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Dr. Jason Burgess
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Mayor Pro Tem Patrick D. Cannon

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

CITY COUNCIL MEETING
Monday, March 28, 2011

CITY COUNCIL AGENDA
Monday, March 28, 2011

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5:00 P.M. DINNER BRIEFING

Conference Center

1. Mayor & Council Consent Item Questions

Resource: Julie Burch, City Manager's Office

Time: 5 minutes

Synopsis

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

2. Closed Session

Action: Adopt a motion pursuant to NCGS 143-318.11(a)(4) to go into closed session to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.

3. Airport Taxis Operating Agreements Update

Resource: Jerry Orr, Aviation

Time: 20 minutes

Synopsis

- Staff will provide Council with more details on the taxi plan since the February 14 meeting. Specifically, staff will address how the proposed, new taxi system will work and new recommendations for the Airport Operating Agreements.
- This is item #12, page 6 of this agenda.

4. Answers to Mayor and Council Consent Item Questions

Resource: Julie Burch, City Manager's Office

Time: 10 minutes

Synopsis

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

6:30 P.M. CITIZENS' FORUM
Meeting Chamber

7:00 P.M. AWARDS AND RECOGNITIONS

5. Charlotte-Mecklenburg Police Department Recognition

Action: Mayor Anthony Foxx to recognize William McNear for his unselfish heroism in putting himself in harm's way to render aid to Charlotte-Mecklenburg Police Officer Keith Trietley.

6. McCrorey YMCA Senior Citizen's Drum Corp

Action: Mayor Anthony Foxx to recognize McCrorey YMCA Senior Citizen's Drum Corp as they pay tribute to City Council with their music.

7. West Charlotte Men's Varsity Basketball Team

Action: Mayor Anthony Foxx to recognize the West Charlotte Men's Varsity Basketball team as the 2010-2011 State Champions.

CONSENT

- 8. Consent agenda items 22 through 54 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

9. Public Hearing on Wright Avenue Street Improvement Special Assessment

- Action:**
- A. Hold a public hearing on the preliminary assessment roll for the special assessment to construct an un-opened, one block portion of Wright Avenue, extending to the south from Lomax Avenue, and**
 - B. Adopt a resolution confirming the assessment roll and directing staff to levy the assessments as published.**

Staff Resource: Phillip Reiger, Transportation

Policy

Non-System Residential Street Policy

Explanation

- On April 12, 2010, City Council adopted an assessment resolution directing staff to construct the unopened, one-block portion of Wright Avenue, extending to the south from Lomax Avenue.
- On February 24, 2011, City Council adopted a resolution declaring the total cost of the project to be \$152,901, directing staff to prepare the preliminary assessment roll for public review, and setting a public hearing date.
- Wright Avenue is located in the Cotswold Neighborhood, north of Sharon Amity and adjacent to the Charlotte Swim and Racquet Club.
- The project included a standard residential street including curb, gutter and sidewalk. (See attachment for picture of the completed project.)
- Project construction was completed in December of 2010.
- The total cost of the project including all labor, equipment and materials equaled \$152,901. The total cost is 9% higher than the original estimate due to additional design work to ensure a positive outcome for property owners.
- Previous City Council action and the Non-system Residential Street Policy direct staff to exercise the City's statutory authority (N.C.G.S. §160A-216 et seq.) to use special assessments to finance the street improvements. The policy requires property owners to share 50% of the total cost of the street project.
- The actions listed above are necessary to execute the special assessment process mandated by N.C.G.S. §160A-216.
- Special assessments constitute a lien on properties abutting the street improvements.
- Seven properties will be assessed. Assessments range from \$10,447 to \$13,154.

Next Steps

- This action is the final action City Council must take to complete the special assessment process.
- Within 30 days of the assessment roll confirmation, Wright Avenue residents will be able to pay all or a portion of the assessment balance without penalty or interest.

- Residents may choose to pay all or a portion of the assessment in ten annual installments at an interest rate of 8.0%. The first installment will become due and payable 60 days after the date that City Council confirms the assessment roll.
- Liens will be filed per N.C.G.S. §160A-228.

Attachment 1

Resolution
Assessment Roll
Map
Picture

10. Public Comment on Independence Boulevard Area Plan



Action: Receive public comments on the Independence Boulevard Area Plan.

Committee Chair: James Mitchell

Staff Resource: Alysia Osborne, Planning Department

Explanation

- The purpose of the Independence Boulevard Area Plan is to recommend feasible land use and street network strategies to help reverse the trend of disinvestment, position the corridor for growth, and reinforce existing neighborhoods for continued stability and livability.
- The Area Plan does not reevaluate existing plans for rapid transit or highway improvements along Independence Boulevard. However, the Area Plan included those decisions in the plan development process and provides flexibility to respond if transit and highway plans are modified in the future.
- The Area Plan builds on the results of the Independence Boulevard Land Use & Infrastructure Study, completed in April 2007 which recommended development of a clear vision and predictable future to create reinvestment along the corridor.
- The 2007 Study also supported modifications to the transitional setback along Independence Boulevard to improve redevelopment opportunities. Council voted to modify portions of the transitional setback in April 2010 and also voted on March 21, 2011 to eliminate the transitional setback completely in areas where the Independence Boulevard Road project is complete. The Area Plan recognizes the 2010 modifications and staff will recommend changes to the draft document to reflect the March 21 Council action.
- The Area Plan includes a large part of the Southeast Growth Corridor, as well as six proposed transit station areas identified in the 2030 Transit Corridor System Plan. The major recommendations include:
 - Protect and enhance existing neighborhoods
 - Create nodes of more intense mixed use development at key locations in a more pedestrian-friendly format
 - Provide more connectivity and accessibility for businesses and residents
 - Recapture green/open space and make it an amenity for development
 - Support quality design

- Public kick-off meetings for the Area Plan were held in June and July of 2008 with over 500 people in attendance where 150 stakeholders volunteered for the Citizen Advisory Group (CAG) to work closely with staff throughout the plan development process. A public workshop was held in October of 2008 with 192 people in attendance. The Independence CAG met a total of six times throughout 2008 -2011. A final public workshop was held in May 2010 with 75 people in attendance. A final CAG meeting was held on March 3, 2011.

Charlotte-Mecklenburg Planning Commission (Planning Committee)

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

Economic Development Committee

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

Attachment 2

Independence Boulevard Area Plan

POLICY

11. City Manager's Report

- Environment Progress Report

Attachment 3

12. Airport Taxi Operating Agreements

Action:

A. Authorize the Airport Director to execute agreements with Taxi USA, LLC d/b/a Yellow Cab, Crown Cab, Inc., and City Cab, LLC, for Airport Taxi Service effective May 1, 2011, and

B. Request that the Community Safety Committee presents its recommendations with respect to Chapter 22 of the City Code, the Passenger Vehicle for Hire Ordinance, to Council by July 31, 2011.

Staff Resource: Jerry Orr, Aviation

Taxi Agreements

- In November 2008, Aviation gave Council a dinner briefing explaining the need to improve the quality of taxi service for Airport customers.
- Since the 2008 dinner briefing, a detailed analysis of the current operation was conducted. The findings are as follows:
 - Currently, 12 different companies hold agreements (Operating Agreements) for taxi service at the Airport, leading to inconsistent service.
 - The number of permitted vehicles typically far exceeds demand, except for a few peak times during the week.
 - There are often significant wait times for each permitted taxi between dispatches for Airport fares.
- Staff gathered input from the taxi industry.
 - Staff surveyed all Airport drivers and received 91 responses.
 - Staff met with all taxicab companies who operate at the Airport.
 - Staff had multiple discussions with the Independent Taxicab Owners & Operators Association, the Airport Taxi Association, and individual drivers.
- The Airport proactively increased the resources dedicated to managing the ground transportation system.
 - The Airport appointed a Ground Transportation Manager.
 - The Airport doubled the number of taxi inspectors.
 - The Airport invested in technology that will increase efficiency.
- On several occasions in the fall of 2010 and again on February 14, 2011, Aviation discussed with Council its Request for Proposals to provide Airport Taxi Service (Taxi RFP) and its plan to improve taxi service.
- The new rules that will take effect with the new Operating Agreements establish Airport standards, including the requirement for upgraded vehicles. These rules are part of the contract and apply only to those taxi companies who hold Operating Agreements.
- The new taxi system will use an efficiency approach to taxi permits which will better balance supply and demand. The Airport will initially issue a total of 105 permits to serve the Airport in shifts of approximately 50 hours per week (Standard Permits). The Airport will also issue 51 permits

to operate as needed during peak times (Peak Time Permits). It is anticipated that the companies will be asked to call in taxis holding Peak Time Permits for approximately 10-20 hours each per week.

- On September 20, 2010, the Airport issued its Taxi RFP and received nine proposals by the October 11, 2010 deadline. The Selection Committee, comprised of Jerry Orr (Aviation), Drew Riolo (Airport Advisory Committee), Major Tim Danchess (Police), and Tim Newman (Charlotte Regional Visitors Authority), analyzed the proposals and decided to interview the five companies who had submitted the best proposals. After those discussions, the Selection Committee unanimously agreed that the three companies who should be recommended for Operating Agreements were Taxi USA d/b/a Yellow Cab, Crown Cab, and Kashmary Enterprises d/b/a King Cab.
- Subsequently, the Airport found out that two of the three current owners of Kashmary Enterprises had recent and relevant federal felony convictions dated 2006.
 - The Passenger Vehicle for Hire Unit (PVH) of the Charlotte-Mecklenburg Police Department had previously reviewed their records and determined that Kashmary Enterprises was eligible to continue to hold a Company Operating Certificate (COC). Since the company holds a valid COC from PVH, they were eligible to submit a proposal under the Taxi RFP.
- The City Manager ultimately determined it would not be in the City's and the public's best interests to issue an Operating Agreement to Kashmary Enterprises and recommends instead the Selection Committee's first alternate, City Cab, LLC.
- The City Manager recommends that Council consider approving agreements as follows:
 - Taxi USA, LLC d/b/a Yellow Cab for 45 Standard Permits and 24 Peak Time Permits
 - Crown Cab, Inc. for 45 Standard Permits and 24 Peak Time Permits
 - City Cab, LLC for 15 Standard Permits and 3 Peak Time Permits
- The number of standard and peak time permits for City Cab is directly related to its capacity to produce vehicles for service. City Cab, Inc. is a newly formed consortium of drivers, allowed by the Request for Proposals.

Contract Terms

- The Operating Agreements will be effective May 1, 2011 and may be renewed annually.
- The companies will pay the Airport a permit fee of \$500/year for Standard Permits but will pay no permit fee at all for the Peak Time Permits.
- The companies will pay the Airport a trip charge of \$1 per trip for both the Standard and Peak Time Permits for each trip the permitted taxi takes after being dispatched by the Airport to serve an on-demand customer.
- The Aviation Director can increase the number of permits during the term of the agreement and can increase or decrease upon renewal. The companies can opt to accept fewer permits than the number offered and have those reallocated, with the concurrence of the Aviation Director.
- The companies will provide permitted taxis with a GPS system and backseat credit card technology. Permitted taxis will display a uniform Airport decal.
- The Companies will use vehicles that are of a model year no more than three years old when it enters Airport taxi service and remain in service no more than three years. For example, if a 2008 vehicle received an Airport permit in 2011, it would be eligible to retain that permit through the end of 2013. By the end of its service, a taxi could be six years old.

