

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

Michael Barnes
Nancy Carter
Andy Dulin
Anthony Foxx
Patsy Kinsey

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

CITY COUNCIL MEETING

Monday, May 14, 2007

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

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CITY COUNCIL AGENDA

Monday, May 14, 2007

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Corporate Business and Technology Strategies for “One Business: Putting Citizens First”

Resource: Curt Walton, City Manager’s Office

Time: 30 minutes

Synopsis

- Staff will provide Council with information regarding the business and technology strategies aimed at improving customer service, maximizing the use of City assets and achieving internal efficiencies;
- The presentation will focus on four common business functions:
 - Work management
 - Asset management
 - Citizen relationship management
 - Financial management

Future Action

None at this time

Attachment 1

Technology Guiding Principles
PowerPoint Presentation

2. Airport Rental Car Facility Redevelopment

Resource: Jerry Orr, Aviation

Time: 20 minutes

Synopsis

- There are seven rental car companies operating at the Airport now: Avis, Budget, Dollar, Enterprise, Hertz, National and Thrifty. They operate from counters assigned to them in the baggage claim area of the Terminal Building and from rental car service facilities located on Rental Car Road on the Airport, just north of Concourse A.
- As set forth in the 1997 Airport Master Plan, the rental car service facilities on Rental Car Road should be relocated to free up the area for concourse expansion. The current options for relocation and redevelopment are:
 - Construct a consolidated rental car service facility on City land on Wilkinson Boulevard as recommended in the 1997 Master Plan
 - Construct a remote deck at the Airport Maintenance Complex site on Wilkinson Boulevard to be operated as a combination consolidated rental

car service facility/ remote baggage check in/valet parking facility with passengers transported to and from the terminal on the Airport's existing shuttle van service

- Demolish the existing hourly decks and construct new decks to provide a combination of rental car Ready/Return Parking with remote service facilities and short term public parking at the face of the terminal
- The City would pay for such relocation and redevelopment with the proceeds of a Contract Facility Charge (CFC). CFCs have evolved over the past ten years as the preferred method for airports to finance rental car facilities. They are in place at many airports including Dallas Fort Worth, Houston Intercontinental, Los Angeles, San Francisco, Denver, Fort Lauderdale, Fort Myers, Columbia, SC, Lexington, KY, Myrtle Beach and Greenville, SC. They are typically collected well in advance of the bond issue and construction in order to diminish the amount of debt and then used to pay debt service.
- Staff has met twice with incumbent rental car concessionaires. They are eager to proceed and have unanimously requested that the City implement the CFC. The CFC would be:
 - Imposed by City Council via an ordinance
 - In the amount of \$3.50 for each day of each rental car contract originating at this Airport
 - Used to pay design costs, bond debt service and operating and maintenance expenses of the redeveloped facilities
- Based upon a \$3.50 CFC, the revenue expected from this program would be \$7 million for fiscal year 2008.

Future Action

- Council adopt Ordinance on May 29, 2007 to implement CFCs
- Commence collection of the CFCs on July 1, 2007
- Engage a rental car planning consultant to assist us in evaluating the various redevelopment options
- Form a committee of the rental car companies to work with the Airport and its consultants to develop a consensus plan for the new facilities and their operation

3. Urban Street Design Guidelines

Resource: Norm Steinman, Transportation

Time: 15 minutes

Synopsis

- The purpose of this presentation is to provide Council with an update on the status of the Urban Street Design Guidelines (USDG).
- The presentation will briefly describe the objectives of the USDG, some general key content items, milestones of the public involvement process and the anticipated next steps.

Future Action

- Council will be asked to refer this item to the Transportation Committee.

4. Scaleybark Transit Oriented Redevelopment

Committee Chair: John Lassiter

Resource: Tom Flynn, Economic Development

Time: 30 minutes

Synopsis

- In November, City Council established policy objectives for the Scaleybark Redevelopment Project.
 - Mixed use transit supportive project that contributes to redevelopment around Scaleybark Station
 - \$3 million and 315 parking spaces for CATS land
 - Value for City land equal to \$3.4 million cash and \$2 million of affordable housing
 - Affordable housing available to residents at 60% or below average median income (AMI) and some affordable to residents at 30% AMI
- In early April 2007, staff notified Council that staff was unable to negotiate a Memorandum of Understanding with the selected development team, lead by Banc of America CDC. Council referred the issue back to the Economic Development & Planning Committee to review options and make a recommendation to City Council.
- Since then staff has received revised proposals from three entities, all of which were either a finalist from the RFP process, or part of a team that was a finalist. These are:
 - Scaleybark Partners (lead by Pappas Properties)
 - Crosland
 - Boulevard Centro (part of Banc of America CDC team)
- The Economic Development & Planning Committee will meet the week of May 14th to review these options and make a recommendation to the City Council.

Future Action

- The recommendation of the Economic Development & Planning Committee will be on the May 29th Council Agenda for a decision.

Attachment 2

Powerpoint slides

5. Committee Reports by Exception

Environment Committee: Greenhouse Gas Emissions Reduction Resolution

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

CONSENT

- 6. Consent agenda items 17 through 39 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

7. Public Hearing on the FY2008 Annual Action Plan for Housing and Community Development

Action: Conduct a public hearing to receive comments on the proposed FY2008 Annual Action Plan for Housing and Community Development.

Staff Resources: Stanley Watkins, Neighborhood Development
Stan Wilson, Neighborhood Development

Policy

- The 2006-2010 Consolidated Plan approved by City Council on June 13, 2005 is the City's five-year strategy for providing housing and community development activities.
- The plan supports the City's housing policy – preserving the existing housing, expanding the supply of low and moderate-income housing and supporting family self-sufficiency – as well as the City's neighborhood revitalization strategy.
- The U.S. Department of Housing and Urban Development (HUD) mandates development of this plan, in order to receive federal funding for housing and community development activities.

Explanation

- The FY2008 Consolidated Action Plan includes housing and community development needs and resources for the City and Regional Housing Consortium.
- The Regional Housing Consortium is a partnership between the City, Mecklenburg County and the towns of Cornelius, Pineville, Matthews, Mint Hill and Huntersville.
- The Plan also serves as the City's annual application to HUD to receive an estimated \$8.2 million in new federal grant program funds.

- Community Development Block Grant (CDBG)	\$4,788,128
- HOME Investments and Partnerships (HOME)	\$2,557,616
- Emergency Shelter Grants (ESG)	\$ 205,907
- Housing Opportunities for Persons with AIDS (HOPWA)	<u>\$ 626,000</u>
Total	\$8,177,651
- The proposed FY2008 federal fund allocation represents a decrease of approximately \$29,483 under the FY2007 fund amount of \$8,207,134.

Community Input

- Four citizen forums were held to inform the public of the Plan preparation process and timeline for completing the document.
- Citizen forums were also conducted in the towns of Cornelius, Matthews and Huntersville.

- Neighborhood Development advertised the public hearing in local newspapers and sent more than 1,000 invitations to neighborhood organizations, Neighborhood Development's financial partners and interested individuals.
- Information was also made available at Charlotte's 12th Annual Neighborhood Symposium, which was conducted on March 31, 2007.
- A copy of the Draft FY2008 Annual Action Plan is available in the Council library.

Next Steps

- On May 23, 2007, the Housing and Neighborhood Development Committee will receive an overview of the Annual Action Plan.
- City Council will be asked to adopt the Plan on May 29, 2007.
- The Annual Action Plan will be submitted to HUD on May 30, 2007.

Funding

Funding comes from federal CDBG, HOME, ESG and HOPWA funds

Attachment 3

Proposed Uses of Funds

8. Public Hearing on the FY2008 & FY2009 Operating Budget and the FY2008-2012 Capital Investment Plan

Action: Receive public comment on the City Manager's recommended budget.

Committee Chair: Don Lochman

Staff Resource: Ruffin Hall, Budget and Evaluation

Explanation

- State law requires a public hearing be held following presentation of the Manager's recommended budget (May 7, 2007) and prior to Council adoption of the budget (June 11, 2007).
- State law also requires that a public notice be published following presentation of the Manager's recommended budget and before the scheduled public hearing. The required public notice was published in local newspapers on May 8th and May 10th.

FY2008 Operating and Capital Budget Summary

- No property tax rate increase recommended in FY2008 and FY2009.
- Budget continues implementation of FY2007 budget initiatives that included:
 - Hiring of 70 additional police officers
 - Increasing street resurfacing
 - Initiating additional capital investment in roads, sidewalks, neighborhood improvements, and affordable housing
- The FY2008 General Fund recommended budget totals \$466.7 million.

- Total City-wide recommended budget for FY2008 is \$1.61 billion with \$985.2 million for operating expenses and \$621.7 million for capital expenditures (all funds).

Revenue Highlights

- Significant revenues include:
 - An FY2008 total property tax rate of 45.86¢ per \$100 of property valuation (no change)
 - A water/sewer rate increase of 6.25%, a \$3.18 average monthly increase for residential customers
 - An increase in storm water fees of 7.0%, a 36¢ average monthly increase for residential customers

Capital Budget

- The Capital Budget has three components:
 - Municipal Debt
 - Pay-As-You-Go
 - Enterprise

Municipal Debt-Funded

- The Preliminary FY2008-2012 General Government Capital Investment Plan totals \$591.4 million. Funding highlights of the general government program include:
 - \$131.2 million in authorized general government debt, including \$78.6 million in Street Bonds, \$18.7 million in Neighborhood Bonds, \$5.0 million in Affordable Housing Bonds and \$28.9 million in Certificates of Participation for government facilities
 - \$308.1 million in new general government bonds over two bond referenda: 2008 and 2010. Major projects under the bonds include:
 - o \$222.4 million for Transportation
 - o \$50.0 million for Neighborhood Improvements
 - o \$20.0 million for Affordable Housing
 - o \$15.1 million for undesignated priority projects
- The recommended property tax rate for general government debt is 7.37¢, which is no change from the current year.

