

Mayor Patrick L. McCrory Mayor Pro Tem Susan Burgess

Michael D. Barnes
Nancy Carter
Warren Cooksey
Andy Dulin
Anthony Foxx

Patsy Kinsey
John Lassiter
James Mitchell, Jr.
Edwin Peacock III
Warren Turner

CITY COUNCIL MEETING
Monday, July 27, 2009

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

Item #	Page #	Title
12	11	First Ward Park and Parking Deck
13	15	Intelligent Transportation System Expansion Municipal Agreement
15	17	Homeless Prevention and Rapid Re-Housing Program
20	24	Jonas Federal Courthouse Lease Agreement Extension
37	48	Resurfacing FY2009 A & B Change Orders
44	54	FY2010 Tree Removal Services
45	55	Solid Waste Services Furniture Purchase
46	56	Storm Drainage Engineering Services

CITY COUNCIL AGENDA
Monday, July 27, 2009

TABLE OF CONTENTS

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
5:00 P.M. Dinner Briefing			
Conference Center			
1.	Mayor and Council Consent Item Questions	1	
2.	Holland & Knight Federal Legislative Briefing	1	1
3.	Proposed Rental Property Ordinance	1	
4.	U.S. National Whitewater Center Update: Signage and Roadwork Completion	2	2
5.	Answers to Mayor and Council Consent Item Questions	3	
6:30 P.M. Citizens' Forum			
7:00 P.M. Awards and Recognitions			
Meeting Chamber			
Consent			
6.	Consent agenda items 25 through 62 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.	5	
Public Hearing			
7.	Public Hearing on a Resolution to Close a Residual Portion of Stafford Drive	6	3
8.	Public Hearing on a Resolution to Close Two Portions of Horne Drive	7	4
9.	Public Hearing on a Resolution to Close a Portion of Two 10-foot Alleyways Bound by Allen Street, East 15 th Street, Harrill Street and Belmont Avenue	8	5
Policy			
10.	City Manager's Report	10	

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
11.	Directed Vote for MUMPO on I-485	10	
12.	First Ward Park and Parking Deck	11	6
Business			
13.	Intelligent Transportation System Expansion Municipal Agreement	15	7
14.	Transit Capital Investment Grant for Davidson Street Garage	16	8
15.	Homeless Prevention and Rapid Re-Housing Program	17	
16.	Sisters of Mercy of North Carolina Foundation Grant	18	9
17.	Charlotte-Mecklenburg Regional Housing Consortium Grant Requests	20	
18.	Friendship Community Development Corporation Women's Shelter Grant	21	10
19.	One NC Grant for Neighborhood Assistance Corporation of America	23	11
20.	Jonas Federal Courthouse Lease Agreement Extension	24	12
21.	Appointments to Boards and Commissions	25	13-16
22.	Nominations to Boards and Commissions	26	17-18
23.	Mayor and Council Topics	27	
24.	Closed Session	27	
Consent I			
25.	Various Bids	29	
	A. Construction Equipment, Light Trucks, Vans, Sedans and Hybrid Vehicles	29	19
	B. Catch Basin Grates, Frames and Hoods	30	20
	C. Road Humps FY2009	30	
	D. Curb Replacement FY2009	31	
	E. Franklin Water Treatment Plant Raw Water Reservoir Improvements	31	

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
	F. Water and Wastewater Treatment Chemicals	32	
	G. Six Mile Creek Pumping Station Upgrades	32	
	H. Airport Parking Deck Repairs	33	
	I. Air Cargo Facilities Repairs	33	
	J. Corporate Hangar Offices	33	
	K. Airport Fence	34	
	L. Huntersville Gateway Park-and-Ride Surface Parking Lot Expansion	34	
26.	Refund of Property and Business Privilege License Taxes	35	21
27.	In Rem Remedy	36	22-30
Consent II			
28.	Charlotte Regional Visitors Authority Interlocal Agreement Amendment	39	31
29.	2009 Federal Earmark for Gang of One	39	32
30.	Worker's Compensation Third Party Administration Services	40	
31.	Property and Casualty Claims Third Party Administration Services	41	
32.	Worker's Compensation Medical Services	42	
33.	Equipment Rental	44	
34.	On-Street Parking Contract	45	33
35.	Traffic Signal Communications Cable Design	46	
36.	Engineering Services for Traffic Analysis	47	
37.	Resurfacing FY2009 A&B Change Orders	48	34
38.	Private Developer Funds for Traffic Signal Improvements	49	35
39.	5 th Street Sidewalk Reimbursement Agreement	49	

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
40.	Street Maintenance Transportation Projects Planning and Design	50	
41.	Street Connectivity Feasibility Studies	51	
42.	Statesville Road Widening Engineering Services	52	
43.	United States Geological Survey 2009-2010 Cooperative Agreement	53	
44.	FY2010 Tree Removal Services	54	
45.	Solid Waste Services Furniture Purchase	55	
46.	Storm Drainage Engineering Services	56	
47.	Job Access Reverse Commute and New Freedom Grants and Contracts	57	36
48.	Disposition of Excess Buses per Federal Requirements	58	37
49.	Southwest Water Transmission Main Phase B1 Construction Contract Change Order #3	60	
50.	Supplemental Municipal Agreement for Relocation and Adjustment of Utility Lines	61	38
51.	Agreement with the Town of Huntersville for Sewer Line Construction	62	
52.	Certified Renewable Energy Bond	62	
53.	Airport Medical Center	63	
54.	Airport Fire Station	64	39
55.	Airport Purchase of Wetland and Stream Mitigation Credits	65	
56.	Federal Aviation Administration Grant Acceptance	66	40
57.	Airport Parking Deck	67	41

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
58.	Airport Terminal Expansion Design Contract	68	42
59.	North Carolina Blumenthal Performing Arts Center Lease Amendment	69	43
60.	CMPD Providence Division Station Land Purchase	70	44
61.	Property Transactions	71	
62.	Meeting Minutes	79	

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

2. Holland & Knight Federal Legislative Briefing

Resource: Boyd Cauble, City Manager's Office

Time: 30 minutes

Synopsis

- Rich Gold, Jeff Boothe, Lisa Tofil and Shawna Watley, representatives from Holland & Knight, will give Council an update of the status of the City's federal legislative agenda. They will detail the efforts of our federal delegation in requesting funding for the items sent to D.C. in February.
- Council will have an opportunity to ask questions and seek guidance regarding how to best pursue the funding requests. Holland & Knight will update Council on the process and time line for earmark awards.

Attachment 1

Memo dated July 6, 2009 describing the status of each Charlotte request

3. Proposed Rental Property Ordinance

Resources: Eric Campbell, City Manager's Office
Ken Miller, Police
Eddie Levins, Police
Paul Paskoff, Police
Mark Newbold, Police

Time: 30 minutes

Synopsis

- Council's Community Safety Committee has devoted several meetings to a discussion of a proposed rental property ordinance that would hold owners of rental property accountable for the crime and disorder that occurs on their property. Similar ordinances have been successful in reducing crime and disorder issues at rental properties in Houston, Joliet, Minneapolis, Tempe, Anchorage, and Raleigh.

- The Police Department has been working on the proposed ordinance for over a year in conjunction with a stakeholders group whose input has been incorporated into the ordinance.
- The key components of the proposed ordinance are:
 - Registration of all rental properties
 - Designation of rental properties as in need of remedial action (INRA) when they meet a designated threshold for one or more of:
 - o Violent crime
 - o Property crime
 - o Calls for service
 - Development of remedial action plans for problem properties
 - Revocation of owner's rental registration identification if remedial action is not taken
 - Creation of a Rental Property Review Board
- The major issue in Committee discussions has been the need for the registration of all rental properties. Some Committee members oppose the registration component.
- The presentation will include:
 - The need for the ordinance
 - The role of the stakeholders
 - The key components of the ordinance, including staff's recommendation to register all rental properties
 - Costs of enforcing the ordinance

Future Action

The purpose of the presentation is to get input from the full Council on the proposed ordinance with an emphasis on feedback regarding the registration component. Based on Council input, the proposed ordinance will return to the Community Safety Committee and come back to full Council at a later date.

4. U.S. National Whitewater Center Update: Signage and Roadwork Completion

Resource: Ron Kimble, City Manager's Office

Time: 15 minutes

Synopsis

- The briefing will cover:
 - Signage on I-85, I-485, Sam Wilson and Moore's Chapel Roads
 - Update on completion of Whitewater Center Parkway

Council Decision or Direction Requested

This is for information only at this time.

Attachment 2

Letters from NCDOT and U.S. National Whitewater Center regarding signage locations and cost

5. Answers to Mayor & Council Consent Item Questions

Resource: Curt Walton, City Manager

Time: 10 minutes

Synopsis

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

6:30 P.M. CITIZENS' FORUM

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

CONSENT

- 6. Consent agenda items 25 through 62 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 a Resolution to Close a Residual Portion of Stafford Drive

Action: A. Conduct a public hearing to abandon a residual portion of Stafford 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.
- A Council decision to abandon removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

Michael A. Matlock

Right-of-Way to be abandoned

A residual portion of Stafford Drive left over from the former realignment of Stafford Drive

Location

Beginning approximately 25 feet from Wilkinson Blvd continuing approximately 416 feet north to its terminus

Reason

To incorporate the right-of-way into adjacent property owned by the petitioner in order to increase the existing lot size for a more viable parcel for future development

Notification

In accordance with standard procedures, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations (within ½ mile radius), private utility companies and City departments for review.

No Adjoining property owners

Neighborhood/Business Associations

Tuckaseegee Road West – No objection

Woodsdale Acres Community Club – No objection

Private Utility Companies – No objection

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

Attachment 3

Map
Resolution

8. Public Hearing on a Resolution to Close Two Portions of Horne Drive

Action: **A. Conduct a public hearing to abandon two portions of Horne 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.
- A Council decision to abandon removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

Double Oaks Development, LLC/ Kristopher Rowe

Right-of-Way to be abandoned

Two portions of Horne Drive

Location

Located within the Double Oaks Community

Portion 1: Begins at the intersection of Double Oaks Drive running approximately 611-feet southeastwardly then curving in a northeastern direction and continuing approximately 1,277-feet to its terminus at Moss Street

Portion 2: Begins at the intersection of Double Oaks Drive running approximately 970-feet northwestwardly to its terminus

Reason

To incorporate the right-of-way into adjacent parcels owned by the petitioner for the redevelopment of the Double Oaks Community. Subdivision plan was approved by the Charlotte-Mecklenburg Planning Commission on June 23, 2009.

Notification

In accordance with standard procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations (within ½ mile radius), private utility companies and City departments for review.

No Adjoining Property OwnersNeighborhood/Business Associations

Double Oaks Community Organization – No objections
 Edison Street Block Association – No objections
 Druid Hills – No objections
 Lincoln Heights Neighborhood Association – No objections
 Lockwood Neighborhood Association – No objections
 Oaklawn Community Improvement Organization – No objections
 Genesis Park – No objections
 J. T. Williams Neighborhood Association - 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

Attachment 4

Map
 Resolution

9. **Public Hearing on a Resolution to Close a Portion of Two 10-foot Alleyways Bound by Allen Street, East 15th Street, Harrill Street, and Belmont Avenue**

Action: **A. Conduct a public hearing to abandon a portion of two 10-foot alleyways bound by Allen Street, East 15th Street, Harrill Street, and Belmont Avenue, 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.
- A Council decision to abandon removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

Roger and Perina Stewart/ Perkins Eastman- John Mang

Right-of-Way to be abandoned

A portion of two 10-foot alleyways bound by Allen Street, East 15th Street, Harrill Street, and Belmont Avenue

Location

Located within the Belmont Community

Alleyway (1): Beginning from Allen Street continuing approximately 155-feet northwestwardly towards Harrill Street to its terminus

Alleyway (2): Beginning 100-feet from East 15th Street continuing approximately 50-feet southwestwardly to its terminus

Reason

To incorporate the right-of-way into adjacent parcels owned by the petitioner for the development of the proposed Belmont Korners mixed-use development. This development project is affiliated with rezoning petition #2009-031, which was approved by Council on July 20, 2009.

Notification

In accordance with standard procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations (within ½ mile radius), private utility companies and City departments for review.

Adjoining Property Owners

Barbara Greet – No objection

Baxter Smith – No objection

Seymore James – No objection

Neighborhood/Business Associations

Belmont Community – No objections

Belmont Neighborhood Strategy Force – No objections

Belmont Tenant Organization – No objections

Chantilly Neighborhood Association – No objections

Elizabeth Community Association – No objections

First Ward Community Fund, Inc – No objections

First Ward Neighbors, Inc. – No objections

Plaza Central Development Group, Inc. – No objections

Plaza Central Partners – No objections

Plaza Midwood Neighborhood Association – No objections

Plaza Park Drive – No objections

Plaza Shamrock Neighborhood Association – No objections

Private Utility Companies – No objectionsCity 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

Attachment 5

Map

Resolution

POLICY

10. City Manager's Report

- Update on the implications of the State budget actions on local revenues

11. Directed Vote for MUMPO on I-485



Action: Consider the Transportation Committee's recommendation for a MUMPO directed vote on actions related to the funding of the last segment of I-485.

Staff Resource: Eric Campbell, City Manager's Office

Explanation

- MUMPO and State officials have been continuing a discussion concerning options for accelerating the funding of the last segment of I-485, which may result in a MUMPO agenda item at its August meeting. If that agenda item is defined prior to July 27, the Transportation Committee will consider recommendations at its meeting on July 27 and those recommendations will be relayed to the City Council for purposes of a directed vote.

12. First Ward Park and Parking Deck



Action: Approve the Economic Development and Planning Committee's recommendation to:

1. **Approve the Economic Development Grant Agreement with Levine Properties and Mecklenburg County for:**
 - The construction of above and below ground parking decks totaling 1,335 public parking spaces for a maximum City/County grant amount of \$29.75 million,
 - The acquisition of land and construction of park space north of Eighth Street, as part of the First Ward Park project, with a maximum City grant amount of \$2.315 million,
2. **Approve the Infrastructure Reimbursement Grant with Levine Properties for \$5,085,000 for the reconstruction of Brevard and Eighth Streets in the First Ward Park project area and the reimbursement of \$170,000 in design expenditures for improvements incurred by Levine Properties,**
3. **Approve the transfer of approximately 10,200 square feet of land at 9th and Caldwell Streets (portions of PID 080-063-11 and 080-063-12) to Mecklenburg County and the addition of \$717,094 credit to the City on the City/County Land Transfer ledger and authorize the City Manager or his designee to execute any and all documents necessary to facilitate this transaction, and**
4. **Authorize the City Manager to approve any non-material changes to the documents.**

Committee Chair: John Lassiter

Staff Resources: Tom Flynn, Neighborhood & Business Services
Robert Hagemann, City Attorney's office

Explanation

- In July 2008 City Council approved a framework for the First Ward Park and Parking Deck project.
- The recommendation of the Economic Development and Planning Committee is consistent with the approved framework, with the exception of the City's contribution of \$2.315 million for the construction of the park north of 8th Street. Such contribution is to come from a tax increment grant based on new incremental tax revenue as described below. Funding of this cost was originally a County responsibility. The County will fund \$4.2 million of the cost of the park north of 8th Street (known as Park North) and 100% of the cost of the park south of 8th Street (known as Park South).

Parking Spaces and Park

- The Economic Development Grant Agreement for the 1,335 parking spaces and the park includes the following provisions:
 - Grant payments for the parking decks of 45% of incremental City/County property taxes on the developer parcels within the project

site for a ten year period to fund gap in financing for 1,335 parking spaces, 305 of which would be primarily used by UNC Charlotte's Uptown Campus. A map of the project site and developer parcels is attached.

