

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, October 10, 2011

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

Item #	Page #	Title
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16	14	Walkers Ferry Road Water Main
32	31	Airport Revenue Bonds

CITY COUNCIL AGENDA
Monday, October 10, 2011

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Mayor & Council Consent Item Questions

Resource: Eric Campbell, 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. Private Water and Sewer Line Warranty

Resource: Barry Gullet, Utilities

Time: 30 minutes

Synopsis

- Currently, property owners are responsible for maintenance and repair of all water and sewer piping on their private property between the water meter and the residence or physical service location.
- Charlotte-Mecklenburg Utilities (Utilities) researched options for a water and sewer line warranty program. The proposed program requires minimal participation from the City and no monetary investment. The Private Water and Sewer Line Warranty would give Utilities customers the opportunity to participate in a program that would provide coverage for water and sewer line replacement/repair for a fixed monthly fee.
- Similar programs are offered by other local utilities to their customers, as a means of protecting against unforeseen costly repairs.
- This presentation will give an overview of the Private Water and Sewer Line Warranty program and the potential benefits for both citizens and the City of Charlotte.
- A Request For Proposals to provide this warranty program was issued on September 9, 2011 and three firms attended a pre-proposal conference on September 16, 2011, and three submittals were received for consideration on September 23, 2011.

Future Action

A contract will be presented to Council on the November 14, 2011 business agenda.

3. Post-Construction Controls Ordinance Revisions



Committee Chair: Edwin Peacock

Resources: Jeb Blackwell, Engineering & Property Management
Daryl Hammock, Engineering & Property Management

Time: 30 minutes

Synopsis:

- The Post-Construction Controls Ordinance (PCCO) has been in effect since July 1, 2008.
- During implementation of the ordinance, staff has identified several areas that should be revised to provide more flexibility, to reflect recent changes in the Tree Ordinance, and to address housekeeping issues.
- The most significant of the proposed changes are:
 1. Remove the applicability of natural area (tree) requirements. The tree save area required in the revised Tree Ordinance removed the need for the PCCO to have similar requirements.
 2. Allow more sites to be considered for a mitigation fee option for redevelopment. Staff has found that some redevelopment projects face substantial economic challenges accommodating water quality measures on the site. More flexibility is needed which will reduce compliance costs in many cases.
- Other less significant or housekeeping changes include:
 3. Add language to prevent developers from ignoring State-required 30-foot buffers on some sites.
 4. Remove references to County watersheds not within our jurisdiction.

Citizen Input

Citizens and interested groups provided input through various venues including emails, phone calls, a sounding board meeting, Storm Water Advisory Committee meetings, a public hearing and Environment Committee meetings. A summary of the input is provided as an attachment.

Environment Committee

Staff presented and discussed items #1 and #2 at the August 22 and September 26 Environment Committee Meetings. The Environment Committee discussed and voted at their September 26 meeting on item #1, removal of natural area with Dulin and Howard supporting removal and Peacock and Carter opposed to removal. The Committee was also divided on item #2 on whether or not to temporarily expand the mitigation fee with Peacock and Howard supporting the expansion and Carter and Dulin against expansion. The two housekeeping items were not referred to Committee.

Future Action

This is item 11, page 6, of this agenda.

Attachment 1

Summary of Citizen Input
Post Construction Controls Ordinance Revisions
Text Amendment showing revisions White Paper

4. Oakhurst Redevelopment Infrastructure Project

Resource: Peter Zeiler, Neighborhood and Business Services

Time: 20 minutes

Synopsis

- The Oakhurst project is a mixed use redevelopment project of the former Woonsocket Mills site, located on Monroe Road between Chippendale Road and Shade Valley Road.
 - 75,000 square feet of retail
 - 225 apartments
 - \$50 million estimated private investment
 - Zoning approved by City Council in June 2010
- Oakhurst lies within the Business Corridor and faces challenges
 - Road realignments and widening required to make site viable for retailers
 - Road work identified as priorities in Independence Area Plan
 - Road work is estimated between \$1.3 and \$1.8 million
- The Developer wants to partner with the City on road realignment using Business Corridor Fund.

Future Action

- Staff recommends referral to Economic Development Committee for further discussion and potential future Council action

5. Answers to Mayor and Council Consent Item Questions

Resource: Eric Campbell, City Manager's Office

Time: 10 minutes

Synopsis

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

6. Closed Session

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

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

7. CHARLOTTE SYMPHONY 80th ANNIVERSARY

Action: Mayor Foxx to read and present the Charlotte Symphony with a proclamation in recognition of their 80th anniversary.

8. CHARLOTTE'S CROWN TREE AWARDS

Action: Mayor Foxx to recognize Crown Tree Award winners in the category of outstanding tree preservation which exceeded tree ordinance requirements. The projects being recognized are Park South Mews neighborhood and Mountain Island Church of Christ.

CONSENT

- 9. Consent agenda items 16 through 42 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

10. City Manager's Report

11. Post-Construction Controls Ordinance Revisions



Action: Approve the following revisions to the Post-Construction Controls Ordinance:

1. Remove natural area (tree) requirements,
2. Temporarily expand the mitigation fee for redevelopment projects until April 30, 2014,
3. Revise stream buffer requirements to comply with State law, and
4. Remove reference to watersheds not within the City's jurisdiction.

Committee Chair: Edwin Peacock

Staff Resources: Jeb Blackwell, Engineering & Property Management
Daryl Hammock, Engineering & Property Management

Explanation

- The Post-Construction Controls Ordinance (PCCO) has been in effect since July 1, 2008.
- During implementation of the ordinance, staff has identified areas that should be revised to provide more flexibility, reflect recent changes in the Tree Ordinance and address housekeeping issues.
- The most significant of the proposed changes are:
 1. Remove the applicability of natural area (tree) requirements. The tree save area required in the revised Tree Ordinance has removed the need for the PCCO to have similar requirements.
 2. Allow more sites to be considered for a mitigation fee option for redevelopment. Staff has found some redevelopment projects face substantial economic challenges accommodating water quality measures on the site. More flexibility is needed, which will reduce compliance costs in many cases. The mitigation fees will then be used to design and build water quality measures elsewhere in the watershed.
- Other less significant or housekeeping changes include:
 3. Add language to include State-required 30-foot buffers on some sites.
 4. Remove references to watersheds not within the City's jurisdiction.

Citizen Input

Citizens and interested groups provided input through various venues including emails, phone calls, a sounding board meeting, Storm Water Advisory Committee meetings, a public hearing and Environment Committee meetings. A summary of the input is provided as an attachment.

Environment Committee

Staff presented and discussed items #1 and #2 at the August 22 and September 26 Environment Committee Meetings. The Environment Committee discussed and voted

at their September 26 meeting on item #1, removal of natural area with Dulin and Howard supporting removal and Peacock and Carter opposed to removal. The Committee was also divided on item #2 on whether or not to temporarily expand the mitigation fee with Peacock and Howard supporting the expansion and Carter and Dulin against expansion. The two housekeeping items were not referred to Committee.

Staff Recommendation

Staff recommends the following revisions to the Post Construction Controls ordinance:

1. Remove natural area (tree) requirements
2. Temporarily expand the mitigation fee for redevelopment projects until April 30, 2014
3. Revise stream buffer requirements to comply with State law
4. Remove reference to watersheds not within the City's jurisdiction

Funding

The proposed revisions to the PCCO will not impact the Storm Water budget or the General Fund budget.