Pay-As-You-Go-Funded

- The FY2008-2012 CIP includes \$245.4 million in Pay-As-You-Go and current revenues, a \$75.3 million or 44.3% increase over the current FY2007-2011 CIP. This increase is due to inclusion of the Vehicle Rental Tax (\$38.3 million), Capital Reserve (\$14.5 million), Sale of Land (\$12.0 million), Capital Fund Balance (\$800,000) and projected growth in Pay-As-You-Go revenues.
- The recommended property tax rate for Pay-As-You-Go capital is 1.51¢, which is no change from the current year.

Enterprise-Funded

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

Calendar

- Council budget adjustments meeting is scheduled for May 16, 2007
- An optional Budget Committee meeting is scheduled for May 21, 2007
- Council's "straw votes" is scheduled for May 30, 2007 at 12:30 p.m.
- Budget adoption is scheduled for June 11, 2007 at 7:00 p.m.
- Council is required by state law to adopt a budget on or before July 1 of each year.

POLICY

9. City Manager's Report

Cankerworm Update

Attachment 4

10. Brooklyn Village/Minor League Baseball/Third Ward Park

Action: Approve the following actions to facilitate development of Brooklyn Village, a Minor League Baseball Stadium and a Park in Third Ward:

- A. Adopt a Resolution ratifying an Interlocal Agreement with Mecklenburg County,**
- B. Authorize the City Manager to Negotiate and Execute a Memorandum of Understanding with the Charlotte Housing Authority, Cornerstone Real Estate Advisors, Inc. and Spectrum Investment Services, Inc.,**
- C. Authorize the City Manager to Negotiate and Execute a Traffic Control and Public Safety Agreement with the Charlotte Knights,**
- D. Authorize extension of the September 30, 1997 Parking Lease Agreement with the North Carolina Blumenthal Performing Arts Center Foundation for up to two additional years (terminating on the earlier of March 31, 2009 or termination of the Spirit Square Lease and Operating Agreement), and**
- E. Authorize the City Manager to take all actions necessary to effectuate the transactions contemplated by the agreements referenced above, including but not limited to the real estate conveyances and right of way abandonments described herein.**

Staff Resources: Curt Walton, City Manager's Office
Cindy White, City Attorney's Office

Explanation

- On January 9, 2006, City Council authorized the City Manager to work with Charlotte Center City Partners, Mecklenburg County and other parties as appropriate to determine the feasibility of the proposed development of an uptown park, construction of a minor league baseball stadium and redevelopment of Marshall Park.
- On November 6, 2006, City Council authorized the City Manager to work with the Mecklenburg County Manager to shift the lead on this project from the City to the County. The City's primary role was identified as being the conveyance of City-owned property to Mecklenburg County. The County's primary role was to negotiate agreements for the creation of Brooklyn Village,

a minor league baseball stadium, a park in Third Ward and redevelopment of Spirit Square.

Summary of Requested Actions

A. Approve an Interlocal Agreement with Mecklenburg County

Mecklenburg County approved the Interlocal Agreement on May 1, 2007. Key components of the interlocal agreement include:

- **Marshall Park**
 - The City's ownership of Marshall Park is transferred to the County at no cost to the County.
 - The County assumes ownership of the Martin Luther King statue and the Holocaust Memorial and is responsible for the transfer of these monuments to a suitable location and for their care.
 - The County accepts Marshall Park "as is" and will assume responsibility for removing the water feature and relocating the storm water drainage system.
 - The County assumes all liability for environmental issues.
 - The County acknowledges and agrees that the City shall have no responsibility to fund streets or any other improvements needed for the development of the site.
 - The property will be transferred 30 days after satisfaction of the Conditions Precedent, which are described below.
- **Spirit Square**
 - The City's ownership of Spirit Square is transferred to the County at no cost to the County.
 - The County accepts the property "as is".
 - The City has no responsibility to fund any infrastructure improvements needed for redevelopment of the site.
 - The City agrees to extend the existing lease of Spirit Square for up to two additional years under the same terms and conditions, with such extension terminating on or before March 31, 2009.
 - The property will be transferred 30 days after satisfaction of the Conditions Precedent, which are described below.
- **Rights-of-Way**
 - The City agrees to abandon the rights-of-way and convey to the County at no cost to the County the property within the street right of way located within the footprint of the proposed Third Ward Park.
 - The City agrees to abandon the rights-of-way and convey to the County at no cost to the County the property within the street right-of-way located within the footprint of the proposed baseball stadium.
 - The County agrees to accept the properties "as is".
 - The property will be transferred 30 days after satisfaction of the Conditions Precedent, which are described below.
- **Conditions Precedent and Reversal Option**
 - The City and the Charlotte Knights have executed a legally binding Traffic Control and Public Safety Agreement.
 - Any third party consents are in place that are necessary to consummate the transactions contemplated by this Agreement.

- The County and Spectrum Investment Services have executed the Exchange Agreement and the Exchange Agreement provides that Spectrum intends in good faith to develop the Marshall Park site in the manner in the Vision Statement and Master Plan for Brooklyn Village.
- The City and Spectrum have entered into an agreement regarding the construction of public housing in Brooklyn Village.
- Cultural Facilities Ownership Rights
 - The County agrees to relinquish its right to receive a pro rata ownership interest in the Wachovia Cultural Facilities at no cost to the City.
- City's Charter Power for Private Sale of Real Property, Power to Lease Property and Power to Improve Streets and Sidewalks
 - The City authorizes the County to exercise the City's power to sell or lease real property using procedures contained in Section 8.22(d) of the City Charter.
 - The City authorizes the County to make improvements to streets and sidewalks as necessary to provide the infrastructure improvements to streets surrounding the baseball stadium.

B. Authorize the City Manager to Negotiate and Execute a Memorandum of Understanding (MOU) with the Charlotte Housing Authority, Cornerstone Real Estate Advisors, Inc., and Spectrum Investment Services, Inc.

- On April 23, 2007, Council directed staff to discuss with Cornerstone and Spectrum alternative deal structures that could yield more than 30 affordable units in Brooklyn Village. On May 8, 2007, Cornerstone and Spectrum made no commitments but agreed to re-consider the following: 1) the prospect of including up to 40 units, upon the City's request and at the City's cost, at the same unit price of \$83,334; and, 2) alternative deal structures, including but not limited to tax credits, that could favorably impact the number and cost of affordable units.
- Decisions as to the number and cost of units must be made by November 1, 2007. Staff will bring back to Council any options that could change the number and cost of units prior to that time. If no options are identified, staff will provide a report back to City Council.

Council's action in this agenda item establishes the number of units at 30, at a total public cost of \$83,334 per unit.

Key components of the MOU include:

- A wide variety of housing types in Brooklyn Village, including a significant amount of workforce housing
- 30 Section 8 units in Phase I at 30% of Area Median Income (AMI) or \$19,320
- A public cost of \$2.5 million, to be shared equally by the City (through the Housing Trust Fund) and the Charlotte Housing Authority, which equates to a subsidy per unit of \$83,334
- Spectrum foregoes an estimated profit of \$1.5 million from the sale of these units at market price
- Further discussion about affordable housing in Phase II:

- A 20% minority participation goal on the Brooklyn Village construction project
 - Cornerstone and Spectrum will work with Charlotte-Mecklenburg Schools to provide internships and apprenticeships during the development of Brooklyn Village.
 - The Charlotte Housing Authority is scheduled to consider this MOU on May 15, 2007. On May 1, 2007, the Authority's Development Committee recommended approval of the MOU with conditions that are referenced in Section 8 of the attached Brooklyn Village MOU. The City supports these conditions; however, Cornerstone and Spectrum have not yet reviewed these conditions.
 - The City Manager requests the authority to negotiate and execute the MOU to incorporate conditions approved by the Authority on May 15, 2007 and acceptable to Cornerstone and Spectrum that are in keeping with the framework included in the attached Brooklyn Village MOU.
- C. Authorize the City Manager to Negotiate and Execute a Traffic Control and Public Safety Agreement with the Charlotte Knights
- Agreement with the Charlotte Knights was reached on May 8, 2007, which did not allow ample time to draft appropriate documents; therefore, the City Manager requests the authority to negotiate and execute documents necessary to implement the terms and conditions described below.
 - The annual cost of the Traffic Control and Public Safety Plan is estimated to be \$210,000.
 - The Charlotte Knights will pay for 75% of the cost; the City will pay for 25% of the cost.
 - The Charlotte Knights will manage the Plan.
 - However, the City and the Knights must agree on reasonable terms that allow the City to assume management of the plan in the event the public's interests are not protected by the Knight's management of the plan. Reasonable terms may include resolution by a third party mediator.
 - City participation is warranted because of the importance of moving the downtown workforce safely around the Third Ward area during stadium events, a number of which will be scheduled during weekday hours.
 - The City's \$52,500 of the Plan, beginning most likely in FY2010, will be reallocated from the \$120,000 currently spent to maintain Marshall Park, since the City will not have this maintenance responsibility following the land swap.
- D. Extend the Parking Lease Agreement with the NC Blumenthal Performing Arts Center Foundation
- Under the Interlocal Agreement with the County, the City agrees to extend the existing lease of Spirit Square for up to two additional years under the same terms and conditions, with such extension terminating on or before March 31, 2009.
 - Continuation of the existing Spirit Square lease triggers a need to extend the existing Parking Lease Agreement between the City and the N.C. Performing Arts Center at Charlotte Foundation, because the latter's obligations under the existing Spirit Square lease are contingent upon continuation of the Parking Lease Agreement.

