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Don Lochman
James Mitchell, Jr.
Patrick Mumford
Warren F. Turner

CITY COUNCIL MEETING

Monday, November 26, 2007

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

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CITY COUNCIL AGENDA

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Mayor & Council Consent Item Questions

Resource: Curt Walton, City Manager

Time: 5 minutes

Synopsis

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

2. Status of Interstate Lighting in Charlotte

Resources: Barry Moose, NCDOT Division 10 Engineer

Time: 25 minutes

Synopsis:

- At the February 12 Council Business meeting, the Charlotte City Council unanimously supported the NCDOT replacing the lighting along I-277, plus a portion of I-77 between I-277 and I-85, with solar lighting. The lighting system in this area is 35 years old and is beyond the point of repair. The NCDOT looked at two options and requested feedback from the City.
- The first option was to use solar lights, which would cost \$1.2 million for full replacement of the system. This replacement would be completed without additional State Transportation Improvement Program (TIP) dollars.
- The second option was to do a full replacement of the standard lighting package. This option would cost \$6 to \$8 million and according to NCDOT the additional funding would have to come out of the TIP.
- Both Division 10 staff and the City Council preferred the solar option due to the lower cost, ability to implement quicker, and environmental benefits.
- Recently, NCDOT Division Engineer Barry Moose informed staff that Raleigh NCDOT would not approve the solar freeway lighting solution because the lights are not bright enough. Moose initially directed the City toward seeking MUMPO approval for funding repair/replacement of the conventional system.
- Moose plans to conduct a thorough evaluation of solutions and will report back to City Council in approximately two months.

Future Action

- No action until the NCDOT evaluation is complete.

3. Federal Legislative Agenda

Resources: Boyd Cauble, City Manager's Office

Time: 30 minutes

Synopsis

- The City's federal programs representative firm, Holland and Knight, will update City Council on current City earmarks and discuss possible legislative objectives for the next fiscal year.
- On November 26 Holland and Knight will meet with Key Business Units to assemble a list of potential projects for which they would seek federal funding assistance. Holland and Knight will compile these requests, which will be reviewed for consistency with Council priorities and identified as unfunded needs, and present for City Council approval.

Future Action

- Council member requests for future legislative requests are to be submitted to staff by December 17.
- Council approval of final 2008 Washington Work Program is scheduled for January 14.
- Legislative Package will be presented to Washington Delegation by late January.

4. Police 2007 Technology Grant

Resource: Deputy Chief Ken Miller, CMPD

Time: 20 minutes

Synopsis

- This presentation will introduce the Community Oriented Policing Services (COPS) 2007 Technology Grant which will enhance Charlotte's and the surrounding counties' data gathering and analysis capabilities that are necessary in the post September 11, 2001 environment. Points to be discussed include:
 - Need for interagency coordination on a regional basis to address crime, potential acts of terrorism, and natural disasters
 - Types of crimes that are indicative of potential terrorist activity
 - Examples of recent cases that would have been positively impacted by a regional intelligence capability
 - CMPD's Technology Plan and how this grant builds on previous technology investments
 - Key features of the COPS 2007 grant including data storage and link analysis capabilities
 - Financial Plan for the grant match and annual future costs

Future Action

Action to accept the grant and approve the financial plan is on this agenda, item 15, page 16. The grant award must be signed and returned to the U.S. Department of Justice by December 28, 2007.

5. Answers to Mayor & Council Consent Item Questions

Resource: Curt Walton, City Manager

Time: 10 minutes

Synopsis

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

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

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

CONSENT

- 6. Consent agenda items 17 through 41 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

POLICY

7. City Manager's Report

8. Post Construction Controls Ordinance



- Action:**
- A. Approve the Environment Committee recommendation to adopt a Post Construction Controls Ordinance (PCCO) to become effective on July 1, 2008, and**
 - B. Adopt a budget ordinance appropriating \$110,000 from the General Fund fund balance for FY08 start-up costs for implementation of PCCO.**

Committee Chair: Anthony Foxx

Staff Resource: Daryl Hammock, Engineering & Property Management

Explanation

- Federal and state regulations require that development sites be treated to mitigate water quality impacts of impervious surfaces. The PCCO specifies developer requirements to comply with federal and state regulations.
- The PCCO is a comprehensive water quality and flood protection ordinance that includes use of structural storm water controls, stream buffers, and undisturbed open space to achieve management goals. The ordinance strikes a balance between environmental protection and costs.
- A public hearing was held on November 12, 2007 pursuant to NCGS 160A-364. Both the Charlotte Chamber Land Use Committee and the Home Builders Association affirmed their support of the ordinance at the hearing.
- During the public review and comment period, staff identified three areas in the ordinance needing clarification. Three changes were made to the ordinance that address the comments. The attached table outlines the issues.
- It is anticipated that long range funding for maintenance activities related to the PCCO will be supported by Storm Water revenues.

Committee Action

- The Environment Committee discussed the PCCO in five meetings between June 2007 and October 2007.
- On October 23, the Committee unanimously approved all the changes recommended by the staff and the reconvened stakeholder committee. Committee members present: Foxx, Burgess, Carter, Mumford and Lochman.

Ordinance Review Process

- In the fall of 2005, a stakeholder committee reached consensus on a recommended ordinance after more than 30 committee meetings. The stakeholder committee included representation from single-family and commercial development, homebuilder, environmental and property owner interests.
- Questions related to implementation costs arose after the stakeholder committee had reached a consensus. Council directed staff to study costs in more detail. A detailed cost analysis was completed in early 2007.
- In the summer of 2007, the Environment Committee reviewed the ordinance. In September 2007 Council directed the stakeholder committee to briefly reconvene to provide a supplemental report to help Council better understand the major issues of debate and to consider the draft ordinance in light of new cost information.
- Consensus was again achieved based on the revisions, and all stakeholders agreed to support the ordinance.
- Many of the surrounding local government jurisdictions have adopted similar post construction controls regulations: the six towns within Mecklenburg County, the unincorporated area of Mecklenburg County, Gaston County, and the Town of Harrisburg. Many other jurisdictions are currently developing post construction controls ordinances.

Funding

- The estimated start-up cost for the remainder of FY08 is \$110,000 and includes the early hire of three positions. Fees will not be collected during this start-up period and an appropriation is needed from the General Fund fund balance to ensure program implementation on July 1, 2008.
- The estimated FY09 annual cost totals \$420,000 and includes five positions for plan review and inspection services. In FY09 permit fees will be set to recover fully allocated costs including the five additional positions, in accordance with the City's User Fee Policy.

Background

- Approximately three-fourths of Charlotte streams are impaired, and therefore are not fit for prolonged human contact or for propagation of aquatic life.
- The Clean Water Act mandates that states and ultimately municipalities provide certain programs to stop the creation of such conditions and require the restoration of watersheds.
- About 100 communities statewide are required to enact regulations that prevent environmental and water quality degradation.
- Charlotte has a backlog of over 6,000 citizen service requests for flooding, stream erosion, and related drainage problems.
- This list is expanding faster than the ability of the Storm Water Utility to keep up. Many of these problems are avoidable through the use of storm water controls and stronger protection measures than the state requires.

Attachment 1

Public review process comments
 PCCO Ordinance
 Budget Ordinance

9. Infrastructure Chapter of General Development Policies

Action: Approve the Economic Development and Planning Committee recommendation to adopt the Infrastructure Chapter of the General Development Policies.

Committee Chair: John Lassiter

Staff Resource: Jonathan Wells, Planning

Explanation

- When Council adopted Phase I of General Development Policy (GDP) in November 2003, they directed staff to develop the second phase to consist of policies for the Environment, Infrastructure, and Economic Development.
- Work on the Infrastructure policies began in late 2006 with a Citizen Advisory Group and a Staff Interdepartmental/Agency Technical Team.
- The process included extensive public participation, including six Citizen Advisory Group meetings, two community-wide meetings, two public comment sessions and an on-line survey. (Survey results are attached)
- The purpose of the Infrastructure GDP is to more closely link land use and land development decisions to the availability of public infrastructure. The policies focus on:
 - Defining infrastructure needs comprehensively and with enhanced coordination among infrastructure providers
 - Using existing and future resources more efficiently
 - Seeking new/additional/innovative funding sources
 - Coordinating growth with provision of infrastructure (using Centers, Corridors & Wedges Growth Framework as context)
 - Respecting the environment when providing infrastructure
 - Seeking regional solutions to infrastructure issues
- Council received an overview of the draft policies at their September 4 workshop and received public comments at their October 8 business meeting. The staff response to the October 8 public comments is attached.
- Infrastructure GDP draft document was provided for the October 8 Council meeting; additional copies are available from the Planning Department or at www.charlotteplanning.org.

Committee Recommendations

- The Planning Committee of the Charlotte-Mecklenburg Planning Commission began review of the draft Infrastructure Chapter of the GDP in September. At their October 16th meeting, the Planning Committee voted unanimously (7-0)

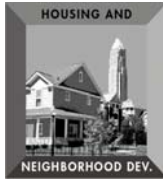
to recommend adoption of the draft Infrastructure Chapter with three specific changes to address concerns raised during the review and adoption process.

