

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, May 23, 2011

4:00 P.M. Council Meeting

5:00 P.M. Public Hearing

6:00 P.M. Continuation of Regular Business if not completed by 5:00 p.m.

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

Item #	Page #	Title
12	12	Federal Grant for Additional Police Officers
14	15	FY2012 and FY2013 Transit Operating Budget and FY2012-2016 Transit Capital Investment Plan
24	24	Job Access Reverse Commute and New Freedom Grants and Contracts
25	26	Design for Repairs to City Bridges
31	31	Kenilworth Avenue at Pearl Park Way Intersection Improvements

CITY COUNCIL AGENDA
Monday, May 23, 2011

TABLE OF CONTENTS

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
4:00 P.M. Council Business Meeting Meeting Chamber			
Consent			
1.	Consent agenda items 20 through 37 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.	1	
5:00 P.M. Public Hearing			
2.	Public Hearing on Preliminary FY2012 and FY2013 Strategic Operating Plan and FY2012-2016 Capital Investment Plan	1	1
Zoning			
3.	Rezoning Petition 2011-018	5	
4.	Rezoning Petition 2011-020	5	
5.	Rezoning Petition 2011-021	6	
6.	Rezoning Petition 2011-022	6	
7.	Rezoning Petition 2011-025	7	
8.	Rezoning Petition 2011-026	7	
Policy			
9.	City Manager's Report	8	
10.	Independence Boulevard Area Plan	8	2
11.	Noise Ordinance	10	3
12.	Federal Grant for Additional Police Officers	12	
13.	Emergency Relocation Program	13	4
14.	FY2012 and FY2013 Transit Operating Budget and FY2012-2016 Transit Capital Investment Plan	15	5

<u>Item No.</u>	<u>Page No.</u>	<u>Attachment No.</u>
Business		
15. FY2011 Housing Trust Fund Allocation	17	6
16. One NC Grant and Business Investment Grant to Electrolux	18	7
17. Appointments to Boards and Commissions	20	8-9
18. Mayor and Council Topics	20	
19. Closed Session	20	
Consent		
20. Fire Uniform Apparel	21	
21. Airport Video Technology Package	22	
22. North Tryon Street Elevated Water Tank Reconditioning	22	
23. Donation of Fire Department Equipment	23	10
24. Job Access Reverse Commute and New Freedom Grants and Contracts	24	11
25. Design for Repairs to City Bridges	26	12
26. Airport Carpet	27	
27. Radio Equipment Contract Extension	28	
28. Vehicle and Equipment Welding and Related Services	28	
29. Technology Service Desk Services Amendment	29	
30. Geotechnical, Construction Materials Testing and Special Inspection Services Amendments	30	
31. Kenilworth Avenue at Pearl Park Way Intersection Improvements	31	

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
32.	Engineering Services for Oakdale Road Farm-to-Market Project	32	
33.	Various Storm Water Repair and Maintenance Projects	33	
34.	Police Hickory Grove Division Lease Renewal	34	
35.	Briar Creek Relief Sewer Phase I Condemnation Settlement Additional Compensation	35	
36.	Refund of Business Privilege License Taxes	36	13
37.	Property Transactions	37	

4:00 P.M. COUNCIL BUSINESS MEETING

Meeting Chamber

CONSENT

1. **Consent agenda items 20 through 37 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.**

5:00 P.M. PUBLIC HEARING

2. **Public Hearing on Preliminary FY2012 and FY2013 Operating Budget and FY2012-2016 Capital Investment Plan**

Action: Receive public comment on the City Manager's recommended budget.

Committee Chair: Michael Barnes

Staff Resource: Ruffin Hall, Budget and Evaluation

Explanation

- On May 9, 2011, the City Manager presented the recommended FY2012 & FY2013 Strategic Operating Plans and FY2012-2016 Capital Investment Plan. The May 9 recommendation represents the proposed City operating and capital budget for next fiscal year, beginning on July 1, 2011.
- State law requires the City hold a public hearing following presentation of the Manager's recommended budget (May 9, 2011) and prior to Council adoption of the budget (June 13, 2011).

FY2012 and FY2013 Operating and Capital Recommended Budget Summary

- A property tax rate decrease of 2.16 cents, representing a revenue neutral property tax rate of 43.7 cents, following the 2011 Mecklenburg County property reappraisal
- City-wide total budget down 3.47%, from \$1.73 billion in FY2011 to \$1.67 billion in FY2012.
- General Fund budget up 3.2%, from \$513.4 million in FY2011 to \$529.8 million in FY2012. The FY2013 General Fund budget is \$539.8 million
- Property tax revenue growth of 4.8% (including annexation) in FY2012 and 1.0% growth in FY2013
- Sales tax revenue growth of 3.8% in FY2012 and 3.9% in FY2013

Recommended Property Tax Rates

Purpose	Current FY2011 Tax Rate	Recommended FY2012 Tax Rate	Rate Decrease (FY2011 to FY2012)
General Fund	37.73¢	36.00¢	(1.73¢)
Capital Debt Service	6.87¢	6.50¢	(0.37¢)
Pay-As-You-Go Capital	1.26¢	1.20¢	(0.06¢)
Total	45.86¢	43.70¢	(2.16¢)

General Fund Budget Highlights

- \$3.3 million in FY2012 for Police budget adjustments:
 - 13 Additional Response Area Commanders: \$1.4 million
 - 15 Additional Police officers at Airport to increase security: \$1.7 million
 - Additional Youth Initiatives: \$0.2 million
- \$1.5 million in FY2012 for Capital Equipment replacements
 - Replacement of 10 additional Solid Waste refuse collection trucks beyond normal replacement process
 - Replacement of 6 additional Fire apparatus beyond normal replacement process
- \$1.3 million in FY2012 for fuel adjustments
- \$0.6 million in FY2012 for utility (e.g. electricity) adjustments
- \$0.3 million in FY2012 for Refuse and Recycling Carts
- A complete copy of the recommended budget is available at: <http://citybudget.charmeck.org>.

Recommendations related to Other Funds

- Utilities: Changes in Residential and Non-Residential Water and Sewer Rates

Residential Water Rates	FY2011	FY2012
Tier 1 (1-4 Ccf)	\$1.45	\$0.98
Tier 2 (5-8 Ccf)	\$1.64	\$1.96
Tier 3 (9-16 Ccf)	\$2.69	\$3.41
Tier 4 (over 16 Ccf)	\$5.32	\$5.32
Sewer Charges	\$4.31	\$4.14
Non-Residential Water Rates	\$2.04	\$2.20

- Storm Water: 6.5% impervious surface fee rate increase in FY2012 and 6% in FY2013 to reduce the flood control project backlog and increase the major flood control projects
- Airport: No changes
- CATS: No increases in FY2012; however, the Metropolitan Transit Commission recommended a base fare increase of 25 cents in FY2013

Recommended Employee Compensation and Benefits

- No Broadbanding merit adjustments
- No Public Safety Pay Plan market or step adjustments
- Restore 401(k) contribution back to 3% from 2% (contribution for sworn law enforcement is 5% as mandated by State law)
- Required retirement system contribution increase in FY2012 from 6.35% to 6.88% for non-sworn employees and 6.41% to 7.04% for sworn employees. In FY2013, contribution increases to 7.40% and 7.57% for non-sworn and sworn employees, respectively. These increases are mandated by the North Carolina Local Government Retirement System Board.

- City's portion of funding for group insurance coverage is increasing by 3% in FY2012 and 5% in FY2013
- Increased health insurance premium paid by employees in PPO A plan will increase ranging from \$4.33 to \$11.93 per week, depending on level of coverage

Recommended Position Changes

- Number of positions impacted in General Fund
 - 42 added, 31 of which are in Police and Fire
 - Eight deleted (unfunded positions), resulting from the Neighborhood & Business Services reorganization
- Other changes:
 - 46 deleted (unfunded positions) in Utilities

Recommendations for Financial Partners & Outside Agencies

- No new Financial Partners or Outside Agencies recommended
- ImaginOn building maintenance contribution decreased by 1/3 in FY2012 and an additional 1/3 in FY2013 as part of a three-year City funding elimination plan
- All other Financial Partner and Outside Agency funding held flat to FY2011 levels except for specific contract provisions

Recommended FY2012-FY2016 Capital Investment Plan

- The five-year recommended Capital Investment Plan totals \$3.29 billion
- General Capital programs predominately decrease due to lack of a 2012 bond referendum:
 - Roads reduced by \$83.5 million
 - Housing and Neighborhood Development reduced by \$42.8 million
 - Facility Investments reduced by \$25.4 million
 - Economic Development reduced by \$19.7 million
 - Environmental Services increased by \$3.0 million
- Enterprise Capital programs over five years increase and decrease:
 - CATS increased by \$971.2 million (primarily LYNX Blue Line Extension)
 - Aviation increased by \$182.0 million
 - Storm Water increased by \$15.3 million
 - Utilities reduced by \$290.4 million
- CDBG and HOME projects are reduced by 20% (\$1.04 million) in anticipation of federal budget reductions; to compensate for the reductions, the City will reduce Neighborhood Revitalization projects and reallocate Innovative Housing funds to maintain support to Housing Development and afterschool programs
- No funding is currently identified for a 2012 or subsequent bond referendum. Council has until next year's budget process to determine whether to have a 2012 bond referendum and at what level.