Attachment 1

Summary of Citizen Input
Post Construction Controls Ordinance Revisions
Text Amendment showing revisions White Paper

BUSINESS

12. Nissan Leaf Electric Vehicles



- Action:**
- A. Award the low bid unit price contract to Modern Nissan of Lake Norman for the purchase of the Nissan Leaf Electric Vehicles for the term of one year, and**
 - B. Authorize the City Manager to extend the contracts for three additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The FY2012 expenditures are anticipated to be a total of \$249,887.40.**

Staff Resources: Charles Robinson, Business Support Services
Robert Phocas, City Manager's Office

Explanation

- The City will purchase seven Nissan Leaf electric vehicles (new and/or replacement) for use by City staff.
- Up to 29 publicly accessible electric vehicle charging stations will be installed throughout the City including six charging stations at the CMGC parking deck. Two charging stations have been installed and are available for use at Aviation's Business Valet Deck and Utilities' Environmental Services Facility.
- On April 20, 2010, the U.S. Department of Energy (DOE) approved the City's receipt of \$6.5 million in funding under the Energy Efficiency and Conservation Block Grant (EECBG) Program, which is part of the American Recovery and Reinvestment Act of 2009, for energy and energy efficiency projects.
- On April 26, 2010, Council authorized the City Manager to accept the EECBG funds, develop, and implement 17 projects included in the DOE required Energy Strategy. One of these 17 projects is the electric vehicle and charging station project.
 - Business Support Services/Equipment Management Division (BSS/EMD) used the FY2011 capital replacement list to identify KBUs and opportunities to replace gasoline vehicles with all electric vehicles.
 - Aviation, Department of Transportation (CDOT), Utilities, Engineering and Property Management (E&PM), and Neighborhood and Business Services (N&BS) have committed to purchase electric vehicles to be used to complete their daily tasks and provide visibility in the community.
 - CDOT, E&PM, and N&BS' Leafs will be charged at the six charging stations to be installed at the CMGC parking deck.
 - All EECBG funds must be spent by July 27, 2012.
- The EECBG will cover the incremental cost between the replacement vehicle and the electric vehicle. The unit price per electric vehicle is \$35,698.20. The EECBG will fund \$99,437.40 toward the purchase of the seven Leafs. The City will fund the balance of \$150,450 (equivalent to \$21,492.86 per vehicle).
- BSS/EMD will work with the KBUs receiving the Leafs to evaluate the cars as viable additions to the City's fleet. BSS/EMD will be studying the range of the vehicles per charge, ease of use, environmental benefits, and life cycle costs.

- BSS/EMD plans to handle the normal daily and preventive maintenance. The electrical running part of the Nissan Leaf will be maintained by the dealer.
 - The manufacturer warranty covers the entire vehicle for all parts and labor, other than wear items such as brake linings and tires, for a minimum of three years or 36,000 miles.
 - The manufacturer warranty covers all electric and battery components for all parts and labor for a minimum of eight years or 80,000 miles.

Small Business Opportunity

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

Funding

Capital Equipment Fund and EECBG

Attachment 2

September 30 Council-Manager Memo

13. Council Meeting Calendar Amendment

Action: Amend the City Council meeting calendar to reschedule the City Manager's evaluation from the cancelled meeting of November 21, 2011 to either:

- 1. November 28, 2011 from 3:00 p.m. to 5:30 p.m., or**
- 2. November 30, 2011 from 11:30 a.m. to 2:00 p.m.**

Staff Resource: Stephanie Kelly, City Clerk's Office

Explanation

- At the September 12, 2011 meeting, City Council voted to amend their meeting schedule because of the 2011 holiday season.
- The City Manager's evaluation was originally scheduled for 3:00 p.m. on November 21, 2011 prior to the Zoning Meeting, which has been cancelled and combined with the November 14, 2011 Business Meeting.

14. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.

A. BICYCLE ADVISORY COMMITTEE.

- Two appointments for three year terms beginning January 1, 2012.
 - Jonathan Harding is eligible and would like to be reappointed.
 - Frank Burns is eligible, but does not wish to be reappointed.

Attachment 3

Applications

B. BUSINESS ADVISORY COMMITTEE

- One appointment for an unexpired term beginning immediately and ending April 28, 2013. On December 13, 2010 Council determined appointees will be in specific sectors: Manufacturing, Transportation/Logistics, Financial Services, Technology, Energy and Healthcare.
 - Tariq Bokhari resigned.

Attachment 4

Applications

C. CHARLOTTE HOUSING AUTHORITY

- One appointment for a three year term beginning December 18, 2011.
 - Joel Ford is eligible and would like to be reappointed.

Attachment 5

Applications

D. CHARLOTTE MECKLENBURG DEVELOPMENT CORPORATION

- One appointment for an unexpired term beginning immediately and ending October 31, 2012.
 - Stephen Mauldin resigned.

Attachment 6

Applications

E. CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION

- One appointment for an unexpired term for a member of the general public beginning immediately and ending June 30, 2013.
 - Sonya Young resigned.

Attachment 7

Applications

F. HOUSING APPEALS BOARD

- One appointment for a three year term for an at-large member beginning January 1, 2012.
 - Charles Assenco is eligible and would like to be reappointed.

Attachment 8

Applications

G. KEEP CHARLOTTE BEAUTIFUL

- Two appointments for unexpired terms beginning immediately and ending June 30, 2012 and June 30, 2013.
 - Sonya Young and Rosemary Hall resigned.

Attachment 9

Applications

H. NEIGHBORHOOD MATCHING GRANTS FUND REVIEW TEAM

- One appointment for an unexpired term for a school system employee recommended by CMS Superintendent beginning immediately and ending April 15, 2012.
 - Samantha Evans resigned.

Attachment 10
Applications

I. PASSENGER VEHICLE FOR HIRE BOARD

- One appointment for an unexpired term for a person with a disability or a representative from an organization that represents persons with disabilities beginning immediately and ending July 1, 2012.
 - Melanie Wolfe resigned.

Attachment 11
Applications

J. SMALL BUSINESS ENTERPRISE LOAN FUND

- One appointment for a three year term beginning October 2, 2011.
 - Nigel Long is eligible and would like to be reappointed.

Attachment 12
Applications

K. TREE ADVISORY COMMISSION

- Three appointments for three year terms beginning December 14, 2011.
 - Matt McLaren and J. Martin Sondey are eligible and would like to be reappointed.
 - Christopher Buchanan has completed his terms of service and is not eligible to be reappointed.

Attachment 13
Applications

15. 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."

16. Walkers Ferry Road Water Main

Action: Award the low bid contract of \$299,908.40 to BRS, Inc. for the construction of the Walkers Ferry Road Water Main, funded by a Community Development Block Grant (CDBG) received by Mecklenburg County.

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 as part of the County's Three Year Consolidated Plan.
- Council approved acceptance of the grant from Mecklenburg County on May 9, 2011.
- For the first year \$339,000 has been received to fund Phase 1 of the Walkers Ferry Water Main Project.
- Walkers Ferry Road Water Main serves one of the identified eligible geographic areas, west of the airport between the Catawba River and I-485 (Dixie Berryhill Area).
- Based on the latest census data, this area qualifies for the grant because a majority of the residents fall below the 80% median income level.
- 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" water main along Walkers Ferry Road.
- Should the County not receive grant funding in years two and three, the City is not obligated to build the remaining two phases.

Minority, Women, and Small Business Enterprise

- Mecklenburg County's program provisions apply in establishing goals for this project.

Funding

Community Development Block Grant

17. Large Water Meter Electronic Radio Transmitters

- Action:**
- A. Approve a low bid, unit price contract with the following distributors for the purchase of large water meter electronic radio transmitters and registers in the combined estimated annual amount up to \$250,000 for the term of one year.**
 - **HD Supply Waterworks (\$125,000)**
 - **MSC Waterworks (\$125,000)**
 - B. Authorize the City Manager to renew the contracts for two additional, one-year terms at the same unit prices.**

Staff Resource: Barry Gullet, Utilities

Explanation

- These contracts will provide parts for routine replacement of broken or malfunctioning water meter registers and electronic radio transmitters (ERTs) on commercial and industrial water meters (1-1/2" through 12" meters).
- Registers and ERTs are sometimes physically damaged from external impacts to the meter or meter box, and from normal wear and tear when the meter box is accessed frequently.
- Large meters, registers, and ERTs are not part of the existing contracts for residential water meters.
- HD Supply Waterworks and MSC Waterworks are the local area distributors for the various brands of large meters that currently exist in the water system. The replacement registers and ERTs must be compatible with the existing meter. The various brands of large meter products were placed into the City's water and sewer infrastructure over time through different competitive bid processes.
- These contracts provide unit prices for the different sizes and brands of registers and ERTs needed. Purchase orders will be issued on an as needed basis for the procurement of these commodities.

Small Business Opportunity

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

Funding

Utilities Operating Budget

18. Large Water Valve Investigation and Replacement

Action: **A. Award the low bid contract of \$1,245,733.50 to Dallas 1 Construction for Large Water Valve Investigation and Replacement services, and**

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

Staff Resource: Barry Gullet, Utilities

Explanation

- This contract involves the investigation and repair or replacement of malfunctioning valves in the water distribution system.
- These valves are required to isolate water mains for repair and maintenance, and to regulate the water flow within the distribution system.
- Currently, there are 12 valves, ranging in size from 16-inch to 36-inch needing immediate attention.
- Throughout the term of the contract, other valves will be repaired or replaced as they are identified by Utilities Field Operations and Water Distribution Divisions.
- This is a unit price contract, which allows for price adjustments at the time of renewal based on the Engineering News Construction Cost Index.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3.05%

Dallas 1 Construction met the Established SBE Goal, and committed 3.05% (\$38,000) of the total contract amount to the following SBE firm: Bullseye Construction, Inc. (water & sewer construction)

Funding

Utilities Capital Investment Plan

19. Stream and Wetland Vegetation Services

Action: Award the low bid contract of \$387,002.18 to Carolina Wetland Services, Inc. for installation of native plants and removal of non-native plants along restored streams.

