

Mayor Anthony Foxx

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

Mayor Pro Tem Patrick D. Cannon

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

CITY COUNCIL MEETING
Monday, May 9, 2011

CITY COUNCIL AGENDA
Monday, May 9, 2011

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4:00 P.M. BUDGET PRESENTATION

Meeting Chamber

5:00 P.M. DINNER BRIEFING

Conference Center

1. Mayor & Council Consent Item Questions

Resource: Jim Schumacher, City Manager's Office

Time: 5 minutes

Synopsis

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

2. Sidewalk Retrofit Policy Update

Resource: Vivian Coleman, Transportation

Time: 30 minutes

Synopsis

- City Staff will update City Council on proposed changes to the 2005 Sidewalk Retrofit Policy, including:
 - Background on the current policy and changes to staff practices based on experience over the past six years
 - Recommended changes to the policy governing construction of sidewalks along existing streets where no sidewalks currently exist

Future Action

The City Council Sidewalk Retrofit Policy modifications will be on the June 13th business meeting agenda.

3. Queen City Forward Funding Request

Resource: Brad Richardson, Neighborhood & Business Services

Time: 30 minutes

Synopsis

- Queen City Forward (QCF) is a community effort to increase the number and concentration of entrepreneurs in Charlotte through the development of a support system focused on financial growth, environmental sustainability and social impact.
- QCF is modeled after a similar effort in Durham called Bull City Forward.

- QCF has requested \$50,000 in City support to assist in the development of a strategic plan. QCF is also seeking similar grants from the Duke Energy Foundation, Advantage Carolina and the Foundation for the Carolinas.
- City Council's FY2012 Economic Development Focus Area Plan includes an objective to help grow small businesses in Charlotte, in part through the development of partnerships to support high growth entrepreneurs.
- Staff will provide Council with an overview of QCF and its funding request.

Future Action

- Direction from City Council will be required to move this action forward.

4. Public Art Work Plan

Resources: Brad Richardson, Public Art Commission
Robert Bush, Arts & Science Council
Jean Greer, Arts & Science Council

Time: 15 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 FY2012 proposed Public Art Allocation for General Government is \$148,400.
- The attached work plan provides:
 - Description of the artwork completed, obtained, or commenced in FY2011
 - Preliminary plan for pooling and site selection of FY2012 proposed public art allocations

Future Action

The FY2012 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 will be included in the June 13 budget adoption agenda item.

Attachment 1

FY2012 Proposed Public Art Work Plan

5. Answers to Mayor and Council Consent Item Questions

Resource: Jim Schumacher, City Manager's Office

Time: 10 minutes

Synopsis

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

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

Note: Due to compressed April 25 and May 23 business agendas, which do not include awards and recognitions, there are more awards and recognitions than typical.

6. 2010 Employee of the Year

Action: Mayor Anthony Foxx to recognize Don Gariepy as the City's Employee of the Year. This 48-year-old City tradition acknowledges an employee whose efforts, ideas, suggestions and courtesy in job performance entitle special recognition.

7. CMPD's Hagler Community Leadership Policing Award

Action: Mayor Anthony Foxx to recognize Officer Danny Hernandez as the Hagler Community Policing Leadership Award recipient. The annual award acknowledges an employee whose community policing leadership efforts entitle special recognition.

8. Charlotte-Mecklenburg Senior Games

Action: Mayor Anthony Foxx to present representatives of the Charlotte-Mecklenburg Senior Games Inc. with a proclamation recognizing the Charlotte-Mecklenburg Senior Games.

9. Presbyterian Hospital

Action: Amy Vance and her leadership team will present an update about the hospital, their charity care program, and their commitment to the City of Charlotte.

CONSENT

- 10. Consent agenda items 20 through 41 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 Residual Portion of Badger Court

Action: **A. Conduct a public hearing to close a residual portion of Badger Court, and**

B. Adopt a resolution to close.

Staff Resources: Linda Poissant, Transportation
 Jeff Boenisch, 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

Double Oaks Development, LLC- Patricia G. Garrett

Right-of-Way to be abandoned

A residual portion of Badger Court

Location

Located within the Double Oak Community, beginning approximately 162 feet from Statesville Avenue continuing westward 116 feet to its terminus, consisting of 893 square feet

Reason

To incorporate the right-of-way into adjacent property owned by Linda G. Anderton as part of the Badger Court realignment project. This abandonment is consistent with rezoning petition #2008-073, which was approved by City Council on July 21, 2008.

Notification

In accordance with City Policy, 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

Mrs. Linda Anderton- No objections

Neighborhood/Business Associations

Double Oaks Community Organization – No objections

Edison Street Block Association – No objections

Druid Hills Neighborhood Association – No objections
Lincoln Heights Neighborhood Association – No objections
Lockwood Neighborhood Association – No objections
Oaklawn Community Improvement Organization – No objections
Genesis Park – No objections
J. T. Williams Neighborhood Association - No objections

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 2

Map

Resolution

POLICY

12. City Manager's Report

13. Review of City Youth Programs



- Action:**
- A. Approve the Economic Development Committee recommendation to request the Charlotte-Mecklenburg Workforce Development Board (WDB) redirect \$100,000 of federal Workforce Investment Act (WIA) funds to support a jobs program for eligible youth,**
 - B. Direct staff to work with the WDB to develop and refine a new community framework to address youth employment, within a broader context of youth development, that includes education, health and safety, and housing, through a reconstituted Advisory Council for Youth, and**
 - C. Direct staff to work with community resource partners to develop performance criteria for afterschool programs, and to develop a process to solicit proposals from potential providers by January 2012.**

Committee Chair: James Mitchell

Staff Resource: Brad Richardson, Neighborhood & Business Services

Explanation

- On March 7, 2011, Council received a letter from Mayor Foxx requesting a review of City youth programs to look for opportunities to improve their effectiveness.
- City Council referred the Mayor's letter to the Economic Development Committee and requested that the Committee review City youth programs and report back at the end of April.
- The review was to focus on delivering services more efficiently to achieve greater results with no increase in City funding.
- After reviewing youth programs over the course of three meetings, the Committee recommended action in several areas.

Youth Employment

- The City currently operates the Mayor's Youth Employment Program and contracts with Goodwill Industries to operate the Youth Job Connection. In FY10, these programs combined to provide job training to 1,600 youth and job placements and short-term work experiences to 391 youth.
- During Committee review, staff identified two potential opportunities to partner with the Charlotte-Mecklenburg Workforce Development Board (WDB) to improve outcomes for youth employment.
- The WDB is responsible for implementing the federally funded Workforce Investment Act (WIA) that provides job training and assistance to unemployed and underemployed workers in Mecklenburg County.
- The WDB receives approximately \$1.2 million annually in funding for youth programs; however, WIA funds can only be used to support eligible youth.

