

Mayor Patrick L. McCrory Mayor Pro Tem Susan Burgess

Michael D. Barnes
Nancy Carter
Warren Cooksey
Andy Dulin
Anthony Foxx

Patsy Kinsey
John Lassiter
James Mitchell, Jr.
Edwin Peacock III
Warren Turner

CITY COUNCIL MEETING
Monday, November 10, 2008

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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19	17	Automatic Train Protection System and Train to Wayside Communications System

CITY COUNCIL AGENDA
Monday, November 10, 2008

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4:00 P.M. CLOSED SESSION – ROOM 280

1. Closed Session, Personnel – City Clerk

Action: Adopt a motion to go into closed session pursuant to NCGS 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, and conditions of appointment for the position of City Clerk.

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

2. Mayor & Council Consent Item Questions

Resource: Ron Kimble, Deputy City Manager

Time: 5 minutes

Synopsis

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

3. Street Resurfacing Update

Resource: Layton Lamb, Transportation

Time: 25 minutes

Synopsis

- In September, the City Council referred street resurfacing to the Transportation Committee to review the status of the program. The Committee discussed the issue on October 8, and requested that a summary presentation be made to the City Council. The presentation will review:
 - The goals of the program and the method of prioritizing streets for resurfacing.
 - The status of the program in light of the increase in funding in FY2007 and the severe escalation of asphalt prices.
 - Strategies to supplement resurfacing through alternate street treatments that extend street pavement life.
- Presentation is rescheduled from the October 27, 2008 dinner briefing due to time constraints.

Future Action

This presentation is for information only at this time.

4. Taxicab Operations at Charlotte Douglas Airport

Resources: Jerry Orr, Aviation

Time: 20 minutes

Synopsis

- Staff will present to Council:
 - The history and current procedures of taxicab operations at the Airport
 - Provision and benefits to the City of proposed adjustments at the Airport
 - Process and timeframe to ensure a smooth transition for the taxicab companies

5. Adjustments to 2009 Annexation Reports

Resources: Bob Hagemann, City Attorney's Office
Doug Bean, Utilities
Jonathan Wells, Planning

Time: 20 minutes

Synopsis

- Staff has given one final review of all of the 2009 annexation reports in order to assure absolute, strict compliance with State Statutes.
- During this final review, the City Attorney's office has advised us to include not only all water and sewer lines designed primarily to serve the areas within Hood Road North and Hood Road South, but also to include the cost of the Reedy Creek Outfall originating in Cabarrus County, and feeding back into the Reedy/McKee service area within Mecklenburg County.
- All costs associated with the Reedy Creek Outfall have been in the Charlotte-Mecklenburg Utilities Capital Investment Plan since 2000; therefore, there is no additional financial impact of reflecting this change in the Hood Road North and Hood Road South annexation areas since these costs are already in the Utilities financial model.
- City Council approved the Preliminary Engineering contract for the project in July 2000 and the Design and Environmental Permitting contract in December 2002. For environmental reasons (most notably, the Carolina heelsplitter), the implementation of this line has been delayed six years. It now has the green light from the appropriate State and Federal environmental agencies.
- Design has been completed on the sewer outfall, and the first sewer extension contract will be advertised for bids in December and presented to City Council in February.
- Developments that are ultimately expected to be served by extension of this sewer outfall line and others are Presbyterian Hospital, the Centex Woodbury Development, and the McAlpine Group Shannon at Clear Creek Development.
- Staff is recommending that the Hood Road North and Hood Road South annexation reports be amended to reflect the cost of this sewer outfall line.
- Other adjustments need to be made in the actual versus estimated costs in both solid waste hauler and volunteer fire department economic loss

payments in all annexation reports except Eastfield North and Eastfield South. Actual costs for all economic loss payments will be \$6,540 less than original estimates.

Council Action

No action tonight; however, an official action by City Council will be necessary on November 24 to first amend all of these annexation reports, followed by consideration of the actual annexation vote for the respective annexation areas.

Attachment 1

Map of Hood Road North and Hood Road South Planned Utility Extensions

6. Proposed Green Building Policy Framework

Resources: Jeb Blackwell, Engineering and Property Management
Gina Shell, Engineering and Property Management

Time: 25 minutes

Synopsis

- Council's Environment Focus Area Plan calls for the City to "design, construct, and retrofit facilities using sustainable design criteria such as American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE), EPA/Energy Star Standards, and LEED, as appropriate."
- Staff will describe work to date on developing a policy which will further define this Focus Area Plan initiative and provide direction to City staff.
- A "green building" policy would guide City staff decision making in construction of new City facilities and renovation of existing facilities. Positive impacts on the environment from green buildings include improved air and water quality, reduced greenhouse gas emissions, waste reduction and preservation of trees and open space.
- Staff will describe:
 - Factors that could guide decision making as the City pursues green buildings/sustainable facilities, including size and function of a facility, analysis of initial costs versus long-term benefits of incorporating "green" elements, and analysis of costs of "green" elements versus other key facility elements.
 - Possible goals and measurement tools for a "green building" policy, including the extent to which Leadership in Energy and Environmental Design (LEED) criteria would be incorporated as a tool for certification or decision-making.
 - Alignment of the policy with other Council priorities and policies related to the environment, such as the adopted Focus Area Plan, the Post-Construction Controls Ordinance and the Environmental Chapter of the General Development Policies.

Future Action

Council is asked to refer development of a "green building" policy to the Environment Committee for further guidance to staff, review of a draft policy and recommendation to Council.

7. Answers to Mayor & Council Consent Item Questions

Resource: Ron Kimble, Deputy City Manager

Time: 10 minutes

Synopsis

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

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

CONSENT

- 8. Consent agenda items 16 through 33 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.**

POLICY

9. Tyvola and Archdale Transit Station Area Plan



Action: Approve the Transportation Committee recommendation to adopt the *Tyvola & Archdale Transit Station Area Plan Volume I: The Concept Plan* and receive *Volume II: The Implementation Plan* as information.