Staff Resource: Daryl Hammock, Engineering & Property Management

Explanation

- Services under this contract include the installation of native plants and removal of non-native (invasive) plants along restored streams throughout the City.
- Native vegetation stabilizes stream banks and provides water quality benefits. Non-native vegetation must be controlled to ensure the establishment of native vegetation.

Background

- The Clean Water Act typically requires public projects to mitigate impacts to streams and wetlands by restoring similar features elsewhere.
- In 2004, the City of Charlotte established a Stream and Wetland Mitigation Bank (Bank) to hold mitigation credits that can be used later by City and County public projects impacting streams and wetlands.
- Stream restoration projects are constructed to generate mitigation credit for the Bank. Stream restoration is the process of converting a degraded, eroding stream corridor to a stable condition including establishment of trees and other vegetation.
- In accordance with Council's Environment Focus Area Plan goals, the Bank allows mitigation dollars to remain local rather than be paid to a statewide fund, so the benefits of mitigation projects are realized in local watersheds.
- The vegetation management services provided under this contract are performed on the various stream restoration projects constructed throughout the City. In order for the mitigation credits to be released to the Bank, the vegetation must be stable.

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 Program). Carolina Wetland is a certified SBE with the City.

Funding

Storm Water Capital Improvement Plan

20. Firefighting Turnout Gear

- Action:**
- A. Award the low bid unit price contracts for providing Firefighting Turnout Gear for a term of three years to the following:

 1. Municipal Emergency Services, Inc.
 2. Newton's Fire and Safety**
 - B. Authorize the City Manager to extend the contracts for two additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The FY2012 expenditures are anticipated to be \$200,000, and**
 - C. Authorize the City Manager to approve additional grant fund purchases totaling approximately \$750,000 as a result of the 2011 Assistance for Fire Firefighter Grant.**

Staff Resource: Charles Robinson, Business Support Services

Explanation

- Firefighting Turnout Gear is used by the Charlotte Fire Department (CFD) for personal protection for fire fighting, search and rescue situations, building entrancements, and gas leaks while performing daily tasks. Firefighting Turnout Gear protects the firefighter's body from thermal and mechanical injury.
- On September 12, 2011, City Council approved an application for \$1.6 million from the 2011 Assistance to Firefighters Grant. If awarded, approximately \$750,000 of the grant would be used to replace damaged turnout gear.

Background

- Business Support Services/Procurement Services Division (BSS/PSD), on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA), issued an Invitation to Bid (ITB) to provide Firefighting Turnout Gear to CFD, which included two manufacturers.
- Two responsive bids were received in response to the ITB, and each bid offered different manufacturers. After thorough review, the decision was made to award contracts to both companies to accommodate the diverse needs of CFD and other public entities.
- The CCPA is a cooperative purchasing program established by BSS/PSD with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- CCPA contracts are available for the use and to the benefit of all entities that must comply with state purchasing laws (cities, counties, public and private schools, colleges and universities, non-profits, and all governmental entities. The City of Asheville and the City of Durham have expressed interest in using the contracts.

Small Business Opportunity

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

Funding

Fire Operating Budget and Federal Grants

21. Police Vehicles

- Action:**
- A. Award the low bid unit price contracts for providing Police Vehicles for a term of one year to the following:**
 - Benson Ford-Mercury
 - Horace G. Ilderton LLC
 - Parks Chevrolet
 - Vic Bailey Ford Lincoln

 - B. Authorize the City Manager to extend the contracts for three additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The FY2012 expenditures are anticipated to be a combined total of \$5,516,000.**

Staff Resource: Charles Robinson, Business Support Services**Explanation**

- The vehicles will be used by the Charlotte-Mecklenburg Police Department to perform law enforcement duties. During FY2012, the City budgeted \$5,516,000 to purchase 212 marked patrol and unmarked patrol vehicles to include, but not limited to sedans, SUVs, and vans that meet the established replacement criterion.
- The total expenditures beyond FY2012 will depend on the approved budget for capital outlay in each fiscal year.

Background

- Business Support Services/Procurement Services Division (BSS/PSD), on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA), issued an Invitation to Bid (ITB) to provide law enforcement vehicles for Charlotte Mecklenburg Police Department.
- The CCPA is a cooperative purchasing program established by BSS/PSD with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing. All contracts are publicly solicited, awarded, and held by the City.

Small Business Opportunity

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

Funding

Capital Equipment Fund

22. Co-Located Communications Center Architectural Study

Action: Approve a contract in the amount of \$252,040 with Little Diversified Architectural Consulting, Inc. for the Architectural Programming Phase of the Co-Located Communications Center.

Staff Resources: William Haas, Engineering & Property Management
 Rich Granger, Charlotte Fire Department
 Katrina Graue, CMPD

Explanation

- This contract involves the preparation of architectural programming documents for the Co-Located Communications Center, which will be located at 1315 North Graham Street, adjacent to the newly proposed Fire Headquarters Facility.
- This facility will be designed to handle day-to-day emergency operations as well as serve as a central hub for disaster management.
- This facility will co-locate 911 Communications of the Charlotte Mecklenburg Police Department and the Charlotte Fire Department, as well as house the Emergency Operations Center (EOC).
- Co-locating Mecklenburg County Sheriff Communications Division and 311 Service Center in this facility is also being considered.
- Work shall include, but is not limited to, identifying user needs and building expectations which include optimum space requirements and future space needs in the building and site layout that addresses vehicle flow and parking.
- Following completion of the Architectural Programming study, City Council will be asked to award a contract for design services.
- As part of the project, City Council will also be asked to award a demolition contract of the facility located at 1315 North Graham Street by first quarter 2012.
- The Architectural Programming contract will be funded by NC 911 Funds.

Background

- On November 22, 2010 City Council authorized the City Manager to negotiate and execute the purchase of land for the Co-Located Communications Center and to negotiate a contract for an architectural programming study for the facility in an amount not to exceed \$150,000, based on a preliminary staff estimate.
- Once the architect was selected and programming fees were negotiated, staff determined that the programming study costs would be above the \$150,000 the City Manager was authorized to negotiate, and the contract would require Council approval.
- This facility requires specialized designers for security and technology. The architect has two specialty designers on its team, one from Washington, DC, and the other from California. The contract rates for these designers are more than initially anticipated due to the expertise required for this facility.

Future Funding

- The Architectural Programming Study will include a preliminary construction cost estimate to help develop a future project budget.
- The FY2012-2016 Capital Investment Plan (CIP) included an appropriation of \$6.0 million to be used towards the planning, design, and construction of the Co-Located Communications Center.
- The City will also be eligible to apply for FEMA grant funding for technology for the EOC. Maximum grant award amount is \$1,000,000.

- Additionally, the State of North Carolina has made grant funding available specifically for voluntary consolidation of one or more Public Safety Answering Points (e.g. Police, Fire, and MEDIC). This potential funding source will be pursued for construction and technology costs. Currently there is no limit on the amount of funding that can be requested, under this state grant.
- Final cost and funding estimates for the building will be determined after the architectural programming study and grant application processes are complete. Any remaining funding gaps will be considered as part of a future CIP budget process.

Small Business Opportunity

For services based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Little Diversified Architectural Consulting, Inc. committed 2.78% (\$7,000) of the total contract amount to the following SBE firm: AME Consulting Engineers, PC (Mechanical, Electrical, Fire Protection).

Funding

NC 911 Funds

23. Kenilworth Avenue Lighting

Action: A. Approve installation of pedestrian and street lights as authorized by the sole source purchasing exception of G. S. 143-129 (e) (6), and

B. Approve a contract with Duke Energy in the amount of \$258,451.04 for the installation and maintenance of 31 pedestrian lights and 8 street lights on Kenilworth Avenue.

Staff Resource: Sam Barber, Engineering & Property Management

Sole Source Exception

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 1. Performance and price competition are not available;
 2. A needed product is available from only one source or supply; or
 3. Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because there is only one supply source.
- City Council must approve purchases made under the sole source exception.

Explanation

- This project includes the installation of 31 pedestrian lights and 8 street lights on Kenilworth Avenue between Charlottetowne Avenue and Greenwood cliff. Pedestrian lighting is low level decorative lights that supplement the taller street lights. This work was part of the original project budget.
- This is a one-time, up-front payment for the light installation work to be completed by Duke Energy. The monthly lighting bill will be paid by CDOT as part of the public lighting agreement between the City of Charlotte and Duke Energy. The standard, monthly cost-per-light will apply for these street lights.
- This lighting installation will match the other pedestrian and street lighting installed in the Midtown/Metropolitan area.
- Construction is expected to be complete in January 2012.