- Maximum City/County grant payment for the parking decks is \$29.75 million
- Levine Properties has six years from completion of Park North to request the first grant payment for the parking decks.
- 75% of the public spaces can be rented on a monthly basis from 5:00 a.m. to 6:00 p.m. Monday thru Friday. The remaining 25% are hourly spaces. These public parking space provisions last for 30 years.
- Levine Properties contributes \$11 million to cost of constructing parking decks and owns and operates the parking decks, assuming all risk for construction cost over-runs and operating cost losses.
- UNC Charlotte contributes \$4.2 million to the cost of the parking decks and receives use of 305 parking spaces.
- Mecklenburg County provides funds to design and build approximately a 2.5 acre park bounded by 7th, 8th, Brevard and the Lynx line, i.e. Park South (approximately \$7 million for Park South improvements)
- The approximately 0.8 acre portion of the park north of 8th Street, i.e. Park North, to be constructed by Levine Properties and subsequently is funded by the City and County through grant payments to Levine Properties for five years. These grant payments are based on 45% of incremental property taxes from the Developers' Parcels and the City's payments are capped at \$2.315 million.
- Minority and Women Business Enterprise (Mecklenburg County) and Small Business Enterprise (City of Charlotte) goals have been established for work on phase one of the street improvements, parking deck and park. The combined City and County goals are:
 - o SBE 6%
 - o MBE 8%
 - o WBE 5%
- Workforce housing of up to 50 rental units will be provided for a 20 year period.
- A new Market Street parallel to the LYNX Blue Line right-of-way and a 10th Street extension will be provided by Levine Properties (or affiliates) if the underground deck is completed.
- Establishment of the project site consisting of nine blocks in Center City, certain parcels of which will generate the incremental taxes for the grants, provided they are owned by Levine Properties (or affiliates) now or in the future. The agreement allows for additional parcels within the project site or parcels external to but adjacent to the project site to be subject to the tax increment grant providing they are acquired by Levine Properties (or affiliates). A map of the site is attached.

Infrastructure Reimbursement Grant

- The Infrastructure Reimbursement Agreement between the City and Levine Properties has the following key provisions:
 - City reimburses Levine Properties \$5,085,000 for this work and begins monthly progress payments for this work in January 2011
 - Scope of work for this reimbursement includes:
 - o Reconstruction, infrastructure relocation and elevation changes to Brevard Street between 7th Street and 9th Street
 - o Reconstruction, infrastructure relocation and elevation changes to 8th Street between the light rail right of way and Caldwell Street

- Storm water replacement under and curb adjustments to 9th Street between the light rail right of way and Brevard. All work will conform to the Urban Street Design Guidelines and will include placing electrical lines underground.
- Within 30 days of execution of this agreement, the City reimburses Levine properties \$170,000 for design and engineering work already completed for the reconstruction of 8th and Brevard streets
- City installs traffic, street, and pedestrian lights at a cost of \$500,000
- City holds \$95,000 in contingency for rock expenses above construction estimates and for project enhancements

Land Exchange with County

- The City transfers to Mecklenburg County approximately 10,200 square feet at the corner of 9th and Caldwell streets.
 - Appraised value of \$717,094 is recorded as a credit to the City on the City/County Land Transfer Ledger.
 - The new balance of the Land Transfer Ledger would be \$1.84 million in the City's favor.
 - The County intends to exchange this property and the remainder of this block, which is already controlled by the County (a portion by CMS), with Levine Properties in order to build the approximately three acre Park South portion bounded by 7th, 8th, Brevard and the Lynx light rail line.

Committee Discussion

- In addition to numerous meetings in 2008 and first quarter 2009, the Economic Development and Planning Committee discussed the First Ward Project at three recent meetings: May 13, 2009, June 15, 2009 and July 15, 2009.
- The Committee voted unanimously (Lassiter, Foxx, Carter and Kinsey) to recommend approval of the First Ward Park, Parking Deck and Reimbursement Agreements.
- The Committee discussed several issues over the course of these meetings, including:
 - City participation and structure in the Park North area north of 8th Street
 - Infrastructure reimbursement amount and structure of that agreement
 - Impact of the project on the City's TIF Policy
 - Workforce housing provisions
 - Importance of meeting and exceeding the MWSBE goals
- Mecklenburg County's Board of Commissioners is scheduled to consider this matter at their August 4, 2009 meeting.

Funding

- The Park and Parking Deck Agreements are funded from 45% of the incremental property taxes generated by the private sector development on the developer parcels. Approval of these agreements will leave approximately \$3.6 million a year remaining capacity under the Council's Tax Increment Financing Policy.
- The Infrastructure Reimbursement Agreement is funded from \$5.5 million in the FY2010 Economic Development Capital Investment Plan and \$350,000 from Stormwater Capital Investment Plan.

Attachment 6

First Ward Park and Parking Deck presentation to ED and Planning Committee
July 15, 2009

Executive Summary of Economic Development Grant Agreement and
Infrastructure Reimbursement Agreement
Map of Project Site and Developer Parcels (parcels currently owned by Levine
Properties)

BUSINESS

13. Intelligent Transportation System Expansion Municipal Agreement



- | | |
|---------------|---|
| Action | <p>A. Adopt a resolution authorizing the Key Business Executive for Transportation to negotiate and execute a Municipal Agreement with North Carolina Department of Transportation (NCDOT) for the Intelligent Transportation System (ITS) Expansion Project in the amount of \$4 million, and</p> <p>B. Adopt a budget ordinance appropriating \$4 million of federal American Recovery and Reinvestment Act (ARRA) funds.</p> |
|---------------|---|

Staff Resources: Liz Babson, Transportation
Debbie Self, Transportation

Explanation

- The City secured a federal Intelligent Transportation Systems (ITS) grant in the amount of \$4 million in Federal Highway Administration (FHWA) funds through the American Recovery and Reinvestment Act of 2009. This grant will be administered by the NCDOT.
- The Recovery Act ITS Expansion Project will provide continued enhancement of the communications infrastructure as identified in the ITS Master Plan along more than 25 miles of thoroughfares and provide video traffic surveillance cameras along Pineville-Matthews Road, Beatties Ford Road, Davidson Road, The Plaza, Parkwood Avenue, WT Harris Boulevard and North Tryon Street.
- These projects are important links, as identified in the ITS Master Plan, to complete the communications infrastructure.
- The Recovery Act ITS Expansion Project will also include a conversion of analog video to digital video in order to provide the camera images on the web. The conversion is important in order to make video sharing more accessible to other departments, agencies and the public.
- A municipal agreement between the City and NCDOT is necessary for the City to be reimbursed.
- City Council will be asked to approve future contracts that detail scope, cost and schedule for this work.
- This project is on track to meet schedule commitments as defined by FHWA for obligating these funds.

Funding

American Recovery and Reinvestment Act of 2009

Attachment 7

Resolution
Budget Ordinance

14. Transit Capital Investment Grant for Davidson Street Garage



- Action:**
- A. Authorize the City Manager to accept the Federal Transit Administration (FTA) approved Transit Capital Investment Grant under the American Recovery and Reinvestment Act, 2009 for \$20,766,306,**
 - B. Adopt a resolution authorizing the City Manager to submit and execute grant agreements with the Federal Transit Administration, and**
 - C. Adopt a budget ordinance appropriating \$20,766,306 of Federal American Recovery and Reinvestment Act (ARRA) funds.**

Staff Resource: John Muth, Transit

Explanation

- The American Recovery and Reinvestment Act (ARRA), 2009 was signed into law on February 17, 2009. The Act includes \$8.4 billion for transit capital investments. Of the \$8.4 billion, \$6.9 billion is distributed via formula. Through the formula process, the City is allocated \$20,766,306 for Transit Capital Investment.
- On April 27, 2009 Council authorized the City Manager to apply for \$20,766,306 of ARRA funds to renovate the Davidson Street garage.
- The ARRA funding will pay for a portion of the overall North Davidson Facility master plan. Included in the proposed project is the renovation of the existing Bus Operating Division's maintenance and administration buildings, equipment upgrades, an associated parking deck and relocation of the CATS Special Transportation Services administrative section to the renovated facility.
- The Federal Transit Administration, Region IV, notified CATS that FTA has awarded \$20,766,306 to the City on July 10, 2009.
- This action will authorize the City Manager to accept the grant and appropriate the funds.

Funding

American Recovery and Reinvestment Act of 2009

Attachment 8

Resolution
Budget Ordinance

15. Homeless Prevention and Rapid Re-Housing Program



Action: Authorize the City Manager to apply to the North Carolina Office of Economic Recovery and Investment for up to \$2 million in additional Homeless Prevention and Rapid Re-Housing Program funds.

Staff Resource: Stan Wilson, Neighborhood & Business Services

Policy

- The U.S. Department of Housing and Urban Development (HUD) established the Homelessness Prevention and Rapid Re-Housing Program (HPRP), under Title XII of the American Recovery and Reinvestment Act of 2009 (ARRA).

Explanation

- The Homeless Prevention and Rapid Re-Housing Program (HPRP) is part of the American Recovery and Reinvestment Act of 2009.
- HPRP funding in Charlotte is coming from two sources:
 - Charlotte's direct allocation from HUD (\$1,930,217) for which the Council approved an application on May 11, 2009
 - This application for up to \$2 million in additional HPRP funds which are a part of the State's \$22 million allocation
- The North Carolina Office of Economic Recovery and Investment, the N.C. Department of Health and Human Services and N.C. Housing Finance Agency will administer the State's HPRP funds through a competitive Request for Applications process.
- The State issued application guidelines on July 8, 2009 with a deadline of August 7, 2009.
- To meet the application deadline, staff is requesting the City Manager be authorized to apply for up to \$2 million in State HPRP funds.
- Eligible applicants for State HPRP funding must be:
 - Units of general local government (including entitlement communities receiving direct HPRP allocations from HUD), or
 - Private non-profit organizations, if the local government approved the program for the locality in which the organization is located
- HPRP funds focus on housing for homeless and at-risk households earning 50% or below the area median income (\$33,250 for a family of four). HPRP funds are intended to serve two populations of persons facing housing instability:
 - Rapid Re-Housing – Assists individuals and families who are experiencing homelessness (residing in emergency or transitional shelters or on the street) and need temporary assistance in order to obtain housing and retain it
 - Prevention – Assists individuals and families who are currently in housing but are at risk of becoming homeless
- HPRP funds can be used for:
 - Financial assistance (short and mid-term rental assistance, security deposits, utility deposits and payments, moving costs, hotel and motel vouchers)
 - Housing search and placement
 - Legal services
 - Credit repair
 - Case management
 - Outreach and engagement
 - Data collection

- It is anticipated that the additional State funding will serve approximately 200 to 250 individuals and families, doubling our original goal.
- The application requires collaboration with the Continuum of Care agencies in the City of Charlotte (listed below) representing the Homeless Services Network. Staff will continue to work with these agencies in developing the program.

Agencies		
A Way Home	HomeAid	Regional HIV/AIDS Consortium
Area Mental Health	Homeless Helping Homeless	Salvation Army
Carolina's Medical Center - Access Program	Legal Aid of NC	St. Peter's Home
Charlotte Emergency Housing	Legal Service -Southern Piedmont	To Serve With Love
Community Link	Mecklenburg County & DSS	Uptown Shelter
Crisis Assistance Ministry	NeXus	Urban Ministry
Family Promise of Charlotte	Parker's House	Workforce Initiative for Supportive Housing (W.I.S.H)

- If awarded State HPRP funds, City Council will approve agency contracts. The City's role is to administer the local program by distributing and monitoring funds.
- The HPRP supports two goals of the Ten-Year Plan to End Homelessness, which include:
 - Getting homeless families and individuals into safe appropriate housing as soon as possible
 - Promoting housing stability for families and individuals most at risk of becoming homeless

Funding

Federal Homeless Prevention and Rapid Re-Housing Program funds awarded to the State as part of the American Recovery and Reinvestment Act of 2009

16. Sisters of Mercy of North Carolina Foundation Grant

Action: **A. Accept a \$148,000 grant from the Sisters of Mercy of North Carolina Foundation to support revitalization initiatives in the West and Wilkinson Boulevard Corridors, and**

B. Adopt a budget ordinance appropriating \$148,000 from the Sisters of Mercy of North Carolina Foundation.

Staff Resource: Tom Warshauer, Neighborhood & Business Services

Explanation

- The Sisters of Mercy of North Carolina Foundation (SOMF) would like to continue its partnership with the City of Charlotte through the Vision Charlotte Initiative (VCI) in the Wingate community.

- SOMF has approved a grant to the City in the amount of \$148,000. Acceptance of this grant does not obligate the City to any future funding commitments.
- The grant will be used to continue the VCI in the Wingate community and expand its services to the West Boulevard and Wilkinson Boulevard Corridors.
- The City's in-kind contribution of \$130,360 will be in the form of the work of one Neighborhood Services Specialist and maintenance of the Wingate Neighborhood Resource Center, both of which are included in Neighborhood & Business Services' FY2010 budget.
- The City will continue to maintain the Wingate Community Center as the main office and outreach center for the VCI. A Neighborhood Services Specialist will run the center and provide the coordination role for the program, while also providing normal neighborhood services that would be required with or without the SOMF or VCI.
- The SOMF will fund the continuation of Job University, currently provided through the Charlotte Enterprise Community JobLink Center, with additional services of the Career Cruiser visiting Wingate twice monthly.
- The SOMF will also fund the West Boulevard component of the Weed and Seed Truancy Program, which is currently unfunded through reductions in the Weed and Seed allocation from the Department of Justice.

Background

- The SOMF awarded a \$25,000 planning grant to Neighborhood Development in April 2004.
- In July 2005, SOMF awarded \$987,389 to Neighborhood Development to pilot an integrated service delivery model to support revitalization efforts in the Wingate Community.
- The pilot partnership, VCI, was designed to develop program linkages in housing and economic counseling, provide supportive adult education, and provide support for children over a three year period.
- Careful planning, reallocation of existing resources and budget savings enabled the initiative to continue through a fourth year.
- Some of the accomplishments over the past four years include:
 - More than 170 residents enrolled in job readiness training
 - Over 78 residents employed with over 70% retaining employment
 - 17 employers engaged in the VCI network
 - 20 residents obtained a GED in 2009
 - 290 residents have given back to the community through volunteer and civic service
 - 139 youth enrolled in afterschool and summer enrichment programs
- Careful planning, reallocation of existing resources and budget savings enabled the initiative to continue through a fourth year.
- In June 2009, SOMF approved an award of \$148,000 to continue the Vision Charlotte Initiative for a fifth year.

Attachment 9

Budget Ordinance

17. Charlotte-Mecklenburg Regional Housing Consortium Grant Requests

- Action:**
- A. Approve a \$550,000 grant to the Town of Huntersville for land acquisition and infrastructure for the development of 17 single family homes, and**
 - B. Approve a \$150,000 grant to Mecklenburg County to provide tenant based rental assistance for up to 35 families.**

Staff Resource: 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

Explanation

- On June 26, 2000, City Council approved the adoption of a resolution for the City of Charlotte to enter into a cooperation agreement to form the Charlotte-Mecklenburg Regional Housing Consortium.
- The Charlotte-Mecklenburg Regional Housing Consortium members are the City of Charlotte, Mecklenburg County and the towns of Cornelius, Huntersville, Matthews, Mint Hill and Pineville.
- The Consortium Agreement allows Mecklenburg County and surrounding towns to become "entitlement communities" for receipt of federal HOME funds to increase affordable housing opportunities for individuals and families in Mecklenburg County.
- Under the agreement, the City of Charlotte is the lead entity for the Consortium and serves as a "pass through" agency for the federal funding.
- Since FY2001, the City has received \$2.8 million in HOME funds for Consortium projects. To date, \$1.4 million has been spent.