Budget Process

- On May 18, Council met to consider possible changes to the Manager's recommended budget. Proposed adjustments by the Council that received five or more votes will move on to the Council's straw votes meeting for consideration on June 1. A list of the Council's May 18 Budget Adjustments will be included in the Friday, May 20 Council-Manager Memo.
- Council's straw votes meeting is scheduled for June 1, 2011 at 12:00 p.m. Budget amendments receiving six or more votes are included in the final budget ordinance for consideration on June 13.

- Budget adoption is scheduled for June 13, 2011 at 7:00 p.m. during the Council's business meeting.
- Council is required by state law to adopt a budget on or before July 1 of each fiscal year.

Attachment 1

May 9 Recommended Budget Presentation

Manager's Transmittal Letter

Executive Summary from the FY2012 & FY2013 Strategic Operating Plan

ZONING

3. Rezoning Petition 2011-018

Action: Render a decision on proposed rezoning 2011-018 by University City Partners for a Text Amendment related to the research districts (Sections 6.201, Table 9.101, 9.601 through 9.607, 11.701 through 11.709, 12.106, 12.202, 12.212, 12.213, 12.218, 12.301, Table 12.302(a) 12.413, 12.415, 12.417, 12.502, 12.532, 12.534, and 12.538, and the Table of Contents of the Zoning Ordinance).

Staff Resource: Tammie Keplinger, Planning

Explanation

- Due to an advertising error by the Charlotte Observer, the public hearing on this petition was deferred from April 25 to May 16.
- The decision for this petition has been scheduled for the May 23 Council meeting in order to avoid any further delays for the petitioner.
- The Zoning Committee of the Planning Commission will consider this petition at a specially called meeting on May 18.
- An updated Request for Council Action that includes the Zoning Committee recommendation will be forwarded to City Council in the May 20 Council-Manager Memo.

4. Rezoning Petition 2011-020

Action: Render a decision on proposed rezoning 2011-020 by Percival McGuire Commercial Real Estate Development for a change from R-3, single family residential to NS, neighborhood service district for approximately 23.96 acres located on the south side of West W.T. Harris Boulevard between Interstate 485 and Reames Road.

Staff Resource: Tammie Keplinger, Planning

Explanation

- Due to an advertising error by the Charlotte Observer, the public hearing on this petition was deferred from April 25 to May 16.
- The decision for this petition has been scheduled for the May 23 Council meeting in order to avoid any further delays for the petitioner.
- The Zoning Committee of the Planning Commission will consider this petition at a specially called meeting on May 18.
- An updated Request for Council Action that includes the Zoning Committee recommendation will be forwarded to City Council in the May 20 Council-Manager Memo.

5. Rezoning Petition 2011-021

Action: Render a decision on proposed rezoning 2011-021 by Singh Development, LLC for a change from R-3, single family residential to R-3, single family residential, conditional, and INST(CD), institutional, conditional district for approximately 22.65 acres located on the east side of Providence Road and across from Providence Country Club Drive.

Staff Resource: Tammie Keplinger, Planning

Explanation

- Due to an advertising error by the Charlotte Observer, the public hearing on this petition was deferred for one month.
- The decision for this petition has been scheduled for the May 23 Council meeting in order to avoid any further delays for the petitioner.
- The Zoning Committee of the Planning Commission will consider this petition at a specially called meeting on May 18.
- An updated Request for Council Action that includes the Zoning Committee recommendation will be forwarded to City Council in the May 20 Council-Manager Memo.

6. Rezoning Petition 2011-022

Action: Render a decision on proposed rezoning 2011-022 by Cambridge-Eastfield, LLC for a NS, neighborhood services, site plan amendment for approximately .55 acres located on the southeast corner of Prosperity Church Road and Arbor Creek Drive.

Staff Resource: Tammie Keplinger, Planning

Explanation

- Due to an advertising error by the Charlotte Observer, the public hearing on this petition was deferred from April 25 to May 16.
- The decision for this petition has been scheduled for the May 23 Council meeting in order to avoid any further delays for the petitioner.
- The Zoning Committee of the Planning Commission will consider this petition at a specially called meeting on May 18.
- An updated Request for Council Action that includes the Zoning Committee recommendation will be forwarded to City Council in the May 20 Council-Manager Memo.

7. Rezoning Petition 2011-025

Action: Render a decision on proposed rezoning 2011-025 by New Bethel Church Ministries, Inc. for a change from UR-3(CD), urban residential, conditional and UR-3(CD) PED-O, urban residential, conditional, pedestrian overlay district, optional to UR-3(CD) PED-O SPA, urban residential, conditional, pedestrian overlay district, optional, site plan amendment for approximately 1.6 acres located on the northwest corner at the intersection of Wesley Heights Way and Duckworth Avenue.

Staff Resource: Tammie Keplinger, Planning

Explanation

- Due to an advertising error by the Charlotte Observer, the public hearing on this petition was deferred from April 25 to May 16.
- The decision for this petition has been scheduled for the May 23 Council meeting in order to avoid any further delays for the petitioner.
- The Zoning Committee of the Planning Commission will consider this petition at a specially called meeting on May 18.
- An updated Request for Council Action that includes the Zoning Committee recommendation will be forwarded to City Council in the May 20 Council-Manager Memo.

8. Rezoning Petition 2011-026

Action: Render a decision on proposed rezoning 2011-026 by Robert D. Smith for a change from R-3, single family residential, to INST, institutional, conditional, for approximately 4.83 acres located on Browne Road and across from Amber Glen Drive.

Staff Resources: Tammie Keplinger, Planning

Explanation

- The public hearing for this petition was held on May 16, 2011.
- The petitioner requested acceleration of the decision in order to have the proposed indoor tennis facility open for the winter season.
- The City Council agreed to the expedited decision, scheduled for the May 23 Council meeting.
- The Zoning Committee of the Planning Commission will consider this petition at a specially called meeting on May 18.
- An updated Request for Council Action that includes the Zoning Committee recommendation will be forwarded to City Council in the May 20 Council-Manager Memo.

POLICY

9. City Manager's Report

10. Independence Boulevard Area Plan



Action: Approve the Economic Development Committee recommendation concerning the Independence Boulevard Area Plan Volume I: The Concept Plan and receive Volume II: The Implementation Plan as information.

Committee Chair: James Mitchell

Staff Resource: Alysia Osborne, Planning

Explanation

- The purpose of the Independence Boulevard Area Plan is to recommend feasible land use and street network strategies to help reverse the trend of disinvestment, position the corridor for growth, and reinforce existing neighborhoods for continued stability and livability.
- A summary of the major recommendations include:
 - Protecting and enhancing existing neighborhoods
 - Creating nodes of more intense mixed use development at key locations in a more pedestrian-friendly format
 - Providing more connectivity and accessibility for businesses and residents
 - Recapturing green/open space and making it an amenity for development
 - Supporting quality design
- The Area Plan does not reevaluate existing plans for rapid transit or highway improvements along Independence Boulevard. However, the Area Plan included those decisions in the plan development process and provides flexibility to respond if transit and highway plans are modified in the future.
- Council voted to modify portions of the transitional setback (required right-of-way) along Independence Boulevard in April 2010 and on March 21, 2011, to eliminate the transitional setback completely in areas where the Independence Boulevard Road project is complete. The Area Plan already recognizes the 2010 modifications and the attached Recommended Changes to the Draft Plan will ensure that the final plan document also reflects the March 21 Council action.
- City Council received public comment on the area plan at their March 28 meeting and continued the public comment session on April 11 to allow for additional feedback. Since March, staff has proposed changes to the draft document to address citizen concerns about observations from the recent Urban Land Institute–Daniel Rose Fellowship study, particularly related to future rapid transit and streetcar. Recommended changes to the draft plan provide language to acknowledge the Fellowship work and to clarify the implementation strategies to achieve the land use vision for the proposed Southeast Corridor transit stations along Independence Boulevard.
- Public kick-off meetings for the Area Plan were held in June and July of 2008 with over 500 people in attendance where 150 stakeholders volunteered for the Citizen Advisory Group (CAG) to work closely with staff throughout the plan development process. A public workshop was

held in October of 2008 with 192 people in attendance. The Independence CAG met a total of six times throughout 2008 -2011. A final public workshop was held in May 2010, with 75 people in attendance. A final CAG meeting was held on March 3, 2011.