- Council's Economic Development and Planning Committee began review of the draft Infrastructure Chapter of the GDP in September. At their November 19th meeting, the Committee voted unanimously (5-0, Lassiter, Dulin, Carter, Lochman, Mitchell) to recommend adoption of the draft Infrastructure Chapter including changes recommended by the Planning Committee and by the Economic Development and Planning Committee to address concerns raised during the review and adoption process. Recommended changes are attached.

Attachment 2

Economic Development and Planning Committee Recommended Changes to the August 2007 Draft Infrastructure GDP document
Citizen Comments and Staff Responses
General Development Policies – Infrastructure: Final Survey Results

10. Double Oaks Redevelopment Funding Agreement



- Action:**
- A. Approve Development Funding Agreement with the Housing Partnership for the Double Oaks Redevelopment Project, and**
 - B. Authorize the City Manager to negotiate minor modifications to the Development Funding Agreement and to execute the Agreement with minor modifications.**

Staff Resource: Stanley Watkins, Neighborhood Development
Tom Flynn, Economic Development Office

Policy

- On September 24, 2003, the Mixed Housing Development Policy was adopted by City Council.
- On May 29, 2007, the City Council approved the City's FY2008 Housing and Urban Development Action Plan. The Plan identified the need for affordable, safe and decent housing for low and moderate-income families. The Plan reaffirmed the three basic goals of the City's Housing Policy, which are as follows:
 - Preserve the existing housing stock
 - Expand the supply of affordable housing
 - Support family self-sufficiency initiatives
- The Action Plan also proposed undertaking a feasibility analysis of the redevelopment of the Double Oaks Apartments.

Previous City Council Action

- On September 24, 2007, the City Council authorized the City Manager to:
 - Execute a Memorandum of Understanding (MOU) with The Charlotte Mecklenburg Housing Partnership (the Housing Partnership);
 - Request the U.S. Department of Housing and Urban Development (HUD) to designate the Double Oaks Area as a Neighborhood Revitalization Strategy Area (request submitted November 11, 2007); and
 - Submit an application to HUD for a \$10,000,000 Section 108 loan
- The proposed development funding agreement complies with the terms of the MOU.

Key Terms of the Development Funding Agreement

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Redevelopment Project and Affordable Housing

- The proposed redevelopment includes 940 residential units and approximately 108,000 square feet of non-residential development. Elements include:
 - 300 affordable apartments
 - 120 market-rate apartments
 - 308 market-rate single family/townhouses
 - 212 condominiums
 - 108,000 square feet of retail, services and offices
- The Housing Partnership agrees to develop a minimum of 300 rental units on the project site that are affordable to households earning 60% or less of the Charlotte Metropolitan Area Median Income. At least 75 of those units shall be affordable to households earning 30% or less of the Charlotte Metropolitan Area Median Income. (The affordability targets are contingent upon receiving the Infrastructure Grant and Housing Trust Fund loan described below).
- Even if the aforementioned contingencies are not met, the Housing Partnership is required to provide a project that meets HUD's Community Development Block Grant requirements of affordability for 51% low to moderate income.
- The City will provide up to \$5 million in loans for affordable housing from the Housing Trust Fund if the subsequent bonds pass.

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City Financing

| <u>City Assistance</u> | <u>Type</u> | <u>Amount</u> | <u>Source</u> |
|--|-------------|---------------------|--|
| Section 108 Loan Guarantee (land acquisition) | Loan | \$10,000,000 | Federal loan backed by local CDBG funds |
| Housing Trust Fund Set Aside (rental housing) | Loan | \$ 5,000,000 | 2008 and 2010 Future Housing Trust Bonds |
| Sub-Total Loans | | \$15,000,000 | |
| Synthetic Tax Increment Financing (for Section 108 debt service) | Grant | \$ 3,600,000 | Future development tax revenue |
| Infrastructure (roads, sidewalk, curb & gutter, street amenities, etc) | Grant | \$ 6,000,000 | To be considered as part of the FY09 Capital Budget. |
| Relocation Assistance (for current residents) | Grant | \$ 500,000 | CDBG Funds |
| Land Donation (1.3 acres) | Grant | \$ 55,800 | City Asset |
| Sub-Total Grants | | \$10,155,800 | |
| Total | | \$25,155,800 | |

Synthetic Tax Increment Financing

- The Housing Partnership commits to provide land sale proceeds to pay down the Section 108 debt service. These funds will be escrowed with the City.
- The Housing Partnership is responsible for making up any difference between 90% of tax increment and debt service.
- Total payments to be made by the City shall not exceed \$3.6 million. If the \$3.6 million cap is not reached within 20 years or if the Section 108 loan is paid off, the City's payments cease.

Infrastructure

- The City will consider the Infrastructure Grant as part of the FY09 budget process.

Small Business Enterprise

- The development project has a 15% Small Business Enterprise /Minority and Women Business Enterprise requirement.

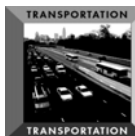
Future City Council Actions**Spring 2008**

- Section 108 loan
- Infrastructure Grant Approval and Infrastructure Reimbursement Agreement
- Approval of Housing Trust Fund project investments using the \$5 million set aside
- Notice and public hearing for City land transfer

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Attachment 3

Development Funding Agreement for Double Oaks Redevelopment
 Double Oaks Redevelopment Background

11. 2008 Transportation Legislative Priorities

Action: Approve the Governmental Affairs Committee's recommendation on 2008 Transportation Legislative Priorities.

Committee Chair: Patsy Kinsey

Staff Resource: Jim Humphrey, Transportation
 Boyd Cauble, City Manager's Office

Explanation

- 2008 is expected to be a busy year regarding state transportation policy. A 21st Century Transportation Committee has been established to look at a number of transportation related subjects. That committee is to complete a preliminary report by May 1, 2008 and a final report by the end of next year.
- The Joint Legislative Transportation Oversight Committee has also asked for a report on a number of issues related to transportation and operations of the NCDOT. The NCDOT is also conducting an internal assessment.
- City Council's Governmental Affairs Committee met on October 1 and November 12 to discuss Charlotte transportation legislation priorities for 2008. The goal was to establish a limited number of priority items that could be used in discussions with legislators, committee members, County Commissioners, other elected officials, Chamber of Commerce leaders, the North Carolina League of Municipalities, the Metropolitan Coalition or others that could partner / assist in our efforts.

Committee Action

- On November 12, the Governmental Affairs committee voted 4-1 (Favor: Kinsey, Barnes, Dulin, Lassiter; Oppose: Burgess) to recommend two groups of priorities, listed below. A description of the priorities is attached.
- A briefing paper will be prepared after City Council's vote.
- Following are the two groups of priorities, listed in priority order, that were approved by the Governmental Affairs Committee:

Priorities Critical to Benefit all Municipalities

- Pursue innovative financing for state roads
- Remove Interstates and US Highways from equity formula
- Eliminate Highway Trust Fund Transfer to the General Fund
- Consider revenue source to address local road needs

Priorities Critical for Charlotte Region

- Advocate for High Occupancy Toll/Managed Lanes/Turnpike Authority Funding
- Preserve and protect Transit Matching Funds
- Continue to improve street lighting, litter and maintenance on state roads
- Locate an office of key NCDOT decision makers in Charlotte

Attachment 4

Priority List Clarification

21st Century Transportation Committee Press Release**12. Synthetic Tax Increment Financing Guidelines**

Action: Approve the Economic Development and Planning Committee's recommendation to adopt Guidelines for Synthetic Tax Increment Financing.

Committee Chair: John Lassiter

Staff Resource: Ron Kimble, City Manager's Office
Tom Flynn, Economic Development
Greg Gaskins, Finance

Explanation

- At City Council's February 2007 Retreat, Council referred the issue of establishing guidelines for Synthetic Tax Increment Financing (TIF) to the Economic Development & Planning Committee. The Recommended Guidelines (attached) include the following:
 - Guidelines address financing categories: Infrastructure Investment; Public Asset Purchase; Economic Development Grants
 - Guidelines define total increment versus net increment
 - Infrastructure Investment involves building new public infrastructure such as roads, streetscapes and parking decks
 - Highest priority infrastructure in highest priority areas eligible for TIF up to 90% of total increment for up to ten years
 - High priority infrastructure in high priority areas eligible for TIF up to 45% of total increment for up to ten years (approximates 90% of net increment)

- Public Asset Purchase involves building new public buildings that become significant assets of the City, such as theatres and museums. These would be eligible for TIF up to 90% of total increment for up to 25 years.
- Economic Development Grants involves gap funding for economic development projects in business corridors and strategic plan geography. These would be eligible for TIF up to 90% of total increment for up to ten years.
- Capacity: The amount of total TIF assistance to all projects be limited to 3% of annual property tax levy in any given year.

Committee Discussion

- On November 7, 2007 the Economic Development and Planning Committee voted 4-0 (Lassiter, Dulin, Carter and Lochman) to recommend approval. Issues discussed include:
 - Impact of capacity guideline on debt capacity
 - Calculation of net incremental taxes

Attachment 5

City of Charlotte Guidelines: Synthetic Tax Increment Financing

BUSINESS

13. City County Interlocal Agreement for Brooklyn Village/Third Ward Park/Knights Baseball Stadium Project



Action: Adopt a resolution ratifying amendments to the City County Interlocal Agreement for the land swap to enable the development of Brooklyn Village, the Third Ward Park and the Knights Baseball Stadium.