Small Business Opportunity

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

Funding

Transportation Capital Investment Plan

24. Smith and Wesson Police Handgun Purchase

- Action:**
- A. Approve the purchase of Smith and Wesson Handguns M&P40, as authorized by the sole source exception of G.S. 143-129 (e)(6),**
 - B. Approve a contract with Lawman’s Safety Supply for the purchase of Smith and Wesson handguns M&P40 in the estimated amount of \$60,000 annually for a term of two years, and**
 - C. Authorize the City Manager to extend the contract for two additional one-year terms with possible price adjustments as deemed reasonable and appropriate by the City Manager.**

Staff Resource: Katrina Graue, Police

Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 1. Performance and price competition are not available;
 2. A needed product is available from only one source or supply; or
 3. Standardization or compatibility is the overriding consideration.
- Lawmen’s Safety Supply is the only authorized law enforcement distributor for the state of North Carolina and is the sole source for law enforcement agency purchases.
- The City Council must approve purchases made under the sole source exception.

Explanation

- Police began using Smith and Wesson M&P40 handguns in 2007 after extensive testing and evaluation.
- This contract will allow for the purchase of handguns for new recruits as they are hired and trained.
- The contract will protect against market increases and provide continuity of supply.
- The unit price for the Smith and Wesson M&P40 handgun is \$399.80.

Small Business Opportunity

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

Funding

Police Operating Budget

25. Solving Cold Cases with DNA Grant

- Action:**
- A. Accept a grant, in the amount of \$485,777, from the U.S. Department of Justice for cold case DNA analysis, and**
 - B. Adopt a budget ordinance appropriating \$485,777 in grant funds from the U.S. Department of Justice.**

Staff Resources: Veronica Foster, Police
Andy Leonard, Police

Explanation

- Police has received a grant from the U.S. Department of Justice to fund the analysis of DNA evidence in cold homicide and sexual assault cases.
- Police established a Homicide Cold Case Unit in 2003; the unit has reviewed approximately 130 cold cases and has solved 29 cases resulting in 19 arrests. The Sexual Assault Cold Case Squad was established in 2006 and has solved 102 cases which include the identification and arrests of six serial rapists.
- The grant provides \$485,777 in federal funds and requires no local match. The grant period is 18 months.
- \$417,484 will fund the salaries and benefits for a DNA analyst to work exclusively with cold cases, a retired sergeant and two detectives who review cold cases for investigative leads and a retired Assistant District Attorney whose time will be devoted to the prosecution of those cases where DNA evidence leads to the identification and arrest of a suspect. These are temporary positions which are funded for the 18 month grant period. The funds will also cover overtime for homicide and sexual assault detectives to investigate cold cases. In addition, the grant provides:
 - \$14,504 for training and travel to interview victims and witnesses in violent cold cases that have been reopened
 - \$4,260 for three laptop computers and related equipment
 - \$29,834 for supplies to analyze DNA evidence
 - \$19,000 for outsourcing of some DNA samples

Funding

\$485,777 from the U.S. Department of Justice

Attachment 14

Budget Ordinance

26. Municipal Agreement for Relocation of Utility Lines

- Action: A. Adopt a resolution authorizing the Utilities Key Business Executive to execute a Municipal Agreement with the NC Department of Transportation for design and construction of water and sewer line relocations and adjustments along I-485 (Outer Loop), in the estimated amount of \$3,933,386.13, and**
- B. Authorize the City Manager to approve the final pay request for the actual cost of the utility construction.**

Staff Resource: Barry Gullet, Utility

Explanation

- NCDOT requires that the City enter into a municipal agreement for relocation of utility lines within NCDOT roadway projects prior to construction. Utilities must reimburse NCDOT for the relocation because the utility lines are located in the state's right-of-way.
- The amount of the agreement is based on an NCDOT engineer's estimate.
- Once completed, Utilities reviews the invoice, validating the charges and making corrections when needed.
- This agreement is for relocation of approximately 16,000 linear feet of municipally-owned water and sewer lines, ranging in size from 6" to 24", within NCDOT's roadway improvements project along I-485 from NC 115 to I-85.
- Relocation of the water lines is in the scope of work covered by the contract between NCDOT and the prime construction contractor.
- At the end of the project, the City will reimburse NCDOT for actual construction costs associated with the utility relocation.
- Should the actual cost be different from the estimated amount of this Agreement, the City Manager will sign a Supplementary Agreement for the cost differential. Final invoice differences can be attributed to
 - Actual unit price bids being higher than estimated;
 - The length of time between when the estimate was prepared and the completion of the project; or
 - Required design modifications resulting from NCDOT project changes.
- The format and cost sharing philosophy is consistent with past Municipal Agreements.

Funding

Utilities Capital Investment Plan

Attachment 15

Resolution

27. Ultraviolet Disinfection and Filtration Equipment

- Action:**
- A. Approve the purchase of Ultraviolet (UV) Disinfection and Filtration Equipment parts as authorized by the sole source exemption of G.S. 143-129(e)(6), and**
 - B. Approve a contract with Infilco Degremont, Inc. for the purchase of Ultraviolet (UV) and filtration replacement parts, based on negotiated OEM unit prices, in the estimated annual amount of \$200,000 for the term of five years.**

Staff Resource: Barry Gullet, Utilities

Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available
 - A needed product is available from only one source or supply
 - Standardization or compatibility is the overriding consideration
- Sole sourcing is necessary because there is only one supply source for Infilco Degremont Ultraviolet (UV) Disinfection and Filtration System equipment.
- The City Council must approve purchases made under the sole source exception.

Explanation

- City Council approved a contract with Infilco Degremont for providing Filtration System equipment on August 23, 2010.
- Utilities uses UV light in the place of chlorine to disinfect wastewater.
- Replacement of UV and filtration equipment is an on-going and expected part of routine preventive maintenance, and these replacement bulbs and miscellaneous parts must be compatible with the existing Infilco Degremont equipment.
- Purchases throughout the year will be made via purchase orders, based on the unit prices in the agreement, on an as-needed basis.

Small Business Opportunity

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

Funding

Utilities Operating Budget

28. Utilities Biosolids Dewatering Equipment

Action: **A. Approve leasing an Ashbrook Simon-Hartley Biosolids dewatering unit for two years in the not-to-exceed amount of \$100,000 per year, and**

B. Authorize the City Manager to renew the contract for two additional one-year terms with possible price adjustments at the time of renewal, based on the terms of the contract.

Staff Resource: Barry Gullet, Utilities

Explanation

- Biosolids are produced during the wastewater treatment process and must be dried (dewatered) before disposal.
- In January 2006, the Irwin Creek Wastewater Treatment facility's dewatering equipment was found to have reached the end of its service life and a private contractor was hired to provide temporary, mobile dewatering equipment and to perform those services until a scheduled plant upgrade project occurred. The economy and other factors have delayed the plant upgrade project and the temporary equipment has remained in use.
- The Irwin Creek Wastewater Treatment facility upgrade project is now scheduled to begin in FY2012. This project has been split into phases with construction of the new dewatering facility scheduled for the end of phase 2. It is projected that Irwin Creek WWTF will require temporary dewatering equipment and/or services for the next four years until phase 2 of the project is complete.
- Because of the extended time period when temporary dewatering services are needed, Utilities re-evaluated how that service is provided and issued a new Request for Proposals on July 13, 2011.
- Ashbrook will provide and install leased, temporary dewatering equipment and provide all required maintenance. Existing Utilities staff will operate the equipment. Based on the proposals received, this was the most cost effective option and will result in approximately \$100,000 per year savings compared to the current situation.

Selection Process

- Nine responses were received from the Request for Proposals.
- Selection was based on cost; ability to meet performance specifications; availability of equipment for lease; and Municipal references.
- Ashbrook was the most cost beneficial proposal meeting all specifications.

