

**Mayor Anthony Foxx**

John Autry  
Michael D. Barnes  
Warren Cooksey  
Andy Dulin  
Claire Fallon

**Mayor Pro Tem Patrick D. Cannon**

David L. Howard  
Patsy Kinsey  
LaWana Mayfield  
James Mitchell, Jr.  
Beth Pickering

**CITY COUNCIL MEETING**  
**Monday, March 25, 2013**

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

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23	19	Streetcar Starter Project - Construction Support Services
52	47	Property Transactions for the Blue Line Extension (AB-AN, AP, and AS)

**CITY COUNCIL AGENDA**  
**Monday, March 25, 2013**

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## 5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

### 1. Mayor and Council Consent Item Questions

**Resource:** Ruffin Hall, City Manager's Office

**Time:** 5 minutes

**Synopsis**

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

### 2. Charlotte-Mecklenburg Schools Update

**Resource:** Dr. Heath Morrison, Superintendent, Charlotte-Mecklenburg Schools

**Time:** 20 minutes

**Synopsis**

At the invitation of Mayor Foxx, Dr. Morrison will provide an update on current work in the Charlotte-Mecklenburg School system including the district's 2013-2014 budget, the 22 task forces charged with providing recommendations to support the strategic goals of the school system, and safety-enhancement projects.

**Future Action**

The presentation is for information purposes only.

### 3. New Center City Evacuation Plan

**Resources:** Kim McMillan, Corporate Communications  
Jeff Dulin, Fire

**Time:** 10 minutes

**Synopsis**

Staff will provide an update on revisions made to the Center City Evacuation map along with technology enhancements that will help to better prepare the community. Revisions were necessary in order to incorporate the new Wayfinding Program, identify vehicular and pedestrian access, the LYNX light rail, and the installation of standard Federal Emergency Management Agency evacuation route signage. An official launch of the plan, including a public information campaign, is scheduled for later this spring.

**Future Action**

The presentation is for information purposes only.

#### **4. Pedicab Ordinance**

**Resource:** Mayor Pro Tem Patrick Cannon  
Thomas Powers, Attorney's Office

**Time:** 10 minutes

**Synopsis**

The Pedicab Ordinance was presented at the March 4, 2013, City Council Workshop. At the request of City Council, it is being added to the March 25, 2013 dinner briefing agenda for more discussion.

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

**Resource:** Ruffin Hall, City Manager's Office

**Time:** 10 minutes

**Synopsis**

Staff responses to questions from the beginning of the dinner meeting.

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

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

**6. Inspire the Fire**

**Action: Mayor Foxx will recognize Inspire the Fire for their outstanding work with youth in the community and for their performance at the recent Mayor's Mentoring Alliance awards event.**

**7. Child Abuse Awareness Month**

**Action: Mayor Foxx will read a proclamation recognizing April as Child Abuse Awareness Month.**

**8. Charlotte Regional Visitors Authority Convention  
Announcement**

**Action: Mayor Foxx will introduce Tom Murray, Charlotte Regional Visitors Authority, for a special announcement.**

## CONSENT

9. **Consent agenda items 22 through 52 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk.**

Consideration of Consent Items shall occur in the following order:

- A. Consideration of Consent Items that have not been pulled
- B. Consideration of Consent Items with citizens signed up to speak to the item



## ZONING

### 10. Rezoning Petition 2013-039

**Action:** Render a decision on text amendment 2013-039 to Sections 2.201, Table 9.101, 9.1003, and 9.1103 of the Zoning Ordinance. The petition proposes to:

- Add a new definition for a brewery; and
- Modify the prescribed conditions for breweries in the U-I, I-1, and I-2 zoning districts.

**Staff Resource:** Tammie Keplinger, Planning

#### **Explanation**

- Several potential or existing breweries approached the City last year with a desire to increase opportunities for microbrewery development. In January 2013, Planning staff invited interested citizens to participate on a Citizen Advisory Group (CAG) to review and make recommendations for changes to zoning standards for breweries.
- In February 2013, the staff and CAG completed the first phase of this process, which was the review of the brewery standards in the industrial districts. The second phase, consideration of breweries in other zoning districts, is still underway.
- Staff proposes expediting this portion of the text amendment to respond to pending development proposals.
- The public hearing on the text amendment was held on March 18, 2013.
- The Zoning Committee of the Planning Commission considered this petition and made a recommendation at a specially called meeting held on March 20, 2013.
- The Committee's recommendation will be communicated to City Council through the Council-Manager memo on Friday, March 22, 2013.

#### **Attachment 1**

Text Amendment  
Matrix

## 11. Rezoning Petition 2013-005

**Action:** Render a decision on proposed rezoning 2013-005 by Mecklenburg County for a UMUD-O SPA, uptown mixed use district – optional, site plan amendment. The property is approximately 8.42 acres surrounded by Graham Street, W. 4th Street, Mint Street, and Martin Luther King, Jr. Boulevard. (Council District 2 – Mitchell).

**Staff Resource:** Tammie Keplinger, Planning

### Explanation

- A new public hearing on this rezoning petition was required due to an advertising error. The new hearing was held on March 18, 2013.
- In order to avoid further delays for the petitioner, staff is requesting City Council render a decision on this petition at the March 25, 2013 Business Meeting.
- The Zoning Committee of the Planning Commission considered this petition and made a recommendation at a specially called meeting held on March 20, 2013.
- The Committee's recommendation will be communicated to City Council through the Council-Manager memo on Friday, March 22, 2013.

### Attachment 2

Vicinity Map  
Locator Map  
Site Plan

## 12. Rezoning Petition 2013-013

**Action:** Render a decision on proposed rezoning 2013-013 by Adam Fiorenza from R-3, single family residential to R-4, single family residential. The property is approximately 9.50 acres located on the north side of Providence Road West, at the intersection of Old Ardrey Kell Road and Providence Road West.

**Staff Resource:** Tammie Keplinger, Planning

### Explanation

- The public hearing for this petition was held on February 18, 2013.
- The decision for this protested petition was automatically deferred on March 18, 2013 since not all City Council members were present at the meeting.
- On February 27, 2013, the petition was found to be inconsistent with the South District Plan but, the petition was found to be reasonable and in the public interest by a unanimous vote of the Zoning Committee.
- The Committee also voted 6-0 to recommend approval of this petition.
- Staff is in agreement with the Zoning Committee's recommendation.

**Attachment 3**

Zoning Committee Recommendation

Pre-Hearing Staff Analysis

Vicinity Map

Locator Map

## PUBLIC HEARING

### 13. Public Hearing on the Small Business Opportunity Program Revisions

**Action: Conduct a public hearing on the proposed revisions to the Small Business Opportunity (SBO) Program.**

**Staff Resources:** Brad Richardson, Neighborhood & Business Services  
Nancy Rosado, Neighborhood & Business Services  
Cindy White, Attorney's Office

#### Explanation

- In October 2010, the City retained MGT of America, Inc. (MGT) to conduct a Minority and Women Business Enterprise (MWBE) Disparity Study Update Report.
- On September 26, 2011 MGT of America, Inc. presented its findings and recommendations to City Council.
- The 2011 Disparity Study:
  - Reviewed the City's expenditures from July 1, 2005 through June 30, 2010, specifically analyzing the City's use of minority and women-owned firms relative to their availability, and
  - Identified disparities in the City's use of minority and women-owned firms for specific industry segments.
- On February 13, 2012, City Council directed staff to retain Franklin Lee of Tydings & Rosenberg, LLC, to review MGT's findings and recommendations to determine if sufficient data existed to add Minority Business Enterprise (MBE) components to the SBO Program.
- On June 25, 2012, City Council directed staff to draft a SBE/MWBE Program inclusive of both race and gender-neutral measures and race and gender-conscious measures to remedy the disparity documented in MGT's Disparity Study Update Report, consistent with the legal opinion issued by Tydings & Rosenberg.
- At the March 4, 2013 Council Workshop, City staff presented the following recommended program changes:
  - Add race and gender-conscious measures,
  - Expand the geographic area,
  - Register MWBEs,
  - Increase the formal construction bidding threshold,
  - Revise the subcontracting goal setting methodology, and
  - Revise Good Faith Efforts.
- In addition, the expanded program requires a new name. A stakeholder survey was developed and options were presented to City Council.
  - New Name: Charlotte Business Inclusion
  - Tag Line: Connecting MWSBEs with Opportunities

#### Community Input

- The City Council appointed the Disparity Study Advisory Committee and the Business Advisory Committee have been engaged throughout the development of the policy.

- In December 2012, City staff held two community forums to share information regarding the proposed program changes as well as to solicit feedback from stakeholders.

**Next Steps**

- City Council will be asked to approve the Charlotte Business Inclusion program at the April 8, 2013, Council Business Meeting.
- The Charlotte Business Inclusion program has a target launch date of July 1, 2013.

**14. Public Hearing on the Blue Line Extension Financing**

**Action:**   **A. Conduct a public hearing on the initial financing for the Blue Line Extension (BLE); and**  
              **B. Adopt a resolution related to the financing for the BLE.**

**Staff Resources:**   Greg Gaskins, Finance  
                              Carolyn Flowers, Transit

**Explanation**

- The \$1.16 billion BLE project is funded through a Federal grant (50%), State grant (25%), and a local share (25%).
- The local funding is divided into two parts:
  - \$426 million financing composed of short-term notes and a privately placed draw program scheduled for pricing in April 2013, and
  - \$140 million long-term financing scheduled for early spring 2015.
- On February 25, 2013, City Council approved the initial resolution and set a public hearing related to the financing.
- Conducting the public hearing and approval of the resolution are required before the Local Government Commission will consider approval of the financing at its April 2, 2013 meeting.
- This is the final City Council action related to the financing.

**Funding**

Transit Debt Service Fund

**Attachment 4**

Resolution

## POLICY

### 15. City Manager's Report

### 16. Disadvantaged Business Enterprise Program Revisions

**Action:**   **A. Approve the revisions to the Disadvantaged Business Enterprise (DBE) Program; and**

**B. Authorize the City Manager to execute the revised DBE Program.**

**Staff Resource:** Carolyn D. Johnson, Attorney's Office

#### **Explanation**

- City Council received a presentation on the updates to the City's U.S. Department of Transportation (USDOT) Disadvantaged Business Enterprise Program at the March 4, 2013 Council Workshop.
- The City's DBE Program was approved by City Council in 1999. The DBE Program is a requirement of U.S. Department of Transportation grant recipients, set forth in 49 Code of Federal Regulations Part 26, which governs minority and women participation in federally assisted transportation contracts.
- At times, the applicable federal regulations are amended and/or operating changes occur within the City, necessitating revisions to the DBE Program.
- Upon review of recent amendments to the regulations and changes in city operations, staff is proposing revisions to the DBE program.
- None of the proposed revisions reflect significant policy changes.
- Revisions to the DBE Program include:
  - The addition of the Charlotte Department of Transportation and the Engineering & Property Management Departments to the program as sub-recipients of USDOT funding,
  - Incorporates the North Carolina Unified Certification Program,
  - Addresses Small Business Participation, and
  - Increases the personal net worth cap for business owners to qualify as DBEs from \$750,000 to \$1.32 million.
- The Federal Aviation Authority and Federal Transit Administration, the operating agencies for the City USDOT grants, have reviewed and conditionally approved the revised DBE Program, subject to approval by the City Council.

#### **Attachment 5**

DBE Program Revisions

## BUSINESS

### 17. Greenway Business Center Leasehold Improvements Loan

**Action:** Approve a loan in the amount of \$200,000 to the Charlotte Mecklenburg Development Corporation (CMDC) for leasehold improvements to 2732 Rozzelles Ferry Road at the Greenway Business Center.

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

#### Explanation

- CMDC has requested a \$200,000 loan to finance leasehold improvements at 2732 Rozzelles Ferry Road for New Options for Violent Actions (NOVA), a Mecklenburg County-sponsored agency.
- NOVA is a state-certified Batterer Intervention Program designed to provide educational information about abusive behaviors.
- Mecklenburg County will execute the lease on behalf of NOVA.
- The \$200,000 loan to CMDC is for 93 months, at a 4% interest rate, with payments of \$2,500 per month. The loan will be secured by Mecklenburg County's guarantee of the lease.
  - The structure will yield \$30,000 a year in loan payments to the City and \$8,126 a year in fees and operating income for CMDC.
- If 2732 Rozzelles Ferry Road were to be sold, the sale proceeds would be applied first to the outstanding balance of the \$200,000 leasehold loan and then to the remaining balance of the 2012 loan approved by City Council on January 9, 2012.

#### Background

- CMDC is a not-for-profit public/private development entity that assists the City and County with redevelopment efforts.
- CMDC partnered with the City and County to assist in the development of the Greenway Business Center at the site of the former Belvedere Homes public housing project on Rozzelles Ferry Road.
- On October 22, 2007, City Council approved a \$950,000 grant to CMDC for acquisition of the land and gap financing for the project, which was matched by the County. CMDC financed the remaining project amount, in part with a \$1.5 million loan from Wells Fargo.
- In addition to the Greenway Business Park parcels, three existing buildings remain on the property (2732, 2734, and 2730 Rozzelles Ferry Road)
  - A portion of the City/County grants supported the rehabilitation of 2732 Rozzelles Ferry Road, divided into two suites and leased to the City for its Non-Residential Building Code (NRBC) office and Bridge Jobs, a community non-profit.
- On September 14, 2009, City Council approved a \$500,000 grant to assist with rehabilitation of the two remaining vacant buildings along the frontage of the business center (2734 and 2730 Rozzelles Ferry Road).
- In July 2011, Neighborhood & Business Services Department created Service Area Teams, inclusive of NRBC. The Northwest Service Area team relocated to 2730 Rozzelles Ferry Road and Bridge Jobs subsequently ceased operations, leaving 2732 Rozzelles Ferry vacant.

