

Mayor Patrick L. McCrory Mayor Pro Tem Patrick De'Angelo Cannon

Susan Burgess
Nancy Carter
Malcolm Graham
Patsy Kinsey
John W. Lassiter

Don Lochman
James E. Mitchell, Jr.
Patrick Mumford
John H. Tabor, AIA
Warren Turner

CITY COUNCIL MEETING

Monday, September 27, 2004

CITY COUNCIL AGENDA

Monday, September 27, 2004

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6:30 P.M. Citizens Forum

Meeting Chamber

7:00 P.M. Awards and Recognitions

Meeting Chamber

Consent

- | | | |
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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Transit Full Funding Grant Agreement

Resource: Ron Tober, Charlotte Area Transit System

Time: 15 minutes

Synopsis:

- The South Corridor Light Rail Project (SCLRP) is a 9.6 mile dual track light rail system with 15 stations. The system will originate at Interstate 485 and South Boulevard in the southern most part of Mecklenburg County and terminate in Uptown Charlotte at 7th street.
- Revenue operations are scheduled to start by October 31, 2006. The Federal Full Funding Grant Agreement (FFFGA) includes a revenue operation date of no later than January 31, 2007.
- The total project cost is \$398,701,118. Funding includes federal funds up to 50% of the project cost with a committed 25% match by the state, backed by the June 2003, State Full Funding Grant Agreement; and a local 25% match backed by the voter approved one half cent sales tax.
- USDOT/FTA project analysis is nearing completion and the schedule calls for the project to be transmitted to Congress for a required 60-day review, early in October. A FFFGA is executed upon completion of the congressional review.
- The Metropolitan Transit Commission has authorized CATS CEO to present the FFFGA to the City Council for approval.
- The FFFGA will provide Federal New Starts financial contribution of \$192,940,019 in capital funds for the SCLRP. \$35,587,993 of this amount has previously been provided for the project.
- In addition to the FFFGA funds, \$6,410,540 will be provided for the SCLRP from federal formula funds.
- The total Federal contribution to the SCLRP of \$199,350,559 (i.e. \$192,940,019 + \$ 6,410,540) is 50% of the total Project cost.

Future Action:

- On September 27, 2004, Council will be requested to:
 - Approved the FFFGA for the SCLRP
 - Authorize the City Manager or designee to negotiate and execute the FFFGA.

2. Regional Comprehensive Economic Development Strategy Recommendations

Resources: Al Sharp, Centralina Council of Governments
Sean Garretson, Angelou Economics

Time: 20 minutes

Synopsis

- Angelou Economics completed the Recommendations Report, as part of the Centralina Comprehensive Economic Development Strategy (CEDS).
- It focuses on specific recommendations that address issues and opportunities that have been identified, and provides recommendations on key industries the region should target for business expansion, retention, and recruitment efforts.
- The presentation will identify the most important regional issues from an in-depth analysis of key strengths, opportunities, and areas of improvement in the region. It will also discuss recommended priority projects.
- The CEDS Steering Committee included Mayor Pro Tem Cannon, Debra Campbell, and Tom Flynn.

Future Action

- City Council is invited to attend the rollout event for the Regional Comprehensive Economic Development Strategy on September 29, 2004, from 10 to 11:30 a.m. at the Charlotte Convention Center.
- Council will be asked to adopt the Regional Comprehensive Economic Development Strategy in November 2004. The U.S. Economic Development Administration (EDA) requires this adoption in order to qualify projects for federal funds from the EDA.
- The City of Charlotte will use information from this regional strategy as it updates the City's Economic Development Strategic Plan.

3. **CIAA Basketball Tournament Proposal**

Resources: Mike Crum, Interim Director, Charlotte Regional Visitors Authority
Jeff Beaver, Executive Director, Charlotte Regional Sports Commission
Ron Kimble, Assistant City Manager

Time: 15 minutes

Synopsis

- Charlotte will submit, by the deadline of September 27th, a competitive bid for hosting the Central Intercollegiate Athletic Association (CIAA) Men's and Women's Basketball Tournaments in 2006, 2007 and 2008.
- The presentation will cover
 - The economic impact of this event for the Charlotte region
 - The requirements of the three-year bid and Charlotte's proposal to address such requirements
 - The partners who have participated in generating the proposal
 - Next steps in the CIAA's bid process

Future Action

If Charlotte is the successful proposal, the City and the County will be asked to participate financially in meeting the funding requirements of the bid.

4. Urban Street Design Guidelines

Resource: Norm Steinman, Transportation

Time: 20 minutes

Synopsis

- Staff will present an update on the Urban Street Design Guidelines. The Guidelines will describe how thoroughfares and local streets should be planned and designed.
- Staff will describe the major objectives of the Street Design Guidelines, as well as how those objectives relate to other City initiatives.
- The presentation will include information on the key content topics of the Guidelines and the public involvement/review process for the Guidelines.

Future Action

Staff will present the guidelines for public review this fall. Once complete, staff will bring the document back to Council for approval or an update, depending on the public review feedback.

5. Proposed Carnival Ordinance

Resource: Bruce McDonald, Charlotte-Mecklenburg Police Department

Time: 5 minutes

Synopsis

- In April 2004, Council directed staff to look at problems resulting from a carnival that created public safety issues in West Charlotte and then tried to move to North Charlotte.
- A committee comprised of representatives from the City Manager's Office, the City Attorney's Office, the Charlotte-Mecklenburg Police Department, the Fire Department, the Health Department, Planning, and Zoning addressed the problem.
- The committee crafted an ordinance that will regulate traveling carnivals by requiring that they have a permit to operate within the City of Charlotte
- Permits would be issued by Charlotte-Mecklenburg Police Department.
- The permit application could be denied if
 - the carnival operators did not have a business license;
 - the carnival would not be in compliance with zoning regulations or fire codes;
 - the carnival would present an unreasonable danger to public health or safety.

- Permits could be revoked for noncompliance with ordinance or permit provisions.
- Permit denial/revocation may be appealed to the City Manager's Office.

Future Action

Council will consider the proposed ordinance at its October 11 meeting.

6. Committee Reports by Exception

Restructuring Government Committee:

SBE Program

Process for the Manager's and Attorney's Evaluations

**6:30 P.M. CITIZENS FORUM
MEETING CHAMBER**

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

CONSENT

- 7. Consent agenda items 17 through 61 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

8. Draft West Morehead Land Use & Pedscape Plan



Action: Receive citizen comments on the draft West Morehead Land Use & Pedscape Plan, Concept Plan.

Committee Chair: John Lassiter

Staff Resource: Kent Main, Planning Commission

Explanation

- Area is adjacent to the Wesley Heights neighborhood and to I-77
- Originally developed as an industrial district, now only about 25% industrial
- Plan eliminates need for individual rezonings for future urban development
- Plan is follow-through from *West Morehead Corridor & Vision Plan* (2001)
- Since April 2004 three additional public meetings were held

Plan recommendations

- Land Use
 - Walkable mixed-use development recommended in most of the district
 - Area south of Bryant Street: FEMA floodway, severe restrictions on new construction; recommended for park/open space use; or if not acquired by County, for mixed-use development in accordance with all regulations.
- Cross Sections and Streetscape Standards
 - Streets categorized into three “types,” with setback requirements for each
 - Wide sidewalks, street tree plantings, and buildings close to the street
- Streetscape and Pedestrian Improvements
 - *Westside Strategy Plan* (2001) identified improvements to West Morehead Street already underway: new 3-lane configuration developed by CDOT with consultation of neighborhood businesses and NCDOT
 - Intent is to facilitate the large numbers of left turns that hamper traffic flow through the area, as well as to improve pedestrian movement
 - This plan builds upon the CDOT streetscape design and makes additional recommendations for future capital improvements

Charlotte-Mecklenburg Planning Committee

- Received public comments on July 20, 2004. Business Association members spoke in favor. One property owner expressed concern as noted below.
- Planning Commission to make its recommendation on October 19.
- Discussion points
 - Rezoning to B-1: Entire district presently zoned I-1 and I-2 Industrial, except parcels rezoned MUDD individually. Plan proposes to change most underlying zoning to B-1 Neighborhood Business.
 - Existing warehouse uses: Several viable warehouses along Bryant Street. Propose in this limited area to replace underlying I-2 zoning by I-1 Light Industrial to facilitate continuing operation while protecting against

development of more noxious heavy industrial uses. PED overlay still will allow redevelopment in the future. This proposal has been discussed with the property owners, and agreed to.

- Dissenting property owner: One property located within FEMA floodway and zoned I-2 was in industrial use; and since has been renovated as a nightclub. Because it has already transitioned to a B-1 permitted use, staff recommends that it be included in rezoning to B-1. Owner's representative attended Planning Committee and disagreed, wanting to retain ability to return to industrial use.
- Rezoning is recommended in Implementation section of the plan. Approval of plan will not change zoning. Both PED rezoning, and changes to underlying Industrial zoning will require additional separate action by Zoning Committee and City Council.

Economic Development and Planning Committee

- On September 1, 2004 the Committee received staff background briefing; reviewed Planning Commission comments; discussed CDOT's West Morehead Street lane changes already underway.
- Issues discussed
 - Carrying capacity of the reduced lane count
 - Impact on emergency evacuation routes
 - Impact on meeting future commuter traffic growth
 - Impact on special events such as Panthers and Bobcats games
 - Whether space devoted to bicycles was appropriate
- Staff noted that these points were considered by CDOT in their project development. CDOT will provide technical response at Council presentation. Economic Development and Planning Committee will make its recommendation on November 3, 2004. Council action tentatively scheduled for November 8, 2004.
- Staff will initiate applications for adoption of PED overlay zoning and proposed underlying zoning changes, with schedule to be determined.

Attachment 1

Draft West Morehead Land Use & Pedscape Plan

9. Public Hearing and Resolution to Close a Residual Portion of Right-of-Way on Park Road

Action: **A. Conduct a public hearing to close a residual portion of right-of-way on Park Road, and**
 B. Adopt a Resolution to Close.

Staff Resource: Roger Buell, CDOT

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 has received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

The Armenian Church of Charlotte – Arthur Yessayan

Right-of-Way to be abandoned:

A residual portion of right-of-way on Park Road

Location:

- Located within the Spring Valley Community
- Beginning at the intersection of Spring Valley Road and Park Road continuing approximately 220 feet north to its terminus approximately 82 feet from the intersection of Frederick Drive and Park Road

Reason

To incorporate the right-of-way into adjacent property owned by the petitioner for future development/construction of the new Armenian Church of Charlotte

Notification

In accordance with City Policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining property owners – None

Neighborhood/Business Associations –

B.I.K.E.S. of Charlotte Mecklenburg – No objections
 Closeburn/Glenkirk Neighborhood – No objections
 Heatherstone Neighborhood Association – No objections
 Madison Park Neighborhood Association – No objections
 Quail Hollow II HOA – No objections
 Wellsford – No objections
 Beverly Woods Civic Association – No objections
 Huntingtowne Farms Neighborhood Associates – No objections
 Quail Hollow Estates IV HOA – No objections
 Quail Hollow West – No objections
 Quail Hollow East Condo Associates – No objections
 Wolfe Ridge HOA – No objections
 Fairmeadows Neighborhood Association – No objections

Leafcrest (CHA) – No objections
 Spring Valley – No objections

Private Utility Companies – No objections.

City Departments –

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

Attachment 2

Map

10. Public Hearing and Resolution to Close Vanderburg Street and a Portion of a 10-foot Alleyway

Action: **A. Conduct a public hearing to close Vanderburg Street and a portion of a 10-foot alleyway; and**

B. Adopt a Resolution to Close.

Staff Resource: Roger Buell, CDOT

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 has received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

Charlotte Mecklenburg Board of Education – Guy Chamberlain

Right-of-Way to be abandoned

Vanderburg Street and a portion of a 10-foot alleyway

Location

- Located within the First Ward Community
 - Vanderburg Street: beginning at the intersection of East 10th Street continuing approximately 360 feet northeastwardly to its terminus at a 10-foot alleyway

- 10-foot alleyway: beginning at the intersection of Vanderburg Street continuing approximately 151 feet to its terminus.

