

**Mayor Anthony Foxx**

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

**Mayor Pro Tem Susan Burgess**

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

**CITY COUNCIL MEETING**  
**Monday, December 14, 2009**

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

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**CITY COUNCIL AGENDA**  
**Monday, December 14, 2009**

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

### **1. Mayor & Council Consent Item Questions**

**Resource:** Curt Walton, City Manager

**Time:** 5 minutes

**Synopsis**

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

### **2. City Council Retreat Committee Report**

**Resources:** Andy Dulin, City Council  
Saskia Thompson, City Manager's Office

**Time:** 15 minutes

**Explanation**

- The Retreat Committee (Foxx, Barnes, Dulin, Kinsey and Peacock) will report on the retreat agenda and format.

### **3. 2009 Comprehensive Annual Financial Report**

**Resources:** Greg Gaskins, Finance  
Eddie Burke, Cherry, Bekaert & Holland, LLC

**Time:** 30 minutes

**Synopsis**

- Finance staff and the external auditor will present a summary of key results from the FY2009 Comprehensive Annual Financial Report (CAFR). The report will be included in the Friday, December 11 Council-Manager Memo and will be available on the City's website December 15.

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

**Resource:** Curt Walton, City Manager

**Time:** 10 minutes

**Synopsis**

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

## 5. Closed Session

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

**B. Adopt a motion pursuant to NCGS 143-318.11(a)(3) to go into closed session to consult with attorneys employed or retained by the City of Charlotte in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling of Plyler v. City of Charlotte.**

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

## **CONSENT**

- 6. Consent agenda items 27 through 52 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

## PUBLIC HEARING

### 7. Public Hearing on Voluntary Annexation

- Action:**
- A. Hold public hearings for the Reedy Creek Elementary School and the Hamilton-Steele Creek Road School site voluntary annexation petitions, and**
  - B. Adopt ordinances with an effective date of December 31, 2009 to extend the corporate limits to include these properties.**

**Staff Resource:** Bryman Suttle, Planning

#### **Policy**

City Annexation Policy and State Annexation Statutes

#### **Explanation**

- The purpose of the public hearings is to obtain community input on the proposed voluntary annexations.
- The date for public hearings was set by City Council on November 24, 2009.
- Two voluntary annexation petitions were received from Charlotte-Mecklenburg Schools for two tracts of land immediately adjacent to the current City boundaries.
- One tract is located east of the current City boundary on the north side of Plaza Road Extension east of Hood Road, and the other tract is located west of the current City boundary on the west side of Steele Creek Road south of Hamilton Road.
- Annexation ordinances establish an effective annexation date of December 31, 2009.

#### **Consistent with City Council Policies**

- Annexation is consistent with voluntary annexation policies adopted by City Council on March 24, 2003.
- Annexations will not adversely affect the City's ability to undertake future annexations.
- Annexations will not negatively impact City finances or services.
- Annexations will not create pockets of unincorporated land surrounded by properties that are within the City's corporate limits.

#### **Attachment 1**

Annexation Ordinances  
Maps

## 8. Public Hearing on Resolution to Close an Unopened Right-of-way Known as Jackson Place and a Portion of Jackson Drive

**Action:**    **A. Conduct a public hearing to close an unopened right-of-way known as Jackson Place and a portion of Jackson Drive, and**  
                   **B. Adopt a resolution to close.**

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

### Policy

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

### Explanation

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

### Petitioner

Charlotte Douglas International Airport

### Right-of-Way to be abandoned

An unopened right-of-way known as Jackson Place and a portion of Jackson Drive

### Location

Located within the vicinity of the Jackson Park Neighborhood  
Jackson Place – approximately 50 feet wide beginning at West Boulevard continuing north approximately 430 feet to its terminus. The area to be abandoned consists of 22,272 square feet.  
A portion of Jackson Drive – approximately 50 feet wide beginning at Airport Road continuing northeastwardly in a curve approximately 782 feet to its terminus. The area to be abandoned consists of 45,031 square feet.

### Reason

To incorporate the right-of-way into the adjacent property owned by the petitioner for future airport expansion

### Notification

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

Adjoining property owners - None  
Neighborhood/Business Associations  
 Jackson Park Neighborhood – No objection

Little Rock – No active association  
 Boulevard Homes – No active association  
 Stonewall Jackson Homes – No active association  
 Lake Pointe Business Park – No active association  
 Southwest Park - No active association

Private Utility Companies – No objections

City Departments

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

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

**Attachment 2**

Map  
 Resolution

**9. Public Hearing on Resolution to Close a Residual Portion of Shopton Road West**

**Action:**   **A. Conduct a public hearing to close a residual portion of Shopton Road West, and**  
  
                   **B. Adopt a resolution to close.**

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

**Policy**

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

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- This abandonment petition is consistent with the Dixie River Road realignment and is part of a 2004 Transportation Bond Project.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk’s Office.

**Petitioner**

City of Charlotte

**Right-of-Way to be abandoned**

A residual portion of Shopton Road West

**Location**

Located within the Dixie/Berryhill Community and Steele Creek Community. A portion of right-of-way that is approximately 50 feet wide and 1200 feet long beginning at Steele Creek Road continuing southwestwardly to its terminus and consisting of approximately 53,321 square feet.

**Reason**

To incorporate the right-of-way into adjacent parcels owned by the petitioner to create a more viable parcel for future development

**Notification**

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

Adjoining Property Owners

LJW Land, LLC. – No objection  
R. Herndon Freeman – No objection  
Dixie River Land Company, LLC. – No objection

Neighborhood/Business Associations

Berewick HOA – No objection  
Dixie/ Berry Hill Community – No objection  
Steele Creek Landing Homeowners Association – No objection  
Steele Creek Residence Association – No objection  
Griers Fork Neighborhood Association – No objection

Private Utility Companies – No objections

City Departments

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

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

**Attachment 3**

Map  
Resolution

## 10. Public Hearing on Resolution to Close a 10-foot Alleyway between South Mint Street and South Church Street

**Action:**   **A. Conduct a public hearing to close a 10-foot alleyway between South Mint Street and South Church Street, and**  
                   **B. Adopt a resolution to close.**

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

### **Policy**

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

### **Explanation**

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

### **Petitioner**

Prida Land Holdings, LLC

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

A 10-foot alleyway between South Mint Street and South Church Street

### **Location**

A 10-foot wide and 410 feet long alleyway bounded by South Mint Street, Quincey Street, South Church Street, and West Palmer Street consisting of approximately 4,100 square feet.

### **Reason**

To incorporate the right-of-way into adjacent parcels owned by the petitioner for the development of a commercial office building

### **Notification**

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

### Adjoining Property Owners

V. Hayden McMahan, Jr./McMahan Investments, LLC – No objections

Coy & Doris Shue – No objections

Michael G. Woodie/ Woodie Properties, LLC – No objections

R. Malloy McKeithen/ Center City, LLC – No objections

Neighborhood/Business Associations

Wilmore Neighborhood Association – No objections  
 Dilworth Community Development Association – No objections  
 Third Ward Neighbors Association – No objections  
 Gateway Plaza HOA Neighbors – No objections  
 Historic South End – No objections

Private Utility Companies – No objections

City Departments

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

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

**Attachment 4**

Map  
 Resolution

## 11. **Public Hearing on Resolution to Close a Portion of West 3<sup>rd</sup> Street and a Residual Portion of South Mint Street**

**Action:**   **A. Conduct a public hearing to close a portion of West 3<sup>rd</sup> Street and a residual portion of South Mint Street to incorporate right-of-way into adjacent parcels for the new Knights Baseball Stadium Project, and**

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

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

**Policy**

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

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The abandonment will not become effective until the surrounding street network improvements are constructed and accepted by the City and a building permit is issued for the construction of the baseball stadium. In the event that these contingencies are not met within five years, the abandonment will be void.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.

**Petitioner**

Mecklenburg County- Mark Hahn

**Right-of-Way to be abandoned**

A portion of West 3<sup>rd</sup> Street and a residual portion of South Mint Street

**Location**

Located within the Third Ward Community

A portion of West 3<sup>rd</sup> Street: A right-of-way that is approximately 60 feet wide and 515 feet long running between South Graham Street and South Mint Street consisting of 34,998 square feet.

A residual portion of South Mint Street: A right-of-way that is approximately 40 feet wide and 214 feet long, extending from West 3<sup>rd</sup> Street along South Mint Street consisting of 1,365 square feet.

**Reason**

To incorporate the right-of-way into adjacent parcels owned by the petitioner for the development of the new Knights Baseball Stadium

**Notification**

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

Adjoining Property Owners

Mecklenburg County - No objections

Neighborhood/Business Associations

Third Ward Neighborhood Association – No objections

Third Ward, The Committee to Restore and Preserve- No objections

First Ward Neighbors – No objections

First Ward Community Fund, Inc – No objections

Gateway Plaza COA Neighborhood – No objections

Friends of Fourth Ward, Inc – No objections

Private Utility Companies – No objections

City Departments

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

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

**Attachment 5**

Map

Resolution

## POLICY

### 12. City Manager's Report

- 2009 Comprehensive Annual Financial Report

### 13. Small Business Loan Program

**Action: Direct the City Manager to develop options for a loan program designed to provide loans to start up businesses and entrepreneurs in targeted business sectors and to bring those options back to City Council within 60 days through a Council Committee.**

**Staff Resource:** Patrick Mumford, Neighborhood & Business Services

#### Explanation

- Mayor Foxx requests the City Council's action to authorize the City Manager to work with private and public sector partners to develop a program to support entrepreneurship and small businesses in emerging sectors.
- The goal of this program would be to target industries with high potential for long-term job growth for such support over a two-year period.
- Some of the specific issues that the City Manager would be expected to address are:
  - Identifying gaps between credit sources and emerging businesses where public support might help
  - Whether City funds can be used to leverage other public or private funds
  - Which business sectors offer the best opportunity for growth and employment
  - What sectors should be targeted (e.g. financial services, energy, biotechnology)
  - Whether there are successful models from other cities
  - How to fund this loan program
  - How to administer this loan program
  - How to manage risk
- The City Manager would present the loan program options to a City Council Committee within 60 days.

### 14. Small Business and Budget Task Forces

- This item will be included in the Friday, December 11, 2009 Council-Manger Memo.

## BUSINESS

### 15. Housing Trust Fund FY2010 Funding Recommendations

- Action:**
- A. Provide an additional \$187,039 in loan funds to Wood Partners to fully fund the Steele Creek Seniors Apartments,**
  - B. Provide an additional \$700,000 in grant funds to United Family Services, Inc. to fully fund the Domestic Violence Facility, and**
  - C. Approve the Housing Trust Fund's recommendation to allocate a total of \$2,947,121 in Housing Trust Fund dollars- \$1,473,560 to fund the development of multi-family rental housing and \$1,473,561 to fund special needs housing.**

**Staff Resources:** Zelleka Biermann, Neighborhood & Business Services  
Stan Wilson, Neighborhood & Business Services

#### Policy

- On November 26, 2001 City Council established a Housing Trust Fund (HTF) to provide funding for affordable housing in the Charlotte community.
- On April 8, 2002 City Council established the HTF Advisory Board. Part of the Advisory Board's charge is to recommend annual funding priorities for the Housing Trust Fund to City Council.
- City's FY2006-FY2010 Consolidated Plan:
  - Approved by City Council on June 13, 2005
  - Identified the need for affordable, safe and decent housing for low and moderate-income families
  - Reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

#### Explanation

- A total of \$3,834,160 of FY2010 HTF dollars is available for reallocation due to withdrawn projects unused FY2009 special projects set-aside funding, and unallocated program income from HTF loans.