Charlotte-Mecklenburg Planning Commission (Planning Committee)

- The Planning Committee received public comment at their meeting on May 18, 2010. Most citizens expressed concerns about the current Independence road project, particularly about the schedule and property acquisition process. Other concerns were about the transitional setback along Independence Boulevard.
- The Planning Committee held an additional public comment session on March 15, 2011. Citizens' concerns were mostly about past property impacts of the Independence Boulevard road project. In addition, there were some concerns that the Area Plan did not address the changes to the transitional setback (required right-of-way) along Independence Boulevard that Council was scheduled to modify on March 21. The attached Recommended Changes to the Draft Plan will ensure that the final plan document reflects the March 21 Council action that included changes to the transitional setback (required right-of-way) along Independence Boulevard.
- A few speakers were concerned that the Area Plan needed to incorporate the observations from the recent Urban Land Institute–Daniel Rose Fellowship study, particularly related to future rapid transit and streetcar. Recommended changes to the draft plan provide language to acknowledge the Fellowship work and to clarify the implementation strategies to achieve the plan vision.
- The Planning Committee deferred making a recommendation for approval at their April 19 meeting to allow staff time to respond to written comments/concerns from the Planning Commissioners. Comments shared by the Commissioners were focused on the Area Plan's flexibility to incorporate the observations from the recent Urban Land Institute–Daniel Rose Fellowship study, particularly related to future transit station, location and quantity and accommodations for streetcar. Recommended changes to the draft plan provide language to acknowledge the Fellowship work and to clarify plan policies and implementation strategies to achieve the plan vision, particularly if the number of transit stations is reduced.
- The Planning Committee met on May 17 and their recommendation will be included in the Friday, May 20 Council-Manager Memo.

Economic Development Committee

- The Economic Development Committee received an overview on May 26, 2010. However, the Committee delayed action to allow time to address concerns about the transitional setback.
- City Council's Economic Development Committee received an additional overview of the area plan at their meeting on March 10, 2011. The Committee voted unanimously (Mitchell, Cannon, Dulin, Burgess, Kinsey) to forward the plan to Council for public comment on March 28.
- On May 12, the Economic Development Committee voted unanimously (Mitchell, Dulin and Burgess) to recommend that Council adopt the draft Independence Boulevard Area Plan, Volume I: The Concept Plan with the recommended changes, and receive Volume II: The Implementation Plan, as information. Council member Carter was also in attendance and expressed her support for plan adoption.

Attachment 2

Recommended Changes to April 2010 Draft Independence Boulevard Area Plan

The Area Plan document is available on the Planning Department website at <http://charmeck.org/city/charlotte/planning/AreaPlanning/Plans/IndependenceBlvdAreaPlan/Pages/home.aspx>

11. Noise Ordinance

Action: Approve the Community Safety Committee recommendation to amend Chapter 15 of the Charlotte City Code entitled Offenses and Miscellaneous Provisions to address issues associated with noise

Committee Chair: Patrick Cannon

Staff Resources: Mac McCarley, City Attorney's Office
Bob Hagemann, City Attorney's Office
Eric Campbell, City Manager's Office

Explanation

- The noise issue was referred to City Council's Community Safety Committee on January 11, 2010, due to citizen complaints of loud noise in residential neighborhoods.
- Staff and the Community Safety Committee sought feedback from residents, musicians, bar and restaurant owners, hotels, and neighborhood associations.
- Staff identified several areas that needed to be addressed:
 - Amplified music in the right-of-way
 - Additional amplification
 - Outdoor amplification and music commercial establishments
 - Large outdoor music facilities
 - Chronic commercial and industrial noise
 - Utility noise
 - Civil penalties
- Staff produced a revised ordinance that eliminated the ability to amplify music if located within 400 feet of residential zoning and use. After receiving negative feedback from the community, staff developed a second proposal which targets violators of the ordinance and creates a noise mitigation process to resolve noise issues.

Committee Action

- On March 21, the Community Safety Committee held a meeting for public comment where 27 people were able to speak on behalf of the proposed changes to the noise ordinance.
- Staff conducted a noise demonstration for the Committee members after the second draft was presented to the Committee on April 20.
- At its May 5 meeting, the Committee voted 3-0 (Cannon, Kinsey and Peacock) to recommend adoption of the proposed noise ordinance by the full City Council.

Ordinance Provisions

- Amplified Noise in the Right-of-Way (Sec. 15-64(3))

- Prohibited before 8 a.m. and after 9 p.m. Sunday through Thursday and 11 p.m. Friday and Saturday
- Must have permit on-site
- Speakers no more than ten feet off the ground
- Permit holder liable in addition to operator
- Additional Amplification (Sec. 15-65)
 - Not available for right-of-way commercial establishments regulated under Sec. 15-65.1
 - Eliminate the +/- 1,000 person distinction (i.e. 10 hours/year for <1,000, 20 hours/year for >1,000) and establish 15 hours/year for all
 - Clarifies requirements for notification to property owners within 1,000 feet
 - New 85 db(A) limit at the property line of the sound producing property
- Outdoor Amplification and Music at Commercial Establishments (Sec. 15-65.1)
 - Outdoor amplified sound and acoustic music limited to:
 - o 85 db(A) Sunday – Thursday between 8 a.m. and 9 p.m.
 - o 60 db(A) Sunday – Thursday between 9 p.m. and 2 a.m.
 - o 85 db(A) Friday - Saturday between 8 a.m. and 11 p.m.
 - o 60 db(A) Friday - Saturday between 11 p.m. and 2 a.m.
 - All decibel limits are at the property line of the sound producing property.
 - In order to enforce, enforcing authority must determine that sound is unreasonably loud and disturbing to the quiet enjoyment and use of residential property.
 - A Chronic Noise Producer establishment that does not agree to or fails to comply with a mitigation plan is subject to \$1,000 civil penalties and the loss of the right to have any outdoor amplification or acoustic music for a period of 18 months after the second offense.
- Large Outdoor Music Facilities (Sec. 15-65.2)
 - Voluntary permitting system for facilities with a capacity of more than 1,000
 - Permit holders are not subject to the restrictions of Sec. 15-65.1
 - Permits will be tailored for the unique nature of the facility and surrounding residential life.
- Chronic Commercial and Industrial Noise (Sec. 15-65.3)
 - Police may designate a business as a Chronic Noise Producer
 - Neighborhood & Business Services works with designated business to develop noise mitigation plan.
 - Failure to cooperate or comply results in adverse designation and no protection from full and aggressive noise ordinance enforcement.
 - Cooperation and compliance establishes a presumptive safe harbor from enforcement.
- City Utility Work (Sec. 15-63)
 - This section shall not apply to work by City crews or City contractors in a right-of-way or utility easement when responsible department has determined working between 7 a.m. to 9 p.m. would be unreasonably disruptive and impactful to the flow of traffic.

Attachment 3
Noise Ordinance

12. Federal Grant for Additional Police Officers

Action: Approve the Charlotte-Mecklenburg Police Department's application to the U.S. Department of Justice for \$3.8 million over four years to fund 13 police officers (\$2,252,120 federal and \$1,640,655 City).

Staff Resources: Rodney Monroe, Police
Greg Crystal, Police

Explanation

- The COPS Hiring Program offers \$264 million to law enforcement agencies to hire new officers, rehire officers who were laid off or retain officers who are about to be laid off.
- The Police Chief recommends submitting an application for 13 officers.
- The officers would support the department's neighborhood crime reduction goals which focus on high visibility and targeting those crimes and offenders that cause the most harm in small areas of the city. The new officers will help the department increase its focus on repeat offenders and reducing property crimes in their assigned areas.
- If the grant is approved, the 13 new officers would be hired around October 2011 which would allow sufficient time for them to complete recruit school and their field training prior to the Democratic Convention in September 2012.
- If the grant is awarded and City Council accepts the grant, the Manager will present a funding plan for the City's share of the costs for the additional officers.
- The grant application deadline is May 25, 2011. The program was not announced until late April, which is the reason for the compressed approval request.

Grant Provisions

- The COPS grant funds salaries and benefits for new officers for three years. Salaries and benefits are funded at the entry level rate at the time of the application.
- The City must also fund equipment and training for the new officers.
- The grant funds cannot supplant any funds included in the City's budget for new officers.
- The City must agree to retain all officers that are hired for a minimum of one year after the grant funding ends. The retention period for each officer is based upon the actual hire date.
- At the end of the grant period, the City's number of police officer allocations must be increased by the number received through the grant. The retained positions must be in addition to the number of locally funded positions that would have existed without federal funds.

Costs

- The total cost for the new officers from FY2012 through FY2015 is \$3,892,775. The federal share is \$2,252,120 and the City share will be approximately \$1,640,655.
- City costs in the grant period would be as follows:

- FY2012: \$379,929
- FY2013: \$102,247
- F2014: \$102,247
- FY2015: \$1,056,231
- The FY2012 figures include the upfront costs for uniforms, equipment, and vehicles.
- The FY2015 costs reflect the first year that the City would be responsible for all salaries and benefits for the 13 officers plus \$125,000 to replace the vehicles purchased in the first year of the grant.
- The figures are based on a July 1, 2011 hire date for the officers; however, it is more likely that the officers would be hired around October 2011 which would make the first year cost for the City less than the figure shown.