Committee Chair: Anthony Foxx

Staff Resource: Kent Main, Planning Department

Explanation

- An interdepartmental team led by Planning Department staff has been working with residents and stakeholders to develop a plan for about 1,120 acres surrounding the Tyvola and Archdale Transit Stations.
- This is the fourth in a series of plans for station areas along the LYNX Blue Line south of South End to I-485.
- The plan updates adopted land use plans and provides policy guidance for future growth and development.
- Two public meetings were held: May 14 with 152 people attending; June 5 with 62 people attending.
- Based on input received through surveys and additional discussions with citizens, staff developed the attached Proposed Revisions to the Draft Document. The revisions address concerns over a potential street connection and a need for traffic calming in particular locations.

Plan Recommendations

- Land Use: Divided into three distinct geographies consistent with the *Centers, Corridors, and Wedges Growth Framework*.
 - Transit Station Area:
 - Promote mix of transit supportive land uses in Transit Station Area, generally within a half mile walk of the station
 - Ensure that new development adjacent to the neighborhoods provides good transition
 - General Corridor Area:
 - Maintain locations for office, commercial, light industrial and warehouse uses in vicinity of Tyvola Road and I-77
 - Maintain Montclair South and Silverleaf area single-family neighborhoods
 - Maintain moderate density residential uses south of Archdale Park, and at Grand Oaks Apartments, under specific criteria
 - Wedge Neighborhood Area:
 - Maintain single-family portion of the neighborhoods consistent with existing land use and zoning
 - Maintain moderate density residential uses along west edge bordering the station area under specific criteria
- Transportation & Streetscape Design:
 - Maintain and enhance the transportation network to increase safety and connectivity for all users. Provide future cross sections for streets, identifying building setbacks and supplementing requirements in the Transit Oriented Development (TOD) and other urban zoning districts, based on the City's *Urban Street Design Guidelines*
- Infrastructure and Environment:

- Make street trees a feature of all streets, and reduce impervious surfaces. Design buildings to reduce stormwater runoff and improve water quality

Charlotte-Mecklenburg Planning Commission (Planning Committee)

- The Planning Committee received public comments at their June 17 meeting. Speakers asked for clarification of residential or commercial property to be taken (there will be no takings), and noted a general desire for improved appearance of properties in the area.
- At their July 15 meeting, Planning Committee voted 5-0 to recommend adoption of the plan with the Proposed Revisions provided.

Transportation Committee

- City Council's Transportation Committee received an overview of the plan at their September 2 meeting, and voted unanimously (Council members Foxx, Burgess, Barnes and Carter) to forward the plan to Council for public comment.
- Council held the public comment meeting on September 22, and no speakers were there to speak on this agenda item.
- The Transportation Committee, at their October 8 meeting, unanimously (Council members Foxx, Burgess, Barnes and Carter) recommended adoption of the Tyvola & Archdale Transit Station Area Plan with the changes recommended by staff.

Attachment 2

Proposed Revisions to Draft Document

10. Pedestrian Lights in Residential Developments



Action: Approve the Economic Development and Planning Committee recommendation to address pedestrian and street lighting, including environmental improvements, through the implementation of Urban Street Design Guidelines and Draft Pedestrian Plan.

Committee Chair: John Lassiter

Staff Resource: Barry Mosley, Planning

Explanation

- In July 2006, Council directed Planning staff to review the City's current Street Light Policy and other relevant policies and regulations in consideration of:
 - The possibility of requiring pedestrian scale lights in single-family developments
 - Discontinuing the use of wood poles for street lighting in single-family residential areas
- In February 2007, City Council received a Council Manager Memo and referred the issue to the Economic Development and Planning Committee. The findings report revealed that:
 - Current City policy does not require pedestrian lighting, but there are opportunities to address pedestrian lighting through street design standards, the conditional rezoning process, and the neighborhood street lighting petition process.

- Most of the jurisdictions surrounding Charlotte do not require pedestrian scale lighting.
- Pedestrian scale lighting costs vary widely depending on the type of fixture and pole (approximate range is \$524 - \$4,400 per light).
- If pedestrian lights were to be required in new residential areas, the costs may be transferred to homebuyers, impacting housing affordability.
- The Economic Development and Planning Committee discussed the issues of pedestrian scale lighting and use of wood poles at four meetings between September 2007 and October 2008. Discussion focused on:
 - Experiences of other cities
 - Costs, installation, maintenance and energy
 - Impact on homeowners
 - Duke Energy and City policies and practices
 - Green lighting

Committee Recommendation

- On October 15 the Economic Development and Planning Committee considered a number of options to address the pedestrian lighting and wood pole issue, including forming a citizen stakeholder group to consider potential ordinance changes. However, the Committee was very concerned about the cost and environmental impacts of new lighting requirements, particularly weighed against other priorities.
- The Economic Development and Planning Committee voted unanimously (Lassiter, Mitchell, Carter and Kinsey) to recommend addressing pedestrian and street lighting, including environmental improvements, through the implementation of Urban Street Design Guidelines and Draft Pedestrian Plan.

11. 2009 Youth Job Connection Contract



Action: Approve the Economic Development and Planning Committee recommendation to approve a \$200,000 contract with Goodwill Industries for the operation of the Youth Job Connection for 2009.

Committee Chair: John Lassiter

Staff Resource: Brad Richardson, Economic Development

Explanation

- On April 14, 2008, City Council approved \$45,000 to fund a pilot youth job center in partnership with Goodwill Industries to increase access to youth employment opportunities.
- During the pilot period, the Youth Job Connection provided job readiness training to 945 youth, and placed 99 in summer jobs. In addition, over 500 youth made multiple visits to the facility for additional training.
- Together with the Mayor's Youth Employment Program (MYEP), the City's youth employment initiatives trained over 1,100 youth and created 273 job placements in 2008 (an increase from 120 in 2007).
- The Youth Job Connection has the following objectives for 2009:
 - To provide job readiness training to 1,500 youth customers
 - To partner with at least 200 employers to place 500 youth in jobs and internships (combined with the MYEP)

- To conduct targeted outreach within Neighborhood Action Plan neighborhoods
- If approved, Goodwill will operate the Youth Job Connection from January to September 2009.
- The adopted budget for FY2009 included \$200,000 for this initiative if Council wished to continue the program at the conclusion of the pilot.