- Comparable airports have similar requirements. Raleigh/Durham International requires taxis to be new when they enter service and allows them to be used for five to six years. Baltimore/Washington International requires taxis to be no more than six years old.

Passenger Vehicle for Hire Ordinance

- On June 28, 2010, Council referred the Passenger Vehicle for Hire (PVH) Ordinance to the Community Safety Committee for review. The referral came in response to several taxi drivers expressing their concerns about their working conditions.
- Since September 2010, the Committee has received input from taxi drivers, taxicab companies, and town car transportation companies (also known as black car companies) to understand the issues affecting the industry and those working in it. The Committee also received input from the City's Passenger Vehicle for Hire Board as to areas the Committee may wish to review.
- Although taxi drivers have also expressed concerns about the Airport's Taxi RFP, that is a separate matter and was not part of the referral to the Committee. The PVH Ordinance is the baseline for the Airport Operating Agreements that will take effect pursuant to the Taxi RFP. The Airport Operating Agreements that will be executed as part of the Taxi RFP will contain provisions to ensure that taxi companies comply with the PVH Ordinance at all times, regardless of any changes to PVH Ordinance this or future Councils may approve.
- Nonetheless, given the concerns of the industry members and their contention that an expediting of the Committee's review would assist all drivers, staff believes that it is appropriate to seek a recommendation of changes to the PVH Ordinance from the Committee by July 31, 2011.

13. Housing Locational Policy



Action: Approve the Housing & Neighborhood Development Committee's recommended revised Housing Locational Policy.

Committee Chair: Patsy Kinsey

Staff Resource: Pamela Wideman, Neighborhood & Business Services

Policy Overview

- The current Housing Locational Policy (Policy) was approved by City Council on November 26, 2001, and amended on September 24, 2003.
- The Policy provides a guide for the development of new, rehabilitated or converted City, Federal or State subsidized multi-family housing developments designed to serve, in whole or part, households earning 60% or less than the Area Median Income (AMI).
- The objectives of the Policy are to:
 - Avoid undue concentration of subsidized multi-family housing
 - Geographically disperse new multi-family housing developments
 - Support the City's neighborhood revitalization efforts and other public development initiatives
 - Promote diversity and vitality of neighborhoods
- The Policy establishes permissible and non-permissible areas for the development of new, rehabilitated or converted subsidized multi-family

housing developments. These areas are delineated based on Neighborhood Statistical Areas (NSAs) in the City of Charlotte.

- New, rehabilitated or converted subsidized multi-family housing developments serving elderly and disabled populations are exempt from the requirements of this policy.

Revised Policy Highlights

The following Policy revisions were approved by the Housing & Neighborhood Development Committee during their February 2, 2011 meeting:

Adjustment to the Five Percent Cap

- In the revised Policy, new subsidized multi-family developments shall be located only in Stable NSAs.
- The NSA shall have no more than 15% subsidized housing units, including the subsidized units in the proposed new development, as a percentage of the total housing units.
- The NSA shall have no more than 5% subsidized housing units serving 0% to 30% of AMI, including the subsidized units in the proposed new development, as a percentage of the total housing units.

Half-Mile Restriction

- The revised Policy maintains the ½ mile restriction for new subsidized multi-family developments in Stable NSAs when those developments would be located within ½ mile of an existing, non-exempt, multi-family housing development, which includes greater than 24 subsidized units, in a Transitioning or Challenged NSA. However, it does permit new subsidized multi-family developments within in a ½ mile of an existing, non-exempt, multi-family housing development, which includes greater than 24 subsidized units, in the same or in an adjacent Stable NSA.

Rehabilitations & Conversions

- Rehabilitations are defined as publicly subsidized, multi-family units undergoing physical improvements.
- The revised Policy permits rehabilitations in any NSA provided the rehabilitation does not add to the current total subsidized unit count of the multi-family development undergoing rehabilitation.
- Conversions are defined as existing non-subsidized, multi-family housing developments that are converted, in whole or in part, to include subsidized units serving households earning 60% or less of the AMI.
- In Stable NSAs:
 - Any number of non-subsidized units in any one multi-family housing development may be converted to subsidized units.
 - The NSA shall have no more than 15% subsidized housing units, including the proposed converted units, as a percentage of total housing units.
 - The NSA shall have no more than 5% subsidized housing units serving 0% to 30% of AMI, including the proposed converted units, as a percentage of total housing units.
- In Challenged and Transitioning NSAs:
 - Up to 50% of the non-subsidized units in any one multi-family development may be converted to subsidized units.
 - The NSA shall have no more than 15% subsidized housing units, including the proposed converted units, as a percentage of total housing units.

- The NSA shall have no more than 5% subsidized housing serving 0% to 30% of AMI, including the proposed converted units, as a percentage of total housing units.

Committee Discussion

- On October 18, 2010, the Housing and Neighborhood Development Committee voted 3-1 (Kinsey, Cannon, Mitchell for, Cooksey opposed) for the revised Policy.
- On December 8, 2010, the Housing and Neighborhood Development Committee asked staff to reconvene the speakers from the November 22nd Public Hearing to discuss the percentage cap, the ½ mile radius restriction and concerns about rehabilitations and conversions. Staff convened the group on December 16, 2010.
- On February 2, 2011, Neighborhood & Business Services staff presented a revised Policy inclusive of the feedback from the November 22, 2010 public hearing and the December 16, 2010 meeting, for consideration. The Committee voted 2-1 (Kinsey and Cannon for, Cooksey opposed) to move the item forward to a dinner briefing for Council discussion.

Review Process

- On June 24, 2010, City Council approved a draft revised Policy and requested that Neighborhood & Business Services staff host a series of public forums during the months of July and August to gain citizen input on the revised Policy.
- During the months of July and August, five public forums were hosted throughout the City. Forums were held in the North, South, East, West and Central regions. A total of 158 citizens attended the forums and the following recurring concerns were raised:
 - Half-mile proximity restriction
 - Necessity of a Housing Locational Policy
 - Geographical dispersion
 - Aesthetics and on-site property management
 - Impact on property values
 - Inclusionary zoning
 - Proximity to goods and services
 - Policy application to City assisted developments
 - Policy exemptions for seniors, disabled, and special needs populations
- On November 8, 2010, Neighborhood & Business Services staff presented the revised Policy to City Council during their dinner briefing.
- On November 22, 2010, City Council held a public hearing. Sixteen speakers spoke during that meeting. Three recurring subjects were mentioned during the public hearing:
 - The percentage cap per Neighborhood Statistical Area
 - The ½ mile proximity restriction
 - Rehabilitations and conversions
- Due to recurring concerns, City Council voted to refer the revised policy back to the Housing and Neighborhood Development Committee for additional review.
- On December 16, 2010, staff reconvened the November 22, 2010, public speakers to address their concerns.
- On January 5, 2011, staff shared with the Housing and Neighborhood Development Committee the feedback and recommended Policy revisions from the December 16, 2010 meeting.

Housing Charlotte 2007 Recommendations

- On February 28, 2011, Neighborhood & Business Services staff provided a dinner briefing on the Policy revisions. Council had several questions about the revised changes and requested that staff review the Housing Charlotte 2007 recommendations prior to the March 28, 2011 Council meeting.
- In response to Council’s questions about the Housing Charlotte 2007 recommendations, staff prepared the attached chart which provides the status and next steps for each recommendation.
- One of the Housing Charlotte 2007 recommendations is to revise the Housing Locational Policy.

Attachment 4

Proposed Housing Locational Policy
 February 28, 2011 Dinner Briefing Presentation
 Summary and History of Recommendations from The Final Report from the Housing Charlotte 2007 Implementation Committee
 Status and Next Steps of the Recommendations from The Final Report from the Housing Charlotte 2007 Implementation Committee – Chart
 The Final Report from the Housing Charlotte 2007 Implementation Committee

14. Four-Year Terms for Mayor and City Council

Action: Approve the Restructuring Government Committee recommendation to form a Citizen’s Advisory Committee to consider and review four-year terms for the Mayor and City Council. The Citizen’s Advisory Committee will provide a report to City Council within 60 days of its initial meeting.

Committee Chair: Warren Cooksey

Staff Resources: Mac McCarley, City Attorney’s Office
 Bob Hagemann, City Attorney’s Office

Explanation

- The Citizen’s Advisory Committee would consist of representatives from the following organizations:
 - Asian Coalition
 - Black Political Caucus
 - Charlotte Chamber
 - Democratic Party
 - International Cabinet
 - Latino Coalition
 - League of Women Voters
 - Native American Council
 - Republican Party
- Additionally, Ted Arrington and Luther Moore will be members of the Advisory Committee.
- As proposed, the Citizen’s Advisory Committee will consist of a total of 11 members.
- Each participating organization will designate a representative to serve on the advisory committee.
- The advisory committee will be charged with reviewing four-year terms from a democratic governance perspective and provide a report to City Council within 60 days of their initial meeting.

Committee Discussion

- At the February 14, 2011 City Council meeting, a referral was approved for the Restructuring Government Committee to review and consider four-year terms for the Mayor and members of City Council.
- City staff provided City Council with reports and minutes from previous Council review of the issue, as well as, Mayor and City Council election data from 1975-2009.
- It was noted that this issue was considered by the Restructuring Government Committee in February 2010 and at that time the Committee chose to take no action on the referral.
- Senior Deputy City Attorney Hagemann informed the Committee that State law gives the authority for Council to make changes to terms of office. Procedurally, there is a notice and public hearing requirement. Council can either propose the issue be placed on the ballot for voter approval or the Mayor and Council can enact the changes without a referendum. If done by Council without a referendum, the law provides a petition process whereby citizens can force a referendum.
- The Committee discussed the need to have community involvement in the discussion of four-year terms for the Mayor and Council.
- Council member James Mitchell proposed forming a Citizen's Advisory Committee consisting of nine citizens representing the two major political parties and various community organizations. The Committee added the International Cabinet as a community group and an invitation to Luther Moore to serve on the committee. The total number on the Citizen's Advisory Group was increased to 11.
- The motion passed 3-1 (Cannon, Kinsey, Mitchell for, Cooksey against).
- The Restructuring Government Committee will meet on March 24 to continue their review. An updated agenda item will be provided in the March 25 Council-Manager Memo.

15. Being a Great Corporate Citizen Suggestions Checklist



Action: Approve the Economic Development Committee's recommendation to adopt a "Being a Great Corporate Citizen" suggestions checklist for the business community.

Committee Chair: James Mitchell

Staff Resource: Brad Richardson, Neighborhood & Business Services

Explanation

- On November 8, 2010, Council referred this item to the Economic Development Committee following a suggestion by Council member Mitchell.
- Being a Great Corporate Citizen is a collaborative effort with the Charlotte Chamber of Commerce to provide a general list of suggestions on how corporations can contribute to the general good of the community (see attachment).
- Suggestions include:
 - Buying products and services locally
 - Adopting a small business enterprise and/or minority and women's business enterprise program
 - Holding job fairs to target hiring employees locally
 - Participating in youth employment and mentoring programs

- Encouraging employees to serve on local boards and commissions
- Running a United Way or Arts & Science Council employee giving campaign and making a corporate gift
- The information on the checklist will be targeted to both new businesses that may be unfamiliar with our local community, as well as existing businesses that are looking for opportunities to get involved.
- The document will be included in relocation packages that are provided for new companies to Charlotte, and it will be available on the Chamber and City websites.
- The suggestions are not intended to be binding on a local business; rather, they are intended to increase the level of corporate involvement in our community through a more formal sharing of available opportunities.