#### Sources of Funds

Amount available from withdrawn projects (Willow Run; Oak Park at Nations Ford)	\$2,016,605
Unused FY09 Special Projects Set-Aside	\$1,060,000
Unallocated Program Income from HTF Loans as of September 30, 2009	\$ 757,555
<b>Total Available for Allocation</b>	<b>\$3,834,160</b>

- In August 2009 the North Carolina Housing Finance Agency (NCHFA) announced awards for Low Income Housing Tax credits. United Equities VI, the developer of the Willow Run Apartments, which was approved for HTF funds, withdrew their funding request after not being awarded tax credits, making \$616,605 available for reallocation to other projects.
- The Foundation for Affordable Housing Group no longer requires \$1,400,000 that had been previously awarded for rehabilitation of the Oak Park at Nations Ford apartment project due to challenges in securing additional project funding.

**Project Funding Recommendations**

- On July 20, 2009 City Council approved a \$1,183,395 loan to Wood Partners for the Steele Creek Senior Apartments and an \$800,000 grant to United Family Services, Inc. for the Domestic Violence Facility. These amounts represent partial project funding based on available Housing Trust Fund dollars.
- Staff is recommending that the Steele Creek Senior Apartments receive an additional \$187,039 and the Domestic Violence Facility receive an additional \$700,000. This additional funding will fulfill the original funding requests for these projects. On October 8, 2009 the Housing Trust Fund Advisory Board unanimously supported staff’s recommendation.
- On December 8, 2009 United Family Services received a \$700,000 gift from Wells Fargo for the Domestic Violence Facility. The Wells Fargo gift will complement the additional HTF dollars, which are restricted and can only be used for capital costs. The Wells Fargo gift is unrestricted and will be used to assist with other project costs. The City will not issue its funds until all funding commitments have been finalized.
- A funding breakdown for the Steele Creek Senior Apartments and the Domestic Violence Facility are shown below:

Project	Original Funding Request	Amount approved July 20, 2009	Additional Funding
Steele Creek Senior Apartments	\$1,370,434	\$1,183,395	\$187,039
Domestic Violence Facility	\$1,500,000	\$800,000	\$700,000
	Total Additional Funding		\$887,039
	Amount available from withdrawn projects		\$2,016,605
	Net amount available to reallocate from withdrawn projects		<b>\$1,129,566</b>

**FY2010 Housing Trust Fund Allocation**

- On November 12, 2009 The HTF Advisory Board approved the allocation of \$2,947,121 for the FY2010 HTF Request for Proposals (RFP).

<b>Sources of Funds</b>	
Net amount available to reallocate from withdrawn projects after providing additional funding to Steele Creek Senior Apartments and the Domestic Violence Facility	\$1,129,566
Unused FY2009 Special Projects Set-Aside	\$1,060,000
Unallocated Program Income from HTF Loans	\$ 757,555
As of September 30, 2009	
<b>Total Available for Allocation</b>	<b>\$2,947,121</b>

- Below are the funding categories and allocations recommended by the HTF Advisory Board:

<b>Category</b>	<b>Funds Allocated</b>	<b>% of Funds</b>
<b>Multi-Family (Rental)</b> – New construction and rehabilitation (including acquisition and rehabilitation) of multi-family housing that services households earning 60% or less of the area median income (AMI) with priority for households earning 24% or less of AMI.	\$1,473,560	50%
<b>Special Needs Housing</b> – Provision of housing to serve the disabled, homeless, elderly and HIV/AIDs populations earning 60% or less than the AMI.	\$1,473,561	50%
<b>Total</b>	<b>\$2,947,121</b>	<b>100%</b>

- The multi-family rental and special needs housing funds will be made available to developers through a competitive RFP process. RFPs will be issued in late December 2009 for each funding category.
- Proposals will be evaluated based on the loan and grant guidelines and underwriting criteria established by the HTF Advisory Board.
- Staff anticipates requesting Council’s approval for special needs projects in April 2010 and requesting Council’s approval for multi-family projects in May 2010.

**Funding**  
City Housing Bonds

**Attachment 6**  
Steele Creek Senior Apartments Project Summary  
Domestic Violence Facility Project Summary

## 16. Builders of Hope Neighborhood Stabilization Program Loan Request

**Action: Approve a Neighborhood Stabilization Program loan to Builders of Hope for up to \$600,000 to acquire a foreclosed apartment building at 900 Rowan Street.**

**Staff Resources:** Richard Payne, Neighborhood & Business Services  
Stan Wilson, Neighborhood & Business Services

### Policy

- City's FY2006-FY2010 Consolidated Action Plan:
  - Approved by City Council on June 13, 2005
  - Identified the need for affordable, safe and decent housing for low and moderate-income families
  - Reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives
- On November 24, 2008 City Council approved the Housing and Neighborhood Development Committee's recommendation to approve the City of Charlotte's Neighborhood Stabilization Program (NSP) to address the growing number of foreclosures in the City of Charlotte.

### Explanation

- The foreclosed apartment building is located at 900 Rowan Street approximately four miles northwest of Uptown Charlotte in the Thomasboro - Hoskins Neighborhood Statistical Area, which is one of the City's revitalization areas.
- Builders of Hope requests a loan up to \$600,000 to acquire the 23-unit foreclosed apartment building. They will leverage private funding from RBC Centura Bank to implement their "Extreme Green Rehabilitation" program which includes:
  - Drought resistant landscapes
  - Energy star appliances
  - Tight air sealing for energy efficiency
  - Enhanced insulation in walls and floors
  - Improved air quality via a filtered fresh air ventilation system
  - Low to no volatile organic compound paints and adhesives
  - Formaldehyde-free cabinetry and insulation
  - Compact fluorescents lights
- The Extreme Green Rehabilitation model was pioneered by Builders of Hope to save debris from City landfills and utilize energy efficient building practices. The result is positive short and long-term benefits to the environment.
- This project will absorb vacant housing and transform it into high-quality, energy-efficient homes by "recycling" the existing housing stock.
- Future tenants will realize the economic benefits of the energy efficient units through reduced monthly heating and air conditioning costs, lower water bills and lower property maintenance fees.
- The monthly rents will range from \$500 to \$625. Tenants will receive subsidies to ensure that they do not pay more than 30% of their income.

- Builders of Hope will contract with a local property management firm for the day-to-day property management.
- The term of the City's loan is 20 years at 0% interest. The City's loan will be in a second lien position.
- The total project development budget is \$1,128,912 and the units will remain affordable for 40 years.
- Builders of Hope will provide job training and job opportunities through a Workforce Development partnership program. Program participants will work on construction, de-construction, and rehabilitation of residential homes throughout the six-month program. Upon successful completion of the program, the candidates will receive a letter of recommendation from Builders of Hope. If Builders of Hope has construction job openings, the candidate will receive preferential consideration; otherwise the Workforce Development program will assist with job placement.
- Builders of Hope will target rentals to low and moderate income individuals at or below 50% (\$23,300) of Area Median Income.

#### **Neighborhood Stabilization Program**

- The City received \$8,056,777 in NSP funds; \$5,431,777 from HUD and \$2,625,000 from the State Department of Commerce's Division of Community Assistance.
- At least 27% (\$2,175,329) of the federal and state NSP funds received by the City must be used to serve households earning 50% (\$33,250 for a family of four) or less than the area median income. To date, 46% (\$3,706,117) of the City's NSP funds are committed to or will serve households earning 50% or less than the area median income.
- The NSP funds have deadlines for obligating funds. The HUD deadline is September 13, 2010 and the State deadline is July 18, 2010.

#### **Funding**

Neighborhood Stabilization Program (federal/state funds)

#### **Attachment 7**

Project Summary  
Sources and Uses

## **17. Charlotte Housing Authority Neighborhood Stabilization Program Loan Request**

**Action: Approve a Neighborhood Stabilization Program loan to the Charlotte Housing Authority for up to \$1,300,000 for the rehabilitation of the foreclosed Hampton Creste Apartments.**

**Staff Resources:** Richard Payne, Neighborhood & Business Services  
Stan Wilson, Neighborhood & Business Services

#### **Policy**

- City's FY2006-FY2010 Consolidated Action Plan:
  - Approved by City Council on June 13, 2005
  - Identified the need for affordable, safe and decent housing for low and moderate-income families
  - Reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the

supply of affordable housing, and support family self-sufficiency initiatives

- On November 24, 2008 City Council approved the Housing and Neighborhood Development Committee's recommendation to approve the City of Charlotte's Neighborhood Stabilization Program (NSP) to address growing number of foreclosures in the City of Charlotte.

### **Explanation**

- The Hampton Creste Apartments are located at 920 N. Wendover Road in NSA 59 - Grier Heights. The 239-unit, 14-acre complex went into foreclosure in July 2009.
- Hampton Creste is adjacent to a grocery-anchored shopping center, two CATS bus stops and retail shopping. Additionally, Hampton Creste is located in the Myers Park High, AG Middle and Cotswold Elementary school districts.
- Of the 239 units, 60 will serve residents at or below 30% AMI (\$13,950 for an individual) and 179 units will serve residents at or below 60% AMI (\$27,950 for an individual).
- The monthly rents will range from \$364 to \$699. Tenants will receive subsidies to ensure that they do not pay more than 30% of their income.
- The total project budget is \$9,206,737 including acquisition, relocation, and rehabilitation. The Charlotte Housing Authority (CHA) will assume the existing bank loan and use Moving to Work loan funds for the acquisition.
- The total rehabilitation budget is \$2,049,737. The City's loan up to \$1,300,000 to the CHA for rehabilitation is funded by the Neighborhood Stabilization Program (NSP). The City's NSP funds will cover 63% of the rehabilitation costs. The CHA will use its state allocation of NSP funds to pay for the remaining rehabilitation. Without the City's NSP funds, CHA does not have enough funds to complete the rehabilitation.
- This project will expand the supply of low and moderate income housing while promoting family self-sufficiency and green environments through the CHA's Moving Forward program. In this program, families must participate in good neighbor training, life skills, motivation and employment training, and education classes.
- The CHA will incorporate green rehabilitation techniques as replacements are needed, which will include: Energy Star appliances, energy efficient windows, fixtures and air filtration.
- The term of the City loan is 20 years deferred with a 0% interest rate. The City's loan will be in a second lien position and the units will remain affordable for 30 years.
- The Hampton Creste apartments are one and two-bedroom units. Several units will be converted into three-bedroom units for larger families.

### **Neighborhood Stabilization Program**

- The City received \$8,056,777 in NSP funds, \$5,431,777 from HUD and \$2,625,000 from the State Department of Commerce's Division of Community Assistance.
- At least 27% (\$2,175,329) of the federal and state NSP funds received by the City must be used to serve households earning 50% (\$33,250 for a family of four) or less than the area median income. To date, 46% (\$3,706,117) of the City's NSP funds are committed to or will serve households earning 50% or less than the area median income.
- The NSP funds have deadlines for obligating funds. The HUD deadline is September 13, 2010 and the State deadline is July 18, 2010.

**Funding**

Neighborhood Stabilization Program (federal/state funds)

**Attachment 8**

Project Summary  
Sources and Uses

**18. Intelligent Transportation System Projects**

<b>Action</b>	<p><b>A. Award the low bid of \$1,037,565.18 to Edwards Telecommunications, Inc. for the construction of the Trade Street/Beatties Ford Road Intelligent Transportation System Project, and</b></p> <p><b>B. Award the low bid of \$1,018,903.62 to Edwards Telecommunications, Inc. for the construction of the University Area Intelligent Transportation System Project.</b></p>
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**Staff Resource:** Debbie Self, Transportation

**Explanation**

- Fiber optic cabling and traffic signal interconnection provides the ability to remotely adjust traffic signals to instantly improve traffic flow in response to changing traffic volumes during normal and emergency conditions. Fiber optic cabling combined with traffic management cameras, dynamic message signs, highway advisory radio and other traffic information devices create an Intelligent Transportation System (ITS).
- The Trade Street/Beatties Ford Road Transportation System ITS Project includes approximately 12 miles of fiber optic cable and 26 traffic management cameras along Trade Street, Beatties Ford Road, Sunset Road and Old Statesville Road.
- The University Area ITS Project includes approximately 11 miles of fiber optic cable and 40 traffic management cameras along Davidson Street, Parkwood Avenue, The Plaza, North Tryon Street, WT Harris Boulevard and University City Boulevard.
- These ITS projects are critical links in the communications infrastructure.
- Once City Council approves the low bid, NCDOT concurrence is required prior to contract execution and construction.