Committee Discussion

- On September 22, 2008, Council referred the pilot program to the Economic Development and Planning Committee for review.
- In reviewing staff's recommendation, the Committee discussed the following issues:
 - The role of local organizations, such as Helping Empower Local People (HELP) and the Charlotte Chamber. Partner organizations, such as HELP and the Chamber will be asked to help market the Youth Job Connection to youth and employers, as well as be a source of volunteers to assist with the operation. Staff will also work with HELP members to provide facilities for community outreach and training.
 - Staff identified the challenge of finding transportation for youth who have jobs as one of the significant issues during the pilot program. Finding ways to better assist employed youth who lack reliable transportation will be a focus for 2009.
 - The need to market the Youth Job Connection to all neighborhoods in the City. The budget for the Job Connection includes marketing funds. Further, the City and Goodwill will work with partners to market the Job Connection, with a particular focus on the City's Neighborhood Action Plan neighborhoods.
- On October 15, 2008 the Economic Development & Planning Committee unanimously voted to recommend approval of a contract with Goodwill Industries for the operation of the Youth Job Connection in 2009. Members present: Lassiter, Mitchell, Carter and Kinsey.

Funding

The adopted budget for FY2009 includes \$200,000 for this initiative.

Attachment 3

October 1, 2008 Economic Development and Planning Committee Presentation

BUSINESS

12. Renewal of Urban Progress Zone Designation

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

Staff Resource: Brad Richardson, Economic Development

Policy

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

Explanation

- In July 2006 the NC General Assembly passed legislation that created a new tax credit program, Article 3J Credits that replaced the William S. Lee Tax Credit Act.
- The legislation also replaced the State Development Zone with Urban Progress Zones (UPZ's).
- Projects located within a UPZ receive enhanced tax credits, which can be used against a company's State corporate tax liability.
- The role of City Council is to request the Secretary of Commerce to designate the zone. The program is administered by the North Carolina Department of Commerce. No City funding is involved.
- On September 10, 2007, City Council adopted a resolution requesting the Secretary of Commerce to designate a UPZ in Charlotte.
- The City's current UPZ expires on December 31, 2008, and the State requires the City to reapply for a UPZ designation.
- The current zone (see attached map) generally extends from the Center City southwest to Beam Road and west to the airport. It follows I-85 on the north (with the exception of two census tracts) and as far east as Eastway Drive and The Plaza.
- The City and Charlotte Chamber worked together to develop the current zone to maximize the UPZ benefits for Charlotte.
- Under the legislation, areas designated as UPZ's cannot exceed 15% of the City's area. This requirement, along with the specific guidelines for drawing a UPZ allow no opportunity to extend or significantly alter the current UPZ; therefore staff recommends re-designating the current zone.
- Every census tract and census block group that composes the zone must meet at least one of the following conditions:
 - Have more than 20% of its population below the poverty level according to the most recent federal decennial census
 - Be an adjacent census tract or block group in which at least 50% of the area is zoned as nonresidential. No more than 35% of the area of a zone may consist of census tracts or census block groups that satisfy this condition only
 - Have experienced a major plant closing and layoff within the past 10 years resulting in a layoff of at least 3,000 employees or 7% of the municipality's population laid off (whichever is greater)
- A list of the types of eligible businesses and the types of incentives available to them is attached.

Attachment 4

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

13. Resolution to Endorse Council member James Mitchell for Second Vice President of the National League of Cities

Action: Approve a resolution endorsing Council member James E. Mitchell, Jr. for the position of Second Vice President of National League of Cities in 2009.

Explanation

- During the October 27 Council Business Meeting, Council member Nancy Carter recognized the candidacy of Council member James E. Mitchell, Jr. for the position of Second Vice President of the National League of Cities (NLC). Council agreed with placing this resolution on the November 3 agenda.
- The National League of Cities is the largest national organization partnering with and representing municipal governments and their corresponding state municipal leagues throughout the United States. Its mission is to strengthen and promote cities as centers of opportunity, leadership, and governance.
- NLC's Second Vice President will assist and coordinate with NLC officers and executive staff members to encourage active participation for cities and towns, assist in strengthening NLC's effectiveness as the lobbying agent for cities and towns and facilitate communication with the state league of municipalities.

Attachment 5

City of Charlotte Endorsement Resolution

14. Appointments to Boards and Commissions

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

A. AIRPORT ADVISORY COMMITTEE

- One appointment for an unexpired term beginning immediately and ending July 31, 2010.
 - Robert Bernard nominated by Council member Kinsey
 - Tony DePaolo nominated by Council member Foxx
 - Jonathan R. Elliott nominated by Council member Dulin
 - Todd Fuller nominated by Council member Lassiter
 - John Marszalek nominated by Council member Cooksey

Attachment 6

Applications

B. COMMUNITY RELATIONS COMMITTEE

- One appointment for a three year term beginning immediately and ending June 30, 2011.
- Two appointments for unexpired terms beginning immediately and ending June 30, 2010.
 - Aaron Bess nominated by Council member Mitchell
 - Jamal Donaldson Briggs nominated by Council member Barnes
 - Ansley H. Cheatham nominated by Council member Dulin
 - Sharon E. Ingram nominated by Council members Burgess and Carter
 - Celia Klein nominated by Council member Burgess
 - Audrey Madans nominated by Council member Lassiter
 - Christopher A. Sites nominated by Council members Burgess and Carter
 - Rebecca R. Vincent nominated by Council member Carter

Attachment 7

Applications

C. DOMESTIC VIOLENCE ADVISORY BOARD

- One appointment for an unexpired term beginning immediately and ending September 21, 2009.
- One appointment for an unexpired term beginning immediately and ending September 21, 2010.
- One appointment for an unexpired term beginning immediately and ending September 21, 2011.
 - Beatrice Cote nominated by Council member Carter
 - Jacqueline Dienemann nominated by Council member Burgess
 - Wanda V. Mobley nominated by Council member Burgess
 - Debra E. Wideman nominated by Council member Burgess

Attachment 8

Applications

D. NEIGHBORHOOD MATCHING GRANTS FUND

- One appointment for an unexpired term beginning immediately and ending April 15, 2009.
 - Joshua Athey nominated by Council member Burgess
 - Christopher Robinson nominated by Council member Mitchell
 - Jennifer Sage nominated by Council member Dulin

Attachment 9

Applications

E. PASSENGER VEHICLE FOR HIRE BOARD

- One appointment for an unexpired term beginning immediately and ending July 1, 2009.
 - Francis C. Hinson nominated by Council member Burgess
 - Andrew P. Thompson nominated by Council member Lassiter

Attachment 10

Applications

F. TREE ADVISORY COMMISSION

- One appointment for an unexpired term beginning immediately and ending December 13, 2009.
 - Ann Macon-Ellis nominated by Council member Kinsey
 - Matthew McLaren nominated by Council members Burgess and Carter

Attachment 11

Applications

15. Mayor and Council Topics

Council members may share information and raise topics for discussion.

