

Mayor Patrick D. Cannon

Al Austin
John Autry
Ed Driggs
Claire Fallon
David L. Howard

Mayor Pro Tem Michael D. Barnes

Patsy Kinsey
Vi Lyles
LaWana Mayfield
Greg Phipps
Kenny Smith

CITY COUNCIL MEETING
Monday, January 13, 2014

CITY COUNCIL AGENDA
Monday, January 13, 2014

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

1. Mayor and Council Consent Item Questions

Resource(s): Eric Campbell, City Manager's Office

Time: 5 minutes

Synopsis

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

2. Community Investment Plan Overview

Resource(s): Randy Harrington, Budget & Evaluation
Debra Campbell, Planning

Time: 45 minutes

Synopsis

- On June 10, 2013, the City Council adopted an \$816.4 million General Community Investment Plan.
 - The plan includes referenda over four bond cycles: 2014, 2016, 2018, and 2020. The first bond referendum is planned for November 2014.
 - The projects in the 2014 bond referendum focus on investing in corridors, increasing connections among neighborhoods, and community enhancement.
- Staff will provide an overview of the General Community Investment Plan, the investments planned for the 2014 bond referendum, and key process steps leading to the November 2014 bond referendum.

Future Action

The presentation is for information only.

Attachment 1

[Summary of all General Community Investment Plan Projects by Bond Cycle](#)

3. LYNX Blue Line Extension Update

Resource(s): Carolyn Flowers, Transit
John Muth, Transit
Danny Rogers, Transit

Time: 20 minutes

Synopsis

- Significant progress was made during 2013 on the LYNX Blue Line Extension Project, particularly in real estate acquisition and advanced relocation of public and private utilities.
- Calendar year 2014 will be very busy with major construction starting up along the entire Blue Line Extension corridor.
- In the coming months, staff will bring several items before the City Council related to the construction of the LYNX Blue Line Extension.

- Staff will discuss upcoming activities, identify potential risks to the project, and provide a status on the project schedule and budget.

Future Action

Staff will ask the City Council to consider approval, at the Council Business Meeting, of the following major construction contracts over the next three months:

<u>Contract</u>	<u>Anticipated City Council Date</u>
Civil Engineering - Segment A	January 27, 2014
Civil Engineering - Segment B/C	February 24, 2014
Track/Systems	March 24, 2014

4. CityLYNX Gold Line Phase 2 Update

Resource(s): Carolyn Flowers, Transit
David McDonald, Transit

Time: 20 minutes

Synopsis

- In the November 13, 2013 Council-Manager Memo, staff shared with the City Council the intent to submit an application to the Federal Transit Administration requesting approval to enter project development for the Phase 2 extension of the CityLYNX Gold Line. On November 26, 2013, the application was formally submitted to the Federal Transit Administration.
- Staff expects notification in late January/early February, from the Federal Transit Administration, if the application has been approved.
- As a result, staff will begin several professional services procurements in order to position the City to move forward quickly with the necessary work; however the work will not begin until a response is received from the Federal Transit Administration.

Future Action

At the January 27, 2014 Council Business Meeting, staff will ask the City Council to authorize the City Manager to negotiate and execute the necessary professional services contracts to advance work on Phase 2. The types of work to be performed include:

- 65% design and cost estimates,
- Vehicle assessment and engineering,
- Financial planning, and
- Land use and transit-oriented development reports.

5. Community Engagement Strategy

Resource(s): Carol Jennings, City Manager's Office
Regina Cousar, Utility
Tom Warshauer, Neighborhood & Business Services

Time: 30 minutes

Synopsis

- A team of City staff have recently spent time looking at how the City actively engages residents in City projects and programs.
- The focus included the changing demographics of Charlotte's population and the increased number of media tools of engagement.
- The dinner briefing will provide team members the opportunity to present their findings. Thus far, the scope of work has involved:
 - A gap analysis of the various tools that the City currently uses to inform, consult, involve, collaborate, and empower citizens;
 - A review of best practices of other cities doing community engagement;
 - A survey of our community partners' efforts to engage residents;
 - A review of the technologies and tools available; and
 - Identification of opportunities to pilot new engagement efforts with projects in the Community Investment Program.

Future Action

The presentation is for information only.

6. Answers to Mayor and Council Consent Item Questions

Resource: Eric Campbell, City Manager's Office

Time: 10 minutes

Synopsis

Staff responses to questions from the beginning of the dinner meeting.

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

7. National Mentoring Month

Action:	Mayor Cannon will read a proclamation recognizing January as National Mentoring Month.
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8. Charlotte-Mecklenburg Utility Department Award

Action:	Mayor Cannon will recognize the Charlotte-Mecklenburg Utility Department for the North Carolina Collection System of the Year Award and the George W. Burke Safety Award.
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CONSENT

- 9. Consent agenda items 18 through 52 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk.**

Consideration of Consent Items shall occur in the following order:

- A. Consideration of Consent Items that have not been pulled
- B. Consideration of Consent Items with citizens signed up to speak to the item

Public Hearing

10. Public Hearing on a Resolution to Close a Portion of Andrill Terrace

Action: **A. Conduct a public hearing to close a portion of Andrill Terrace, and**
 B. Adopt a Resolution to Close.

Staff Resource(s): Jeff Boenisch, Transportation

Policy:

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

Explanation

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

Petitioner

Mecklenburg-County

Right-of-Way to be abandoned

A portion of Andrill Terrace

Location

Located within the Oaklawn community, a portion of Andrill Terrace begins approximately 63 feet north of its intersecting point with Oaklawn Avenue, continuing north approximately 580 feet as a 50-foot wide right-of-way that abuts property owned by the petitioner, and consists of 31,481 square feet.

Reason

Andrill Terrace is to be incorporated into land owned by the petitioner as part of Mecklenburg-County's Hazard Mitigation Program – Floodplain Acquisition efforts, which will remove the road from the Irwin Creek Floodplain.

Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owners – None

Neighborhood/Business Associations

Oaklawn Homeowners Association/ Mable H. Latimer – No objections

Private Utility Companies – No objections

City Departments

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

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

Attachment 2

[Map](#)

[Resolution](#)

11. Public Hearing on a Resolution to Close a Residual Portion of Old Steele Creek Road Extension

Action: **A. Conduct a public hearing to close a residual portion of Old Steele Creek Road Extension, and**

B. Adopt a Resolution to Close.

Staff Resource(s): Jeff Boenisch, Transportation

Policy:

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

Explanation

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

Petitioner

Ari Strebor, LLC

Right-of-Way to be abandoned

A residual portion of Old Steele Creek Road Extension

Location

A residual portion of Old Steele Creek Road Extension begins 46 feet north of its intersecting point with Old Steele Creek Road, continuing northeast approximately 534 feet as a 50-foot wide right-of-way while abutting tax parcels 117-103-07 and 117-103-105, both owned by the petitioner, terminating at the Southern Railway Crossline Railroad, and consisting of 27,443 square feet.

Reason

To incorporate a portion of the unopened right-of-way into the adjacent property owned by the petitioner in order to create a more viable parcel for a future tenant/development.

Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owners – None

Neighborhood/Business Associations

Reid Park Neighborhood Association – Notified/No Comments

Private Utility Companies – No objections

City Departments

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

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

Attachment 3

[Map](#)

[Resolution](#)

POLICY

12. City Manager's Report

BUSINESS

13. Land Acquisition for the Amateur Sports Development for Bojangles' Coliseum/Ovens Auditorium Site

- Action:**
- A. Approve the purchase of approximately 6.84 acres for \$3,050,000 for the Amateur Sports Development at the Bojangles' Coliseum/Ovens Auditorium Site, PID 159-027-02 located at 3014 and 3016 East Independence Boulevard,**
 - B. Approve a License Agreement between BVB Properties, Inc. (Licensee) and the City of Charlotte (Licensor),**
 - C. Adopt a budget ordinance appropriating \$3.6 million for acquisition (\$3,050,000) and demolition costs (\$550,000), and**
 - D. Authorize the City Manager to execute all documents associated with the transactions between BVB Properties Inc. (Seller) and The City of Charlotte (Buyer).**

Staff Resource(s): Ron Kimble, City Manager's Office
Brad Richardson, Neighborhood & Business Services

Explanation

- The approximately 6.84 acres is a key property for the Ovens/Bojangles' Sports Complex Development Plan.
- In preparation for execution of the development plan, the City secured the initial option to purchase the Econo Lodge hotel on February 1, 2012, with a \$50,000 deposit that is applicable toward the purchase price. This initial option covered the period through December 31, 2012.
- The initial option was extended through January 20, 2014, for an additional option fee of \$25,000, which is not applicable toward the purchase price.
- The budget ordinance for \$3.6 million includes \$3,050,000 for the purchase of the property and \$550,000 for the estimated cost of demolition, asbestos removal, any environmental remediation, and contingency.
- After the purchase, the City will execute a License Agreement with BVB Properties, Inc. allowing BVB Properties to continue to operate the Econo Lodge hotel while the City prepares for the demolition.
- Keeping the hotel open for up to 12 months after purchase will enable 40 people (5 full-time and 35 part-time) to keep their jobs at this location. After hotel operations cease, the hotel will be demolished.
- The \$3.6 million will be funded with Certificates of Participation currently scheduled for issuance in FY2015 as part of the \$25.0 million for Bojangles/Ovens Area Redevelopment in the City Council-approved FY2014-2018 Community Investment Plan. The FY2015 funding for Bojangles/Ovens Area Redevelopment

will be reduced to \$21.4 million to reflect this initial \$3.6 million appropriation for the purchase of the land.

License Terms

- The License Agreement allows the seller to remove any furniture, fixtures, and equipment prior to the City taking possession of the property.
- The property will be turned over to the City free of any occupancies, leases, or encumbrances.
- The License Agreement includes the following terms:
 - January 20, 2014 through December 31, 2014,
 - Cancellable with 90-days prior written notice by either party, and
 - \$2,500 per month License Fee payable from BVB Properties, Inc. to the City.

Background

- On June 10, 2013, the City Council approved the \$816.4 million Community Investment Plan that includes \$25.0 million for the Bojangles' Coliseum and Ovens Auditorium Redevelopment plan.
- On October 18, 2013, the City issued a Request for Proposals to invite private sector interest in developing additional amateur sports-related facilities adjacent to the Bojangles Coliseum and Ovens Auditorium.
- The objective is to develop an indoor sports and recreation facility to meet growing market demand and position Charlotte as a top-tier destination for amateur sports-related travel.
- The Request for Proposals was developed in partnership with the Charlotte Regional Visitors Authority and Mecklenburg County. It requested interested parties to consider a development plan that includes a new indoor sport and recreation facility, a 150-room hotel, and ancillary retail space.
- On November 22, 2013, the City received one proposal from GoodSports Global Enterprises, LLC, a Florida-based development, construction and management company specializing in hotels and sports recreation facilities.
- At the December 9, 2013 dinner meeting, the City Council voted to send the proposal from GoodSports Global Enterprises, LLC to the City Council Economic Development Committee for review. The Economic Development Committee will make a recommendation, which staff will bring back to the City Council for approval in 2014.

Funding

General Community Investment Plan

Attachment 4

[Map](#)

[Budget Ordinance](#)

14. Conclusion of Consent Agenda

15. Nominations to Boards and Commissions

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

A. FIREMENS RELIEF BOARD

- One appointment for a two-year term beginning January 19, 2014, and ending January 18, 2016.
 - C. Harley Cook is eligible and would like to be reappointed.

Attachment 5

[Applications](#)

B. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

- Three appointments for two-year terms beginning March 2, 2014, and ending March 1, 2016.
 - Natalie Brown is eligible but not interested in reappointment.
 - Katherine Payerle and Julian Wright Jr. are eligible and would like to be reappointed.

Attachment 6

[Applications](#)

C. TRANSIT SERVICES ADVISORY COMMITTEE

- One appointment for an express service passenger for a three-year term beginning February 1, 2014, and ending January 31, 2017.
 - Terry Lansdell has completed two, full terms of service and is not eligible for reappointment.
- One appointment for a local or express service passenger for a three-year term beginning February 1, 2014, and ending January 31, 2017.
 - George Schaeffer, III is eligible and would like to be reappointed.

Attachment 7

[Applications](#)

D. ZONING BOARD OF ADJUSTMENT

- One appointment for a three-year term beginning January 31, 2014, and ending January 30, 2017.
 - David Hoffman is eligible and would like to be reappointed.
- One appointment for an alternate member for an unexpired term beginning immediately and ending January 30, 2015.
 - Paul Arena has been moved to a Mayoral appointment.

Attachment 8

[Applications](#)

E. PLANNING COMMISSION

- One appointment for an unexpired term beginning immediately and ending June 30, 2015.
 - Gregory Phipps has resigned.

Attachment 9

[Applications](#)

16. Appointments to Boards and Commissions

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

A. BUSINESS ADVISORY COMMITTEE

- One appointment for an unexpired term beginning immediately and ending April 28, 2014, and then continuing for a full, three-year term beginning April 29, 2014, and ending April 28, 2017.
 - Renee Barfield by Council member Autry
 - Mary Boyd by Council member Howard
 - Erin Brighton by Council members Kinsey and Phipps
 - Jordan Whitfield by Council members Austin, Barnes, Lyles, and Mayfield
 - Edward Tillman by Council member Driggs
 - Nathan Lewis by Council member Fallon

Attachment 10

[Applications](#)

B. CHARLOTTE INTERNATIONAL CABINET

- One appointment in the education category for an unexpired term beginning immediately and ending June 30, 2014.
 - Joseph Glasgow by Council members Driggs and Fallon
 - Soumia Ichoua by Council members Austin, Barnes, Kinsey, Lyles, Mayfield, and Phipps
 - Deborah Walker by Council member Lyles
 - Ahmed Kamel by Council members Autry and Howard

Attachment 11

[Applications](#)

C. DOMESTIC VIOLENCE ADVISORY BOARD

- One appointment for an unexpired term beginning immediately and ending September 21, 2015.
 - Takiyah Nur Amin by Council members Driggs, Fallon, and Howard
 - Dominique Dunn by Council member Autry
 - Emily Netzel by Council member Kinsey
 - Eddie Sanders by Council members Austin and Mayfield
 - Anton Shaw by Council members Barnes and Phipps

Attachment 12

[Applications](#)

D. KEEP CHARLOTTE BEAUTIFUL

- One appointment for an unexpired term beginning immediately and ending June 30, 2016.
 - Joshua Arnold by Council member Barnes
 - Michael Zytchow by Council members Autry, Driggs, Fallon, Howard, and Phipps
 - Jennifer Miley by Council members Austin, Kinsey, and Mayfield

Attachment 13[Applications](#)**E. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE**

- One appointment for an unexpired term beginning immediately and ending March 1, 2015.
 - D. Franklin Freeman by Council members Fallon and Howard
 - Fredrick Hammerman by Council member Driggs
 - Tia Lee by Council members Barnes and Kinsey
 - Morris Mcadoo by Council members Austin, Autry, Mayfield, and Phipps

Attachment 14[Applications](#)**F. WASTE MANAGEMENT ADVISORY BOARD**

- One recommendation by City Council for appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending February 1, 2014, and continuing for a full three-year term beginning February 2, 2014, and ending February 1, 2017.
 - Jamal Winfrey by Council Members Barnes and Phipps
 - Ann White by Council Members Austin, Autry, Driggs, Fallon, Kinsey, Lyles, Mayfield, and Smith

Attachment 15[Applications](#)**17. Mayor and Council Topics**

Council members may share information and raise topics for discussion

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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.



In April 2013, the City Council voted to replace the City's Small Business Opportunity Program with the Charlotte Business INCLUSION program. On July 1, 2013, the City phased in the Charlotte Business INCLUSION program into all of its practices and procedures.

The Charlotte Business INCLUSION program seeks to promote diversity, inclusion, and local business opportunities in the City's contracting and procurement process for Minority, Women, and Small Business Enterprises (MWSBEs) headquartered in the Charlotte Combined Statistical Area. Participation of Minority, Women, or Small Business Enterprises (MBE, WBE, or SBE) is noted where applicable.

For a period of time during FY2014, projects appearing in the Council Agendas will incorporate Policy references for either the current Charlotte Business INCLUSION program or the Small Business Opportunity Program.

The applicable Charlotte Business INCLUSION program Policy or the Small Business Opportunity Program policy sections are referenced at the end of the Council Request for Council Action.

Disadvantaged Business Enterprise

Disadvantaged Business Enterprise 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."

The property transaction process following the City Council approval for condemnation is referenced at the end of Consent.

18. Police Assets Forfeiture Appropriation for Sexual Assault Cold Case Unit

Action: Adopt a budget ordinance appropriating \$134,180 in assets forfeiture funds to cover six months of operation for the Sexual Assault Cold Case Unit.

Staff Resource(s): Sherie Pearsall, Police
Mike Smathers, Police

Explanation

- Federal and state laws allow local law enforcement agencies to use their share of seized assets to fund public safety initiatives.
- The Police Department is requesting the use of \$134,180 in assets forfeiture funds to cover six months of operational expense for the department's Sexual Assault Cold Case Unit.
 - \$124,180 in salaries for five personnel to include a Sergeant, two Detectives, an Assistant District Attorney, and a DNA Analyst; and
 - \$10,000 for DNA supplies.
- The Sexual Assault Cold Case Unit was formed in 2006. The unit's purpose is to review and reopen sexual assault cases where the presence of DNA evidence may help identify the perpetrator of the crimes.
- The unit is currently funded by a grant from the National Institute of Justice's Solving Cold Cases with DNA grant program.
 - The grant funding will end on January 31, 2014. The grant program will be continued in 2014, but the dates have not been announced for the 2014 application period. As a result, the Police Department anticipates a six month gap in funding for the Sexual Assault Cold Case Unit before the new grant funds are in place.
- Since its inception, the Sexual Assault Cold Case Unit has:
 - Reviewed 2,180 cases,
 - Cleared 133 cases,
 - Made 54 arrests, nine of which involved multiple cases, and
 - Cleared several high-profile cases including the ski mask rapist and serial rapists in the Crescent Avenue and Central Avenue areas.

Funding

Assets Forfeiture Funds

Attachment 16

[Budget Ordinance](#)

19. Timekeeping and Scheduling System Enhancements

Action: Approve a contract with Jivasoft Corporation, in the amount of \$135,000, to upgrade and enhance the Police Department's scheduling system.

Staff Resource(s): Katrina Graue, Police

Explanation

- The Police Department currently uses the Jivasoft On-Duty system for scheduling personnel and requests to contract with Jivasoft Corporation to perform an upgrade to the system.
- The system directly interfaces with PeopleSoft, the City's Human Resources Management System, and includes the following upgrades:
 - Electronic timecards,
 - Schedules based on recommended staffing models, and
 - Reports that detail payroll budget forecasting.
- With the system enhancements, the Police Department anticipates more efficiency in time reporting and payroll management activities associated with:
 - Scheduling personnel based on recommended staffing models,
 - Managing overtime use,
 - Using activity codes for more accurate classification of time and officer activity, and
 - Enhancing methods to enforce timekeeping and scheduling policies.
- On October 28, 2013, the City Council approved the use of assets forfeiture funds for this contract.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Assets Forfeiture Funds

20. Private Developer Funds Appropriation

Action: Adopt a budget ordinance appropriating \$20,500 in private developer funds for traffic signal improvements associated with Boulevard Phase III, LLC.

Staff Resource(s): Scott Putnam, Transportation

Explanation

- The \$20,500 in private developer funding is for the relocation of a signal pole, the installation of pedestrian signals, and other related work at the intersection of West Boulevard and Billy Graham Parkway associated with their development project.
- Boulevard Phase III, LLC, is fully funding the work to mitigate traffic impacts around the new development.
- The payment is in response to estimates of work prepared by the Charlotte Department of Transportation and supplied to the Developer.

- Any funding contributed by the Developer for the signal project and associated work that is unused by the City will be refunded after the project is complete.

Funding

Developer Contributions

Attachment 17

[Budget Ordinance](#)

21. Sidewalk Trip Hazards Removal Services

Action: **A. Approve a contract with Precision Safe Sidewalks, Inc., up to \$200,000, for removal of trip hazards on sidewalks and curbs throughout the City of Charlotte, and**

B. Authorize the City Manager to approve up to two, one-year renewals each not to exceed the original contract amount.

Staff Resource(s): Charles Jones, Transportation

Explanation

- The Street Maintenance Division of the Department of Transportation is responsible for the maintenance of more than 2,200 miles of sidewalk and more than 7,000 accessible ramps within the City of Charlotte.
- The contract provides services to remove trip hazards on City-maintained pedestrian infrastructure without requiring complete replacement.
- Precision Safe Sidewalks, Inc. uses a proprietary method of concrete grinding to remove trip hazards of up to 2.5 inches in vertical height from sidewalk, accessible ramps, and curb and gutter.
- Street Maintenance determined that it is more cost effective to contract this service and focus City staff on traditional construction and replacement of sidewalk infrastructure that cannot be repaired using this method.
- All work completed through this contract will be compliant with Americans with Disabilities Act for slope, and with the Occupational Safety and Health Administration requirements for traction.
- Precision Safe Sidewalks, Inc. was selected using the Council-approved, qualifications-based selection process.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part B: Section 2.4 of the SBO Policy).

Funding

Powell Bill

22. Fifth Street Streetscape Lighting Payment

Action: Approve a payment to Duke Energy, in the amount of \$148,821.82, for the installation of 44 pedestrian-scale lights for the Fifth Street Streetscape Project.

Staff Resource(s): Jim Keenan, Engineering & Property Management

Explanation

- The Fifth Street Streetscape Project plan includes the installation of 44 pedestrian-scale lights along Fifth Street from Johnson C. Smith University to Irwin Avenue in uptown. The cost of this work is included in the project budget.
- The goal of the project is to improve safety and connectivity to both the West End/Johnson C. Smith University area and the gateway area into uptown through a variety of urban street features such as bike lanes, lighting, and landscaping.
- This is a one-time, upfront payment for the light installation work to be completed by Duke Energy.
 - The monthly lighting bill will be paid by the Charlotte Department of Transportation as part of a public lighting agreement between the City of Charlotte and Duke Energy.
 - The standard monthly costs per light will apply for these street lights.
- Related roadway improvements are currently under construction. This lighting installation will be complete by fourth quarter 2014.
- Funds for this project were included in the street bonds approved by voters in 2008.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part B: Section 2.4 of the SBO Policy).

