

Mayor Anthony Foxx

Michael D. Barnes
Dr. Jason Burgess
Nancy Carter
Warren Cooksey
Andy Dulin

Mayor Pro Tem Patrick D. Cannon

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

CITY COUNCIL MEETING
Monday, June 27, 2011

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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29	25	Brookshire/Wilkinson Boulevard Intelligent Transportation Systems Connection Project
33	30	Traffic Calming Services
36	32	Water Quality Enhancement Project Grant Application
38	34	Toby Creek Greenway, Phase 2
45	40	Blue Line Extension Risk Assessment Study
46	42	Gold Rush Uptown Circulator Service
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CITY COUNCIL AGENDA
Monday, June 27, 2011

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4:30 P.M. CLOSED SESSION CONFERENCE CENTER

1. Closed Session

Action: Adopt a motion to go into closed session pursuant to: A.GS 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

2. Mayor & Council Consent Item Questions

Resource: Julie Burch, City Manager's Office

Time: 5 minutes

Synopsis

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

3. Catawba River District

Resource: Edna Chirico, Catawba River District

Time: 15 minutes

Synopsis

- The Catawba River District sent a letter to the Mayor and City Council requesting time to make a short presentation on the organization and its 2011 initiatives. A copy of the letter is attached.
- The Catawba River District was established in 2007 as a collaborative effort to improve water quality, protect the environment and promote economic development through sustainability principles along the Catawba River.

Future Action

This presentation is only for information.

Attachment 1

Letter from Catawba River District

4. Fire Department Services for Mecklenburg County

Staff Resource: Jon Hannan, Fire

Time: 15 Minutes

Synopsis

- Newell and Mallard Creek Volunteer Fire Departments (VFDs) will close on June 30, 2011.
- The Charlotte Fire Department was approached by Mecklenburg County to provide fire protection to the citizens within the areas currently protected by Newell and Mallard Creek VFDs.
- Mecklenburg County will pay the City a rate equal to the rate paid by City residents for the services provided by the Charlotte Fire Department.
- Staff recommends approving a contract with Mecklenburg County, which is item 16, page 12 of this agenda.

Attachment 2

Newell Map

Mallard Creek Map

Mecklenburg County Rural Fire District Resolution

Letter from County Manager

Budget Ordinance

5. Passenger Vehicle for Hire Ordinance

Staff Resources: Eric Campbell, City Manager's Office
Mujeeb Shah-khan, City Attorney's Office

Time: 25 minutes

Synopsis

- On June 28, 2010, City Council referred the Passenger Vehicle for Hire Ordinance (Chapter 22) to the Community Safety Committee as a result of taxi drivers' concerns with their working environment and relationship with affiliated taxi companies.
- The overall purpose of regulating the passenger vehicle for hire industry is to preserve the health and welfare of citizens and protect citizens' property.
- The Passenger Vehicle for Hire (PVH) Ordinance governs vehicles for hire in the City, including taxicabs, town cars (black cars) and limousines.
- In May 2000, City Council approved a revised Chapter 22 which created a new system of PVH regulation. These revisions to the PVH Ordinance (Chapter 22) included:
 - Creating the Passenger Vehicle for Hire Unit (PVH Unit) within CMPD
 - Creating an 11 member Passenger Vehicle for Hire Board
 - Creating licensing requirements for drivers, vehicle for hire companies and vehicle owners
 - Regulating all passenger vehicles for hire within the City
 - Requiring all drivers to receive training approved by the PVH Unit
- City Council approved amendments to the PVH Ordinance in August 2005, which modified vehicle age limits and made technical revisions to the ordinance.
- During the current review of the ordinance, City staff sought input from various stakeholders, which included:

- Taxi drivers
- Taxi company owners
- Limousine and black car industry
- PVH Board
- CMPD
- CDOT
- The purpose of this presentation is to review amendments approved by the Community Safety Committee at its June 15 Committee meeting.

Future Action

Staff recommends City Council action on the PVH Ordinance amendments on July 25.

6. Black Tar Heroin

Staff Resource: Glen Neimeyer, Police

Time: 20 minutes

Synopsis

- At the request of the Mayor, the presentation will focus on the black tar heroin issue in Charlotte and what steps are being taken to address it.
- Black tar heroin is one of the more significant drug issues in the Charlotte-Mecklenburg area.
- Police officers have seen an increase in the amount of black tar heroin available for sale in this area and believe that it is one of the drivers of property crime. In addition, hospital emergency rooms report an increase in overdoses of black tar heroin.
- CMPD officers are part of a three-county task force that concentrates on black tar heroin. The task force is funded by a federal grant for high intensity drug trafficking areas.

Future Action

The presentation is only for information.

7. Answers to Mayor and Council Consent Item Questions

Resource: Julie Burch, City Manager's Office

Time: 10 minutes

Synopsis

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

6:30 P.M. CITIZENS' FORUM

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

8. Do the Right Thing Award

Action: Mayor Foxx to recognize the 2011 winner of the Dr. Andrew P. "Sam" Haywood Award, Katie Speice. Sam Haywood was an educator and volunteer for the "Do the Right Thing" organization. The award established in his honor, recognizes a student who displayed exemplary attitude and behavior, showing bravery under extreme circumstances, or participated in outstanding volunteer work.

CONSENT

- 9. Consent agenda items 21 through 54 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.**

ZONING

10. Rezoning Petition 2011-017

Action: Render a decision on proposed rezoning petition 2011-017 Goode Development Corporation & Goode Properties for a change in zoning from R-17 MF, multi-family residential to NS, neighborhood services and MUDD-O, mixed use development district, optional for approximately 20 acres located on the east side of Monroe Road between Idlewild Road and Conference Drive.

Staff Resource: Tammie Keplinger, Planning

Explanation

- The petition proposes a mixed use development consisting of up to 275 multi-family residential units and up to 54,000 square feet of office, retail and restaurant uses.
- The decision on this sufficiently protested petition was deferred on June 20, 2011 since not all Council members were present at the meeting.
- This petition, with the exception of Block 1, is found to be consistent with the Independence Boulevard Area Plan and to be reasonable and in the public interest by a unanimous vote of the Zoning Committee.
- The Committee voted unanimously to recommend approval of this petition with modifications.

Attachment 3

Zoning Committee Recommendation
Vicinity Map
Locator Map
Site Plan

POLICY

11. City Manager's Report

12. FY2012 Charlotte Regional Visitors Authority Contract

Action: Approve the FY2012 Charlotte Regional Visitors Authority contract for tourism marketing, convention center promotion and business development activities in the amount of \$10,056,507.

Resources: Ron Kimble, City Manager's Office
 Joe Hallow, Charlotte Regional Visitors Authority
 Bill McMillan, Charlotte Regional Visitors Authority
 Gina Sheridan, Charlotte Regional Visitors Authority

Background

- Since March 2011, the Mayor and City Council held three budget retreats to shape development of the City Manager's Recommended Budget.
- The City Manager's Recommended Budget was presented on May 9, 2011.
- Additionally, Council held their Budget Adjustments meeting on May 18, the Budget Public Hearing on May 23, and the Budget Straw Votes meeting on June 1.
- On June 13, 2011, City Council voted to defer Agenda Item #13 Section M – Charlotte Regional Visitors Authority Contract until June 27, 2011, to receive additional information.

Explanation

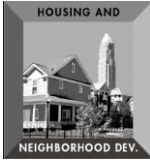
The deferred item from the June 13 Agenda consists of the following:

<u>Charlotte Regional Visitors Authority (CRVA)</u>	\$10,056,507
▪ Tourism Marketing	\$3,311,196
- Funds the City's general tourism marketing services contract with the CRVA. The amount is based on a portion of collections of the occupancy tax.	
▪ Convention Center Promotion and Business Development Activities	\$6,745,311
- Funding allocated to the Authority is derived from a portion of the proceeds of the prepared food and beverage tax and a portion of the countywide occupancy tax.	

Attachment 4

Scope of Services

13. Incentive-Based Inclusionary Housing Action Plan



Action: Approve the Housing & Neighborhood Development Committee's recommended Incentive-Based Inclusionary Housing Policies Action Plan.

Committee Chair: Patsy Kinsey

Staff Resources: Debra Campbell, Planning
Pamela Wideman, Neighborhood & Business Services

Policy

- The City's Housing Policy focuses on preserving the existing housing stock, expanding the supply of low and moderate-income housing and supporting family self-sufficiency initiatives.

Explanation

- There is a significant unmet need of affordable multi-family rental housing units, according to the following:
 - *Robert Charles Lesser & Company's Assessment of the Residential Rental Housing Supply and Demand in Mecklenburg County, NC*
 - *University of North Carolina at Charlotte Urban Institute's A Comprehensive, Affordable Housing Market Study for Mecklenburg County*
- Incentive Based Inclusionary Housing Policies are designed to be used as tools by the private sector to encourage and yield the development of additional affordable housing units.
- The City Council referred the issue of incentive based inclusionary housing strategies to the Housing and Neighborhood Development Committee for review and discussion. The Committee began their discussion at their April 6, 2011 Committee meeting by reviewing the Housing Charlotte 2007 Incentive Based Housing Subcommittee's recommendations and additional strategies suggested by Mayor Foxx.
- The Committee principally used the Housing Charlotte 2007 Incentive Based Inclusionary Housing Subcommittee recommendations and the Mayor's suggestions.

Proposed Action Plan

- The proposed action plan outlines five regulatory and six financial strategies to encourage the creation of affordable housing. The strategies include the following:
 1. Voluntary Density Bonus Program for Single Family and Multi-family Development (multi-family density program added as result of June 13 discussion)
 2. Fee Waiver
 3. Fast Track Permitting
 4. Duplexes allowed on lots other than corner lots
 5. Engage third party to review impacts of regulations on affordable housing production
 6. Create Local Rent Subsidy
 7. Increase Housing Trust Fund Commitments for federal housing tax credits
 8. Lobby for changes to the State's Qualified Application Process
 9. Make available government owned land at reduced cost

10. Develop aggressive acquisition program for existing apartment buildings
11. Cash Subsidies

Proposed Process Schedule

- Highlights of the suggested process schedule are included below.
 - Initial Public Meeting (August 2011)
 - Citizen Advisory Group (CAG) recommendation (August 2011 – December 2011)
 - Council Committee Recommendation (January 2012)
 - Council Action (January 2012)
 - File Text Amendments (February 2012)
 - Council Final Adoption (April 2012)
- Staff will work with a Citizen Advisory Group on regulatory strategies and associated needed changes to the zoning ordinance or user fees. This group would be made up of participants from the Housing Charlotte 2007 Incentive-Based Inclusionary Housing Policies Subcommittee as well as other groups such as the Charlotte Apartment Association, Community Development Corporations, financial institutions, community and business organizations and other interested citizens and groups.

Committee Discussion

- Incentive Based Inclusionary Housing Policies were discussed at several Housing & Neighborhood Development Committee meetings. The Committee began their discussion on April 6, 2011 by reviewing the Housing Charlotte 2007 Incentive Based Housing Subcommittee's recommendations and additional strategies suggested by Mayor Foxx. The Committee continued their discussion of this issue at their April 27, May 11, and May 25 meetings. At the May 25 meeting, the Committee voted 3-1 (Kinsey, Barnes, Cannon – for; and Cooksey - against) to recommend to Council a list of regulatory and financial incentives to create affordable housing units in Charlotte.
- At the June 13, City Council Meeting, the Committee's proposed Action Plan was presented. Mayor Foxx suggested the Council may wish to also pursue a density bonus for multi-family housing. Council member Carter stated an interest in adding consideration for accessory dwelling units for non-related individuals. Council agreed to consider action on the proposed plan at the June 27 meeting.

Attachment 5

Proposed Incentive Based Inclusionary Housing Policies Action Plan

14. Tree Canopy Coverage Goal



Action: Approve the Environment Committee recommendation to adopt the tree canopy coverage goal of 50% in 2050.