Town of Huntersville

- The Town of Huntersville is requesting a grant for up to \$550,000 for land acquisition and infrastructure for Phase I development of Norman Park.
- Phase I of Norman Park will consist of 17 single family homes and is being developed by Our Town's Habitat.
- The homes will serve households earning 30% to 60% of the area median income, (\$19,950 to \$39,900 for a household of four).
- The Town of Huntersville's \$550,000 grant will be used to acquire additional parcels (\$62,000) and the remaining \$488,000 will be used for on-site infrastructure improvements (curb, gutter, sidewalks, etc.).
- The overall development of Phase I is projected to cost \$1.7 million. The Consortium funds will be leveraged with funding from community sponsors (churches and businesses), proceeds from the Habitat re-store sales and homeowner mortgage payments.
- The Town of Huntersville and Habitat anticipate starting construction by 2011.

Mecklenburg County

- Mecklenburg County is requesting a grant of up to \$150,000 for tenant based rental assistance.
- Mecklenburg County plans to provide rental assistance for up to 35 Department of Social Services (DSS) clients over a one year period.
- The funding will support up to \$600 per month/family based on household incomes. The subsidy declines based on each family's employment status.
- The families that will be served through this program earn at or below 30%-40% of area median income (\$19,950 to \$26,600 for a family of four).
- DSS will provide supportive services through assigned social workers to help the families work toward self-sufficiency. Support includes social work services that promote life and employment skills. DSS will assist families in locating suitable housing, addressing transportation and other needs that arise during the case planning process.
- DSS will refer clients with the required documentation of eligibility and the lease agreement. The City will review and approve the submission and monthly rental payments will be disbursed directly to the property owner.
- Mecklenburg County will leverage the Consortium funds with \$105,000 from its own resources, making the total program budget \$255,000.

Funding

Federal HOME Funds set-aside for the Consortium

18. Friendship Community Development Corporation Women's Shelter Grant

Action: Approve a grant for up to \$448,052 to the Friendship Community Development Corporation for the development of My Sister's House Women's Shelter.

Staff Resources: Stan Wilson, Neighborhood & Business Services
Zelleka Biermann, 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
- The Ten Year Plan to End and Prevent Homelessness was adopted by City Council on November 11, 2007. The plan has three primary goals:
 - Housing: Get homeless families and individuals into appropriate and safe permanent housing as soon as possible
 - Outreach and Engagement: Link chronic homeless to housing, treatment and services through intensive outreach and engagement
 - Prevention: Promote housing stability for those families and individuals most at-risk of becoming homeless.

Explanation

- The Friendship Community Development Corporation (CDC) requests a grant in the amount of \$448,052 for the rehabilitation of a building that will be used as a 26 bed shelter for homeless women (My Sister's House).

- The building is located at 3239 Beatties Ford Road in Neighborhood Statistical Area (NSA) 120 Firestone/Garden Park.
- The Friendship Missionary Baptist Church is donating an 8,700 square foot building to the Friendship CDC for a period of 20 years with an option of additional ten years. The building has an appraised value of \$815,000.
- The overall project development cost is \$1,419,052, which includes the building donation, private donations and the City's grant.
- My Sister's House will serve homeless women earning 24% or below the area median income (\$15,960 for a family of four) and provide supportive services to assist them with becoming self-sufficient.
- Residents will stay at the facility between six to 12 months and receive assistance to move to longer term transitional housing with continued services and ultimately to permanent housing.
- Volunteers will be recruited to deliver life skills classes and provide mentoring and one-on-one coaching.
- Supportive services will be provided through the CDC's Community Support Services Coordinator. Residents will participate in job training programs to assist in finding and maintaining employment, life skills classes and attend general education development classes in partnership with Central Piedmont Community College.
- The Salvation Army will handle shelter intake. Mecklenburg County Department of Social Services will provide an on-site social worker to assist with supportive services up to 20 hours per week.
- The Friendship CDC has provided temporary emergency shelter in collaboration with the Salvation Army since 2007. To date, over 105 homeless women have been served. Seven former residents have been assisted in securing permanent housing and ten were assisted with finding permanent employment.
- The Friendship CDC applied to the Housing Trust Fund; however, the project fell below the line for funding.
- The project funding is from federal HOME funds. The U.S. Department of Housing and Urban Development requires 15% of the City's annual HOME allocation (approximately \$500,000 annually) to go to community-based housing organizations such as the Friendship CDC, for housing development activities.
- The Friendship CDC's rezoning petition for the site was approved by City Council on January 26, 2009. As a part of the process, the CDC sponsored a public forum on November 19, 2008.

Funding

Federal HOME Funds

Attachment 10

Project Summary & Map

Friendship CDC Continuum of Care Model

Floor Plan

Photographs – My Sister's House

Project Budget

Project Schedule

19. One NC Grant for Neighborhood Assistance Corporation of America

- Action:**
- A. Approve a contract with the NC Department of Commerce (NCDOC) and the Neighborhood Assistance Corporation of America (NACA) for a \$1,000,000 One North Carolina Grant from the State to NACA,**
 - B. Adopt a budget ordinance appropriating \$1,000,000 from a One North Carolina Grant to NACA,**
 - C. Approve a contract with the Charlotte-Mecklenburg Workforce Development Board (WDB) for up to \$1,000,000 to administer an On-the-Job Training (OJT) Grant from the NC Division of Workforce Training to NACA, and**
 - D. Adopt a budget ordinance appropriating \$1,000,000 in State OJT Grant funds for NACA.**

Resources: Brad Richardson, Neighborhood & Business Services
Deborah Gibson, Workforce Development Board
Executive Director

Explanation

- The Neighborhood Assistance Corporation of America (NACA) is a national non-profit community advocacy and homeownership organization with multiple offices throughout the US.
- NACA provides pre-homeownership counseling and offers direct assistance to homebuyers at risk of losing their homes, through negotiation with lenders on behalf of homeowners, loan servicing by contract with lenders, and underwriting reviews of mortgages.
- NACA's Charlotte office is located at 5500 Executive Center Drive near Eastland Mall.

One NC Grant

- On June 11, 2009 the NC Department of Commerce (NCDOC) awarded a \$1 million grant to NACA from the One North Carolina Fund as part of the company's proposed expansion that is expected to create up to 1,014 new jobs over the next five years.
- By statute, the City is required to administer a performance contract with NACA to ensure compliance with job creation and capital investment standards established by NCDOC, prior to disbursing the One NC Grant.
- One North Carolina Grants typically require matching funds from the local community. However, as a non-profit, NACA is not eligible for a local Business Investment Grant.

On-the-Job Training Grant

- NCDOC has determined that matching funds can be provided through an On-the-Job Training (OJT) Grant from the NC Division of Workforce Training.
- Under the terms of the OJT grant, NACA will receive a 50% reimbursement of salaries for eligible adult and dislocated workers for the first two months of employment, up to \$1 million.
- The role of the City and the WDB is to ensure compliance with the terms of the grant prior to disbursing funds to NACA.

- No City funds will be used.

Background

- NACA expects to hire 1,014 employees over the next five years at an average annual wage of \$35,000. Since the June 11 announcement, NACA has hired 257 new employees.
- The annual direct economic impact of this expansion on the local economy is estimated approximately \$47 million.
- The WDB is responsible for implementing the federally funded Workforce Investment Act (WIA) that provides job training and assistance to unemployed and underemployed workers in Mecklenburg County.
- The City serves as the fiscal agent for the WIA program and contracts with the WDB on an annual basis to implement WIA services.

Funding

One North Carolina Fund
North Carolina Division of Workforce Training

Attachment 11

Budget Ordinance

20. Jonas Federal Courthouse Lease Agreement Extension

Action: Approve the extension of the lease between the General Services Administration (GSA) as Tenant and City of Charlotte as Landlord of the Jonas Federal Courthouse through December 14, 2014.

Staff Resource: Jeff Reid, Engineering & Property Management

Explanation

- This item was deferred by Council on May 11, 2009.
- As a result of a 2004 land swap, the City took ownership of the Jonas Federal Courthouse, located at 401 West Trade Street, and General Services Administration (GSA) took ownership of a parcel at 501 East Trade Street for a future courthouse site (where a surface parking lot exists - see background below). The land swap resulted in the GSA leasing the Jonas Federal Courthouse from the City for \$1,014,550 annually.
- The City manages the parking lot and credits GSA's rent for revenues collected from the parking lot.
- The current Lease between the City of Charlotte and the GSA expires on December 14, 2009.
- Federal funding for the design of a new federal courthouse on the parking lot site may not be available until 2010 or later, with construction funds lagging at least one year behind that funding.
- The terms of the lease extension include rent increases by 3% in 2010 and 2013.
- GSA pays all operating and maintenance costs of the building, as well as capital improvements necessary to make the building more functional for the occupants.
- Queens University has an option to purchase the courthouse property from the City when the GSA lease terminates. Staff is currently working

with Queens to review the purchase option given the delay in federal funding for construction of the new courthouse. Any suggested amendments to the purchase option will come to Council for consideration this fall.

Background

- The City purchased the parking lot at 501 E. Trade Street in 2001 for \$10,675,000 in order to preserve the site for a new federal courthouse.
- In 2004 the federal government issued a moratorium on construction of federal courthouses which superseded the previous funding of the project. Ancillary to the moratorium, the federal government prioritized pending projects, giving those not requiring the purchase of land a higher priority.
- In 2004 GSA proposed and the City agreed to swap the parking lot for the Jonas Federal Courthouse, which appraised for \$10,700,000. This transaction improved Charlotte's priority for construction of a new federal courthouse.

Attachment 12

Map

21. Appointments to Boards and Commissions

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

A. AIRPORT ADVISORY COMMITTEE

- One appointment for a three year term for an individual with an aviation affiliation beginning August 1, 2009
 - Jon Brady nominated by Council Member Peacock
 - Christopher Combis nominated by Council Member Turner
 - Colvin Edwards nominated by Council Members Carter and Lassiter
 - James Glasgow nominated by Council Member Kinsey
 - Jeffrey LaPoint nominated by Council Member Dulin
 - Daniel Mumford nominated by Council Member Cooksey
 - Kenneth Pappas nominated by Council Member Barnes

Attachment 13

Applications

B. CITIZENS' REVIEW BOARD

- Three appointments for three year terms beginning August 1, 2009
 - Jason Baker nominated by Council Members Carter, Dulin, Foxx, Kinsey and Lassiter
 - Lance Berger nominated by Council Member Burgess
 - Trevor M. Fuller nominated by Council Members Barnes and Mitchell
 - Robbie Harrison nominated by Council Members Barnes, Burgess, Carter, Foxx, Kinsey and Lassiter

Attachment 14

Applications

C. HISTORIC LANDMARKS COMMISSION

- Two appointments for three year terms beginning July 17, 2009
 - Georgia Abernethy nominated by Council Members Kinsey and Peacock
 - Garrett Nelson nominated by Council Member Peacock
 - Stefan Pienkny nominated by Council Member Carter and Foxx
 - Eleanor Reed nominated by Council Member Dulin
 - Dominick Ristaino nominated by Council Member Turner
 - Michael Rogers nominated by Council Members Barnes, Foxx and Mitchell
 - John Shurley nominated by Council Members Barnes and Carter
 - Regina Melville-Tisdale nominated by Council Member Kinsey
 - Keysha Walker nominated by Council Member Mitchell
 - Benjamin Ward nominated by Council Member Dulin

Attachment 15

Applications

D. KEEP CHARLOTTE BEAUTIFUL

- One appointment for an unexpired term beginning immediately and ending June 30, 2011
 - Sara K. Downing nominated by Council Members Foxx, Lassiter and Peacock
 - Casey Peura nominated by Council Members Barnes and Dulin
 - Corine Thomas nominated by Council Members Carter and Kinsey

Attachment 16

Applications

22. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified.

A. CHARLOTTE INTERNATIONAL CABINET

- One appointment for an unexpired term beginning immediately and ending June 30, 2010
 - Jason Boone resigned.

Attachment 17

Applications

B. CHARLOTTE REGIONAL VISITORS' AUTHORITY

- One appointment for an unexpired term for an applicant representing a convention hotel beginning immediately and ending June 30, 2011
 - John Sweeney resigned.

Attachment 18

Applications

23. Mayor and Council Topics

Council members may share information and raise topics for discussion.

24. Closed Session

Action: Adopt a motion to go into closed session:

- A. Pursuant to NCGS 143-318.11(a)(4) 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. Pursuant to NCGS 143-318.11(a)(3) to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling of a claim.**

CONSENT

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.

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."

CONSENT I

25. Various Bids

A. Construction Equipment, Light Trucks, Vans, Sedans and Hybrid Vehicles BSS

Staff Resources: Chuck Robinson, Business Support Services
Mehl Renner, Business Support Services

Action

Award the low bid unit price contracts for providing construction equipment, light trucks, vans, sedans and hybrid vehicles for a term of one year and authorize the City Manager to renew up to two, one year options with possible price adjustments at the time of renewal as authorized by the contract. The price list is attached. FY2010

expenditures are anticipated to be a combined total \$816,957 with the following vendors:

Carolina Industrial Equipment, Inc.
 Piedmont Truck Center
 Capital Ford of Wilmington, NC
 Burns Chevrolet
 Scott Clark Toyota
 Keith Hawthorne Ford

The various types of equipment are required for work accomplished by multiple key business units. The total expenditure per vendor and in total will depend on approved funding for each contract term.

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).

Attachment 19

Price List

B. Catch Basin Grates, Frames and Hoods CDOT

Staff Resources: Layton Lamb, Transportation
 Mehl Renner, Business Support Services

Action

Award the low unit price bids by U.S. Foundry for a unit price contract for providing catch basin grates, frames and hoods for a term of one year and authorize the City Manager to renew the agreement for four, one year renewal options with possible price adjustments at the time of renewal as authorized by the contract. Actual expenditures will depend on the requirements as dictated by street projects. The estimated annual cost is \$127,245. The price list is attached. These cast iron assemblies channel street water to the storm drain systems and help control street flooding.

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).

Attachment 20

Price List

C. Road Humps FY2009 CDOT

Staff Resource: Chip Gallup, Transportation

Action

Award the low bid of \$151,690 by Carolina Cajun Concrete. This project includes traffic control, placement and compaction of approximately 70 asphalt road humps, stamping and coloring selected asphalt surfaces, and providing and installing preformed pavement-marking symbols. This project is part of an ongoing program to install

traffic-calming road humps on various streets. Construction completion is scheduled for fourth quarter of 2009.

Small Business Opportunity

Established SBE Goal: 4 %

Committed SBE Goal: 4.61 %

Carolina Cajun Concrete Inc. committed 4.61% (\$7,000) of the total contract amount to the following SBE firms: Cover All Paving & Seal Coating and Muddrunners Inc. Carolina Cajun Concrete is also an SBE firm.

D. Curb Replacement FY2009

CDOT

Staff Resource: Layton Lamb, Transportation

Action

Award the low bid of \$459,555.20 by Curb Masters Incorporated (CMI). This contract will repair or replace damaged curb and wheelchair ramps at various locations in the city. Work locations are determined based on area conditions and citizen requests. The work also includes repair of damaged curb and asphalt sections at various CATS bus stops within Mecklenburg County. Construction completion is scheduled for fourth quarter of 2009.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6.01%

CMI Contracting Inc. committed 6.01% (\$27,600) of the total contract amount to the following SBE firm: All Points Trucking Inc.