Funding

Transportation Community Investment Plan

23. Joint Communications Center

- Action:**
- A. Approve a contract, in the amount up to \$4.9 million, with Little Diversified Architectural Consulting, Inc. for architectural and engineering services associated with the Joint Communications Center, and**
 - B. Approve a contract, in the amount up to \$300,000, with System WorCx, PLLC for building commissioning services associated with the Joint Communications Center.**

Staff Resource(s): William Haas, Engineering & Property Management
 Katrina Graue, Police
 Jeff Dulin, Fire

Explanation

- The Joint Communications Center will be constructed at 1315 North Graham Street and is planned to provide space for City Police and Fire 911 Dispatch, the Emergency Operations Center, the CharMeck 311 Call Center, the City Data Center, the Charlotte Department of Transportation Traffic Camera Division, and the Mecklenburg County Sheriff's Communication Center.
- The facility is designed to handle day-to-day emergency operations and serve as a central hub for disaster management. It will contain approximately 73,000 square feet on two or more floors and accommodate approximately 460 staff members by the year 2030.
- Little Diversified Architectural Consulting, Inc. was selected using the Council-approved, qualifications-based selection process to complete the following architectural services:
 - Architectural and engineering project team management,
 - Architectural design and construction documents,
 - Site/Civil Engineering,
 - Landscape design,
 - Structural engineering,
 - Plumbing, mechanical, and fire protection engineering,
 - Electrical and fire alarm engineering,
 - Food service equipment design,
 - Technology, audio visual, and telecom consulting,
 - Security consulting,
 - Acoustical consulting,
 - Interior design,
 - Sustainable design consulting, and
 - Code consulting
- On June 10, 2013, the City Council approved the FY2014-2018 Community Investment Plan, including \$68.0 million in Certificates of Participation for the Joint Communications Center.

Commissioning Services

- A commissioning agent will be used, as required by the Policy for Sustainable City Facilities, to help ensure mechanical and electrical systems operate at optimum efficiency.
- Building commissioning is a third-party, independent service involving design phase input and plan review, testing and adjusting mechanical and electrical systems to ensure these elements work together in an optimal fashion.

- The service reduces operating costs and improves performance of the building while increasing satisfaction of the tenants.
- System WorCx, PLLC was selected using the Council-approved, qualifications-based selection process.

Charlotte Business INclusion

Architectural and Engineering Services:

Little Diversified Architectural Consulting committed 20.41% (\$1,000,130) of the total contract amount to the following SBE firm: AME Consulting Engineering (plumbing, mechanical, electrical, and fire protection).

Commissioning:

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy). System WorCx, PLLC is a certified SBE.

Funding

Government Facilities Community Investment Plan

24. Storm Drainage Improvement Projects

Action: Approve contracts for engineering services on storm drainage improvement projects with the following firms, each in the amount listed below:

- Hazen and Sawyer, P.C. for \$1.0 million,
- Woolpert North Carolina, PLLC for \$1.0 million ,
- The Isaacs Group, P.C. for \$1.0 million, and
- Parson Brinckerhoff, Inc. for \$1.0 million.

Staff Resource(s): Matt Gustis, Engineering & Property Management

Explanation

- Storm Water Services begins engineering on new storm drainage improvement projects that are the highest ranking projects in the program backlog each year.
- The projects may include storm drainage improvements that reduce house and street flooding, repair failing infrastructure, or enhance water quality of nearby creeks.
- Engineering firms were selected using the Council-approved, qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task-order basis.
- Work will include, but is not limited to:
 - Evaluation,
 - Analysis and recommendations for repair and/or improvement,
 - Design of repairs and/or improvements,
 - Preparation of construction documents,
 - Environmental assessments, and
 - Construction oversight and monitoring.
- When consultants perform quality engineering analysis, the most efficient method is for that firm to complete the design and provide construction administration services.
- Amendments to the contracts may be needed for completion of multiple projects.

Hazen and Sawyer, P.C. Contract

- The first project to be initiated under this contract will be the Shamrock Gardens Storm Drainage Improvement Project.
- The project drainage area is approximately 75 acres and bordered by Purser Drive to the north, Shamrock Drive to the south, Briar Creek to the east, and Eastway Drive to the west.

Woolpert North Carolina, PLLC Contract

- The first project to be initiated under this contract will be the Kendall Drive Storm Drainage Improvement Project.
- The project drainage area is approximately 190 acres and bordered by Interstate 85 to the north, Abelwood Drive to the south, Beatties Ford Road to the east, and Stewart Creek to the west.

The Isaacs Group, P.C. Contract

- The first project to be initiated under this contract will be the Margaret Turner Road Storm Drainage Improvement Project.
- The project drainage area is approximately 75 acres and bordered by Old Plank Road to the north, Brookshire Boulevard to the south and west, and Andrew Ward Avenue to the east.

Parsons Brinckerhoff, Inc. Contract

- The first project to be initiated under this contract will be the Cutchin Drive Storm Drainage Improvement Project.
- The project drainage area is approximately 160 acres and bordered by Sharon View Road to the north, Wamath Drive and Mountainbrook Road to the south, McMullen Creek to the east, and Sharon Road to the west.

Charlotte Business INCLUSION

For service based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Each of the firms for these contracts have committed 10.00% (\$100,000) of their total contract amounts to the following SBE firms:

Hazen and Sawyer, P.C.

Avioimage Mapping Services (aerial surveying); R. Joe Harris & Associates, PLLC (field surveying); and Joel E. Wood & Associates, PLLC (geotechnical).

Woolpert North Carolina, PLLC

Pittman Professional Land Surveying (surveying); Carolina Wetland Services, Inc. (environmental); Hinde Engineering, Inc. (utility coordination); and Gavel & Dorm Engineering, PLLC (geotechnical).

The Isaacs Group, P.C.

Avioimage Mapping Services (surveying and mapping); Carolina Wetland Services, Inc. (ecological); On Target Utility Locate Services, Inc. (utility location); Barry Lambert Engineering, PC (structural engineering); and The Klauk Law Firm (property and deed research).

Parsons Brinckerhoff, Inc.

Avioimage Mapping Services (surveying and mapping); Carolina Wetland Services, Inc. (ecological); and On Target Utility Locate Services, Inc. (utility location).

Funding

Storm Water Community Investment Plan

25. West Tyvola Road Sidewalk

Action: Award the low-bid contract of \$343,847.91 to DOT Construction, Inc. for the West Tyvola Road Sidewalk project.

Staff Resource(s): Troy Eisenberger, Engineering & Property Management

Explanation

- The West Tyvola Road Sidewalk project will support the City's Sidewalk Program to enhance connectivity, offer transportation choices, and improve pedestrian safety.
- The project was funded from a budget ordinance approved by the City Council on March 26, 2012, which transferred savings from the Statesville Road Widening Project to several sidewalk projects.
- The sidewalk will be constructed along West Tyvola Road from West Boulevard to Old Steele Creek Road (.37 miles) as part of this project.
- Due to safety issues, this project has been following an accelerated schedule. Construction is expected to be complete by second quarter 2014.

Charlotte Business INclusion

Established SBE Goal: 16%

Committed SBE Goal: 17.41%

DOT Construction, Inc. exceeded the established SBE goal, and committed 17.41% (\$59,850) of the total contract amount to the following SBE firms: D's Trucking Service (hauling), Pavers, Walls, & Stamped Concrete (concrete work), and Ground Effects (pavement marking). DOT Construction, Inc. is also a certified SBE.

Funding

Transportation Community Investment Plan

26. Charlotte-Mecklenburg Board of Education Memorandum of Understanding

Action: Authorize the City Manager to execute a Memorandum of Understanding with the Charlotte-Mecklenburg Board of Education to allow the Mitigation Bank to sell 218 feet of stream mitigation credit for permits required for expansion of Vance High School.

Staff Resource(s): Daryl Hammock, Engineering & Property Management

Explanation

- The Charlotte-Mecklenburg Board of Education has proposed a renovation and addition project at Vance High School to alleviate overcrowding in other high schools in the area.
- The school project will result in unavoidable impacts to certain streams located on the school property, requiring that the Board of Education obtain a permit

- from the United States Army Corps of Engineers and a certification from the North Carolina Division of Water Resources.
- The Corps of Engineers and the Division of Water Resources have determined that the Board of Education must mitigate the impacts for 218 feet of the stream.
 - The City has accumulated stream mitigation credits in its Mitigation Bank and intends to sell 218 credits to the Board of Education.
 - The Board of Education will pay \$375 per foot (a total of \$81,750), which is the cost incurred by the City to generate credits by completing stream restoration projects in the Rocky River watershed (where Vance High School is located).

Background

- When a construction project impacts a stream, the Clean Water Act often requires public projects to mitigate impacts to streams and wetlands by restoring similar features elsewhere, or to pay a mitigation fee into a publicly held fund or bank.
- In 2004, the City established a Stream Restoration Mitigation Bank to hold mitigation credits that can be used later by City, County, and Charlotte Mecklenburg School public projects. Without the City Bank, all public entities impacting streams were paying mitigation fees to the State of North Carolina, which in turn were being used in other parts of the State.
- Mitigation credits are currently sold by the Bank to individual projects, which allows the Storm Water Program to recoup the cost associated with restoring streams.
- Stream restoration is the process of converting a degraded, eroding stream corridor to a stable condition.
- Stream restoration projects generate mitigation credits that can be used to offset stream and wetland impacts on public projects.
- Sediment from eroding stream banks is one of the largest sources of stream impairment in the County and the City's federally-required storm water permit requires that streams be protected from such impacts.

Charlotte Business INclusion

This is an Interlocal Agreement contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Attachment 18

[Memorandum of Understanding](#)

27. Water Quality Enhancement Projects Contract Amendment

Action: Approve contract amendment 1, in the amount of \$400,000, with W.K. Dickson & Co., Inc. for engineering services.

Staff Resource(s): Daryl Hammock, Engineering & Property Management

Policy

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

Explanation

- Under this contract, W.K. Dickson was assigned tasks including the feasibility analysis, design, and construction administration for the Hunter Acres Water Quality Enhancement Project and the feasibility analysis and design for the NorthPark Pond Water Quality Enhancement project.
- Contract amendment 1 will provide funding for construction administration services for the NorthPark Pond Water Quality Enhancement project.
- The NorthPark Pond Water Quality Enhancement project is located northwest of the intersection of Interstate-77 and Sunset Road in north Charlotte.
 - The pond is approximately one acre in size and is located at the north end of Northlake Court.
 - The project will make improvements to the pond by replacing the existing deteriorated concrete spillway with a reinforced concrete outlet structure and culvert. In addition, the dam will be rebuilt and stabilized.
- Contract amendment 1 will also provide funding for planning, design, and construction administration services for a regenerative storm water conveyance project.
- The regenerative storm water conveyance project is located at 6809 Linda Lake Drive. The project is intended to alleviate severe erosion of an existing gully and to improve water quality through infiltration of runoff; this will be a pilot study where costs and effectiveness will be monitored with a goal to expand ordinance compliance options for future development projects.
- When consultants perform feasibility analysis well, the most efficient method is for that firm to complete the engineering and provide construction administration services. The engineering contracts are amended at the discretion of the City as necessary to complete the projects assigned to the firm.
- The original contract was approved by the City Council on November 9, 2009, for \$750,000. Contract amendment 1 will bring the total contract amount to \$1,150,000.
- Future amendments are not anticipated for this contract.

Background

- The projects selected as water quality improvement projects drain to creeks identified as impaired by Clean Water Act standards.
- The improvements will remove pollutants from storm water runoff before the water is discharged into the creeks.
- Improving existing ponds is a cost-effective means of improving water quality, averaging one-fifth the cost of creating new water quality measures that provide equivalent environmental benefit.

- Storm Water Services begins feasibility analysis on new water quality improvement projects that are the highest ranking projects in the program backlog each year.
- The feasibility analysis, preliminary, and final engineering for the projects are performed by consulting firms selected using the Council-approved, qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task-order basis.

Charlotte Business INclusion

All additional work involved in this amendment will be performed by W.K. Dickson & Co. Inc. and their existing sub-consultants (Part D: Section 6 of the SBO Policy). W.K Dickson & Co. Inc. committed 10% (\$40,000) of this amendment to the following SBE firms: Armstrong Glen, P.C. (structural engineering); Southeast Geomatics Group (surveying); Richa Graphics (printing); and Avioimage Mapping Services (mapping).

Funding

Storm Water Community Investment Plan

28. Automatic Train Protection System

Action: **A. Approve the purchase of an Automatic Train Protection System for the LYNX Light Rail Vehicles, as authorized by the sole source exemption G.S. 143-129 (e)(6), and**

B. Authorize the City Manager to negotiate and execute a contract with Ansaldo STS UNSA, Inc., in an amount up to \$6.1 million, for the purchase of Carborne Automatic Train Protection systems.

Staff Resource(s): Carolyn Flowers, Transit
 Allen Smith, III, Transit

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; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because standardization and compatibility is the overriding concern.
 - The existing train communications and control infrastructure of the LYNX Blue Line would require extensive and costly modification for compatibility with any other Automatic Train Protection system.
- The City Council must approve purchases made under the sole source exemption.

Explanation

- The Automatic Train Protection System is an automatic safety system that ensures appropriate speed, braking, and train movement for the operation of trains along the alignment. The new system is more reliable, easier to maintain, and offers more operating modes and capabilities.

- The contract will:
 - Provide an upgrade to the latest in automatic train protection technology for the 20 light rail vehicles in Transit’s fleet at an estimated cost of \$2.8 million, and
 - Install the new Automatic Train Protection System on 22 additional light rail vehicles, planned for Transit’s fleet, for the LYNX Blue Line Extension at an estimated cost of \$3.3 million.
- The Automatic Train Protection System was not included in the original purchase contract for the new LYNX Blue Line Extension light rail vehicles because the purchase was made as part of a joint procurement conducted with TriMet Transit in Portland, Oregon.
 - The joint procurement offered very advantageous pricing, but did not include all of the equipment used by Transit such as the Automatic Train Protection System.
 - The quoted price includes all support services including engineering, testing, training, warranties, manuals, technical support, spare parts and special tools, and testing equipment.
- The project will take approximately 18 months to complete.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Funding

Transit Community Investment Plan, Federal Formula Funds, and the LYNX Blue Line Extension Full Funding Grant Agreement

29. Light Rail Vehicle Propulsion Systems Spare Parts

- Action:**
- A. Approve the purchase of spare parts for the Light Rail Vehicles as authorized by the sole source exemption G.S. 143-129 (e)(6),**
 - B. Approve a three year contract with Siemens Industry, Inc. for repair services and parts for Light Rail Vehicles propulsion systems, for an amount up to \$450,000, and**
 - C. Authorize the City Manager to renew the contract for two additional, one-year terms for up to \$150,000 per renewal year.**

Staff Resource(s): Carolyn Flowers, Transit
Allen Smith, III, Transit

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; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because Siemens Light Rail Vehicle parts are only available through direct sales from the manufacturer.
- The City Council must approve purchases made under the sole source exemption.

Explanation

- Siemens is the Original Equipment Manufacturer of Transit's light rail vehicles and of the propulsion systems that power them.
- The LYNX Blue Line has been in operation for six years. The spare parts and repairs to the light rail vehicle propulsion systems have become necessary.
- The contract will provide the spare parts needed to meet required specification standards and maintain the light rail vehicles at optimum performance.
- The repairs will be performed on an as-needed basis.

Charlotte Business INClusion

This is a sole source contract and is exempt (Part A: Appendix 27 of the Charlotte Business INClusion Policy).

Funding

Transit Operating Budget

30. Light Rail Vehicle Brake and Suspension Spare Parts

- Action:**
- A. Approve the purchase of spare parts, as authorized by the sole source exemption G.S. 143-129 (e)(6),**
 - B. Approve a three-year contract with Knorr Brake company for spare parts for light rail vehicle brake and suspension systems for an amount up to \$1,125,000, and**
 - C. Authorize the City Manager to renew the contract for two additional, one-year terms for up to \$375,000 per renewal year.**

Staff Resource(s): Carolyn Flowers, Transit
Allen Smith, III, Transit

Sole Source Exemption

- 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 for this contract because Siemens light rail vehicle parts are only available through direct sales from the manufacturer, Knorr Brake Company.
- The City Council must approve purchases under the sole source exemption.

Explanation

- The Original Equipment Manufacturer parts meet the required specification standards to keep the light rail vehicle brake and suspension systems in the proper operating condition and to maintain the interchangeability of parts.
- The parts will be ordered on an as-needed basis.
- The purchase amount is based on the prior year's usage and a projected future usage, in order to maintain the required inventory stock levels.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Funding

Transit Operating Budget

31. Transit Schedules and Brochures

Action:

- A. Reject the unit price, low-bid submitted by iTek Graphics,**
- B. Award a unit price contract, to the second, lowest responsive bidder Professional Printers, Inc., for the printing of bus and train schedules and brochures for the term of two years, in an amount up to \$150,000, and**
- C. Authorize the City Manager to renew the contract for three additional, one-year terms for up to \$75,000 per renewal year.**

Staff Resource(s): Carolyn Flowers, Transit
Kim Taylor, Transit

Explanation

- Transit provides and administers individual schedules and brochures for each of its fixed, public transit routes and rapid transit services.
- Printing services will require approximately 65 to 80 unique Transit route schedules and related brochures with an aggregate printing quantity of 700,000-800,000 pieces annually.
- With bus and rail time point information available at all bus stop and light rail stations, and through the implementation of technology, such as the Transit website and mobile app, Transit has reduced the number of printed schedules from 1.4 million to 800,000 pieces annually.
- On October 15, 2013, an Invitation to Bid was posted; eight bids were received.
- The contract with Professional Printers Inc., represents a 50% cost savings over the previous contract.
- Future possible price adjustments will be based on the Producer Price Index.
- Annual expenditures under the contract are estimated to be \$75,000.

Award to the Second Lowest, Responsive Bidder

- Transit recommends rejecting the unit price, low-bid submitted by iTek Graphics.
- iTek Graphics' bid was non-responsive because it failed to comply with the demonstration requirements set forth in the Invitation to Bid, as authorized by NC General Statute 143-129(b).
- As part of the bid process, bidders were instructed to submit their equipment list and also informed by Transit staff that a site visit would be required to verify printing and folding capabilities.
- iTek Graphics refused to provide an exact and true representation of goods being offered, by means of demonstration, resulting in rejection of their bid.
- Staff recommends the contract be awarded to the second lowest, responsive bidder, Professional Printers, Inc.

Charlotte Business INclusion

For services contracts, the City may negotiate SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). Professional Printers, Inc. has committed to 3.1% of the total contract amount to the following SBE firm: Lake Printing and Design (printing).

Funding

Transit Operating Budget

32. Transit Management Services

Action:

A. Approve a three-year agreement with current provider McDonald Transit Associates, Inc. to provide transit management services for the Bus Operations Division, at an estimated annual cost up to the amount of \$620,000, and

B. Authorize the City Manager to negotiate and execute contract renewals up to the amount of \$650,000 per year, for up to two additional years.

Staff Resource(s): Larry Kopf, Transit
Carolyn Flowers, Transit

Explanation

- As the current service provider, McDonald Transit Associates, Inc. has proposed an experienced local transit management team for Charlotte to oversee the Transit Bus Operations Division. The firm will also provide corporate resources for labor negotiations and quality assurance activities as needed.
 - The firm will oversee the administration and the management of the day-to-day bus operations and maintenance at Transit's South Tryon and North Davidson Street facilities.
 - Three managers will be assigned to supervise and manage the 800+ employees, including bus drivers, mechanics, and administrative personnel.
 - Corporate staff will provide various services including acting as the lead for the Bus Operations Division in negotiations with the United Transportation Union.
- McDonald manages transit services in numerous states around the country. Managers among the various locations share opinions and expertise when managing maintenance, operations, and employee relations.
- On October 8, 2013, the Transit Department issued a Request for Proposal on and conducted a pre-proposal meeting for prospective contractors on October 18, 2013.
- On November 6, 2013 three proposals were received.
- A selection committee, including representatives from several Transit divisions, reviewed and evaluated each firm according to the following criteria:
 - Qualifications of proposed staff and organization of the operation;
 - Qualifications of the proposing firm;
 - Operating methodology and management plan;
 - Cost effectiveness; and
 - The firm's financial viability.
- McDonald Transit Associates, Inc. was determined to provide the best overall value to the City.

Background

- Federal law known as "13c" is applicable to the Charlotte Area Transit System and requires the City to preserve collective bargaining rights that existed for bus drivers and mechanics when the City purchased the original bus system from private providers in the 1970s.
- Because state law, NC General Statute §95-98 voids any collective bargaining agreement the City may enter into, the City must use an independent contractor to manage the bus operations division and to conduct negotiations with the labor unions for bus drivers and mechanics. This is a standard legal structure for transit systems subject to "13c" in North Carolina.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Transit Operating Budget

33. Airport Information Display Maintenance Contract

Action: **A. Approve a contract with Signature Technologies, Inc. d/b/a ComNet for maintenance on the Airport's information display system for a term of one-year, and**

B. Authorize the City Manager to approve two annual renewals with possible price adjustments as stipulated in the contract.