Staff Resources: Ron Kimble, City Manager's Office
Cindy White, City Attorney's Office

Explanation

- While the City, the County, the School Board, Spectrum/Cornerstone, the Charlotte Housing Authority and the Knights continue to work through the various agreements to bring this project to fruition, the series of lawsuits have the potential impact of delaying clear title to the Brooklyn Village land, and require amendments to the Interlocal agreement adopted by the City and County in May of 2007.
- The following are the recommended changes to the interlocal agreement:
 - Amending Section 2.04 to set the date by which the County and Spectrum will have executed the agreement to complete the land transactions necessary for the development of Brooklyn Village to March 1, 2008.
 - Amending Section 2.04 to extend the date from May 1, 2009 by which the land transactions necessary for the development of Brooklyn Village occur to December 1, 2012. This extension is due to the impact of potential lawsuits.
 - Delete the clause in Section 2.04 requiring the County to restore Marshall Park to its original condition if it is conveyed back to the City. The agreement already gives the City the option to get Marshall Park back if the transactions necessary for the development of Brooklyn Village do not occur by the required date (December 1, 2012).

Attachment 6

Resolution

Amendment to Brooklyn Village/Knights Baseball Stadium Interlocal Cooperation Agreement

14. Infrastructure Reimbursement Agreement for McCullough Drive/City Boulevard Connector Road



Action: Approve the Infrastructure Reimbursement Agreement up to \$5.4 million (consistent with the Council approved framework) with Crescent Resources for the construction of the Connector Road between McCullough Drive and City Boulevard.

Staff Resource: Tom Flynn, Economic Development

Explanation

- Crescent Resources has requested City financial assistance in the construction of a road that will connect McCullough Drive from the north to the City Boulevard. From the IKEA rezoning (06-155 approved May 21, 2007), the developer is responsible for the road extending from City Boulevard to the intersection of the IKEA entrance.
- The request for financial assistance is only for the portion of the road north of IKEA (see attached map).
- City Council unanimously approved the framework on June 25, 2007 and directed staff to develop a reimbursement agreement.
- The road provides the following benefits:
 - The road is part of an overall proposed road network that supports the at-grade intersection of N. Tryon Street (Highway 29) and City Boulevard (Highway 49).
 - While Crescent Resources owns a majority of the property surrounding the proposed road, the connection would not necessarily be made without City assistance due to topographical challenges that increase road costs and limit development potential.
 - University City Partners supports the project as it helps build the overall proposed road network set forth in the University City Area Plan.
 - The connector road will contribute to the overall accessibility of IKEA, a regional retailer projected to supply the City with over \$400,000 in annual sales tax from visitors outside Mecklenburg County.
- The Reimbursement Agreement includes:
 - 90% of the City's property tax increment on new development would be returned to Crescent Resources over a period of 10 years and will not exceed \$5.4 million for road construction.
 - Reimbursement payments would be for only those road costs from McCullough Drive to the IKEA intersection. This is estimated to be \$7.5 million. The City's contribution will not exceed \$5.4 million.
 - The ten year reimbursement period will commence no later than three years after the Certificate of Occupancy is granted on IKEA.
 - Construction of the connector road will be completed no later than two years after Certificate of Occupancy of IKEA.
 - Future development adjacent to the connector road will follow the design and land use patterns set forth in the University City Area Plan as adopted or amended.

- Crescent Resources will dedicate right of way for future extension of University Pointe Boulevard and the connector road extension south of City Boulevard to McFarlane Boulevard.
- SBE goal of 10% in the Reimbursement Agreement

Future Action

- Crescent intends to submit a rezoning for this site in January 2008. This rezoning will address design criteria for the development.

Attachment 7

Reimbursement Agreement

15. Police 2007 Technology Grant



- Action:**
- A. Accept a grant from the U.S. Department of Justice, in the amount of \$5,589,750 for data sharing technology, and**
 - B. Adopt a budget ordinance appropriating grant finds of \$5,589,750 and a portion of the required local match, \$350,000 from police assets forfeiture fund, for a total of \$5,939,750.**

Staff Resources: Chief Darrel Stephens, CMPD
Deputy Chief Ken Miller, CMPD

Explanation

- CMPD presented a project proposal to the U.S. Department of Justice (USDOJ), Office of Community Oriented Policing Services, to expand its data sharing capacity with other agencies at a cost of \$7,453,000. The project builds upon existing technology and investments.
- CMPD has received a grant from the USDOJ in the amount of \$5,589,750 which supports 75% of the project costs.
- Grant funds will provide hardware, software, process and governance structure to allow for data interoperability in the 11 county area where radio interoperability has been established (Mecklenburg, Iredell, Gaston, Catawba, Cabarrus, Union, Anson, Stanly and Lincoln Counties, North Carolina and Lancaster and York Counties, South Carolina). This area mirrors the Urban Area Security Initiative (UASI) region.
- Currently, the police, fire, medical and emergency management agencies in this region cannot easily share data because the agencies use separate and distinct data collection software applications. This hinders the ability of agencies to work together to respond to criminal activity, natural disasters and terrorist activity.
- Grant funds will be used to establish a data system with information on suspects, victims, and witnesses within the 11 county region.

- Officers and analysts will have regional access to timely data related to criminal activity and investigations that will allow for detailed link analyses of people, places, and events.
- Grant funds will also create a system that makes linkages among data bases from a variety of agencies, including the police, fire, emergency medical services, county emergency management offices and county public health agencies in the 11 county region.
- Efforts will be made to include relevant data from private sector agencies such as public utilities, major banking institutions, transportation providers and major entertainment venues as part of the regional effort to prevent and respond to acts of terrorism. Data sharing protocols will be developed with any private sector agencies that contribute data to the system.
- The data linkage and analysis capabilities will provide Charlotte and the surrounding region unprecedented opportunities to prevent, prepare for, and respond to criminal activity, natural disasters, pandemics, and terrorism.
- Funds will also be used to link the fusion center being established for this region (Charlotte Region Intelligence and Analysis Center) with the South Carolina, Tennessee, and North Carolina Fusion Centers for multi-state data sharing.
- The enhanced data analysis capabilities will also support community-based problem solving activities.
- The grant period is from September 1, 2007 to August 31, 2010.
- The grant award must be signed and returned to the U.S. Department of Justice by December 28, 2007.

Funding

- Acceptance of this grant obligates the City to a local cash match of 25% of the total project cost in the amount of \$1,863,250 over three years beginning in September 2007. CMPD has identified the use of assets forfeiture funds up to \$1,050,000 to address a portion of the match. Action B appropriates \$350,000 from assets forfeiture funds for the current fiscal year.
- If Council accepts the grant, staff would review options to fund the remaining \$813,250 in the City's operating budget over the next two fiscal years beginning in FY2009. Staff would review these funding options as a part of the Council's FY2009 budget process.
- Beginning in FY2011, the project would have ongoing annual system maintenance costs of approximately \$408,600. In addition, there will be an average annual financial impact of \$185,300 for periodic refresh of hardware for an estimated ongoing total impact of \$593,900.
- Funding for these ongoing annual costs may be mitigated by the establishment of user fees paid by participating agencies in the region. The City's obligation would be for its share of those user fees. The user fees would be determined by a governing council that would be established during the grant period.
- While acceptance of the grant obligates the City to future General Fund expenditures, this contribution leverages \$5,589,750 of the U.S. Department of Justice, Community Oriented Policing Service grant funds to acquire and use the technology.

Attachment 8
Budget Ordinance

16. Mayor and Council Topics

Council members may share information and raise topics for discussion.

Introduction to CONSENT

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

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

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

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

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

Contractors and Consultants

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

CONSENT I

17. Various Bids

A. FY08 Contract B, Water and Sewer Street Main CMU

Staff Resource: Doug Bean

Action

Award the low bid of \$1,352,804 to R. H. Price, Inc., Matthews, North Carolina for construction of sanitary sewer and water mains along existing roadways in Mecklenburg County.

Small Business Opportunity

Established SBE Goal: 5 %

Committed SBE Goal: 5.2 %

R. H. Price, Inc., has committed \$71,000 to the following SBE firms:
Capstone Civil Group, Union Paving Contractors, On Time Construction, Inc. and HM Hunter Company

B. Airport Painting Contract

Aviation

Staff Resource: Jerry Orr

Action:

Award the low bid of \$287,040 by Bobby's Painting Company, Inc. of Charlotte, North Carolina for painting services at the Airport.

Small Business Opportunity

Pursuant to Part C, Section 2.4 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated. (Bobby's Painting Company is an SBE.)

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 \$18,857.02.

