reallocate and fund additional affordable housing developments.
- City Council received a briefing at the June 4, 2007 Workshop.

Multi-Family Rental - New Construction and Rehabilitation Projects:

Evaluation Points	Project Name	Affordable Units	Total Units	City Funding	Total Development Cost	Housing Locational Policy
119	Cherry Gardens	42	42	\$1,050,000	\$5,338,476	Exempt-Elderly
117	Kohler Ave.	48	48	\$430,000	\$5,215,048	Prohibited Waver Approved June 13, 2005
82	Glen Cove	50	50	\$1,335,375	\$2,670,756	Exempt –Rehab.
	Totals	140	140	\$2,815,375	\$13,224,280	

Special Needs Housing - Rehabilitation Projects:

Evaluation Points	Project Name	Affordable Units	Total Units	City Funding	Total Development Cost	Housing Locational Policy
98	McAlpine Terrace	113	113	\$720,081	\$2,693,787	Exempt-Rehab. Special Needs
	Totals					

Funding

City Housing Bond

Attachment 17

Dinner Briefing Presentation – June 4, 2007

Project Sources and Uses

Project Proformas

16. Arena Out Parcel 3 Sales Contract

Action: Adopt a resolution approving the contract for the sale of Arena Out-Parcel Three (PID 080-053-24) to Lodgeworks, L.P. for \$2.1 million for the development of a hotel and parking deck.

Staff Resource: Eric Johnson, Engineering & Property Management

Explanation

- Arena Out-Parcel Three is a one-third acre site on the corner of East Trade and Caldwell Streets. In June 2006, City Council selected the team of Boulevard Centro, Lodgeworks, and Batson-Cook to develop this site. The

proposal was for a combination high-rise condominium/hotel project, with street level retail. The purchase price was \$2.4 million.

- In December 2006, the City Council concurred with a request from the project team to reduce the sale price of the property to \$2.1 million because of a significant increase in steel and concrete prices since the submittal of the project. The \$2.1 million was the appraised value, as well as the minimum price originally set by Council.
- As a result of market demand and site conditions, the project team has amended its proposal to be a hotel only with no condominiums. The hotel will be 10 stories with 148 units and four levels of parking
- The Lodgeworks brand is Hotel Sierra and is a high-end, suite hotel.
- The terms of the contract allow for a proposed curb cut and unloading area for guest registration on Trade Street. Lodgeworks will close on this property 30 days after Council approval.
- The value of the property upon completion will be approximately \$33 million which will generate approximately \$430,000 in City/County property taxes annually.
- The proceeds from the sale upon closing will go to the Capital Program, in accordance with Council's policy on disposition of property.

Attachment 18

Rendering of hotel

Proposed first-floor layout

Resolution

17. Carolina Theatre Third Contract Amendment

Action: Approve the third amendment to sale and purchase contract for the Carolina Theatre with CMP Carolina Theatre, LLC to add an additional extension period to the closing date.

Staff Resource: Tom Flynn, Economic Development

Explanation

- Approval of this amendment will extend the closing date from July 19, 2007 to October 18, 2007. CMP Carolina Theatre, LLC will pay an additional non-refundable \$25,000 if they exercise this extension. If CMP Carolina Theatre, LLC closes on the property by October 18, 2007, the \$25,000 will be credited to the \$1,000,000 purchase price.
- CMP Carolina Theatre, LLC has requested this additional time for the following reasons:
 - Additional time needed for engineering and alternative parking studies
 - Changes in the residential condominium tower brought about by new equity partners in the project
- CMP Carolina Theatre, LLC expects to close on the property by October 2007.

Attachment 19

Council Action of January 9, 2006 approving the sale of the Carolina Theatre

18. Proposed Sale of Former Statesville Road Landfill

Action: **A. Approve the declaration of former Statesville Road Landfill (PID 077-181-02) that contains approximately 155 acres as surplus,**

B. Approve the publication and distribution of a Request for Qualifications (RFQ), and

C. Authorize the City Manager to negotiate with RFQ respondents and submit a recommendation to City Council at a future date.

Staff Resources: Eric Johnson, Engineering and Property Management
 Tim O'Brien, Engineering and Property Management
 J. R. Steigerwald, Engineering and Property Management

Explanation

- The origin of a proposed sale of this property originated in early 2007 with two adjacent property owners expressing interest in buying a portion of the property to expand their existing business.
- The Statesville Road Landfill site is zoned I-2 and is located in the southeastern quadrant of I-85 and Statesville Road in Charlotte. This tract of land contains approximately 155 acres with Irwin Creek traversing through the middle of the property (see attachment).
- The Statesville Road Landfill operated from approximately 1940 to 1970. Over the 30-year period, solid waste including residential, commercial, industrial and demolition materials were disposed in the landfill. Operation of the landfill during that period pre-dated implementation of most current regulations for modern sanitary landfills which require daily cover. However, open burning occurred periodically to reduce the volume of trash and was capped with a sediment cover.
- Between 1987 and 1995, the City of Charlotte responded to a series of site investigations conducted by the State of North Carolina Environmental Protection Agency (EPA) and EPA Region IV. In January 1996, the site was placed on the Comprehensive Environmental Response, Compensation and Liability Act No Further Remedial Action Planned database list. However, the City of Charlotte still maintained liability for the site as the site lay dormant.
- Opportunity exists to move the environmental liability for this property away from the City to a development entity that would ultimately seek to redevelop the property.
- Staff recommends:
 - Issue a RFQ
 - Qualify the respondent that most meets the City's objectives

Comment [n1]: What does this stand for?

- Conduct a direct sale
- There are six firms nationally that have experience with redeveloping environmentally impaired properties that have expressed interest in participating in the RFQ process for the potential purchase of the site.
- A task force with active participation from several Key Business Units has recommended that this property be declared surplus and sold.
- The mandatory referral process was completed May 29, 2007.
- In addition to the staff recommendation, two other options were considered:
 - Direct sale of the property to a developer that would relieve the City of the environmental liability and redevelop the site
 - Declare the land surplus and accept bids for the property and go through the upset bid process if there are several potential developers willing to remove the liability and redevelop the site
- It is anticipated that the sale of the land with a requirement that any additional research including obtaining grants use the developer's funds will produce net positive value for the City.
- On June 4th, Council received a briefing on the proposed sale.

Attachment 20

Map of Property

Map of Site with Storm Water Improvement and Management (SWIM) noted

Draft RFQ that includes rating criteria

19. Mayor and Council Topics

Council members may share information and raise topics for discussion.