Staff Resource(s): Brent Cagle, Aviation

Explanation

- The Airport uses information display monitors throughout the terminal to communicate airline operational information to passengers and airport personnel. These monitors include flight information displays, baggage information displays, and visual paging for Americans with Disabilities Act compliance.
- Since 2003, the Airport held contracts with Signature Technologies, Inc. to provide proprietary parts, software, and maintenance for these critical operational displays.
- On January 14, 2013, the City Council approved a one-year extension to the maintenance agreement.
- At the request of Airport tenants, the Aviation Department has negotiated a new contract to raise the service level standards due to the critical nature of these systems. The enhanced service levels will shorten response times and increase onsite support personnel.
- The contract provides the proprietary parts and maintenance service on the 753 information display devices for a period of one-year.
- The estimated annual cost is \$225,000, which is dependent upon the number of units and the unit prices of various replacement parts. The total cost may vary as the number of units increase or decrease based on operational need.
- The total estimated value of this contract, to include the renewals, is \$675,000.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Aviation Operating Budget

34. Airport Automated Passport Control Kiosks

- Action:**
- A. Approve the purchase of automated passport control kiosks, as authorized by the sole source exemption G.S. 143-129 (e)(6),**
 - B. Approve a contract with Vancouver Airport Authority for the purchase of automated passport control kiosks in the amount of \$1,413,000,**
 - C. Approve a five-year contract with Vancouver Airport Authority for maintenance and support of automated passport control kiosks,**
 - D. Award a low-bid contract of \$305,700 with The Bowers Group, LLC for construction renovations and installation of the automated passport control kiosks, and**
 - E. Adopt a budget ordinance in the amount of \$1,718,700 from the Airport Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s): Brent Cagle, Aviation

Sole Source Exemption

- 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 of supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for standardization and compatibility of the equipment.
- The City Council must approve purchases made under the sole source exception.

Explanation

- On October 21, 2013, the new American Airlines announced an expansion of their international service from Charlotte, NC, beginning spring 2014.
 - The new service will add seasonal non-stop flights to Barcelona, Spain; Brussels, Belgium; Lisbon, Portugal; and Manchester, England.
 - In addition to the transatlantic flights, there will be an additional flight to/from Mexico City, Mexico.
- In the summer of 2013, during the peak travel period, wait times in the international arrivals area for passengers arriving from international destinations averaged up to 52 minutes. The addition of five international flights is estimated to increase wait times to 70 minutes, causing most connecting passengers to miss their flights.
- The automated passport control kiosks will supplement the existing processing performed by Customs and Border Protection personnel with 24 kiosks that allow some passengers to self-complete the immigration process. Aviation anticipates

- the implementation of the kiosks will expedite international arriving passengers processing.
- The kiosks have been deployed in five major North American airports: New York JFK, Chicago O'Hare, Vancouver, Toronto and Montreal, and have greatly reduced the wait times for international arriving passengers.
 - The service contract includes five years of maintenance and support by Vancouver Airport Authority. The total estimated cost of the five-year contract is \$770,000.
 - The contract with The Bowers Group will reconstruct three specific areas of the International Arrivals Area for the installation of 24 automated passport control kiosks, and also provide open space for the organization of baggage arrivals.
 - On November 21, 2013, Invitations to Bid were advertised for the construction renovations; six bids were received.

Charlotte Business INclusion

Action A and Action C

This is a Sole Source contract and is exempt (Part A: Appendix 27 of the Charlotte Business Inclusion Policy).

Action D

Established SBE Goal: 10%

Committed SBE Goal: 41.29%

The Bowers Group exceeded the established SBE goal, and committed 41.29% (\$126,209) of the total contract amount to the following SBE firms: Richa Graphics (signage), Charlotte Sound & Visual Systems, Inc. (public address system), Stevens Interiors, Inc. (drywall and acoustic), and COED Electrical Services, Inc. (electrical).

Funding

Aviation Community Investment Plan and Aviation Operating Budget

Attachment 19

[Budget Ordinance](#)

35. Airport Passenger Boarding Bridge Maintenance Services

Action: A. Approve a contract with National Jetbridge Services, LLC for maintenance services for 58 passenger boarding bridges, for a term of one-year, and

B. Authorize the City Manager to approve one renewal as stipulated in the contract.

Staff Resource(s): Mark Wiebke, Aviation

Explanation

- The Airport hired DK Consultants in April 2012, to provide a full-condition assessment of all of the Airport-owned passenger boarding bridges.
- DK Consultants has recommended a recovery maintenance program to systematically repair and perform critical maintenance items on passenger boarding bridges.
- On November 7, 2013, the Aviation Department issued a Request for Proposal; five proposals were received.

- A selection committee, composed of Aviation Department staff, chose National Jetbridge Services, LLC based on their depth of knowledge, experience, and ability to provide the proposed services.
- National Jetbridge Services, LLC will perform recovery services focused on issues such as roller adjustment, roller damage repair, lift column lubrication and alignment, rotunda bearing lubrication, etc. These services will be billed at an hourly rate for the technicians.
- The Airport will provide all repair parts and materials needed for these recovery services; pricing is available upon request.
- The annual cost of these services is \$400,000, and the total estimated value of the contract, with one renewal, is \$800,000.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Aviation Operating Budget

36. Airport Old Terminal Parking Design Services

Action: Approve a contract for professional design services, in the amount of \$113,400, with Talbert, Bright & Ellington, Inc., for improvements to public parking at the Old Terminal of the Airport.

Staff Resource(s): Jack Christine, Aviation

Explanation

- The parking lots and the service drive of the Old Terminal are in need of rehabilitation. This parking lot has deteriorated and will become a safety hazard if not addressed.
- The project will repave the parking lot and realign curb front road.
- Talbert, Bright & Ellington, Inc. was selected based on their qualifications as submitted through a Request for Qualifications process conducted by the Airport for various projects on December 21, 2010.

Charlotte Business INclusion

Committed SBE Participation: 15.87%

For professional service-based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). On this contract, Talbert, Bright & Ellington has committed 15.87% (\$18,000) of the total contract amount to the following SBE firm: Accutech Surveying & Mapping, LLP (surveying services).

Funding

Aviation Community Investment Plan

37. Airport Rental Car Deck Design Services Change Order

Action: Approve change order 2, in the amount of \$484,340, to LS3P Associated, LTD for professional design services of pedestrian tunnels connecting the hourly parking deck to the future terminal expansion.

Staff Resource(s): Jack Christine, Aviation

Explanation

- On July 27, 2009, the City Council approved the original contract, in the amount of \$5,950,000, with LS3P Associated, LTD (originally LS3P Associates, Inc.) for design services of the Airport Rental Car Deck.
- The future plans for the terminal include expanding the lobby areas approximately 90 feet to the north to accommodate additional passenger volume.
- The new Rental Car Facility/Hourly Parking deck, currently under construction, will match the floor elevations of the terminal on the baggage/basement levels. Previously, patrons could walk between the parking deck and the terminal on the ticketing and baggage levels.
- On February 14, 2012, the Airport executed change order 1 in the amount of \$24,460 to accommodate changes to the rental car fuel system which converted it to underground storage tanks in lieu of being piped from the fuel farm.
- Change order 2 will allow for the design of pedestrian tunnels between the new Rental Car Facility/Hourly Parking deck and the terminal.
- These pedestrian tunnels will provide passengers a secondary means of connection from the parking deck to the terminal.
- Once these tunnels are designed, the Airport will return to the City Council for approval of construction services.
- The new total contract amount, including both change orders, is \$6,458,800.
- Funding for this contract comes from proceeds of General Airport Revenue Bonds.

Charlotte Business INclusion

All additional work involved in this change order will be performed by LS3P Associates, LTD and their existing subcontractors (Part D: Section 6 of the SBO Policy).

Funding

Aviation Community Investment Plan

38. Airport Architectural Services Contract

Action: Approve a contract, in the amount up to \$485,000, with Roy W. Johnson, Architect, to provide planning and architectural services at the Airport for a term of two years.

Staff Resource(s): Jack Christine, Aviation

Explanation

- On August 27, 2012, the City Council approved a contract with Roy W. Johnson, Architect, for planning and architectural services.
- Roy Johnson will assist the Aviation Department in planning, implementing improvements to, and the construction of structures at the Airport.

- Mr. Johnson is retired from Odell Associates where he served as a principal architect and has been involved with airport terminal development for over 30 years. He has worked directly with the Airport for the past 12 years.
- The scope of his services includes developing design concepts, negotiating contracts, reviewing plans, value engineering, and master planning.
- During the next three years, the airport will be developing:
 - Terminal renovations and expansions,
 - Corporate aviation facilities, and
 - New airport parking facilities.
- Mr. Johnson will work on a part-time basis at the hourly rate of \$155.00 per hour.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Aviation Operating Budget

39. FY2014 Small Water and Sewer Service Connections

Action: **A. Award a low-bid contract of \$1,232,045.75 with B.R.S., Inc. for installation of drinking water and sanitary sewer service connections throughout Mecklenburg County, and**

B. Authorize the City Manager to approve up to two renewals with possible price adjustments as authorized by the contract.

Staff Resource(s): Barry Shearin, Utility

Explanation

- The Charlotte-Mecklenburg Utility Department outsources the installation of most new water and sewer service installations, using construction contracts.
- Customers pay connection fees for new services, which are based on costs incurred by Charlotte-Mecklenburg Utility Department in these contracts.
- Each connection is made following application by the developer or property owner and receipt of payment.
- The majority of the work covered by this contract will be used for residential water and sewer service installations, and should provide for approximately 1,000 service connections.
- New water and sewer service installations within new subdivisions are not covered by this contract, as developers bear these costs.
- Having contracts in place prior to receiving service requests provides a shorter response time for service delivery.
- The contract allows for up to two renewals with possible unit price adjustments based on the Construction Cost Index.
- Additional contracts are forthcoming to further expedite new water and sewer service installations.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy.)

Funding

Utility Community Investment Plan

40. Utilities Field Operations Hauling Services

Action: Approve a services contract with McGirt Trucking Co. to provide hauling services of topsoil and spoils for a term of one year.

Staff Resource(s): Barry Gullet, Utility

Explanation

- The contract provides hauling of dirt, rocks, tree stumps, and other debris from construction and repair sites throughout Mecklenburg County on an as-needed basis for Charlotte-Mecklenburg Utility Department.
- The contractor will also pick up topsoil from two suppliers and deliver to the four Charlotte-Mecklenburg Utility Department Field Operations zone locations.
- A Request for Proposals was issued on October 24, 2013, with email notification sent to all SBE firms who provide hauling services.
- Proposals were received from only one firm, McGirt Trucking Co.
- The estimated annual expenditures are \$110,000.

Charlotte Business INclusion

Committed Goal: 3%

McGirt Trucking has committed 3.00% (\$3,300) of the total annual contract amount to the following SBE firm: BKP Trucking, LLC (hauling).

Funding

Utility Operating Budget

41. Irwin Creek Wastewater Treatment Plant Design and Construction Administration Services

Action: Approve an engineering services contract, in the amount of \$4,132,979, with Hazen and Sawyer for final design and construction administration services for the Irwin Creek Wastewater Treatment Plant Reliability Upgrades Project, Phase 2.

Staff Resource(s): Barry Shearin, Utility

Explanation

- The Irwin Creek Wastewater Treatment Plant is located off of Billy Graham Parkway, adjacent to the Billy Graham Library complex.
- The treatment plant was originally built in the 1920's to treat wastewater from the west side of Mecklenburg County, including many industrial customers.
- The plant has been expanded and had various components upgraded since that time. However, much of the equipment and structures are decades old and in need of rehabilitation to ensure the plant can safely treat its 15 million gallon per day capacity within the current permit limits.

- On December 12, 2011, the City Council awarded an engineering contract to Hazen and Sawyer for final design and construction administration of Phase 1, in the amount of \$2,709,200. Phase 1 construction is nearing completion.
- Both phases of this project are part of the long-term Community Investment Plan.
- The new contract provides for final design and construction administration for Phase 2 of the reliability upgrades project at the treatment plant.
- The construction contract is anticipated for bid and award in late 2014.

Charlotte Business INclusion

Committed SBE Goal: 5.11%

For professional services based contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). On this contract, Hazen and Sawyer committed 5.11% (\$203,500) of the total contract amount to the following SBE firms: Southeastern Consulting Engineers (electrical design services), Mid-Carolina Reprographics (copying and printing services); and Survey and Mapping Control (field surveying services).

Funding

Utility Community Investment Plan

42. Broadband Technologies Opportunity Program Grant

Action: Accept an agreement to restructure the City's Broadband Technology Opportunities Program Grant in the amount of \$8,831,560 to improve the public safety communications technology and infrastructure.

Staff Resource(s): Jeff Stovall, Office of Chief Information Officer
Marie Harris, Shared Services

Explanation

- On September 13, 2010, the City Council accepted a grant award from the Department of Commerce for the development and deployment of a wireless broadband network to serve Charlotte and Mecklenburg County public safety agencies.
- On September 26, 2011, the City Council approved a contract with Alcatel-Lucent for the design, implementation, and maintenance of the countywide wireless broadband network.
- In February 2012, the U.S. Congress passed legislation that established a new nationwide authority for the design, implementation, and maintenance of a national wireless broadband network for public safety.
- On May 11, 2012, the Department of Commerce suspended grant funding to the seven wireless broadband network development grant recipient jurisdictions - including Charlotte.
- In August 2012, the board members of the nationwide authority, known as FirstNet, were appointed and began to evaluate the status of the seven grant projects - known generally as Broadband Technology Opportunity Program (BTOP) projects - to determine whether and how these projects would move forward.
- In February 2013, the FirstNet Board announced their intentions to negotiate individual "go forward" agreements with each of the seven jurisdictions. If these negotiations were successful, the Department of Commerce would release the

- suspended grant funding and the projects would proceed consistent with new grant agreements under new conditions as negotiated with FirstNet.
- On August 16, 2013, after 15 months of suspension and several months of negotiation with FirstNet, the City Council was informed of FirstNet's decision to cease negotiations with the City. City staff supported FirstNet's decision because of the significant changes in the wireless environment since the initial grant award including:
 - State building code changes that increased standards for communication tower construction and modification, which significantly increased the City's project costs;
 - Rate decreases for services by commercial cellular providers, which greatly changed the sustainability of the City's business model; and
 - A better understanding of the costs associated with purchasing special devices, which can range between two to several hundred times more expensive than commercially available devices.
 - On December 9, 2013, the City Council authorized the City Manager to negotiate and sign a contract closeout agreement with Alcatel-Lucent effectively ending the original LTE grant program. Grant funds expended during the LTE portion and closeouts are \$7,870,930. The general areas of expenditure include:
 - Design and deployment services,
 - Tower leasing costs, and
 - Equipment
 - City staff worked with the Department of Commerce to restructure the City's grant to use the remaining grant funds (\$8,831,560) to improve the City's public safety communications technology, including devices and core technology infrastructure. The project has three major components:
 - User devices including laptops, tablets, and in-vehicle modems in the amount of \$4,011,000;
 - Core technology infrastructure upgrades in the amount of \$5,546,000; and
 - Microwave upgrades to the radio system in the amount of \$620,000.
 - The restructured grant requires the City to provide a \$2,403,513 match equal to 20.8% of the total proposed project costs, which is equal to our original grant match agreement with the Department of Commerce. The match has three components:
 - In-kind services (e.g. staff time, existing infrastructure, etc.) in the amount of \$548,513;
 - The purchase of user devices in the amount of \$1,775,000; and
 - The purchase of additional microwave equipment in the amount of \$80,000.
 - User devices will be replaced with existing fiscal year 2014 and 2015 funds. These devices are scheduled for refresh because they are at the end of their life cycle.
 - The action will approve accepting the restructured grant agreement with the Department of Commerce, including the grant match as identified above.

Funding

Technology Capital Investments and Various Departments' Operating Budgets

43. Commercial Fitness Equipment

- Action:**
- A. Approve a unit price, low-bid contract with Wellness Solutions, Inc. for the purchase of commercial fitness equipment for the term of three years, and**
 - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract.**

Staff Resource(s): Marie Harris, Shared Services

Explanation

- The commercial fitness equipment will be used in fitness facilities citywide, including but not limited to, the Charlotte-Mecklenburg Police Department and the Charlotte Fire Department.
- City staff will have access to commercial fitness equipment that addresses aerobic, strength, and functional exercise needs. Addressing these needs is crucial to ensuring that public safety employees maintain adequate fitness levels because both Police and Fire require annual physical fitness testing of all sworn employees.
- The Shared Services Procurement Management Division, on behalf of Fire, Police, the Charlotte-Mecklenburg Utility Department, Engineering & Property Management, Solid Waste Services, and the Charlotte Cooperative Purchasing Alliance issued an Invitation to Bid for commercial fitness equipment on October 16, 2013; three bids were received.
 - The Invitation to Bid included 44 products to include aerobic, free weights, and miscellaneous equipment.
 - The unit prices are set forth in the proposed contract, and are available upon request.
- The Charlotte Cooperative Purchasing Alliance is a cooperative purchasing program established by Procurement with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- The annual expenditures under the contract for year one are estimated to be \$225,000. All subsequent years are estimated to be \$150,000.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Various Departments' Operating Budget

44. Tasers and Related Products

Action: **A. Approve a unit price, low-bid contract with TASER International, Inc. for the purchase of tasers and related products for the term of five years, and**

B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract.

Staff Resource(s): Marie Harris, Shared Services
 Major Michael Adams, Police

Explanation

- The Charlotte-Mecklenburg Police Department uses tasers to restrain violent individuals when alternative restraint tactics fail; or are reasonably likely to fail; and/or where it would be unsafe for officers to approach a subject to apply restraints.
 - A taser uses an electrical current to temporarily disrupt voluntary control of muscles causing short-term neuromuscular incapacitation.
- The Shared Services Procurement Management Division, on behalf of Police and the Charlotte Cooperative Purchasing Alliance, issued an Invitation to Bid for tasers and related products on October 17, 2013; one bid was received.
- The unit prices are set forth in the proposed contract, and are available upon request.
- Annual expenditures under the contract are estimated to be \$175,000.

Background

- The Alliance is a cooperative purchasing program established by Procurement with the specific purpose of reducing costs by leveraging aggregate purchasing volume to receive better pricing.
- Approximately five public entities have expressed interest in using this contract through the Alliance.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Police Operating Budget

45. Fire Apparatus Collision Repair

Action: **A. Approve a contract with Anchor-Richey EVS for fire apparatus collision repair for an initial term of three years, and**

B. Authorize the City Manager to approve up to two, one-year renewals with possible price adjustments as authorized by the contract, and contingent upon the company's satisfactory performance.

Staff Resource(s): Marie Harris, Shared Services

Explanation

- The Shared Services Fleet Management Division is responsible for the repair of collision damage to the Charlotte Fire Department's equipment including engines, ladder trucks, special operations equipment, and support apparatus.
- The Fire Department's fleet is comprised of over 100 makes and models of equipment that require approximately three large collision repairs per year.
- The Shared Serviced Fleet Management Division uses outside service providers to perform collision repairs due to the custom-made replacement parts, specialty tools, and equipment necessary to complete these repairs.
- The selected service provider will perform all services at their respective facility.
- On November 12, 2013, the City issued a Request for Proposal (RFP) for fire apparatus collision repair services; one proposal was received.
- The Project Team, consisting of staff from Shared Services and the Fire Department evaluated the proposal and recommends awarding the contract to Anchor-Richey EVS as the service provider best meeting the City's needs in terms of qualifications, experience, facilities, and cost effectiveness.
- The contract expenditure is estimated to be \$150,000 annually.

Charlotte Business INclusion

No SBE goal was set for this contract because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Shared Services Operating Budget

46. Telecommunications Services Agreements

Action: **A. Approve citywide spending with tw telecom of north carolina l.p. for telecommunications services provided from May 2013 through December 2013, and**

B. Approve an extension of existing unit price contracts through December 2014 with tw telecom of north carolina l.p. for the continued provision of telecommunications services at City facilities.

Staff Resource(s): Marie Harris, Shared Services

Explanation

- On August 25, 1997, the City Council approved the original contract for tw telecom of north carolina l.p. to provide services to the Charlotte-Mecklenburg Police Department.
- The City Council subsequently approved multiple extensions to the contract on November 12, 2001, April 14, 2003, November 27, 2006, and March 8, 2010. The most recent extension was signed on April 30, 2010, for a term of three years.
- Tw telecom of north carolina l.p. provides data connectivity to Charlotte-Mecklenburg Police Department facilities and other City facilities, and it provides selected telephone service to City facilities.
- The City is currently conducting a competitive solicitation for data services at most City facilities.
 - The solicitation process began in 2012 with identification of existing circuits and compiling a list of all vendors providing these services across the City.
 - All telecommunications agreements have been or will be extended in order to maintain current data services until migration to replacement technologies and/or vendors is complete.
 - Both incumbent vendors such as tw telecom of north carolina l.p. and non-incumbent vendors may participate in the solicitation.
- The action requests ratification of citywide spending with tw telecom of north carolina l.p. for the time period of May 2013 through December 2013 and approval of a 12-month extension of the existing contracts through December 2014.
- The estimated total expenditure for the 20-month extension, May 1, 2013, through December 31, 2014, is \$750,000.
- While manual tracking processes resulted in a delayed review of the contract terms and the contract expired without being properly renewed to cover on-going expenses, automated processes have been put in place to ensure timely renewal of expiring contracts.
- Extending the contract with tw telecom of north carolina l.p. will allow the City to continue purchasing telecommunications services until the City implements an updated data and voice infrastructure.
- Under the existing contracts the City will maintain flexibility to terminate services for individual facilities as new services come online and legacy services are no longer needed.
- The relationship with tw telecom of north carolina l.p. will remain non-exclusive allowing the City to purchase services from other vendors as necessary.

