

**Mayor Anthony Foxx**

Michael D. Barnes  
Patrick D. Cannon  
Nancy Carter  
Warren Cooksey  
Andy Dulin

**Mayor Pro Tem Susan Burgess**

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

**CITY COUNCIL MEETING**  
**Monday, May 24, 2010**

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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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25	27	2010 Assistance to Firefighters Grant Application
44	45	Light Rail Vehicle Gearbox Units and Related Parts
64	67	Property Transactions (2009 Annexation) A-D and Q-X

**CITY COUNCIL AGENDA**  
**Monday, May 24, 2010**

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**65.** Meeting Minutes

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# 5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

## 1. Mayor & Council Consent Item Questions

**Resource:** Curt Walton, City Manager

**Time:** 5 minutes

**Synopsis**

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

## 2. FY2010 Housing Trust Fund Project Recommendations

**Resources:** Zelleka Biermann, Neighborhood & Business Services  
Stan Wilson, Neighborhood & Business Services

**Time:** 20 Minutes

**Synopsis**

- On December 14, 2009, City Council approved the Housing Trust Fund Advisory Board’s recommended funding allocation in the amount of \$2,947,121 for multi-family rental housing (new construction and rehabilitation) and special needs housing (new construction and rehabilitation). The allocation was divided as follows; multi-family rental (\$1,473,560) and special needs (\$1,473,561). Special needs housing serves persons with disabilities, the homeless, persons with HIV/AIDs and the elderly.
- Requests for Proposals (RFP) were issued by staff on December 18, 2009, for multi-family rental and special needs housing.
- Staff received nine proposals: six multi-family projects and three special needs projects. One multi-family and one special needs proposal were withdrawn and one multi-family proposal did not meet the Housing Trust Fund loan/grant guidelines and underwriting criteria.
- The remaining four multi-family and two special needs proposals were evaluated and ranked by staff using the approved Loan and Grant Guidelines and RFP Evaluation Criteria.
- Three housing developments are recommended for funding through the Housing Trust Fund.

**Project Funding Recommendations:**

**I. Multi-Family Rental**

Project Score	Project	Units	Type	City Funding
123	Arrowood Station Seniors	105	New Construction	\$1,400,000
	<b>Total</b>	<b>105</b>		<b>\$1,400,000</b>

-----Cut-off Line for Funding-----

120	Westinghouse Apartments	90	New Construction	\$1,465,505
107	Willow Oak Run	85	New Construction	\$685,000
101	Townhomes of Ashbrook	150	Rehabilitation	\$750,000

## II. Special Needs

Project Score	Project	Units	Type	City Funding
114	Moore Place	85	New Construction	\$500,000
92	Carya House	8	New Construction	\$500,000
<b>Total</b>		<b>93</b>		<b>\$1,000,000</b>

- The multi-family proposal requests that were submitted exceed the available HTF funds (\$1,473,560) by \$2.8 million. The top scoring project, Arrowood Stations Seniors, requires all but \$73,560 of the available funding for the Multi-family Category. The remaining balance will be available for future project funding.
- All projects listed under the multi-family category have applied to the North Carolina Housing Finance Agency (NCHFA) for Low-Income Housing Tax Credits. It is anticipated that not all of the projects will receive tax credit funding. The NCHFA will announce its project awards in August 2010. If the Arrowood Station Senior project does not receive tax credit funding, staff recommends funding the next highest ranking project receiving tax credit funding.
- The two special needs proposals can be fully funded. The remaining balance of \$473,561 will be available for future project funding.

### Future Action

City Council will be asked to approve the FY2010 Project Recommendations at its June 14, 2010 Business Meeting.

### Attachment 1

Project Summary Reports

Evaluation Criteria – Multi-Family and Special Needs Housing

## 3. Blue Line Extension Update

**Resources:** Danny Rogers, Transit  
John Muth, Transit

**Time:** 20 minutes

### Synopsis

- The Blue Line Extension (BLE) Update will address the request to add South Corridor improvements to accommodate three-car trains as part of the Blue Line Extension Project.
- Additionally, staff will present upcoming activities for the Blue Line Extension including information on the Draft Environmental Impact Statement, an updated cost estimate, and the required FTA New Starts Update.



**Future Action**

- The BLE Project Team anticipates requesting a contract amendment for Preliminary Engineering to complete work on the BLE and to perform tasks necessary to add South Corridor retrofit on the June 28 City Council Agenda.

**4. New Markets Tax Credits**

**Resource:** Patrick Mumford, Neighborhood & Business Services

**Time:** 25 minutes

**Synopsis**

- On April 21, 2010 City Manager Walton referred the issue of a possible application for New Markets Tax Credits (NMTC) to the Economic Development Committee.
- The Economic Development Committee's recommendation to move forward with this application is on tonight's agenda.
- New Markets Tax Credits, issued by the U.S. Treasury, are an economic development tool to provide gap financing for projects in low income communities. Applications are due by June 2, 2010.
- The U.S. Treasury requires an applicant for NMTC to be a Certified Development Entity (CDE). Charlotte Community Improvement, LLC (CCI) has been established as a CDE. The partners in CCI are the City of Charlotte (lead), Center City Partners and Charlotte Mecklenburg Development Corporation.
- The City of Charlotte bears no risk for NMTC. The risk is with the developers and lenders of the projects which have received allocations.
- As lead partner, the City can appoint three Board members to CCI. The City of Charlotte's recommended board appointments are:
  - Patrick Mumford, Neighborhood & Business Services KBE
  - Dr. Ronald Carter, President, Johnson C. Smith University
  - Laura Meyer, Executive Vice President, Foundation for the Carolinas
- If CCI receives an allocation, it would be responsible for dispersing NMTC to qualified projects.
- These projects would be in one of the three following categories:
  - Commercial development/redevelopment in the Business Corridor geography
  - Transit Oriented Development in low-income areas
  - Loans to businesses in low-income areas

**Future Action**

This is item 21, page 23 of this agenda.

**Attachment 2**

PowerPoint presentation to Economic Development Committee on May 13, 2010

## 5. City Youth Programs Update

**Resource:** Brad Richardson, Neighborhood & Business Services

**Time:** 10 minutes

### Synopsis

- Mayor Foxx requested an update of City-funded youth activities.
- Staff will present an inventory of City youth activities to include:
  - Cost of each program
  - Number of youth served
  - Analysis of structure for City youth coordination

## 6. Public Art Work Plan

**Resources:** Brad Thomas, Chairperson, Public Art Commission  
Robert Bush, Senior Vice President, Cultural and  
Community Investment, Arts & Science Council  
Jean Greer, Vice President, Public Art, Arts & Science  
Council

**Time:** 10 minutes

### Synopsis

- City Council approved the current Public Art Ordinance on May 27, 2003.
- On June 20, 2005, City Council approved the annual agreement with the Arts & Science Council and the Public Art Commission for administration of the Public Art Program.
- The FY2011 proposed Public Art Allocation for General Government is \$307,000.
- The attached work plan provides:
  - Description of the artwork completed, obtained, or commenced in FY2010
  - Preliminary plan for pooling and site selection of FY2011 proposed public art allocations

### Future Action

City Council will be asked to approve the FY2011 Public Art Work Plan and the annual agreement with the Arts & Science Council – Charlotte Mecklenburg, Inc. and the Public Art Commission for administration of the Art program on June 7, 2010.

### Attachment 3

FY2011 Proposed Public Art Work Plan

## **7. Answers to Mayor and Council Consent Item Questions**

**Resource:** Curt Walton, City Manager

**Time:** 10 minutes

### **Synopsis**

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

**6:30 P.M. CITIZENS' FORUM**

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

**8. Mecklenburg Declaration of Independence Week**

**Action:** Mayor Foxx to recognize Charles Jonas and to present the Mecklenburg Declaration of Independence Week Proclamation, jointly signed with County Commissioner Chair Jennifer Roberts, which highlights the 235<sup>th</sup> anniversary of the Mecklenburg Declaration Day.

**9. 2009 City Employee of the Year**

**Action:** Mayor Foxx to recognize Gregory Hauser, City Employee of the Year, and Kenny Colbert, President of the Employers Association, who will present a check and plaque to Mr. Hauser in recognition of being chosen as the 2009 City of Charlotte Employee of the Year.

## **CONSENT**

- 10. Consent agenda items 30 through 65 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

### 11. Public Hearing on Resolution to Close a Portion of McAlpine Station Drive

**Action:**   **A. Conduct a public hearing to close a portion of McAlpine Station Drive, and**

**B. Adopt a resolution to close.**

**Staff Resources:**   Jeff McSwain, Transportation  
                              Linda Poissant, Transportation

#### **Policy**

To abandon right-of-way that is no longer needed for public use

#### **Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.

#### **Background**

- This action shall be effective on the date that the new alignment of McAlpine Station Drive is constructed, dedicated, and accepted by the City for maintenance.
- The new McAlpine Station Drive will be aligned with Timber Springs Drive which will be a signalized intersection.
- All improvements will be funded by the developer.
- The new rail crossing will be at-grade like the existing McAlpine Station Drive; however, the new traffic signal and crossing arms will control the traffic movement in a safer manner.
- This action will complete the requirements for rezoning petition #2004-055, which was approved by Council on November 15, 2004.

#### **Petitioner**

The McAlpines, LLC- Daniel Levine/ John Carmichael

#### **Right-of-Way to be abandoned**

A portion of McAlpine Station Drive

#### **Location**

Beginning from Monroe Road and continuing westwardly for approximately 490 feet to its terminus and consisting of 29,202 square feet

#### **Reason**

To realign the road, as part of the McAlpine Station Roadway project

**Notification**

As standard procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining property owners

Guy Properties, LLC – No objections

Neighborhood/Business Associations

Stonehaven (The New Homeowners’ Association) – No objections

Stonehaven Crest – No objections

Stonehaven Neighborhood Association – No response

Woodberry Forest Neighborhood Assoc. – No response

Medearis – No response

Sardis by the Park (Sardis Woods) – No response

Sardis Cove Homes Association – No response

Sardis Woods – No response

Private Utility Companies – No objections

City Departments

Review by City departments identified no apparent reason this closing would:

- Be contrary to the public interest
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity

**Attachment 4**

Map

Resolution

**12. Public Hearing on Resolution to Close Two Alleyways between Spencer Street and Charles Avenue**

**Action: A. Conduct a public hearing to close two alleyways between Spencer Street and Charles Avenue, and**

**B. Adopt a resolution to close.**

**Staff Resources:** Jeff McSwain, Transportation  
Linda Poissant, Transportation

**Policy**

To abandon right-of-way that is no longer needed for public use

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.

- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.

### **Petitioner**

New Life Theological Seminary- Dr. Eddie G. Grigg

### **Right-of-Way to be abandoned**

Two alleyways between Spencer Street and Charles Avenue

### **Location**

Located within the Historic North Charlotte Neighborhood Association; a 25-foot wide alleyway beginning at Spencer Street continuing south approximately 385 feet to its terminus at Charles Avenue consisting of 9,933 square feet, and a 10-foot wide alleyway beginning at Spencer Street continuing south approximately 450 feet to its terminus at Charles Avenue consisting of 4,421 square feet

### **Reason**

To incorporate the right-of-way into adjacent parcels owned by the petitioner to accommodate future property improvements

### **Notification**

As standard procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

#### Adjoining Property Owners

Builders First Funding, LLC- No objections

Mr. John A. Rickenbacker- No objections

Ms. Francis Caillaud- No objections

Mr. Marcus and Carmen Thomas- No objections

Mr. Howard and Susan Menand- No objections

#### Neighborhood/Business Associations

Historic North Charlotte Neighborhood Association- No objections

Optimist Park- No response

Villa Heights Community Organization- No response

Plaza-Shamrock Neighborhood Association- No response

#### Private Utility Companies – No objections

#### City Departments

Review by City departments identified no apparent reason this closing would:

- Be contrary to the public interest
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity

### **Attachment 5**

Map

Resolution



### 13. Public Hearing on a Resolution to Close a Portion of Seigle Point Drive

**Action:**   **A. Conduct a public hearing to close a portion of Seigle Point Drive, and**  
                   **B. Adopt a resolution to close.**

**Staff Resources:**   Jeff McSwain, Transportation  
                               Linda Poissant, Transportation

#### **Policy**

To abandon right-of-way that is no longer needed for public use

#### **Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.

#### **Background**

- This abandonment supports approved rezoning petition #2009-003.
- By abandoning a portion of Seigle Point Drive, the Charlotte Housing Authority will be able to add a new building containing a parking deck and an additional 190 residential units.
- Charlotte Housing Authority has agreed to add a raised pedestrian refuge at the intersection of 10<sup>th</sup> Street and 12<sup>th</sup> Street.
- The pedestrian refuge will improve pedestrian connectivity and support the future greenway system.
- The existing left turn lane into Seigle Point Drive will remain to allow access into the new building containing the parking deck and residential units.

#### **Petitioner**

Charlotte Housing Authority- Jeff Meadows

#### **Right-of-Way to be abandoned**

A portion of Seigle Point Drive

#### **Location**

Located within the new Crossings at Seigle Point Neighborhood which resides within the Belmont Community; a 64-foot wide right-of-way beginning at East 10<sup>th</sup> Street and continuing approximately 190 feet northeastwardly to its terminus at Greenway Crescent Lane and consisting of 13,040 square feet

#### **Reason**

To incorporate the said right-of-way into the adjacent parcels owned by the petitioner for the future development of a multi-family project called the Lofts at Seigle Point. This abandonment is consistent with Rezoning Petition 2009-003 which was approved on July 20, 2009.

**Notification**

As standard procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining Property Owners - None

Neighborhood/Business Associations

The Crossings at Seigle Point- No objections

Belmont Community- No response

First Ward Community Fund, Inc.- No objections

First Ward Neighbors- No response

Optimist Park- No response

Elizabeth Community Association- No response

Private Utility Companies – No objections

City Departments

Review by City departments identified no apparent reason this closing would:

- Be contrary to the public interest
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity

**Attachment 6**

Map

Resolution

## 14. Public Hearing on Preliminary FY2011 Operating Budget and FY2011-2015 Capital Investment Plan

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

**Committee Chair:** Michael Barnes

**Staff Resource:** Ruffin Hall, Budget and Evaluation

**Explanation**

- On May 3, 2010, the City Manager presented the recommended FY2011 Strategic Operating Plan and FY2011-2015 Capital Investment Plan. The May 3rd recommendation represents the proposed City operating and capital budget for next fiscal year, beginning on July 1, 2010.
- State law requires the City hold a public hearing following presentation of the Manager's recommended budget (May 3, 2010) and prior to Council adoption of the budget (June 7, 2010).