Introduction to CONSENT

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

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

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

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

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

Contractors and Consultants

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

CONSENT I

20. Various Bids

- A. Title: Jefferson Storm Drainage Improvements Phase 1** **EPM**

Resource: Susan Lewis

Action

Award the low bid of \$1,286,907.50 by United Construction, Inc. of Charlotte, North Carolina. This project will address street and house flooding, channel erosion and deteriorating drainage infrastructure in the area bounded by Providence Road, Folger Drive, Turnbridge Road, Guildbrook Road, Old Farm Road and Brockton Lane in Southeast Charlotte. The work includes pipe replacement, channel bank stabilization and stream restoration. Construction completion is scheduled for second quarter of 2008.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 3.71%

United Construction failed to meet the established SBE goal, but exceeded the mandatory outreach and good faith efforts. United committed 3.71% (\$47,650) to the following SBE firms: Custom Lawn & Landscaping, Habitat Assessment & Restoration Program, Inc., and Happy Jack Trucking, Inc.

B. I-277/Independence Blvd. Intersection Improvements Phase 3 **EPM**

Resource: Sam Barber

Action

Award the low bid of \$772,903.37 to Sealand Contractors Corporation of Charlotte, North Carolina. This is the third phase of this project to increase vehicle access into the Midtown Square area and increase pedestrian access along Independence Boulevard and Kings Drive. This contract includes road improvements at the intersection of Independence Boulevard at North Kings Drive. Construction completion is scheduled for fourth quarter of 2007.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 7%

Sealand Contractors Corporation met the established SBE goal and committed 7% (\$54,110) to the following SBE firms: ACS Pavement Marking, Inc., Bullington Construction, and H & H Hauling.

C. Briar Creek Relief Sewer, Phase I **Utilities**

Resource: Doug Bean

Action

Award the low bid of \$28,906,070, for construction of phase IA, to Oscar Renda Contracting, Inc. of Roanoke, Texas and award the low bid of \$13,708,774.50, for construction of phase IB, to Rockdale Pipeline, Inc. of Conyers, Georgia for construction of approximately 22,100 linear feet of sanitary relief sewer. All work is to be completed within 730 calendar days from notice to proceed.

Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 3.98% for phase IA

Committed SBE Goal: 4.80% for phase IB

Oscar Renda Contracting, Inc. failed to meet the goal, but met the mandatory outreach and Good Faith Efforts. They have committed \$1,150,000 to the following SBE firms: Little L's Dump Truck Service,

W. C. Black & Sons, C & J Supply, Inc., Fuller Building Maintenance, and Boyle Consulting Engineering

Rockdale Pipeline, Inc., failed to meet the goal, but met the mandatory outreach and Good Faith Efforts. They have committed \$656,000 to the following SBE firms: D's Trucking, Roberts Enterprises, The Carolinas Landworks, Habitat and Restoration Program, A-1 Precision Fence B&B Concrete, Inc., and Wilson and Sons Construction

D. Airport Conference Facility Renovations Aviation

Resource: Jerry Orr

Action

Award the informal, low bid of \$179,800 by Edison Foard of Charlotte, North Carolina for renovations of the conference facilities at the airport. These facilities are available for rent to airport tenants and passengers.

Small Business Opportunity

Prior to the bid process, Airport staff estimated the renovations would be less than \$100,000. When a project is estimated to be less than \$100,000, an informal bid process may be conducted and a SBE goal is not required.

21. Refund of Property Taxes and Business Privilege License Payments

- Action:**
- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$29,390.78, and**
 - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$15,031.13.**

Resource: Sherry Hite, Finance

Attachment 21

Resolution

List of property tax and business license refunds

22. Resolution of Intent to Abandon Street and Set Public Hearing for a 30-foot portion of right-of-way at the end of Equitable Place

Action: A. Adopt the Resolution of Intent to abandon a 30-foot portion of right-of-way at the end of Equitable Place, and

B. Set a public hearing for July 23, 2007.

Resource Linda Poissant, Transportation

Attachment 22

Map
Resolution

23. In Rem Remedy

For In Rem Remedy #A-E, the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.
- Support public safety initiatives.

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety – Police and/or Fire Dept.
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

Public Safety:

- A. 400 Seldon Drive (Neighborhood Statistical Area 26 – Biddleville Neighborhood)

Field Observation:

- B. 2974 Clyde Drive (Neighborhood Statistical Area 25 – Smallwood Neighborhood)
- C. 4509 Gibbon Road (Neighborhood Statistical Area 125 – Nevin Community Neighborhood)
- D. 2629 Remington Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)
- E. 925 Rowan Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)

Public Safety:

A. 400 Seldon Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 400 Seldon Drive (Neighborhood Statistical Area 26 – Biddleville Neighborhood).

Attachment 23

Field Observation:

B. 2974 Clyde Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2974 Clyde Drive (Neighborhood Statistical Area 25 – Smallwood Neighborhood).

Attachment 24

C. 4509 Gibbon Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4509 Gibbon Road (Neighborhood Statistical Area 125 – Nevin Community Neighborhood).

Attachment 25

D. 2629 Remington Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2629 Remington Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 26

E. 925 Rowan Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 925 Rowan Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

Attachment 27

CONSENT II

24. CATS Origin-Destination Study Contract

Action: Authorize the City Manager to negotiate and execute a contract with NuStats, LLC for a total amount not to exceed \$251,312, to provide services to include a transit origin-destination study.

Staff Resource: David McDonald, CATS

Policy

Centers and Corridors, Transportation Action Plan (TAP), 2030 Transit Corridor System Plan

Explanation

- In May 2005, the City of Charlotte signed a Full Funding Grant Agreement with the Federal Transit Administration. As a requirement of this agreement, CATS must develop and complete a “Before and After Study” to evaluate the predicted and actual performance of the LYNX Blue Line service.
- One component of the “Before” portion of this Study is the collection of Origin and Destination data for existing transit service in the South Corridor. A future study will be conducted two years after rail service has begun to collect the “After” data.
- The Origin-Destination Study involves the on-board sampling of riders to determine, trip purpose, origin, destination, boarding and alighting locations, means of access (walk, bike or drive to bus) and frequency of use.
- This data is also an important input in the development of the regional travel demand model used to perform air quality conformity determinations, travel forecasts and FTA New Starts submissions. The last full survey was completed in 2003 and is due to be updated to reflect the significant growth in transit service and ridership.
- To prevent duplication of effort and to maximize efficiency of data collection, CATS requested proposals to complete an:
 - Origin-Destination Study for the South Corridor
 - Origin-Destination Study for the remainder of the CATS System
- NuStats, LLC was unanimously selected by a CATS/CDOT team to perform this work based upon qualifications, experience and approach, financial qualifications, cost effectiveness and value, and acceptance of the terms of the Contract.
- The South Corridor portion of the work is \$57,841 and will be funded from the South Corridor Budget. This is a savings from the original budget of \$100,000.
- The cost of the data collection for the remainder of the CATS System is \$193,471 and will be paid from Federal Planning Grant Funds (80% Federal, 10% State, 10% CATS).

