

**Mayor Anthony Foxx**

Michael D. Barnes  
Patrick D. Cannon  
Nancy Carter  
Warren Cooksey  
Andy Dulin

**Mayor Pro Tem Susan Burgess**

David L. Howard  
Patsy Kinsey  
James Mitchell, Jr.  
Edwin Peacock III  
Warren Turner

**CITY COUNCIL MEETING**  
**Monday, April 26, 2010**

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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**  
**Monday, April 26, 2010**

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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 agenda items. Staff will address as many questions as possible at the end of the dinner meeting.

### 2. Closed Session

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

### 3. Report from Investigator on Harassment Allegations

**Resource:** Valecia McDowell, Investigator

**Time:** 60 minutes

**Synopsis**

- Valecia McDowell, Partner at Moore & Van Allen, was hired on March 26 to investigate:
  - Whether the complained conduct of an elected official toward a female member of the City’s staff occurred; and
  - If the complained activity occurred, whether it constituted sexually harassing conduct as defined in and interpreted under Title VII.
- McDowell will present her findings and conclusions. Copies of the written Report will be distributed at the meeting.

**Action**

- If the findings, conclusions and recommendations of the Report warrant, responsive action may be considered by Council at the dinner briefing, the business meeting, or any future time.

#### **4. Answers to Mayor and Council Consent Item Questions**

##### **Synopsis**

- Staff response to questions from the beginning of the dinner meeting will be in the Council Chamber for Consent, item 6, page 4.

**6:30 CITIZENS' FORUM**

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

**5. NASCAR Hall of Fame Proclamation**

**Action: Mayor Foxx to recognize and present a proclamation to Winston Kelly, Executive Director of the NASCAR Hall of Fame and Tim Newman, President and CEO of Charlotte Regional Visitors Authority, declaring May as NASCAR appreciation month in honor of the teamwork and collaboration demonstrated to recruit, build and open the NASCAR Hall of Fame and to highlight its impact on the local community and economy.**

## **CONSENT**

- 6. Consent agenda items 19 through 39 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

### 7. Public Hearing on Resolution to Close a Portion of Eveningside Drive

**Action:**   **A. Conduct a public hearing to close a portion of Eveningside Drive, and**

**B. Adopt a resolution to close.**

**Staff Resources:**   Jeff McSwain, Transportation  
                              Linda Poissant, Transportation

#### Policy

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

#### Explanation

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

#### Petitioner

Mecklenburg County- Jacqueline McNeil

#### Right-of-Way to be abandoned

A portion of Eveningside Drive

#### Location

Located within the Optimist Park Community; a 30 foot wide right-of-way beginning at Belmont Avenue and continuing approximately 450 feet southwestwardly to its terminus and consisting of 13,937 square feet

#### Reason

To incorporate the right-of-way into adjacent parcels owned by the petitioner for the future development of the Little Sugar Creek Greenway project

#### Notification

As standard procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining Property Owners - None

Neighborhood/Business Associations

Optimist Park- No objections

Belmont Community- No response

First Ward Community- No response

First Ward Neighbors, Inc- No objections

Private Utility Companies – No objections

City Departments

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

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

**Attachment 1**

Map

Resolution

## POLICY

### 8. City Manager's Report

### 9. FY2011 Council Focus Area Plans

**Action:** **Approve the Council Committees' recommended FY2011 Strategic Focus Areas Plans for:**

- A. Community Safety**
- B. Economic Development**
- C. Environment**
- D. Housing & Neighborhood Development**
- E. Transportation**

**Committee Chairs:** Patrick Cannon  
Susan Burgess  
Edwin Peacock  
James Mitchell  
David Howard

#### **Explanation**

- Staff drafted Focus Area Plans for Council's review. The Council reviewed the plans at the annual retreat in February.
- Following the retreat, each Committee reviewed and approved their respective plans. Each initiative has measures for evaluation.
- Changes to the attached plans made by the Committees since the Council's retreat are shown in bold type.
- City Strategy is documented in the Focus Area Plan and includes corporate objectives that guide and direct planning, decision making, and the accomplishment of the vision and mission. The Focus Area Plan is used to monitor success in the accomplishment of City strategy and adherence to Council's goals and priorities. The five focus areas, including a listing of key initiatives, are described below.

#### **Community Safety**

- Reduce crime through enforcement and prevention at the neighborhood level
- Enhance citizen safety through police visibility and citizen engagement
- Develop recruitment strategies to attract a more diverse applicant base for the Police Department
- Partner with other city and county agencies in enforcement and prevention efforts
- Reduce loss of life and property damage from fires through fire code enforcement and rapid response

#### **Economic Development**

- Promote healthy business climate
- Ensure small business opportunity
- Enhance workforce development
- Advance business corridor revitalization and redevelopment
- Promote infill development/redevelopment/transit oriented development
- Advocate business facilitation and business process improvements

**Environment**

- Support environmental sustainability by making wise decisions regarding growth and development
- Lead and support efforts to improve Charlotte and regional air quality
- Protect natural ecosystem and habitats, including the tree canopy
- Lead by example, adopting sound environmental practices in City facilities and operations
- Collaborate with local, regional and neighborhood partners

**Housing and Neighborhood Development**

- Improve safety and appearance of neighborhoods
- Determine the number of adjoining neighborhood residents gaining access to jobs, goods, and services along the business corridors through City funded programs
- Develop a comprehensive affordable housing strategy
- Improve the quality of life trends in challenged, transitioning and stable neighborhood statistical areas
- Increase the supply of affordable housing units
- Address deteriorating and blighted non-residential structures
- Address foreclosures in target revitalization areas

**Transportation**

- Continue implementing Centers, Corridors and Wedges Growth Framework
- Collaborate with local and regional partners to enhance environmental quality and promote long-term regional sustainability
- Provide convenient and efficient transportation facilities
- Communicate land use and transportation objectives
- Seek financial resources to implement programs and services

**Attachment 2**

FY2011 Strategic Focus Area Plans

## 10. Restructuring Government Committee Recommendations for Improving the City's Stakeholder Group Process

**Action: Approve the Restructuring Government Committee recommendations for improving the City's Stakeholder Group Process.**

**Committee Chair:** Warren Cooksey

**Staff Resource:** Eric Campbell, City Manager's Office  
Willie Ratchford, Community Relations Committee

### Explanation

- The City of Charlotte employs the "stakeholder group process" to engage citizens in various City Council and staff initiatives and policies. Recent examples include the mobile food vendor ordinance, the tree ordinance and the rental property ordinance.
- Some citizens have expressed concern that the process is flawed and does not allow all stakeholders to be adequately heard.
- The stakeholder group process was evaluated by use of an on-line survey which elicited over 200 responses from citizens and staff who participated in previous stakeholder groups.
- The evaluation responses were used as a basis for developing recommendations to improve the stakeholder group process.

### Committee Recommendations

- At the June 22, 2009 City Council meeting, a referral was approved for the Restructuring Government Committee to review the stakeholder process used by Key Business Units on various City projects and to make recommendations for improvement.
- On March 25, 2010, the Restructuring Government Committee unanimously (Cooksey, Cannon, Kinsey) approved the following recommendations for improving the stakeholder group process:
  - Implement three models for the City's stakeholders' groups:
    - Model One: Sounding Board – Opportunity is provided for public comment on a proposed staff recommendation at a public meeting, preferably early in the process. Opportunity exists for KBU to get an idea check and/or to address assumptions regarding a proposed policy or action that is being considered.
    - Model Two: Public Involvement – Opportunities are provided for education, dialogue and input from the public regarding a proposed action (e.g. a specific project in a neighborhood, street closures, traffic pattern changes, etc.)
    - Model Three: Stakeholder Recommendation – Individuals appointed to the stakeholder group develop a policy or action recommendation which is then forwarded to decision makers (usually City Council) for final approval and implementation (e.g. Streetcar Advisory Committee, Rental Property Ordinance, Mobile Food Vendors).
  - Once a stakeholder group is appointed, staff will share the process with each participant, in writing, including:
    - The type process (model) to be used
    - How and by whom were participants appointed to the process

- Who has been appointed
- Participant expectations
- The method by which decisions will be made (Roberts's Rules of Order, consensus, other mutually agreed decision process)
- How citizen input/feedback will be handled
- How long the process will be expected to last
- How and when information will be shared
- Who will determine the agenda for the process
- Basics terms and definitions that will be used during the process
- What the final outcome of the process is expected to be
- For each stakeholder group process put in place, encourage the use of an outside facilitator or moderator to guide the process in the event of an impasse. The staff of the Community Relations Committee will be available to facilitate if needed, and to train city staff in group facilitation.
- Develop a standard set of discussion guidelines and ground rules for all stakeholder groups.
- When feasible, consider a balanced representation of citizens, staff and industry representatives when appointments to stakeholder groups are made, including citizens who may have some knowledge of the issue to be addressed.
- Inform stakeholders up front whether they will have the latitude to think outside the box and offer alternative solutions to the initiative/policy/action being addressed by the group.
- All stakeholder groups meet on a regular basis until their work is done.
- All handouts for a stakeholder group meeting are sent to participants prior to the meeting and that the information is posted online.
- All stakeholder meetings dates are established at least two weeks in advance; post the dates online; and those stakeholder meetings are held at a time that is mindful of stakeholders' work schedules and other commitments.
- Minutes will be taken at each stakeholder meeting and shared with all stakeholders no later than 10 work days after the meeting; post the minutes online; and maintain the minutes three years as dictated by the City's Record Retention Policy.