**FY2011 Operating and Capital Recommended Budget Summary**

- No property tax rate increase recommended for FY2011
- City-wide total budget down 11.63%, from \$1.86 billion in FY2010 to \$1.64 billion in FY2011
- General Fund Budget down 1.25%, from \$451.1 million in FY2010 to \$445.5 million in FY2011

- Property tax revenue growth of 1.3%, (excluding 0.15 cent transfer from Pay-As-You-Go)
- Sales tax revenue decrease of 6.5% (excluding \$7.4 million reserve from economic deterioration appropriated in the FY2010 budget)
- 0.15 cent transfer resulting from decreased funding to Innovative Housing and Business Grants in Pay-As-You-Go (PAYG) capital program

#### Recommended Property Tax Rate Transfer

Purpose	Current FY2010 Tax Rate	Recommended FY2011 Tax Rate	Rate Difference	Revenue Difference
General Fund	37.58¢	37.73¢	.15¢	\$1.13 million
Capital Debt Service	6.87¢	6.87¢	0.0¢	\$0.0 million
Pay-As-You-Go Capital	1.41¢	1.26¢	(.15¢)	(\$1.13 million)
<b>Total</b>	<b>45.86¢</b>	<b>45.86¢</b>	<b>0.0¢</b>	<b>\$0.0 million</b>

#### Recommended Budget Safeguards

- In case of unanticipated negative budget impacts, the City Manager has recommended the following safeguards that may be used to offset problems if they arise.
  - \$1.0 million General Fund operating budget reserve
  - \$2.25 million remaining in Criminal Justice Technology Reserve
  - Use of General Fund reserves in excess of 16% as of June 30, 2010
  - Reduction of General Fund revenues below 16% (each 1% equals \$5.1 million)
  - Use of future technology investment funding

#### Recommended Key Reductions

- \$7.7 million in targeted General Fund budget reductions, outlined at the March 24<sup>th</sup> Budget Retreat, including:
  - Service Reductions: \$0.5 million
  - External Agency Reductions: \$0.7 million
  - Internal Efficiencies: \$5.7 million
  - Internal Cost Transfers: \$0.8 million
- \$9.2 million in additional revenues, transfers, and budget reductions, outlined at the April 14 Budget Retreat, including:
  - Increased cost allocation plan revenue: \$1.6 million
  - Property tax rate transfer from Pay-As-You-Go: \$1.1 million
  - Increased video programming revenue: \$0.8 million
  - Decreased General Fund contribution increase to the Risk Fund: \$1.0 million
  - Transfer tree trimming/removal and tree replacement costs to PAYG: \$0.9 million
  - Decreased contribution to Storm Water: \$0.5 million
  - Decreased contribution to 401(k) from 3% to 2%: \$1.8 million
  - Decreased budget line-items: \$1.1 million
  - Decreased Synthetic Tax Increment Financing payments: \$0.4 million
- A detailed list of budget reductions is available at <http://citybudget.charmeck.org>.

#### Recommended 2010 November Bond Referendum (\$198.6 million)

- The five-year recommended General Capital Investment Plan includes funding for one bond referendum.
  - Transportation: \$156.6 million or 79% of total referendum

- Neighborhood Improvements: \$32 million or 16% of total referendum
- Affordable Housing: \$10 million or 5% of total referendum
- After November 2010, current funding does not allow future General bond referenda.

#### **Recommendations related to Other Funds**

- Utilities: Increase of Water and Sewer's fixed rate by 60 cents/month and Sewer volume increase from \$4.00 to \$4.31/month per ccf (748 gallons) for customer service, capital investments, and debt service
- Storm Water: 7% rate increase to reduce the flood control project backlog from 19 to 14 years and double the number of new, major flood control projects started in FY2011 from 3 to 6
- Airport: No changes
- CATS: Metropolitan Transit Commission approved fare increase of 25 cents to help offset decreased ½ cent sales tax revenue

#### **Recommended Employee Compensation and Benefits**

- 2% market adjustment for all steps and a 2.5% step adjustment in the public safety pay plan, so that those employees who have not yet reached the maximum step of their pay range will receive a 2.5% step on their merit date
- 2% merit budget for all other City employees in the Broadbanding Pay Plan
- Decreased contribution to 401K, from 3% to 2%, for all employees but sworn law enforcement with a goal to restore funding in FY2012
- City's portion of funding for group health insurance coverage is increasing by 5%
- Increased health insurance contributions for employees will range from approximately \$1.50 to \$8 per week, depending on level of coverage

#### **Recommended Position Changes**

- Number of positions impacted in General Fund: 161.75 (5 frozen, 32 deleted, four layoffs, plus 120.75 from prior year frozen positions)
- Other changes:
  - Eight CMPD positions deleted resulting from CATS use of more private security
  - 21 positions added in Fire to staff new Fire Station
  - One new Public Records Attorney

#### **Recommendations for Financial Partners & Outside Agencies**

- No new Financial Partners
- Elimination of \$454,414 in funding for Partners in Out of School Time (POST)
- Elimination of \$60,000 for the Lakewood Community Development Corporation
- All Financial Partners funding held flat to FY10 levels except for specific contract provisions

#### **Council Budget Adjustments**

- On May 12, Council met to consider possible changes to the Manager's recommended budget. Proposed adjustments by the Council that received five or more votes will move on to the Council's straw votes meeting for consideration on May 26. Following is a summary of the adjustments under consideration for the straw votes meeting:

<b><u>General Fund – Operating Additions</u></b>	<b><u>Amount</u></b>
Restore ImaginOn (Children’s Theater) funding with one year notice	\$94,554
Restore ImaginOn (Children’s Theater) funding	\$94,554
Restore Lakewood CDC funding	\$60,000
Restore FY2012 funding for School Resource Officers	N/A
Restore FY2012 funding for School Crossing Guards	N/A
Add Disparity Study	TBD
Add Budget Contingency	\$6,094,238
<b><u>General Fund – Operating Reductions</u></b>	<b><u>Amount</u></b>
Eliminate Community Building Initiative funding	\$49,000
Reduce FY2010 Council Discretionary Account	Up to \$30,668
Reduce FY2011 Council Discretionary Account	Up to \$150,000
Eliminate 2% Council pay adjustment	\$3,750
Eliminate Employee pay adjustment	\$6,094,238
<b><u>General Capital Additions</u></b>	<b><u>Amount</u></b>
Add Community Catalyst Fund funding	\$250,000
Increase 2010 Affordable Housing Bonds	\$5,000,000
<b><u>General Capital Reductions</u></b>	<b><u>Amount</u></b>
Pay-As-You-go Fund Balance	\$60,000
Reduce Criminal Justice Technology Reserve	\$250,000 or \$154,554
Reduce unallocated additional debt capacity to zero	\$5,000,000

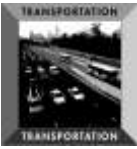
**Budget Process**

- Council’s straw votes meeting is scheduled for May 26, 2010 at 12:00 p.m. Budget amendments receiving six or more votes are included in the final budget ordinance for consideration on June 7.
- Budget adoption is scheduled for June 7, 2010 at 5:00 p.m. during the Council’s workshop meeting in Room 267.
- Council is required by state law to adopt a budget on or before July 1 of each year.

**Attachment 7**

May 12 List of Council Budget Adjustments  
 Recommended FY2011 Budget Summary  
 Manager’s Transmittal Letter  
 Executive Summary from the FY2011 Strategic Operating Plan

## 15. Public Comment on University Research Park Area Plan



**Action: Receive public comments on the University Research Park Area Plan.**

**Committee Chair:** David Howard

**Staff Resource:** Kathy Cornett, Planning

### Explanation

- Charlotte-Mecklenburg Planning Department staff, in conjunction with University City Partners and their consultants, has worked with University Research Park (URP) property owners and neighbors to develop an area plan for the URP. The planning area is generally bounded by Mallard Creek Church Road to the north, I-85 to the east, IBM Drive to the south and Mallard Creek Road to the west.
- The plan will update the 1996 Northeast District Plan and provide policy guidance for future growth and development.
- A public kick-off meeting was held on October 1, 2009 with 50 people attending.
- Other public outreach efforts included stakeholder interviews, stakeholder meetings, a three day workshop and a Wikiplanning (online civic engagement tool) outreach effort during the duration of the planning process.
- A final public meeting was held on April 1, 2010 with 30 people attending.

### Plan Recommendations

- Land Use: most of the plan area is in an Activity Center, as defined by the City's draft Center, Corridors and Wedges Growth Framework. A small portion of the plan area is within a wedge. The plan proposes to introduce a variety of land uses consistent with a Mixed Use Activity Center, including residential, retail, office and recreation uses, while maintaining the area's role as an employment center in the region. Land use policies are divided into eight districts and the policies for each support a unique identity for each of the areas. This plan does not anticipate any corrective rezonings, but does recommend changes to the Research zoning districts to allow for development more consistent with a Mixed Use Activity Center.
- Transportation and Streetscape Design:
  - Street Connectivity:
    - Provide new street connections at key locations, and enhance existing street network
    - Enhance pedestrian and bicycle network
- Park and Environment:
  - Preserve approximately 120 acres of undeveloped land flanking Mallard Creek for the creation of a new community park and improved greenway

### Charlotte-Mecklenburg Planning Commission (Planning Committee)

- The Planning Committee received public comments at their May 18 meeting.

- May Hopper, Executive Director of University City Partners, and Rhett Crocker, Land Design, spoke in support of the plan and its importance to the University area.

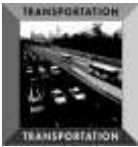
### **Transportation & Planning Committee**

- City Council's Transportation & Planning Committee received an overview of the plan at their April 12 meeting. The Committee discussed URP's role as a job center, multiple property owners within the Park, restrictive covenants and the existing and future greenway connections through the Park. The Committee voted unanimously (Howard, Barnes, Cooksey and Kinsey) to forward the plan to Council for public comment on May 24. After public comment, the plan will be reviewed again by the Transportation & Planning Committee, with a subsequent recommendation to the City Council.

### **Attachment 8**

University Research Park Area Plan

## **16. Public Comment on Catawba Area Plan**



**Action: Receive public comments on the Catawba Area Plan.**

**Committee Chair:** David Howard

**Staff Resource:** Alberto Gonzalez, Planning

### **Explanation**

- Planning staff has completed a plan for the area north of I-85, west of I-485, south of Mt. Holly Road, and east of the Catawba River, in collaboration with Charlotte Department of Transportation, as well as other City and County departments.
- The plan updates adopted land use plans and provides policy guidance for future growth and development.
- A final public meeting was held April 13, 2010 with 64 people attending.

### **Plan Recommendations**

- **Land Use:** The plan area lies partially within a Growth Corridor and partly within a Wedge as defined by the City's Centers, Corridors and Wedges Growth Framework. The focus of the plan is to guide growth and development in a way that protects the area's unique natural environment by focusing industrial and office development in the Growth Corridor along I-85, and strategically placing mixed use and moderate density residential development along major thoroughfares in the Wedge, while keeping the majority of the Wedge area as lower density residential, along with park and open space.
- Retail in the Wedge is recommended to serve the neighborhood. The former Clariant site is an existing large industrial use located within the Wedge along the Catawba River and Mt. Holly Road, is recommended to remain industrial.
- **Transportation & Streetscape Design:**
  - **Street Connectivity:**
    - Provide new street connections at key locations; and enhance existing street network
    - Expand transit service

- Enhance the pedestrian and bicycle network
- Streetscape:
  - Future cross sections and streetscape development standards are provided to help define the function and visual appeal of the proposed street network. These are intended to be used for City initiated improvements, as well as for new development and major renovation projects.
- Community Design: Because the plan area is entirely within a critical or protected watershed overlay district, context sensitive site design is especially important. The plan policies include guidance for integrating environmentally sensitive design elements into development; encouraging cluster development where appropriate; and creating a gradual transition between the open space and the built environment where development adjoins natural areas/open spaces.
- Infrastructure and Environment: The plan policies support new civic infrastructure such as the proposed regional waste water treatment facility on the southern portion of the former Clariant industrial site, as well as developing greenways along creeks and expanding park and open space when possible throughout the plan area.

#### **Charlotte-Mecklenburg Planning Commission (Planning Committee)**

- The Planning Committee received public comments at their April 20, 2010 meeting. Several residents and/or property owners were in attendance in support of the plan. The general discussion focused on how well the plan has been accepted by the residents/property owners, the status of the proposed renewable energy plant on the former Clariant industrial site, and Utilities' plans to minimize any negative impacts on the surrounding properties by the proposed regional waste water treatment facility. At their May 18, 2010 meeting, the Planning Committee voted (5-0) to recommend adoption of the plan.

#### **Transportation & Planning Committee**

- City Council's Transportation & Planning Committee received an overview of the plan at their May 10, 2010 meeting. The Committee discussed the compatibility of the proposed ReVenture Industrial Park and Wastewater Treatment Plant project in the area. The ability to require additional trees around and within entire sites, how to make approved rezonings compatible with plan goals, protection of industrially zoned land, and requiring environmentally sensitive development. Council members also requested additional information on several issues. The Committee voted unanimously (Howard, Barnes, Cooksey, and Kinsey) to forward the plan to Council for public comment on May 24.
- After public comment, the plan will be reviewed again by the Transportation & Planning Committee, with a subsequent recommendation to the City Council.

#### **Attachment 9**

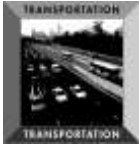
Catawba Area Plan



## POLICY

### 17. City Manager's Report

### 18. North Tryon Area Plan



**Action:** Approve the Transportation & Planning Committee recommendation to adopt the North Tryon Area Plan Volume I: The Concept Plan and receive Volume II: The Implementation Plan as information.

**Committee Chair:** David Howard

**Staff Resource:** Kent Main, Planning

#### Explanation

- Planning staff has completed a draft plan for the area extending along North Tryon Street from I-277 to Sugar Creek Road, in collaboration with Neighborhood & Business Services, Charlotte Department of Transportation, and other City departments.
- The Plan began as a market study and action plan with public input conducted over the last few years. After completion of the study in November 2008, staff decided that the work should be refined into a full Area Plan.
- The plan updates adopted land use plans and provides policy guidance for future growth and development.
- A final public meeting was held February 2, 2010 with 31 people attending.
- Based on input received, staff developed the attached Proposed Revisions to Draft Document.

#### Plan Recommendations

- Land Use: The plan area lies entirely within a Growth Corridor as defined by the City's draft Centers, Corridors and Wedges Growth Framework. This plan does not anticipate any corrective rezonings, relying instead on its shared vision and incentives such as streetscape improvements. Land Use policies are broken into four geographic areas as follows:
  - Intown & Railroad Area:
    - Increase office and light industrial uses while reducing further heavy industrial in key locations close to uptown
    - Support industrial uses compatible with the rail service yard, with offices and lighter industrial uses along North Tryon Street
    - Support long term mixed use development near the light rail line if market conditions permit
  - Lockwood & Graham Heights Area:
    - Stabilize Lockwood, Graham Heights, and Tryon Hills neighborhoods by protecting edges, and encourage compatible adjacent uses such as office, residential, and neighborhood retail
  - 30<sup>th</sup> & Atando Area:
    - Support reinvestment in Atando industrial area
    - Encourage office and retail uses along North Tryon Street
    - Encourage extension of Little Sugar Creek Greenway
  - Rosedale Area:
    - Preserve and maintain existing civic uses along North Tryon Street

- Stabilize Ritch Avenue neighborhood by protecting edges
  - Expand higher density residential uses with appropriate buffers
- Transportation & Streetscape Design:
  - Street Connectivity:
    - Provide new street connections at key locations; and enhance existing street network
    - Enhance the pedestrian and bicycle network
  - North Tryon Streetscape:
    - The improvement of North Tryon Street is a focus for the plan. Future cross sections based on the City’s Urban Street Design Guidelines (2007) should be used for City initiated improvements, as well as for new development and major renovation projects.
- Infrastructure and Environment: The plan area includes present and former commercial and industrial properties, expected to redevelop over time. The plan policies include:
  - Make trees a feature of all streets, and reduce impervious surfaces
  - Design new buildings and parking areas to reduce stormwater runoff and improve water quality
  - Expand the Little Sugar Creek Greenway and provide additional park facilities within the plan area
  - Encourage burying of overhead utility lines

#### **Charlotte-Mecklenburg Planning Commission (Planning Committee)**

- The Planning Committee received public comments at their February 16 meeting. Several residents and property owners were in attendance in support of the plan. In response to one property owner’s need for flexibility along the edge of a multi-family redevelopment parcel, a text revision was presented. The new revised language, as well as other minor revisions, is on the attached Proposed Revisions to Draft Document.
- After additional discussion at their March 16 meeting, Planning Committee voted unanimously to recommend adoption of the plan with the Proposed Revisions, with the addition of markings on Maps 3 and 4 to highlight future improvements to the rail line crossings at 16<sup>th</sup> and 36<sup>th</sup> Streets and Matheson Avenue. These revisions have been added to the attached Proposed Revisions to Draft Document.