Staff Resource: Sherry Hite, Finance

Attachment 9

Resolution

List of property tax refunds

19. In Rem Remedy

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety:

- A. 2928 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood)

Complaint:

- B. 3504 Avalon Avenue (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)
 C. 417 Lakewood Avenue (Neighborhood Statistical Area 21 – Lakewood Neighborhood)
 D. 4233 Plato Circle (Neighborhood Statistical Area 4 – Capital Drive Neighborhood)
 E. 2639 Ringwood Street (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)

Field Observation:

- F. 2029-2 B Avenue (Neighborhood Statistical Area 5 – Wilson Heights Neighborhood)
 G. 1215 Belmont Avenue (Neighborhood Statistical Area 51 – Belmont Neighborhood)
 H. 2300 Booker Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)
 I. 1208 Fairmont Street (Neighborhood Statistical Area 28 – Oaklawn Neighborhood)
 J. 2309/11 Marlowe Avenue (Neighborhood Statistical Area 13 – Ashley Park Neighborhood)
 K. 2328/30 Marlowe Avenue (Neighborhood Statistical Area 13 – Ashley Park Neighborhood)

Public Safety:

A. 2928 Ross Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2928 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood).

Attachment 10

Complaint:

B. 3504 Avalon Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3504 Avalon Avenue (Neighborhood Statistical Area 18 – Enderly Park Neighborhood).

Attachment 11

C. 417 Lakewood Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 417 Lakewood Avenue (Neighborhood Statistical Area 21 – Lakewood Neighborhood).

Attachment 12

D. 4233 Plato Circle

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4233 Plato Circle (Neighborhood Statistical Area 4 – Capital Drive Neighborhood).

Attachment 13

E. 2639 Ringwood Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2639 Ringwood Street (Neighborhood Statistical Area 18 – Enderly Park Neighborhood).

Attachment 14

Field Observation:

F. 2029-2 B Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2029-2 B Avenue (Neighborhood Statistical Area 5 – Wilson Heights Neighborhood).

Attachment 15

G. 1215 Belmont Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1215 Belmont Avenue (Neighborhood Statistical Area 51 – Belmont Neighborhood).

Attachment 16

H. 2300 Booker Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2300 Booker Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 17

I. 1208 Fairmont Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1208 Fairmont Street (Neighborhood Statistical Area 28 – Oaklawn Neighborhood).

Attachment 18

J. 2309/11 Marlowe Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2309/11 Marlowe Avenue (Neighborhood Statistical Area 13 – Ashley Park Neighborhood).

Attachment 19

K. 2328/30 Marlowe Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2328/30 Marlowe Avenue (Neighborhood Statistical Area 13 – Ashley Park Neighborhood).

Attachment 20

CONSENT II

20. Engineering Services for Community Economic Development Strategy

- Action:**
- A. Approve a contract with URS, Inc. for \$133,000 for engineering planning services for Beatties Ford Road Business Corridor, and**
 - B. Approve a contract with Kimley-Horn and Associates, Inc. for \$143,000 for engineering planning services for Commonwealth/Plaza Business Corridor.**

Staff Resource: Tom Russell, Engineering & Property Management
 Kent Main, Planning Commission
 John Howard, Planning Commission

Explanation

- City Council renamed the Business Corridor Revitalization and Pedscape Plan program during the FY2007 budget process. The new program name is Community Economic Development Strategy.
- The program will fund improvements along Charlotte's distressed business corridors and in areas with Council adopted Pedscape Plans.
- The program focuses on projects that improve the multi-modal function of designated streets and appearance of the streetscape. Typical projects include improved sidewalks, new curb and gutter, pedestrian intersection improvements, addition of on-street parking spaces, new bicycle facilities, pedestrian-scale lighting, and landscaping.
- The program is included in the Transportation Action Plan and the Economic Development Strategy Plan.
- Planning and Economic Development analyzes and selects potential target corridors based on the following selection criteria:
 - Adopted City Council Pedscape Plans
 - City Council objectives
 - Potential employment opportunities
 - Possibility of leveraging private development funds and/or activities
 - Creating a positive business climate
 - Revitalization of viable business areas
 - Implement 2025 Transit/Land use and Centers and Corridors plans
 - Current city multiple use initiatives including bike, pedestrian, transportation and transit.
 - Feasibility of completion and magnitude of potential scope
 - Past areas of interest
 - Geographic location
 - Applicable adopted Economic Development and Area Plans

A. URS, Inc.

- The Beatties Ford Road Business Corridor project will provide improvements for the safety of pedestrians, bicyclists, and transit users between LaSalle Street and I-85.
- This project is the implementation for the West End Land Use and Pedscape Plan that was adopted by City Council on November 14, 2005.
- The contract will be for planning services only. A future amendment for engineering design services is anticipated.

Small Business Opportunity

Pursuant to the SBO Program Policy for professional services contracts, the City negotiated a Committed SBE goal with the successful proposer. URS Corporation – North Carolina committed 11.04% (\$14,690) to the following SBE firm: Neighboring Concepts PLLC.

B. Kimley-Horn and Associates, Inc.

- The Commonwealth/Plaza Business Corridor project will provide improvements for safety of pedestrians, bicyclists, transit users and improved on-street parking.
- This project is the implementation of the Plaza-Central Pedscape Plan adopted by City Council on November 10, 2003.
- Contract will be for planning services only. A future amendment for engineering design services is anticipated.

Small Business Opportunity

Kimley-Horn included SBE firms on their project team which will be used if the contract is amended for design services

Funding

Transportation and Economic Development Capital Investment Plans

21. Engineering Services for the Brookshire/I-485 Area Plan

Action: Approve a contract with STV/Ralph Whitehead Associates in the amount of \$84,920 for engineering planning services for the Brookshire/I-485 Area Plan.

Staff Resources: Greg Burnham, Planning
Sharon Buchanan, Engineering & Property Management

Explanation

- The Charlotte City Council adopted the Brookshire/I-485 Area Plan in January 2002. The Area Plan provides direction for guiding development in the area surrounding the future freeway interchange and is a result of concerns expressed by citizens over the numerous rezoning petitions in the area. The Plan recommends pedestrian improvements and appropriate street lighting.

- The contract will include public involvement and planning services. A future amendment for engineering design services is anticipated.
- The project includes sidewalk and pedestrian crossing improvements along Rozzelles Ferry Road from Winding River Road to Mt. Holly-Huntersville Road and along Mt. Holly-Huntersville Road from Rozzelles Ferry Road to Brookshire Boulevard. These improvements provide pedestrian connections from existing neighborhoods to commercial developments in the area.
- STV/Whitehead was selected pursuant to a Council approved qualifications-based selection process performed in accordance with North Carolina State General Statutes.

Small Business Opportunity

Pursuant to the SBO Program Policy for professional services contracts, the City negotiated a Committed SBE goal with the successful proposer. STV/Ralph Whitehead Associates committed 5.1% (\$4,295) to the following SBE firms: Richa Graphics and Geological Resources, Inc.

Funding

Transportation Capital Investment Plan

22. Engineering Services for the Providence/I-485 Area Plan

Action: Approve a contract with Armstrong Glen in the amount of \$182,073 for engineering services for the Providence/I-485 Area Plan.

Staff Resources: Greg Burnham, Planning
Sharon Buchanan, Engineering & Property Management

Explanation

- The Charlotte City Council adopted the Providence/I-485 Area Plan in July 2000. The Area Plan noted a lack of pedestrian connectivity in the area, especially sections located adjacent to established developments where redevelopment is not likely to occur.
- This contract will include public involvement, planning and design services.
- The project includes sidewalk and pedestrian crossing improvements across from J.M. Robinson Middle School along Ballantyne Commons Parkway from Quail Acres Road to Annalexa Lane, and also along McKee Road from Providence Road to McKee Road Elementary School.
- Armstrong Glen was selected pursuant to a Council approved qualifications-based selection process performed in accordance with North Carolina State General Statutes.

Small Business Opportunity

Pursuant to the SBO Program Policy for professional services contracts, the City negotiated a Committed SBE goal with the successful proposer. Armstrong Glen committed 0.55% (\$1,000) to the following SBE firm: Carolina Wetland Services, Inc.

Funding

Transportation Capital Investment Plan

23. Grounds Maintenance Service Renewals

Action: Approve renewals to contracts for grounds maintenance services with
A. Accolade Designs in the amount of \$76,962.60 for East District and,
B. Caddell Turf Management, Inc. in the amount of \$105,434.74 for West District

Staff Resource: Quin Hall, Engineering & Property Management

Explanation

- Landscape Management competitively selected these vendors through a Request for Proposal process.
- Regular facilities grounds maintenance activities for these contracts include activities such as grass mowing, shrub and bed maintenance and trash removal.
- The East District Grounds Maintenance contract includes but is not limited to the following facilities: Belmont Center, Street Maintenance (Orr Road), Equipment Services – Louise Avenue Shop, Equipment Services-Seigle Avenue Shop, Fire Prevention Bureau, Solid Waste – Special Services Division.
- The West District Grounds Maintenance contract includes the following facilities: Animal Control, Charlotte Vehicle Operation Center, Police and Fire Academy, and West Service Center.
- These renewals are based on good contractor performance utilizing existing and adjusted unit prices.
- The original contract document allows for renewals of the contract up to two times, at the City's option, as an incentive to the contractor for productivity and workmanship.