Committee Action

- The information was reviewed by the Council's Economic Development Committee on February 24, 2011. The Committee voted unanimously to recommend approval to Council (Mitchell, Dulin, and Kinsey).

Attachment 5

Being a Great Corporate Citizen

BUSINESS

16. Agreement with Charlotte Regional Visitors Authority for the Central Intercollegiate Athletic Association Basketball Tournaments

Action: Authorize the City Manager to execute a three-year agreement with the Charlotte Regional Visitors Authority to provide a City contribution of \$200,000 per year to support hosting the Central Intercollegiate Athletic Association (CIAA) Basketball Tournaments.

Resources: Ron Kimble, City Manager's Office
Tim Newman, Charlotte Regional Visitors Authority

Background

- On December 10, 2007, City Council authorized the City to include \$200,000 per year in the FY2009, FY2010, and FY2011 annual budgets to support the hosting of the Central Intercollegiate Athletic Association (CIAA) 2009, 2010, and 2011 Basketball Tournaments.
- The contract was effective for the three years the CIAA committed to holding the CIAA Basketball Tournaments in Charlotte (2009-2011).
- The CIAA 2011 Basketball Tournament was the largest and most successful one to date.

Explanation

- A three year renewal for 2012, 2013 and 2014 has been executed between Charlotte Regional Visitors Authority (CRVA) and the CIAA to hold the CIAA Basketball Tournaments in Charlotte (2012-2014).
- The City is being asked to renew its three year agreement with the CRVA from FY2012 through FY2014 to provide a City contribution of \$200,000 per year for financial support for various expenses associated with holding the CIAA Basketball Tournaments in Charlotte.
- The City's annual budgets for FY2012, FY2013, and FY2014 would need to include \$200,000 each year to complete the intended funding agreement to support the hosting of the CIAA 2012, 2013, and 2014 Basketball Tournaments.
- Should the CIAA Tournament not be held in Charlotte in any of the three years for which the agreement is effective, CRVA shall be required to return the City's annual contribution.

Small Business Opportunity

Contracts that are subject to CRVA's Vendor Diversity Program for Minority or Women Business Enterprises (MWBE) are exempt from the Small Business Opportunity Program (Appendix 1, Section 23.7 of the SBO Program Policy).

Funding

General Fund

17. Business Investment Grant for GEO Plastics

Actions: Approve the City’s share of a Business Investment Grant to GEO Plastics for a total estimated amount of \$37,146 over three years (Total City/County grant estimated at \$105,081).

Staff Resource: Brad Richardson, Neighborhood & Business Services

Policy

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

Explanation

- GEO Plastics is a manufacturer of plastic products primarily used for the collection, storage and transport of hazardous fluids, such as oil and gas. The company also makes molded plastic wheels for roll-out containers and specializes in custom, injection molded plastic components.
- GEO Plastics is headquartered in Los Angeles, California, and has been considering sites in the Charlotte region to set up its first East Coast manufacturing operation.
- On January 21, 2011, GEO Plastics announced that it had selected a site in southwest Charlotte located at 3801 Westinghouse Commons after considering sites in York County, SC and Gaston County, NC.

Business Investment Grant

- GEO Plastics’ expansion meets the following Council-approved criteria for a three-year Business Investment Grant:
 - Capital investment of at least \$3 million in real estate and equipment
 - Creation of 30 new jobs
- The average wage of \$40,000 falls short of the program guidelines to meet or exceed the average for the Charlotte MSA (\$42,000); however, it exceeds the average for manufacturing jobs in the County (\$32,408).
- On July 6, 2010, the Board of County Commissioners indicated in closed session its intent to approve a Business Investment Grant to GEO Plastics.
- On July 26, 2010, City Council indicated in closed session its intent to approve a Business Investment Grant to GEO Plastics.
- If approved, the following schedule is an estimate of the Investment Grant payments to GEO Plastics. This estimate is the City and County share of the grant and represents 90% of net new property taxes paid by the company over the three year term:

Year	City	County	Totals
1	\$12,382	\$22,645	\$35,027
2	\$12,382	\$22,645	\$35,027
3	\$12,382	\$22,645	\$35,027
Total	\$37,146	\$67,935	\$105,081

- The project is estimated to have an annual direct economic impact of \$1.8 million on the local economy, generating an average of \$40,000 in new property taxes to the City and County annually.
- The general terms and condition of this grant include:
 - A portion of the grant must be repaid if the company moves this investment from Charlotte within three years of the end of the grant term.

- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
- All property taxes due from the company must be paid before a grant payment is made.
- On February 15, 2011, the Board of County Commissioners approved the County's portion of the Business Investment Grant to GEO Plastics.

Funding

Business Investment Grant Account; first payment is estimated to occur in FY2013.

18. Urban Progress Zone Designation Renewal

Action: Adopt a resolution requesting the North Carolina Department of Commerce to renew the Urban Progress Zone designation in Charlotte pursuant to NCGS 143B-437.09(a).

Staff Resource: Brad Richardson, Neighborhood & Business Services

Policy

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

Background

- In July 2006, the NC General Assembly passed legislation that created a new tax credit program, Article 3J Credits, which replaced the William S. Lee Tax Credit Act.
- The legislation replaced the State Development Zone with Urban Progress Zones (UPZs).
- Projects located within a UPZ receive enhanced tax credits, which can be used to offset a company's State corporate tax liability.
- The role of City Council is to request the Secretary of Commerce to designate the zone. The program is administered by the North Carolina Department of Commerce. No City funding is involved.
- On November 24, 2008, City Council adopted a resolution requesting the Secretary of Commerce to designate a UPZ in Charlotte for tax years 2009 and 2010.
- The State's current guidelines for designating a UPZ are based on 2000 Census data. Companies eligible for State tax credits will use the existing UPZ until the State issues new guidelines with regard to the 2010 Census data later this year.

Explanation

- The current zone (see attached map) extends from the Center City southwest to Beam Road and west to the airport. It generally follows I-85 on the north and reaches as far east as Eastway Drive and The Plaza.
- The City and Charlotte Chamber of Commerce worked together to develop the current zone to maximize the UPZ benefits for Charlotte.
- Under the legislation, areas designated as UPZs cannot exceed 15% of the City's area. This requirement, along with the specific guidelines for drawing a UPZ allow no opportunity to extend or significantly alter the current UPZ; therefore, staff recommends renewing the designation of the current zone.

- Every census tract and census block group that comprises the zone must meet at least one of the following conditions:
 - Have more than 20% of its population below the poverty level according to the most recent federal decennial census
 - Be an adjacent census tract or block group in which at least 50% of the area is zoned as nonresidential. No more than 35% of the area of a zone may consist of census tracts or census block groups that satisfy this condition only.
 - Have experienced a major plant closing and layoff within the past ten years, resulting in a layoff of at least 3,000 employees or 7% of the municipality's population laid off (whichever is greater)
- A list of the types of eligible businesses and the types of incentives is attached.

Attachment 6

Resolution
 Urban Progress Zone Map
 Article 3J Tax Credits Summary Sheet

19. Appointments to Boards and Commissions

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

A1. CHARLOTTE INTERNATIONAL CABINET

- One appointment for an unexpired term in the open category beginning immediately and ending June 30, 2011, then continuing for a full three-year term ending June 30, 2014
- One appointment for an unexpired term in the open category beginning immediately and ending June 30, 2013
 - Cynthia Barnes by Council members Barnes, Burgess, Carter, Howard and Mitchell
 - Jennifer Collins by Council members Cooksey, Kinsey and Turner
 - William Martin by Council members Dulin and Turner
 - Matt Njoku by Council member Barnes
 - Yolanda Perry by Council members Carter and Mitchell
 - Jim Peterson by Council member Peacock
 - Charles Prendergast by Council members Cooksey, Dulin and Peacock
 - Kurt Robinson by Council member Kinsey
 - Ronald Zurinkas by Council members Burgess and Howard

Attachment 7

Applications

A2. CHARLOTTE INTERNATIONAL CABINET

- One appointment for an unexpired term beginning immediately and ending June 30, 2012 in the business organization category
 - Cynthia Barnes by Council members Burgess and Howard
 - Scott Jensen by Council member Turner
 - Yolanda Perry by Council member Barnes
 - Charles Prendergast by Council members Dulin and Peacock
 - Ronald Zurinkas by Council members Carter, Cooksey, Kinsey and Mitchell

Attachment 8

Applications

20. Council Meeting Calendar Amendment

Action: Approve amendment to Council's 2011 meeting calendar changing the start time of the May 23 Council Meeting.

Resources: Ron Kimble, City Manager's Office
Ruffin Hall, Budget and Evaluation

Explanation

- During the February 28 Council Business Meeting, Council member Barnes noted that the May 23 Council Business Meeting start time conflicts with that of the NASCAR Hall of Fame Induction Ceremony, both of which begin at 7:00 p.m. Additionally, the Budget Public Hearing is scheduled for 7:00 p.m. on May 23.
- The Mayor and Council Members were polled to see if there is interest to change the start time of the May 23 Council Dinner Briefing Budget Public Hearing, and Business Meeting. Most of the Council members indicated a willingness to change the start time of the meeting to allow Council members to attend the NASCAR ceremony.
- The proposed changes to the start times of the May 23 meetings for Council's consideration are:
 - 4:00 p.m. Council Business Meeting
 - 5:00 p.m. Budget Public Hearing
 - No Citizen's Forum
- The cancelled May 23 Citizen's Forum would not be rescheduled to another meeting.

21. Mayor and Council Topics

Council members may share information and raise topics for discussion.

CONSENT

Introduction to CONSENT

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

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

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

Contractors and Consultants

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

22. Airport Hourly/Rental Car Parking Deck Package #1

Action: Award the low bid contract of \$740,000 with Shelco, Inc. for preliminary construction elements related to the Hourly/Rental Car Parking Deck.

Staff Resource: Jerry Orr, Aviation

Explanation

- In July 2009, City Council approved a contract with LS3P Associates, Inc. for the design of the 7,000-space Hourly/Rental Car Parking Deck.
- In order to expedite the start of construction, the Airport has identified some construction elements that should be completed in advance of the main construction contract.
- This work includes construction of a temporary toll plaza for the Daily Parking Deck and installation of a new water line and communications duct bank so the existing lines in the vicinity of the project can be removed.
- The items in this package provide an immediate benefit for the existing parking operation, which is the reason for proceeding now rather than waiting for the actual construction of the new parking deck.
- The project will be completed in early summer.

Small Business Opportunity

Established SBE Goal: 10%

Committed SBE Goal: 54.05%

Shelco, Inc. exceeded the established SBE goal, and committed 54.05% of the base bid amount (\$400,000) to the SBE firm Siteworks, Inc. (site preparation).

Funding

Aviation Capital Investment Plan

23. Airport Deicing Pad Construction

Action: Award the low bid contract of \$1,402,897.50 with Hi-Way Paving, Inc. for the construction of asphalt shoulders on Runway 5/23 for deicing truck pads.