Committee Chair: Edwin Peacock

Staff Resources: Gina Shell, Engineering & Property Management
Tom Johnson, Engineering & Property Management
Don McSween, Engineering & Property Management

Explanation

- The tree canopy coverage goal has been developed in response to Council's Environment Focus Area Plan, which includes a measure to manage Charlotte's natural resources including, among others, the tree canopy, and which sets a target to adopt an overall tree canopy goal for Charlotte by June 2011.
- On December 6, 2010, City Council was briefed on development of the goal and creation of a related strategy document. Council referred the matter to the Environment Committee. The Committee discussed the goal and strategies at four meetings.
- At the June 13, 2011 dinner briefing, City Council was briefed on the proposed goal.
- The proposed goal reflects extensive staff work including:
 - Research of other cities' tree canopy coverage data, their goals and strategies
 - Additional analysis using the 2010 Urban Ecosystem Analysis report prepared by American Forests for Charlotte and Mecklenburg County
 - Input and comment from citizen sounding boards
- The goal will express the total tree canopy coverage which the City aspires to sustain, expressed as a percentage of land within the City.
- The goal is intended to:
 - Reflect and express the value the community places on the tree canopy as an element of its quality of life
 - Communicate a shared objective to ensure that a healthy tree canopy is sustained for the benefit of current and future citizens
 - Provide a shared measure so that Charlotte can chart its success in retaining the valuable canopy resource
 - Be the centerpiece of a communication effort to encourage citizens, neighborhoods, and community groups to take action by planting trees and maintaining the urban forest
- A communication effort will be initiated to communicate the goal to the community and to involve citizens and community groups in planting efforts and good tree maintenance
- Staff has prepared a white paper, attached, which more fully outlines the background, intent and implementation tactics surrounding establishment of the goal.

Committee Discussion

- The Environment Committee discussed the policy at meetings in January, March, April and May.
- The Committee discussed the importance of communicating the value of the tree canopy in many ways, noting the ecological, aesthetic, community-identity, place-making, urban heat-island and pedestrian benefits.

- The Committee discussed the establishment of the 50% goal as a significant statement and challenge for Charlotte as an urban community where continued strong population growth and economic development is anticipated.
- On May 23, Committee members Peacock, Burgess, Carter, Howard and Dulin voted unanimously to recommend adoption of the tree canopy coverage goal.

Implementation

- The goal will become effective immediately.

Attachment 6

Preserving and Enhancing Our "City of Trees" Through Establishment of a Tree Canopy Goal

15. Decorative Signs Ordinance Revisions

Action: Adopt an ordinance amending the Decorative Sign Ordinance, effective upon adoption.

Staff Resources: Doreen Szymanski, Transportation
Bob Hagemann, City Attorney's Office

Explanation

- Decorative signs are signs located in the right-of-way other than regulatory or traffic informational signs. Examples include banners and holiday decorations.
- The current decorative sign ordinance allows decorative signs only in MSD's 1, 2, 3 (Uptown).
- A number of neighborhood and business districts outside the Uptown have expressed an interest in decorative signs in their communities.
- Expanding the decorative sign program Citywide will avoid future unapproved installations, some of which have caused poles to collapse.
- On June 13, a dinner briefing on the ordinance was planned, however, there was not enough time. The June 13 presentation is attached.

Ordinance Revisions

- Revisions to the current decorative sign ordinance include:
 - Establishing a citywide program whereby decorative signs may be designed and displayed by the City or donated to the City on a permanent or temporary basis
 - Stating the intent that decorative signs are:
 - o "City's speech" (City initiated messages) and the program is not intended to create a forum for free speech
 - o The right-of-way is not to be used for commercial advertising or political/religious messages
 - Clarifies that decorative signs are those that promote or celebrate the City or its neighborhoods, civic institutions, public activities or events
 - Allows up to 15% of the sign face to be used for corporate sponsorship acknowledgement
 - Requires decorative signs to be placed on street lighting poles with no pole to pole attachments

- Requires the pole owner (primarily Duke Energy) to approve the attachment, size, and material of banners based upon engineering requirements
- Requires decorative sign donors to use a professional company for installation and removal, carry appropriate levels of insurance, and hold the City harmless from all claims
- Assigns administrative program duties to the Charlotte Department of Transportation

Attachment 7

Revised ordinance

Guidelines

June 13 Dinner Briefing Presentation

BUSINESS

16. Fire Protection Services for Mecklenburg County

- Action:**
- A. Authorize the City Manager to execute a one-year contract with Mecklenburg County for \$610,062 to provide all fire protection services in the areas now serviced by Newell and Mallard Creek Volunteer Fire Departments, and**
 - B. Adopt a budget ordinance in the amount of \$610,062 from Mecklenburg County.**

Staff Resource: Jon Hannan, Fire

Explanation

- Newell and Mallard Creek Volunteer Fire Departments will cease to operate on June 30, 2011.
- On June 7, 2011, the Mecklenburg County Commission passed a resolution to approve the Charlotte Rural Fire District, consisting of the areas formerly covered by Newell and Mallard Creek Volunteer Fire Departments.
- The cost to provide all fire services including protection, inspections, life safety education, and investigation was determined by adding all components of the Fire Department budget, minus projected revenues (i.e. fees, fines, etc). The derived figure was then divided by the value of one cent on the City's property tax rate. The result is the property tax rate of 12.24 cents per hundred needed to support the cost of the Charlotte Fire Department.
- This property tax was then calculated against the property value of the areas to be served. The result is the recommended cost to the County for the desired service, which is equivalent to the cost of the service to the citizens within the City.
- This temporary (one-year) agreement will ensure that the citizens affected by the closing of these two departments will receive adequate and equal fire protection services. It further defines that the Charlotte Fire Department will provide all fire services to the citizens in these two fire districts which fall within Charlotte's sphere of influence. Approximately 20% of Mallard Creek's district falls within Huntersville's sphere of influence and will be serviced by Huntersville.
- Entering into this agreement will allow Mecklenburg County the time it needs to continue working through the process of establishing special fire tax districts for the affected areas.

Small Business Opportunity

Contracts with other units of federal, state or local government are exempt (Appendix Section 23.8 of the SBO Policy).

Funding

Mecklenburg County General Fund

Attachment 2

Newell Map
Mallard Creek Map

Mecklenburg County Rural Fire District Resolution
 Letter from County Manager
 Budget Ordinance

17. Gang of One Contracts



- Action:**
- A. Approve a contract with Mecklenburg County in the amount of \$851,977, for Gang of One's Gang Reentry and Intervention Team, and**
 - B. Approve a contract with Mecklenburg County in the amount of \$339,765 for Gang of One's Culinary Arts Program.**

Staff Resources: Ruth Story, Police
 Fran Cook, Police

Explanation

- Gang of One has received two grants submitted through the Mecklenburg County Juvenile Crime Prevention Council. The grants came to the County through the North Carolina Department of Juvenile Justice and Delinquency Prevention's American Recovery and Reinvestment Act funding.
- A grant for \$851,977 will fund the Gang Reentry and Intervention Team (GRIT) which will assist gang-involved juveniles in gang disassociation by providing them access to needed services and increasing the effectiveness and coordination among the agencies that serve them. The GRIT Team is composed of professionals from the fields of juvenile justice, education, Gang of One law enforcement and other agencies as needed, who work together to case-manage gang-involved youth.
- Council accepted and appropriated the grant funds on November 22, 2010 and is now asked to approve the contract with Mecklenburg County to receive the grant funds.
- A grant for \$331,765 will fund a culinary arts program, which will provide job readiness skills for the youth served by the GRIT Program. It also funds the improvements to the Greenville Center that are required for the culinary arts program as well as most of the annual operating expenses for the Center. Gang of One will apply for additional funding for the culinary arts program once current grant funds have been expended.
- Council accepted and appropriated the grant funds on December 13, 2010 and is now asked to approve the contract with Mecklenburg County to receive the grant funds.
- Since the grant funds were appropriated, Gang of One has been waiting for the completed contracts from the County. Now that the contracts have been received, Gang of One is ready to proceed with program implementation.
- The project period for both grants has been extended until June 30, 2012.

Small Business Opportunity

Contracts with other units of federal, state or local government are exempt (Appendix Section 23.8 of the SBO Policy).

Funding

Grants from the North Carolina Department of Juvenile Justice and Delinquency Prevention; no City matching funds required

18. Nominations to Boards and Commissions

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

A. AIRPORT ADVISORY COMMITTEE

- One appointment for a three-year term for a Westside resident beginning August 1, 2011
 - Russell McMillan, Westside resident, is eligible and would like to be reappointed.
- One appointment for a three-year term for an at-large member beginning August 1, 2011.
 - Stanley Vaughan has completed his service and is not eligible for reappointment.

Attachment 8

Applications

B. CHARLOTTE REGIONAL VISITORS AUTHORITY

- Two appointments for at-large representatives for three-year terms beginning July 1, 2011
 - T. Anthony Lindsey, at-large representative, is eligible and would like to be reappointed.
 - Viola Lyles, at-large representative, has completed her service and is not eligible for reappointment.
- Nominations for these vacancies were reopened by City Council at the June 13, 2011 meeting.
- Applications submitted herein were received prior to the deadline of June 22, 2:00 pm.

Attachment 9

Applications

C. COMMUNITY RELATIONS COMMITTEE

- One appointment for an unexpired term beginning immediately and ending June 30, 2013
 - Richard Carter resigned.

Attachment 10

Applications

D. DOMESTIC VIOLENCE ADVISORY BOARD

- One appointment for a three-year term beginning September 22, 2011.
 - Beatrice Cote is eligible and would like to be reappointed.

Attachment 11

Applications

E. HISTORIC DISTRICT COMMISSION

- One appointment for an unexpired term for a resident of Wesley Heights beginning immediately and ending June 30, 2013
 - Gregory Grueneich has not met the City Council attendance requirement.

Attachment 12

Applications

F. HISTORIC LANDMARKS COMMISSION

- Two appointments for three-year terms beginning July 17, 2011
 - Frank Bragg and Lynn Weis are both eligible and would like to be reappointed.
- One appointment for an unexpired term beginning immediately and ending July 16, 2012
 - Keysha Walker has not met the City Council attendance requirement.

Attachment 13

Applications

G. PUBLIC ART COMMISSION

- One appointment for an educational representative for a three-year term beginning immediately and ending June 30, 2014.
 - Heather Rider resigned.

Attachment 14

Applications

H. TRANSIT SERVICES ADVISORY COMMITTEE

- One appointment for an unexpired term for a neighborhood organization leader beginning immediately and ending January 31, 2012
 - Kevin Spitzmiller has not met the City Council attendance requirement.

Attachment 15

Applications

19. Appointments to Boards and Commissions

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

A. CHARLOTTE REGIONAL VISITORS AUTHORITY

- Two appointments for at-large representatives for three-year terms beginning July 1, 2011.
- The applicants listed below were nominated at the April 11, 2011 Council meeting.
- All nominees from tonight's meeting will also be considered for appointment (item 18B, page 14).
 - Doris Asbury by Council members Cannon and Mitchell
 - Darryl Broome by Council member Dulin
 - Carlton Crump by Council members Barnes, Burgess and Cannon
 - * Jackie Ford by Council member Turner
 - Scott Jensen by Council member Peacock
 - T. Anthony Lindsey, incumbent, by Council members Burgess, Carter, Cooksey, Howard and Mitchell
 - Gary Roelke by Council members Carter and Cooksey
 - Lloyd Scher by Council members Barnes and Kinsey
 - Rebecca Stoddard by Council member Kinsey

- Marilyn Sutterlin by Council member Peacock
- Shelley Young by Council member Howard

*Application not received.

Attachment 16

Applications

20. 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."

21. Light Bars, Sirens, and Speakers

Action: A. Approve low bid, unit price contracts to provide light bars, sirens, and speakers for the term of five years in the estimated amount of \$450,000 for the first year and \$150,000 in each of the subsequent years to the following vendors:

1. Campbell-Brown, Inc.
2. Dana Safety Products, and

B. Authorize the City Manager to approve up to two, one-year renewal options with possible price adjustments as authorized by the contract.

Staff Resource: Charles Robinson, Business Support Services

Explanation

- Police patrol cars, Fire Department vehicles, and other City equipment require the installation of light bars, sirens, and speakers for public safety.