**Funding Details**

- The City secured a federal ITS grant in the amount of \$4,000,000 in Federal Highway Administration (FHWA) funds through the American Recovery and Reinvestment Act of 2009. The grant will be administered by North Carolina Department of Transportation through a municipal agreement.
- The municipal agreement was approved by City Council on July 27, 2009.
- The \$4,000,000 grant is divided into four parts as follows:
  - Part A: Migration to Ethernet/IP Communication and Digital Video Conversion
  - Part B: Highway 51 ITS Project
  - Part C: Trade Street/Beatties Ford Road ITS Project
  - Part D: University Area ITS Project
- City Council approved Part A on October 12, 2009.
- City Council approved Part B on November 23, 2009.

- City Council is being asked to approve Parts C and D with these actions.

### **Disadvantaged Business Enterprise Opportunity**

#### Trade Street/Beatties Ford Road ITS

Established DBE Goal: 10%

Committed DBE Goal: 10.02%

Edwards Telecommunications, Inc. committed 10.02% of the bid amount to the following DBE firm: Valdese Concrete Works, Inc.

#### University Area ITS

Established DBE Goal: 9%

Committed DBE Goal: 9.02%

Edwards Telecommunications, Inc. committed 9.02% of the bid amount to the following DBE firms: Valdese Concrete Works, Inc. and LCI – Lineberger Construction.

### **Funding**

American Recovery and Reinvestment Act of 2009

## **19. Crosswalk Pavement Markings Project**



- Action:**
- A. Award the low bid of \$519,337.50 to Interstate Road Management Corporation for the installation of enhanced crosswalk pavement markings, and**
  - B. Award the low bid of \$244,203.75 to Republic Intelligent Transportation Services, Inc for the installation of LED Countdown Pedestrian Signals.**

**Staff Resource:** Charles Abel, Transportation

### **Explanation**

- In accordance with the Urban Street Design Guidelines, Appendix B, CDOT is enhancing the pedestrian walking environment at all signalized intersections.
- These projects will install enhanced, high visibility crosswalks at approximately 300 signalized intersections and LED countdown pedestrian signals at approximately 150 signalized intersections.
- Crosswalk pavement marking locations were selected by first including the 150 locations where old pedestrian signals will be upgraded to LED countdowns. The additional high visibility crosswalk target areas were chosen based on pedestrian density, starting in the center city and moving to arterial corridors.
- When this project is finished, LED countdown pedestrian signals will be installed at other locations as funding is available.

### **Funding**

- The City secured a federal Intelligent Transportation Services grant in the amount of \$800,000 in Federal Highway Administration (FHWA) funds through the American Recovery and Reinvestment Act of 2009. The grant will be administered by the North Carolina Department of Transportation (NCDOT) through a municipal agreement. The grant was based on benefit to citizens and ability to contract work by the end of 2009.

- The municipal agreement was approved by City Council on September 28, 2009.
- The \$800,000 grant is divided into two contracts:
  - Crosswalk Pavement Markings
  - LED Countdown Pedestrian Signals
- Once City Council approves the low bid, NCDOT concurrence is required prior to contract execution.
- The contract must be awarded by December 31, 2009, per federal requirements.

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

Due to the specificity and specialized nature of the work, the DBE goal was set at 0%.

#### **Funding**

American Recovery and Reinvestment Act of 2009

## **20. Electronic Case Papering Contracts**



**Action: Authorize the City Manager to approve contracts and purchases related to the development of the Electronic Case Papering System in an amount not to exceed \$855,202.**

**Staff Resources:** Ken Miller, Police  
 Ron Horton, Police  
 Jeff Stovall, Chief Information Office

#### **Explanation**

- On August 24, 2009 Council accepted the 2009 Justice Assistance Grant (JAG) which Charlotte received through the American Recovery and Reinvestment Act (ARRA). JAG grants are based on crime statistics.
- The grant funds included \$755,510 for the development of an electronic case papering system for CMPD and the District Attorney's Office.
- The current case papering process is manual and requires duplication of effort for officers by re-entering information from Police information systems into Word documents. Officers then print the entire case file and submit it manually to the District Attorney.
- The Electronic Case Papering System will use the software platform to collect case information from various Police data systems to populate the papering forms and will accommodate automated submission of evidence sheets and Crime Lab Requests which are critical components of the papering process.
- The project will provide the capability for an electronic interface to the Case Management System that will be deployed in the District Attorney's Office at a later date and will allow Police to submit case files to the District Attorney electronically.
- The automation of the case papering process will save personnel time and supply costs for both Police and the District Attorney's Office; it will also facilitate better tracking of criminal cases and generate statistics on the disposition of cases presented for prosecution.
- Included in this effort is the enterprise implementation, the common interfacing software referenced by the City's Chief Information Officer in his Citywide Technology Strategy presentation to Council in September

2009. The generic architecture developed through this project will allow seamless connectivity between data systems throughout City departments including financial, work management and citizen relationship management systems.

- CMPD's leveraging of ARRA funds for Electronic Case papering will enable the city to further its technology goals to benefit all KBUs. In addition to the \$755,510 in grant funds, CDOT is contributing \$99,692 toward the cost of the enterprise common interfacing platform which CDOT will ultimately use to share work order information with 311.
- Development of the Electronic Case Papering System will require multiple contracts and purchases, including but not limited to, contracts for three personnel to develop and implement the system; purchase of servers, software, and licenses; installation of base technology architecture and development and delivery of training related to the system.
- In order to meet the project timeline and expend the JAG funds in a timely manner, the Police Department requests that the City Manager be authorized to approve the contracts and purchases associated with the project in an amount not to exceed \$855,202 (\$755,510 in grant funding and \$99,692 in CDOT funding). The majority of the purchases for this project will be made from existing City contracts that Council previously approved or from State contracts. Any required purchases or services, exceeding \$100,000, that are not from these City or State contracts will be presented to City Council for approval.

### Funding

2009 JAG Recovery Grant and CDOT operating funds

## 21. Owner Inspection Services for Davidson Street Bus Facility



**Action: Authorize the City Manager to negotiate an agreement with S&ME Engineering Services in an amount not to exceed \$275,000, for Owner Inspection Services during the Davidson Street Bus Facility Renovation and Expansion Project.**

**Staff Resources:** John Muth, Transit  
Monifa Hendrickson, Transit

### Explanation

- On September 14, 2009 Council awarded a construction contract for Phase I of the Davidson Street Bus Facility project for \$8,704,000. This first phase involves the renovation of the existing Bus Maintenance Building.
- In order to provide Owner Inspection Services and quality assurance oversight for the Davidson Street Bus Facility Project, a professional service contract is recommended for award to S&ME Engineering Services.
  - This company will provide geotechnical, materials testing, special inspection services, and quality control oversight of the construction contract.
  - These inspection services do not include work on the new STS Facility site at N. Alexander, for which the City has requested rezoning.
- This project was advertised September 17, 2009 and 12 submittals were received on October 8, 2009.

- Qualifications packages submitted were evaluated by a selection committee made up of city staff members from Engineering & Property Management and CATS.
- Five firms were interviewed by the selection committee and S&ME Engineering Services was selected based on an evaluation of their qualifications and the requirements of this project.

**Contract Awards & Request for Council Action Schedule**

\$20.7 million was awarded to CATS from the Federal Transit Administration’s ARRA Transit Capital Assistance program. Actual draw-downs from this fund source are as follows:

North Davidson Bus Facility Contracts:	Awards	Council Approval
Contract A-Renovation of Maintenance Building	\$8,704,000	September 14, 2009
Owner Inspection Services	\$275,000	December 14, 2009

**Disadvantaged Business Enterprise Opportunity**

Established DBE Goal: 11%

Committed DBE Goal: 11%

The following DBE firm was proposed: Capstone Civil Group PA.

**Funding**

Transit Fund

**22. Shasta Lane Sidewalk Project**



**Action: Adopt a resolution to award a low bid construction contract to United Construction, Inc. for \$316,370.25 for the Shasta Lane Sidewalk Project.**

**Staff Resource:** David Meachum, Engineering & Property Management

**Explanation**

- This project provides a sidewalk on Shasta Lane from Randolph Road to Sardis Road with a mid-block pedestrian crossing. The project includes: construction of sidewalk, driveways, wheelchair ramps, storm drainage, erosion control, traffic control and adjustment of water meters and other utility items.
- The Shasta Lane sidewalk project is funded by a Federal Highway Administration grant through the American Recovery and Reinvestment Act of 2009. The grant will be administered by North Carolina Department of Transportation (NCDOT) through a municipal agreement. NCDOT concurrence is required prior to contract execution.
- The grant was based on benefit to citizens and ability to contract by the end of 2009.
- This project was requested by the residents through a petition process, and has solid neighborhood support.
- Construction completion is scheduled for third quarter 2010.
- On September 28, 2009 City Council authorized the City Manager to execute a municipal agreement with NCDOT and adopted a budget ordinance for \$485,000 for this project.

**Project Selection Process**

- In June, Mecklenburg-Union Metropolitan Planning Organization (MUMPO) was informed approximately \$7.6 million was available in NCDOT's Division 10 to fund additional stimulus projects. This was due to bids for current projects coming in under original estimates.
- At the August 6, 2009 meeting, the Technical Coordinating Committee recommended MUMPO adopt a list of 17 potential projects for funding with the additional stimulus money.
- MUMPO endorsed the list at the August 19, 2009 meeting.
- NCDOT Division 10 selected this project for funding.
- For this round of stimulus projects, NCDOT has determined construction authorization for this project must be obtained from the Federal Highway Administration (FHWA) prior to December 31, 2009 in order for the project to receive funding.
- Timely approval of the construction contract will allow the City to adhere to the schedule necessary to receive construction authorization from FHWA.

**Disadvantaged Business Enterprise**

Established DBE Goal: 5%

Committed DBE Goal: 5.14%

It is a federal requirement that recipients of federal funding follow the Disadvantaged Business Enterprise (DBE) Program. United Construction, Inc. met the DBE goal and committed 5.14% (\$16,250) to the following DBE firms: D's Trucking Service, Inc. and James A. Streeter DBA Streeter Trucking.

**Funding**

FHWA grant in the amount of \$485,000, American Recovery and Reinvestment Act of 2009

**Attachment 9**

Resolution

**23. Fire and Emergency Response Grant**

**Action: Approve the Fire Department's application for grant funding of \$2,255,156 from the U.S. Department of Homeland Security to provide salary and benefits for 18 firefighters.**

**Staff Resource:** Rich Granger, Fire

**Explanation**

- The U.S. Department of Homeland Security, through the Staffing for Adequate Fire and Emergency Response (SAFER) grant has made funds available to hire firefighters.
- Significant changes to the grant were announced for the 2009 funding year that make applying for this grant advantageous for the City. These changes include paying for 100% of salary and benefit costs for two years. This translates into an award of \$2,255,156 over the two years.
- The 18 firefighters would staff Fire Station 42, to be located at 5620 Central Avenue (near the intersection of Central Avenue and Reddman Road)

- Construction of Fire Station 42 is scheduled to begin during the first quarter of 2010 and completion is anticipated during the first quarter of 2011
- The SAFER Grant is awarded via competitive process. Based on past history, the Department of Homeland Security begins notifying recipients approximately four to six months after the application period has closed. This timeline would work well for Fire, since the recruit class would be graduating during the first quarter of 2011. Opening of the station and graduation of the recruit class will be coordinated, although the recruits will be placed throughout the City, not specifically at Station 42.
- If Charlotte is selected, Council will consider action to accept the grant. The grant requires that the City continue funding the positions for one year after the two-year grant period ends.