Disadvantage Business Enterprise Opportunity

Established DBE Goal: 10%

Committed DBE Goal: 33.81%

The proposed DBE firm is: Metro Staffing, Inc.

Funding

Transit Capital Program, Planning Grant and Transit Operating Budget

25. LED Blank-Out Signs

- Action:**
- A. Approve the purchase of LED Blank-Out Signs without competitive bidding, as authorized by the sole source exception of G.S. 143-129(e) (6),**
 - B. Approve a one year unit price contract for the purchase of LED Blank -Out Signs and related commodities to RAI Products in the estimated annual amount of \$95,000, and**
 - C. Authorize the City Manager to extend the contract for two additional one-year terms.**

Staff Resource: Debbie Self, Transportation**Sole Source Exception**

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 1. performance or price competition are 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 is necessary because equal performance (see evaluation explanation below) is not available and RAI is the exclusive distributor for Tassimco Signs.
- The City Council must approve purchases made under the sole source exception.

Explanation

- LED (light emitting diode) blank-out signs are electronic traffic control signs, which can be turned on and off based on the need to provide instruction, such as no left turn while train crosses.
- The Tassimco sign provided by RAI Products is the best source of LED blank-out signs based on a six month technical evaluation process by Charlotte Department of Transportation (CDOT).
- LED signs have lower power consumption than traditional types of incandescent lights. Thus, it is an energy efficient product.
- Over the years, the sign industry has moved toward use of LED's but the type of technology varies. The purpose of the technical evaluation was to

determine to most effective type of technology. Highlights from the evaluation include the following:

- RAI Products offers a five-year warranty while competitors only offer a two-year warranty.
- The legibility of the Tassimco sign was better than that of the competitors at all distances.
- The Tassimco sign offers a dimming feature which made it the most legible sign in nighttime conditions compared to the competitors.
- Four different sign manufacturers were invited to participate in the evaluation of which three completed the process. One sign did not meet the legibility needs and the other sign's performance did not justify its price which was twice as expensive as the preferred alternate.
- Each yearly contract would provide funding to purchase approximately 50 LED Blank-out signs.
- This year's contract will purchase approximately 15 signs for use at signalized intersections near the LYNX Blue Line where there is a need to prohibit turns while the train crosses. The remaining signs would be used at various locations around the City to replace the problematic mechanical-style Varicom signs.
- The priority list of locations is still being developed but would most likely include replacement of Varicom signs on 7th Street through the reversible lane portion.
- RAI Products is recommended as the most cost effective, greatest value and overall best solution.

Small Business Opportunity

Pursuant to Section 2.21 of the Program Policy, this contract is exempt from the SBO Program.

Funding

Transportation Operating Budget

26. Microsoft Enterprise Licensing Agreement Renewal

Action: Approve three-year Microsoft Enterprise Licensing Agreements to ensure software license compliance and support of included Microsoft products. Payments will be made on an annual basis, with a total cost for three years not to exceed \$4,100,000.

Staff Resources: Al Alonso, Business Support Services
Ron Horton, Charlotte-Mecklenburg Police

Explanation

- Police and Business Support Services-Information Technology (BSS-IT) operate under joint Enterprise Agreements which provide volume pricing at Microsoft's lowest rate and shared use of licenses.

- The current BSS-IT Microsoft Enterprise Licensing Agreement will expire on June 30, 2008.
- Microsoft is offering the City incentives to restructure the current agreement for a new three-year term, including an additional 5% early renewal discount.
- The incentive offer expires on June 25, 2007.

Background

- The Enterprise Agreements allow all covered City desktop or laptop computers to load and run any version of Microsoft Windows, Microsoft Office Professional and Microsoft Client Access Licenses.
- The agreement also includes licenses for servers and additional Microsoft products that may also be required.
- The agreement provides for product support of existing software as well as upgrade rights to future versions.
- CompuCom was previously selected as the ESA (Enterprise Software Advisor) and reseller for this agreement, and they manage all agreement transactions and collect payments on the contract.
- Microsoft software products that are not continuously covered by software maintenance are not eligible for future maintenance contracts or upgrade rights.
- Agreements also offer an annual opportunity to increase software types and quantities by making “true-up” payments along with the annual payments
- “True-up” payments cover any increases in the actual number of computers over the previous year.
- CMPD renewed its current Microsoft Licensing Agreement in October 2005 for three years.
- Under a previous verbal agreement with Microsoft, CMPD was not required to pay licensing fees for laptops, which were considered secondary devices
- Microsoft is now requiring CMPD to pay full licensing fees on laptops; this would have resulted in a one time charge of \$225,042 when the first year payment of the October 2005 renewal became due in October 2006.
- In order to mitigate the financial impact of these charges, the Enterprise Licensing Agreement has been renegotiated for renewal for a three year period beginning in October 2006, allowing the one time charges to be spread over the three year life of the agreement
- The Police renewal agreement will be effective from October 1, 2006 to September 30, 2009
- The new BSS-IT agreement will be effective from June 25, 2007 to June 24, 2010.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was established because no subcontracting is anticipated.

Funding

Business Support Services and Charlotte-Mecklenburg Police Operating Budgets

27. Janitorial Services for CMPD Law Enforcement Center

Action: **A. Approve a contract for \$177,000 with Sizemore, Inc. for janitorial services for the Charlotte-Mecklenburg Police Department (CMPD) Law Enforcement Center, and**

B. Authorize the City Manager to approve the two, one-year extension options at the same annual contract amount.

Staff Resource: Richard Danielsen, CMPD

Explanation

- The City uses contract service for Janitorial Services at the Law Enforcement Center.
- The current contract with Sanitors will expire August 31, 2007.
- A Request for Proposal process was used to select a vendor to provide this service.
- Fourteen proposals were received. Selection criteria included janitorial experience in buildings of similar size and nature, hiring and training practices of employees, use of “green” products and practices, local management and price.
- Sizemore’s price was competitive among the vendors who demonstrated strengths in the selection criteria.
- Sizemore’s price remains fixed for the complete length of the contract, including any extensions. The term of the contract is for one year, with an option to renew for two-additional one-year periods.
- The evaluation committee included Police and Procurement staff.