Charlotte Business INclusion

No SBE goal was set for this contract extension because there are no subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

Funding

Various Departments' Operating Budgets

47. Art in the Public Right-of-Way Agreement

Action: **Adopt a resolution supporting the City's application for art in the public right-of-way, on behalf of the ARK Group, at the underpass of the NC Music Factory Boulevard and Interstate-277.**

Staff Resource(s): Rachel Wood, Budget & Evaluation
 Felix Obregon, Transportation

Explanation

- The City's Public Art Program outlines guidelines that allow privately-commissioned artwork to be placed in the public right-of-way.
- Representatives of the ARK Group, owners of the NC Music Factory, have expressed interest in commissioning, installing, and maintaining a painting at the NC Music Factory Boulevard/Interstate-277 underpass, which is a North Carolina Department of Transportation (NCDOT) right-of-way.
- This is a privately commissioned project. The ARK Group will fund all project costs, including all maintenance and liability for the duration of the art installation.
- Because the NC Music Factory Boulevard/Interstate-277 underpass is located within NCDOT right-of-way, City staff, the Arts & Science Council, and ARK Group representatives have communicated extensively with NCDOT on the installation of public art at this location.
- The Public Art Commission formally approved the proposed installation during their November 21, 2013, meeting.
- The underpass at NC Music Factory Boulevard/Interstate-277 is the third project under the "North Carolina Public Art on the Right-of-Way Policy," which was adopted by NCDOT in December 2010.
- The City's first application under the NCDOT's public art policy was for the light installation at the West Trade Street/Interstate-77 underpass near Johnson C. Smith University. The second application under this new program was for the "Ascendus" installation, located at the Charlotte Douglas International Airport on Billy Graham Parkway.
- Per NCDOT Policy, a City Council resolution is required to proceed with an encroachment agreement between the City and NCDOT to install the public art.

Attachment 20

[NC Music Factory Boulevard/I-277 Underpass Site Plan and Conceptual Images Resolution](#)

48. 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 \$50,236.45, and**
 - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$11,100.32.**

Staff Resource(s): Robert Campbell, Finance

Explanation

- Property tax refunds are provided to the City by Mecklenburg County due to clerical or assessor error or as a result of appeals.
- Mecklenburg County reported that refunds are unusually high due to the number of informal and formal appeals that went before the Board of Equalization & Review resulting in reduced taxes due.
- Business privilege license refunds are provided to the City by Mecklenburg County.

Attachment 21

[List of Refunds Resolutions](#)

49. Resolution of Intent to Abandon an Unopened Alleyway off of South Torrence Street

- Action:**
- A. Adopt the Resolution of Intent to abandon an unopened alleyway off of South Torrence Street, and**
 - B. Set a Public Hearing for February 10, 2014.**

Attachment 22

[Map Resolution](#)

50. Meeting Minutes

- Action:** Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of:
- November 25, 2013 Citizens Forum/ Business Meeting
 - December 2, 2013 Swearing-In Ceremony
 - December 9, 2013 Business Meeting
 - December 16, 2013 Zoning Meeting

51. 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 three 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(s) is listed below by category identifying the street address and neighborhood.

Public Safety:

- A. 656 Bradford Drive (Neighborhood Profile Area 385)
- B. 4531 Sampson Street (Neighborhood Profile Area 385)

Field Observation:

- C. 2201 Catalina Avenue (Neighborhood Profile Area 369)
- D. 1212 Eastway Drive (Neighborhood Profile Area 10)
- E. 10029 Garrison Road (Neighborhood Profile Area 84)
- F. 2217 LaSalle Street (Neighborhood Profile Area 374)
- G. 9210 Legranger Road (Neighborhood Profile Area 254)

Public Safety:**A. 656 Bradford Drive**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 656 Bradford Drive (Neighborhood Profile Area 385).

Attachment 23**B. 4531 Sampson Street**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4531 Sampson Street (Neighborhood Profile Area 385).

Attachment 24**Field Observation:****C. 2201 Catalina Avenue**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2201 Catalina Avenue (Neighborhood Profile Area 369).

Attachment 25**D. 1212 Eastway Drive**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1212 Eastway Drive (Neighborhood Profile Area 10).

Attachment 26**E. 10029 Garrison Road**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 10029 Garrison Road (Neighborhood Profile Area 84).

Attachment 27**F. 2217 LaSalle Street**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2217 LaSalle Street (Neighborhood Profile Area 374).

Attachment 28

G. 9210 Legranger Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9210 Legranger Road (Neighborhood Profile Area 254).

[Attachment 29](#)

PROPERTY TRANSACTIONS

52. LYNX Blue Line Extension Project Property Transaction

- Action:**
- A. Adopt a resolution authorizing the transfer of a portion of Tax Parcel 089-172-42 located at 6515 North Tryon Street, consisting of .25 acres in fee simple, valued at \$72,525 to Amanat Fashions Corporation pursuant to section 8.22 of the City Charter,**
 - B. Authorize the payment of \$64,500 to Amanat Fashions Corporation, to construct a replacement parking lot on the above referenced property, and**
 - C. Authorize the City Manager to negotiate and execute all documents necessary to complete the transactions.**

Staff Resource(s): Becky Insogna, Engineering & Property Management
Brad Thomas, City Attorney's Office

Explanation

- The City requires a portion of the property located at 6633 North Tryon Street, owned by Amanat Fashions Corporation, to accommodate the LYNX Blue Line Extension associated improvements along North Tryon Street, such as road widening, utility relocations, sidewalks, and landscaping.
- The parcel was previously approved as a condemnation action on the September 23, 2013 Council Business Agenda, however; the parties have continued to negotiate and have reached an agreement to avoid filing the condemnation.
- As a result of the area to be acquired by the City, Amanat Fashions would have been forced to relocate their business, due to the complete loss of their existing parking.
- The property owner (Amanat Fashions) has requested an alternative transaction that would preserve the business location and avoid the additional relocation costs of finding a new building and associated parking.
- The proposed agreement would require the City to transfer .25 acres of the adjacent City property to Amanat Fashions (valued at \$72,525) for use as a parking lot and authorize an additional \$64,500 in compensation to construct the lot on the transferred parcel.
- By virtue of this agreement the City will save approximately \$578,475 in acquisition and relocation costs, and the property owner will be able to remain in business at their current location.

Background

- The above acquisition costs are eligible for reimbursement from both the Federal Transit Administration (50%) and the North Carolina Department of Transportation (25%).
- The transfer of the property rights from the City to Amanat Fashions is authorized pursuant to section 8.22 of the City Charter and supports the City's transportation plan.
- The proposed transfer of property rights to Amanat Fashions was publicly advertised pursuant to section 8.22 of the City Charter.

Funding

General Community Investment Plan

Attachment 30

Resolution

53. Property Transactions

Action: Approve the following property transaction(s) (A-S) and adopt the condemnation resolution(s) (T-AJ).

For property S, AC-AG property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

- 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.
- Real Estate staff diligently attempts to contact all property owners by:
 - Sending introductory letters via regular and certified mail
 - Making several site visits
 - Leaving door hangers and business cards
 - Seeking information from neighbors
 - Searching the internet
 - Obtaining title abstracts
 - Leaving voice messages
- 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.
- The definition of *easement* is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or "in gross", such as public utility easement.
- The definition of *fee simple* is an estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited, commonly, synonym for ownership.

Acquisitions

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Patrick Reed and Julia Reed
Property Address: 9215 Snow Ridge Lane
Property to be acquired: .87 acres
Improvements: Single-family Residence
Purchase Price: \$166,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$133,200
Tax Code: 141-111-28
- B. Project:** Airport Master Plan Land Acquisition
Owner(s): Clarence and Winifred Stevens
Property Address: 8024 Steele Creek Road
Property to be acquired: .56 acres
Improvements: Single-family Residence
Purchase Price: \$185,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$162,200
Tax Code: 141-111-42
- C. Project:** Airport Master Plan Land Acquisition
Owner(s): Clifton Perry and Karen Perry
Property Address: 9331 Snow Ridge Lane
Property to be acquired: .57 acres
Improvements: Single-family Residence
Purchase Price: \$176,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$156,700

Tax Code: 141-111-34

- D. Project:** Airport Master Plan Land Acquisition
Owner(s): Edward Chapman and Janice Chapman
Property Address: 9240 Dorcas Lane
Property to be acquired: 3.32 acres
Improvements: Single-family Residence
Purchase Price: \$200,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$162,000
Tax Code: 141-261-56
- E. Project:** Airport Master Plan Land Acquisition
Owner(s): Patrick Kipper and Penny Ann Kipper
Property Address: 9440 Snow Ridge Lane
Property to be acquired: .92 acres
Improvements: Single-family Vacant
Purchase Price: \$36,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Vacant
Tax Value: \$22,000
Tax Code: 141-112-23
- F. Project:** Airport Master Plan Land Acquisition
Owner(s): James A. Adams and Jennifer Adams
Property Address: 9443 Snow Ridge Lane
Property to be acquired: .56 acres
Improvements: Single-family Residence
Purchase Price: \$170,000
Remarks: The purchase price was determined by one Independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$146,000

Tax Code: 141-111-39

- G. Project:** Airport Master Plan Land Acquisition
Owner(s): Ann Hawley
Property Address: 9311 Markswood Road
Property to be acquired: 1.05 acres
Improvements: Single-family Residence
Purchase Price: \$214,500
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$156,900
Tax Code: 141-261-10
- H. Project:** Airport Master Plan Land Acquisition
Owner(s): Jeffrey S. Blair
Property Address: 9227 Snow Ridge Lane
Property to be acquired: .60 acres
Improvements: Single-family Residence
Purchase Price: \$148,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$117,500
Tax Code: 141-111-30
- I. Project:** Airport Master Plan Land Acquisition
Owner(s): Robert L. Miller
Property Address: 9000 Markswood Road
Property to be acquired: .94 acres
Improvements: Single-family Residence
Purchase Price: \$160,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: R-3 Use: Single-family Residence
Tax Value: \$113,700
Tax Code: 141-261-44

- J. Project:** Airport Master Plan Land Acquisition
Owner(s): Karl M. Windsor and Leann Johnson Windsor
Property Address: 9221 Dorcas Lane
Property to be acquired: .45 acres
Improvements: Single-family Residence
Purchase Price: \$163,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$125,900
Tax Code: 141-261-53
- K. Project:** Airport Master Plan Land Acquisition
Owner(s): Joseph Kilminster and Renee Kilminster
Property Address: 9446 Snow Ridge Lane
Property to be acquired: 1.47 acres
Improvements: Single-family Residence
Purchase Price: \$150,000
Remarks: The purchase price was determined by one independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R-3 Use: Single-family Residence
Tax Value: \$111,700
Tax Code: 141-112-22
- L. Project:** Gaynor Storm Drainage Improvement Project, Parcel #67
Owner(s): Unitarian Universalist Church of Charlotte, Inc.
Property Address: 234 North Sharon Amity Road
Total Parcel Area: 117,482 sq. ft. (2.70 ac.)
Property to be acquired by easements: 8,229 sq. ft. (.189 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and Shrubs
Zoned: R-17MF
Use: Church
Tax Code: 185-031-01
Purchase Price: \$30,000

- M. Project:** Johnston Oehler Farm to Market, Parcel #7 and #20
Owner(s): Harvey W. Johnston, Trustee of the Johnston Revocable Trust Dated September 25, 1991 and Amended and Restated March 10, 2005
Property Address: Johnston-Oehler Road
Total Parcel Area: 1,488,944 sq. ft. (34.181 ac.)
Property to be acquired in Fee: 24,269 sq. ft. (.557 ac.) in Fee Simple, plus 11,710 sq. ft. (.269 ac.) in Fee Simple within Existing Right-of-Way
Property to be acquired by Easements: 1,992 sq. ft. (.046 ac.) in Storm Drainage Easement, plus 14,408 sq. ft. (.331 ac.) in Temporary Construction Easement, plus 8,780 sq. ft. (.202 ac.) in Utility Easement, plus 1,992 sq. ft. (.046 ac.) in Sidewalk Utility Easement and Storm Drainage Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R-3
Use: Agricultural - Commercial Production
Tax Code: 029-311-08 and 029-301-33
Purchase Price: \$30,500
- N. Project:** Johnston Oehler Farm to Market, Parcel #21 and #23
Owner(s): Orville Oehler Thompson Jr., Teddie Clinton Thompson and Richard Kirk Thompson
Property Address: 3716 Johnston Oehler Road
Total Parcel Area: 234,240 sq. ft. (5.377 ac.)
Property to be acquired in Fee: 94,270 sq. ft. (2.164 ac.) in Fee Simple
Property to be acquired by easements: 18,620 sq. ft. (.427 ac.) in Temporary Construction Easement, plus 1,518 sq. ft. (.035 ac.) in Utility Easement
Structures/Improvements to be impacted: House, fence and gate
Landscaping to be impacted: Trees and Landscaping
Zoned: R-3
Use: Single-family Residential - Rural Acreage
Tax Code: 029-301-34 and 029-301-98
Purchase Price: \$215,000
- O. Project:** McAlway/Churchill Storm Drainage Improvement Project, Parcel #56
Owner(s): Linda M. Miller, as Trustee of The Ernest C. Morris Revocable Trust Dated July 10, 1995
Property Address: 4010 Melchor Avenue
Total Parcel Area: 40,191 sq. ft. (.922 ac.)
Property to be acquired by Easements: 2,234 sq. ft. (.051 ac.) in Storm Drainage Easement, plus 638 sq. ft. (.015 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R-3
Use: Single-family Residential
Tax Code: 157-085-19
Purchase Price: \$15,300

- P.** **Project:** Myrtle/ Morehead Storm Drainage Improvement, Parcel #1
Owner(s): Morehead Properties, Inc.
Property Address: 928 Baxter Street
Total Parcel Area: 89,853 sq. ft. (2.06 ac.)
Property to be acquired by Easements: 710 sq. ft. (.016 ac.) in Storm Drainage Easement, plus 1,544 sq. ft. (.035 ac.) in Temporary Construction Easement, plus 9,803 sq. ft. (.225 ac.) in Existing Drainage Easement To Be Accepted
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: B-2
Use: Commercial
Tax Code: 125-201-58
Purchase Price: \$26,765
- Q.** **Project:** Myrtle/ Morehead Storm Drainage Improvement, Parcel #2
Owner(s): Baxter Street Associates, LLC
Property Address: 900 Baxter Street
Total Parcel Area: 72,287 sq. ft. (1.66 ac.)
Property to be acquired by Easements: 4,846 sq. ft. (.111 ac.) in Storm Drainage Easement, plus 7,590 sq. ft. (.174 ac.) in Temporary Construction Easement, plus 9,608 sq. ft. (.221 ac.) in Existing Drainage Easement To Be Accepted
Structures/Improvements to be impacted: Parking
Landscaping to be impacted: None
Zoned: B-2
Use: Commercial
Tax Code: 125-201-50
Purchase Price: \$246,341
- R.** **Project:** Pete Brown Road Extension, Parcel #1
Owner(s): Mazz Welding & Fabrication, Inc.
Property Address: 4320 Pete Brown Road
Total Parcel Area: 81,235 sq. ft. (1.86 ac.)
Property to be acquired in Fee: 2,206 sq. ft. (.051 ac.) in Fee Simple
Property to be acquired by Easements: 1,497 sq. ft. (.034 ac.) in Storm Drainage Easement, plus 2,408 sq. ft. (.055 ac.) in Temporary Construction Easement, plus 3,830 sq. ft. (.088 ac.) in Utility Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: I-1
Use: Industrial
Tax Code: 043-062-08
Purchase Price: \$14,675
- S.** **Project:** Prosperity Village Northwest Arc A, Parcel #2
Owner(s): Prosperity Church, Incorporated and any other parties of interest
Property Address: 5533 Prosperity Church Road
Total Parcel Area: 303,040 sq. ft. (6.957 ac.)

Property to be acquired in Fee: 11,532 sq. ft. (.265 ac.) in Fee Simple
Property to be acquired by Easements: 351 sq. ft. (.008 ac.) in Storm Drainage Easement, plus 904 sq. ft. (.021 ac.) in Sidewalk and Utility Easement, plus 11,985 sq. ft. (.275 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: R-3
Use: Church
Tax Code: 027-072-03
Purchase Price: \$10,000

Condemnations

- T. Project:** Celia Avenue Storm Drainage Improvement Project Easement Acquisition, Parcel #9
Owner(s): T & M Investments/General Contracting, Inc. and any other parties of interest
Property Address: Celia Avenue
Total Parcel Area: 10,457 sq. ft. (.240 ac.)
Property to be acquired by Easements: 544 sq. ft. (.012 ac.) in Storm Drainage Easement, plus 1,388 sq. ft. (.032 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: R-5
Use: Single-family Residential
Tax Code: 069-081-13
Appraised Value: \$125
Property Owner's Counteroffer: None
City's Response to Property Owner's Concerns: Unable to make contact with property owners.
Outstanding Concerns: This parcel is being submitted for condemnation due to the inability to obtain clear title.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- U. Project:** Celia Avenue Storm Drainage Improvement Project Easement Acquisition, Parcel #11
Owner(s): T & M Investments/General Contracting, Inc. and any other parties of interest
Property Address: Celia Avenue
Total Parcel Area: 6,250 sq. ft. (.143 ac.)
Property to be acquired in Fee: 745 sq. ft. (.017 ac.) in Fee Simple
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R-5
Use: Single-family Residential
Tax Code: 069-081-14
Appraised Value: \$975

Property Owner's Counteroffer: None
Property Owner's Concerns: None
City's Response to Property Owner's Concerns: Unable to make contact with property owners.
Outstanding Concerns: This parcel is being submitted for condemnation due to the inability to obtain clear title.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- V. Project:** Celia Avenue Storm Drainage Improvement Project Easement Acquisition, Parcel #14
Owner(s): Linda M. Brown and any other parties of interest
Property Address: 2716 Celia Avenue
Total Parcel Area: 1,828 sq. ft. (.042 ac.)
Property to be acquired in Fee: 131 sq. ft. (.003 ac.) in Fee Simple
Structures/Improvements to be impacted: Property line goes through middle of home per surveyor. A portion of the front steps to the home will now be within the right-of-way.
Landscaping to be impacted: None
Zoned: R-12MF
Use: Single-family Residential
Tax Code: 069-094-60
Appraised Value: \$225
Property Owner's Counteroffer: None
Property Owner's Concerns: Property owner is concerned with encroachment on adjoining property.
City's Response to Property Owner's Concerns: City staff verified and confirmed encroachment and cannot correct existing encroachment.
Outstanding Concerns: This parcel is being submitted for condemnation due to the inability to obtain clear title.
Recommendation: To avoid delay in the project schedule staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- W. Project:** Celia Avenue Storm Drainage Improvement Project Easement Acquisition, Parcel #15
Owner(s): Hilary A. Daniel and any other parties of interest
Property Address: 2708 Celia Avenue
Total Parcel Area: 2,814 sq. ft. (.065 ac.)
Property to be acquired in Fee: 431 sq. ft. (.01 ac.) in Fee Simple
Property to be acquired by Easements: 94 sq. ft. (.002 ac.) in Temporary Construction Easement, plus 632 sq. ft. (.015 ac.) in Utility Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R-12
Use: Single-family Residential
Tax Code: 069-094-61
Appraised Value: \$850
Property Owner's Counteroffer: None

Property Owner's Concerns: Current owner was not aware the neighbor's home was encroaching on her vacant lot.

City's Response to Property Owner's Concerns: City staff verified and confirmed encroachment and cannot correct existing encroachment.

Outstanding Concerns: This parcel is being submitted for condemnation due to the inability to obtain clear title.

Recommendation: To avoid delay in the project schedule staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- X. Project:** Parkwood Storm Drainage Improvement Project- Phase 2, Parcel #10, #11, #14, #15, #16 and #44
Owner(s): Hunter Auto & Wrecker Service, Inc. and any other parties of interest
Property Address: 615, 617, 621, 1109 Belmont Avenue and 1108, 1112 North Davidson Street
Total Parcel Area: 59,110 sq. ft. (1.357 ac.)
Property to be acquired by Easements: 5,993 sq. ft. (.138 ac.) in Storm Drainage Easement, plus 3,393 sq. ft. (.078 ac.) in Sanitary Sewer Easement, plus 16 sq. ft. (ac.) in Sidewalk and Utility Easement, plus 2,929 sq. ft. (.067 ac.) in Temporary Construction Easement, plus 185 sq. ft. (.004 ac.) in Utility Easement
Structures/Improvements to be impacted: Service garage access limited for six months, gate, fence, asphalt and concrete areas to be replaced.
Landscaping to be impacted: Trees
Zoned: B-2
Use: Industrial
Tax Code: 081-093-11, 081-093-09, 081-093-08, 081-093-05, 081-093-04 and 081-093-07
Appraised Value: \$39,875
Outstanding Concerns: Property owner's attorney prefers to litigate.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- Y. Project:** Parkwood Storm Drainage Improvement Project- Phase 2, Parcel #17
Owner(s): Thomas R. Hunter and Carroll E. Hunter and any other parties of interest
Property Address: 1114 North Davidson Street
Total Parcel Area: 24,442 sq. ft. (0.561 ac.)
Property to be acquired by Easements: 16,879 sq. ft. (.387 ac.) in Storm Drainage Easement, plus 2,492 sq. ft. (.057 ac.) in Sanitary Sewer Easement, plus 440 sq. ft. (.01 ac.) in Sidewalk and Utility Easement, plus 1,585 sq. ft. (.036 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: Concrete bridge to be removed and replaced with a crossover fence.
Landscaping to be impacted: Trees
Zoned: I-2

Use: Industrial

Tax Code: 081-093-03

Appraised Value: \$17,375

Outstanding Concerns: Property owner's attorney prefers to litigate.

Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- Z.** **Project:** Parkwood Storm Drainage Improvement Project- Phase 2, Parcel #18 and #19
Owner(s): Hunter Auto & Wrecker Service, Inc. and any other parties of interest
Property Address: 1124 and 1126 North Davidson Street
Total Parcel Area: 29,315 sq. ft. (0.673 ac.)
Property to be acquired by Easements: 434 sq. ft. (.01 ac.) in Storm Drainage Easement, plus 215 sq. ft. (.005 ac.) in Sidewalk and Utility Easement, plus 957 sq. ft. (.022 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: I-2
Use: Industrial
Tax Code: 081-093-02 and 081-093-01
Appraised Value: \$2,350
Outstanding Concerns: Property owner's attorney prefers to litigate.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AA.** **Project:** Parkwood Storm Drainage Improvement Project- Phase 2, Parcel #21, #41 and #58
Owner(s): Thomas R. Hunter and Carroll E. Hunter and any other parties of interest
Property Address: 1101, 1107 North Davidson Street and 521 Belmont Avenue
Total Parcel Area: 135,184 sq. ft. (3.103 ac.)
Property to be acquired by Easements: 25,375 sq. ft. (.583 ac.) in Storm Drainage Easement, plus 558 sq. ft. (.013 ac.) in Sidewalk and Utility Easement, plus 3,646 sq. ft. (.084 ac.) in Temporary Construction Easement, plus 93 sq. ft. (.002 ac.) in Utility Easement
Structures/Improvements to be impacted: Fence, gate, asphalt, and concrete areas to be replaced.
Landscaping to be impacted: Trees
Zoned: I-2
Use: Industrial
Tax Code: 081-065-07, 081-065-03, and 081-065-02
Appraised Value: \$37,850
Outstanding Concerns: Property owner's attorney prefers to litigate.
Recommendation: To avoid delay in the project schedule staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AB. Project:** Parkwood Storm Drainage Improvement Project- Phase 2, Parcel #50
Owner(s): Thomas R. Hunter and Carroll E. Hunter and any other parties of interest
Property Address: 1100 North Davidson Street
Total Parcel Area: 9,515 sq. ft. (0.218 ac.)
Property to be acquired by Easements: 667 sq. ft. (.015 ac.) in Utility Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: I-2
Use: Industrial
Tax Code: 081-093-06
Appraised Value: \$675
Outstanding Concerns: Property owner's attorney prefers to litigate.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AC. Project:** Prosperity Church Road Intersection Improvements, Parcel #1
Owner(s): Prosperity Medical I, LLC and any other parties of interest
Property Address: 5425 Prosperity Church Road
Total Parcel Area: 188,885 sq. ft. (4.34 ac.)
Property to be acquired by Easements: 204 sq. ft. (.005 ac.) in Storm Drainage Easement, plus 88 sq. ft. (.002 ac.) in Sidewalk and Utility Easement, plus 1,238 sq. ft. (.028 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: CC
Use: Commercial
Tax Code: 027-072-20
Appraised Value: \$1,225
Property Owner's Counteroffer: None
Property Owner's Concerns: Property owner is concerned about access to the new realigned Prosperity Church Road and requested to combine the proposed storm drain pipe with their existing pipe.
City's Response to Property Owner's Concerns: Staff informed the property owner they will have full access to the new Prosperity Church Road and that the property owner's existing pipe is for private system and could not be combined with the new pipe which is for the public system.
Outstanding Concerns: Per Public Hearing Petition number 2005-01 and site plan amendment to petition number 98-27C, the property owner offered to donate the right-of-way needed as part of the rezoning petition and the property owner feels that he should not have to donate the right-of-way.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AD. Project:** Prosperity Church Road Intersection Improvements, Parcel #2
Owner(s): Southern Holdings IV, LLC and any other parties of interest
Property Address: 5411 Prosperity Church Road
Total Parcel Area: 1,288,618 sq. ft. (28.41 ac.)
Property to be acquired in Fee: 363 sq. ft. (.008 ac.) in Fee Simple within Existing Right-of-Way, plus 33,143 sq. ft. (.761 ac.) in Right-of-Way to be donated
Property to be acquired by Easements: 536 sq. ft. (.012 ac.) in Storm Drainage Easement, plus 2,443 sq. ft. (.056 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: CC
Use: Commercial
Tax Code: 027-072-13
Appraised Value: \$1,825
Property Owner's Counteroffer: None
Property Owner's Concerns: Property owner requested curb, gutter and sidewalk be installed adjacent to his parcel and requested to combine the proposed storm drain pipe with their existing pipe.
City's Response to Property Owner's Concerns: Staff informed the property owner that the improvements he requested were not a part of the construction plans for this project and that the property owners existing pipe is for a private system and could not be combined with the new pipe which is for the public system.
Outstanding Concerns: Per Public Hearing Petition number 2005-01 and site plan amendment to petition number 98-27C, the property owner offered to donate the right-of-way needed as part of the rezoning petition and the property owner feels that he should not have to donate the right-of-way.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AE. Project:** Prosperity Church Road Intersection Improvements, Parcel #3
Owner(s): Southern Holdings IV, LLC and any other parties of interest
Property Address: Prosperity Crossing Drive
Total Parcel Area: 25,401 sq. ft. (.583 ac.)
Property to be acquired by Easements: 2,580 sq. ft. (.059 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: CC
Use: Commercial
Tax Code: 027-072-22
Appraised Value: \$1,275
Property Owner's Counteroffer: None

Property Owner's Concerns: Property owner is concerned about access to the new realigned Prosperity Church Road and feels they do not need to donate the right-of-way.

City's Response to Property Owner's Concerns: Staff informed the property owner that they will have full access to the new Prosperity Church Road.

Outstanding Concerns: Per Public Hearing Petition number 2005-01 and site plan amendment to petition number 98-27C, the property owner offered to donate the right-of-way needed as part of the rezoning petition and the property owner feels that he should not have to donate the right-of-way.

Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AF. Project:** Prosperity Village Northwest Arc A, Parcel #3
Owner(s): Wagener Properties Charlotte, LLC and any other parties of interest
Property Address: Eastfield Road
Total Parcel Area: 347,918 sq. ft. (7.987 ac.)
Property to be acquired in Fee: 31,930 sq. ft. (.733 ac.) in Fee Simple
Property to be acquired by Easements: 2,386 sq. ft. (.055 ac.) in Storm Drainage Easement, plus 5,025 sq. ft. (.115 ac.) in Sidewalk and Utility Easement, plus 13,225 sq. ft. (.304 ac.) in Slope Easement, plus 13,472 sq. ft. (.309 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: None
Zoned: R-4
Use: Single-family Residential - Rural Acreage
Tax Code: 027-561-01
Appraised Value: \$8,600
Property Owner's Counteroffer: None
Property Owner's Concerns: Property owner requested a driveway to be installed and for the City to purchase the adjoining properties in order to exchange them for the areas needed.
City's Response to Property Owner's Concerns: Staff responded stating that in order for a driveway to be installed with the project that an approved development plan must exist for the property.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AG. Project:** Prosperity Village Northwest Arc A, Parcel #4 and #5
Owner(s): Jimmie R. Reitzel and Barbara H. Reitzel and any other parties of interest
Property Address: 5715 Prosperity Church Road
Total Parcel Area: 158,850 sq. ft. (3.647 ac.)
Property to be acquired in Fee: 41,135 sq. ft. (.944 ac.) in Fee Simple
Property to be acquired by Easements: 2,693 sq. ft. (.062 ac.) in Sidewalk and Utility Easement, plus 16,579 sq. ft. (.381 ac.) in

Temporary Construction Easement, plus 84 sq. ft. (.002 ac.) in Utility Easement

Structures/Improvements to be impacted: Septic System and out buildings

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential - Rural Acreage

Tax Code: 027-561-02 and 027-561-03

Appraised Value: \$22,575

Property Owner's Counteroffer: None

Property Owner's Concerns: Property owner is concerned with the compensation amount.

City's Response to Property Owner's Concerns: Staff met with the property owner and explained the basis of the appraisal.

Outstanding Concerns: Property owner is still not satisfied with the compensation amount.

Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AH. Project:** Ramah Creek Sewer Interceptor, Parcel #23
Owner(s): Barbara Brown Stokes and any other parties of interest
Property Address: Ramah Oaks Lane
Total Parcel Area: 109,771 sq. ft. (2.52 ac.)
Property to be acquired by Easements: 4,477 sq. ft. (.103 ac.) in Sanitary Sewer Easement, plus 5,590 sq. ft. (.128 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees
Zoned: R
Use: Single-family Residential
Tax Code: 011-261-29
Appraised Value: \$3,800
Property Owner's Counteroffer: None
Property Owner's Concerns: Property owner is concerned with the appraised value being too low.
City's Response to Property Owner's Concerns: Staff explained to the owner that the value was determined by an independent appraiser and any reasonable counteroffer would be considered.
Outstanding Concerns: Property owner still feels the offer was too low.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AI. Project:** Ramah Creek Sewer Interceptor, Parcel #30
Owner(s): T.M. Westmoreland Family Limited Partnership and any other parties of interest
Property Address: McCord Road
Total Parcel Area: 827,640 sq. ft. (19.00 ac.)

Property to be acquired by Easements: 26,270 sq. ft. (.603 ac.) in Sanitary Sewer Easement, plus 32,015 sq. ft. (.735 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Crops

Zoned: TR

Use: Rural Agricultural

Tax Code: 011-051-05

Appraised Value: \$7,800

Property Owner's Counteroffer: None

Property Owner's Concerns: Property owner was concerned with loss of crops due to construction and tire ruts left in the fields by surveyor's equipment.

City's Response to Property Owner's Concerns: Staff repaired tire ruts left in the fields.

Outstanding Concerns: Property owner is still not satisfied with the crop loss offers and we continue to negotiate.

Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AJ. Project:** Ramah Creek Sewer Interceptor, Parcel #35
- Owner(s):** New Birth Church Holdings, Inc. and any other parties of interest
- Property Address:** 17001 New Birth Drive
- Total Parcel Area:** 1,157,607 sq. ft. (26.58 ac.)
- Property to be acquired by Easements:** 1,579 sq. ft. (.036 ac.) in Sanitary Sewer Easement, plus 17,800 sq. ft. (.409 ac.) in Temporary Construction Easement
- Structures/Improvements to be impacted:** Street light
- Landscaping to be impacted:** Trees
- Zoned:** TR
- Use:** Single-family Residential - Rural Acreage
- Tax Code:** 011-231-01
- Appraised Value:** \$2,625
- Property Owner's Counteroffer:** None
- Property Owner's Concerns:** Property owner wants to have his bank sign release approving the easements, but this process has taken longer than expected.
- City's Response to Property Owner's Concerns:** City staff continues to wait for the owner to get the executed documents from his bank. Owner has no issue with the easements required.
- Outstanding Concerns:** Trying to get the bank to finalize their documents.
- Recommendation:** To avoid delay in the project schedule, staff recommends proceeding to condemnation during which negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

54. Reference – Charlotte Business INClusion Policy



The following excerpts from the City's SBO Policy are intended to provide further explanation for those agenda items which reference the SBO Policy in the business meeting agenda.

Part A: Administration & Enforcement

Appendix Section 18: Contract: For the purposes of establishing an SBE subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration and remodeling; (b) architectural work, engineering, testing, construction management and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services).
- Contracts do not include agreements or purchase orders for the purchase or lease of apparatus, supplies, goods or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE Goal has been set.
- Financial Partner Agreements, Development Agreements, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the SBO Program Policy.

Appendix Section 23: Exempt Contracts: Contracts that fall within one or more of the following categories shall be "Exempt Contracts" for the purposes of establishing an SBE subcontracting goal, unless the Department responsible for procuring the Contract decides otherwise:

23.1. Informal Contracts. Informal Contracts shall be Exempt Contracts. (See Appendix Section 29 for a definition of Informal Contracts)

23.2. No Competitive Process Contracts: Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City shall be Exempt Contracts, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

23.3. Managed Competition Contracts: Managed competition contracts pursuant to which a City Department or division competes with Business Enterprises to perform a City function shall be Exempt Contracts.

23.4. Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate shall be Exempt Contracts.

23.5. Federal Contracts Subject to DBE Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise

Program as set forth in 49 CFR Part 26 or any successor legislation shall be Exempt Contracts.

23.6. State Contracts Subject to MWBE Requirements: Contracts for which a minority and women business participation goal is set pursuant to G.S. 143-128.2(a) due to a building project receiving funding from the State of North Carolina shall be Exempt Contracts.

23.7. Financial Partner Agreements with DBE or MWBE Requirements: Contracts that are subject to a disadvantaged business development program or minority and women business development program maintained by a Financial Partner shall be Exempt Contracts.

23.8. Interlocal Agreements: Contracts with other units of federal, state or local government shall be Exempt Contracts.

23.9. Contracts for Legal Services: Contracts for legal services shall be Exempt Contracts, unless otherwise indicated by the City Attorney.

23.10. Contracts with Waivers: Contracts for which the SBO Program Manager or the City Manager waives the SBO Program requirements shall be Exempt Contracts (such as when there are no SBE subcontracting opportunities on a Contract).

23.11. Special Exemptions: Contracts where the Department and the Program Manager agree that the Department had no discretion to hire an SBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

Appendix Section 29: Informal Contracts: Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

29.1. Construction Contracts Less Than or Equal To \$200,000: Contracts for construction or repair work that are estimated to require a total expenditure of City funds less than or equal to \$200,000.

29.2. Service Contracts That Are Less Than or Equal To \$100,000: Service Contracts that are estimated to require a total expenditure of City funds less than or equal to \$100,000.

Part B: Formal Construction Bidding

Part B: Section 2.1: When the City Solicitation Documents for a Construction Contract contain an SBE Goal, each Bidder must either: (a) meet the SBE Goal, or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements. Failure to do so constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

Part B: Section 2.4: No SBE Goal When There Are No SBE Subcontracting Opportunities. The City shall not establish an SBE Goal for Construction Contracts where there are no SBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part C: Services Procurement

Part C: Section 2.2: When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each SBE that responds to the Proposer's solicitations and each SBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

Part C: Section 2.4: No SBE Goal When There Are No SBE Subcontracting Opportunities. The City shall not establish an SBE Goal for Service Contracts where there are no SBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part D: Post Contract Award Requirements

Part D: Section 6: New Subcontractor Opportunities/Additions to Scope, Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new SBE subcontracting opportunity, the City shall either:

- notify the Contractor that there will be no Supplemental SBE Goal for the new work; or
- establish and notify the Contractor of a Supplemental SBE Goal for the new work.

55. Reference – Property Transaction Process

Property Transaction Process Following Council Approval for Condemnation

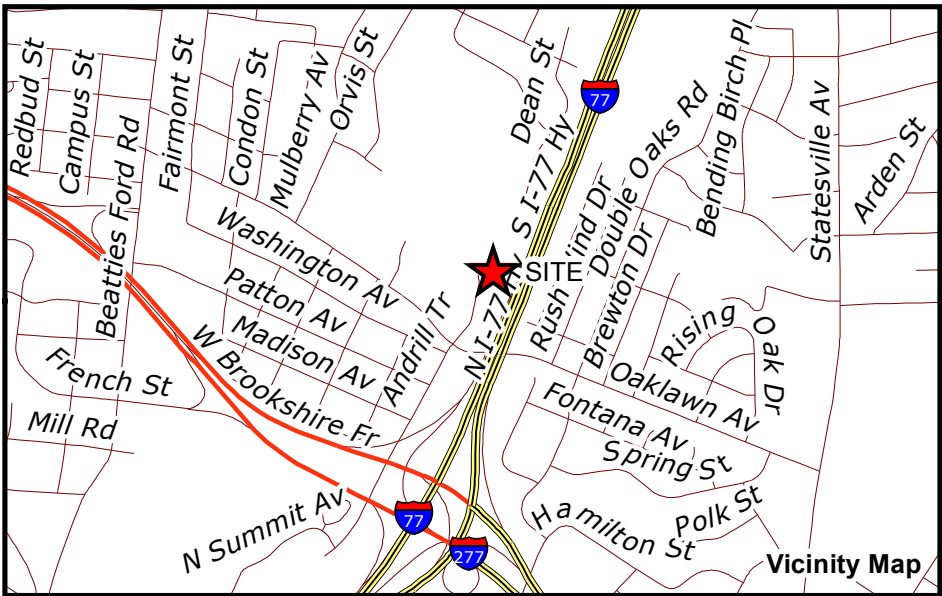
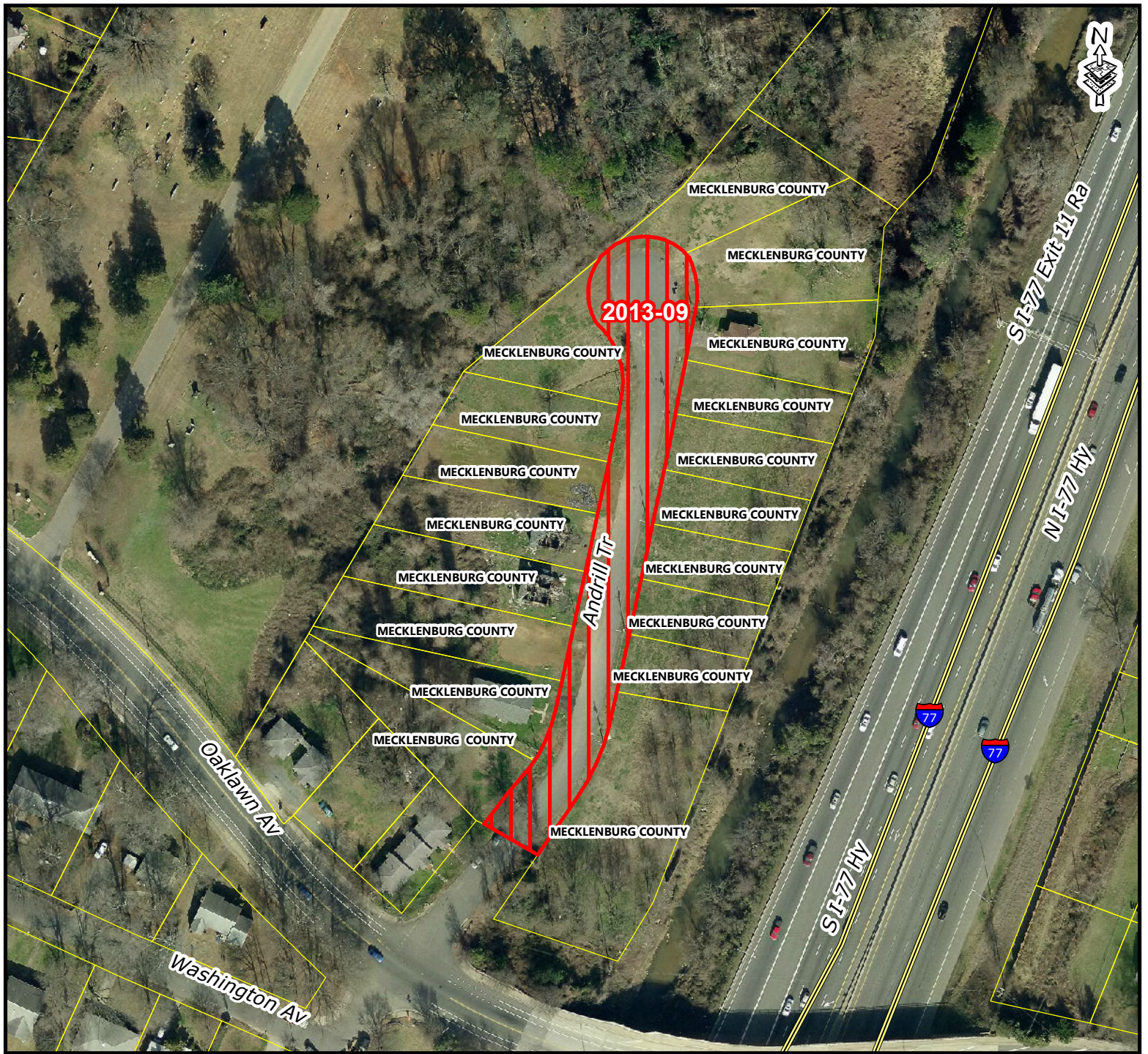
The following overview is intended to provide further explanation for the process of property transactions that are approved by City Council for condemnation.

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During this time, City staff continues to negotiate with the property owner in an effort to reach a mutual settlement.

- If a settlement is reached, the condemnation process is stopped and the property transaction proceeds to a real estate closing.
- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the City's legal representative. Filing of the condemnation documents allows:
 - The City to gain access and title to the subject property so the capital project can proceed on schedule.
 - The City to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.
- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The City's condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
 - North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.