Funding

\$3,892,775 in FY12-15; \$2,252,120 from the COPS Hiring Grant; \$1,640,655 from the City to be determined

13. Emergency Relocation Program



- Action:**
- A. Approve the Housing & Neighborhood Development Committee's recommended new Emergency Relocation Program, and**
 - B. Authorize the City Manager to negotiate and execute a contract with the Charlotte Housing Authority formalizing the phasing out of the current relocation program.**

Committee Chair: Patsy Kinsey

Staff Resource: 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

- In 2005, the City entered into a contract with the Charlotte Housing Authority (CHA) to administer the City's Relocation Program for households displaced due to City of Charlotte minimum standard housing code enforcement.
- The current program goals are to:
 - Ensure that eligible households displaced have access to affordable housing
 - Facilitate the effective and efficient relocation of impacted households
 - Promote intergovernmental cooperation, eliminate duplication of efforts and maximize taxpayer resources
- Under the current program, participants are temporarily housed in hotels until they can be permanently placed in public housing.
- Over the course of the contract, the number of households referred to CHA and the number of households needing public housing has increased, making the current model unsustainable.
- The current CHA relocation program contract expires June 30, 2011.

New Program

- The new Emergency Relocation Program begins July 1, 2011.
- The new program provides relocation assistance as a result of code enforcement for imminently dangerous conditions.
- The new program provides the following:
 - Relocation assistance for an estimated 40 households
 - Reduces cost per relocation (\$15,000 per household under existing program; approximately \$3,000 per household under new program)
 - Reduces the number of households displaced by making minimal repairs by code enforcement and through partnerships with the Fire Department in lieu of relocation, where applicable
 - If repairs are not made, the normal code process will apply
 - Lessens the impacts to relocated households through reduced time in temporary housing
 - Works with partner providers to relocate households in vacant private sector apartments, promoting family self-sufficiency
- Under the new program, the City would:
 - Refer the household to Community Link for eligibility screening and placement
 - Community Link will conduct a housing needs assessment and place eligible households into vacant private sector apartments
 - Community Link will assist households unable to sustain private sector housing with obtaining temporary housing and a spot on public housing waiting list
 - Provide moving, temporary storage, security deposit and first month's rent expenses. Any other expenses would be borne by the household.

Existing Program Phase-Out

- The City will execute a contract with CHA that formalizes the phase-out process. Such contract will contain a provision that requires CHA to keep the 30 households relocated under the current program in their original position on the CHA waiting list for public housing.

Committee Discussion

- The Housing & Neighborhood Development Committee discussed the new relocation program during their April 27, 2011 and May 11, 2011 meetings. Discussion centered on ensuring that the program was not a one size fits all approach since households have different circumstances. Community Link explained that they will conduct a home needs assessment with each relocation program client, which takes into account demographics, work location, access to public transit, school location and support systems.
- The Committee requested that the City receive written confirmation from CHA that the 30 people currently waiting to be housed under the existing program would retain their position on the public housing waiting list.
- The Committee unanimously approved the Emergency Housing Relocation Program for consideration by City Council (Kinsey, Mitchell, Cannon, Barnes and Cooksey).

Funding

Innovative Housing Funds

Attachment 4

April 27 and May 11 Housing & Neighborhood Development Committee meeting PowerPoint Presentations

14. FY2012 and FY2013 Transit Operating Budget and FY2012-2016 Transit Capital Investment Plan

Action:

- A. Approve the FY2012 and FY2013 Transit Operating Program, which was approved by the Metropolitan Transit Commission on April 27, 2011,**
- B. Approve the FY2012-2016 Transit Debt Program, which was approved by the Metropolitan Transit Commission on April 27, 2011,**
- C. Approve the FY2012-2016 Transit Capital Investment Plan which was approved by the Metropolitan Transit Commission (MTC) on April 27, 2011, which includes:**
 - 1. Buses**
 - 2. Other Revenue Generating Vehicles**
 - 3. Asset Maintenance**
 - 4. Bus Facilities and Amenities**
 - 5. Rail Equipment and Facilities**
 - 6. Safety and Security Equipment**
 - 7. Miscellaneous Other Capital**
 - 8. Rapid Transit Program**

MTC Chair: Anthony Foxx

Staff Resources: Carolyn Flowers, Transit
Dee Pereira, Transit

Policy

The Transit Governance Interlocal Agreement calls for the Metropolitan Transit Commission (MTC) to annually approve a Transit Operating Program and a Transit Capital Program by April 30. Following the MTC’s approval, the Transit Operating and Capital Programs are forwarded to the Charlotte City Council for approval. Upon approval, the Charlotte City Council shall fund the programs through its budget process and/or project ordinances.

Explanation

- On April 27, 2011, the MTC unanimously approved the following Actions:
 - Adopted a revised fare discount program for the Employer Transportation Coordinator (ETC) Program
 - Approved the FY2012 and FY2013 Transit Operating Program

	FY2012	FY2013
Operating Income	\$119,214,386	\$125,102,614
Operating Expense	\$102,870,076	\$106,479,439
Operating Balance	\$16,344,310	\$18,623,175

- Approved the FY2012-2016 Transit Capital Investment Plan of \$1,386,569,107 (\$1,285,722,979 project costs and \$100,846,128 debt service costs)
- The attachments provide information on the operating and capital programs that were approved by the MTC.
- Highlights of CATS Operating and Capital Programs include:
 - Annual Sales Tax increases of 4.5%

- 5% reduction in fare discounts offered to ETCs
- Scheduled fare increase in FY2013
- Maintenance of core mass transit service levels
- Reduction of three positions
- Fuel costs, which are a risk to be closely managed
- Retirement of two debt issuances during the five-year period
- Proposed new debt issuance in FY2013
- Advancement of the Blue Line Extension project
- Placeholder for the Red Line Project (contingent on funding plan)

Community Input

- The Citizens Transit Advisory Group reviewed the FY2012 Transit Operating Program and the FY2012-2016 Capital Investment Plan and recommended adoption by the MTC.
- The Transit Services Advisory Committee received a presentation on the proposed programs.
- The MTC conducted a public hearing on the fare discount recommendations on March 27, 2011, and received opinions from nine people.
- The MTC approved the FY2012 Transit Operating Program and the FY2012-2016 Capital Investment Plan on April 27, 2011.

Council Review

- The FY2012 and FY2013 Transit Operating Programs and the FY2012-2016 Transit Capital Investment Plan were presented to Charlotte City Council at the March 3, 2011 Council Budget Retreat.

Funding

Transit Fund; Federal and State Grants

Attachment 5

FY2012-2013 Transit Program Summary

FY2012-2013 Financial Policy Performance Indicators

BUSINESS

15. FY2011 Housing Trust Fund Allocation

Action: Approve Housing Trust Fund commitments for two multi-family, low-income tax credit developments: Westinghouse Senior Apartments (\$1,764,273) and Wesley Heights Senior Apartments (\$927,647) for a total of \$2,691,920.

Staff Resources: Pamela Wideman, Neighborhood & Business Services
Zelleka Biermann, Neighborhood & Business Services

Policy

- On July 26, 2010, City Council adopted the FY2011 U. S. Department of Housing and Urban Development Annual Action Plan (Plan).
- The Plan identifies the need for affordable, safe and decent housing for low and moderate-income families.
- The Plan reaffirmed the three basic goals of the City's Housing Policy:
 - Preserve the existing housing stock
 - Expand the supply of affordable housing
 - Support family self-sufficiency initiatives
- On May 24, 2010, City Council created The Charlotte-Mecklenburg Coalition for Housing (CMCH), a community-based advisory board, to oversee implementation of the Ten-Year Plan to End and Prevent Homelessness. One of the Board's charges is to recommend annual funding priorities for the Housing Trust Fund to City Council.

Explanation

- On May 9, 2011, City Council approved the CMCH Board's recommendation for allocating \$16.2 million available in Housing Trust Funds to the following categories:
 - Tax Credit Set-aside (\$4.7 million)
 - Rapid Acquisition (\$3.2 million)
 - Supportive Housing (\$8.3 million)

Tax Credit Set-Aside

- The allocation of \$4.7 million is recommended for the 2011 (\$2.7 million) and 2012 (\$2.0 million) tax credit cycles.
- Funds are available to developers receiving a North Carolina Low-Income Tax Credit Award from the North Carolina Housing Finance Agency (NCHFA) for the construction of new or rehabilitated multi-family housing developments serving households earning 60% or less of the area median income (\$40,320).
- Recommendation to fund Westinghouse and Wesley Heights Senior Apartment developments is made based on the ranking of NCHFA site scores.
- Westinghouse and Wesley Heights Senior Apartment developments have received the top scores for Mecklenburg County. Developments for the elderly are exempt from the Housing Locational Policy.
- NCHFA will announce its tax credit awards in August 2011. Should a project fail to receive a tax credit award, funds will be returned to the Housing Trust Fund for reallocation.

2011 - Top ranked tax credit developments for the City of Charlotte

SITE SCORE	Development	Developer	Affordable Units	City Funding
90	Westinghouse Senior Apartments	CMHP	86	\$1,764,273
64	Wesley Heights Senior Apartments	CMHP	40	\$927,647
	Total		126	\$2,691,920

Small Business Opportunity

All borrowers of Housing Trust Fund investments are subject to an SBE goal determined by the amount of the Housing Trust Fund financing awarded. The Westinghouse Senior Apartments complex will include a 6% SBE goal, while the Wesley Heights complex will include a 4% SBE goal.