### **Funding**

2009 SAFER grant

## **24. One NC Grant for Gerdau Ameristeel**

- Action:**
- A. Approve a contract between the City of Charlotte, the NC Department of Commerce and Gerdau Ameristeel for a \$300,000 One North Carolina Grant from the State to Gerdau Ameristeel, and**
  - B. Adopt a budget ordinance appropriating \$300,000 from a NC Department of Commerce One North Carolina Grant to Gerdau Ameristeel.**

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

### **Explanation**

- Gerdau Ameristeel (Gerdau) of Tampa, Florida, is the fourth-largest steel company in North America. The company produces a wide range of steel products for the construction, manufacturing, automotive, mining and agriculture industries.
- Gerdau's Charlotte Mill, one of 15 similar mini-mills in North America, opened in 1961 and currently employs 266 people at its 6601 Lakeview Road location.
- On December 19, 2005 the State awarded a \$300,000 One North Carolina Grant to Gerdau as part of the company's expansion.
- By State statute, the City is required to sign a grant contract, which outlines the following role for the City:
  - To certify that Gerdau has met investment and job creation requirements
  - To receive grant funds from the State and disburse the funds to Gerdau
- In receiving notice that the State will make a payment to Gerdau in early 2010, staff realized that Council had not authorized the contract in 2005. This is technical approval of the State grant to Gerdau that will enable the City to receive and disburse the funds.

### **Funding**

State of North Carolina: One North Carolina Fund

**Attachment 10**  
Budget Ordinance

**25. 2010 City Council Meeting Calendar**

**Action: Approve the 2010 City Council meeting calendar.**

**Staff Resource:** Stephanie Kelly, City Clerk

**Explanation**

- N.C.G.S. 43-318.12 requires that the City Clerk maintain on file a schedule of City Council's regular meetings. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.
- 2010 Council Retreat and Council Budget Retreat dates are included on this proposed schedule of meetings.

**Attachment 11**  
2010 Calendar

**26. Mayor and Council Topics**

Council members may share information and raise topics for discussion.



## CONSENT I

### Introduction to CONSENT

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

Consent I consists of routine items that have been approved in the budget, are low bid and comply with Small Business Opportunity Program Policy. Price lists for unit price contracts are available upon request.

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

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

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

#### Contractors and Consultants

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

## 27. Various Bids

### A. Firefighting Boat

**Fire**

**Staff Resources:** Rich Granger, Fire  
Genetta Carothers, Business Support Services

#### **Action**

Award the low bid of \$329,471 by Viking Welding and Fabrication for the purchase of a firefighting boat with Chemical, Biological, Radiological, Nuclear detection capabilities. This boat will be used during training exercises and responses. The boat will have air monitoring equipment that supports real time situation analysis. The firefighting boat is also capable of serving as a floating command and control center, can be used in fire suppression activities, or be used by the Dive Team for search and rescue

operations. The boat will be available for use by all public safety agencies in the UASI area.

The firefighting boat will meet the Homeland Security Critical Infrastructure/Key Resource protection requirements. The boat will be funded by the federal Homeland Security/Buffer Zone Protection Program grant.

#### **Small Business Opportunity**

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

### **B. East Boulevard Pedscape, Phase 2**

**EPM**

**Staff Resource:** Sharon Buchanan, Engineering & Property Management

#### **Action**

Award the low bid of \$493,680 by Blythe Development, Inc. This project will convert East Boulevard from four lanes to two lanes, a center turn lane and bike lanes from Cleveland Avenue to Dilworth Road West, making the area more pedestrian accessible. Construction will include landscaped medians with pedestrian refuge, wheelchair ramps, and bulb-outs at corners. The work also includes minor drainage, utility adjustments and asphalt repair. Final paving will be included in the spring 2010 resurfacing contract.

Phase 1 was completed in third quarter 2006 and included a four-lane to two-lane conversion, bicycle lanes, center turn lane and pedestrian refuge medians between Scott Avenue and Kings Drive. Phase 2 (from Cleveland Avenue to Dilworth Road West) will complete the improvements identified in the East Boulevard Pedscape plan adopted by City Council in 2002.

Construction completion is scheduled for third quarter 2010 prior to the start of the Greek Festival held each year in September.

#### **Small Business Opportunity**

Established SBE Goal: 7%

Committed SBE Goal: 7.83%

Blythe Development, Inc. committed 7.83% (\$38,657) of the total contract amount to the following SBE firms: Absolute Business Connections, Ground Effects and Howdel Trucking.

### **C. Airport Water and Sewer Line**

**Aviation**

**Staff Resource:** Jerry Orr, Aviation

#### **Action**

Award the low bid of \$450,725 by Clary Hood, Inc. for the installation of a water and sewer line for the new airport fire station. In January 2009 City Council approved a design contract with Stewart Cooper Newell Architects for the design, architectural

and engineering services of a new fire station at the Airport. In July 2009 City Council approved a construction contract with Edison Foard to construct the new fire station. In August 2009 the airport contracted with Camp Dresser and McKee (CDM) to design the water and sewer line for the fire station.

#### **Disadvantaged Business Enterprise**

Established DBE Goal: 12%

Committed DBE Goal: 13%

Clary Hood, Inc. committed to using 3 certified DBE's for work totaling \$58,625 on this project.

### **D. Heavy Duty Trucks and Road Construction Equipment BSS**

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

#### **Action**

Award unit price contracts for providing Heavy Duty Trucks and Road Construction Equipment for a term of one year and authorize the City Manager to renew the contracts for two additional one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The FY2010 expenditures are anticipated to be a combined total of \$1,018,331 with the following vendors:

- Rush International Truck Center for providing:
  - Truck Cab & Chassis (156-inch cab axle, 18-foot dump body with side lift and 26,000 lbs.) \$80,274
  - Crew Cab Type Vehicle (10-foot dump body and 33,000 lbs.) \$80,825
  - Single Rear Axle Truck (v-box spreader body and 33,000 lbs.) \$93,218
  - 1500 Gallon Fuel Truck (108-inch cab axle and 33,000 lbs.) \$94,953
  - Crew Cab Type Vehicle (line body and 33,000 lbs.) \$89,734
- Sherwin Industries, Inc. for providing:
  - 125 Gallon (minimum) Trailer Mounted Asphalt Sealant Melter/Applicator \$43,285

#### **Small Business Opportunity**

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

### **E. Compressed Natural Gas Refuse Automated and Rear Loader Cab and Chassis SWS**

**Staff Resource:** Carl Terrell, Solid Waste Services

#### **Action**

Award the low bid unit price contracts for providing compressed natural gas Refuse Automated and Rear Loader Cab and Chassis for a term of one year and authorize the City Manager to renew the contracts for two additional, one-year terms with possible price

adjustments at the time of renewal as authorized by the contract to the following vendors:

- Volvo and GMC Truck Center includes compressed natural gas Refuse Automated Cab and Chassis at a unit price of \$180,650
- Southern Truck Services includes compressed natural gas Refuse Rear Loader Cab and Chassis at a unit price of \$174,898

The City will initially purchase two automated refuse collection vehicles from these contracts as a pilot project to test their performance, maintenance requirements and the feasibility of expanded use of environmentally friendly natural gas-fueled trucks in the City fleet. Natural gas-fueled refuse trucks burn cleaner fuel and offer a 25% reduction in carbon dioxide emissions, a major greenhouse gas, less than diesel-fueled type trucks that are currently in use for refuse collection.

FY2010 expenditures are anticipated to be a total of \$361,300. Up to 25% of that amount, or a maximum of \$ 133,500, will be funded from a Mobile Source Emissions Reduction Grant. The grant was awarded to the City earlier this year by the NC Department of Environment and Natural Resources. Subsequent purchases will depend on the outcome of this pilot and available funding.

#### **Small Business Opportunity**

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

## **28. 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 \$28,524.10, and**
  - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$14,847.86.**

**Staff Resource:** Henry Simmons, Finance

#### **Attachment 12**

List of property tax and business license refunds  
Resolution

## CONSENT II

### 29. Recovery Zone Facility Bonds

**Action: Adopt a resolution:**

- 1. Designating all of Mecklenburg County as a Recovery Zone as defined in the Federal Recovery Zone Act,**
- 2. Allocating the City's current allotment of \$44,505,000 in Recovery Zone Facility Bonds to Project Cardinal, and**
- 3. Designating the Mecklenburg County Industrial Facilities and Pollution Control Financing Authority as the issuer of the bonds.**

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

**Explanation**

- The American Recovery & Reinvestment Act of 2009 (ARRA) authorized a new type of federally tax-exempt private activity bonds called "recovery zone facility bonds (RZFB's)" to finance construction, renovation, or acquisition of depreciable property by a qualified business in a designated Recovery Zone.
- The Federal Recovery Zone Act defines a Recovery Zone as any area designated by the City or County as an area of significant poverty, unemployment, rate of home foreclosure, or general distress.
- The City of Charlotte and Mecklenburg County received allocations of \$44,505,000 and \$13,278,000, respectively, in bonding capacity.
- RZFBs are similar to industrial revenue bonds, and must be issued locally by the Mecklenburg County Industrial Facilities and Pollution Control Financing Authority.
- RZFBs are backed by the business, not the City or County, and will not affect the City or County's bond rating.
- All of Mecklenburg County will qualify as a Recovery Zone due to its relatively high level of unemployment.
- The North Carolina Department of Commerce (DOC) oversees the bond program and has set a deadline of December 15, 2009 for cities and counties to file Notices of Intent to use their bond allocation.
- RZFB's must be issued by December 31, 2010.

Project Cardinal

- Project Cardinal is a business that is considering several cities, including Charlotte, for a significant capital investment that would create over 600 new jobs.
- At the request of the company, and as permitted by State law, the name of the company is being withheld for this Council action.
- Due to the competitive nature of the project, staff recommends that the City's allotment of RZFBs be allocated to Project Cardinal.
- On December 1, the Board of County Commissioners approved a resolution designating all of Mecklenburg County as a Recovery Zone and allocating the County's allotment to Project Cardinal.

- The DOC is expected to award an additional allocation to Project Cardinal from unused RZFBs statewide, which would also be covered by this resolution.
- If Project Cardinal does not select Charlotte for its investment, the City is able to reallocate its allotment to another qualified business.

### **Funding**

Recovery Zone Facility Bond allocation; no City funds are used.

### **Attachment 13**

Resolution

## **30. Airport Revenue Bonds**

**Action:**

- A. Adopt a resolution authorizing the issuance of three series of Airport Revenue Bonds of the City of Charlotte and their sale in an aggregate amount not to exceed \$270,000,000,**
- B. Direct the application to the Local Government Commission for approval of such Bonds, and**
- C. Approve various agreements in connection with such transactions.**

**Staff Resources:** Scott Greer, Finance  
Jerry Orr, Aviation

### **Explanation**

- This action authorizes City staff to apply to the local government commission for the sale of three series of airport revenue bonds, in an amount not to exceed \$270,000,000.
- Proceeds will be used for the planning, acquisition, rehabilitation, renovation, expansion and construction of:
  - Third parallel runway
  - Valet parking deck
  - De-icing facility
  - Parking revenue control system
  - Storm drain facility
  - Security checkpoints in the terminal building
  - Other improvements at the Airport consistent with the Airport's mission
- Additional authorized actions include:
  - Refund in advance of their maturities the City's Airport Revenue Bonds, Series 1999B
  - Fund a debt service reserve for the Bonds
  - Pay the costs of issuance of the Bonds
  - Repayment of this debt will be solely from Airport Revenues and other legally available funds
- In addition to the attached resolution, there are 350 pages of required documents which are available from the City Clerk.