- E. Authorize the City Manager to execute documents necessary to implement these transactions
- There will be a number of documents necessary to implement this process, including but not limited to real estate deeds, right-of-way abandonments and other documents related to the land swaps and rights-of-way abandonments.
 - There may also be unforeseen agreements that must be executed in order to complete the above transactions. The City Manager is authorized to execute agreements that are in keeping with the framework described above and related to transactions described above.

Attachment 5

Resolution

City/County Interlocal Agreement

Brooklyn Village Memorandum of Understanding

Spirit Square Community Task Force

Questions and Answers from the March 5, 2007 and April 23, 2007 Update

11. Greenhouse Gas Emissions Reduction Resolution



Action: Approve the Environment Committee's recommendation to adopt the resolution, "City of Charlotte Commitment to Greenhouse Gas Emissions Reduction."

Committee Chair: Anthony Foxx

Staff Resources: Julie Burch, City Manager's Office
Rob Phocas, City Attorney's Office

Explanation

- On August 28, 2006, the City Council received the Sierra Club presentation about its national "Cool Cities" initiative, along with a request for the City to join. The Council referred the request to the Environment Committee.
- The Cool Cities initiative calls for the following actions:
 - Endorsement of the U.S. Mayors Climate Protection Agreement
 - Conducting an inventory of the city's global warming (greenhouse gas) emissions
 - Creating a plan to reduce emissions under three strategies: cleaner vehicles, energy efficiency and renewable energy
- The U.S. Mayors Climate Protection Agreement (Section C) contains 12 initiatives for cities to take actions in their own operations and communities to reduce greenhouse gas emissions.
- The Environment Committee asked staff to assess the impact of joining Cool Cities, i.e. what actions represent existing City policies and what actions would be new initiatives with potential cost and staffing impact.
- Nine of the twelve initiatives in the U.S. Mayors agreement represent policies and practices the City has already adopted. These nine initiatives are referenced in the recommended resolution.

- The other three initiatives called for in the agreement are not currently being addressed by the City. Those are:
 - Conducting a greenhouse gas emissions inventory in City operations and in the community
 - Committing to an increase in the use of clean, alternative energy
 - Helping educate the public, schools and others about reducing global warming pollution
- A greenhouse gas emissions inventory would build on basic information about energy consumption in City facilities and vehicles. The Council-approved Environment Focus Area Plan contains an initiative for developing baseline energy information for all City-owned facilities. A greenhouse gas emissions inventory would be an extension of that work.
- Staff estimates the cost to conduct an inventory of greenhouse gas emissions for City operations to be in the range of \$10,000 to \$30,000 in staff time. Technical assistance would be obtained through ICLEI – Local Governments for Sustainability, at a one-year membership cost of \$3,600.
- To avoid any duplication or overlap, a City inventory would be done in close coordination with Mecklenburg County which is also planning to do an inventory of their operations. The time frame for completion is June 2008.
- Once a baseline inventory is completed, an action plan for reducing emissions, including costs and benefits, would be brought to Council for review and approval.
- The impact of adopting the other two initiatives, renewable energy and a collaborative public education campaign, would require additional costs and staff work, depending on the scope. The recommended Council action only commits the City to considering their feasibility, using the appropriate review process.

Committee Recommendations

- The Committee has discussed Cool Cities extensively since December. Discussion centered on the specific initiatives and also the appropriate format for Council action.
- The Committee voted unanimously on April 16th to recommend the attached resolution calling for a commitment to greenhouse gas emissions reduction. Committee members are: Anthony Foxx, Chair; Pat Mumford, Susan Burgess, Nancy Carter and Don Lochman.
- The resolution reaffirms the City's current policies and practices which support the Environment. It also calls for the City to strive to take the following additional actions:
 - Conduct an inventory of greenhouse gas emissions from City operations by June 2008
 - Establish as aggressive and realistic emissions reduction target as can be met by the year 2012
 - Create an action plan, prepare a cost-benefit analysis and adopt a budget designed to meet the established emissions target
 - Utilize the resources of ICLEI – Local Governments for Sustainability to identify ways emissions can be reduced from City operations

- Monitor recommendations and actions of the NC Legislative Commission on Global Climate Change, the NC Climate Action Plan Advisory Group and Federal agencies so as to inform the City’s efforts to reduce emissions
- The resolution also calls for the Council to consider the feasibility of other actions to reduce greenhouse gas emissions. The suggested actions, including renewable energy and a public education campaign, are to be considered using the appropriate City Council review process, such as Council briefings, referral to the appropriate Council Committee, and the annual budget process.
- If the Council approves the resolution, it will be submitted to the Sierra Club with a request for their consideration to name Charlotte as a “Cool City.”

Funding

Engineering and Property Management Operating Budget

Attachment 6

Proposed Resolution

March 19, 2007 Environment Committee Briefing Paper

12. Criminal Justice Funding Resolution

Action: Adopt a resolution to support an increase in state funding for the criminal justice system.

Staff Resource: Boyd Cauble, City Manager’s Office

Explanation

- At the April 23, 2007 meeting of the City Council, the Mayor presented a draft resolution seeking more state funding for the criminal justice system. The City Council reviewed the draft resolution and asked for it to be placed on the May 14, 2007 City Council meeting agenda.
- Commissioners from the Mecklenburg County Towns and members of the Mecklenburg Board of County Commissioners have expressed interest in a resolution supporting the Legislature’s increased funding for the state criminal justice system.
- The City’s legislative package for the State General Assembly details many public safety requests and an overall reference to improvements to the state criminal justice system and in road funding.
- Senate President Pro Tem Basnight, in a meeting with the Mayor, Sheriff, Police Chief and District Attorney, has indicated support to direct more funds to the state criminal justice system.

Attachment 7

Resolution

BUSINESS

13. City Boulevard Developer Agreement

This item will be distributed in the Friday, May 11th Council-Manager Memorandum.

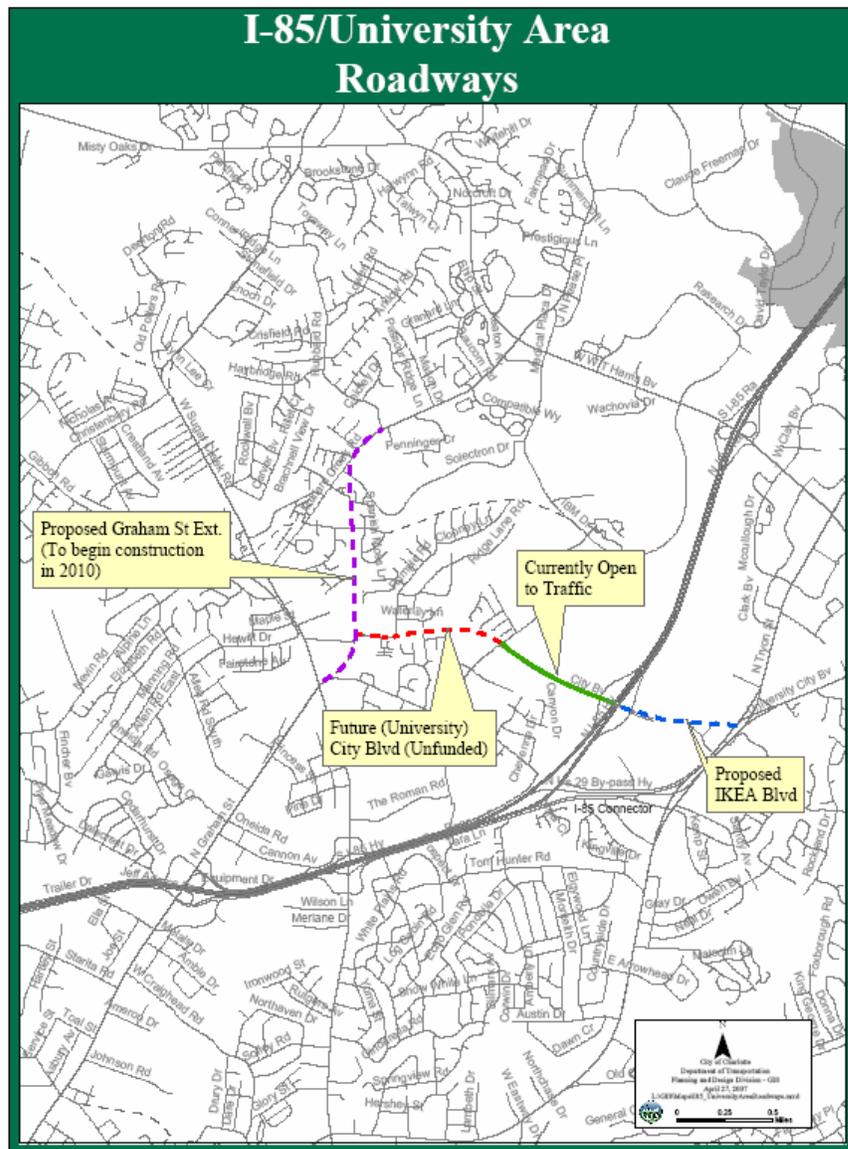
14. Rename City Boulevard to IKEA Boulevard