- On January 9, 2012, City Council approved a loan in the amount of \$658,000 to pay off the balance of CMDC’s loan with Wells Fargo, removing the encumbrance on the property, and allowing flexibility in selling parcels for development.
- In January 2013, CMDC made its first land sale in the Greenway Business Center, in the sum of \$125,000 to the Mecklenburg County Bar, which will construct a new \$4 million office building.
  - The sale price was applied to the City’s 2012 loan balance per the loan requirements.

**Funding**

Business Corridor Revitalization Fund

**Attachment 6**

Business Corridor Revitalization Fund Expenditures and Balance Site Plan

**18. Metropolitan Life Insurance Company Incentive Grant**

**Action:**

- A. Approve a contract between the North Carolina Department of Commerce and Metropolitan Life Insurance Company (MetLife) for a \$2 million One North Carolina Fund Grant from the State to MetLife;**
- B. Adopt a budget ordinance appropriating \$2 million from the One North Carolina Fund Grant to MetLife; and**
- C. Approve the City share of a Business Investment Grant to MetLife for a total estimated amount of \$1,065,233 over eight years (Total City/County grant estimated at \$2,996,304).**

**Staff Resource:** Brad Richardson, Neighborhood & Business Services

**Explanation**

- Founded in 1864, MetLife provides insurance, annuities, and employee benefit programs. MetLife is headquartered in New York, is a Fortune 50 Company, and is the largest life insurer in North America.
- On March 8, 2013, MetLife announced it would relocate and consolidate a number of its operations into new facilities in North Carolina. MetLife will establish retail annuity and life agents, product sales, and customer support positions in Charlotte and information technology positions in Cary (Wake County).
- In Charlotte, MetLife is currently negotiating a long-term lease for 350,000 square feet of office space in Ballantyne.

One North Carolina Fund Grant

- On March 8, 2013, the State awarded a One North Carolina Fund Grant in the amount of \$2 million and a Job Development Investment Grant with an estimated value of \$87.3 million over 12 years.
- By statute, the City is required to administer a performance contract with MetLife to ensure compliance with the State’s job creation and capital investment standards.



Business Investment Grant

- One North Carolina Fund Grants require a local match.
- MetLife’s consolidation meets all of the Council-approved requirements for a Business Investment Grant:
  - A taxable investment of approximately \$41 million, and
  - Creation of 1,386 new jobs with an average annual wage of \$58,350 (128% of the regional average).
- On March 4, 2013, City Council indicated its intent to approve a Business Investment Grant to MetLife, with an estimated value of \$1,065,233, which represents 90% of net new property taxes over eight years.
- The general terms and conditions of this grant include:
  - A portion of the grant must be repaid if the company moves this investment from Charlotte within five years of the end of the grant term,
  - Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office, and
  - All property taxes due from the company must be paid before a grant payment is made.
- On March 5, 2013, the Board of County Commissioners indicated their intent in a closed session to approve an eight-year 90% grant to MetLife.
- If approved, the following is a schedule of the estimated Investment Grant payments to MetLife:

<b>Year</b>	<b>City</b>	<b>County</b>	<b>Totals</b>
1	\$ 152,541	\$ 276,529	\$ 429,070
2	\$ 146,052	\$ 264,765	\$ 410,817
3	\$ 140,211	\$ 254,177	\$ 394,388
4	\$ 135,020	\$ 244,766	\$ 379,786
5	\$ 130,477	\$ 236,531	\$ 367,008
6	\$ 123,339	\$ 223,590	\$ 346,929
7	\$ 120,094	\$ 217,708	\$ 337,802
8	\$ 117,499	\$ 213,005	\$ 330,504
<b>Total</b>	<b>\$ 1,065,233</b>	<b>\$1,931,071</b>	<b>\$ 2,996,304</b>

- The Board of County Commissioners will formally consider this proposal on April 2, 2013.

**Funding**

State of North Carolina One North Carolina Fund  
 Business Investment Grant Account; first payment is expected to occur in FY2015.

**Attachment 7**

Budget Ordinance

**19. Conclusion of Consent Agenda**

**Action: Approve consent items which Council members pulled for discussion or additional information.**

**20. Appointments to Boards and Commissions**

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

**A. BICYCLE ADVISORY COMMITTEE**

- One appointment for an unexpired term beginning immediately and ending December 31, 2013.
  - Jess Cochran by Council members Kinsey and Mitchell
  - Matt Fowler by Council members Dulin, Fallon, and Howard
  - Tyteen Humes by Council member Barnes
  - Terry Lansdell by Council member Cannon
  - Michael Zytchow by Council members Autry, Cooksey, Mayfield, and Pickering

**Attachment 8**

Applications

**B. CHARLOTTE-MECKLENBURG COALITION FOR HOUSING**

- One appointment for an unexpired term for a representative of affordable housing beginning immediately and ending June 30, 2014.
  - Dennis Boothe, Jr. by Council members Autry, Cooksey, Howard, Kinsey, Mayfield, Mitchell, and Pickering
  - Cedric McCorkle by Council members Dulin and Fallon
  - Michael Sceau by Council member Cannon

**Attachment 9**

Applications

**C. CITIZENS' REVIEW BOARD**

- One appointment for an unexpired term for a graduate of the Charlotte-Mecklenburg Police Citizens' Academy beginning immediately and ending July 31, 2015.
  - Sandra Donaghy by Council members Cannon, Dulin, and Howard
  - Carolyn Millen by Council members Autry, Barnes, Fallon, Kinsey, Mayfield, and Pickering
  - William Schreiner by Council members Cooksey and Mitchell

**Attachment 10**

Applications

**D. COMMUNITY RELATIONS COMMITTEE**

- One appointment for an unexpired term beginning immediately and ending June 30, 2013, then continuing for a full three-year term ending June 30, 2016.
  - Sheena Cox by Council member Barnes
  - Sandra Donaghy by Council members Howard and Mitchell
  - Vanessa Kenon-Hunt by Council member Pickering
  - Jason Lackey by Council member Dulin
  - Delores Reid-Smith by Council members Autry, Fallon, and Mayfield
  - Thomas Sowers by Council member Kinsey
  - Carrie Taylor by Council member Cannon
  - Michael Zytkow by Council member Cooksey

**Attachment 11**

Applications

**E. DOMESTIC VIOLENCE ADVISORY BOARD**

- One appointment for an unexpired term beginning immediately and ending September 21, 2015.
  - Claudia Davis by Council members Barnes and Cannon
  - Sandra Donaghy by Council members Dulin and Howard
  - Gregory Hunt by Council members Cooksey, Fallon, Kinsey, and Pickering
  - Eddie Sanders by Council members Autry, Mayfield, and Mitchell

**Attachment 12**

Applications

**F. ZONING BOARD OF ADJUSTMENT**

- One appointment for an unexpired term for an alternate member of the Board beginning immediately and ending January 30, 2015.
  - Tyler Conner by Council member Dulin
  - Russell Hughes by Council member Cooksey
  - Jason Mathis by Council member Fallon
  - Eric Netter by Council members Autry, Howard, Mayfield, and Pickering
  - Cardiff Shea by Council members Cannon and Mitchell

**Attachment 13**

Applications

**G. CHARLOTTE-MECKLENBURG'S ARTS AND CULTURE PUBLIC-PRIVATE TASK FORCE**

- At the March 18, 2013 Zoning Meeting, nominations were received for the two at-large representatives for the task force. City Council voted to appoint Mohammad Jenatian as the sole tourism representative and to close nominations with the six nominees listed below.
  - Two appointments for at-large representatives beginning immediately and ending once the work of the task force is concluded.
    - Jeanne Brayboy – Nominated by Mayor Foxx
    - Marc Gustafson – Nominated by Mayor Foxx
    - Laurissa Hunt – Nominated by Council member Howard\*
    - Martique Lorrain- Nominated by Council member Autry
    - Matt Mayhue – Nominated by Mayor Pro Tem Cannon\*
    - John Moore – Nominated by Council member Autry

\*The nomination form will be communicated to City Council through the Council-Manager memo on Friday, March 22, 2013.

**Attachment 14**  
Applications

**21. 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. The SBO Program Policy is referenced at the end of Consent.

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".

## 22. Streetcar Starter Project - Design Services Contract Amendment #2

**Action:** Approve contract amendment #2 for \$300,000 to URS Corporation – North Carolina (URS) for additional services during construction and start-up testing for the Streetcar Starter Project (SSP) along Elizabeth Avenue and Trade Street from the Charlotte Transportation Center (CTC) to Presbyterian Hospital.

**Staff Resources:** Jeb Blackwell, Engineering & Property Management  
Tonia Wimberly, Engineering & Property Management

### Explanation

- Amendment #2 will include funding for the start-up and testing plan, operations and maintenance plan, safety, security tasks, and additional upgrades to the water system which will be reimbursed by the Charlotte-Mecklenburg Utility Department.
- These services were included in the project budget for design and construction but were not included in the original contract because the scope was not fully defined.
- On July 26, 2010, City Council approved the agreement with URS Corporation for the design and construction administration of the SSP. Amendment #1 in the amount of \$82,920.81 was approved by the City Manager in February 2012 for design of a new 16-inch water main along the project.
- The total contract amount to date including Amendment #2 will not exceed \$3,902,121 and is available within the project budget.
- The total project cost is estimated to be \$36,990,000.
- URS was selected using the Council-approved, qualifications-based selection process.

### Background

- In 2006, the Center City Streetcar Project set the alignment for the 10-mile Charlotte Streetcar Project, which extends from Rosa Parks Charlotte Transportation Center on Beatties Ford Road to Eastland Mall CTC on Central Avenue via downtown on Trade Street.
- In 2009, City Council approved the advancement of design of the Charlotte Streetcar Project through 30% preliminary design, which validated the alignment and provided an updated cost estimate.
- On January 25, 2010, City Council authorized the City Manager to pursue a Federal Transit Administration (FTA) Urban Circulator Grant for up to \$25 million for the \$37 million SSP.
- The SSP is the first 1.5 miles of the proposed 10-mile streetcar project. The limits are along Trade Street from the CTC to Presbyterian Hospital.
- On July 8, 2010, the City was notified that FTA approved its grant request and the design was completed in August 2012.
- On September 20, 2012, the City received the official grant award for the \$24,990,000 FTA Urban Circulator Grant.
- In accordance with the FTA Urban Circulator Grant, the construction notice to proceed was issued by the December 31, 2012 deadline. The start of passenger service is expected to be March 2015.

- The City's capital match for the project is \$12 million from the general Capital Investment Plan.

**Disadvantaged Business Enterprise (DBE) Opportunity**

All additional work involved in this amendment will be performed by URS Corporation while maintaining their DBE commitments with existing subcontractors.

**Funding**

Streetcar Starter Project Grant; Utility, Storm Water, and General Capital Investment Plans

**23. Streetcar Starter Project - Construction Support Services**

**Action: Approve a contract for \$350,000 with Terracon Consultants, Inc. to provide construction support services for the Streetcar Starter Project (SSP) along Elizabeth Avenue and Trade Street from the Charlotte Transportation Center (CTC) to Presbyterian Hospital at the intersection of Hawthorne Lane and Fifth Street.**

**Staff Resources:** Jeb Blackwell, Engineering & Property Management  
Tonia Wimberly, Engineering & Property Management

**Explanation**

- The SSP will require installation of additional track to extend the existing half mile of track along Elizabeth Avenue. The project will also require installation of the overhead catenary system, storm drainage improvements, and water main improvements along the corridor.
- The contract with Terracon Consultants, Inc. will provide customary geotechnical services and quality assurance services for the SSP, and includes \$50,000 for geotechnical testing services for the Charlotte-Mecklenburg Utility Department's portion of the SSP.
- Funding for these services is available within the project budget of \$36,990,000.
- Terracon Consultants, Inc. was selected using the Council-approved, qualifications-based selection process.

**Disadvantaged Business Enterprise (DBE) Opportunity**

Established DBE Goal: 10.00%

Committed DBE Goal: 10.00%

Terracon Consultants, Inc. met the established DBE goal and committed 10% of the total contract amount to the following DBE firm: Capstone Civil Group (materials testing).