### **Funding**

Airport Revenues

**Attachment 14**  
Resolution**31. Police Helicopter and Maintenance Services**

**Action: Approve a contract with Edwards and Associates, Inc. for general helicopter repair services and maintenance for one year in an amount not to exceed \$270,000.**

**Staff Resources:** Ruth Story, Police  
Greg Crystal, Police

**Explanation**

- Police owns two Bell 407 helicopters. One is a 1997 model and the other is a 1998 model.
- The helicopters support Police's mission by assisting in patrol's crime reduction efforts and conducting vehicle pursuits, surveillance, and search and rescue operations.
- The two helicopters require periodic general maintenance, overhaul, repair, electrical work, painting, interior refurbishment and overall maintenance support.
- The contract pricing is market rate and offers a 10% discount off the list price for Bell Helicopter parts.
- Edwards and Associates was selected for this service contract based on the company's training, certifications, safety practices of its employees, pricing, and proximity to Charlotte (to reduce travel costs).
- Edwards and Associates is the only company within one hour flight time of Charlotte that is capable of performing this work and is a Bell 407 approved customer service center and FAA certified repair station.
- Edwards and Associates has performed the maintenance and repair on these helicopters since they were purchased and has the records and maintenance history on both of the helicopters; the quality of their work is superior.

**Small Business Opportunity**

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

**Funding**

Police Operating Budget

## 32. Vehicular Parking and Wayfinding

- Action:**
- A. Vehicular Parking and Wayfinding Sign Fabrication and Installation – Award a unit price contract in the amount of \$403,328 to Signs, Etc. for sign fabrication and installation,**
  - B. Vehicular Parking and Wayfinding System Integration and Construction Services – Authorize the Transportation Key Business Executive to execute a contract amendment for \$179,909.71 with Kimley-Horn, Inc. for design of the center city parking and wayfinding system,**
  - C. Approve the following actions for sign foundations:**
    - 1. Reject the bid of 7 Star Construction Co. Inc. in the amount of \$197,505.65 for failure to meet NC Department of Transportation Disadvantaged Business Enterprise Requirements,**
    - 2. Reject the bid of Traffic Control Devices, Inc. in the amount of \$351,584.90 for failure to meet NC Department of Transportation Disadvantaged Business Enterprise Requirements, and**
    - 3. Approve a contract with United Construction, Inc. in the amount of \$380,103.75 for the construction of support bases for the wayfinding information signage.**

**Staff Resources:** Danny Pleasant, Transportation  
Natasha Warren, Engineering & Property Management

**Policy** Implement Vehicular Wayfinding System to efficiently direct motorists to available parking on a real-time basis (Center City Transportation Plan, April 2006)

### **Sign Fabrication and Installation**

- The contract totaling \$403,328 with Signs Etc. is to fabricate, furnish and install static and dynamic wayfinding and parking guidance signs and field equipment in the Uptown area. This contract will implement the on-street vehicular component of the Parking and Wayfinding Signage System. The sign system includes information/directional tools designed to assist motorists in finding their way throughout the Uptown area, to key cultural and entertainment venues and to the NASCAR Hall of Fame.
- City Council was briefed on August 24, 2009 on this sign system, including project goals, final design, public involvement and schedule. Signage will be fabricated and installed by April 5, 2010, prior to the opening of the NASCAR Hall of Fame.
- The City expects to receive an additional \$324,000 of Energy Efficiency Community Block Grant (EECBG) funding from the Department of Energy to supplement the vehicular wayfinding system. The EECBG funding will be used to design and implement four additional Dynamic Messaging Signs and up to 15 real-time parking availability signs. Staff expects to bring this item forward by summer 2010.

### **System Integration Services and Construction**

- Additional professional services essential to the wayfinding and parking guidance system project were identified during the project's design phase. The cost of these services is \$179,909.71. The total compensation for this contract including the amendment is \$709,049.99.
- The additional services fall into two categories, systems integration and construction phase services:
  - Systems integration
    - Kimley-Horn, Inc. is an expert in NCDOT and CDOT Intelligent Transportation System (ITS) architecture, an essential function to navigate the complex requirements associated with systems integration for dynamic parking guidance signs.
    - Kimley-Horn, Inc. has existing working relationships with all of the center city garage owners, which is essential to linking the data management systems to the revenue systems in each garage.
    - Additional system integration services represent 4.4% of the project budget.
  - Construction phase services
    - Kimley-Horn, Inc. will provide structural and wind load engineering services currently not provided by City staff.
    - Services will include reviewing all shop drawings, reviewing contractor submittals for sign fabrication and construction, and the coordination of efforts with City graphics design team.
    - The amendment will include design work to add parking guidance signs at two additional parking decks.
    - Additional construction services represent 1.8% of the project budget.

### Project History

- City Council approved the contract on November 24, 2008. The contract was executed on December 12, 2008 for the amount of \$529,140.28.
- The initial contract provided for:
  - Design, structural engineering, and other professional services for vehicular directional signs on City streets
  - Design and development of the parking guidance system to support development of the Parking Collaborative
  - Design signage to guide motorists to parking within Center City

### **Sign Foundations**

- The Uptown Vehicular Wayfinding and Parking Guidance Program Foundations and Infrastructure project is being funded with federal Congestion Mitigation and Air Quality (CMAQ) funds and is subject to federal DBE goals and requirements. The two low bidders did not meet the federal DBE goals and requirements.
- Constructing the complete vehicular wayfinding and parking guidance program will be accomplished through two separate contracts and contractors. The Foundations and Infrastructure Contractor will install infrastructure components including underground conduit, junction boxes, cabinet and sign foundations and other related materials to support a vehicular wayfinding and parking guidance program. The Sign Fabrication and Installation Contractor will be responsible for fabricating, furnishing, and installing the wayfinding signs with static and dynamic elements.
- This sign system includes informational/directional tools designed to assist motorists in finding their way throughout the center city area, to key cultural and entertainment venues and to the NASCAR Hall of Fame. The Foundations and Infrastructure contract is necessary in order to implement the Uptown Vehicular Wayfinding and Parking Guidance

Program in accordance with the CMAQ grant and in time for the opening of the NASCAR Hall of Fame.

**Disadvantaged Business Enterprise Goal**

Sign Fabrication and Installation

Established DBE Goal: 7%

Committed DBE Goal: 9.46%

Signs Etc. committed 9.46% (\$38,186.52) to the following DBE firms: Driggers Electric & Control Company and American Pride Welding.

System Integration and Construction Services

NCDOT DBE/WBE goals apply to this federally funded contract.

Sign Foundations

Established DBE Goal: 7%

Committed DBE Goal: 7.02%

It is a federal requirement that recipients of federal funding follow the Disadvantaged Business (DBE) Program. United Construction met the DBE goal and committed 7.02% (\$26,700) to the following DBE firms: Southern Concrete & Construction, Inc., James A. Streeter DBA Streeter Trucking, and Threadline Products, Inc.

**Funding**

Federal Congestion Mitigation and Air Quality Funds, and Transportation Capital Investment Plan

**33. Vehicle and Equipment Graphics**

**Action:**

- A. Approve a contract with Industrial Sign and Graphics for Vehicle and Equipment Graphics – Manufacturing, Removal and Inventory Services for an initial term of one year in the estimated annual amount of \$100,000, and**
- B. Authorize the City Manager to approve up to four, one-year renewal options with possible price adjustments as authorized by the contract.**

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

**Explanation**

- The Equipment Management Division of Business Support Services contracts externally for Vehicle and Equipment Graphics to include Manufacturing, Application, Removal and Inventory Services.
- Vehicle and Equipment Graphics Services are required for all City and County light, medium and heavy duty fleet vehicles and off road construction equipment. Graphics are applied, maintained and repaired throughout the life of the vehicle and/or equipment.
- Vehicle and Equipment Graphics Services are required to mark City and County vehicles with such items and information as equipment numbers and letters; color bands and striping; City/County crowns, emblems, decals, and logos; various caution or safety graphics; Police, Fire and Sheriff full and partial graphics; and division or department banners or titles.

- A Request for Proposals was issued on September 16, 2009. Two proposals were received.
- After careful evaluation, the Evaluation Team determined that the recommended service provider met the established requirements and has the experience and capability to successfully provide the services.

#### **Small Business Opportunity**

No SBO goal was set for this contract because subcontracting opportunities are not anticipated (Part C; Section 2.4 of the SBO Policy).

#### **Funding**

Various KBU operating budgets

### **34. Budget Ordinance to Appropriate Private Developer Funds**

**Action: Adopt a budget ordinance appropriating \$47,550 in Private Developer Funds for Traffic Signal Improvements and Repairs.**

**Staff Resource:** Scott Putnam, Transportation

#### **Explanation**

- The budget ordinance estimates and appropriates \$47,550 in private developer funding for traffic signals and work associated with developer projects. The funding is restricted to these projects.
- The following developers are fully funding traffic signal installations/improvements to mitigate traffic impacts around their respective development projects:
  - Northlake Southstar, LLC, contributed \$12,750 for the modification of a signal at the intersection of Mt. Holly-Huntersville Road and WT Harris Boulevard.
  - Pacific Avenue, LLC, contributed \$34,800 to repair damage they caused to fiber optic cable at the intersection of 4<sup>th</sup> Street and College Street. The repair has already been completed by the City.
- The above signals meet the same criteria as other traffic signals approved by the City.
- Payments made by the developer are in response to estimates of work prepared by CDOT and supplied to the developer.
- Any funding contributed by the developer for a signal project that is unused by the City will be refunded after project completion.
- CDOT will be installing and operating these new signals as part of the existing signal systems in the area.

#### **Attachment 15**

Budget Ordinance

## 35. John Kirk Drive Improvements Municipal Agreement

- Action: A. Adopt a resolution to authorize the Transportation Key Business Executive to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the repair and resurfacing of John Kirk Drive between University City Boulevard and Mallard Creek Church Road, and**
- B. Adopt a budget ordinance appropriating \$311,000 in NCDOT funding.**

**Staff Resource:** Mark Cole, Transportation

### Explanation

- This agreement between NCDOT and the Charlotte Department of Transportation (CDOT) starts the process for NCDOT to transfer maintenance of John Kirk Drive to CDOT at the completion of this project. The transfer will allow the City to implement important pedestrian and bicycle improvements as well as control the future planning and development along John Kirk Drive. NCDOT has agreed to pay for a portion of the repairs done on John Kirk Drive before the maintenance transfer takes place.
- CDOT will receive a total of \$311,000 from NCDOT for improvements, to include base repair, milling, resurfacing and new pavement markings.
- The City will award the construction contract for this work within the next several months and the official maintenance transfer would take place following completion of the project in the fall of 2010.
- This pavement repair work is being coordinated with other work that will add sidewalk and bicycle lanes along John Kirk Drive between University City Boulevard and Mallard Creek Road in addition to intersection improvements at the University City Boulevard intersection that will make bicycle and pedestrian improvements.
- The format and cost sharing philosophy of this agreement is consistent with past Municipal Agreements.

### Funding

North Carolina Department of Transportation

### Attachment 16

Resolution  
Budget Ordinance

### 36. Water and Sewer Extension Policy Revisions Public Hearing Date

**Action: Set a joint public hearing on January 11, 2010 with the Charlotte-Mecklenburg Utilities Advisory Committee concerning revisions to the Water and Sewer Extension Policy.**

**Staff Resource:** Doug Bean, Utilities

**Explanation**

- This action sets a joint public hearing for January 11, 2010, with the Charlotte-Mecklenburg Utilities Advisory Committee to consider proposed revisions to the Water and Sewer Extension Policy.
- The interlocal agreements with Mecklenburg County and the other six towns require that changes to the Extension Policy be considered by Council after a joint public hearing with the Utilities Advisory Committee.
- The proposed revisions will allow public water and sewer mains to be constructed in private streets under certain conditions. This revision is needed to coordinate water and sewer construction with recent changes to the City's non-system residential streets policy for converting private streets to public streets, approved by City Council on November 23, 2009.
- The revisions will also reflect minor operational improvements that have occurred over time. The Utilities Advisory Committee supports the proposed changes.