Introduction to CONSENT

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

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

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

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

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

Contractors and Consultants

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

CONSENT I

16. Various Bids

A. **FY2009 Contract 2, Street Main Extensions – CMU Water and Sewer Main Construction**

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$1,517,287 to Dallas 1 Construction LLC for construction of sanitary sewer and water main extensions along existing roadways in Mecklenburg County to meet water and sewer service requests from residents. Utilities currently has four street main contracts in place with a total remaining balance of \$2,226,204 that is projected to last until the end of December 2008. Typically four to six contracts are required annually to meet the volume of service requests throughout the county.

Deferral Consequences

The contractor’s bid is valid until January 15, 2009, after which rebidding will be required.

Small Business Opportunity

Established SBE Goal: 5%
 Committed SBE Goal: 5.01%
 Dallas 1 Construction met the SBE goal for this project and committed 5.01% (\$76,000) to the following SBE firms: Jaamco Drain Cleaning & Video Inspection (\$5,000), MTC Consultants (\$1,000), and R.E. Sifford Utility (\$70,000).

B. Bus Anti-Freeze

CATS

Staff Resource: John Trunk, Charlotte Area Transit System

Action

Award a low bid unit price contract to Cummins Atlantic for an estimated annual sum of \$210,000. Authorize City Manager to approve up to two one year renewals with a possible price increases as stipulated in the contract. CATS will purchase large volume gallons of bus anti-freeze on an as needed basis for the entire bus fleet, currently consisting of 342 buses.

Deferral Consequences

Rates fluctuate daily depending on supply and demand factors. This is a mixture specially designed by Cummins for bus engines and is not available off the shelf. The contract allows the City to obtain a fixed price.

Small Business Opportunity

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

17. Resolution of Intent to Abandon a Portion of 31st Street

Action: A. Adopt a Resolution of Intent to abandon a portion of 31st Street, and

B. Set a public hearing for December 8, 2008.

Staff Resource: Linda Poissant, Transportation

Attachment 12

Map
 Resolution

CONSENT II

18. Lease for Police Motorcycles

Action: Approve a three year lease with Capital BMW, in the amount of \$140,663.97 for eight motorcycles for the Police Department's Motorcycle Unit.

Staff Resource: Andy Kornberg, Police

Explanation

- In August 2006, the Charlotte-Mecklenburg Police Department entered into a three year lease with Capital BMW for eight BMW motorcycles for the Highway Interdiction Traffic Safety Unit. That lease will expire in June 2009.
- CMPD wishes to enter into another three year lease for eight 2009 BMW R1200RTP motorcycles.
- Police did not do a formal RFP since this is a lease. The lease includes maintenance and a warranty that covers the three years instead of the two offered by Harley-Davidson. CMPD did get quotes from several manufacturers including BMW, Harley-Davidson and Honda. BMW offered the best price. It also includes standard features that are extra with Harley-Davidson. The Michigan State Police do the national testing for police motorcycles on an annual basis (BMW and Harley-Davidson). The BMW consistently outperforms the Harley-Davidson in every category tested.
- The motorcycles are an asset for CMPD because:
 - They can safely maneuver through congested traffic in areas where a police car cannot, including congestion due to collisions or other hazards.
 - They are useful in conducting escorts at parades and other events which affect the normal flow of pedestrian and vehicular traffic.

Deferral Consequences

Due to the volume of orders for police motorcycles, BMW needs a six month lead time to have the CMPD motorcycles ready when the new lease takes effect in June 2009. The required lead-time is why this item is recommended given the budget constraints.

Small Business Opportunity

Contracts entered into without a competitive bidding/proposal process are considered exempt contracts (Appendix Section 23.2 of the SBO Policy).

Funding

CMPD Operating Budget

19. Automatic Train Protection System and Train to Wayside Communications System

Action: Approve the purchase of an Automatic Train Protection and Train to Wayside Communications (TWC) system from Union Switch and Signal for \$181,000 without competitive bidding per G.S. 143-129 (e) (6) for the additional four light rail vehicles.

Staff Resource: Jim Zingale, Charlotte Area Transit System

Sole Source Exemption

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition is not available
 - A needed product is available from only one source or supply
 - Standardization or compatibility is the overriding consideration
- Sole sourcing is necessary to maintain compatibility with the current system.

Explanation

- City Council approved the purchase of four light rail vehicles on May 12, 2008.
- Purchasing of the Automatic Train Protection (ATP) and Train to Wayside Communications (TWC) system directly from manufacturer, Union Switch and Signal (US&S), allows for lower pricing than could be obtained through the Light-rail Vehicle Manufacturer Siemens Transportation Systems (STS).
- STS will install the system at its facility.
- The ATP system is a control system used to help avoid collisions by automatically controlling the maximum allowable speed a train can travel. Constant communications between the train's on-board computer, wayside instrumentation and the control center help determine maximum allowable speed.
- TWC equipment is onboard equipment used on the train for automatic routing. TWC is used to send signals from the train to wayside equipment and this sets up routes and switches along the mainline as needed.

Deferral Consequences

A delay in ordering this equipment will affect the production schedules for the new light rail vehicles, as these systems are critical to passenger safety and need to be incorporated into their production.

Small Business Opportunity

Contracts entered into without a competitive bidding/proposal process are considered exempt contracts (Appendix Section 23.2 of the SBO Policy).