Reason

To incorporate the right-of-way into adjacent property owned by the petitioner for the expansion of a school bus and teachers parking lot at Piedmont Open Middle School

Notification:

In accordance with City Policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining property owners:

City of Charlotte – No objections

Neighborhood/Business Associations –

- Chantilly Neighborhood Association – No objections
- Elizabeth Community Association – No objections
- Plaza-Midwood Neighborhood Association – No objections
- First Ward Neighbors, Inc. – No objections
- Cherry Community Organization – No objections

Private Utility Companies – No objections

City Departments –

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

Attachment 3

Map

11. Public Hearing and Resolution to Close Three Alleyways Bounded by Randall Street, Firth Court, and Fulton Avenue

- Action:**
- A. Conduct a public hearing to close three alleyways bounded by Randall Street, Firth Court, and Fulton Avenue and**
 - B. Adopt a Resolution to Close.**

Staff Resource: Roger Buell, CDOT

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 has received a petition to abandon public right-of-way and requests this Council Action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

Robert T. Drakeford

Right-of-Way to be abandoned

Three 10-foot alleyways bounded by Randall Street, Firth Court and Fulton Avenue

Location

Located within the Plaza Midwood Community

- Alleyway #1: beginning from Randall Street continuing approximately 190 feet south to its terminus at alleyway #2
- Alleyway #2: beginning from the southern end of alleyway #1 continuing approximately 150 feet eastwardly to its terminus at the southern end of alleyway #3
- Alleyway #3: beginning from the east side of alleyway #2 continuing approximately 200 feet north to its terminus at Randall Street

Reason

To incorporate the right-of-way into adjacent property to allow more usable space associated with the proposed Firth Court Village Single Family Project

Notification

In accordance with City Policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining property owners

John A. Williams – No objections
 Jeffrey W. Roberts – No objections
 Barbara D. Berryhill – No objections
 Jonathan N. Wright – No objections
 Robert Scott Miller – No objections
 Cecil Howard – No objections
 Guthrie Holdings Company, LLC – No objections

Neighborhood/Business Associations

Country Club Heights Neighborhood Association – No objections

Chantilly Neighborhood Association – No objections
Belmont Generations – No objections
Belmont Neighborhood Strategy Force – No objections
Plaza Midwood Neighborhood Association – No objections
Belmont Tenant Organization – No objections
Elizabeth Community Association – No objections

Private Utility Companies – No objections

City Departments

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

Attachment 4

Map

POLICY

12. City Manager's Report

13. Small Business Opportunity Program with Citywide M/WBE Goals



Action: A. Approve the Restructuring Government Committee's recommendation to adopt SBO Program Option 2 and establish a Small Business Opportunity Program with Citywide M/WBE goals in response to the 1998-2002 Disparity Study and CY2003 Disparity Analysis, and
B. Approve the FY2005 Citywide M/WBE Goals.

Committee Chair: James Mitchell

Staff Resource: Tiffany Capers, Economic Development

Explanation

- In April 2004, the City Manager recommended Program Option 2 for Council approval. This option established aspirational Citywide M/WBE goals and represented a "low risk" of the Program facing legal challenge.
- The recommendation was based, in part, on legal action against the City. Because of the court order, the City Manager recommended implementing and evaluating the effects of a race- and gender-neutral program before the City sought to remedy M/WBE underutilization. Consequently, it was recommended that the City not institute an M/WBE program, or any components thereof, before assessing the success of the Small Business Development Program after a reasonable time following implementation.
- When referred to committee, the Restructuring Government Committee was unable to make a program option recommendation to the full Council, as Option 2 for Citywide M/WBE goals received 2 votes and Option 3 for M/WBE goals per project also received 2 votes.
- Before making a final decision on the Program Options, the full Council decided to consider the Calendar Year (CY)2003 Disparity Analysis and assess the impact of the Small Business Development Program on contractor underutilization found in CY2002.
- On August 23, 2004, staff presented the CY2003 Disparity Analysis to Council. The Analysis indicated that the Small Business Opportunity Program had a positive effect on M/WBE underutilization and that the Program had been successful in addressing most of the disparity that was found for construction subcontractors in CY2002.
- On September 16, 2004, the Restructuring Government Committee voted unanimously (Mitchell, Lochman, Graham, Kinsey and Lassiter) in favor of Program Option 2 and recommend Citywide M/WBE goals.

Recommended Race and Gender Goals

- The recommended race and gender goals for each business category by race/ethnic/gender classification are included in the attachment.
- The goals by business category are shown in the following chart.

Business Category	Goal
Construction Prime Contractors less than \$30,000	15.13%
Construction Prime Contractors greater than \$30,000	15.41%
Architecture & Engineering Prime Consultants	12.82%
Professional Services Prime Consultants	17.67%
Other Services Prime Contractors	9.14%
Goods & Supplies Prime Contractors	6.70%

Corresponding Administrative Actions

- With the approval of the revised Small Business Opportunity Program in September 2003, City Council authorized the City Manager to make changes in the Small Business Opportunity Program from time to time (Section 14.8).
- Effective September 20, 2004, City Manager approved recommended changes in the waiver provisions outlined in the Small Business Opportunity Program.
- The recommended changes will:
 - Clarify instances when a waiver can be granted for bidders who do not comply with the Small Business Opportunity Program.
 - Support the intent of the Program by allowing the Program Manager to waive non-compliance by a low bidder, who meets the SBE Utilization Goal but fails to comply with Mandatory outreach and Good Faith Efforts requirements, to be awarded a contract.

Attachment 5

Memorandum Outlining Recommendation
FY2005 Citywide M/WBE Goals

14. Annual Performance Evaluations for the City Manager and City Attorney



Action: Approve the Restructuring Government Committee's Recommendations for the Annual Evaluations of the City Manager and the City Attorney.

Committee Chair: James Mitchell

Staff Resources: Pam Syfert, City Manager
Mac McCarley, City Attorney
Tim Mayes, Human Resources Director

Explanation

- In June 2004 the City Council approved a new evaluation process for the City Manager and the City Attorney.
- Part of that process was to employ Lyle Sumek to meet with the Mayor and City Council members to determine the most important aspects of these annual evaluations from individual perspectives.
- Following those meetings Mr. Sumek recommended an evaluation process and evaluation form that were different from that approved by Council in June.
- Council referred the issue back to Restructuring Government for additional consideration.
- Restructuring Government met on September 16, 2004 and unanimously recommended the attached evaluation process.

Committee Discussion

- The Committee voted unanimously (Mitchell, Lochman, Graham, Kinsey and Lassiter) to recommend the attached evaluation process.
- The Committee directed Mr. Sumek to work with the City Manager and the City Attorney to reduce the number of performance standards to approximately 5 for each evaluation criteria. The reduced number of standards is reflected in the attached recommended process.
- The Committee selected a rating scale with 5 rating points: Below Expectations, Needs Improvement, Meets Expectations, Above Expectations and Exceeds Expectations.
- The Committee approved the evaluation forms to be completed by the Mayor and Council members for the City Manager and the City Attorney.
- The Committee also recommended that the Restructuring Government Committee be charged with oversight of future City Manager and City Attorney annual evaluation processes.
- The Committee also recommended that the evaluations be completed in July in future years.

Next Steps

- Evaluation forms as approved by City Council and performance reports from the City Manager and City Attorney will be sent to the Mayor and City Council members in the Wednesday, September 29, 2004 package. A compensation report from the Human Resources Director will also be included.
- The Mayor and City Council members are requested to return the evaluation forms to Lyle Sumek by October 6, 2004.
- Council has set Monday, October 11, 2004 from 4:00 p.m. to 6:00 p.m. as the time for the City Manager's evaluation.
- Council has set Monday, October 18, 2004 from 4:00 p.m. to 5:00 p.m. as the time for the City Attorney's evaluation.

Attachment 6

Evaluation Process

BUSINESS

15. Solid Waste Services for East Zone



- Action:**
- A. Authorize the City Manager to negotiate a Memorandum of Understanding with an initial term of five years and two possible one-year extensions with the City's Solid Waste Key Business Unit for refuse, recycling, yard waste, and bulky item pickup for the East Zone of the City, and**
 - B. Amend Section 5 of the 2004-2005 Budget Ordinance, approved by City Council on June 14, 2004, to include funds not to exceed \$3.5 million for the lease purchase of trucks required by the East Zone bid.**

Resources: Clark Jackson, Privatization and Competition Advisory Committee (PCAC)
Julie Burch, Assistant City Manager
David Elmore, PCAC Staff Liaison

Policy

Privatization / Competition Policy

Explanation

- The current Memorandum of Understanding (MOU) between the City and the Solid Waste Services Key Business Unit to provide refuse, recycling, yard waste and bulky item pickup for the East Zone of Charlotte will conclude June 30, 2005.
- City staff from Solid Waste Services, Procurement Services, Internal Audit and Legal, in conjunction with the Privatization and Competition Advisory Committee (PCAC), developed a Request For Qualifications (RFQ).
- The RFQ was issued on January 5, 2004 and produced five responses from private companies.
- Internal Audit reviewed each of the private companies financial information and found that four of the companies appeared to be financially capable of performing the services. The one company in question voluntarily dropped out of the competition.
- The same team that developed the RFQ also developed a Request for Proposals (RFP) that was issued on March 1, 2004.
- The City's Solid Waste Services KBU and one private company responded to the RFP.
- The private company that responded was Inland Services Corporation (Inland Services), based in Laguna Vista, Texas.
- Pending the award of the East Zone bid, Section 5 of the June 14, 2004 Budget Ordinance included \$12,000,000 for the General Capital Equipment Fund. This amount did not include any replacement vehicles for the East Zone. The amended total for the General Capital Capital Equipment Fund will be \$15,500,000.

Evaluation

- An evaluation team composed of PCAC members Clark Jackson, Bill Cornett, Raphael Basisa, Dwayne Campbell, Assistant City Manager Julie Burch, and Utilities KBE Doug Bean reviewed the proposals.
- The City's Solid Waste Services KBU and Inland Services gave presentations to the evaluation team on July 28, 2004.
- The City also retained R. W. Beck, a solid waste consulting firm, to review each proposal for an evaluation of each proposal's operational feasibility.
- Information was provided to the PCAC relating to:
 - Pricing for each proposal
 - References for Inland Services
 - R.W. Beck solid waste consultants report
 - Both proposers response to the consultants report
 - Contract language provided in the RFP

Recommendation

- The PCAC met on August 28, 2004 and voted unanimously to recommend the City's Solid Waste Services KBU be awarded the contract to serve the East Zone under a five-year contract with two possible one-year extensions beginning July 1, 2005.
- Contract monitors employed by the City's Solid Waste Services KBU will be responsible for monitoring the contract. The same contract monitors that currently monitor the City's performance in the East Zone will continue to be responsible for monitoring the performance of Solid Waste under the new Memorandum of Understanding.
- City Council was briefed on this recommendation at the September 7th workshop.

Funding

Solid Waste Operating Budget and Capital Equipment Fund

Summary of Proposals

Year	Inland Present Value	SWS KBU Present Value
One	4,704,661	4,339,755
Two	4,593,349	4,511,237
Three	4,690,767	4,627,198
Four	4,824,262	4,607,871
Five	4,834,768	4,596,041
Five Year Total	\$23,647,810	\$22,682,106
Present Value Difference		\$965,704

Attachment 7

Budget Ordinance

16. Hoskins and Johnston Mill Apartments

Action: A. Approve the agreement between the City of Charlotte and LaMar Development, LLC to maintain the Hoskins Mill Apartments as affordable housing.

B. Authorize the City Manager to acquire the first mortgage from LaMar Development, LLC for up to \$800,000 to maintain the Johnston Mill Apartments as affordable housing.