E. Franklin Water Treatment Plant Raw Water Reservoir Improvements

CMU

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$18,717,000 by Thalle Construction Company, Inc. The upgrades include replacing two smaller existing reservoirs with a single larger reservoir. The two existing reservoirs are currently drained and out of service. This project is necessary to become compliant with Dam Safety regulations.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 5.42%

Thalle failed to meet the goal, but earned the minimum Good Faith Effort Points. They committed \$1,012,994 with the following SBE firms: Union Paving, Jones Grading & Fencing and D's Trucking.

F. Water and Wastewater Treatment Chemicals CMU

Staff Resource: Doug Bean, Utilities

Action

Award low bid unit price contracts for providing 27 various water and wastewater treatment chemicals in the estimated annual amount of \$3,873,888 for a term of one year and authorize the City Manager to renew up to three additional one year terms with possible price adjustments at the time of renewal as authorized by the contract to the following vendors:

Brenntag Southeast, Inc., Durham, NC
Burnett Lime Company, Inc., Campobello, SC
General Chemical Performance Products LLC, Parsippany, NJ
JCI Jones Chemicals, Inc., Sarasota, FL
Kemira Water Solutions, Inc., Lawrence, KS
Key Chemical, Inc., Waxhaw, NC
MeadWestvaco Corporation, N. Charleston, SC
Norit Americas, Inc., Marshall, TX
Southern Ionics, Inc., West Point, MS
Thatcher Chemical Company of Florida, Deland, FL
Water Guard, Inc., Wilson, NC
Worx LLC, Charlotte, NC

These chemicals are required to maintain safe water at each water and wastewater treatment facilities.

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

Utilities' Operating Budgets

G. Six Mile Creek Pumping Station Upgrades CMU

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$1,640,100 by Hickory Construction Company. This project includes adding two pumps and motors, an emergency bypass system, and a new grinder to the existing pumping station. These upgrades are needed to handle peak wet weather flows and additional capacity for Union County in accordance with the regional wastewater treatment agreement between Union and Charlotte Mecklenburg Utilities. Construction is scheduled for completion December 2010.

Small Business Opportunity

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

H. Airport Parking Deck Repairs **Aviation**

Staff Resource: Jerry Orr, Aviation

Action

Approve a contract in the amount of \$314,000 with Camps Construction Company for the Airport's hourly parking deck repairs. The hourly deck was constructed in 1988 and current plans are for it to remain in service for another three to five years. This contract provides all labor and materials for necessary repairs, along with unit prices for any additional repairs that may be discovered during the course of the contract.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 7.96%

Camps Construction Company committed 7.96% (\$25,000) of the total contract amount to the following SBE firm: Atlantic Coast Waterproofing. Camps is also an SBE firm.

I. Air Cargo Facilities Repairs **Aviation**

Staff Resource: Jerry Orr, Aviation

Action

Award the low bid of \$181,510 by Baker Roofing Company for the FedEx Facilities partial roof replacement and repairs. This contract includes all labor and materials to reroof and repair the facilities leased by FedEx on 4831 and 4850 Express Drive.

Small Business Opportunity

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

J. Corporate Hangar Offices **Aviation**

Staff Resource: Jerry Orr, Aviation

Action

Award the low bid of \$149,818 by C.A. Scism Construction Company for construction of office space that is located inside an existing corporate aircraft hangar.

Small Business Opportunity

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

K. Airport Fence Aviation

Staff Resource: Jerry Orr, Aviation

Action

Approve a contract with Country Boy Landscaping, Inc. in the amount of \$160,000 for security fencing for the New Third Parallel Runway. Federal Aviation Regulations require a chain link security fence around the Airport. In October 2008, Council approved a contract in the amount of \$277,600 for the purchase and installation of a chain link fence. This contract provided a portion of the new fence that will be required when the new runway opens. This contract will provide an additional portion of the required security fence.

Disadvantage Business Enterprise

Established DBE Goal: 12%

Committed DBE Goal: 16%

L. Huntersville Gateway Park-and-Ride Surface Parking Lot Expansion CATS

Staff Resource: John Muth, Transit

Action

Award the low bid of \$292,000 (consisting of a base bid of \$243,388.20 and a City controlled post-bid contingency of \$48,678) by Pedulla Trucking, Excavating, and Paving, Inc. This contract is for the construction of a parking area that will serve as an expansion of the Huntersville Gateway Park & Ride facilities. The Huntersville Gateway Park & Ride is located north of Charlotte, near I-77 exit 23 Gilead Road/Huntersville, and at 10300 Compass Street in Huntersville, NC. This facility serves the Huntersville Express and North Mecklenburg Express routes.

This project will pave an approximately one acre site directly adjoining the south-end of the facility. The existing Park-and-Ride facility has continually been over capacity since its opening and customers park along the street in areas not designated for parking. The expansion area will add an additional 101 parking stalls to the already existing 210, bringing the total available to 311. The project is anticipated to be completed in the fourth quarter of 2009.

Small Business Opportunity

Established SBE Goal: 9 %

Committed SBE Goal: 9.07%

Pedulla Trucking, Excavating, and Paving, Inc. committed 9.07% (\$22,080) of their base bid amount to three SBE firms: Bullington Construction, Ground Effects, Inc., and Andolina Trucking.

26. 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 \$2,781.97, and**
 - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$8,988.17.**

Staff Resource: Dan Pliszka, Finance

Attachment 21

List of property tax and business license refunds
Resolution

27. In Rem Remedy

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from three categories:

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

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

Public Safety:

- A. 510 W. Tremont Avenue (Neighborhood Statistical Area 15 – Wilmore Neighborhood)

Field Observation:

- B. 2209 Dundeen Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)
- C. 2515 Ellen Avenue (Neighborhood Statistical Area 100 – Eagle Lake Neighborhood)
- D. 301 S. Goff Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)
- E. 6134 Lakeview Road a/k/a Wake Drive (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood)
- F. 3415 Mable Hubbard Drive (Neighborhood Statistical Area 21 – Lakewood Neighborhood)
- G. 7109-16 Old Statesville Road (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood)
- H. 2920 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood)
- I. 2412 Sanders Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)

Public Safety:

A. 510 W. Tremont Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 510 W. Tremont Avenue (Neighborhood Statistical Area 15 – Wilmore Neighborhood).

Attachment 22

Field Observation:

B. 2209 Dundeen Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2209 Dundeen Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 23

C. 2515 Ellen Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2515 Ellen Avenue (Neighborhood Statistical Area 100 – Eagle Lake Neighborhood).

Attachment 24

D. 301 S. Goff Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 301 S. Goff Street (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

Attachment 25

E. 6134 Lakeview Road a/k/a Wake Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6134 Lakeview Road a/k/a Wake Drive (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood).

Attachment 26

F. 3415 Mable Hubbard Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3415 Mable Hubbard Drive (Neighborhood Statistical Area 21 – Lakewood Neighborhood).

Attachment 27

G. 7109-16 Old Statesville Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 7109-16 Statesville Road (Neighborhood Statistical Area 126 – Henderson Circle Neighborhood).

Attachment 28

H. 2920 Ross Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2920 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood).

Attachment 29

I. 2412 Sanders Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2412 Sanders Avenue (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 30

CONSENT II

28. Charlotte Regional Visitors Authority Interlocal Agreement Amendment

Action: Adopt a resolution approving a First Amendment to Interlocal Agreement between the City of Charlotte and the Charlotte Regional Visitors Authority.

Staff Resource: Bob Hagemann, City Attorney's Office

Explanation

- On January 13, 2003, the City and the CRVA entered into an Interlocal Agreement that conferred upon the CRVA the powers, functions, rights, privileges, and immunities of the City for purposes of the management and operation of City-owned auditoriums, coliseums, and convention centers in order to facilitate the more economical operation of the same and to better serve the public.
- The Interlocal Agreement was executed before the legislature granted the CRVA the authority to manage and operate the NASCAR Hall of Fame.
- The proposed First Amendment would extend the authority granted the CRVA in 2003 to include the NASCAR Hall of Fame.

Attachment 31

Resolution

29. 2009 Federal Earmark for Gang of One

Action:

- A. Approve a grant application to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the amount of \$900,000 to fund the Police Department's Gang of One Program,
- B. Authorize the City Manager to accept the grant if awarded, and
- C. Adopt a budget ordinance appropriating \$900,000 in funding.

Staff Resources: Ruth Story, Police
Fran Cook, Police

Explanation

- The Gang of One Program has received a \$900,000 Congressional earmark.
- This is a non-competitive congressional award where the application provides documentation of project plans.
- Gang of One is the gang prevention and intervention initiative of the Charlotte-Mecklenburg Police Department in partnership with local citizens and agencies and local, state, and federal law enforcement.

- The mission of Gang of One is to prevent youth from joining a gang, support youth being pressured to join a gang, and assist youth in getting out of a gang.
- Its purpose is to connect gang involved youth to community resources for disassociation and to educate the community about gang trends. Gang of One prioritizes communities for program initiatives based upon Quality of Life Index Studies and GangNet Data.
- OJJDP funds will be used to maintain staff, hire two new temporary part-time staff, expand current programs, and support new prevention and intervention programs.
- No cash or in-kind match is required.

Funding

\$900,000 from the Office of Juvenile Justice and Delinquency Prevention

Attachment 32

Budget Ordinance

30. Workers' Compensation Third Party Administration Services

- Action:**
- A. Approve a contract with Allied Claims Administration for Workers' Compensation Third Party Administration Services for an initial term of three years in the estimated annual amount of \$56,200, and**
 - B. Authorize the City Manager to approve up to two, one year renewal options at the same estimated annual amount of \$56,200 each, as authorized by the contract and contingent upon the company's satisfactory performance.**

Staff Resource: Dan Pliszka, Finance

Explanation

- Through an interlocal agreement, the Risk Management Division of Finance currently handles property and casualty claims for the City of Charlotte, Mecklenburg County, Charlotte-Mecklenburg Schools, The Charlotte Regional Visitors Authority and Medic.
- The cost of these services are paid by the respective entity (City, County or CMS) based on which entity's claim is being worked.
- The cost estimates are based upon unit costs applied to the average number and type of claim(s) incurred over the past five years.
- The previous contract expired on July 1, 2009.
- The recommended contract and the previous contract had no price escalations from year to year.
- The pricing of this contract is approximately 6% less than the expiring three year contract and will be held constant for the next three years and up to five years, under action B above.
- The Risk Management Division outsources any overflow Workers' Compensation Claims requiring immediate or special attention.
- The third party provider will supervise, administer, manage, and provide claims handling and claims management services to the Risk Management Division.
- The third party provider will act as the representative of the Risk Management Division in all matters related to the provision of Worker's

Compensation Claims and provide such services to include, but not be limited to:

- Reviewing and investigating claims
 - Setting initial reserves and providing updates for each claim
 - Reporting and administrative support for each claim file
 - Investigating and pursuing all subrogation possibilities as assigned
 - Coordinating and authorizing appropriate medical treatment
 - Reviewing and approving medical bills to ensure timely payment
 - Coordinating and investigating litigated claims
 - Representing the City as assigned at Workers' Compensation mediations and/or hearings
- The third party provider currently handles on average 104 overflow claims per year for the City's Risk Management Division.
 - The City received two proposals in response to a Request for Proposals issued on May 21, 2009.
 - After thorough evaluation, the Evaluation Team unanimously considered Allied Claims Administration, Inc, a subsidiary of the Georgia Hospital Association, operated out of Charlotte offices, the service provider best meeting the established requirements.

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

Risk Management Fund

31. Property and Casualty Claims Third Party Administration Services

- Action:**
- A. Approve a contract with Preferred Adjusters of the Carolinas, Inc. for Property and Casualty Claims Third Party Administration Services for an initial term of three years in the estimated annual amount of \$203,614, and**
 - B. Authorize the City Manager to approve up to two, one year renewal options at the same estimated annual amount of \$203,614 each, as authorized by the contract and contingent upon the company's satisfactory performance.**

Staff Resource: Dan Pliszka, Finance

Explanation

- Through an interlocal agreement, the Risk Management Division of Finance currently handles property and casualty claims for the City of Charlotte, Mecklenburg County and Charlotte-Mecklenburg Schools.
- The cost of these services are paid by the respective entity (City, County or CMS) based on which entity's claim is being worked.
- The cost estimates are based upon unit costs applied to the average number and type of claim(s) incurred over the past five years.
- The previous contract expired on July 1, 2009.
- The recommended contract and the previous contract had no price escalations from year to year.

- The pricing of this contract is the same as the ending period of the previous contract with no increases in unit costs.
- The Risk Management Division outsources any overflow property and casualty claims requiring field investigation to a third party provider.
- The third party provider will supervise, administer, manage, and provide claims handling and claims management services.
- The third party provider will act as the representative of the Risk Management Division in all matters related to such services including, but not limited to the following:
 - Performing field investigations
 - Maintaining claim files and records
 - Coordinating investigations on litigated claims
 - Investigating and pursuing all subrogation possibilities as assigned
 - Providing loss prevention procedures and resources
 - Establishing initial reserves
- The third party provider currently handles an average of 686 overflow claims annually for the City's Risk Management Division.
- The City received four proposals in response to a Request for Proposals issued on May 21, 2009.
- After thorough evaluation, the Evaluation Team unanimously considered Preferred Adjusters of the Carolinas, Inc., a SBE and MWBE Certified Business incorporated and run out of Charlotte, NC, the service provider best meeting the established requirements.

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

Risk Management Fund

32. Worker's Compensation Medical Services

- Action:**
- A. Approve a contract with Novant Health, Inc. for Workers' Compensation Medical Services for an initial term of three years, with a 10% discount off the N.C. Industrial Commission Medical Fee Schedule in an estimated annual amount of \$218,500, and**
 - B. Authorize the City Manager to approve up to two, one year renewal options, as authorized by the contract and contingent upon the company's satisfactory performance.**

Staff Resource: Dan Pliszka, Finance

Explanation

- Through an interlocal agreement, the Risk Management Division of Finance currently handles property and casualty claims for the City of Charlotte, Mecklenburg County and Charlotte-Mecklenburg Schools.
- The cost of these services are paid by the respective entity (City, County or CMS) based on which entity's claim is being worked.
- The cost estimates are based upon unit costs applied to the average number and type of claim(s) incurred over the past five years.
- This service has been an ongoing outsourced service.

- The State of North Carolina Industrial Commission sets maximum pricing levels for medical treatment under Workers' Compensation.
- This contract provides for a discount off the minimum pricing established by the State of North Carolina.
- The discount is equal to the discount previously given from this provider and will be held constant for the next three years and up to five years under action B above.
- The Risk Management Division of Finance currently outsources all Workers' Compensation Medical Services.
- The company will provide medical services to employees injured on the job who are employed with the City of Charlotte, Mecklenburg County and Charlotte Mecklenburg Schools which includes approximately 18,000 employed lives.
- The company will act as the representative of the Risk Management Division in all matters related to medical services including, but not limited to:
 - Provide medical directorship/leadership as a licenses provider in North Carolina
 - Provide various locations within Mecklenburg County for 24/7 access to treatment
 - Implement a pharmacy benefit management program
 - Create policies and protocols for exposure related claims
 - Provide treatment at various levels and within established timelines
 - Provide referrals as appropriate and necessary
 - Provide Fitness for Duty Evaluations
- The Medical Services provider handled 1,641 claims for the City's Risk Management Division during FY2009.
- The City received three proposals in response to a Request for Proposals that was issued on May 21, 2009.
- After thorough evaluation, the Evaluation Team unanimously considered Presbyterian Urgent Care, LLC, a subsidiary of Novant Health, Inc., a Charlotte, NC owned and operated Corporation, the service provider best meeting the established requirements.