Funding

Transit Capital Investment Plan

20. Huntersville Gateway Park and Ride Lot Expansion

Action: Approve the purchase of 1.03 acres for the expansion of the Huntersville Gateway Park and Ride Lot, a portion of PID 017-153-12 located on Compass Street for \$565,575.55.

Staff Resources: Robert Drayton, Engineering and Property Management
David Feltman, Charlotte Area Transit System

Explanation

- Approve the purchase of 1.03 acres (44,867 square feet) for the expansion of the Huntersville Gateway Park and Ride Lot, a portion of parcel I.D. 017-153-12 located on Compass Street for \$565,575.55, based on the appraisal.
- This property is adjacent to the existing park and ride lot off Exit 23 at Statesville Road.
- CATS developed the existing park and ride lot in the Huntersville Gateway Business Park in 2002 to serve an express bus route.
- Currently, two express routes serve the lot. Ridership has increased for FY2009 over FY2008 by 58.6% for the 77X route and 27.7% for the 48X route.
- The lot is consistently over capacity with riders parking in the street. The lot is being expanded to meet the increased demand.
- Lack of available parking in the existing lot is a source of customer complaints.
- Currently, there are 209 parking spaces in the Huntersville Gateway Park and Ride.
- The expansion will provide approximately 90 additional parking spaces.
- Funding provided from the adopted CATS Park and Ride capital budget.

Deferral Consequences

- The option period will expire and the City will not be able to meet the closing deadline of December 31, 2008 as required by the seller. This could result in an increase in the purchase price of the property.
- CATS will be unable to proceed with construction thereby delaying the opening of the expansion lot which would result in additional customer complaints from CATS customers and business owners in the Huntersville Gateway Business Park with the existing lot being over capacity.

Funding

Transit Capital Investment Plan

Attachment 13

Map

21. Westridge/Allenbrook Storm Drainage Improvement and Stream Restoration

Action: Approve a contract with HDR Engineering, Inc. in an amount not to exceed \$945,463 for the Westridge/Allenbrook Storm Drainage Improvement and Stream Restoration project.

Staff Resource: Jennifer Smith, Engineering and Property Management

Westridge Storm Drainage Improvements

- The need for this project was identified from customer drainage requests, including complaints of house flooding, road flooding and stream erosion.
- The project schedule is being coordinated with the Thomasboro/Hoskins Phase IV Neighborhood Improvement Project which is in the same area.
- The Westridge project encompasses approximately 390 acres and is bounded on the north by railroad tracks south of Tar Heel Road, the south by Freedom Drive, the east by Bradford Drive and the west by Allenbrook Drive.
- The Westridge project has completed the planning phase and is entering the design phase.
- During the design phase, the consultant will prepare construction plans for the storm drainage improvements to reduce the finished floor flooding at five houses, crawl space flooding at six houses and road flooding at three locations.

Allenbrook Stream Restoration

- The Allenbrook Stream Restoration project will be performed on the stream channel that runs from Allenbrook Drive to Paw Creek floodway.
- Stream restoration is the process of converting a degraded, eroding stream corridor to a stable condition.
- The Clean Water Act often requires public projects to mitigate impacts to streams and wetlands by restoring similar features elsewhere.
- Federal and state regulations require mitigation for impacts to streams and wetlands caused by public projects.
- In 2004, Storm Water Services secured approval from federal and state agencies for the creation of a Stream and Wetland Mitigation Bank (the Bank).
- The Bank allows the City and other local jurisdictions the flexibility to mitigate stream impacts locally, rather than paying into a statewide fund.
- This project supports the City's Bank, which provides compensatory mitigation credit to public projects that impact streams and wetlands.
- Mitigation credits are currently sold by the Bank to individual projects at the statewide market rate (currently \$323 per linear foot), which allows the Storm Water Program to recoup approximately 75% of the cost associated with restoring streams.
- Work shall include, but is not necessarily limited to:
 - Planning
 - Design
 - Construction Administration Services

Deferral Consequences

- The infrastructure in the Westridge project area is in bad condition and has started to fail more frequently. The Storm Water Maintenance team has been performing repairs to keep the system functioning until the capital improvement project can be constructed. If the Westridge project

is delayed, additional maintenance resources and funding will be spent on a system that needs to be upgraded, not just repaired.

- If the Allenbrook Stream Restoration project is delayed, City construction projects will likely not have stream mitigation credits available at the time they are needed.
- In that case, there would be two choices: City projects would be required to perform the stream mitigation on-site, which would likely be more expensive or impractical, or the City could choose to pay into a statewide fund that would be used to restore streams outside the Charlotte area.
- Environmentally, restoring resources locally helps improve local water quality whereas sending those dollars to the state helps improve the water quality of other jurisdictions.
- Financially, the Allenbrook Stream Restoration project is anticipated to be as much as 35% less expensive than paying into the statewide fund due to recent changes in mitigation fees.

Small Business Opportunity

The City negotiated a SBE goal with HDR Engineering Inc. of the Carolinas after the proposal selection process (Part C: Section 2.2 of the SBO Policy). HDR Engineering Inc. of the Carolinas committed 13.06% (\$123,440) of the total contract amount to the following SBE firms: R. Joe Harris Associates (\$103,600) and Habitat Assessment & Restoration Program (\$19,840).

Funding

Storm Water Capital Investment Plan

22. Design Services for Thomasboro/Hoskins Neighborhood Improvement Project Phase 4

Action: Approve a design contract with HDR Engineering, Inc. of the Carolinas in an amount not to exceed \$334,614 for Thomasboro/Hoskins Neighborhood Improvement Project Phase 4.

Staff Resource: Kristie Kennedy, Engineering and Property Management

Explanation

- The funding for this design contract was included in the 2006 Neighborhood Improvement Bonds.
- Planning for all four phases is complete.
- Construction of phases one and two are complete and phase three is in the Real Estate Phase.
- To minimize impacts to the neighborhood, this project will be implemented in conjunction with Storm Water Services' Westridge Flood Control project and Allenbrook Stream Restoration project.
- The Neighborhood Improvement Program provides infrastructure improvements such as curb and gutter, sidewalk, storm drainage, street resurfacing and street trees.
- HDR Engineering, Inc. of the Carolinas was selected pursuant to a Council approved qualifications-based selection process performed in accordance with NC State General Statutes.