Small Business Opportunity

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

Funding

Utilities Capital Investment Plan

29. Utilities Process Control Equipment Support Services

- Action:**
- A. Approve a two-year, unit price, services contract with Hach for routine maintenance and repair of Hach-brand water quality analytical instruments, in an estimated total amount of \$400,000 for the initial two years, and**
 - B. Authorize the City Manager to renew the contract for three additional one-year terms, in an estimated amount of \$200,000 per year.**

Staff Resource: Barry Gullet, Utilities

Explanation

- Utilities uses sophisticated, electronic equipment to monitor and control water and wastewater treatment processes in the plants. The total value of that equipment is more than \$1 million. The equipment monitors and controls parameters such as dissolved oxygen, nutrient levels, ammonia, pH, alkalinity, and other physical and chemical values at various points within each of the plants.
- The Hach Company, a worldwide manufacturer of process control testing equipment, has supplied equipment through plant expansion and upgraded contracts and through direct purchases approved by City Council. Equipment of this type requires periodic calibration and scheduled maintenance to perform accurately and reliably. This support services contract provides for routine calibration, maintenance and repair of Hach equipment, as well as the free or discounted replacement of many parts through an extended warranty type program.
- This equipment allows plant managers to better control the amount of electricity and chemicals used during the treatment process while improving water quality.
- These support services ensure the integrity of data reported to the state and federal regulatory agencies.
- Support services will be procured as-needed on an annual basis via purchase orders, based on the negotiated unit price schedule. Contract renewals include provisions for cost adjustments based on the fuel producer price index.

Small Business Opportunity

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

Funding

Utilities Operating Budget

30. JCB Construction Equipment Parts and Service

- Action:**
- A. Approve the purchase of JCB Construction Equipment Parts and Service as authorized by the sole source exception of G.S. 143-129(e)(6),**
 - B. Approve a contract with Dougherty Equipment Company for the purchase of JCB Construction Equipment Parts and Service in the estimated annual amount of \$160,000 for the term of one year, and**
 - C. Authorize the City Manager to extend the contract for four additional one-year terms with possible price adjustments at the time of renewal as deemed reasonable and appropriate by the City Manager.**

Staff Resource: Charles Robinson, Business Support Services

Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because there is only one supply source.
- City Council approval is required for all purchases made under the sole source exception.

Explanation

- The City currently operates 14 units of JCB construction equipment, such as backhoes and forklifts, which are used by Transportation, Utilities and Engineering and Property Management for various daily operations.
- This equipment is specialized and cannot be serviced or maintained without the proper training, parts, electronic operating systems and tooling.
- JCB product warranties require original equipment manufacturer (OEM) parts for all maintenance and repairs. OEM parts are also required to retain factory training, warranty, failure analysis and diagnostic/technical support.
- Dougherty Equipment Company is the exclusive authorized distributor of all JCB equipment parts and warranty services for the Charlotte area.

Small Business Opportunity

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

Funding

Business Support Services Operating Budget

31. Mecklenburg County Information Technology Agreements

- Action:**
- A. Authorize City Manager to approve agreements with Mecklenburg County for temporary use of Mecklenburg County Information Technology Services employees to work on City of Charlotte technology projects for an annual estimated amount of \$400,000, and**
 - B. Authorize the City Manager to enter into such other contracts for the temporary use of Mecklenburg County employees as may be needed from time to time in the future as long as they are within the City's budget.**

Staff Resource: Charles Robinson, Business Support Services

Explanation

- Currently, Mecklenburg County has skilled and experienced Information Technology (IT) services employees that are not fully funded within the County's Budget.
- The City needs Information Technology services assistance on a temporary basis. The County is seeking to protect its investment in highly skilled and trained personnel that may otherwise be laid off and/or seek employment elsewhere.
- In order to benefit both organizations, staff recommends entering into temporary agreements with Mecklenburg County for County IT staff to provide services for City projects and approval to enter into these agreements on an ongoing basis as may be needed.
- The County has developed expertise in project management and employs Six-Sigma methodologies, which are consistent with City practices.
- The Information Technology services agreements will be used for several key initiatives, including assistance in the following areas:
 - Provide interim project management capabilities to the Enterprise Resource Planning (ERP) effort until a full-time project manager can be hired. The ERP project targets business process improvements in the areas of financial management, procurement, and project/grant cost accounting.
 - Provide Project Management services that will aid BSS-Corporate IT (CIT) in developing and managing the Corporate Information Technology Infrastructure and CIT Communications Services (public safety radio) necessary for an effective shared services environment. Provide project management, business process improvement and/or peer review services on a project-by-project basis. Initially identified projects include: wireless device management, desktop management procedure development, and other project management/business process improvement efforts.
 - Provide GIS analysis services to map fiber-optic and cabling assets in a unified manner. This inventory mapping is a critical component of a systematic approach to establishing a cohesive baseline for strategic investment and maintenance.

Small Business Opportunity

Contracts with other units of government are exempt (Appendix Section 23.8 of the SBO Policy).

Funding

Various KBU Operating and capital fund budgets

32. Airport Revenue Bonds

Action: Adopt resolutions to approve the issuance of up to \$80 million of Airport Special Facility Revenue bonds.

Staff Resources: Greg Gaskins, Finance
Jerry Orr, Aviation

Explanation

- The Airport plans to issue up to \$255 million of revenue bonds in early November.
- The new bonds will fund improvements to the airfield, terminal and the construction of a new short term parking deck.
- A portion of the new deck, and other associated improvements, will be used as a rental car return facility. The construction costs for the facility will be funded through taxable bonds secured by contract facility charges and contingent rent from the rental car companies.
- On September 12, 2011, Council approved the issuance of up to \$175 million of General Aviation Revenue Bonds as part of this financing.
- In the current action, Council will approve the bond order and final resolution for the issuance of up to \$80 million of special facility revenue bonds.
- This is the final Council action necessary for this financing.

Funding

Airport Debt Service Fund

Attachment 16

Resolution

33. Airport Baggage Handling Scanner Systems

- Action:**
- A. Approve the purchase and installation of baggage conveyor barcode systems and repair parts, as authorized by the sole source purchasing exception of G.S. 143-129(e)(6), and**
 - B. Approve an agreement with SICK, Incorporated, for equipment, installation, repair parts, and employee training used for the baggage conveyor barcode scanner systems in the amount not to exceed \$65,000.**

Staff Resource: Jerry Orr, Aviation

Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because there is only one supply source.
- Purchases made under the sole source exemption require City Council approval.

Explanation

- The Aviation Department owns and maintains the Airport's baggage conveyor system, including baggage conveyors, carousels and scanners. These systems transport passenger luggage from the ticketing area through Transportation Security Administration screening to the designated sorting zones for flights.
- The Airport's current baggage scanners need to be replaced in order to maintain performance standards, standardization, and compatibility with other existing equipment.
- SICK, Incorporated is the manufacturer of specialized airport conveyor scanners that are required to sort baggage throughout this conveyor system.
- On August 29, 2011, the City Manager approved a sole-source purchase order in the amount of \$87,316 to SICK, Incorporated to expedite the delivery of two new scanners.
- This action requests an additional \$65,000 for costs related to the installation of the scanners, recommended spare parts, and personnel training.

Small Business Opportunity

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

Funding

Aviation Operating Budget

34. West Boulevard Relocation Change Order

Action: Approve Change Order #2 with Blythe Development Company in the amount of \$345,310.01 for additional road improvements related to the West Boulevard relocation.

Staff Resource: Jerry Orr, Aviation

Explanation

- Construction of the new runway has provided several new roads to serve the neighborhoods west of I-485. This portion of West Boulevard is the final segment of the relocation of roads due to runway construction.
- West Boulevard is a state-maintained road (NC 160), and NCDOT provided \$1.7 million in grant funding to fund portions of the road relocation.
- The grant requires that NCDOT approve all plans and that a state inspector review and approve any and all activities during construction. The on-site inspector has the authority to make additional changes during construction.
- In July 2010, City Council approved a contract with Blythe Development Company in the amount of \$2,559,800 for the paving of the West Boulevard extension. That contract included work along Steele Creek Road to realign the road to meet the new intersection and the connection of the relocated portion of West Boulevard.
- In November 2010, City Council approved Change Order #1 in the amount of \$128,707.95 for additional turn lanes, curb, and sidewalks for both sides of Steele Creek Road south of the new intersection as required by the NCDOT inspector.
- Change Order #2 will cover additional asphalt repairs to the existing Steele Creek Road and asphalt wedging to maintain traffic as required by the NCDOT on-site inspector.

Disadvantaged Business Opportunity

Established DBE Goal: 12%

Committed DBE Goal: 15%

Blythe Development Company maintains their current DBE commitment through this change order.