### **Attachment 3**

#### Stakeholder Report Short Version

## 11. 2010 State Legislative Agenda

**Action:**

**A. Approve the Government Affairs Committee’s recommendations to adopt the legislative agenda for the Short Session of the 2010 N.C. General Assembly, and**

**B. Adopt a resolution endorsing a technical revision to Section 21(b) of the Charlotte Firefighters’ Retirement System (CFRS) Act extending the return of remaining contributions at death to the beneficiaries of all members of the system and not just those who choose a basic benefit.**

**Committee Chair:** Nancy Carter

**Staff Resource:** Ron Kimble, City Manager’s Office  
Dana Fenton, City Manager’s Office  
Greg Gaskins, Finance

### 2010 State Legislative Agenda

- On May 12, the 2010 Legislative Session of the North Carolina General Assembly will begin. The “Short Session” is limited to legislation that passed either the House or Senate in the previous session; study committee reports; or “non-controversial” local bills. This year’s Legislative Session will be primarily focused on balancing the State budget on the heels of an economy slowly coming out of recession.
- State legislative issues recommended:
  - Preservation of Business Privilege License
  - Preservation of Annexation Authority
  - Retaining State’s 50% share of non-federal match of transit funding
  - State participation in non-federal projects
  - State maintenance funding of rail projects
  - Amendment to the Charlotte Firefighters Retirement System
  - Amendment to the Emergency Fund for Mecklenburg County Law Enforcement Officers
- The Legislative Agenda was recommended by the Council’s Government Affairs Committee on March 31, 2010 (Carter, Burgess, Dulin) and was reviewed by the City Council at their April 12 Dinner Meeting.

### Charlotte Firefighters’ Retirement System Act Technical Revision

- The current Special Act approved by the NC Legislature that governs the Charlotte Firefighters’ Retirement System (CFRS) provides for the payment of any remaining contributions made by members of the retirement system and the City plus 4% accrued interest to a designated beneficiary upon his or her death.
- While this benefit situation rarely occurs, the Board decided to endorse the proposed change as a matter of fairness.
- After retirement, the statute limits this distribution only to retirees who choose a basic benefit where a spouse does not receive additional pension benefits after the retiree’s death.
- In many cases, a retiree chooses to take lower benefits so that his or her pension payments will extend beyond death to cover a spouse. If this option is chosen and the retiree and spouse die before all the contributions are paid out, the remaining contributions are not paid back to a designated beneficiary.

- At its October 22, 2009 quarterly meeting, the Board of Trustees of the CFRS approved a revision to Section 21 of the Special Act to provide the same death benefit related to the return of contributions for retirees who choose a joint survivor benefit as to those who choose a basic benefit.
- Based on actuarial analysis, this change will not increase the cost of the system to either the City or to members of the retirement system.
- This benefit change will be equivalent to what is currently provided under the Local Government Employees Retirement System statute.
- The revision was included as part of the 2010 State Legislative Agenda recommended by the Government Affairs Committee on March 31, 2010 (Carter, Burgess, Dulin) and was reviewed by the City Council at their April 12 Dinner Meeting.

**Next Step**

The approved legislative agenda will be presented to the Mecklenburg Delegation at a breakfast meeting on Monday, May 3 at 7:30 a.m. in Room 267 of the Charlotte-Mecklenburg Government Center.

**Attachment 4**

2010 State Legislative Agenda Summaries  
Resolution  
Letter from actuarial firm



## BUSINESS

### 12. Energy Efficiency and Conservation Block Grant



- Action:**
- A. Authorize the City Manager to accept an \$6,530,100 Energy Efficiency and Conservation Block Grant (EECBG) from the U.S. Department of Energy, and**
  - B. Adopt a budget ordinance appropriating \$6,530,100, and**
  - C. Approve adding the position of Energy and Sustainability Manager, funded by the EECBG.**

**Staff Resource:** Robert Phocas, City Attorney's Office

#### Explanation

- In August 2009, the U.S. Department of Energy (DOE) allocated to the City a \$6,780,100 Energy Efficiency and Conservation Block Grant (EECBG).
- As part of the EECBG process, the City requested \$250,000 to conduct energy audits of City facilities and to hire a consultant to assist in the development of the DOE-required Energy Strategy.
- The City's Energy Strategy, which was developed with input from the public, community partners and staff, outlines the 18 energy efficiency projects for which the City will spend its EECBG allocation. A summary of the Energy Strategy projects is attached.
- The eighteen projects fall into the following categories:
  - Energy Investments in Revitalization Areas
  - Neighborhood Energy Challenge
  - Catalyst Projects
  - Air Quality Specific Projects
  - Public Building Energy Efficiency
  - Energy Strategy Implementation
- The Council approved the City's Energy Strategy and the application to the DOE on November 23, 2009.
- On December 4, 2009, the City submitted its Energy Strategy and application for funding to DOE.
- On April 20, the City was notified that DOE approved its application.
- Acceptance of this award will allow staff to move forward with the implementation of these 18 projects.
- According to DOE, funding must be obligated by February 4, 2011 and all projects must be completed by August 4, 2012. Over the coming months, staff will provide Council periodic progress reports on the implementation of all projects.

#### Attachment 5

City's Adopted Energy Strategy Summary of Projects  
Budget Ordinance

### 13. Vehicular Parking and Wayfinding Signage Change Orders



**Action:** A. Approve Change Order #1 to Signs Etc. Contract in the amount of \$190,412.95, and

B. Approve Change Order #1 to United Construction Contract in the amount of \$112,530.

**Staff Resource:** Jim Kimbler, Transportation

**Policy:** Center City Transportation Plan (2006) Policy recommendation to implement a Parking and Wayfinding Signage System in Uptown

#### Explanation

- This project completes the on-street vehicular component of the Parking and Wayfinding Signage System. This final component includes information and directional tools designed to assist motorists in finding their way about the Uptown area, and is part of the City's Energy Strategy.
- The final component will be funded by \$324,000 from the Energy Efficiency and Conservation Block Grant and \$112,530 from the Center City Transportation Plan Implementation Fund.
- In addition to item A above, the EECBG funding will also cover design work, contract administration and construction inspection costs.

#### Signs Etc. Change Order

- The change order to the contract with Signs Etc. is necessary to add sign units to be funded by the Energy Efficiency Conservation Block Grant. The change order will fund four additional dynamic gateway signs and four additional parking guidance signs at parking decks; the sum of additional items is \$190,412.95. This change order also deletes four smaller scale static signs being replaced by four dynamic signs. City Council approved the original contract for parking and wayfinding signage on December 14, 2009. The contract value after the change order for the energy strategy component will be \$572,032.82.

#### United Construction Change Order

- The change order to the United Construction contract is necessary to add foundations for the eight additional signs, and is funded from Center City Transportation Plan Implementation Fund; the sum of additional items is \$112,530. City Council approved the original contract for signage foundations on December 14, 2009. The contract value after the change order will be \$489,541.68.

#### Disadvantage Business Enterprise Goal

Per the Municipal Agreement with NCDOT, the Disadvantaged Business Enterprise (DBE) Program must be followed. All additional work involved in this amendment will be performed by the current contractors and their existing subcontractors.

#### Funding

Energy Efficiency Conservation Block Grant and  
Center City Transportation Plan Implementation Fund

## 14. Transit Investments for Greenhouse Gas and Energy Reduction Grant



- Action:**
- A. Authorize the City Manager to accept the Federal Transit Administration (FTA) approved Transit Investment for Greenhouse Gas and Energy Reduction (TIGGER) Grant under the American Recovery and Reinvestment Act of 2009 for \$3,000,000, and**
  - B. Adopt a resolution authorizing the City Manager to submit and execute grant agreements with the Federal Transit Administration and the North Carolina Department of Transportation.**

**Staff Resource:** Dymphna Pereira, Transit

### Policy

Transportation Focus Area Initiative 5 and Transportation Action Plan Goal (Seeking Alternative Funding Sources)

### Explanation

- The Federal Transit Administration (FTA) allocated \$100 million from stimulus funds to the Transit Investment for Greenhouse Gas and Energy Reduction (TIGGER) program and invited transit agencies to submit applications for funds from this program.
- On May 11, 2009, Council authorized the City Manager to apply for \$8,000,000 from the TIGGER program to purchase up to 11 new hybrid buses and to upgrade up to 19 diesel buses to hybrid technology.
- In March, 2010, FTA awarded \$3,000,000 to CATS to purchase hybrid buses. CATS was among 43 winning projects selected in a nationwide competition for funds from the TIGGER program.
- TIGGER funding will pay for 80% of the cost (with a 20% local match) of six hybrid replacement buses. The North Carolina Department of Transportation (NCDOT) has agreed to participate with a 10% State match.
- In Charlotte, hybrid buses have demonstrated a 34% improvement in miles per gallon and a 41% benefit in maintenance per mile cost. Hybrids also reduce greenhouse gas emissions by 28%.
- This action will authorize the City Manager to accept the grant and appropriate the funds to CATS capital fund as part of the FY2011 Budget process.