Staff Resource: Stanley D. Watkins, Neighborhood Development
Stan Wilson, Neighborhood Development

Policy

- The City's FY2005 Consolidated Action Plan approved by City Council on May 10, 2004 identifies the need for affordable, safe and decent housing for low and moderate-income families.
- Plan supports the three basic goals of the City's Housing Policy - preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

Hoskins Mill Apartments

- Hoskins Mill is a 189 unit multi-family apartment complex, including 94 elderly units, located at 201 South Hoskins Road in west Charlotte.
- On December 16, 1988, the City made a balloon loan in the amount of \$2,355,000. This was one of Charlotte's first tax credit projects.
- On August 10, 2004 LaMar Developers, LLC, the holder of the first and second mortgages on Hoskins Mill Apartments acquired the apartments through foreclosure.
- It was not feasible for the City to bid at foreclosure because
 - the total debt of \$4.9 million on the property and only an \$1.6 million appraised value; and
 - the City's \$2,355,000 third lien position and a third party estimate of rehabilitation cost at \$4.2 million.
- Therefore City staff reached an agreement with LaMar that includes the following conditions:
 - The 94 elderly units will remain affordable at 60% or less than the AMI for an additional 12 years.
 - LaMar shall obtain financing and complete the rehabilitation of the mill building within two years after it obtains title.
 - LaMar shall not increase rent on any eligible tenants residing in the elderly units on the date of property acquisition.
 - LaMar shall cure all deferred maintenance issues to the Elderly Units within one year after it acquires title.
 - The agreement with LaMar includes penalties for non-compliance with affordability restrictions, deferred maintenance, improper tenant evictions and improper rent increases.

- The 94 elderly units are approximately 65% occupied. Approximately 30 residents could be displaced because they are under age 55, the requirement for elderly housing. Previous management did not monitor the tenant requirements.
- Staff is working with these residents to provide assistance in identifying other housing options.
- The remaining 95 units in the Mill building are vacant and boarded up. In the agreement, LaMar states that these units will be renovated within two years.

Johnston Mill Apartments

- In 1991, the Johnston Mill Associates Limited Partnership was formed to acquire, own, construct, manage and lease the 90-unit apartment complex. This was also one of Charlotte's first tax credit projects. In May 1992, the City approved a deferred loan totaling \$3.3 million. The City of Charlotte's loan is in second lien position.
- The first mortgage is a \$600,000 loan, which is currently held by LaMar Development, LLC. In June 2003, foreclosure on the property was initiated to collect on the delinquent first mortgage; the owners then put the property into bankruptcy.
- Prior to bankruptcy, the apartments were scheduled for foreclosure on July 3, 2003. On June 23, 2003, City Council concurred with the City Manager's recommendation to bid at the foreclosure sale for Johnston Mill Apartments to acquire the properties. Council went into Executive Session to establish a bid price.
- As a condition to keep the elderly units in Hoskins Mill affordable, the City would acquire the first mortgage for up to \$800,000 (includes interest and fees) from LaMar Development for the Johnston Mill Apartments. The property is currently in bankruptcy and the City's \$3.4 million debt is in a second lien position.
- Once the City acquires the property it would be bid out to a non-profit to own and operate as affordable housing.

Funding: Local/Federal HOME Funds

Attachment 8

Background

Agreement between the City and LaMar Development, LLC

MAYOR AND COUNCIL TOPICS

At the end of the formal agenda, Council members may share information and raise topics for discussion.

Introduction to CONSENT

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

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

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

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

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

Contractors and Consultants

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

CONSENT I

17. Various Bids

A. Furniture for CATS' New South Tryon Bus Facility CATS

Action:

Award the low bid of \$200,787.61 to Carolina Business Interiors, Inc. of Charlotte, North Carolina to supply furniture for the new CATS' South Tryon Bus Facility now under construction. Most of the modular furniture needed for the facility was previously purchased off of a US Communities contract approved by City Council in June. This award will purchase the remaining furniture consisting mostly of separate pieces such as chairs, conference room tables, shelving, etc. All the furniture will be delivered and installed when the facility is completed in Spring 2005.

Disadvantaged Business Enterprise Opportunity

Established DBE Goal: 0 %

No furniture-related firms are currently certified with CATS.

B. Chantilly Phase IV Storm Drainage Improvements EPM**Action:**

Award the low bid of \$979,900.42 by Ferebee Corporation, of Charlotte, North Carolina. This project will address street flooding, house flooding, and stream erosion within the Chantilly neighborhood southeast of the Pecan Avenue and Independence Freeway intersection. This project was initiated based on the severity of drainage problems as ranked by Storm Water Services, and upon citizen service requests. Construction completion is anticipated in third quarter 2005.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 7%

Ferebee committed 7% (\$71,535) of the total contract amount with the following certified SBE: On Time Construction

C. Charlotte-Mecklenburg Governmental Center Emergency Power Systems Improvements EPM**Action:**

Award the low bid of \$257,510 by Howard Brothers Electric Company, Inc., of Charlotte, North Carolina. This project provides additional emergency circuit capacity to meet the current building code. Construction completion is anticipated in second quarter 2005.

Small Business Opportunity

Established SBE Goal: 2%

Committed SBE Goal: 0%

Howard Brothers Electric Company, Inc. complied with the good faith efforts. Howard Brothers contacted 10 SBE firms with no responses.

D. Street Improvements in FY2001 Annexed Areas EPM**Action:**

Award the low bid of \$632,453.25 by Sealand Contractors Corp., Charlotte, North Carolina. This project is part of the ongoing Street Annexations Program and will widen four streets (Rebecca Avenue, Ellen Avenue, New Pineola Road and Dawnalia Drive) in the FY2001 annexed area west of West Tyvola Road and east of West Boulevard.

Improvements to streets will include grading, widening, paving, reshaping of ditches and pipe installation. Construction completion is anticipated in first quarter 2005.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 8%

Sealand Contractors committed 8% (\$48,335) of the total contract amount with the following certified SBEs: On Time Construction and H & H Hauling.

E. Resurfacing FY2004 B EPM**Action**

Award the low bid of \$5,711,117 by Crowder Construction Company of Charlotte, North Carolina. This project spans approximately 93 miles of city streets and includes pavement milling; resurfacing; manhole and water valve adjustments; wheelchair ramp construction and associated traffic control. The City has two resurfacing contracts each year, Spring (A) and Fall (B). This contract is for Fall.

Small Business Opportunity

Established SBE Goal: 4%

Committed SBE Goal: 6%

Crowder committed 6% (\$335,088.70) of the total contract amount with the following certified SBEs: A-1 Pavement Markings, and Conmat Development.

F. FY2005 Sanitary Sewer Rehabilitation (Paw Creek, Upper Little Sugar Creek and Briar Creek Basins) CMU**Action**

Award the low bid of \$5,491,818.21 to Mountain States Contractors LLC of Durham, North Carolina for rehabilitation of sanitary sewers and manholes throughout service areas in the Paw Creek, Upper Little Sugar Creek, and Briar Creek basins.

Small Business Opportunity

Established SBE Goal: 5.00 %

Committed SBE Goal: 0.00%

Mountain States Contractors LLC complied with the good faith efforts and committed \$655.76 to the following SBE firms: Signs by Tomorrow.

G. FY2005 Contract # 4 –Water and Sewer Construction Street Main Extensions CMU**Action**

Award the low bid of \$1,085,822.60 to UW2 Contractors, Inc. of Stanfield, North Carolina for construction of sanitary sewer and water mains along existing roadways in Mecklenburg County.

Small Business Opportunity

Established SBE Goal: 3.00 %

Committed SBE Goal: 3.04 %

UW2 Contractors, Inc. committed \$33,000.00 to the following SBE firms: Mechanical Supply Company, Pave Carolina and Allegiance Staffing

**H. FY2005 Contract # 3 –Water and Sewer Construction CMU
Street Main Extensions**

Action

Award the low bid of \$1,242,541.00 by R. H. Price, Inc. of Charlotte, North Carolina for construction of sanitary sewer and water mains along existing roadways in Mecklenburg County.

Small Business Opportunity

Established SBE Goal: 3.00 %

Committed SBE Goal: 3.22 %

R. H. Price, Inc. committed \$40,000 to the following SBE firms:
Huneycutt Utilities and Pave Carolina.

I. Water Meter Yokes and Accessories BSS/CMU

Action

Award the low bid for a unit price contract for Water Meter Yokes and Accessories to Hughes Supply, Charlotte, North Carolina in the estimated annual amount of \$183,656.00. This will be a one-year contract, with the option to renew for two additional one year terms.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

18. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$64,076.48.

Attachment 9

Resolution

List of property tax refunds

19. In Rem Remedy

For In Rem Remedy #A-TT, 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 Plan

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety

- A. 122 S. Gregg St. (Neighborhood Statistical Area 25 - Smallwood Neighborhood)
- B. 838 Seldon Dr. (Neighborhood Statistical Area 25 - Smallwood Neighborhood)
- C. 9418 Mallard Creek Rd. (Neighborhood Statistical Area - Non Residential Neighborhood)
- D. 1244 Pegram St. (Neighborhood Statistical Area 51 - Belmont Neighborhood)
- E. 2329 Rozzelles Ferry Rd. (Neighborhood Statistical Area 25 - Smallwood Neighborhood)
- F. 4115 Glory St. (Neighborhood Statistical Area 40-Sugaw Creek/Ritch Ave. Neighborhood)
- G. 4522 Wildwood Ave. (Neighborhood Statistical Area 19 - Thomasboro/Hoskins Neighborhood)
- H. 4650 Northaven Dr. (Neighborhood Statistical Area 40 - Sugaw Creek/Ritch Ave. Neighborhood)

Complaint

- I. 4412 Hovis Rd. (Neighborhood Statistical Area 19-Thomasboro/Hoskins Neighborhood)

Field Observation

- J. 3700 Beatties Ford Rd. (Neighborhood Statistical Area 124 - Slater Rd./Hamilton Cir. Neighborhood)
- K. 844 Seldon Dr. (Neighborhood Statistical Area 25 - Smallwood Neighborhood)
- L. 1001 Gore St. (Neighborhood Statistical Area 110 - Wildwood Neighborhood)
- M. 219/221 Bradford Dr. (Neighborhood Statistical Area 19 - Thomasboro/Hoskins Neighborhood)
- N. 6613 Rockwell Blvd. West (Neighborhood Statistical Area 42 - Rockwell Park/Hemphill Heights Neighborhood)
- O. 6400 Carver Blvd. (Neighborhood Statistical Area 42 - Rockwell Park/Hemphill Heights Neighborhood)
- P. 9233-2 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
- Q. 9233-3 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
- R. 9233-3A Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
- S. 9233-5 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
- T. 9233-6 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
- U. 9233-7 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
- V. 9233-8 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)

W. 9233-9 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
X. 9233-11 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
Y. 9233-12 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
Z. 9233-13 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
AA. 9233-14 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
BB. 9233-15 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
CC. 9233-16 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
DD. 9233-17 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
EE. 9233-18 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
FF. 9233-19 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
GG. 9233-20 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
HH. 9233-21 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
II. 9233-22 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
JJ. 9233-23 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
KK. 9233-26 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
LL. 9233-27 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
MM. 9233-28 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
NN. 9233-29 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
OO. 9233-30 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
PP. 9233-31 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
QQ. 9233-32 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
RR. 9233-34 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
SS. 9233-35 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)
TT. 9233-36 Nations Ford Rd. (None, near Neighborhood Statistical Area 198)

Public Safety

A. 122 S. Gregg St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 122 S. Gregg St. (Neighborhood Statistical Area 25-Smallwood Neighborhood).

Attachment 10

B. 838 Seldon Dr.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 838 Seldon Dr. (Neighborhood Statistical Area 25-Smallwood Neighborhood).

Attachment 11

C. 9418 Mallard Creek Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9418 Mallard Creek Rd. (Neighborhood Statistical Area -Non Residential Area).

Attachment 12

D. 1244 Pegram St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1244 Pegram St. (Neighborhood Statistical Area 51-Belmont Neighborhood).