- Eligible youth must be ages 16-21, economically disadvantaged (i.e., below federal poverty standards or family on government assistance) and have one or more of the following barriers to employment:
 - High school dropout
 - Pregnant or parenting
 - In or aging out of foster care
 - Homeless or runaway
 - Youth offender
 - Deficient in basic math or literacy skills
- The City serves as the fiscal agent for the federal WIA program and contracts with the WDB on an annual basis to implement WIA services.
- Local WIA funds have been traditionally used to run GED completion programs for drop outs.
- The following two recommendations were made by the Economic Development Committee to improve the City's youth employment programs:

Request the WDB to redirect \$100,000 to be used as wage stipends

- Staff recommends that Council request the WDB to redirect \$100,000 in WIA funds to be used to support a jobs program for eligible youth.
- These funds would be controlled by the WDB, but be available to support additional job placements in City youth programs.
- If approved by the WDB, the funds would be available in FY2012 to support the City's youth employment programs.
- Initial response by WDB staff has been supportive.

New community framework for youth employment

- The WIA legislation requires the WDB to have an Advisory Council for Youth Services (Advisory Council) to provide coordination and oversight to the activities eligible under the legislation.
- WIA legislation allows the community's "chief elected official" to work with the WDB Chair to appoint members of the Advisory Council.
- In 2011, the WDB plans to reconstitute its Advisory Council as part of a broad approach to address youth employment, within a broader context of youth development, including partnerships with local agencies that provide education, health and safety, and housing services.
- The WDB seeks to engage Mayor Foxx as the community champion for youth employment in order to increase the effectiveness of the Advisory Council, and provide leadership to the community on issues surrounding youth training, career education, work experience and employment.
- Staff recommends that the City engage the WDB and community resource partners to develop and refine this new framework for youth employment.
- Given its relationship to education and employment, staff believes that enhancements to the current Mayor's Mentoring Alliance, also referenced in Mayor Foxx's letter to Council, should be considered under this new community framework.

Afterschool Programs

- In FY2011, the City contributed \$1,242,918 to six organizations operating community afterschool programs, serving approximately 862 children.
- In FY11, the City also contributed \$443,211 through Police for out of school time programs.

- During its review of afterschool programs, the Committee received a presentation from the Out-of-School Time Task Force, a citizen committee sponsored by the Foundation for the Carolinas to assess and deliver recommendations to the community that improves the out of school time system in Charlotte-Mecklenburg.
- The Task Force recommendations will be finalized in early June and generally support the development of quality standards, training and assessments for the afterschool programs in Charlotte-Mecklenburg.
- Staff recommends that the City engage community resource partners, following the release of the Task Force recommendations, to develop performance criteria for afterschool programs and to develop an RFP process to be completed by January 2012 to assist Council in determining where to allocate City funds in FY2013.

Committee Action

- Council's Economic Development Committee discussed youth programs on March 24, April 11 and April 26, 2011.
- The Committee voted unanimously to recommend these actions to Council (Mitchell, Cannon, Burgess, Dulin, and Kinsey).

Attachment 3

Letter from Mayor Foxx

FY06-FY10 Youth Employment Program Performance

FY05-FY11 Budget for Afterschool Programs

14. FY2011 Housing Trust Fund Allocation



Action: Approve the Housing and Neighborhood Development Committee's recommendation to allocate \$16,200,000 in Housing Trust Fund dollars to multi-family rental housing developments that support North Carolina Housing Finance Agency tax credit awards, Rapid Acquisition, and Supportive Housing with Supportive Services.

Committee Chair: Patsy Kinsey

Staff Resources: Pamela Wideman, Neighborhood & Business Services
Zelleka Biermann, Neighborhood & Business Services

Policy

- The FY2011 U. S. Department of Housing and Urban Development Annual Action Plan was adopted by City Council on July 26, 2010.
- The Annual Action Plan identifies the need for affordable, safe and decent housing for low and moderate-income families.
- The Plan reaffirmed the three basic goals of the City's Housing Policy
 - Preserve the existing housing stock
 - Expand the supply of affordable housing
 - Support family self-sufficiency initiatives
- On November 26, 2001, City Council established a Housing Trust Fund to provide financing for affordable housing in the Charlotte community.
- On May 24, 2010, City Council approved The Coalition for Housing, a community-based advisory board structure to oversee implementation of the Ten Year Plan to End and Prevent Homelessness. One of the Board's

charges is to recommend annual funding priorities for the Housing Trust Fund to City Council.

Explanation

- On May 2, 2011, Mike Rizer, Chairman of the Charlotte-Mecklenburg Coalition for Housing (CMCH) Board provided an update to City Council on the Board’s progress, which included an update on the recommended FY2011 Housing Trust Fund Allocation.
- On March 24, 2011, the CMCH Board unanimously recommended the following Housing Trust Fund Allocations of \$16,200,000:

Proposed Housing Trust Fund Allocation

Funding Category	Allocation	%	*AMI
Tax Credit Set-aside	\$4,700,000	29%	≤60% (\$40,320)
Rapid Acquisition – Partnership Process	\$3,200,000	20%	≤30% (\$20,160)
Supportive Housing – RFQ/RFP Process <ul style="list-style-type: none"> ▪ Permanent Supportive Housing ▪ Other Supportive Housing Population Served: <ul style="list-style-type: none"> ▪ HUD Defined Special Needs (Elderly, Disabled, Homeless, etc.) ▪ Locally Defined Special Needs (TBD) 	\$8,300,000	51%	≤30% (\$20,160)
Total	\$16,200,00	100%	

*Area Median Income (AMI)

- Overall, the CMCH Board’s recommendation represents a balanced approach to meeting affordable housing needs, serving populations with the greatest need and leveraging City funds.
- All projects receiving funding through the Housing Trust Fund (HTF) will be required to comply with the Housing Locational Policy.

HTF Multi-Family Rental Developments Allocation Strategy

Tax Credit Set-Aside

- An allocation of \$4.7 million is recommended for the 2011 (\$2,691,920) and 2012 (\$2,008,080) tax credit cycles.
- Funds will be available to developers receiving a North Carolina Low-Income Tax Credit Award from the North Carolina Housing Finance Agency (NCHFA) for the construction of new or rehabilitated multi-family housing developments serving households earning 60% (\$40,320) or less of the area median income in the 2011 and 2012 tax credit cycles.
- This allocation would provide local alignment with State supported projects and allow for greater local leverage of tax credit awards.
- Developments must meet Housing Locational Policy guidelines.
- Development funds will be made available based on the ranking of NCHFA site scores in 2011 and 2012.
- NCHFA will announce its tax credit awards in August 2011, should a project fail to receive tax credit allocation, funds will be returned to the Housing Trust Fund for allocation.

Rapid Acquisition

- An allocation of \$3.2 million is recommended for Rapid Acquisitions.

- This allocation will be available to development partners for the rapid acquisition of land and multi-family housing developments for new construction, rehabilitations and conversions.
- This allocation will enable developers to rapidly acquire properties that come into the market through foreclosure or short sale.
- The CMCH will develop a process that may include a request for qualifications and establish the criteria for partners seeking this funding based on the overall goals of ending and preventing homelessness.
- This allocation is prioritized for developments serving 30% (\$20,160) or less of the area median income.