### Funding

American Recovery and Reinvestment Act of 2009  
Transit Capital Investment Plan

### Attachment 6

Resolution

## 15. Davidson Street Bus Facility: Administrative Building Renovation



**Action:** Award the low bid contract to Clancy & Theys Construction Company for the renovation of the administration building at the Davidson Street Bus Facility in an amount not to exceed \$2,169,300.

**Staff Resources:** Carolyn Flowers, Transit  
John Trunk, Transit

### Previous Council Actions

- On April 27, 2009, City Council approved a plan for Phase I renovations of the Davidson Street Bus Facility. The City Manager was authorized to apply for the \$20,766,306 of American Recovery and Reinvestment Act (ARRA) funds for the Davidson Street Bus Facility renovations. ARRA required that all projects be "shovel ready" at the time of submission.
- The application for the federal ARRA funds was successful and required no local matching funds. Council authorized the acceptance of the ARRA funds on July 27, 2009.
- The Davidson Street Bus Facility Project is comprised of three primary components funded by ARRA:
  - Maintenance building renovation
  - Parking deck construction
  - Administrative building renovation
- On September 14, 2009, Council approved the award of the contract to Clancy & Theys to renovate the Maintenance Building.
- On March 22, 2010, Council approved the award of the contract to Adolfson & Peterson to construct the Parking Deck.
- This contract is for the renovation of the Administrative Building at the Davidson Street Bus Facility.

### Grant Allocations

- The updated breakdown of the grant allocation is as follows:

<u>Previously Awarded Construction</u>	
Maintenance Building Renovation	\$8,704,000
Owner Inspection Services	\$275,000
Parking Deck Construction	\$4,459,203
<u>Admin/Operations Building -</u>	
<u>Renovation (Current Action)</u>	<u>\$2,169,300</u>

Remaining Line Items in Grant

- Technology- Network Communication Cabling, Data Equipment, and AV Equipment
- Project and Construction Management
- Safety & Security- Surveillance Cameras, Access Control System, and Video Recorders;
- Undesignated balance\*\*

<u>( Subtotal of remaining line items)</u>	<u>\$5,158,803</u>
	<u>\$20,766,306</u>

\*\* There is a balance of funds, primarily due to lower than anticipated bids and diligent project management. The use and re-designation of these funds will be renegotiated with FTA following completion of the current construction phases.

**Project Background**

- The Davidson Street Bus Facility was constructed in 1981 to house 200 buses and staffing adequate for a bus fleet of that size.
- After 28 years of service, the overall facility requires renovations and improvements, and is being reconfigured to better meet current and future needs.
- As part of project planning, sustainability was identified as a design objective. The design of this facility was completed prior to finalization and adoption of the Policy for Sustainable City Facilities. However, sustainable elements were incorporated into the design to the extent practicable.
  - Based upon design team's knowledge of LEED certification credit requirements, the North Davidson Renovation and Expansion would achieve 37 of 100 LEED points. Forty points are required to achieve basic LEED certification.
  - However, the design team has projected that the campus as a whole would achieve the Gold level LEED certification.
  - The water efficient landscaping installed would further support water efficiency objectives.
- The renovations to the Administrative Building will incorporate "green" sustainable project components (see attachment) and bring the Davidson Street Bus Facility up to current Mecklenburg County and ADA building code standards.
- The renovations will include:
  - Interior and exterior renovation of the existing administrative building
  - Upgrades to the Administrative Building's security and technology infrastructure
- This renovation of the administrative building does not include the area of the Davidson Street Bus Facility project which was approved by Council on February 15, 2010 for rezoning.

**Solicitation Process**

- On January 13, 2010, CATS publicly advertised for prospective bidders to participate in a competitive Invitation to Bid.
- CATS held a pre-bid conference on January 28, 2010 to solicit participation and to share information.
- On February 17, 2010 CATS received eight bids.

- Apparent low bidder Clancy and Theys did not meet the DBE goal; however the company's good faith efforts to do so were both active and aggressive as required by federal regulations (49 CFR Part 26.53). Thus, the Clancy and Theys bid was determined to be responsive, pursuant to the same federal regulations.
- Clancy & Theys Construction Company has been determined to be qualified, responsible and responsive to the local and federal requirements.

### **Disadvantage Business Enterprise Opportunity**

Established Project wide DBE Goal: 11%

Committed DBE Goal: 3.87%

Clancy & Theys was found to be compliant with the federal DBE good faith effort requirements. The following certified DBE firms have been identified by Clancy & Theys as subcontractors scheduled to work on the project: Czechmate Lumber Corp. (lumber supplies), Traffic Control Safety Systems (fire control equipment), Vanerhall & Alexander Contractors (masonry), RJ Leeper Company (on-site supervision), Kelby Construction (site concrete), Perrin Enterprises (interior concrete), Kingdom Commercial Services (final site cleaning) and Mekki Modular (flooring).

### **Funding**

Transit Stimulus Grant Fund. This project does not require a local fund match.

### **Attachment 7**

Davidson Street Bus Facility Sustainable Best Practices Memorandum

## **16. Davidson Street Bus Facility: Staging Campus**

**Action: Approve the award of a contract to Pac Van, Inc. in an amount not to exceed \$400,000, for the installation and removal of a "Staging Campus" for Bus Operations and Project Management offices during the Davidson Street Bus Facility site renovation and construction project.**

**Staff Resources:** Carolyn Flowers, Transit  
John Trunk, Transit

### **Project Background**

- CATS is in the process of rehabilitation of the 28 year old Davidson Street Bus Facility.
- Transit staff will need temporary facilities during the Davidson Street Facility renovation projects. Council approved the contract for the renovation of the Bus Maintenance Facility on September 14, 2009. The proceeding Council action is for the renovation of the Administrative Building. With both buildings undergoing renovations, staff will have no on-site office space or facilities.
- This contract will allow CATS to install temporary modular facilities for displaced staff commonly called "a staging campus". The staging campus will be located on the Davidson Street employee parking lot and behind the fuel and wash station (see attachment). This location is adjacent to the Davidson Street Bus Facility renovation and construction projects.
  - Under normal circumstances, staff would be relocated to another facility on the same campus. However, the accelerated schedule for this American Recovery and Reinvestment Act (ARRA) project necessitates concurrent schedules such that other facilities at this location are not available.

Therefore, a staging campus is being used to house staff during building renovations.

- An adjacent location is critical for CATS to maintain bus operations' efficiency out of the Davidson location during the project, and to perform on-site project management.
- The campus will accommodate approximately 200 employees, for approximately one year during the Davidson Street Bus Facility renovations and construction project. Bus Operations mechanics, drivers, support staff and the Development division staffers working on the project will all be located in the campus.
- The campus will include offices, locker rooms, restrooms and break rooms. Furniture from the now existing offices will be used in these temporary facilities.
- This staging campus will create a safe working environment for employees by removing them from the active renovations and construction areas, while construction is on-going.
- The staging campus contract with Pac Van, Inc. includes the leasing, installation and removal of temporary facilities and utility connections.
- The staging campus cost will be funded under a (80%) federal formula grant and with 20% state and local matching funds.
- The implementation of the staging campus does not include the area of the Davidson Street Bus Facility campus recently approved by Council for rezoning.

#### **Solicitation Process**

- This project has been solicited a total of three times. The first solicitation publically advertised on February 25 elicited no bids. A second solicitation publically advertised on March 5, resulted in one bid that was subsequently found to be non-responsive.
- This third solicitation was publically advertised on April 1, 2010. On April 8 2010, CATS received one bid. The single bid from Pac Van, Inc. exceeded the independent cost estimate for this project. Per federal requirements adequacy of competition has been satisfied and CATS was able to then negotiate for scope and pricing within the not to exceed amount of \$400,000.

#### **Disadvantage Business Enterprise Opportunity**

Established Project wide DBE Goal: 4%

Committed DBE Goal: 29.4%

Pac Van, Inc. committed to use the following DBE Firms: DEW Electric, Inc. at \$117,600 for electrical installation and disconnection services.