**Approved CIP Bonds and Certificates of Participation Allocation
For General Community Investment Plan**

INVESTING IN CORRIDORS	2014 Bond	2016 Bond	2018 Bond	2020 Bond	Total
Airport/West Corridor	\$ -	\$ 31,200,000	\$ 13,520,000	\$ -	\$ 44,720,000
Spine Dixie Berryhill Infrastructure (New Garrison Road)		31,200,000			31,200,000
Southern Dixie Berryhill Infrastructure (Widen Dixie River Road)			13,520,000		13,520,000
East/Southeast Corridor	\$ 37,500,000	\$ 26,580,000	\$ 22,320,000	\$ 6,160,000	\$ 92,560,000
Land Acquisition and Street Connections	12,500,000	12,500,000			25,000,000
Monroe Road Streetscape		2,080,000	8,320,000		10,400,000
Bojangles/Ovens Area Redevelopment	25,000,000				25,000,000
Public/Private Redevelopment Opportunities		10,000,000	10,000,000		20,000,000
Idlewild Road/Monroe Road Intersection				4,160,000	4,160,000
Sidewalk and Bikeway Improvements		2,000,000	4,000,000	2,000,000	8,000,000
Northeast Corridor	\$ 47,200,000	\$ 43,080,000	\$ 48,540,000	\$ 27,300,000	\$ 166,120,000
Research Drive - J.W. Clay Connector over I-85 (North Bridge #1)	3,000,000		12,480,000		15,480,000
University Pointe Connection - IBM Drive to Ikea Blvd (South Bridge #2)	15,080,000				15,080,000
Northeast Corridor Infrastructure (NECI)	16,640,000	35,360,000	27,300,000	27,300,000	106,600,000
Applied Innovation Corridor	12,480,000	7,720,000	8,760,000		28,960,000
INCREASING CONNECTIONS					
Road/Infrastructure Projects	\$ 17,264,000	\$ 8,632,000	\$ -	\$ -	\$ 25,896,000
Prosperity Church Road NW Arc	5,200,000				5,200,000
Eastern Circumferential	12,064,000				12,064,000
Park South Drive Extension		8,632,000			8,632,000
26-Mile Cross Charlotte Multi-Use Trail		\$ 35,000,000			\$ 35,000,000
Sidewalks and Pedestrian Safety	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 60,000,000
Traffic Control and Bridges	\$ 14,000,000	\$ 10,000,000	\$ 10,000,000	\$ 14,000,000	\$ 48,000,000
Upgrade Traffic Signal System Coordination	3,000,000	3,000,000	3,000,000	6,000,000	15,000,000
Upgrade Traffic Control devices	7,000,000	4,000,000	4,000,000	4,000,000	19,000,000
Repair and Replace Bridges	4,000,000	3,000,000	3,000,000	4,000,000	14,000,000
IMPROVING COMMUNITIES					
Public Safety Facilities	\$ 78,500,000	\$ 22,750,000	\$ 21,900,000	\$ 9,750,000	\$ 132,900,000
Joint Communications Center	68,000,000				68,000,000
6 Police Division Stations	10,500,000	18,750,000	21,900,000	9,750,000	60,900,000
Land Purchase for Future Fire Stations		4,000,000			4,000,000
Maintenance Facilities/Customer Service	\$ -	\$ 2,080,000	\$ 9,620,000	\$ 19,500,000	\$ 31,200,000
Sweden Road Maintenance Yard Replacement			3,120,000	19,500,000	22,620,000
Northeast Equipment Maintenance Facility		2,080,000	6,500,000		8,580,000
Housing Diversity	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 60,000,000
Comprehensive Neighborhood Improvement Program (Complete Communities)	\$ 20,000,000	\$ 40,000,000	\$ 40,000,000	\$ 20,000,000	\$ 120,000,000
Total Estimated Cost	\$ 244,464,000	\$ 249,322,000	\$ 195,900,000	\$ 126,710,000	\$ 816,396,000
	G.O. Bonds \$ 140,964,000	\$ 224,492,000	\$ 164,380,000	\$ 97,460,000	627,296,000
	COPS \$ 103,500,000	\$ 24,830,000	\$ 31,520,000	\$ 29,250,000	189,100,000




**CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION**

Development Services Division

Right-of-Way Abandonment Petition 2013-09

Andrill Terrace

Right-of-Way Abandonment Area 

RESOLUTION CLOSING A PORTION OF ANDRILL TERRACE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Andrill Terrace, which calls for a public hearing on the question; and

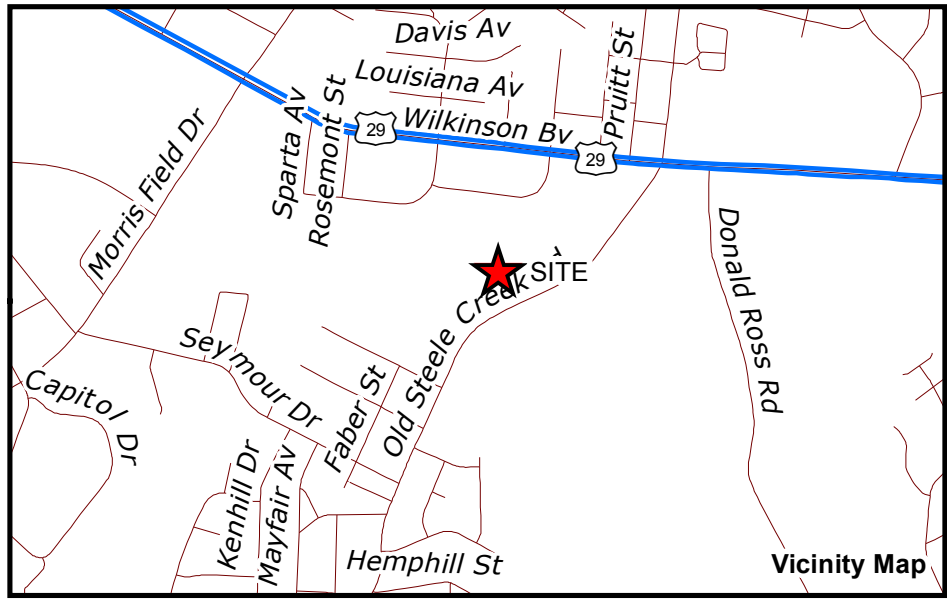
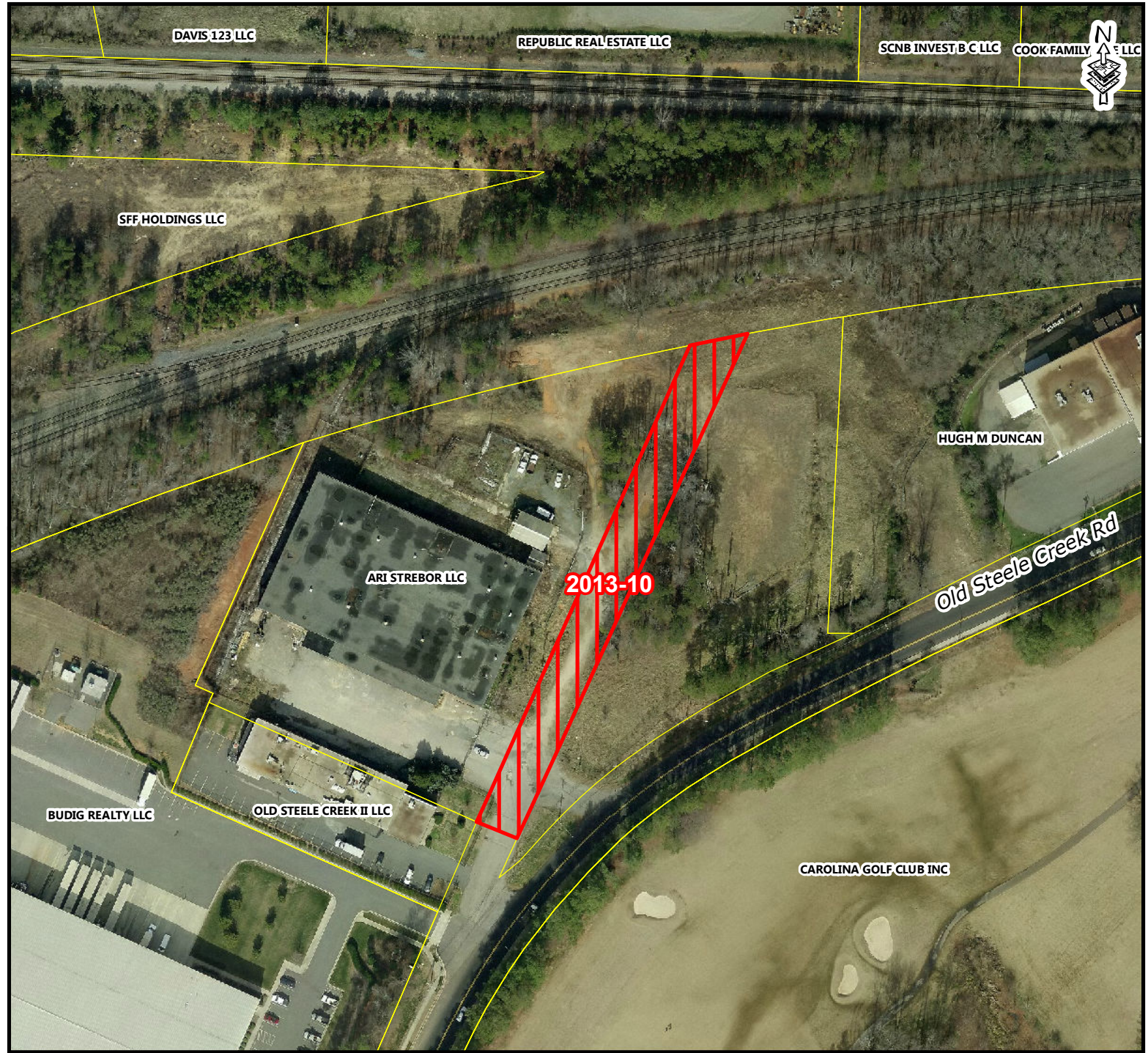
WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Andrill Terrace to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an easement in favor of Charlotte-Mecklenburg Utilities over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of water lines, sewer lines and related equipment, as shown on the attached maps marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 13th day of January, 2014, and City Council determined that the closing of a portion of Andrill Terrace is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 13, 2014, that the Council hereby orders the closing of a portion of Andrill Terrace in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the document marked "Exhibit B, all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.



CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
 Development Services Division

Right-of-Way Abandonment Petition 2013-10

A residual portion of Old Steele Creek Road

Right-of-Way Abandonment Area

RESOLUTION CLOSING A RESIDUAL PORTION OF OLD STEELE CREEK ROAD EXTENSION IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a residual portion of Old Steele Creek Road Extension, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a residual portion of Old Steele Creek Road Extension to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an easement in favor of Charlotte-Mecklenburg Utilities over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of water lines, sewer lines and related equipment, as shown on the attached maps marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 13th day of January, 2014, and City Council determined that the closing of a residual portion of Old Steele Creek Road Extension is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 13, 2014, that the Council hereby orders the closing of a residual portion of Old Steele Creek Road Extension in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the document marked "Exhibit B, all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

EconoLodge Parcel



ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FOR THE PURCHASE OF APPROXIMATELY 6.84 ACRES OF LAND AND DEMOLITION SERVICES AT THE SITE OF THE ECONO LODGE AT 3014 AND 3016 EAST INDEPENDENCE BLVD.

BE IT ORDAINED, by the City Council of the City of Charlotte;

- Section 1. That the sum of \$3,600,000 is hereby estimated to be available from Certificates of Participation
- Section 3. That the sum of \$3,600,000 is hereby appropriated in the General Capital Investment Fund (2010) Bojangles/Ovens Area Redevelopment Program (Center 49650)
- Section 4. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.
- Section 5. All ordinances in conflict with this ordinance are hereby repealed.
- Section 6. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

ATTACHMENTS 5 THROUGH 15

THESE DOCUMENTS ARE NOT AVAILABLE FOR VIEWING.

PLEASE CONTACT THE BOARDS AND COMMISSIONS CLERK

AT (704) 336-7494 FOR FURTHER INFORMATION.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE
APPROPRIATING \$134,180 IN ASSET FORFEITURE FUNDS FOR ELIGIBLE LAW ENFORCEMENT
PROJECTS AND EXPENSES

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$134,180 is hereby estimated to be available from Police Assets
Forfeiture Funds:
Fund 0413, Center 0044490, Account 0004139 (\$134,180)

Section 2. That the sum of \$134,180 is hereby appropriated to:
Fund 0413, Center 0044490, Account 0030110 (\$115,355.32)
Fund 0413, Center 0044490, Account 0030850 (\$8,824.68)
Fund 0413, Center 0044490, Account 0032610 (\$10,000)

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FOR TRAFFIC SIGNAL IMPROVEMENTS

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$20,500 is hereby estimated to be available from the following private developer sources:

Boulevard Phase III, LLC	\$ 20,500
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Section 2. That the sum of \$20,500 is hereby appropriated in the General Capital Investment Fund (2010) Developer Contributions Project (28152)

Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (the “Agreement”) is made and entered into to be effective the __ day of _____, 2013, by and between the CITY OF CHARLOTTE, a municipal corporation of the State of North Carolina (hereinafter the “City”) and the CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, a public body corporate duly organized under the laws of the State of North Carolina (hereinafter the “CMBE”).

BACKGROUND AND PURPOSE

WHEREAS, the City operates and maintains an Umbrella Stream and Wetland Mitigation Bank (Umbrella Bank) providing compensatory mitigation for unavoidable stream and wetland impacts separately authorized by Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act permits in appropriate circumstances. The goal of the Umbrella Bank is to restore, enhance, create and preserve stream and/or non-tidal stream and wetland systems and their functions and values to compensate in appropriate circumstances for unavoidable stream and wetland impacts authorized by Section 404 of the CWA and Section 10 of the Rivers and Harbors Act permits in circumstances deemed appropriate by the U.S. Army Corps of Engineers (USACE) after consultation, through any applicable permit review process, with members of the Interagency Review Team.

WHEREAS, the use of credits from the Umbrella Bank to offset stream or wetland impacts authorized by CWA permits must be in compliance with the CWA and implementing regulations, including but not limited to the 404(b)(1) Guidelines, the National Environmental Policy Act and all other applicable Federal, State, and local legislation, rules and regulations. The USACE, after consultation with the appropriate Federal and State review agencies through the applicable permit review process, shall make final decisions concerning the amount and type of compensatory mitigation to be required for unavoidable, permitted wetland or stream impacts, and whether or not the use of credits from the Umbrella Bank is appropriate to offset those impacts. The parties to this Agreement understand and agree that, where practicable, on-site, in-kind compensatory mitigation is preferred, unless use of the Umbrella Bank is determined by the USACE to be environmentally preferable.

WHEREAS, CMBE has proposed a renovation/addition project at Vance High School (the “School Project”) on property located at 7600 IBM Drive, Charlotte, North Carolina, 28262 (the “School Property”). The purpose and need of the School Project is to alleviate overcrowding in other high schools in this part of the county and to accommodate ongoing growth in the area. The School Project would result in unavoidable impacts to certain streams located on the School Property and accordingly

requires an appropriate permit from the USACE and certification from the North Carolina Division of Water Resources (NCDWR).

WHEREAS, the USACE has determined that the use of the Umbrella Bank would be acceptable to compensate for School Project impacts to stream channels.

WHEREAS, the City has confirmed in a letter issued by Isaac J. Hinson, Mitigation Specialist, dated September 4, 2013, that stream credits are available and have been reserved in the Umbrella Bank to cover the School Project.

WHEREAS, the USACE permit USACE Action ID 2013-01871 and NCDWR certification (DWR #13-1003) have been issued.

WHEREAS, one condition of the USACE CWA Permit is that “the permittee shall mitigate for 218 linear feet of unavoidable impacts to stream channels associated with the School Project by payment to the City of Charlotte’s Umbrella Bank in the amount necessary to perform restoration to 218 linear feet of stream.”

WHEREAS, upon and with receipt of the payment described below, the City accepts its role as bank sponsor and its inherent responsibilities to provide the required compensatory mitigation, including costs associated with the design, construction, monitoring and maintenance of approved compensatory mitigation projects.

WHEREAS, CMBE and the City desire to confirm their agreement regarding CMBE purchasing credits from the City Umbrella Bank in accordance with this Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the promises and the fulfillment of the objectives set out in this agreement, the City and CMBE mutually agree as follows:

1. Project Impacts. CMBE anticipates impacting 218 linear feet of stream in connection with the School Project, as determined and confirmed through the USACE CWA permitting process.
2. Payment Amount. CMBE shall pay the City \$ 375 per linear foot in the amount necessary to perform restoration to 218 linear feet of stream, for a total payment of \$ 81,750.
3. Payment Details. Payment shall be in the form of a check made payable to the City of Charlotte and shall be made no later than June 30, 2014.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first written above by the authority duly granted by their respective governing bodies.

City of Charlotte:

The Charlotte-Mecklenburg Board of
Education

By: _____

By: _____

Its: _____

Its: _____

This instrument has been pre-audited in
the manner required by the School
Budget and Fiscal Control Act

Director of Finance
Charlotte-Mecklenburg Board of Education

Approved as to Form:

Kevin M. Bringewatt, Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5127-X, THE 2013-2014 BUDGET ORDINANCE, APPROPRIATING \$1,718,700 FOR THE CONTRACTS WITH VANCOUVER AIRPORT AUTHORITY AND THE BOWERS GROUP, LLC FOR THE AUTOMATED PASSPORT CONTROL KIOSKS

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$1,718,700 is available from the Airport Discretionary Fund for the contracts with Vancouver Airport Authority to purchase the automated passport control kiosks, and with The Bowers Group, LLC for construction renovations and installation of the kiosks.

Section 2. That the sum of \$1,718,700 is hereby appropriated to the Aviation Community Investment Plan Fund 2084 - 52990

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

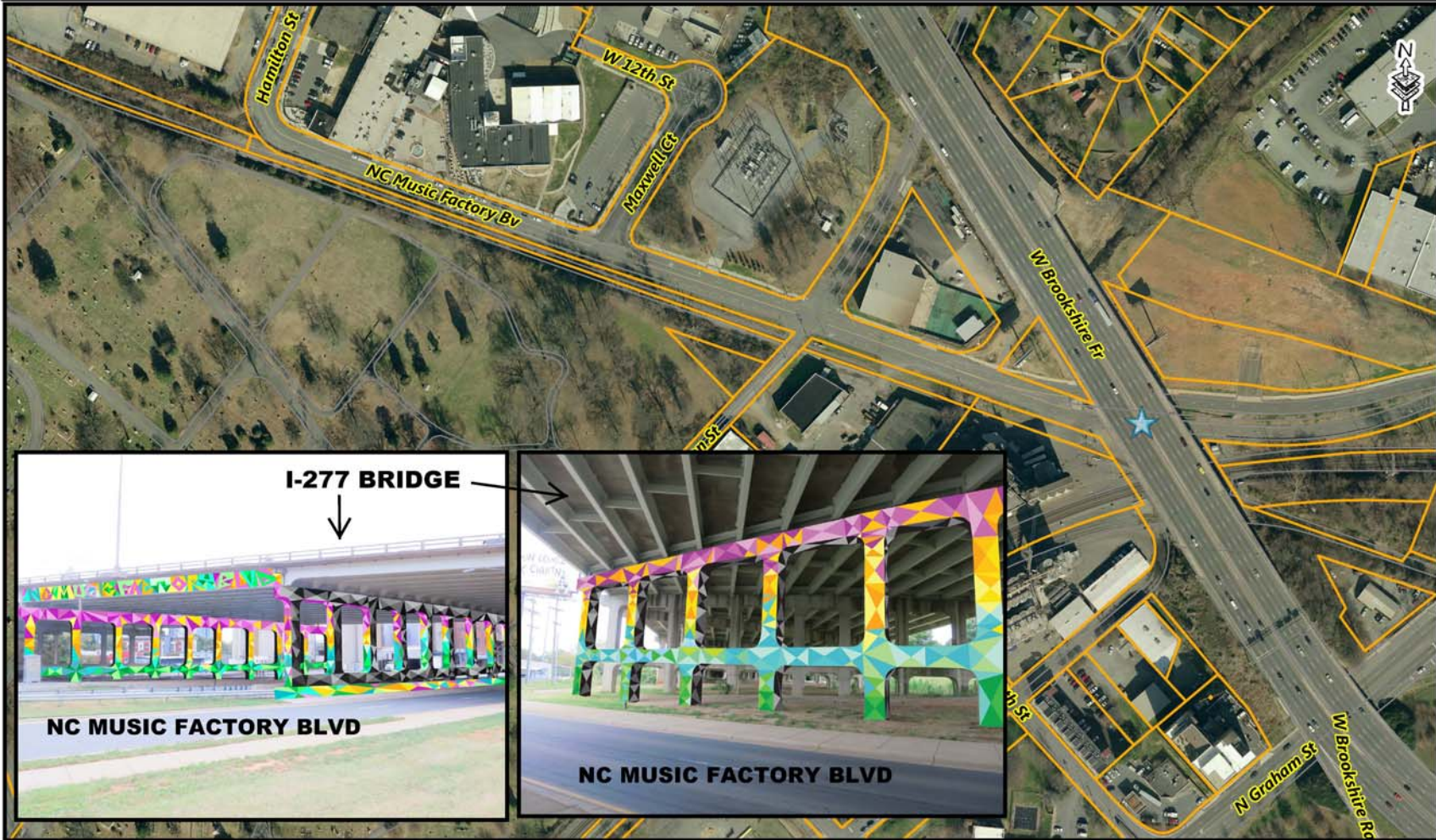
Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

North Carolina Music Factory Blvd. and I-277 Art Project



RESOLUTION
SUPPORTING THE CITY’S APPLICATION FOR ART IN THE PUBLIC RIGHT-OF-WAY, ON BEHALF OF THE ARK GROUP, AT THE UNDERPASS OF I-277 AND NC MUSIC FACTORY BOULEVARD IN ACCORDANCE WITH THE NORTH CAROLINA PUBLIC ART ON THE RIGHT OF WAY POLICY

A motion was made by _____ and seconded by _____ for the adoption of the following Resolution and upon being put to a vote was duly adopted:

Whereas, the City’s Public Art Policy outlines guidelines that allow public-spirited citizens to donate works of art to help beautify the City;

Whereas, representatives of the ARK Group, owners of the NC Music Factory, have expressed interest in commissioning and maintaining a painting at the I-277/NC Music Factory Boulevard underpass, which is a North Carolina Department of Transportation (NCDOT) right-of-way;

Whereas, City staff, the Arts & Science Council, and Public Art Commission have identified the I-277/NC Music Factory Boulevard underpass as an appropriate location for Public Art; and

Whereas, the NCDOT adopted the North Carolina Public Art on the Right of Way Policy in December 2010, recognizing that transportation facilities enhanced by public art elements provide aesthetic and cultural benefits to a community that can potentially result in positive economic development and tourism both locally and throughout North Carolina;

Whereas, the North Carolina Public Art on the Right of Way Policy provides that local government agencies may request placing Public Art on NCDOT rights of way, provided the local government conforms to the Policy’s parameters and procedures, to include, but not limited to an encroachment permit, financial responsibility for construction and maintenance of the Public Art, and an adopted local resolution.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, at its regularly scheduled session of January 13, 2014, that it supports the City’s application to the NCDOT for locating Public Art at the underpass of I-277 and NC Music Factory Boulevard in accordance with the North Carolina Public Art on the Right of Way Policy.

