

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, March 24, 2008

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
14-B	13	Marsh Road Storm Water Repair
20	19	Mesa Airlines Maintenance Hangar
31	29	Light Emitting Diode Traffic Signals
32	30	Fire Video Teleconferencing System
35	33	Public Auction for Disposal of Equipment, Police Unclaimed Property and Other Miscellaneous Goods
39	37	Acquisition C – Fred D. Alexander Boulevard – Section B, Parcel #17

**CITY COUNCIL AGENDA
Monday, March 24, 2008**

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.	2007 Regional Roads Needs Update	1	
3.	Housing Charlotte 2007 Update	2	1
4.	Answers to Mayor and Council Consent Item Questions	2	
6:30 P.M. Citizens' Forum Meeting Chamber			
		3	
7:00 P.M. Awards and Recognitions Meeting Chamber			
		3	
Consent			
5.	Consent agenda items 14 through 40 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.	3	
Public Hearing			
6.	Public Hearing on Voluntary Annexation	4	2
Policy			
7.	City Manager's Report	5	
8.	FY2009 Council Focus Area Plans	5	3
9.	2008-2009 Council Priorities	6	4
10.	Water and Sewer Rate Adjustment	7	5

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
11.	Brevard Street Land Use & Urban Design Plan	9	
Business			
12.	Mayor and Council Topics	11	
13.	Closed Session	11	
Consent I			
14.	Various Bids	12	
	A. Resurfacing FY2008A	12	6
	B. Marsh Road Storm Water Repair	13	
	C. High Bandwidth Data Ring Cabling	13	
	D. Antifreeze, Lubricants, Oil, Equipment and Services	13	
	E. Relocated Old Dowd Road	14	
15.	Refund of Property Taxes	14	7
16.	Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Lincoln Street	15	8
17.	Resolution of Intent to Abandon Street and Set Public Hearing for a Residual Portion of W. 5 th Street	15	9
18.	In Rem Remedy	16	10-13
Consent II			
19.	Express Bus and Business Shuttle Services	18	14
20.	Mesa Airlines Maintenance Hangar	19	15
21.	Urgent Housing Repair Program Grant	20	16
22.	Engineering Services for Various Sidewalk Projects	21	17
23.	Reimbursement Agreement Revision for Storm Drainage Improvements	23	

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
24.	Geotechnical, Construction Materials Testing and Special Inspections	23	
25.	Robinson Church Road Engineering Planning Services	24	
26.	Dixie River Road Realignment Engineering Services	24	
27.	State Shoulder Right-of-Way Mowing Services	25	
28.	South Corridor Infrastructure Program Grounds Maintenance Services	26	
29.	Siemens NextPhase Traffic Signal Controller Software	27	
30.	Traffic Signal Controller Switches	28	
31.	Light Emitting Diode Traffic Signals	29	
32.	Fire Video Teleconferencing System	30	
33.	Police Furniture Purchase	31	
34.	Reimbursable Sewer Main Contract – Northlake Investors 288, LLC	32	
35.	Public Auction for Disposal of Equipment, Police Unclaimed Property and Other Miscellaneous Goods	33	18
36.	Charmeck.org Upgrade Services	34	
37.	CharMeck 311 Workforce Management Software Purchase	35	
38.	Archdale Drive Improvements Condemnation Settlement Additional Compensation	36	
39.	Property Transactions	37	

Item No.

Page No.

**Attachment
No.**

40. Meeting Minutes

39

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. 2007 Regional Roads Needs Update

Resource: Bob Morgan, Charlotte Chamber of Commerce

Time: 30 minutes

Synopsis:

- Bob Morgan, President of the Charlotte Chamber of Commerce, will present the findings of the Chamber's Regional Roads Committee study entitled "2007 Regional Roads Needs Update." The Regional Roads Committee consists of a consortium of representatives from 13 counties in the Charlotte region.
- In 2000 the Business Community for Regional Transportation Solutions (BCRTS) published the Regional Roads Infrastructure Inventory.
- The BCRTS Report identified \$3.1 billion worth of projects in the 13 county region with funding anticipated for only \$1.6 billion.
- The Chamber contracted with Centralina Council of Government in 2006 to update the BCRTS Report and released the "2007 Regional Roads Needs Update".
- The 2007 Report determined that the \$3.1 billion road needs estimate identified in 2000 has increased to \$6.7 billion, and that only \$2.2 billion is considered funded now, leaving the region with a \$4.5 billion shortfall.