Attachment 13

E. 2329 Rozzelles Ferry Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2329 Rozzelles Ferry Rd. (Neighborhood Statistical Area 25-Smallwood Neighborhood).

Attachment 14

F. 4115 Glory St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4115 Glory St. (Neighborhood Statistical Area 40-Sugaw Creek/Ritch Ave. Neighborhood).

Attachment 15

G. 4522 Wildwood Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4522 Wildwood Ave. (Neighborhood Statistical Area 19-Thomasboro/Hoskins Neighborhood).

Attachment 16

H. 4650 Northaven Dr.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4650 Northaven Dr. (Neighborhood Statistical Area 40- Sugaw Creek/Ritch Ave. Neighborhood).

Attachment 17

Complaint:

I. 4412 Hovis Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4412 Hovis Rd. (Neighborhood Statistical Area 19-Thomasboro/Hoskins Neighborhood).

Attachment 18

Field Observation:

J. 3700 Beatties Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3700 Beatties Ford Rd. (Neighborhood Statistical Area 124-Slater Rd/Hamilton Cir. Neighborhood).

Attachment 19

K. 844 Seldon Dr.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 844 Seldon Dr. (Neighborhood Statistical Area 25-Smallwood Neighborhood).

Attachment 20

L. 1001 Gore St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1001 Gore St. (Neighborhood Statistical Area 110- Wildwood Neighborhood).

Attachment 21

M. 219/221 Bradford Dr.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 219/221 Bradford Dr. (Neighborhood Statistical Area 19- Thomasboro/Hoskins Neighborhood).

Attachment 22

N. 6613 Rockwell Blvd. West

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6613 Rockwell Blvd. West (Neighborhood Statistical Area 42- Rockwell Park/Hemphill Heights Neighborhood).

Attachment 23

O. 6400 Carver Blvd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6400 Carver Blvd. (Neighborhood Statistical Area 42- Rockwell Park/Hemphill Heights Neighborhood).

Attachment 24

P. 9233-2 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-2 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 25

Q. 9233-3 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-3 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 26

R. 9233-3A Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-3A Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 27

S. 9233-5 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-5 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 28

T. 9233-6 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-6 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 29

U. 9233-7 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-7 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 30

V. 9233-8 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-8 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 31

W. 9233-9 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-9 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 32

X. 9233-11 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-11 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 33

Y. 9233-12 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-12 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 34

Z. 9233-13 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-13 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 35

AA. 9233-14 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-14 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 36

BB. 9233-15 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-15 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 37

CC. 9233-16 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-16 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 38

DD. 9233-17 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-17 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 39

EE. 9233-18 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-18 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 40

FF. 9233-19 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-19 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 41

GG. 9233-20 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-20 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 42

HH. 9233-21 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-21 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 43

II. 9233-22 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-22 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 44

JJ. 9233-23 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-23 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 45

KK. 9233-26 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-26 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 46

LL. 9233-27 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-27 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 47

MM. 9233-28 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-28 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 48

NN. 9233-29 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-29 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 49

OO. 9233-30 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-30 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 50

PP. 9233-31 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-31 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 51

QQ. 9233-32 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-32 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 52

RR. 9233-34 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-34 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 53

SS. 9233-35 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-35 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 54

TT. 9233-36 Nations Ford Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9233-36 Nations Ford Rd. (None, near Neighborhood Statistical Area 198).

Attachment 55

CONSENT II

20. Voluntary Annexation of Property on Bryant Farms Road - Ballantyne YMCA

Action: Adopt an ordinance, effective September 27, 2004, to extend the corporate limits to include the Ballantyne YMCA property.

Staff Resources: Jonathan Wells, Planning Commission
Mike Boyd, City Attorney's Office

Policy:
City Annexation Policy and State Annexation Statutes

Explanation:

- Voluntary annexation petition was received from YMCA of Greater Charlotte for land it owns in Charlotte's extraterritorial jurisdiction.
- The 22.9 acre parcel is the site of the Ballantyne YMCA.
- Property shares a boundary with current City limits.
- At its June 14, 2004 meeting, City Council set July 26, 2004 as the required public hearing date.
- Annexation ordinance establishes effective annexation date of September 27, 2004.

Consistency with City Council Policies

- Request is consistent with voluntary annexation policies approved on March 24, 2003.
- Annexation will not adversely affect the City's ability to undertake future annexations.
- Annexation will not impact City finances or services.
- Annexation will not result in situation where unincorporated areas will be encompassed by new City limits.
- Annexation will enable consideration of one qualifying area for 2005 annexation that would not likely have qualified otherwise.

Community Input:

- The public hearing was held on July 26, 2004, and there were no speakers.

Attachment 56

Certificate of Sufficiency
Annexation Ordinance
Map of proposed annexation area

21. Aviation Budget Ordinance for Concession Upfits

Action: Adopt a budget ordinance appropriating \$1,249,528.20 of private source funding for reimbursement of concession upfits and transfer \$1,249,528.20 from the Aviation Capital Project Fund to the Airport Discretionary Fund.

Staff Resource: Jerry Orr, Aviation

Explanation

- In February 2002, the Airport opened E Concourse.
- In order to have the necessary food, beverage and retail concessions on E Concourse, the City built Fox Sports Bar and Grill, as well as a retail store, the Charlotte Daily News.
- Thereafter, the City entered into a management agreement with Host International, Inc. (Host) to operate these concessions.
- The terms of that agreement permits Host to purchase the City's investment in the facility and operate them pursuant to their Master Concession Agreement with the City. Host has previously notified the City and exercised its option to purchase the City's investment in the concessions.
- This action replaces the City's funds and reflects Host's funds as the permanent funding source.

Funding

Airport Capital Investment Plan

Attachment 57

Budget Ordinance

22. Federal Aviation Administration Grant

Action: Adopt a budget ordinance appropriating \$15,359,406 in Federal Aviation Administration grant funds and transfer \$567,684 from the Aviation Capital Project Fund to the Airport Discretionary Fund.

Staff Resource: Jerry Orr, Aviation

Explanation

- On August 23, 2004, Council accepted a Federal Aviation Administration grant in the amount of \$15,359,406.
- This budget ordinance appropriates those grant funds and returns the aviation funds previously advanced in anticipation of the grant to the Airport Discretionary Fund.

Funding

Grant Funds and Airport Discretionary Fund Balance

Attachment 58
Budget Ordinance

23. Federal Aviation Administration Grant Amendment

Action: Adopt a budget ordinance appropriating a Federal Aviation Administration grant amendment in the amount of \$208,798.

Staff Resource: Jerry Orr, Aviation

Explanation

- On May 29, 2001, Council approved the acceptance of a Federal Aviation Administration Grant in the amount of \$14,229,895.
- A portion of those funds reimbursed the city for the construction of Ramp E.
- As part of the grant closeout review process, staff determined that the city is eligible to receive additional federal funds.
- The Federal Aviation Administration approved an amendment to the grant, in the amount of \$208,798.
- This action appropriates the additional federal funds to the Aviation Capital Improvement Fund.

Attachment 59
Budget Ordinance

24. Aviation Budget Ordinance for 1999 Bonds

Action: Adopt a budget ordinance transferring \$6,800,000 of 1999 Series D General Airport Revenue Bond funds to the Debt Service Fund and transferring \$3,500,000 of 1999 Series D Debt Service Reserve to the Aviation Capital Improvement Fund.

Staff Resource: Jerry Orr, Aviation

Explanation

- On December 2, 1999, the City issued \$88,805,000 in variable rate General Airport Revenue Bonds (Series D).
- Proceeds from these bonds will fund the acquisition of land previously approved by Council on April 28, 1997 as part of the Airport's 1997 Master Plan.
- It was the intent of the City to redeem up to \$60,000,000 of these bonds upon the receipt of Federal Grants over a period of nine years.
- The budget ordinance transfers Bond Funds to the Debt Service Fund to redeem a portion of the outstanding debt.
- Concurrent with the redemption of the Series D Bonds, the associated Debt Service Reserve can be reduced to 10% of the outstanding bonds.
- The budget ordinance effects that reduction and will provide additional funding for the 1997 Master Plan program.

Funding
Bond Funds

Attachment 60
Budget Ordinance

25. 2004 General Airport Revenue Bonds Appropriation

Action: Adopt a budget ordinance appropriating \$165,056,340 of 2004 General Airport Revenue Bonds.

Staff Resource: Jerry Orr, Aviation

Explanation

- On August 23, 2004, City Council approved a resolution authorizing the issuance of up to \$215,000,000 in General Airport Revenue Bonds, to fund projects approved in the 1997 Airport Master Plan.
- On September 15, 2004, the City issued \$150,775,000 in fixed rate General Airport Revenue Bonds, with a term of 30 years at an average interest rate of 5%. Part of the proceeds from these bonds will reimburse the City for previously constructed airfield and terminal projects. Additionally, the bonds will fund a 24 gate expansion to Concourse E, construct a new parking deck and construct new roadways, in addition to other airfield and terminal projects.
- On September 15, 2004, the City issued \$16,160,000 in variable rate General Airport Revenue Bonds, with a term of thirty years at an initial interest rate of 3.24%. Proceeds from these bonds will fund the design of a third parallel runway, construct an aircraft deicing facility and complete various airfield projects previously approved in the 1997 Airport Master Plan.
- The difference in the appropriation amount and the issue amount relates to other issuance cost, (bond attorney, airport consultant, underwriter's discount,) which are not part of the construction cost.
- The Airport Advisory Committee recommends this action.

Attachment 61
Budget Ordinance

26. Airport Contract Extension with Advertising Manager

Action: Approve a one-year extension to the contract with Departure Media, the manager of the airport advertising program.

Staff Resource: Jerry Orr, Aviation

Explanation

- In September 1999, the City contracted with Departure Media to manage the airport advertising program.

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- Departure Media has marketed all airport advertising, coordinated installation of advertising copy, and conceptualized and developed all advertising displays. Departure is paid \$80,000 per year, plus 20% of revenues over \$700,000.
- This contract was for an initial five years, and provides for an extension at the City's option and for a length of time to be determined by the City.
- This one-year extension will terminate on October 31, 2005.
- Prior to the contract's initiation, the program operated through a concession agreement, pursuant to which the City had minimum control over types of terminal advertising.
- The management contract has provided more opportunities for the City by:
 - Providing custom advertising opportunities, such as promotional events
 - Increasing the number of local advertisers in the Airport
 - Providing marketing of Charlotte and the region
 - Increasing the City's advertising revenues by \$800,000 over 5 years

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Small Business Opportunity

Established SBE Goal: N/A

SBE Participation: 100%

This contract was initiated prior to the institution of the SBO program. Therefore, there are no goals. Because the current contractor will continue to perform all work, the extension complies with Section 10.3 of the SBO Program.

Departure Media is a certified SBE and a DBE. One hundred percent (100%) of the contract amount will count toward meeting the City's overall SBE utilization goal.

Funding

Airport Operating Budget

27. Airport Carpet Purchase

- Action:**
- A. Approve the purchase of carpet without competitive bidding, as authorized by the cooperative purchasing exemption of G.S 143-129(e)(3); and**
 - B. Approve a contract with Bonitz Flooring, Inc. for the purchase of carpet in the amount of \$165,350.**

Staff Resource: Jerry Orr, Aviation

Explanation

- This contract will provide approximately 5,000 square yards of airport standard carpet that is used throughout the entire terminal complex.
- The Airport selected this standard carpet for the terminal complex in 1994.

- The Airport will use a national contract that Milliken & Company established through the US Communities Purchasing Alliance that guarantees their lowest prices. Bonitz Flooring, Inc. is the local representative for Milliken and Company.
- The US Communities Purchasing Alliance conducts its own competitive bidding process. Purchases through Alliance contract comply with state bid laws.

Small Business Opportunity

Established SBE Subcontractor Goal: 0%

Committed SBE Subcontractor Goal: 0%

This contract is exempt under Section 2.21 of the SBO Policy because we are utilizing the US Communities Government Purchasing Alliance.