- Action:**
- A. Consider renaming City Boulevard to IKEA Boulevard from NC 29/49 (University City Boulevard) to I-85, and**
 - B. Adopt a resolution in support of the street name change.**

Staff Resources: Danny Pleasant, Transportation
Ron Kimble, City Manager's Office

Explanation

- At the April 23rd meeting, Council voted to place an agenda item to rename a portion of City Boulevard to IKEA Boulevard on the next Council Business Agenda.
- In the mid-1980's the North Carolina and Charlotte Departments of Transportation identified a project that would help relieve congestion in the "weave" area where the I-85 Connector, Tryon Street and University City Boulevard converge.
- The proposed road would provide full-movement access to and from I-85 and provide an alternative access to University Research Park and the Derita community. The entire roadway would extend from the NC 49/29 (University City Boulevard / Tryon Street) to Graham Street Extension (another road yet to be built).
- NCDOT and CDOT staff decided that the proposed road would be called University City Boulevard since it was a natural extension of the existing road (see map on next page).
- During the planning process, it was noted that the first portion of the road would be built between I-85 and Neal Road, and since it would not connect with University City Boulevard yet, to eliminate motorist confusion, the road would be named City Boulevard, and renamed University City Boulevard once the roads connected.
- If Council approves the renaming, the road connecting into University City Boulevard will be called IKEA Boulevard to I-85. From I-85 to Graham Street Extension the road will remain City Boulevard. It will be renamed to University City Boulevard when all portions of the road are complete.
- NCDOT requires a resolution from the Council supporting the name change and the North Carolina Board of Transportation will have to approve the change as well, since the road will be state-maintained.



Funding

- The NCDOT advised staff that all costs related to new state highway overhead and directional signing will be the City’s responsibility. A preliminary estimate is between \$60,000 and \$90,000. A future action will be the municipal agreement which will commit the final cost estimates.

Attachment 8

Map
Resolution

15. Relocation of Abandoned Private Cemetery

Action: Approve request from the Charlotte-Mecklenburg Hospital Authority to relocate an abandoned private cemetery located on the site of CMC-Mercy Hospital, 2001 Vail Avenue.

Staff Resources: Julie Burch, City Manager's Office
Anna Schleunes, City Attorney's Office

Explanation

- In April, the City Manager received a request from the Charlotte-Mecklenburg Hospital Authority to relocate an abandoned private family cemetery at CMC-Mercy, formerly Mercy Hospital, 2001 Vail Avenue. A copy of the request is attached.
- According to N.C.G.S. 65-13, the hospital authority is required to obtain the consent of the governing body of the city in which the cemetery is located prior to disinterring, removing and reintering the graves.
- The hospital authority is building a medical office building and parking deck on the CMC-Mercy campus. During excavation, gravestones and human remains were discovered. The authority notified the Office of State Archaeology and has worked cooperatively with the state archaeologist to determine the identity of the graves and develop a plan on what to do with them.
- According to the authority's research, the cemetery is an unmarked, abandoned family cemetery dating approximately to the 1770's. The site contains 13 discovered graves, and as described in published histories, represents the Spratt Burying Ground. The graves include members of the Spratt, Bingham, McKnight and Barnett families.
- The authority worked with Steele Creek Presbyterian Church which has historical ties to these families. The church agreed to allow the graves to be moved to the church's cemetery. The authority will bear the expenses for disinterment, removal and reinterment at the church.
- The authority submitted the required report to the Office of State Archaeology and anticipates approval soon.
- The State statute requires public notice for four consecutive weeks and at least thirty days prior to relocating the graves. The authority published a legal notice in the Charlotte Observer the weeks of April 13, 20, 27 and May 4. A copy of the legal notice is also attached.
- The authority has also been in contact with the Mecklenburg County Health Director and will relocate the graves under his supervision and direction as required by the statute.
- Council approval is necessary in order for the hospital authority to proceed with relocating the graves.

Attachment 9

Hospital Authority letter of request
Legal Notice
CMC Summary
State Archaeologist Letter of Approval
Report and Plan for disinterment and reinterment

16. Mayor and Council Topics

Council members may share information and raise topics for discussion.

Introduction to CONSENT

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

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

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

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

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

Contractors and Consultants

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

CONSENT I

17. Various Bids

A. 36 Inch Water Main along Highway 51

CMU

Resource: Doug Bean

Action

Award the low bid of \$566,875.40 by Sanders Utility Construction of Charlotte, North Carolina for installation of 1,334 linear feet of water main from the Sardis Road pump station to Highway 51. Work will be completed in the third quarter of 2007.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 1.10%

Sanders Utility failed to meet the established goal, but exceeded the mandatory outreach and good faith efforts. They have committed \$6,250 to the following SBE firms: Union Paving, Perry's Lawn & Landscaping and Fast Signs.

B. Cane Creek Sanitary Sewer Outfall **CMU**

Resource: Doug Bean

Action

Award the low bid of \$1,905,251.42 by Buckeye Construction Company of Canton, North Carolina. The Cane Creek Outfall is 15,454 linear feet of gravity sewer located in the southern sphere of influence of the Town of Huntersville. This project is being paid for up front by the developer of the Bryton Project, Huntersville Corporate Center Limited Partnership, and will be reimbursed by Utilities over five years starting one year after the project is complete. Reimbursement agreement was approved by Council on February 13, 2006. Work will be completed in first quarter of 2008.

Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 3.92%

Buckeye Construction Co., Inc. failed to meet the established goal but met the mandatory outreach and good faith efforts. They committed \$74,734.00 to the following SBE firms: Union Paving Contractors, Carolina's Landworks, Inc., D's Trucking, and Ms. Sybil's Seeding.

C. Locks, Cylinders and Key System Parts **Aviation**

Resource: Jerry Orr

Action

Award the low bid of \$233,873.80 by Accredited Lock Supply of Secaucus, New Jersey to provide Schlage locks, cylinders and key system parts to the Charlotte Douglas International Airport for a term of two years and authorize the City Manager to renew up to three additional one-year terms. Due to security issues, this is an on-going project to maintain key control.

Small Business Opportunity

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

D. Ticket Vending Machine Stock **CATS**

Resource: Kim Taylor

Action

Award a unit price contract to Electronic Data Magnetics, Inc. in the amount of \$34,465.50 annually for ticket stock needed for the LYNX Blue Line Ticket Vending Machines for an initial term of two years and authorize the City Manager to renew the contract for three additional one-year terms for a total five-year contract not to exceed \$200,000. With the

start of the LYNX Blue Line, CATS will be implementing a proof-of-payment fare collection system. Ticket vending machines (TVM) will be located at all LYNX Blue Line platforms for customers to purchase tickets. The tickets issued by the TVMs will include the date and time of use to ride the system and allow customers a seamless transfer to the existing bus service.

Small Business Opportunity

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

E. South Boulevard/I-485 Intersection Improvements EPM

Resource: Becky Chambers

Action

Award the low bid of \$173,347.55 by Carolina Cajun Concrete of Charlotte, North Carolina. This project will add a right-turn lane to the I-485 westbound off-ramp onto South Boulevard and convert a northbound thru-lane on South Boulevard to a 2nd left-turn lane onto Carolina Pavilion Drive to support the CATS light rail station and improve traffic safety. This project will also include the construction of sidewalk along the east side of South Boulevard between Carolina Pavilion Drive South and I-485 westbound off-ramp to improve pedestrian safety. The North Carolina Department of Transportation (NCDOT) is funding \$140,347.55 for the project through a municipal agreement which was approved by City Council on January 22, 2007. Installation of the sidewalk is funded through the City’s Sidewalk Program. Final roadway milling and paving will be coordinated with the 2007 Resurfacing B contractor. Construction completion is scheduled for third quarter 2007 with project completion scheduled for fourth quarter 2007.

MWB Status	Established Goal	Committed Goal
WB	3%	2.85%
MB	1%	0%

Per the municipal agreement with NCDOT, the State Minority (MB) and Women (WB) Business Enterprise Program must be followed. Carolina Cajun Concrete did not meet the MB or WB goal, but submitted sufficient documentation showing good faith efforts were made to meet the established goals. Carolina Cajun Concrete committed 2.85% (\$4,943.75) to ACS Pavement Marking, Inc., a state certified WB firm. Carolina Cajun Concrete is also a NCDOT state certified WB firm.

18. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$8,521.69.

Staff Resource: Robert Campbell, Finance

Attachment 10

Resolution

List of property tax refunds

CONSENT II

19. Light Rail Vehicle Engineering Support Contract Amendment

Action: Approve the exercise of an option to extend the contract with LTK Engineering Services for Light Rail Vehicle Engineering Support for one year in an amount not to exceed \$250,000.