Deferral Consequences

- This is the fourth and final phase of the Neighborhood Improvement Project. The residents of phase four have been waiting since 2001 for the improvements.
- The design and construction monies for this project were included in the 2006 Neighborhood Improvement bonds.
- Since this project is being designed and built at the same time as Storm Water Services' Westridge Flood Control project and Allenbrook Stream Restoration project, then the Storm Water Services' projects will also be delayed if this project is deferred.

Small Business Opportunity

The City negotiated an SBE goal with HDR Engineering, Inc. after the proposal selection process (Part C: Section 2.2 of the SBO Policy). HDR committed 16.95% (\$56,700) of the total contract amount to the following SBE firms: R. Joe Harris & Associates, LLC (\$47,500), and On Target Utility Locate Services, Inc. (\$9,200).

Funding

2006 Neighborhood Improvement Bonds

Attachment 14

Map of neighborhood

23. Fire Station #16 Renovations

Action: A. Reject the low bid from Olympia Development Group for failure to comply with the Small Business Program Policy, and

B. Award the construction contract for Fire Station #16 Renovations to H. C. Rummage, Inc. for \$225,236.

Staff Resources: Rich Granger, Fire
William Haas, Engineering and Property Management

Explanation

- Fire Station #16 is located at 6623 Park South Drive.
- The project includes constructing bathroom and shower for females, an exercise facility and bringing the station's mechanical and electrical systems up to current standards in size and function.
- Firefighters are required to pass a physical fitness requirement each year which requires an appropriate fitness program. The exercise facility allows firefighters to exercise and remain close to the fire truck for emergency response.
- Providing separate and adequate female bath facilities protects the City from employment discrimination claims.
- The renovation of this 1966 facility will provide appropriate space for continued operations and prevent future building replacement.
- City Council approved funding for renovation of existing fire stations in FY2005.
- Construction completion is scheduled for third quarter of 2009.

Reject the Low Bid from Olympia Development Group

- Reject the low bid of \$219,458 from Olympia Development Group.

- Olympia Development Group failed to meet the SBE utilization goal and good faith efforts of the Small Business Development Program established for this project. The SBE Utilization Goal for the project was 7.00%, for which Olympia committed 0.94% and they achieved only 35 points out of the 155 minimum required good faith effort points.

Deferral Consequences

- If this item is deferred, the lowest responsive bid being 21% (\$59,764 savings) below the Engineer's estimate would expire. Construction materials may escalate, thereby increasing future bids.

Summary of Bids

Olympia Development Group, Inc.	\$219,458.00
H.C. Rummage, Inc.	\$225,236.00
M.V. Momentum Construction, LLC	\$243,100.00
Pinnix, Inc.	\$250,800.00
Gais Construction, Inc.	\$251,615.00
T.K. Browne Construction Company	\$258,344.00
Ladd Construction, Inc.	\$259,187.00
R. Black & Associates	\$262,900.00
Ponder & Company, Inc.	\$263,025.00
H & H Remodeling, LLC	\$268,491.60
Vanderhall & Alexander Constructors, LLC	\$272,699.30
Prism Construction, Inc.	\$273,766.00
D.E. Brown Construction, Inc.	\$285,670.00
T.A. Hudson Construction Company	\$295,170.81
Farley Associates General Contractors	\$323,400.00

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 11.42%

H. C. Rummage, Inc. exceeded the SBE established goal and committed 11.42% (\$25,739.00) to the following SBE firms: Carolina Fire Dogs (\$2,500.00), Cochrane Steel, Inc. (\$1,350.00), E. Moore & Son Electric Inc. (\$19,084.00) and Reliable Hauling & Grading (\$2,805.00).

Funding

Government Facilities Capital Investment Plan

24. Supplemental Legal Assistance in South Carolina vs. North Carolina Catawba River Water Rights

Action: Approve contracting with Hudson Global Resources Management, Inc. to assist in the legal review of documents associated with discovery from South Carolina in the law suit filed by South Carolina against North Carolina over water rights in the Catawba River under an initial agreement not to exceed \$150,000.

Staff Resource: Mac McCarley, City Attorney's Office

Contract History

- Council approved retaining Hogan & Hartson in January 2008 to represent the City in this litigation and expenditures of up to \$400,000. In August, Council approved an increase in that agreement of \$1.4 million for estimated litigation expenses during the current fiscal year, or a total of \$1.8 million. One aspect of that representation is providing assistance in responding to discovery from South Carolina, including preparing responses to interrogatories and to requests for the production of paper and electronic records.
- Responding to requests from South Carolina for documents requires the legal review of those documents prior to production.
- The estimated cost of this legal review was included in the original estimate of Hogan & Hartson's work for this fiscal year. As set forth below, a more cost effective approach to undertaking this review involves the City contracting directly with Hudson Global Resources Management, Inc.

Explanation

- In the initial efforts to respond to South Carolina discovery directed to Charlotte, City staff members have identified, and continue to identify, large volumes of records and files that may need to be provided in response to South Carolina's request for documents. However, before those records and files are actually produced, they must be reviewed to determine if they are in fact subject to production. That review must be done by attorneys familiar with the case.
- To date several hundred thousand pages of paper documents have been gathered and scanned into electronic format for review. That number could approach or exceed 500,000 pages of paper documents before the end of the fiscal year. Staff is beginning to identify and gather electronic records for potential production to South Carolina. Those electronic records must undergo legal review as well.
- The City Attorney has discussed the cost of undertaking such a review with attorneys from Hogan & Hartson's District of Columbia office and also with other attorneys from the District with substantially lower rates of \$50 per hour. However, the least expensive approach involves working with Hudson which has a local office and has the experience and expertise to handle the legal review needed for this case. Hudson's review rates are \$40 per hour per person. Each person on the review team is a licensed attorney.
- As noted above, the costs of this legal review were included in the original estimate of Hogan & Hartson's work for this fiscal year. Based on the information currently available, it appears that the estimate for this aspect

of the City's litigation expenses was understated. Further, Hudson pays its reviewers and submits its invoices on a weekly basis. Hogan & Hartson cannot pay weekly invoices from Hudson. For these reasons, the City must contract with Hudson to take advantage of Hudson's lower costs. Hogan & Hartson will oversee Hudson to help assure that the review is done properly. The City Attorney's Office will also work with Hogan & Hartson and Hudson to help assure that invoices are carefully reviewed and properly paid.