### 37. Sewer Flow Monitoring Services

**Action: A. Approve a professional services contract with Frazier Engineering, P.A. for permanent and temporary sewer flow monitoring services. The initial term of the contract is two years, in the not-to-exceed amount of \$565,300, and**

**B. Authorize the City Manager to renew the contract for three additional one-year terms. Hourly rates may be adjusted at the time of renewal based on the terms of the agreement.**

**Staff Resource:** Doug Bean, Utilities

**Explanation**

- This contract is for management of Utilities' permanent and temporary sewer flow monitoring program, which includes installation, removal, maintenance, data download, analyses, reporting and recommendations.
- Utilities uses flow monitoring extensively for planning, hydraulic modeling calibrating, engineering analyses and prioritizing sewer improvement projects.
- Utilities currently has 47 permanent flow meters installed throughout the service area and utilizes temporary flow metering on an as-needed basis.
- Frazier Engineering was selected using the Council-approved qualifications based selection process.

**Small Business Opportunity**

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

**Funding**

Utilities Capital Investment Plan

### **38. McAlpine Creek Water Quality Improvement Project Interlocal Agreement**

**Action: Adopt a resolution authorizing an Interlocal Agreement with Mecklenburg County for funding of the McAlpine Creek Water Quality Improvement Project in an amount not to exceed \$1,000,000.**

**Staff Resource:** Jennifer Smith, Engineering & Property Management

**Explanation**

- On May 27, 2008 City Council authorized the City Manager to execute an interlocal agreement with Mecklenburg County for \$350,000 for the planning and design of the City portions of the project.
- Several degraded tributaries enter McAlpine Creek in this area, and the City has partnered with the County to evaluate approximately 3,000 linear feet of streams, one pond and several wetlands.
- Mecklenburg County will soon begin constructing these water quality improvements along McAlpine Creek between Sardis Road and Providence Road, generating 2,780 linear feet of stream credit for the City.
- Based on County bid results, a total not-to-exceed amount of \$1,000,000 is estimated for the construction and inspection of the City's portion of the project. The total project cost is approximately \$1.9 million.

**Stream Mitigation Credit**

- Eroding streams generate sediment, the most abundant pollutant in local streams.
- Stream restoration is the process of converting a degraded, eroding stream corridor to a stable condition.
- The Clean Water Act often requires public projects to mitigate impacts to streams and wetlands by restoring similar features elsewhere.
- Stream restoration projects generate mitigation credits that can be used to offset stream and wetland impacts on public projects.
- In 2004 the City of Charlotte established the Stream and Wetland Mitigation Bank to hold mitigation credits that can be used by City and County public projects.
- The Bank allows mitigation dollars to remain local rather than be paid to a statewide fund, so the benefits of restoration projects are realized in Charlotte's watersheds.
- Mitigation credits are currently sold by the Bank to individual projects at a rate of \$450 per linear foot. This allows the Storm Water Program to recoup approximately 100% of the cost associated with restoring streams.
- All of these restoration projects are located in areas that have been impacted by unmitigated storm water runoff and have been identified by the State as impaired.

**Funding**

Storm Water Capital Investment Plan

**Attachment 17**

Resolution

**39. Engineering Services for the Intersection Capacity and Multi-Modal Enhancement Program**

**Action: Approve a contract with STV, Inc. d/b/a STV/Ralph Whitehead Associates, Inc. in the amount of \$525,000 for the planning services of the Intersection Capacity and Multi-Modal Enhancement Program.**

**Staff Resources:** Tim Greene, Engineering & Property Management  
Mark Cole, Transportation

**Explanation**

- The Intersection Capacity and Multi-Modal Enhancement Program was developed to improve travel conditions for vehicles, pedestrians, bicyclists and transit users at existing intersections. The program focus includes improvements to pedestrian signals and crosswalks, signal timing, crossing distances, sidewalks, wheelchair ramps, bicycle lanes and other intersection design features as may be required.
- The high level engineering analyses provided by the feasibility studies will determine if candidate projects can be constructed and identify recommended improvements, potential impacts and expected costs. If a project is feasible, it will be considered for funding through the appropriate Capital Investment Plan.
- This contract will provide professional engineering services to produce a report describing potential enhancement options and associated benefits, costs and impacts at several locations. Up to 15 intersections will be analyzed including:
  - Nations Ford/Yorkmont
  - Billy Graham/South Tryon
  - Sugar Creek/Plaza
  - Central/Eastway
  - Plaza/Matheson
  - Eastway/Plaza
  - Central/Sharon Amity
  - Steele Creek/Hamilton
  - Brookshire/Hoskins
  - Eastway/Shamrock
  - Sam Neely/Steele Creek
  - Reagan/Tom Hunter
  - Steele Creek/Brown Grier
  - Randolph/Sardis
  - Park/Fairview/Tyvola
- In addition to these services, an engineering planning study will be provided for improvements to Shamrock Drive from Eastway Drive to The Plaza. This study is needed to coordinate future roadway needs with two adjacent neighborhood improvement program projects.
- STV, Inc. was selected using the Council-approved selection process for professional services.

**Small Business Opportunity**

For service based contracts, the City negotiates SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO Policy). STV included SBEs on their project team, however, the work to be completed by the consultant in this phase will not require services of those SBEs.

**Funding**

Transportation Capital Investment Plan

## 40. Shamrock Gardens Neighborhood Improvement Project Design Engineering Services

**Action: Approve a contract with URS Corporation-North Carolina in the amount of \$355,000 for design services of the Shamrock Gardens Neighborhood Improvement Project.**

**Staff Resources:** Mark Grimshaw, Engineering & Property Management  
Carl Jarrett, Engineering & Property Management

**Explanation**

- The Neighborhood Improvement Program provides infrastructure improvements such as curb and gutter, sidewalk, storm drainage, street resurfacing and street trees.
- Three public meetings were held for residents during the planning phase to voice concerns, ask questions and choose a construction alternative. The majority of attendees supported the project.
- Funding for planning and design was included in the 2008 Neighborhood Improvement Bonds. These funds allow for advance planning and design, reducing wait time for project implementation.
- The construction funds for this project are anticipated to be included in the 2010 Neighborhood Improvement Bonds.
- The planning phase contract in the amount of \$158,988 was approved by Council in August 2008.
- This design contract will carry forward the planning phase work.
- This contract includes the design of three blocks of unimproved right-of-way along Connecticut Avenue and Cardiff Avenue, which will be funded by the Street Connectivity Capital Program (\$58,753).
- URS Corporation – North Carolina (URS) was selected pursuant to a Council-approved qualifications-based selection process performed in accordance with NC General Statutes.
- The design phase is expected to last 12 to 18 months. Allowances for real estate and construction phase assistance activities are also included in the contract.

**Small Business Opportunity**

The City negotiated an SBE goal with URS after the proposal selection process (Part C: Section 2.2 of the SBO Policy). URS committed 4.98% (\$17,700) of the total contract amount to the following SBE firms: International Minute Press and Joel E. Wood & Associates, PLLC.

**Funding**

Neighborhood Capital Investment Plan

## 41. Finchley-Purser/Shamrock Hills Neighborhood Improvement Project Design Engineering Services

**Action:** Approve a contract with Turnbull Metzler Design, P.A., in the amount of \$270,000 for design services of the Finchley-Purser/Shamrock Hills Neighborhood Improvement Project.

**Staff Resources:** Mark Grimshaw, Engineering & Property Management  
Carl Jarrett, Engineering & Property Management

### Explanation

- The Neighborhood Improvement Program provides infrastructure improvements such as curb and gutter, sidewalk, storm drainage, street resurfacing and street trees.
- Three public meetings were held for residents during the planning phase to voice concerns, ask questions and choose a construction alternative. The majority of attendees supported the project.
- Funding for planning and design was included in the 2008 Neighborhood Improvement Bonds. These funds allow for advance planning and design, reducing wait time for project implementation.
- The construction funds for this project are anticipated to be included in the 2010 Neighborhood Improvement Bonds.
- The planning phase contract in the amount of \$159,600 was approved by Council in August 2008 (formerly known as the Shannon Park NIP).
- Turnbull Metzler Design was selected pursuant to a Council-approved qualifications-based selection process performed in accordance with NC General Statutes.
- This design contract will carry forward the planning phase work.
- The design phase is expected to last 12 months.

### Small Business Opportunity

The City negotiated a SBE goal with Turnbull Metzler Design after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Turnbull Metzler Design included a SBE on their project team. This SBE will be used as the project evolves.

### Funding

Neighborhood Capital Investment Plan

## 42. Surveying Services

**Action:** Approve an amendment with Dewberry & Davis, Inc. in an amount not to exceed \$150,000 for surveying services.

**Staff Resource:** David Snider, Engineering & Property Management

### Explanation

- The E&PM surveying section maintains 12-month, staggered retainer contracts in order to provide timely response to ongoing project needs and requirements (this is one of 12 such contracts).

- City Council approved a contract with Dewberry & Davis, Inc. on August 27, 2007 in the amount of \$150,000 and also authorized the City Manager to execute two renewals for the contract in the amount of \$100,000 for each renewal. The total contract amount after this amendment will be \$500,000. The contract hourly rate is the same as in 2007.
- An additional amendment is necessary to provide funds to meet the recent change to mapping rules of the North Carolina Board of Examiners for Engineers and Surveyors that require plat preparation for easement and right-of-way acquisition for ongoing projects.
- This firm was selected pursuant to a Council-approved qualifications-based selection process performed in accordance with NC General Statutes. A new selection process for this contract will occur in 2010.

#### **Small Business Opportunity**

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

#### **Funding**

Various Capital Investment Plans

### **43. Ballantyne Commons Parkway at Highway 521 Left Turn Lane Project**

**Action: Adopt a resolution to award a construction contract to Carolina Cajun Concrete for \$155,179.56 for the Ballantyne Commons Parkway at Highway 521 Left Turn Lane Project.**

**Staff Resources:** Becky Chambers, Engineering & Property Management  
Mark Cole, Transportation

#### **Explanation**

- In June 2009 the Charlotte Department of Transportation and NCDOT entered into a Municipal Agreement for Congestion Mitigation and Air Quality (CMAQ) funding of the project.
- Planning and design of the project is complete and was previously funded by the City.
- Pursuant to the terms of the Municipal Agreement, CMAQ funding for 100% of the construction costs associated with this project is available from NCDOT and the Federal Highway Administration (FHWA). Funds designated for this project will be used and administered by the City.
- Under the terms of the Municipal Agreement, the City must seek concurrence from NCDOT, who retains final approval rights of the City's recommendation of award to the lowest responsible, responsive bidder. Once NCDOT formally approves the recommendation of award, the City Manager may execute the construction contract and project funds will be disbursed accordingly.
- Without unexpected delays, construction completion is expected in April 2010.

#### **Background**

- The Ballantyne Commons Parkway at Highway 521 Left Turn Lane Project includes construction within the existing median of a second left turn lane

from eastbound Ballantyne Commons Parkway to northbound Highway 521.

- Pedestrian signals and crosswalks will be added on all corners of the Ballantyne Commons Parkway/Highway 521 intersection. Minor sidewalk reconstruction will be needed to allow for the pedestrian crossings.
- Pedestrian refuge islands will also be added at Ballantyne Commons Parkway at Highway 521 (east and west legs of intersection).

#### **Disadvantaged Business Enterprise**

Established DBE Goal: 8%

Committed DBE Goal: 100%

It is a federal requirement that recipients of federal funds comply with the Disadvantaged Business Enterprise (DBE) Program. Pursuant to NCDOT policy, the prime contractor may utilize its certification to meet and/or exceed the DBE goal. Carolina Cajun Concrete, a certified DBE firm, will perform 92.74% of the work with its own forces. They committed 7.26% (\$11,270) to Theresa's Concrete Service, Inc., also a certified DBE firm.