Staff Resource: James Zingale, Charlotte Area Transit System

Explanation

- City Council approved a contract with LTK Engineering Services for Light Rail Vehicle Engineering Support on July 25, 2005 for an amount of \$1,300,000.
- LTK has provided design oversight, vehicle inspection and testing services to ensure quality, safety, comfort, ease of use and reliability of the light rail vehicles. In order to verify the rail vehicles conform to the City of Charlotte's specification and expectations, LTK has provided the following engineering services:
 - Manufacturing inspections and quality assurance monitoring
 - Review and approval of manufacturer's test procedures
 - Final inspections and witnessing of qualification tests
 - Civil and systems contracts interface coordination
 - Reliability and performance assessment and monitoring
 - Review of engineering change notices
 - Warranty and claims support as required
- Siemens delivered all 16 light rail vehicles to Charlotte and they are now undergoing acceptance testing.
- The existing contract was set to expire on June 30, 2007, based on an April 2007 completion date for the South Corridor Light Rail Line, and provided for an option to extend services for an additional two, one-year periods if approved by the City.
- An extension of the LTK contract is now needed since startup of the light rail revenue service will not begin until fall of 2007 and vehicle testing and commissioning will not be completed within the original anticipated schedule. This extension will provide the necessary engineering support to address any issues with the manufacturer that arise during the pre-revenue testing period. The extension will also provide for on-going technical support for up to eight months after the start of revenue service.
- This action will exercise the option to extend the LTK contract thru June 30, 2008 and provide up to an additional \$250,000 to pay for equipment engineering services during the extension.
 - The South Corridor Project Full Funding Grant Agreement (FFGA) Vehicle Contract Contingency funds will fund these expenditures.

- The CATS Rail Capital Budget will provide funding once revenue service begins. At this point, these expenditures will no longer be charged to the South Corridor Project FFGA.

Disadvantaged Business Enterprise Opportunity

Established DBE Goal: 10%

Committed DBE Goal: 14.12%

This is an amendment to the original contract awarded by Council dated July 25, 2005. DBEs identified were: Neighboring Concepts PLLC and Railcar Quality Services.

Funding

Transit Capital Investment Plan

20. CATS Light Rail Vehicle Spare Parts

Action: Authorize the City Manager to amend an existing contract with Siemens Transportation Systems, Inc. in the not to exceed amount of \$300,000 to purchase light rail vehicle spare parts.

Staff Resource: Jim Zingale, Charlotte Area Transit System

Explanation

- Council approved the purchase of 16 low floor light rail vehicles from Siemens Transportation on March 22, 2004.
- An initial stock of basic spare parts was provided in the original contract.
- Based on the start-up experience of other transit properties – Houston and San Diego - and CATS recent light rail vehicle commissioning, additional spare parts are needed. Having sufficient parts readily available is important to maintain vehicle availability and warranties.
- As the Original Equipment Manufacturer Siemens has Master Production agreements in place with the various part manufacturers and can provide spare parts to CATS at below market production pricing as contemplated per the contract during the initial warranty period.

Small Business Opportunity

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

Funding

Transit Operating Budget

21. Emergency Replacement of Wastewater Treatment Equipment

Action: Approve the purchase of diffuser membranes from Environmental Dynamics, Inc. (EDI), at a cost of approximately \$124,500, to replace the defective diffusers currently in use at the McAlpine Creek Wastewater Management Facility (MCWWMF).

Staff Resource: Doug Bean, Utilities

Emergency Situation

- New aeration diffusers (equipment which pumps air into the wastewater treatment basins) installed two years ago at the McAlpine Wastewater plant are failing.
- The new diffusers are still under warranty which EDI was required to provide as the manufacturer of the diffusers. However, due to contract disputes between EDI and the general contractor, EDI is not currently honoring its warranty.
- The general contractor has been directed to resolve its issues with EDI so that the diffuser warranty can be honored, but the general contractor has failed to do so.
- The diffusers are critical to the treatment plant meeting its discharge permit limit and therefore must be replaced immediately.

Proposed Purchase

- EDI has determined the cause of the diffuser failure. Utilities placed an initial purchase order for replacement diffusers in the amount of \$18,230 to minimize the risk of a permit violation. This additional purchase of \$124,500 covers the balance of the diffusers needed to replace the defective diffusers.
- The purchase order for the diffusers with EDI expressly preserves the City's rights to secure reimbursement for the diffusers, if EDI continues to refuse to honor its warranty.
- The City has presented a claim to the general contractor for its role in this dispute and that claim, and others, are currently the subject of mediation between the City and the general contractor.
- It is the intent of the City that all funds expended for these replacement diffusers will be recovered directly from EDI or the general contractor as a part of the dispute resolution process for the project.
- This purchase is being made under applicable exemptions (emergency, sole source, repair work undertaken as part of a competitively bid, construction project) in G.S. 143-129(e) so that formal bidding requirements do not apply.

Funding

Sewer Operating Budget

22. Sewer Pipeline Inspection Vans

Action: Approve a unit price contract with Public Works Equipment and Supply Company for a Pipeline Camera Inspection System using a 3500 Sprinter van at a unit cost of \$171,534 for a term of one year and authorize the City Manager to renew the agreement for two additional one-year terms. The FY07 requirement is for two at a total cost of \$343,068.

Staff Resource: Doug Bean, Utilities

Explanation

- The Pipeline Inspection System is a closed circuit TV system used inside sewer lines to:
 - Find blockages and pipe defects
 - Assess the need for rehabilitation, repair or replacement
- The Pipeline Camera Inspection System is an important part of Utilities' on-going effort to:
 - Reduce sewer overflows
 - Determine where rehabilitation is needed so work can be completed sooner
 - Avoid Environmental Protection Agency fines and sanctions
- There are almost 4,000 miles of sewer line with only two inspection units currently in service. Existing staff is trained for this increased capacity to find and fix sewer problems to prevent spills.
- A formal Invitation To Bid was conducted for Pipeline Inspection Vans that required vendors to submit pricing on three optional units. Six bid responses were received, with one bid deemed non responsive for failure to submit the price response form.
- A staff committee reviewed the bids for compliance with the technical and performance specifications. Important evaluation criteria included delivery time and factors that should make the equipment more reliable, more serviceable, and more functional in the extreme environment where it is used.
- The third lowest bid by Public Works Equipment and Supply Company best meets overall specifications and provides timely delivery.
- The two lowest bids had significant and material variances from the specifications in their bid responses.

Small Business Opportunity

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

Funding

Sewer Capital Equipment Fund

23. Five-Year Reimbursable Sewer Contract – MVC, LLC

Action: Approve a five-year reimbursable sewer main contract with MVC, LLC for an estimated cost of \$1,232,500.

Staff Resource: Doug Bean, Utilities

Policy

Charlotte-Mecklenburg Utilities Extension Program and Capital Improvement Program, Five-Year Reimbursable Extension Contract

Explanation

- MVC, LLC requests a contract for the construction of gravity sewer main to serve a new subdivision development near the intersection of Huntersville-Concord Road and Poplar Tent Road in Huntersville.
- Project begins at the Clark's Creek Outfall, extending in a northwesterly direction along Ramah Creek.
- Project consists of 4,930 linear feet of gravity sanitary sewer main.
- The total estimated cost of this project is \$1,232,500.
- The project is in the Utilities Five-Year Capital Plan and is eligible for a reimbursable contract per the extension policy.

Funding

The applicant has deposited 5% of the estimated project cost with Charlotte-Mecklenburg Utilities.

24. North Mecklenburg, Rocky River Sewer Outfall, Phase 3

Action: Approve a professional services contract with McKim & Creed, P.A. in the amount of \$225,000.

Staff Resource: Doug Bean, Utilities

Explanation

- Council awarded a professional services contract to McKim & Creed in October 1998 for preliminary and final design of all three phases of the Rocky River sanitary sewer outfall.
- Original contract was in the not to exceed amount of \$381,950.
- Phases 1 and 2 were completed in 2004.
- Phase 3 of the project is a parallel sewer line to an existing line that was originally part of a private sewer system, purchased by the City in 2004.
- This contract provides funding for updating final design and construction inspection services for the remaining phase of the project to be constructed this summer.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

McKim & Creed committed \$6,675 to the following SBE firm: Gavel Engineering.

Funding

Sewer Capital Investment Plan

25. Engineering Services Contract for the Long Creek Regional Wastewater Treatment Study and Environmental Permitting

- Action:**
- A. Adopt a budget ordinance appropriating \$261,000 from water and sewer revenue bonds, and**
 - B. Approve a contract with Black & Veatch International Company in the amount of \$723,340. This contract covers phase two of the feasibility study and environmental permitting for the Long Creek Regional Wastewater Treatment Plant Project.**

Staff Resource: Doug Bean, Utilities

Budget Ordinance

- The budget ordinance will cover the North Carolina Division of Water Quality's requirement for additional water quality modeling for the Catawba River and Lake Wylie and to proceed with an Environmental Impact Statement rather than an Environmental Assessment.

Explanation

- Utilities recently completed a study of wastewater treatment needs for the future for most of Mecklenburg County. The recommendations of the study, which were presented to City Council in March 2007, included a new wastewater treatment plant on Long Creek that needs to be complete by 2014.
- In conjunction with the wastewater treatment study, a preliminary feasibility study was performed by Black & Veatch International Company to review options for a regional wastewater treatment plant in the Long Creek Basin in Mecklenburg County. The study recommended the construction of a regional wastewater treatment plant located in on Long Creek near the Catawba River that could also accept wastewater from the Town of Mt. Holly.
- This contract is for Phase II of the study which includes environmental permitting and additional logistics needed for the planning of a regional wastewater plant on Long Creek and to further review the option of including the Town of Mt. Holly as a partner in the project.

Small Business Opportunity

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

Funding

Water and Sewer Revenue Bonds

Attachment 11

Budget Ordinance

26. Planning Phase Engineering Services for Neighborhood Improvement Projects

Action: Authorize the City Manager to negotiate 14 planning phase engineering services contracts using 2006 voter-approved Neighborhood Improvement Bonds. The total for all 14 contracts is not to exceed the amount of \$2,450,000.