Funding

Housing Trust Fund (Affordable Housing Bonds)

Attachment 6

Project Summaries

16. ONE NC Grant and Business Investment Grant to Electrolux

Action:

- A. Approve contracts with the NC Department of Commerce (NCDOC) and Electrolux for \$325,000 for a North Carolina Grant from the State to Electrolux,**
- B. Adopt a budget ordinance appropriating \$325,000 from a One North Carolina Grant to Electrolux, and**
- C. Approve the City’s share of a Business Investment Grant to Electrolux for a total estimated amount of \$222,650 over five years (total City/County grant estimated at \$629,839).**

Staff Resource: Peter Zeiler, Neighborhood & Business Services

Policy

Support the development of an economic environment that attracts new businesses, retains existing businesses and offers a diverse economic mix

Explanation

- In 2009, Electrolux announced the relocation of its North American headquarters to Charlotte, creating 750 jobs and capital investment of \$8 million.
- Electrolux is now undertaking a second project to consolidate its U.S. engineering operations into a single engineering center.
- These engineering positions are currently located in several locations across the U.S., are not affiliated with manufacturing operations, and could be relocated to Sweden, Hungary or China.
- Charlotte is being considered because of the recent headquarters relocation.

One NC Grant

- The North Carolina Department of Commerce will award a \$325,000 One North Carolina Grant to Electrolux as part of the company’s expansion.
- By State statute, the City is required to administer a performance contract with Electrolux to ensure compliance with the State’s job creation and capital investment standards.
- The State is also offering a Job Development Investment Grant for this project, the value of which is still being determined.

Business Investment Grant

- One North Carolina Grants require a local match.
- Electrolux’s expansion meets all the Council-approved requirements for a five-year 50% Business Investment Grant:
 - A taxable capital investment between \$14 million and \$20 million (construction and equipment costs)
 - Creation of 200 engineering jobs, with an average annual wage of \$94,000 per year (224% of the local average of \$41,964)
 - Electrolux would construct 55,000 square feet of office space adjacent to their headquarters in the University Research Park.
- On October 18, 2010, the Board of County Commissioners indicated their intent to approve a five-year, 50% Business Investment Grant to Electrolux in a closed session.
- On November 8, 2010, City Council indicated their intent to approve a five-year, 50% Business Investment Grant to Electrolux in a closed session.
- If approved, the following schedule is an estimate of the Investment Grant payments to Electrolux:

Year	City	County	Totals
1	\$45,356	\$82,947	\$128,303
2	\$44,897	\$82,109	\$127,006
3	\$44,484	\$81,354	\$125,838
4	\$44,117	\$80,683	\$124,800
5	\$43,796	\$80,096	\$123,892
Total	\$222,650	\$407,189	\$629,839

- The general terms and condition of this grant include:
 - A portion of the grant must be repaid if the company moves this expansion from Charlotte within five years of the end of the grant term.
 - Actual grant payments are based on the value of the investments appraised by the Mecklenburg County Tax Office.
 - All property taxes due from the company must be paid before a grant payment is made.

Funding

State of North Carolina: One North Carolina Fund
 Business Investment Grant Account; first payment is estimated to occur in FY2013.

Attachment 7

Budget Ordinance

17. Appointments to Boards and Commissions

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

A. DEVELOPMENT REVIEW BOARD

- This is a new board established by City Council as part of the Subdivision Ordinance update, creating an Alternative Compliance provision that may be decided by the Development Review Board.
- One appointment for a transportation or urban planner for a two-year term beginning July 1, 2011.
 - Nicole Storey by Council members Barnes, Burgess, Cannon, Carter, Cooksey, Dulin, Kinsey, Peacock and Turner
 - Kevin Vogel by Council member Howard

Attachment 8

Applications

- One appointment for a landscape architect as an alternate for a three-year term beginning July 1, 2011
 - Bradley Sikes by Council members Barnes, Burgess, Cannon, Carter, Cooksey, Dulin, Kinsey, Peacock and Turner

Attachment 9

Applications

18. Mayor and Council Topics

Council members may share information and raise topics for discussion.

19. Closed Session

Action: Adopt a motion pursuant to NCGS 143-318.11(a)(3) to go into closed session to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling of the case of Florence Dubios v. City of Charlotte, Midwest Investors Group, Inc. d/b/a Metro Staffing, and Malaki YaaqobYsrayl, 10-CVS-5580.

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."

20. Fire Uniform Apparel

- Action:**
- A. Award the low bid unit price contract to MES-Carolinas, Inc. for the purchase of fire uniform job shirts and knit, collared shirts for the term of three years, and**
 - B. Authorize the City Manager to extend the contract for two additional one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The FY2012 expenditures are estimated to be \$464,633.**

Staff Resource: Rich Granger, Fire

Explanation

- Job shirts and knit, collared shirts are a critical and required part of the Charlotte Fire Department uniform.
- These items are purchased annually to ensure adequate stock for issuing uniforms to new recruits and other applicable employees and for replacement of worn out and/or contaminated items.
- Procurement Services Division issued an Invitation to Bid (ITB) on March 30, 2011, and two responsive bids were received in response to the ITB.

- The unit price per job shirt is \$38 and the unit price per knit shirt ranges from \$23.49 to \$33 based on size.

Small Business Opportunity

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

Funding

Fire Department Operating Budget

21. Airport Video Technology Package

Action: Award the low bid contract of \$1,352,700 to The Bowers Group, LLC for replacing video displays throughout the terminal.

Staff Resource: Jerry Orr, Aviation

Explanation

- This update will provide updated gate, baggage claim, arriving and departing flight information, visual paging, and advertising displays throughout the terminal.
- The advertising portion includes two, 16-unit displays with overall dimensions of 12' x 7.5' that will be installed in the Atrium where they will display a single image using all 16 units or multiple images as required. These units will also be able to convey important Airport messages as needed.
- Electrical installation of the displays will be done in-house.
- The Airport has a contract with ComNet Software to handle maintenance of flight information displays, approved by Council on January, 25, 2011.

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

Aviation Capital Investment Plan

22. North Tryon Street Elevated Water Storage Tank Reconditioning

Action: Award the low bid contract of \$738,426 to Utility Service Company, Inc. for reconditioning of the elevated water storage tank located on North Tryon Street.

Staff Resource: Barry Gullet, Utilities

Explanation

- The North Tryon Street elevated water storage tank, located on North Tryon Street near Tom Hunter Road, has a total storage capacity of one million gallons.
- This tank, which was constructed in 1970, has been spot painted over the years, but has never been completely repainted.

- Utilities has a program to routinely repair and paint the 11 elevated storage tanks located in Mecklenburg County.
- The North Tryon Street tank will be sand blasted to remove rust and lead coatings, brought up to OSHA structural compliance, and recoated.
- Construction is scheduled to be completed by the end of October 2011.
- Utility Service Co. has successfully completed three tank refurbishment projects for Utilities in the past two years.

Small Business Opportunity

No SBE goal was set for this project because no subcontracting opportunities were identified (Part C: Section 2.4 of the SBO Policy).

Funding

Utilities Capital Investment Plan

23. Donation of Fire Department Equipment

Action: Adopt a resolution approving the donation of two bicycle equipment trailers, including bikes and safety equipment, to Mint Hill Police Department and to the Crib to College Foundation, Inc., which are members of the Safe Kids Charlotte Mecklenburg Coalition.

Staff Resource: Rob Kinniburgh, Fire

Explanation

- North Carolina General Statute §160A-280 authorizes the donation of personal property from a City to a non-profit organization upon adoption of a resolution by City Council.
- The Charlotte Fire Department recommends the donation of two bicycle equipment trailers, including bikes and safety equipment to the Mint Hill Police Department and the Crib to College Foundation, Inc.
- The Mint Hill Police Department and the Crib to College Foundation, Inc. are members of the Safe Kids Charlotte Mecklenburg Coalition and have agreed to provide the child passenger and bicycle safety training on behalf of the Coalition.
- The trailers and equipment were originally donated to the Charlotte Fire Department in 2005, as lead agency for Safe Kids Charlotte Mecklenburg.
- This equipment was provided to support child passenger safety and bicycle safety education awareness.
- The estimated current value of each trailer, including all contents is approximately \$2,500.
- Once donated, the Mint Hill Police Department and the Crib to College Foundation, Inc. will be responsible for all property and maintenance costs.