Supportive Housing

- An allocation of \$8.3 million is recommended for Supportive Housing developments. These developments will include a variety of services and support such as:
 - Case management
 - Domestic violence
 - Legal
 - Life skills assessment
 - Health care access
 - Mental health
 - Rent subsidy
 - Substance abuse treatment
 - Employment training
- This allocation would be available to developers for projects that further the goals of the Ten-Year Plan to End and Prevent Homelessness and supports the goal of implementing the CMCH Strategy.
- Funds could be used for new construction and rehabilitation of housing to serve the homeless or those with special needs, including the elderly, disabled, homeless or HIV/AIDS populations. Supportive housing with services assists households in the transition to residential stability.
- Supportive Housing development funds will be made available through a Request for Qualification/Request for Proposal process to be determined by the Coalition Board.
- The housing will serve individuals and families with a priority at 30% or less of the AMI.

Committee Action

On April 6, the Housing and Neighborhood Development Committee voted to recommend approval of the FY11 Housing Trust Fund Allocation (Kinsey, Cannon, Barnes and Cooksey).

Small Business Opportunity

Housing Trust fund investments are viewed as significant opportunities for public investment; therefore, the projects will be subject to SBE requirements.

Funding

Housing Trust Fund (Affordable Housing Bonds)

15. FY2012 Action Plan for Housing and Community Development



Action: Approve the FY2012 Annual Action Plan for Housing and Community Development.

Committee Chair: Patsy Kinsey

Staff Resource: Pamela Wideman, Neighborhood & Business Services

Policy

- The U.S. Department of Housing and Urban Development (HUD) mandates development of a Consolidated Plan in order to receive federal funding for housing and community development activities.
- The FY2012 Annual Action Plan (Plan) is the City's annual strategy for providing housing and community development activities.
- The Plan supports the City's housing policy to preserve existing housing, expand the supply of low and moderate-income housing and support family self-sufficiency, as well as the City's neighborhood revitalization strategy.

Explanation

- The FY2012 Action Plan includes housing and community development needs and resources for the City and Regional Housing Consortium.
- The Regional Housing Consortium is a partnership between the City, Mecklenburg County and the towns of Cornelius, Pineville, Matthews, Mint Hill and Huntersville.
- The Plan also serves as the City's annual funding application to HUD.
- In FY2012 the City expects to receive the following federal funding allocation which includes a 16% reduction in Community Development Block Grant funding and a 12% reduction in HOME Investment and Partnership funding:

- Community Development Block Grant (CDBG)	\$ 4,764,193
- HOME Investments and Partnerships (HOME)	\$ 3,371,371
- Emergency Shelter Grants (ESG)	\$ 210,026
- Housing Opportunities for Persons with AIDS (HOPWA)	\$ <u>793,382</u>
Total	\$ 9,138,972

Community Input

- Neighborhood & Business Services staff convened public planning sessions to receive input into the development of the Plan.
- A copy of the Draft Plan, in both English and Spanish, was placed in several public libraries throughout the City. A copy of the draft FY2012 plan was also placed at the Charlotte Housing Authority and Old City Hall.
- A public hearing was held on April 25, 2011, during the City Council's business meeting. There were no comments received during the hearing.

Committee Action

On April 6, the Housing and Neighborhood Development Committee voted to recommend the FY2012 Action Plan (Kinsey, Cannon, Barnes and Cooksey).

Next Step

- The Plan will be submitted to HUD on May 13, 2011.

Attachment 4

Annual Action Plan Executive Summary

Funding

Federal CDBG, HOME, ESG and HOPWA funds

BUSINESS

16. Refinancing of Section 108 Loan for Villages of Hope Haven Project

Action: Approve the refinancing of the remaining balance of \$1,810,000 of the Section 108 loan associated with the Villages of Hope Haven project.

Staff Resource: Richard Woodcock, Neighborhood & Business Services

Policy

- The City's FY2011-2015 Consolidated Housing Plan was approved by City Council on July 26, 2010.
- The Plan identified the need for affordable, safe and decent housing for low and moderate income families.
- The Plan aligns with the U.S. Department of Housing and Urban Development's (HUD's) three overarching goals:
 - Decent affordable housing
 - Economic opportunity
 - Suitable living environment
- The Plan reaffirmed the three basic goals of the City's Housing Policy:
 - Preserve the existing housing stock
 - Expand the supply of affordable housing
 - Support family self-sufficiency initiatives

Explanation

- The Villages of Hope Haven, located at 3815 N. Tryon Street, responds to the needs of the population that is homeless and addicted. The licensed program annually serves more than 300 cases including men, women and families by providing housing, 24-hour substance abuse counseling, workforce vocational training, and creating viable employment opportunities for individuals with limited job skills, and extensive episodes of unemployment.
- In 1999, the U.S. Department of Housing and Urban Development (HUD) approved a Section 108 loan in the amount of \$3,000,000 for renovation costs for the facility and the refinancing of an existing bank loan to support the Villages of Hope Haven project.
- The repayment of the loan is guaranteed with Community Development Block Grant funds.
- As of May 1, 2011, the remaining balance of the loan is \$1,810,000.
- The City will apply to refinance the remaining loan balance this summer at significantly lower rates when HUD enters the market to sell bonds which support the Section 108 Loan Program.
- Given the current interest rates, it is estimated the City will save in excess of \$300,000 in interest over the next eight years.
- The cost of refinancing is estimated to be between \$7,000 and \$10,000 based on similar transactions in previous years.
- In the past, HUD has made the decision to refinance on very short notice. Approval by City Council will allow staff adequate time to respond to HUD's actions.

17. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified.

A. DEVELOPMENT REVIEW BOARD

- Two appointments for staggered initial terms as shown beginning July 1, 2011. This is a new board established by City Council as part of the Subdivision Ordinance update, creating an Alternative Compliance provision that may be decided by the Development Review Board.
 - One appointment for a transportation or urban planner for a two-year term ending June 30, 2013
 - One appointment for a landscape architect as an alternate for a three-year term ending June 30, 2014

Attachment 5

Applications

18. Appointments to Boards and Commissions

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

A. DEVELOPMENT REVIEW BOARD

- One appointment for a real estate development industry representative for a two-year term beginning July 1, 2011.
 - Thomas Brasse by Council Members Carter, Cooksey and Kinsey
 - Sheraine Spivey by Council Members Barnes, Burgess, Cannon, Dulin, Howard, Mitchell, Peacock and Turner

Attachment 6

Applications

- One appointment for a civil engineer as an alternate for a three-year term beginning July 1, 2011
 - Robert Latta by Council Members Barnes, Burgess, Carter, Cooksey, Kinsey and Turner
 - Kevin Vogel by Council Members Howard and Peacock

Attachment 7

Applications

19. 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."

20. Freedom Drive Intersection

Action: Award the low bid contract of \$572,796 to Blythe Development Company for the Freedom Drive Intersection project.