- Based on the information currently available, it appears that the cost of other work associated with the legal defense of this case may have been somewhat overstated. While it is difficult to estimate litigation costs, particularly in a case of this magnitude, staff presently anticipates not exceeding the approved expenditures of \$1.4 million for outside legal costs (including Hogan & Hartson's fees and expenses, expenses associated with Hudson's document review, and other anticipated litigation expenses) in this case during this fiscal year.
- The City Attorney has approved an initial agreement with Hudson to begin work on reviewing documents, pending Council consideration of the proposed agreement.

Deferral Consequences

Hudson has begun work, under a KBE approved contract with a \$50,000 limit, in order to respond to South Carolina discovery requests as promptly as possible. If a higher spending limit is not approved on November 10, Hudson will be required to suspend its work since it will reach the contract limit before Council's next business meeting. In addition, the City's ability to respond to South Carolina's discovery would be adversely affected.

Funding

Utilities Capital Investment Plan

25. Sanitary Sewer Replacement Program Professional Services Contract

Action: A. Approve a professional services contract with US Infrastructure, Inc. for professional engineering and construction management services for the Sanitary Sewer Replacement Program. The contract is for a not to exceed amount of \$200,000, and

B. Authorize the City Manager to renew the contract for three additional terms.

Staff Resource: Doug Bean, Utilities

Explanation

- The Sanitary Sewer Replacement Program provides for the replacement of older sewer lines that are either too small to handle the flow or are deteriorated due to age.
- Most of these line replacements tend to be less than 15 inches in diameter and less than 1,000 feet in length and serve older areas of the system.
- The primary goal of the replacements is to meet service needs and eliminate sewer overflows.

- This contract provides for the detailed design of the identified sewer line replacements.
- US Infrastructure, Inc. was selected according to the Council approved qualifications based selection process performed in accordance with NC General Statutes.

Deferral Consequences

Award will facilitate Utilities' ability to replace older sewer lines, thus decreasing the risk of restricted capacity and sewer overflows.

Small Business Opportunity

The City negotiated an SBE goal with US Infrastructure, Inc. during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). On this contract US Infrastructure, Inc. committed 3.00% (\$6,000) of the total amount to the following firms: R. Joe Harris, and On Target Utility Locate Services.

Funding

Utilities Capital Investment Plan

26. Supplemental Municipal Agreement for Relocation and Adjustment of Utility Lines

Action: Adopt a resolution authorizing the Utilities Key Business Executive to execute a Supplemental Municipal Agreement with the NC Department of Transportation in the amount of \$167,662.90.

Staff Resource:

Doug Bean, Utilities

Explanation

- On December 12, 2005 Council approved a Municipal Agreement for the relocation of water and sewer lines along I-485 from I-85 to Mt. Holly Road (NC 27) in the estimated amount of \$446,635.34.
- This work consisted primarily of the relocation of 1,500 linear feet of lines ranging in size from eight inches to 16 inches in diameter.
- The Municipal Agreement was based on a cost estimate prepared by NCDOT.
- Actual cost for relocation of all lines came in \$167,662.90 over the estimate.
- Charlotte-Mecklenburg Utilities is obligated to pay for the work, not based on the estimate, but on the actual bids.
- The format and cost sharing philosophy is consistent with past municipal agreements.

Deferral Consequences

Delay of approval would prevent Utilities from reimbursing NCDOT in a timely manner. As a result, NCDOT could withhold Powell Bill money.

Funding

Utilities Capital Investment Plan

Attachment 15

Resolution

27. Railroad Agreement for Fred D. Alexander Boulevard–Phase 2

Action: Authorize the City Manager to negotiate and execute a Construction Agreement with CSX Transportation (CSXT) in an amount not to exceed \$500,000 for railroad flagging, construction engineering and inspection.

Staff Resource: Imad Fakhreddin, Engineering and Property Management

Agreement with CSX Transportation

- Fred D. Alexander Boulevard Phase 2 will include construction of a bridge over the CSXT Railroad and other improvements within the railroad right of way.
- CSXT will not allow work to begin within the railroad right of way until a fully executed Construction Agreement with the City is in place and a prepayment check has been received.
- This action will allow the City Manager to negotiate and execute an agreement with CSXT for the City to pay up to \$500,000 for railroad flagging and construction engineering/inspection.
- This estimate was prepared by CSXT based on their review of construction plans and estimated time to complete the construction of the bridge over the railroad.
- Council authorized the City Manager to approve and execute an agreement with CSXT for Phase 1 of Fred D. Alexander Boulevard on February 25, 2008.
- This project is included in the recently approved 2008 bonds.

Fred D. Alexander Boulevard Project History

- This project is a proposed multi-lane roadway to connect NC27 to NC16 based on recommendations of the West Side Strategy Plan.
- The 2004 Transportation Bonds included \$5.8 million to complete design, right of way acquisition and utility relocation.
- The 2006 Transportation Bonds included \$20 million to fund the first phase of construction. Additional funds for the second phase of construction are included in the 2008 bonds.
- City Council awarded the construction contract for the first phase of Fred D. Alexander Boulevard on September 22, 2008.

Deferral Consequences

- The construction agreement with CSXT has already been negotiated and the process of negotiation is a lengthy process. Based on the many requests for railroad right of way encroachment and other priorities of CSXT, a delay in execution of this agreement could delay the project from three months to a year.

Small Business Opportunity

Contracts entered into without a competitive bidding/proposal process are considered exempt contracts (Appendix Section 23.2 of the SBO Policy). CSXT has jurisdiction authority within the railroad right-of-way for this contract.

Funding

Transportation Capital Investment Plan

28. Property Acquisition Services for Freedom Drive Widening Project

Action: Authorize the City Manager to execute a contract with Gulf Coast Property Acquisition, Inc. in an amount not to exceed \$147,350 for property acquisition services needed for the Freedom Drive Widening Project.