Small Business Opportunity

Pursuant to Section 5 of the SBO program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

Funding

Police Operating Budget

28. Police Cisco Network Equipment

Action: **A. Approve the purchase of Cisco network equipment without competitive bidding, as authorized by the cooperative purchasing exemption of G. S. 143-129(e) (3), and**

B. Approve a contract with GTSI for the purchase of Cisco network equipment in the amount of \$385,000.

Staff Resource: Ron Horton, CMPD

Explanation

- CMPD needs to upgrade data switches on its computer network to meet the demands of current technology.
- The switches are required to provide high speed capacity for critical Public Safety applications at CMPD Headquarters and Division offices across the City.
- The current equipment is six years old.
- Cisco components are necessary for this upgrade to be compatible with existing Cisco equipment and to sustain existing warranties.

Cooperative Purchasing Exemption

- GTSI has a national contract through US Communities Cooperative Purchasing Alliance that guarantees their prices to be the lowest offered to a Government Entity.
- GTSI is a certified Cisco distributor for this product.
- The GTSI contract was competitively bid by Fairfax County, VA and awarded by the Fairfax Board of Commissioners on July 26, 2003.
- NC Senate Bill 914, effective January 1, 2002, authorizes the exception to competitive bidding for competitive group purchasing.
- GTSI focuses exclusively on federal, state and local government customers worldwide.
- GTSI is the Federal Government's leading supplier for public safety and homeland security products.

Small Business Opportunity

Pursuant to Section 2.21 of the program policy regarding purchases without competitive bidding, this contract is exempt from the Small Business Opportunity Program.

Funding

Police Operating Budget and City Tech Refresh Funds

29. Time and Attendance System

- Action:**
- A. Approve the upgrade to an Enterprise-wide Agreement for a Time and Attendance System with KRONOS, Inc. including software, services and maintenance, for an amount not to exceed \$400,000, and**
 - B. Authorize the City Manager to execute renewals, modifications, additions, and deletions related to licensing, support and ongoing maintenance for this enterprise- wide resource within Key Business Units throughout the useful life of the Time and Attendance System at the prevailing rates as established in the Enterprise-wide Agreement.**

Staff Resource: Susan Johnson, Business Support Services

Explanation

- The City has used the KRONOS time and attendance software applications for over 15 years in Charlotte-Mecklenburg Utilities (CMU) and Solid Waste Services (SWS). The software automatically collects labor information electronically, applies pay rules consistently across each organization, streamlines payroll processing, reduces administrative overhead, and has a proven interface into the City PeopleSoft HR system. It is particularly effective for field and mobile staff.
- In order to allow other business units to take advantage of this application, it is necessary and most economical to upgrade the license to a City-wide, enterprise solution. This enterprise level solution is flexible and fully scalable to meet the City's needs today and in the future.
- This action would create a standard agreement with KRONOS providing consistent, standard pricing for software, services and maintenance in the best interest of the City.
- Any Key Business Unit needing products and services from KRONOS would use this agreement. CMU and SWS would be automatically included in the new agreement at no additional cost. Charlotte Area Transit System's (CATS) planned implementation would expand the number of seats licensed under the enterprise level agreement, as would an additional business unit.
- Prior to considering the expansion of KRONOS to an enterprise level application, a Request for Proposal (RFP) was issued and four proposals were received. Proposal evaluation was based on compliance with the requirements of the RFP, qualifications, experience, project approach and cost effectiveness/value. The proposal from KRONOS, Inc. provided the best overall solution for the City.
- The City's Technology Management Team and Policy Management Team reviewed and approved planned CMU, SWS and CATS projects.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

Funding

Transit Capital Fund

30. Solid Waste Services Collection Vehicle Lubrication Agreement

Action: Authorize the City Manager to execute a one-year unit price contract with No Limits Lockwood, Inc. of Charlotte, North Carolina to provide lubrication of Solid Waste Services collection vehicles for an initial contract amount not to exceed \$151,000, with two, one-year contract renewal options that allow up to a 10% increase in the contract amount in each of the two option years to account for an expected growth in fleet size.

Staff Resource: Victoria Garland, Solid Waste Services

Explanation

- Fleet maintenance is one of the highest operating expenses for Solid Waste Services. Regular lubrication of collection vehicle body parts decreases metal-to-metal contact and the wear on hydraulic arms, cylinders and hinge points. This preventative service reduces fleet maintenance expenses.
- Regular lubrication is also required to keep the vehicles' warranties in force.
- Through a request for proposal process, three proposals were received and evaluated by a selection team. No Limits Lockwood, Inc. submitted the lowest responsive bid and is recommended for the award.
- No Limits Lockwood, Inc. is the current provider of the lubrication service for Solid Waste Services vehicles and has excellent knowledge of the greasing requirements for the vehicles.
- The original lubrication contract with No Limits Lockwood, Inc. is in its third and final year.
- The absence of this service will lead to higher fleet maintenance expenses due to the lack of this preventive action.
- The City's Fleet Management unit does not have the capacity to perform this work.
- **Pricing Information**
 - New automated, rear loader truck bodies lubricated one time weekly @ \$30 each. New recycle truck bodies lubricated one time weekly @ \$43 each.
 - Old automated, rear loader truck bodies lubricated one time bi-weekly @ \$30 each. Old recycle truck bodies lubricated one time bi-weekly @ \$43 each.
 - All automated arms lubricated daily @ \$1 per truck
- During the first year, the contract amount will be \$151,000. To account for an expected growth in fleet size due to infill and annexation, the contract amount could increase up to 10% in each of the two renewal option years.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO goal was established for this contract because subcontracting is not anticipated.

Funding

Solid Waste Services Operating Budget

31. Reedy & McKee Creek Sewer Basin, Professional Services, Contract Amendment # 1

Action: Approve Amendment #1 in the amount of \$946,000 to the professional services contract with Woolpert, Inc. for additional engineering services.

Staff Resource: Doug Bean, Utilities

Explanation

- December 9, 2002 Council approved a professional services agreement with Woolpert Inc., in the amount of \$3,445,300, for design of the Cabarrus County portion of the sewer trunk and pump station to serve the Reedy Creek and McKee Creek basins.
- Wastewater treatment service to the Reedy and McKee Creek basins is to be provided per the Council approved agreement between the City of Charlotte and the Water and Sewer Authority of Cabarrus County.
- Design work was suspended in 2004 pending resolution of issues related to the acquisition of the project's Environmental Assessment (EA).
- The final EA was approved and issued in November 2006.
- This Amendment includes
 - Revised preliminary design of the Cabarrus County pump station that will result in over \$4 million in savings to Charlotte Mecklenburg Utilities in construction cost
 - Revised sewer trunk design to accommodate any changes in the preliminary route
 - Final easement surveying and design
 - Acquisition of easements and encroachments
 - Additional Geotechnical services
- Over \$300,000 of this amendment will be reimbursed by Cabarrus County as prescribed in the agreement for the cost sharing.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 3.07%

Woolpert failed to meet the goal, but met the Good Faith Effort Points and mandatory outreach requirements. They've committed \$29,000 to the following SBE firms: Richa Graphics, Meade Gunnell Engineering and Surveying, and On Target Utility Locating Services.