Staff Resource: Tom Russell, Engineering & Property Management

Explanation

- The project will include the construction of storm drainage, curb and gutter and sidewalk at the Freedom Drive/Fred D. Alexander Boulevard/Little Rock Road Intersection. Grading, paving, traffic control and erosion control will also be included as part of the contract.
- This project was funded in the 2008 transportation bonds.
- Construction is scheduled to be complete by the fourth quarter of 2011.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6.02%

Blythe Development Company committed 6.02% (\$34,500) of the total contract amount to the following SBE firms: Ground Effects (pavement marking) and All Points Trucking (hauling).

Funding

Transportation Capital Investment Plan

21. Dogwood Place Pond

Action: Award the low bid contract of \$233,408.13 to Onsite Development, LLC for the Dogwood Place Pond.

Staff Resource: Jennifer Smith, Engineering & Property Management

Policy

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

Explanation

- Dogwood Place Pond is a 1.9 acre pond located on Dogwood Place near the intersection of W.T. Harris Boulevard and Hickory Grove Road.
- Dogwood Place Pond drains to an unnamed tributary that eventually drains to McAlpine Creek, which is 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 tributary.
- Improved water quality in the creek supports the City's objective to sustain the quality of the environment for future generations.
- Enhancing the existing pond on private property provides public benefits by:
 - Removing pollutants
 - Reducing stream bank erosion
- Using the existing pond is much cheaper than obtaining property to build a new pond.
- If the existing pond fails, there would be adverse impacts to the storm water system, divergence from the regulatory goals of the Clean Water Act, and permanent loss of the opportunity for enhancement.
- The construction includes improvements to the spillway, which will enhance the pond's water quality and provide flood control benefits to the downstream road culvert within the Farm Pond Neighborhood Improvement Project area.
- Construction is expected to be complete in the second quarter of 2012.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6.22%

Onsite Development committed 6.22% (\$14,520) of the total contract amount to the following SBE firms: Muddrunners (hauling), On Time Construction (masonry), B&B Concrete (concrete) and All Points Trucking (hauling).

Funding

Storm Water Capital Investment Plan

22. Transit Bus HVAC Repair Parts

- Action:**
- A. Award the low bid unit price contract with Thermo King Central Carolinas, LLC for the purchase of parts for Gillig Bus A/C systems in an amount estimated at \$197,000,**
 - B. Award the low bid unit price contract with Carolina Thomas LLC for the purchase of parts for MCI and Nova Bus A/C systems in an amount estimated at \$106,000, and**
 - C. Authorize the City Manager to execute up to two, one-year renewals with each supplier in amounts estimated at \$197,000 annually with Thermo King and \$106,000 annually with Carolina Thomas.**

Staff Resource: Larry Kopf, Transit

Explanation

- In preparation for the spring and summer months, transit placed two invitations to bid to ensure that enough HVAC parts inventory would be on-hand to address routine air conditioning issues.
- Bus parts will be purchased on an as-needed basis for maintenance and repair. Each contract includes a variety of parts used in maintaining bus heating and cooling systems.

Small Business Opportunity

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

Funding

Transit Operating Budget

23. Charlotte Transportation Center Lease Agreements

- Action:**
- A. Authorize the City Manager to execute a five-year lease with the Charlotte Transit Center Inc. in the amount of \$443,759 for Pavilion A Administration space used by CATS at the Charlotte Transportation Center, and**
 - B. Authorize the City Manager to execute a five-year lease with the Charlotte Transit Center Inc. in the amount of \$205,500 for space used by Solid Waste Services at the Charlotte Transportation Center.**

Staff Resources: Carolyn Flowers, Transit
Victoria Johnson, Solid Waste Services

Background

- In 1994, City Council authorized a public/private partnership with Bank of America (formerly NationsBank).
- The City and the Bank formed Charlotte Transit Center, Inc. (CTI), a non-profit corporation with Board members from both the City (John Muth and John Trunk) and the Bank, in order to build, develop and operate a public transportation terminal for the benefit of the Charlotte community.

- The City pledged the land and the Bank pledged up to \$10,000,000 for the construction of the Charlotte Transit Center (CTC).
- Pursuant to the Corporation Bylaws, the capital and operating expenses for the transit portion of the CTC are covered by the Transit Committee (CATS) and the capital and operating expenses for the retail portion of the CTC are covered by the Retail Committee (Bank of America).
- CTI leases retail space to several public and private entities, including Solid Waste Services and CATS. The proceeds of these leases are used to operate, maintain, and provide security for the CTC.

Explanation

- For Action A:
 - CATS uses 3,876 square feet of leased space in the CTC to provide customer services, pass and transfer sales, lost and found, and paratransit certification evaluations.
 - CATS has leased and operated transit services through the CTC for 16 years.
- For Action B:
 - Since 1996, SWS has leased 1,644 square feet of leased space in the CTC as a satellite location for use by SWS staff and storage of equipment that support cleaning and maintenance operations for the Tryon Street Mall and Uptown District.
 - SWS has operated a satellite service unit in the uptown district since 1986 and formerly used space in the old Convention Center before it was demolished.
 - The uptown satellite location is essential for providing fast and efficient service in the uptown district.
- The combined five-year lease amounts for both CATS and SWS will be 25.31% lower than the current costs for use of space at CTC.

Small Business Opportunity

Contracts for the acquisition or lease of real estate are exempt (Appendix Section 23.4 of the SBO Policy).

Funding

Transit Operating Budget and Solid Waste Services Operating Budget

24. Community Development Block Grant for the Design and Construction of the Walkers Ferry Road Water Line

- Action:**
- A. Accept a \$339,000 Community Development Block Grant from Mecklenburg County for the design and construction of the Walkers Ferry Road water line,**
 - B. Adopt a budget ordinance appropriating \$339,000, and**
 - C. Authorize the Utilities KBE to execute an agreement with Mecklenburg County for acceptance of grant funds for the design and construction of the water main.**

Staff Resource: Barry Gullet, Utilities

Explanation

- Council approved an application in March 2010 with Mecklenburg County to apply to the U.S. Department of Housing and Urban Development (HUD) for federal funding under the Community Development Block Grant (CDBG) program. The County received \$339,000 for the first year to fund the first phase of the Walkers Ferry Water Main Project.
- Walkers Ferry Road Water Main serves one of the identified eligible geographic areas based on the HUD average income criteria. The area to be served is west of the airport between the Catawba River and I-485 (Dixie Berryhill Area). Mecklenburg County, Charlotte Mecklenburg Utilities, and Centralina Council of Government staff are working collaboratively on this project, assisting residents who meet the HUD income levels, to connect to public water if they elect to do so.
- The project is proposed in three phases matching the potential three-year funding cycle of the grant. Phase 1 of the project will construct approximately 2,350 linear feet of 16-inch water main along Walkers Ferry Road.
- This water line is included in the proposed FY2012-2016 Capital Investment Program.