Funding

Airport Operating Budget

28. Airport Building Management System Maintenance

Action: **A. Extend service agreement contract in the amount of \$282,600 for calendar year 2005, and**
B. Approve change order totaling \$225,000 for parts and repairs.

Staff Resource: Jerry Orr, Aviation

Explanation

- In February 2001, Council approved a service agreement with Johnson Controls for building management and fire alarm systems operations and maintenance at the airport.
- This service contract provides preventative maintenance for the more complex elements of the building automation system, which centralizes control of all heating, ventilating and air conditioning, lighting, fire safety and security alarm programs.
- The service agreement was for three years with an option to renew for two additional one year terms.
- This action will cover the last option year of the service contract for \$282,600 for the period of January 1, 2005-December 31, 2005 and miscellaneous parts needed for repairs and maintenance for a period of October 1, 2004 through December 31, 2005 in the amount of \$225,000.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

This action is exercising a one-year extension approved in the original contract award. The vendor has self-performed in prior years and will continue to self perform. This action complies with Section 10.3 of the SBO Program policy.

Funding

Airport Operating Budget

29. New Airport Parking Deck Construction

Action: Award a contract to Dakota Contracting Company of Charlotte, North Carolina in the amount of \$1,065,000 for construction of a retaining wall and roadway for the new airport parking deck.

Staff Resource: Jerry Orr, Aviation

Explanation

- On August 25, 2003, Council awarded the first in a series of contracts to construct a new 3,000 space parking deck located in the airport's Daily Parking Area.
- This contract will construct a retaining wall, exit roadway system and storm drainage necessary for the deck.
- The contract will also remove an underground storage tank.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 100%

Dakota Contracting Company is a certified SBE.

Funding

Aviation Capital Investment Plan

30. Airport Public Address System

Action: Award a contract to Charlotte Sound & Visual Systems, Inc. in the amount of \$362,165.78 for a new terminal public address system.

Staff Resource: Jerry Orr, Aviation

Explanation

- The terminal building's current public address system was installed in 1992.
- This project will replace the current equipment, which is beyond its useful life and no longer supportable.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

The Small Business Development office waived the SBE goal for this project.

This contract does not present any subcontracting opportunities. A single contractor was selected for this work to ensure consistency.

Funding

Aviation Capital Investment Plan

31. Airport Parking Expansion Construction Contract

Action: Award a contract to Blythe Development Company of Charlotte, NC in the amount of \$2,072,755.10 for the expansion of the Airport's Satellite I, Satellite II and Overflow parking lots.

Staff Resource: Jerry Orr, Aviation

Explanation

- The Airport currently has 14,492 public parking spaces, of which 11,779 are surface spaces.
- This project will grade and pave 3,354 additional surface parking spaces to the Satellite I, Satellite II and Overflow parking lots.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 5%

Blythe Development Company, the low bidder, met the SBO Goal and committed 5% (\$104,091) of the total contract to certified SBE firms.

Funding

Airport Capital Investment Plan

32. Airport Taxiway F Extension Design

Action: Award a contract to Talbert & Bright of Charlotte, NC in the amount of \$307,537.50 for the design of the Taxiway F Extension.

Staff Resource: Jerry Orr, Aviation

Explanation

- Taxiway F is being extended to accommodate a future deicing facility.
- This contract will design the first portion of an extension to the current taxiway.
- Council accepted a Federal Aviation Administration grant in August 2004 to provide 75% of funding for this project. Council also appropriated the remaining funding the discretionary fund, to be repaid from the proceeds of 2004 General Airport Revenue Bonds.
- Talbert and Bright, Inc. was selected from a list of approved engineering firms compiled by a selection committee in 2001.

FAA Disadvantaged Business Opportunity

Established DBE Goal: 10%

Committed DBE Goal: 11%

Funding

Aviation Capital Investment Plan

33. Airport Road Repairs

Action: Award a contract to Allied Grading, Inc. of Huntersville in the amount of \$410,378.50 for reconstruction of Tunnel Road.

Staff Resource: Jerry Orr, Aviation**Explanation**

- Tunnel Road is a non-public roadway under Runway 5/23 connecting the terminal airfield to the Charlotte Air Cargo Center.
- This contract will reconstruct the roadway and construct a new guard station at the access point of the passenger aircraft parking area to support Transportation Security Administration Security directives.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 10%

Allied Grading complied with the Good Faith Efforts, contacting 17 certified SBE firms and receiving no responses. In addition, Allied Grading is a certified SBE firm.

Funding

Aviation Capital Investment Plan

34. Airport Operating Agreement with Atlantic Coast Airlines

Action: Approve an agreement permitting Atlantic Coast Airlines, dba Independence Air, to expand its operations and to lease space at the Airport.

Staff Resource: Jerry Orr, Aviation**Explanation:**

- Atlantic Coast Airlines has operated at the Airport for some time as a regional carrier doing business as United Express.
- Atlantic has changed its business model and now intends to operate as a low fare carrier, doing business as Independence Air.

- This agreement permits Atlantic to lease ticket counter, break room and office space, allows Atlantic to continue its flights to and from the Airport, and recognizes Atlantic's new trade name.
- This agreement obligates Atlantic to pay landing fees.
- This agreement is on a month-to-month term.

35. Gang of One Grant

Action: Adopt a budget ordinance, appropriating \$3,976.60 from the Police Department's FY05 operating budget to provide the match for a Governor's Crime Commission grant for the Gang of One Program.

Staff Resource: Greg Crystal, CMPD

Explanation

- Council approved the grant for the Gang of One Program on May 24, 2004.
- Grant provides a part-time volunteer coordinator and educational materials for the program.
- 10% match comes from CMPD operating budget.
- Budget ordinance transfers \$3,976.60 from the General Fund to the Public Safety Grant Fund.

Funding

Police Operating Budget

Attachment 62

Budget Ordinance

36. Security Improvements for Police Headquarters Building

Action: A. Approve a contract with ADM Security Systems Inc., in the amount of \$133,329.11, for security improvements for Police Headquarters, and
B. Adopt a budget ordinance appropriating \$133,329.11 from police assets forfeiture funds to cover the cost of the security improvements.

Staff Resource: Sergeant Bud Cesena, CMPD

Explanation

- CMPD is making security improvements at Police Headquarters
- Improvements include upgrading VCR system to digital
- Security cameras will be upgraded to color; additional cameras will be added to the interior of the building and the parking deck entrance
- Gates will be added to the back entrance of the parking deck

- ADM Security Systems, Inc. offered the lowest pricing of the three companies responding to the request for proposals

Small Business Opportunity

The SBE goal for this project was originally set at 0%. During the time the solicitation was under review, the vendor recommended for the contract award became a certified SBO vendor with the City of Charlotte. Therefore, the SBO utilization for this contract will be 100%.

Funding

Assets Forfeiture Funds

Attachment 63

Budget Ordinance

37. Financial System Maintenance and Support

Action: Authorize the renewal payment for software maintenance and support to Geac Computer Systems, Inc. for \$523,959.22 for the Geac Financial Management System for the period October 29, 2004 through October 28, 2007.

Staff Resource: Greg Gaskins, Finance

Explanation

- Geac Enterprise Solutions (Geac) provides maintenance and support to the City's existing financial system.
- The Geac Financial Management System is used for
 - maintaining the City's official financial records
 - purchasing goods and services
 - processing invoices and payments to vendors
 - preparing reports required by the State and other agencies
 - monitoring the adopted budget and
 - other related activities that are essential to the continued and sound financial operation of the City.
- The maintenance and support agreement will entitle the City to receive:
 - Computer software updates and enhancements from Geac
 - Technical assistance by telephone from Geac to help resolve problems that occur with the application. Support is available 24 hours per day, seven days a week.
 - Access to Geac's Internet website for information, general assistance, and download of files necessary in keeping the application current.
 - Improve the user interface necessary for employees to access the Geac modules supporting the City's Financial Management System.

Funding

FY2005 Finance operating budget

38. Governor's Crime Commission Grant for the Elite Academy

Action: **A. Authorize the City Manager to execute documents authorizing the City of Charlotte to act as pass-through agent for the Governor's Crime Commission grant to the Elite Academy in support the City's Weed & Seed Initiative, and**

B. Adopt a budget ordinance appropriating \$ 81,097.50 from a Governor's Crime Commission Grant to be used by the Elite Academy for academic programs.

Staff Resource: Stanley Watkins, Neighborhood Development**Policy**

Restoring neighborhood capacity through problem solving efforts accomplished through the Weed & Seed Initiative

Explanation

- The Elite Academy was approved for a second year of funding by the Governor's Crime Commission.
- The Elite Academy requested that the City of Charlotte's Neighborhood Development Department serve as the applicant agency for a grant from the Governor's Crime Commission.
- The grant for the Elite Academy will support the City's Weed & Seed Initiative.
- The Elite Academy's objective is to assist 75 at-risk students in completing their high school education and acquiring the skills needed to enroll into college between September 2004 and September 2005.
- The Elite Academy will collaborate with the Charlotte Weed & Seed Initiative and will reserve 40% or more academic slots for students residing in the West Boulevard and/or Central Avenue Weed & Seed Corridors.
- The Elite Academy has received provisional accreditation from the National Private Schools Accrediting Agency (NPSAA).
- The grant personnel team will consist of three Elite Academy staff persons: Program Director, Career Development Counselor and Administrative Assistant.
- At the end of the grant period, the Elite Academy will seek funding from foundations and solicit business partnerships to provide scholarships and in-kind services.

Funding

Governor's Crime Commission	\$81,097.50
NIA Ministries, Inc. (Non-Profit Organization)	<u>27,032.50</u>
Total	\$108,130.00

Attachment 64

Budget Ordinance

39. Nevin Road Extension

Action: **A. Adopt a budget ordinance appropriating \$175,000 from the Municipal Debt Service Fund; and**
B. Approve Amendment #1 with Dyer, Riddle, Mills & Precourt, Inc., for \$162,725 for engineering services for Nevin Road Extension.

Staff Resource: David Meachum, Engineering & Property Management

Explanation

- This project is part of the 2004 Bond Referendum.
- To expedite construction of the project, Engineering and Property Management initiated and has completed the design consultant selection process and is in a position to award the design contract.
- Council's Transportation Focus Area includes the 3-years "vote to drive" initiative, which endorses speedy implementation of road projects.

Budget Ordinance

- The budget ordinance appropriates 2004 Street Improvement Bonds (pending approval of the voters).
- To bridge the time gap from now until the election, the ordinance advances funding for the contract from the Municipal Debt Service Fund fund balance.
- This advance will be returned to the Municipal Debt Service Fund once the bonds are approved.
- If the bonds are not approved, the advance will be the permanent source of funding.

Amendment #1 with Dyer, Riddle, Mills & Precourt, Inc.

- Provides funding for final design, engineering services for the Nevin Road Extension project

Nevin Road Extension Project

- Will connect two existing sections of Nevin Road from Sugar Creek Road to Mallard Creek Road
- Constructs a new two-lane, median divided roadway with planting strips, bike lanes and sidewalk (both sides)
- Total project cost is \$2,800,000

Contract History

- City Council approved the original contract for planning and preliminary design services for \$191,145 on January 27, 2003
- Total contract amount including this amendment is \$353,870

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

Pursuant to Section 10.3 of the SBO Program, the consultant or sub-consultants will perform additional work and no SBE goal is required.

Funding

Transportation Capital Investment Plan

Attachment 65

Budget Ordinance

40. Statesville Road Widening and Cindy Lane Extension

Action: A. Adopt a budget ordinance appropriating \$450,000 from the Municipal Debt Service Fund and
B. Approve Amendment #2 with Mulkey, Inc., for \$432,800 for engineering services for Statesville Road Widening and Cindy Lane Extension.

Staff Resource: David Meachum, Engineering & Property Management

Explanation

- This project is part of the 2004 Bond Referendum.
- To expedite construction of the project, Engineering and Property Management initiated and has completed the design consultant selection process and is in a position to award the design contract.
- Council's Transportation Focus Area includes the 3-years "vote to drive" initiative, which endorses speedy implementation of road projects.