A. Grounds Maintenance Contract with Accolade Designs

- The City Manager approved the original contract for \$74,360 on December 6, 2006.
- The total contract amount to date including Renewal #1 will be \$151,322.60.

B. Grounds Maintenance Contract with Caddell Turf Management, Inc.

- City Council approved the original contract for \$98,523.49 on December 21, 2005.
- City Council approved Renewal #1 for \$102,562.98 on October 23, 2006.
- The total contract amount to date including Renewal #1 and #2 will be \$306,521.21.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO goal was established for these contracts because subcontracting is not anticipated.

Funding

Engineering and Property Management Operating Budget

24. Special Transportation Services Bus Purchase

- Action:**
- A. Approve the purchase of Special Transportation Service (STS) paratransit vehicles from National Bus Sales of Marietta, Georgia at a unit cost of \$69,214, in an amount not to exceed \$1,765,656, and**
 - B. Adopt a budget ordinance appropriating \$1,765,656 .**

Staff Resource: Jim Zingale, CATS

Explanation

- Special Transportation Services (STS) paratransit vehicles are used to provide door-to-door transit services within Charlotte's city limits, including the towns of Matthews and Pineville, for individuals with disabilities certified as eligible according to the Americans with Disabilities Act (ADA).
- On January 8, 2007 City Council approved a citywide unit price contract for several vehicle types including the STS paratransit vehicle.
- The contract is with National Bus Sales for the Goshen Paratransit Vehicle.
- This request includes the purchase of approximately 24 vehicles complete with the necessary operational equipment including radios and decals.
- The contract contains provisions that allow for both the addition/deletion of optional equipment as well as for price increases due to bona fide and documented material and labor costs only.
- The vehicle unit price reflects increases due to new federally mandated emission requirements directly related to an engine enhancement that will produce lower emissions and to a chassis substitution due to the current unavailability of the chassis originally bid.
- The paratransit buses that need replacement have exceeded the recommended in-service life and are experiencing escalating maintenance costs.
- The FY08 capital budget provides funding for the replacement of these vehicles.

Small Business Opportunity

Pursuant to Appendix Section 18 of the SBO Program, no SBE goals are established for purchases of goods & equipment.

Funding

Transit Capital Fund Investment Plan

Attachment 21

Budget Ordinance

25. Airport Terminal Complex Planning

Action: A. Award consulting contracts listed below totaling \$1,105,000 to assist the Aviation Director with planning for the Terminal Complex Expansion and Rental Car Facilities Redevelopment:

| | |
|-------------------------|-----------|
| – Roy Johnson | \$100,000 |
| – LS3P/HNTB | \$655,000 |
| – Newton & Associates | \$250,000 |
| – Albersman & Armstrong | \$100,000 |

B. Adopt a budget ordinance appropriating \$381,000 from the Airport's Contract Facility Charge (CFC) Fund, to be refunded from future CFC Revenue Bonds; and appropriating \$724,000 from the Airport Discretionary Fund Balance, to be refunded from future Airport General Airport Revenue Bonds.

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

- On May 29, 2007 Council adopted an ordinance imposing a Contract Facility Charge (CFC) of \$3.50 per day on rental car contracts in effect at the Airport to provide funding for the planning and construction of new, relocated rental car facilities at the Airport.
- The new rental car facilities must be planned and designed as part of an integrated project to redevelop the landside area of the passenger terminal complex at the Airport, including terminal expansion, parking structures and terminal roadways. This process is already underway with the recent construction of two new parking decks at the north end of the daily parking lot.
- Conceptual plans for the completion of the terminal expansion include:
 - Demolishing the two hourly decks and constructing two new decks further north than the existing decks to combine rental car pick-up and return storage and short term public parking
 - Relocating and expanding the terminal roadway to the north
 - Expanding the terminal building to the north to create greater depth in the ticketing and baggage claim lobbies
 - Relocating the existing rental car service facilities along Rental Car Road to remote facilities on Wilkinson Boulevard to make room for an additional concourse

- The Airport assembled a team of planning consultants that combines terminal complex, roadway, parking, rental car and financial expertise to move this project from conceptual to the development stage.
- The contracts are for the duration of the project (approximately three years) and are based on an hourly rate with a not to exceed maximum amount.
 - Roy Johnson – Terminal Planning. Mr. Johnson is the former president of Odell & Associates, the original terminal architect. He is also the Airport’s part time, in-house architect, and is the individual with the most detailed knowledge of the structural history and character of the terminal. The selection is based on expertise, project knowledge and continuity.
 - Newton & Associates, Inc. (NAI) - NAI is a Charlotte firm and airport financial consultant engaged by the City to develop the financial plan supporting the 2007 and 2008 Airport Revenue Bonds. Their involvement in all aspects of this planning process will be necessary to fit the cost of the project into available funding. The selection is based on expertise and continuity.
 - LS3P/HNTB – Parking Structure/Terminal Roadway Planning. This group will provide planning and design services for the Airport terminal roadway and the continued development of Airport parking decks. The team designed the two new decks recently completed and the roadway system providing ingress and egress at the decks. This will involve a continuation of their assistance in completing this project. LS3P/HNTB was selected pursuant to the Council approved qualifications-based selection process.
 - Albersman & Armstrong – Rental Car Facility Planning. This firm has critical expertise in planning, sizing and design of airport rental car facilities. The rental car companies selected this firm to work with the Airport planning team to express the views of the rental car companies in the planning and design of the rental car facilities.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

Each firm committed to use Richa Graphics, an SBE firm, for all printing and graphics on this project, for a total of \$33,150.

Funding

The City is already collecting CFCs to pay for the planning costs related to the rental car element of this effort. Airport funds will be used to pay for the non-rental car elements. Eventually, the entire planning and development costs will be permanently financed with additional Airport Revenue Bonds, the debt service on which will be paid from Airport Revenues, Passenger Facility Charges and CFCs, as appropriate.

Attachment 22

Budget Ordinance

26. Airport Environmental Compliance and Permitting Contract

Action: **A. Approve a contract with HDR Engineering in the amount of \$497,000 for the development of erosion control and storm water management plans for projects related to the Third Parallel Runway; and**

B. Adopt a budget ordinance appropriating \$637,442 from the Airport Discretionary Fund Balance to be replaced by proceeds from a future Federal Aviation Administration grant.

Staff Resource: Jerry Orr, Aviation Director

Explanation

- In August 2004 the Airport selected a team of engineers to design the third parallel runway. The team included Talbert & Bright, HNTB, TY Lin International/HJ Ross, IMDC, and HDR Engineering.
- In April 2005 Council approved a contract with Talbert & Bright for the runway and taxiway grading and pavement design, which included erosion control and storm water management plans for the runway project.
- The grading contract for the Third Parallel Runway was awarded to ES Wagner Company LLC in February 2007, and a change order was awarded in August 2007 for additional grading of areas around the runway project to take advantage of favorable pricing.
- This contract will provide design services for the development of erosion control plans for land areas added to ES Wagner's contract for the Third Parallel Runway.
- This contract will also provide services for the development of a storm water management plan for projects related to the Third Parallel Runway including Taxiway 'V', Old Dowd Road and West Boulevard, that will compliment the approved storm water management plan for the Third Parallel Runway.
- This contract is funded with a combination of proceeds of the 2007 General Airport Revenue Bond issue, the debt service of which is paid from Passenger Facility Charge (PFC) revenues and future FAA grant proceeds.
- The budget ordinance appropriates \$637,442 of Airport Discretionary Funds for this contract (totaling \$497,000) and the balance of \$140,442 will be used to pay for related storm water permit fees and mitigation credits.

Disadvantaged Business Enterprise

The Federal DBE Program neither requires nor permits goals for every contract. The City must meet its overall goal by using a mix of contract goals and race-neutral means.

Funding

Airport Capital Investment Plan

Attachment 23
Budget Ordinance

27. Street Maintenance Resolution for a Section of South Boulevard

Action: Approve a resolution to transfer maintenance of a section of South Boulevard from the North Carolina Department of Transportation (NCDOT) to the City of Charlotte.

Staff Resource: Jim Humphrey, Transportation

Explanation

- The City approved land use and transportation plans for the South Corridor as part of its growth strategy.
- Some elements of that plan did not meet state standards (examples: divided road section near Clanton Road, on-street parking, some transit related facilities, etc). Consequently, City Council committed to take over maintenance of South Boulevard from I-277 to Woodlawn Road through a municipal agreement approved in 2003.
- Prior to City acceptance, the municipal agreement specified that the NCDOT would pay to correct structural problems with the street including milling of the existing roadway, base repair, curb and gutter repair, repaving and the addition of new pavement markings at a cost of \$1,300,000.
- In addition to the NCDOT reimbursed improvements, the City made a number of additional improvements to this section of South Boulevard through the South Corridor Infrastructure Program.
- The assumption of maintenance responsibilities by the City will also benefit permitting and approvals of private development.
- Work has been completed and the NCDOT has been billed.
- Approval of the requested action will transfer maintenance of this portion of South Boulevard to the City and add the mileage to the Powell Bill funding formula.