Staff Resource: Jerry Orr, Aviation

Explanation

- In September 2010, City Council approved a contract with Contego Systems for operation of the deicing facility for the Airport.
- The primary location for deicing aircraft on the airfield is Runway 5/23.
- Contego Systems operates deicing trucks that were purchased by the Airport to remove snow and ice from the aircraft.
- The Environmental Protection Agency (EPA) has published rules for the capture of excess glycol sprayed during deicing operations. Those rules are currently out for public comment.
- The Airport contracted with Contego Systems to operate the deicing facility so that when these rules take effect, the Airport can control both the application and recovery of the excess glycol.
- This contract will construct asphalt shoulders along the runway in specific areas that will allow the deicing trucks to maneuver around the aircraft in a safe and more efficient manner.
- The pads will allow for the addition of a trench drain collection system that can be piped to a collection tank in the future should that be the best solution for reclamation of the excess glycol. That decision will be made after EPA finalizes its rules for reclamation.
- Funding for this contract comes from the 2010 General Airport Revenue Bonds, with the debt service funded with Passenger Facility Charge revenues.
- The work will be completed in approximately 45 days.

Disadvantaged Business Opportunity

Established DBE Goal: 8%

Committed DBE Goal: 8.00%

Hi-Way Paving, Inc. committed 8% of the base bid amount (\$112,232) to the following DBE firms: D2 Construction Specialties, Inc. (on-site hauling), All Points Trucking (asphalt hauling).

Funding

Aviation Capital Investment Plan

24. Wastewater and Water Treatment Chemicals

Action: A. Award the low bid contract amounts for providing various wastewater and water treatment polymers for an initial two-year term, and

<u>Manufacturer</u>	<u>Annual Amt</u>	<u>Facility</u>
Polydyne, Inc.	\$700,000	McAlpine Creek WWT
Ashland, Inc.	\$300,000	Mallard Creek WWT & Franklin WT
BASF Corp.	\$200,000	Irwin Creek WWT

B. Authorize the City Manager to renew the agreements for three additional one-year terms with price adjustments as stipulated in the contract.

Staff Resource: Barry Gullet, Utilities

Explanation

- These chemicals are required for the dewatering and thickening of bio-solids at each water and wastewater treatment facility.
- A Request for Qualifications was issued on August 12, 2010, to establish qualified manufacturers to participate in the Polymer Performance Testing.
- Varying formulas for polymers result in different dosage requirements.
- Polymer performance testing evaluated the performance of various polymers provided by the qualified manufacturers at each facility requiring the chemical. Polymer performance testing allows for Utilities to gain the most cost effective contract possible in cadence with each facility's process.
- The Polymer Performance Testing was monitored by HDR Engineering.

Small Business Opportunity

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

Funding

Utilities Operating Budget

25. FY2011 Road Humps

Action: Award the low bid contract of \$187,720.92 to Red Clay Industries for FY2011 road humps.

Staff Resources: Chip Gallup, Transportation
Bryan Tarlton, Engineering & Property Management

Explanation

- This project is part of an ongoing program to install traffic calming road humps on various streets within the City limits in accordance with the Traffic Calming Policy adopted by City Council in October 1997.
- This project includes the placement of approximately 123 asphalt road humps on 34 streets.

- The road hump installations will be coordinated with the resurfacing program.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 7.47%

Red Clay Industries, Inc. exceeded the established SBE goal and committed 7.47% (\$14,025) of the total contract amount to the following SBE firm: RAM Pavement (pavement marking).

Funding

Transportation Capital Investment Plan

Attachment 9

List of streets

26. Providence Road Sidewalk Project - Folger Drive to Blueberry Lane

Action: Award the low bid contract of \$104,167.80 to W.M. Warr and Son, LLC for the Providence Road Sidewalk Project from Folger Drive to Blueberry Lane.

Staff Resource: Jorge Salazar, Engineering & Property Management

Explanation

- The City's goal is to install sidewalk on both sides of all existing thoroughfares in accordance with the prioritization set forth in the Sidewalk Retrofit Policy. Thoroughfares, such as Providence Road, carry high traffic volumes and speeds.
- Construction will include approximately 1,300 linear feet of sidewalk on the west side of Providence Road between Folger Drive and Blueberry Lane.
- Construction is expected to be complete in third quarter 2011.

Small Business Opportunity

Construction contracts under \$200,000 are informal contracts and are exempt from SBE goals (Appendix Section 23.1 of the SBO Policy).

Funding

Transportation Capital Investment Plan

27. Light Rail Vehicle Maintenance Facility Mezzanine Addition

Action: Award the low bid contract to MV Momentum Construction for the construction of a mezzanine at the Light Rail Vehicle Maintenance Facility for \$217,400.

Staff Resources: Rocky Paiano, Transit
David Feltman, Transit

Explanation

- The LYNX Light Rail Vehicle Maintenance Facility was originally designed to have two mezzanines for maintenance personnel to access the roof of the light rail vehicles where approximately 60% of the repair and maintenance work is performed.
- As part of the value engineering process for the LYNX project, one of the mezzanines was removed.
- As the current fleet of vehicles ages and increases in mileage occurs, the maintenance schedule becomes more rigorous and increases in frequency.
- With the addition of four vehicles (increasing the fleet size from 16 to 20 light rail vehicles) and the planned addition of 18 cars for the Blue Line Extension, adding an additional mezzanine will allow for the maintenance personnel to work more efficiently to provide high quality, safe vehicles for LYNX customers.
- The Federal Transit Administration is providing 80% of the funding for this project.

Disadvantaged Business Enterprise

Established DBE goal 3%

Committed DBE goal 0%

MV Momentum was found to be compliant with federal DBE Good Faith Effort requirements.

Funding

FTA Grant (80%), State Grant (10%), Transit Capital Investment Plan (10%)

28. Transit Bus Tire Leasing and Services Amendment #1

Action: Approve contract amendment #1 for \$985,000 with Bridgestone Firestone North American Tire, LLC to provide bus tire leasing services.

Staff Resource: Larry Kopf, Transit

Explanation

- On February 26, 2007, City Council approved a five-year contract with Bridgestone Firestone North American Tire, LLC for \$2,721,087.95.
- The 2007 contract will require an amendment to increase the dollar amount due to:
 - The actual miles traveled have been an average 8% higher than estimated annual miles.
 - Tires for the Gillig buses are more expensive than the previous Goshen buses, which are no longer used.

- Environmentally compliant disposal of used tires has resulted in additional contract costs.
- The leasing of bus tires is the predominate practice by transit agencies nationally. The benefits include low inventory, on-going technical support, lower equipment and employee overhead expense.
- The City has used bus tire leasing services for its bus fleet since 1980.
- Amending the existing contract is preferred to bidding a new contract since industry information indicates that a new contract would likely result in higher costs.
- The new contract total is \$3,706,087.95.

Small Business Opportunity

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

Funding

Transit Operating Budget

29. LYNX Blue Line Extension Environmental Services

Action:

- A. Approve a three-year contract for environmental services to Hart & Hickman, PC in the amount of \$125,000,**
- B. Approve a three-year contract for environmental services to WPC Terracon consultants, Inc. in the amount of \$125,000, and**
- C. Authorize the City Manager to execute up to two, one-year renewals to each contract.**

Staff Resource: Danny Rogers, Transit

Explanation

- These contracts will provide support for the Blue Line Extension project with federal and state environmental regulations. These services are required for the on-going compliance.
- The environmental services provided include:
 - Property audits
 - Environmental site assessments to support City property acquisitions
 - State and federal reporting obligations
 - Remediation of contaminated sites
- On January 25, 2011, a Request for Qualifications was publically advertised. Seventeen responses were received.
- An evaluation committee, comprised of individuals from CATS and Engineering & Property Management, selected Hart & Hickman, PC and WPC Terracon Consultants, Inc. to perform the work based on their qualifications, per Council’s approved qualifications-based selection process.
- The two firms selected offer a variety of expertise and allow for expedited work as required.

Disadvantaged Business Enterprise Opportunity

Hart & Hickman, PC

Established DBE Goal: 5%

Committed DBE Goal: 5%

WPC Terrecon, Inc.

Established DBE Goal: 5%

Committed DBE Goal: 5%

Funding

Northeast Corridor Fund, FTA Funded (50%), State (25%), Transit Capital Investment Plan (25%)

30. Transit Support Vehicle Replacement Purchase

Action: Approve the purchase of eight replacement fleet vehicles at a total cost of \$206,574 as authorized by the state contract exception of G. S. 143-129 (e)(9).

Staff Resource: Tom Livingston, Transit

State Contract Exception

- G. S. 143-129 (e) (9) provides that formal bidding requirements do not apply when:
 - Purchases from contracts established by the state or agency of the state, if the contractor is willing to extend to a political subdivision of the state the same or more favorable prices, terms and conditions as established in the state contract.

Explanation

- Business Support Services/Equipment Management Division evaluated six of the vehicles currently in service. Evaluation scores were 12 out of a possible 12 points, based on age, mileage and maintenance cost. Replacement was recommended.
- Risk Management evaluated two of the vehicles currently in service and deemed them to be a total loss due to accident damage.
- List of vehicles:

Item	Description	Quantity	Unit Price	Total Price
1	Ford Escape Hybrid 4x4	3	\$ 29,227	\$ 87,681
2	Ford Escape 4x4	2	\$ 22,915	\$ 45,830
3	Ford F250 Crew Cab 4x4	1	\$ 23,997	\$ 23,997
4	Ford F350 Std. Cab 4x4	1	\$ 23,048	\$ 23,048
5	Ford E-350 Van	1	\$ 26,018	\$ 26,018
				\$ 206,574

- Funding for this purchase is 90% Federal grant with a 10% local match.
- The FTA encourages the use of State purchasing contracts and allows grantees to modify the contracts by adding Federally-required clauses and certifications.

Disadvantaged Business Enterprise Opportunity

No goal was set for this contract because there are no participation opportunities.

Funding

FTA Funded (90%), Transit Capital Equipment Fund (10%)

31. LYNX Blue Line Extension Preliminary Engineering Contract

Action: Authorize the City Manager to execute preliminary engineering contracts for the Blue Line extension with STV/Ralph Whitehead Associates in an amount up to \$35,000,000, an increase of \$5,000,000.

Staff Resources: Carolyn Flowers, Transit
Danny Rogers, Transit

Previous Council Action

- In July 2007, the Metropolitan Transit Commission (MTC) authorized CATS to advance the LYNX Blue Line Extension (BLE) into preliminary engineering and in November 2007, the Federal Transit Administration (FTA) gave formal approval to enter preliminary engineering.
- On January 28, 2008, Council authorized the City Manager to execute a contract with STV/Ralph Whitehead Associates (STV) in an amount not to exceed \$30,000,000. This action will increase the maximum amount by \$5,000,000 to accommodate additional engineering work.

Explanation

- Changes to the scope of the project require additional engineering analysis and design during the preliminary engineering. The revised amount required to complete preliminary engineering is within the current budget and funding received from the State and the FTA.
 - In late 2010, CATS determined that the project scope needed to be reduced to provide a project that was within the financial capacity of the half-cent sales tax. Additionally, the MTC directed CATS to accelerate the project schedule by approximately one year. This requires additional design for two parking decks, a shift in the station location at JW Clay Boulevard, and track re-design of the new terminus station at UNC Charlotte. Also, to meet the schedule, additional work on station design will be incorporated in the preliminary engineering scope. These changes add approximately 90 days to the preliminary engineering schedule. City Council was briefed on these changes in January 2011.
 - Higher than projected ridership on the South Corridor Blue Line requires an increase to the ridership capacity initially planned for the Blue Line Extension project. Adjustments include more vehicles, larger maintenance and storage, more parking, additional grade separations (bridges) and rail crossing locations. An additional UNC Charlotte campus location was evaluated at Mallard Creek Church Road. These changes were explained to the City Council in September 2008.
 - The NCDOT plans for high speed rail from Raleigh to Charlotte require an alignment change to the BLE between 30th Street and Sugar Creek Road. The City Council was briefed on this issue in April 2009.
- Although these changes and additional engineering will extend the duration of preliminary engineering, by accelerating some design work into the preliminary engineering phase and beginning right of way acquisition upon receiving a Record of Decision, a completion date of 2017 is maintained.