Funding

Sewer Capital Investment Plan

32. Southwest Water Main Amendment #3

Action: Approve Amendment #3 for \$ 306,000 to the contract with Camp Dresser and McKee for additional construction engineering services for the Southwest Water Transmission Main Phase A project.

Staff Resource: Doug Bean, Utilities

Explanation

- Amendment #3 provides for additional construction engineering services related to a projected six month construction time extension for the contractor to complete the project. Specific services include contract administration, inspection, and geotechnical services for the remaining tunnel construction.

- The contractor is currently behind schedule due to difficulties being encountered in the construction of a tunnel in the vicinity of Josh Birmingham Parkway.
- Engineering costs incurred due to the contractor's work extending beyond the contractual completion date would be reimbursed through the collection of liquidated damages from the contractor as prescribed in the contract.

Contract History

- The original contract was awarded in May 22, 2000 in the amount of \$4,669,000.
- Amendment #1 was issued for clarification purposes only.
- Amendment #2, in the amount of \$957,800, was approved by Council on July 26, 2004 for additional engineering services related to the addition of two major tunnels.

Small Business Opportunity

This amendment complies with Section 10.3 of the SBO Policy. All work will be performed by the prime and their current subcontractors.

Funding

Water Capital Investment Plan

33. Little Sugar Creek Sewer Outfall, Relocation and Repair

Action:

A. Adopt a budget ordinance appropriating \$730,000 from water and sewer revenue bonds, and

B. Award the low bid of \$2,675,456.46 by Central Builders of Rocky Mount, North Carolina for the relocation and repair of a portion of the sanitary sewer outfall along Little Sugar Creek.

Staff Resource: Doug Bean, Utilities

Budget Ordinance

- Originally, Mecklenburg County was going to manage their portion of this project, but the decision was made to combine the projects and Utilities would manage the entire project. This ordinance advances funds to the project account. Mecklenburg County will reimburse Utilities for their portion when construction is complete.

Explanation

- Project involves the relocation of about 720 feet of the existing Little Sugar Creek sanitary sewer outfall and installation of about 1700 feet of 60-inch gravity sewer.
- Project is located along Little Sugar Creek between Independence Boulevard and Morehead Street.

- Project is being performed as collaboration between Mecklenburg County Parks and Recreation and Utilities.
- Project is scheduled for completion within 90 days.

Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 3.73%

The Program Manager waives non-compliance with the Program for Central Builders' failure to meet the goal and good faith effort points. Central Builders earned 105 of the 110 minimum GFE points, and had the highest SBE utilization of all the bidders. It has been seven years since Central Builders, Inc. submitted a bid for a City of Charlotte project. They have committed \$100,000 to the following SBE firm: Hazel Holmes Trucking.

Funding

Water and Sewer Revenue Bonds and Mecklenburg County

Attachment 28

Budget Ordinance

34. FY07 Contract 7 Water and Sewer Main Construction

- Action:**
- A. Adopt a budget ordinance appropriating \$1,622,0703.30 from water and sewer revenue bonds,**
 - B. Adopt a budget ordinance appropriating \$540,577 from water and sewer revenue bonds, and**
 - C. Award the low bid of \$1,622,703.30 by State Utility Contractors, Charlotte, North Carolina for construction of sanitary sewer and water mains.**

Staff Resource: Doug Bean, Utilities

Budget Ordinance

- During FY07, \$10,325,686 was encumbered for water and sewer street main extensions.
- Action item A will appropriate \$1,622,703.30 for contract award.
- Action item B will appropriate \$540,577 across funds for Utilities' internal project management expenses for the remainder of FY2007 and FY2008.
- The additional appropriation is needed due to a 26% increase in demand for street main extensions.

Explanation

- Contract provides for construction of an undetermined number of individual projects consisting of:
 - Water main extensions

- Sanitary sewer main extensions
- Combined water and sewer main extensions, as assigned by the Engineer

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 4.07%

State Utility Contractors failed to meet the goal, but met the mandatory outreach and Good Faith Effort Points. They've committed \$66,080.00 to the following SBE firms: Fast Signs, Capstone, Spears Trucking, Union Paving Contractors, and Best Rate Tree & Landscaping.

Funding

Water and Sewer Capital Investment Plan

Attachment 29

Budget Ordinance

35. Homeland Security Grant

Action: **A. Enter into a grant agreement with the North Carolina Division of Emergency Management on behalf of the U.S. Department of Homeland Security, in the amount of \$125,093.75 for terrorism training exercises, equipment and related expenses, and**

B. Adopt a budget ordinance appropriating \$125,093.75 in funding.

Staff Resource: Jeff Dulin, Fire

Explanation

- The Department of Homeland Security and the Office of Domestic Preparedness has made additional funding available through the FY2006 State Homeland Security Grant Program. This program was established to provide federal reimbursement to state and local governments for training and purchases associated with preparing for a response to an act of terrorism. In North Carolina, the North Carolina Division of Emergency Management administers this program for the U. S. Department of Homeland Security.
- This grant money will be used to cover costs associated with providing Urban Search and Rescue specialty training classes for the NC Teams.
- The training consists of four specialty classes: Communications Specialist, Advanced Heavy Rigging & Metal Cutting, Planning/Technical Information Specialist and Task Force Leader.
- Offering this training will allow the City and NC Teams to meet the Nation Incident Management System certification criteria.

Funding

U. S. Department of Homeland Security Public Safety Grants

Attachment 30
Budget Ordinance

36. Airport FY2008 Program Management Contract

- Action:** **A. Approve a contract with Newton & Associates, Inc. not to exceed \$250,000 for Capital Investment Program Management Services during FY2008, and**
- B. Authorize the City Manager to execute two additional renewals of this contract at prevailing rates for FY09 and FY10.**