Funding

Powell Bill

Attachment 24
Resolution

28. Safe Routes to School Grant Application

Action: Approve a resolution endorsing the submittal of a North Carolina Safe Routes to School Demonstration Grant Application for Sedgefield Elementary School.

Staff Resource: Vivian Coleman, Transportation

Policy

- Policy 3.1.7 of the Transportation Action Plan (TAP) states that City will coordinate with the Charlotte-Mecklenburg School system in an effort to locate more schools where students can walk or bicycle to school sites in an effort to reduce vehicle mile traveled, reduce energy consumption and create more livable neighborhoods.
- The TAP also identifies a program for Safe Routes to School to enhance infrastructure around schools.

Explanation

- Safe Routes to School is a national program of the U.S. Federal Highway Administration. Approximately \$15 million is available to North Carolina schools to better enable children to walk and bicycle to school.
- Funds are available to implement projects and promote activities that will improve pedestrian safety, reduce traffic congestion, fuel consumption, and air pollution in the vicinity (approximately 2 miles) of primary and secondary schools.
- In 2005 CDOT received partial funding through NCDOT to hold the National Safe Routes to School course, which was held at Merry Oaks Elementary School and Sedgefield Elementary School.
- Sedgefield and Merry Oaks are two of about 30 schools selected statewide to apply for the 2007 Demonstration Grants because they have completed the national course,
- Staff has met with Charlotte-Mecklenburg Schools (CMS) to discuss the Demonstration Grant call for proposals. Sedgefield Elementary has decided to apply for the grant.
- The purpose of the Demonstration Grant Program is to develop a range of innovative, creative infrastructure projects that will enable and encourage school children to walk or bicycle to school safely.
- The Demonstration Grants will be competitive. Four to eight grants are expected to be awarded. Awards for infrastructure projects will range from \$100,000 to \$250,000. All grants will be awarded on a cost-reimbursement basis. No local match is required. However, local government or agency participation in the form of a supplement to the award is permitted and encouraged for larger projects.
- Given that the City supports the Safe Routes to School initiative, the City supports the demonstration grant application for Sedgefield Elementary School. CDOT staff will partner with CMS staff to complete the grant application.

- The grant will include implementation of infrastructure improvements, such as new sidewalks, repair of sidewalks, improved street crossings and possible traffic calming treatment. An action plan will be developed and submitted with the grant application that includes proposed infrastructure needs. A concurrent Neighborhood Improvement Project is being developed in this area which should strengthen the grant proposal through other collaborative efforts.
- If awarded, a maintenance agreement with NCDOT for the completed project will be required.

Funding

Reimbursable up to \$250,000. No local match required.

Attachment 25

Resolution

29. Long Creek Parallel Outfall, Phase II Change Order

Action:

- A. Adopt a budget ordinance appropriating \$498,000 from Long Creek Parallel Outfall Phase I to Long Creek Parallel Outfall Phase II and,**
- B. Approve Change Order #3 in the amount of \$498,000 to cover the cost of additional materials and labor performed on Long Creek Parallel Outfall by D.H. Griffin Infrastructure.**

Staff Resource: Doug Bean, Utilities

Explanation

- During the construction of the Long Creek Parallel Outfall, Phase II the contractor encountered very poor wet soil conditions in one section of the pipe alignment. These conditions required that substantial additional soil be excavated and replaced with large crushed stone to create a firm foundation under the pipe to prevent settling.
- This change order is primarily for the cost of the additional stone purchased and installed under the pipe that was not anticipated during the design.
- Change order also includes a 199-day time extension in the contract due to lost production time resulting from the extra work required.
- The project is now complete and this is the final change order on the project.

Background

- The construction contract with DH Griffin Infrastructure for the Long Creek Parallel Outfall, Phase II was awarded by City Council in January 2005 in the amount of \$6,135,832.87.
- Change order #1, in the amount of \$934,233, was approved by Council in June 2005. This change order was needed due to changes in tunnel design and increased pipe size.

- Change order #2 was for time only.
- The new contract total is \$7,568,065.87.

Small Business Opportunity

All additional work involved in this change order will be performed by the current contractor and their existing subcontractors. This change order complies with Part D: Section 6 of the SBO Program.

Funding

Sewer Capital Investment Plan

Attachment 26

Budget Ordinance

30. McAlpine Creek Waste Water Management Facility, Effluent Filter Upgrades

Action: Approve a professional services contract with CH2M Hill, Inc. in the amount of \$431,912 to provide preliminary design of the McAlpine Creek Waste Water Management Facility (WWMF) Effluent Filter Upgrades Project.

Staff Resource: Doug Bean, Utilities

Explanation

- The Wastewater Treatment Capacity Study recently completed and presented to City Council at the September 9, 2007 Workshop, determined that the filters at the McAlpine Wastewater Treatment Plant needed to be expanded for the plant to reliably treat the full permitted capacity of 64 million gallons per day.
- This project will evaluate different filtration technologies to determine the best technology from a performance and cost effective standpoint.
- The contract provides professional services associated with the evaluation and preliminary design phase of the McAlpine Creek WWMF Effluent filter Upgrades Project.
- CH2M Hill was selected using the Council-approved qualifications-based selection process.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 5%

CH2M Hill met the established goal and has committed \$21,600 to the following SBE firms: Carolina Copy Service, CITI, Joel E. Woods, On Target Utility Locate Services and R. Joe Harris & Associates.

Funding
Sewer Capital Investment Plan

31. Assets Forfeiture Appropriation

Action: Adopt a budget ordinance appropriating \$48,710 in police assets forfeiture funds.

Staff Resource: Greg Crystal, CMPD

Explanation

- Federal law allows law enforcement agencies to use their share of seized assets for law enforcement related expenditures that are not included in the agency's annual budget.
- The ordinance appropriates \$48,710 in assets forfeiture funds to be used for:
 - \$6,710 will be used for equipment and undercover car rental for the Street Crimes Task Force.
 - \$13,300 will be used for Criminal Investigations Bureau equipment, including a server and data storage space.
 - \$15,700 will cover equipment for the HITS Unit, including seven replacement radar units, a brake meter and accompanying software to measure the drag factor at crash scenes, and a crash data retrieval system that downloads collision information stored when there is an air bag deployment.
 - \$13,000 will be used to replace shotgun barrels.

Funding
Police Assets Forfeiture Funds

Attachment 27
Budget Ordinance

32. Certification of CMS Officers as CMPD Police Reserves

Action: Adopt a resolution ratifying an interlocal agreement between the City of Charlotte and the Charlotte-Mecklenburg Board of Education under which officers in the Charlotte-Mecklenburg Schools Law Enforcement Division will be certified as CMPD Police Reserves.

Staff Resource: Chief Darrel Stephens, CMPD
Judy Emken, CMPD

Explanation

- The Charlotte-Mecklenburg Schools Law Enforcement Division (CMSLED) was established in 1970; the department has a director, two patrol supervisors, 11 officers and four detectives.
- Law enforcement officers must be certified by an agency in accord with the NC Criminal Justice Training and Standards Commission in order to carry firearms and have jurisdiction within the city/county to undertake any law enforcement action.
- Currently, CMSLED officers are certified through the Mecklenburg County Sheriff's Office but the Sheriff has chosen to discontinue their certification.
- CMPD partners with CMSLED on a daily basis to address criminal activity on school property, gang issues, and other activities that impacts the learning environment. CMPD believes that it is important to have sworn CMSLED officers working in conjunction with School Resource Officers to ensure safety in the schools as well as at extracurricular activities.
- If CMSLED officers were to lose their certification, and consequently their arrest powers, CMPD officers would face additional workload demands in regard to the schools such as first response to calls at elementary schools and response to alarm calls. School Resource Officers are not assigned to elementary schools.
- CMPD wishes to hold the certification for CMSLED officers for 18 months while the Charlotte-Mecklenburg Schools seek local legislation from the General Assembly to form a stand alone police agency.
- CMSLED officers would be certified as Charlotte-Mecklenburg Police Reserves; they would have no Civil Service protection.
- CMSLED officers would be subject to the same rules and regulations as CMPD officers and would perform their firearms qualification on the CMPD range under CMPD standards.
- CMSLED officers would wear uniforms that are similar to those worn by CMPD officers.
- The Charlotte-Mecklenburg Schools will indemnify CMPD for any legal actions resulting from the actions of CMSLED officers in the performance of their duties.
- The City Risk Management Division has been consulted regarding the issues associated with holding this certification; the agreement includes safeguards which limit the city's liability.
- The agreement also outlines the supervisory and reporting requirements that CMPD will impose on CMSLED. These requirements will further limit the likelihood of liability.

Funding

The Charlotte-Mecklenburg Schools will provide all compensation for the officers, including medical insurance and worker's compensation coverage. Charlotte-Mecklenburg Schools will absorb any and all costs to implement the interlocal agreement.