Disadvantaged Business Enterprise Opportunity

Established DBE Goal: 10%

Committed DBE Goal: 10%

Funding

Northeast Corridor Fund (25%), FTA Funded (50%), State (25%)

**32. Citizen Service Communication Enhancements
Amendment**

- Action:**
- A. Approve contract amendment for an amount not to exceed \$150,000 with EidoServe, Inc., for development of mobile phone device applications for various citizen services,**
 - B. Reallocate FY2011 approved funding of \$153,000 for ongoing per-minute caller charges to professional development services for a CATS-Special Transportation Services interactive voice response (IVR) system,**
 - C. Authorize the City Manager to negotiate and approve per-minute or fixed rate charges for IVR applications based on best overall value for the City.**

Staff Resources: Jeffrey Stovall, Chief Information Office
John Trunk, Transit

Explanation

- On July 26, 2010, Council approved a one-year contract with EidoServe, Inc. in an amount not to exceed \$670,000 to develop citizen-facing mobile phone applications and a new automated, interactive voice response (IVR) system for CharMeck 311, Neighborhood & Business Services, and CATS.
- Due to current success, an expansion is anticipated to other City areas for various citizen service requests, including Fire, traffic notification, trash and recycle, and water pollution reporting. This amendment includes an increase for citywide mobile device enhancements in an amount not to exceed \$150,000.
- The CATS Special Transportation Services (STS) IVR system will automate handling of calls requesting service. It is expected to improve operational efficiencies while reducing costly "no-shows." The IVR also improves the customer experience by providing clients the ability to manage their own reservations and will notify them in advance of their scheduled pickup.
- The current contract allocates \$100,000 for STS IVR development and \$350,000 in per-minute costs for CharMeck 311 and CATS.
- The City received a grant for the STS IVR approved in the CATS FY2011 budget. The grant funds one-time costs only.
- CATS renegotiated licensing to a fixed-price, requiring reallocation, not an increase, of existing \$153,000 in per-minute costs to professional development.
- This action provides the City Manager authority to evaluate whether a per-call or fixed-price solution is most cost effective for each IVR application.

Small Business Opportunity

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

Funding

Key Business Unit Operating Budgets
CATS Grant Fund

33. Travel Data Collection Equipment and Processing Services

- Action:**
- A. Approve a contract with Miovision Technologies for the purchase of video hardware and video processing services in an amount not to exceed \$350,000 over three years,**
 - B. Approve the purchase of data collection equipment, as authorized by the sole source purchasing exception of G.S. 143-129 (e) (6), and**
 - C. Authorize the City Manager to extend the contract for two additional one-year terms not to exceed \$100,000 each year as authorized by the contract.**

Staff Resource: Johanna Quinn, Transportation

Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available, or
 - A needed product is available from only one source or supply, or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because Miovision provides the only portable automated count system resulting in a video record of the counts.
- Purchases made under the sole source exception require City Council approval.

Explanation

- The CDOT relies on accurate counts at intersections (turning movement counts) for a variety of municipal and regional functions, including:
 - Re-timing traffic signals to achieve greater efficiency
 - Providing inputs for the analysis and design of Capital Investment Plan projects
 - Calibrating the Regional Travel Demand Model
- This contract includes the purchase of eight portable cameras at a total cost of \$24,000. The remainder of the contract is for services to process count data recorded from the cameras.
- Portable video cameras and special processing services improve efficiency and accuracy in turning movement counts.
- Portable video equipment is key to cost effectively counting over 700 signalized intersections on a rotating basis.
- Placing the order now will ensure the following:
 - No gaps in the collection of turning movement counts
 - No gaps in on-going applications of turning movement counts

Small Business Opportunity

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

Funding

Planning Grant PL 106 and CDOT Operating Budget

34. Metrolina Household Travel Survey

Action: Authorize the City Manager to approve a contract with ETC Institute for the Metrolina Household Travel Survey for a term of 15 months for an amount not to exceed \$725,000.

Staff Resource: Anna Gallup, Transportation

Policy

Transportation Action Plan

Explanation

- The 2011 Metrolina Household Travel Survey is required to maintain the state-of-the-practice travel demand model required by USDOT to use for air quality conformity determinations, highway travel forecasts, and transit ridership forecasts.
- This survey will be used in conjunction with the 2010 Census data to update the household travel data collected in the 2002 survey.
- In May and August of 2010, Council approved municipal agreements with NCDOT, SCDOT, Concord, Gastonia, and Rock Hill to reimburse CDOT for specific activities to develop and maintain the Metrolina Regional Model. The municipal agreements totaled \$1,589,528 over a three-year period. MUMPO's share of developing and maintaining the Metrolina Regional Model is \$374,972 over the three-year period.
- The Metrolina Household Travel Survey is one of the approved funding tasks outlined in the municipal agreements.
- NCDOT, SCDOT, and the lead MPO planning agencies, Charlotte, Rock Hill, Concord, and Gastonia have negotiated their shares of funding for the Metrolina Regional Household Travel Survey. The cost shares during fiscal years 2011 and 2012 will be:
 - NCDOT: \$580,000
 - SCDOT: \$14,764
 - Rock Hill on behalf of RFATS: \$11,600
 - Gastonia on behalf of GUAMPO: \$16,148
 - Concord on behalf of CRMPO: \$25,375
 - MUMPO: \$77,114
- Charlotte's share is not to exceed \$15,423 over the two-year period, representing the 20% local match for this work item in MUMPO's FY2011 and FY2012 Unified Planning Work Programs (UPWP).

Selection Process

- On behalf of our transportation planning partners, the City released a Request for Proposals for consulting services in December 2010. The City received four proposals and shortlisted two firms for interviews.
- After thorough evaluation, the consultant selection team unanimously chose ETC INSTITUTE as the service provider who best met the established requirements.
- The total contract amount is estimated at \$725,000.

Disadvantaged Business Opportunity

This contract is subject to the Federal DBE Program, which neither requires nor permits goals for every contract. The City must meet its DBE goal

through a mix of contract specific goals and race-neutral means. No goal was set for this contract because participation opportunities were not identified.

Funding

UPWP and Municipal Agreements

35. Traffic Signal Communications Cable Design for Various Locations

Action: Approve professional services contracts for the design and construction administration of fiber optic cable routes and traffic signal interconnection to Dyer, Riddle, Mills and Precourt, Inc. and CBW Communications Engineers for a total amount of \$1,500,000.

Staff Resources: Debbie Self, Transportation

Explanation

- Fiber optic cabling and traffic signal interconnection provides the ability to remotely adjust traffic signals to instantly improve traffic flow in response to changing traffic volumes during normal and emergency conditions.
- Fiber optic cabling combined with traffic management cameras, dynamic message signs, and other traffic information devices create an Intelligent Transportation System (ITS).
- The Charlotte area continues to be one of the state's leaders in pursuing and integrating ITS to alleviate congestion and improve safety and efficiency of the transportation network.
- The selected firms will provide design, construction administration and inspection services for fiber optic cable routes and/or traffic management cameras at the following locations:
 - Park Road
 - Fairview Road
 - Monroe Road
 - Wilkinson Boulevard
 - West Boulevard
 - Statesville Avenue
 - Central Business District
- The total amount of \$1,500,000 is split evenly between the two contracts:
 - Dyer, Riddle, Mills, and Precourt, Inc. for \$750,000
 - CBW Communications Engineers for \$750,000
- The firms were selected pursuant to a Council approved, qualifications-based selection process in accordance with NC General Statutes.
- These projects are important links as identified in the Intelligent Transportation Systems Master Plan in completing the next phase of the communications infrastructure.
- Construction contracts will follow completion of approved design.

Small Business Opportunity

For professional services based contracts, the City seeks to negotiate SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). DRMP included the following SBE as part of their supporting team to be utilized as the project evolves: Utility Coordination Consultants, Inc.(utility coordination). For the contract with CBW, no SBEs were selected as part of their overall consultant project team.

Funding

Transportation Capital Investment Plan

36. Steele Creek Road Infrastructure Reimbursement

Action: Authorize the Transportation Key Business Executive to reimburse an amount not to exceed \$107,608.03 to DavidLand, LLC for public roadway improvements on Steele Creek Road.

Staff Resource: Rick Grochoske, Transportation

Explanation

- This improvement project includes pavement widening on both sides of Steele Creek Road, a major thoroughfare located in southwest Charlotte near the intersection with West Boulevard.
- It was deemed impractical for City forces to do the necessary construction because of the scope of work and construction coordination of these improvements with the developer's obligated roadway modifications.
- A reimbursement amount up to \$107,608.03 is proposed for improvements constructed by the developer.
- These improvements are beneficial to the City by providing bike lanes and are not required of the developer by land development regulations.
- This roadway work will complete DavidLand, LLC's transportation obligations associated with their construction plans, approved by the City on June 3, 2009.

Funding

Transportation Capital Investment Plan

37. Governor's Highway Safety Program Resolution

Action: Adopt a resolution authorizing the Charlotte-Mecklenburg Police Department to apply for \$10,000 in grant funds from the Governor's Highway Safety Program.

Staff Resources: Harold Medlock, Police
Andy Kornberg, Police

Explanation

- Police plans to apply for \$10,000 in grant funds from the Governor's Highway Safety Program.
- \$7,000 will be used to purchase two Light Detecting and Ranging (LIDAR) devices for speed measuring. These units are designed for stationary operation and send out a laser beam to a specific targeted vehicle to calculate its speed. The device is increasingly used by police agencies throughout the country due to its advanced capabilities. The units will be used in high crash and/or high crime areas of the city.
- \$3,000 will be used to defray the training expenses for the staff liaison.
- There are no City matching funds required.
- The resolution signifying Council approval is required by the Governor's Highway Safety Program as a part of their application process.

Funding

\$10,000 from Governor's Highway Safety Program

Attachment 10

Resolution

38. Police Assets Forfeiture Appropriation

Action: Adopt an ordinance appropriating \$580,348 in police assets forfeiture funds.

Staff Resources: Katrina Graue, Police
Greg Crystal, Police

Explanation

- The ordinance appropriates \$580,348 in assets forfeiture funds for eligible law enforcement related projects.
- \$411,000 will be used to purchase LED light bars for patrol vehicles. The LED light bars have greater visibility and a longer battery life than the light bars currently in use.
- \$20,348 will be used to fund training for the District Attorney's Office, which will benefit Police as they partner with the District Attorney in the prosecution of chronic offenders. Training will include:
 - Prosecution of homicide cases
 - Understanding forensic science evidence
 - Drug court prosecutions
 - Use of digital evidence
 - High performance courts
- \$30,000 will be donated to the National Law Enforcement Museum in Washington, D.C. toward construction of its Hall of Remembrance, which will honor law enforcement officers killed in the line of duty. Over 60 other law enforcement agencies have used assets forfeiture funds to support the museum. The contribution from Police will honor the 30 Charlotte-Mecklenburg police officers who have been killed in the line of duty.
- \$19,000 will be used for training for Animal Care and Control employees.
 - \$9,000 of this will fund compassion fatigue training provided to all Animal Care and Control employees by the American Humane Society. The training helps staff develop constructive coping mechanisms to respond to the stress associated with their jobs, particularly animal euthanasia.
 - \$10,000 will be used for supervisory training and training for employees who will be part of a peer support model for Animal Care and Control.
- \$50,000 will fund two coordinators for the Right Moves for Youth clubs throughout Charlotte-Mecklenburg.
- \$50,000 will fund afterschool and summer camp activities for the Police Activities League at the Bette Rae Thomas Center and Revolution Park.