Future Action

The Charlotte Chamber and the City of Charlotte will appoint a citizens group to consider funding strategies for addressing road needs.

3. Housing Charlotte 2007 Update

Resource: Stanley Watkins, Neighborhood Development
Bart Landess, Co-Chair, Housing Charlotte 2007
Implementation Committee

Time: 20 Minutes

Synopsis

- On May 14, 2007 City Council received the Housing Charlotte 2007 Proceedings Report and Implementing Solutions Report.
- The Solutions Report recommended that five affordable housing solutions be further studied by the community and that a 21 member citizens committee be established to oversee the implementation process.
- The five affordable housing solutions being studied are
 - Acquisition strategy
 - Education, outreach and advocacy
 - Dedicated funding source
 - Incentive-based inclusionary housing policies
 - Rental housing subsidy
- Subcommittees around these five areas were established and have been meeting on a monthly basis since December 2007. To date the subcommittees have identified research needs and key issues, in an effort to reach final recommendations.
- The Housing Charlotte 2007 Implementation Committee hosted the first in a series of mini-forums on February 19, 2008. The forums are an opportunity to provide progress reports on the five solution areas. Key findings will be presented at the next mini-forum, tentatively scheduled for late April or early May.

Future Action

- Quarterly updates will be provided to City Council. The final recommendations are expected in Fall 2008.

Attachment 1

Implementation Executive Committee and Subcommittee Rosters
February 19, 2008 Mini-forum Presentation

4. 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

- 5. Consent agenda items 14 through 40 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

6. Public Hearing on Voluntary Annexation

- Action:** A. Hold a public hearing for the Wiley voluntary annexation petition, and
- B. Adopt an ordinance to extend the corporate limits to include this property effective March 24, 2008.

Staff Resource: Jonathan Wells, Planning

Policy

City Annexation Policy and State Annexation Statutes

Explanation

- The purpose of the public hearing is to obtain community input on the proposed voluntary annexation.
- Voluntary annexation petition was received from owner of tract immediately adjacent to the current City boundaries.
- Petitioners are:
 - Stafford Caldwell, LLC
 - Jack Wiley
- The property is located east of the current City boundary, south of Caldwell Road, north of Rocky River Road, and west of I-485.
- Annexation ordinance establishes effective annexation date of March 24, 2008.

Consistent with City Council Policies

- Annexation is consistent with voluntary annexation policies approved on March 24, 2003.
- Annexation will not adversely affect the City's ability to undertake future annexations.
- Annexation will not negatively impact City finances or services.
- Annexation will not result in situation where unincorporated areas will be encompassed by new City limits.

Attachment 2

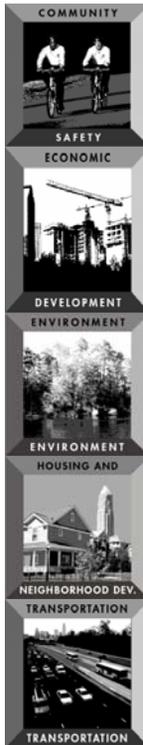
Annexation Ordinance
Map

POLICY

7. City Manager's Report

Cankerworm Spray Update

8. FY2009 Council Focus Area Plans



Action: Approve the Council Committees' recommended FY2009 Strategic Focus Area Plans for:

1. Community Safety
2. Economic Development
3. Environment
4. Housing & Neighborhood Development
5. Transportation (to be considered by committee on March 24)

Committee Chairs: Warren Turner
John Lassiter
Edwin Peacock
Susan Burgess
Anthony Foxx

Explanation

- Staff drafted two year Focus Area Plans for Council's review. The Council reviewed the plans at the annual strategy retreat.
- Following the retreat, each Committee reviewed and approved their respective plans. Each initiative has measures for evaluation.
- The Strategic Focus Area Plans are attached and major initiatives are outlined herein. Changes to the plans are shown in color.
- The Transportation Committee meets on March 24. Any revisions to the Transportation Plan will be shared with Council at the business meeting on March 24.