#### **Transportation & Planning Committee**

- City Council’s Transportation & Planning Committee received an overview of the plan at their March 22 meeting. The Committee voted unanimously (Council members Howard, Cooksey, Kinsey) to forward the plan to Council for public comment on April 12.
- Council held the public comment meeting on April 12, 2009, and Mr. Noel Smith, President of North End Partners, spoke in favor of the plan.
- The Transportation & Planning Committee, at their April 22 meeting, unanimously (Howard, Barnes, Burgess, and Kinsey) recommended adoption of the North Tryon Area Plan with the changes recommended by staff.

#### **Attachment 10**

North Tryon Area Plan  
Proposed Revisions to Draft Document

## 19. FY2011 Transit Operating Budget and FY2011-2015 Transit Capital Investment Plan

- Action:**
- A. Approve the \$101.9 million FY2011 Transit Operating Program, which was approved by the Metropolitan Transit Commission on April 27, 2010,**
  - B. Approve the \$68.9 million FY2011-2015 Transit Debt Cost Program, which was approved by the Metropolitan Transit Commission on April 27, 2010, and**
  - C. Approve the \$314.5 million FY2011-2015 Transit Capital Investment Plan which was approved by the Metropolitan Transit Commission on April 27, 2010, which includes:**
    - 1. Replacement and expansion buses and other revenue generating vehicles**
    - 2. Construction and/or rehabilitation of transit facilities and amenities**
    - 3. Rail Equipment**
    - 4. Safety and Security Equipment**
    - 5. Technology Purchases**
    - 6. Advancement of 2030 Corridor System Plan**

**MTC Chair:** Jennifer Roberts

**Staff Resources:** Carolyn Flowers, Transit  
Dee Pereira, Transit

### Policy

- The Transit Governance Interlocal Agreement calls for the Metropolitan Transit Commission (MTC) to annually approve a Transit Operating Program and a Transit Capital Program by April 30. Following the MTC's approval, the Transit Operating and Capital Programs are forwarded to the Charlotte City Council for approval. Upon approval, the Charlotte City Council shall fund the programs through its budget process and/or project ordinances.

### Explanation

- On April 27, 2010, the MTC approved the CATS FY2011 Transit Operating Programs and the FY2011-2015 Transit Capital Investment Plan. By MTC resolution 2010-02, the MTC directed CATS' Chief Executive Officer to present their recommended Transit Operating and Capital Programs to the Charlotte City Council for approval and inclusion in the City budget.
- The proposed expenditures for FY2011 total \$168,060,173, of which \$101,853,094 is allocated for operating programs, \$50,540,710 for capital programs and \$15,666,369 for debt service costs.
- The attachments provide detailed information on the proposed operating and capital programs that were approved by the MTC.
- FY2011 Transit Operating Program Highlights include:
  - FY2011 Sales Tax is projected at \$59.4 million which is 3% higher than the FY2010 mid-year estimate
  - A fare increase of 25 cents, effective July 1, 2010, which averages 16.7%

- \$3.10 million reduction in non-core transit programs
- Elimination of 29 authorized City positions, which were previously frozen
- FY2011-2015 Transit Debt Cost Program which includes annual debt service costs on prior debt issued for:
  - Buses
  - Construction of the South Tryon Bus Garage Facility
  - Local Share of the South Corridor Light Rail Project
- FY2011-2015 Transit Capital Investment Plan includes:
  - Replacement and expansion of revenue generating vehicles
  - Construction and/or rehabilitation of transit facilities and amenities
  - Rail equipment
  - Safety and security equipment
  - Technology purchases
  - Advancement of the 2030 Transit Corridor System Plan

### **Community Input**

- The Citizens Transit Advisory Group reviewed the FY2011 Transit Operating Program and the FY2011-2015 Capital Investment Plan and recommended adoption by the MTC.
- The Transit Services Advisory Committee received a presentation on the proposed programs and unanimously voted to support the July 1, 2010 fare increase.
- The MTC approved the FY2011 Transit Operating Program and the FY2011-2015 Capital Investment Plan on April 27, 2010.

### **Council Review**

- The FY2011 Transit Operating Programs and the FY2011-2015 Transit Capital Investment Plan were presented to Charlotte City Council at the March 3, 2010 Council Budget Retreat.
- If approved, CATS' budget will be included in the budget adoption ordinance for consideration at the June 7 workshop meeting.

### **Funding**

Transit Fund; Federal and State Grants

### **Attachment 11**

MTC Resolution #2010-02  
FY2011 Transit Program Summary  
Fare Increase Summary

## 20. Additional Appointment to the Domestic Violence Advisory Board



**Action:** Approve the Community Safety Committee recommendation to add one City Council appointed seat to the Mecklenburg County Domestic Violence Advisory Board.

**Committee Chair:** Patrick Cannon

**Staff Resources:** Stephanie Kelly, City Clerk's Office  
Eric Campbell, City Manager's Office

### Explanation

- The Domestic Violence Advisory Board (DVAB) presented their Annual Report to City Council at the March 8 dinner meeting.
- In the Annual Report, the DVAB recommended an additional City Council appointee be added to their Board.
- The DVAB currently consists of 11 seats, six appointed by Mecklenburg County, two appointed by the Mayor and three appointed by City Council.
- An additional City Council-appointed seat would create parity on the Board with six appointments from the County and six appointments from the Mayor/City Council.

### Committee Discussion

- The Community Safety Committee met on April 15 to consider an additional City Council appointment to the DVAB. The Committee voted in favor (Kinsey, Dulin, Peacock) of adding an additional City Council appointed seat to the Mecklenburg County Domestic Violence Advisory Board.

## 21. New Markets Tax Credits



**Action:** Approve the Economic Development Committee recommendations to:

1. Establish the City as lead partner in Charlotte Community Improvement, LLC,
2. Approve the three City appointed board members for a one-year term, and
3. Support the Charlotte Community Improvement, LLC application to the US Treasury for an allocation of New Markets Tax Credits.

**Committee Chair:** Susan Burgess

**Staff Resource:** Patrick Mumford, Neighborhood & Business Services

### Explanation

- New Markets Tax Credits (NMTC) are an economic development tool, issued by the U.S. Treasury, to provide gap financing for projects in low-income communities. NMTC have been used to help fund retail,

commercial and community centers, as well as below-market rate loan funds targeted to small businesses.

- The US Treasury requires an applicant for NMTC to be a Certified Development Entity (CDE). Charlotte Community Improvement, LLC (CCI) has been established as a CDE. The partners in CCI are the City of Charlotte, Center City Partners and Charlotte Mecklenburg Development Corporation.
- The process for awarding NMTC is highly competitive. Consequently, the City is the lead CCI partner due to its successful track record of deploying capital in low-income areas and leveraging private sector capital.
- As lead partner, the City can appoint three Board members to CCI. The City of Charlotte's recommended board appointments are:
  - Patrick Mumford, Neighborhood & Business services KBE
  - Dr. Ronald Carter, president, Johnson C. Smith University
  - Laura Meyer, Executive Vice President, Foundation For The Carolinas
- Dr. Carter and Ms. Meyer were selected because they are executives of non-profit organizations meeting the Treasury's requirement that member organizations serve low-income communities.
- The City of Charlotte bears no risk for NMTC. The risk is with the project developers and lenders.
- If CCI receives an allocation, it would be responsible for dispersing NMTC to qualified projects.
- These projects would be in one of the three following categories:
  - Commercial development/redevelopment in the Business Corridor geography
  - Transit Oriented Development in low-income areas
  - Loans to businesses in low-income areas

#### **Committee Discussion**

- The Economic Development Committee unanimously approved this recommendation (Burgess, Mitchell, Carter, Dulin and Kinsey). The Committee discussed Council involvement in making decisions on projects. The Committee agreed that Council would have adequate control over the use of the NMTC when projects received City funding. The Committee also thought that given who was on the CCI Board, that they would be politically sensitive in their decision making.

#### **Attachment 12**

New Markets Tax Credit Summary by Deloitte

## **22. Housing Location Policy Review**

- The Housing and Neighborhood Development Committee met on Wednesday, May 19. This item will be included in the Friday, May 21 Council-Manager Memo.

## **23. Ten Year Implementation Plan to End and Prevent Homelessness**

- The Housing and Neighborhood Development Committee met on Wednesday, May 19. This item will be included in the Friday, May 21 Council-Manager Memo.

## 24. Resolution Supporting the CONNECT Regional Vision

**Action: Adopt a resolution supporting the CONNECT Regional Vision and Action Agenda.**

**Resources:** Al Sharp, Executive Director, Centralina Council of Governments  
Rebecca Yarbrough, Centralina Council of Governments

### Explanation

- The greater Charlotte bi-state region includes 17 counties, including 12 in North Carolina and five in South Carolina, with a population of 2.4 million which is expected to grow by 1.5 million by 2030.
- To proactively address growth and quality of life, the Centralina and Catawba Regional Councils of Government (COG) and the Charlotte Regional Partnership initiated the CONNECT regional vision process.
- The process to develop the regional vision included a review of current adopted plans and policies; selection of common themes and six core values and development of a prioritized action agenda. Broad-based public input and comment were part of the one-year process.
- The six core values and components for the regional vision are:
  - Sustainable, Well-Managed Growth
  - Safe and Healthy Environment
  - Strong, Diverse Economy
  - High-Quality Educational Opportunities
  - Enhanced Social Equity and Engagement
  - Increased Collaboration Among Jurisdictions
- To implement the Regional Vision, a CONNECT Council composed of elected representatives from the various jurisdictions throughout the bi-state area has been established.
- As part of the implementation, local governments are asked to adopt a Resolution of support for the CONNECT Vision and Action Agenda. Over 50 jurisdictions have adopted the Resolution of support. A list of jurisdictions is included in the attachment.
- Each local government is asked to also consider CONNECT values in reviewing new policies; appoint a staff liaison to be the primary point of contact between the jurisdiction and the CONNECT team; participate in cabinets and work groups as requested; and share plans, policies and initiatives with others throughout the region.
- Regional collaboration and partnerships are important elements of successful implementation of the City's initiatives, especially in the areas of Economic Development, Environment and Transportation.
- It is anticipated that a partnership consisting of HUD, USDOT and the EPA will be announcing a "Sustainable Communities Initiative" planning grant opportunity very soon, with a very short timeline for submittal of an application. The intent of the competitive grant, based on information received to date, is to encourage regional and sustainable integrated planning initiatives; the CONNECT values closely align with the draft grant principles. COG would be the grant applicant in partnership with member jurisdictions and area MPOs and RPOs. Grant award could be up to \$5 million for the region.
- Adopting the CONNECT resolution incurs no costs to the City.

**Attachment 13**  
CONNECT Resolution  
Background material



## BUSINESS

### 25. 2010 Assistance to Firefighters Grant Application

- Action:**
- A. Approve the Fire Department’s individual application for grant funding from the U.S. Department of Homeland Security to purchase turnout gear, and**
  - B. Approve the Fire Department’s joint application with the City of Gastonia Fire Department for grant funding from the U.S. Department of Homeland Security to purchase communications equipment to enhance interoperable communications in Gaston County.**

**Staff Resources:** Jeff Dulin, Fire  
Rich Granger, Fire

#### **Grant Application for Turnout Gear**

- The Fire Department annually submits an individual application for the Assistance to Firefighters Grant. This is a competitive grant process and grant award decisions will be made in several months.
- The Fire Department is applying for \$647,500 in Assistance to Firefighters Grant funding in their individual grant application. The Assistance to Firefighters Grant will provide \$518,000, or 80%, of the funding. \$129,500, or 20%, is the local matching requirement. The local match will come from the Fire Department operating budget.
- In the 2010 individual grant application, staff will request funding for the following:
  - Turnout Gear: The Fire Department purchases turnout gear on an annual basis to replace worn-out, damaged, or contaminated gear. Applying for this grant would allow the purchase of new gear for approximately 50% of the firefighters. The remaining 50% have gear that is in good condition at this time.
- If awarded this grant, Council will consider action to accept the grant.

#### **Grant Application for Communications Equipment**

- The Charlotte Fire Department and the Gastonia Fire Department have partnered together to submit a regional request for grant funding from the Assistance to Firefighters Grant for communications equipment.
- The total amount of the regional grant application is \$3,210,282. The Assistance to Firefighters grant would provide \$2,568,226, or 80% of the funding. The City of Gastonia will be covering the matching portion of the grant, which is \$642,056, or 20%.
- In the 2010 joint grant application, the City of Gastonia will request funding for the following:
  - Communications equipment: Three towers will be built within Gaston County to increase communications capability in the area. Building these three towers furthers the goal of regional interoperability. The entire UASI region, as well as the Charlotte Fire Department, would benefit from this project tremendously.
- If the City of Gastonia is not able to provide the 20% matching portion of the grant, the Charlotte Fire Department will withdraw the grant application.

**Funding**

2010 Assistance to Firefighters Grant awarded by U.S. Department of Homeland Security, Fire Department Operating funds and City of Gastonia matching funds.

**26. Airport Rail/Truck Container Transfer Facility**

- This item will be included in the Friday, May 21 Council-Manager Memo.