Funding

Police Assets Forfeiture Funds

Attachment 11

Budget Ordinance

39. Police Vehicle Leases

Action: Approve 24, one-year vehicle leases from Wilmar, Inc. at a total cost of \$106,020.

Staff Resources: Katrina Graue, Police
Greg Crystal, Police

Explanation

- Police has been leasing undercover vehicles for several years from multiple vendors.
- Currently, 24 vehicles are leased from Wilmar, Inc.
- Through a Wilmar billing error, seven of the 24 vehicles were not included in the annual bill and were not factored into the total annual amount spent with Wilmar.
- The seven additional vehicle leases will result in cumulative expenditures with Wilmar that exceed \$100,000, thus requiring Council approval.
- Approval of these 24 one-year leases will align the renewals with other leases so approvals will only need to be obtained every two years instead of annually.

Funding

Police Operating Budget

40. 2010 Regional Assistance to Firefighters Grant Acceptance

Action:

- A. Accept the 2010 Regional Assistance to Firefighters Grant award,**
- B. Adopt a budget ordinance appropriating \$2,100,000, in funding,**
- C. Authorize the City Manager to sign a Memorandum of Understanding with the City of Gastonia related to the regional communications grant,**
- D. Approve the purchase of communications equipment, as authorized by the sole source exception G.S. 143-129(e)(6), and**
- E. Approve a contract with Motorola for the purchase of communications equipment in an estimated amount of \$2,100,000.**

Staff Resources: Jeff Dulin, Fire
Randy Davis, Business Support Services

Sole Source Exception

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition is not available;
 - A needed product is available from only one source of supply; or

- Standardization or compatibility is the overriding consideration.
- Sole sourcing of the communications equipment from Motorola will ensure compatibility with the current City of Charlotte Public Safety Radio System, which is necessary for interoperable communications.

Explanation

- On May 24, 2010, City Council approved the Fire Department’s application for the 2010 Regional Assistance to Firefighters Grant (AFG) with the City of Gastonia.
- The grant application was submitted to increase communications capability in the area by adding communications equipment to three towers in Gaston County. This project furthers the goal of regional interoperability, and will benefit the entire Urban Area Security Initiative (UASI) region.
- On February 18, 2011, the Fire Department was notified that it has been awarded the grant.
- The AFG grant will provide 80% of the funding (\$1,680,000) and the City of Gastonia will pay the 20% (\$420,000) matching portion of the grant. The Fire Department will submit reimbursement requests to the City of Gastonia to recover the 20% match.
- On March 1, 2011, the Gastonia City Council approved the request to provide the \$420,000 required for the matching portion of this grant.
- The Memorandum of Understanding will state that the City of Charlotte will be responsible for grant administration and project management. The City of Gastonia will be responsible for providing the matching funds required for the grant.
- Motorola will provide equipment, engineering, installation and system integration services.
- The grant period will run from February 2011 to February 2012.

Small Business Opportunity

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

Funding

2010 Regional Assistance to Firefighters Grant awarded by the Federal Emergency Management Agency and matching funds from City of Gastonia.

Attachment 12

Budget Ordinance

41. Hazardous Materials Response Robot

Action:

- A. Approve the purchase of a robot for hazardous material responses, as authorized by the sole source exception G.S. 143-129(e)(6) and**
- B. Approve a contract with QinetiQ for the purchase of a hazardous materials robot in an estimated amount of \$190,000.**

Staff Resource: Jeff Dulin, Fire

Sole Source Exception

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:

- Performance or price competition is not available;
- A needed product is available from only one source of supply; or
- Standardization or compatibility is the overriding consideration.
- Sole sourcing of the HazMat robot is necessary to be compatible with the Hazardous Materials response robots being purchased by the North Carolina Hazardous Materials Regional Response Teams (RRTs).

Explanation

- North Carolina Division of Emergency Management contracts with the Charlotte Fire Department to provide Hazardous Materials Response in Region 7.
- Region 7 includes the counties of: Alexander, Anson, Cabarrus, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly and Union.
- The Regional Response Teams agreed to purchase interoperable robots to assist with Hazardous Material responses using 2008 State Homeland Security Grant funds.
- After evaluating several units, a decision was made by the State teams to purchase the QinetiQ Hazardous Materials robot.
- This robot has the capability to transport Chemical, Biological, Radiological, and Nuclear (CBRN) detection monitors and equipment into a hot zone, and can perform the same functions as its human counterparts, thus limiting exposure to HazMat technicians and firefighters. Additionally, it is strong enough to drag a person out of a contaminated environment if necessary and uses forward looking infra red to operate in total darkness, smoke, fog and rain.
- This unit is compatible with existing monitoring and detection equipment used by the Charlotte Fire Department.

Small Business Opportunity

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

Funding

2008 State Homeland Security Grant Program – Regional Response Team and FY10 Regional Response Team funding

42. Explosive Ordinance Disposal Robot

Action:

- A. Approve the purchase of a robot for explosive ordinance disposal responses, as authorized by the sole source exception G.S. 143-129(e)(6) and**
- B. Approve a contract with Remoteq for the purchase of an explosive ordinance disposal robot for the Cabarrus County Bomb Squad in an estimated amount of \$171,000.**

Staff Resource: Jeff Dulin, Fire

Sole Source Exception

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition is not available;
 - A needed product is available from only one source of supply; or
 - Standardization or compatibility is the overriding consideration.

- Sole sourcing of the explosive ordinance disposal robot is necessary to ensure interoperability with other similar equipment utilized by bomb teams across the UASI region.

Explanation

- Since fiscal year 2008, the Urban Area Security Initiative (UASI) program has required that 25% of the grant funds be used to purchase equipment in support of Law Enforcement Terrorism Prevention.
- One of the focuses of the UASI program across the nation has been the support of Bomb Squads and the procurement of equipment to support explosive ordinance disposal responses.
- The focus of the Charlotte UASI region program has been to support the growth of special operations teams, such as Bomb Squads, and to ensure that all equipment purchased is interoperable. This ensures that teams are able to work together seamlessly on an incident.
- The Charlotte Fire Department is the UASI region administrator of funds and purchases.
- This purchase will provide the Cabarrus County Bomb Squad, staffed by and located in the Cabarrus County Sheriff's Office, with a much needed piece of equipment. It will allow them to examine potentially explosive devices from a safe distance and determine how to successfully respond.
- Police's current robot was also purchased from Remoteq, thus the device being purchased for Cabarrus County is considered to be interoperable equipment.

Small Business Opportunity

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

Funding

2008 UASI Funds, 2009 UASI Funds, 2010 UASI Funds

43. Stantec Consulting Ltd. Design Contract Amendment #1

Action: Approve amendment #1, for additional engineering design services with Stantec Consulting Ltd. for \$195,000, related to the 2009 Annexation and acquisition of Carolina Water Services and Aqua NC water and sewer systems.

Staff Resource: Barry Gullet, Utilities

Explanation

- Utilities entered in to a contract with Stantec Consulting Services, Inc. on March 09, 2009 for \$1,595,000 for design of the water and sewer systems in the 2009 Hood Road South annexation area.
- On February 28, 2011, Council approved the purchase of Carolina Water Services (CWS) and Aqua NC (Aqua) water and sewer systems.
- Utilities purchased these sewer systems in order to satisfy the requirements of the 2009 annexation.
- Utilities now needs to integrate the CWS and Aqua systems into Utilities' existing system by designing sewer trunks to eliminate the purchased wastewater treatment facilities and pump stations and to connect water mains to existing Utilities water mains.

- Since Stantec was the design engineer for portions of the 2009 annexation areas, they were asked to design the needed sewer trunks, at the negotiated additional fee of \$195,000.

Small Business Opportunity

Stantec had a committed goal of 9.13% during the initial term of the contract, and has used 11.77% with SBEs on the contract thus far. All additional work involved in the amendment will be performed by Stantec and their existing sub-consultants.

Funding

Utilities Capital Investment Plan

**44. Relocation of Utility Lines along Sam Furr Road
NCDOT Municipal Agreement**

Action:

- A. Adopt a resolution authorizing the Utilities Key Business Executive to execute a Municipal Agreement with the NC Department of Transportation in the estimated amount of \$840,668.82, and**
- B. Authorize the City Manager to approve the final pay request for the actual cost of the utility construction.**

Staff Resource: Barry Gullet, Utilities

Explanation

- NCDOT requires that the City enter into a municipal agreement for relocation of utility lines within NCDOT road way projects prior to construction.
- The amount of the agreement is based on an NCDOT engineer’s estimate.
- Once completed, Utilities reviews the invoice, validating the charges and making corrections when needed.
- This Agreement is for the relocation of municipally owned water lines along Sam Furr Road (Highway 73), from I-77 to east of Highway 115, NCDOT project # R-2632AA.
- At the end of the project, the City will reimburse NCDOT for actual construction costs associated with the utility relocation.
- Should the actual cost be different from the estimated amount of this Agreement, the City Manager will sign a supplementary agreement for the cost differential. Final invoice differences can be attributed to
 - Actual unit price bids being higher than estimated
 - The length of time between when the estimate was prepared and the completion of the project
 - Required design modifications resulting from NCDOT project changes
- The format and cost sharing philosophy is consistent with past municipal agreements.

Funding

Utilities Capital Investment Plan

Attachment 13

Resolution

45. Liberty Healthcare Properties of North Carolina, LLC Reimbursable Sewer Construction Contract

Action: Approve a five-year reimbursable sewer contract with Liberty Healthcare Properties of North Carolina, LLC in the estimated amount of \$2,663,664.

Staff Resource: Barry Gullet, Utilities

Explanation

- Charlotte-Mecklenburg Utilities' extension policy includes provisions for construction of water and sewer services, at the expense of the developer, to be reimbursed by Utilities over a five-year period following construction. Utilities will only reimburse actual construction cost.
- Liberty Healthcare Properties of North Carolina, LLC has requested a contract for the construction of a gravity sewer main, sewer force main, and new lift station to serve the proposed Royal Park Rehabilitation and Nursing Center in Matthews.
- The project begins at the Mecklenburg/Union county line, extending northward along the Crooked Creek tributary to serve a drainage basin bounded by Phillips Road, Matthews-Mint Hill Road, the Union county line, and Independence Boulevard.
- The total estimated cost of this project is \$2,663,664. The actual cost of construction will be paid by Liberty Healthcare Properties of North Carolina, LLC and reimbursed by Utilities.
- Later this year, Council will be asked to approve a design contract for this project, followed by the construction contract.

Small Business Opportunity

SBO goals were not established for this portion of the reimbursable contract agreement; however, they will be established during the design and construction phases of this contract.

Funding

Utilities Capital Investment Plan

46. Franklin Water Treatment Plant Raw Water Reservoir Improvements Amendment #2

Action: Approve contract amendment #2 for \$496,760 with Hazen and Sawyer, P.C. for professional services for the Raw Water Reservoir Improvements at the Walter M. Franklin Water Treatment Plant.