Staff Resource: Carl Jarrett, Engineering & Property Management

Planning Phase Engineering Services for Neighborhood Improvement Projects (NIP)

- To address Council's goal of accelerating planning and design for future 2008 and 2010 bond projects, additional neighborhoods have been included in the planning phase.
- Due to the volume of work, multiple consulting firms were selected to accelerate the planning phase.
- Planning services will be provided by seven engineering firms working in 14 neighborhoods.
- Nineteen consulting firms submitted qualification packages to provide engineering services for the neighborhood projects. The chosen firms were selected using the Council-approved selection process for professional services.
- These planning contracts will include:
 - Review of existing infrastructure
 - Identify opportunities for roadway and pedestrian improvements
 - Conduct a series of public meetings
 - Develop conceptual plans, planning reports and cost estimates
- The planning phase is expected to last approximately nine to twelve months.
- After completion of the planning contracts, the design contracts will be presented to Council for action.

CONSULTING FIRM	NEIGHBORHOOD	BOND YEAR FOR CONSTRUCTION FUNDING
Armstrong Glen, PC	East Forest	2008
Kimley-Horn Associates	Farm Pond	2010
	Eastway/Sheffield	2008
	Delta Lake	2010
	Linda Lake	2010
US Infrastructure	York/Cama	2006
	Colonial Village/Sedgefield	2008
	Tryon Hills	2010
Gannett Fleming	Lincoln/Wilson Heights	2008
Mulkey Engineering	Enderly Park	2008
	Revolution Park	2006
STV/Ralph Whitehead	Sugaw Creek/Ritch Avenue	2006
	Nevin	2010
PBS&J	Autumnwood	2010

Small Business Opportunity

- The consulting firms were selected to perform all phases of the projects - planning, design and construction administration, however this first contract is for the planning services only. The planning work does not typically involve subcontracting.
- The SBE goal was based on the scope of services over the life of the project and all seven firms met the requirements of the Small Business Opportunity Program during the selection process and included SBE firms on their project teams.
- Six of the seven firms expect to utilize SBEs identified on their project teams in later phases of the projects.
- Mulkey Engineering chose to subcontract much of the planning phase services to an SBE firm, and may subcontract less in later phases.
- The SBO Office concurs with the SBE commitments on all 14 contracts.
- The future design and construction phase contracts will provide additional SBE opportunities. Future contracts will reflect updated SBE participation.

A. Mulkey Engineering

Established SBE Goal: 5%

Committed SBE Goal: 42.12%

Mulkey Engineering committed 42.12% (\$55,936) of the total contract amount for Enderly Park NIP to the following SBE firms: Neighboring Concepts PLLC.

B. Mulkey Engineering

Established SBE Goal: 5%

Committed SBE Goal: 42.12%

Mulkey Engineering committed 42.12% (\$55,936) of the total contract amount for Revolution Park NIP to the following SBE firms: Neighboring Concepts PLLC.

Funding

2006 Neighborhood Improvement Bonds

Attachment 12

Map of neighborhoods

27. Engineering Services for Fred D. Alexander Boulevard Section B

Action: Approve amendment #3 for engineering services on Fred D. Alexander Boulevard Section B with STV/Ralph Whitehead Associates, Inc. in the amount of \$200,000.

Staff Resource: Imad Fakhreddin, Engineering & Property Management

Background

- Fred D. Alexander Boulevard is a proposed multi-lane roadway that will connect Freedom Drive to Brookshire Boulevard, with Section B extending from Freedom Drive to Valleydale Road north of the NCDOT maintenance facility entrance.
- Engineering and planning to establish an alignment and protect the project corridor began in 1995.
- The project was recommended in the West Side Strategic Plan adopted by City Council in June 2000.
- In January 2001, Council approved a planning and design contract with Ralph Whitehead Associates, Inc. for the Fred D. Alexander Boulevard Section B project in the amount of \$1,110,000.
- City Council approved amendment #1 in the amount of \$131,832 in January 2002. The amendment provided funds to design an additional bridge and a concrete culvert as identified during the planning phase of the project.
- The City Manager approved contract amendment #2 in the amount of \$95,000 in June 2006. The amendment covered rate adjustment, additional utility coordination and environmental permitting beyond what was anticipated in the original contract.
- Real Estate acquisition and utility relocation was funded in the 2004 bonds.

Amendment #3 with STV/Ralph Whitehead Associates, Inc.

- Amendment #3 will provide for completion of design documents to proceed with phase I construction, and for assistance during construction of the two phases. This work will include review and approval of shop drawings of three bridges and preparation of separate utility plans not included in the original contract.
- The total contract amount to date, including amendments #1 through #3, will be \$1,536,832.

- The 2006 Street Improvement Bonds include \$20 million for this project. An additional \$16.5 million has been proposed for inclusion in a 2008 bond referendum to fund section C and the second phase of section B. Section A is being planned and designed as part of the Freedom Drive Widening project and is now titled Relocated Little Rock Road.

Small Business Opportunity

All additional work involved in this amendment will be performed STV/Ralph Whitehead Associates, Inc. and their existing subconsultants. This amendment complies with Section 10.3 of the SBO Program Policy.

Funding

Transportation Capital Investment Plan

Attachment 13

Map

28. Geotechnical and Construction Materials Testing Services Contracts

Action: Approve contracts for geotechnical and construction materials testing services with:

- A. S&ME, Inc. in an amount not to exceed \$150,000,**
- B. Froehling & Robertson, Inc. in an amount not to exceed \$150,000,**
- C. Terracon Consulting Engineers & Scientists in an amount not to exceed \$100,000, and**
- D. ESP Associates, P.A. in an amount not to exceed \$50,000.**

Staff Resource: Andy Babson, Engineering & Property Management

Contracts for Geotechnical and Construction Materials Testing

- These contracts provide geotechnical engineering and construction materials testing services on various projects in the Capital Investment Plan, Neighborhood Improvement and Sidewalk Programs.
- Testing services are provided to ensure contract specifications are met.
- The materials tested include soil, asphalt and concrete being utilized on City projects and will be provided on an as-needed basis.
- Projects to be initiated under these contracts include: Cindy Lane Extension, Nevin Road, Fred D. Alexander, Freedom Drive Streetscape, Ashley Park and Oakview Terrace neighborhoods and other projects.
- Four firms were selected using the Council approved selection process.

Small Business Opportunity**A. S&ME, Inc.**

Established SBE Goal: 4%

Committed SBE Goal: 4%

S&ME, Inc. committed 4% (\$6,000) of the total contract amount on a work order basis to the following SBE firm: Roots Geotechnical & Environmental Services.

B. Froehling & Robertson, Inc.

Established SBE Goal: 4%

Committed SBE Goal: 4%

Froehling & Robertson, Inc. committed 4% (\$6,000) of the total contract amount on a work order basis to the following SBE firm: Carolina Copy Services.

C. Terracon Consulting Engineers & Scientists

Established SBE Goal: 4%

Committed SBE Goal: 4 %

Terracon Consulting Engineers & Scientists committed 4% (\$4,000) of the total contract amount on a work order basis to the following SBE firm: Red Dog Drilling.

D. ESP Associates, P.A.

Established SBE Goal: 4%

Committed SBE Goal: 4%

ESP Associates, P.A. committed 4% (\$2,000) of the total contract amount on a work order basis to the following SBE firm: Red Dog Drilling.

Funding

Transportation Capital Investment Plan

29. Engineering Services for Sidewalks Projects

Action: Approve amendments to contracts for engineering services for sidewalk projects with:

- A. Armstrong Glen, P.C. in the amount of \$250,000,**
- B. Dyer, Riddle, Mills & Precourt, Inc. in the amount of \$250,000,**
- C. Kimley-Horn and Associates, Inc. in the amount of \$300,000,**
- D. Mulkey, Inc. in the amount of \$250,000,**
- E. PBS&J in the amount of \$250,000, and**
- F. STV/Ralph Whitehead Associates, Inc. in the amount of \$300,000.**

Staff Resources: Vivian Coleman, Transportation
 Kruti Desai, Engineering & Property Management

Engineering Services for Sidewalk Projects

- These services support the City's Sidewalk Program to enhance connectivity, offer transportation choices and improve pedestrian safety and provide funding to continue planning, design and construction bid documents.

Implementation of the sidewalk program supports the goals for the Council adopted Transportation Action Plan.

- Six firms were selected because the volume of work required that multiple firms participate in order to complete the work in a timely manner.
- These firms were selected using the Council-approved selection process for professional services.
- These contracts will provide design services for the \$12 million approved in the 2006 Bonds for sidewalks. The sidewalk projects assigned to each consultant will meet goals of the prioritization process. This process includes a long list of sidewalk identified needs and requests.

City of Charlotte Sidewalk Program

- Council approved the sidewalk program policy on May 23, 2005.
- All sidewalk locations are prioritized using the new policy.
- Projects may include curb and gutter, driveway aprons, planting strips or any combination of these improvements.
- All sidewalk projects will comply with City standards and Americans with Disabilities Act standards.

A. Armstrong Glen, P.C.

- Council approved the original contract for \$200,000 on June 13, 2005.
- The total contract amount to date including amendment #1 will be \$450,000.
- Funds for this amendment are available in the Sidewalk Program.

Small Business Opportunity

All additional work involved in this amendment will be performed by the current prime consultant (Armstrong Glen, P.C.) and their existing subconsultants. This amendment complies with Section 10.3 of the SBO Program Policy.