**27. Code Enforcement Demolition of Cannon Cathedral**

**Actions: A. Adopt ordinances authorizing the use of In Rem Remedy to demolish and remove the structures at 200-1, 200-2, and 200-4 Wesley Heights Way, Cannon Cathedral,**

**B. Approve a demolition contract with Environmental Holdings Group, LLC in the amount of \$236,090 for demolition of three structures at 200 Wesley Heights Way and a not to exceed contingency of \$75,000 for the unknown asbestos removal due to areas identified as unsafe conditions during the inspection, and**

**C. Approve the use of Business Corridor Revitalization Strategy funds for the demolition contract.**

**Staff Resources:** Tom Flynn, Neighborhood & Business Services  
Walter Abernethy, Neighborhood & Business Services

**Explanation**

- Cannon Cathedral is located at 200 Wesley Heights Way, in the Seversville neighborhood. The current owner of the property is New Bethel Church Ministries, Inc.
- The property is zoned Urban Residential and consists of three structures including a large sanctuary with significant asbestos contamination.
- The property was found to be in violation of Chapter 11 of the City's Housing Code, which addresses abandoned structures, following a complaint by the Charlotte-Mecklenburg Police Department.
- On July 8, 2009, Code Enforcement staff found the buildings unsafe and accessible to the public, therefore, a public hazard.
- On September 1, 2009, Code Enforcement issued a Finding of Fact and Order to demolish three buildings. The Charlotte Housing Appeals Board upheld this decision on December 15, 2009.
- The award for demolition is \$236,090 plus a not to exceed contingency of \$75,000 for asbestos removal. Specific asbestos removal costs cannot be pre-determined due to the unsafe condition of the buildings.
- Staff recommends the cost of demolition be funded from the Business Corridor Revitalization Strategy Fund for the following reasons:
  - Supports the goals of the Business Corridor Revitalization Strategy by eliminating a blighted influence on the business corridor
  - The site is within the Beatties Ford Road business corridor and adjacent to the Rozzelles Ferry Road business corridor.
- The 4.4 acres of land was recently appraised at \$2.8 million. The City will recover the cost of the demolition from either the current property owner, or through a foreclosure sale of the land using the upset bid process.

- A lien will be placed on the property for the demolition costs. When the lien is paid, proceeds equaling the cost of demolition will be returned to the Business Corridor Revitalization Strategy Fund.

**Selection Process**

- In response to the Request for Proposals, the City received five proposals.
- The Evaluation Team, comprised of Business Support Services and Neighborhood & Business Services staff, evaluated the proposals based on the following criteria:
  - Background and experience of the company
  - Operational qualifications of personnel
  - Proposed solution
  - Willingness and ability to comply with the RFP and contract terms and conditions references
  - Cost of service provision
- After thorough review, the Evaluation Team unanimously considered Environmental Holdings Group, LLC the service provider best meeting the established requirements.

**Small Business Opportunity**

Established SBE Goal: 8%  
 Committed SBE Goal: 8.05%  
 Environmental Holdings Group, LLC met the SBE goal and committed 8.05% (\$19,000) of the total contract amount to the following SBE firm: TWD Enterprises, Inc. (hauling).

**Funding**

Business Corridor Revitalization Strategy Fund

**Attachment 14**

Aerial Photo  
 Ordinances

**28. One NC Grant and Business Investment Grant for Clariant Corporation**

**Actions:**

- A. Approve contracts with the NC Department of Commerce (NCDOC) and Clariant Corporation for a \$55,000 One North Carolina Grant from the State to Clariant,**
- B. Adopt a budget ordinance appropriating \$55,000 from a One North Carolina Grant to Clariant, and**
- C. Approve the City’s share of a Business Investment Grant to Clariant for a total estimated amount of \$30,188 over three years (total City/County grant estimated at \$85,396).**

**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

**Explanation**

- Clariant Corporation is the US subsidiary of Clariant AG, a specialty chemical company based in Switzerland. North American headquarters are in Charlotte, as well as three of the company's ten business units.
- Clariant currently employs 200 workers at their facility located at 4000 Monroe Road.
- Last year, the company closed a production facility in Rhode Island and considered relocating two related business units to Massachusetts or Charlotte.
- On April 6, 2010, Clariant announced that it had selected Charlotte as the expansion site, in part due to state and local incentives.

**One NC Grant**

- On April 6, 2010, the State awarded a \$55,000 One North Carolina Grant to Clariant, part of the company's expansion.
- By State statute, the City is required to administer a performance contract with Clariant to ensure compliance with the State's job creation and capital investment standards.

**Business Investment Grant**

- One North Carolina Grants require a local match.
- Details of the project are as follows:
  - Clariant will make a \$2.5 million capital investment.
  - Clariant will also create 50 new jobs with an average annual wage of \$87,000 (207% of the local average).
- Clariant's \$2.5 million capital investment falls short of the Council-approved \$3 million threshold for the Business Investment Program; however, due to the need for a local match to the State's grant, Council indicated their intent to approve a Business Investment Grant to Clariant in a closed session on February 8, 2010.
- On February 9, 2010, the Board of County Commissioners indicated their intent to approve a Business Investment Grant to Clariant in a closed session.
- The project is estimated to have an annual direct economic impact of \$8.5 million on the local economy, generating an average of \$30,000 in annual property taxes to the City and County, and \$84,000 in direct and indirect annual taxes for the City.
- If approved, the following schedule is an estimate of the grant payments to Clariant. 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	\$10,182	\$18,622	\$28,804
2	\$10,059	\$18,395	\$28,454
3	\$9,947	\$18,191	\$28,138
Total	\$30,188	\$55,208	\$85,396

- The general terms and conditions 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 April 20, 2010, the Board of County Commissioners approved the County's portion of the Business Investment Grant to Clariant.

**Funding**

Business Investment Grant Account; first payment is estimated to occur in FY2012

**Attachment 15**

Budget Ordinance

**29. Appointments to Boards and Commissions**

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

**A. CIVIL SERVICE BOARD**

- One appointment for a three-year term beginning May 16, 2010
  - James Harrell nominated by Council members Mitchell and Turner
  - Jason McGrath nominated by Council members Burgess, Cooksey, Dulin and Peacock

**Attachment 16**

Applications

**B. PLANNING COMMISSION**

- One appointment for a three-year term for an applicant recommended by Charlotte Mecklenburg Schools, beginning July 1, 2010
  - Margaret Nealon nominated by Charlotte Mecklenburg School Board

**Attachment 17**

Applications

**30. 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."

## PROCUREMENT ITEMS

### 31. Fire Uniform Shirts

- Action:**
- A. Award the low bid unit price contract of \$126,992.50 to Best Uniforms, Inc. for the purchase of Fire uniform shirts for the term of one year, and**
  - B. Authorize the City Manager to extend the contract for four additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract.**

**Staff Resources:** Richard Granger, Fire  
Rebecca Brown, Fire

#### **Explanation**

- Uniform shirts are part of the required uniform for 1,165 personnel with the Charlotte Fire Department.
- Fire will issue approximately 3,200 uniform shirts annually, including replacements and new employees. The unit price per shirt is \$39.50 for all sizes.

- Extra uniform shirts will be stored at the Logistics Warehouse as replacements for worn out or contaminated shirts as needed and must be made available for all Fire employees.
- Seven responsive bids and three non-responsive bids were received in response to the Invitation to Bid.

**Small Business Opportunity**

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

**Funding**

Fire Department Operating Budget



## CONTRACT ITEMS

### 32. Large Diameter Sanitary Sewer Line Cleaning

**Action: Award the low bid contract of \$695,446.71 by Video Pipe Services, Inc. for the FY2010 sewer pipe cleaning contract.**

**Staff Resource:** Barry Gullet, Utilities

**Explanation**

- This project will clean and inspect approximately 88,100 linear feet of large diameter sewer lines along Coffey Creek from the airport down to the I-77/I-485 juncture and Campbell Creek from Hickory Grove Road to McAlpine Creek.
- The project is anticipated to take approximately one year to complete.
- Periodic removal of sediment, roots, rocks and debris is necessary to maintain adequate capacity and proper hydraulic efficiencies within the sewer collection system.

**Small Business Opportunity**

Established SBE Goal: 4%

Committed SBE Goal: 4.17%

Video Pipe Services exceeded the SBE Established Goal, and committed 4.17% (\$29,000) to the following SBE firm: JAAMCO Drain Cleaning & Video Inspection (video scanning).

**Funding**

Utilities Operating Budget

### 33. FY2010 Concrete Repair

**Action: A. Award a low bid contract of \$738,566.67 to Ferebee Corporation, and**

**B. Authorize the City Manager to execute one renewal of the contract for \$738,566.67.**

**Staff Resource:** Layton Lamb, Transportation

**Explanation**

- This contract includes the removal and replacement of deteriorated curb, sidewalk, wheelchair ramps, driveways, drainage structures, medians, islands and asphalt pavement at various locations within the Charlotte City limits.
- The contract will extend for 365 calendar days or until the funds are expended, whichever occurs first.
- The City may renew this contract one time.
- The renewal is the City's option as an incentive to the contractor for good performance, productivity and quality work.

**Small Business Opportunity**

Established SBE Goal: 11%

Committed SBE Goal: 11.10%

Ferebee committed 11.10% (\$82,000) of the total contract amount to the following SBE firm(s): Hemar, Inc (concrete) and D's Trucking Service (hauling).

**Funding**

Transportation Capital Investment Plan

**34. Arrowood Road Sidewalks**

**Action: Award the low bid contract of \$100,741.15 to Alpha Development for construction of the Arrowood Road sidewalks.**

**Staff Resource:** Allison Brickey, Engineering & Property Management

**Explanation**

- This project will construct sidewalks and curb to fill in gaps along Arrowood Road and provide access to the existing CATS bus stops located near South Tryon Street, Hanson Road and Red Oak Boulevard.
- This project will also include pedestrian improvements to the intersection of Arrowood Road and Red Oak Boulevard, including a pedestrian refuge island, crosswalks and pedestrian signals.
- This is a Tier 1 sidewalk request meaning it is a thoroughfare/higher volume road, where there is a need for sidewalk to separate pedestrians from higher traffic volumes and speeds.
- Construction is expected to be completed in fourth quarter of 2010.

**Background**

- The City's adopted Transportation Action Plan (TAP) calls for 625 miles of new sidewalks by 2030.
- Under current funding levels, at least ten miles of new sidewalks are to be completed each year to achieve that goal.

**Small Business Opportunity**

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

**Funding**

Transportation Capital Investment Plan

### 35. Animal Care and Control Bureau Roof Replacement

**Action:** Award the low bid contract of \$311,346 to Johnson's Roofing & Service, Inc. for the Animal Care and Control Bureau roof replacement.

**Staff Resource:** Steve Marlowe, Engineering & Property Management

**Explanation**

- Many components of the total roof system have exceeded its service life since the original construction of this facility in 1992.
- If the roof is not replaced, the City will incur additional costs associated with non-warranty repairs due to ongoing roof leaks.
- This roof has been budgeted for replacement in FY2010.

**Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 3.00%

Johnson's Roofing Service Inc. committed 3.00% (\$9,341) of the total contract amount to the following SBE firm: Russo Construction (dumpster service).

**Funding**

Government Facilities Capital Investment Plan

### 36. Water Supply Safe Yield Project

**Action:** Approve an agreement with the Water Research Foundation to co-fund a research project titled "Defining and Enhancing the Safe Yield of a Multi-Use, Multi-Reservoir Water Supply," in the amount of \$150,000.

**Staff Resource:** Barry Gullet, Utilities

**Explanation**

- Utilities is a subscriber to the Water Research Foundation (WaterRF) and a member of the Catawba-Wateree Water Management Group (WMG).
  - The WaterRF is the largest organization in the world dedicated to drinking water research and is headquartered in Denver, Colorado.
  - The Catawba-Wateree Water Management Group is a 501(c)(3) organization made up of Duke Energy and 17 water supply utilities who share the Catawba as a water supply source.
- The WMG approved funding for a project to study how the capacity of the reservoirs on the Catawba River could be extended beyond current projections.
- HDR Engineering was selected by the WMG to conduct the project, including preparing applications for grants to assist with funding.
- HDR Engineering successfully made a proposal to the WaterRF for a \$300,000 co-funded project based on \$150,000 from the WMG plus \$150,000 from the WaterRF.
- HDR Engineering prepared the proposal at no cost to the City or the WMG.
- The WaterRF will only co-fund projects with subscriber organizations and the WMG is not eligible to become a subscriber.

- Charlotte-Mecklenburg Utilities will serve as the co-funding agency with WaterRF since Utilities is a current subscriber.
- WaterRF will reimburse Utilities \$150,000 so there is no cost to Utilities or the City.
- The WaterRF will manage the project and HDR Engineering will be the principal investigator working directly for the WaterRF.
- The 18 members of the WMG will participate in the project by providing and reviewing information and the final report will be used in managing the available capacity of the Catawba River reservoirs for water supply.
- The WaterRF is agreeable with this co-funding arrangement.

### **Funding**

WaterRF

## **37. Long Creek Wastewater Lift Station Professional Design Services**

**Action: Approve a contract, in the not-to-exceed amount of \$170,000 to Pease Associates for design of a new concrete tank at the Long Creek Lift Station.**

**Staff Resource:** Barry Gullet, Utilities

### **Explanation**

- The Long Creek Wastewater Lift Station serves northwestern Mecklenburg County from the US National Whitewater Center up to Northlake Mall.
- The station pumps wastewater to the McAlpine Creek Wastewater Plant in Pineville.
- The Long Creek Lift Station and parallel relief sewers were completed in 2006. The station was constructed with two concrete flow equalization tanks (a two million and four million gallon tank) with allowance for a future third tank depending on the severity of wet weather flows. The flow equalization tanks store the short term spikes in flow, caused by high intensity rain storms, which allows the pumps and pipes to be constructed smaller and at less cost.
- The third tank (four million gallons) is now needed to manage wet weather flow spikes being experienced by the station during heavy storm events to prevent overflows. These tanks would also serve as flow equalization for the new Long Creek Wastewater Plant proposed for the site in the future.
- The contract with Pease Associates is for engineering design of the third concrete tank.
- Pease Associates was selected using the Council approved qualifications-based selection process.

### **Small Business Opportunity**

For service-based contracts, the City negotiates the SBE goal after the selection, as part of the contract negotiation (Part C: Section 2.2 of the SBO Policy). Pease Associates committed \$9,495 to the following SBE firms: CITI, LLC (instrumentation), Origin Land Surveying & Mapping (surveying), and Signature Reprographics (printing).

### **Funding**

Utilities Capital Investment Plan

### 38. FY2008 Manhole Rehabilitation and Point Repair, Change Order #1

**Action:** Approve a contract change order with Reynolds, LLC in the amount of \$126,885.62 on the FY2008 Manhole Rehabilitation and Point Repair Contract.

**Staff Resource:** Barry Gullet, Utilities

#### **Explanation**

- This contract was awarded by Council on January 14, 2008 in the amount of \$3,024,756.40 and provides for the repair and rehabilitation of existing sanitary sewer manholes and service connections throughout Mecklenburg County.
- Change order #1 provides additional funding for the replacement of two defective sewer creek crossings that were in danger of failing along Little Sugar Creek.
- Due to the imminent risk of these creek crossings failing, the work has already been completed.
- This contract was utilized for the work because the pay items were in place and the contractor was able to mobilize quickly to perform the work.
- All work was done with existing contract pay items at the contract bid prices.
- This change order increases the total contract amount to \$3,151,642.02.

#### **Small Business Opportunity**

All of the work involved in this change order was performed by the contractor's existing subcontractor (Part D: Section 6 of the SBO Policy). Reynolds committed 100% (\$126,885.62) of this change order to the following SBE firm: Central Carolina Underground.