Community Safety

- Reduce crime through enforcement and prevention
- Reduce property crime through education and enforcement
- Enhance citizen perception of safety through engagement and information dissemination
- Reduce vehicle crashes through enforcement, education and engineering
- Educate and prepare children to prevent injuries and fires

Economic Development

- Promote healthy business climate
- Ensure small business opportunity
- Business Corridor revitalization
- Promote infill development/redevelopment/transit oriented development
- Grow hospitality industry

- Improve permitting process
- Implement Area Plans

Environment

- Support sustainability
- Protect natural ecosystem and habitats
- Lead by example, adopting sound environmental practices
- Collaborate with local, regional, and neighborhood partners
- Increase city employees' awareness of the environment as a priority

Housing and Neighborhood Development

- Reduce number of challenged neighborhoods
- Expand supply of affordable housing
- Eliminate sub-standard housing and neighborhood nuisances
- Graduate neighborhoods from revitalization plan
- Educate and engage residents in achieving model neighborhood standards
- Provide comprehensive neighborhood infrastructure

Transportation

- Continue implementing Centers, Corridors, and Wedges Growth Framework
- Collaborate with regional partners to ensure environmental quality and long-term regional sustainability
- Provide convenient and efficient transportation facilities
- Communicate land use and transportation objectives
- Seek financial resources to implement programs and services

Attachment 3

FY2009 Council Focus Area Plans

9. 2008-2009 Council Priorities



Action: Adopt the 2008-2009 Council Priorities

A. Long-Range Transportation Funding Strategy (Transportation)

B. Business Corridor Revitalization (Economic Development), and

C. Community Safety Strategic Plan (Community Safety).

Staff Resource: Curt Walton, City Manager's Office
Ron Kimble, City Manager's Office

Policy

At the annual City Council Retreat, the Mayor and Council identified three Priorities for 2008-2009, in accordance with City Council Policy. These were confirmed at the Council Workshop on March 3, 2008.

Following adoption of these Priorities, implementation plans will be presented as part of the Manager's Recommended Budget in May.

Long-Range Transportation Funding Strategy

- Goal 1: Communicate the City's integrated transportation and land use growth strategy and infrastructure needs to accommodate the City's projected growth
- Goal 2: Engage the community to help define the City's transportation challenges, review current tools and strategies to address transportation needs and develop action steps to enable transportation infrastructure to keep pace with growth
- Goal 3: Explore funding options to address transportation funding needs to keep pace with projected growth
- Goal 4: Develop a corresponding legislative strategy to implement the necessary transportation improvements to keep pace with growth

Business Corridor Revitalization

- Goal 1: Focus efforts and resources on five priority corridors: Eastland, Beatties Ford, Rozzelles Ferry, North Tryon and Wilkinson/Morehead/Freedom
- Goal 2: Coordinate and align public services to support corridor revitalization
- Goal 3: Promote reuse/redevelopment of underutilized, deteriorated commercial structures
- Goal 4: Leverage private sector investment and job creation

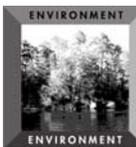
Community Safety Strategic Plan

- Goal 1: Adopt 2008-2012 Community Safety Strategic Plan
- Goal 2: Expand Crime Prevention and Enforcement Strategies
- Goal 3: Enhance Communications on Crime and Safety Information
- Goal 4: Actively Seek Favorable State/Federal Legislation and Funding

Attachment 4

2008-2009 Council Priorities (includes Mayor and Council comments made at Retreat and Workshop and potential implementation steps)

10. Water and Sewer Rate Adjustment



Action: Adopt an ordinance amending City Code Chapter 23 to revise the Water and Sewer Rate Methodology Documents, effective May 1, 2008.