Property Tax Refund Requests

ATKINS, CHARLES DAVID	\$	45.00
BAC TAX SERVICE CORPORATION		8.30
BAC TAX SERVICE CORPORATION		8.30
BAC TAX SERVICE CORPORATION		10.55
BAC TAX SERVICE CORPORATION		590.56
BAKER, BARRY K		317.31
BARNETT, AGNES L		387.85
BLAIR, WILLIE W		117.17
BOND, NORMAN JOHN		15.00
BURNS, STANLEY S III		203.18
BURRUS, RUSSELL A		1,388.75
CHASE		28.43
CHERRY BEKAERT & HOLLAND LLP		4,183.96
CHERRY BEKAERT & HOLLAND LLP		3,209.49
CIT FINANCIAL LLC (CHARLOTTE)		13.46
COLD STONE CREAMERY		167.94
COLD STONE CREAMERY		167.37
COLD STONE CREAMERY HEMMINGSEN TREATS INC		36.60
COMET GRILL-BIGGZ ENTERPRISES INC		114.90
COMET GRILL-BIGGZ ENTERPRISES INC		86.65
COMET GRILL-BIGGZ ENTERPRISES INC		158.71
DAVIS, SELMA		3.26
DELL FINANCIAL SERVICES LP		325.20
DOUBLE OAKS DEVELOPMENT LLC		91.40
DOUBLE OAKS DEVELOPMENT LLC		91.40
EHRINGHAUS, J C BLUCHER		15.00
EHRINGHAUS, J C BLUCHER		14.36
ETTAIN GROUP INC		281.13
FIVE STAR CLEANERS		197.98
GOLD, STUART M		280.28
GREEN TREE OUTSOURCING		2.34
GREEN, GERALD		64.61
GREEN, GERALD		97.20
GREEN, GERALD		167.78
GREEN, GERALD		209.72
GREEN, GERALD		251.67
HORNICK, JAMES ANTHONY		87.15
HUGO A PEARCE, III, ATTORNEY-AT-LAW		346.98
HUGO A PEARCE, III, ATTORNEY-AT-LAW		343.92
INSIGHT INVESTMENT CORP		157.90
JACOBUS, DAVID		529.29
JANT, WILLIE MAE		179.04
JOHNSON, ERIC EUGENE		210.92
KENZ, JEFFREY T		83.77
KILLOUGH, JOE N		289.19
LAW OFFICES OF STEFAN R LATORRE, P.A.		248.65
LAW OFFICES OF STEFAN R LATORRE, P.A.		254.33

LAW OFFICES OF STEFAN R LATORRE, P.A.	208.66
LAW OFFICES OF STEFAN R LATORRE, P.A.	208.66
LERETA, LLC	2.82
MARK L SCHMITT CPA PC	44.45
MARK L SCHMITT CPA PC	44.45
MEADOWBROOK (MOBILE HOME PARK) SUNHOMES SERVICES INC	527.24
MILLER, WILLIE	210.91
NATIONAL RETAIL PROPERTIES LP	5,000.15
PHILLIPS, GARY KEITH	207.38
PITT, SYLVESTER	210.92
PNC MORTGAGE	1,595.92
SCHMITT, MARK	43.82
SCHMITT, MARK	43.82
SHAW, KENNETH A SR	167.09
SILVER MOREHEAD LLC	304.65
STARNES COMMERCIAL PROPERTIES LLC	1,622.15
STARNES COMMERCIAL PROPERTIES LLC	1,622.15
STARNES RESIDENTIAL PROPERTIES	1,611.98
STATE EMPLOYEES UNION	11.72
STEWART, DONALD H	531.50
SYKES, EDWARD	38.46
SYKES, EDWARD	27.97
SYKES, EDWARD	27.97
SYKES, EDWARD	31.03
TORRES, CARLOS MIGUEL	2.34
WADE DOOR SERVICES LLC	85.77
WASHBURN GRAPHICS INC	7,954.00
WASHBURN GRAPHICS INC	10,210.82
WASHINGTON, EDNA M	198.49
WEEKS, PEGGY LOUISE	351.99
WELLS FARGO HOME MORTGAGE	6.09
WELLS FARGO HOME MORTGAGE	26.22
WELLS FARGO HOME MORTGAGE	26.22
WELLS FARGO HOME MORTGAGE	28.43
WELLS FARGO HOME MORTGAGE	21.56
WILLIAMS, ANDREA K.	10.55
WILLIAMS, ANDREA K.	10.55
WILLS, ANDREW JR	210.91
ZUBOVSKAYA, ANNA A	662.69
	<u>\$ 50,236.45</u>

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 13th day of January 2014 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, _____, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____ 2014 the reference having been made in Minute Book _____ and recorded in full in Resolution Book _____ Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the day of _____, 2014.

Business Privilege License Tax Refund Requests

BUSINESS NAME	AMT DUE
Aloft Charlotte Uptown	\$6,595.32
Chick-fil-A of Blakeney	3,519.00
KBS Contractors, LLC	171.24
Palisades Country Club - Wilkison Partners	355.87
Riverview Inn, Inc	62.50
STFTN, LLC	260.00
Team Logo USA	136.39
	<u><u>\$11,100.32</u></u>

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

Reference is made to the schedule of "Business Privilege License Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 13th day of January 2014 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, _____, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of 2014, the reference having been made in Minute Book _____ and recorded in full in Resolution Book Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 2014.

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE an unopened alleyway off of S. Torrence Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Samuel Burick** has filed a petition to close an unopened alleyway off of S. Torrence Street in the City of Charlotte; and

Whereas, an unopened alleyway off of S. Torrence Street is located within the Cherry community, beginning approximately 93 feet northeast from the intersection of S. Torrence Street and Luther Street, running 95 feet in a northwestwardly direction to its terminus, and consisting of approximately 764 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 13th, 2014, that it intends to close an unopened alleyway off of S. Torrence Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 14th day of February 2014, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 656 BRADFORD DRIVE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF BETTY WILLIAMS 656 BRADFORD DRIVE CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 656 Bradford Drive in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 656 Bradford Drive in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION

Property Address	656 Bradford Drive
Neighborhood	Neighborhood Profile Area 385
Council District	#2
Owner(s)	Betty Williams
Owner(s) Address	656 Bradford Drive Charlotte, NC 28208

KEY FACTS

Focus Area	Housing & Neighborhood Development & Community Safety Plan
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CODE ENFORCEMENT INFORMATION

◆ Reason for Inspection:	Public Agency Referral (Charlotte-Mecklenburg Police)
◆ Date of the Inspection:	5/29/2013
◆ Title report received:	8/2/2013
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	8/8/2013
◆ Held hearings for owner(s) by:	8/30/2013
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	9/25/2013
◆ Owner(s) ordered to demolish structure by:	10/16/2013
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$7,730
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

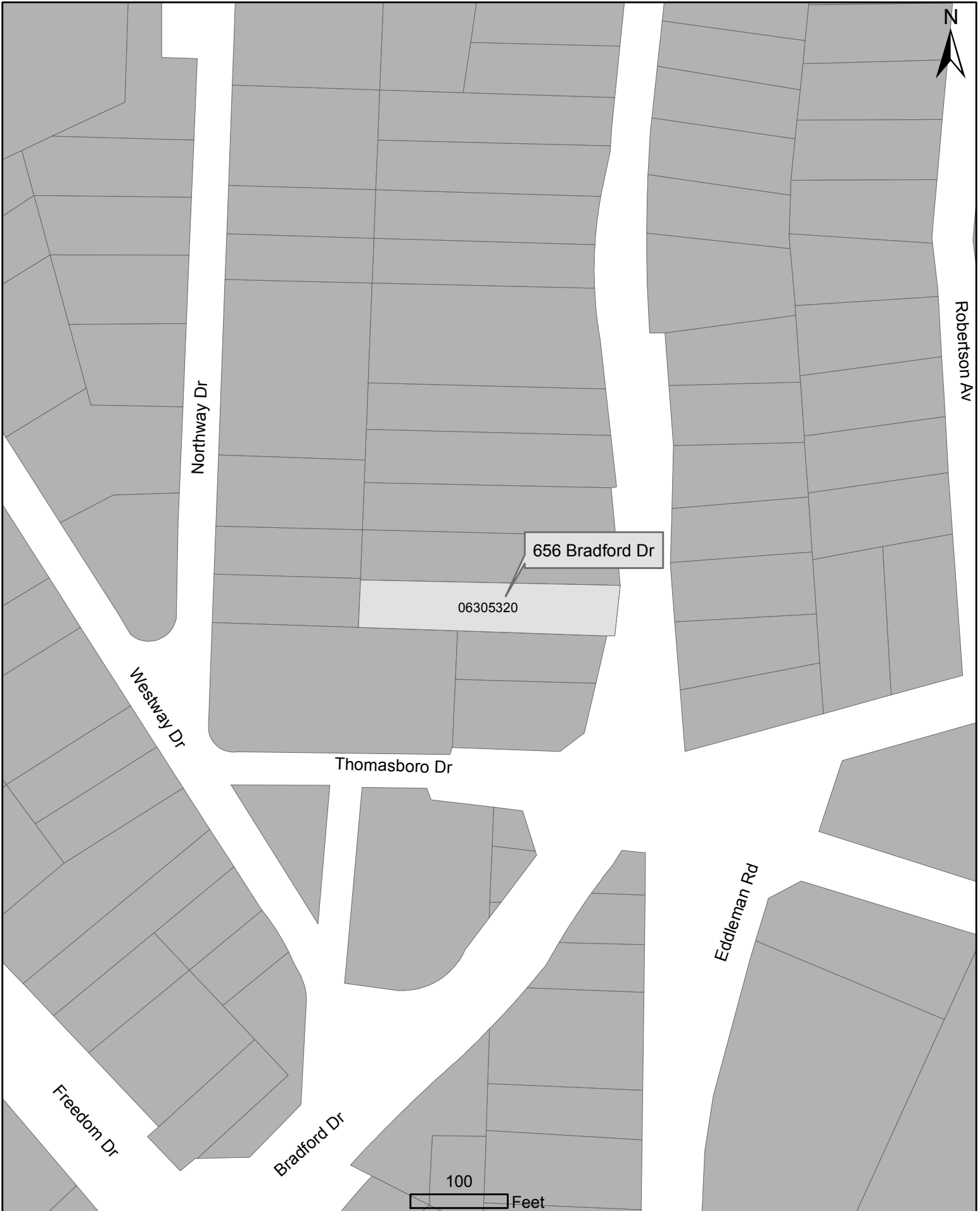
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$19,075	Acquisition & Rehabilitation Cost (Existing structure: 1,481 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$98,352	New Replacement Structure Cost (Structure: 1,481 sq. ft. total) Economic Life: 50 years Estimated cost-\$134,221	Demolition Cost \$7,730
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 4,600 - Garage/Shed/Porch: \$ 0 Land: <u>\$ 10,300</u> Total Acquisition: \$ 14,900 Estimated Rehabilitation Cost: \$ 74,050 Outstanding Loans \$ 0 Property Taxes owed: \$ 6,805 Interest on Taxes owed: <u>\$ 2,597</u> Total: \$ 83,452	Acquisition: Tax values: - Structure: \$ 4,600 - Garage/Shed/Porch: \$ 0 - Land: <u>\$ 10,300</u> Total Acquisition: \$ 14,900 New structure: \$ 102,189 Demolition: \$ 7,730 Outstanding Loans: \$ 0 Property Taxes owed: \$ 6,805 Interest on Taxes owed: <u>\$ 2,597</u> Total: \$ 119,321	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$19,075 (\$12.87 /sq. ft.), which is 414.67% of the structure tax value, which is \$4,600.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing and heating violations: Areas of flooring and sub-structure is loose, rotted, or missing. Damaged interior wall covering. Holes in exterior siding. Broken window panes. Damaged waste drain pipe. Missing heating equipment.
- The building is 74 years old and consists of 1,481 square feet total.
- A new 1,481 sq. ft. structure can be built for \$102,189.

656 Bradford Drive



656 Bradford Drive



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4531 SAMPSON STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JAMAL RAY 7747 PICKERING DRIVE CHARLOTTE, NC 28203

WHEREAS, the dwelling located at 4531 Sampson Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 4531 Sampson Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	4531 Sampson Street
Neighborhood	Neighborhood Profile Area 385
Council District	#2
Owner(s)	Jamal Ray
Owner(s) Address	7747 Pickering Drive Charlotte, NC 28203
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Public Agency (Charlotte Fire Department)
◆ Date of the Inspection:	2/19/2013
◆ Title report received, revealing parties in interest:	2/20/2013
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	4/19/2013
◆ Held hearings for owner(s) and parties in interest by:	5/3/2013
◆ Owner(s) and parties in interest attend hearing:	No
◆ Filed Lis Pendens:	7/3/2013
◆ Received intent letter to repair from owner(s):	7/18/2013
◆ Owner(s) and parties in interest ordered to demolish structure by:	7/19/2013
◆ Owner(s) issued supplemental ordered to repair structure by:	8/29/2013
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,040
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

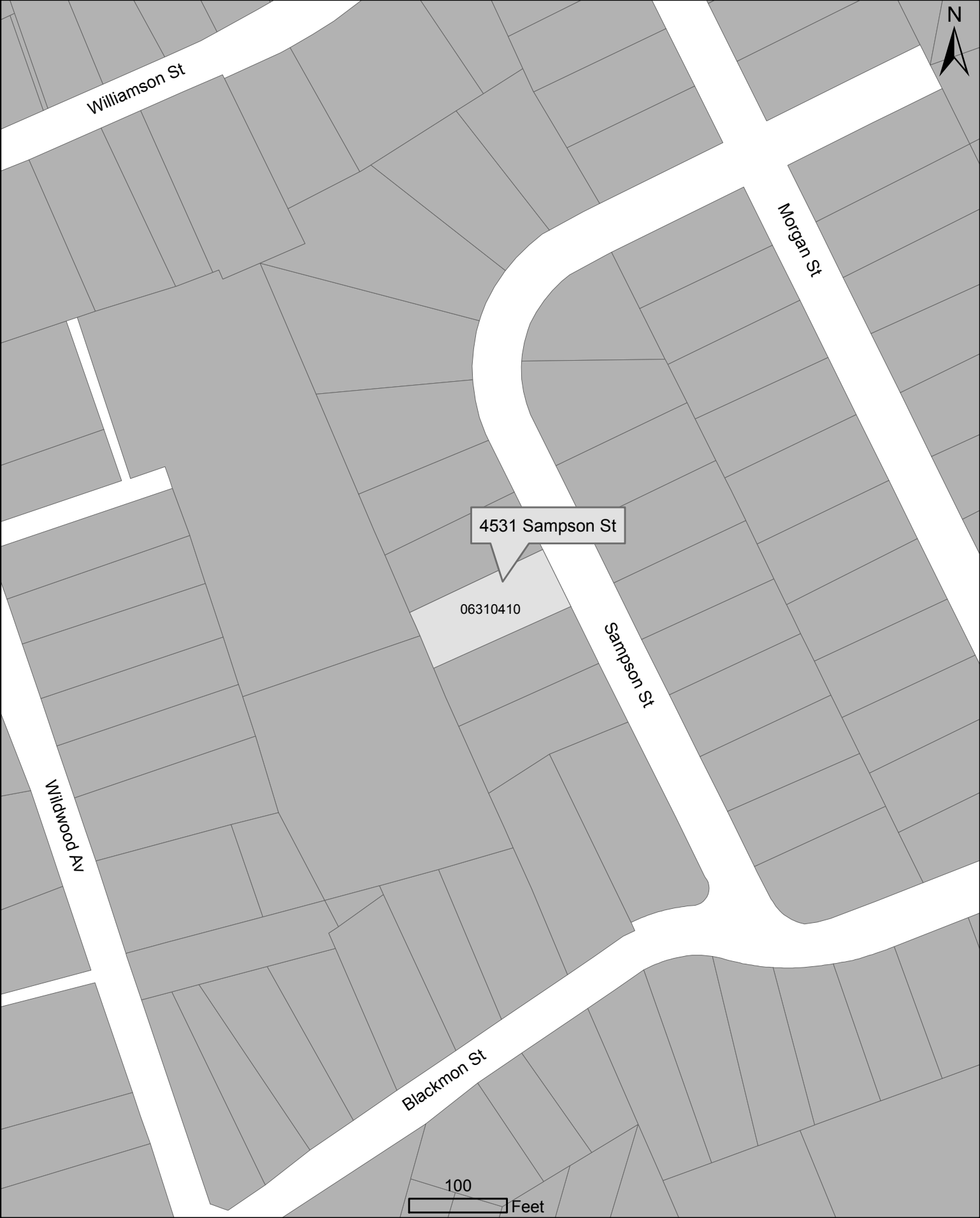
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$34,580	Acquisition & Rehabilitation Cost (Existing structure: 1,143 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$119,984	New Replacement Structure Cost (Structure: 1,143 sq. ft. total) Economic Life: 50 years Estimated cost-\$147,741	Demolition Cost \$6,040
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 50,000 - Garage/Shed/Patio: \$ 100 - Land: <u>\$ 10,800</u> Total Acquisition: \$ 60,900 Estimated Rehabilitation Cost: \$ 57,150 Outstanding Loans \$ 0 Property Taxes owed: \$ 1,788 Interest on Taxes owed: <u>\$ 146</u> Total: \$ 59,084	Acquisition: Tax values: - Structure: \$ 50,000 - Garage/Shed/Patio: \$ 100 - Land: <u>\$ 10,800</u> Total Acquisition: \$ 60,900 New structure: \$ 78,867 Demolition: \$ 6,040 Outstanding Loans: \$ 0 Property Taxes owed: \$ 1,788 Interest on Taxes owed: <u>\$ 146</u> Total: \$ 86,841	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$34,580 (\$30.25 /sq. ft.), which is 69.16 % of the structure tax value, which is \$50,000.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing, heating and electrical violations: Wall framing fire damaged. Exterior siding and trim fire damaged. Interior ceiling and wall covering fire damaged. Windows fire damaged. Roof rafters fire damaged. Water supply lines missing. Heating equipment fire damaged. Electrical fixtures fire damaged.
- The building is 58 years old and consists of 1,143 square feet total.
- A new 1,143 sq. ft. structure can be built for \$78,867.
-

4531 Sampson Street



4531 Sampson Street



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2201 CATALINA AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HARVEY JOHNSON JR. 2201 CATALINA AVENUE CHARLOTTE, NC 28206

WHEREAS, the dwelling located at 2201 Catalina Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2201 Catalina Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	2201 Catalina Avenue
Neighborhood	Neighborhood Profile Area 369
Council District	#1
Owner(s)	Harvey Johnson Jr.
Owner(s) Address	2201 Catalina Avenue Charlotte, NC 28208
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	4/18/2013
◆ Title report received:	6/21/2013
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	8/16/2013
◆ Held hearings for owner(s) by:	9/11/2013
◆ Owner(s) attend hearing:	No
◆ Owner(s) ordered to demolish structure by:	10/28/2013
◆ Filed Lis Pendens:	11/8/2013
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,815
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$42,903	Acquisition & Rehabilitation Cost (Existing structure: 793 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$111,752	New Replacement Structure Cost (Structure: 1,000 sq. ft. total) Economic Life: 50 years Estimated cost-\$147,917	Demolition Cost \$6,815
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 41,700 - Garage/Shed/Porch: \$ 600 Land: <u>\$ 18,000</u> Total Acquisition: \$ 60,300 Estimated Rehabilitation Cost: \$ 39,650 Outstanding Loans \$ 0 Property Taxes owed: \$ 8,092 Interest on Taxes owed: <u>\$ 3,710</u> Total: \$ 51,452	Acquisition: Tax values: - Structure: \$ 41,700 - Garage/Shed/Porch: \$ 600 - Land: <u>\$ 18,000</u> Total Acquisition: \$ 60,300 New structure: \$ 69,000 Demolition: \$ 6,815 Outstanding Loans: \$ 0 Property Taxes owed: \$ 8,092 Interest on Taxes owed: <u>\$ 3,710</u> Total: \$ 87,617	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$42,903 (\$54.10 /sq. ft.), which is 102.88% of the structure tax value, which is \$41,700.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing, electrical and heating violations: Areas of flooring and sub-structure is loose, rotted, or missing. Damaged interior wall covering. Roof covering loose. Rafters are decayed. Damaged entry doors. Broken window panes. Missing plumbing fixtures. Damaged electrical wiring. Missing heating equipment.
- The building is 72 years old and consists of 793 square feet total.
- A new 1,000 sq. ft. structure can be built for \$69,000.