#### **Funding**

Utilities Capital Investment Plan

### 39. Utilities HVAC Preventive Maintenance and Repair Services

- Action:**
- A. Approve contracts to the following companies to provide HVAC services to various facilities. The initial term of each contract is three years, with options to renew for two additional, one-year terms.**
- **Climate Control of Charlotte**
  - **Environmental Services of Charlotte, LLC**
  - **Honeywell Building Solutions**
  - **Johnson Controls, and**
- B. Authorize the City Manager to renew the contracts up to two additional, one-year terms with possible price adjustments as permitted by the contract.**

**Staff Resources:** Barry Gullet, Utilities  
Charles Robinson, Business Support Services

#### Explanation

- Charlotte Mecklenburg Utilities uses multiple vendors to provide preventive maintenance and repair services for the HVAC systems and equipment at its five wastewater treatment plants and Field Operations facility.
- These contracts provide for all required equipment, materials, tools, labor, and supervision to maintain the HVAC equipment at each facility.
- The City issued a Request for Proposals for these services and received ten proposals in response to the solicitation issued on March 5, 2010.
- Each firm was selected based on their qualifications, experience, financial qualifications, and cost effectiveness and value.
- Each vendor will be responsible for certain plants:

VENDOR	LOCATION	THREE-YR. ESTIMATED AMOUNT
Climate Control of Charlotte	Irwin Creek WWTP	\$12,720
Environmental Services of Charlotte	Mallard Creek WWTP	\$24,000
Honeywell Building Solutions	McAlpine Creek WWMF	\$114,212
Johnson Controls	McDowell Creek WWTP, Sugar Creek WWTP, Field Operations	\$58,719
<b>TOTAL</b>		<b>\$209,651</b>

- After a thorough evaluation, the Project Team, consisting of staff from Business Support Services and Charlotte-Mecklenburg Utilities, recommends awarding to multiple vendors to ensure adequate coverage and resources for these services, due to the possible emergency response services needs for such equipment.

**Contract Terms**

- The aggregate three-year term cost, for HVAC preventative maintenance and repair service, at all locations is estimated at \$209,651.
- The annual cost for repair services at each location will be based on the hourly rates and parts and equipment rates detailed in each contract.
- The contracts will have an initial term of three years with the option to renew for two additional, consecutive one-year terms.
- Contract renewal after the initial term of three years is contingent upon availability of funds, as well as the company's satisfactory performance.

**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**

Utilities Operating Budget

**40. Utilities Lab Equipment Grant**

**Action: A. Accept a grant from the U.S. Department of Homeland Security via the Domestic Preparedness Readiness Region 7 Program, in the amount of \$240,000 for the purchase of Utilities' laboratory testing equipment, and**

**B. Adopt a budget ordinance appropriating \$240,000.**

**Staff Resource:** Barry Gullet, Utilities

**Explanation**

- Mecklenburg County and nine surrounding counties are members of Domestic Preparedness Readiness Region 7.
- The Department of Homeland Security has made funding available through the FY2010 Homeland Security Grant Program to fund a regional project for which City Council approved the grant application in March 2009.
- City Council approved the grant application on September 14, 2009.
- Utilities has now been offered a grant to fund the purchase of a gas chromatograph mass spectrometer, which will be used to test for pesticide contamination in drinking water for all ten member counties.
- This additional laboratory capability will provide analytical resources for rapid detection and response to potential water contamination events.
- The equipment will benefit Utilities by providing an additional unit for use in testing drinking water samples for certain contaminants on a routine basis and the ability to perform two additional tests currently being done by outside laboratories. It will also provide capability to test for an additional 357 pesticides not currently available on the existing unit.
- Charlotte-Mecklenburg Utilities was chosen to house and operate the equipment given that the Utilities laboratory currently operates a similar unit and has expertise in its operation.

**Funding**

- The FY2010 Homeland Security Grant Program will fund the equipment and first year of the service contract. Maintenance for subsequent years

will be funded from the Laboratory Services operating budget at an estimated amount of \$8,000 per year.

**Attachment 18**  
Budget Ordinance

**41. Municipal Agreement for Metrolina Regional Travel Demand Model Maintenance and Development**

**Action:**   **A. Adopt a resolution authorizing the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation, for development and maintenance of the Metrolina Regional Travel Demand Model, and**

**B. Adopt a budget ordinance appropriating \$1,284,625 in State funding.**

**Staff Resource:**   Anna Gallup, Transportation

**Policy**

Transportation Action Plan

**Explanation**

- This Municipal Agreement allows NCDOT to reimburse CDOT costs for:
  - Staff to serve as the model custodian for the Metrolina Regional Travel Demand Model
  - Normal model development as outlined in the attached three-year funding schedule and State fiscal year 2011 (SFY11) Metrolina Regional Model Maintenance and Development Work Plan.
- In 2005 the development phase of the Metrolina Regional Travel Demand Model was completed at a cost to the region of \$5 million. In 2007, an agreement between NCDOT, Charlotte, Rock Hill, Concord, and Gastonia was established to maintain a best practice travel demand model ready for use for future air quality conformity determinations, highway travel forecasts, and transit ridership forecasts. SCDOT entered into the agreement in 2009.
- The 2010 municipal agreement will supersede the 2007 agreement with NCDOT covering not only model maintenance but also model development. Best practice requires that survey data be updated approximately every 10 years, ideally in coordination with the Census. The data obtained from the surveys and Census is important input to the model development process.
- The NCDOT, SCDOT, Charlotte, Rock Hill, Concord, and Gastonia will share in model maintenance and development costs. The annual tasks and budgets were developed by the regional model's Model Team and Planning and Applications Oversight Committee, and were approved by the regional model's Executive Committee. NCDOT's total cost share is not to exceed \$1,284,625.
- The agencies have agreed to share in the costs as outlined in the attached SFY11-13 Metrolina Regional Model Funding Schedule. The division of financial responsibility for all tasks except the Household Travel and External Travel Surveys is based on the 2007 Model Maintenance



Agreement funding previously approved by City Council. Charlotte's share is \$74,995 over the three-year period.

- NCDOT and SCDOT share 50% of the costs. The State's 50% is proportioned by the Metropolitan Area Boundary (MAB) population residing in each state.
- Metropolitan Planning Organizations (MPOs) share 50% of the costs, which is proportioned by MAB population.
- The division of financial responsibility for the Household Travel Survey and the External Travel Survey is based on NCDOT covering 80% of the cost. The remaining 20% is shared by the MPOs and SCDOT.
- Each MPO has approved this cost sharing scenario based on the recommendation by the Executive Committee of the Metrolina Regional Model.

### **Funding**

NCDOT

### **Attachment 19**

Resolution

Budget Ordinance

SFY11-13 Metrolina Regional Model Funding Schedule

SFY11 Metrolina Regional Model Maintenance and Development Work Plan

## **42. Inspection of Qualifying City Bridges**

- Action: A. Adopt a budget ordinance appropriating NCDOT funds of \$232,960 to be combined with \$58,240 from the Transportation Capital Investment Plan for a total of \$291,200, and**
- B. Approve a contract totaling \$291,200 with Thompson-Gordon-Shook Engineers, Inc. (TGS) for the inspection of qualifying City bridges.**

**Staff Resource:** Jimmy Rhyne, Transportation

### **Explanation**

- The Federal Highway Administration mandates that bridges/culverts be inspected every two years. Bridges that are greater than 20 feet in length qualify for federal reimbursement through the North Carolina Department of Transportation (NCDOT).
- Council approved a municipal agreement on March 8, 2010 with NCDOT to share the cost of the mandated inspections for bridges that qualify for matching funds. Under the municipal agreement, the City will be reimbursed \$232,960 (80%) of the cost of these inspections. The City's 20% share of \$58,240 is available in the Transportation Capital Investment Plan.
- This agreement provides for inspection services for 130 bridges and culverts maintained by the City.
- TGS was chosen using the Council-approved qualification based selection process.

### **Funding**

NCDOT and Transportation Capital Investment Plan

**Attachment 20**  
Budget Ordinance

### 43. Legal Services for Neighborhood & Business Services

- Action:**
- A. Approve service contracts to provide Legal Services as required by Neighborhood & Business Services for an initial term of three years to the following three companies:**
- Douglas K. Simmons & Associates, PLLC
  - The McIntosh Law Firm, P.C.
  - Horack, Talley, Pharr, and Lowndes, P.A., and
- B. Authorize the City Manager to approve up to two, one-year renewal options as authorized by the contracts, and contingent upon each company's satisfactory performance.**

**Staff Resources:** Richard Woodcock, Neighborhood & Business Services  
Charles Robinson, Business Support Services

#### Explanation

- The former Neighborhood Development Key Business Unit and Economic Development Office had used legal services of multiple law firms. The newly consolidated department, Neighborhood & Business Services, has a continuing need for legal services for Civil Penalty and Liens Collections, Title Searches, Housing Services Programs, House Charlotte Loan Program Services, business and residential loan programs associated with the Community and Commerce division, and Economic Development Services.
- The City does not have the in-house expertise to provide these legal services. Using contracts provides adequate staffing for peak work levels and avoids paying for excess capacity. These services have been contracted through a Request for Proposal (RFP) process since 2001.
- To ensure competitive pricing, quality and timely services, the City solicits these services through a RFP process.
- The Project Team consisted of staff from Procurement Services, Neighborhood & Business Services, and the City Attorney's Office.
- After a thorough evaluation, the Project Team recommends awarding a portion of the services to each of the responding service providers based on their abilities and proposed service offerings.

#### Contract Terms

- Douglas K. Simmons & Associates, PLLC to provide:
  - Civil Penalty and Liens Collection Services and Title Searches at an annual package price of \$125,000
  - Community and Commerce Services at the hourly rates detailed in the contract. These services may include Small Business Program Services.
- Horack, Talley, Pharr, and Lowndes, P.A. to provide:
  - Housing Services Programs & Miscellaneous Services, Housing Title Searches, House Charlotte Loan Program Services, at the package rates of \$264,811 for FY2011, \$266,811 for FY2012 and \$268,811 for FY2013. Economic Development Services would be provided at the hourly rates detailed in the contract.
- The McIntosh Law Firm, P.C. to provide:

- Community & Commerce Services at the hourly rates detailed in the contract, which is not expected to exceed \$100,000
- The contracts shall have an initial term of three years with the option to renew for two additional consecutive one-year terms.
- Contract renewal is contingent upon appropriations as well as the company's satisfactory performance.

#### **Small Business Opportunity**

Contracts for legal services are exempt (Appendix Section 23.9 of the SBO Policy). Douglas K. Simmons & Associates, PLLC is a certified SBE.

#### **Funding**

Neighborhood and Economic Development Capital Investment Plan

## **44. Light Rail Vehicle Gearbox Units and Related Parts**

**Action:**

**A. Approve a sole source exception for two Original Equipment Manufacturer (OEM) rail gearbox units and related parts per G.S. 143-129 (e)(6), and**

**B. Approve the purchase of two rail gearbox units and related parts from Voith Turbo in an amount not to exceed \$110,000.**

**Staff Resource:** Rocky Paiano, Transit

#### **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;
  - A needed product is available from only one source or supply; and
  - Standardization or compatibility is the overriding consideration.
- The only source of supply for these gearbox units and related parts is Voith Turbo, which is the original equipment manufacturer (OEM).
- Purchases made under the sole source exemption require City Council approval.

#### **Explanation**

- The two rail gearbox units and related parts are needed as spares to ensure uninterrupted rail service. The typical lead time to replace these items is six months.
- These original equipment manufacturer (OEM) parts meet the required specification standards to keep the rail vehicles in the proper operating condition and maintain the drive train warranties.
- This purchase will provide a ready supply of OEM parts for the foreseeable future. The list of spare parts includes:
  - Axle gear unit assemblies
  - Spider axles
  - Motor couplings and bearings

**Small Business Opportunity** Sole source contracts are exempt (appendix Section 23.2 of the SBO Policy).

**Funding**

Transit Operating Fund and Transit Capital Fund

**45. Various Storm Drainage Improvement Projects**

- Action:**
- A. Approve a contract with Michael Baker Engineering, Inc. for \$1,000,000 for engineering services,**
  - B. Approve a contract with RS&H Engineers-Architects-Planners, Inc. for \$1,000,000 for engineering services,**
  - C. Approve a contract with INSITE Engineering & Surveying, PLLC for \$250,000 for engineering services, and**
  - D. Approve a contract with LandDesign, Inc. for \$250,000 for engineering services.**

**Staff Resource:** Jennifer Smith, Engineering & Property Management**Explanation**

- These four contracts will provide funding for planning, design and/or construction administration services to address high priority storm drainage improvement projects and/or requests throughout Charlotte on an as needed basis.
  - The projects may include storm drainage improvements that reduce house and street flooding or repair failing infrastructure.
  - Services performed under these contracts will be determined based on current ranking procedures, emergency needs, priority requests and consultant performance. Work orders will be issued as needs arise.
  - Amendments to these contracts may be needed to finish design and construction services as projects are started.
  - These firms were selected pursuant to a Council-approved qualifications-based selection process performed in accordance with NC General Statutes.
- A. Contract with Michael Baker Engineering, Inc. for \$1,000,000 for engineering services
- The first project to be initiated under this contract will be the Hampton Storm Drainage Improvement Project.
  - The project area covers approximately 107 acres and is experiencing street and house flooding as well as stream erosion.
  - The project boundaries are Providence Road to the east, Myers Park Drive to the south, Queens Road to the west and Oxford Place to the north.
  - Fees for the planning phase of this project are approximately \$400,000.
- B. Contract with RS&H Engineers-Architects-Planners, Inc. for \$1,000,000 for engineering services
- The first project to be initiated under this contract will be the Parkwood Storm Drainage Improvement Project.
  - The project area covers approximately 350 acres and is experiencing street and house flooding as well as stream erosion.
  - The project boundaries are N. Graham Street to the west, I-277 to the south, Upper Little Sugar Creek to the east and E. 18<sup>th</sup> Street/Sylvania Avenue to the north.
  - The estimated fees for the planning phase of this project are \$400,000.

- C. Contract with INSITE Engineering & Surveying, PLLC for \$250,000 for engineering services
- The first project to be initiated under this contract will be the 2009 Milton Road/The Park Creek Apartments Storm Drainage Maintenance Project.
  - The project will reduce structural flooding and repair/replace a failed pipe system.
  - The project is near Milton Road and The Plaza.
  - Fees for the planning phase of this project are approximately \$35,000.
- D. Contract with LandDesign, Inc. for \$250,000 for engineering services
- The first project to be initiated under this contract will be the 1321 Delane Avenue Storm Drainage Maintenance Project.
  - The project will reduce culvert flooding, channel erosion and potential structural impacts.
  - The project is near Craig Avenue, Delane Avenue and Jenkins Avenue.
  - Fees for the planning phase of this project are approximately \$45,000.

### **Small Business Opportunity**

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

#### Michael Baker Engineering, Inc.

Michael Baker Engineering, Inc. included the following SBEs to be utilized as the project evolves: Hinde Engineering, Inc. (utility locate) On-Target Utility Locate Services, Inc. (utility locate), The Survey Company, Inc. (surveying), and Avioimage Mapping Services (surveying).

#### RS&H Engineers-Architects-Planners, Inc.

RS&H Engineers-Architects-Planners, Inc. included the following SBEs to be utilized as the project evolves: Carolina Wetland Services, Inc. (environmental) and On-Target Utility Locate Services, Inc. (utilities).

#### INSITE Engineering & Surveying, PLLC

INSITE Engineering & Surveying, PLLC included the following SBEs to be utilized as the project evolves: Carolina Wetland Services, Inc. (environmental). INSITE is also an SBE.