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

Risk Management Fund

33. Equipment Rental

- Action:**
- A. Approve equipment rentals, as authorized by the cooperative purchasing exemption of G.S. 143-129(e)(3),**
 - B. Approve a contract with Hertz Equipment Rental for the rental of equipment in the estimated annual amount of \$1,200,000 for the term of three years, and**
 - C. Authorize the City Manager to extend the contract for two, one year renewal terms with possible price adjustments at the time of renewal as authorized by the contract.**

Staff Resource: Chuck Robinson, Business Support Services

Explanation

- Utilities, Aviation, Engineering & Property Management and other Key Business Units (KBUs) rent equipment including, but not limited to, pumps, generators, excavators, cranes, forklifts, tower lights and message boards, that are required during construction projects, or when sewer/water mains break, or other emergencies occur.
- Combining the volumes of all KBUs achieves cost effective pricing and reduces the administrative and overhead costs.
- The Hertz Equipment Rental contract pricing is an average of 35% to 50% less than the rental rates currently paid by the City.
- Hertz Equipment Rental will give the City a priority status during emergency situations.

Cooperative Purchasing Exemption

- NC Senate Bill 914, effective January 1, 2002 authorizes competitive group purchasing.
- Under this authority, the City is using the Hertz Equipment Rental contract, which was competitively bid by North Carolina State University and awarded on March 5, 2009.

Small Business Opportunity

Cooperative Purchasing contracts are exempt (Appendix Section 23.2 of the SBO Policy).

Funding

Various Key Business operating budgets

34. On-Street Parking Contract

Action:

- A. Approve a contract with Central Parking System for On-Street Parking for an initial term of three years, and**
- B. Authorize the City Manager to approve up to two, one year renewal options as authorized by the contract and contingent upon the company's satisfactory performance.**

Staff Resource: Doreen Szymanski, Transportation

Explanation

- This item was deferred by Council at the June 22, 2009 business meeting.
- Charlotte's Center City on-street parking program was created in 1997 and the management of the program has been outsourced by the Department of Transportation since that time.
- Overall management of the on-street parking is a turn-key operation and includes parking enforcement, booting, citation processing, the appeals process, collections, meter maintenance, sales of parking tokens and commemorative coins, and residential parking permits. Additionally CDOT expects the management company to provide outstanding customer service, and recommend and assist in ensuring technology meets our current and future parking needs.
- A Request for Proposals was issued on March 5, 2009, resulting in five proposals received on April 15, 2009.
- The Evaluation Team consisted of staff from Business Support Services/Procurement Services, CDOT, Neighborhood and Business Services and CMPD.
- Evaluation Criteria included:
 - Background and experience of the company, including references
 - Operational qualifications such as equipment and personnel
 - Customer service approach
 - Business processes
 - Financial viability
 - Insurance requirements
 - Willingness and ability to comply with the RFP and contract terms and conditions
- Over the course of three weeks, the evaluation team fully evaluated each of the proposals and eliminated three vendors due to lack of specificity to the City's On-Street Parking Program from the selection process: LAZ, Republic, and Standard.
- The Evaluation Team interviewed Lanier Parking and Central Parking. The Team deemed these two companies as most responsive to the evaluation criteria with very strong proposed solutions to the On-Street Parking Program. Additionally, both companies had the necessary qualifications, experience and staff to manage the City's On-Street Parking Program as represented by their experience in providing similar services to entities comparable in size to the City.
- After full review of all proposals and finalization of the interview process, the Evaluation Team unanimously recommended Central Parking System. Through an extensive evaluation and interview process, the Evaluation Team feels strongly that Central Parking represents the best overall value for the City and is confident in their ability to manage the City's On-Street Parking Program.

- The new contract compensation will be the same as the current contract, in which the City reimburses at cost all of the contractor's reasonable expenses incurred in carrying out the on-street program.
- Typical expenses include the actual cost of employees and benefits, parking meters/pay stations, maintenance equipment and signage. These costs must be pre-approved by the City's project manager.
- The contractor will also receive a management fee of 10% of all meter and permit revenue collected, and 3% of all ticket revenue collected. In FY2008, this amounted to \$108,000. Total revenue for the program was approximately \$1.9 million.
- Contract term has been reduced to three years (from five years) with two, one year extension options. Staff believes that a term less than three years could be unfavorably disruptive to the consistent operation of the on-street program, and result in too frequent transitional costs to the City.
- The program currently is responsible for approximately 1,200 metered parking spaces and enforcement of the neighborhood parking permit program. Altogether, the firm will oversee and enforce approximately 4,000 parking spaces, monitor special events, and ensure the turnover of parking spaces to serve visitors, Center City businesses and residents.
- To ensure quality services in a timely manner, the City solicits for these services through a Request for Proposals process.
- The current contract with Central Parking expires on September 30, 2009.

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

Self funded through parking revenues

Attachment 33

On-street Procurement Summary

35. Traffic Signal Communications Cable Design

Action: Approve professional services contracts for the design and construction administration of fiber optic cable routes and traffic signal interconnection for a total amount of \$1,450,000 with:

1. Dyer, Riddle, Mills and Precourt, Inc. (DRMP) for \$700,000,
2. STV/Ralph Whitehead Associates, Inc. for \$375,000, and
3. Stantec Consulting Services, Inc. for \$375,000.

Staff Resource: Debbie Self, Transportation

Explanation

- Fiber optic cabling, traffic signal interconnection and video traffic surveillance cameras provide the ability to remotely adjust traffic signals in response to traffic flow and emergency conditions.
- The selected firms will design fiber optic cable routes, including traffic surveillance cameras on Park Road, Freedom Drive, Graham Street, Fairview Road, Harris Boulevard, East Boulevard and Statesville Avenue.

- In addition, the selected firms will provide construction administration and inspection services on the above mentioned projects.
- The firms were selected pursuant to a Council approved, qualifications-based selection process in accordance with NC General Statutes.
- These projects are important links as identified in the Intelligent Transportation Systems (ITS) Master Plan in completing the next phase of the communications infrastructure.

Small Business Opportunity

For service based contracts, the City negotiates SBE commitments during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). DRMP, STV/Ralph Whitehead and Stantec each listed Utility Coordination Consultants, Inc., and SBE, as a team member in their individual proposals and will use them on a task order basis as the project evolves.

Funding

Transportation Capital Investment Plan

36. Engineering Services for Traffic Analysis

Action: Approve a contract with Kimley-Horn and Associates, Inc. for traffic analysis services. The total amount of the contract is \$300,000.

Staff Resource: Mark Cole, Transportation

Explanation

- On May 22, 2006, the Charlotte City Council adopted the 25 year Transportation Action Plan (TAP). The TAP is a comprehensive transportation plan developed to integrate and refine existing transportation policies and to identify long-range transportation improvements.
- This contract provides traffic analysis services for various tasks related to the Transportation Action Plan, Center City Transportation Plan, Area Plans, and private development analysis.
- Kimley-Horn was selected pursuant to the Council approved qualification-based selection process performed in accordance with NC State General Statutes.
- The contract includes traffic analysis work in support of the Elizabeth Area Plan as well as other work such as traffic analysis for farm-to-market roads, intersections, and road conversions.

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). Kimley-Horn included SBE's on their project team; however, the work to be completed by the consultant will not likely require the services of those SBEs.

Funding

Transportation Capital Investment Plan

37. Resurfacing FY2009 A & B Change Orders

- Action:**
- A. Approve change order #1 in the amount of \$3,587,645 to the Resurfacing FY2009-A contract with Blythe Construction, and**
 - B. Approve change order #1 in the amount of \$1,798,605 to the Resurfacing FY2009-B contract with Ferebee Corporation.**

Staff Resource: Layton Lamb, Transportation

Explanation

- The bid for prices for FY2009 Resurfacing Contracts A and B are significantly below the budgeted amount and the change orders will utilize the remaining FY2009 resurfacing funding.
- The change orders provide the opportunity to pave approximately 60 miles of additional streets, using the current exceptional pricing.
- Increased funding approved by Council for FY2010 provides opportunity for an additional contract this calendar year and up to two contracts next Spring.
- The additional paving will assist with Council's goal of reversing the pavement decline trend and ultimately improving the City's overall pavement condition rating.
- Due to the asphalt inflation adjustment clause in the contracts these prices can increase or decrease over the life of the contract based upon the price of liquid asphalt which is related to crude oil prices.

Contract History

- Council approved a contract for the 2009A Resurfacing with Blythe Construction on May 26 for \$4,880,367.81. On June 22, Council approved a contract with Ferebee Corporation in the amount of \$2,931,967.22 for the 2009B Resurfacing. With the change orders the new contract totals will be \$8,468,012.81 and \$4,730,572.22, respectively.

Small Business Opportunity

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

Funding

Powell Bill and Water and Sewer Capital Investment Plan

Attachment 34

List of streets to be resurfaced

38. Private Developer Funds for Traffic Signal Improvements

Action: Adopt a budget ordinance appropriating \$361,060 in private developer funds for traffic signal improvements.

Staff Resource: Liz Babson, Transportation

Explanation

- The budget ordinance estimates and appropriates \$361,060 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:
 - Stewart Construction Services, LLC, contributed \$67,185 for the modification of a signal at the intersection of South Tryon and Sandy Porter Road.
 - Childress Klein Properties Inc., contributed \$255,625 for the traffic signal modifications at five intersections surrounding the Duke Energy (formerly Wachovia) Cultural Arts project. The project is located within the block bounded by Stonewall, Tryon, West 1st, and Church Streets. The project also includes temporary traffic signals and mast arm relocations.
 - Connecticut Avenue, LLC, contributed \$38,250 for traffic signal modifications at the intersection of South Tryon and Tyvola Road.
- 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.

Funding

Private Developer Contributions

Attachment 35

Budget Ordinance

39. 5th Street Sidewalk Reimbursement Agreement

Action: Authorize the Transportation Key Business Executive to approve a Reimbursement Agreement in the Amount of \$175,000 with Ivey's Retail Condominiums, LLC for infrastructure improvements along 5th Street between Tryon Street and Church Street.

Staff Resource: Jim Kimbler, Transportation

Explanation

- Ivey's Retail Condominiums, LLC requested financial assistance for improvements along 5th Street between Tryon Street and Church Street,

including sidewalk, installation of curb and gutter, and paving for the relocation of the existing curb.

- A reimbursement in the amount of \$175,000 is proposed for improvements constructed by the developer. These improvements are beneficial to the City and not required of the developer by land development regulations.
- This project is consistent with goals of the Center City Transportation Plan to improve the pedestrian flow and safety. The project has public safety benefits, and supports cultural facilities, economic development and retail growth goals of Charlotte Center City Partners as described below:
 - Improve Public Safety: The emergence of 5th Street as a nightlife destination has increased pedestrian volumes, including queuing at night clubs and restaurants as well as valet parking drop off and pick up areas. The sidewalk widening on the south (Ivey's) side from 5 feet to 14 feet will ease the current crowded conditions and create a safe, adequate pedestrian space for the public that is bound for this block as well as other Uptown destinations.
 - Support Cultural Facilities: The widened streetscape area in combination with recessed restaurants will provide both pre- and post-event dining opportunities, spread the peak traffic associated with events, and enhance the synergy with cultural facilities at the NC Blumenthal Performing Arts Center and Spirit Square.
 - Enhance Economic Development: The private investment in improved restaurants and facades during an economically challenging time will benefit Uptown by maintaining and increasing the number of destinations and opportunities beyond the normal business day.
 - Support Retail Development: This is an opportunity to maintain and grow retail opportunities in the Uptown area.

Funding

Transportation Capital Investment Plan

40. Street Maintenance Transportation Project Planning and Design

Action: Approve a contract for future project planning and design with US Infrastructure of Carolina, Inc., in an amount not to exceed \$500,000.

Staff Resources: Leon Howe, Engineering & Property Management
Layton Lamb, Transportation

Explanation

- This contract will provide professional engineering planning and design services for various street maintenance and transportation projects where additional planning and design is required above typical field engineering.
- Work may include, but is not limited to, maintenance and/or repair work that requires engineering analysis, evaluation, calculations, design, construction drawings, surveying or public involvement that exceeds the capabilities or resources of available City staff.
- Projects may include:
 - Non-system residential streets
 - Resurfacing
 - Storm drainage maintenance and repair

- Street maintenance and repair

Small Business Opportunity

US Infrastructure of Carolina, Inc. listed in their proposal the following SBEs as supporting team members: Joel E. Wood and Associate, PLLC, R. Joe Harris & Associates, PLLC and On-Target Utility Locate Services, Inc. US Infrastructure of Carolina, Inc. will utilize these SBEs for each work order as this project evolves (Part C: Section 2.2 of the SBO Policy).

Funding

Powell Bill, Storm Water, and Transportation Capital Investment Plan

41. Street Connectivity Feasibility Studies

Action: Approve three contracts for Street Connectivity Feasibility Studies with:

- A. Armstrong Glen, P.C. in an amount not to exceed \$160,000,**
- B. Dyer, Riddle, Mills & Precourt, Inc. in an amount not to exceed \$230,000, and**
- C. HNTB North Carolina, P.C. in an amount not to exceed \$150,000.**

Staff Resources: Derrel Poole, Engineering & Property Management
Matt Magnasco, Transportation

Policy

Transportation Action Plan

Explanation

- The Transportation Committee was briefed on this topic at their June 22, 2009 meeting.
- The Street Connectivity Program is intended to construct an improved street network by creating more local streets, allowing more transportation choices, providing greater connectivity between land uses and reducing per-capita vehicle miles of travel. The program is funded in the Capital Investment Plan (CIP).
- The high level engineering analyses provided by the feasibility studies will determine if candidate projects can be constructed, and identify recommended roadway alignments, potential impacts and expected costs. If a project is deemed feasible, it may move forward into a planning study upon discussion with the appropriate District Representative and consideration through other regular CIP processes.
- The consultants were selected based on their responses to a Request for Qualifications.
- The projects included in the feasibility study are:
 - Polk and White Road Gap Completion
 - Overlook Mountain Drive Extension
 - Timber Ridge Drive Completion
 - Odell School Road/Beard Road Connector
 - McCullough Drive Gap Completion
 - Shady Bluff Drive/Doncaster Drive Connectors

- Shopton Rd./Arrowood Rd./Sandy Porter Road Connectors
- Lamont/Longwood Connector
- Southpoint/Moss Connector
- Galloway Road Bridge
- two unspecified projects, to be used in an on-call manner
- The City of Charlotte will use the design firms' engineering services to complete feasibility studies for several proposed projects in Charlotte. Based upon the outcome of these studies, these projects will be ranked for possible inclusion in future CIP funding.

Small Business Opportunity

For these service based contracts, the City negotiated SBE goals with each consultant below after the proposal selection process (Part C: Section 2.2 of the SBO Policy).

A. Armstrong Glen, P.C.

Armstrong Glen, P.C committed 5.50% (\$8,800) of the total contract amount to the following SBE firms: On Target Utility Locate Services and Kubilins Transportation Group Inc.

B. Dyer, Riddle, Mills and Precourt, Inc.

Dyer, Riddle, Mills and Precourt, Inc. committed 4.96% (\$11,400) of the total contract amount to the following SBE firms: Utility Coordination Consultants Inc., Estes Design Inc., and Richa Graphics.

C. HNTB North Carolina, P.C. committed 1.99% (\$2,991) of the total contract amount to the following SBE firm: Carolina Wetland Services.

Funding

Transportation Capital Investment Plan

42. Statesville Road Widening Engineering Services

Action: Approve Amendment #3 with Mulkey Engineers & Consultants, Inc. in the amount of \$350,000 for engineering services for Statesville Road Widening Project.