Staff Resource: Jerry Orr, Aviation

Explanation

- The Airport is undergoing a significant multi-year Capital Investment Program intended to provide facilities to accommodate the continuing growth of the Charlotte region and the resulting increase in the demand for aviation and related transportation services. When completed, the CIP will have included:
 - A third parallel runway and taxiway system
 - Expansion of Concourse A
 - Construction of new Concourses D and E
 - Expansion of the Terminal Building
 - Multiple parking decks
 - Expanded airline fuel system
 - Expanded Airport roadway system
 - Expanded and redeveloped Fixed Base Operator
- Funding for this program thus far comprises \$199 million Series 1999 Revenue Bonds, \$165 million Series 2004 Airport Revenue Bonds, \$230 million federal and \$3 million state funds. Debt service on approximately 75% of those bonds will be paid from Passenger Facility Charges (PFCs) collected by the airlines from passengers using the Airport.
- Thus far, work has been completed on Concourse D and is nearing completion on concourse E. The Airport has taken over operation of the Fixed Base Operator and has constructed two new hangars and is planning a series of other needed improvements. Two new public daily parking decks have been constructed and a third is under design. Work on the runway has commenced and is expected to be complete in the spring of 2010.
- Additional financing in the form of \$140 million of Series 2007 Bonds is scheduled for August of 2007 and additional bonds of \$140 million will be issued in 2008 to complete the runway.
- The Airport requires specialized professional assistance in managing the financing and implementation of this complex capital program beyond the scope of the skills and experience routinely possessed by Airport staff. Such services include:
 - Assistance in preparing and monitoring the financial plan

- Assistance in liaison with City Finance, the NC Local Government Commission, investment bankers and bond counsel regarding financing
- Evaluation of economic analyses, land use plans and cost estimates prepared by others
- Assistance in relations with the FAA concerning the federal requirements for Airport facilities and federal funding
- Preparation of reports to the FAA on the collection and use of Passenger Facility Charges (PFCs), and prepare amendments to approved PFC applications and new PFC applications
- Assistance to the Aviation Director in preparing reports to Council and others
- Continued assistance in the conversion of Fixed Base Operator operations from a concession to an Airport-run operation; and assist in developing additional corporate hangars
- Re-development of the airline fuel storage and distribution system including negotiating the terms of the use of the fuel system by airlines serving the Airport
- Assistance in obtaining required environmental permitting
- Service as a key member of the Capital Program Management Team
- Newton & Associates, Inc. is a local firm possessing the expertise to provide the required services and has been an integral part of the Airport development team throughout the formulation and implementation of the Airport Development Program since 1996. They will be paid at an hourly rate for services.

Disadvantaged Business Enterprise

Established DBE Goal: 0%

Committed DBE Goal: 100%

The DBE program is not a subcontracting program and does not require a DBE participation goal on each contract. The City may meet its annual DBE utilization goal through a mix of contract goals and DBE-neutral means. Newton & Associates is a certified DBE, and its participation will be counted toward the City's utilization goal.

Funding

Airport Capital Investment Plan

37. Airport E-Concourse Construction Change Order

Action: Approve a change order with Edison Foard, Inc. of Charlotte in the amount of \$2,852,862 for further expansion to the E-Concourse.

Staff Resource: Jerry Orr, Aviation

Explanation

- In August 2006, City Council approved a contract in the amount of \$9,038,000 with Edison Foard for the construction of a six-gate expansion to E Concourse.
- There is now sufficient additional ramp paved to allow an additional 120 foot expansion of the six-gate building currently under construction. The additional area will allow up to 1,000 square feet of food and beverage space.
- On May 14, 2007, Council approved a contract for the architectural and engineering services for the 120-foot expansion.
- In the same action on May 14, 2007, Council approved a change order with Edison Foard for the pre-purchase of the steel for the 120-foot expansion at existing prices.
- The balance of construction costs for the additional 120-feet of structure is included in this change order with Edison Foard.
- This change order will be funded with proceeds of the 2004 General Airport Revenue Bonds, the debt service of which is paid for by Passenger Facility Charge funds.
- This change order is within the project budget.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 9.4%

No goal was established for this change order because all additional work will be performed by the prime contractor and its existing subcontractor. However, existing subcontractor, Superior Mechanical, is a SBE, and its subcontract for the additional work is \$468,568. This change order complies with Section 10.3 of the SBO Program.

Funding

Airport Capital Investment Plan

38. Discovery Place Renovations

- Action:**
- A. Approve a contract with Little Diversified Architectural Consulting, Inc. in the amount of \$1,643,760 for architectural services for Discovery Place Renovations, and**
 - B. Approve a contract with Rodgers Builders, Inc in the amount of \$122,000 for pre-construction services for Discovery Place Renovations.**

Staff Resource: Michelle Haas, Engineering & Property Management

A. Architectural Services Contract with Little Diversified Architectural Consulting, Inc.

- On February 27, 2006 City Council approved the Strategy for Funding Cultural Facilities, and in September the City Council and County

Commission approved agreements to complete the funding process for Discovery Place and the four other cultural facilities.

- On August 28, 2006 City Council approved a contract in the amount of \$271,520 for the initial phase of master planning and programming services.
- This contract is for next phases to provide project administration, design, preparation of construction documents and administration of construction activities for renovations to Discovery Place.
- Discovery Place was funded at \$31.6 million (\$15.6 M for renovations and \$16 M for new exhibits).

B. Pre-construction Services Contract with Rodgers Builders, Inc.

- Staff selected the construction manager by distributing a Request for Qualifications to numerous local and national firms. On April 12, 2007, six firms submitted proposals and on May 8, 2007, three firms interviewed with the Selection Committee.
- The Committee selected Rodgers Builders, Inc. through a consensus decision because Rodgers Builders, Inc. possesses the best combination of talents, including:
 - Overall team strength
 - Renovation experience as a firm
 - Museum, cultural and recreational experience
 - Approach to pre-construction services
- During the pre-construction phase of the project, Rodgers Builders, Inc., will develop their SBO program, perform cost estimating services, and establish detailed schedules for the construction phase.

Small Business Opportunity

A. Little Diversified Architectural Consulting, Inc.

Established SBE Goal: 5.00%

Committed SBE Goal: 15.87%

Little Diversified Architectural Consulting has committed 15.87% (\$261,000) of the total contract amount to the following SBE firm: Elm Engineering.

B. Rodgers Builders, Inc.

The Small Business Office approved negotiation of the SBE goal after selection.

The selected firm, Rodgers Builders, Inc. has committed 7.00% (\$8,540) of the total contract amount to the following SBE firm: Time Delivery Express, Inc.,

Pictec, and Richa Graphics.

Funding

Discovery Place – Phase II Expansion Capital Fund

39. Steele Creek Road/Westinghouse Boulevard Intersection Improvements

Action: **A. Adopt a budget ordinance appropriating \$575,000 in developer contributions to the Steele Creek/Westinghouse Boulevard Intersection Improvement project, and**

B. Award the contract to Sealand Contractors Corporation for \$638,524.59.

Staff Resource: Beth Hassenfritz, Engineering and Property Management

A. Budget Ordinance

- The budget ordinance appropriates developer contribution funds to the Steele Creek/Westinghouse Intersection Improvement fund for construction. The balance of funds needed for the contract (\$63,524.59) is already in the project account.