#### LandDesign, Inc.

LandDesign, Inc. included the following SBEs to be utilized as the project evolves: Carolina Wetland Services, Inc. (environmental) and On-Target Utility Locate Services, Inc. (utilities).

### **Funding**

Storm Water Capital Investment Plan

## 46. Ivey's Pond and Dam Enhancement Project

**Action: Approve amendment #1 with Dewberry & Davis, Inc. in the amount of \$250,000 for the Ivey's Pond and Dam Enhancement project.**

**Staff Resource:** Daryl Hammock, Engineering & Property Management

### Explanation

- Ivey's Pond is situated between Rainbow Forest Drive and Oak Pond Circle in South Charlotte. The primary spillway for the dam is failing. Without repairs it will completely fail, drain the pond and eliminate the water quality benefits provided by the pond.
- Ivey's Pond was selected as a project based on the level of public benefits provided by the pond and the need for repair.
- Repairs to Ivey's Pond and Dam, including replacing the primary spillway, will improve the quality of storm water passing through the pond before it is discharged to Rocky Branch and Four Mile Creek.
- The project will also reduce flood risks through improved infrastructure.
- Engineering services for the planning and design phases began in early 2007. Planning and design phases focused on the minimal repairs necessary to save the dam and increase water quality benefits to support goals of the Environment Focus Area Plan.
- This dam is classified as high hazard and therefore regulated by the Dam Safety section within North Carolina Department of Environment and Natural Resources. All repairs and improvements to the dam need to be approved by Dam Safety.
- After the project began and more information was available, it became clear the minimum repairs necessary would be more extensive than originally anticipated. Additional effort was also required to meet requirements from Dam Safety specific to this project. Both of these factors greatly increased the design and construction oversight efforts.
- Dam Safety's requirements and the increased complexity of the construction will require substantially more oversight than a typical project. The majority of the construction oversight will be handled by the consultant, where this is typically handled by City staff.
- Amendment #1 will provide funding to revise the design, address Dam Safety's requirements, finalize construction documents, provide construction administration/oversight and provide geotechnical testing during construction to comply with regulatory requirements. Estimated fees are approximately \$250,000.

### Background

- The goals of the Pond and Dam Policy (adopted by City Council in May 2007) are to protect as many existing ponds as possible prior to removal for development or failure and to use these ponds as a highly cost-effective tool to achieve water quality, flood control and public safety goals.
- The selected ponds drain to creeks that are identified as "impaired" by Clean Water Act standards.
- The repairs will improve the quality of water passing through the pond before it discharges into the creeks.
- Improved water quality in the creeks supports the City's objective to sustain the quality of the environment for future generations.
- Enhancing existing ponds on private property provides public benefits by:

- Removing pollutants
- Reducing stream bank erosion
- Addressing public safety issues
- Alleviating the burden on the storm water system
- Using existing ponds is much cheaper than obtaining property to build new ponds.
- If existing ponds fail, the City will realize greater negative impacts to the storm water system, divergence from the regulatory goals of the Clean Water Act and permanent loss of the opportunity for enhancement.

#### **Contract History**

- City Council approved the original contract for \$300,000 for engineering services on November 27, 2006.
- Amendment #1 will bring the total contract amount to \$550,000.

#### **Small Business Opportunity**

All additional work involved in this amendment will be performed by the current Consultant, Dewberry & Davis, Inc., and their existing subconsultant (Part D: Section 6 of the SBO Policy). Dewberry & Davis included the following SBE firm as part of their support team: Capstone Civil Group, P.A.

#### **Funding**

Storm Water Capital Investment Plan

## **47. Consolidated E-911 System**

- Action:**
- A. Repeal Ordinance 1807-X, imposing a monthly 911 fee charged by the City of Charlotte,**
  - B. Adopt a resolution approving the amendment of the City-County Interlocal Agreement, updating the language to reflect changes in State law and establishing a direct billing process in which Mecklenburg County Emergency Management Services (MEDIC) shall submit invoices to the City for reimbursement, and**
  - C. Authorize the City Manager to negotiate a contract with Plant CML for a consolidated E-911 system for MEDIC, Charlotte-Mecklenburg Police Department (CMPD), and Charlotte Fire Department (CFD), in an amount not to exceed \$5,000,000.**

**Staff Resources:** Rich Granger, Fire  
 Chuck Adkins, Police  
 Ruffin Hall, Budget and Evaluation

#### **Explanation**

- The purpose of these actions is to purchase a new E-911 software system using 911 funds. In order to make this purchase, two technical corrections/updates are needed to the City's Ordinance and City-County Interlocal Agreement.

#### Repeal of City Ordinance 1807-X

- On May 14, 2001, the City Council passed Ordinance 1807-X establishing the Public Safety Emergency Telephone Service Surcharge, dedicating

funding for 911 emergency telephone services provided by CMPD, CFD and MEDIC. A monthly 911 fee was charged to all telephone subscribers whose exchange lines were in the City's 911 service area. The surcharge became effective on September 16, 2001.

- In 2007, the North Carolina Legislature consolidated the State's Enhanced 911 System under a single board and established a uniform 911 service charge. Additionally, G.S Section 62A-43(f) expressly provided that "a local government may not impose a service charge or other fee on a subscriber to support the 911 system."
- The State's Public Emergency Telephone Service Surcharge law nullifies the City Ordinance, requiring repeal of City Ordinance 1807-X.

#### City-County Interlocal Agreement

- On May 13, 2002 the City Council approved amending the City and County Shared Programs Joint Undertaking Agreement (Interlocal Agreement) to include the Public Safety Emergency Telephone Service for purposes of defining the terms and procedures for sharing the City-collected 911 Surcharge revenues with Mecklenburg County.
- Because the 911 Surcharge is now administered by the State, not the City, staff recommends updating the language of the Interlocal Agreement to reflect the changes to State law.
- Additionally, the Interlocal Agreement would be amended to move to a "reimbursement of direct pay" rather than "percentage revenue sharing" procedure for agreed upon eligible MEDIC expenditures. Although the City is entitled to the entire local 911 Board distribution, the City recognizes the value in coordinating CMPD, CFD, and MEDIC emergency telephone services.
- Consistent with that recognition, the City and the County agree that as part of their annual budget process, CMPD, CFD and MEDIC will jointly develop an emergency telephone service budget based on the projected 911 Board distribution and any available emergency telephone service fund balance.
- Once the 911 Fund budget has been established and adopted by the City, MEDIC shall submit invoices to the City requesting reimbursement for items paid by the County that were included in the budget. The three public safety providers of CMPD, CFD and MEDIC will continue to work collaboratively to approve spending plans for 911 funds and to maximize revenue reimbursement from the State.
- Approval of this amendment will be considered by the Mecklenburg Board of County Commissioners at a subsequent meeting.

#### E-911 Software System

- In 2008, a Request for Proposal (RFP) was issued to identify and select a 911 system that would be used by MEDIC, CMPD, and CFD, thus consolidating the E-911 call taking system.
- There are many advantages of consolidating equipment and operating as a single primary Public Safety Answering Point (PSAP). Each agency and the citizens of Charlotte and Mecklenburg County will benefit from the following enhancements:
  - 911 callers will not have to wait for emergency help.
  - The network and equipment will be designed to allow for future expansion into a regional system.
  - There will be a common back-up center.
  - The system uses a common internet protocol network.
  - The system will provide end to end reporting capabilities (call arrival to dispatch by appropriate center).



- Equipment will be internet protocol based.
- Equipment will have Interactive Voice Response function.
- The new equipment will be capable of Next Generation 911 services such as text, pictures and video.
- The new equipment will also position Charlotte Mecklenburg 911 for the future.
- The new network and equipment design will establish a basis for interoperable communications within the county and throughout the region and the state.
- The CMPD, CFD, and MEDIC staff worked with Business Support Services/Procurement and consultant, L. Robert Kimball & Associates to complete the Request for Proposals process for a new consolidated E911 system. Plant CML was selected as the successful vendor.
- The contract with Plant CML for the new, consolidated E-911 system contract includes hardware, software, site preparation, implementation and training. The total amount of the contract, including five years of maintenance, is not to exceed \$5,000,000.
- It is critical that the city move ahead with this project for several reasons.
  - The technology associated with CFD and MEDIC's current system has become obsolete.
  - MEDIC's contract with their current vendor has expired.
- The system will be paid for and maintained using funding from the 911 surcharge administered by NC911 Board. There is fund balance within the 911 Fund that has been reserved for this project.

### **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**

911 Fund

### **Attachment 21**

Repeal of City Ordinance 1807-X

Resolution

Updated City-County Interlocal Agreement

May 14, 2010 Letter from City Manager to County Manager on 911 Fund Collaboration

December 9, 2009 Letter of Agreement on consolidated E-911 system from CMPD Chief Monroe, CFD Chief Hannan and MEDIC Director Penner

## 48. Police Inventory Software System

**Action:**   **A. Authorize the City Manager to negotiate a contract with QueTel Corporation for an Inventory Software System for Police in an amount not to exceed \$157,550, and**

**B. Adopt a budget ordinance appropriating \$157,550 in police assets forfeiture funds for purchase of the inventory software system.**

**Staff Resource:**     Ruth Story, Police

### Explanation

- The Charlotte-Mecklenburg Police Department issues and assigns property to individual employees and to departmental units.
- CMPD currently uses multiple systems, including Excel spreadsheets and Access databases to track and manage its assets and inventory. None of the property management systems are linked together to create a single data source.
- CMPD's large number of employees, its variety of issued equipment, and the multiple property tracking systems make it difficult to assign and track items.
- CMPD's objective is to purchase a unified Inventory Software System that allows for logging, assigning, and inventorying all items issued to CMPD employees or units.
- The new Inventory Software System will allow input of detailed information on all serialized and consumable items received by CMPD.
- The system will track the assignment of these items and facilitate quick location of any item.
- The system will allow staff to track repairs and service and enable management staff to determine if there has been any misuse of departmental property.
- The system will also allow staff to run inventory reports and perform other functions that will result in more efficient management of CMPD's property inventory.
- The Inventory Software System includes the purchase of wireless scanners that will allow for multiple functions to be performed without a computer. The scanner will allow staff to receive, issue, return and inventory all items in stock.
- The Inventory Software System has been reviewed by the Chief Information Officer and approved for meeting Standard Oriented Architecture requirements.

### Contract Requirements

- The purchase of the Inventory Software System includes license, customizations, training, equipment and five years of support and maintenance beyond the initial one-year warranty, which begins upon system acceptance.
- The total contract amount will not exceed \$157,550.

### 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**

Police Assets Forfeiture Funds

**Attachment 22**

Budget Ordinance

**49. Vehicle and Equipment Oil Analyzer Equipment**

**Action:**   **A. Approve the purchase of oil analyzer equipment, as authorized by the sole source exemption of G.S. 143-129(e) (6), and**

**B. Award a unit price contract to On-Site Analysis, Inc. for providing oil analyzer equipment as authorized by the contract. The FY2010 purchase will be for four units in the total amount of \$146,416.**

**Staff Resource:** Charles Robinson, 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 are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because there is only one source or supply meeting specification.
- The City Council must approve purchases made under the sole source exception.

**Explanation**

- The City of Charlotte partnered with University of North Carolina Charlotte to conduct a fleet fuel study to identify ways to reduce the costs associated with the operation of the City's fleet of vehicles. Based on the study results, it was determined costs could be reduced by extending the life of vehicle oil by only replacing contaminated oil. The purchase of oil analysis equipment that tests and analyzes vehicle oils (engine, transmission, and hydraulic) in real time will extend the oil change intervals.
- The purchase of oil analysis equipment would not only reduce the costs associated with the frequency of oil changes, including the amount of oil purchased and the man hours spent replacing oils, but it would also eliminate the costs associated with outside analysis. The current procedure for analyzing oils is for a sample of a vehicle's oil to be sent to a vendor for analysis at a cost of \$10 per analysis. If an analysis recommends changing of one or more oils, then the customer has to bring the vehicle back to the shop to have the associated oils changed.
- Oil analysis equipment will also reduce associated equipment replacement and repair costs. It will allow the Equipment Management Division to carefully monitor equipment condition for maximum equipment life, reducing the volume of lubricant purchased and destined for disposal, and reducing the downtime of equipment.
- The anticipated savings is \$18,600 per month. It is estimated that the oil analyzers will pay for themselves in nine months and provide an ongoing

savings afterwards. These anticipated savings are consistent with the City Manager's budget reduction initiative.

- EMD researched and evaluated two different oil analysis equipment types and determined the On Site OSA3 is the only unit that meets the City's specifications based on the following criteria:
  - The OSA3 unit is designed for service shop environments and analyzes the chemicals of the sample against new oil to detect any contamination and determine if it remains an adequate lubricant.
  - The OSA3 determines the viscosity, fuel dilution, water, dirt content, and 21 trace elements to measure component wear, airborne dirt, and anti-freeze and oil additive concentrations.
  - The OSA3 is less than half the cost of the other brand evaluated, is easier to operate, and is rugged enough to use in a shop environment where the other brand was designed for laboratory use.
  - The OSA3 allows the option of adding a particle counter for diagnosing and troubleshooting hydraulic systems.

#### **Small Business Opportunity**

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

#### **Funding**

Business Support Services Operating Budget

## **50. Airport Automatic Baggage Screening System Grant**

**Action:**   **A. Adopt a resolution accepting a grant in the amount of \$45,431,845 from the Department of Homeland Security's Transportation Security Administration (TSA) for the construction of an in-line baggage screening system, and**

**B. Adopt a budget ordinance appropriating the proceeds of the grant in the amount of \$45,431,845.**

**Staff Resource:**   Jerry Orr, Aviation

#### **Explanation**

- An in-line baggage screening system is an automated way for TSA to perform their required security tasks more quickly and with less staffing.
- In March 2009, the Airport filed a request with TSA for approval of the system and 90% of the funding required for its construction.
- In July 2009, the TSA offered a grant of \$37,500,000 to construct the system. After further discussions, the TSA revised their grant offer to \$45,431,845.
- In April 2010, City Council approved a contract with BNP Associates, Inc. for the design of the automatic baggage screening system.
- With this action, the City will enter into an agreement with the TSA and appropriate the grant funds.
- After the project is bid and TSA agrees to pay 90% of the total cost, Council will be asked to award a construction contract.

#### **Funding**

Federal Transportation Safety Administration (90%) and Aviation Capital Investment Plan (10%)

**Attachment 23**

Resolution (to be included in the Friday, May 21 Council-Manager Memo)  
Budget Ordinance

**51. Airport Fire Station Change Order #1**

**Action: Approve Change Order #1 in the amount of \$698,271 with Edison Foard, Inc. for additional construction services related to the new Airport Fire Station.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation**

- The Airport's fire and rescue vehicles must be able to respond to the midpoint of the furthest runway within three minutes.
- An additional Airport fire station is required to meet their response time for the new runway.
- In July 2009, City Council approved a contract with Edison Foard, Inc. in the amount of \$3,629,200 to construct the fire-fighting facility to serve the new Third Parallel Runway.
- In the same action, Council approved a Military Construction Cooperative Agreement with the Air National Guard (ANG) Bureau to reimburse the City \$6,600,000 for the cost of constructing a new Fire Station at the Airport
- This change order provides for:
  - Installation of wiring between this facility and existing ANG facility for redundancy and connectivity
  - Enhanced communications systems within the building to improve operations
  - Site structure and pavement improvements for increased security and durability
  - More durable kitchen finishes with longer warranty
  - Fire alarm modifications for the system to integrate and tie into ANG existing fire alarm system
  - Add generator and transfer switch for emergency power
- There are funds available in the ANG grant to fund this change order.