Attachment 28

Resolution

33. Avaya Telephony System Maintenance Support and System Upgrade Contract

- Action:**
- A. Approve the award of an Avaya Telephone System Software and Hardware Maintenance Support Agreement for an initial term of three years to ConsultEdge in the amount of \$171,667 annually,**
 - B. Authorize the City Manager to approve up to two, one-year renewal options contingent upon the service providers' satisfactory performance in an amount not to exceed \$200,000 per option, and**
 - C. Approve a one time system upgrade contract with ConsultEdge in the amount of for \$135,000.**

Staff Resource: Dennis Baucom, Business Support Services

Explanation

- The CMPD Crime Reporting Unit, CMUD Billing Center, CATS Customer Service, CATS Special Transportation Section and CharMeck 311 Call Center employ an Avaya Telephony System to manage incoming citizen calls. The system routes calls based on the number dialed and any menu selections made. The system holds calls in queue to avoid requiring customers to call back when lines are busy.
- The Avaya system was implemented in June 2004 and the initial maintenance support contract was awarded to Unisys Corporation. This was a one year contract with up to three one year renewals. The first three years of maintenance support totaled \$419,470, with the last year of the current contract costing \$153,470. The current contract expires on December 31, 2007.
- The City issued a Request for Proposals (RFP) on September 4, 2007 for Avaya Telephone System Hardware/Software Maintenance. The City issued an additional pricing requirement through an addendum on September 7, 2007, requesting that pricing on a System Upgrade be included in vendor responses to the RFP.
- The increase in the maintenance cost (\$18,197) in the new contract reflects the inclusion of new services, including software protection and a 15% capacity increase for future service users.
- The proposed Maintenance Support Contract will provide technical support, hardware maintenance, software maintenance, and on-site and remote system monitoring.
- The contract will also provide a required upgrade to bring the system into compliance with current software and hardware versions. The upgrade is routine and necessary for the system to continue as vendor supported. The version of the software currently used by the City will have only limited support by Avaya after December 2007.

- The City received two proposals: one from ConsultEdge and one from Strategic Products and Services, Inc. An evaluation team comprised of staff representatives from Procurement Services, BSS-NTS, City Manager's Office, CMPD, CATS and CMUD evaluated the proposals using the following criteria:
 - Background and experience of the company
 - Operational qualifications such as Avaya reseller status and certified technicians
 - Customer service philosophy
 - Location
 - References
 - Responsiveness
 - Pricing
- After a comprehensive evaluation process the evaluation team recommended ConsultEdge.

Small Business Opportunity

Pursuant to Part C: Section 2.4 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

Funding

Operating Budgets of System Users

34. Cost of Living Adjustment for Retired Charlotte Firefighters and Survivor Beneficiaries

Action: Approve a resolution approving one-time Cost of Living Adjustments (COLAs) of 4% for Charlotte firefighters who were retired on or before December 31, 2006 and survivor beneficiaries currently receiving benefits, said COLAs to be effective January 1, 2008.

Resource: Barbara Avard, Administrator of Charlotte Firefighter's Retirement

Explanation

- The Charlotte Firefighters' Retirement System Act (CFRS) was established in 1947 and has been amended by Council from time to time in order to increase retirement benefits.
- The CFRS is actuarially sound as certified by its actuary, Cavanaugh MacDonald Consulting, LLC. The proposed increases are within the current funding capacity of the System and therefore will not impact the contribution level, as set forth in the act, of either the City of Charlotte or active participants of the system.
- The CFRS Board of Trustees approved recommending a 4% adjustment at a regular meeting held October 25, 2007.

- Retirees have not received a regular Cost of Living Adjustment since January 2000.
- Under the Act, City Council has the authority to increase benefit levels. This recommended change does not have to be ratified by the North Carolina Legislature (Title IV, Section 23 of the Act).

Funding

Charlotte Firefighters Retirement System Trust Fund

Attachment 29

Resolution of the City Council

Section 23 from the Act of the CFRS

Letter from Cavanaugh MacDonald Consulting, LLC

History of previous increases to retirees of the CFRS

Illustration of North Carolina Retirement System increases and Social Security increases

35. Accounts Receivable System Replacement

Action: Approve a contract with Mitchell Humphrey & Company for the purchase of the FMS II Accounts Receivable System, in the amount of \$201,850, plus five years support and maintenance at a fixed cost of \$17,850 annually.

Staff Resource: Sherry Hite, Finance

Explanation

- FMS II will replace RAMS, the City's current accounts receivable and collection system acquired in 1985.
- RAMS is no longer supported by a vendor.
- RAMS invoices for services for many KBUs, including demolition liens, weed and grass liens and sign ordinance violations for bus passes and regional transit agreements, leases, utility tap liens, street cut repairs for Street Maintenance and maintenance of traffic devices.
- Typically there are approximately 6,400 outstanding receivables totaling \$7.5 million during a given year.
- New functionality is available in the FMS II System which will allow Finance to better serve KBUs and improve collections.
- On-going maintenance and support and upgrades to the software will be provided by the vendor.
- An RFP was issued on April 12, 2006. Four proposals were received.
- The evaluation team included representatives from Finance, Procurement Services and Information Technology.

- Mitchell Humphrey's proposal met the essential requirements of the RFP, which included having existing software (as opposed to building a system from scratch) and experience with government entities. Mitchell Humphrey's proposal also offered the most competitive price.

Small Business Opportunity

Pursuant to Part C: Section 2.4 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

Funding

Technology Investments Capital Fund

36. Winn-Dixie Tax Claims Settlement

Actions: A. Approve Settlement Agreement between City of Charlotte and Winn-Dixie Stores, Inc. allowing for resolution of City's tax claims against Winn-Dixie, and
B. Authorize City Tax Collector to sign Agreement on behalf of the City.

Staff Resources: DeWitt F. McCarley, City Attorney
Greg Gaskins, Finance Director
S. Mujeeb Shah-Khan, City Attorney's Office

Explanation

- For tax year 2004, the City and Mecklenburg County billed Winn-Dixie Stores, Inc. ("Winn-Dixie") for business personal property taxes in the amount of \$145,725.92. For tax year 2005, taxes were billed in the amount of \$137,268.81. The City's share for 2004 taxes is approximately \$52,024.15. The City's share for 2005 is approximately \$44,847.78.
- Winn-Dixie paid the 2004 taxes in full, but did not pay the 2005 taxes.
- Winn-Dixie then went into bankruptcy, by filing a voluntary petition with the Bankruptcy Court during 2005.
- The City and County filed a claim for the unpaid 2005 taxes with the Bankruptcy Court. In response, Winn-Dixie filed a motion with the bankruptcy court to reduce the City and County's tax claim for both 2004 and 2005 by 55%, so that the City and County would only receive \$155,647.10 for both tax years, requiring the City and County to refund a portion of the 2004 taxes (with the City's portion of the refund totaling \$28,613.28) and receive only \$24,666.28 for the 2005 taxes.
- In an attempt to resolve the outstanding claim, the City and County have been able to negotiate a settlement of the claim under which Winn-Dixie will pay the City and County \$125,000, which is approximately 91% of the total claim for the 2005 taxes. The City would receive approximately \$41,750 from the settlement. Winn-Dixie would not receive a refund of its 2004 taxes.

- The City Attorney's Office and the County Attorney's Office recommend that both the City Council and County Commission approve the negotiated settlement. This settlement will allow the City and the County to receive the funds within the current fiscal year, instead of the possibility that the Bankruptcy Court may approve Winn-Dixie's request to reduce their tax liability, which would require a refund by the Tax Collector of a portion of the 2004 taxes.
- Both the City Council and the County Commission must approve the settlement of the claim for either to receive its share of the \$125,000.
- As this is the settlement of a claim for a prior tax year, G.S. §105-373 permits the Council to approve a settlement of delinquent taxes, as long as the form of the settlement is satisfactory to the Council.
- Once approved by both the City and the County, the Settlement Agreement will be signed by the City-County Tax Collector, and Winn-Dixie will pay the outstanding taxes after approval of the Agreement by the Bankruptcy Court.

Attachment 30
Agreement

37. Sale of Surplus Land Rights along the South Corridor Light Rail Project

- Action:**
- A. Authorize the City Manager to negotiate and execute appropriate agreements to sell real property rights between the City of Charlotte and The Boulevard at 1447 South Tryon LLC (Developer) for a net total value of \$157,757.**
 - B. Adopt a resolution authorizing the sale of real property rights.**

Staff Resource: Timothy J. O'Brien, Engineering & Property Management
Tina M. Votaw, Charlotte Area Transit System (CATS)
Tom Warshauer, Economic Development

Policy

In 2005 City Council adopted the SouthEnd Transit Station Area Plan to guide development along the South Corridor Light Rail Project. The Plan defines development standards for property adjacent to the rail corridor and envisions that surplus right of way may be incorporated into adjacent transit friendly development.

Explanation

- In order to facilitate development along the rail corridor, consistent with the SouthEnd Station Area Plan, this property transaction will maximize the use of the outer edges of the rail corridor by constructing a new transit supportive development.