B. Contract with Sealand Contractors Corporation

- This project will construct turning lanes on Steele Creek Road (NC 160) at Westinghouse Boulevard.
- Work includes traffic control, grading, drainage, concrete curb and traffic islands, asphalt paving, and pavement markings.
- This project is a public-private partnership between the North Carolina Department of Transportation (NCDOT) and Carolina Healthcare Systems (CHS) and the City.
- The City will perform the intersection improvements and NCDOT and CHS will reimburse the City in accordance with their agreements with the City.
- Construction completion is scheduled for fourth quarter of 2007.

MWB Status	Established Goal	Committed Goal
WB	3%	3.9%
MB	1%	1.0%

Per the municipal agreement with NCDOT, the State Minority (MB) and Women (WB) Business Enterprise Program must be followed. Sealand Contractors met the WB and MB goals. They have committed \$11,416 to ACS Pavement Marking, Inc. and \$13,486.63 to Superior Seeding, Inc., State certified WB firms, and \$6,426 to Darnell Jones Trucking, a State certified MB firm.

Funding

Transportation Capital Investment Plan and Developer Contributions

Attachment 31

Budget Ordinance

40. Exchange of Land Rights along the South Corridor Light Rail Project

Action: **A. Adopt a resolution authorizing an exchange of real property with The Morgan Group, its successors and assigns (Developer), and**

B. Authorize the City Manager to execute an exchange of land rights with the Developer.

Staff Resources: Tim O'Brien, Engineering & Property Management
Tina M. Votaw, Charlotte Area Transit System

Policy

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

Explanation

- The Morgan Group is planning to build a 331-unit multi-family rental project to be called "The Spectrum." They are requesting the release of the outside 30 feet of the City's rail corridor. In order to proceed with the redevelopment of this property, the Developer would need to exchange property rights with the City for full and fair compensation as provided in the NC General Statutes. Fair consideration can be any combination of cash, real or personal property, and other benefits.
- The property located at 2203 Hawkins Street is a 4.75 acre site that faces the rail corridor and is located approximately 1,000 feet south of Tremont Avenue.
- The Spectrum project is consistent with the Council adopted SouthEnd Station Area Plan, the Transit Oriented Development zoning district and is transit supportive.
- The developer requires use of a portion of the right of way for the following purposes:
 - Storm water relocation
 - Installation of fire lane, including upgrade to grasscrete (a paving system allowing grass to grow between the pavers)
 - Conversion of City pedestrian trail from asphalt to concrete
 - Construction of retaining wall and decorative fence
 - Installation of benches and bike racks
- Therefore, the following exchange is recommended:
The City receives from Developer:
 - "Fee" title to 12,636 square feet (approximately 35 feet in width from the centerline of the rail corridor) that will remain in use as the rail corridor, having an approximate value of \$41,699. This will convert the City's charter right-of-way to full fee ownership.
 - Developer will create a new pedestrian trail connection giving better access from Hawkins to the City's pedestrian trail, approximately \$25,000.
 - Conversion of the City's pedestrian trail from asphalt to concrete,

including the use of grasscrete pavers which allows emergency vehicles to use the trail for access while still providing vegetation to grow between the pavers, approximately \$120,000.

- Installation of additional landscaping, benches and bike rack along the pedestrian trail, approximately \$35,000.
- Subtotal dollar value of direct benefits is \$221,699.
- Secondary benefit is that property tax revenues for the new development will increase from \$44,000 per year to approximately \$556,000 per year.

Developer will receive from the City:

- Release of charter rights to 11,292 square feet (approximately 30 feet from the westerly edge of the rail corridor), having an approximate value of \$186,318.
- The actual exchange of property rights between the City and the Developer will not occur until approval of Developer's plans related to use of the right of way and execution of transfer agreement(s).

Background

- In 1999, the City of Charlotte purchased the 130-ft wide Charter Right-of-Way formerly owned by Norfolk Southern Railroad in the South End area. The right-of-way is wider than necessary for trolley and transit purposes. Therefore, also in 1999, the City adopted an Administrative Policy with regard to utilization of the rail corridor which indicated that the City would retain approximately 70 feet in width for rail purposes and approximately 30 feet in width along both sides could be utilized for possible incorporation into adjacent properties as transit friendly development or could be retained by the City as buffer areas if needed, while we await transit friendly development.
- In 2005, City Council adopted the SouthEnd Transit Station Area Plan to guide development along the corridor. The Plan defines development standards for property adjacent to the rail corridor and envisions that surplus right of way may be incorporated into adjacent transit friendly development.

Attachment 32

Artist rendering of proposed development
Map of the area entitled "Aerial East/West Station Area"
Cross Section of Rail Corridor
Resolution

41. Ground Lease for Charlotte Trolley Inc.

- Action:**
- A. Adopt a resolution authorizing a 50-year base term Ground Lease with three 10-year renewal options for City-owned land located at 1507 Camden Road (PID 123-041-10) for \$10/year with Charlotte Trolley Inc. (CTI), and**
 - B. Authorize the City Manager to execute the Ground Lease Agreement with CTI.**

Staff Resource: Tim J. O'Brien, Engineering & Property Management
Tina M. Votaw, Charlotte Area Transit System

Policy

In 2005, City Council adopted the SouthEnd Transit Station Area Plan to guide development along the corridor. The Plan defines development standards for property adjacent to the rail corridor and envisions that surplus right of way may be incorporated into adjacent transit friendly development.

Explanation

- The lease for Charlotte Trolley Inc. (CTI) expires by the end of this year at the existing "Trolley Barn" at Atherton Mill. A search had been underway to find a permanent site located along the trolley/light rail line.
- The new favored site is located at 1507 Camden Road and is situated between the Charlotte Art League building and the building formerly known as Fowler's Office Supply.
- Charlotte Area Transit System (CATS) purchased the property under the South Corridor Light Rail Project to serve as a pedestrian walkway between the Bland Street Light Rail Station and Camden Road. The property is wider than what is needed for the walkway; therefore, half of the site can be dedicated for the new CTI headquarters (see attached site plan).
- In August 2006, Council was advised that City Staff (Economic Development Office, CATS, Planning and E&PM) was holding a public design charette to discuss the proposed new location for CTI and to plan the open spaces at the Bland Street Light Rail Station to best meet the needs of the transit riders, the museum patrons and the neighboring developments. The result of the charette was that the public is in favor of having CTI at this new location.
- CATS and Federal Transit Administration (FTA) recognize the benefit of having this facility as a landmark and a tourist destination along the rail line. CTI has been a popular attraction in the South End area, serving as a museum and as an education center, promoting Charlotte's rich historic past. The FTA has approved the proposed lease to CTI.
- At the expiration of the Ground Lease, the building and all improvements accrue to the City. There is no cost to the City for this lease.
- The use of this site for CTI was approved by the Planning Committee of the Planning Commission through the Mandatory Referral process on September 19, 2006.
- For further details about CTI and details of the long term Ground Lease, please refer to the attachment, Overview of Charlotte Trolley Inc.
- The June 1st Council-Manager Memorandum provided additional information about the lease.