#### **Funding**

NCDOT

FHWA

#### **Attachment 18**

Resolution

## **44. Ballantyne Commons Parkway/Elm Lane Intersection Improvement Project**

**Action: Approve a contract with STV, Inc. d/b/a STV/Ralph Whitehead Associates, Inc. in the amount of \$466,000 for the design of the Ballantyne Commons Parkway/Elm Lane Intersection Improvement Project.**

**Staff Resource:** Tim Greene, Engineering & Property Management

#### **Explanation**

- On November 12, 2007 City Council approved a contract in the amount of \$308,628 with STV, Inc. for engineering services to provide public involvement, planning and conceptual design.
- STV, Inc. was selected pursuant to a Council-approved qualifications-based selection process performed in accordance with NC General Statutes.
- The Ballantyne Commons and Elm Lane Intersection project is part of the Intersection Capacity and Multi-Modal Enhancement Program which improves accommodations for vehicles, pedestrians, bicyclists and transit users.
- This contract will provide design services for improvements to the Ballantyne Commons Parkway/Elm Lane Intersection including:
  - Pedestrian signals and/or crosswalks
  - Signal timing
  - Crossing distances
  - Sidewalks
  - Wheelchair ramps
  - Bicycle lanes

- Other intersection design improvements as may be required
- The FY2010-2014 Capital Investment Plan proposes funding for real estate and construction of this project to be included in the November 2010 Transportation Bonds.

### **Small Business Opportunity**

The City negotiated a SBE goal with STV-Ralph Whitehead Associates, Inc. after the proposal selection process (Part C: Section 2.2 of the SBO Policy). STV-Ralph Whitehead Associates, Inc. included SBEs as part of their project team. These SBEs will be used as the project evolves.

### **Funding**

Transportation Capital Investment Plan

## **45. Light Rail Electrical System Spare Parts**

- Action:**
- A. Approve a sole source exception for Original Equipment Manufacturer (OEM) rail electrical system parts per G.S. 143-129 (e)(6), and**
  - B. Approve a three year unit priced contract with Ansaldo STS (Formally Union Switch and Signal) for rail electrical system parts for an amount not to exceed \$300,000 (the estimated annual expenditure is \$100,000).**

**Staff Resource:** Rocky Paiano, Transit

### **Sole Source Exception**

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; and
  - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary since the parts must be interchangeable and compatible with the rail's electrical system, and are required to maintain warranties.
- Purchases made under the sole source exemption require City Council approval.

### **Explanation**

- CATS uses OEM parts in the daily maintenance and repair of the electrical system of the light rail.
- These OEM parts meet the required specification standards to keep the rail's electrical system in the proper operating condition and to maintain the warranties. The only source of supply for these parts is Ansaldo STS (Formally Union Switch and Signal) which is the original manufacturer.
- The OEM parts will be ordered on an as-needed basis. The contract amount is based on the prior year's usage amount and required inventory stock levels. The parts will include for example:
  - Relays, power transistor panels, diodes, fuses
  - Mounting bases, Model Chassis
  - Power Supply Units, and Decelerometers

**Small Business Opportunity**

Sole sourcing contracts are exempt from the SBO Program (Appendix Section 23.2 of the SBO Policy).

**Funding**

Transit Operating Fund

**46. Light Rail Overhead Catenary System Parts**

- Action:**
- A. Approve a sole source exception for Original Equipment Manufacturer (OEM) Overhead Catenary System (OCS) parts per G.S. 143-129 (e)(6), and**
  - B. Approve a one-time parts purchase from Impulse NC, Inc. for OCS parts in an amount not to exceed \$150,000.**

**Staff Resource:** Rocky Paiano, Transit

**Sole Source Exception**

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

**Explanation**

- CATS uses OEM parts in the daily maintenance and repair of the electrified catenary system that powers the light rail.
- These OEM parts meet the required specification standards to keep the catenary system in the proper operating condition.
- The only source of supply for these parts is Impulse NC, Inc.
- This one time parts purchase will provide a ready supply of OEM parts for the foreseeable future. The parts will include, for example:
  - Yoke plates and catenary steady arms
  - Hanging clamps, tension equalizers
  - Insulators and brackets

**Small Business Opportunity**

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

**Funding**

Transit Operating Fund

## 47. Light Rail Vehicle Parts

- Action:**
- A. Approve a sole source exception for Original Equipment Manufacturer (OEM) light rail vehicle parts per G.S. 143-129 (e)(6),**
  - B. Approve a three year unit priced contract with Siemens Transportation Systems for light rail vehicle parts, in the amount of \$135,000 per year, not to exceed a total of \$405,000, and**
  - C. Authorize the City Manager to exercise up to two, one-year contract extension options (estimated at \$135,000 annually).**

**Staff Resource:** Rocky Paiano, Transit

### Sole Source Exception

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

### Explanation

- CATS will use OEM parts in the daily maintenance and repair of the Lynx Blue Line light rail vehicles.
- These OEM parts meet the required specification standards to keep the rail vehicles performing at optimum performance and to maintain the warranties on the four soon to be delivered cars.
- The LYNX Blue Line has been in operation for more than two years and replacement of vehicle parts is becoming necessary.
- The OEM parts will be ordered on an as-needed basis. The estimated contract amount is based on the prior year's usage and required inventory stock levels. The parts will include for example:
  - IPC Kernals for the Propulsion Unit
  - Linear Actuators, HVAC contactors
  - Co-Pilot Type COPPC and sensors

### Small Business Opportunity

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

### Funding

Transit Operating Fund

## 48. Special Transportation Services Video Recording and Observation System Expansion

**Action: Approve a contract amendment for \$1,050,000 with Verint Video Solutions for video recording and observation equipment.**

**Staff Resources:** Bryan Leaird, Transit  
Michael Haddad, Transit

### Explanation

- On May 29, 2007 City Council approved a contract with Verint Video Solutions for a transit recording and observation system in the amount of \$3,750,000.
- The current video recording and observation system includes cameras, recorders, and other associated equipment on the City's bus and light rail fleets, and at the Charlotte Transportation Center, transit centers and CATS owned park and ride lots.
- On September 1, 2009 CATS was awarded an Advance Technology Grant from the North Carolina Department of Transportation (NCDOT) in the amount of \$850,000.00, 10% of which is local match.
- This grant will allow the City to add this same technology to the City's para-transit Special Transportation Services (STS) bus fleet. This STS expansion will be a multi-year project costing \$1,050,000.
  - The first year of the project was approved by Council on May 11, 2009 as part of CATS' FY2010 Capital Investment Program (CIP).
  - The remaining balance of this amendment will be included in future annual operating budgets as maintenance costs.
- The City's STS fleet offers door to door transit services to certified transportation disabled patrons who are unable to ride the City's fixed route bus and rail services.
- Transit's video recording and observation system provides a means of monitoring and recording events at and around transit related City property on a 24/7 basis.

### Small Business Opportunity

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

### Funding

Transit Capital Investment Plan

## 49. Transit Facilities Janitorial Services

- Action:**
- A. Approve a one year contract with ISS Facility Services, Inc. for janitorial services at the City's public transit facilities in the amount of \$35,700, and**
  - B. Authorize the City Manager to negotiate and exercise four, one-year extensions estimated at \$35,700 annually (for a total estimated contract amount of \$178,500).**

**Staff Resource:** Leonard Ganther, Transit

**Policy:** Transportation Action Plan (TAP Goal 2), Focus Area (Initiative 3)

### Explanation

- On September 28, 2009 CATS issued a formal request for proposals (RFP) to solicit janitorial services at the City owned park and ride lots, transit centers and the crew room station at the LYNX Blue Line I-485 station.
- On November 2, 2009 ten firms submitted proposal packets. Three were submitted by SBE firms.
- A City evaluation team made up of CATS and E&PM staff reviewed each proposal.
  - The selection criteria included janitorial experience with similar size facilities, hiring and training of staff and local presence.
  - ISS Facility Services was selected by the City's evaluation team as the most qualified respondent.
- Pricing was negotiated to hold firm for the duration of the contract and to consider price adjustment requests only at the time of contract renewal.
  - Price adjustments will be limited to increases in the price of materials that ISS Facility Services, Inc. incurs as a result of increases in the supply market.
  - Adjustments may also occur with the addition of any new transit facilities during the term of the contract.
- All cleaning supplies are green products.

### Small Business Opportunity

For services based contracts, the City negotiates SBE goals after the proposal selection process. (Part C: Section 2.2 of the SBO Policy). On this contract, no SBEs were selected as subcontractors as no subcontracting was available.

### Funding

Transit Operating Budget

## 50. Communication Tower Lease with Clear Wireless LLC

**Action: Adopt a resolution approving a lease agreement with Clear Wireless LLC for antenna and ground space at 7980 Babe Stillwell Farm Road (PID 009-351-01).**

**Staff Resources:** Lynnea Pulver, Engineering & Property Management  
Jeff Reid, Engineering & Property Management

### Explanation

- The City of Charlotte owns a parcel of land and communications tower at 7980 Babe Stillwell Farm Road, Huntersville.
- Clear Wireless LLC would like to lease approximately 49 square feet of ground space and space on this tower for the placement of telecommunications equipment.
- The City's Radio Shop and Charlotte-Mecklenburg Utilities have reviewed the request and determined space is available and will not interfere with current or future City needs at this location.
- Terms of the agreement are as follows:
  - Base rent of \$1,200 per month with first year gross revenue of \$14,400
  - Five-year term with four, five-year options to renew, commencing on February 1, 2010
  - Annual 3% increase in monthly rent, effective July 1, 2011 (increases to coincide with City's fiscal year)
- Telecommunications leases are a revenue stream for the City. The addition of this lease will bring the City's tower revenue for FY2010 to approximately \$700,000.

### Attachment 19

Resolution

## 51. Property Transactions

**Action: Approve the following property transactions (A-C) and adopt the condemnation resolutions (D-AD).**

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

### Acquisitions

- A. Project:** 2009 Annexation - Hood Road South Sanitary Sewer Improvements, Parcel # 5  
**Owner(s):** Hickory Grove United Methodist Church  
**Property Address:** 7925 Robinson Church Road  
**Property to be acquired:** 35,644 sq. ft. (.818 ac.) in Sanitary Sewer Easement, plus 62,480 sq. ft. (1.434 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Purchase Price:** \$13,500  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3

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

**Tax Code:** 108-042-05

**Total Parcel Tax Value:** \$484,500

- B. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 1  
**Owner(s):** Frances Christenbury Hailey  
**Property Address:** 4265 Statesville Road  
**Property to be acquired:** 882 sq. ft. (.020 ac.) in Fee Simple, plus 24 sq. ft. (.001 ac.) in Utility Easement, plus 1,371 sq. ft. (.031 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees and Bushes  
**Purchase Price:** \$12,500  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** B-2  
**Use:** Commercial  
**Tax Code:** 041-042-05  
**Total Parcel Tax Value:** \$210,200
- C. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 57  
**Owner(s):** Keren Hernandez  
**Property Address:** 5201 Statesville Road  
**Property to be acquired:** 2,049 sq. ft. (.047 ac.) in Fee Simple, plus 722 sq. ft. (.017 ac.) in Existing Right-of-way, plus 1,419 sq. ft. (.033 ac.) in Storm Drainage Easement, plus 1,289 sq. ft. (.030 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$15,025  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 041-162-73  
**Total Parcel Tax Value:** \$40,600

## Condemnations

- D. Project:** Cherokee Road 8" Sanitary Sewer Relocation, Parcel #1  
**Owner(s):** JBH Infill Investments, LLC and Any Other Parties of Interest  
**Property Address:** 720 Cherokee Road  
**Property to be acquired:** Total Combined Area of 5,745.58 sq. ft. (.132 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$40,775  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4