#### **Funding**

Transit Capital Investment Fund

#### **Attachment 8**

Site Plan

## 17. Appointments to Boards and Commissions

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

### A. CHARLOTTE INTERNATIONAL CABINET

- Two appointments for three-year terms beginning July 1, 2010
  - Paul Carr by Council Members Burgess, Carter, Cooksey, Howard, Kinsey, Mitchell, Peacock and Turner
  - Carrie Cook by Council Member Howard
  - Phillip Davis by Council Members Cannon and Turner
  - Leslie Dwyer by Council Members Cannon and Kinsey
  - James Jewell by Council Members Burgess and Carter
  - Rory McNicholas by Council Member Peacock
  - Hans Plotseneder by Council Member Dulin
  - Aaron Sanders by Council Members Mitchell and Turner
  - Heather Whillier by Council Member Peacock
  - Sonya Young by Council Members Barnes, Cannon and Mitchell

### Attachment 9

Applications

### B. CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION

- Two appointments for three-year terms beginning July 1, 2010
  - Cassandra Blaine by Council Member Cooksey
  - Dazzell Matthews, Sr. by Council Members Barnes and Carter
  - Sophia Matthews by Council Members Barnes, Howard and Turner
  - Sonnie McRae by Council Member Peacock
  - Linda Webb by Council Member Mitchell
  - Pamela Wisniewski by Council Members Burgess, Carter, Cooksey, Kinsey, Peacock and Turner
  - Sonya Young by Council Members Burgess, Howard, Kinsey and Mitchell

### Attachment 10

Applications

### C. CHARLOTTE REGIONAL VISITORS AUTHORITY

- One appointment for an at-large representative for a three-year term beginning July 1, 2010.
  - Frank Emory by Council Member Mitchell
  - Ray Hernandez by Council Member Carter
  - Lawrence Huelsman, Jr. by Council Members Barnes, Burgess, Cannon, Cooksey, Dulin and Howard
  - Alexis Kropp by Council Member Kinsey
  - Robert Lenderman by Council Member Peacock
  - Angela Williams by Council Member Turner

### Attachment 11

Applications



**D. CIVIL SERVICE BOARD**

- One appointment for a three-year term beginning May 16, 2010
  - James Harrell by Council Members Mitchell and Turner
  - Jason McGrath by Council Members Burgess, Cooksey, Dulin and Peacock
  - Sean Mulhall by Council Member Howard
  - Brigit Taylor by Council Member Carter
  - Sonya Young by Council Members Barnes and Kinsey

**Attachment 12**

## Applications

**E. COMMUNITY RELATIONS COMMITTEE**

- Seven appointments for three-year terms beginning July 1, 2010
  - Myna Advani by Council Members Cooksey and Peacock
  - Patricia Albritton by Council Members Howard, Mitchell and Turner
  - Stefanie Austin by Council Member Howard
  - Kevin Campbell by Council Members Kinsey and Peacock
  - Richard Carter by Council Members Burgess, Cooksey, Dulin and Peacock
  - Phillip Davis by Council Members Burgess and Turner
  - Richard Doty by Council Members Burgess and Turner
  - James Harrell by Council Members Barnes and Mitchell
  - Karen Johnson by Council Members Burgess, Carter, Howard, Kinsey and Peacock
  - Nichole Johnson by Council Members Carter, Howard and Peacock
  - Sue Korenstein by Council Member Kinsey
  - Maneisha LaFate by Council Members Cooksey and Dulin
  - David Nichols by Council Members Burgess, Kinsey, Mitchell and Turner
  - Hans Plotseneder by Council Members Carter, Cooksey, Dulin and Howard
  - Kenneth Rance by Council Members Barnes, Burgess, Cooksey and Mitchell
  - Ryan Rich by Council Members Burgess, Carter, Howard, Kinsey, Peacock
  - Marqueda Robotham by Council Members Mitchell and Turner
  - Lisa Rudisill by Council Members Cooksey, Dulin, Kinsey and Turner
  - Teresa Sandman by Council Member Dulin
  - Sherrell Smith by Council Members Howard, Mitchell and Turner
  - Marilyn Sutterlin by Council Members Cooksey and Dulin
  - Gaynell Thornton by Council Member Carter
  - Jared Watkins by Council Member Kinsey
  - Sonya Young by Council Members Barnes and Mitchell

**Attachment 13**

## Applications

**F. HISTORIC DISTRICT COMMISSION**

- One appointment for an at-large representative for a three-year term beginning July 1, 2010
  - Russell Burgoyne by Council Member Mitchell
  - Donald Duffy by Council Members Burgess, Carter, Howard, and Peacock
  - Larken Egleston by Council Members Cooksey, Dulin and Kinsey
  - Ethel Wyche by Council Member Turner

**Attachment 14**

## Applications

**G. NEIGHBORHOOD MATCHING GRANTS FUND REVIEW TEAM**

- One appointment for a neighborhood representative for a two-year term beginning April 16, 2010
  - Richard Alexander, Jr. by Council Members Burgess, Kinsey and Peacock
  - Cecelia Hendking by Council Member Mitchell
  - Chaunta Jones-Hunter by Council Member Howard
  - Sophia Matthews by Council Member Barnes
  - Carol Scally by Council Members Cooksey and Turner
- One appointment for a business representative for a two-year term beginning April 16, 2010
  - Richard Alexander, Jr. by Council Members Burgess, Kinsey and Peacock
  - Pam Bennett by Council Member Howard
  - Benjamin Heatley by Council Member Barnes
  - Chaunta Jones-Hunter by Council Member Mitchell
  - Shannah Minor by Council Member Carter
  - Sonya Young by Council Member Turner
- One appointment for a non-profit organization representative for a two-year term beginning April 16, 2010
  - James Harrell by Council Members Cooksey, Howard, Mitchell, Peacock and Turner
  - David Molinaro by Council Members Kinsey and Peacock

**Attachment 15**

## Applications

**H. RESIDENTIAL RENTAL PROPERTY REVIEW BOARD**

- Four appointments for staggered initial terms beginning immediately. Members of the Board shall be representative of the residential rental, tenant and homeowner community.  
This is a new board created by the Residential Rental Remedial Action Program Ordinance November 9, 2009.
  - Two appointments for terms ending June 30, 2013
  - One appointment for a term ending June 30, 2012
  - One appointment for a term ending June 30, 2011
  - Stephen Marcus, homeowner representative, by Council Members Barnes, Cooksey, Peacock and Turner
  - Darrin Rankin, rental representative, by Council Members Barnes and Peacock
  - Teresa Jackson-Small, tenant representative, by Council Members Barnes, Cannon, Cooksey, Howard, Kinsey and Mitchell
  - Delores Reid-Smith, rental representative, by Council Members Cannon, Carter, Howard, Mitchell and Peacock
  - Mary Strong by Council Member Howard
  - Marilyn Sutterlin, homeowner representative, by Council Members Dulin and Kinsey
  - Jesse Tillman, homeowner representative, by Council Members Cooksey and Peacock
  - Wigena Tirado, homeowner representative, by Council Members Howard, Mitchell and Turner

- Thomas Wellens, rental representative, by Council Members Cannon, Cooksey, Kinsey, Mitchell and Turner
- Sonya Young, homeowner representative, by Council Members Barnes, Cannon, Kinsey and Turner

**Attachment 16**

Applications

**I. STORM WATER ADVISORY COMMITTEE**

- One appointment for a neighborhood representative for a three- year term beginning July 1, 2010
  - Eaton Gravely Reid by Council Members Barnes, Carter, Cooksey, Howard, Kinsey and Peacock
  - Robert Thompson by Council Member Mitchell
  - Sonya Young by Council Member Turner

**Attachment 17**

Applications

**J. WASTE MANAGEMENT ADVISORY BOARD**

- One recommendation for appointment by Board of County Commissioners for a three-year term beginning May 19, 2010
  - Richard Deming by Council Members Barnes, Carter, Cooksey, Kinsey, Mitchell and Peacock
  - Robert Stefan by Council Members Howard and Turner

**Attachment 18**

Applications

**18. Mayor and Council Topics**

Council members may share information and raise topics for discussion.



## CONSENT

### Introduction to CONSENT

Consent consists of routine items that have been approved in the budget. Price lists for unit price contracts are available upon request.

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

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

#### Contractors and Consultants

All contractor and consultant selections follow the Council approved process unless described otherwise. For the procurement of professional services and/or engineering architectural and surveying services, the North Carolina General Statutes 143-64.31 requires that units of government "select firms qualified to provide such services on the basis of demonstrated competence and qualification...without regard to fee other than unit price information, and therefore to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm."

## PROCUREMENT ITEMS

### 19. First Responder Medical Gloves

- Action:**
- A. Reject the non-responsive low bid contract of \$47,100 by Landmark Limited II, Inc.,**
  - B. Approve the low bid unit price contract with Henry Schein Matrix Medical, for the purchase of medical gloves in the estimated annual amount of \$66,000 for term of one year; and;**
  - C. Authorize the City Manager to extend the contract for four additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract.**

**Staff Resources:** Richard Granger, Charlotte Fire Department  
Debbie Simmons, Business Support Services

#### Reject Low Bid

- Landmark Limited II, Inc.'s bid did not meet specifications and was deemed non-responsive.
- The Invitation to Bid (ITB) specified a certain type of glove, which was the MicroFlex Brand Nitrile Glove, extended cuff, latex free. No exceptions would be accepted.
- Landmark Limited II, Inc.'s bid was not for the glove specified in the ITB.
- The glove that Landmark Limited II, Inc. bid is intended for use by lower risk users and does not meet the National Fire Protection Association (NFPA) 1999 Standard on Protective Clothing for Emergency Medical Operations.