Attachment 10

Resolution

24. Job Access Reverse Commute and New Freedom Grants and Contracts

- Action:**
- A. Adopt a budget ordinance allocating \$1,198,478 of Federal Job Access Reverse Commute (JARC) and New Freedom Funding, which includes \$752,736 for CATS projects, \$292,147 for sub-recipient projects, and \$153,595 to be reserved for future project awards,**
 - B. Direct \$752,736 for CATS projects, which are enhancements to various bus routes,**
 - C. Authorize the City Manager to execute contracts totaling \$292,147 with the following organizations for JARC and New Freedom federal public service grant projects:**
 - 1. Metrolina Association for the Blind for a service project funded by the New Freedom federal grant program in an amount up to \$70,505**
 - 2. Mainstreaming Consultants, Inc. dba Disability Rights & Resources for a service project funded by the New Freedom federal grant program in an amount up to \$191,642**
 - 3. Charlotte Housing Authority for a service project funded by JARC federal grant program in an amount up to \$30,000**
 - D. Reserve \$153,595 of the appropriated funds for additional JARC, New Freedom, or other public transportation grant projects.**

Staff Resources: Arlanda Rouse, Transit
Eric Hershberger, Transit

Policy

Transportation Action Plan Goal 5 and Transportation Focus Areas Initiative 5
"Seek financial resources, external grants, and funding partnerships necessary to implement transportation programs and services"

Public Transportation Grants

- The JARC federal grant program is designed to improve access to transportation services to employment and employment-related activities for welfare recipients and low-income individuals.
- The New Freedom federal grant program is designed to assist individuals with disabilities with accessing transportation services, including transportation to and from jobs and employment support services.
- The Federal Transit Administration (FTA) has allocated federal fiscal year 2009 and 2010 JARC and New Freedom federal grant funds to CATS for the Charlotte area.

- The JARC and New Freedom federal grant programs distribute funds to communities through a locally designated recipient that administers sub-grants and acts as a funding pass-through to approved sub-grantee organizations and projects.
- FTA regulations require that JARC and New Freedom grant funds which are allocated to designated recipients and hence to sub-grantees, must be distributed based on a federally mandated selection process. CATS is the designated recipient for the Charlotte region and was allocated funds from the JARC and New Freedom programs in the Federal SAFETEA-LU.
- Local match shares are required for all projects.
- The local share is 50% of the total costs for operating projects.
- Each project's sub-recipient is individually responsible for their project's local match.
- For CATS projects, the local match is included in CATS operating budget and further allocation is not required.

Selection Process

- In accordance with the prior 2009 appropriation, CATS again entered into a third party agreement with the Centralina Council of Governments (CCOG) for CCOG to administer an independent project selection process for distribution of the \$1,198,478 of JARC and New Freedom grants in accordance with federal requirements.
- This independent selection process allowed CATS and other proposers to submit projects and compete for the remaining funds.
- Following three requests for proposals, an 11 member CCOG Project Evaluation Team selected the four projects submitted by the agencies above and six projects submitted by CATS for funding.
- The CCOG recommendations were then approved by the Mecklenburg Union Metropolitan Planning Organization (MUMPO) Technical Coordinating Committee.

Project Awards

- Based on the CCOG recommendations, this action authorizes the City Manager to execute JARC or New Freedom grant contracts with the following agencies:
 - Metrolina Association for the Blind - \$70,505 - to provide door-through-door transportation and a sighted guide for people who are blind or visually impaired, Monday to Friday and limited weekend service. The trips will be provided in vans purchased with New Freedom funds in 2009. Funds will be expended in accordance with the attached plan. The contract length is 24 months.
 - Mainstreaming Consultants, Inc. dba Disability Rights & Resources - \$191,642 - will provide outreach and education to at least 50 groups, organizations, or agencies per year; provide travel training to 75 people who are disabled, homeless, veterans, seniors and/or have low incomes; provide awareness/sensitivity training and technical assistance to 50 owners/operators and drivers of passenger vehicles for hire per year; and update and distribute 500 toolboxes of transportation services for Mecklenburg County. Funds will be expended in accordance with the attached plan. The contract length will be 24 months.
 - Housing Authority of the City of Charlotte - \$30,000 - will provide free bus passes to individuals who have very low income for the purpose of seeking and obtaining employment. Funds will be expended in accordance with the attached plan. The contract length will be 24 months.

- The CCOG committee selected CATS to receive \$752,736 for operating costs of new and expanded services.
- CATS' projects consist of additional weekend service, an increase of service on existing routes, and an additional route designed to enhance transit access on 50 current bus routes.

Compliance and Reporting

- A team comprised of CATS staff and Budget and Evaluation will monitor compliance and reporting by the above agencies, in accordance with federal guidelines. This team remains in place from the previous JARC/New Freedoms Projects administration period.
- CATS will be responsible for managing the federal grant activity i.e. reimbursement, reporting, etc., in accordance with normal process.

Funding

JARC Program and New Freedom Program

Attachment 11

Project Descriptions
Budget Ordinance

25. Design for Repairs to City Bridges

Action: Approve a contract for \$280,000 with Thompson-Gordon-Shook Engineers, Inc. (TGS) for the design of bridge repairs.

Staff Resource: Jimmy Rhyne, Transportation

Explanation

- The Federal Highway Administration mandates that bridges/culverts be inspected every two years.
- Previously, City Council approved two contracts with TGS totaling \$415,700 to inspect city bridges/culverts:
 - \$291,200 approved May 24, 2010
 - \$124,500 approved August 23, 2010
- Bridges are inspected for structural adequacy, safety and functionality.
- This contract provides funding for design, bid phase, and construction administration services for repairs noted from the inspection contracts with TGS.
- TGS was chosen using the Council approved qualifications based selection process.
- Bridge repair construction will be awarded in a future action.

Small Business Opportunity

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

Funding

Transportation Capital Investment Plan

Attachment 12

List of Bridges

26. Airport Carpet

- Action:**
- A. Approve the purchase of Tandus Flooring carpet as authorized by the sole source purchasing exception of G.S. 142-129 (e)(6), and**
 - B. Award a sole-source contract with Tandus Flooring in the amount up to \$1,200,000 for the purchase of carpet for the airport terminal and concourses.**

Staff Resource: Jerry Orr, Aviation

Sole Source Exception

- G.S. 143-129 (e) (6) (ii) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available
 - A needed product is available from only one source of supply
 - Standardization or compatibility is the overriding consideration
- Tandus Flooring carpet meets performance criteria for durability.

Explanation

- In March 2009, the airport solicited five major carpet manufacturers to provide and install a carpet test mock up in Concourse E for an evaluation period of nine months.
- The carpet mock up was to evaluate each manufacturer's carpet in the actual environment on durability, replacement, warranty, and cost.
- After approximately 18 months of evaluation, the airport selected Tandus Flooring as providing the best carpet product based on the above criteria.
- There is approximately 55,000 square yards of public space that has carpet flooring.

Contract Terms

- The carpet will be purchased on an ongoing basis over the next 16 months to facilitate the replacement of the existing carpet throughout the terminal facility and concourses.
- Pricing for the carpet is determined by the lot size, with the lowest price of \$18.65 per square yard offered for orders more than 10,000 square yards. This compares to approximately \$30.35 per square yard for the most recently installed carpet from the previous supplier.
- The carpet will be ordered in 10,000 square yard lots to take advantage of best pricing.

Small Business Opportunity

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

Funding

Aviation Operating Budget

27. Radio Equipment Contract Extension

Action: Approve a contract extension with Motorola Solutions, Inc. to cover the time period from May 24, 2011 through November 30, 2011, for unit price purchases of Radio Equipment in an estimated amount of \$2,200,000.

Staff Resource: Charles Robinson, Business Support Services

Explanation

- In May 2006, City Council approved a one-year unit price contract with Motorola Solutions, Inc. with four, one-year extensions per the sole-source exemption.
- The current contract is due to expire on May 22, 2011.
- Business Support Services' Information Technology Services and Procurement Services Divisions will collaborate and issue a new solicitation to promote competition and achieve cost effective pricing.
- Staff estimates that it will take approximately six months to develop the specifications, issue Invitation to Bid and evaluate bids.
- Motorola Solutions, Inc. agreed to extend the contract for six months.
- The City's radio system relies heavily on software and imbedded firmware, with which radios must be compatible.

Funding

Various Homeland Security grants, operating, capital and other grant funding as approved by Council

28. Vehicle and Equipment Welding and Related Services

Action: **A. Approve a service contract with Bondo Innovations, Inc. for welding and related services for an initial term of three years with an estimated annual expenditure of \$120,000, and**

B. Authorize the City Manager to approve up to two additional one-year renewal options as authorized by the contract, and contingent upon the Company's satisfactory performance.

Staff Resource: Charles Robinson, Business Support Services

Explanation

- The Business Support Services Equipment Management Division (BSS/EMD) currently uses multiple vendors to provide welding and related services for approximately 210 units annually primarily consisting of heavy duty trucks (including Fire apparatus', SWS collection, CMUD and SMD specialty trucks), and construction equipment for multiple KBUs throughout the City.
- The service contract provides for all required equipment, materials, tools, labor, service calls, licenses, and supervision to complete such repairs on City vehicles.
- All services shall be performed by AWS Accredited Testing Facility Certified personnel, which is a national standard in the welding industry.

- The need for same day or immediate turnaround processing is possible for emergency service vehicles. The Company shall be required to analyze the City's usage patterns and maintain an adequate supply of component parts required to be readily available to complete service requests in a timely fashion.
- The City issued a Request for Proposal for these services and received one proposal in response to the solicitation issued on March 24, 2011.
- The project team, consisting of staff from BSS Procurement Services and Equipment Management Divisions, determined that Bondo Innovations, Inc. meets the established requirements.