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Policy

- Charlotte implemented a tiered rate structure for residential and irrigation customers in 1994 that was designed to encourage conservation and to recover the additional costs associated with meeting excess demand. The rate structure was revised in 2001.
- Further revisions to the rate structure are needed:
 - To address the impact of the current, historic drought
 - To respond to existing and projected revenue shortfalls under the current rates
 - To satisfy bond covenants under the current rates
 - To address reduction in customer water usage and declining housing starts

Explanation

- The revised rate structure will shift from three to four tiers. The other major changes are:
 - Tier ranges based on updated consumption data and revenue needs (tier ranges are expressed in CCF's, which represent 100 cubic feet of water or 748 gallons)
 - Higher increases in the upper tiers to encourage continued conservation and to minimize rate increases in the lower tiers
 - Increases in the sewer cap from 18 to 24 CCF
 - Increases in the commercial rate from \$4.95/CCF to \$5.80/CCF
 - Shift the beginning point for irrigation rates from the first tier to the proposed tier three
- The following chart summarizes the current rate structure and the proposed changes in the tiers and the rates for each tier:

Tier Adjustment			
Current		Proposed	
		0-4 ccf	\$1.38/ccf
0-11 ccf	\$1.33/ccf	5-8 ccf	\$1.59/ccf
12-22 ccf	\$2.18/ccf	9-16 ccf	\$2.61/ccf
+ 22 ccf	\$4.31/ccf	+ 16 ccf	\$5.16/ccf

- These revisions would be effective May 1, 2008 in order to:
 - Minimize the impact of existing and projected revenue shortfalls
 - Improve compliance with bond covenants
 - Continue a strong conservation effort
- Future rate increases will be distributed equitably among the tiers and the commercial category and will be implemented in accordance with the approved "Water and Sewer Rate Structure Methodology." No further rate increase is proposed for the upcoming fiscal year. Future rate increases will be effective July 1 of each year.
- Utilities' customers will be informed of these changes before the rate changes are implemented.
- The average residential monthly usage is 8 ccf and the rate increase would be \$6.36 per month.
- A presentation explaining the details of the new methodology and the technical basis of the study was given to Council on March 5, 2008.

Consequences of No Adjustment

- The consequences of no May 1 rate adjustment include:
 - A decrease to fund balance of \$15.9 million for FY2008
 - Two of the three bond covenant tests for FY2008 would not be met
 - Loss of AAA bond rating for water and sewer, resulting in annual interest expense increases in the millions of dollars
 - Significant reduction in capital program
- The consequences of no rate adjustment at all include:
 - Bond covenant test would not be met in any future year
 - Loss of AAA bond rating resulting in annual interest expense increases in the millions of dollars
 - All fund balance would be used by FY2011 (run out of cash)
 - Dramatic reduction in capital program

Attachment 5

Ordinance

Seventh Amendment to the Water and Sewer Rate Methodology Documents

11. Brevard Street Land Use & Urban Design Plan

Action: Approve the Economic Development and Planning Committee's recommendation to adopt the Brevard Street Land Use and Urban Design Plan.

Committee Chair: John Lassiter, Economic Development and Planning

Staff Resource: Dan Thilo, Planning Department

Explanation

- Since 2006 Planning Department staff has been working with property owners, business owners and interested citizens to develop a land use and urban design plan for properties located along Brevard Street between the Bobcats Arena and the NASCAR Hall of Fame, currently under construction.
- During a six month period, a consultant worked with the City in conducting stakeholder interviews, steering committee meetings and three public workshops. In addition, surveys were taken and a website was used to gather preferences.
- The consultant team did case studies on ten successful urban areas that have achieved the goals sought in this project. These studies provided the framework for developing design guidelines.
- The goal for this plan is to create a distinct, diverse and attractive vision for the study area that reflects and highlights the Memorable Streets-Brevard Street Connectivity Study.
- The plan updates various overlapping land use plans and once adopted, will serve as a guide for future growth and development in the area as well as guide public policy on future public and private development initiatives.