**Funding**

Streetcar Starter Project Grant; Utility, Storm Water, and General Capital Investment Plans

## 24. Streetcar Starter Project – Public-Private Partnership

- Action:**
- A. Approve the public-private joint venture agreement with Providence Road Land Partners, LLC (PRLP) for construction of a utility duct bank in conjunction with the Streetcar Starter Project (SSP) along Elizabeth Avenue and Trade Street from the Charlotte Transportation Center (CTC) to Presbyterian Hospital;**
  - B. Adopt a budget ordinance appropriating up to \$400,000 from PRLP;**
  - C. Authorize the City Manager to approve an amendment with URS Corporation–North Carolina for the design of the PRLP utility duct bank in an amount up to \$25,000; and**
  - D. Authorize the City Manager to approve a change order with Balfour Beatty Rail Incorporated and Blythe Development Company (Joint Venture) for the construction of the PRLP utility duct bank in an amount up to \$400,000.**

**Staff Resources:** Jeb Blackwell, Engineering & Property Management  
Tonia Wimberly, Engineering & Property Management

### Explanation

- PRLP, which consists of Novant Health and Grubb Properties, owns the parcel located at 1600 East Fifth Street, which is the block on the west side of Hawthorne Lane between Elizabeth Avenue and Fifth Street.
- The SSP proposed to relocate the overhead services on 1600 East Fifth Street to accommodate the streetcar infrastructure.
- The SSP budgeted to pay Duke Energy 60% of the relocation cost of the aerial facility based on the City's normal cost-sharing agreement with Duke Energy.
- PRLP proposes to have the existing electrical services placed in an underground utility duct bank to reduce negative impacts to their development if the existing lines remained overhead.
- The City proposes to contribute its aerial relocation costs towards the design of the utility duct bank. These costs were included in the project budget.
- PRLP proposes to contribute the construction cost of the utility duct bank as constructed by the SSP contractor.
- This work will be completed as part of the SSP construction and will not affect the passenger service start date of March 2015.
- URS Corporation–North Carolina was selected using the Council approved, qualifications-based selection process.
- City Council approved the construction contract to Balfour Beatty Rail Incorporated and Blythe Development Company (Joint Venture) on November 12, 2012. This is the first change order. The new contract value to include the change order is estimated at \$26,645,635.45.

### Background

- On January 20, 2004, City Council approved a rezoning petition for PRLP for the parcel located at 1600 East Fifth Street.



- The rezoning approved a mixed-use development that reserved the right to seek permission for a skywalk across Hawthorne Lane to connect the proposed development to the existing Presbyterian Hospital facility.
- The setbacks for the rezoning were based on the Elizabeth Area Plan.
- PRLP approached the City to explore the option of developing a public-private partnership to allow construction and installation of an underground utility duct bank as part of the SSP.

**Disadvantaged Business Enterprise (DBE) Opportunity**

All additional work involved in this amendment will be performed by URS Corporation while maintaining their DBE commitments with existing subcontractors.

All additional work involved in this change order will be performed by Balfour Beatty Rail/Blythe Development while maintaining their DBE commitments with existing subcontractors.

**Funding**

Streetcar Starter Project Grant, Developer Contributions, and General Capital Investment Plan

**Attachment 15**

Budget Ordinance

**25. Assets Forfeiture Appropriation**

**Action: Adopt a budget ordinance appropriating \$120,000 in police assets forfeiture funds for motorcycle helmet cameras, a Communications Division study, and a Shot Spotter system.**

**Staff Resources:** Doug Gallant, Police  
Katrina Graue, Police

**Explanation**

- Assets forfeiture funds can be used for eligible law enforcement projects and expenses that are of direct benefit to law enforcement.
- The Charlotte-Mecklenburg Police Department (CMPD) is committed to video recording traffic stops made by police officers for the protection of both citizens and the officers. Patrol vehicles are equipped with car cameras, but motorcycle officers, whose primary task is traffic enforcement, currently do not have a mechanism to record traffic stops.
- \$60,000 of assets forfeiture funds will be used to purchase motorcycle helmet cameras for the Motorcycle Unit division. CMPD has conducted a pilot study with five motorcycle officers using the camera device. The funds will allow the purchase of 16 helmet cameras, the software to archive and store videos, and a five-year maintenance plan.
- In addition to the purchase of motorcycle cameras, \$60,000 will be used to hire an external agency to complete an organizational study of the Communications Division.
- CMPD has identified challenges with recruitment and retention the Communications Division. Jobs in the Communications Division are stressful and performed in a confining environment.

- CMPD is contracting for a comprehensive study of the Communications Division which will include:
  - Staffing,
  - Organizational structure,
  - Work environment, and
  - Training.
- The study results will assist police in redeveloping its recruitment and retention strategy to attract qualified applicants, including those that are bilingual, and help to maximize the performance of all Communication personnel.
- The remaining \$100,000 will be used on the Shot Spotter system that was initially purchased to use in Center City during the Democratic National Convention.
- The Shot Spotter is a system that detects gunshots and pinpoints their locations.
- The funds will pay for a portion of the system in the Albemarle Road/Farm Pond Lane area and for monitoring of the system.

**Funding**

Assets Forfeiture Funds

**Attachment 16**

Budget Ordinance

**26. Computer Hosting Services**

**Action:**

**A. Approve a two-year contract with RMSource, Inc. to support hosting the Microsoft Dynamics Customer Relationship Management (CRM) application up to an amount of \$139,372; and**

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

**Staff Resource:** Steve Allen, Neighborhood & Business Services

**Explanation**

- The Neighborhood & Business Services (N&BS) current customer relationship management application is called CityView.
- CityView is used by Code Enforcement to track activities including housing, zoning, neighborhood nuisances, and graffiti is nearing its end-of-life.
- In consultation with the Office of the Chief Information Officer, and after a business assessment and evaluation of other products, Microsoft Dynamics CRM has been identified as the replacement application.
- Microsoft Dynamics CRM will be hosted at RMSource alongside companion product SharePoint, used for CharMeck.Org.
- Microsoft Dynamics CRM will provide N&BS with a one-system solution, supporting all four lines of business: Code Enforcement, Community Engagement, Economic Development, and Housing.

- Hosting CRM in another environment would increase the costs of Microsoft licensing related to CRM and other companion products, making it necessary to purchase more than one license per individual.

**Small Business Opportunity**

No SBO goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

**Funding**

Technology Capital Investments

**27. Refuse Truck Tires**

**Action:**

- A. Reject low-bids submitted by Blacks Tire Service and Parrish Tire Company for not meeting the service requirements for specifications as allowed by North Carolina General Statute 143-129(b);**
- B. Award the lowest responsive bid unit price contract to Snider Tire Inc. dba Snider Fleet Solutions, for the purchase of new and recap tires for refuse trucks for the term of three years; and**
- C. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as authorized by the contract.**

**Staff Resource:** Victoria Johnson, Solid Waste Services

**Explanation**

- Tires and tire services are necessary to safely maintain the Solid Waste Services vehicle fleet.
- The contract with Snider Tire, Inc. includes tire inspection, tire replacement, and road call service during and after normal business hours.
- The vendor will inspect tires at the Solid Waste Services facility five days a week after normal business hours and will replace tires as needed.
- An Invitation to Bid (ITB) was issued on February 5, 2013. Seven bids were received and evaluated with Snider Tire, Inc. being the lowest responsive bidder.
- Rejections of the low bids submitted by Blacks Tire Service and Parrish Tire Company are requested for the following reasons:
  - The low bid submitted by Blacks Tire Service did not meet the material quality standards per the specifications stated in the ITB.
  - Parrish Tire Company submitted multiple bids, which is not acceptable under the North Carolina competitive bidding laws and as stated in the ITB.
- The annual expenditure is estimated to be \$1 million.

**Small Business Opportunity**

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

**Funding**

Solid Waste Services Operating Budget

**28. Transportation Aerial Bucket Trucks**

- Action:**
- A. Approve the purchase of two International Aerial Bucket Trucks as authorized by the cooperative purchasing exception of G.S. 143-129(e)(3); and**
  - B. Approve a contract with Santex Truck Centers, Ltd. in the amount of \$289,526.**

**Staff Resource:** Ronnie Ashburner, Transportation

**Cooperative Purchasing Exception**

- G.S. 143-129(e)(3), effective January 1, 2002, authorizes competitive group purchasing.
- Santex Truck Centers, Ltd. is an approved provider of International equipment.
- International equipment was competitively solicited by Santex Truck Centers, Ltd. and awarded a national contract through the Houston-Galveston Area Council cooperative purchasing program.

**Explanation**

- Aerial bucket trucks are used for the maintenance of overhead traffic signals and signs for over 750 intersections in the city.
- As part of the approved Capital Equipment Replacement Plan, the aerial bucket trucks are replacing bucket trucks that are 10 and 14 years old, and are scheduled for replacement due to age, mileage, and overall condition.

**Small Business Opportunity**

Competitive group purchasing contracts are exempt (Appendix Section 23.2 of the SBO Policy).

**Funding**

Capital Equipment Fund

## 29. Private Developer Funds for Traffic Signal Improvements

**Action:** A. Authorize the City Manager to execute a Developer Agreement between P&L Coliseum, L.P.; and  
B. Adopt a budget ordinance appropriating \$200,000 in Private Developer Funds for Traffic Signal Improvements.

**Staff Resource:** Scott Putnam, Transportation

### Explanation

- The following developer is fully funding a traffic signal installation and improvements to mitigate traffic impacts around their respective development project:
  - P & L Coliseum, L.P. contributed \$200,000 for the installation of a new signal, which includes three new mast arms at the intersection of City Park Drive and West Tyvola Road.
- Payments made by the developer are in response to estimates of work prepared by the Charlotte Department of Transportation (CDOT) and supplied to the developer.
- The \$200,000 in private developer funding is restricted to this project. Any funding that is unused by the City will be refunded after project completion.
- CDOT will be installing and operating these signals as part of the existing signal systems in the area.

### Funding

Developer Contributions

### Attachment 17

Budget Ordinance

## 30. Mineral Springs Sidewalk Improvements

**Action:** A. Reject the low-bid of \$196,311.08 from Capricorn Grading, LLC for failure to comply with the bid requirements; and  
B. Award a contract to the second lowest, responsive bidder Red Clay Industries, Inc. in the amount of \$218,346.69 for the Mineral Springs Sidewalk Improvements.

**Staff Resource:** Troy Eisenberger, Engineering & Property Management

### Explanation

- The Mineral Springs Street Sidewalk Project will support the City's Sidewalk Program to enhance connectivity, offer transportation choices, and improve pedestrian safety.

- The project will add sidewalk to address sidewalk gaps along both sides of Mineral Springs Road from Neal Road to Burgandy Drive (approximately .28 miles).
- Construction is expected to be complete by fourth quarter 2013.

**Award to Second Low Bidder**

- Staff recommends the contract be awarded to the second lowest responsive bidder, Red Clay Industries, Inc.
- Capricorn Grading, LLC does not have the appropriate license classification to perform roadway related improvements, which make up 95% of the contract.
- Capricorn Grading, LLC is being recommended for rejection for failure to comply with bid requirements and submitting a non-responsive bid.

**Small Business Opportunity**

Established SBE Goal: 8.00%

Committed SBE Goal: 8.03%

Red Clay Industries met the established SBE goal, and committed 8.03% (\$17,529) of the total contract amount to the following SBE firm: RAM Pavement Services (hauling, grading, and striping).

**Funding**

General Capital Investment Plan

**31. Debris Removal Services**

**Action: A. Approve a unit price contract for providing debris removal services for a four-year term to DRC Emergency Services, LLC; and**

**B. Authorize the City Manager to extend the contract for an additional one-year term with possible price adjustments as authorized by the contract.**

**Staff Resource:** Bryan Tarlton, Engineering & Property Management

**Explanation**

- The contract is to provide services, for natural disasters, not deemed federally declared emergencies but is large in scope whereas, City staff may be unable to provide a timely response because of limited resources.
- The services will include, but are not limited to:
  - Emergency road clearance,
  - Right-of-way and public property debris removal,
  - Debris grinding/processing, and
  - Debris disposal/recycling.
- Costs will only be incurred when an event requires activation of the contract.
- DRC Emergency Services, LLC was selected using the Council-approved, qualifications-based selection process.

**Small Business Opportunity**

For services based contracts, the City seeks to negotiate SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). An SBO goal will be negotiated with DRC Emergency Services, LLC if this contract is activated.

**32. Barringer Drive and Michael Baker Place Bridge Replacements**

**Action:**

**A. Approve design engineering contracts for bridge replacements with the following firms:**

- **WSP USA Corp in the amount of \$203,447 for the Barringer Drive bridge;**
- **DRMP, Inc. in the amount of \$309,084 for the Michael Baker Place bridge; and**

**B. Adopt a budget ordinance appropriating \$410,025 total from the North Carolina Department of Transportation (NCDOT) contribution for 80% of the contract cost.**

**Staff Resource:** Leon Howe, Engineering & Property Management

**Explanation**

- The Barringer Drive Bridge and Michael Baker Place Bridge are in need of replacement based on a ranking using a combination of sufficiency ratings and current conditions.
- The Barringer Drive Bridge is a 52-year-old, 60-foot bridge that spans Irwin Creek, and is located between Beach Nut Road and Manchester Drive and adjacent to Revolution Golf Course.
- Michael Baker Place Bridge is a 59-year-old, 100-foot bridge that spans Briar Creek and is located near the intersection of Michael Baker Place and Runnymede Lane.
- The new replacement bridge projects will include construction of sidewalks and other improvements to accommodate multiple modes of transportation.
- The budget ordinance appropriates contributions from NCDOT in the amounts of:
  - \$162,757.60 for the Barringer Drive Bridge, and
  - \$247,267.20 for the Michael Baker Bridge, with the balance funded by the City’s Bridge Replacement Program.
- On February 13, 2012, City Council approved a municipal agreement with NCDOT for preliminary engineering work.
- Amendments are anticipated to the contracts at a future date for design, real estate, and construction.
- These firms were selected using the Council-approved, qualifications-based selection process.