- Business Support Services issued an Invitation to Bid, which included specifications for 88 items and required annual unit prices on each item for a total of five years.
- Campbell-Brown was the low bid for Sound Off brand equipment, used by Police. Dana Safety Products was the low bid for Whelen brand equipment, used by Fire. It is common practice to have more than one contract so that varying needs may be met.
- Police is the largest user of the contract and will be making a large purchase of equipment in the first year of the contract due to their conversion to LED light bars. The LED lights have great visibility and reduce electronic system load by a significant amount, 25 amps. Earlier this year, 100 LED light bars were installed on patrol cars. Under the new contract, Police plans to buy 370 more light bars.
- The average cost of light bars is \$850 for standard police vehicles. Some light bars for larger vehicles range from \$950 to \$1,250. The average cost of sirens is \$400 each and varies slightly based on speaker size, brackets, etc.
- The Invitation to Bid was also on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA) which was developed by BSS/Procurement Services Division. The CCPA is designed to competitively solicit and secure contracts for the purchase of goods and services that may be used by other public agencies regionally and nationwide.

Small Business Opportunity

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

Funding

Police: Assets Forfeiture (Year One) Police Operating Budget (Years two-five)
Other Departments: Capital Equipment Fund

22. Police Dual Sport Motorcycles

Action: Approve a one-year low bid, unit price contract to Interstate Cycle for the purchase of ten Suzuki Dual Sport Motorcycles in the amount of \$59,954.70

Staff Resources: Katrina Graue, Police
Greg Crystal, Police

Explanation

- Police plans to purchase ten Suzuki Dual Sport Motorcycles that will be assigned to officers in patrol divisions with high concentrations of apartment complexes.
- The on and off road motorcycles will be used in lieu of a patrol car in apartment complexes, providing increased maneuverability within confined spaces as well as on trails and other areas not accessible to patrol cars.
- Police purchased ten motorcycles in November 2010 for a total of \$63,160. Purchase of the additional ten motorcycles requires Council approval because the total for motorcycles now exceeds \$100,000.
- Maintenance of the motorcycles will be performed by the dealership with maintenance costs absorbed in Police's fleet operating budget.

Small Business Opportunity

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

Funding

Police Operating Budget

23. Miscellaneous Automotive Parts

- Action:**
- A. Approve the low bid contract with General Parts Distribution LLC dba CarQuest for providing Miscellaneous Automotive Parts and Accessories for the term of three years in the estimated annual amount of \$600,000, and**
 - B. Authorize the City Manager to approve up to three, one-year renewal options with possible price adjustments as authorized by the contract.**

Staff Resource: Charles Robinson, Business Support Services

Explanation

- Business Support Services/Procurement Services Division (BSS/PSD), in response to needs identified by the City of Charlotte and Mecklenburg County, and acting as Lead Public Agency in collaboration with the U.S. Communities Government Purchasing Alliance, solicited bids from qualified companies to enter into a master agreement to provide a complete line of automotive parts and accessories for light, medium, and heavy duty vehicles on a local and national level.
- Council previously awarded a local and national automotive parts and accessories contract to AutoZone in June 2006. This competitive solicitation and resulting contract will replace the AutoZone contract which was not renewed by U.S. Communities or the City.
- Combining the volumes of government agencies nationwide achieves cost effective pricing and reduces the administrative and overhead costs of government agencies and suppliers alike.
- All suppliers awarded contracts must sign a commitment that the U.S. Communities pricing is the lowest available to local agencies nationwide.
- By providing a comprehensive and competitively solicited master agreement through a single bid process, over 87,000 public agencies may use the subsequent contract without the need for further solicitation.

Selection Process

- Three bids were received in response to the Invitation to Bid issued by BSS/PSD.
- The bids were evaluated by a local and national team comprised of staff from BSS/PSD, BSS/Equipment Management Division, and procurement and fleet officials from Fairfax, VA, Denver, CO, Los Angeles, CA, and San Antonio, TX.
- Price was only one criterion. Other factors included:
 - Quality and extensiveness of product lines
 - Warranties
 - Background and experience of the company
 - Ability of the company to distribute products
 - Provide service in all 50 states

- After thorough evaluation, the Evaluation Team unanimously determined General Parts Distribution LLC dba CarQuest was the lowest responsive, responsible bidder that best met the established requirements.

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

Various KBU operating budgets

24. FY2012 Water and Sanitary Sewer Service Installations

Action:

- A. Award the low bid of \$1,747,451.50, to Dallas 1 Construction LLC for installation of water and sanitary sewer services throughout Mecklenburg County, and**
- B. Authorize the City Manager to renew the contract for two additional terms, with price adjustments based on the Construction Cost Index, according to the terms of the agreement**

Staff Resource: Barry Gullet, Utilities

Explanation

- This is a unit price contract that provides installation of small residential and commercial water and sewer service taps as requested by customers throughout Mecklenburg County.
- Customers apply for and pay the connection and capacity fees. The service is then assigned to the contractor for installation.
- Based on current trends, this contract is expected to last one year.

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). Dallas 1 Construction is, however, a certified SBE.

Funding

Utilities Capital Investment Plan

25. Water/Sewer Refunding Bonds

Action: **Adopt a resolution that makes findings necessary for the Local Government Commission's approval of the refunding of a portion of the 2001 Water Sewer Revenue Bonds.**

Staff Resource: Greg Gaskins, Finance

Explanation

- Utilities plans to refund \$107 million of outstanding 2001 Water/Sewer Revenue Bonds in early August.

- The bonds will be refinanced at a lower rate and generate an estimated average annual savings of \$1.3 million over the current debt service.
- This action authorizes staff to seek Local Government Commission approval for the refunding and is the first of two council actions for this financing.
- Due to the timetable for this financing, the second Council action to approve the bond order and resolution will take place at the July 18 Zoning Meeting.

Funding

Water/Sewer Debt Service Fund

Attachment 17

Resolution

26. Sandlewood Apartments Bond Issuance Approval

Action: Adopt a resolution granting the Charlotte Housing Authority's request to issue Multi-Family Housing Revenue Bonds to finance the acquisition and renovation of the Sandlewood Apartments.

Staff Resource: Pam Wideman, Neighborhood & Business Services

Explanation

- The Charlotte Housing Authority (CHA) is requesting the City adopt a resolution authorizing the issuance of multi-family housing revenue bonds for the Sandlewood Apartments. The CHA bonds, not to exceed \$6,635,000, will be used to finance the acquisition and rehabilitation of the development. Approval of this request is required by the governmental unit having jurisdiction over the area where the development is located to satisfy Section 147(f) of the Internal Revenue Code of 1986.
- The Sandlewood Apartments will be owned by The Banyan Foundation, a North Carolina non-profit corporation. When the rehabilitation is completed, The Banyan Foundation will select an on-site property management company.
- Sandlewood apartments consist of 151 multi-family residential units located near the Harris Boulevard/Albemarle Road Intersection. Twenty units will serve households earning 30% or less than the area median income (AMI), 80 units will serve between 31% and 60% of the AMI and the remaining 51 units will not be rent restricted. Rehabilitation developments are exempt from the City's Assisted Housing Locational Policy.

Funding

There is no financial liability for the City. The debt for this project is secured by the real estate.

Attachment 18

Project Summary

Charlotte Housing Authority Resolution

Resolution

27. Barringer Gardens Apartments Bond Issuance Approval

Action: Adopt a resolution granting the Charlotte Housing Authority's request to issue Multi-Family Housing Revenue Bonds to finance the acquisition and construction of Barringer Gardens Senior Apartments.

Staff Resource: Pam Wideman, Neighborhood & Business Services

Explanation

- The Charlotte Housing Authority (CHA) is requesting the City of Charlotte adopt a resolution authorizing the issuance of multi-family housing revenue bonds for the Barringer Gardens Senior Apartments. The CHA bonds, not to exceed \$5,057,000, will fund the acquisition and construction for the development. Approval of this request is required by the governmental unit having jurisdiction over the area where the development is located to satisfy Section 147(f) of the Internal Revenue Code of 1986.
- Barringer Gardens Apartments will be owned by the Charlotte Retirement Housing Foundation Housing Partners, LP (RHF) a North Carolina limited partnership. RHF will select a property management company.
- Barringer Gardens will consist of 85 affordable senior housing apartments located on West Boulevard at Dr. Carver Road. Of the 85 units, 47 will be made available to seniors at 50% of the area median income (AMI), 37 will be made available to seniors at 60% of the AMI, and one is a non-revenue manager's unit. Senior housing developments are exempt from the City's Assisted Housing Locational Policy.

Funding

There is no financial liability for the City. The debt for this project is secured by the real estate.

Attachment 19

Project Summary
Charlotte Housing Authority Resolution
Resolution

28. Sustainable Communities Planning Grants

Actions: **A. Adopt a resolution endorsing Sustainable Communities Regional Planning Grant application to be submitted to HUD on behalf of the Charlotte metro region by the Centralina Council of Governments, and**

B. Authorize The City Manager to approve a memorandum of understanding (MOU) with the Centralina Council of Governments for CONNECT Consortium membership in support of the Sustainable Communities regional planning program.

Resources: Jim Prosser, Centralina Council of Governments
George Berger, Engineering & Property Management

Explanation

- The Sustainable Communities Initiative Regional Planning Grant (SCIRPG) program was created in 2010 as a key program of the federal partnership of HUD, USDOT and the EPA (Partnership) to promote greater regional sustainability, livability, and efficiencies by breaking down barriers to governmental and private/non-profit collaboration among regional jurisdictions.
- The 2010 grant application submitted by the Centralina Council of Governments (CCOG) on behalf of its member jurisdictions and partners (City Council Resolution adopted July 26, 2010) was unfunded; however, the application yielded Preferred Sustainability Status to the region, and CCOG and the other participants will again apply for funding for a SCIRPG planning grant, which requires the approval by City Council of a Resolution endorsing the submittal.
- The State of North Carolina created the North Carolina Sustainable Communities Task Force (Task Force) and a related program of planning grants to support the federal effort noted above.
- CCOG received a \$40,000 grant through the state program to assist communities in targeted regional corridors with redevelopment work in five study area corridors, two of which are within the City of Charlotte: US 74/I-85 from Charlotte to the South Carolina state line; and US 29/I-85 from Charlotte to the Rowan/Davidson county border.
- The NC Department of Environment and Natural Resources (NCDENR) requires a Memorandum of Understanding for communities participating in the program; the MOU for the state grant establishes a Consortium that will also suffice for the federal SCIRPG grant application.

Funding

- Funding for the federal SCIRPG grant will be provided through HUD, with CCOG as lead applicant. As in 2010, matching funds (cash) are not required. However, applicants must provide a minimum of 20 percent of the requested funding amount in leveraged resources. The majority of the required match is expected to be in the form of in-kind staff participation from the COGs (Centralina and Catawba) and the Consortium partners who will be asked to allow staff time to be spent on the project (typically, regional meetings and data-sharing). It is expected that some City staff planning and analysis work will be eligible for reimbursement through the grant itself, should it be funded.

- Funding for the NC Sustainable Communities grant has been provided via NCDENR and CCOG. The City of Charlotte is not being asked to provide matching funds for this grant. However, City staff is being asked to participate in the administration of the grant, by participating in the Regional Stakeholder Committee, providing data and assisting with logistics.

Next Steps

- With Council approval of the attached Resolution and authorization of the City Manager to enter into the MOU, City staff will continue to work with CCOG and the other working team partners in the preparation of the SCIRPG application following the release of the Notice of Funding Availability. In parallel, CCOG staff will begin working on the state grant project in coordination with City staff. City staff will keep Council advised on scope, partnering, and final budget development of the SCIRPG application via the Council-Manager Memo.