B. Dyer, Riddle, Mills & Precourt

- Council approved the original contract for \$250,000 on June 13, 2005.
- The total contract amount to date including amendment #1 will be \$500,000.
- Funds for this amendment are available in the Sidewalk Program.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

All additional work involved in this amendment will be performed by the current prime consultant (Dyer, Riddle, Mills & Precourt) and their existing subconsultants as well as four new SBEs added for this amendment. Dyer, Riddle, Mills & Precourt committed 3% (\$7,500) of the total amendment amount on a work order basis with the following certified SBEs: Joel E. Wood & Associates, LLC, On Target Utility Locate Services, Inc., Regenbogen Associates, Richa Graphics, Elite Delivery Service, Inc., Flehan Engineering, Inc. This amendment complies with Section 10.3 of the SBO Program.

C. Kimley-Horn and Associates, Inc.

- Council approved the original contract for \$200,000 on June 13, 2005.
- The total contract amount to date including amendment #1 will be \$500,000.

- Funds for this amendment are available in the Sidewalk Program.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

All additional work involved in this amendment will be performed by the current prime consultant (Kimley-Horn and Associates) and their existing subconsultants as well as one new SBE added for this amendment. Kimley-Horn and Associates committed 3% (\$9,000) of the total amendment amount on a work order basis with the following certified SBEs: Boyle Consulting Engineers, PLLC, On Target Utility Locate Services, Inc. This amendment complies with Section 10.3 of the SBO Program.

D. Mulkey, Inc.

- Council approved the original contract for \$200,000 on June 13, 2005.
- Council approved amendment #1 for \$300,000 on November 28, 2005.
- The total contract amount to date including amendment #1 and #2 will be \$750,000.
- Funds for this amendment are available in the Sidewalk Program.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

All additional work involved in this amendment will be performed by the current prime consultant (Mulkey, Inc.) and their existing subconsultants. Mulkey, Inc. committed 3% (\$7,500) of the total amendment amount on a work order basis with the following certified SBEs: Boyle Consulting Engineers. This amendment complies with Section 10.3 of the SBO Program.

E. PBS&J

- Council approved the original contract for \$200,000 on June 13, 2005.
- The total contract amount to date including amendment #1 will be \$450,000.
- Funds for this amendment are available in the Sidewalk Program.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

All additional work involved in this amendment will be performed by the current prime consultant (PBS&J) and their existing subconsultants as well as one new SBE added for this amendment. PBS&J committed 3% (\$7,500) of the total amendment amount on a work order basis with the following certified SBEs: Capstone Civil Group, P.A., On Target Utility Locate Services, Inc. This amendment complies with Section 10.3 of the SBO Program.

F. STV/Ralph Whitehead Associates, Inc.

- Council approved the original contract for \$250,000 on June 13, 2005.
- The total contract amount to date including amendment #1 will be \$550,000.
- Funds for this amendment are available in the Sidewalk Program.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

All additional work involved in this amendment will be performed by the current prime consultant (STV/RWA) and their existing subconsultants as well as one new SBE added for this amendment. STV/Ralph Whitehead Associates, Inc. committed 3% (\$9,000) of the total amendment amount on a work order basis with the following certified SBEs: Estes Design, Inc., On Target Utility Locate Services, Inc. This amendment complies with Section 10.3 of the SBO Program.

Funding

Transportation Capital Investment Plan

30. Storm Water Maintenance FY 2004A

Action: Approve renewal #3 for \$1,036,842.50 with Showalter Construction for continued construction of FY 2004A Storm Water Maintenance Contract.

Staff Resource: Tim Richards, Engineering & Property Management

Explanation

- Storm Water Services will continue regular maintenance activities under this contract based on good contractor performance utilizing original unit prices adjusted for inflation, in accordance with the contract provisions.
- The original contract document allows for renewals of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship.
- Council approved the original contract for \$1,036,842.50 on August 8, 2003.
- Council approved the first renewal for \$1,036,842.50 on February 28, 2005.
- Council approved the second renewal for \$1,036,842.50 on May 22, 2006.
- The total contract amount for Storm Water Maintenance FY2004A including all three renewals will be \$4,147,370.

Small Business Opportunity

Established SBE Goal: 2%

Committed SBE Goal: 2.03%

Showalter Construction met the established SBE goal and committed \$21,000 to the following SBE firm: On Time Construction, Inc. This renewal complies with Section 13.1 of the SBO Policy.

Funding

Storm Water Capital Investment Plan

31. Traffic Signal Communications Cable Design

Action: Approve a contract with CBW Communications Engineers for design and inspection of fiber optic cable routes and traffic signal interconnections for a total amount of \$600,000.

Staff Resource: Liz Babson, Transportation

Explanation

- Fiber optic cabling and traffic signal interconnection provides the ability to remotely adjust traffic signals to improve traffic flow in response to changing traffic volumes.
- CBW Communications Engineers provide design, construction administration and inspection services for fiber optic cabling and traffic signal interconnections.
- This contract provides professional design and inspection for three segments of roadway:
 - Trade Street
 - Beatties Ford Road
 - Davidson Street and Parkwood Avenue

Small Business Opportunity

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

Funding

Transportation Capital Investment Plan and Operating Budget

32. Signal Systems Design Contract for South Boulevard

Action: Approve a contract with Siemens ITS for the signal system design work associated with the South Boulevard Intelligent Transportation Systems (ITS) project for a total amount of \$240,000.

Staff Resource: Liz Babson, Transportation

Explanation

- Siemens Intelligent Transportation Systems (ITS) was selected for this professional services contract based on their experience integrating traffic signal systems with Light Rail Transit (LRT) operations using the City's existing traffic signal software. This software was purchased from Siemens ITS through a competitive bid process.
- Siemens ITS will design all signal operational elements required to accommodate trains, automobiles and pedestrians at all intersections on or near the South Boulevard LRT Corridor, as well as, install Transit Signal Priority database programming to existing NextPhase controller software at all traffic signal controller locations.

- Siemens ITS will perform the Control Center integration required to bring the South Boulevard ITS Corridor signals onto the City's existing arterial traffic management system and set up the new train monitoring features. They will conduct field testing of the enhanced system, to make sure it is operating as designed and at optimum efficiency.
- Documentation and training for CDOT staff in the use of the advanced features integrated into the arterial traffic management system and NextPhase software will be provided by Siemens ITS to enable CDOT to operate and maintain the LRT provisions along the South Boulevard ITS Corridor. Additional traffic management software support will be provided as identified by the City.

Small Business Opportunity

Pursuant with Section 2.21 of the SBO Policy, this contract falls outside of the SBO Program scope since selection of the consultant is made following federal and state requirements. NCDOT did not establish goals for participation by minority and women owned businesses because of the specialized nature of the work.

Funding

- Federal grant funding administered through the North Carolina Department of Transportation (NCDOT) will reimburse the City the entire cost of this contract when work has been completed.
- On March 26th Council approved a municipal reimbursement agreement with NCDOT for this project.

33. 2007 Assistance to Firefighters Grant

Action: **A. Approve the Fire Department's application for grant funding from the U.S. Department of Homeland Security to replace Personal Protective Equipment (PPE), purchase and install traffic signal preemption equipment, and to purchase training software, and**

B. Adopt a budget ordinance appropriating \$1,045,176 in federal funds to provide 80% of the total funding (\$1,306,470) required.

Staff Resource: David Duffy, Fire

Explanation

- The Charlotte Fire Department annually submits an application for the Assistance to Firefighters Grant. This is a competitive process, therefore staff will not know for several months if an award is granted.
- If the grant is awarded, a portion will be used to purchase Personal Protective Equipment, specifically coats and pants.
- Another part of the grant will be used to purchase and install traffic signal preemption equipment. These devices are not only of use to the Fire Department, but can be used by Police, MEDIC and CATS.

- The final part of the grant will be used to enhance firefighter training. The Fire Department will purchase user licenses for a distance education platform that is currently being used by Police and Utilities.
- The Assistance to Firefighters Grant will provide \$1,045,176 or 80% of the funding for these purchases, and the Fire Department will fund the 20% match of \$261,294.

Funding

2007 Assistance to Firefighters Grant awarded by U.S. Department of Homeland Security and Fire Department Capital Lease Purchase Account.

Attachment 14

Budget Ordinance

34. Airport Operations Communications Console

Action: Approve a contract with Johnson Controls, Inc. for \$246,296 to replace the four communications consoles in the Airport's Operations Center.

Staff Resource: Jerry Orr, Aviation

Explanation

- In 1992, the Airport created a staffed Operations Control Center to control airport operations including access control, traffic control, fire panels, security alarms, building automation and environmental systems, Fire and Medic, Police dispatch, and control incident management. The original center was designed with then state-of-the-art analog communications consoles.
- This contract provides for the installation of current state-of-the-art digital equipment necessary for Airport Operations to meet its responsibilities and be able to effectively communicate with the TSA, Police, Fire, MEDIC and other government agencies.
- On February 25, 2007, Request for Bids were advertised and only one bid was received. On April 1, RFB's were readvertised; however, there was still only one bidder: Johnson Controls.
- Johnson Controls is the local distributor for Baker Audio and will work in conjunction with Baker for installation of the equipment.