Funding

General Airport Revenue Bonds and a future Federal Aviation Administration Grant

35. Airport Passenger Facility Charge Administration

Action: **A. Approve a contract with Newton & Associates, Inc. not to exceed \$175,000 for Passenger Facility Charge applications, administration, and reporting, and**

B. Adopt a budget ordinance in the amount of \$175,000 from the Passenger Facility Charge Fund.

Staff Resource: Jerry Orr, Aviation

Explanation

- In November 2004, the Airport implemented the collection of a \$3.00 Passenger Facility Charge (PFC) for passengers boarding commercial aircraft at the Airport.
- The purpose of the PFC program is to provide the Airport with an additional source of funding for capital projects.
- All projects included in the PFC program must be approved by the Federal Aviation Administration (FAA) prior to any PFC funds being used.
- The administration of the PFC Program requires specialized professional assistance. Such administrative services include:
 - Preparation of a PFC application for each new project funded with PFC revenues.
 - Preparation of amendments to approved PFC applications to reflect changes in scope, timing, costs or finance plan.
 - Preparation of quarterly reports to the FAA on the collection and use of PFC's.
- Newton & Associates, Inc. is a local firm possessing the expertise to provide the required services and has been an integral part of the Airport development team throughout the formulation and implementation of the PFC Program. They will be paid at an hourly rate for services.
- The budget ordinance will appropriate \$175,000 from the PFC Fund Balance to fund this contract. The airlines collect the \$3.00 PFC on each eligible ticket sold and remit \$2.89 to the Airport. Those revenues are deposited in the PFC Fund until authorized by the FAA to be spent on an approved project expense.

Disadvantaged Business Enterprise

The Federal DBE Program neither requires nor permits goals for every contract. The City must meet its DBE goal through a mix of contract-specific goals and race-neutral means. No goal was set for this contract because subcontracting opportunities are not anticipated; however, Newton & Associates is a certified DBE.

Funding

Airport Capital Investment Plan

Attachment 17

Budget Ordinance

36. Resolution of Intent to abandon two 10-foot alleyways located off of Tennessee Avenue

Action: A. Adopt the Resolution of Intent to abandon two 10-foot alleyways located off of Tennessee Avenue, and
B. Set a public hearing for November 14, 2011.

Staff Resources: Jeff Boenisch, Transportation
Kruti Desai, Transportation

Attachment 18

Map
Resolution

37. Resolution of Intent to abandon a residual portion of Piedmont Row Drive

Action: A. Adopt the Resolution of Intent to abandon a residual portion of Piedmont Row Drive, and
B. Set a public hearing for November 14, 2011.

Staff Resources: Jeff Boenisch, Transportation
Kruti Desai, Transportation

Attachment 19

Map
Resolution

38. Refund of Property and Business Privilege License Taxes

Action: A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$15,269.72, and
B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$10,191.61.

Staff Resource: Scott Greer, Finance

Attachment 20

Resolution
List of property tax and business license refunds

39. In Rem Remedy

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety:

- A. 3805 Voyager Road (Neighborhood Statistical Area 107 – Dixie/Berryhill Neighborhood)

Field Observation:

- B. 429 Campus Street (Neighborhood Statistical Area 26 – Biddleville Neighborhood)
- C. 2533 Hemphill Street (Neighborhood Statistical Area 2 – Pinecrest Neighborhood)
- D. 3531 Markland Drive (Neighborhood Statistical Area 9 – Ponderosa/Windgate Neighborhood)
- E. 3524 Odum Avenue (Neighborhood Statistical Area 22 – Oakview Terrace Neighborhood)
- F. 7600-1 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood)
- G. 7600-2 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood)

Public Safety:

A. 3805 Voyager Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3805 Voyager Road (Neighborhood Statistical Area 107 – Dixie/Berryhill Neighborhood).

Attachment 21

Field Observation:

B. 429 Campus Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 429 Campus Street (Neighborhood Statistical Area 26 – Biddleville Neighborhood).

Attachment 22

C. 2533 Hemphill Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2533 Hemphill Street (Neighborhood Statistical Area 2 – Pinecrest Neighborhood).

Attachment 23

D. 3531 Markland Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3531 Markland Drive (Neighborhood Statistical Area 9 – Ponderosa/Windgate Neighborhood).

Attachment 24

E. 3524 Odum Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3524 Odum Avenue (Neighborhood Statistical Area 22 – Oakview Terrace Neighborhood).

Attachment 25

F. 7600-1 Reames Road

Action: Adopt an Ordinance authorizing the use of In Rem

Remedy to demolish and remove the structure at 7600-1 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood).

Attachment 26

G. 7600-2 Reames Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 7600-2 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood).

Attachment 27

40. Discovery Place Lease Renewal

Action: Approve an amendment to the Discovery Place Lease extending the term for 10 years, plus up to four 10-year renewal periods.

Staff Resources: Robert Drayton, Engineering & Property Management
Catherine Williamson, City Attorney's Office

Explanation

- Discovery Place, Inc. has leased City property for a museum and interactive education center at 301 N. Tryon Street since 1989.
- The City is responsible for maintenance costs consistent with a City-owned facility such as fire alarms, insurance, HVAC systems and capital expenses including maintaining the roof and structure. Discovery Place is responsible for operating expenses such as utilities, janitorial services, security, landscaping and cleaning supplies.
- The last 10-year Lease Term ended on August 31, 2011 and the parties wish to enter into another Amendment to extend the Lease as follows:
 - The lease rate is \$1.00 per year.
 - An additional term of ten years, to expire June 30, 2021, coinciding with the City's fiscal year end.
 - Terms of the fourth amendment will make the Discovery Place lease more consistent with terms of the other cultural facility leases.
 - Up to four additional 10-year automatic renewal periods, unless notice is given by either party not less than 180 days prior to the expiration of the then-current period.

Previous Amendments

- The lease has been amended three times before, both to extend the lease term and to make modifications concerning operating expenses consistent with modifications to the leases of the other cultural facilities.
- The third amendment, approved by City Council March 23, 2009 changed the responsibility of operating expenses and provided for a phase-in period with Discovery Place responsible for one-third of the operating expenses in FY2011, two-thirds in FY2012 and all operating expenses beginning in FY2013.

PROPERTY ITEMS

41. Property Transactions

Action: Approve the following property transaction(s) (A-B) and adopt the condemnation resolution(s) (C-AD).

- 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:** City View Stream Restoration, Parcel # 40
Owner(s): Paul Thomas Morgan and Wife, Sherri W. Morgan
Property Address: 6111 And 6131 East Independence Boulevard
Property to be acquired: 6,402 sq. ft. (.147 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: B-2(CD)
Use: Commercial
Tax Code: 165-042-21
Total Parcel Tax Value: \$2,150,500
Purchase Price: \$13,000
- B. Project:** Farm Pond Neighborhood Improvement Project - Phase I, Parcel # 25
Owner(s): Hickory Grove Baptist Church, Charlotte, North Carolina, Inc.
Property Address: 6065 Johnnette Drive
Property to be acquired: 3,524 sq. ft. (.081 ac.) in Fee Simple, plus 127 sq. ft. (.003 ac.) in Utility Easement, plus 1,054 sq. ft. (.024 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: INST
Use: Commercial

Tax Code: 103-212-37
Total Parcel Tax Value: \$1,284,100
Purchase Price: \$11,675

Condemnations

- C. Project:** Allenbrook/Westridge Stream Restoration, Parcel # 6 and # 55
Owner(s): William Buerger And Any Other Parties Of Interest
Property Address: 1515 Allenbrook Drive
Property to be acquired: 1,187 sq. ft. (.027 ac.) in Storm Drainage Easement, plus 9,554 sq. ft. (.219 ac.) in Conservation Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 057-062-46 and 057-062-48
Total Parcel Tax Value: \$149,400
Appraised Value: \$6,425
Property Owner's Counteroffer: \$11,000
Reason For Condemnation: This is a stream restoration project which will alleviate flooding of streets and properties, as well as help with erosion problems along stream banks. The property owner has a 2008 survey that shows this property subdivided into two residential lots and has requested we purchase easements separately. However, the survey has neither been recorded nor has it been approved by Land Development and therefore, legally remains one parcel. Staff and the property owner have yet to reach an agreement. In order to maintain the project schedule, condemnation is recommended.
- D. Project:** City Boulevard Extension - Phase II, Parcel # 53
Owner(s): Unshawn Davis and Jacquelyn Lewis And Any Other Parties Of Interest
Property Address: 1308 Charidge Lane
Property to be acquired: 397 sq. ft. (.009 ac.) in Fee Simple, plus 1,526 sq. ft. (.035 ac.) in Slope Easement, plus 1,633 sq. ft. (.037 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-3
Use: Single Family Residential
Tax Code: 047-283-47
Total Parcel Tax Value: \$120,000
Appraised Value: \$5,175
Property Owner's Counteroffer: None
Reason For Condemnation: The City Boulevard Extension Project will extend City Boulevard from the existing City Boulevard/Neal Road intersection to the future Mallard Creek Road/Rumple Road intersection. Staff has been unable to locate the property owners. The title abstract also indicates issues that will prevent clear title. Therefore, condemnation is recommended.