Attachment 20

Cover letter for SCIRPG and State MOU
Outline of Program specifics
MOU
Resolution for SCIRPG application

29. Brookshire/Wilkinson Boulevard Intelligent Transportation Systems Connection Project

Action:

- A. Reject the low bid of \$195,163.80 with Templar, Inc. for failure to meet the requirements of the Small Business Opportunity Program,**
- B. Reject the second low bid of \$202,506.09 with Whiting Construction Co., Inc. for failure to meet the requirements of the Small Business Opportunity Program, and**
- C. Award the third low bid of \$224,853.29 to Traffic Control Devices, Inc. for construction of the Brookshire/Wilkinson Boulevard Intelligent Transportation Systems Connection Project.**

Staff Resources: Debbie Self, Transportation
Veronica Wallace, Transportation

A. Reject the low bid from Templar, Inc.

- Staff recommends the rejection of the low bid of \$195,163.80 with Templar, Inc.
- The City determined Templar, Inc. failed to comply with the Small Business Opportunity (SBO) Program Part B: Section 3.7.
 - Templar, Inc. failed to provide properly documented commitments to reflect SBO utilization of 8% by the timeframe indicated by the City.
 - Templar, Inc. indicated they would not pursue the option of Good Faith Efforts.

B. Reject the second low bid from Whiting Construction Co., Inc.

- Staff recommends the rejection of the low bid of \$202,506.09 with Whiting Construction Co., Inc.
- The City determined Whiting Construction Co., Inc. failed to comply with the Small Business Opportunity Program Part B: Section 3.2.
 - Whiting Construction, Co. Inc. indicated a SBE utilization of 9.63%; however, the amount was deemed incorrect due to one of the vendors listed not having current certification under the SBO Program Requirements. Actual amount of SBE utilization was 3.70%, which was less than the established goal of 8%.
 - Whiting Construction Co., Inc. indicated they would not pursue the option of Good Faith Efforts.

C. Award the low bid from Traffic Control Devices, Inc.

- Staff recommends award of the low bid of \$224,853.29 to Traffic Control Devices, Inc.
- The City determined Traffic Control Devices, Inc. to be the lowest responsive bidder. The bid from Traffic Control Devices, Inc. is 5.8% less than the Engineer's estimate.

Project Description

- The Brookshire Connection Project provides a critical link for Intelligent Transportation Systems (ITS) communication infrastructure by connecting existing traffic signal communication facilities on Wilkinson Boulevard to Brookshire Boulevard via new fiber optic cable installation in existing conduit along I-485.
- Over the last eight years, the City has been working on an ITS that connects the traffic signals and traffic management cameras to a central location.
- As the plan has evolved, technology has provided opportunities to develop a more robust system that relies on fiber communication to improve the speed and efficiency to transmit data to and from the traffic signals and traffic management cameras.
- Fiber optic cabling and traffic signal interconnection provides the ability to remotely adjust traffic signals to instantly improve traffic flow in response to changing traffic volumes during normal and emergency conditions.
- Fiber optic cabling combined with traffic management cameras, dynamic message signs, highway advisory radio and other traffic information devices create an ITS.
- Construction is expected to be complete by September 2011.

Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 24.75%

Traffic Control Devices, Inc. committed 24.75% (\$55,657.20) of the total contract amount to the following SBE firms: The Huffstettler Group (conduit installation).

Funding

Transportation Capital Investment Plan

30. University City Boulevard Pedestrian and Bicycle Path Grant Funding

- Action:** **A. Approve a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation, and**
- B. Adopt a budget ordinance appropriating \$400,000 of state grant funding and a \$50,000 funding donation from UNCC.**

Staff Resources: Malisa McCreedy, Transportation
 Scott Correll, Transportation

Explanation

- The University City Boulevard Bicycle and Pedestrian Path will be a 0.9 mile path on University City Boulevard between Broadrick Road and Mallard Creek Church Road.
- The path will connect to the UNCC campus and allow for residents to safely access businesses and the University through non-automotive modes of travel.
- The City is eligible for up to \$400,000 of reimbursable construction funds from the State.
- The total construction cost is currently \$650,000 and includes the following funding partners:
 - City (\$200,000)
 - NCDOT (\$400,000)
 - UNC Charlotte (\$50,000)
- The UNCC funding is for aesthetic enhancements to the project. Specifically, brick pavers will be installed to match columns at the new entrance to UNCC, instead of the standard asphalt trail design.
- The project is estimated to be complete in summer 2012.

Background

- In 2008, CDOT programmed this section of University City Boulevard for a pedestrian/bike path for design and construction.
- In 2010, CDOT applied for and received a Congestion Mitigation & Air Quality grant from NCDOT to fund the construction of the path.

Funding

Transportation Capital Investment Plan (\$200,000)
NCDOT (\$400,000)
UNC Charlotte (\$50,000)

Attachment 21

Resolution
Budget Ordinance
Map

31. Graham Street Sidewalk Grant Funding

Action: **A. Adopt a resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation and approve acceptance of the grant, and**

B. Adopt a budget ordinance appropriating \$187,500 of State grant funding.

Staff Resources: Malisa McCreedy, Transportation
 Scott Correll, Transportation

Explanation

- The Graham Street Sidewalk Project will construct sidewalk on North Graham Street on the I-85 bridge.
- The sidewalk will allow pedestrians a safe and accessible route across the interstate and connect a gap in the sidewalk network.
- The City is eligible for up to \$187,500 of reimbursable construction funds from the State.
- The total construction cost is \$400,000 and includes the following funding partners:
 - City (\$212,500)
 - NCDOT (\$187,500)
- The project is estimated to be complete in summer 2012.

Background

- In 2008, CDOT programmed this section of North Graham Street for design and construction.
- In 2010, CDOT applied for and received a Congestion Mitigation & Air Quality grant from NCDOT to fund the construction of the sidewalk.

Funding

Transportation Capital Investment Plan (\$212,500) and NCDOT (\$187,500)

Attachment 22

Resolution
Budget Ordinance
Map

32. Steele Creek/Sam Neely Roads Intersection Improvements

- Action:**
- A. Adopt a resolution supporting the North Carolina Department of Transportation's use of Small Construction Funds in the amount of \$250,000, and**
 - B. Authorize the Transportation Key Business Executive to negotiate and enter into a municipal agreement with the North Carolina Department of Transportation for \$36,500.**

Staff Resource: Scott Putnam, Transportation

Resolution of Support for NCDOT Funding

- The Charlotte Department of Transportation (CDOT) and the North Carolina Department of Transportation (NCDOT) evaluated the crash history and traffic operations at the Steele Creek (NC 160) and Sam Neely Roads intersection.
- The CDOT and the NCDOT have determined that a traffic signal is warranted at the intersection of Steele Creek and Sam Neely roads, and that left-turn lanes are needed on Sam Neely Road to address safety and operational concerns.
- The total project cost is \$598,000:

– NCDOT Spot Safety Funds	\$250,000
– NCDOT Small Construction Funds	\$250,000
– Transportation Capital Investment Plan	\$98,000
- The NCDOT requires a resolution of support in order to allocate the funds for this project.

Municipal Agreement for Left Turn Lanes on Sam Neely Road

- A municipal agreement was executed with NCDOT on March 12, 2010 for the City's payment of \$61,500 for a traffic signal at the Steele Creek and Sam Neely Roads intersection.
- This municipal agreement, in the amount of \$36,500, is the City's contribution for left turn lanes on Sam Neely Road.
- The two municipal agreements total \$98,000 and are funded from the Transportation Capital Investment Plan.

Funding

NCDOT (\$500,000) and Transportation Capital Investment Plan (\$98,000)

Attachment 23

Resolution

33. Traffic Calming Services

Action: Approve a contract with AECOM Technical Services of North Carolina, Inc. in the amount of \$200,000 for traffic calming engineering services.

Staff Resources: Imad Fakhreddin, Engineering & Property Management
Johanna Quinn, Transportation

Explanation

- This contract provides for planning and engineering design services related to innovative traffic calming. Innovative traffic calming tools include traffic circles, chicanes, curb extensions and bump-outs, and pavement markings to delineate alternate street uses.
- These projects are typically in response to citizen requests and traffic/speed studies. Anticipated tasks include innovative traffic calming plans for local streets and thoroughfares, public involvement, and the development of a Charlotte Traffic Calming Manual.
- The first task in this contract will be to develop an innovative traffic calming concept for Scaleybark Road, a minor thoroughfare, between Conway Avenue and Woodlawn Road.
- Council approved a contract with Dyer, Riddle, Mills & Precourt, Inc. on May 9, 2011 for traffic calming, engineering design services only. AECOM has traffic calming expertise that provides additional capacity in developing a more complete traffic calming program.
- This firm was selected using the Council approved qualifications-based selection process.

Small Business Opportunity

For professional services based contract, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). AECOM Technical Services, Inc. included the following SBE as part of their supporting team to be used as the project evolves: Richa Graphics (printing).

Funding

Transportation Capital Investment Plan

34. Technology Service Desk Services Amendment

Action: Approve an amendment with Intratek Computers, Inc. for Technology Service Desk Services to increase the total annual amount by \$425,880 for the remainder of the initial term and each of the two, two-year renewal options.

Staff Resource: Charles Robinson, Business Support Services

Explanation

- On March 23, 2009, Council approved the initial contract with Intratek Computers, Inc. for the City's Technology Service Desk services.
- The City's Technology Service Desk help desk and call center offers a single point of contact for City employee inquiries and issues related to technology needs.

- The City's Technology Service Desk functions 24 hours a day, seven days a week, 365 days a year and currently provides services to all Key Business Units except for Police, which has been performing these functions internally.
- As part of the IT consolidation effort, Police will begin using these services effective July 1, 2011.
- In order to support the additional services required to service Police employees, Intratek Computers, Inc. will be supplying additional on-site Service Desk Technicians.
- As an added benefit to all KBUs, Intratek Computers, Inc. will relocate the after-hours call center on-site. This is expected to result in improved service levels.
- Funding for this amendment is being managed within the current corporate IT budget allocation through cost saving initiatives and budget reallocations that were made as part of the IT consolidation.

Contract Specifics

- The original contract was effective March 23, 2009, and includes an initial term of four years plus two optional, two-year renewals at an annual amount of \$900,000.
- This Amendment will modify the original Agreement to increase the annual cost associated with these services by \$425,880, for a total annual cost of \$1,325,880 per year for years three and four of the original term, plus any renewal options if exercised.

Small Business Opportunity

All additional work involved in this amendment will be performed by Intratek Computers, Inc. and their existing subcontractors (Part D: Section 6 of the SBO Policy).

Funding

Business Support Services Operating Budget

35. Sweden Road Maintenance Facility Expansion

Action: Award a contract in the amount of \$194,000 with The FWA Group, P.A. for the design of the expansion of the Sweden Road Maintenance Facility.

Staff Resource: Jeff Furr, Engineering & Property Management

Explanation

- This 6,500 square foot expansion project will add two drive-thru bays to the existing shop and expand rooms for parts, storage and office support.
- The two, new drive-thru bays will be sized to accommodate large and/or heavy fire apparatus vehicles and will be based on layout configurations developed during the programming phase.
- The relocation of three underground storage tanks to above ground tanks will be coordinated as part of this project.
- The design consultant was selected in September 2010 using the Council approved qualifications-based selection process.
- Funding for this expansion was included in the FY2011 Capital Improvement Program.

Sustainability Facilities Design Goals

- The improvements comply with sustainability priorities defined in the Policy for Sustainable City Facilities.

Small Business Opportunity

The City negotiated a SBE goal with FWA Group Architects after the proposal selection process (Part C: Section 2.2 of the SBO Policy). The FWA Group Architects committed 5.18% (\$10,050) of the total contract amount to the following SBE firms: Richa Graphics (printing), Dial Four Delivery (courier services) and Willoughby 2000 PLLC (cost estimating).

Funding

Government Facilities Capital Investment Plan

36. Water Quality Enhancement Project Grant Application

- Action:**
- A. Approve a grant application in an amount up to \$200,000 from the North Carolina Water Resources Development Project Grant Program for construction of the Betty Coleman Pond Water Quality Enhancement project,**
 - B. Adopt a resolution requesting the grant, and to provide assurances to the State that the City will comply with the grant terms set forth by the State,**
 - C. Authorize the City to accept the grant if awarded, and**
 - D. Adopt a budget ordinance appropriating up to \$200,000 in grant funds to provide approximately 34% of the total estimated funding (\$587,000) required to construct this project.**

Staff Resource: Daryl Hammock, Engineering & Property Management

Policy

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

Explanation

- The State's Water Resources Development Project Grant Program partners with local municipalities to help fund water quality enhancement projects prior to them being mandated.
- The grant will fund 34% (\$200,000) of the estimated total cost of constructing the project (\$587,000).
- Betty Coleman Pond is a one-acre pond located at the end of Coleman Drive off of Rocky River Road that provides storm water runoff treatment for approximately 100 acres of developed land.
- Betty Coleman Pond drains to an unnamed tributary that eventually drains to Reedy Creek, which is identified as impaired by Clean Water Act standards.