Budget Ordinance

- The budget ordinance appropriates 2004 Street Improvement Bonds (pending approval of the voters).
- To bridge the time gap from now until the election, the ordinance advances funding for the contract from the Municipal Debt Service Fund fund balance.
- This advance will be returned to the Municipal Debt Service Fund once the bonds are approved.
- If the bonds are not approved, the advance will be the permanent source of funding.

B. Amendment #2 with Mulkey, Inc.

- Provides funding for engineering design services to include:
 - Revision of design due to scope change to include an eight foot planting strip, six foot sidewalks, and bike lanes for Statesville Road and Cindy Lane
 - Additional private development coordination
 - Additional surveying

Project Description

- Cindy Lane extension will be on new location with two-lane median divided, planting strips, sidewalks and bike facilities
- Statesville Road (I-85 to Sunset) will be widening from two-lane to four-lane median divided with planting strips, sidewalks and bike facilities

Contract History

- City Council approved the original contract for Statesville Road Widening engineering planning services for \$1,075,000 on November 13, 2000
- City Council approved Amendment #1 for Cindy Lane Extension engineering planning services for \$468,300 on November 12, 2001
- Total contract amount including this amendment is \$1,976,100

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

Pursuant to Section 10.3 of the SBO Program, the consultant or sub-consultants will perform additional work and no SBE goal is required.

Attachment 66

Budget Ordinance

41. Marion Diehl Park Sports Complex

Action: Authorize Mecklenburg County to enter into an agreement with Queens University of Charlotte for a Sports Complex at Marion Diehl Park.

Resources: Tim O'Brien, Engineering & Property Management
Wayne Weston, Mecklenburg County Parks and Recreation

Mecklenburg County Development, Use, Operating and Maintenance Agreement with Queens University of Charlotte

- Mecklenburg County must obtain the City's consent to include a third party as an operator of the park land under the 1992 Park and Recreation Consolidation Agreement
- Provides for the development of a Sports Complex at Marion Diehl Park

- Use of the facilities will be coordinated between the County and Queens University. Each will have 50% use of the facilities (excluding the Field House which is controlled by Queens University)

Marion Diehl Park Sports Complex

- The sports complex is the third phase development of the Marion Diehl Park development
- The Master Plan for the property includes development of athletic fields and facilities, walking and jogging trails, roads and a parking lot
- County will accommodate all requests within priority of uses agreed upon by both parties.
- The order of priority is as follows:
 - Queens NCAA athletic events and educational programs
 - County sponsored events, activities, and programs
 - Queens intramural programs/activities
 - Queens/County jointly sponsored events
 - General public use hours
 - Third party events and activities
- The total cost of the Complex is projected to be \$16 million to be funded by Queens University

Development, Use, Operating and Maintenance Agreement History

- Mecklenburg County Park and Recreation Department received approval from the Mecklenburg County Board of Commissioners on August 12, 2003 to enter into partnership negotiations with Queens University
- Board of Commissioners adopted a resolution declaring intent to enter into an Agreement with Queens University on June 15, 2004

42. Stormwater Fee Revenue Bond Application

Action: Approve a resolution directing staff to apply to the Local Government Commission for authorization of up to \$70 million in Stormwater Fee Revenue Bonds.

Staff Resource: Greg Gaskins, Director of Finance

Explanation

- On June 14, 2004 Council adopted the FY2005-FY2009 Capital Improvement Plan including various Stormwater projects.
- Approval of this resolution includes the following:
 - Authorization to submit an application the Local Government Commission for approval of Storm Water Revenue Bonds, Series 2004 and certain related matters.
 - Authorization for officials of the Finance Key Business Unit to file the application.
 - Appointment of the Financing Team and Trustee.

- Authorization for City officials to take necessary steps to complete the bond sale.

Funding

Stormwater Fund

Attachment 67

Resolution

List of project

43. Storm Water Engineering Services

Action: Approve Amendment #2 with US Infrastructure, Inc., for \$121,000 for storm water improvements.

Staff Resource: Jennifer Glotfelty, Engineering & Property Management

Amendment #2 with US Infrastructure, Inc.

- Provides funding to continue serving as project manager on four projects:
 - Shillington
 - Nightingale
 - Eastburn
 - Cherokee/Scotland flood control projects
- Amendment #1 provided funds for project management services through mid 2004. Project management services may be needed through the end of 2005.
- Provides funding for Construction Phase Assistance on the Chantilly Phase IV. Storm Drainage Improvement Project including the review of construction shop drawings.
- This funding will complete work that has already been started.

Contract History

- City Council approved the original contract for \$300,000 on July 23, 2001 for planning, design, bid phase, and construction administration services on various projects.
- City Council approved Amendment #1 for \$300,000 on March 24, 2003 to provide additional funding for project management services for four new storm drainage improvement projects.
- Total contract amount including this amendment is \$721,000.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

Pursuant to Section 10.3 of the SBO Program, the consultant or sub-consultants will perform additional work and no SBE goal is required.

Funding

Storm Water Capital Investment Plan

44. Marsh Road Area Storm Drainage Improvements

Action: Approve Change Order #1 with Thalle Construction for \$190,023.75 for the Marsh Road Area Storm Drainage Improvements Project.

Staff Resource: Jennifer Glotfelty, Engineering & Property Management

Change Order #1 with Thalle Construction

- Provides funding for the following items:
 - Storm drainage improvements within the street required additional milling and asphalt replacement due to the poor condition of the existing asphalt
 - Rock removal required to install the proposed culverts is greater than anticipated

Marsh Road Storm Drainage Improvement Project

- This project was initiated based on the severity of drainage problems, citizen requests and an internal capital project ranking procedure.
- This project will improve the existing storm water system; address street flooding and stream erosion.
- This project is bound by Marsh Road, South Boulevard, Scaleybark Road, Hartford Avenue and Selwyn Farms.
- Construction completion is anticipated in the fourth quarter 2004.

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Contract History

- Council awarded the original contract on May 12, 2003 for \$2,597,150.13

Small Business Opportunity

Established SBE Goal: 15%

Committed SBE Goal: 3%

This work will be performed by the prime contractor and existing subcontractors.

This change order complies with Section 10.3 of the SBO Program.

Funding

Storm Water Capital Investment Plan

45. Street Improvements in FY2001 Annexed Areas Engineering Services

Action: Approve Amendment #1 with Mulkey, Inc., for \$136,933 for engineering services for streets within the new Sky Drive and Sunset Road Annexation Areas.

Staff Resource: Dieter Crago, Engineering & Property Management

Amendment #1 with Mulkey, Inc.

- Provides funding for engineering design services to upgrade streets within newly annexed areas including:

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- Sky Drive
- Sunset Road (Sunset Circle, Edmore Boulevard, Gemway Drive, Kinghurst Drive, Old Briar Drive, Valrose Drive and Simca Court)
- Improvements include grading, street widening, drainage pipe installation, reshaping ditches and paving.

Contract History

- City Council approved the original contract for \$297,800 on February 9, 2004 with Mulkey, Inc. to provide engineering services to upgrade newly annexed streets
- Total contract amount including this amendment is \$434,733

Small Business Opportunity

Established SBE Goal: 1%

Committed SBE Goal: 1%

Mulkey Inc. committed 1% (\$1,369.33) of the total contract amount with the following certified SBE: On-Spec Geotechnical Services

Funding

Transportation Capital Investment Plan

46. United States Geological Survey 2004-2005 Cooperative Agreement

Action: Approve the 2004-2005 Cooperative Program Agreement with the United States Geological Survey (USGS) for storm water data collection activities in the amount of \$300,425.

Staff Resource: Tom Calhoun, Engineering & Property Management

Explanation

- USGS maintains the rainfall and stream flow gage system
- Data from the gage system is used to:
 - Determine flood-prone areas
 - Review impacts of rain events
 - Determine long-term trends
 - Aid in water-quality investigations
 - Assist in the design of drainage infrastructure
- This agreement also maintains the Flood Information and Notification System (FINS) used to notify emergency personnel of potential threats to life and property
- This agreement leverages City funds with USGS funds. Total cost is \$542,450. The City's share is \$300,425. USGS will pay the remainder of the cost. Cooperative funding is distributed at 45% USGS, 55% City of Charlotte
- The City's cost last year was \$254,370
- Mecklenburg County has a similar agreement with USGS. Total cost of that contract is \$362,540. The County's share is \$209,745. USGS will pay the remainder of the cost

- The USGS agreement has been funded cooperatively by Charlotte Storm Water Services, Mecklenburg County Storm Water Services, and USGS since 1993

Funding

Transportation Capital Investment Plan

47. Telecommunication Site and Access Easement

- Action:**
- A. Authorize Duke Energy Corporation to install a telecommunication antenna on their transmission tower that is on City property adjacent to Fire Station 35, and**
 - B. Approve the sale of a permanent access road easement to Duke Energy Corporation to service the antenna for \$5,000.**

Installation of Duke Energy Corporation Telecommunication Antenna

- Duke Energy Corporation wants to install an antenna on their transmission tower
- The transmission tower is located on City-owned property adjacent to Fire Station 35 on Pavilion Boulevard
- The tower is within an existing Duke Power transmission line corridor

Permanent Access Road Easement

- Duke Energy needs an access road easement to service the new antenna
- The antenna installation and access road easement since both are within the existing transmission line corridor and will not impact the fire station facility

48. Transit Federal Full Funding Grant Agreement

- Action:**
- A. Approve a Federal Full Funding Grant Agreement between the United States of America, acting through the United States Department of Transportation (USDOT), Federal Transit Administration (FTA) and the City of Charlotte for the Charlotte Area Transit System South Corridor Light Rail Project, and**
 - B. Approve a resolution authorizing the City Manager or designee to negotiate and execute the Federal Full Funding Grant Agreement (FFFGA) for the Charlotte Area Transit System South Corridor Light Rail Project.**

Staff Resource: Ron Tober, Charlotte Area Transit System (CATS)

Explanation

- The South Corridor Light Rail Project (SCLRP) is a 9.6 mile dual track light rail system with 15 stations. The system will originate at Interstate 485 and South Boulevard in the southernmost part of Mecklenburg County and terminate in Uptown Charlotte at 7th Street.
- The project will be constructed primarily at grade with grade separations at major roadway intersections along the alignment.
- Based on the current project schedule, Revenue Operations are scheduled to start by October 31, 2006. The FFFGA includes a revenue operation date of no later than January 31, 2007.
- In addition to construction of stations and trackway, the Project also includes the acquisition of 16 light rail vehicles, construction of a new vehicle maintenance facility, real property, installation of electrified overhead catenary wire and electrical substations, acquisition of ticket vending machines, utility relocations, property acquisition, environmental mitigation, design and construction of signaling, train control and communications systems, traction power and systems integration.
- The total project cost is \$ 398,701,118.
- Funding includes Federal funds up to 50% of the project cost with a committed 50% State/Local match.
- The State of North Carolina's share is 25% of the project cost which is backed by a State Full Funding Grant Agreement, signed in June 2003.
- The Local 25% match is backed by the one-half cent sales tax collected within Mecklenburg County.
- An FFFGA is recommended for review by Congress when USDOT/FTA has determined that a project is justified based on a comprehensive review of its mobility improvements, environmental benefits, cost effectiveness and operating efficiencies; and is supported by an acceptable degree of local financial commitment, including evidence of stable and dependable financing sources to construct, maintain and operate the Project.
- USDOT/ FTA project analysis is nearing completion and the FTA schedule calls for the project to be transmitted to Congress, for a required 60-day review, early in October, 2004.
- An FFFGA is executed upon completion of the congressional review.

Background

- On September 22, 2004, the Metropolitan Transit Commission (MTC) is expected to authorize CATS Chief Executive Officer:
 - To negotiate a Federal Full Funding Grant Agreement between the United States of America, acting through the United States Department of Transportation, Federal Transit Administration (FTA) and the City of Charlotte for the Charlotte Area Transit System South Corridor Light Rail Project.
 - To present the Federal Full Funding Grant Agreement to the Charlotte City Council for approval.
- The Federal Full Funding Grant Agreement (FFFGA) for the SCLRP will provide Federal New Starts financial contribution of \$192,940,019 in capital funds. \$35,587,993 of this amount has previously been provided for the SCLRP.