Staff Resources: Michael Knox, Engineering and Property Management
Tom Russell, Engineering and Property Management

Explanation

- Easement acquisition for approximately 133 parcels is necessary for construction of this project.
- Pursuant to a qualifications-based selection process performed in accordance with NC State statutes, Gulf Coast was selected to provide the referenced services.
- This project widens Freedom Drive to four lanes from Edgewood Drive (at I-85) to Toddville Road, a distance of approximately 1.75 miles, and provides roadway, sidewalk and bike lane connectivity.

Deferral Consequences

- Construction schedule commitment made to citizens through the public input process (public meetings and mail correspondence) will not be met.
- Coordination cannot occur with intersecting City projects already underway at Little Rock Road, Fred D. Alexander Boulevard, and Freedom Drive; coordination will minimize disruption to the businesses and neighborhoods in the area.
- Municipal agreement with State of North Carolina will have to be renegotiated and re-executed.
- Utility agreements with Bellsouth and AT&T Long Distance that are in place for utility relocation will be compromised. The utilities have already begun relocation work based on our planned schedules.

Funding

Transportation Capital Investment Plan

29. Declaration of Withdrawal for Residual Portion of Bronwin Street

Action: Adopt a resolution stating that a residual portion of Bronwin Street is not part of the adopted street plan (thoroughfare plan).

Staff Resource: Linda Poissant, Transportation

Policy

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

Explanation

- North Carolina General Statute 136-96 states that a right-of-way not utilized within 15 years of dedication can be abandoned through the recording of the Declaration of Withdrawal with the Register of Deeds.
- The statute requires staff to adopt a resolution stating the right-of-way to be abandoned is not part of a proposed street plan.
- These unused and unopened rights-of-way are not part of any such plan; therefore, staff has determined that all necessary requirements of the statute will have been met by adopting the resolution.
- Charlotte-Mecklenburg Utilities has no existing utilities within the area to be abandoned that would require an easement.

Petitioner

Ayrsley Development Corp/Thomas B. Henson

Right-of-Way to be withdrawn

Residual portion of Bronwin Street

Location

Located within the Ayrsley Community beginning from Kings Parade Boulevard continuing approximately 50 feet southwestward to its terminus

Reason

To incorporate the right-of-way into adjacent property owned by Ayrsley Development Group for the construction of the Lennar Townhomes Project

Attachment 16

Resolution

30. Hawthorne Lane Pedestrian Bridge Air Rights Easement

Action: Adopt a resolution that approves the granting of air rights over Hawthorne Lane to Novant Health, Inc. for \$20,160.02

Staff Resource: Linda Poissant, Transportation

Explanation

- Staff recommends the granting of air rights to Novant Health, Inc. for the construction of a new pedestrian bridge across Hawthorne Lane connecting the proposed Medical Office Building to Presbyterian Hospital.
- The design of the pedestrian bridge is in conformance with the City's Overstreet Connections Policy and is recommended by the Transportation Key Business, Engineering and Property Management Key Business, and the Planning Key Business.
- The air rights easement cost is equal to 50% of the tax value of the adjacent private property ($\$24.00 \text{ per sq. ft.} \times 1,680 \text{ square feet} = \$40,320.04 \times .5 = \$20,160.02$).

Location

The pedestrian bridge will be located on Hawthorne Lane between Elizabeth Avenue and Park Drive.

Attachment 17
Resolution

31. 2009 City Council Meeting Schedule

Action: Approve the 2009 City Council Meeting Schedule.

Staff Resource: Brenda Freeze, City Clerk

Explanation

- N.C.G.S. 43-318.12 requires that the City Clerk keep a schedule on file of City Council's regular meetings. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.
- 2009 Retreat dates have been included on this proposed schedule of meetings. Staff did not schedule a meeting the night before the November 3rd Election Day.

Attachment 18
2009 City Council Meeting Schedule

32. Property Transactions

Action: Approve the following property acquisitions (A-C) and adopt the condemnation resolution (D).

Acquisitions

- A. Project:** Reedy Creek Basin - Mecklenburg County, Parcel # 17
Owner(s): Farm Properties, Limited Partnership
Property Address: 9400 Plaza Road Extension
Property to be acquired: 73,906 sq. ft. (1.697 ac.) in Sanitary Sewer Easement, plus 63,443 sq. ft. (1.456 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$27,360
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Forest - Commercial Production
Tax Code: 108-181-01
Total Parcel Tax Value: \$236,060
- B. Project:** Southwest Water Transmission Main - Phase C, Parcel # 42
Owner(s): Robert Steve Waddell and Wife, Sharon Waddell
Property Address: 13224 Steele Creek Road
Property to be acquired: 15,281 sq. ft. (.351 ac.) in Utility Easement, plus 6,463 sq. ft. (.148 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None

Purchase Price: \$19,034

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

Zoned: R-3

Use: Single Family Residential - Rural Acreage

Tax Code: 199-061-09

Total Parcel Tax Value: \$593,100

C. Project: Southwest Water Transmission Main - Phase C, Parcel # 43

Owner(s): Dennis Charles Wolfe and Wife, Kaye Wolfe

Property Address: 13300 Steele Creek Road

Property to be acquired: 9,859 sq. ft. (.226 ac.) in Utility Easement, plus 3,122 sq. ft. (.072 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$11,403

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

Zoned: R-3

Use: Single Family Residential - Rural Acreage

Tax Code: 199-061-20

Total Parcel Tax Value: \$259,100

Condemnations

D. Project: Southwest Water Transmission Main - Phase C, Parcel # 13, 14 and 15

Owner(s): Patten Ventures, Inc. and Any Other Parties Of Interest

Property Address: Steele Creek Road

Property to be acquired: Total Combined Area of 14,388 sq. ft. (.330 ac.) of Utility Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$12,725

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

Tax Code: 199-181-04/199-181-14/199-181-13

Total Parcel Tax Value: \$483,000

33. Meeting Minutes

<p>Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:</p> <ul style="list-style-type: none"> - September 15, 2008 - September 22, 2008 - October 6, 2008
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