Funding

Utilities Capital Investment Plan and CDBG Grant

Attachment 8

Budget Ordinance

25. Vehicle and Equipment Glass Replacement and Related Services

Action: A. Approve service contracts for glass replacement and related services for an initial term of three years with a combined estimated annual expenditure of \$120,000 for the two following Service Providers:

- **Nantz Auto Glass, Inc.**
- **United Glass Service, Inc., and**

B. Authorize the City Manager to approve up to two additional one-year renewal options with price adjustments as stipulated in the contract.

Staff Resource: Charles Robinson, Business Support Services

Explanation

- The Business Support Services Equipment Management Division currently uses multiple vendors to provide glass and related services for approximately 260 units, including, light to medium vehicles (sedans, police cars, and pickups), heavy duty trucks, fire apparatus, and construction equipment for multiple KBUs throughout the City.
- The Services provide for all required equipment, materials, tools, labor (including glass particle removal/vacuuming and cleaning), service calls, licenses, and supervision to complete such repairs on City vehicles.
- All replacement glass shall be either original equipment or original equipment manufacturers glass, and shall meet the exact glass grade, specification, and manufacturer details that were in the vehicle or equipment originally.
- On February 14, 2011, the City issued a Request for Proposals for these services and received six proposals.
- After a thorough evaluation, the Project Team, consisting of staff from Business Support Services/Procurement Services Division and Business Support Services/Equipment Management Division, recommends awarding to Nantz Auto Glass, Inc. and United Glass Service, Inc. as the service providers best meeting the established requirements.

Contract Terms

- The aggregate estimated five-year term cost for vehicle and equipment glass replacement and related services is \$600,000.
- The contracts will have an initial term of three years with the option to renew for two additional, consecutive one-year terms.
- The companies will analyze the City's usage patterns and maintain an adequate supply of component parts required to be readily available to complete service requests in a timely fashion, including emergency situations.

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

Business Support Services Operating Budget

26. GIS Software License Agreement Renewal

- Action:**
- A. Approve a three-year renewal of the Enterprise License Agreement to Esri totaling \$914,100 for computer software licenses and maintenance for the City's Geographic Information System (GIS), and**
 - B. Approve a three-year subscription to the Esri Enterprise Advantage Program to be exercised as an annual option to acquire GIS software training and technical services for \$366,000.**

Staff Resources: Jeffrey Stovall, Chief Information Office
Twyla McDermott, Chief Information Office

Explanation

- City Key Business Units (KBUs) use Geographic Information System (GIS) software to support the delivery of many citizen services. Examples of uses of GIS technology in the City include:
 - Crime analysis and reporting
 - Vehicle routing and optimal route delineations
 - Information dissemination to citizens via charmeck.org and cmpd.org
 - A variety of decision support, analysis and mapping services for key business units
- The GIS software Enterprise License Agreement (ELA) renewal provides consolidated GIS software licensing and maintenance across all KBUs.
- The ELA provides KBUs and departments with:
 - Unlimited licensing for Esri GIS software licenses with no additional cost for the initial software acquisition
 - Annual software maintenance services to keep the software up to date
- The original three-year software license contract was approved in June 2008 for the amount of \$935,000. The ELA contract renewal cost of \$914,100 for FY2012-FY2014 corresponds to a 2.3% decrease in costs over the original agreement.
- The 2012 Esri ELA renewal is projected to save the City at least \$42,450 over the three-year term versus separate licensing by individual business units.
- The ELA renewal includes an annual option for a subscription to the Enterprise Advantage Program (EAP) at a total cost of \$366,000.
- The EAP includes GIS software training and technical consulting service credits that are expended on an as-needed basis. The use of the EAP credits permits the City to realize savings of 20% for GIS training and 46% for technical services. An Esri technical advisor is also assigned to the City to focus on the City's GIS business needs.
- In addition to the cost savings benefit, the ELA and the EAP will result in efficiency gains from centralized maintenance contract management and citywide coordination of the GIS platform.

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

Various City KBU departmental operating budgets

27. Grounds Maintenance Services

- Action:** Approve the following contracts for grounds maintenance services:
1. **Diamond Athletic Landscaping for Utilities' Sewage Lift Stations in the combined estimated amount of \$75,000 for an initial term of one year and authorize the City Manager to renew Diamond Athletic Landscaping contract for two additional one-year terms,**
 2. **Taylor's Landscaping Service, Inc. for Central District in the amount of \$185,124.68 for three years, and**
 3. **The Byrd's Group, Inc. for South Corridor Infrastructure Program (SCIP) in the amount of \$196,341.08 for three years.**

Staff Resources: Barry Gullet, Utilities
Quin Hall, Engineering & Property Management

Explanation

- These contracts will include the maintenance of:
 - Turf
 - Trees
 - Shrubs
 - Groundcover
 - Perennials
 - Mulch
 - Weed and pest control
 - Leaves
 - Trash and debris removal
 - Snow and ice removal
 - Irrigation operation, maintenance and repair
- These firms were selected based on criteria that included capability to perform, past performance and price.

Utilities

- A Request for Proposals for landscaping services was issued on February 28, 2011. Fourteen proposals were received and evaluated by a staff team.
- This contract provides for routine mowing at Utilities' 70 sewage lift stations located throughout Mecklenburg County.
- The term of the contract is for one year with two, one-year renewal options. Price adjustments will be allowed at the time of renewal based upon the Producer Price Index for Refined Petroleum Products.

Central District

- A Request for Proposals for grounds maintenance services was publicly advertised on March 21, 2011. Three proposals were received and evaluated by a selection committee.
- This district contains 11 City maintained facilities and locations including:
 - Arson Task Force
 - Equipment Services
 - Landscape Management
 - Northwest Service Center

- Spratt Street
- Street Maintenance–Southwest Yard
- Wilmore Center
- Wingate Center
- Street Maintenance–Northpointe
- CMPD Metro Station
- Two monument areas on Tryon Street
- The contract period is for three years with no renewals. The total contract amount is \$185,124.68.

South Corridor Infrastructure Program (SCIP)

- A Request for Proposals for grounds maintenance services was publicly advertised on March 21, 2011. Two proposals were received and evaluated by a selection committee.
- This contract consists of 10 project areas within the right of way along SCIP including:
 - Woodlawn Road
 - Tyvola Road
 - Archdale Drive
 - Arrowood Road signature intersections
 - 3030 South Boulevard
 - Dewitt Lane medians
 - South Boulevard medians
 - Mustang Lane dead-end
 - Sharon Road West intersection
 - Old Pineville Road medians
- The contract period is for three years with no renewals. The total contract amount is \$196,341.08.

Small Business Opportunity

Utilities

The project cost was estimated to be less than \$100,000 and therefore is informal and exempt from SBE goals (Appendix Section 23.1 of the SBO Policy).

Central District and South Corridor Infrastructure Program (SCIP)

No SBE goals were set for these contracts because subcontracting opportunities were not identified (Part B: Section 2.4 of the SBO Policy). However, one of the recommended prime contractors, Taylor's Landscaping Service, is an SBE.