#### Explanation

- Medical Gloves are a critical supply item for the Fire Department, and are carried on all fire trucks to be used when treating individuals with medical emergencies.
- The Department responds to approximately 60,000 medical calls each year. Approved gloves are required for all medical calls.
- The glove specifications listed in the bid were included to protect firefighters against communicable diseases and blood borne pathogens. Additionally, the specifications provided meet the requirements of the NFPA 1999, Standard on Protective Clothing for Emergency Medical Operations.
- The majority of medical calls that the Fire Department responds to involves bodily fluids. Therefore, it is critical from a risk management standpoint that firefighters wear a glove that provides a high degree of protection.
- The glove specifications required an extended cuff since this is needed to interface with the emergency medical service jackets that are required to be worn by firefighters on specific types of medical calls.
- The Department uses approximately 600,000 gloves (300,000 pairs) each year. The unit cost per glove is \$0.11.
- Approving a one year contract, with up to four renewals gives the department the opportunity to lock-in a price for these supplies.
- Before recommending renewals, the Fire Department will consider multiple factors, including cost to determine whether or not the item should re-bid.

**Small Business Opportunity**

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

**Funding**

Fire Operating Budget

## CONTRACT ITEMS

### 20. Fire Station #42

**Action: A. Reject the low bid contract of \$2,864,493.84 by Southside Constructors, Inc., for failure to comply with the Small Business Enterprise Program, and**

**B. Award a contract to the lowest responsive bidder Murray Construction Co. in the amount of \$2,964,136.24 for the construction of Fire Station #42.**

This item will be included in the Friday, April 23 Council-Manager Memo.

### 21. US 29/NC 49 Roadway Improvement Project Phase II and Water Transmission Main Construction

**Action: Award the low bid contract of \$14,983,503.15 to Blythe Construction, Inc.**

**Staff Resource:** Sonji Mosley, Engineering & Property Management

#### Explanation

- Phase II will include the construction of two new intersections at the I-85 Connector (the weave) and at University City Boulevard (NC 49). Other amenities will include sidewalk, planting strips, storm water improvements and bicycle lanes.
- The project limits are North Tryon Street (US 29) from Orchard Trace Drive to Brookside Lane.
- A water transmission system to satisfy Utilities' master plan for the area is also included as part of this project.
- Funding for this project was included in the 1998 Transportation Bonds.
- The project was originally supposed to be built as an interchange, however, overall costs for planning, design, land acquisition and construction exceeded the project budget and prompted a full redesign to satisfy budgetary constraints.
- The design was separated into two phases. Phase I (City Boulevard Extension) was completed in February 2009.
- Phase II is scheduled for completion in first quarter 2013.

#### Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 9.58%

Blythe Construction Inc. committed 9.58% (\$1,434,936) of the total contract amount to the following SBE firms: ACS Pavement Marking (pavement markings), All Points Trucking (hauling), Bullington Construction (guardrail), Carolina Cajun Concrete (signals & electrical), Hazel Holmes Trucking (hauling), Howdel Trucking (hauling), KRO Construction (concrete), Martin Landscaping Co. (grassing), On Time Construction (masonry).

#### Funding

Transportation and Utilities Capital Investment Plan



## 22. John Kirk Drive Milling and Resurfacing

**Action:** Award low bid contract of \$333,074.50 to Ferebee Corporation for milling and resurfacing John Kirk Drive.

**Staff Resource:** Becky Chambers, Engineering & Property Management

### Explanation

- This project includes milling and resurfacing John Kirk Drive from Mallard Creek Church Road to University City Boulevard approximately (3,600 feet) as well as restriping to include bicycle lanes.
- This project is expected to be complete in July 2010.
- In December 2009, City Council authorized a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) to transfer maintenance of John Kirk Drive to the City and for NCDOT to fund resurfacing repairs (up to \$311,000) prior to the transfer of maintenance.
- NCDOT has requested the resurfacing be completed prior to August 1, 2010.
- CDOT will provide additional funding of \$22,074.50 for the milling of John Kirk Drive.
- This project is being bid separately from the John Kirk intersection improvements due to NCDOT's MBE/WBE requirements.

### Disadvantaged (MBE/WBE) Business Enterprise Requirements

MBE Goal: 4%

WBE Goal: 4%

Committed MBE Goal: 4.05%

Committed WBE Goal: 8.38%

It is a state requirement that recipients of state funds follow the Minority (MB) and Women (WB) Business Enterprise Program. Ferebee Corporation committed 4.05% (\$13,500) of the total contract amount to the following certified MBE firm: ACS Pavement Marking (pavement marking) and 8.38% (\$27,920) to the following certified WBE firm: Hazel Holmes Trucking (hauling).

### Funding

NCDOT and Transportation Capital Investment Plan

## 23. South Tryon Street Improvements

**Action:** Award a low bid contract of \$168,397.09 to Alpha Development Company, Inc. for the South Tryon Street Improvements.

**Staff Resource:** Becky Chambers, Engineering & Property Management

### Explanation

- This project includes sidewalk and minor roadway improvements on South Tryon Street between Rivergate Parkway and Choate Circle.
- Pedestrian improvements will be made to the intersection of South Tryon Street and Choate Circle and the existing left-turn-lane on South Tryon Street at Rivergate Parkway will be extended as part of this project.
- South Tryon Street is a thoroughfare/high volume road with a need for sidewalk to separate pedestrians from high traffic volumes and speeds.
- Construction is expected to be complete in third quarter 2010.

### Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 29.1%

Alpha Development Co. committed 29.1% (\$49,000) of the total contract amount to the following SBE firm: Union Paving Contractors (pavement).

### Funding

Transportation Capital Investment Plan

## 24. Bryant Park Infrastructure Reimbursement Agreement Amendment #1

**Action:** Approve Amendment #1 to the Bryant Park Infrastructure Reimbursement Agreement with Suttle Avenue LLC (an affiliate of Merrifield Partners), extending the commencement date by two years to December 31, 2012 for road improvements and the construction of Bryant Park Drive.

**Staff Resource:** Peter Zeiler, Neighborhood & Business Services

### Explanation

- In February 2008, City Council authorized an infrastructure reimbursement agreement with Suttle Avenue LLC (an affiliate of Merrifield Partners) to help advance development in the Bryant Park area.
- Suttle Avenue LLC agreed to construct new roadways, 600,000 square feet of office space and 250,000 square feet of residential space. The first phase of the project, the Charlotte School of Law building, is complete.
- Current economic conditions have significantly slowed development activity at this site and across the region. Commencing road construction in 2010 without associated redevelopment activity would pose significant challenges to the viability of the project and create financing difficulties for the developer.
- Amendment #1 provides additional time for construction of Bryant Park Drive, the signalization of the intersection of Bryant Park Drive and Wilkinson Boulevard and improvements to Isom Street.
- The Amendment would extend the commencement date from December 31, 2010 to December 31, 2012.

- The current agreement allows the developer to apply for the initial payment of up to three years after road construction completion. The Amendment will require the developer to request the initial payment within one year of road completion.
- The road construction and improvements are to be funded by a \$1 million capital contribution from the City and \$2.2 million over ten years from a 90% city tax increment reimbursement.

#### **Small Business Opportunity**

The Infrastructure Reimbursement Agreement established a 10% SBE goal for this project.

#### **Funding**

- \$1 million from the sale of Arena Outparcel #1 has been appropriated in a budget ordinance approved February 25, 2008.
- Annual tax increment finance payments will be included in the General Fund Budget for the fiscal year in which they are projected to be made. The first payment is estimated to be FY2014 in the amount of \$244,400.

## **25. Mallard Creek Water Reclamation Facility Final Clarifier and Related Improvements – Design and Construction Services**

**Action: Approve a contract with Carollo Engineers in the amount of \$869,830 for professional services associated with the design and construction of the Mallard Creek Water Reclamation Facility final clarifier and related improvements.**

**Staff Resource:** Barry Gullet, Utilities

#### **Explanation**

- Final clarifiers are used to collect remaining biosolids from the wastewater before they are discharged to the streams.
- Currently the plant's treatment capacity is limited because there is only one clarifier.
- Plant flows have increased to the point that a failure of the existing clarifier will likely cause a discharge permit violation.
- The life expectancy of the structure is approximately 50 years, and the equipment is about 25 years. Clarifier cost is about two thirds structure and one third equipment.
- Carollo Engineers was chosen using the Council approved qualifications-based selection process.

#### **Small Business Opportunity**

Committed SBE Goal: 5.08%

For service-based contracts, the City negotiates SBE goals with the selected firm. (Part C: Section 2.2 of the SBO Policy). Carollo Engineers committed \$44,150 to the following SBE firms: Barry D. Davis Surveying, PLLC (surveying); Joel E. Wood & Associates (geotechnical and soil testing services); and CITI, LLC (instrumentation).