- The enhancements will improve the quality of water passing through the pond before it discharges into the tributary.
- Improving existing ponds is an extremely cost-effective means of improving water quality, averaging only one-fifth the cost of creating new water quality measures that provide equivalent environmental benefit.
- Enhancing the existing pond on private property provides public benefits by:
 - Removing pollutants
 - Reducing stream bank erosion
- If the existing pond fails, the City will realize more significant negative water quality impacts, divergence from the regulatory goals of the Clean Water Act, and permanent loss of the opportunity for enhancement.
- Council will be asked to approve the construction services contract for this project at a later date.

Budget Ordinance

- Appropriate \$200,000 in state funds to provide approximately 34% of the total estimated funding (\$587,000) required for construction of these projects.
- Matching funds are included in the Storm Water Services Capital Program.

Funding

Storm Water Services Capital Investment Plan and the NC Water Resources Development Project Grant Program

Attachment 24

Resolution
Budget Ordinance

37. Purchase of Conservation Easements and Mitigation Rights

- Action:**
- A. Authorize the City Manager to negotiate and execute a purchase agreement for conservation easements and mitigation rights with EBX-EM, LLC in an amount up to \$3,200,000, and**
 - B. Authorize the City Manager to negotiate and execute a purchase agreement for conservation easements and mitigation rights with Cardno USA, Inc., in an amount up to \$2,300,000.**

Staff Resource: Daryl Hammock, Engineering & Property Management

Background

- State and federal permitting of construction projects often requires mitigation to offset the environmental impact of the project.
- In 2004, the City Council approved a Stream and Wetland Mitigation Bank (Bank) to hold mitigation credits that can be used later by City and County public projects.
- The credits have typically been created through City funded Storm Water projects that restore the environmental and water quality characteristics of streams.

- The Bank allows mitigation dollars to remain local rather than be paid to a statewide fund, so the benefits of restoration projects are realized in local watersheds. A summary of a recent City construction project using credits from the Bank is attached.

Explanation

- EBX-EM, LLC and Cardno USA, Inc. have proposed to construct stream restoration projects within the McDowell Creek watershed in Huntersville.
- McDowell Creek drains to Mountain Island Lake, which is a primary drinking water source for Charlotte Mecklenburg Utilities.
- Though the City typically builds stream restoration projects to generate credits, this is an opportunity for the City's Bank to purchase conservation easements and mitigation rights that will generate credits at a cost lower than the City's typical cost.
- The proposed agreement includes procedures and protocols for project construction that will assure compliance with state and federal requirements, making the sellers responsible for all aspects of project design and construction, maintenance and five years of monitoring of the project after construction.
- The City's Bank will pay for credits only as they are approved by the State over a seven year period.
- The Agreement with EBX-EM, LLC will provide an estimated 8,500 stream mitigation credits and five wetland mitigation credits.
- The Agreement with Cardno USA, Inc. will provide an estimated 5,800 stream mitigation credits and two wetland mitigation credits.

Funding

Storm Water Capital Investment Plan Stream Mitigation Bank Program

Attachment 25

Summary of Recent City Construction Project Using Stream and Wetland Mitigation Bank Credits

38. Toby Creek Greenway, Phase 2

Action: Authorize the City Manager to negotiate and execute an agreement to contribute funds to Mecklenburg County for the design and construction of Toby Creek Greenway, Phase 2, in an amount up to \$262,000.

Staff Resources: Jim Keenan, Engineering & Property Management
Alberto Gonzalez, Planning

Explanation

- The Toby Creek Greenway project is recommended in the Council adopted Newell Area Plan. It will improve pedestrian and bicycle circulation in and around the Newell/University City Boulevard neighborhood area.
- The total Toby Creek Greenway project cost is \$1,810,000.
- Mecklenburg County Parks and Recreation Department obtained Congestion Mitigation and Air Quality (CMAQ) funds from the North Carolina Department of Transportation in the amount of \$1,448,000 for planning, design and construction of Toby Creek Greenway, Phase 2.

- Charlotte-Mecklenburg Planning Department agreed to contribute Area Plan funds in the amount of \$262,000 as part of the 20% matching funds needed by the County in order to receive the CMAQ funding.
- The County also received a Carolina Thread Trail grant for \$100,000 to meet the remaining portion of the 20% match.
- The CMAQ funds were reprogrammed from other projects, to the Toby Creek Greenway, Phase 2 project by MUMPO at their May 19, 2010 meeting.
- The County completed Phase 1 of Toby Creek Greenway in May 2011 and will complete Phase 2 in February 2014.
- Phase 1 extended from Mallard Creek Greenway to University City Boulevard and Phase 2 is located between University City Boulevard and Rockland Drive.

Background

- The Toby Creek Greenway project collaboration between the County and the City is in line with several policy recommendations defined in the General Development Policies; specifically finding innovative approaches to providing infrastructure, using alternative funding sources, joint use collaboration, and promoting alternative modes of transportation.
- The project is consistent with the Transportation Action Plan policies.

Small Business Opportunity

Interlocal contracts are considered exempt (Appendix Section 23.8 of the SBO Policy).

Attachment 26

Map

Funding

Neighborhoods Capital Investment Plan

39. Storm Drainage Improvement Project Renewal

Action: Approve a contract renewal with The Isaacs Group, P.C. in the amount of \$500,000 for engineering services.

Staff Resource: Jennifer Smith, Engineering & Property Management

Explanation

- Storm Water Services begins engineering analysis on new storm drainage improvement projects that rank highest in the program backlog each year.
- The engineering analysis and design for the projects are performed by consulting firms selected using the Council approved qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task order basis.
- When consultants perform quality engineering analysis, the most efficient method is for that firm to complete the design and provide construction administration services. The engineering contracts are renewed at the discretion of the City as necessary to complete the projects assigned to a firm.
- Under this contract, The Isaacs Group, P.C. has been assigned the Brentwood Storm Drainage Improvement Projects, as well as other various tasks.

- The Brentwood Place Storm Drainage Improvement project boundaries are Remount Road to the south and west, Barringer Drive to the east and Wilkinson Boulevard to the north. The project area covers approximately 220 acres and includes commercial, multi-family and single family land uses.
- Under the original contract, the consultant was able to perform surveying, planning tasks and begin the design phase of the Brentwood Storm Drainage Improvement project.
- This renewal will include funding to finalize the design of the Brentwood Storm Drainage Improvement Project, as well as construction phase services.
- The original contract was approved by City Council on April 11, 2005 in the amount of \$1,000,000 and this renewal will bring the total contract amount to \$1,500,000.
- This renewal will allow for completion of all projects started under this contract and no additional renewals are anticipated.

Small Business Opportunity

All additional work involved in this renewal will be performed by the current consultant and their existing sub-consultants (Part D: Section 6 of the SBO Policy). The Isaacs Group, P.C. included the following SBEs as part of their supporting team to be used as the project evolves: Carolina Wetland Services, Inc. (wetland delineation) and On Target Utility Locate Services (utility locating).

Funding

Storm Water Capital Investment Plan

40. Utilities Geotechnical and Environmental Services

Action: A. Award contracts to the following firms for unspecified geotechnical and environmental services on an as needed basis. Each contract will be in the amount of \$75,000:

**ATC Associates of North Carolina
Capstone Civil Group
ESP Associates
Gavel & Dorn Engineering
Hart & Hickman
Professional Service Industries, Inc.
S&ME
Terracon Consultants, Inc.**

B. Authorize the City Manager to approve two renewal terms in the amount of \$75,000 for each firm.

Staff Resource: Barry Gullet, Utilities

Explanation

- Utilities issued a Request for Qualifications for unspecified geotechnical and environmental services. Eleven submittals were received.
- These contracts will provide funding for geotechnical, construction material testing, and various environmental testing services required on Utilities' construction projects.

- Some of the testing services are:
 - Soil borings
 - Rock coring
 - Compaction testing
 - Environmental site assessments
- These firms will be used on an as-needed basis and paid based on an hourly rate.
- All firms were selected using the Council approved qualifications-based selection process.
- All firms selected have worked for the City over the years, and have highly experienced personnel with a wide depth of project experience in geotechnical engineering, construction materials testing, and environmental testing services.

Small Business Opportunity

For professional services based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Each contractor has listed various SBEs as part of their supporting teams to be utilized as the project evolves. Two of the firms are also certified as a City SBE: Capstone Civil Group and Gavel & Dorn Engineering.

ATC Associates of North Carolina included the following SBEs: Harvest Environmental (environmental services), Quality Environmental (environmental services), and Red Dog Drilling (geotechnical & environmental drilling)

Capstone Civil Group included the following SBE: Soil Drilling Services, Inc. (geotechnical & environmental drilling)

ESP Associates included the following SBE: AmeriDrill Corp. (geotechnical drilling)

Gavel & Dorn Engineering included the following SBE: AmeriDrill Corp. (geotechnical drilling)

Hart & Hickman included the following SBEs: Enviro-Equipment (environmental field instruments & equipment), Harvest Environmental (environmental services)

Professional Service Industries, Inc. included the following SBE: Soil Drilling Services, Inc. (geotechnical & environmental drilling)

S&ME included the following SBE: Priority Underground Locating (utility locating services)

Terracon Consultants, Inc. included the following SBEs: AmeriDrill Corp. (geotechnical drilling) and Priority Underground Locating (utility locating services)

Funding

Utilities Capital Investment Plan

41. Biologically Enhanced Sewer Cleaning Services

- Action:**
- A. Approve a contract with NRP, Inc. up to \$117,200 annually for the supply and maintenance of grease-reduction systems designed to diminish the accumulation of grease in the wastewater collection system, and**
 - B. Authorize the City Manager to renew the contract for two additional terms, up to \$117,200 annually.**

Staff Resource: Barry Gullet, Utilities

Explanation

- Grease is the number one cause and accounts for 55% of the sanitary sewer overflows in the Charlotte Mecklenburg Utilities system.
- This contract provides for a biological grease reduction additive to be introduced to the wastewater system at 11 different locations in the collection system throughout Mecklenburg County.
- NRP, Inc. holds the current contract for this service and has provided excellent service, in a timely manner, over the past few years. NRP, Inc owns and maintains the feed units on a weekly basis, including the replacement of the equipment as needed and replenishing the additive.
- NRP was selected to continue these services as they are the only company that installs and regularly services the units. Other companies will only sell the product to the municipality.
- Based on use over the last three years, this product has reduced the grease overflows at those locations by 66%.

Small Business Opportunity

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

Funding

Utilities Operating budget

42. Airport DesignLine Hybrid Fueled Buses

- Action:**
- A. Approve the purchase of three 2009, 33-passenger hybrid fueled buses, as authorized by the sole source purchasing exception of G.S. 143-129(e)(6), and**
 - B. Approve a contract with DesignLine Corporation for the purchase of three used 2009 hybrid fueled buses in the amount of \$1,350,000.**

Staff Resource: Jerry Orr, Aviation

Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.

- Sole sourcing is necessary because the buses are only available from DesignLine.
- Purchases made under the sole source exemption require City Council approval.

Explanation

- In October 2007, Aviation acquired two, 22-passenger hybrid DesignLine buses in the amount of \$440,000 each for parking shuttle use, with assistance from a \$40,000 grant from NC State University.
- In June 2010, Aviation acquired five, 22-passenger hybrid DesignLine buses in the amount of \$535,000 each for parking shuttle use, with assistance from a \$1,000,000 grant from the Department of Energy's Clean Cities Petroleum Reduction Technologies Projects Program.
- DesignLine USA is offering a substantial discount on three, used 2009 hybrid buses with full warranty.
- The purchase price of \$450,000 per unit includes the three-year unlimited mileage, bumper-to-bumper warranty. The list price for a new 42-foot, 33-passenger bus is \$605,000.
- The mileage on three buses varies between less than 3,000 miles on the low mileage bus to less than 10,000 miles on the higher mileage bus. These replacement buses are identified in Aviation's FY2011 Capital Equipment Fund.