Funding

Utilities and E&PM Operating Budget

28. Fountain Maintenance Services

Action: Approve a three-year contract for fountain maintenance services with Charlotte Specialty Services in the amount of \$163,416.

Staff Resource: Quin Hall, Engineering & Property Management

Explanation

- This contract includes operation, maintenance, cleaning and repair services for five ornamental fountains at:
 - Arequipa Park
 - Two at the Mint Museum Randolph Road location (until June 2012)
 - Ninth and Poplar Street
 - Polk Park
- As part of the cultural facilities funding model, the City's responsibility for landscaping services at The Mint Museum Randolph Road location is being phased out over a three-year period. The funding will end on June 30, 2012.
- The contract period is for three years with no renewals.
- Charlotte Specialty Services was selected using the Council approved qualifications-based selection process.
- The Charlotte-Mecklenburg Government Center fountains are maintained by City staff.

Small Business Opportunity

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

Funding

Engineering & Property Management Operating Budget

29. Traffic Calming Engineering Services

Action: Approve a contract with Dyer, Riddle, Mills & Precourt, Inc. (DRMP) in the amount of \$300,000 for traffic calming engineering services.

Staff Resources: Imad Fakhreddin, Engineering & Property Management
Johanna Quinn, Transportation

Explanation

- This contract provides for engineering, planning and design services to establish alternative traffic calming plans for neighborhoods, typically in response to citizen requests. Alternative traffic calming tools include traffic circles, chicanes, curb extensions or bump-outs, and pavement markings to delineate alternate street uses such as on-street parking. Implementation of the plans is funded through annual allocations of traffic calming funds.
- This firm was selected using the Council approved qualifications-based selection process.
- Work assignments shall be generated in response to Request for Services by CDOT.

Small Business Opportunity

For professional services based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Dyer, Riddle, Mills & Precourt, Inc. included the following SBEs as part of their supporting team to be used as the project evolves: Estes Design, Inc. (environmental consulting), Richa Graphics (printing), and SikesDesign, PLLC (planning and advisory).

Funding

Transportation Capital Investment Plan

30. Renewals for Various Storm Water Repair and Maintenance Engineering Services

- Action:**
- A. Approve a contract renewal with INSITE Engineering & Surveying, PLLC for \$250,000 for engineering services,**
 - B. Approve a contract renewal with LandDesign, Inc. for \$250,000 for engineering services, and**
 - C. Authorize the City Manager to renew each contract one additional time up to \$250,000.**

Staff Resource: William Pruitt, Engineering & Property Management

Explanation

- The consultants will provide engineering analysis and design services for various storm water repair and maintenance projects, ranging from single property repairs to area-based drainage problems.
- The firms were selected using the Council approved qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task order basis.
- Specific tasks associated with the services shall include, but are not limited to:
 - Coordination with property owners
 - Site assessment activities
 - Hydrologic and hydraulic analysis
 - Determination of alternatives to address the applicable drainage issues
 - Recommendation of a preferred solution
 - Evaluation of downstream impacts
- Work assignments will be generated in response to Requests for Services received by City Storm Water Services from task orders issued by the project manager.
- The engineering contracts are renewed at the discretion of the City as necessary to complete projects assigned to the firm.
- Council approved the original contracts with both firms in the amount of \$250,000 per contract on May 24, 2010.

Small Business Opportunity

For services based contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy).

INSITE Engineering & Surveying, PLLC included the following SBE as part of their supporting team to be utilized as the project evolves: Carolina Wetland Services, Inc. (environmental consulting).

LandDesign, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: Carolina Wetland Services, Inc. (environmental & ecological) and On Target Utility Locate Services (utility locating).

Funding

Storm Water Capital Investment Plan

31. Various Storm Water Repair and Maintenance Projects

- Action:**
- A. Approve a contract with Kimley-Horn and Associates, Inc. in the amount of \$500,000 for engineering services for various storm water repair and maintenance project,**
 - B. Approve a contract with Merrick & Company (formerly Turnbull Metzler Design, P.A.) in the amount of \$500,000 for engineering services for various storm water repair and maintenance project, and**
 - C. Authorize the City Manager to renew each contract once for the original contract amount.**

Staff Resource: William Pruitt, Engineering & Property Management

Explanation

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

Small Business Opportunity

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

Kimley-Horn & Associates included the following SBEs as part of their supporting team: Hinde Engineering, Inc. (utility locate); Boyle Consulting Engineers, PLLC. (geotechnical), and On Target Utility Locate (utility locates). These SBEs will be utilized as the project evolves.

Merrick & Company included the following SBEs as part of their supporting team: GPA Professional Land Surveyors of NC (survey & mapping), and On Target Utility Locate Services (utility locates). These SBEs will be utilized as the project evolves.

Funding

Storm Water Capital Investment Plan

32. Various Storm Water Improvement Projects Engineering Services

- Action:**
- A. Approve a contract with US Infrastructure of Carolina, Inc. (USI) in the amount of \$2,000,000 for engineering services for various storm drainage improvement projects,**
 - B. Approve a contract with Armstrong Glen, P.C. in the amount of \$1,000,000 for engineering services for various storm drainage improvement projects,**
 - C. Authorize the City Manager to renew the contract with US Infrastructure of Carolina, Inc. (USI) once for the original contract amount, and**
 - D. Authorize the City Manager to renew the contract with Armstrong Glen, P.C. twice for the original contract amount.**

Staff Resource: Jennifer Smith, Engineering & Property Management

Explanation

- Storm Water Services begins engineering analysis on new storm drainage improvement projects that rank highest in the program backlog each year. The projects may include storm drainage improvements that reduce house and street flooding or repair failing infrastructure.
- The engineering analysis and design for the projects are performed by consulting firms selected using the Council approved qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task order basis.
- When consultants perform quality engineering analysis, the most efficient method is for that firm to complete the design and provide construction administration services. The engineering contracts are renewed at the discretion of the City as necessary to complete the projects assigned to the firm.

Contract with US Infrastructure of Carolina, Inc. (USI)

- Initial work under the contract with USI will be for the Edgewater/Rosecrest Storm Drainage Improvement Project.
- The project boundaries are Emerywood Drive and Archdale Drive to the north, Norfolk Southern Railroad to the west, Starbrook Drive to the south and Little Sugar Creek to the east.
- The project area covers approximately 485 acres and includes commercial, multi-family and single family land uses.

Contract with Armstrong Glen, P.C. (AG)

- Initial work under the contract with AG will be for the Kenilworth/Romany Storm Drainage Improvement Project.
- The project boundaries are East Boulevard to the southwest, Euclid Avenue to the northwest, Berkeley Avenue and East Morehead Street to the northeast and upper Little Sugar Creek to the southeast.
- This project covers approximately 233 acres and includes part of the Carolina Medical Center campus.

Small Business Opportunity

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

US Infrastructure of Carolina, Inc. included the following SBEs as part of their supporting team to be used as the project evolves: Collins & Baker Engineering, PA (environmental consulting), R. Joe Harris & Associates, PLLC (surveying), Joel E. Wood & Associates, PLLC (geotechnical), Barry Lambert Engineering, PC (structural design), On Target Utility Locate Services, Inc. (utility locating), Avioimage Mapping Services (mapping), Carolina Wetland Services, Inc. (environmental permitting), and Gary R. Volmer, PLS (surveying).