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- The balance \$157,352,026 is anticipated to be received over three to four years, subject to annual appropriations by Congress.
- In addition to Federal New Starts funds through the FFFGA, \$ 6,410,540 (not included in the FFFGA) will be provided for the SCLRP from Section 5307 Federal Formula Funds.
- The two amounts, \$192,940,019 and \$6,410,540, constitute federal financial contribution to the SCLRP of \$199,350,559 which is 50% of the total Project cost of \$398,701,118.

Attachment 68
Resolution

**49. Southeast and West Transit Corridors (US 74)
Engineering & Environmental Study Contract
Amendment**

Action:

- A. Authorize the City Manager or designee to execute Amendment #3 to the Agreement for Consultant Services, with Gannett Fleming, Inc., to provide additional engineering and environmental services for an amount not to exceed \$5,522,211 for the Southeast Transit Corridor and \$4,011,703 for the West Transit Corridor,**
- B. Adopt a resolution authorizing the CATS CEO to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) to jointly undertake the Southeast Corridor environmental study, up to a maximum of \$780,000, and**
- C. Adopt a budget ordinance appropriating \$12,069,240, covering the cost of the contract (\$9,533,914) and direct and indirect expenses (\$2,535,326) associated with the project.**

Staff Resource: John Muth, Charlotte Area Transit System

Contract Amendment for Southeast and West Corridors

- CATS contracted with Gannett Fleming in 2000 through a competitive procurement for the Major Investment Study (MIS) for the Southeast/West Corridors.
- The Request for Proposals (RFP) for the MIS included future phases of the environmental review and engineering work.
- Scope of work includes conceptual engineering, draft environmental impact statement (DEIS), and public involvement.
- Public Involvement will occur throughout the study process, beginning in October 2004.
- Will evaluate both Light Rail Transit (LRT) and Bus Rapid Transit (BRT), as directed by the Metropolitan Transit Commission
- Will identify the preferred transit technology, alignment and final station locations for the Southeast and West Corridors
- Completion of the DEIS will take approximately 18 months.

Municipal Agreement

- CATS and NCDOT will pursue a joint environmental study for the Southeast Corridor for highway and transit alternatives.
- CATS will manage consultant contract and lead the study process.
- NCDOT will participate on the study management team.
- NCDOT will reimburse one-third of the actual cost of the consultant contract for the Southeast Corridor, until a maximum of \$780,000 is reached.

Disadvantaged Business Enterprise

Established DBE Goal: 10%

Committed DBE Goal: 10%

The DBE firms participating are Lyerly Agency, Neighboring Concepts, Coastal Carolina, Mattson Alexander, and Torrence Reprographics

Funding:

Transit Capital Investment Plan

Attachment 69

Resolution

Budget Ordinance

50. SouthPark Community Transit Center Use and Occupancy Agreement

Action: Authorize the City Manager to execute a Use and Occupancy Agreement with SouthPark Mall Limited Partnership to allow operation of a Community Transit Center at SouthPark Mall, which includes City payments not to exceed \$400,000 for specific interior and pavement improvements.

Staff Resource: John Muth, Charlotte Area Transit System

Explanation

- SouthPark Mall was required to accommodate a transit center as a zoning condition of allowing their recent expansion project.
- Additionally, provision of a transit center in the SouthPark area is called for the 2001 Countywide Transit Services Plan.
- The Agreement will entitle the City to use the area as a transit center for ten years, with an option to renew the Agreement for three additional five-year terms.
- Under the terms of the Agreement, CATS will fund the cost of the interior up-fit of the transit center passenger waiting area, similar to other Mall tenants, but will not pay rent.
- CATS will be responsible for utilities and security and maintenance of the premises.
- Due to the weight and volume of the buses traversing the internal Mall roadways, CATS is participating in pavement upgrades and ongoing maintenance for the circulation roadway to be used by the transit vehicles.

- Financial obligations included in the Agreement are as follows:
 - \$126,043 for interior improvements to the transit center in fiscal year 2005;
 - \$125,000 for pavement improvements in fiscal year 2005;
 - \$125,000 for pavement improvements in fiscal year 2006;
 - Up to \$10,000 annually beginning in fiscal year 2006 for pavement maintenance.

Disadvantaged Business Enterprise:

Established DBE Goal: 0%

CATS is not awarding a construction contract as a part of this Use and Occupancy Agreement, and therefore a DBE goal does not apply. The up-fit of the existing interior space at the mall will be installed by contractors of SouthPark Mall Limited Partnership, who are responsible for the larger mall expansion project.

Funding:

Transit Capital Fund

51. FY2001 Contract U - Water Main Replacements

Action: Approve Renewal #3 with Dallas 1 Construction, LLC for construction of water main replacements in the amount of \$1,163,762.78.

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- Provides replacement of water mains for system improvements and/or maintenance
- Provides improved services to areas experiencing water quality or low-pressure problems.

History

- This is the third and final renewal.
- Total contract amount including previous and this renewal is \$ 4,655,051.12.

Small Business Opportunity

Established SBE Goal: 3.00%

Committed SBE Goal: 3.39%

Dallas 1 Construction, LLC is an SBE firm and committed \$39,500.00 to the following SBE firms: MTC Crumbaugh, State Construction Co. and Pave Carolina. This renewal complies with Section 13.1 of the SBO Program.

Funding

Water Capital Investment Plan

52. Clear Creek Sanitary Sewer Improvements

Action: Adopt a budget ordinance appropriating \$500,000 from Utility Revenue Bonds to Clear Creek Pump Station and Outfall.

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- The ordinance appropriates \$500,000 to cover the cost of the Clear Creek Sanitary Sewer Improvement contract with Buckeye Construction Company.

Funding

Sewer Capital Investment Plan

Attachment 70

Budget Ordinance

53. Utilities Consolidated Laboratory Project – Amendment #1

Action: Approve Amendment #1 for \$195,550 to the contract with Gantt Huberman Architects PLLC for additional architectural services for the Consolidated Laboratory Project.

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- Amendment #1 provides for additional architectural services related to environmental “green building” design services.
- Services include design, construction, commissioning, and post construction assistance in obtaining nationally recognized Leadership in Energy and Environmental Design (LEED) certification.
- The City of Charlotte and Charlotte Mecklenburg Utilities will be acting in a leadership role by championing sustainable buildings.
- This will be the first LEED-registered building constructed by the City. The County’s Imaginon (Children’s Learning Center) is also attempting to get LEED certification.
- LEED design principals focus on reduced operating costs by lowering energy consumption in all aspects of the building.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

This contract complies with Section 10.3 of the Small Business Program.

Funding

Sewer Capital Investment Plan

54. Central Business District Construction Management Services Contract

Action: Approve a professional services contract with Gavel Engineering, P.A. in the not to exceed amount of \$398,000.

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- Provides professional engineering and construction management services for sanitary sewer rehabilitation within the Central Business District Areas 4 & 5. These areas are bordered on the east by Trade Street, the west by I-277/Brookshire Freeway, the north by I-77, and the south by Highway 74.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

The Small Business Development Program Manager waived the SBE goal for this project. This contract does not present any subcontracting opportunities.

Funding

Sewer Capital Investment Plan

55. Municipal Agreement for Construction Improvements at Brown Grier Road and Gallant Drive

Action: Adopt a resolution to authorize the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for construction improvements at the intersection of Brown Grier Road at Gallant Drive.

Staff Resource: Leon Howe, CDOT

Explanation

- This Municipal Agreement is for the construction of a left turn lane on Brown Grier Road at Gallant Drive.
- The project will include grading, drainage, base, paving, striping, pavement markers, erosion control, traffic control, and seeding and mulching.
- The Municipal Agreement provides for the City to perform all work for the project with construction costs reimbursed by the NCDOT.
- NCDOT will reimburse the City for actual costs not to exceed \$100,000.
- The format and cost sharing philosophy is consistent with past municipal agreements.

Attachment 71

Resolution

56. Municipal Agreement for Construction Improvements at Conference Drive and Monroe Road

Action: Adopt a resolution to authorize the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for construction improvements at the intersection of Conference Drive at Monroe Road.

Staff Resource: Leon Howe, CDOT

Explanation

- This Municipal Agreement is for the construction of a second left turn lane from Conference Drive onto Monroe Road.
- The project will include grading, drainage, curb and gutter, base, paving, striping, pavement markers, traffic control, and seeding and mulching.
- The Municipal Agreement provides for the City to perform all work for the project with construction costs reimbursed by the NCDOT.
- NCDOT will reimburse the City for actual costs not to exceed \$250,000.
- The format and cost sharing philosophy is consistent with past municipal agreements.
- The addition of the second left-turn lane will not impact the East Mecklenburg High School Safety Plan.

Attachment 72

Resolution

57. Municipal Agreement for Charlotte Pedestrian Master Plan

Action: A. Approve a resolution to authorize the Key Business Executive for Transportation to execute a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for development of a comprehensive pedestrian plan through the 2004 NCDOT Bicycle and Pedestrian Planning Grant Initiative.
B. Adopt a budget ordinance appropriating \$37,500.

Staff Resource: Vivian Coleman, CDOT

Explanation

- Council approved a resolution on April 12, 2004 endorsing their commitment to a pedestrian master plan.
- The NCDOT awarded a matching grant to the City of Charlotte in the amount of \$37,500 to develop a comprehensive pedestrian plan.
- A municipal agreement is required to be executed and a resolution approved in order to receive the funding from NCDOT.

- The Pedestrian Master Plan will provide a comprehensive overview of all pedestrian policies, needs, priorities, and opportunities for improvement in making Charlotte a “walkable” and pedestrian oriented community.
- The Plan will also review the current Sidewalk Program and provide recommendations for amending policies, the public involvement process, and the sidewalk prioritization process.
- NCDOT will reimburse the City fifty percent (50%) of the approved actual costs in an amount not to exceed \$37,500.
- The format and cost sharing philosophy is consistent with past municipal agreements.

Attachment 73

Budget Ordinance and Resolution

58. Electronic Document Management System

Action: Authorize the City Manager to execute a contract with eiStream, Inc. for the purchase of Electronic Document Management System software and services in an amount not to exceed \$252,970 for the Information Technology Division of Business Support Services.

Staff Resource: Al Alonso, BSS

Explanation

- Business Support Services/Information Technology Division, in collaboration with CATS, proposes expanding the capacity and the availability of the document imaging system to other Key Business Units.
- Implementation of this system will allow city business units to use electronic document storage, retrieval, and records management and improve efficiency and speed of forms processing through workflow automation.
- At the April 12, 2004 meeting, Council approved \$460,408.50 for the CATS purchase of an Electronic Document Management System from eiStream-Identitech, as a result of a competitive procurement.
- EiStream-Identitech submitted the lowest price proposal for this purchase.

Contract Specifications

- Includes the purchase of software, installation, maintenance and training.
- The total value of the agreement will have a not-to-exceed amount of \$252,970.00.

Small Business Opportunity

Established SBE Goal: %

Committed SBE Goal: %

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because there were no SBE firms certified in areas where subcontracting is anticipated.

Funding

Current BSS/IT Operating Budget

59. Group Medical Insurance Contribution Reallocation

Action: Authorize the City Manager to reallocate group insurance employee medical contributions due to changes in the managed care networks.

Staff Resource: Tim Mayes, Human Resources

Explanation

- As part of adoption of the FY05 budget, City Council approved projected rate tables for the group medical plans (Aetna and WellPath) reflecting increases in premiums for both employees and the City.
- Since the adoption of the budget there have been changes in the managed care networks, making it necessary to reallocate the employee contributions between the two medical plans.
- The cumulative increase in employee contributions will not change and the City's budgeted cost will not change.
- It is requested that the City Manager be granted the authority to reallocate employee contributions among the two plans to more accurately reflect network changes which have occurred.