Small Business Opportunity

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

Funding

Aviation Operating Budget

43. Airport West Terminal Expansion Design

- Action:**
- A. Approve a contract with C Design Inc. in the amount of \$283,000 for architectural design services for the West Terminal Expansion, and**
 - B. Approve a contract with United Engineering Group, Inc. in the amount of \$112,900 for mechanical, electrical, plumbing, and fire protection engineering services for the West Terminal Expansion.**

Staff Resource: Jerry Orr, Aviation

Explanation

- In April 2010, the Airport began the design of an in-line baggage screening system for the terminal. This project includes the expansion of the ground floor of the terminal for additional conveyors on the west side of the building.
- The firms of C Design, Inc. and United Engineering Group, Inc. were selected to provide design services for that project.
- The design anticipates a future multi-story addition to the terminal in this area. The expansion provides additional concession, office, and passenger circulation space, adding 42,500 total square feet to existing terminal.
- These contracts will provide the design services for the expansion of the building.

- The firms were selected by a selection committee comprised of Aviation Department staff based on the firms' experience in their particular disciplines and their experience with the in-line baggage system expansion on the ground floor of the terminal in this area.
- Funding for these contracts comes from proceeds of the 2004 General Airport Revenue Bonds, the debt service of which is paid by Passenger Facility Charge revenues.
- These contracts are negotiated lump sum fees and reimbursables based on the particular scope of work.

Small Business Opportunity

C Design, Inc.

The City negotiated a SBE goal with C Design after the proposal selection process (Part C: Section 2.2 of the SBO Policy). C Design, Inc. committed to 3.89% (\$11,000) of their total contract amount with the following SBE firm: Richa Graphics, Inc. (printing). C Design, Inc. is also a certified SBE with the City.

United Engineering Group, Inc.

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

Funding

Aviation Capital Investment Plan

44. Extended Jurisdiction for UNCC Campus Police

Action: Authorize the Chief of Police to enter into a five-year agreement with the UNCC Board of trustees to extend the jurisdiction of UNCC Campus Police.

Staff Resources: Diego Anselmo, Police
Richard Perlungher, Police

Explanation

- State law permits the UNCC Board of trustees to enter into an agreement with the City to extend the law enforcement authority of campus police.
- UNCC Campus Police are state certified officers who have completed basic law enforcement training.
- On June 26, 2006, City Council approved a five-year agreement with UNCC, extending campus police jurisdiction to properties adjacent to campus within Police's jurisdiction.
- These properties include areas such as apartment complexes with a high concentration of student population and businesses such as restaurants and bars that are frequented by students.
- The agreement enhances communication between Police and UNCC Campus Police, allowing both entities to be more aware of student victimization or involvement in criminal activity.
- Police recommends renewing the agreement with UNCC for a five-year period from July 1, 2011 to June 30, 2016.
- The same basic provisions of the previous agreement would remain in place.

- The jurisdiction for UNCC Campus Police would be extended to the area illustrated on the attached map. The expanded jurisdiction is the result of growth in the area surrounding the university.

Attachment 27

Map of UNCC Proposed Extended Jurisdiction

45. Blue Line Extension Risk Assessment Study

Action: Approve a contract with PB Americas, Inc. for an estimated amount of \$370,000 to perform an internal risk assessment of the Blue Line Extension (BLE) project.

Staff Resources: Carolyn Flowers, Transit
Danny Rogers, Transit

Policy

- The 2030 Corridor System Plan, Focus Areas 1 & 3, and TAP Goal 1 & 2.
 - Continue implementation of the Centers and Corridors strategy
 - Prioritize, design, construct and maintain convenient and efficient transportation facilities to improve safety, neighborhood livability, promote transportation choices and meet land use objectives

Explanation

- This action will allow the City to initiate and complete an internal risk assessment of the BLE, prior to the Federal Transportation Administration's (FTA) formal risk assessment later this year. The benefits of an internal risk assessment are:
 - FTA has reacted favorably to systems that conduct Internal Risk Assessments, as they tend to shorten FTA's official assessment time frame. FTA has recognized transit agencies that implement these internal risk assessments as being proactive partners.
 - CATS is following an internal risk assessment model that has worked well for other transit agencies.
 - These types of assessments are cost intensive, but they tend to shorten project engineering schedules and as a result, save on related costs.
 - The cost of the internal risk assessment is an eligible project expense.
 - FTA independently funds and conducts the official assessment.
- Risk assessments are part of FTA's approval process to grant permission for final design and construction.
- The scope of the internal risk assessment will include analysis of the:
 - Cost estimate and schedule
 - Contract packaging
 - Project team organization
- The anticipated deliverables from the internal risk assessment include:
 - Risk register
 - Recommendations for specific risk mitigation efforts
 - Statement of potential range of costs
 - Evaluations of cost contingency allocations
 - Statement of probable schedule
- Mitigation efforts recommended by the internal risk assessment will already be underway when FTA begins the official assessment.

Procurement Process

- On May 26 2011, the City issued a Request for Qualifications (RFQ) for the internal risk assessment project. Four responses to the RFQ were received on June 9, 2011.
- An evaluation team comprised of representatives from CATS and E&PM reviewed the responses and selected PB Americas. The City and PB Americas entered into negotiations for the work and a draft agreement was agreed upon by the parties.

Disadvantaged Business Enterprise Opportunity

The federal DBE regulations neither recommend nor require goals to be set on every FTA funded project. No DBE utilization goal was set for this contract because subcontracting is not anticipated.

Funding

Transit Capital Investment Plan

46. Gold Rush Uptown Circulator Service

- Action:**
- A. Approve an agreement with Charlotte Center City Partners (CCCP) for contribution towards the Gold Rush Uptown Circulator Service's annual operating costs, for a minimum amount of \$325,000, and**
 - B. Authorize the City Manager to negotiate four annual renewals and adjust CCCP's contribution amount based upon actual service costs and contributions CCCP receives from uptown employers.**

Staff Resource: Carolyn Flowers, Transit

Policy

- Transportation Action Plan (Goals 5 and Policy 2.3.3), Focus Area Initiative 5.
 - Seek financial resources, external grants, and funding partnerships necessary to implement transportation programs and services
 - CATS will provide expanded, competitive service to grow transit ridership and maximize commuter choice.

Explanation

- The Gold Rush Uptown Circulator Service is a fare-free service operated by the City since 2002. It has been popular and effective in opening uptown Charlotte to the public. CCCP assists with the operating costs for the Gold Rush service by soliciting contributions from uptown employers.
- The current agreement does not expire until 2014. However, a new agreement will enable both the City and CCCP to budget more effectively for Gold Rush operating costs and adjust service to fit any increase or reduction in CCCP contributions.
- The parties have agreed on a CCCP minimum contribution of \$325,000. The City has requested that CCCP seek additional Uptown employer contributions in order to avoid any reduction in service.

Contract Terms

- This new agreement will be a renewable annual contract that will allow for more flexibility based on the contributions received from CCCP.
- This agreement will:
 - Set CCCP’s annual cost share based on its annual projections for uptown employer contributions toward the Gold Rush service
 - Provide CATS with time to make changes to the Gold Rush service, if needed, based on any changes in CCCP’s contribution

Small Business Opportunity

Contracts without a competitive proposal process are exempt (Appendix Section 23.2 of the SBO Policy).

Funding

CCCP contributions

47. Charlotte Center City Partners Board Appointments

Action: Appoint the Charlotte Center City Partners Board of Directors for FY2012 as nominated by the existing Center City Partners Board.

Staff Resource: Emily Cantrell, Neighborhood & Business Services

Explanation

- Charlotte Center City Partners (CCCP) is a nonprofit organization contracted by the City to provide services and promotional activities in Uptown and Historic South End.
- CCCP’s services and activities are funded through special property tax assessments in four Municipal Service Districts (MSDs) in Uptown and Historic South End.
- CCCP’s bylaws require annual Council reappointment of existing Board members and appointment of new members nominated by the Board.
- The slate recommends 24 voting members and 12 ex officio members. Both numbers are within the membership limits specified in the bylaws.
- CCCP’s Board approved the attached slate of nominees at its May 12, 2011 meeting.
- City Council must either appoint this slate of nominees or request a revised slate of nominees from CCCP.
- The proposed slate is organized into member categories according to CCCP’s bylaws.
- The following individuals are recommended for the FY2012 Board of Directors (new members are shown with gray shading):

Category A	
Criteria: CEO or Senior Executive of Center City Employer	
Todd Mansfield - Chairman	Consultant
Harvey Gantt - Chairman Elect	Gantt Huberman Architects
Pierre Bader	Sonoma Restaurant Group
Ann Caulkins	The Charlotte Observer
Al De Molina	Investor

Bobby Drakeford	The Drakeford Company
Gene Godbold	Bank of America
Bob Hambright	Consultant with Balfour Beatty Construction
Steve Harris	Historic South End representative - Harris Development Group
Carol Hevey	Time Warner Cable
Ernie Reigel	Moore and Van Allen
Pat Riley	Allen Tate Company
Laura Schulte	Wells Fargo
Rick Thurmond	Historic South End representative - Charlotte Magazine
Eulada Watt	UNC Charlotte
Fred Whitfield	Bobcats Sports and Entertainment
Darrel Williams	Neighboring Concepts
Category B Criteria: Charlotte Chamber Board of Directors Vice-Chair	
Frank Emory	Hunton Williams
Category C Criteria: Center City Resident	
Rob Cummings	Falfurrias Capital Partners
David Furman	Centro City Works
Category D Criteria: Chairman Emeritus (a past Board Chair)	
Mary MacMillan	Consultant
Krista Tillman	Dean - Hayworth College - Queens University of Charlotte
Category E Criteria: One City Council member and One County Commission Member	
Jennifer Roberts	Mecklenburg County Board of Commissioners
Patsy Kinsey	Charlotte City Council
Category F Criteria: Ex Officio Member in Designated Non-Profit Position	
Debra Campbell	Director - Charlotte Planning Department
Dr. Ronald Carter	President - Johnson C. Smith University
Dr. Phil Dubois	President - UNC Charlotte
Art Gallagher	President - Johnson & Wales University Charlotte
Dr. Peter Gorman (will be replaced by successor)	Superintendent - CMS
Harry Jones	Manager - Mecklenburg County
Dr. Michael Marsicano	CEO - Foundation for the Carolinas
Bob Morgan	President - Charlotte Chamber of Commerce
Tim Newman	CEO - CRVA
Scott Provancher	President - ASC

Curt Walton	Manager - City of Charlotte
Dr. Tony Zeiss	President - Central Piedmont Community College

48. Declaration of Withdrawal for a Portion of Bermuda Road

Action: Adopt a resolution stating that the portion of Bermuda Road is not part of the adopted street plan (thoroughfare plan).

Staff Resources: Linda Poissant, Transportation
Jeff Boenisch, Transportation

Policy

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

Explanation

- North Carolina General Statute 136-96, states that a right-of-way not used within 15 years of dedication can be abandoned through the recording of the Declaration of Withdrawal with the Register of Deeds.
- The statute requires the City to adopt a resolution stating the right-of-way to be abandoned is not part of a proposed street plan.
- These unused and unopened rights-of-way are not part of any such plan; therefore, the City has determined that all necessary requirements of the statute will have been met by adopting the resolution.
- Charlotte-Mecklenburg Utilities has no existing utilities within the area to be abandoned that would require an easement.