- E. Project:** Commonwealth Streetscape, Parcel # 6
Owner(s): James E. Schacht and Clayton C. Watkins And Any Other Parties Of Interest
Property Address: 1909 Commonwealth Avenue
Property to be acquired: 1,354 sq. ft. (.031 ac.) in Sidewalk and Utility Easement, plus 1,117 sq. ft. (.026 ac.) in Temporary Construction Easement
Improvements: Parking Spaces
Landscaping: Various Landscaping Items
Zoned: B-2
Use: Commercial
Tax Code: 081-176-21
Total Parcel Tax Value: \$753,500
Appraised Value: \$47,325
Property Owner's Counteroffer: None
Reason For Condemnation: This project was identified in the Plaza-Central Pedscape Plan adopted by Charlotte City Council. The City recently completed improvements along Central Avenue and this project will tie in this area to those improvements. The project purpose is to provide identified infrastructure improvements to a distressed business corridor area. City staff has worked extensively with the property owners and reached an agreement regarding the project design. However, the title abstract indicates an issue that will prevent clear title. Therefore, condemnation is recommended.
- F. Project:** Delta Lake Neighborhood Improvement Project, Parcel # 23
Owner(s): Mario Castillo and Wife, Aracely Castillo And Any Other Parties Of Interest
Property Address: 7401 Delta Lake Drive
Property to be acquired: 1,404 sq. ft. (.032 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 107-102-09
Total Parcel Tax Value: \$149,500
Appraised Value: \$175
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. Staff has been unable to contact the property owner. The title abstract also indicates issues that will prevent clear title. In order to maintain the project schedule, condemnation is recommended.
- G. Project:** Delta Lake Neighborhood Improvement Project, Parcel # 29
Owner(s): Donald Wallace Heim And Any Other Parties Of Interest
Property Address: 7541 Lisa Circle
Property to be acquired: 7,423 sq. ft. (.170 ac.) in Existing Right-of-Way, plus 76 sq. ft. (.002 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3

Use: Single Family Residential - Rural Acreage

Tax Code: 107-132-15

Total Parcel Tax Value: \$180,800

Appraised Value: \$50

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner has been unresponsive to numerous contact attempts. The title abstract also indicates issues that will prevent clear title. In order to maintain the project schedule, condemnation is recommended.

H. Project: Eastway/Sheffield Neighborhood Improvement Project, Parcel # 25

Owner(s): Mohamed Hanafi Metwally and Wife, Awatef A. Metwally And Any Other Parties Of Interest

Property Address: 1314 Dresden Drive West

Property to be acquired: 418 sq. ft. (.010 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-4

Use: Single Family Residential

Tax Code: 131-061-17

Total Parcel Tax Value: \$140,400

Appraised Value: \$900

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owners were out of the Country for the majority of the acquisition period. The title abstract also indicates issues which may prevent clear title. Therefore, condemnation is recommended.

I. Project: Eastway/Sheffield Neighborhood Improvement Project, Parcel # 47

Owner(s): Gloria J. McNeill and Sheila Prince And Any Other Parties Of Interest

Property Address: 3760 Dresden Drive East

Property to be acquired: 1,331 sq. ft. (.031 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned:

Use: Multi Family

Tax Code: 131-092-03

Total Parcel Tax Value: \$149,000

Appraised Value: \$575

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner failed to attend a prescheduled meeting and also failed to return many messages. The title abstract also indicates

issues that will prevent clear title. In order to maintain the project schedule, condemnation is recommended.

- J. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 49
Owner(s): Gloria J. McNeill and Sheila Prince And Any Other Parties Of Interest
Property Address: 3774 Dresden Drive East
Property to be acquired: 805 sq. ft. (.018 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-22MF
Use: Multi Family
Tax Code: 131-092-01
Total Parcel Tax Value: \$149,000
Appraised Value: \$375
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner failed to attend a prescheduled meeting and also failed to return many messages. The title abstract also indicates issues that will prevent clear title. In order to maintain the project schedule, condemnation is recommended.
- K. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 57
Owner(s): Andrew Reid Pickens And Any Other Parties Of Interest
Property Address: 1101 Roanoke Avenue
Property to be acquired: 520 sq. ft. (.012 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 131-095-11
Total Parcel Tax Value: \$124,600
Appraised Value: \$225
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner has been unresponsive to numerous contact attempts. In order to maintain the project schedule, condemnation is recommended.
- L. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 128
Owner(s): Segundo Alfonso Lliguicota And Any Other Parties Of Interest
Property Address: 3311 Driftwood Drive
Property to be acquired: 924 sq. ft. (.021 ac.) in Temporary Construction Easement
Improvements: None

Landscaping: None

Zoned: R-4

Use: Single Family Residential

Tax Code: 131-123-25

Total Parcel Tax Value: \$168,700

Appraised Value: \$175

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. Staff met with the property owner, along with an interpreter, and explained the acquisition process. The title abstract indicates issues that will prevent clear title. In order to maintain the project schedule, condemnation is recommended.

M. Project: Eastway/Sheffield Neighborhood Improvement Project, Parcel # 132

Owner(s): Hien Nguyen and Wife, Nga Truong And Any Other Parties Of Interest

Property Address: 1130 Westchester Boulevard

Property to be acquired: 529 sq. ft. (.012 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-4

Use: Single Family Residential

Tax Code: 131-104-01

Total Parcel Tax Value: \$147,300

Appraised Value: \$200

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner, who resides in California, is against the sidewalk project and has ceased communication with staff. In order to maintain the project schedule, condemnation is recommended.

N. Project: Eastway/Sheffield Neighborhood Improvement Project, Parcel # 138

Owner(s): Paramount Realty, Inc. And Any Other Parties Of Interest

Property Address: 3801 and 3805 Rosehaven Drive

Property to be acquired: 426 sq. ft. (.010 ac.) in Sidewalk and Utility Easement, plus 545 sq. ft. (.013 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-8

Use: Multi Family

Tax Code: 131-041-20

Total Parcel Tax Value: \$306,300

Appraised Value: \$975

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner is in agreement and supportive of the project.

However, the title abstract indicates issues which will prevent clear title. Therefore, condemnation is recommended.

- O. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 139
Owner(s): Paramount Realty, Inc. And Any Other Parties Of Interest
Property Address: 3813 Rosehaven Drive
Property to be acquired: 424 sq. ft. (.010 ac.) in Sidewalk and Utility Easement, plus 889 sq. ft. (.020 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-8
Use: Multi Family
Tax Code: 131-041-27
Total Parcel Tax Value: \$306,300
Appraised Value: \$1,325
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner is in agreement and supportive of the project. However, the title abstract indicates issues which will prevent clear title. Therefore, condemnation is recommended.
- P. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 171
Owner(s): Tien Truong and Wife, Tina Truong And Any Other Parties Of Interest
Property Address: 3701 Rosehaven Drive
Property to be acquired: 132 sq. ft. (.003 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 131-041-15
Total Parcel Tax Value: \$134,800
Appraised Value: \$800
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner has been unresponsive to numerous contact attempts. In order to maintain the project schedule, condemnation is recommended.
- Q. Project:** Farm Pond Neighborhood Improvement Project - Phase I, Parcel # 22
Owner(s): Aneesh Singla And Any Other Parties Of Interest
Property Address: 6014 Johnnette Drive
Property to be acquired: 827 sq. ft. (.019 ac.) in Fee Simple, plus 974 sq. ft. (.022 ac.) in Existing Right-of-Way, plus 5 sq. ft. in Utility Easement, plus 528 sq. ft. (.012 ac.) in Temporary Construction Easement

Improvements: None
Landscaping: Trees & Shrubs
Zoned: R-3
Use: Single Family Residential
Tax Code: 103-221-21
Total Parcel Tax Value: \$131,200
Appraised Value: \$1,025
Property Owner's Counteroffer: \$130,000 (Total Take)
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner is against the project; however, he requested the City purchase his entire property to which staff could not agree. In order to maintain the project schedule, condemnation is recommended.