Funding

Approved in FY05 budget

60. Property Transactions

Action: Approve the following property acquisitions (A-L) and adopt the condemnation resolutions (M-X).

For property transactions A-B, the purchase price was determined by an independent appraiser 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 for Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

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

- A. Project:** FAR Part 150 Plan Acquisition
Owner(s): Mr. and Mrs. Kenneth Jarriel
Property Address: 8006 McAlpine Drive
Property to be acquired: .689 acres
Improvements: vacant land
Purchase Price: \$17,500

Zoned: R3
Use: vacant land
Tax Value: \$18,000
Tax Code: 141-221-14

- B. Project:** FAR Part 150 Plan Acquisition
Owner(s): Mr. and Mrs. Billy Keziah
Property Address: 9225 Dorcas Lane
Property to be acquired: .64 acres
Improvements: vacant land
Purchase Price: \$17,500
Zoned: R3
Use: vacant land
Tax Value: \$18,000
Tax Code: 141-261-54
- C. Project:** Andover Storm Drainage Imp. Parcel # 5,
Owner(s): William B. Hardison And Wife, Kate B. Hardison
Property Address: 2311 Vernon Drive
Property to be acquired: 2,920 sq. ft. (.067 ac.) in Storm Drainage Easement, plus 1,240 sq. ft. (.028 ac.) in Temporary Construction Easement
Improvements: None
Purchase Price: \$17,350
Landscaping: Mature Trees
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R5
Use: Single Family Residential
Tax Code: 181-072-08
Total Parcel Tax Value: \$549,200
- D. Project:** Andover Storm Drainage Imp. Parcel # 24,
Owner(s): Sanford R. Berlin
Property Address: 2010 Stonebridge Lane
Property to be acquired: 2,907 sq. ft. (.067 ac.) in Storm Drainage Easement
Improvements: None
Purchase Price: \$11,175
Landscaping: Mature Trees
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R3
Use: Single Family Residential
Tax Code: 181-021-11
Total Parcel Tax Value: \$1,860,000

- E. Project:** Clear Creek Basin Sanitary Sewer - Force Main, Parcel # 37,
Owner(s): M H Associates Limited Partnership
Property Address: 8004 Blair Road
Property to be acquired: 2,998 sq. ft. (.069 ac.) in Sanitary Sewer Easement
Improvements: None
Purchase Price: \$13,425
Landscaping: Trees
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: BP
Use: Commercial
Tax Code: 139-011-52
Total Parcel Tax Value: \$165,000
- F. Project:** Neighborhood Development Affordable Housing, Parcel # 1,
Owner(s): Mecklenburg County
Property Address: Ellington Street
Property to be acquired: 45,738 sq. ft. (1.050 ac.) in Fee Simple
Improvements: None
Purchase Price: \$40,000 (compensation to be applied to Ledger System)
Landscaping: None
Remarks: This acquisition is required for use in the construction of affordable housing. Compensation was established by an independent, certified appraisal in the area.
Zoned: R5
Use: Single Family Residential
Tax Code: 157-041-35
Total Parcel Tax Value: \$15,500
- G. Project:** Magnolia/Kirkwood/Sedgefield/Dilworth Pt, Parcel # 19,
Owner(s): Jessica Nicole Kaiser
Property Address: 524 Iverson Way
Property to be acquired: 2,416 sq. ft. (.055 ac.) in Storm Drainage Easement
Improvements: None
Purchase Price: \$17,400
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by two independent, certified appraisals and an appraisal review.
Zoned: R5
Use: Single Family Residential
Tax Code: 121-074-33
Total Parcel Tax Value: \$132,300
- H. Project:** NC Highway 73 Davidson-Concord Road 24-Inch Water Main, Parcel # 17,

Owner(s): Helen B. Summers
Property Address: 16024 Davidson-Concord Road
Property to be acquired: 6,443 sq. ft. (.148 ac.) in Sanitary Sewer Easement
Improvements: None
Purchase Price: \$12,700
Landscaping: Mature Trees, Shrubs
Remarks: This acquisition is required for the above project. Compensation was established by independent, certified appraisals in the area.
Zoned: RPA
Use: Single Family Residential - Rural Acreage
Tax Code: 007-471-06
Total Parcel Tax Value: \$174,600

- I. Project:** Old Statesville Road Widening, Parcel # 8,
Owner(s): Sam's Investments, Inc.
Property Address: 6401 Old Statesville Road
Property to be acquired: 5,749 sq. ft. (.132 ac.) in Fee Simple, plus 8,273 sq. ft. (.190 ac.) in Temporary Construction Easement
Improvements: None
Purchase Price: \$137,415
Landscaping: Plants
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: B1
Use: Convenience Store
Tax Code: 037-421-07
Total Parcel Tax Value: \$588,100
- J. Project:** Rea Road Sidewalk, Parcel # 2,
Owner(s): Robert A. Jacobs
Property Address: 4240 Rea Road
Property to be acquired: 10,222 sq. ft. (.235 ac.) in Fee Simple, plus 223 sq. ft. (.005 ac.) in Other Easement, plus 5,429 sq. ft. (.125 ac.) in Temporary Construction Easement
Improvements: None
Purchase Price: \$30,250
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R3
Use: Single Family Residential
Tax Code: 211-241-06
Total Parcel Tax Value: \$437,300

- K. Project:** Sam Furr Road/Knoxwood Drive (Trunk), Parcel # 1,
Owner(s): Kathy Knox Freeze
Property Address: 10600 Sam Furr Road
Property to be acquired: 10,560 sq. ft. (.242 ac.) in Sanitary Sewer Easement, plus 10,372 sq. ft. (.238 ac.) in Temporary Construction Easement
Improvements: None
Purchase Price: \$16,000
Landscaping: Mature Trees
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: NR
Use: Single Family Residential - Rural Acreage
Tax Code: 009-111-21
Total Parcel Tax Value: \$119,300
- L. Project:** South Corridor Infrastructure Project: East Arrowood Road (Kings Creek Drive to Starbrook Drive), Parcel # 3,
Owner(s): Self-Serve, Inc.
Property Address: 900 East Arrowood Road
Property to be acquired: 2,386 sq. ft. (.055 ac.) in Other Easement, plus 189 sq. ft. (.004 ac.) in Temporary Construction Easement
Improvements: None
Purchase Price: \$10,450
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: B1SCD
Use: Industrial
Tax Code: 205-173-08
Total Parcel Tax Value: \$30,200

Condemnations

- M. Project:** 2003 Annexation - Sunset Area/Pleasant Grove Road, Parcel # 36,
Owner(s): Dennis J. Clark And Wife, Gail Y. Clark And Any Other Parties Of Interest
Property Address: 1722 Gemway Drive
Property to be acquired: Total Combined Area of 8,799 sq. ft. (.202 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$5,175
Landscaping: None

Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R3

Use: Single Family Residential

Tax Code: 037-354-36

Total Parcel Tax Value: \$18,000

- N. Project:** Addison/Deveron Storm Drainage Imp. Parcel # 4,
Owner(s): Stanley Hilliard And Wife, Betty Joe Hilliard And Any Other Parties Of Interest
Property Address: 427 Allendale Place
Property to be acquired: Total Combined Area of 713 sq. ft. (.016 ac.) of Storm Drainage Easement
Improvements: None
Purchase Price: \$725
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 185-103-06
Total Parcel Tax Value: \$188,000
- O. Project:** Addison/Deveron Storm Drainage Imp. Parcel # 5,
Owner(s): Emory H. Mason, Jr. And Wife, Mary W. Mason And Any Other Parties Of Interest
Property Address: 5138 Addison Drive
Property to be acquired: Total Combined Area of 4,190 sq. ft. (.096 ac.) of Storm Drainage Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$3,425
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 185-103-35
Total Parcel Tax Value: \$168,700
- P. Project:** Addison/Deveron Storm Drainage Imp. Parcel # 6,
Owner(s): Darin K. Stafford And Wife, Kimberly M. Stafford And Any Other Parties Of Interest

Property Address: 5200 Addison Drive
Property to be acquired: Total Combined Area of 7,810 sq. ft. (.179 ac.) of Storm Drainage Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$4,825
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 185-103-34
Total Parcel Tax Value: \$192,500

- Q. Project:** Addison/Deveron Storm Drainage Imp. Parcel # 8,
Owner(s): Sondra W. Gonzalez And Any Other Parties Of Interest
Property Address: 428 Allendale Place
Property to be acquired: Total Combined Area of 2,975 sq. ft. (.068 ac.) of Storm Drainage Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,275
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 185-103-07
Total Parcel Tax Value: \$193,900
- R. Project:** Addison/Deveron Storm Drainage Imp. Parcel # 31,
Owner(s): James R. Wooden And Wife, Deborah A. Wooden And Any Other Parties Of Interest
Property Address: 5941 Deveron Drive
Property to be acquired: Total Combined Area of 750 sq. ft. (.017 ac.) of Storm Drainage Easement
Improvements: None
Purchase Price: \$925
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R3

Use: Single Family Residential
Tax Code: 185-151-53
Total Parcel Tax Value: \$234,100

- S.** **Project:** Addison/Deveron Storm Drainage Imp. Parcel # 35,
Owner(s): Mark O. Crowther And Wife, Diane C. Crowther And
Any Other Parties Of Interest
Property Address: 5326 Addison Drive
Property to be acquired: Total Combined Area of 2,653 sq. ft.
(.061 ac.) of Storm Drainage Easement
Improvements: None
Purchase Price: \$11,175
Landscaping: None
Remarks: This acquisition is required for the above project.
Compensation was established by an independent, certified
appraisal and an appraisal review. City staff has yet to reach a
negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 185-103-23
Total Parcel Tax Value: \$177,800
- T.** **Project:** Addison/Deveron Storm Drainage Imp. Parcel # 44,
Owner(s): Vineyard Management And Any Other Parties Of
Interest
Property Address: 422 Livingston Drive
Property to be acquired: Total Combined Area of 928 sq. ft.
(.021 ac.) of Storm Drainage Easement
Improvements: None
Purchase Price: \$1,550
Landscaping: None
Remarks: This acquisition is required for the above project.
Compensation was established by an independent, certified
appraisal and an appraisal review. City staff has yet to reach a
negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 185-141-08
Total Parcel Tax Value: \$278,700
- U.** **Project:** Rea Road Sidewalk, Parcel # 11,
Owner(s): Pauline M. Barr And Any Other Parties Of Interest
Property Address: 3930 Rea Rd
Property to be acquired: Total Combined Area of 448 sq. ft.
(.010 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$125
Landscaping: None

Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R3

Use: Single Family Residential

Tax Code: 211-302-01

Total Parcel Tax Value: \$169,900

- V. **Project:** Rea Road Sidewalk, Parcel # 12,
Owner(s): James J. Mcgee, Jr. And Any Other Parties Of Interest
Property Address: 3924 Rea Road
Property to be acquired: Total Combined Area of 295 sq. ft. (.007 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$125
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 211-302-02
Total Parcel Tax Value: \$147,400
- W. **Project:** Smallwood/Eleanore Heights Neighborhood Improvement, Parcel # 173,
Owner(s): Curtisteen Hubbard And Any Other Parties Of Interest
Property Address: 2128 West Trade Street
Property to be acquired: Total Combined Area of 486 sq. ft. (.011 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$925
Landscaping: None
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R3
Use: Single Family Residential
Tax Code: 069-013-01
Total Parcel Tax Value: \$7,370
- X. **Project:** South Blvd. Sidewalk, Phase II, Parcel # 33,
Owner(s): John Wherry And Wife, Louise Wherry And Any Other Parties Of Interest

Property Address: 6635 South Boulevard **Property to be acquired:** Total Combined Area of 1,830.69 sq. ft. (.042 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement

Improvements: None

Purchase Price: \$5,650

Landscaping: None

Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: B2

Use: Commercial

Tax Code: 173-041-01

Total Parcel Tax Value: \$299,700

61. Meeting Minutes

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

- July 26, 2004 Business Meeting
- August 23, 2004 Business Meeting