Contract Terms

- The aggregate estimated five-year term cost for Welding and Related Services is \$600,000.
- The contract will have an initial term of three years with the option to renew for two additional, consecutive one-year terms.

Small Business Opportunity

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

Funding

Business Support Services Operating Budget

29. Technology Service Desk Services Amendment

Action: Approve an amendment with Intratek Computers, Inc. for Technology Service Desk services totaling \$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 for \$900,000 annually.
- 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 previously provided its own technology desk services.
- As part of the IT consolidation effort, Police will begin using these services effective July 1, 2011.
- In order to provide the additional services required to support Police, Intratek Computers, Inc. will be supplying additional on-site Service Desk technicians through this amendment.
- As an added benefit to all Key Business Units, Intratek Computers, Inc. will relocate the after-hours call center on-site, which 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 a 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

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

Funding

Business Support Services Operating Budget

30. **Geotechnical, Construction Materials Testing and Special Inspection Services Amendments**

Action: Approve the following contract amendments for geotechnical, construction materials testing and special inspection services:

1. **Terracon Consultants, Inc., in the amount of \$75,000; and**
2. **ESP Associates, P.A., in the amount of \$75,000.**

Staff Resource: William Haas, Engineering & Property Management

Explanation

- These contracts will provide funding for geotechnical, construction material testing and special inspection services on various building projects.
- Examples of building projects affected by these contracts include:
 - Fire Administration Headquarters
 - Joint Communication Center
 - CMPD Steele Creek Division Station
 - CMPD Eastway Division Station
 - Other miscellaneous building sites and projects on an as-needed basis
- The original contract was for less than \$100,000. The City's new procurement policy clarifies that in determining whether contracts require Council approval, staff must include all contract extension and renewal options that the vendor or the City has a right to exercise, or that the City anticipates entering into.
- These firms were selected using a Council approved qualifications-based selection process.
- No future amendments are anticipated for these contracts.

Background

- The original contracts with Terracon Consultants, Inc. and ESP Associates, P.A. were approved by the City Manager in March 2008 in the amounts of \$94,000 and \$75,000, respectively.
- The first amendment with ESP Associates, P.A. was approved by the City Manager in February 2010 for \$95,000. A second amendment was

approved in April 2010 for \$30,000. The total contract amount to date, including Amendment #3, will be \$275,000.

- The total contract amount for Terracon Consultants, Inc. including Amendment #1 will be \$169,000.
- The Building Services Division is seeking amendments to these contracts due to the exemplary performance of these firms.

Small Business Opportunity

All additional work involved in this amendment will be performed by the current consultant and its existing subconsultants (Part D: Section 6 of the SBO Policy).

Terracon Consultants, Inc. included the following SBEs as part of its supporting team: On-Target Utility Locating Services (utility locate) and Red Dog Drilling (geotechnical). These SBEs will be used as assignments are identified that include their services.

ESP Associates, P.A., included the following SBEs as part of its supporting team: Boyle Consulting Engineers, PLLC. (materials testing) and Red Dog Drilling (geotechnical). These SBEs will be used as assignments are identified that include their services.

Funding

Government Facilities Capital Investment Plan

31. Kenilworth Avenue at Pearl Park Way Intersection Improvements

- Action:**
- A. Reject the low bid of \$1,307,696.93 from Burney & Burney Construction for the Kenilworth Avenue at Pearl Park Way Intersection Improvements, and**
 - B. Award a contract to the lowest responsive and responsible bidder Blythe Development in the amount of \$1,309,000 for the Kenilworth Avenue at Pearl Park Way Intersection Improvements.**

Staff Resource: Sam Barber, Engineering & Property Management

A. Reject the low bid from Burney & Burney Construction

- The City Engineer recommends the rejection of the low bid of \$1,307,696.93 with Burney & Burney Construction (B&BC).
- In a meeting on May 2, 2011, B&BC representatives stated they have not constructed any roadway projects similar to the nature, size and scope of the Kenilworth Avenue at Pearl Park Way Intersection Improvements.
- Additionally, references on B&BC's roadway projects reported poor project management and lack of roadway project experience, which resulted in improper execution of the work, construction delays and cost overruns.

B. Award the construction contract to Blythe Development

- The City evaluation team therefore recommends award of this project to the next low bidder, Blythe Development.

Background

- This project will include the construction of turn lanes from Kenilworth Avenue onto Pearl Park Way and intersection improvements along Kenilworth Avenue near the Metropolitan Development.
- This project will increase vehicular and pedestrian accessibility into the Midtown area.
- The project was identified in the 1993 Metropolitan Area Plan Draft and is part of the Midtown Improvements economic development work.
- Construction is expected to be complete by first quarter 2012.

Small Business Opportunity

Established SBE Goal: 8.00%

Committed SBE Goal: 8.10%

Blythe Development committed 8.10% (\$106,020) of the total contract amount to the following SBE firms: PANDTL Inc. (erosion control) and Countywide Commercial, Inc. (hauling).

Funding

Transportation Capital Investment Plan

32. Engineering Services for Oakdale Road Farm-to-Market Project

Action: Approve a contract amendment with RS&H Architects-Engineers-Planners, Inc. in the amount of \$165,300 for additional engineering services for the Oakdale Road Farm-to-Market project.

Staff Resources: Tim Greene, Engineering & Property Management
Derrel Poole, Engineering & Property Management

Explanation

- This amendment will provide funding for additional engineering work to address changes as a result of feedback from residents of the Oakdale Community including:
 - Shifting portions of the roadway alignment
 - Using islands instead of medians to accommodate driveway access
 - Reducing the width of turn lanes, planting strips and sidewalk to lessen impact to area properties
- Council approved the planning contract in the amount of \$285,000 in November 2007 and the design contract in the amount of \$599,100 in April 2009.
- The total contract amount to date including this amendment is \$1,049,400 and is available within the \$9.2 million project budget. Construction is estimated to be \$5 million.

Background

- In May 2006, Charlotte City Council adopted the 25-year Transportation Action Plan (TAP).
- Farm-to-Market roads are identified in the TAP as being generally deficient in their ability to adequately serve the rapidly developing urban land uses surrounding them.
- The Oakdale Road Farm-to-Market project will upgrade Oakdale Road, from Old Plank Road to Dale Avenue, to urban street standards to improve

safety and traffic flow. Improvements may include additional lanes, sidewalks, bicycle lanes and landscaping.

- RS&H was selected pursuant to the Council approved qualifications-based selection process.
- Right-of-way acquisition and construction funding for this project was included in the 2010 Transportation Bonds.

Small Business Opportunity

All additional work involved in this amendment will be performed by the current consultant, RS&H Architects-Engineers-Planners, Inc. (Part D: Section 6 of the SBO Policy). RS&H Architects-Engineers-Planners, Inc. included the following SBE firm as part of their supporting team to be used as the project evolves: On Target Utility Locate Services, Inc. (utility location).

Funding

Transportation Capital Investment Plan

33. Various Storm Water Repair and Maintenance Projects

- Action:**
- A. Approve a contract with US Infrastructure of Carolina, Inc. (USI) in the amount of \$650,000 for engineering services, and**
 - B. Authorize the City Manager to renew the contract once for the original contract amount.**

Staff Resource: Jennifer Smith, Engineering & Property Management

Explanation

- The consultant will provide engineering analysis and design services for various storm water repair and maintenance projects ranging from single property repairs to area-based drainage problems.
- The firm was 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.
- Specific tasks associated with the services shall include but are not limited to:
 - Coordination with property owners
 - Site assessment activities
 - Hydrologic and hydraulic analysis
 - Determination of alternatives to address the applicable drainage issues
 - Recommendation of a preferred solution
 - Evaluation of downstream impacts
- Work assignments shall be generated in response to Request for Services received by City Storm Water Services from task orders issued by the project manager.

Small Business Opportunity

For services based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). USI included the following SBEs as part of their supporting team to be used as the project evolves: Barry Lambert Engineering, PC (structural engineering), On Target

Utility Locate Services, Inc. (utility location), and R. Joe Harris & Associates, PLLC (surveying).

Funding

Storm Water Capital Investment Plan

34. Police Hickory Grove Division Lease Renewal

Action: Approve a lease renewal for four years with two, one-year renewal options with Jill S. Newton for office space for the Police Hickory Grove Division and Code Enforcement, located at 5727 North Sharon Amity Road.

Staff Resources: Katrina Graue, Police
Robert Drayton, Engineering & Property Management

Explanation

- This lease agreement is for the 17,800 square foot building located at 5727 North Sharon Amity Road.
- Police has been in this location since 2001 and Code Enforcement since 2007.
- The current lease rate is \$2.91 per square foot with 1.5% annual increases.
- This lease extension will allow Police and Code Enforcement staff to remain in their current location.