Attachment 33

Aerial photo of the Bland Street Station Area
Architectural rendering of the CTI Trolley Barn/Museum
Overview of Charlotte Trolley Inc.
Resolution

42. Advertisement to Sell City-Owned Property at 215 Mill Road

Action: Authorize the advertisement of City-owned property located at 215 Mill Road (PID #069-035-31) for upset bid.

Staff Resources: Lynnea Pulver, Engineering and Property Management
Eric Johnson, Engineering and Property Management

Policy

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

Explanation

- The City received an offer of \$15,000 from Mr. Michael Doney, to purchase the vacant parcel located at 215 Mill Road. Mr. Doney plans to build a single family residence on the property.
- An appraisal conducted in October 2006 determined the current fair market value of the property to be \$15,000. The City will be seeking higher offers through the upset bid process.
- The property has been through the Mandatory Referral process. In that process Mecklenburg County expressed interest in the property for pedestrian access to Five Points Park located in northwest Charlotte. The Charlotte Mecklenburg Planning Commission Planning Committee, however, recommended sale of the property for residential development.
- If sale by upset bid is approved the offer will be advertised and written notification of the upcoming bid opportunity will be provided to adjacent property owners.
- The final qualifying bid will be submitted to Council for approval.
- Per Council’s policy the proceeds from land sales are dedicated to the Capital program.

Background

- The City owns a vacant parcel located at 215 Mill Road located in the Five Points neighborhood. The parcel has a total area of 0.26 acre.
- This property is zoned R-22 MF and has been owned by the City since July 7, 1987. It was acquired from the Biddleville Housing Corporation via reversionary rights included in the original deed that conveyed the property to the Biddleville Housing Corporation on February 10, 1982.

Attachment 34

Aerial photo of property

43. Advertisement to Sell Three Contiguous City-Owned Parcels

Action: Authorize advertisement for upset bid, the following three adjacent City-owned parcels:

- 3508 Statesville Avenue (PID #077-054-04)
- 3613 Jessie Street (PID #077-054-06)
- 3627 Jessie Street (PID #077-054-01)

Staff Resource: Lynnea Pulver, Engineering and Property Management
Eric Johnson, Engineering and Property Management

Policy

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

Explanation

- The City received an offer of \$120,000 from Mr. Tommy Starnes, Jr. to purchase these three vacant parcels. Mr. Starnes plans to assemble the properties with an adjacent parcel that he owns for an undetermined future use.
- An appraisal conducted in October 2006 determined the fair market value to be \$120,000. The City will be seeking higher offers through the upset bid process.
- The property has been through the Mandatory Referral process with the recommendation by the Charlotte Mecklenburg Planning Commission Planning Committee to sell the land.
- If sale by upset bid is approved, the offer will be advertised and written notification of the upcoming bid opportunity will be provided to adjacent property owners.
- The final qualifying bid will be submitted to Council for approval.
- Per Council’s policy, the proceeds from land sales are dedicated to the Capital program.

Background

- The City owns three adjacent parcels of property located at 3508 Statesville Avenue, 3613 Jessie Street, and 3627 Jessie Street, which are vacant and have a combined total area of approximately 1.11 acres.
- The parcels are all zoned I-1 and were purchased for the Statesville Avenue Widening project in November 2001, February 2003, and May 2004, respectively. The project is complete and these parcels are no longer needed for public use.
- The property is located approximately 610 feet west of the Statesville Road Landfill.

Attachment 35

Aerial photo of properties

44. Property Transactions

Action: Approve the following property acquisitions (A-B) and adopt the condemnation resolutions (C-E).

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

Acquisitions

- A. Project:** Fred D. Alexander Boulevard - Section B, Parcel # 33
Owner(s): HTRANS Holdings, Inc.
Property Address: Old Mt. Holly Road
Property to be acquired: 22,846 sq. ft. (.524 ac.) in Fee Simple, plus 11,884 sq. ft. (.273 ac.) in Storm Drainage Easement, plus 5,293 sq. ft. (.122 ac.) in Utility Easement, plus 4,543 sq. ft. (.104 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$35,000
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: I-2
Use: Industrial
Tax Code: 057-212-02
Total Parcel Tax Value: \$302,700
- B. Project:** Steele Creek Road at Westinghouse Boulevard, Parcel # 4
Owner(s): Inspirational Network, Inc.
Property Address: 4301 Westinghouse Boulevard
Property to be acquired: 4,787 sq. ft. (.110 ac.) in Storm Drainage Easement, plus 8,222 sq. ft. (.189 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$11,629
Remarks: Compensation was established by independent, certified appraisals related to this property.
Zoned: I-2
Use: Industrial
Tax Code: 199-171-05
Total Parcel Tax Value: \$2,871,700

Condemnations

- C. Project:** Cane Creek Outfall (Capital Improvement Project 04S35), Parcel # 8
Owner(s): Joseph Ray Wright And Any Other Parties Of Interest
Property Address: 12539 Wildlife Lane

Property to be acquired: Total Combined Area of 26,661 sq. ft. (.612 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$2,000
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: TR
Use: Single Family Residential - Rural Acreage
Tax Code: 019-181-35
Total Parcel Tax Value: \$161,400

- D. Project:** Fred D. Alexander Boulevard - Section B, Parcel # 26
Owner(s): Robert Olson, Ambassador of Health and Wellness And Any Other Parties Of Interest
Property Address: 221 Valleydale Road
Property to be acquired: Total Combined Area of 5,858 sq. ft. (.134 ac.) of Fee Simple, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$3,225
Remarks: Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential
Tax Code: 031-011-10
Total Parcel Tax Value: \$52,700
- E. Project:** Fred D. Alexander Boulevard - Section C, Parcel # 34
Owner(s): Crowder Construction Company And Any Other Parties Of Interest
Property Address: 6433 Brookshire Boulevard
Property to be acquired: Total Combined Area of 122,079 sq. ft. (2.803 ac.) of Fee Simple, plus Storm Drainage Easement, plus Slope Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$30,675
Remarks: Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-2
Use: Industrial
Tax Code: 035-055-09

Total Parcel Tax Value: \$1,479,300

45. Meeting Minutes

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

- **May 14, 2007 Business Meeting**
- **May 16, 2007 Adjustments to Manager's Recommended Budget**
- **May 21, 2007 Zoning Meeting**
- **May 23, 2007 Special Joint Meeting**