Staff Resource: Imad Fakhreddin, Engineering & Property Management

Explanation

- Funding for real estate acquisition and construction of the Statesville Road widening was included in the November 2008 Transportation Bonds.
- Statesville Road from Starita Road to Sunset Road will be widened from a two lane to a four lane median-divided road with planting strips, sidewalks and bike lanes.
- On November 13, 2000, City Council approved a contract in the amount of \$1,075,000 for planning and design services.
- On November 12, 2001, City Council approved Amendment #1 for \$468,300 to include Cindy Lane Extension with the Statesville Road Widening project.
- On September 27, 2004, City Council approved Amendment #2 for \$432,800 to provide modification to the sidewalk and planting strip width, revision to the vertical alignment of Statesville Road and preparation of separate final construction plans for Cindy Lane.

- Amendment #3 will include:
 - Design modification to some intersections on Statesville Road providing pedestrian refuge areas in the median
 - Assistance during the real estate acquisition and construction phases
 - Architectural design for the remaining portion of a building proposed to be partially demolished, including plans for a new building façade, electric, plumbing and HVAC

Small Business Opportunity

All additional work involved in this amendment will be performed by the current consultant, Mulkey Engineers & Consultants, Inc. (Part D: Section 6 of the SBO Policy).

Funding

Transportation Capital Investment Plan

43. United States Geological Survey 2009-2010 Cooperative Agreement

Action: Approve the 2009-2010 Cooperative Program Agreement in the amount of \$340,550 with the United States Geological Survey (USGS) for storm water data collection activities.

Staff Resources: Tom Calhoun, Engineering & Property Management
Keri Shearer, Engineering & Property Management

Explanation

- This agreement is used to maintain the rainfall and stream flow gauge system on the Charlotte-Mecklenburg stream network.
- Data from the gauge system is used to:
 - Determine flood prone areas
 - Review impacts of rain events
 - Determine long-term trends
 - Aid in water quality investigations
 - Assist in the design of drainage infrastructure
- This agreement also maintains the Flood Information and Notification System (FINS) used to notify emergency personnel of potential threats to life and property.
- This agreement leverages City funds with USGS funds. Total cost is \$614,600. The City's share on 27 gauges is \$340,550. USGS will pay the remainder of the cost.
- Mecklenburg County has a similar agreement with USGS. Total cost of that contract is \$480,400. The County's share on 22 gauges is \$289,960 and USGS share is \$194,440.

Contract History

Since 1961, the City of Charlotte and Mecklenburg County have worked with the USGS, gathering rainfall and stream flow information through a cooperative, cost-sharing program.

Small Business Opportunity

Contracts with other government entities are exempt (Appendix Section 23.8 of the SBO Policy).

Funding

Storm Water Operating Budget

44. FY2010 Tree Removal Services

- Action:**
- A. Approve contracts for tree removal services with:**
1. AAA Tree Experts, Inc. in the amount of \$100,000,
 2. Cadieu Tree Experts, Inc. in the amount of \$170,000,
 3. HRF Enterprises LLC (dba Frady Tree Service) in the amount of \$120,000,
 4. Neff Tree Service, Inc. in the amount of \$75,000,
 5. The Davey Tree Expert Company in the amount of \$75,000, and
- B. Authorize the City Manager to approve up to two renewals for all of the above contracts.**

Staff Resource: Steve Ketner, Engineering & Property Management

Explanation

- These contracts will provide tree removal services throughout the City and represent an improved process for completing tree removal work. Multiple crews are retained for faster removal of hazardous trees identified by City staff, as well as quick response to storm events.
- Five firms were selected because the volume of work often requires multiple firms participate in order to complete the work in a timely manner. The combined contracts will allow for the removal of approximately 200 – 225 large trees.
- The firms were selected using the Council-approved selection process.
- The variance in the contract amounts is based on bids received, experience and familiarity with this type of work.
- These contracts will have a term of one year and allow up to two renewals, at the City's option, as an incentive to the contractors for productivity and quality work.

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

Engineering & Property Management Operating Budget and Facilities Capital Investment Plan

45. Solid Waste Services Furniture Purchase

- Action:** **A. Approve the purchase of furniture for the new Solid Waste Services Facility, as authorized by the cooperative purchasing exemption of G.S. 143-129(e)(3), and**
- B. Approve a contract with Alfred Williams for the purchase of furniture in the amount of \$394,576.35.**

Staff Resources: Victoria Garland, Solid Waste Services
 Tim Richards, Engineering & Property Management
 Karen Ruppe, Business Support Services

Explanation

- The new Solid Waste Administration and Ready Room Facility on Otts Street is scheduled to open in January 2010 and will house the entire Solid Waste Department, which includes the employees now located in the Charlotte-Mecklenburg Government Center (CMGC) and the current Otts Street facility.
- The total number of employees that will be located in the new facility include
 - 65 administrative/office/supervisory
 - 233 field employees
- The facility consists of a 37,360 square foot, two-story administrative building and a 4,400 square foot storage building with associated parking.
- The 3,800 square foot assembly area will be equipped with durable seating to accommodate all field personnel at one time, will be able to handle large public meetings and is capable of being converted to training rooms.
- This contract provides office furniture for approximately 70 cubicles and offices, seven conference/training rooms, two lobby areas, two break rooms and an assembly area.
- This purchase includes modular workstations, office furniture, seating, tables and file storage. Existing furniture in the CMGC will remain in the CMGC for reuse by future occupants. The majority of existing furniture located at the Otts Street facility is more than 20 years old and past its useful life. If any of the furniture is found to be in good condition, it will be claimed as surplus and sold at City auction.
- Funds are available in the project budget for the purchase of furniture and are in line with past furniture purchases for new buildings. The total project budget for the Solid Waste facility is \$9,000,000.

Cooperative Purchasing Exemption

- G. S. 143-129(e)(3) authorizes the exception to competitive bidding for competitive group purchasing.
- This furniture is being purchased through a national contract with the US Communities Purchasing Alliance.
- US Communities annually solicits bids for the group purchasing of furniture and other goods.
- Alfred Williams is the authorized North Carolina distributor for this furniture.

Small Business Opportunity

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

Funding

Facilities Capital Investment Plan

46. Storm Drainage Engineering Services

Action: Approve a contract in the amount of \$1,000,000 with US Infrastructure of Carolina, Inc. (USI) for engineering services.

Staff Resource: Matt Gustis, Engineering & Property Management

Explanation

- The contract provides funding for planning, design and/or construction administration services to address high priority storm water projects throughout Charlotte as needed.
- The projects will reduce street and house flooding.
- The first project to be initiated under this contract is Memorial Stadium Storm Drainage Emergency Repair.
 - In late May, a section of bleachers at Memorial Stadium settled. After investigating the situation, staff found that the storm drainage system under the bleachers had failed and needs to be repaired. The planning and design for Memorial Stadium storm drainage repair could cost up to \$600,000.
 - The planning and design costs under this contract are only for the storm drainage system under Memorial Stadium and not for addressing repair of the stadium itself.
 - Mecklenburg County has procured a demolition contractor to remove the failed section of the stadium and undesirable soils.
 - Mecklenburg County is also coordinating with their insurance company and identifying funding to rebuild the failed portion of the stadium to like or similar conditions.
- The Lyon Court Storm Drainage Improvement Project will be the next project started under this contract. The project area covers approximately 107 acres and is experiencing house and road flooding as well as stream erosion. The project boundaries are The Plaza on the west, Commonwealth Avenue to the south, Belvedere Avenue to the north and Logie Avenue on the east. Fees for this project have not been negotiated.
- Additional services under this contract will be determined based on current project ranking procedures or emergency needs and consultant performance. Additional work orders will be issued as the needs arise.
- Amendment of this contract may be needed to finish design and construction services once another project is started under this contract.
- The chosen firm was selected pursuant to a Council-approved qualifications-based selection process performed in accordance with NC General Statutes.

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). US Infrastructure of Carolina, Inc. committed 3.15% (\$31,500) of the total contract amount to the following SBE firms; R. Joe Harris & Associates, PLLC and On-Target Utility Locate Services, Inc.

Funding

Storm Water Capital Investment Plan

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

Action: Authorize the City Manager to execute contracts with the following organizations for Job Access Reverse Commute (JARC) and New Freedom federal public service grant projects:

1. Charlotte Center for Urban Ministry for a service project funded by the JARC federal grant program in an amount not to exceed \$166,214,
2. Charlotte-Mecklenburg Council on Aging for a service project funded by the New Freedom federal grant program in an amount not to exceed \$148,379.

Staff Resources: John Muth, Transit
Eric Hershberger, Transit

Background

- The JARC and New Freedom federal grant programs distribute funds to communities through a local designated recipient that administers sub-grants and acts as a funding pass-through to approved sub-grantee organizations and projects.
- FTA regulations require that JARC and New Freedom grant funds which are allocated to designated recipients and hence to sub-grantees, must be distributed based on a federally mandated selection process. CATS is the designated recipient for the Charlotte region and was allocated funds from the JARC and New Freedom programs in the Federal SAFETEA-LU legislation.
- Local match shares are required for all projects. The local share is 20% of the total costs for capital projects and 50% of the total costs for operating projects. Monitoring and reporting requirements are also clearly identified for these programs.
- On March 9, 2009, Council authorized the City Manager to execute grants for JARC and New Freedom grant funds.
- As part of the March 9, 2009 action, Council approved an appropriation of \$1,784,283.65 in accordance with Federal Transit Administration guidelines and Council approved award of \$391,957.38 of the appropriation to two qualified agencies, leaving a balance of \$1,392,326.27 to be awarded at a later time.
- This action awards the remaining balance of the grant monies.

Explanation

- In January 2009, CATS entered into a third party agreement with the Centralina Council of Governments (COG) for COG to administer an independent project selection process for distribution of the remaining \$1,392,326.27 of JARC and New Freedom grants in accordance with federal requirements.
- This independent selection allowed CATS to submit projects and compete for the remaining funds.
 - Two local, non-profit organizations and CATS submitted proposals to the COG
 - A nine member COG Project Evaluation Team, together with the Mecklenburg Union Metropolitan Planning Organization (MUMPO) Technical Coordinating Committee selected six projects submitted by

the above three agencies for award of the funds. The COG recommendation is attached to this Council action.

- CATS was selected to receive \$1,077,733.27 for operating costs of new and expanded services, as well as for the implementation of an Integrated Navigational System for Special Transportation Services.
- Action A - Based on the COG recommendation, Council is requested to authorize the City Manager to execute JARC or New Freedom grant contracts with the following agencies:
 - The Urban Ministry - \$166,214 to expand transportation options for people who are homeless, disabled or low income to seek employment, re-enter the workforce and for job search related activities. Funds will be expended in accordance with the attached plan. The contract will expire on June 30, 2011.
 - Charlotte-Mecklenburg Council on Aging - \$148,379 to provide mobility management services to increase transportation options and increase CATS ridership for people who are seniors, veterans, homeless, disabled or low income. Funds will be expended in accordance with the attached plan. The contract will expire on June 30, 2011.
- The Transit Services Advisory Committee reviewed and endorsed the COG recommendations at their May 1 meeting.
- A team comprised of CATS Operations, CATS Finance, Budget and Evaluation, and Internal Audit will monitor compliance and reporting by the above agencies, in accordance with federal guidelines.
- CATS will be responsible for managing the federal grant activity i.e. reimbursement, reporting, etc., in accordance with normal process.

Funding

JARC Program and New Freedom Program, local match by agency utilizing funds

Attachment 36

Recommendation from Centralina Council of Governments
Description of projects

48. Disposition of Excess Buses Per Federal Requirements

<p>Action:</p> <p>A. Authorize the City Manager to transfer 11 buses from CATS to other transit systems supported by the Federal Transit Administration (FTA), and</p> <p>B. Approve the donation of one retired bus to Central Piedmont Community College (CPCC) for educational purposes and to foster growth in the number of qualified bus diesel engine mechanics in the Charlotte Mecklenburg area.</p>
--

Staff Resource: Larry Kopf, Transit

Explanation

- CATS buses are purchased with funds from the FTA (80%), NCDOT (10%), and local funds (10%).
 - As a result, CATS is obligated to adhere to federal regulations pertaining to usage, life/mileage of the buses, sale cost and fleet size.

- Federal regulations require transit agencies to maintain fleet size based on spare bus ratios that are determined by the number of buses required for the peak service offered. CATS spare bus ratio may not exceed 20% of its peak fleet requirement.
- Service cuts or service increases significantly affect the fleet size allowed by the federal regulations.
- As a result of service reductions in March 2009, the CATS bus fleet now exceeds the federal limit for CATS service level by 39 buses. CATS must reduce its fleet size in order to comply with federal law and maintain its federal funding.
- Of the 39 buses, 25 have reached their useful service life, are fully depreciated by FTA standards, and may be retired. Twenty-four of those 25 buses will be disposed of via the City's routine disposal process for surplus property. One retired bus and 14 buses not eligible for retirement require an alternative disposal process.

# of buses	Bus status	Recommended disposition	Federal/state reimbursement required?
24	Fully depreciated, useful life exhausted	Retire & dispose by routine auction	No
1	Fully depreciated, useful life exhausted	Donate to CPCC Diesel program	No
11	Operable - Useful life remaining	Transfer to other transit agencies	Potentially
3	Non-operable - Useful life remaining	Retire and utilize for parts	Yes

Donation of One Retired Bus to CPCC

- Council approval is required in order to donate one of the fully depreciated and retired buses to the Central Piedmont Community College (CPCC) Diesel Repair instruction program. The sale value of the bus is estimated at less than \$5,000.
 - The CPCC program has a current emphasis on diesel truck engine maintenance.
 - CATS has been limited to recruiting entry-level diesel bus engine mechanics from out of state schools. The donation of this bus to the CPCC program is intended to enhance CATS ability to recruit locally trained mechanics.
 - This is part of an ongoing effort to collaborate with CPCC in developing a skilled labor force that will meet the needs of CATS in the future.
 - No reimbursement to either the FTA or NCDOT is required because the bus is fully depreciated and has reached the end of its useful life.

Transfer to Other Transit Systems

- Fourteen of the 39 excess buses have not reached the end of their useful life and under the applicable grant agreements, may not be transferred or sold unless the City reimburses the FTA and NCDOT a prorated amount for the remaining useful life.
- Eleven of those 14 buses are in operable condition and may potentially be transferred to other transit agencies. No reimbursement to FTA or NCDOT is required if the buses are transferred to FTA supported transit agencies.
- The prorated reimbursement amount for those 11 buses would be as follows:
 - FTA \$414,000
 - NCDOT \$52,000

- CATS is currently working with several interested transit agencies within North Carolina, as well as one agency outside North Carolina, in an effort to find agencies willing to accept the buses.
- If the buses are simply auctioned, the estimated income of \$50,000 to \$100,000 for all 11 buses.

Retire and Utilize Parts

- Three of the 14 buses that have not reached the end of their useful life are not operable due to traffic collisions and have significant mechanical damage. We will retain those vehicles and use them for spare parts. Reimbursement to the FTA and NCDOT will still be required. The total required reimbursement is \$281,086.

Funding

Any reimbursement to FTA or NCDOT will be accomplished through revisions to existing grants or out of the FY2010 Bus Appropriation.

Attachment 37

CATS Bus Disposition Chart

49. Southwest Water Transmission Main Phase B1 Construction Contract Change Order #3

Action: Approve Change Order #3 in the amount of \$982,000 for the Charlotte Mecklenburg Utilities Southwest Water Transmission Main Contract B1 being constructed by Sanders Utilities and 293 additional calendar days to complete this work.

Staff Resources: Doug Bean, Utilities
Jerry Orr, Aviation

Explanation

- Charlotte Douglas International Airport has a capital program a project to raise Airport Drive between Ashley Circle and Jackson Drive, which will provide more corporate hanger space at the airfield.
- Utilities' Southwest Water Transmission Main Phase B1 is being constructed down the middle of Airport Drive at this same location.
- The Airport and Utilities have collaborated on these two projects such that the raising of Airport Drive and the installation of the water transmission main occur concurrently.
- The Airport and Utilities have negotiated a reasonable price with Sanders Utilities for the raising of Airport Drive, along with the required utility relocations and storm drainage improvements to occur concurrent with the water main construction.