Terms of the Lease Agreement

- 17,800 square feet of office and warehouse space
- Lease will commence August 1, 2011 for four years with two, one-year renewal options.
- The initial lease rate will be \$3.25 per square foot (\$57,995 for the first year).
- 3% annual rent increase effective July 1 each year
- Tenant pays pro-rata share of taxes, insurance and utilities
- Total lease payments not to exceed \$375,000

Funding

Police Operating Budget

35. Briar Creek Relief Sewer Phase I Condemnation Settlement Additional Compensation

Action: Approve final legal settlement of \$339,437 in the condemnation case captioned City of Charlotte v Airlie Homeowners Association, Inc., et al, 06 CVS 24524, Mecklenburg County Superior Court.

Staff Resources: Dewitt McCarley, City Attorney's Office
Catherine Williamson, City Attorney's Office

Explanation

- Permanent easements totaling 71,182 square feet and temporary construction easements totaling 193,839 square feet were acquired by condemnation from this property, consisting of the common area of the Airlie residential development just off Providence Road along Briar Creek.
- Council authorized condemnation for construction of the Briar Creek Relief Sewer Project in the appraised amount of \$64,900, which was later revised to \$79,550.
- The property owners obtained an appraisal which found the amount of compensation due to be \$382,000. The case did not settle at court-ordered mediation.
- Trial of the case was repeatedly continued by the Court to allow construction of the project to be completed, so that damages could better be assessed.
- The property owners and their attorney presented evidence that the taking affected not just the area of the easements, but the entire 11-acre property, and that construction had far exceeded the time limits originally estimated.
- The vacant property is located in a flood hazard zone and on it are two man-made ponds which function partly to capture and facilitate the drainage of storm water away from private residences. The new sewer line was installed in a path through the middle of both ponds, requiring that they be drained during construction and then refilled. After construction, evidence shows that the ponds contain 9,776 cubic yards of sediment that had not been there before, thereby reducing the ponds' capacity to hold water.
- The estimated cost to remove all of the excess sediment from the ponds by dredging is \$450,000.
- Continued discussion and negotiation resulted in a settlement for the total amount of \$339,437, and under which the owners will assume all responsibility for the condition of the ponds and any dredging work. The settlement also avoids the payment of any interest and court costs which would be owed on a jury verdict. Additional funds of \$259,887 would be required over the deposit.

Funding

Utilities Capital Investment Plan

36. Refund of Business Privilege License Taxes

Action: Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$2,285.38.

Staff Resource: Henry Simmons, Finance

Attachment 13

Resolution

List of refunds

PROPERTY ITEMS

37. Property Transactions

Action: Approve the following property transactions (A-H) and adopt the condemnation resolutions (I-L).

- 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. In most 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:** Airport Master Plan Land Acquisition
Owner(s): Kevin Domer Reeves and Shannon Dee Reeves
Property Address: * Virginia Circle
Property to be acquired: 6.2 acres
Improvements: vacant land
Purchase Price: \$74,000
Remarks: The purchase price was determined by an independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R3 Use: vacant land
Tax Value: \$14,300
Tax Code: 055-362-11
- B. Project:** City View Stream Restoration, Parcel # 16
Owner(s): Charles J. Parker and Wife, Janice A. Parker
Property Address: Dorn Circle
Property to be acquired: 61,150 sq. ft. (1.404 ac.) in Conservation Easement
Improvements: None
Landscaping: None
Zoned: R-4

Use: Single Family Residential
Tax Code: 165-071-67
Total Parcel Tax Value: \$14,900
Purchase Price: \$15,350

- C. Project:** Colonial Village/Sedgefield NIP - Phase II, Parcel # 219
Owner(s): Owners of All Units in The Condominiums at Versailles
Property Address: 2600 Park Road
Property to be acquired: 1,826 sq. ft. (.042 ac.) in Fee Simple, plus 11,922 sq. ft. (.274 ac.) in Existing Right-of-way, plus 1,915 sq. ft. (.044 ac.) in Storm Drainage Easement, plus 48 sq. ft. (.001 ac.) in Utility Easement, plus 1,674 sq. ft. (.038 ac.) in Temporary Construction Easement
Improvements: Driveway
Landscaping: Trees and Shrubs
Zoned: R-17MF
Use: Condominium
Tax Code: 147-090-98
Total Parcel Tax Value: \$0
Purchase Price: \$13,450
- D. 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
Purchase Price: \$31,250
- E. Project:** Commonwealth Streetscape, Parcel # 19
Owner(s): Ash Investments, LLC
Property Address: 1111 The Plaza
Property to be acquired: 4 sq. ft. in Sidewalk and Utility Easement, plus 1,154 sq. ft. (.026 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 081-176-12
Total Parcel Tax Value: \$241,600
Purchase Price: \$15,125
- F. Project:** McAlpine Stream Restoration, Parcel # 34
Owner(s): Ernesto Moran and Wife, Margarita Moran
Property Address: Old Bell Road

Property to be acquired: 144,470 sq. ft. (3.317 ac.) in Fee Simple **(TOTAL TAKE)**
Improvements: None
Landscaping: None
Zoned: R-3
Use: Flum/Swim Floodway (No Build Zone)
Tax Code: 213-091-07
Total Parcel Tax Value: \$7,000
Purchase Price: \$69,650

- G. Project:** McKee Creek Interceptor - Mecklenburg County, Parcel # 24
Owner(s): John A. Wofford and Wife, Frances M. Kelley
Property Address: 10831 East Lake Road
Property to be acquired: 10,536 sq. ft. (.242 ac.) in Sanitary Sewer Easement, plus 8,434 sq. ft. (.194 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees and Shrubs
Zoned: R-3
Use: Single Family Residential - Rural Acreage
Tax Code: 111-112-30
Total Parcel Tax Value: \$181,200
Purchase Price: \$11,325
- H. Project:** Steele Creek Pump Station Replacement, Parcel # 19
Owner(s): Robert E. Lanier
Property Address: 12825 Downs Circle
Property to be acquired: 47,534 sq. ft. (1.091 ac.) in Sanitary Sewer Easement
Improvements: None
Landscaping: None
Zoned: G-I
Use: 100 Year Flood Plain - AC
Tax Code: 205-032-12
Total Parcel Tax Value: \$148,600
Purchase Price: \$13,500

Condemnations

- I. Project:** Community House Road, Parcel # 5
Owner(s): David Wood and Any Other Parties of Interest
Property Address: 7923 Pemswood Street
Property to be acquired: 930 sq. ft. (.021 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 229-057-38
Total Parcel Tax Value: \$582,800
Appraised Value: \$1,550
Property Owner's Counteroffer: None
Reason for Condemnation: The purpose of this project is to make improvements to better serve the community, including motorists, pedestrians, bicyclists, residents, transit users and

commuters. Staff has repeatedly requested to meet with the property owner and they have yet to agree. In order to maintain the project schedule, condemnation is recommended.

- J. Project:** Coulwood/GumBranch/KentBerry Sidewalk Projects, Parcel # 44
Owner(s): Roderick B. Hall and Wife, Tonya D. Hall and Any Other Parties of Interest
Property Address: 149 Gum Branch Road
Property to be acquired: 1,670 sq. ft. (.038 ac.) in Fee Simple, plus 1,820 sq. ft. (.042 ac.) in Existing Right-of-Way, plus 1,248 sq. ft. (.029 ac.) in Sidewalk and Utility Easement, plus 1,701 sq. ft. (.039 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 031-071-04
Total Parcel Tax Value: \$188,500
Appraised Value: \$2,300
Property Owner's Counteroffer: None
Reason for Condemnation: This is a sidewalk project. The property owner has yet to respond to numerous contact attempts by staff. The title abstract also indicates issues which would prevent obtaining a clear title. Therefore, condemnation is recommended.
- K. Project:** McKee Creek Interceptor - Mecklenburg County, Parcel # 60 and 56
Owner(s): Baranko Enterprises, Inc. And Any Other Parties Of Interest
Property Address: 9512 Gwynne Hill Road
Property to be acquired: 19,472 sq. ft. (.447 ac.) in Sanitary Sewer Easement, plus 24,207 sq. ft. (.556 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Zoned: R-4
Use: Single Family Residential - Rural Acreage
Tax Code: 111-143-35 and 111-143-36
Total Parcel Tax Value: \$115,200
Appraised Value: \$5,475
Property Owner's Counteroffer: None
Reason for Condemnation: This project includes the construction of a sanitary sewer to the McKee Creek Basin in Cabarrus County. The title abstract indicates issues which would prevent obtaining a clear title. Therefore, condemnation is recommended.
- L. Project:** McKee Creek Interceptor - Mecklenburg County, Parcel # 64
Owner(s): Baranko Enterprise, Inc. And Any Other Parties Of Interest
Property Address: 7325 Boswell Road

Property to be acquired: 2,116 sq. ft. (.049 ac.) in Sanitary Sewer Easement, plus 2,152 sq. ft. (.049 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: Trees

Zoned: R-4

Use: Single Family Residential

Tax Code: 111-143-51

Total Parcel Tax Value: \$16,600

Appraised Value: \$1,975

Property Owner's Counteroffer: None

Reason for Condemnation: This project includes the construction of a sanitary sewer to the McKee Creek Basin in Cabarrus County. The title abstract indicates issues which would prevent obtaining a clear title. Therefore, condemnation is recommended.