- The Developer's property is located between South Tryon Street and the Bland Street Light Rail Station, also near Charlotte Trolley Inc.'s future headquarters facility.
- The rail corridor in the SouthEnd area is 130 feet wide. The preserved transit corridor is typically 70 feet wide and is dedicated to light rail, trolley and pedestrian uses. The areas outside the preserved transit corridor (generally 30 feet in width on both sides of the corridor) are considered buffer areas and in this case can facilitate transit oriented development. Staff supports the land exchange as described below in order to encourage redevelopment of this property:
 - Financial Terms of the Agreement
 - Parcel A - City to sell 2,255 square feet of fee simple property for \$94,710
 - Parcel B - City to release its charter rights to 2,385 square feet for \$50,085. (This is akin to releasing easement rights. The developer already owns the underlying property rights to this area, subject to the City's charter/easement).
 - Parcel C - City to transfer an easement to the Developer for 2,443 square feet for \$68,488. The easement assures the Developer that the City will not build vertical structures within the easement area (this area is the common area/walkway between the Bland Street Light Rail Station and Camden Street). Because vertical structures will not be constructed, the Developer's building can meet fire/life safety requirements and the Developer therefore can fully develop this portion of their property with residential units.
 - City will require the Developer to construct an enhanced retaining wall that would exceed the zoning requirements in order to enhance Bland Street Light Rail Station. The additional cost of \$55,526 will be considered a credit to the Developer.
- Property tax value revenues for the proposed \$6 million development will increase from \$17,736/year to estimated \$82,000/year.
- The parcels proposed for transfer to the Developer are not otherwise developable without ownership of the adjacent land.
- The actual exchange of property rights between the City and the Developer is contingent upon Federal Transit Administration approval of this transaction.
- Proceeds generated from this transaction must be used for purposes of the South Corridor Light Rail project. Proceeds will go to the South Corridor Project Fund.
- Through the Mandatory Referral Process, the Planning Committee recommended approval of this action by a 6-0 vote.

Attachment 31
Aerial Map
Resolution

38. Fire Station Site Acquisition

Action: Approve the acquisition of 5.68 acres of land for a fire station site located near the corner of Wilkinson Boulevard and Sam Wilson Road for \$500,000 from Matlock Family Trust.

Staff Resource: Timothy O'Brien, Engineering & Property Management
Jon Hannan, Fire

Explanation:

- The Fire Department has identified a suitable site for a future annexation fire station in the Wilkinson Boulevard and Sam Wilson Road area. This site is in western Mecklenburg County in Charlotte's extraterritorial jurisdiction.
- This area will eventually be annexed into the City of Charlotte, necessitating extension of fire protection services.
- The locations of current fire stations are shown on the attached map. There is a distance standard of a 2.5 mile radius response area surrounding every station to ensure a fire truck will be on the scene within six minutes.
- The area that can be served by this proposed station is labeled as Area D on the attached map.
- The opening of I-485 interchange near the targeted site area has created a surge of demand for vacant land which is causing land prices to quickly increase. A search of the area revealed very few vacant properties that fit the selection criteria. Fortunately, the proposed site is available at a very competitive price (verified by an appraisal of the property) and is located squarely within the future response area.
- To identify a viable fire station site, the following criteria is used:
 - Approximately three acres (rectangular or square in shape)
 - Strategically spaced between neighboring stations to provide quick response to each neighboring station's area
 - Located on a main road, but not too close to a major intersection, to allow for easy site exit
 - Good line of sight distance
 - Near the crest of a road and not located in the valley of a road
 - Site at or just above road elevation
 - Preferably vacant (no active business properties or owner occupied homes unless property owner agrees to sell)
- The property proposed to be purchased meets all of the above described criteria. However, the site is approximately 2.5 acres larger than the ideal situation but rarely are there properties having the exact square footage needed for a fire station.
- The diagram of the property with the proposed fire station (attached), shows approximately 2.5 acres of excess land that would be difficult to develop due to an intermittent creek bed crossing the property. If the City purchased the property, the excess land would initially be offered to other departments for local government use. Otherwise, staff would offer to sell the rear property to the adjoining property owner.

- Owning the land before annexation will avoid construction a temporary fire station on the leased property. A temporary site, with a trailer and a metal building for the fire truck(s), along with clearing, grading, concrete, architectural fees, furniture, communication equipment, etc. will cost in excess of \$700,000.
- Through the Mandatory Referral Process, the Planning Committee recommended approval of the purchase of the land by a 7-0 vote.

Funding

Annexation Fire Station Capital Fund

Attachment 32

Map

Diagram of proposed site

39. Antenna Sublease on City Tower

Deleted: *Draft**

- Action:**
- A. Adopt a resolution authorizing a five-year base term sublease with four, five-year renewal options for the placement of communications antennas on the City-owned radio tower located at 2300 Southpoint Road in Belmont, North Carolina, for \$1,500 per month with New Cingular Wireless PCS, LLC; and**
 - B. Authorize the City Manager to execute the Sublease Agreement and renewal options with New Cingular Wireless PCS, LLC.**

Staff Resource: Lynnea Pulver, Engineering & Property Management
Eric Johnson, Engineering & Property Management

Policy

In October 1993, City Council adopted a Policy Statement for Asset Management as follows: The City will maximize its return from its current and future assets. The space and capacity exists on City towers for the City to benefit by leasing the space to private firms.

Explanation

- The City leases property from the Southpoint Volunteer Fire Department at 2300 Southpoint Road in Belmont, NC. The City constructed and owns the telecommunications tower on this property.
- New Cingular Wireless PCS, LLC has requested space on the tower and a 30 feet by 30 feet area of land for the placement of communications equipment in order to provide telecommunication service in the area.
- In conjunction with Southpoint VFD, BSS has reviewed Cingular's request and has determined that space is available and that this lease will not interfere with current or future needs of the City at this location. There are currently no other tenants on this tower.

- Terms of the Agreement are:
 - Base monthly rent of \$1,500; first term revenue is \$18,000, \$9,000 of which will be paid directly to Southpoint VFD
 - Five-year term with four, five-year options to renew
 - 3% increase per year in monthly rent, effective July 1, 2009

Background

- On November 28, 2005, City Council approved the land lease with Southpoint VFD. The tower was built in this location because of the need for public safety radio coverage in the western portion of Mecklenburg County.
- The lease with Southpoint VFD allows the City to enter into subleases with telecommunications carriers. One-half of the proceeds from all subleases must be paid to Southpoint VFD.
- City revenues of over \$530,438 are anticipated from leases with telecommunications companies in FY 2008.

Attachment 33

Resolution

40. Property Transactions

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

For property transactions B-C, E, property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation and Federal Transit Administration reimbursement.

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

Acquisitions

- A. Project:** Fred D. Alexander Boulevard - Section B, Parcel # 19.1
Owner(s): Maxwell Development Company And Murphy Development Company
Property Address: Homestead Glen Boulevard
Property to be acquired: 21,073 sq. ft. (.484 ac.) in Fee Simple, plus 3,691 sq. ft. (.085 ac.) in Existing Right-of-way, plus 4,517 sq. ft. (.104 ac.) in Storm Drainage Easement, plus 88 sq. ft. (.002 ac.) in Utility Easement, plus 3,039 sq. ft. (.070 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$57,000
Remarks: Compensation was established by two independent, certified appraisals and an appraisal review.

Zoned: R-17MF(CD)
Use: Single Family Residential
Tax Code: 035-053-64
Total Parcel Tax Value: \$30,000

- B. Project:** South Corridor Light Rail, Parcel # 329
Owner(s): North Carolina Railroad Company And Norfolk Southern Railway Company
Property Address: 218 South Brevard Street
Property to be acquired: 1,841 sq. ft. (.042 ac.) in Permanent Access Easement, plus 3,265 sq. ft. (.075 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$257,425
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: UMUD
Use: Commercial
Tax Code: 125-014-05
Total Parcel Tax Value: \$3,318,300
- C. Project:** South Corridor Light Rail, Parcel # 331
Owner(s): North Carolina Railroad Company
Property Address: East 3rd Street
Property to be acquired: 434 sq. ft. (.010 ac.) in Permanent Access Easement, plus 604 sq. ft. (.014 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$32,675
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: UMUD
Use: Commercial
Tax Code: 125-014-07
Total Parcel Tax Value: \$836,300

Condemnations

- D. Project:** Fred D. Alexander Boulevard - Section B, Parcel # 8
Owner(s): Wood Creek NC, LLC And Any Other Parties Of Interest
Property Address: 7145 Old Mt Holly Road
Property to be acquired: Total Combined Area of 256,728 sq. ft. (5.894 ac.) of Existing Right-of-way, plus Storm Drainage Easement, plus Permanent Wall Easement, plus Road Right-of-Way, plus Temporary Construction Easement
Improvements: None

Landscaping: None

Purchase Price: \$225,350

Remarks: Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: I-2

Use: Industrial

Tax Code: 057-202-03

Total Parcel Tax Value: \$1,776,500

- E. Project:** South Corridor Light Rail, Parcel # 335, 339 & 341
Owner(s): North Carolina Railroad Company And Norfolk Southern Railway And Charlotte N.C. Hotel Corporation And Any Other Parties Of Interest
Property Address: 300 South Brevard Street
Property to be acquired: Total Combined Area of 8,617 sq. ft. (.198 ac.) of Permanent Access Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$186,000
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: UMUD
Use: Commercial
Tax Code: 125-061-05 / 125-061-11 / 125-061-12
Total Parcel Tax Value: \$2,990,100

41. Meeting Minutes

Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:
 - October 22, 2007