**Small Business Opportunity**

All additional work involved in this change order will be performed by existing and new subcontractors (Part D: Section 6 of the SBO Policy). Edison Foard committed 0.93% (\$6,519) of this change order to the following SBE firms: MRL Plumbing and Griffins Grading.

**Funding**

Air National Guard Grant

## 52. Airport Terminal Ticket Level Renovations Change Order #2

- Action:**
- A. Approve change order #2 in the amount of \$121,851 with Edison Foard, Inc. for additional work for the terminal and ticket counter renovations, and**
  - B. Adopt a budget ordinance in the amount of \$121,851 from the Airport Discretionary Fund to be replaced with proceeds of a future General Airport Revenue Bond issue.**

**Staff Resource:** Jerry Orr, Aviation

### Explanation

- In January 2010, City Council approved a contract with Edison Foard, Inc. in the amount of \$1,342,010 for renovations to the terminal ticket counters and airline offices, including new baggage conveyors in some areas.
- In February 2010, the City Manager signed Change Order #1 in the amount of \$79,970 for additional work in the terminal.
- This change order provides for:
  - Additional modifications to the baggage conveyors to avoid existing systems
  - Additional electrical and data-communications at counters
  - Assistance with airline moves by providing and installing requested finishes
  - Flooring changes at counters (carpet) and checkpoints (rubber)
  - Fireproofing allowance for patching and at new steel supports
- With change order #2, the new contract total is \$1,543,831.

### Small Business Opportunity

All additional work involved in this change order will be performed by the current Contractor, and their existing subcontractor(s). This change order complies with Part D: Section 6 of the SBO Program.

### Funding

Aviation Capital Investment Plan

### Attachment 24

Budget Ordinance

## 53. Airport Advertising Agreement with Google

**Action: Approve an agreement to proceed in the minimum amount of \$175,000 with Google Inc. for advertising at the Airport and authorize the Aviation Director to execute two, one-year extensions.**

**Staff Resource:** Jerry Orr, Aviation

### Explanation

- The Airport provides high-speed wireless Internet connections (WiFi) in the terminal building free to the travelling public.
- Charlotte Regional Visitors Authority's Airport Advertising Manager has developed a deal with Google for an advertising campaign associated with the Airport's WiFi.
- The public will be able to access the internet through Google or have the option to select another internet service provider.
- Google will design a new portal page that will upgrade the look and services provided to users of the Airport's WiFi.
- The new portal will feature Airport services, news and third party advertising.
- The page does not currently offer advertising. With the new portal, advertising could be sold by the Airport and/or Google, creating a new revenue stream.
- Third party advertising revenues generated through the portal page will be in addition to the contractually obligated revenue noted below.

### Contract Terms

- One year term with two optional one year extensions to be executed by the Aviation Director
- Google will pay \$.15 per connected WiFi user with a minimum annual guarantee (MAG) and will also pay for companion advertising in the terminal building.
  - Year one - MAG of \$125,000 plus \$50,000 in companion advertising
  - Year two (optional) - MAG of \$150,000 plus \$50,000 in companion advertising
  - Year three (optional) - MAG of \$175,000 plus \$50,000 in companion advertising

## 54. Tax Collector's Settlement

**Action: Approve and enter into minutes the Mecklenburg County Tax Collector's Settlement for Fiscal Year 2009.**

**Staff Resources:** Mujeeb Shah-Khan, City Attorney's Office  
Stephanie Kelly, City Clerk's Office

### Explanation

- The Machinery Act (N.C.G.S. Chapter 105) authorizes the governing body of each municipality to appoint a tax collector who is solely responsible for collecting taxes, making settlements when required and submitting a sworn settlement report to the governing body. As part of the Interlocal

Agreement with Mecklenburg County, the City and County have one tax collector.

- N.C.G.S. 105-373 requires the Tax Collector to submit to the governing body an annual report of the amount collected on each year's taxes with which he/she is charged, the amount remaining uncollected, and the steps being taken to encourage or enforce payment of uncollected taxes.
- Detailed reports are available for review in the Tax Collector's Office listing the persons whose taxes remain unpaid for the preceding fiscal year (FY2009, which ran from July 1, 2008 through June 30, 2009).
- Pursuant to N.C.G.S. 105-373, this settlement is required to be submitted to the governing body, approved, and entered in full into the minutes. This settlement was submitted to Finance by the Mecklenburg County Office of the Tax Collector and released by Finance for submission to City Council for its approval.
- The settlement shows that the collection percentage for real and personal property taxes and motor vehicle taxes for FY2009 was 97.09%, which represented an increase over FY2008. As of the date of the settlement, the Tax Collector collected \$357,606,908.89 in tax revenue on behalf of the City for FY2009.
- The Tax Collector will continue to attempt collection of unpaid taxes, which will increase the collection percentage for the FY2009 taxes. For example, additional collection efforts led to the percentage of real and personal property taxes collected for FY2008 to increase to 99.00%.

**Attachment 25**

Tax Collector's Settlement for FY2009



## OTHER CONSENT ITEMS

### 55. 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 \$20,223.84, and**
  - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$20,750.80**

**Staff Resource:** Dan Pliszka, Finance

#### **Attachment 26**

Resolution

List of property tax and business license refunds

### 56. Resolution of Intent to Abandon a Portion of South Caldwell Street

- Action:**
- A. Adopt the resolution of intent to abandon a portion of South Caldwell Street, and**
  - B. Set a public hearing for June 28, 2010.**

**Staff Resources:** Jeff McSwain, Transportation  
Linda Poissant, Transportation

#### **Attachment 27**

Map

Resolution

### 57. Resolution of Intent to Abandon a Portion of East 19<sup>th</sup> Street

- Action:**
- A. Adopt the resolution of intent to abandon a portion of East 19<sup>th</sup> Street, and**
  - B. Set a public hearing for June 28, 2010.**

**Staff Resources:** Jeff McSwain, Transportation  
Linda Poissant, Transportation

#### **Attachment 28**

Map

Resolution

**58. Resolution of Intent to Abandon Two Residual Portions of Baxter Street**

**Action:** A. Adopt the resolution of intent to abandon two residual portions of Baxter Street, and  
B. Set a public hearing for June 28, 2010.

**Staff Resources:** Jeff McSwain, Transportation  
Linda Poissant, Transportation

**Attachment 29**

Map  
Resolution

**59. Resolution of Intent to Abandon Nesbitt Drive**

**Action:** A. Adopt a resolution of intent to abandon Nesbitt Drive, and  
B. Set a public hearing for June 28, 2010.

**Staff Resources:** Jeff McSwain, Transportation  
Linda Poissant, Transportation

**Attachment 30**

Map  
Resolution

## 60. In Rem Remedy

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

**Public Purpose:**

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

**Policy:**

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

**Public Safety:**

- A. 1400 Meadow Lane (Neighborhood Statistical Area 48 – Plaza/Shamrock Neighborhood)
- B. 6812 Rea Croft Road (Neighborhood Statistical Area 177 – Olde Providence South Neighborhood)

**Complaint:**

- C. 311 Dixon Street (Neighborhood Statistical Area 26 – Biddleville Neighborhood)
- D. 3473 Willow Oak Road (Neighborhood Statistical Area 65 – Freedom Park Neighborhood)

**Field Observation:**

- E. 431 E. 22<sup>nd</sup> Street (Neighborhood Statistical Area 45 – Optimist Park Neighborhood)
- F. 711 Jackson Avenue (Neighborhood Statistical Area 54 – Elizabeth Neighborhood)
- G. 320 N. Linwood Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)

**Public Safety:**

**A. 1400 Meadow Lane**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1400 Meadow Lane (Neighborhood Statistical Area 48 – Plaza/Shamrock Neighborhood)**

**Attachment 31**

**B. 6812 Rea Croft Road**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6812 Rea Croft Road (Neighborhood Statistical Area 177 – Olde Providence South Neighborhood)**

**Attachment 32**

**Complaint:**

**C. 311 Dixon Street**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 311 Dixon Street (Neighborhood Statistical Area 26 – Biddleville Neighborhood)**

**Attachment 33**

**D. 3473 Willow Oak Road**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3473 Willow Oak Road (Neighborhood Statistical Area 65 – Freedom Park Neighborhood)**

**Attachment 34**

**Field Observation:**

**E. 431 E. 22<sup>nd</sup> Street**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 431 E. 22<sup>nd</sup> Street (Neighborhood Statistical Area 45 – Optimist Park Neighborhood)**

**Attachment 35**

**F. 711 Jackson Avenue**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 711 Jackson Avenue (Neighborhood Statistical Area 54 – Elizabeth Neighborhood)**

**Attachment 36**

**G. 320 N. Linwood Avenue**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 320 N. Linwood Avenue**

**(Neighborhood Statistical Area 19 – Thomasboro/Hoskins  
Neighborhood)**

**Attachment 37**

## PROPERTY ITEMS

### 61. Lease for Asset Recovery & Disposal Facility

**Action:** Approve a four-year lease agreement between the City and A. L. Honbarrier (Owner) for the property located at 3301 Rotary Drive (PID #04501101) in the amount of \$119,717.04 per year for the Asset Recovery & Disposal facility.

**Staff Resources:** Timothy O'Brien, Engineering & Property Management  
Charles Robinson, Business Support Services

#### Explanation

- Business Support Services Procurement Services Division provides asset recovery and disposal services for the City of Charlotte, Mecklenburg County, the Charlotte Housing Authority and the Board of Education.
- These services are performed at the Asset Recovery & Disposal facility located at 3301 Rotary Drive.
- The previous lease expired on March 31, 2010 and the City and A.L. Honbarrier entered into a month-to-month agreement to allow for certain repairs to the facility which are required before the City would enter into a longer agreement.
- Business Support Services would ultimately like to consolidate asset recovery and disposal services with the Commission/Decommission operations provided by Business Support Services Equipment Management Division since the two operations work closely together.
- In the event that Engineering & Property Management in collaboration with Business Support Services were to find a suitable property to combine the two operations, this new lease will allow the City to cancel the agreement with a 120-day written notice after the first one-year lease term.
- The lease rate will not increase and the City has maintained the same rate since 2007.

#### Terms of the Lease Agreement

- 7.66 acres near Statesville Road and I-85
- 16,734 square feet of office/warehouse space and a 3,042 square foot detached metal warehouse building on a fenced in property
- 4-year term commencing July 1, 2010
- Early termination with a 120-day written notice after the first lease term year
- Lease rate \$9,976.42 per month or \$119,717.04 per year
- City pays all utilities and property insurance
- Owner pays all property taxes

#### Funding

Business Support Services Operating Budget

## 62. Amend Parking License Agreement with Children and Family Services Center, Inc.

**Action:** Approve an amendment to the current Parking License Agreement with Children and Family Services Center, Inc. (CFSC) for the parking lot located at 501 E. Trade Street to extend its term, provide for rent increases and modify the termination notice requirement.

**Staff Resource:** Robert Drayton, Engineering & Property Management

### Background

- Several years ago, the City traded property at 501 E. Trade Street with the federal government in exchange for the Jonas Federal Courthouse. Since that time, the City has managed the property for the federal government as a parking lot.
- In 2006, the City and CFSC signed a Parking License Agreement allowing CFSC to use up to 250 parking spaces in the lot to support their office building at 601 E. 5th Street.
- CFSC is exploring the possibility of building a 350-space parking deck adjacent to their building as a permanent solution to their parking needs. In the meantime, CFSC desires to extend the term of their parking license agreement (from July 24, 2011 to December 15, 2014) which would coincide with the expiration of the City's management agreement with the federal government.

### Explanation

- CFSC currently pays \$65 per space per month, which is \$10 less than the market rate in 2006 when the parking license was signed. The market rate currently is \$90.
- The current CFSC Parking License Agreement expires July 24, 2011.
- This amendment would extend the license's term to make it consistent with the term of the City's agreement with the federal government, which expires December 15, 2014.
- The amendment would also change the current 60-day termination notification requirement to 165 days and provide for a \$10 rate increase per space each year beginning July 25, 2011.

### License Terms

- Parking lot located at 501 E. Trade Street
- \$65 per space per month
- \$10 rate increase per space each year on July 25
- Early termination with a 165-day written notice

## 63. Transfer Real Property to the Nevins Center, Inc.

**Action:** Adopt a resolution approving the transfer of property located at 3601 Nevins Road (PID 045-281-08) to the Nevins, Inc.

**Staff Resources:** Robert Drayton, Engineering & Property Management  
Richard Woodcock, Neighborhood and Business Services

### Background

- Nevins, Inc. was incorporated May 15, 1959 as a vocational training center for the mentally and physically handicapped and operates as a non-profit 501(c)(3) entity.
- In 1978, Nevins, Inc. requested assistance from the City to construct an additional building to operate a sheltered workshop for the developmentally disabled. The City required Nevins, Inc. to deed the vacant land to the City of Charlotte, which took place on March 20, 1978.
- In 1979, the City used \$275,000 of Community Development Block Grant funds to construct the building and executed a 40-year lease on May 22, 1980 for \$1 per year. Ten years remain on the lease. Nevins, Inc. owns four adjoining parcels that serve as their office and training facility for the developmentally disabled.
- After 30 years, the facility requires repairs to the roof, electrical, plumbing and mechanical systems. The Nevins, Inc. needs ownership of the property to obtain financing for the required repairs.

### Explanation

- The property is located at 3601 Nevins Road (PID 045-281-08) and includes approximately 1.34 acres of land with a 10,000 SF building used for training developmentally disabled adults.
- Transfer of the property to Nevins, Inc. would not violate any terms of the lease or the grant.
- The transfer of this property would eliminate any potential maintenance and liability costs that could be incurred by the City.
- Departmental polling was conducted in March 2010 and the mandatory referral process has been completed.
- Public notice of the proposed transaction was given ten or more days ago, as required by law.