Contract History

- Council awarded a contract to Sanders Utilities for construction of Phase B1 of the Southwest Water Transmission on November 12, 2007 in the amount of \$9,683,459.78.
- On December 12, 2007 Change Order #1 in the amount of \$90,596 was approved by the City Manager, requiring all the steel pipe joints to be welded.

- On July 28, 2008 Council approved Change Order #2, in the amount of \$429,100.30, for the addition of 727 feet of 48-inch water main, along with the extension of the contract time by 60 calendar days.

Small Business Opportunity

All additional work involved in this change order will be performed by the contractor and their existing subcontractors. This change order complies with part D: Section 6 of the SBO program.

Funding

Aviation and Utilities Capital Investment Plans

50. Supplemental Municipal Agreement for Relocation and Adjustment of Utility Lines

Action: Adopt a resolution authorizing the Utilities Key Business Executive to execute a Supplemental Municipal Agreement with the NC Department of Transportation for relocation and adjustment of water and sewer lines along I-485 from Oakdale Road to Old Statesville Road in the amount of \$491,416.04.

Staff Resource: Doug Bean, Utilities

Explanation

- On December 11, 2006 Council approved a Municipal Agreement for the relocation and adjustment of municipally-owned water and sewer lines along I-485 from Oakdale Road to Old Statesville Road, in the estimated amount of \$1,610,960.
- NCDOT prepared the estimate and took bids for this project along I-485.
- Due to NCDOT design changes during construction, actual construction cost \$491,416.04 over the estimate.
- Utilities is obligated to pay for the work, not based on the estimate, but on the actual bids.
- The format and cost sharing philosophy is consistent with past municipal agreements.

Funding

Water and Sewer Capital Investment Plan

Attachment 38

Resolution

51. Agreement with the Town of Huntersville for Sewer Line Construction

Action: Approve an agreement with the Town of Huntersville for the construction of the Cane Creek Tributary sewer line, in the not-to-exceed amount of \$300,000.

Staff Resource: Doug Bean, Utilities

Explanation

- The Town of Huntersville has received a Community Development Block Grant in the amount of \$750,000 for the construction of sewer lines to an industrial park project that is jointly owned by the towns of Huntersville, Cornelius, and Davidson. The total estimated cost of the sewer line is \$1,050,000.
- The grant requires a minimum local match of 25%. The Town has provided for design of the sewer line and requested Charlotte Mecklenburg Utilities provide the local match on the sewer line construction which is estimated not to exceed \$300,000.
- Utilities staff recommends approval of this agreement as it will provide for the economical construction of sewer lines capable of serving the industrial park as well as significant other properties in the drainage basin.

52. Certified Renewable Energy Bond

Action:

A. Authorize Charlotte Douglas International Airport to submit an application for an \$8 million Certified Renewable Energy Bond to fund a ground-mounted and rooftop solar system, and

B. Authorize Charlotte-Mecklenburg Utilities to submit an application for a \$6 million Certified Renewable Energy Bond to fund a ground-mounted solar system.

Staff Resources: Jerry Orr, Aviation
 Jackie Jarrell, Utilities
 Greg Gaskins, Finance
 Robert Phocas, City Attorney's Office

Explanation

- The Certified Renewable Energy Bonds (CREBs) program is administered by the Internal Revenue Service.
- The purpose of CREBs is to provide incentives to governmental bodies for constructing certain qualifying renewable energy facilities, including solar systems.
- The intent of CREB is to permit a municipality to issue zero interest rate bonds by providing a federal tax credit to the bondholder instead of the municipality paying interest. The purchaser of the CREB applies the tax credits against its regular income tax liability and alternative minimum tax liability. The municipality is still obligated to repay the principal on the CREB to the bondholder in equal amounts beginning in the first year of the issuance of the CREB.

- Applications for CREBs must be submitted to the IRS by August 4, 2009. The applications are non-binding.
- The Airport is potentially interested in using a CREB to fund the development of an approximately ten acre ground mounted solar system and a rooftop solar system at the Airport. Utilities is potentially interested in an approximately ten acre ground mounted solar system at the Irwin Creek Wastewater Treatment Plant. The energy and renewable energy credits from both of these projects would be sold.
- The cost of this solar system is approximately \$8 million for the Airport and \$6 million for Utilities.
- This action only allows the City to apply to the IRS to be included in the program. Approval does not guarantee zero interest rate financing. Before entering into this type of financing, Local Government Commission approval must be obtained and risks associated with the program will be evaluated. Staff would also consider feasibility of CREBs compared to revenue bonds or COPs. At the present time, these financing mechanisms are not functioning well in the marketplace (meaning interest liability is possible).

53. Airport Medical Center

Action: Approve a concession agreement with Americorp, Inc. d/b/a AeroClinic to operate a Medical Center in the passenger terminal building in conjunction with Presbyterian Health Care Associates.

Staff Resource: Jerry Orr, Aviation

Explanation

- In December 2008, the Airport advertised for proposals from qualified medical establishments interested in supplying medical services to employees and passengers in the passenger terminal building at the Airport.
- On February 26, 2009, the Airport received a proposal from Americorp, Inc. d/b/a AeroClinic, in conjunction with Presbyterian Health Care Associates, to staff, equip and operate a medical clinic and provide medical services from two locations in the terminal. This was the sole proposal received.
- AeroClinic proposes to provide the following services at the Airport:
 - Minor Ill Care
 - Well Care and Screenings
 - Specialty-focused Preventive Care
 - Vaccinations
 - Prescriptions and Pre-packaged Medications
 - X-Rays in Conjunction with First Aid
- The Airport has found AeroClinic and Presbyterian to be well qualified to perform the services described by the request for proposals and has negotiated a five year contract for the services.
- Under the contract, AeroClinic will lease space in the terminal for a fixed annual rental and in addition will pay the Airport 52% of the profit from the operation.
- The Airport will pay for the cost of up-fitting the space up to a maximum of \$385,000. Aeroclinic will pay for all furnishings and equipment.

- AeroClinic will be the operator and employer of the staff of the facility. Presbyterian will serve as medical director, provide physician oversight, and will screen personnel to be employed by AeroClinic.

Disadvantaged Business Opportunity

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

54. Airport Fire Station

- Action:**
- A. Approve a Military Construction Cooperative Agreement (MCCA) with the National Guard Bureau to reimburse the City \$6.6 million for the cost of constructing a new fire station at the Airport,**
 - B. Approve a contract in the amount of \$3,629,200 to Edison Foard, Inc. for the construction of a fire station, and**
 - C. Adopt a budget ordinance appropriating \$3,629,200 from MCCA for the Edison Foard, Inc. construction contract, and reserving \$2,970,800 for upcoming contracts required to complete the project for a total of \$6.6 million.**

Staff Resource: Jerry Orr, Aviation

Explanation

- The Airport's fire and rescue vehicles must be able to respond to the midpoint of the furthest runway within three minutes.
- An additional Airport fire station will be required to meet their response time when the new runway opens.
- In April 2008, City Council approved a Military Construction Cooperative Agreement in the amount of \$420,000 to reimburse the City for the design of a new fire station on the Airport and provide additional funding at a later time for construction.
- In January 2009, City Council approved a design contract with Stewart Cooper Newell Architects for the design of the station.
- This contract funds the construction of the new fire station.
- The National Guard Bureau budget for the construction of the facility was \$6,600,000, which is the amount of the MCCA. The MCCA funds this construction contract and other contracts related to the facility that will be executed in the coming months.

Small Business Opportunity

Established SBE goal: 9.00%

Committed SBE goal: 4.90%

Edison Foard failed to meet the SBE goal, but earned the required number of Good Faith Effort Points. They committed 4.90% (\$158,238) of the total contract amount to the following SBE firms: Mekki Modular and MRL Plumbing

Funding

Aviation Capital Investment Plan

Attachment 39
Budget Ordinance

55. Airport Purchase of Wetland and Stream Mitigation Credits

- Action:**
- A. Approve an agreement with the State of North Carolina in the amount of \$372,500 for the purchase of wetland and stream mitigation credits under the Ecosystem Enhancement Program, and**
 - B. Approve an interdepartmental transfer with Charlotte Storm Water Services in the amount of \$942,750 for the purchase of wetland and stream mitigation credits.**

Staff Resource: Jerry Orr, Aviation

Explanation

- Environmental regulations require that the City mitigate the impact to wetlands and streams caused by the Business Valet parking deck construction.
- The mitigation requirements are conditions of the 401 wetland permit issued by North Carolina Division of Water Quality and the 404 wetland permit issued by US Army Corps of Engineers.
- Under a credit banking system established by the regulations, the State of North Carolina's Ecosystem Enhancement Program (EEP) can undertake projects to enhance streams and wetlands and then sell those credits. The Charlotte Storm Water Services also has a credit banking system.
- The Airport will purchase wetland credits equivalent to 6.25 acres of wetlands at the rate of \$59,600 per acre (total of \$372,500) from EEP, and stream restoration credits equivalent to 2,095 feet of stream at the rate of \$450 (total of \$942,750) per foot from Charlotte Storm Water Services.
- Funding for this project comes from General Airport Revenue Bond proceeds the debt service of which are paid with parking revenues.

Funding

Aviation Capital Investment Plan

56. Federal Aviation Administration Grant Acceptance

- Action:**
- A. Adopt a resolution accepting a Federal Aviation Administration (FAA) Airport Improvement Program grant in the amount of \$6,905,070 for the new runway project, and**
 - B. Adopt a budget ordinance appropriating \$6,905,070 in FAA grant funds.**

Staff Resource: Jerry Orr, Aviation

Explanation

- Each year, the Airport qualifies for FAA entitlement funds based on passenger enplanements. The Airport's FY2009 entitlement funds are \$10,245,912.
- Congress has not approved a multi-year FAA reauthorization bill to fund the grant program for airports. They have instead approved smaller funding bills over the last year to keep the program funded.
- In February, City Council accepted a grant for 33% of the Airport's scheduled FY 2009 entitlement funds, as well as \$11,000,000 in discretionary grant funds related to the Letter of Intent issued by FAA for funding the new runway project.
- Congress recently approved a funding bill that allows FAA to fully fund the entitlement grants for airports for FY2009. This grant allocates the remainder of Charlotte's entitlement funds for the year.
- These grant funds will be used to reimburse the Airport for a portion of the costs associated with grading and paving for the Third Parallel Runway.

Funding

Federal Aviation Administration Grant (Runway Grading \$1,361,616, Runway Paving \$5,543,454)

Attachment 40

Resolution
Budget Ordinance

57. Airport Parking Deck

- Action:**
- A. Approve a contract with LS3P Associates, Inc. in the amount of \$5,950,000 for design of a 7,000 space parking deck,**
 - B. Approve a contract with Albersman & Armstrong, LTD in the amount of \$510,320 to provide assistance in the design and construction of the new rental car facilities in the new parking deck,**
 - C. Approve a professional services contract with Roy Johnson, AIA in an amount not to exceed \$225,000, to provide planning and architectural services at the Airport for FY2010 and authorize the City Manager to execute two additional renewals of this contract at prevailing rates for FY2011 and FY2012, and**
 - D. Adopt a budget ordinance appropriating \$3,000,000 from the Contract Facility Charge (CFC) Fund to be refunded from future CFC revenue bonds to fund a portion of the contracts. The remaining \$3,685,320 was previously appropriated for a total available amount of \$6,685,320.**

Staff Resource: Jerry Orr, Aviation

Explanation

- In November 2007, Council awarded a contract in the amount of \$1,105,000 to the team of LS3P/HNTB, Newton & Associates, Albersman & Armstrong and Roy Johnson to do a master planning study of the terminal area including the Hourly Parking Deck, curbside roadways, rental car facilities, and terminal building ticketing & baggage lobby.
- On May 29, 2007, Council adopted an ordinance imposing a Contract Facility Charge (CFC) at the Airport for the purpose of funding design, construction, maintenance and operation of current and future rental car facilities. The master planning study has concluded the existing hourly decks should be replaced with a new deck to include public, valet and rental car parking.
- These contracts will provide design and construction administration services for the 7,000 space parking deck to replace the two existing decks located in front of the terminal (2,713 spaces). The new deck will accommodate rental car facilities, Valet parking and short term public parking (4,000 spaces).
- The project will be funded by a combination of CFC revenues and proceeds from a future General Airport Revenue Bond issue.
- Funding for the contracts over and above the \$3,000,000 of CFC revenues was previously appropriated by City Council.
- This project was described in detail in the Aviation Director's presentation to City Council at the Dinner Briefing on June 1, 2009.

Small Business Opportunity

The City negotiated an SBE goal with LS3P during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). LS3P committed 5.88% (\$350,000) with the following SBE firms: Eye Design Studio, Inc., Urban Design Partners, PLLC and Richa Graphics.

Funding

Aviation Capital Investment Plan

Attachment 41

Budget Ordinance

58. Airport Terminal Expansion Design Contract

Action:

A. Approve a professional services contract with DAS Architecture, Inc. in an amount not to exceed \$1,498,500 for design services for the East Terminal Expansion and terminal ticket level renovations, and

B. Adopt a budget ordinance in the amount of \$1,390,000 from the Airport Discretionary Fund to be replaced by future General Airport Revenue Bond proceeds. The remaining \$108,500 was previously appropriated for a total available amount of \$1,498,500.

Staff Resource: Jerry Orr, Aviation**Explanation**

- The Airport continues to experience peak passenger loads throughout the day that exceed the existing capacity of the security checkpoints in the terminal lobby, especially early mornings with business travelers and in the mid-afternoons with international passengers arriving to transfer to domestic flights.
- In order to increase the capacity of the screening process, the Airport will expand the east side of the terminal lobby to construct an additional checkpoint. This checkpoint will have four additional passenger screening lanes.
- Because the equipment used by TSA for passenger screening continues to grow, the need for additional space at the existing checkpoints may require the removal of an existing lane at some checkpoints. This project will ensure a net gain of passenger screening lanes.
- This contract will provide for the design of the East Terminal Expansion project and ticket level modifications to accommodate airline relocations.
- Funding for this contract comes from future General Airport Revenue Bond proceeds, the debt service of which will be paid with Passenger Facility Charge (PFC) revenues. \$1,390,000 is appropriated as part of this Council action. The remaining \$108,500 has already been appropriated.
- This contract and expansion was highlighted in the Aviation Director's presentation to City Council at the Dinner Briefing on June 1, 2009.

Small Business Opportunity

The City negotiated an SBE goal with DAS Architecture after the proposal selection process (Part C: Section 2.2 of the SBO Policy). DAS committed 10.16% (\$152,300) to the following SBE firm(s): Richa Graphics, Flehan Engineering, C Design and Engineering Design Collaborative, along with second tier SBEs to the following subcontractors: AccuTech Surveying and OSE Consulting Engineers.

Funding

Aviation Capital Investment Plan

Attachment 42
Budget Ordinance

**59. North Carolina Blumenthal Performing Arts Center
Lease Amendment**

- Action:**
- A. Approve a resolution extending the term of the lease between the City of Charlotte and the North Carolina Blumenthal Performing Arts Center and,**
 - B. Authorize the City Manager or his designee to execute any and all documents necessary to facilitate this transaction.**

Resources: Catherine Williamson, City Attorney's Office
Tom Gabbard, Blumenthal Performing Arts Center
Jeff Reid, Engineering & Property Management

Explanation

- The original Lease and Operating Agreement for the North Carolina Blumenthal Performing Arts Center was dated October 3, 1989.
- The term of the lease was for ten years and expired on October 2, 1999.
- The lease was amended before the expiration of the initial ten years to extend the term until October 2, 2009.
- The lease was further amended on September 11, 2006 to make it consistent with the arts affiliates' new leases at the Wachovia Arts Complex with respect to operating expenses.
- The present term of the lease will expire on October 2, 2009, and this action would allow the lease to be extended for an additional ten years, until October 2, 2019.
- Public notice of this proposed action was published as required by statute.