**Use:** Single Family Residential  
**Tax Code:** 155-101-17  
**Total Parcel Tax Value:** \$400,000

- E.**     **Project:** Colonial Village/Sedgefield Neighborhood Improvement Project - Phase I, Parcel # 146  
**Owner(s):** Cameron K. Richards, Christine K. McNutt, Leslie K. Carmichael and Steven M. Kay and Any Other Parties of Interest  
**Property Address:** 3649 Annlin Avenue  
**Property to be acquired:** Total Combined Area of 545 sq. ft. (.013 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$275  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 149-109-07  
**Total Parcel Tax Value:** \$151,800
- F.**     **Project:** Colonial Village/Sedgefield Neighborhood Improvement Project - Phase I, Parcel # 180  
**Owner(s):** Nick Toufekias and Wife, Eleni Toufekias and Any Other Parties of Interest  
**Property Address:** 311 Scaleybark Road  
**Property to be acquired:** Total Combined Area of 809 sq. ft. (.019 ac.) of Sidewalk Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$675  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 149-096-04  
**Total Parcel Tax Value:** \$129,700
- G.**     **Project:** Colonial Village/Sedgefield Neighborhood Improvement Project - Phase I, Parcel # 183  
**Owner(s):** Chelsea Blackburn and Any Other Parties of Interest  
**Property Address:** 331 Scaleybark Road  
**Property to be acquired:** Total Combined Area of 786 sq. ft. (.018 ac.) of Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$550  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 149-096-07  
**Total Parcel Tax Value:** \$130,300

- H. Project:** Colonial Village/Sedgefield Neighborhood Improvement Project - Phase I, Parcel # 198  
**Owner(s):** Fred A. Newell and Any Other Parties of Interest  
**Property Address:** 519 Scaleybark Road  
**Property to be acquired:** Total Combined Area of 940 sq. ft. (.022 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$675  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 149-104-03  
**Total Parcel Tax Value:** \$121,400
- I. Project:** Colonial Village/Sedgefield Neighborhood Improvement Project - Phase I, Parcel # 207  
**Owner(s):** Pete Gianiks and Wife, Elaine D Gianiks and Any Other Parties of Interest  
**Property Address:** 665 Reynolds Drive  
**Property to be acquired:** Total Combined Area of 1,628 sq. ft. (.037 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$3,275  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 149-106-02  
**Total Parcel Tax Value:** \$190,600
- J. Project:** Dixie River Road Realignment, Parcel # 16  
**Owner(s):** Clapham Properties I, LLC and Any Other Parties of Interest  
**Property Address:** 9700 Steele Creek Road  
**Property to be acquired:** Total Combined Area of 15,954 sq. ft. (.366 ac.) of Fee Simple, plus Existing Right-of-way, plus Storm Drainage Easement, plus Temporary Construction Easement  
**Improvements:** House  
**Landscaping:** Trees  
**Purchase Price:** \$18,075  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-3  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 199-193-12  
**Total Parcel Tax Value:** \$160,400

- K. Project:** Freedom Drive Widening, Parcel # 389  
**Owner(s):** Porsha Cohen-Brown and Any Other Parties of Interest  
**Property Address:** 1244 Edgewood Road  
**Property to be acquired:** Total Combined Area of 1,098 sq. ft. (.025 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,950  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has been unable to locate the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 059-012-06  
**Total Parcel Tax Value:** \$75,000
- L. Project:** Freedom Drive Widening, Parcel # 391  
**Owner(s):** The Heirs of Effie C. Edwards and Randall J. Hensley and Any Other Parties of Interest  
**Property Address:** 1234 Edgewood Drive  
**Property to be acquired:** Total Combined Area of 1,768 sq. ft. (.041 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,575  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City is condemning to clear title.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 059-012-08  
**Total Parcel Tax Value:** \$73,000
- M. Project:** Lincoln/Wilson Heights Neighborhood Improvement Project, Parcel # 49  
**Owner(s):** Cayco Realty & Investments, Inc. And Any Other Parties Of Interest  
**Property Address:** 1941 Saint Mark Street  
**Property to be acquired:** Total Combined Area of 360 sq. ft. (.008 ac.) of Storm Drainage Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$25  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential

**Tax Code:** 075-053-18  
**Total Parcel Tax Value:** \$5,000

- N. Project:** Lincoln/Wilson Heights Neighborhood Improvement Project, Parcel # 124  
**Owner(s):** Ralph Thomas Stewart and Any Other Parties of Interest  
**Property Address:** 1600 Hateras Avenue 1901 Kennesaw Drive  
**Property to be acquired:** Total Combined Area of 1,105 sq. ft. (.025 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$300  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 075-046-09  
**Total Parcel Tax Value:** \$68,400
- O. Project:** Lincoln/Wilson Heights Neighborhood Improvement Project, Parcel # 129  
**Owner(s):** Pervis Lee and Lafayette Lee and Any Other Parties of Interest  
**Property Address:** 1921 Kennesaw Drive  
**Property to be acquired:** Total Combined Area of 961 sq. ft. (.022 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$225  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 075-046-13  
**Total Parcel Tax Value:** \$74,700
- P. Project:** Lincoln/Wilson Heights Neighborhood Improvement Project, Parcel # 130  
**Owner(s):** The Heirs of Rosa M. Foust and Any Other Parties of Interest  
**Property Address:** 1925 Kennesaw Drive  
**Property to be acquired:** Total Combined Area of 591 sq. ft. (.014 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$225  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 075-046-14  
**Total Parcel Tax Value:** \$61,600

- Q.** **Project:** Lincoln/Wilson Heights Neighborhood Improvement Project, Parcel # 213  
**Owner(s):** Joe F. Fisher and Any Other Parties of Interest  
**Property Address:** 2904 Beatties Ford Rd  
**Property to be acquired:** Total Combined Area of 3,463 sq. ft. (.079 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,150  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 041-011-03  
**Total Parcel Tax Value:** \$15,600
- R.** **Project:** Lincoln/Wilson Heights Neighborhood Improvement Project, Parcel # 214  
**Owner(s):** Fisher & Irvin Co., Inc. And Any Other Parties Of Interest  
**Property Address:** 1909 Wilson Heights Avenue  
**Property to be acquired:** Total Combined Area of 1,346 sq. ft. (.031 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$450  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 041-011-05  
**Total Parcel Tax Value:** \$3,000
- S.** **Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 4  
**Owner(s):** Anthony L. Jinwright and Wife, Harriet P. Jinwright and Any Other Parties of Interest  
**Property Address:** 4300 Statesville Road  
**Property to be acquired:** Total Combined Area of 22,675 sq. ft. (.521 ac.) of Fee Simple, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** Sign  
**Landscaping:** Trees  
**Purchase Price:** \$53,125  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City is condemning to clear title.

**Zoned:** B-2  
**Use:** Commercial  
**Tax Code:** 045-021-09  
**Total Parcel Tax Value:** \$703,000

- T. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 29  
**Owner(s):** Juan Miguel Lopez and Any Other Parties of Interest  
**Property Address:** 4805 Statesville Road  
**Property to be acquired:** Total Combined Area of 959 sq. ft. (.022 ac.) of Fee Simple, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$19,750  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City is condemning to clear title.  
**Zoned:** R-4  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 041-151-15  
**Total Parcel Tax Value:** \$132,600
- U. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 32  
**Owner(s):** Lashawn D. Middleton and Any Other Parties of Interest  
**Property Address:** 4813 Statesville Road  
**Property to be acquired:** Total Combined Area of 1,582 sq. ft. (.036 ac.) of Fee Simple, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$21,800  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City is condemning to clear title.  
**Zoned:** R-4  
**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 041-151-13  
**Total Parcel Tax Value:** \$132,600
- V. Project:** Statesville Road Widening (I-85 to Sunset Road), Parcel # 65  
**Owner(s):** Aaron Gaddy and Any Other Parties of Interest  
**Property Address:** 5210 Wayside Court  
**Property to be acquired:** Total Combined Area of 945 sq. ft. (.022 ac.) of Fee Simple, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Shrubs  
**Purchase Price:** \$825  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4

**Use:** Single Family Residential  
**Tax Code:** 041-162-69  
**Total Parcel Tax Value:** \$91,300

- W.** **Project:** Steele Creek Pump Station Replacement, Parcel # 1  
**Owner(s):** MPP South Point Land, LLC and Any Other Parties of Interest  
**Property Address:** 14325 South Lakes Drive  
**Property to be acquired:** Total Combined Area of 201,682.8 sq. ft. (4.630 ac.) of Fee Simple  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$363,000  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-1  
**Use:** 100 Year Flood Plain - Ac  
**Tax Code:** 203-211-01  
**Total Parcel Tax Value:** \$552,500
- X.** **Project:** Sugar Creek Road - Rumble Left Turn Lane, Parcel # 2  
**Owner(s):** Sugar Creek Properties, LLC and Donald R. Lindsay, Tina M. Lindsay, Donald W. Lindsay and Beverly A. Lindsay  
**Property Address:** 2504 West Sugar Creek Road  
**Property to be acquired:** Total Combined Area of 1,930 sq. ft. (.044 ac.) of Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$3,975  
**Remarks:** Compensation was established by independent, certified appraisals related to this property. City is condemning to clear title.  
**Zoned:** B-2(CD)  
**Use:** Commercial  
**Tax Code:** 047-042-13  
**Total Parcel Tax Value:** \$138,300
- Y.** **Project:** Sugar Creek Road - Rumble Left Turn Lane, Parcel # 8  
**Owner(s):** Sotirios Tsilimos and Any Other Parties of Interest  
**Property Address:** 2400 W Sugar Creek Road  
**Property to be acquired:** Total Combined Area of 5,815 sq. ft. (.133 ac.) of Storm Drainage Easement, plus Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Shrubs  
**Purchase Price:** \$17,850  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-1  
**Use:** Commercial  
**Tax Code:** 047-043-10  
**Total Parcel Tax Value:** \$356,600

- Z.** **Project:** York/Cama Neighborhood Improvement Project Phase I, Parcel # 33  
**Owner(s):** Edward Trapp and Wife, W. Harriett Trapp and Any Other Parties of Interest  
**Property Address:** 510 West Cama Street  
**Property to be acquired:** Total Combined Area of 422 sq. ft. (.010 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$150  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 145-191-11  
**Total Parcel Tax Value:** \$66,500
- AA.** **Project:** York/Cama Neighborhood Improvement Project Phase I, Parcel # 37  
**Owner(s):** Michael D. Ludwig and Wife, Tracey L. Ludwig and Any Other Parties of Interest  
**Property Address:** 420 West Cama Street  
**Property to be acquired:** Total Combined Area of 942 sq. ft. (.022 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$150  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 145-192-12  
**Total Parcel Tax Value:** \$45,900
- AB.** **Project:** York/Cama Neighborhood Improvement Project Phase I, Parcel # 53  
**Owner(s):** Robert Ray Crisp and Calvin Brent Crisp and Any Other Parties of Interest  
**Property Address:** 405 West Cama Street  
**Property to be acquired:** Total Combined Area of 1,783 sq. ft. (.041 ac.) of Storm Drainage Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,975  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 145-193-02  
**Total Parcel Tax Value:** \$39,600

- AC. Project:** York/Cama Neighborhood Improvement Project Phase I, Parcel # 82  
**Owner(s):** Michael D. Ludwig and Wife, Tracey L. Ludwig and Any Other Parties of Interest  
**Property Address:** 4015 Sarah Drive  
**Property to be acquired:** Total Combined Area of 493 sq. ft. (.011 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$50  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 145-192-09  
**Total Parcel Tax Value:** \$45,600
- AD. Project:** York/Cama Neighborhood Improvement Project Phase I, Parcel # 107  
**Owner(s):** Shirley A. Funderburk and Any Other Parties of Interest  
**Property Address:** 306 East Peterson Drive  
**Property to be acquired:** Total Combined Area of 467 sq. ft. (.011 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$100  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City is condemning to clear title.  
**Zoned:** R-8  
**Use:** Single Family Residential  
**Tax Code:** 149-026-16  
**Total Parcel Tax Value:** \$57,900

## 52. Meeting Minutes

**Action:** Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:  
 - November 19, 2009