**NCDOT Small Professional Service Firm Opportunity**

Since this contract will be partially funded by NCDOT, NCDOT’s Small Professional Services Firm (SPSF) program is required. For services based contracts, no SPSF goal is established; however the City negotiates an SPSF goal during the contract negotiation process.

WSP USA Corp. committed 14.12% (\$28,725.45) of the total contract amount to the following SPSF firm: Hinde Engineering (utilities coordination and design).

DRMP, Inc. committed 12.47% (\$38,545.54) of the total contract amount to the following SPSF firms: Hinde Engineering (utilities coordination and design) and Estes Design (environmental documentation).

**Funding**

Transportation Capital Investment Plan

**Attachment 18**

Budget Ordinance

**33. Spratt Street Facility HVAC Replacement**

**Action: Award the low-bid contract of \$560,320 to Southern Comfort of Charlotte, Inc. for the Spratt Street Facility HVAC Replacement Project.**

**Staff Resource:** Sue Rutledge, Engineering & Property Management

**Explanation**

- HVAC equipment at the Spratt Street facility is 23-years-old and at the end of its projected service life.
- Operations at the Spratt Street facility have changed over the years increasing HVAC needs. For example, warehouses have been converted to computer labs and offices.
- The project consists of upgrading to a high-efficiency chiller, pumps, and digital electronic controls.
- Installation will be complete by October 2013.

**Small Business Opportunity**

Established SBE Goal: 6.00%

Committed SBE Goal: 32.26%

Southern Comfort of Charlotte exceeded the established SBE goal and committed 32.26% (\$180,776) of the total contract amount to the following SBE firms: Electric System Specialists (electrical) and Controls Services Group (control system).

**Funding**

General Government Facilities Capital Investment Plan



### 34. Airport Center Runway Pavement Repairs

**Action:**   **A. Authorize the City Manager to enter into a memorandum of understanding with W.K. Dickson and Co., Inc. and Hi-Way Paving, Inc. for repairs to failing concrete on the Center Runway and Taxiway E; and**

**B. Approve a contract amendment with W.K. Dickson and Co., Inc. in the amount of \$288,175.12 for repairs to failing concrete on the Airport's Center Runway and Taxiway E.**

**Staff Resource:**     Jerry Orr, Aviation

#### **Explanation**

- Between April 2011 and October 2011, the Airport completed the center runway reconstruction project (Project), which involved the removal and replacement of concrete along the centerlines of Runway 18C/36C and Taxiway E.
- Design services for this Project were performed by the engineering firm W.K. Dickson and Co., Inc. (WKD), and the construction work was performed by Hi-Way Paving, Inc. (Hi-Way). The total cost of the Project was approximately \$26 million.
- The Airport contract with Hi-Way has an unspent balance of \$235,675.80 with a contract retainer of \$52,499.32.
- In May 2012, the Airport discovered fracturing in the concrete along the joint between the new pavement and the pre-existing pavement on the runway and taxiway.
- WKD and Hi-Way investigated the concrete failures at the request of the Airport and each concluded the other party was entirely at fault. WKD deemed the failures were the result of construction means and methods, and Hi-Way deemed the failures were the result of a faulty joint design.
- At the Airport's request, WKD and Hi-Way participated in a voluntary mediation on February 18, 2013, which resulted in the parties agreeing to a plan and cost allocation to repair the damaged areas of the runway and taxiway. The terms of the proposed repair plan are as follows:
  - Hi-Way agrees to waive the retainer remaining from its contract in the amount of \$52,499.32 to be used for the repairs;
  - WKD agrees to repair all identified failures and to perform remedial work to suspect areas that have not yet shown distress. WKD has obtained preliminary bids for this work ranging from \$390,000 to \$785,000;
  - WKD's scope of services will include design, construction, and the completion of all warranty work not yet completed by Hi-Way;
  - The contract amendment with WKD in the amount of \$288,175.12 is for the repair work. This amount is the sum of the remaining unspent contract balance of the Hi-Way contract (\$235,675.80) and Hi-Way's waived retainer in the amount of \$52,499.32; and
  - WKD shall have sole responsibility for any costs incurred in connection with these repairs that may exceed the City and Hi-Way contributions.
- Since discovering the damaged concrete, the Airport has inspected the runway and taxiway daily to ensure that all loose concrete is removed and that the damaged areas are properly and timely patched. These inspections are ongoing.

**Disadvantaged Business Enterprise (DBE) Opportunity**

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

**Funding**

Aviation Capital Investment Plan

**35. Sale of 2333 Newberry Street**

**Action:**   **A. Adopt a resolution approving the sale of the Airport-owned real property located at 2333 Newberry Street (PID #115-133-04 and 115-133-05) for \$42,000, and**

**B. Authorize the City Manager to execute the sale documents for this transaction.**

**Staff Resource:**     Jerry Orr, Aviation

**Explanation**

- In accordance with the Federal Acquisition Regulation Part 150 Plan, the Airport acquired this property because it was located in the highest Airport noise zones. The Airport’s purchase was a voluntary transaction, and the owners were not under the threat of condemnation.
- In accordance with the Airport’s Federal Aviation Administration approved Re-Use Plan, this property has been identified as property to be resold and the funds refunded to the Part 150 program cost center.
- Phillip Neal Sparrow has offered to purchase the property from the Airport for \$42,000.
- The property was appraised by Jack Morgan, MAI, for \$42,000 on December 3, 2012.
- The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid. No upset bids were received for the current offer. The advertisement was in the legal section of the Charlotte Observer on February 26, 2013.
- The property is zoned I-2 and is being sold for use as a commercial business. The property will be sold subject to an aviation easement.
- The tax codes are 115-133-04 and 115-133-05.

**Attachment 19**

Resolution

## 36. Airport Electric Ground Service Battery Chargers

- Action:**
- A. Approve the purchase of electric ground service equipment (eGSE) battery chargers, as authorized by the sole source purchasing exception of G.S. 143-129 (e) (6);**
  - B. Approve a contract in the amount of \$609,769.28 with Averest, Inc. for the purchase of outdoor battery chargers for the eGSE vehicles;**
  - C. Approve a contract in the amount of \$43,970 with Vector Electric for the installation of outdoor battery chargers and bollards for eGSE vehicles; and**
  - D. Adopt a budget ordinance appropriating \$653,739.28 from the Airport Discretionary Fund to the Airport Operating Fund.**

**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 of supply
  - Standardization or compatibility is the overriding consideration
- Sole sourcing is necessary for standardization and compatibility of the equipment.

### Explanation

- In 2010, the Airport purchased 13 dual-port eGSE battery chargers from Averest, Inc. The battery chargers are used by Piedmont Airlines (d/b/a US Airways Express) to charge electric vehicles used for ramp operations.
- The airlines continue to replace older, diesel-powered baggage tractors with electric vehicles. The addition of electric vehicles to the fleet requires new charging stations. It is necessary to use the same type of chargers that were installed in 2010, in order to maintain product and parts consistency, compatibility with vehicle charging modules, and maintenance standards.
- US Airways received \$175,328 and Piedmont Airlines received \$216,255 in grant funding from the Mecklenburg County Land Use and Environmental Services Agency AeroGRADE Grant Program (grants to replace aging diesel engines) to purchase a total of 35 new eGSE vehicles.
- The contract will purchase 23 dual-port outdoor battery chargers with a one year warranty. The battery chargers are necessary for the airlines to charge the vehicles for daily use.
- US Airways and Piedmont will pay for use of this equipment through the airlines' rates and charges.

### Small Business Opportunity

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

**Funding**

Aviation Operating Budget

**Attachment 20**

Budget Ordinance

**37. Aircraft Air Conditioning Units Installation**

**Action:**

- A. Award the low-bid contract of \$980,015 with Aero Bridgeworks for the installation of the aircraft air conditioning units;**
- B. Award the low-bid contract of \$164,195 with Aero Bridgeworks, Inc. for the remaining components for the aircraft air conditioning units; and**
- C. Adopt a budget ordinance appropriating \$1,144,210 from the Airport Discretionary Fund Balance to the Aviation Capital Investment Plan.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation**

- On November 12, 2012, City Council approved a contract with RDK Engineers for the design of increased electrical systems to power larger aircraft air conditioning units for US Airways' exclusively leased gates on Concourses B and C.
- On December 10, 2012, City Council approved a contract with JBT AeroTech in the amount of \$1,365,302 for the purchase of 14 aircraft air conditioning units to power larger aircraft air conditioning units for US Airways' exclusively leased gates which have Airport-owned jetbridges. At the same time, US Airways contracted for the acquisition of 20 aircraft air conditioning units to replace the smaller units on the jetbridges they own.
- These contracts will install both the Airport and US Airways units for all the gates on Concourses B and C.
- Funding for these contracts will come from Airport funds to be repaid by US Airways through rates and charges.

**Small Business Opportunity**

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

**Funding**

Aviation Capital Investment Plan

**Attachment 21**

Budget Ordinance

## 38. Transit Management Services Extension

**Action: Approve a six-month extension of the existing agreement with McDonald Transit Associates Inc. to provide transit management services for the Bus Operations Division at a cost of \$303,500.46.**

**Staff Resource:** Larry Kopf, Transit

### Explanation

- On July 28, 2008, City Council approved a three-year agreement (with renewals for up to two additional years) with McDonald Transit Associates Inc. (McDonald) to manage the operation and maintenance of the Charlotte Area Transit System (CATS) Bus Operations Division. The City is in the last year of the contract with McDonald, with an annual rate of \$607,000.92.
- The City does not engage in direct management of the Bus Operations Division.
  - Federal law requires public transit systems that receive federal funds to maintain collective bargaining rights for employees who work at the Bus Operations Division.
  - North Carolina law restricts cities from contracting directly with labor organizations.
- McDonald will continue to oversee the administration and management of the day-to-day bus operations and maintenance of CATS South Tryon and North Davidson Street facilities.
  - McDonald provides three managers on-site to supervise over 800 bus operators, mechanics, and administrative personnel.
  - McDonald corporate provides various services, include acting as the lead for the Bus Operations Division in negotiations with the United Transportation Union (UTU).
- McDonald's contract with the UTU expires approximately the same time that the City's contract with McDonald expires.
  - McDonald's contract with the UTU expires on July 1, 2013.
  - The City's contract with McDonald expires on August 1, 2013.
- Extending the contract with McDonald for six months will permit McDonald to negotiate with the UTU.
- By November 2013, CATS will issue a competitive solicitation for management services, and the contract associated with that solicitation would commence subsequent to the six-month term of this extension.

### Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

### Funding

Transit Operating Budget

**39. Express Bus and Institution Shuttle Services**

**Action:**

**A. Approve the renewal of Cost Sharing agreements for the Express Bus and Shuttle Services with the following cities, county, institution, and business:**

- 1. City of Concord, NC/Concord Mills**
- 2. City of Gastonia, NC**
- 3. City of Rock Hill, SC**
- 4. Union County**
- 5. University of North Carolina at Charlotte**
- 6. Wells Fargo**

**B. Authorize the City Manager to execute four additional, one-year contract renewals; and**

**C. Authorize the City Manager to modify or terminate the agreements.**

**Staff Resource:** Pamela White, Transit

**Explanation**

- The Charlotte Area Transit System (CATS) operates express bus services to four counties surrounding Mecklenburg County and three community shuttles on the campus of the University of North Carolina at Charlotte (UNC Charlotte).
- Current contracts for these services will expire in the 2013 calendar year.
- On February 27, 2013, the Metropolitan Transit Commission (MTC) approved the continuation of these agreements for up to five years.
- As part of the MTC-adopted financial policies, Concord, Gastonia, Rock Hill, and Union County will reimburse the City for 50% of the net operating expense (including overhead) for regional express bus services between their respective jurisdictions and Uptown Charlotte.
- UNC Charlotte and Wells Fargo will reimburse the City for 100% of the net operating expense (including overhead) for bus route services. These services are open to students, faculty members, and the general public.
  - Bus Route 42 - Carowinds operates within Mecklenburg County. Wells Fargo reimburses the City for service to their mortgage facility located less than one mile inside York County.
- The table below shows the FY2014 reimbursement levels for each of the services. Costs are estimated to increase by approximately 4% each year.

SERVICE	FY2014 NET OPERATING EXPENSES	REIMBURSEMENT TO TRANSIT (%)
Concord Express	\$ 312,823	\$ 156,412 (50%)
Concord Mills Express	\$ 50,797	\$ 25,398 (50%)
Gastonia Express	\$ 145,726	\$ 72,863 (50%)
Rock Hill Express	\$ 209,468	\$ 104,734 (50%)
Union County Express	\$ 195,409	\$ 97,705 (50%)
UNC Charlotte Shuttle	\$ 1,054,251	\$ 1,054,251 (100%)
Wells Fargo	\$ 7,800	\$ 7,800 (100%)

- Regional express bus routes provided 207,000 rides, UNC Charlotte community shuttles provided 382,000 rides, and Carwinds/Wells Fargo provided 17,000 rides in 2012.