Petitioner

Pearson Properties-Cainhoy 1, LLC – David W. Priester and The Tropicana Homeowners Association – Joseph C. Patterson

Right-of-Way to be withdrawn

A portion of Bermuda Road

Location

Beginning approximately 261 from Westbury Road and continuing northwestwardly approximately 404 feet to its terminus

Reason

To incorporate the right-of-way into adjacent property owned by the abutting owner as part of the development of a proposed daycare/child development center

Attachment 28

Map
Resolution

49. Streetcar Starter Project Real Estate Services

Action: Authorize the City Manager to negotiate and execute the following Real Estate Services contracts for the Streetcar Starter Project in an amount not to exceed \$480,000:

1. Approve a contract with THC, Inc. for \$125,000 in real estate acquisition services,
2. Approve a contract with T.B. Harris, Jr. & Associates for \$150,000 in real estate appraisal services,
3. Approve a contract with Ray E. Crawford & Co., Inc. for \$50,000 in real estate review appraiser legal services, and
4. Approve a contract with The Klauk Law firm for \$100,000 in real estate legal services.

Staff Resource: Jeff Reid, Engineering & Property Management

Explanation

- These contracts are required to comply with federal procurement guidelines on projects using federal funds.
- The contracts will ensure that FTA guidelines for acquiring real property for use on federally funded projects are followed.
- The firms were selected using the federal approved qualifications-based selection process.
- These contracts will be paid out only as the services are provided over time.
- Appraisal services are required during the real estate acquisition phase of the Streetcar Starter Project in order to determine just compensation due to property owners whose real property will be impacted by the project.
- Real estate right-of-way acquisition services will include contacting impacted property owners, explaining property impacts due to the project, and negotiating, according to federal guidelines, a monetary settlement of just compensation to owners based upon the City's independent, certified MAI appraisals and reviews.
- Legal services will include title abstracting and real estate closing services, and or condemnation filings as necessary.

Disadvantaged Business Enterprise

The DBE participation will be provided in the Friday, June 24 Council-Manager Memo.

Funding

Streetcar Starter Project

50. Resolution of Intent to Abandon a 10-Foot Alleyway between Spruce Street and West Park Avenue

Action: A. Adopt the resolution of intent to abandon a 10-foot alleyway between Spruce Street and W. Park Avenue, and
B. Set a public hearing for July 25, 2011.

Staff Resources: Linda Poissant, Transportation
Jeff Boenisch, Transportation

Attachment 29

Map
Resolution

51. 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 \$807.40, and
B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$33,122.11.

Staff Resource: Robert Campbell, Finance

Attachment 30

Resolution
List of property tax and business license refunds

52. Settlement of Workers' Compensation Lien

Action: Approve the compromise of a workers' compensation lien in the amount of \$135,076.30 for Workers' Compensation claim for CMPD Officer Charles Cho.

Staff Resource: Daniel Pliszka, Finance

Explanation

- On March 20, 2010, Officer Cho was injured in a work-related accident.
- Mr. Cho tentatively settled his liability suit with the responsible party and this action will allow the settlement to proceed.
- A confidential memo has been sent to City Council with the necessary details.

PROPERTY ITEMS

53. Property Transactions

Action: Approve the following property transaction(s) (A-K) and adopt the condemnation resolution(s) (L-AE).

- The City has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to insure a clear title to the property.
- If City Council approves the resolutions, the City Attorney's Office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.

Acquisitions

- A. Project:** Commonwealth Streetscape, Parcel # 1
Owner(s): 1801 Commonwealth, LLC
Property Address: 1801 Commonwealth Avenue
Property to be acquired: 19 sq. ft. in Storm Drainage Easement, plus 226 sq. ft. (.005 ac.) in Sidewalk and Utility Easement, plus 68 sq. ft. (.002 ac.) in Utility Easement, plus 2,707 sq. ft. (.062 ac.) in Temporary Construction Easement
Improvements: Parking
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-02
Total Parcel Tax Value: \$233,600
Purchase Price: \$57,350
- B. Project:** Commonwealth Streetscape, Parcel # 7
Owner(s): Richard Beauchemin, LLC
Property Address: 1912 Commonwealth Avenue
Property to be acquired: 719 sq. ft. (.017 ac.) in Storm Drainage Easement, plus 180 sq. ft. (.004 ac.) in Sidewalk and Utility Easement
Improvements: Parking
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-19

Total Parcel Tax Value: \$304,000

Purchase Price: \$11,025

- C. Project:** Commonwealth Streetscape, Parcel # 8
Owner(s): Richard Beauchemin, LLC
Property Address: 1916 Commonwealth Avenue
Property to be acquired: 211 sq. ft. (.005 ac.) in Storm Drainage Easement, plus 135 sq. ft. (.003 ac.) in Sidewalk and Utility Easement, plus 660 sq. ft. (.015 ac.) in Temporary Construction Easement
Improvements: Sign and Parking
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-18
Total Parcel Tax Value: \$147,200
Purchase Price: \$12,725
- D. Project:** Commonwealth Streetscape, Parcel # 9
Owner(s): J and C Realty Co.
Property Address: 1917 Commonwealth Avenue
Property to be acquired: 809 sq. ft. (.019 ac.) in Sidewalk and Utility Easement, plus 59 sq. ft. (.001 ac.) in Temporary Construction Easement
Improvements: Parking
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-23
Total Parcel Tax Value: \$235,600
Purchase Price: \$24,300
- E. Project:** Commonwealth Streetscape, Parcel # 11
Owner(s): Ballentine Family Investments II, LLC
Property Address: 1921 Commonwealth Avenue
Property to be acquired: 404 sq. ft. (.009 ac.) in Sidewalk and Utility Easement, plus 388 sq. ft. (.009 ac.) in Temporary Construction Easement
Improvements: Parking
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-24
Total Parcel Tax Value: \$253,200
Purchase Price: \$27,400
- F. Project:** Commonwealth Streetscape, Parcel # 15
Owner(s): Barwick and Associates, LLC
Property Address: 2005 Commonwealth Avenue
Property to be acquired: 335 sq. ft. (.008 ac.) in Sidewalk and Utility Easement, plus 1,006 sq. ft. (.023 ac.) in Temporary Construction Easement
Improvements: Sign Parking.
Landscaping: None
Zoned: B-2
Use: Commercial

Tax Code: 081-176-26
Total Parcel Tax Value: \$231,400
Purchase Price: \$26,250

- G. Project:** Commonwealth Streetscape, Parcel # 22
Owner(s): Henrietta Gutheim
Property Address: 1217 The Plaza
Property to be acquired: 460 sq. ft. (.011 ac.) in Sidewalk and Utility Easement, plus 926 sq. ft. (.021 ac.) in Temporary Construction Easement
Improvements: Sign & Parking.
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-28
Total Parcel Tax Value: \$229,400
Purchase Price: \$21,100
- H. Project:** Louise Avenue Capital Improvement Project, Parcel # 11
Owner(s): Hawthorne Mill Partners, LLC
Property Address: 1101 Partners, LLC
Property to be acquired: 13,626 sq. ft. (.313 ac.) in Sanitary Sewer Easement, plus 29,414 sq. ft. (.675 ac.) in Storm Drainage Easement, plus 44 sq. ft. (.001 ac.) in Utility Easement, plus 7,772 sq. ft. (.178 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: I-2
Use: Industrial
Tax Code: 081-153-35
Total Parcel Tax Value: \$1,813,100
Purchase Price: \$96,000
- I. Project:** Louise Avenue Capital Improvement Project, Parcel # 15
Owner(s): The Doris Corporation
Property Address: 1115, 1121, 1135, 1141, And 1145 Hawthorne Lane
Property to be acquired: 4,873 sq. ft. (.112 ac.) in Sanitary Sewer Easement, plus 10,652 sq. ft. (.245 ac.) in Storm Drainage Easement, plus 4,484 sq. ft. (.103 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: I-2
Use: Industrial
Tax Code: 081-153-36
Total Parcel Tax Value: \$901,700
Purchase Price: \$45,000

- J. Project:** Louise Avenue Capital Improvement Project, Parcel # 17
Owner(s): Salins Land Group, LLC
Property Address: 1221 Hawthorne Lane
Property to be acquired: 2,561 sq. ft. (.059 ac.) in Sanitary Sewer Easement, plus 5,481 sq. ft. (.126 ac.) in Storm Drainage Easement, plus 2,648 sq. ft. (.061 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: I-2
Use: Industrial
Tax Code: 081-153-38
Total Parcel Tax Value: \$152,300
Purchase Price: \$25,500
- K. Project:** Steele Creek Pump Station Replacement, Parcel # 26 and # 37
Owner(s): Miller Family Holdings, LLC; and William Brevard Miller and Wife, Patricia Brainard Miller
Property Address: 9930 Leitner Drive
Property to be acquired: 59,468 sq. ft. (1.365 ac.) in Fee Simple **(Total Take)**
Improvements: None
Landscaping: None
Zoned: B-3
Use: -Vacant
Tax Code: 207-093-47
Total Parcel Tax Value: \$14,100
Purchase Price: \$199,225

Condemnations

- L. Project:** Commonwealth Streetscape, Parcel # 2
Owner(s): Omni Venture, LLC And Any Other Parties Of Interest
Property Address: 1800 Commonwealth Avenue
Property to be acquired: 1,733 sq. ft. (.040 ac.) in Sidewalk and Utility Easement, plus 2,607 sq. ft. (.060 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-04
Total Parcel Tax Value: \$100,900
Appraised Value: \$61,025
Property Owner's Counteroffer: None
Reason For Condemnation: This project was identified in the Council adopted Plaza-Central Pedscape Plan. The City recently completed improvements along Central Avenue and this project will tie in to those improvements. The project purpose is to provide infrastructure improvements to a distressed business corridor area. Staff and the property owner have yet to reach an agreement. In order to maintain the project schedule, condemnation is recommended.

- M. Project:** Commonwealth Streetscape, Parcel # 3
Owner(s): Gerasimos Pistoris And Wife, Tula Pistoris And Any Other Parties Of Interest
Property Address: 1901 Commonwealth Avenue
Property to be acquired: 347 sq. ft. (.008 ac.) in Storm Drainage Easement, plus 1,104 sq. ft. (.025 ac.) in Sidewalk and Utility Easement, plus 1,979 sq. ft. (.045 ac.) in Temporary Construction Easement
Improvements: Sign and parking.
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-20
Total Parcel Tax Value: \$416,300
Appraised Value: \$81,100
Property Owner's Counteroffer: None
Reason For Condemnation: This project was identified in the Council adopted Plaza-Central Pedscape Plan. The City recently completed improvements along Central Avenue and this project will tie in to those improvements. The project purpose is to provide infrastructure improvements to a distressed business corridor area. Staff and the property owner have yet to reach an agreement. In order to maintain the project schedule, condemnation is recommended.
- N. Project:** Commonwealth Streetscape, Parcel # 4
Owner(s): Brodt Music Company, Inc. And Any Other Parties Of Interest
Property Address: 1401 East Independence Boulevard
Property to be acquired: 2,520 sq. ft. (.058 ac.) in Storm Drainage Easement, plus 495 sq. ft. (.011 ac.) in Sidewalk and Utility Easement, plus 1,216 sq. ft. (.028 ac.) in Temporary Construction Easement
Improvements: Parking
Landscaping: Trees and Shrubs
Zoned: B-2
Use: Commercial
Tax Code: 081-176-05
Total Parcel Tax Value: \$163,500
Appraised Value: \$65,900
Property Owner's Counteroffer: None
Reason For Condemnation: This project was identified in the Council adopted Plaza-Central Pedscape Plan. The City recently completed improvements along Central Avenue and this project will tie in to those improvements. The project purpose is to provide infrastructure improvements to a distressed business corridor area.
The title abstract indicates issues that may prevent the ability to obtain clear title. Therefore, condemnation is recommended.
- O. Project:** Commonwealth Streetscape, Parcel # 5
Owner(s): Brodt Music Company, Inc. And Any Other Parties Of Interest
Property Address: 1906 Commonwealth Avenue
Property to be acquired: 26 sq. ft. (.001 ac.) in Storm Drainage Easement, plus 485 sq. ft. (.011 ac.) in Sidewalk and

Utility Easement, plus 1,981 sq. ft. (.045 ac.) in Temporary Construction Easement

Improvements: Parking

Landscaping: None

Zoned: B-2

Use: Commercial

Tax Code: 081-176-06

Total Parcel Tax Value: \$163,500

Appraised Value: \$29,800

Property Owner's Counteroffer: None

Reason For Condemnation: This project was identified in the Council adopted Plaza-Central Pedscape Plan. The City recently completed improvements along Central Avenue and this project will tie in to those improvements. The project purpose is to provide infrastructure improvements to a distressed business corridor area.