Plan Recommendations

- **Land Use**
 - Promote a mixture of land uses that support major public facilities in the study area: Bobcats Arena, Convention Center and NASCAR Hall of Fame
 - Provide a minimum of 50% retail land uses on the first floor of all new buildings and a minimum of 75% retail along the street edge
 - Land uses above the first floor should include residential, employment, and entertainment opportunities
 - Reserve intersection/corner block locations for larger chain retailers
 - Strategically locate a pocket park in the area to provide opportunities for social interactions
- **Urban Design**
 - Building heights should be a maximum of 60 foot or five stories at street level in order to create a consistent and appropriate pedestrian scale
 - Behind a minimum 20 foot step back, building heights along Brevard Street may extend above 60 feet to unlimited heights

- Setbacks from the back of curb to the primary building façade along Brevard Street should provide adequate space for pedestrian activity and provide continuous store frontage along Brevard Street
 - Establish a change in building façades with architectural elements such as color variations, changes in the façade setback, or other means to achieve a varied but consistent streetscape
 - Design parking structures to incorporate 75% of the exterior first floor with retail type uses
 - Create standards for parking structures that address design, parking requirements and pedestrian safety
- **Transportation/Connectivity**
 - Redefine Brevard Street as a two-way street with on-street parking on both sides
 - Reduce the number of lanes and lane widths to emphasize the pedestrian environment
 - Use the City's Wayfinding Signage System to provide guidance for pedestrians, cyclists, and motorists

Charlotte-Mecklenburg Planning Commission (Planning Committee)

- The Planning Commission received public comments on the plan at their January 22 meeting.
- Comments included concerns about making the retail space too long and narrow, incorporating historical markers noting the history of Second Ward and promoting the City's Affordable Housing Policy.
- The Planning Committee voted 5-0 to recommend adoption of the Brevard Street Land Use and Urban Design Plan with minor modifications. Those modifications include:
 - Adding verbiage that supports the placement of historical markers in the area
 - Recognizing the City's affordable housing policy

Committee Discussion

- The Economic Development and Planning Committee received an overview of the plan on February 6 and asked for clarification on several of the recommendations. In addition, they discussed their experiences while visiting other cities. The Committee voted unanimously to forward the plan to Council for public comment.
- On February 25 a brief plan overview was made to City Council. There were no comments from the public but Council had some comments about implementing the plan such as funding for Brevard Street improvements, design guidelines for parking decks and overall cost to implement the plan.
- On February 26 the Economic Development and Planning Committee voted unanimously (4-0) to forward the plan to City Council for adoption with suggested changes from Planning Committee, which are listed in a previous bullet under Planning Committee (Present: Carter, Mitchell, Foxx and Lassiter).

Plan Available on Website

The *Brevard Street Land Use & Urban Design Plan* was provided to Council in February. The plan is available at:

<http://www.charmeck.org/Departments/Planning/Area+Planning/Plans/Brevard+Street.htm>

BUSINESS

12. Mayor and Council Topics

Council members may share information and raise topics for discussion.

13. Closed Session

Action: Adopt a motion pursuant to NCGS 143-318.11 (a)(5) to go into closed session to establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

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.

CONSENT I

14. Various Bids

A. Resurfacing FY2008 A

EPM

Staff Resource: Bong Vang

Action

Award the low bid of \$5,376,324.07 by Ferebee Corporation of Charlotte, North Carolina. This annual contract includes resurfacing approximately 64 miles of city streets and consists of traffic control, asphalt and concrete pavement milling, resurfacing, manhole and water valve adjustments, wheelchair ramps and pavement markings and associated work. This is the first of two planned resurfacing contracts for 2008. It is anticipated that both contracts will be completed by the end of paving season on November 15, 2008.