**Funding**

Transit Operating Budget

**40. McAlpine Creek Wastewater Treatment Plant Aeration Diffuser Replacement Project**

**Action: Award the low-bid contract of \$779,004.03 to the joint venture of The Huffstetler Group Inc. /Eagle Wood, Inc. for the McAlpine Creek Wastewater Treatment Plant Aeration Basin Diffuser Replacement Project.**

**Staff Resource:** Barry Shearin, Utility

**Explanation**

- The McAlpine Creek Wastewater Treatment Plant aeration system consists of 28 aeration basins that contain over 23,000 small rubber-like membranes that create fine bubbles for aeration of the wastewater.
- The aeration system is one of the most critical components of the wastewater treatment process and failure of the diffusers would likely result in discharge permit violations.
- The current diffusers are past their expected useful life of five to seven years and need to be replaced.
- The contract provides for the purchase and installation of new diffuser membranes in all 28 aeration basins.
- Diffusers from four separate manufacturers will be installed in this project. Their performance will be evaluated and considered in the next replacement cycle.
- New diffusers will allow for more efficient air transfer during treatment of the wastewater, resulting in lower energy costs

**Small Business Opportunity**

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy)

**Funding**

Utility Capital Investment Plan

## 41. Wastewater Treatment Chemical Contract

- Action:**
- A. Award the low-bid unit price contract to Siemens Industry, Inc. for the purchase of Bioxide for a two-year term; and**
  - B. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as authorized by the contract.**

**Staff Resource:** Barry Gullet, Utility

### Explanation

- Bioxide is a chemical used to control odor issues in the sewer system before the waste arrives to treatment plant.
- In the last ten years, this product has been used by the Charlotte-Mecklenburg Utility Department.
- An Invitation to Bid was issued on February 1, 2013. Two bids were received.
- Annual expenditures are anticipated to total \$285,000 based on the current number of sites and dosage.

### Small Business Opportunity

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

### Funding

Utility Operating Budget

## 42. McDowell Creek Wastewater Treatment Plant System

- Action:** Award a low-bid contract of \$124,750 with Gilbert Engineering Company for the repairs to and replacement of the ferric chloride system at the McDowell Creek Wastewater Treatment Plant.

**Staff Resource:** Barry Shearin, Utility

### Explanation

- The McDowell Creek Wastewater Treatment Plant uses a chemical called ferric chloride in the wastewater treatment process.
- Critical components on the ferric chloride feed system have reached the end of its useful life and components of the system require repairs or replacement.
- The contract provides for the replacement of the anti-freeze-heat tracing system, piping, and storage tank. Components that are being repaired include the chemical feed pumps and control system.
- An Invitation to Bid was issued on January 25, 2013. Only one bid was received, which was lower than the engineer's estimate for the project.



**Small Business Opportunity**

Construction contracts under \$200,000 are considered informal with regard to the SBE subcontracting goal setting process; therefore, establishing SBE goals are not required (Appendix Section 29.1 of the SBO Policy).

**Funding**

Utility Capital Investment Plan

### 43. **Boulevard Homes HOPE VI Infrastructure Reimbursement Agreement Contract Amendment**

**Action: Approve a contract amendment to the Boulevard Homes HOPE VI Redevelopment Infrastructure Reimbursement Agreement in an amount up to \$1.7 million for the installation of a segment of the Taggart Creek Relief Sewer.**

**Staff Resources:** Barry Shearin, Utility  
Pamela Wideman, Neighborhood & Business Services

**Explanation**

- On August 22, 2011, City Council authorized the City Manager to negotiate and execute an infrastructure agreement with the Charlotte Housing Authority in the amount of \$7 million for the construction of on-site infrastructure such as sidewalks, streets, storm drains, and water and sewer lines, needed for the Boulevard Homes HOPE VI development.
- A recent assessment found that a 1,600 foot section of the proposed relief sewer pipe that crosses the HOPE VI redevelopment site conflicts with some of the on-site development work.
- The developer has agreed to construct that portion of the relief sewer pipe while constructing other required infrastructure for the HOPE VI redevelopment.
- The ability to construct that section of the relief sewer will result in significant cost savings because that portion of the HOPE VI site has not yet been developed. Additionally this will avoid future disturbances to residents due to required on-site blasting and will not delay the development schedule of the HOPE VI redevelopment.
- This amendment will provide for the reimbursement to the developer for the cost of the additional work, which was not included in the original infrastructure agreement for the development.
- The developer will solicit competitive pricing from qualified contractors for this work to ensure value and quality.

**Background**

- In a separate project, the Charlotte-Mecklenburg Utility Department has also been working on the planning and design for the Taggart Creek Relief Sewer project that consists of the installation of several miles of large diameter sewer pipe from near Lake Wylie to the Irwin Wastewater Treatment Plant at Billy Graham Parkway.
- This sewer pipe is a parallel pipe to the existing sewer that is needed to address current flow capacity concerns and future growth on the west side of Mecklenburg County.

- Construction of the entire sewer line project is not projected to start for about 18 months and would delay the development of the Boulevard Homes HOPE VI redevelopment or require much more expensive construction methods be used.

**Small Business Opportunity**

All additional work involved in this amendment will be performed by the selected contractor, and their subcontractors. To date, 23% SBE participation has been achieved on the Boulevard Homes Hope VI redevelopment project.

**Funding**

Utility Capital Investment Plan

**44. Analytical Laboratory Equipment Replacement**

**Action:**

- A. Approve the purchase of analytical laboratory equipment as authorized by the sole source exception of G.S. 143-129 (e)(6); and**
- B. Approve a one-time purchase from Agilent Technologies, Inc. for the purchase of a replacement Gas Chromatograph/Mass Spectrometry System and additional hardware compatible with other existing Agilent equipment.**

**Staff Resource:** Barry Gullet, Utility

**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 of supply
  - Standardization or compatibility is the overriding consideration
- Agilent Technologies, Inc. is the sole manufacturer and supplier of Agilent equipment and replacement hardware parts.
- Sole sourcing is necessary for compatibility with existing Agilent equipment.

**Explanation**

- The Charlotte-Mecklenburg Utility Department operates highly sophisticated analytical laboratory equipment to monitor water and wastewater.
- Laboratory equipment has a finite life expectancy and must be replaced at the end of that life expectancy, which is approximately 10 years.
- The new Gas Chromatograph/Mass Spectrometry System will replace an aging system originally purchased in 2000, and currently requires significant staff resources to maintain operations.
- The purchase includes hardware to connect the new system together with existing Agilent laboratory equipment.
- The one-time purchase of the replacement Gas Chromatograph/Mass Spectrometry System and additional hardware is estimated at the amount of \$145,000.

**Small Business Opportunity**

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

**Funding**

Utility Capital Investment Plan

**45. Relocation and Adjustment of Utility Lines Municipal Agreement**

**Action:**

**A. Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for design and construction of water and sewer line relocations and adjustments in the estimated amount of \$679,350.20, and**

**B. Authorize the City Manager to approve the final pay request for the actual cost of the utility construction.**

**Staff Resource:** Barry Shearin, Utility

**Explanation**

- NCDOT requires that the City enter into a municipal agreement for relocation of utility lines within the NCDOT roadway projects prior to construction.
- The amount of the agreement is based on an NCDOT engineer’s estimate.
- Once completed, Utility reviews the invoice, validating the charges and making correction when needed.
- The agreement is for relocation of approximately 5,100 linear feet of water and sewer lines within a NCDOT Rail Division Project from south of Orr Road to Old Concord Road.
- At the end of the project, the City will reimburse NCDOT for actual construction costs associated with the utility relocations.
- Should the actual cost be different from the estimated amount of this Agreement, the City Manager will sign a Supplemental Agreement for the cost differential. Final invoice differences can be attributed to:
  - Actual unit price bids being different than estimated;
  - Changes in material costs between when the estimate was prepared and the completion of the project; or
  - Required design modifications resulting from NCDOT project changes.
- Construction is scheduled to begin early 2013 and will take approximately three years to complete.
- The format and cost sharing philosophy is consistent with past Municipal Agreements.

**Funding**

Utility Capital Investment Plan

**Attachment 22**

Resolution

## 46. Public Auctions for Disposal of Equipment and Police Unclaimed Property

**Action:**   **A. Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, and**

**B. Authorize said items for sale by public auctions on April 13, 2013, and April 20, 2013.**

**Staff Resource:**   Charles Robinson, Shared Services

### Explanation

- Pursuant to G.S. 160A-270(b) approval is requested for two public auctions as follows:
  - On April 13, 2013, at 10:00 a.m. to dispose of City-owned property declared as surplus; and
  - On April 20, 2013, at 10:00 a.m. to dispose of police unclaimed property.
- Each auction will be conducted at the City-County Asset Recovery and Disposal facility located at 5550 Wilkinson Boulevard, Charlotte, North Carolina.
- The City's contract auction company, Rogers Realty and Auction Company, Inc. was selected through a competitive selection process, and will conduct each auction.
- Rogers Realty and Auction Company, Inc. is a woman-owned business.
- Services provided include up to 20 days of labor for one employee to assist with set up duties for the rolling stock auction. On auction day, they provide four auctioneers and all support staff needed for a successful auction. Rogers also provides one employee for one week following the auction to disperse vehicles to buyers.
- The auction company will be compensated for the sale through auction proceeds in the following manner:
  - Rolling stock equipment – 9.5% of the total gross sale price
  - Police unclaimed property – 9.5% of the total gross sale price
  - Miscellaneous items – 9.5% of the total gross sale price

### Small Business Opportunity

No SBE goal was set for these auctions because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

### Funding

Shared Services Operating Budget

### Attachment 23

List of property to be declared as surplus  
Resolution

## 47. Microsoft Enterprise Licensing Agreement

**Action:**

**A. Approve a three-year Microsoft Enterprise Agreement and Enterprise Enrollment for citywide software licensing to ensure software license compliance and support of included Microsoft products; and**

**B. Authorize the City Manager to approve one additional, three-year term with possible price adjustments at the time the second contract is negotiated, contingent upon the company's satisfactory performance.**

**Staff Resource:** Charles Robinson, Shared Services

### Explanation

- The Enterprise Agreement allows the City to purchase Microsoft software and maintenance.
- Under the Enterprise Enrollment, the City selects specific product licenses to allow covered computers to load and run any supported versions of Microsoft software, including but not limited to the following:
  - Microsoft Windows, Microsoft Office Professional, and Microsoft Client Access Licenses for desktop and laptop computers citywide.
  - Licenses for servers and additional Microsoft products that may be loaded on servers and certain computers.
- The Enterprise Enrollment contains provisions that are specifically designed to facilitate the future purchase of Microsoft's emerging hosted, subscription-based software products.
- The Enterprise Agreement and Enterprise Enrollment provide for product support of existing software as well as upgrade rights to future versions.
- Microsoft software products that are not continuously covered by software maintenance are not eligible for future maintenance contracts or upgrade rights.
- Microsoft's contracting policy allows only for Enterprise Agreements having an initial term of three years, and customers can sign an Enterprise Enrollment renewal at the conclusion of the initial term.
- The current Microsoft Enterprise Agreement is due to expire on June 30, 2013. The terms of the new agreement will be effective on July 1, 2013.

### Contract Terms

- The Enterprise Agreement and Enrollment Agreement are between the City and Microsoft Corporation.
- CompuCom, a Microsoft reseller, manages all agreement transactions and collects payments on the contract on behalf of Microsoft.
- The initial Enterprise Agreement and Enrollment is for a term of three years with estimated annual expenditures of \$1.8 million.
- The City can execute a three-year Enterprise Agreement and Enrollment renewal with possible price adjustments at the end of the initial contract term.

### Small Business Opportunity

No SBE goal was set for this contract extension because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy).

**Funding**

Departments' Operating Budgets

**48. 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 \$501,248.17, and**
  - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$72.50.**

**Staff Resource:** Greg Gaskins, Finance

**Explanation**

- Property tax refunds are provided to the City by Mecklenburg County due to clerical or assessor error or as a result of appeals.
- Mecklenburg County reported that refunds are unusually high due to the number of informal and formal appeals that went before the Board of Equalization and Review resulting in reduced taxes due.
- Business privilege license refunds are provided to the City by Mecklenburg County.