2201 Catalina Avenue



2201 Catalina Avenue



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1212 EASTWAY DRIVE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF BELLE MANOR PROPERTIES, INC 421 WEST PARK AVENUE CHARLOTTE, NC 28203

WHEREAS, the dwelling located at 1212 Eastway Drive in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 1212 Eastway Drive in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	1212 Eastway Drive
Neighborhood	Neighborhood Profile Area 10
Council District	#1
Owner(s)	Belle Manor Properties, Inc
Owner(s) Address	421 West Park Avenue Charlotte, NC 28203
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Title report received:	6/18/2013
◆ Date of the Inspection:	7/17/2013
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	7/26/2013
◆ Held hearing for owner(s) by:	8/21/2013
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	10/4/2013
◆ Owner(s) ordered to demolish structure by:	10/16/2013
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$4,360
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

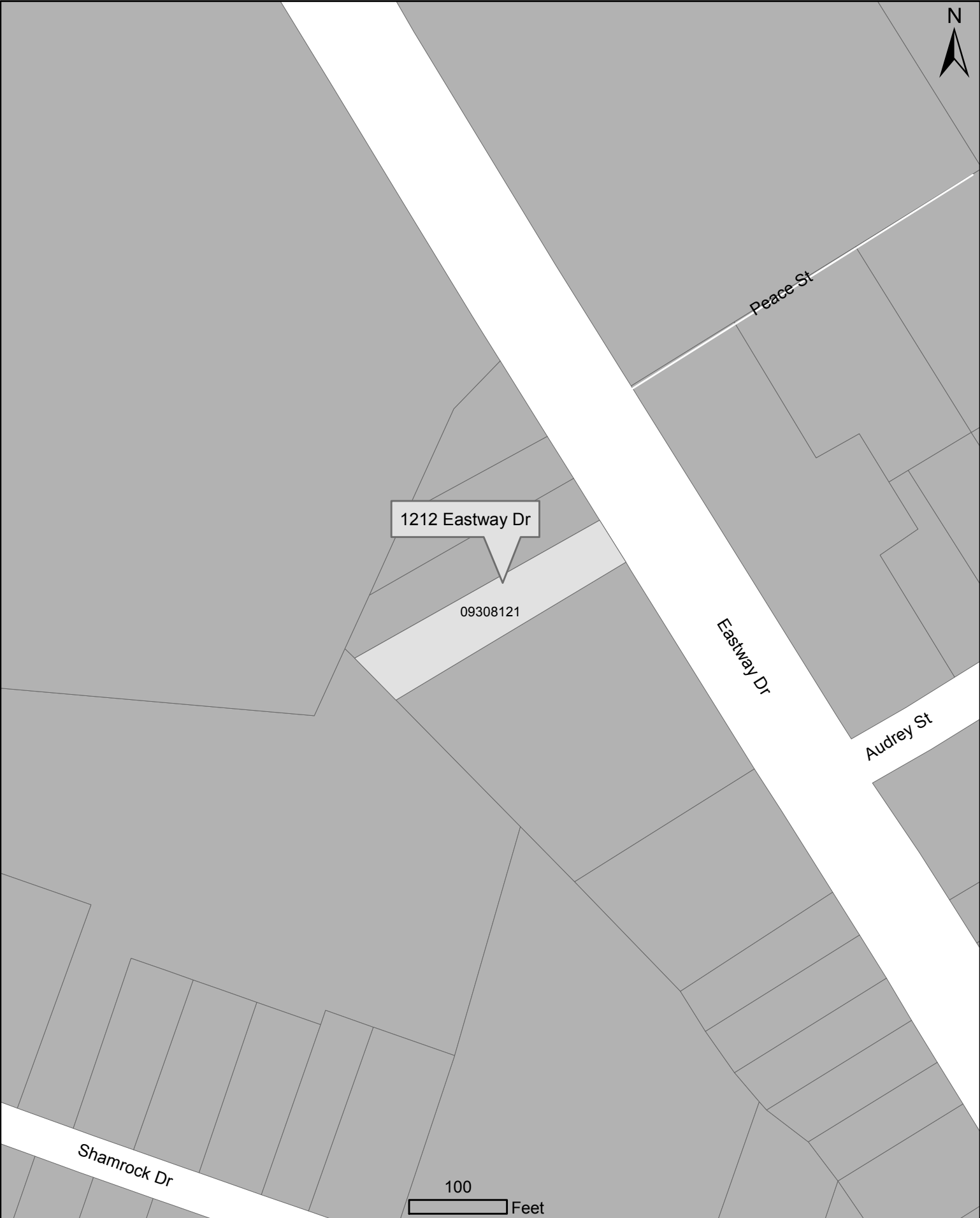
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$31,040	Acquisition & Rehabilitation Cost (Existing structure: 1,152 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$94,612	New Replacement Structure Cost (Structure: 1,152 sq. ft. total) Economic Life: 50 years Estimated cost-\$120,860	Demolition Cost \$4,360
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 17,000 - Porch/Deck: \$ 0 - Land: <u>\$ 18,000</u> Total Acquisition: \$ 35,000 Estimated Rehabilitation Cost: \$ 57,600 Outstanding Loans \$ 0 Property Taxes owed: \$ 1,989 Interest on Taxes owed: <u>\$ 23</u> Total: \$ 59,612	Acquisition: Tax values: - Structure: \$ 17,000 - Porch/Deck: \$ 0 - Land: <u>\$ 18,000</u> Total Acquisition: \$ 35,000 New structure: \$ 79,488 Demolition: \$ 4,360 Outstanding Loans: \$ 0 Property Taxes owed: \$ 1,989 Interest on Taxes owed: <u>\$ 23</u> Total: \$ 85,860	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$31,040 (\$26.94 /sq. ft.), which is 182.588% of the structure tax value, which is \$17,000.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing, heating and electrical violations: Missing walls and ceiling covering. Damaged entry door. Missing plumbing fixtures, heating equipment, electrical wiring and water heater.
- The building is 7 years old and consists of 1,152 square feet total.
- A new 1,152 sq. ft. structure can be built for \$79,488.
-

1212 Eastway Drive



1212 Eastway Drive



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 10029 GARRISON ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HEIRS OF AARON HORTON 10029 GARRISON ROAD CHARLOTTE, NC 28205

WHEREAS, the dwelling located at 10029 Garrison Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 10029 Garrison Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION

Property Address	10029 Garrison Road
Neighborhood	Neighborhood Profile Area 84
Council District	Mecklenburg County / Unincorporated
Owner(s)	Heirs of Aaron Horton
Owner(s) Address	10029 Garrison Road Charlotte, NC 28208

KEY FACTS

Focus Area	Housing & Neighborhood Development & Community Safety Plan
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CODE ENFORCEMENT INFORMATION

◆ Reason for Inspection:	Field Observation
◆ Title report received revealing parties in interest:	9/26/2012
◆ Date of the Inspection:	10/24/2012
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	11/20/2012
◆ Held hearings for owner(s) and parties in interest by:	12/13/2012
◆ Owner(s) and parties in interest attend hearing:	No
◆ Owner(s) ordered to demolish structure by:	1/14/2013
◆ Filed Lis Pendens:	7/10/2013
◆ Title search updated; no change:	7/15/2013
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,825
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$40,375	Acquisition & Rehabilitation Cost (Existing structure: 808 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$101,046	New Replacement Structure Cost (Structure: 1,000 sq. ft. total) Economic Life: 50 years Estimated cost-\$136,471	Demolition Cost \$6,825
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 40,600 - Garage/Shed/Porch: \$ 0 Land: \$ 14,900 Total Acquisition: \$ 55,500 Estimated Rehabilitation Cost: \$ 40,400 Outstanding Loans \$ 0 Property Taxes owed: \$ 3,989 Interest on Taxes owed: \$ 1,157 Total: \$ 45,546	Acquisition: Tax values: - Structure: \$ 40,600 - Garage/Shed/Porch: \$ 0 - Land: \$ 14,900 Total Acquisition: \$ 55,500 New structure: \$ 69,000 Demolition: \$ 6,825 Outstanding Loans: \$ 0 Property Taxes owed: \$ 3,989 Interest on Taxes owed: \$ 1,157 Total: \$ 80,971	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$40,375 (\$49.96 /sq. ft.), which is 99.445% of the structure tax value, which is \$40,600.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, electrical, plumbing and heating violations: Areas of flooring and sub-structure is loose, rotted, or missing. Ceiling covering missing. Broken window panes. Roof sheathing decayed. Loose/missing roof covering. Electrical wiring had been damaged throughout. Missing plumbing fixtures and heating equipment.
- The building is 63 years old and consists of 808 square feet total.
- A new 1,000 sq. ft. structure can be built for \$69,000.

10029 Garrison Road



10029 Garrison Road



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2217 LASALLE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JOHN H. MCCORKLE, MELVENIA WEDDINGTON, ROSE ANNA YOUNGER, VONNIE VELL MCCORKLE, MARY GRACE CROWDER, RUBY MARIE MCCORKLE, IDA MCCORKLE, PAULINE MCCORKLE, HEIRS OF ELDER B. WYATT 2207 PERCIVAL ROAD COLUMBIA, SC 29223

WHEREAS, the dwelling located at 2217 LaSalle Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2217 LaSalle Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	2217 LaSalle Street
Neighborhood	Neighborhood Profile Area 374
Council District	#2
Owner(s)	John H. McCorkle, Melvenia Weddington, Rose Anna Younger, Vonnie Vell McCorkle, Mary Grace Crowder, Ruby Marie McCorkle, Ida McCorkle, Pauline McCorkle, Heirs of Elder B. Wyatt
Owner(s) Address	2207 Percival Road Columbia, SC 29223
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	11/26/2012
◆ Title report received:	11/9/2012
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	12/4/2012
◆ Held hearings for owner(s) by:	12/21/2012
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	1/16/2013
◆ Owner(s) ordered to demolish structure by:	2/6/2013
◆ Discovered an issue with three of ten notices:	7/31/2013
◆ Owner(s) re-notified of Complaint and Notice of Hearing by advertisement and certified mail by:	8/9/2013
◆ Held hearings for owner(s) by:	8/23/2013
◆ Title search update; no change:	8/29/2013
◆ Owner(s) attend hearing:	No
◆ Filed Lis Pendens:	9/6/2013
◆ Owner(s) ordered to demolish structure by:	9/30/2013
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,825
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

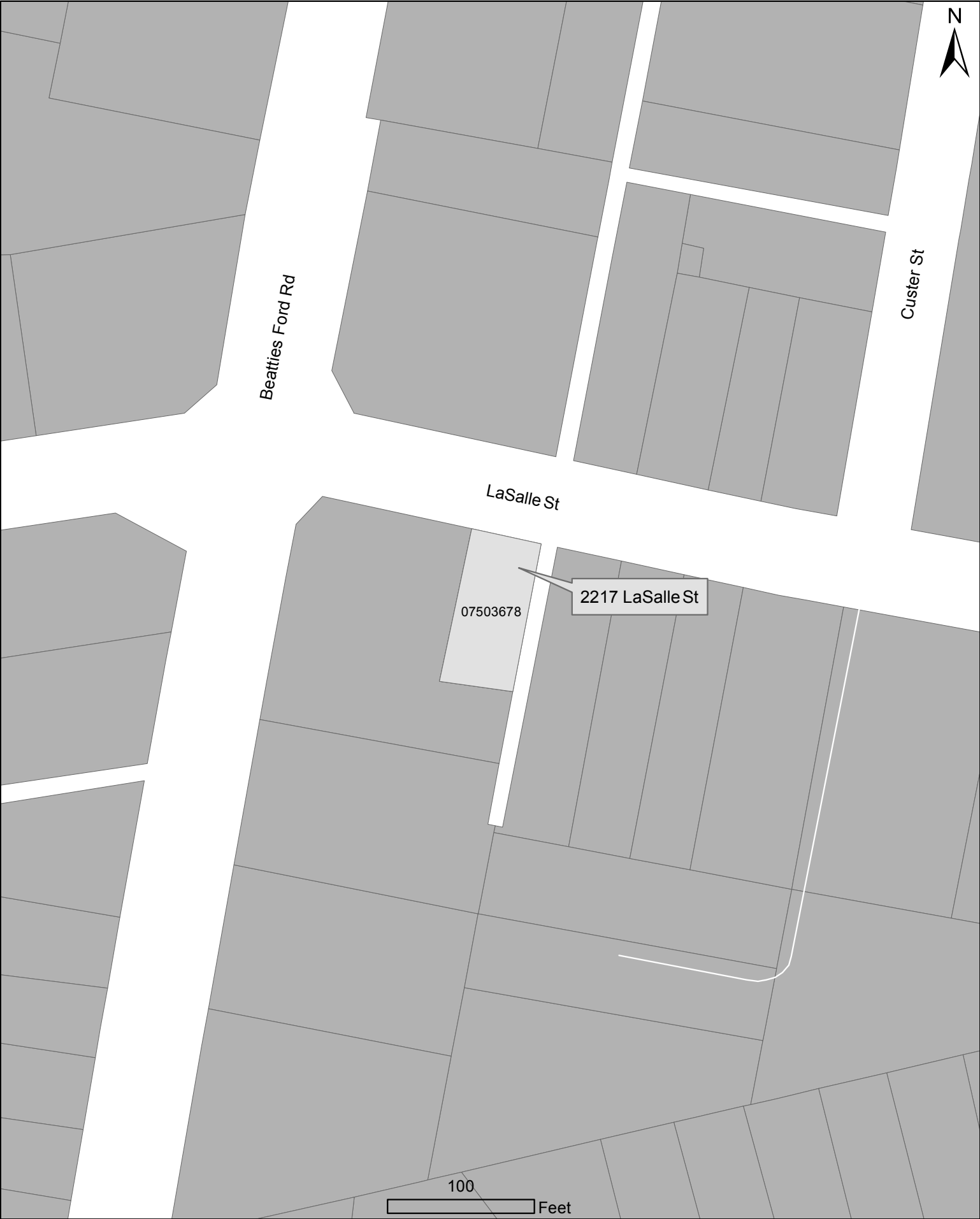
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$35,750	Acquisition & Rehabilitation Cost (Existing structure: 1,056 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$120,010	New Replacement Structure Cost (Structure: 1,056 sq. ft. total) Economic Life: 50 years Estimated cost-\$146,899	Demolition Cost \$6,825
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 38,600 - Garage/Shed/Porch: \$ 0 Land: \$ <u>25,000</u> Total Acquisition: \$ 63,600 Estimated Rehabilitation Cost: \$ 52,800 Outstanding Loans \$ 0 Property Taxes owed: \$ 3,203 Interest on Taxes owed: \$ <u>407</u> Total: \$ 56,410	Acquisition: Tax values: - Structure: \$ 38,600 - Garage/Shed/Porch: \$ 0 - Land: \$ <u>25,000</u> Total Acquisition: \$ 63,600 New structure: \$ 72,864 Demolition: \$ 6,825 Outstanding Loans: \$ 0 Property Taxes owed: \$ 3,203 Interest on Taxes owed: \$ <u>407</u> Total: \$ 83,299	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$35,750 (\$33.85 /sq. ft.), which is 92.616% of the structure tax value, which is \$38,600.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing and heating violations: Areas of flooring and sub-structure is loose, rotted, or missing. Interior walls and ceiling covering damaged. Decayed roof sheathing. Missing/loose roof covering. Exterior siding decayed. Missing heating equipment and water heater.
- The building is 88 years old and consists of 1,056 square feet total.
- A new 1,056 sq. ft. structure can be built for \$72,864.

2217 LaSalle Street



2217 LaSalle Street



ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 9210 LEGRANGER ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ROBERT CARL NEWTON 1616 FLYNWOOD DRIVE APT.E CHARLOTTE, NC 28205

WHEREAS, the dwelling located at 9210 Legranger Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 9210 Legranger Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

GENERAL INFORMATION	
Property Address	9210 Legranger Road
Neighborhood	Neighborhood Profile Area 254
Council District	#4
Owner(s)	Robert Carl Newton
Owner(s) Address	1616 Flywood Drive Apt.E Charlotte, NC 28205
KEY FACTS	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
CODE ENFORCEMENT INFORMATION	
◆ Reason for Inspection:	Field Observation
◆ Title report received revealing parties in interest:	4/27/2012
◆ Date of the Inspection:	5/10/2012
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	6/2/2012
◆ Held hearings for owner(s) and parties in interest by:	6/11/2012
◆ Owner(s) and parties in interest attend hearing:	No
◆ Received appeal letter from Owner:	6/22/2012
◆ Owner(s) ordered to demolish structure by:	7/12/2012
◆ Housing Appeals Board ruled to uphold the Order to demolish:	10/9/2012
◆ Filed Lis Pendens:	10/31/2012
◆ Received letter of intent to repair structure from parties in interest:	2/21/2013
◆ Title search updated; no change:	9/5/2013
◆ Parties in interest issued supplemental ordered to repair structure by:	12/13/2013
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,215
◆ Lien will be placed on the property for the cost of Demolition.	

NOTIFICATION TO OWNER

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

OPTIONS

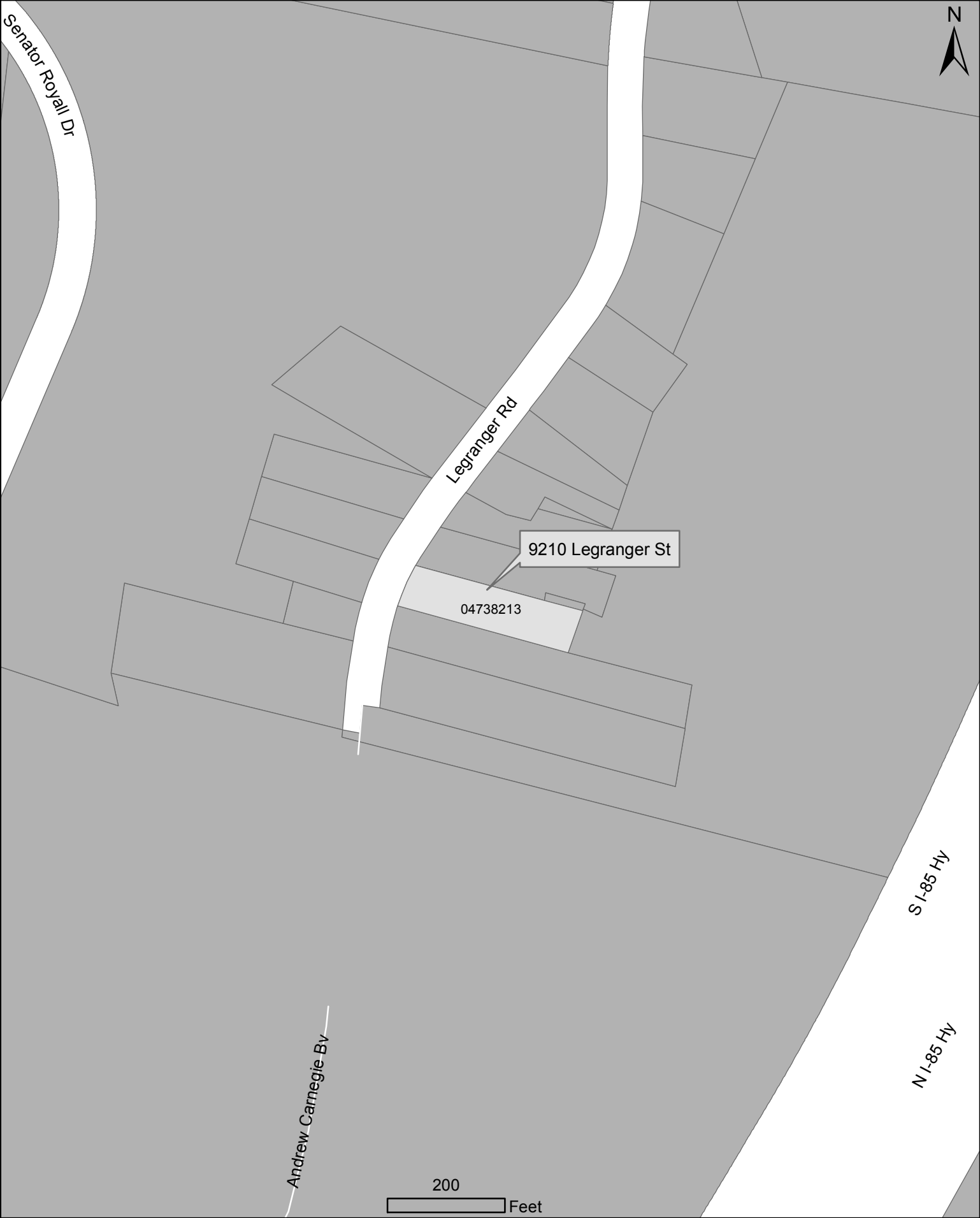
IN-REM REPAIR	REHAB TO CITY STANDARD	REPLACEMENT HOUSING	DEMOLITION
Estimated In-Rem Repair Cost: \$40,375	Acquisition & Rehabilitation Cost (Existing structure: 774 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$120,099	New Replacement Structure Cost (Structure: 1,000 sq. ft. total) Economic Life: 50 years Estimated cost-\$156,614	Demolition Cost \$6,215
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 35,900 - Garage/Shed/Porch: \$ 200 Land: \$ <u>23,900</u> Total Acquisition: \$ 60,000 Estimated Rehabilitation Cost: \$ 38,700 Outstanding Loans \$ 19,233 Property Taxes owed: \$ 1,752 Interest on Taxes owed: \$ <u>414</u> Total: \$ 60,099	Acquisition: Tax values: - Structure: \$ 35,900 - Garage/Shed/Porch: \$ 200 - Land: \$ <u>23,900</u> Total Acquisition: \$ 60,000 New structure: \$ 69,000 Demolition: \$ 6,215 Outstanding Loans: \$ 19,233 Property Taxes owed: \$ 1,752 Interest on Taxes owed: \$ <u>414</u> Total: \$ 96,614	

RECOMMENDATION FOR DEMOLITION

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$40,375 (\$52.16 /sq. ft.), which is 112.465% of the structure tax value, which is \$35,900.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing and heating violations: Areas of flooring and sub-structure is loose, rotted, or missing. Interior walls and ceiling covering damaged. Broken window panes. Decayed wall framing. Roof sheathing decayed. Loose/missing roof covering. Damaged water heater. Heating equipment not operational.
- The building is 52 years old and consists of 774 square feet total.
- A new 1,000 sq. ft. structure can be built for \$69,000.

9210 Legranger Street



9210 Legranger Road



RESOLUTION AUTHORIZING THE TRANSFER OF (.25) ACRES OF LAND TO AMANAT FASHIONS CORPORATION

WHEREAS, in order to accommodate certain LYNX Blue Line Extension Project improvements, the City of Charlotte (“City”) intends to acquire a portion of property located at 6633 North Tryon Street, Charlotte, Mecklenburg County, North Carolina. The property is currently owned by Amanat Fashions Corporation, (“AFC”) operating as a clothing retailer; and

WHEREAS, as a result of the area to be acquired by the City, AFC would have been forced to relocate their business due to the complete loss of their existing parking lot. Accordingly, AFC has requested an alternative transaction that would preserve the business location and achieve City savings by avoiding the additional relocation costs of acquiring a new building and associated parking; and

WHEREAS, the City proposes to transfer (.25) acres in fee simple from the adjacent property specifically identified as Tax Parcel 089-172-42 to AFC for use as a parking lot and authorize an additional Sixty Four Thousand Five Hundred Dollars (\$64,500) in compensation to construct a parking lot on the transferred parcel; and

WHEREAS, the present fair market value of the Property to be transferred to AFC is approximately Seventy Two Thousand Five Hundred and Twenty Five Dollars (\$72,525); and

WHEREAS, the City Council of the City of Charlotte has determined that the transfer of the Property to AFC will advance its 2030 Transit Corridor System Plan, in that the transfer will provide necessary property to facilitate the construction of the LYNX BLE Project; and

WHEREAS, notice of the proposed transaction was advertised at least ten days prior to the adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22(d) of the City of Charlotte Charter, that it hereby authorizes the transfer of the above referenced Property as follows:

The City will convey approximately (.25 acres) in fee simple to Amanat Fashions Corporation. The City Manager or said Designee is authorized to execute the deed and such other documents necessary to complete the transfer of the Property to Amanat Fashions Corporation in accordance with the terms and conditions as advertised.

THIS THE 13TH DAY OF January, 2014.