Staff Resource: Barry Gullet, Utilities

Explanation

- The original contract in the amount of \$1,949,830 was approved by Council on September 10, 2007.
- The contract provided for engineering design services to replace two smaller existing reservoirs with a single larger reservoir.

- The new reservoir is currently under construction. The construction period has been extended due to weather impacts. Since the reservoir project is largely an earth moving project, for every rainy day, the contractor could lose three days of work because the soil needs to dry sufficiently before it can be hauled.
- This amendment provides funding for the following:
 - Additional monthly construction administration, inspection and groundwater monitoring costs in coordination with the extended construction period
 - Additional soil testing by sub-consultant, on an ongoing basis, tied to the contractor's schedule
 - Additional services to comply with new State requirements for Emergency Action Plans
 - Revised hourly rates corresponding to two 3% increases from 2007 to 2011, according to the terms of the original agreement
- Amendment #1, in the amount of \$364,700, was approved by Council on November 9, 2009. That amendment provided for design and inspection of repairs to reservoir #3, which was not in the original scope of the project.
- Total amount of the contract is now \$2,811,290, and is still within budget.

Small Business Opportunity

All additional work involved in this amendment will be performed by the consultant and their existing sub-consultants. This amendment complies with Part D: Section 6 of the SBO Program.

Funding

Utilities Capital Investment Plan

47. Water Meter Equipment Purchase and Installation

- Action:**
- A. Approve the purchase and installation of water meter equipment from Itron by the sole source exception authorized by NC G.S. 143-129(e)(6), in the not-to-exceed amount of \$1,959,468.44, and**
 - B. Approve the purchase of ADE water meter registers from Badger by the sole source exception authorized by NC G.S. 143-129(e)(6), in the not to exceed amount of \$75,000.**

Staff Resource: Barry Gullet, Utilities

Sole Source Exception

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

Explanation

- Actions allowed by this agreement support Utilities' customer service improvements and implementation of the 40-point plan presented to Council at the October 4, 2010 workshop.
- This agreement includes three components:
 - A pilot usage study (described below) for \$159,468.44
 - Itron providing 60,000 electronic transmitters (ERTs) at no cost
 - An option for Utilities to upgrade the 60,000 ERTs at a cost of \$30 each (\$1.8 million total)
- Utilities contracted with Badger Meter in 2002 to convert to an automated, drive-by water meter reading system. As part of the contract, Badger provided ERTs, which they obtained from Itron, that are used in conjunction with Badger meters to make up a complete water meter installation.
- Since 2009, Itron has provided additional support and on-site staffing to Utilities to further stabilize the reliability of the ERTs to transmit data.
- The latest generation of Itron ERTs (model 60W) has proven much more reliable than earlier models (model 50W). Utilities has been replacing model 50W ERTs with model 60W (provided at no cost by Itron) when a model 50W fails to transmit. At this time, Utilities has replaced one-half of the approximately 240,000 residential ERTs in the system.
- Utilities negotiated with Itron and Badger to accelerate the replacement of the remaining 50W ERTs and to end the on-site staffing support required from Itron. This will improve customer service and reduce work load associated with non-transmitting ERTs.
- The proposed agreement provides for Itron to provide 60,000 new ERTs at no cost. These ERTs would be installed by Utilities staff within approximately six months.
- Utilities is finalizing an agreement with Badger Meter for Badger to provide an additional 60,000 new ERTs at a discounted price. The total number of ERTs provided by Itron and Badger combined (120,000) will be enough to completely replace the remaining model 50W ERTs in the system. An agreement with Badger is expected to be presented to Council for consideration in April 2011.
- Itron has very recently developed a model 100W ERT that functions much like the model 60W, except that it has added features, including the ability to internally store hourly water usage data. Utilities proposes to conduct a pilot usage study of the 100W to determine the usefulness of the added features and to confirm its reliable operation.
- The pilot usage study will include 1500 of these ERTs, installation, and support by Itron for \$159,468.44. The pilot usage study will take place in the River Run neighborhood in Davidson and in the Hidden Valley neighborhood in Charlotte. If the proposed agreement is approved, these new installations can be completed in time to capture summer usage data, which is expected to be useful in resolving high bill issues and in determining if the features of the model 100W are beneficial.
- If the model 100W ERT proves beneficial, the proposed agreement provides that Utilities may, at Utilities' discretion, substitute model 100W ERTs for the 60,000 model 60W ERTs to be provided by Itron by paying \$30 each. The forthcoming agreement with Badger is expected to include similar provisions.
- The Itron ERTs are proprietary components that are not available from other sources. The Itron equipment is compatible with existing equipment used to read, service, and maintain the meter installations, as well as with the data interface used to transfer meter reading data into the utility billing software system.

- Additional components required for the pilot usage study are ADE water meter registers, supplied by Badger. These will connect the 100W ERTs to the water meters and provide the hourly data needed for data logging.

Small Business Opportunity

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

Funding

Utilities Capital Investment Plan

48. Various Water Quality Improvement Projects

Action:

A. Approve a contract with Dewberry & Davis, Inc. in the amount of \$500,000 for engineering services for various water quality improvement projects, and

B. Authorize the City Manager to renew the contract twice for engineering services up to \$500,000 each renewal.

Staff Resource: Daryl Hammock, Engineering & Property Management

Policy

- Pond projects are implemented in accordance with the Council-approved Pond and Dam Rehabilitation Policy, aimed at protecting as many existing ponds as possible prior to removal by private development or structural failure, and used as highly cost effective tools to achieve water quality and flood control goals.

Explanation

- The ponds selected as water quality improvement projects drain to creeks that are identified as impaired by Clean Water Act standards.
- The improvements to the existing ponds will remove pollutants from storm water runoff before the water is discharged into the creeks.
- Using existing ponds is much cheaper than obtaining property to build new ponds.
- Improving existing ponds is an extremely cost-effective means of improving water quality, averaging only one-fifth the cost of creating new water quality measures that provide equivalent environmental benefit.
- Storm Water Services begins feasibility analysis on new water quality improvement projects that are the highest ranking projects in the program backlog each year.
- The feasibility analysis, preliminary and final engineering for the projects, are performed by consulting firms that are selected using the Council approved qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task order basis.
- When consultants perform feasibility analysis well, the most efficient method is for that firm to complete the engineering and provide construction administration services. The engineering contracts are renewed at the discretion of the City as necessary to complete the projects assigned to the firm.
- Bongaard Pond, located at 10825 Middle Acres Road off of McLean Road near Old Concord Road and East W.T. Harris Boulevard, will be the first project assigned under this contract.

Small Business Opportunity

Dewberry & Davis, Inc. included the following SBEs as part of their supporting team: Avioimage Mapping Services (mapping), Carolina Wetland Services, Inc. (environmental and ecological), and On Target Utility Locate Services (utility locating). These SBEs will be used as the project evolves (Part C: Section 2.2 of the SBO Policy).

Funding

Storm Water Capital Investment Plan

49. Various Storm Drainage Improvement Projects

Action: **A. Approve a contract with W.K. Dickson & Co., Inc. for \$1,000,000 for engineering services for various storm drainage improvement projects, and**

B. Authorize the City Manager to renew the contract once for engineering services up to \$1,000,000.

Staff Resource: Matthew Gustis, Engineering & Property Management

Explanation

- Storm Water Services begins engineering analysis on new storm drainage improvement projects that are the highest ranking projects in the program backlog each year. The projects may include storm drainage improvements that reduce house and street flooding or repair failing infrastructure.
- The engineering analysis and design for the projects are performed by consulting firms that are selected using the Council approved qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task order basis.
- When consultants perform the engineering analysis well, the most efficient method is for that firm to complete the design and provide construction administration services. The engineering contracts are renewed at the discretion of the City as necessary to complete the projects assigned to the firm.
- The first project to be initiated under this contract will be the Meadowridge Capital Improvement Project.
- The project boundaries are Carmel Road to the east, McAlpine Creek to the west, Meadowridge Drive to the north and Ivy Gate Lane to the south and covers approximately 52 acres. Typical issues are street and house flooding as well as channel erosion and infrastructure failures.

Small Business Opportunity

W.K. Dickson & Co., Inc. included the following SBEs as part of their supporting team: Carolina Wetland Services, Inc. (environmental and ecological), Avioimage Mapping Services, Inc. (mapping), and On Target Utility Locate Services, Inc. (utility locating). These SBEs will be used as the project evolves (Part C: Section 2.2 of the SBO Policy).

Funding

Storm Water Capital Investment Plan

50. Refund of Property and Business Privilege License Taxes

- Action:**
- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$22,142.69, and**
 - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$211.24.**

Staff Resource: Teresa Smith, Finance

Attachment 14

Resolutions
Lists of refunds

51. Resolution of Intent to Abandon a Residual Portion of Brookside Lane

- Action:**
- A. Adopt the resolution of intent to abandon a residual portion of Brookside Lane, and**
 - B. Set a public hearing for April 25, 2011.**

Staff Resources: Linda Poissant, Transportation
Jeff Boenisch, Transportation

Attachment 15

Map
Resolution

52. In Rem Remedy

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Complaint:

- A. 2312 Sanders Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)

Field Observation:

- B. 237 S. Crigler Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)
- C. 829 Pennsylvania Avenue (Neighborhood Statistical Area 22 – Oakview Terrace Neighborhood)
- D. 19511 Youngblood Road West (Neighborhood Statistical Area 105 – Pleasant Hills Road Neighborhood)

Complaint:

A. 2312 Sanders Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2312 Sanders Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 16

Field Observation:

B. 237 S. Crigler Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 237 S. Crigler Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

Attachment 17

C. 829 Pennsylvania Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 829 Pennsylvania Avenue (Neighborhood Statistical Area 22 – Oakview Terrace Neighborhood).

Attachment 18

D. 19511 Youngblood Road West

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 19511 Youngblood Road West (Neighborhood Statistical Area 105 – Pleasant Hills Road Neighborhood).

Attachment 19

53. Property Transactions

Action: Approve the following property transactions (A-D) and adopt the condemnation resolutions (E-U).