#### **Funding**

Utilities Capital Investment Plan

## 26. Sanitary Sewer Easement Mowing and Clearing

- Action:**
- A. Approve a contract with Bushhog America, Inc. for sanitary sewer easement mowing and clearing, in the not-to-exceed amount of \$250,000, and**
  - B. Authorize the City Manager to renew the contract for two additional one-year terms, in the not-to-exceed amount of \$250,000 each.**

**Staff Resource:** Barry Gullet, Utilities

### Explanation

- A Request for Proposal (RFP) was issued on March 3, 2010 for mowing and clearing services. Two proposals were received.
- Bushhog America was selected based on the following criteria, as delineated in the RFP.
  - Proposed equipment and operator fees
  - Availability of equipment and operators
  - Experience in providing similar services on similar projects
  - Competitive pricing
  - References
- After evaluation, staff determined that Bushhog America's proposal offered the best prices and services.
- Bushhog America holds the current contract for easement mowing and clearing; and has provided excellent service, in a timely manner, over the past two years.
- This contract provides for sewer line easement mowing and clearing services throughout Mecklenburg County.
- Utilities has a goal to clear easements once every three years on average.
- Clearing of these easements is a state-issued requirement for the Collection System Permit.
- These easements must be cleared for access to sewer lines for maintenance and regular inspections, which are also required by state-issued Collection System Permit.
- Once cleared of trees and heavy undergrowth, these easements can be more easily maintained.

### Small Business Opportunity

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

### Funding

Utilities Operating Budget

## 27. Pavement Condition Analysis and Pedestrian Facility Inventory

**Action: Approve a contract with KRK Consulting, PLLC for \$810,687 for facility pavement condition analysis services and pedestrian facility inventory.**

**Staff Resources:** Layton Lamb, Transportation  
Vivian Coleman, Transportation

### Current Pavement Condition Analysis

- Pavement condition surveys are critical to identify those streets that are in need of maintenance activities. The ratings and information provided by the surveys allow the programming of limited resurfacing dollars to maximize the City's overall pavement condition rating.
- For the past 25 years, CDOT has contracted with various engineering firms to provide a "windshield" pavement rating to collect City street pavement condition data. Maintenance programs and street selection for resurfacing are developed with this information.
- The "windshield" survey method is time consuming and depends on individual raters to describe and assess the extent of problems with pavement segments.
- These "windshield" surveys take approximately six to eight months to complete and are conducted every two years.
- The last pavement condition survey was conducted during the summer of 2008.

### Improved Pavement Condition Analysis

- KRK Consulting will conduct the pavement condition survey using electronic pavement sensors and high resolution video of the pavement thus significantly increasing consistency and accuracy to the ratings as compared to the windshield survey. This electronic method provides a rating that is verifiable by Street maintenance staff through the video.
- The stored video and associated condition data will be used within CDOT's Hansen work and inventory management system. The accurate street condition data, within the work and inventory system, will be updated throughout the work order process. This will allow CDOT to project maintenance and resurfacing program impacts on a real time basis instead of waiting until a manual survey has been performed.
- This improved data and functionality may also allow the street survey to be conducted every three to five years instead of the current two-year practice.
- Similar to past surveys, the consultant will provide a summary of overall pavement conditions, a prioritized list of recommended street repair and maintenance activities, and tools to evaluate funding scenarios for street resurfacing.
- Streets selected for resurfacing are based on the prioritized list.
- The cost to collect the pavement condition information, associated reports, data, and analysis is \$554,711.

### Pedestrian Facility Inventory

- \$255,976 of the contract cost includes the collection of pedestrian facility information such as sidewalks, crosswalks, and accessible ramps. This information is used to support the planning, evaluation, and construction of pedestrian improvements throughout the City.
- The opportunity to collect this information in conjunction with the pavement condition survey provides efficiencies. The inventory will satisfy the Transportation Action Plan requirement to conduct an inventory of existing sidewalks and pedestrian elements. Also, the inventory will ensure that CDOT

has data to develop Americans with Disabilities Act compliant pedestrian projects.

- Once this inventory is complete, staff will add newly annexed area pedestrian facilities to the inventory as they occur.

**Contract Benefits**

- The contract provides for 7,191 hours at an average hourly rate of \$104. The consultant will use 18 staff members to conduct the pavement condition analysis and pedestrian facility inventory. The work will be complete in time for the prioritization of the FY2011 paving contracts.
- Outsourcing this work is advantageous because the City does not have staff with the necessary expertise and the City will not have to acquire and update the associated technology.

**Selection Process**

- In 2009, CDOT issued a Request for Qualifications for pavement analysis services and selected two firms for pilot projects to more fully assess the firms' capabilities. The two firms selected for the pilot project were Data Transfer Solutions, LLC (DTS) and Infrastructure Management Services, LLC (IMS).
- Strictly to conform to North Carolina engineer licensing requirements, DTS established a new entity named KRK Consulting, PLLC in order to participate in the project.
- After evaluating the results of both pilot projects, KRK Consulting, PLLC was the unanimous choice of the selection committee.

**Small Business Opportunity**

The City negotiated an SBE Goal with KRK Consulting, PLLC after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). KRK committed 3.08% (\$25,000) of the total contract amount to the following SBE firm: Capstone Civil Group, PA.

**Funding**

Street Maintenance Powell Bill Fund (\$554,711) and Transportation Capital Investment Plan (\$255,976)

## 28. Transportation Data Stations

**Action: Approve a contract with Quixote Transportation Technologies, Inc. for \$278,213.50 for the installation of transportation data stations.**

**Staff Resources:** Charles Jones, CDOT  
Johanna Quinn, CDOT

### Background

- Prior to 2000, the Charlotte Department of Transportation maintained a network of vehicle count stations that provided volume information for specific roadways within the City. The equipment in these count stations became antiquated and was not Y2K compliant. Replacement of the stations with similar technology and communications was not cost effective for the limited data received.
- Limitations in communication technologies have until this point precluded attempts to install new stations. The installation of fiber-optic traffic signal communication lines now allows direct communication with the stations and eliminates the expense of phone modems or staff visiting the sites on a regular basis to collect data.

### Explanation

- Each station will collect traffic data including number of vehicles, vehicle speeds, and vehicle classification. The contract calls for the installation of one data station on each of the following roadways: Albemarle Road, South Boulevard, and Brookshire Boulevard. These roads were selected based on geography, access to the fiber network, and future benefit from traveler information systems.
- Roadway volume data from these types of stations is used by CDOT in the air quality model, and serves as an important part of project evaluation and selection.
- Data from these stations will be collected for every vehicle that passes over the sensors, 24 hours per day.
- The traffic data will also be used to evaluate travel time and congestion information on the roadways where the sensors are present.
- All data gathered from the three stations will be available in real time and stored for further analysis.
- The Technology Senior Business Team approved this item.

### Selection of Quixote Transportation Technologies

- In 2009, CDOT issued a Request for Proposal (RFP) for the installation of Transportation Data Stations.
- Quixote was the sole respondent to this RFP.
- After evaluating the firm's proposal and the experiences of agencies that use these data stations, the selection committee determined that all necessary elements of the data stations were present and the cost was comparable to the cost of similar installations.

### Small Business Opportunity

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

### Funding

Transportation Operating Budget

## 29. Microsoft Enterprise Licensing Agreement Renewal

**Action: Approve a 36-month renewal of the Microsoft Enterprise Licensing Agreement to ensure software license compliance and support of included Microsoft products at a cost not to exceed \$4,500,000.**

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

### Explanation

- The Enterprise Agreement allows all covered computers to load and run any supported versions of Microsoft Windows, Microsoft Office Professional and Microsoft Client Access Licenses.
- The agreement also includes licenses for servers and additional Microsoft products that may also be loaded on certain computers.
- The agreement provides for product support of existing software as well as upgrade rights to future versions.
- Microsoft software products that are not continuously covered by software maintenance are not eligible for future maintenance contracts or upgrade rights.
- BSS and Police have had separate enrollments under a State-wide Enterprise Agreement which provides volume pricing at Microsoft's lowest rate and is used by other municipalities and government agencies across North Carolina.
- Council approved the current BSS 36-month Microsoft Enterprise Agreement on June 11, 2007 for approximately \$2,770,000, covering the period from June 25, 2007 to June 30, 2010.

### Contract Terms

- The previous Police Microsoft Enterprise Licensing Enrollment expired on September 30, 2009, and was renewed for a 45-month period to expire on June 30, 2013, at cost not to exceed \$2,030,000.
- When the Police enrollment renewal was brought to Council on November 23, 2009, it was stated that the intention was to combine it with the BSS enrollment when it would be renewed in June 2010, establishing a single 36-month City-wide enrollment for the period from July 1, 2010 to June 30, 2013.
- This combined enrollment under the management of Business Support Services will provide consistent Microsoft licensing across the City and will simplify license management with a single contract.
- CompuCom was previously selected as the Enterprise Software Advisor and reseller for this agreement. CompuCom manages all agreement transactions and collects payments on the contract.
- As the table below demonstrates, the consolidation of the agreements allowed the renewal of the BSS agreement with just a 0.5% (\$15,800) increase over its 2007 agreement. In addition, Microsoft has announced price increases that will be effective May 1, 2010, but Enterprise Agreements that are signed prior to that date will preserve current pricing for the 36-month length of the contract, resulting in a total cost avoidance of at least \$208,500.