**Attachment 24**

Resolutions  
Lists of refunds

**49. Resolution of Intent to Abandon a 10-Foot Alleyway between Camden Road and Hawkins Street**

- Action:**
- A. Adopt the Resolution of Intent to abandon a 10-foot alleyway between Camden Road and Hawkins Street, and**
  - B. Set a public hearing for April 22, 2013.**

**Staff Resource:** Jeff Boenisch, Transportation

**Attachment 25**

Map  
Resolution

**50. Resolution of Intent to Abandon a Residual Portion of Hoke Street**

**Action:**   **A. Adopt the Resolution of Intent to abandon residual portion of Hoke Street, and**  
**B. Set a public hearing for April 22, 2013.**

**Staff Resource:**   Jeff Boenisch, Transportation

**Attachment 26**

Map  
Resolution

## 51. In Rem Remedy

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

**Public Purpose:**

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

**Policy:**

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

**Public Agency:**

- A. 1113 1,2,3 Belmont Avenue (Neighborhood Profile Area 37)
- B. 2700 Englehardt Street (Neighborhood Profile Area 70)
- C. 608 South Torrence Street (Neighborhood Profile Area 163)

**Complaint:**

- D. 1120 Louise Avenue (Neighborhood Profile Area 37)
- E. 2833 Southwest Blvd (Neighborhood Profile Area 70)

**Field Observation:**

- F. 11718 Norkett Drive (Neighborhood Profile Area 360)
- G. 1117 Rollingwood Drive (Neighborhood Profile Area 362)



**Public Agency:**

**A. 1113 1,2,3 Belmont Avenue**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1113 1,2,3 Belmont Avenue (Neighborhood Profile Area 37).**

**Attachment 27**

**B. 2700 Englehardt Street**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2700 Englehardt Street (Neighborhood Profile Area 70).**

**Attachment 28**

**C. 608 South Torrence Street**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 608 South Torrence Street (Neighborhood Profile Area 163).**

**Attachment 29**

**Complaint:**

**D. 1120 Louise Avenue**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1120 Louise Avenue (Neighborhood Profile Area 37).**

**Attachment 30**

**E. 2833 Southwest Blvd**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2833 Southwest Blvd (Neighborhood Profile Area 70).**

**Attachment 31**

**Field Observation:**

**F. 11718 Norkett Drive**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 11718 Norkett Drive (Neighborhood Profile Area 360).**

**Attachment 32**

**G. 1117 Rollingwood Drive**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1117 Rollingwood Drive (Neighborhood Profile Area 362).**

**Attachment 33**

## PROPERTY ITEMS

### 52. Property Transactions

**Action: Approve the following property transaction(s) (A-S) and adopt the condemnation resolution(s) (T-AU).**

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

- 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.
- Real Estate staff diligently attempts to contact all property owners by:
  - Sending introductory letters via regular and certified mail
  - Making several site visits
  - Leaving door hangers and business cards
  - Seeking information from neighbors
  - Searching the internet
  - Obtaining title abstracts
  - Leaving voice messages
- 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 ensure 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.

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**Acquisitions**

- A. Project:** Sanitary Sewer Project to Serve 720 Marion Drive, Parcel #3  
**Owner(s):** William G. Palmer and Lara M. Rhodes  
**Property Address:** 720 Marion Drive  
**Property to be acquired:** 3,988 sq. ft. (.092 ac.) in Sanitary Sewer Easement, plus 3,869 sq. ft. (.089 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees and shrubs  
**Zoned:** R-15  
**Use:** Rural Homesite  
**Tax Code:** 227-027-05  
**Total Parcel Tax Value:** \$231,000  
**Purchase Price:** \$10,400
- B. Project:** Beatties Ford Road Widening Phase 4, Parcel #53  
**Owner(s):** Aldi (N.C) LLC  
**Property Address:** 4120 Sunset Road  
**Property to be acquired:** 9,224 sq. ft. (.212 ac.) in Fee Simple, plus 10,518 sq. ft. (.241 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees and shrubs  
**Zoned:** B-1  
**Use:** Commercial  
**Tax Code:** 039-291-24  
**Total Parcel Tax Value:** \$340,000  
**Purchase Price:** \$107,570
- C. Project:** Blue Line Extension, Parcel #3107  
**Owner(s):** Crown Atlantic Company, LLC  
**Property Address:** 7639 North Tryon Street  
**Property to be acquired:** 1,540 sq. ft. (.035 ac.) in Fee Simple, plus 2,129 sq. ft. (.049 ac.) in Temporary Construction Easement, plus 4,570 sq. ft. (.105 ac.) in Utility Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** I-1  
**Use:** Commercial  
**Tax Code:** 047-221-24  
**Total Parcel Tax Value:** \$249,300  
**Purchase Price:** \$51,775
- D. Project:** Blue Line Extension, Parcel #3111  
**Owner(s):** Donald Wilson Killian and Wife, Deborah B. Killian  
**Property Address:** 7649 North Tryon Street/217 Brookside Lane  
**Property to be acquired:** 2,413 sq. ft. (.055 ac.) in Fee Simple, plus 5,837 sq. ft. (.134 ac.) in Temporary Construction Easement, plus 5,206 sq. ft. (.12 ac.) in Utility Easement  
**Improvements:** Concrete Island and light pole  
**Landscaping:** None  
**Zoned:** I-1  
**Use:** Commercial

**Tax Code:** 047-221-25  
**Total Parcel Tax Value:** \$1,201,800  
**Purchase Price:** \$95,000

- E. Project:** Blue Line Extension, Parcel #3126  
**Owner(s):** VL Holdings, LLC  
**Property Address:** 5540 North Tryon Street  
**Property to be acquired:** 5,997 sq. ft. (.138 ac.) in Fee Simple, plus 500 sq. ft. (.011 ac.) in Access Easement and Utility Easement, plus 2,091 sq. ft. (.048 ac.) in Temporary Construction Easement, plus 327 sq. ft. (.008 ac.) in Utility Easement  
**Improvements:** Light pole and irrigation system  
**Landscaping:** Trees and shrubs  
**Zoned:** B-1SCD  
**Use:** Commercial  
**Tax Code:** 047-222-30  
**Total Parcel Tax Value:** \$1,363,000  
**Purchase Price:** \$167,475
- F. Project:** Blue Line Extension, Parcel #3129  
**Owner(s):** 85 City Partners, LLC  
**Property Address:** 7100 Macfarlane Boulevard  
**Property to be acquired:** 498,233 sq. ft. (11.438 ac.) in Fee Simple, plus 5,689 sq. ft. (.131 ac.) in Storm Drainage Easement, plus 26,081 sq. ft. (.599 ac.) in Temporary Construction Easement, plus 39 sq. ft. (.001 ac.) in Utility Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** I-1  
**Use:** Industrial  
**Tax Code:** 047-231-06  
**Total Parcel Tax Value:** \$2,929,800  
**Purchase Price:** \$1,650,738
- G. Project:** Blue Line Extension, Parcel #3147  
**Owner(s):** DNC Investment Group, Inc.  
**Property Address:** 7925 And 7945 North Tryon Street  
**Property to be acquired:** 7,816 sq. ft. (.179 ac.) in Fee Simple, plus 255 sq. ft. (.006 ac.) in Access Easement, plus 354 sq. ft. (.008 ac.) in Access Easement and Utility Easement, plus 7,850 sq. ft. (.18 ac.) in Temporary Construction Easement, plus 584 sq. ft. (.013 ac.) in Utility Easement  
**Improvements:** Business sign and irrigation system  
**Landscaping:** Trees and shrubs  
**Zoned:** B-1(CD)  
**Use:** Commercial  
**Tax Code:** 047-452-02  
**Total Parcel Tax Value:** \$2,501,100  
**Purchase Price:** \$650,575
- H. Project:** Blue Line Extension, Parcel #3153  
**Owner(s):** Griffin Brother Auto Centers, LLC  
**Property Address:** 8040 North Tryon Street

**Property to be acquired:** 2,547 sq. ft. (.058 ac.) in Fee Simple, plus 2,397 sq. ft. (.055 ac.) in Temporary Construction Easement, plus 2,462 sq. ft. (.057 ac.) in Utility Easement, plus 2 sq. ft. ( ac.) in Storm Drainage Easement and Utility Easement  
**Improvements:** Retaining wall, flag pole, ground lighting, light pole, irrigation system  
**Landscaping:** Trees and shrubs  
**Zoned:** B-1(CD)  
**Use:** Commercial  
**Tax Code:** 049-335-21  
**Total Parcel Tax Value:** \$764,200  
**Purchase Price:** \$111,736

**I. Project:** Blue Line Extension, Parcel #3159 and #3160  
**Owner(s):** New Hampton Presbyterian Church  
**Property Address:** 8116 North Tryon Street  
**Property to be acquired:** 7,124 sq. ft. (.164 ac.) in Fee Simple, plus 5,204 sq. ft. (.119 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** R-5  
**Use:** Rural Homesite  
**Tax Code:** 049-331-04 and 049-331-05  
**Total Parcel Tax Value:** \$381,800  
**Purchase Price:** \$61,900

**J. Project:** Blue Line Extension, Parcel #3175  
**Owner(s):** Apple Nine North Carolina, L.P.  
**Property Address:** 8340 North Tryon Street  
**Property to be acquired:** 13,061 sq. ft. (.3 ac.) in Fee Simple, plus 331 sq. ft. (.008 ac.) in Storm Drainage Easement, plus 10,619 sq. ft. (.244 ac.) in Temporary Construction Easement  
**Improvements:** Brick walls, gates, light poles  
**Landscaping:** Trees and shrubs  
**Zoned:** O-15  
**Use:** Office  
**Tax Code:** 049-331-02  
**Total Parcel Tax Value:** \$8,355,800  
**Purchase Price:** \$132,210

**K. Project:** Blue Line Extension, Parcel #3177  
**Owner(s):** Peak Properties I, LLC  
**Property Address:** 8404 North Tryon Street  
**Property to be acquired:** 7,324 sq. ft. (.168 ac.) in Fee Simple, plus 6,348 sq. ft. (.146 ac.) in Temporary Construction Easement  
**Improvements:** Two lamp posts, two security cameras, asphalt driveway, and eighteen parking spaces  
**Landscaping:** Trees and shrubs  
**Zoned:** INST  
**Use:** Office  
**Tax Code:** 049-331-30  
**Total Parcel Tax Value:** \$2,396,200  
**Purchase Price:** \$509,500

- L. Project:** Blue Line Extension, Parcel #3195  
**Owner(s):** Shri Gopinath Hospitality, LLC and Any Other Parties of Interest  
**Property Address:** 8517 North Tryon Street  
**Property to be acquired:** 1,081 sq. ft. (.025 ac.) in Fee Simple, plus 132 sq. ft. (.003 ac.) in Access Easement and Utility Easement, plus 419 sq. ft. (.01 ac.) in Waterline Easement, plus 377 sq. ft. (.009 ac.) in Temporary Construction Easement, plus 613 sq. ft. (.014 ac.) in Utility Easement, plus 319 sq. ft. (.007 ac.) in Combined Utility and Waterline Easement, plus 69 sq. ft. (.002 ac.) in Combined Utility, Waterline and Access Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** B-2(CD)  
**Use:** Office  
**Tax Code:** 047-211-05  
**Total Parcel Tax Value:** \$4,640,800  
**Appraised Value:** \$16,875  
**Property Owner's Counteroffer:** None
- M. Project:** Blue Line Extension, Parcel #3237  
**Owner(s):** CMF 15 Portfolio, LLC  
**Property Address:** North Tryon Street  
**Property to be acquired:** 15,038 sq. ft. (.345 ac.) in Fee Simple, plus 6,487 sq. ft. (.149 ac.) in Temporary Construction Easement, plus 79 sq. ft. (.002 ac.) in Utility Easement  
**Improvements:** Fencing, irrigation system, business sign and retaining wall  
**Landscaping:** Trees and shrubs  
**Zoned:** R-17MF (CD)  
**Use:** Multi Family  
**Tax Code:** 047-191-13  
**Total Parcel Tax Value:** \$21,048,600  
**Purchase Price:** \$414,650
- N. Project:** Blue Line Extension, Parcel #3239  
**Owner(s):** Ashford Green Apartments, LLC  
**Property Address:** 9303 Kittsansett Drive and Barton Creek Drive  
**Property to be acquired:** 12,359 sq. ft. (.284 ac.) in Fee Simple, plus 5,630 sq. ft. (.129 ac.) in Temporary Construction Easement, plus 1 sq. ft. ( ac.) in Utility Easement  
**Improvements:** Light poles, fencing, brick columns, irrigation system, and flag poles  
**Landscaping:** Trees and shrubs  
**Zoned:** R-17MF (CD)  
**Use:** Multi Family  
**Tax Code:** 047-191-14  
**Total Parcel Tax Value:** \$21,969,100  
**Purchase Price:** \$119,850

- O.**    **Project:** Crooked Creek Pump Station and Sanitary Sewer Improvement Project, Parcel #1  
**Owner(s):** Wilma W. Stilwell  
**Property Address:** 2597 Mt. Harmony Church Road  
**Property to be acquired:** 51,166 sq. ft. (1.175 ac.) in Fee Simple, plus 20,110 sq. ft. (.462 ac.) in Temporary Construction Easement, plus 18,470 sq. ft. (.424 ac.) in Permanent Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** R-12  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 215-102-10  
**Total Parcel Tax Value:** \$186,500  
**Purchase Price:** \$18,700
- P.**    **Project:** East Forest Neighborhood Improvement Project - Phase II, Parcel # 111.1  
**Owner(s):** Amalia S. Reyes and Brian A. Juchnik  
**Property Address:** 6931 Old Post Road  
**Property to be acquired:** 15,860.63 sq. ft. (.364 ac.) in Fee Simple  
**(TOTAL TAKE)**  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 189-222-17  
**Total Parcel Tax Value:** \$140,500  
**Purchase Price:** \$161,500
- Q.**    **Project:** Gaynor Storm Drainage Improvement Project, Parcel #71  
**Owner(s):** William A. Rook and Wife, Sandra S. Rook  
**Property Address:** 222 North Sharon Amity Road  
**Property to be acquired:** 7,044 sq. ft. (.162 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** O-2  
**Use:** Commercial  
**Tax Code:** 185-031-06  
**Total Parcel Tax Value:** \$359,900  
**Purchase Price:** \$22,725
- R.**    **Project:** Park Road Pedestrian Crossing Sidewalk Project, Parcel #1  
**Owner(s):** Faye H. Culbreth  
**Property Address:** 4304 Park Road  
**Property to be acquired:** 681 sq. ft. (.016 ac.) in Sidewalk and Utility Easement, plus 732 sq. ft. (.017 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Shrubs  
**Zoned:** MUDD  
**Use:** Office  
**Tax Code:** 149-203-53