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

Acquisitions

- A. Project:** Central/Medford Storm Drainage Improvement, Parcel # 15
Owner(s): San Investments, LLC,
Property Address: 2840 Eastway Drive
Property to be acquired: 1,440 sq. ft. (.033 ac.) in Storm Drainage Easement, plus 288 sq. ft. (.007 ac.) in Sidewalk and Utility Easement, plus 18 sq. ft. in Utility Easement, plus 1,511 sq. ft. (.035 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: B-1
Use: Commercial
Tax Code: 095-131-01
Total Parcel Tax Value: \$690,100
Purchase Price: \$25,300
- B. Project:** Coulwood/GumBranch/KentBerry Sidewalk Projects, Parcel # 29
Owner(s): Darryl D. Bryant and Wife, Carol Jones Bryant
Property Address: 522 Gum Branch Road
Property to be acquired: 4,680 sq. ft. (.107 ac.) in Fee Simple, plus 2,028 sq. ft. (.047 ac.) in Existing Right-Of-Way, plus 2,116 sq. ft. (.049 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 031-421-15
Total Parcel Tax Value: \$119,300

Purchase Price: \$10,000

- C. Project:** Coulwood/GumBranch/KentBerry Sidewalk Projects, Parcel # 84
Owner(s): Paul F. Henderson and Wife, Doris B. Henderson
Property Address: 435 Gum Branch Road
Property to be acquired: 15,303 sq. ft. (.351 ac.) in Storm Drainage Easement, plus 4,332 sq. ft. (.099 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 031-073-06
Total Parcel Tax Value: \$160,100
Purchase Price: \$12,000
- D. Project:** North Dotger Avenue Proposed 10" Sanitary Sewer Relocation, Parcel # 4
Owner(s): Wilburn Reid Watson, Jr. and Wife, Diana Watson
Property Address: 2404 Kenmore Avenue
Property to be acquired: 764.2 sq. ft. (.018 ac.) in Sanitary Sewer Easement, plus 1,207.88 sq. ft. (.028 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees and Shrubs
Zoned: R-5
Use: Single Family Residential
Tax Code: 127-118-07
Total Parcel Tax Value: \$422,300
Purchase Price: \$12,000

Condemnations

- E. Project:** Bryant Park Area Plan, Parcel # 2
Owner(s): C & C Properties of Charlotte, LLC and Any Other Parties of Interest
Property Address: 1601 West Morehead Street
Property to be acquired: 283 sq. ft. (.006 ac.) in Sidewalk and Utility Easement, plus 315 sq. ft. (.007 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: B-1
Use: Commercial
Tax Code: 067-013-02
Total Parcel Tax Value: \$224,200
Appraised Value: \$1,525
Property Owner's Counteroffer: None
Reason for Condemnation: The purpose of this project is to install new planting strips, sidewalk, street trees and decorative pedestrian lighting along both sides of Morehead Street from Freedom Drive to the culvert at Bryant Park. After initial contact with the property owner, staff has had no response to numerous contact attempts. In order to

maintain the project schedule, condemnation is recommended.

- F. Project:** Coulwood/GumBranch/KentBerry Sidewalk Projects, Parcel # 9
Owner(s): McClure Real Estate & Investments, Inc. And Any Other Parties Of Interest
Property Address: 511 Gum Branch Road
Property to be acquired: 371 sq. ft. (.009 ac.) in Fee Simple, plus 159 sq. ft. (.004 ac.) in Storm Drainage Easement, plus 589 sq. ft. (.014 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 031-073-26
Total Parcel Tax Value: \$33,000
Appraised Value: \$75
Property Owner's Counteroffer: None
Reason for Condemnation: The title abstract indicates issues that prevent a clear title. Therefore, condemnation is recommended.
- G. Project:** Coulwood/GumBranch/KentBerry Sidewalk Projects, Parcel # 78
Owner(s): McClure Real Estate & Investment, Inc. And Any Other Parties Of Interest
Property Address: 8300 McClure Circle
Property to be acquired: 414 sq. ft. (.010 ac.) in Sidewalk and Utility Easement, plus 568 sq. ft. (.013 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: B-1S(CD)
Use: Commercial
Tax Code: 035-172-17
Total Parcel Tax Value: \$157,000
Appraised Value: \$1,725
Property Owner's Counteroffer: None
Reason for Condemnation: The title abstract indicates issues that prevent a clear title. Therefore, condemnation is recommended.
- H. Project:** Louise Avenue Capital Improvement Project, Parcel # 25 and # 26
Owner(s): Reech, LLC and Any Other Parties of Interest and Any Other Parties of Interest
Property Address: 1524 and 1530 Hawthorne Lane
Property to be acquired: 10,036 sq. ft. (.230 ac.) in Storm Drainage Easement, plus 1,857 sq. ft. (.043 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Multi Family

Tax Code: 081-193-02 and 081-193-01

Total Parcel Tax Value: \$28,100 and \$15,900

Appraised Value: \$21,300

Property Owner's Counteroffer: None

Reason for Condemnation: This is a storm drainage improvement project. The title abstract indicates issues that prevent a clear title. Therefore, condemnation is recommended.

- I. Project:** McKee Creek Interceptor - Mecklenburg County, Parcel # 2
Owner(s): Bradfield Farms Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: 7500 Reedy Creek Road
Property to be acquired: 33,499 sq. ft. (.769 ac.) in Sanitary Sewer Easement, plus 28,285 sq. ft. (.649 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential - Common
Tax Code: 111-082-99
Total Parcel Tax Value: \$0
Appraised Value: \$10,725
Property Owner's Counteroffer: \$100,000
Reason for Condemnation: This project will provide sanitary sewer to the McKee Creek Basin. Staff and the property owner have not resolved the difference in the appraisal and their counter offer. In order to maintain the project schedule, condemnation is recommended.
- J. Project:** McKee Creek Interceptor - Mecklenburg County, Parcel # 3, # 4, # 5, # 6, # 7, # 8, # 9, and # 10
Owner(s): Bradfield Farms Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: Reedy Creek Road, Schooner Bay Lane, Jardin Lane, Hanging Ivy Drive, and 4733 Camp Stewart Road
Property to be acquired: 127,614 sq. ft. (2.930 ac.) in Sanitary Sewer Easement, plus 106,460 sq. ft. (2.444 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential - Common
Tax Code: 111-331-55, 111-372-98, 111-372-97, 111-373-33, 111-431-10, and 111-431-90
Total Parcel Tax Value: \$0
Appraised Value: \$27,925
Property Owner's Counteroffer: \$100,000
Reason for Condemnation: This project will provide sanitary sewer to the McKee Creek Basin. Staff and the property owner have not resolved the difference in the appraisal and their counter offer. In order to maintain the project schedule, condemnation is recommended.

- K. Project:** Murrayhill Road Sidewalk, Parcel # 14
Owner(s): Eric Stephen Thompson and Cathy A. Thompson and Any Other Parties of Interest
Property Address: 4911 Murrayhill Road
Property to be acquired: 1,485 sq. ft. (.034 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-011-14
Total Parcel Tax Value: \$110,200
Appraised Value: \$1,850
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The title abstract indicates issues which prevent the ability to obtain clear title. Therefore, condemnation is recommended.
- L. Project:** Murrayhill Road Sidewalk, Parcel # 20
Owner(s): Earl G. Taylor and Wife, Rebecca H. Taylor and Any Other Parties of Interest
Property Address: 5027 Murrayhill Road
Property to be acquired: 1,705 sq. ft. (.039 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-011-20
Total Parcel Tax Value: \$114,300
Appraised Value: \$1,750
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. Staff and the property owner have not been able to reach an agreement. In order to maintain the project schedule, condemnation is recommended.
- M. Project:** Murrayhill Road Sidewalk, Parcel # 24
Owner(s): Wanda J. Wollerman and Any Other Parties of Interest
Property Address: 5051 Murrayhill Road
Property to be acquired: 1,544 sq. ft. (.035 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-011-24

Total Parcel Tax Value: \$129,800

Appraised Value: \$2,175

Property Owner's Counteroffer: None

Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The property owner is against the project and refused to meet with staff or sign an agreement. In order to maintain the project schedule, condemnation is recommended.

- N. Project:** Murrayhill Road Sidewalk, Parcel # 26
Owner(s): Kristen Chantal Oberoi and Spouse, Gregory Robert Sheaffer and Any Other Parties of Interest And
Property Address: 5101 Murrayhill Road
Property to be acquired: 1,107 sq. ft. (.025 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-011-26
Total Parcel Tax Value: \$113,700
Appraised Value: \$1,250
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The property owner is against the project and stated they would not sign an agreement. In order to maintain the project schedule, condemnation is recommended.
- O. Project:** Murrayhill Road Sidewalk, Parcel # 28
Owner(s): Patricia B. Thomopoulos and Any Other Parties of Interest
Property Address: 5111 Murrayhill Road
Property to be acquired: 157 sq. ft. (.004 ac.) in Sidewalk and Utility Easement, plus 1,163 sq. ft. (.027 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-011-28
Total Parcel Tax Value: \$112,700
Appraised Value: \$1,525
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The property owner is against the project, does not like the project design and

stated they would not sign an agreement. In order to maintain the project schedule, condemnation is recommended.

- P. Project:** Murrayhill Road Sidewalk, Parcel # 30
Owner(s): Karen A. Houston and Any Other Parties of Interest
Property Address: 5121 Murrayhill Road
Property to be acquired: 1,366 sq. ft. (.031 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-011-30
Total Parcel Tax Value: \$123,500
Appraised Value: \$1,600
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The property owner is against the project and has ceased communications. In order to maintain the project schedule, condemnation is recommended.
- Q. Project:** Murrayhill Road Sidewalk, Parcel # 43
Owner(s): Robert Foley and Any Other Parties of Interest
Property Address: 5229 Murrayhill Road
Property to be acquired: 1,598 sq. ft. (.037 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-022-11
Total Parcel Tax Value: \$162,200
Appraised Value: \$1,925
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. Staff agreed to the property owner's requested special provisions. However, the property owner has ceased communications. In order to maintain the project schedule, condemnation is recommended.
- R. Project:** Murrayhill Road Sidewalk, Parcel # 54
Owner(s): Debra Sue Harkey Shultman and Spouse, Simon Leroy Shultman and Any Other Parties of Interest
Property Address: 5345 Murrayhill Road
Property to be acquired: 1,870 sq. ft. (.043 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-4

Use: Single Family Residential

Tax Code: 171-022-22

Total Parcel Tax Value: \$134,300

Appraised Value: \$2,200

Property Owner's Counteroffer: None

Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The property owner is against the project and refused many requests to meet with staff. In order to maintain the project schedule, condemnation is recommended.

- S. Project:** Murrayhill Road Sidewalk, Parcel # 77
Owner(s): Jon Patrick Miller and Any Other Parties of Interest
Property Address: 5401 Wedgewood Drive
Property to be acquired: 3,379 sq. ft. (.078 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-073-22
Total Parcel Tax Value: \$140,500
Appraised Value: \$2,675
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable, pedestrian system to improve the quality of life of its residents, visitors and businesses. The title abstract indicates issues that prevent a clear title. Therefore, condemnation is recommended.
- T. Project:** Murrayhill Road Sidewalk, Parcel # 80
Owner(s): Benjamin H. Vandiver and Any Other Parties of Interest
Property Address: 5225 Wedgewood Drive
Property to be acquired: 2,027 sq. ft. (.047 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 171-073-20
Total Parcel Tax Value: \$126,800
Appraised Value: \$2,500
Property Owner's Counteroffer: None
Reason for Condemnation: This project is being built to add sidewalk as part of the City's Capital Improvement Program to provide a safe, efficient, comfortable,

pedestrian system to improve the quality of life of its residents, visitors and businesses. The property owner is against the project and has ceased communications. In order to maintain the project schedule, condemnation is recommended.

U. Project: Steele Creek Pump Station Replacement, Parcel # 3

Owner(s): Lake South Point Real Estate, LLC and Any Other Parties of Interest

Property Address: 14125 South Bridge Circle

Property to be acquired: 50,286 sq. ft. (1.154 ac.) in Sanitary Sewer Easement

Improvements: None

Landscaping: None

Zoned: I-1

Use: Industrial

Tax Code: 203-211-12

Total Parcel Tax Value: \$6,110,300

Appraised Value: \$17,325

Property Owner's Counteroffer: None

Reason for Condemnation: This project will replace and relocate the Steele Creek Pump Station which is rapidly maxing out in capacity. The property owners reside in Switzerland and do not have the ability to properly notarize their signatures as required by North Carolina General Statutes. In order to obtain clear title, condemnation is recommended.

54. Meeting Minutes

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

- December 13, 2010
- December 20, 2010
- January 3, 2011
- January 18, 2011
- January 24, 2011