Existing Contracts	Total Amount	Start Date	End Date	Term	PC's
BSS	\$2,770,000	6/25/2007	6/30/2010	36-month	3,050
Police	\$1,714,222*	10/1/2009	6/30/2013	45-month	2,257
<b>Total</b>	<b>\$4,484,222</b>				<b>5,307</b>
New Combined Contract	Total Amount	Start Date	End Date	Term	PC's
BSS/Police	\$4,500,000	7/1/2010	6/30/2013	36-month	5,307

\*Value of the remaining 38 months of the CMPD agreement

**Small Business Opportunity**

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

**Funding**

Business Support Services and Police operating budgets

**30. CATS Safety and Security Certification for the LYNX Blue Line Extension Project**

**Action: Approve a contract amendment in the amount of \$150,000 to K & J Safety and Security Consulting Services, Inc. to provide Safety and Security Certification of the LYNX Blue Line Extension Project.**

**Staff Resources:** John Muth, Transit  
 Bryan Leaird, Transit

**Explanation**

- On May 12, 2008, City Council approved a \$200,000 contract with K & J Safety and Security Consulting Services, Inc. to support the safety and security review and certification activities through the completion of the Preliminary Engineering phase of the LYNX Blue Line Extension project.
- This amendment is needed as a result of both state and local stakeholder input and the resulting modifications to the original alignment. With the possibility of high speed rail traveling through Charlotte and the unique challenges of the revised alignment, the stakeholder input generated a large amount of documentation not projected under the original project scope:
  - Input from stakeholders such as the North Carolina Department of Transportation Rail Division’s CRISP project (Charlotte Rail Improvement and Safety Project), railroads, and UNCC have generated new documentation that requires review per FTA project requirements.
  - A further result is that the preliminary engineering schedule has been extended by nine months.
  - This revised alignment poses unique requirements not experienced during the original Lynx Blue Line project. With this new alignment, there is a need to continue the integration of multiple systems and provide the coordination required to address all the safety and security areas.
- The Federal Transit Administration (FTA) requires a project’s safety and security be certified. The certification process verifies that all elements of the engineering and design portions of the project meet all safety and security requirements of the FTA.

- The work being performed by K&J includes:
  - Develop the safety and security certification plan
  - Update the system safety program plan
  - Develop safety and security certification methodology
  - Perform hazard analysis
  - Conduct a threat and vulnerability assessment
  - Review all milestone design submittals

#### **Contract Terms**

- The contract period will end after all requirements and this scope of work is completed.
- This amendment would complete the Preliminary Engineering phase.
- Should Council approve engineering and design for the Blue Line Extension through the next phase (Final Design), an additional safety and security certification process would then need to occur per FTA requirements.

#### **Disadvantaged Business Enterprise Opportunity**

CATS is amending a contract with K & J Safety and Security Consulting Services, Inc. No DBE goal was set for this amendment because no subcontracting opportunities were available.

#### **Funding**

Transit Capital Investment Plan

### **31. Airport Entrance Road Master Planning Change Order**

**Action: Approve a change order in the amount of \$351,050 with HNTB North Carolina, P.C. for additional master planning services for the Airport Entrance Road.**

**Staff Resource:** Jerry Orr, Aviation

#### **Explanation**

- In 1975, the NCDOT Transportation Improvement Program (TIP) included a project to design and construct an Airport Entrance Road from I-85 to the Airport.
- NCDOT did design the road; however, the construction funding has continuously been pushed into the later years of the TIP and the road has not been built.
- Because of significant growth in local passengers since 1975, the NCDOT road design has become inadequate.
- In October 2007, City Council approved a contract in the amount of \$679,893 with HNTB to provide master planning services that would include vehicle modeling, preliminary engineering and cost estimates for a new entrance road design.
- HNTB has developed a roadway design under this contract; however, the estimated cost of this road system, approximately \$60 million, is more than the funds available for the project, approximately \$20 million.
- This change order will provide funds for HNTB to develop a road plan that uses as much of the future roadway alignment as possible and existing system, but reduces the project scope to fit within the available funds.
- This plan will be a vast improvement over the current roads.

**Disadvantaged Business Opportunity**

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**

Aviation Capital Investment Plan

**32. Airport Concourse E Expansion**

**Action:**   **A. Award the low bid contract of \$2,986,000 to Edison Foard, Inc. for the construction of Concourse E Expansion, and**

**B. Adopt a budget ordinance in the amount of \$2,986,000 from Airport Discretionary funds to be repaid with future General Airport Revenue Bond proceeds.**

**Staff Resource:**   Jerry Orr, Aviation

**Explanation**

- In February 2010, Council approved a contract with LS3P & Associates, Ltd. to design a 120 foot four-gate expansion to Concourse E to accommodate an additional six US Airways Express flights.
- This contract will construct the four gates and add two additional passenger loading bridges.
- The project cost will be funded by future General Airport Revenue Bonds, the debt service of which will be paid with Passenger Facility Charge revenues and through rentals paid by the airlines using the gates.

**Small Business Opportunity**

Established SBE Goal:   9%

Committed SBE Goal:   6.13%

Edison Foard, Inc. failed to meet the SBE Goal, but exceeded the minimum number of required Good Faith Effort points. Edison Foard committed 6.13% (\$126,426) of their Base Bid amount to SBEs at the time of their bid, but increased that commitment to 6.41% (\$132,275) post bid when it replaced an SBE that rescinded its bid with another SBE. The SBEs Edison Foard has currently committed to use are: Griffin's Grading (Sitework); Scott's Painting (Painting); and MCM Builders (drywall/acoustical ceilings).

**Funding**

Aviation Capital Investment Plan

**Attachment 19**

Budget Ordinance

## OTHER CONSENT ITEMS

### 33. Refund of Property and Business Privilege License Taxes

- Action:**
- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$10,637.20, and**
  - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$48,966.77.**

**Staff Resource:** Robert Campbell, Finance

#### Attachment 20

Resolution

List of property tax and business license refunds

### 34. Resolution of Intent to Abandon a Portion of Seigle Point Drive

- Action:**
- A. Adopt the Resolution of Intent to abandon a portion of Seigle Point Drive, and**
  - B. Set a public hearing for May 24, 2010.**

**Staff Resources:** Jeff McSwain, Transportation  
Linda Poissant, Transportation

#### Attachment 21

Map

Resolution

### 35. Resolution of Intent to Abandon Two Alleyways between Spencer Street and Charles Avenue

- Action:**
- A. Adopt the Resolution of Intent to abandon two alleyways between Spencer Street and Charles Avenue, and**
  - B. Set a public hearing for May 24, 2010.**

**Staff Resources:** Jeff McSwain, Transportation  
Linda Poissant, Transportation

#### Attachment 22

Map

Resolution

**36. Resolution of Intent to Abandon a Portion of McAlpine Station Drive**

**Action:**   **A. Adopt the Resolution of Intent to abandon a portion of McAlpine Station Drive, and**  
**B. Set a public hearing for May 24, 2010.**

**Staff Resources:**   Jeff McSwain, Transportation  
                              Linda Poissant, Transportation

**Attachment 23**  
Map  
Resolution

## 37. In Rem Remedy

**For In Rem Remedy #A-J, 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. 4509 Glenwood Drive (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)

**Complaint:**

- B. 2100 Greenway Avenue (Neighborhood Statistical Area 54 – Elizabeth Neighborhood)
- C. 1837 Umstead Street (Neighborhood Statistical Area 46 – Villa Heights Neighborhood)

**Field Observation:**

- D. 2607 Arnold Drive (Neighborhood Statistical Area 49 – Country Club Heights Neighborhood)
- E. 9811 Bellhaven Circle (Neighborhood Statistical Area 115 – Coulwood West Neighborhood)
- F. 2734 Capitol Drive (Neighborhood Statistical Area 4 – Capitol Drive Neighborhood)
- G. 2118 Holly Street (Neighborhood Statistical Area 29 – Lincoln Heights Neighborhood)
- H. 2905 New Pineola Road (Neighborhood Statistical Area 100 – Eagle Lake Neighborhood)
- I. 501 Patterson Street (Neighborhood Statistical Area 44 – North Charlotte Neighborhood)
- J. 3032 Reid Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood)

**Public Safety:**

**A. 4509 Glenwood Drive**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4509 Glenwood Drive (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).**

**Attachment 24**

**Complaint:**

**B. 2100 Greenway Avenue**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2100 Greenway Avenue (Neighborhood Statistical Area 54 – Elizabeth Neighborhood).**

**Attachment 25**

**C. 1837 Umstead Street**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1837 Umstead Street (Neighborhood Statistical Area 46 – Villa Heights Neighborhood).**