- R. Project:** Farm Pond Neighborhood Improvement Project - Phase I, Parcel # 31
Owner(s): Nita Lynn Brantley-Williams and Spouse, Gregory Williams And Any Other Parties Of Interest
Property Address: 5100 Lawrence Orr Road
Property to be acquired: 243 sq. ft. (.006 ac.) in Storm Drainage Easement, plus 1,187 sq. ft. (.027 ac.) in Temporary Construction Easement
Improvements: Landscaping Ties
Landscaping: Trees
Zoned: R-3
Use: Single Family Residential
Tax Code: 103-322-14
Total Parcel Tax Value: \$100,700
Appraised Value: \$475
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The title abstract indicates issues which may prevent clear title. Therefore, condemnation is recommended.
- S. Project:** Farm Pond Neighborhood Improvement Project - Phase I, Parcel # 32
Owner(s): David L. Risher and Wife, Leslie Jo Risher And Any Other Parties Of Interest
Property Address: 5825 Crossing King Drive
Property to be acquired: 567 sq. ft. (.013 ac.) in Storm Drainage Easement, plus 833 sq. ft. (.019 ac.) in Temporary Construction Easement
Improvements: Portions of a Fence & Deck
Landscaping: Trees
Zoned: R-3
Use: Single Family Residential
Tax Code: 103-322-09
Total Parcel Tax Value: \$98,300
Appraised Value: \$2,300
Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The title abstract indicates issues which may prevent clear title. Therefore, condemnation is recommended.

- T. Project:** Farm Pond Neighborhood Improvement Project - Phase I, Parcel # 33
Owner(s): Gwen W. Gilder And Any Other Parties Of Interest
Property Address: 5815 Crossing King Drive
Property to be acquired: 237 sq. ft. (.005 ac.) in Storm Drainage Easement, plus 774 sq. ft. (.018 ac.) in Temporary Construction Easement
Improvements: One three feet section of Chain Link Fence Frame
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 103-322-08
Total Parcel Tax Value: \$97,100
Appraised Value: \$550
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner requested a design change to address ponding water in her yard to which staff agreed. However, the property owner then decided she no longer wanted the change and staff has returned to the original design. The property owner is also not in agreement with the appraisal amount. In order to maintain the project schedule, condemnation is recommended.
- U. Project:** Farm Pond Neighborhood Improvement Project - Phase I, Parcel # 36
Owner(s): Alfreto M. Alexander, Et Al. And Any Other Parties Of Interest
Property Address: 5025 Lawrence Orr Road
Property to be acquired: 146 sq. ft. (.003 ac.) in Fee Simple, plus 2,900 sq. ft. (.067 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 103-221-05
Total Parcel Tax Value: \$78,900
Appraised Value: \$650
Property Owner's Counteroffer: None
Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The title abstract indicates issues that will prevent clear title. Therefore, condemnation is recommended.
- V. Project:** Farm Pond Neighborhood Improvement Project - Phase I, Parcel # 57
Owner(s): Virginia Rubino And Any Other Parties Of Interest
Property Address: 4727 Hobbs Hill Drive

Property to be acquired: 263 sq. ft. (.006 ac.) in Storm Drainage Easement, plus 250 sq. ft. (.006 ac.) in Temporary Construction Easement

Improvements: Section of Split Rail Fencing

Landscaping: Shrubs

Zoned: R-3

Use: Single Family Residential

Tax Code: 103-323-10

Total Parcel Tax Value: \$128,400

Appraised Value: \$450

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The property owner is against the project and after initial contact, ceased all communications. In order to maintain the project schedule, condemnation is recommended.

- W. Project:** McKee Creek Outfall Sanitary Sewer Project-, Parcel # 19
Owner(s): Centex Homes And Any Other Parties Of Interest
Property Address: 9903 Paper Tree Road
Property to be acquired: 43,541 sq. ft. (1.000 ac.) in Sanitary Sewer Easement, plus 51,981 sq. ft. (1.193 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-3
Use: Single Family Residential - Common
Tax Code: 111-104-96
Total Parcel Tax Value: \$0
Appraised Value: \$1,950
Property Owner's Counteroffer: None
Reason For Condemnation: This project will provide sanitary sewer to the McKee Creek Basin in Mecklenburg County. In order to maintain the project schedule, condemnation is recommended. However, staff is continuing to negotiate with the property owner and is hopeful of reaching an agreement prior to filing condemnation.
- X. Project:** McKee Creek Outfall Sanitary Sewer Project- -, Parcel # 46
Owner(s): Larry Douglas Starnes and David Allen Starnes And Any Other Parties Of Interest
Property Address: Starnes Randall Road
Property to be acquired: 3,811 sq. ft. (.087 ac.) in Sanitary Sewer Easement, plus 6,279 sq. ft. (.144 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential - Rural Acreage
Tax Code: 111-131-27
Total Parcel Tax Value: \$43,500
Appraised Value: \$950
Property Owner's Counteroffer: None

Reason For Condemnation: This project will provide sanitary sewer to the McKee Creek Basin in Mecklenburg County. The title abstract indicates issues that may prevent clear title. Therefore, condemnation is recommended.

- Y.** **Project:** McKee Creek Outfall Sanitary Sewer Project-, Parcel # 49
Owner(s): North American Islamic Trust, Inc. And Any Other Parties Of Interest
Property Address: Starnes Randall Road
Property to be acquired: 12,136 sq. ft. (.279 ac.) in Sanitary Sewer Easement, plus 125,679 sq. ft. (2.885 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-4
Use: Single Family Residential - Rural Acreage
Tax Code: 111-131-06
Total Parcel Tax Value: \$620,000
Appraised Value: \$22,475
Property Owner's Counteroffer: None
Reason For Condemnation: This project will provide sanitary sewer to the McKee Creek Basin in Mecklenburg County. In order to maintain the project schedule, condemnation is recommended. However, staff is continuing to negotiate with the property owner and is hopeful of reaching an agreement prior to filing condemnation.
- Z.** **Project:** McKee Creek Outfall Sanitary Sewer Project- -, Parcel # 91
Owner(s): Centex Homes And Any Other Parties Of Interest
Property Address: Downey Birch Road
Property to be acquired: 550 sq. ft. (.013 ac.) in Sanitary Sewer Easement, plus 1,417 sq. ft. (.033 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-3
Use: Single Family Residential - Rural Acreage
Tax Code: 111-101-99
Total Parcel Tax Value: \$535,000
Appraised Value: \$1,275
Property Owner's Counteroffer: None
Reason For Condemnation: This project will provide sanitary sewer to the McKee Creek Basin in Mecklenburg County. In order to maintain the project schedule, condemnation is recommended. However, staff is continuing to negotiate with the property owner and is hopeful of reaching an agreement prior to filing condemnation.
- AA.** **Project:** Royal Court Storm Drainage Repair Project
Owner(s): McEwen Associates And Any Other Parties Of Interest
Property Address: 717 Royal Court
Property to be acquired: 2,397 sq. ft. (.055 ac.) in Storm Drainage Easement, plus 4,023 sq. ft. (.092 ac.) in Temporary Construction Easement
Improvements: None

Landscaping: None

Zoned:

Use: Commercial

Tax Code: 125-173-18

Total Parcel Tax Value: \$309,600

Appraised Value: \$66,000

Property Owner's Counteroffer: None

Reason For Condemnation: This is a storm drainage repair project for the Storm Water Services Maintenance Team. Staff and the property owner have yet to reach an agreement regarding the design and the appraisal. Therefore, condemnation is recommended.

AB. Project: Thomasboro/ Hoskins Neighborhood Improvement Project Phase 4, Parcel # 185

Owner(s): Jerry R. Oliver Jr., Rhonda O. Monaghan, Michael T. Oliver and Anthony L. Oliver And Any Other Parties Of Interest

Property Address: 4613 Willard Street

Property to be acquired: 1,601 sq. ft. (.037 ac.) in Storm Drainage Easement, plus 2,004 sq. ft. (.046 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: Tree

Zoned: R-5

Use: Single Family Residential

Tax Code: 063-084-62

Total Parcel Tax Value: \$71,400

Appraised Value: \$1,500

Property Owner's Counteroffer: None

Reason For Condemnation: This is a neighborhood improvement project which will improve infrastructure within the neighborhood. The title abstract indicates issues which will prevent clear title. Therefore, condemnation is recommended.

AC. Project: Toddville Road-Freedom Drive/Tuckaseegee Road Sidewalks, Parcel # 57

Owner(s): First Beneficial Homes And Any Other Parties Of Interest

Property Address: 1800 Toddville Road

Property to be acquired: 337 sq. ft. (.008 ac.) in Sidewalk and Utility Easement, plus 901 sq. ft. (.021 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-3

Use: Single Family Residential - Rural Acreage

Tax Code: 059-151-05

Total Parcel Tax Value: \$22,600

Appraised Value: \$200

Property Owner's Counteroffer: None

Reason For Condemnation: This is a sidewalk project. Staff has been unable to locate the property owners. The title abstract indicates issues that will prevent clear title. Therefore, condemnation is recommended.

42. Meeting Minutes

- Action:** Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:
- June 13, 2011 Business Meeting
 - June 20, 2011 Zoning Meeting
 - June 27, 2011 Business Meeting
 - July 18, 2011 Zoning Meeting