Armstrong Glen, P.C. included the following SBEs as part of their supporting team to be used as the project evolves: Boyle Consulting Engineers, PLLC (geotechnical), Habitat Assessment & Rehabilitation Program, Inc. (environmental and ecological), On Target Utility Locate Services, Inc. (utility locating), and Survey Mapping and Control, Inc. (surveying and mapping)

Funding

Storm Water Capital Investment Plan

33. Pedestrian Traffic Signal Equipment for Visually and Hearing Impaired

- Action:**
- A. Approve the purchase of Polara pedestrian traffic signal equipment and parts, as authorized by the sole source exemption of G.S. 143-129(e)(6),**
 - B. Approve a contract with Temple, Inc. for the purchase of Polara pedestrian traffic signal equipment and parts in the annual amount of \$75,000 for the term of three years, and**
 - C. Authorize the City Manager to extend the contract for Polara pedestrian traffic signal equipment and parts for two additional years with possible price adjustments as stipulated in the contract.**

Staff Resource: Angela Berry, Transportation

Sole Source Exception

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

- Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because there is only one supply source.
- The City Council must approve purchases made under the sole source exception.

Explanation

- CDOT has installed Polara accessible pedestrian signals throughout the City to provide pedestrian traffic signal pushbuttons for the hearing or visually impaired as requested in designated locations.
- Polara pushbuttons are necessary to be compatible and interchangeable with existing traffic signal hardware.
- This contract is for the purchase of new equipment for installation and parts to repair existing equipment.
- Temple, Inc. is the exclusive distributor for all Polara products and services in the Southeast region.

Small Business Opportunity

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

Funding

Transportation Capital Investment Plan

34. Charlotte Region Fast Lanes Study-Phase 3

Action: Adopt a resolution authorizing the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the Charlotte Region Fast Lanes Study-Phase 3.

Staff Resources: Norm Steinman, Transportation
Timothy Gibbs, Transportation

Explanation

- This will be the third in a series of studies to analyze area roadways to determine where High Occupancy Toll (HOT) lanes or other types of managed lanes should be implemented in the Charlotte region to help manage congestion during peak travel periods.
- Phase 1 screened all freeways and select arterials in a ten-county region surrounding Charlotte to identify the most promising corridors for *Fast Lanes* projects.
- Phase 2 involved preliminary evaluations of physical design and revenue and operating and maintenance costs along roadways that remained after the initial screening.
- The objectives of the work in Phase 3 will be to:
 - Familiarize the public with the concept of congestion pricing
 - Develop a better understanding of policy and technical issues associated with the use of congestion pricing
 - Determine community acceptance for the next managed lane project(s). The region's first HOT lanes project is expected to be built on I-77 North.
 - Define the preferred managed lanes project(s) for those corridors
- A Municipal Agreement between the City and NCDOT is necessary for the City to be reimbursed up to \$500,000 for the work.

- The Phase 3 Study will begin in summer 2011 and will take approximately one year to complete.
- On April 11, City Council received a report on the project.

Background

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

Small Business Opportunity

Municipal agreements are exempt (Appendix Section 23.8 of the SBO Policy).

Funding

Federal Highway Administration (FHWA) & North Carolina Department of Transportation (NCDOT)

Attachment 9

Resolution

35. Airport Janitorial Services Change Order

Action: Approve a change order to the Sunshine Cleaning Systems contract in the amount of \$532,166.62 for additional janitorial supplies and office cleaning.

Staff Resource: Jerry Orr, Aviation

Explanation

- In November 2009, Council approved a three-year contract in the amount of \$16,883,516 (\$5,473,878.40/year) with Sunshine Cleaning Systems for janitorial services at the Airport and the Aviation department offices at the CLT Center.
- The contract provides 105 employees per day in three shifts, 365 days a year, plus supplies and equipment to clean the terminal and CLT Center.
- In 2010, the Airport served 38,254,207 passengers, an unanticipated increase of 10.7%, the highest increase in passengers of any airport in the world outside of Asia.
- For the prior contract year, the maximum contract amount paid to Sunshine needs to be increased by \$117,805.26 for additional janitorial supplies based on the higher passenger numbers.
- For years two and three of the contract, the Airport is estimating passenger growth to be 7% per year, thus the janitorial supplies would need to increase by \$162,524.42 for year two and \$210,373.94 for year three of the initial contract.
- The janitorial supplies include tissue, towels and soap for use in the restrooms, and cleaning supplies.
- As part of the original bid, the janitorial contract for the cleaning of Aviation department offices at CLT Center (7,300 square feet) was bid on a per square footage basis.

- In 2010, the airport added 10,631 square feet to the CLT Center.
- Using the straight bid pricing from the original contract, the cost for janitorial services at the CLT Center has increased \$13,821 per year effective July 1, 2010, for a total change of \$41,463 for the initial three-year term of the contract.
- Sunshine uses environmentally safe cleaning supplies, equipment and processes, as specified by the contract.
- In summary, the change order provides:

– Year-one adjustment for higher passenger numbers	\$117,805.26
– Year-two adjustment for passenger growth	162,524.42
– Year-three adjustment for passenger growth	210,373.94
– Three-year cost for square footage added at CLT Center	41,463.00
	\$532,166.62

Small Business Opportunity

SBE goals are not established for change orders, however, all additional work involved in this contract will be performed by Sunshine Cleaning and their existing subcontractors (Part D: Section 6 of the SBO Policy). As part of this change order, they committed an additional 7.79% (\$41,463) to the following SBE: PMG Associates, Inc. (janitorial services).

Funding

Aviation Operating Budget

36. Airport Heavy Truck and Construction Equipment

Action: Approve the purchase of two John Deere Tractors, as authorized by the state exception of GS 143-129(e)(9a), in the amount of \$110,811.37 from John Deere Company.

Staff Resource: Jerry Orr, Aviation

State Contract Exception

- G.S.143-129(e)(9a) provides that formal bidding requirements do not apply to purchases of apparatus, supplies, materials, or equipment from contracts established by the United States of America or any federal agency, if the contractor is willing to extend to a political subdivision of the State the same or more favorable prices, terms, and conditions as established in the federal contract.

Explanation

- New runway and other airport expansion projects have increased the square footage area requiring grounds maintenance. This equipment will allow for the effective maintenance of these areas as well as provide necessary back up to the existing airport field maintenance fleet.

Small Business Opportunity

Contracts entered into under state or federal contracts are exempt (Appendix Section 23.2 of the SBO policy).

Funding

Aviation Capital Equipment Fund

37. Workers' Compensation Claim Settlement

Action: Approve a payment of \$120,050 in full and final settlement of a Workers' Compensation claim for Charlotte Mecklenburg Police Department employee, Henry Cybulski.