The title abstract indicates issues that may prevent the ability to obtain clear title. Therefore, condemnation is recommended.

- P. Project:** Commonwealth Streetscape, Parcel # 13
Owner(s): Lazaro D. Siplon and Wife, Sherrilyn B. Tamayo Siplon
Property Address: 2000 Commonwealth Avenue
Property to be acquired: 525 sq. ft. (.012 ac.) in Sidewalk and Utility Easement, plus 2,462 sq. ft. (.057 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-15
Total Parcel Tax Value: \$276,400
Appraised Value: \$31,250
Property Owner's Counteroffer: None
Reason For Condemnation: The need for this project is established by the Plaza-Central Pedscape Plan by the Charlotte Mecklenburg Planning Commission adopted by the Charlotte City Council. The city recently completed improvements along Central Avenue and this project will tie in this area to those improvements. The project purpose is to provide identified infrastructure improvements to a distressed business corridor area. An agreement was reached with the property owner and sent to a closing attorney. However, the title abstract update revealed issues which would now prevent the City from obtaining clear title. Therefore, condemnation is recommended.
- Q. Project:** Commonwealth Streetscape, Parcel # 16
Owner(s): Betty Zielgler Mims And Any Other Parties Of Interest
Property Address: 2008 Commonwealth Avenue
Property to be acquired: 314 sq. ft. (.007 ac.) in Sidewalk and Utility Easement, plus 1,179 sq. ft. (.027 ac.) in Temporary Construction Easement
Improvements: Parking
Landscaping: None

Zoned: B-2

Use: Commercial

Tax Code: 081-176-14

Total Parcel Tax Value: \$164,200

Appraised Value: \$21,100

Property Owner's Counteroffer: None

Reason For Condemnation: This project was identified in the Council adopted Plaza-Central Pedscape Plan. The City recently completed improvements along Central Avenue and this project will tie in to those improvements. The project purpose is to provide infrastructure improvements to a distressed business corridor area. Staff and the property owner have yet to reach an agreement. In order to maintain the project schedule, condemnation is recommended.

- R. Project:** Commonwealth Streetscape, Parcel # 25
Owner(s): HTP Plaza, LLC And Any Other Parties Of Interest
Property Address: 1704 Central Avenue
Property to be acquired: 52 sq. ft. (.001 ac.) in Sidewalk and Utility Easement, plus 51 sq. ft. (.001 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Shrubs
Zoned: B-2
Use: Commercial
Tax Code: 129-011-02
Total Parcel Tax Value: \$1,811,400
Appraised Value: \$1,200
Property Owner's Counteroffer: None
Reason For Condemnation: This project was identified in the Council adopted Plaza-Central Pedscape Plan. The City recently completed improvements along Central Avenue and this project will tie in to those improvements. The project purpose is to provide infrastructure improvements to a distressed business corridor area. Staff and the property owner have yet to reach an agreement. In order to maintain the project schedule, condemnation is recommended.
- S. Project:** Freedom Drive Widening, Parcel # 295
Owner(s): Richard G. Armstrong and Wife, Yulieta Armstrong
Property Address: 4800 Freedom Drive
Property to be acquired: 151 sq. ft. (.003 ac.) in Fee Simple, plus 1,034 sq. ft. (.024 ac.) in Sidewalk and Utility Easement, plus 16 sq. ft. in Utility Easement, plus 4,673 sq. ft. (.107 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Tree
Zoned: R-5
Use: Single Family Residential
Tax Code: 057-061-04
Total Parcel Tax Value: \$129,500
Appraised Value: \$14,400
Property Owner's Counteroffer: \$18,402
Reason For Condemnation: The Freedom Drive (NC 73) Widening Project is a 1998 State Transportation Bond Project. This project will widen Freedom Drive from a two lane road to a

four lane median divided facility from Edgewood Drive (at I-85) to Toddville Road and provide roadway, sidewalk, bike lanes, one culvert and street lighting on wooden poles. The project will coordinate with the Little Rock Road Relocation and Fred D. Alexander Boulevard Project, Segment B. This property transaction was originally approved as an acquisition on the October 12, 2009 Council Agenda. The title abstract indicated issues that needed to be addressed by the property owner in order to close. The property owner agreed but has remained uncooperative in clearing up the issues. In order to maintain the project schedule, condemnation is now recommended.

- T. Project:** Kenilworth @ Pearl, Parcel # 20
Owner(s): DeMayo Real Estate, LLC; Richard M. Apfel and Wife, Darlene S. Jones; and Park Plaza Condo Associates, LLC And Any Other Parties Of Interest
Property Address: 741 Kenilworth Avenue
Property to be acquired: 172 sq. ft. (.004 ac.) in Fee Simple, plus 3,303 sq. ft. (.076 ac.) in Sidewalk and Utility Easement, plus 3,812 sq. ft. (.088 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees, Shrubs, & Plantings
Zoned: O-2
Use: Office Condominium
Tax Code: 125-213-30
Total Parcel Tax Value: \$3,005,900
Appraised Value: \$55,800
Property Owner's Counteroffer: None
Reason For Condemnation: This project will widen Kenilworth Avenue to create a left turn lane for outbound traffic onto the new Pearl Park Way bridge. It will also extend the existing culvert under Kenilworth Avenue as needed to accommodate the widening. Compensation was established by an independent, certified appraisal and an appraisal review. Staff and the property owner have yet to reach an agreement. In order to maintain the project schedule, condemnation is recommended.
- U. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 7
Owner(s): Federal National Mortgage Association And Any Other Parties Of Interest
Property Address: 4510 Wildwood Avenue
Property to be acquired: 499 sq. ft. (.011 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-104-39
Total Parcel Tax Value: \$61,300
Appraised Value: \$50
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has had no response to numerous

contact attempts. In order to maintain the project schedule, condemnation is recommended.

- V. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 13
Owner(s): Harvey W. Gouch And Any Other Parties Of Interest
Property Address: 4604 Wildwood Avenue
Property to be acquired: 51 sq. ft. (.001 ac.) in Utility Easement, plus 318 sq. ft. (.007 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-104-31
Total Parcel Tax Value: \$21,600
Appraised Value: \$50
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. The property owner requested guarantee that a certain contractor would not be completing the construction. When the guarantee could not be given, the property owner would not agree. In order to maintain the project schedule, condemnation is recommended.
- W. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 17
Owner(s): Randy Banner And Any Other Parties Of Interest
Property Address: 4611 Wildwood Avenue
Property to be acquired: 268 sq. ft. (.006 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-101-30
Total Parcel Tax Value: \$85,100
Appraised Value: \$50
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has been unable to contact the property owner. The title abstract also indicates issues that may prevent the ability to obtain clear title. Therefore, in order to maintain the project schedule, condemnation is recommended.
- X. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 30
Owner(s): The Foreclosure Docs, LLC And Any Other Parties Of Interest
Property Address: 128 Bradford Drive
Property to be acquired: 1,834 sq. ft. (.042 ac.) in Storm Drainage Easement, plus 312 sq. ft. (.007 ac.) in Utility Easement, plus 302 sq. ft. (.007 ac.) in Temporary Construction Easement
Improvements: None

Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-082-09
Total Parcel Tax Value: \$57,900
Appraised Value: \$1,925
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has been unable to contact the property owner. The title abstract also indicates issues that may prevent the ability to obtain clear title. Therefore, in order to maintain the project schedule, condemnation is recommended.

- Y. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 35
Owner(s): Trendera A. Wissa And Jerome Falls And Any Other Parties Of Interest
Property Address: 538 Williamson Street
Property to be acquired: 173 sq. ft. (.004 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-112-14
Total Parcel Tax Value: \$53,800
Appraised Value: \$25
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has been unable to contact the property owner. The title abstract also indicates issues that may prevent the ability to obtain clear title. Therefore, in order to maintain the project schedule, condemnation is recommended.
- Z. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 38
Owner(s): Susan Sachs-Jacobs; Michael I. Jaffa and Wife, Debra L. Foster; Wendy J. Rosen and Husband, Franklin R. Rosen; Dayle J. Fligel and Husband, David M. Fligel; and Sheryl J. Bauer and Husband, Michael J. Bauer And Any Other Parties Of Interest
Property Address: 630 Pinoca Street
Property to be acquired: 455 sq. ft. (.010 ac.) in Temporary Construction Easement
Improvements: Trees
Landscaping: None
Zoned: R-5
Use: Office
Tax Code: 063-102-11
Total Parcel Tax Value: \$85,600
Appraised Value: \$75
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has been unable to contact the

property owner. The title abstract also indicates issues that may prevent the ability to obtain clear title. Therefore, in order to maintain the project schedule, condemnation is recommended.

- AA. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 72
Owner(s): Josephine Hipp Lindsay; Billie Jean Hipp Bass and Husband, Josephe B. Bass; Patsy Hipp Frazier and Husband, Brooks H. Frazier, Jr. And Any Other Parties Of Interest
Property Address: 4521 Willard Street
Property to be acquired: 18 sq. ft. in Fee Simple, plus 6 sq. ft. in Existing Right-of-way, plus 770 sq. ft. (.018 ac.) in Temporary Construction Easement
Improvements: Fence
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-084-46
Total Parcel Tax Value: \$61,500
Appraised Value: \$125
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has been unable to contact the property owner. The title abstract also indicates issues that may prevent the ability to obtain clear title. Therefore, in order to maintain the project schedule, condemnation is recommended.
- AB. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 81
Owner(s): Edwina Black Kreiling; Kathryn Wilson Surles; Judith Wilson Mill; Rachel D. Lamb; Henry White Dunn; Elizabeth D. Pilkington; Jo Dunn VanDyke; Mary D. Dehlin; Carolyn D. White; Peggy D. Thornton; James G. Bolton; and Catherine E. Bolton And Any Other Parties Of Interest
Property Address: 806 Marble Street
Property to be acquired: 656 sq. ft. (.015 ac.) in Storm Drainage Easement, plus 154 sq. ft. (.004 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-081-45
Total Parcel Tax Value: \$10,800
Appraised Value: \$625
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. The title abstract indicates issues that may prevent the ability to obtain clear title. Therefore, in order to maintain the project schedule, condemnation is recommended.

- AC. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 91
Owner(s): Sandra M. Thomas and Husband, Hugh M. Thomas; and Carolyn Jane Helms And Any Other Parties Of Interest
Property Address: 716 Marble Street
Property to be acquired: 449 sq. ft. (.010 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-081-53
Total Parcel Tax Value: \$55,400
Appraised Value: \$50
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has yet to reach an agreement with the property owner. In order to maintain the project schedule, condemnation is recommended.
- AD. Project:** Thomasboro/Hoskins Neighborhood Improvement Project Phase 4, Parcel # 129
Owner(s): Kimberly H. Burns and Husband, Johnny Burns, Jr. And Any Other Parties Of Interest
Property Address: 123 Bradford Drive
Property to be acquired: 163 sq. ft. (.004 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-073-02
Total Parcel Tax Value: \$80,700
Appraised Value: \$25
Property Owner's Counteroffer: None
Reason For Condemnation: This is a Neighborhood Improvement Project. Staff has yet to reach an agreement with the property owner. In order to maintain the project schedule, condemnation is recommended.
- AE. Project:** Thomasboro/Hoskins NIP Phase 4, Parcel # 162
Thomasboro/Hoskins Neighborhood Improvement Project Phase 4
Owner(s): Howard Swartz And Any Other Parties Of Interest
Property Address: 1128 Montcalm Street
Property to be acquired: 585 sq. ft. (.013 ac.) in Fee Simple
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-084-32
Total Parcel Tax Value: \$10,800
Appraised Value: \$650
Property Owner's Counteroffer: None

Reason For Condemnation: The title abstract indicates issues that may prevent the ability to obtain clear title. Therefore, in order to maintain the project schedule, condemnation is recommended.

54. Meeting Minutes

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

- March 21, 2011
- March 23, 2011 Budget Retreat
- March 28, 2011
- April 4, 2011