Small Business Opportunity

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

Funding

Airport Capital Investment Plan

35. Airport Concourse E Expansion

- Action:**
- A. Approve a change order in the amount of \$124,375 with LS3P Associates LTD of Charlotte, North Carolina for additional architectural and engineering services, and**
 - B. Approve a change order with Edison Foard Inc, in the amount of \$1,175,433 for additional steel for the Concourse E expansion.**

Staff Resource: Jerry Orr, Aviation

Explanation

- In November 1999, City Council approved a contract in the amount of \$2,568,000 with LS3P Associates LTD to design the initial 21 gate phase of Concourse E.
- In August 2005, City Council approved a change order in the amount of \$675,000 with LS3P Associates LTD to design a 6 gate addition for Concourse E.
- In August 2006, City Council approved a contract in the amount of \$9,038,000 with Edison Foard for the construction of these 6 gates. A total of 8 gates are funded for construction.
- There is now sufficient additional ramp paved to allow an additional 120 foot expansion of the 6 gate building currently under construction. This change order will provide architectural and engineering services and pre-purchase the steel at existing prices to fast track the construction of this addition.
- The balance of construction costs for the additional 2 gates will be included in a change order with Edison Foard that will be presented to City Council at a later date.
- These change orders will be funded with proceeds of the 2004 General Airport Revenue Bonds, the debt service of which is paid for by Passenger Facility Charge funds.

Small Business Opportunity

LS3P Associates LTD

All additional work involved in this change order will be performed by the current Prime Contractor and their existing subcontractor. This change order complies with Section 10.3 of the SBO Program.

Edison Foard, Inc

All additional work involved in this change order will be performed by the current Prime Contractor and their existing subcontractor. This change order complies with Section 10.3 of the SBO Program.

Funding

Airport Capital Investment Plan

36. Airport Taxiway V Design Change Order

Action: Approve a change order in the amount of \$506,094.91 with Talbert, Bright & Ellington, Inc. for design and bidding services for Taxiway V.

Staff Resource: Jerry Orr, Aviation

Explanation

- In September 2004, the City contracted with Talbert, Bright & Ellington, Inc. for design and bidding services for an extension of Taxiway F.
- The Taxiway F project was part of a larger project to construct a centralized aircraft deicing facility; however, the construction estimate climbed from \$20,000,000 to \$38,000,000 during design, so the project was terminated.
- During the planning process for the runway, the Airport identified the need for Taxiway V, a parallel taxiway with four connector taxiways that will be used by aircraft crossing an existing runway to get to and from the new Third Parallel Runway.
- The FAA has given the City permission to amend the scope of the grants to eliminate the Taxiway F extension and add the construction of Taxiway V.
- This action approves a change order in the amount of \$506,094.91 for design and bidding services for the Taxiway V project.

Disadvantaged Business Opportunity

The Federal DBE Program neither requires nor permits goals for every contract. The City must meet its overall goal by using a mix of contract goals and race-neutral means.

Funding

Airport Fund Balance

37. Airport Condemnation Settlement

Action: Approve a settlement of Horizon Outdoor Advertising and Robert H. Willard's claim for just compensation in a condemnation related to Airport expansion, in the amount of \$785,000.

Staff Resource: Mac McCarley, City Attorney

Explanation

- Horizon Outdoor Advertising, Inc. and Robert H. Willard owned two leasehold interests in land adjacent to I-485 and in the area of the proposed third parallel runway. The leases permitted Horizon and Mr. Willard to construct two billboards.
- The City condemned the leaseholds in September 2004.

- There was evidence that the leases at issue had been purchased in an arms-length transaction just prior to the date of taking, and that the purchase price had been \$564,000.
- On April 9, 2007, at the start of the trial, the City moved to prohibit Horizon and Mr. Willard's experts from testifying. While the Court was considering the motion, Mr. Willard and Horizon agreed to settle for \$564,000, plus interest from the date of taking (as required by law), costs and an additional \$80,000, for a total of \$785,000.
- This settlement is funded from the proceeds of the 1999 General Airport Revenue Bonds, the debt service of which is paid by passenger facility charges. This settlement is eligible for 75% reimbursement from FAA grants.
- The City Attorney's Office has reviewed and approved this settlement.

Funding

Airport Capital Investment Plan

38. Property Transactions

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

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

Acquisitions

- A. Project:** Andover Storm Water Capital Improvements Project-Phase III, Parcel # 32
Owner(s): Patricia E. Smith
Property Address: 1200 Andover Road
Property to be acquired: 1,381 sq. ft. (.032 ac.) in Storm Drainage Easement, plus 652 sq. ft. (.015 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$24,050
Remarks: Compensation was based on an independent, certified appraisal and appraisal review and damages.
Zoned: R-3
Use: Single Family Residential
Tax Code: 181-123-07
Total Parcel Tax Value: \$319,300
- B. Project:** Cane Creek Outfall (Capital Improvement Project 04S35), Parcel # 3
Owner(s): MMB LB Two, LLC
Property Address: Lawther Road

Property to be acquired: 32,741 sq. ft. (.752 ac.) in Sanitary Sewer Easement, plus 33,277 sq. ft. (.764 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$10,500

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

Zoned: TR (Transitional Residential District)

Use: Single Family Residential - Rural Acreage

Tax Code: 019-221-01

Total Parcel Tax Value: \$166,500

- C. **Project:** Cindy Lane Extension, Parcel # 12 & 15
Owner(s): Louis Keels, Jr. And Wife, Mary W. Keels
Property Address: 3904 Ernie Drive
Property to be acquired: 4,905.96 sq. ft. (.113 ac.) in Fee Simple, plus 7,265.37 sq. ft. (.167 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$13,750
Remarks: Compensation was established by independent, certified appraisals related to this property.
Zoned: R-4
Use: Single Family Residential
Tax Code: 045-292-14 / 045-292-13
Total Parcel Tax Value: \$197,200
- D. **Project:** Fred D. Alexander Boulevard - Section B, Parcel # 22
Owner(s): Charles C. Davis And Wife, Michele T. Davis
Property Address: 7100 Old Mt Holly Road
Property to be acquired: 3,892 sq. ft. (.089 ac.) in Fee Simple, plus 6,360 sq. ft. (.146 ac.) in Temporary Construction Easement
Improvements: Parking Lot
Landscaping: None
Purchase Price: \$17,042
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: I-2
Use: Industrial
Tax Code: 057-201-14
Total Parcel Tax Value: \$217,800
- E. **Project:** Fred D. Alexander Boulevard - Section B, Parcel # 23
Owner(s): Charles C. Davis And Wife, Michele T. Davis
Property Address: 7032 Old Mt Holly Road
Property to be acquired: 3,289 sq. ft. (.076 ac.) in Fee Simple, plus 2,762 sq. ft. (.063 ac.) in Temporary Construction Easement

Improvements: None
Landscaping: None
Purchase Price: \$11,789
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: I-2
Use: Industrial
Tax Code: 057-201-04
Total Parcel Tax Value: \$80,000

Condemnations

- F. Project:** Elizabeth Avenue Business Corridor, Parcel # 18
Owner(s): Anthony R. Combs And Wife, Karen C. Combs And Any Other Parties Of Interest
Property Address: 1600 Elizabeth Avenue
Property to be acquired: Total Combined Area of 330 sq. ft. (.008 ac.) of Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$2,300
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-2
Use: Commercial
Tax Code: 125-111-21
Total Parcel Tax Value: \$333,000
- G. Project:** Elizabeth Avenue Business Corridor, Parcel # 26
Owner(s): Howard R. Fierman And Any Other Parties Of Interest
Property Address: 1132 Elizabeth Avenue
Property to be acquired: Total Combined Area of 30 sq. ft. (.001 ac.) of Sidewalk and Utility Easement
Improvements: None
Landscaping: None
Purchase Price: \$400
Remarks: Compensation was established by an independent, certified appraisal and appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: Mudd – Mixed Used Development
Use: Commercial
Tax Code: 125-101-12
Total Parcel Tax Value: \$1,700
- H. Project:** Raintree Lane Sidewalk, Parcel # 1
Owner(s): Raintree Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: 8900 Raintree Lane

Property to be acquired: Total Combined Area of 9,651.72 sq. ft. (.222 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$1,100

Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-15(CD)

Use: Town House Common Area

Tax Code: 225-151-02

Total Parcel Tax Value: \$0

- I. Project:** Raintree Lane Sidewalk, Parcel # 4
Owner(s): Raintree Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: 8900 Raintree Lane
Property to be acquired: Total Combined Area of 7,657.12 sq. ft. (.176 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$550
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-15
Use: Single Family Residential - Common
Tax Code: 225-171-01
Total Parcel Tax Value: \$0
- J. Project:** Raintree Lane Sidewalk, Parcel # 18
Owner(s): Raintree Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: Wind Bluff Drive
Property to be acquired: Total Combined Area of 6,646.46 sq. ft. (.153 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$500
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-15
Use: Single Family Residential - Common
Tax Code: 225-181-08

Total Parcel Tax Value: \$0

- K. Project:** Raintree Lane Sidewalk, Parcel # 19
Owner(s): Raintree Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: 8900 Raintree Lane
Property to be acquired: Total Combined Area of 1,114.16 sq. ft. (.026 ac.) of Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$60
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-15
Use: Single Family Residential - Common
Tax Code: 225-181-19
Total Parcel Tax Value: \$0
- L. Project:** Raintree Lane Sidewalk, Parcel # 42
Owner(s): Deerpark Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: 8900 Raintree Lane
Property to be acquired: Total Combined Area of 3,885.42 sq. ft. (.089 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$250
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential - Common
Tax Code: 225-371-33
Total Parcel Tax Value: \$0

39. Meeting Minutes

<p>Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:</p> <ul style="list-style-type: none"> - April 9, 2007 Business Meeting - April 16, 2007 Zoning Meeting - April 18, 2007 Budget Retreat