**Total Parcel Tax Value:** \$282,500  
**Purchase Price:** \$18,743

- S. Project:** Streetcar Starter Project, Parcel #81  
**Owner(s):** Providence Road Land Partners, LLC  
**Property Address:** 1600 East 5th Street  
**Property to be acquired:** 3,637 sq. ft. (.083 ac.) in Sidewalk and Utility Easement, plus 2,945 sq. ft. (.068 ac.) in Temporary Construction Easement  
**Improvements:** Brick pillars and light poles  
**Landscaping:** Trees and shrubs  
**Zoned:** MUDD  
**Use:** Office  
**Tax Code:** 080-197-01  
**Total Parcel Tax Value:** \$4,792,300  
**Purchase Price:** \$92,400

### Condemnations

- T. Project:** Beatties Ford Road Widening Phase 1, Parcel # 69 and #71  
**Owner(s):** AVH One, LLC and Any Other Parties of Interest  
**Property Address:** 5416 And 5432 Beatties Ford Road  
**Property to be acquired:** 10,481 sq. ft. (.241 ac.) in Fee Simple, plus 3,885 sq. ft. (.089 ac.) in Fee Simple within Existing Right-of-Way, plus 110 sq. ft. (.003 ac.) in Storm Drainage Easement, plus 10,235 sq. ft. (.235 ac.) in Temporary Construction Easement  
**Improvements:** Private septic system  
**Landscaping:** Trees and shrubs  
**Zoned:** R-8MF (CD)  
**Use:** Multi Family  
**Tax Code:** 037-371-13 and 037-371-12  
**Total Parcel Tax Value:** \$466,300  
**Appraised Value:** \$17,050  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in November 2011 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- U. Project:** Beatties Ford Road Widening Phase 2, Parcel #58  
**Owner(s):** Carolina Magee, LLC and Any Other Parties of Interest  
**Property Address:** 4005 Sunset Road  
**Property to be acquired:** 7,039 sq. ft. (.162 ac.) in Fee Simple, plus 19,644 sq. ft. (.451 ac.) in Temporary Construction Easement, plus 3,519 sq. ft. (.081 ac.) in Utility Easement  
**Improvements:** None  
**Landscaping:** Shrubs  
**Zoned:** B-1(CD)  
**Use:** Commercial  
**Tax Code:** 037-112-03

**Total Parcel Tax Value:** \$3,010,500

**Appraised Value:** \$108,725

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in February 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- V. Project:** Beatties Ford Road Widening Phase 3, Parcel #1  
**Owner(s):** Paul O. Holmes and Wife, Anita C. Holmes and Any Other Parties of Interest  
**Property Address:** 3840 Beatties Ford Road  
**Property to be acquired:** 1,531 sq. ft. (.035 ac.) in Fee Simple, plus 644 sq. ft. (.015 ac.) in Storm Drainage Easement, plus 3,744 sq. ft. (.086 ac.) in Temporary Construction Easement, plus 691 sq. ft. (.016 ac.) in Utility Easement  
**Improvements:** Fence  
**Landscaping:** Trees and shrubs  
**Zoned:** R-4  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 041-081-12  
**Total Parcel Tax Value:** \$256,200  
**Appraised Value:** \$5,525  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in May 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- W. Project:** Beatties Ford Road Widening Phase 3, Parcel #6 and #8  
**Owner(s):** Patricia E. King and Any Other Parties of Interest  
**Property Address:** 3938 Beatties Ford Road  
**Property to be acquired:** 2,038 sq. ft. (.047 ac.) in Fee Simple, plus 3,635 sq. ft. (.083 ac.) in Temporary Construction Easement, plus 501 sq. ft. (.012 ac.) in Utility Easement  
**Improvements:** None  
**Landscaping:** Trees and shrubs  
**Zoned:** R-4  
**Use:** Office  
**Tax Code:** 041-081-09 and 041-081-04  
**Total Parcel Tax Value:** \$891,000  
**Appraised Value:** \$20,125  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in May 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- X. Project:** Beatties Ford Road Widening Phase 3, Parcel #36  
**Owner(s):** Rudolph Ferguson and the Current Trustees of the Beatties Ford Road Church of Christ and Any Other Parties Of Interest  
**Property Address:** 4530 Beatties Ford Road  
**Property to be acquired:** 138 sq. ft. (.003 ac.) in Storm Drainage Easement, plus 11,049 sq. ft. (.254 ac.) in Temporary Construction Easement, plus 41 sq. ft. (.001 ac.) in Utility Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** R-4  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 041-171-04  
**Total Parcel Tax Value:** \$582,700  
**Appraised Value:** \$3,275  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in September 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- Y. Project:** Beatties Ford Road Widening Phase 4, Parcel # 57  
**Owner(s):** 5100 Beatties Ford Road, LLC and Any Other Parties of Interest  
**Property Address:** 5100 Beatties Ford Road  
**Property to be acquired:** 8,242 sq. ft. (.189 ac.) in Fee Simple, plus 10,066 sq. ft. (.231 ac.) in Temporary Construction Easement, plus 91 sq. ft. (.002 ac.) in Utility Easement  
**Improvements:** None  
**Landscaping:** Trees and shrubs  
**Zoned:** B-1  
**Use:** Commercial  
**Tax Code:** 037-372-09  
**Total Parcel Tax Value:** \$2,659,900  
**Appraised Value:** \$128,550  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in May 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- Z. Project:** Blenheim Storm Drainage Improvement Project, Parcel #4  
**Owner(s):** Seafus Jones and Any Other Parties of Interest  
**Property Address:** 4105 Blenheim Road  
**Property to be acquired:** 8,427 sq. ft. (.193 ac.) in Fee Simple  
**(TOTAL TAKE)**  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-5

**Use:** Single Family Residential

**Tax Code:** 063-022-02

**Total Parcel Tax Value:** \$4,100

**Appraised Value:** \$1,000

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in May 2012 and has yet to reach an agreement regarding the acquisition. The title abstract also revealed issues that will prevent the City from obtaining clear title. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

**AA. Project:** Blue Line Extension, Parcel # 1260

**Owner(s):** RM 36th Street Investors, LLC and Any Other Parties of Interest

**Property Address:** 430 East 36th Street

**Property to be acquired:** 6,567 sq. ft. (.151 ac.) in Storm Drainage Easement, plus 114,367 sq. ft. (2.626 ac.) in Temporary Construction Easement, plus 2,350 sq. ft. (.054 ac.) in Permanent Easement

**Improvements:** None

**Landscaping:** None

**Zoned:** I-2

**Use:** Industrial

**Tax Code:** 083-031-03

**Total Parcel Tax Value:** \$1,643,000

**Appraised Value:** \$114,625

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in August 2011 and has yet to reach an agreement regarding the acquisition. The property is located along the portion of East 36<sup>th</sup> Street where the elevation will be lowered for travel under the light rail and railroad tracks. The building is designated historic which is situated in close proximity to the current road right-of-way. Railroad rights-of-way also encumber the property along the east and west sides. Staff has worked closely with the property owners to ensure the protection and stability of the building during construction as well as providing and maintaining required fire access. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

**AB. Project:** Blue Line Extension, Parcel #3109

**Owner(s):** Clubview Apartments, Inc. and Any Other Parties of Interest

**Property Address:** 7628 North Tryon Street

**Property to be acquired:** 356 sq. ft. (.008 ac.) in Waterline Easement, plus 674 sq. ft. (.015 ac.) in Temporary Construction Easement, plus 141 sq. ft. (.003 ac.) in Utility Easement, plus 1,738 sq. ft. (.04 ac.) in Combined Utility and Waterline Easement

**Improvements:** None

**Landscaping:** None

**Zoned:** B-2

**Use:** Commercial

**Tax Code:** 049-241-01

**Total Parcel Tax Value:** \$527,000

**Appraised Value:** \$13,525

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in January 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

**AC. Project:** Blue Line Extension, Parcel #3113

**Owner(s):** Intown Suites Charlotte North, LLC and Any Other Parties of Interest

**Property Address:** 7706 North Tryon Street

**Property to be acquired:** 1,784 sq. ft. (.041 ac.) in Fee Simple, plus 4,811 sq. ft. (.11 ac.) in Temporary Construction Easement, plus 1,935 sq. ft. (.044 ac.) in Utility Easement, plus 2,211 sq. ft. (.051 ac.) in Combined Utility and Waterline Easement

**Improvements:** Block retaining wall and irrigation system

**Landscaping:** Trees and shrubs

**Zoned:** B-2

**Use:** Commercial

**Tax Code:** 049-241-17

**Total Parcel Tax Value:** \$6,402,000

**Appraised Value:** \$55,085

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

**AD. Project:** Blue Line Extension, Parcel #3115

**Owner(s):** UV Partners and Any Other Parties of Interest

**Property Address:** 7716 North Tryon Street

**Property to be acquired:** 2,176 sq. ft. (.05 ac.) in Fee Simple, plus 2,156 sq. ft. (.049 ac.) in Temporary Construction Easement

**Improvements:** Two area lights, bollards and two gates

**Landscaping:** Shrubs

**Zoned:** B-2

**Use:** Commercial

**Tax Code:** 049-241-03

**Total Parcel Tax Value:** \$1,699,300

**Appraised Value:** \$28,900

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during

which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AE. Project:** Blue Line Extension, Parcel #3117  
**Owner(s):** The Corral Group of Charlotte, LLC and Any Other Parties of Interest  
**Property Address:** 7701 North Tryon Street  
**Property to be acquired:** 1,659 sq. ft. (.038 ac.) in Fee Simple, plus 4,226 sq. ft. (.097 ac.) in Temporary Construction Easement, plus 5,589 sq. ft. (.128 ac.) in Utility Easement  
**Improvements:** Two light poles  
**Landscaping:** Trees and shrubs  
**Zoned:** I-1  
**Use:** Commercial  
**Tax Code:** 047-222-08  
**Total Parcel Tax Value:** \$2,525,400  
**Appraised Value:** \$111,975  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in December 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AF. Project:** Blue Line Extension, Parcel #3119  
**Owner(s):** University Investments, Inc. and Any Other Parties of Interest  
**Property Address:** University City Boulevard  
**Property to be acquired:** 1,805 sq. ft. (.041 ac.) in Fee Simple, plus 369 sq. ft. (.008 ac.) in Temporary Construction Easement, plus 1,979 sq. ft. (.045 ac.) in Utility Easement  
**Improvements:** Vacant Lot  
**Landscaping:** None  
**Zoned:** B-2  
**Use:** Commercial  
**Tax Code:** 049-241-09  
**Total Parcel Tax Value:** \$252,200  
**Appraised Value:** \$21,625  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in October 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AG. Project:** Blue Line Extension, Parcel #3120 and #3122  
**Owner(s):** The Pantry, Inc. and Any Other Parties of Interest  
**Property Address:** North Tryon Street  
**Property to be acquired:** 22,759 sq. ft. (.522 ac.) in Fee Simple, plus 5,462 sq. ft. (.125 ac.) in Temporary Construction Easement, plus 83 sq. ft. (.002 ac.) in Utility Easement

**Improvements:** None  
**Landscaping:** None  
**Zoned:** B-1S (CD)  
**Use:** Commercial  
**Tax Code:** 047-222-27 and 047-222-28  
**Total Parcel Tax Value:** \$1,921,800  
**Appraised Value:** \$485,475  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

**AH. Project:** Blue Line Extension, Parcel #3133  
**Owner(s):** BRE Retail Residual NC Owner, LP and Any Other Parties of Interest  
**Property Address:** 7840 North Tryon Street  
**Property to be acquired:** 3,906 sq. ft. (.09 ac.) in Fee Simple, plus 16,570 sq. ft. (.38 ac.) in Temporary Construction Easement  
**Improvements:** Irrigation system  
**Landscaping:** Shrubs  
**Zoned:** B-2(CD)  
**Use:** Right Of Way  
**Tax Code:** 049-401-99  
**Total Parcel Tax Value:** \$0  
**Appraised Value:** \$33,375  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in September 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

**AI. Project:** Blue Line Extension, Parcel #3135  
**Owner(s):** Halle Properties, LLC and Any Other Parties of Interest  
**Property Address:** 7850 North Tryon Street  
**Property to be acquired:** 7,916 sq. ft. (.182 ac.) in Fee Simple, plus 182 sq. ft. (.004 ac.) in Access Easement, plus 11,664 sq. ft. (.268 ac.) in Temporary Construction Easement, plus 46 sq. ft. (.001 ac.) in Utility Easement  
**Improvements:** Irrigation system  
**Landscaping:** Trees and shrubs  
**Zoned:** B-2  
**Use:** Commercial  
**Tax Code:** 049-401-05  
**Total Parcel Tax Value:** \$1,255,200  
**Appraised Value:** \$344,875  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in October 2012 and has yet to reach an agreement regarding

the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AJ. Project:** Blue Line Extension, Parcel #3155  
**Owner(s):** ESA P Portfolio, LLC and Any Other Parties of Interest  
**Property Address:** 8211 University Executive Park Drive  
**Property to be acquired:** 5,271 sq. ft. (.121 ac.) in Fee Simple, plus 17,605 sq. ft. (.404 ac.) in Temporary Construction Easement, plus 1,645 sq. ft. (.038 ac.) in Utility Easement  
**Improvements:** Irrigation system, and light pole  
**Landscaping:** Trees and shrubs  
**Zoned:** O-15  
**Use:** Office  
**Tax Code:** 047-451-19  
**Total Parcel Tax Value:** \$5,091,300  
**Appraised Value:** \$175,375  
**Property Owner's Counteroffer:** \$214,391  
**Reason for Condemnation:** Staff began working with the property owners in July 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AK. Project:** Blue Line Extension, Parcel #3171  
**Owner(s):** ATAPCO UEP, Inc. and Any Other Parties of Interest  
**Property Address:** 8310 University Executive Park Drive  
**Property to be acquired:** 11,867 sq. ft. (.272 ac.) in Fee Simple, plus 136 sq. ft. (.003 ac.) in Access Easement and Utility Easement, plus 4,398 sq. ft. (.101 ac.) in Temporary Construction Easement, plus 1,271 sq. ft. (.029 ac.) in Utility Easement  
**Improvements:** Twenty two parking spaces, business sign, irrigation system and two light poles  
**Landscaping:** Trees  
**Zoned:** O-15  
**Use:** Office  
**Tax Code:** 047-211-25  
**Total Parcel Tax Value:** \$2,371,300  
**Appraised Value:** \$777,500  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in June 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.