### Attachment 38

Map  
Resolution



## 64. Property Transactions

**Action: Approve the following property transactions (A-P) and adopt the condemnation resolutions (Q-AF).**

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

### Acquisitions

- A. Project:** 2009 Annexation - Eastfield South, Parcel # 8  
**Owner(s):** Janet Benton Motley, et al  
**Property Address:** 3501 Bear Road  
**Property to be acquired:** 13,893 sq. ft. (.319 ac.) in Sanitary Sewer Easement, plus 30,124 sq. ft. (.692 ac.) in Permanent Easement in Right of Way, plus 14,997 sq. ft. (.344 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$18,674  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 029-631-01  
**Total Parcel Tax Value:** \$464,200
- B. Project:** 2009 Annexation - Eastfield South, Parcel # 15  
**Owner(s):** Jay Mack Oehler, Trustee, Under Trust Dated June 30, 1993 for The Jay Mack Oehler Revocable Trust Date June 30, 1993  
**Property Address:** Jimmy Oehler Road  
**Property to be acquired:** 12,971 sq. ft. (.298 ac.) in Sanitary Sewer Easement, plus 1,063 sq. ft. (.024 ac.) in Permanent Easement in Right of Way, plus 17,461 sq. ft. (.401 ac.) in Temporary Construction Easement  
**Improvements:** Fence  
**Landscaping:** Trees  
**Purchase Price:** \$12,200  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3  
**Use:** Woodland – Excess on AG PCL  
**Tax Code:** 029-621-06  
**Total Parcel Tax Value:** \$109,158
- C. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 8, # 9 and # 10  
**Owner(s):** Rocky River Retail Investors, LLC  
**Property Address:** 9625 Hood Road and Rocky River Road  
**Property to be acquired:** 11,994 sq. ft. (.275 ac.) in Sanitary Sewer Easement, plus 21,009 sq. ft. (.482 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None

**Purchase Price:** \$12,575

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

**Zoned:** R-3

**Use:** Rural Homesite

**Tax Code:** 105-154-12/ 105-154-11/ 105-154-06

**Total Parcel Tax Value:** \$488,400

- D. Project:** 2009 Annexation - Quay Road Pump Station Demolition, Parcel # 18  
**Owner(s):** PDG/Inland Concord Venture, L.L.C.  
**Property Address:** Beard Road  
**Property to be acquired:** 4,655 sq. ft. (.107 ac.) in Sanitary Sewer Easement, plus 6,580 sq. ft. (.151 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$21,725  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage (Vacant)  
**Tax Code:** 029-601-05  
**Total Parcel Tax Value:** \$14,800
- E. Project:** Briar Creek Relief Sewer Phase 2, Parcel # 24  
**Owner(s):** Morcom, LLC  
**Property Address:** Morningside Drive  
**Property to be acquired:** 21,854 sq. ft. (.502 ac.) in Fee Simple  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$32,500  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 129-041-57  
**Total Parcel Tax Value:** \$42,000
- F. Project:** Briar Creek Relief Sewer Phase 2, Parcel # 30, # 31 and # 32  
**Owner(s):** Henry Devon Purser and Wife, Ruth Y. Purser  
**Property Address:** 1536 And 1544 St George Street and 2836 Central Avenue  
**Property to be acquired:** 9,627 sq. ft. (.221 ac.) in Sanitary Sewer Easement, plus 6,841 sq. ft. (.157 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$50,225  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** B-2  
**Use:** Commercial  
**Tax Code:** 129-041-40/ 129-041-37/ 129-041-38

**Total Parcel Tax Value:** \$295,900

- G. Project:** Providence/I-485 Small Area Plan Improvements, Parcel # 5  
**Owner(s):** John W. Trybus and Wife, Anna Trybus  
**Property Address:** 10654 South Hall Drive  
**Property to be acquired:** 1,517 sq. ft. (.035 ac.) in Sidewalk and Utility Easement, plus 1,946 sq. ft. (.045 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$16,950  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 231-161-01  
**Total Parcel Tax Value:** \$259,100
- H. Project:** Providence/I-485 Small Area Plan Improvements, Parcel # 22  
**Owner(s):** Jimmy L. Hammontree and Wife, Frankie H. Hammontree  
**Property Address:** 10422 Woodview Circle  
**Property to be acquired:** 2,650 sq. ft. (.061 ac.) in Sidewalk and Utility Easement, plus 1,031 sq. ft. (.024 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$35,400  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 225-252-01  
**Total Parcel Tax Value:** \$197,900
- I. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 30  
**Owner(s):** Harold C. Keith; Carolyn K. Primm McGough and Thomas H. Keith, Trustees of the Virginia F. Keith Revocable Trust  
**Property Address:** 4800 Statesville Road  
**Property to be acquired:** 1,918 sq. ft. (.044 ac.) in Fee Simple, plus 119 sq. ft. (.003 ac.) in Utility Easement, plus 1,421 sq. ft. (.033 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$17,500  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 045-305-76  
**Total Parcel Tax Value:** \$62,100

- J. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 34 and # 145  
**Owner(s):** Harold C. Keith, Trustee of the Harold C. Keith Revocable Trust Dated May 23, 2003  
**Property Address:** 4820 Statesville Road and Statesville Road  
**Property to be acquired:** 578 sq. ft. (.013 ac.) in Fee Simple, plus 27 sq. ft. (.001 ac.) in Utility Easement, plus 2,298 sq. ft. (.053 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$15,000  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-4  
**Use:** Rural Homesite  
**Tax Code:** 045-306-01 and 000-00-00B  
**Total Parcel Tax Value:** \$95,100
- K. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 44  
**Owner(s):** Harold C. Keith  
**Property Address:** 5014 Statesville Road  
**Property to be acquired:** 41 sq. ft. (.001 ac.) in Utility Easement, plus 3,333 sq. ft. (.077 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$14,000  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-4  
**Use:** Rural Homesite  
**Tax Code:** 045-302-02  
**Total Parcel Tax Value:** \$129,400
- L. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 47  
**Owner(s):** Harold C. Keith, Trustee of the Harold C. Keith Revocable Trust Dated May 23, 2003  
**Property Address:** Arvin Drive  
**Property to be acquired:** 1,135 sq. ft. (.026 ac.) in Fee Simple, plus 2,996 sq. ft. (.069 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$30,000  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-4  
**Use:** New Parcel  
**Tax Code:** 045-312-93  
**Total Parcel Tax Value:** \$104,900

- M. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 49  
**Owner(s):** Harold C. Keith, Trustee of the Harold C. Keith Revocable Trust Dated May 23, 2003  
**Property Address:** Arvin Drive  
**Property to be acquired:** 782 sq. ft. (.018 ac.) in Fee Simple, plus 554 sq. ft. (.013 ac.) in Storm Drainage Easement, plus 50 sq. ft. (.001 ac.) in Utility Easement, plus 1,517 sq. ft. (.035 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$20,700  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-4  
**Use:** New Parcel  
**Tax Code:** 045-312-94  
**Total Parcel Tax Value:** \$81,100
- N. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 113  
**Owner(s):** B. V. Belk, Jr. and Wife, Harriet Belk  
**Property Address:** 6201 Statesville Road  
**Property to be acquired:** 12,748 sq. ft. (.293 ac.) in Fee Simple, plus 125 sq. ft. (.003 ac.) in Existing Right-of-Way, plus 6,993 sq. ft. (.161 ac.) in Storm Drainage Easement, plus 71 sq. ft. (.002 ac.) in Utility Easement, plus 12,301 sq. ft. (.282 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$46,625  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** CC- Commercial Center  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 041-242-01  
**Total Parcel Tax Value:** \$205,800
- O. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 115  
**Owner(s):** Bascom V. Belk, Jr. and Wife, Harriet Belk  
**Property Address:** 5300 Sunset Road  
**Property to be acquired:** 5,988 sq. ft. (.137 ac.) in Storm Drainage Easement, plus 44 sq. ft. (.001 ac.) in Utility Easement, plus 6,009 sq. ft. (.138 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$42,735  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** CC - Commercial Center  
**Use:** Commercial  
**Tax Code:** 041-242-09  
**Total Parcel Tax Value:** \$5,618,900

- P. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 119  
**Owner(s):** Bascom V. Belk, Jr. and Wife, Harriet Belk  
**Property Address:** 6321 Statesville Road  
**Property to be acquired:** 2,372 sq. ft. (.054 ac.) in Storm Drainage Easement, plus 15 sq. ft. in Utility Easement, plus 13 sq. ft. in Combined Storm Drainage and Utility Easement, plus 2,819 sq. ft. (.065 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$22,100  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** CC – Commercial Center  
**Use:** Commercial  
**Tax Code:** 041-242-10  
**Total Parcel Tax Value:** \$629,800

### Condemnations

- Q. Project:** 2009 Annexation - Eastfield South, Parcel # 9  
**Owner(s):** John Kirk Killian and Wife, Betsy Christensen Killian And Any Other Parties Of Interest  
**Property Address:** 3225 Beard Road  
**Property to be acquired:** Total Combined Area of 73,101 sq. ft. (1.678 ac.) of Sanitary Sewer Easement, plus Permanent Easement in Right of Way, plus Temporary Construction Easement  
**Improvements:** Pasture Fence  
**Landscaping:** Trees  
**Purchase Price:** \$29,725  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 029-221-08  
**Total Parcel Tax Value:** \$283,500
- R. Project:** 2009 Annexation - Eastfield South, Parcel # 13  
**Owner(s):** J. Wayne Beard and Wife, Pamela M. Beard And Any Other Parties Of Interest  
**Property Address:** 2900 Beard Road  
**Property to be acquired:** Total Combined Area of 23,574 sq. ft. (.541 ac.) of Sanitary Sewer Easement, plus Permanent Easement in Right of Way, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$2,050  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 029-201-02

**Total Parcel Tax Value:** \$308,800

- S. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 5  
**Owner(s):** Grier Newell Properties, LLC and Any Other Parties of Interest  
**Property Address:** 8835 Plaza Park Drive  
**Property to be acquired:** Total Combined Area of 151,045 sq. ft. (3.468 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$19,400  
**Remarks:** Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 105-111-07  
**Total Parcel Tax Value:** \$764,200
- T. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 7  
**Owner(s):** Joseph W. Grier, III; Catherine G. Kelly; Susan G. Bennett; Roy S. Grier; Bruce T. Grier; Robin W. Grier And Any Other Parties Of Interest  
**Property Address:** Rocky River Road  
**Property to be acquired:** Total Combined Area of 59,075 sq. ft. (1.356 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$7,325  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 105-154-01  
**Total Parcel Tax Value:** \$228,000
- U. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 13  
**Owner(s):** Richard A. Robertson and Wife, Ann C. Robertson and Any Other Parties of Interest  
**Property Address:** 9309 Hood Road  
**Property to be acquired:** Total Combined Area of 28,320 sq. ft. (.650 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$4,925  
**Remarks:** Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3

**Use:** Rural Homesite  
**Tax Code:** 105-131-47  
**Total Parcel Tax Value:** \$425,900

- V. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 53 and # 54  
**Owner(s):** Gerald S. Sisk and Wife, Jennifer B. Sisk and Any Other Parties of Interest  
**Property Address:** 3710 Brookwood Road  
**Property to be acquired:** Total Combined Area of 15,930 sq. ft. (.366 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$10,700  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Rural Homesite  
**Tax Code:** 105-311-68 and 105-192-20  
**Total Parcel Tax Value:** \$178,300
- W. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 66  
**Owner(s):** Rickey G. Thomas and Wife, Zelda W. Thomas and Any Other Parties of Interest  
**Property Address:** 9636 Willowglen Trail  
**Property to be acquired:** Total Combined Area of 4,695 sq. ft. (.108 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$7,750  
**Remarks:** Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 105-261-16  
**Total Parcel Tax Value:** \$176,100
- X. Project:** Colony Road Sidewalk - Fairview, Parcel # 2  
**Owner(s):** BBR/ Fairington, LLC and Any Other Parties of Interest  
**Property Address:** 4601 Colony Road  
**Property to be acquired:** Total Combined Area of 9,698 sq. ft. (.223 ac.) of Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$17,325  
**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-20MF



**Use:** Multi Family  
**Tax Code:** 183-152-80  
**Total Parcel Tax Value:** \$8,727,500

- Y.** **Project:** East Forest Neighborhood Improvement Project - Phase 1, Parcel # 19  
**Owner(s):** Adam Gregory Stern and Maidel Vilaragut Baldriche and Any Other Parties of Interest  
**Property Address:** 809 McLaughlin Drive  
**Property to be acquired:** Total Combined Area of 1,713 sq. ft. (.039 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,775  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 191-035-06  
**Total Parcel Tax Value:** \$135,900
- Z.** **Project:** East Forest Neighborhood Improvement Project - Phase 1, Parcel # 32  
**Owner(s):** William Young, Jr. And Any Other Parties Of Interest  
**Property Address:** 1049 McLaughlin Drive  
**Property to be acquired:** Total Combined Area of 1,274 sq. ft. (.029 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$775  
**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  
**Tax Code:** 191-034-04  
**Total Parcel Tax Value:** \$113,800
- AA.** **Project:** East Forest Neighborhood Improvement Project - Phase 1, Parcel # 41  
**Owner(s):** Joseph Bradford Boulware; Carrie Boulware Evans; Estate of Quenton Franklin Boulware; Heirs of Susan B. Greene And Any Other Parties Of Interest  
**Property Address:** 1018 Eaglewood Avenue  
**Property to be acquired:** Total Combined Area of 1,788 sq. ft. (.041 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,175  
**Remarks:** Compensation was established by an independent, certified appraisal and a review appraisal. City staff is recommending condemnation in order to obtain clear title.  
**Zoned:** R-3

**Use:** Single Family Residential  
**Tax Code:** 191-031-13  
**Total Parcel Tax Value:** \$118,500

- AB. Project:** East Forest NIP - Phase 1, Parcel # 43  
**Owner(s):** Linwood O. Foust and Any Other Parties of Interest  
**Property Address:** 1030 Eaglewood Avenue  
**Property to be acquired:** Total Combined Area of 2,683 sq. ft. (.062 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$2,050  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 191-031-11  
**Total Parcel Tax Value:** \$126,100
- AC. Project:** Providence/I-485 Small Area Plan Improvements, Parcel # 13  
**Owner(s):** Elianise Joseph and Any Other Parties of Interest  
**Property Address:** 4437 McKee Road  
**Property to be acquired:** Total Combined Area of 801 sq. ft. (.018 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$950  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Rural Homesite  
**Tax Code:** 231-041-22  
**Total Parcel Tax Value:** \$131,400
- AD. Project:** Providence/I-485 Small Area Plan Improvements, Parcel # 20  
**Owner(s):** Dean P. Thevaos and Any Other Parties of Interest  
**Property Address:** 6003 Paddington Court  
**Property to be acquired:** Total Combined Area of 2,612 sq. ft. (.060 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,575  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 225-252-20

**Total Parcel Tax Value:** \$189,600

- AE. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 25  
**Owner(s):** Phillips Investment Properties, LLC and Any Other Parties of Interest  
**Property Address:** 4701 Statesville Road  
**Property to be acquired:** Total Combined Area of 11,972 sq. ft. (.275 ac.) of Fee Simple, plus Storm Drainage Easement, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** Parking Lot  
**Landscaping:** None  
**Purchase Price:** \$112,925  
**Remarks:** Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Commercial  
**Tax Code:** 041-151-05  
**Total Parcel Tax Value:** \$393,500
- AF. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 26  
**Owner(s):** Phillips Investment Properties, LLC and Any Other Parties of Interest  
**Property Address:** 4799 Statesville Road  
**Property to be acquired:** Total Combined Area of 3,516 sq. ft. (.081 ac.) of Fee Simple, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** Parking Lot  
**Landscaping:** None  
**Purchase Price:** \$1,800  
**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-4  
**Use:** Single Family Residential  
**Tax Code:** 041-151-06  
**Total Parcel Tax Value:** \$25,800

## 65. Meeting Minutes

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

- March 8, 2010
- March 18, 2010
- March 22, 2010
- March 24, 2010 Budget Retreat
- April 12, 2010
- April 14, 2010 Budget Retreat