Small Business Opportunity

Contracts for the acquisition or lease of real estate are considered exempt contracts (Appendix Section 23.4 of the SBO Policy).

Attachment 43
Resolution

60. CMPD Providence Division Station Land Purchase

- Action:**
- A. Approve the purchase of approximately 2.5 acres for the CMPD Providence Division station, including PIDs 157-054-05, 157-054-06, 157-054-07, 157-054-08, 157-054-09, 157-054-32 and a portion of 157-054-10 at the northeast corner of N. Wendover Road and Ellington Street, and**
 - B. Authorize the City Manager or his designee to execute all documents necessary to facilitate the transaction between Jeanne Fontana (Seller) and The City of Charlotte, a North Carolina municipal corporation (Buyer).**

Staff Resources: Ken Miller, Police
Robert Drayton, Engineering & Property Management

Explanation

- Approve the purchase of approximately 2.5 acres for the CMPD Providence Division station, which includes the following parcels: PID 157-054-05, 157-054-06, 157-054-07, 157-054-08, 157-054-09, 157-054-32 and a portion of 157-054-10 at the northeast corner of N. Wendover Road and Ellington Street for \$1,400,000.
- A new 12,500 square foot police station is proposed for this site and will replace the 7,000 square foot facility CMPD is currently leasing on Latrobe Drive.
- The earnest money deposit of \$50,000, which is fully refundable for any reason during the due diligence period, is due and payable to the Seller's attorney within ten days of City Council approval.
- The balance of \$1,350,000 is payable to the Buyer's closing attorney prior to closing. These funds will be disbursed to Seller after closing.
- Funding for this project was approved by Council in the FY2010 capital budget (\$6,000,000).

Background

- A minimum of 2.5 acres is needed to accommodate the 12,500 square foot facility, parking needs and other site development requirements. CMPD developed the following criteria for the location for this facility:
 - Site must to be highly visible, located on a major thoroughfare
 - Easily accessible from patrol division area
 - Accommodate a facility containing a minimum of 12,500 square feet of floor area, secured parking for 95 vehicles and public parking for at least ten vehicles
- CMPD has developed a long-term strategy of having Division facilities in high visibility locations.
- Locating a police patrol division office on this site will help stabilize this section of the Grier Heights community and serve to stimulate positive redevelopment of the surrounding area, including new affordable housing units.
- In mid-2008 CMPD renewed the lease at the Latrobe Drive location and began the search process for a site. After considering 12 sites, the NE corner of Wendover and Ellington was identified as the preferred location due to access, topography, configuration and availability.
- When the current leased site on Latrobe Drive is vacated, it will create a cost avoidance opportunity of \$84,980 per year using current lease rates.

Funding
Facilities Capital Investment Plan

Attachment 44
Map

61. Property Transactions

Action: Approve the following property transaction(s) (A-P) and adopt the condemnation resolution(s) (Q-Y).

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

Acquisitions

- A. Project:** Freedom Drive Widening, Parcel #286
Owner(s): Triad Asset Development, LLC
Property Address: Freedom Drive
Property to be acquired: 5,743 sq. ft. (.132 ac.) in Existing Right-of-Way, plus 7,403 sq. ft. (.170 ac.) in Sidewalk and Utility Easement, plus 286 sq. ft. (.007 ac.) in Utility Easement, plus 14,651 sq. ft. (.336 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$12,850
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-17MF
Use: Multi Family
Tax Code: 057-131-19
Total Parcel Tax Value: \$536,800
- B. Project:** Freedom Drive Widening, Parcel #311
Owner(s): Jeffrey E. Williams and Wife, Tamara S. Williams
Property Address: 4410 Freedom Drive
Property to be acquired: 961 sq. ft. (.022 ac.) in Fee Simple, plus 1,285 sq. ft. (.029 ac.) in Sidewalk and Utility Easement, plus 2,502 sq. ft. (.057 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$19,320
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-5
Use: Single Family Residential
Tax Code: 057-042-04
Total Parcel Tax Value: \$131,900
- C. Project:** Freedom Drive Widening, Parcel #327
Owner(s): Tommy Keith Johnson and Wife, Frances Johnson
Property Address: 4242 Freedom Drive

Property to be acquired: 779 sq. ft. (.018 ac.) in Fee Simple, plus 1,036 sq. ft. (.024 ac.) in Sidewalk and Utility Easement, plus 1,677 sq. ft. (.038 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$14,500

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-5

Use: Single Family Residential

Tax Code: 063-091-27

Total Parcel Tax Value: \$62,400

- D. Project:** Freedom Drive Widening, Parcel #415
Owner(s): Steve Alton Jones and Wife, Lindy Ann Sherrill McCray Jones
Property Address: 3945 Freedom Drive
Property to be acquired: 520 sq. ft. (.012 ac.) in Fee Simple, plus 588 sq. ft. (.013 ac.) in Sidewalk and Utility Easement, plus 812 sq. ft. (.019 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$19,075
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 059-022-03
Total Parcel Tax Value: \$63,500
- E. Project:** Freedom Drive Widening, Parcel #440
Owner(s): Charles L. Shipes and Wife, Mary E. Shipes
Property Address: 4251 Freedom Drive
Property to be acquired: 12,018 sq. ft. (.276 ac.) in Fee Simple, plus 5,690 sq. ft. (.131 ac.) in Existing Right-of-Way, plus 5,598 sq. ft. (.129 ac.) in Sidewalk and Utility Easement, plus 18,010 sq. ft. (.413 ac.) in Slope Easement, plus 8,347 sq. ft. (.192 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$22,225
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential - Rural Acreage
Tax Code: 059-041-08
Total Parcel Tax Value: \$150,500
- F. Project:** Freedom Drive Widening, Parcel #443
Owner(s): Coit A. Brigman and Wife, Muriel C. Brigman
Property Address: 4335 Freedom Drive
Property to be acquired: 4,014 sq. ft. (.092 ac.) in Fee Simple, plus 1,981 sq. ft. (.045 ac.) in Existing Right-of-Way, plus 1,949 sq. ft. (.045 ac.) in Sidewalk and Utility Easement, plus 21 sq. ft. in Utility Easement, plus 11,192 sq. ft. (.257 ac.)

in Slope Easement, plus 3,618 sq. ft. (.083 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$14,484

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-4

Use: Single Family Residential

Tax Code: 059-041-11

Total Parcel Tax Value: \$124,100

- G. Project:** Freedom Drive Widening, Parcel #445
Owner(s): James B. Kendall
Property Address: 4421 Freedom Drive
Property to be acquired: 11,874 sq. ft. (.273 ac.) in Fee Simple, plus 5,743 sq. ft. (.132 ac.) in Existing Right-of-Way, plus 9,819 sq. ft. (.225 ac.) in Storm Drainage Easement, plus 4,796 sq. ft. (.110 ac.) in Sidewalk and Utility Easement, plus 42 sq. ft. (.001 ac.) in Utility Easement, plus 22,211 sq. ft. (.510 ac.) in Slope Easement, plus 310 sq. ft. (.007 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$23,675
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential - Rural Acreage
Tax Code: 059-041-16
Total Parcel Tax Value: \$167,200
- H. Project:** Freedom Drive Widening, Parcel #450
Owner(s): Lucian Cooke and Wife, Corliss Cooke
Property Address: 4701 Freedom Drive
Property to be acquired: 6,356 sq. ft. (.146 ac.) in Fee Simple, plus 1,876 sq. ft. (.043 ac.) in Existing Right-of-Way, plus 1,915 sq. ft. (.044 ac.) in Sidewalk and Utility Easement, plus 58 sq. ft. (.001 ac.) in Utility Easement, plus 5,257 sq. ft. (.121 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$21,500
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 059-061-05
Total Parcel Tax Value: \$121,400
- I. Project:** Freedom Drive Widening, Parcel #455
Owner(s): Edward C. Gadd
Property Address: 4839 Freedom Drive
Property to be acquired: 4,551 sq. ft. (.104 ac.) in Fee Simple, plus 2,326 sq. ft. (.053 ac.) in Existing Right-of-Way, plus 5,493 sq. ft. (.126 ac.) in Storm Drainage Easement, plus

2,402 sq. ft. (.055 ac.) in Sidewalk and Utility Easement, plus 3 sq. ft. in Utility Easement, plus 6,071 sq. ft. (.139 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$29,300

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-4

Use: Single Family Residential

Tax Code: 059-061-10

Total Parcel Tax Value: \$119,100

- J. Project:** Statesville Road I-85 to Sunset, Parcel #9
Owner(s): Gregory J. Finnican
Property Address: 4347 Statesville Road
Property to be acquired: 3,023 sq. ft. (.069 ac.) in Fee Simple, plus 166 sq. ft. (.004 ac.) in Utility Easement, plus 9,667 sq. ft. (.222 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$44,825
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: B-2
Use: Commercial
Tax Code: 041-071-08
Total Parcel Tax Value: \$370,300
- K. Project:** Airport Master Plan Land Acquisition
Owner(s): Clark Associates
Property Address: Wilkinson Boulevard
Property to be acquired: 42 acres
Improvements: Vacant Land
Purchase Price: \$879,000
Remarks: The purchase price was determined by two independent Member Appraisal Institute (MAI) appraisers and was reviewed by a third MAI appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R4 Use: vacant land
Tax Value: \$270,000
Tax Code: 113-331-21 and 113-331-22
- L. Project:** Airport Master Plan Land Acquisition
Owner(s): Clark Associates
Property Address: Wilkinson Boulevard
Property to be acquired: 1.9 acres
Improvements: Vacant Land
Purchase Price: \$550,000

Remarks: The purchase price was determined by two independent Member Appraisal Institute (MAI) appraisers and was reviewed by a third MAI appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: B2 Use: vacant land

Tax Value: \$41,300

Tax Code: 055-371-20

M. Project: Airport Master Plan Land Acquisition

Owner(s): Clark Associates

Property Address: 7200 Wilkinson Boulevard

Property to be acquired: 2.0 acres

Improvements: Vacant Land

Purchase Price: \$76,000

Remarks: The purchase price was determined by two independent Member Appraisal Institute (MAI) appraisers and was reviewed by a third MAI appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: B2 Use: vacant land

Tax Value: \$8,800

Tax Code: 055-371-17

N. Project: Airport Master Plan Land Acquisition

Owner(s): Clark Associates

Property Address: Wilkinson Boulevard

Property to be acquired: 3.54 acres

Improvements: Vacant Land

Purchase Price: \$872,000

Remarks: The purchase price was determined by two independent Member Appraisal Institute (MAI) appraisers and was reviewed by a third MAI appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: B2 Use: vacant land

Tax Value: \$149,200

Tax Code: 055-371-13

- O. Project:** Airport Master Plan Land Acquisition
Owner(s): Charles Joye and Myra Frank
Property Address: 6402 Teresa Avenue
Property to be acquired: .42 acres
Improvements: Single family residence
Purchase Price: \$108,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a MAI appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R3 Use: single family residence
Tax Value: \$58,100
Tax Code: 055-365-13
- P. Project:** Airport Master Plan Land Acquisition
Owner(s): George and Sue Pope
Property Address: 8617 Todd Road
Property to be acquired: 1.2 acres
Improvements: Single family residence
Purchase Price: \$150,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: R3 Use: single family residence
Tax Value: \$90,100
Tax Code: 055-381-24

Condemnations

- Q. Project:** Freedom Drive Widening, Parcel #331
Owner(s): Mark McFadyen and Any Other Parties Of Interest
Property Address: 4210 Freedom Drive
Property to be acquired: Total Combined Area of 4,070 sq. ft. (.093 ac.) of Fee Simple, plus Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$15,775
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-5
Use: Single Family Residential
Tax Code: 063-091-31

Total Parcel Tax Value: \$69,800

- R. Project:** Freedom Drive Widening, Parcel #341
Owner(s): Charlotte Freedom Christian Center, Inc. and Any Other Parties Of Interest
Property Address: 4000 Freedom Drive
Property to be acquired: Total Combined Area of 71,378 sq. ft. (1.639 ac.) of Fee Simple, plus Existing Right-of-Way, plus Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$25,300
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 - Rural Acreage
Tax Code: 063-051-43
Total Parcel Tax Value: \$778,000
- S. 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 1,426 sq. ft. (.033 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$2,400
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: 059-012-06
Total Parcel Tax Value: \$75,000
- T. Project:** Freedom Drive Widening, Parcel #392
Owner(s): Bjorn Pfeiler-Greene and Any Other Parties Of Interest
Property Address: 1228 Edgewood Road
Property to be acquired: Total Combined Area of 2,233 sq. ft. (.051 ac.) of Fee Simple, plus Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$2,300
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-4
Use: Single Family Residential
Tax Code: 059-012-09

Total Parcel Tax Value: \$79,700

- U. Project:** Freedom Drive Widening, Parcel #393
Owner(s): Richard W. Stikeleather and Any Other Parties Of Interest
Property Address: 1222 Edgewood Road
Property to be acquired: Total Combined Area of 1,513 sq. ft. (.035 ac.) of Fee Simple, plus Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$1,025
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-4
Use: Single Family Residential
Tax Code: 059-012-10
Total Parcel Tax Value: \$46,900
- V. Project:** Freedom Drive Widening, Parcel #423
Owner(s): Charlotte Freedom Christian Center, Inc. and Any Other Parties Of Interest
Property Address: 4017 Freedom Drive
Property to be acquired: Total Combined Area of 8,843 sq. ft. (.203 ac.) of Fee Simple, plus Existing Right-of-Way, plus Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$14,325
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: 059-021-02
Total Parcel Tax Value: \$102,600
- W. Project:** Freedom Drive Widening, Parcel #424
Owner(s): Charlotte Freedom Christian Center, Inc. and Any Other Parties Of Interest
Property Address: 4020 Freedom Drive
Property to be acquired: Total Combined Area of 9,523 sq. ft. (.219 ac.) of Fee Simple, plus Existing Right-of-Way, plus Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$5,225
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: 059-021-03

Total Parcel Tax Value: \$9,500

- X. Project:** Freedom Drive Widening, Parcel #431
Owner(s): Charlotte Freedom, Christian Center, Inc. and Any Other Parties Of Interest
Property Address: 4101 Freedom Drive
Property to be acquired: Total Combined Area of 14,075 sq. ft. (.323 ac.) of Fee Simple, plus Existing Right-of-Way, plus Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$23,150
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-4
Use: Single Family Residential
Tax Code: 059-041-02
Total Parcel Tax Value: \$95,100
- Y. Project:** US 29/NC 49- University City Boulevard Phase I and Phase 2-North Tryon Widening, Parcel #25
Owner(s): JSK Investments and Any Other Parties Of Interest
Property Address: 6736 North Tryon Street
Property to be acquired: Total Combined Area of 14,028 sq. ft. (.322 ac.) of Fee Simple, plus Storm Drainage Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$32,550
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: B-2
Use: Industrial
Tax Code: 049-081-03
Total Parcel Tax Value: \$739,900

62. Meeting Minutes

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

- May 18, 2009
- May 20, 2009 Budget Adjustments
- May 26, 2009
- June 1, 2009
- June 3, 2009 Legislative Breakfast
- June 8, 2009
- June 15, 2009