Staff Resource: Daniel Pliszka, Manager, Risk Management

Explanation

- On October 2, 2010 Henry Cybulski sustained a work-related injury.
- This payment will be a full and final settlement.
- A confidential memo has been sent to City Council with the necessary details.

Funding

Risk Insurance Fund

38. Refund of Business Privilege License Taxes

Action: Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$1,287.39.

Staff Resource: Susan Walker, Finance

Attachment 10

Resolution
List of refunds

39. In Rem Remedy

For In Rem Remedy #A-I, 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. 1615 Beatties Ford Road (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)

Complaint:

- B. 4029 Bearwood Avenue (Neighborhood Statistical Area 44 – North Charlotte Neighborhood)
- C. 2708 Celia Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)
- D. 2956 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood)

Field Observation:

- E. 2209 Hart Road (Neighborhood Statistical Area 116 – Harwood Lane Neighborhood)
- F. 1306/08 Kennon Street (Neighborhood Statistical Area 51 – Belmont Neighborhood)
- G. 518 Melynda Road (Neighborhood Statistical Area 17 – Todd Park Neighborhood)
- H. 3024 Seymour Drive (Neighborhood Statistical Area 4 – Capitol Drive Neighborhood)
- I. 2224 Tate Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)

Public Safety:

A. 1615 Beatties Ford Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1615 Beatties Ford Road (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 11

Complaint:

B. 4029 Bearwood Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4029 Bearwood Avenue (Neighborhood Statistical Area 44 – North Charlotte Neighborhood).

Attachment 12

C. 2708 Celia Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2708 Celia Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 13

D. 2956 Ross Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2956 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood).

Attachment 14

Field Observation:

E. 2209 Hart Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2209 Hart Road (Neighborhood Statistical Area 116 – Harwood Lane Neighborhood).

Attachment 15

F. 1306/08 Kennon Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1306/08 Kennon Street (Neighborhood Statistical Area 51 – Belmont Neighborhood).

Attachment 16

G. 518 Melynda Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 518 Melynda Road (Neighborhood Statistical Area 17 – Todd Park Neighborhood).

Attachment 17

H. 3024 Seymour Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3024 Seymour Drive (Neighborhood Statistical Area 4 – Capitol Drive Neighborhood).

Attachment 18

I. 2224 Tate Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2224 Tate Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 19

PROPERTY ITEMS

40. Property Transactions

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

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

Acquisitions

- A. Project:** McKee Creek Interceptor - Mecklenburg County, Parcel # 14
Owner(s): North Carolina Department of Transportation
Property Address: Camp Stewart Road
Property to be acquired: 147,535 sq. ft. (3.387 ac.) in Fee Simple (TOTAL TAKE)
Improvements: None
Landscaping: None
Zoned: R-3
Use: Roadway Corridor
Tax Code: 111-096-99
Total Parcel Tax Value: \$11,200
Purchase Price: \$54,200
- B. Project:** North Dotger Avenue Proposed 10" Sanitary Sewer Relocation, Parcel # 2
Owner(s): Seana McCallister Smith and Spouse, Robert J. Smith
Property Address: 2412 Kenmore Avenue
Property to be acquired: 857.81 sq. ft. (.020 ac.) in Sanitary Sewer Easement, plus 1,449.25 sq. ft. (.033 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-5
Use: Single Family Residential
Tax Code: 127-118-05
Total Parcel Tax Value: \$391,200

Purchase Price: \$12,825

- C. Project:** Revolution Park Neighborhood Improvement Project, Parcel # 1
Owner(s): Mecklenburg County
Property Address: 2661 Barringer Drive
Property to be acquired: 3,208 sq. ft. (.074 ac.) in Storm Drainage Easement, plus 69 sq. ft. (.002 ac.) in Sidewalk and Utility Easement, plus 12,414 sq. ft. (.285 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: I-1
Use: Golf Course
Tax Code: 145-031-02
Total Parcel Tax Value: \$4,289,400
Purchase Price: \$27,000
- D. Project:** Sugaw Creek / Ritch Avenue Neighborhood Improvement Project, Parcel # 11 and # 21
Owner(s): Sugar Creek Church of Christ, Inc.
Property Address: 3932 Sofley Road
Property to be acquired: 5,577 sq. ft. (.128 ac.) in Fee Simple, plus 680 sq. ft. (.016 ac.) in Storm Drainage Easement, plus 12,553 sq. ft. (.288 ac.) in Sidewalk and Utility Easement, plus 14,872 sq. ft. (.341 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Bushes and Trees
Zoned: R-4
Use: Single Family Residential
Tax Code: 087-021-16 and 087-023-01
Total Parcel Tax Value: \$1,331,600
Purchase Price: \$25,850
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
- E. Project:** Sugaw Creek / Ritch Avenue Neighborhood Improvement Project, Parcel # 40
Owner(s): Sugaw Creek Presbyterian Church, Inc.
Property Address: 215 West Sugar Creek Road
Property to be acquired: 9,462 sq. ft. (.217 ac.) in Fee Simple, plus 8,151 sq. ft. (.187 ac.) in Existing Right-of-way, plus 594 sq. ft. (.014 ac.) in Storm Drainage Easement, plus 8,413 sq. ft. (.193 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-12
Use: Multi Family
Tax Code: 087-011-16
Total Parcel Tax Value: \$352,800
Purchase Price: \$18,650

Condemnations

- F. Project:** Shamrock Drive- Proposed 10" Sanitary Sewer Relocation, Parcel # 2
Owner(s): Divine Revelation Church of Jesus Christ, Inc. And Any Other Parties Of Interest
Property Address: 3315 Shamrock Drive
Property to be acquired: 985.4 sq. ft. (.023 ac.) in Sanitary Sewer Easement, plus 3,042.85 sq. ft. (.070 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-4
Use: Single Family Residential
Tax Code: 099-063-19
Total Parcel Tax Value: \$399,900
Appraised Value: \$3,950
Property Owner's Counteroffer:
Reason for Condemnation: This project will replace a section of existing sewer that is too flat to properly convey the current wastewater flow. After initial contact with the property owner, staff has had no response to numerous contact attempts. In order to maintain the project schedule, condemnation is recommended.
- G. Project:** Shamrock Drive- Proposed 10" Sanitary Sewer Relocation, Parcel # 3
Owner(s): Divine Revelation Church of Jesus Christ, Inc. And Any Other Parties Of Interest
Property Address: 3325 Shamrock Drive
Property to be acquired: 753.4 sq. ft. (.017 ac.) in Sanitary Sewer Easement, plus 932.98 sq. ft. (.021 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-4
Use: Single Family Residential
Tax Code: 099-063-20
Total Parcel Tax Value: \$8,800
Appraised Value: \$2,000
Property Owner's Counteroffer:
Reason for Condemnation: This project will replace a section of existing sewer that is too flat to properly convey the current wastewater flow. After initial contact with the property owner, staff has had no response to numerous contact attempts. In order to maintain the project schedule, condemnation is recommended.

41. Meeting Minutes

Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:
- February 28, 2011