**Attachment 26**

**Field Observation:**

**D. 2607 Arnold Drive**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2607 Arnold Drive (Neighborhood Statistical Area 49 – Country Club Heights Neighborhood).**

**Attachment 27**

**E. 9811 Bellhaven Circle**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 9811 Bellhaven Circle (Neighborhood Statistical Area 115 – Coulwood West Neighborhood).**

**Attachment 28**

**F. 2734 Capitol Drive**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2734 Capitol Drive (Neighborhood Statistical Area 4 – Capitol Drive Neighborhood).**

**Attachment 29**

**G. 2118 Holly Street**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2118 Holly Street (Neighborhood Statistical Area 29 – Lincoln Heights Neighborhood).**

**Attachment 30**

**H. 2905 New Pineola Road**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2905 New Pineola Road (Neighborhood Statistical Area 100 – Eagle Lake Neighborhood).**

**Attachment 31**

**I. 501 Patterson Street**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 501 Patterson Street (Neighborhood Statistical Area 44 – North Charlotte Neighborhood).**

**Attachment 32**

**J. 3032 Reid Avenue**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3032 Reid Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood).**

**Attachment 33**



## PROPERTY ITEMS

### 38. Property Transactions

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

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

#### Acquisitions

- A. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 2, # 3 and # 4  
**Owner(s):** Robert Q. Alexander  
**Property Address:** 421 Clanton Road  
**Property to be acquired:** 2,630 sq. ft. (.060 ac.) in Fee Simple, plus 8,166 sq. ft. (.187 ac.) in Existing Right-of-Way, plus 3,675 sq. ft. (.084 ac.) in Sidewalk and Utility Easement, plus 2,725 sq. ft. (.063 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$28,796  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-22MF  
**Use:** Multi Family  
**Tax Code:** 145-133-03, 145-133-21 and 145-133-02  
**Total Parcel Tax Value:** \$306,600
- B. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 18  
**Owner(s):** D & D Group, LLC  
**Property Address:** 521 Clanton Road  
**Property to be acquired:** 895 sq. ft. (.021 ac.) in Fee Simple, plus 3,607 sq. ft. (.083 ac.) in Existing Right-of-Way, plus 1,505 sq. ft. (.035 ac.) in Sidewalk and Utility Easement, plus 1,232 sq. ft. (.028 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$11,200  
**Remarks:** Compensation was established by independent, certified appraisals related to this property.  
**Zoned:** B-1  
**Use:** Commercial  
**Tax Code:** 145-133-05  
**Total Parcel Tax Value:** \$555,900

**Condemnations**

- C. Project:** 2009 Annexation - Christenbury Road Pump Station Demolition, Parcel # 20  
**Owner(s):** Michael T. Bidy And Any Other Parties Of Interest  
**Property Address:** Christenbury Road  
**Property to be acquired:** Total Combined Area of 9,720 sq. ft. (.223 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$1,450  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 029-631-05  
**Total Parcel Tax Value:** \$48,200
- D. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 6  
**Owner(s):** J. Frank Hodges & Associates Limited Partnership And Any Other Parties Of Interest  
**Property Address:** Rocky River Road  
**Property to be acquired:** Total Combined Area of 10,959 sq. ft. (.252 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,400  
**Remarks:** Compensation was established by an independent, certified appraisal and a review appraisal. City staff is recommending condemnation in order to obtain clear title.  
**Zoned:** R-3  
**Use:** Vacant  
**Tax Code:** 105-061-01  
**Total Parcel Tax Value:** \$213,167
- E. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 55  
**Owner(s):** David A. Johnson and Wife, Lily M. Johnson And Any Other Parties Of Interest  
**Property Address:** 3703 Brookwood Road  
**Property to be acquired:** Total Combined Area of 23,616 sq. ft. (.542 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$14,450  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 105-241-01

**Total Parcel Tax Value:** \$197,400

- F. Project:** 2009 Annexation - Hood Road North Sanitary Sewer Improvements, Parcel # 78  
**Owner(s):** Jon W. Merkert and Bernadette T. Donovan And Any Other Parties Of Interest  
**Property Address:** 9334 Horseshoe Bend Drive  
**Property to be acquired:** Total Combined Area of 1,709 sq. ft. (.039 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$1,075  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 105-261-38  
**Total Parcel Tax Value:** \$188,900
- G. Project:** 2009 Annexation - Hood Road South Sanitary Sewer Improvements (Phase 1), Parcel # 13 and # 15  
**Owner(s):** Kingstree Homeowners Association, Inc. And Any Other Parties Of Interest  
**Property Address:** Deodora Cedar Lane and Blue Ash Lane  
**Property to be acquired:** Total Combined Area of 29,574 sq. ft. (.679 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$425  
**Remarks:** Compensation was established by an independent, certified appraisal and a review appraisal. City staff is recommending condemnation in order to obtain clear title.  
**Zoned:** MX-2  
**Use:** Single Family Residential - Common  
**Tax Code:** 108-061-90 and 108-062-98  
**Total Parcel Tax Value:** \$0 (no value assigned to common open space)
- H. Project:** Briar Creek Relief Sewer Phase 2, Parcel # 34 and # 35  
**Owner(s):** Central Plaza, LLC And Any Other Parties Of Interest  
**Property Address:** 1600 Masonic Drive  
**Property to be acquired:** Total Combined Area of 11,502 sq. ft. (.264 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$5,200  
**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:** B-1  
**Use:** Commercial  
**Tax Code:** 095-102-25 and 095-102-24

**Total Parcel Tax Value:** \$48,700

- I. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 8  
**Owner(s):** Edison Foard, Inc. And Any Other Parties Of Interest  
**Property Address:** 308 Clanton Road  
**Property to be acquired:** Total Combined Area of 3,442 sq. ft. (.079 ac.) of Fee Simple, plus Existing Right-of-Way, plus Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$4,725  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-2  
**Use:** Industrial  
**Tax Code:** 147-021-03  
**Total Parcel Tax Value:** \$139,100
- J. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 9  
**Owner(s):** John H. Thrower And Any Other Parties Of Interest  
**Property Address:** 306 Clanton Road  
**Property to be acquired:** Total Combined Area of 5,421 sq. ft. (.124 ac.) of Fee Simple, plus Existing Right-of-Way, plus Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$14,175  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-2  
**Use:** Industrial  
**Tax Code:** 147-021-04  
**Total Parcel Tax Value:** \$153,400
- K. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 10  
**Owner(s):** Edison Investments, Inc. And Any Other Parties Of Interest  
**Property Address:** 309 Clanton Road  
**Property to be acquired:** Total Combined Area of 1,420 sq. ft. (.033 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,450  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-2  
**Use:** Industrial  
**Tax Code:** 149-013-10

**Total Parcel Tax Value:** \$272,100

- L. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 14  
**Owner(s):** Lifespan, Inc. And Any Other Parties Of Interest  
**Property Address:** 200 Clanton Road  
**Property to be acquired:** Total Combined Area of 13,178 sq. ft. (.303 ac.) of Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Storm Drainage and Sidewalk Utility Easement Overlap, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$15,150  
**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:** I-2  
**Use:** Industrial  
**Tax Code:** 147-021-48  
**Total Parcel Tax Value:** \$170,200
- M. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 17  
**Owner(s):** McLeod Addictive Disease Foundation, Inc. And Any Other Parties Of Interest  
**Property Address:** 145 Remount Road  
**Property to be acquired:** Total Combined Area of 10,084 sq. ft. (.231 ac.) of Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Storm Drainage and Sidewalk Utility Easement Overlap, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$29,925  
**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:** B-1  
**Use:** Commercial  
**Tax Code:** 145-133-04  
**Total Parcel Tax Value:** \$4,303,400
- N. Project:** Clanton Road Sidewalk - South Boulevard to South Tryon Street, Parcel # 19  
**Owner(s):** National Retail Properties, LP And Any Other Parties Of Interest  
**Property Address:** 605 Clanton Road  
**Property to be acquired:** Total Combined Area of 388 sq. ft. (.009 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$775  
**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:** B-1  
**Use:** Commercial

**Tax Code:** 145-132-04  
**Total Parcel Tax Value:** \$769,200

- O. Project:** Lincoln/Wilson Heights Neighborhood Improvements, Parcel # 4,  
**Owner(s):** Regions Bank And Any Other Parties Of Interest  
**Property Address:** 2100 Saint Luke Street  
**Property to be acquired:** Total Combined Area of 81 sq. ft. (.002 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$25  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff is recommending condemnation in order to obtain clear title.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 075-036-13  
**Total Parcel Tax Value:** \$44,200
- P. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 138  
**Owner(s):** Ella Y. May And Any Other Parties Of Interest  
**Property Address:** 6001 Statesville Road  
**Property to be acquired:** Total Combined Area of 5,474 sq. ft. (.126 ac.) of Fee Simple, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$5,200  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 041-211-16  
**Total Parcel Tax Value:** \$281,000

### 39. Meeting Minutes

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

- February 15, 2010
- March 1, 2010
- March 3, 2010