- AL. Project:** Blue Line Extension, Parcel #3173  
**Owner(s):** ATAPCO UEP, Inc. And Any Other Parties Of Interest  
**Property Address:** 8320 University Executive Park Drive  
**Property to be acquired:** 14,410 sq. ft. (.331 ac.) in Fee Simple, plus 384 sq. ft. (.009 ac.) in Access Easement and Utility Easement, plus 8,851 sq. ft. (.203 ac.) in Temporary Construction Easement, plus 1,422 sq. ft. (.033 ac.) in Utility Easement  
**Improvements:** Nineteen parking spaces, fencing, brick monument sign, two light poles and irrigation system  
**Landscaping:** Trees  
**Zoned:** O-15  
**Use:** Office  
**Tax Code:** 047-211-13  
**Total Parcel Tax Value:** \$2,865,000  
**Appraised Value:** \$294,575  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in June 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AM. Project:** Blue Line Extension, Parcel #3183  
**Owner(s):** John G. Blackmon and Wife, Irene H. Blackmon and Any Other Parties of Interest  
**Property Address:** 8431 North Tryon Street  
**Property to be acquired:** 3,818 sq. ft. (.088 ac.) in Fee Simple, plus 227 sq. ft. (.005 ac.) in Storm Drainage Easement, plus 3,257 sq. ft. (.075 ac.) in Temporary Construction Easement, plus 1,767 sq. ft. (.041 ac.) in Utility Easement, plus 209 sq. ft. (.005 ac.) in Storm Drainage Easement and Utility Easement  
**Improvements:** Light pole  
**Landscaping:** Trees and shrubs  
**Zoned:** B-2(CD)  
**Use:** Commercial  
**Tax Code:** 047-211-01  
**Total Parcel Tax Value:** \$1,438,900  
**Appraised Value:** \$110,175  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AN. Project:** Blue Line Extension, Parcel #3197  
**Owner(s):** Village Oaks Properties, LLC and Any Other Parties of Interest  
**Property Address:** 8531 North Tryon Street  
**Property to be acquired:** 4,330 sq. ft. (.099 ac.) in Fee Simple, plus 535 sq. ft. (.012 ac.) in Temporary Construction Easement, plus 2,389

sq. ft. (.055 ac.) in Utility Easement, plus 89 sq. ft. (.002 ac.) in Combined Utility and Waterline Easement

**Improvements:** Retaining wall

**Landscaping:** Trees and shrubs

**Zoned:** B-1 (CD)

**Use:** Commercial

**Tax Code:** 047-211-21

**Total Parcel Tax Value:** \$1,226,900

**Appraised Value:** \$164,000

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

**AO. Project:** Blue Line Extension, Parcel #3199

**Owner(s):** University Bank Properties Limited Partnership and Any Other Parties of Interest

**Property Address:** 8551 North Tryon Street

**Property to be acquired:** 5,135 sq. ft. (.118 ac.) in Fee Simple, plus 423 sq. ft. (.01 ac.) in Access Easement and Utility Easement, plus 744 sq. ft. (.017 ac.) in Temporary Construction Easement, plus 2,972 sq. ft. (.068 ac.) in Utility Easement

**Improvements:** Two light poles

**Landscaping:** Trees and shrubs

**Zoned:** O-2

**Use:** Office

**Tax Code:** 047-211-08

**Total Parcel Tax Value:** \$3,449,000

**Appraised Value:** \$570,425

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

**AP. Project:** Blue Line Extension, Parcel #3201

**Owner(s):** The Charlotte-Mecklenburg Hospital Authority and Any Other Parties of Interest

**Property Address:** W.T. Harris Boulevard

**Property to be acquired:** 47,980 sq. ft. (1.101 ac.) in Fee Simple, plus 1,473 sq. ft. (.034 ac.) in Storm Drainage Easement, plus 154 sq. ft. (.004 ac.) in Waterline Easement, plus 33,747 sq. ft. (.775 ac.) in Temporary Construction Easement

**Improvements:** Irrigation system, light pole and landscaping luminaries

**Landscaping:** Trees and shrubs

**Zoned:** INST

**Use:** No Land Interest  
**Tax Code:** 049-311-08  
**Total Parcel Tax Value:** \$46,234,600  
**Appraised Value:** \$428,625  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- AQ. Project:** Blue Line Extension, Parcel # 3230  
**Owner(s):** CS Shoppes at University Place, LLC and Any Other Parties of Interest  
**Property Address:** J.M. Keynes Drive  
**Property to be acquired:** 1,531 sq. ft. (.035 ac.) in Fee Simple, plus 1,777 sq. ft. (.041 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Shrubs  
**Zoned:** B-1S (CD)  
**Use:** Right Of Way  
**Tax Code:** 047-272-08  
**Total Parcel Tax Value:** \$0  
**Appraised Value:** \$13,675  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in January 2013 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AR. Project:** Blue Line Extension, Parcel #3232  
**Owner(s):** The Lakeshore Village Condominium Project and Any Other Parties of Interest  
**Property Address:** J.M. Keynes Drive  
**Property to be acquired:** 492 sq. ft. (.011 ac.) in Fee Simple, plus 911 sq. ft. (.021 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** B-1S (CD)  
**Use:** Condominium  
**Tax Code:** 047-251-19  
**Total Parcel Tax Value:** \$0  
**Appraised Value:** \$5,150  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** Staff began working with the property owners in August 2012 and has reached an agreement regarding the acquisition. However, the title abstract revealed issues which would prevent the City from obtaining clear title. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

- AS. Project:** Blue Line Extension, Parcel # 3233  
**Owner(s):** Mallard Pointe Associates, LLC and Any Other Parties of Interest  
**Property Address:** 9211 And 9315 North Tryon Street  
**Property to be acquired:** 36,471 sq. ft. (.837 ac.) in Fee Simple, plus 1,329 sq. ft. (.031 ac.) in Access Easement, plus 23,072 sq. ft. (.53 ac.) in Temporary Construction Easement  
**Improvements:** Irrigation system, light pole, business sign, and brick wall  
**Landscaping:** Trees and shrubs  
**Zoned:** CC  
**Use:** Commercial  
**Tax Code:** 047-291-44  
**Total Parcel Tax Value:** \$20,936,100  
**Appraised Value:** \$443,850  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in August 2012 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AT. Project:** Mallard Creek Sidewalk Improvements, Parcel #9  
**Owner(s):** FS Properties of LA, LLC and Any Other Parties of Interest  
**Property Address:** Mallard Creek Road  
**Property to be acquired:** 7,316 sq. ft. (.168 ac.) in Fee Simple, plus 3,627 sq. ft. (.083 ac.) in Fee Simple within Existing Right-of-Way, plus 609 sq. ft. (.014 ac.) in Sidewalk and Utility Easement, plus 501 sq. ft. (.012 ac.) in Temporary Construction Easement, plus 1,945 sq. ft. (.045 ac.) in Existing Drainage Easement To Be Accepted  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** O-1(CD)  
**Use:** Commercial  
**Tax Code:** 029-011-47  
**Total Parcel Tax Value:** \$1,996,300  
**Appraised Value:** \$55,825  
**Property Owner's Counteroffer:** None  
**Reason for Condemnation:** Staff began working with the property owners in November 2011 and has yet to reach an agreement regarding the acquisition. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.
- AU. Project:** Mallard Creek Sidewalk Improvements, Parcel #11.1  
**Owner(s):** Duy Tran and Any Other Parties of Interest  
**Property Address:** 2429 Gallaway Road  
**Property to be acquired:** 177 sq. ft. (.004 ac.) in Storm Drainage Easement, plus 945 sq. ft. (.022 ac.) in Sidewalk and Utility Easement, plus 1,939 sq. ft. (.045 ac.) in Temporary Construction Easement

**Improvements:** None

**Landscaping:** None

**Zoned:** R-3

**Use:** Single Family Residential - Rural Acreage

**Tax Code:** 029-011-16

**Total Parcel Tax Value:** \$136,600

**Appraised Value:** \$600

**Property Owner's Counteroffer:** None

**Reason for Condemnation:** Staff began working with the property owners in November 2012 and has reached an agreement regarding the acquisition. However, the title abstract revealed issues which will prevent the City from obtaining clear title. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

## Reference

### Small Business Opportunity Program Policy Reference

The following excerpts from the City's SBO Policy are intended to provide further explanation for those agenda items which reference the SBO Policy in the business meeting agenda.

#### Part A: Administration & Enforcement

**Appendix Section 18: Contract:** For the purposes of establishing an SBE subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration and remodeling; (b) architectural work, engineering, testing, construction management and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services).
- Contracts do not include agreements or purchase orders for the purchase or lease of apparatus, supplies, goods or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE Goal has been set.
- Financial Partner Agreements, Development Agreements and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the SBO Program Policy.

**Appendix Section 23: Exempt Contracts:** Contracts that fall within one or more of the following categories shall be "Exempt Contracts" for the purposes of establishing an SBE subcontracting goal, unless the KBU responsible for procuring the Contract decides otherwise:

**23.1. Informal Contracts.** Informal Contracts shall be Exempt Contracts. (See Appendix Section 29 for a definition of Informal Contracts)

**23.2. No Competitive Process Contracts:** Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City shall be Exempt Contracts, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

**23.3. Managed Competition Contracts:** Managed competition contracts pursuant to which a City KBU or division competes with Business Enterprises to perform a City function shall be Exempt Contracts.

**23.4. Real Estate Leasing and Acquisition Contracts:** Contracts for the acquisition or lease of real estate shall be Exempt Contracts.

**23.5. Federal Contracts Subject to DBE Requirements:** Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise

Program as set forth in 49 CFR Part 26 or any successor legislation shall be Exempt Contracts.

**23.6. State Contracts Subject to MWBE Requirements:** Contracts for which a minority and women business participation goal is set pursuant to G.S. 143-128.2(a) due to a building project receiving funding from the State of North Carolina shall be Exempt Contracts.

**23.7. Financial Partner Agreements with DBE or MWBE Requirements:** Contracts that are subject to a disadvantaged business development program or minority and women business development program maintained by a Financial Partner shall be Exempt Contracts.

**23.8. Interlocal Agreements:** Contracts with other units of federal, state or local government shall be Exempt Contracts.

**23.9. Contracts for Legal Services:** Contracts for legal services shall be Exempt Contracts, unless otherwise indicated by the City Attorney.

**23.10. Contracts with Waivers:** Contracts for which the SBO Program Manager or the City Manager waives the SBO Program requirements shall be Exempt Contracts (such as when there are no SBE subcontracting opportunities on a Contract).

**23.11. Special Exemptions:** Contracts where the KBU and the Program Manager agree that the KBU had no discretion to hire an SBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

**Appendix Section 29: Informal Contracts:** Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

**29.1. Construction Contracts Less Than or Equal To \$200,000:** Contracts for construction or repair work that are estimated to require a total expenditure of City funds less than or equal to \$200,000.

**29.2. Service Contracts That Are Less Than or Equal To \$100,000:** Service Contracts that are estimated to require a total expenditure of City funds less than or equal to \$100,000.

**Part B: Formal Construction Bidding**

**Part B: Section 2.1:** When the City Solicitation Documents for a Construction Contract contain an SBE Goal, each Bidder must either: (a) meet the SBE Goal, or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements. Failure to do so constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

**Part B: Section 2.4:** No SBE Goal When There Are No SBE Subcontracting Opportunities. The City shall not establish an SBE Goal for Construction Contracts where there are no SBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

**Part C: Services Procurement**

**Part C: Section 2.2:** When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each SBE that responds to the Proposer's solicitations and each SBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

**Part C: Section 2.4:** No SBE Goal When There Are No SBE Subcontracting Opportunities. The City shall not establish an SBE Goal for Service Contracts where there are no SBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

**Part D: Post Contract Award Requirements**

**Part D: Section 6:** New Subcontractor Opportunities/Additions to Scope, Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new SBE subcontracting opportunity, the City shall either:

- notify the Contractor that there will be no Supplemental SBE Goal for the new work;  
or
- establish and notify the Contractor of a Supplemental SBE Goal for the new work.