Small Business Opportunity

Established SBE Goal: 9%

Committed SBE Goal: 8.94 %

Ferebee Corporation failed to meet the SBE goal, but earned the required number of Good Faith Effort Points. They

committed 8.94% (\$480,775) of the total contract amount to the following SBE firm: Conmat Development, Inc.

Attachment 6

List of Streets

B. Marsh Road Storm Water Repair EPM

Staff Resource: Monica Kruckow

Action

Award the low bid of \$1,496,706.25 by OnSite Development, LLC, of Charlotte, North Carolina. This project will address needed storm drainage repairs within the original Marsh Road Storm Drainage Improvement project limits, which is bound by Marsh Road, South Boulevard, Scaleybark Road, Hartford Avenue and Selwyn Farms Lane. Construction completion is scheduled for fourth quarter of 2008.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 8.02%

OnSite Development committed 8.02% (\$120,000) of the total contract amount to the following SBE firms: All Points Trucking, Inc., Charlotte Trucking Solutions, LLC, On Time Construction, Inc., and Union Paving Contractors, Inc.

C. High Bandwidth Data Ring Cabling Aviation

Staff Resource: Jerry Orr

Action

Award the low bid of \$451,089 by The Com Tran Group, Inc. of Buford, Georgia to run data cabling from the Airport terminal to various areas of the Airport to support new interactive signage along the Airport roadways, new parking revenue control system, and other Airport and tenant communication and data requirements.

Small Business Opportunity

No SBO utilization goal was set for this contract because subcontracting is not anticipated (Part B: Section 2.4 of the SBO Program).

D. Antifreeze, Lubricants, Oil, Equipment and Services BSS/ EMD/CATS

Staff Resource: Warren Ellington

Action:

Award the low bid unit price contracts for providing various Antifreeze, Equipment, Lubricants, Oil, and Services for an initial term of one year and authorize the City Manager to

approve up to four additional, one-year renewal options to the following vendors:

Isgett Distributors of Charlotte, NC for an estimated annual amount not-to-exceed \$338,000.

Nissbet Oil Company of Charlotte, NC for an estimated annual amount not-to-exceed \$272,000.

Small Business Opportunity

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

E. Relocated Old Dowd Road Aviation

Staff Resource: Jerry Orr

Award the low bid of \$3,376,681.47 to Scurry Construction of Cornelius, North Carolina for expenses related to the relocated Old Dowd Road, which is necessary to accommodate the new runway. This contract includes paving, curb and gutter, concrete electrical duct bank to accommodate relocated underground electricity lines, and relocation of water and sewer lines.

Disadvantaged Business Enterprise

Established DBE Goal: 18%

Committed DBE Goal: 6.5%

While not meeting the contract goal, Scurry Construction submitted the necessary documentation of good faith efforts. They committed 6.5% (\$219,681.47) to the following certified DBE firms: B.C. Cannon Co. - \$13,508, Theresa's Concrete Service, Inc. - \$85,995, Martin Landscaping Co., Inc. - \$12,900, ACS Pavement Markings - \$10,466, Stay Alert Safety Service - \$ 1,850, Hazel Holmes Trucking - \$70,027, Bullington Construction - \$25,200.

15. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$490.24.

Staff Resource: Scott Denham, Finance

Attachment 7

Resolution

List of property tax refunds

16. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Lincoln Street

Action: A. Adopt the Resolution of Intent to abandon a portion of Lincoln Street, and
B. Set a public hearing for April 28, 2008.

Staff Resource: Linda Poissant, Transportation

Attachment 8

Map
Resolution

17. Resolution of Intent to Abandon Street and Set Public Hearing for a Residual Portion of W. 5th Street

Action: A. Adopt the Resolution of Intent to abandon a residual portion of W. 5th Street, and
B. Set a public hearing for April 28, 2008.

Staff Resource: Linda Poissant, Transportation

Attachment 9

Map
Resolution

18. In Rem Remedy

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Field Observation:

- A. 5940 Freedom Drive (Neighborhood Statistical Area 113 – Westchester Neighborhood)
- B. 1008 Harrill Street (Neighborhood Statistical Area 51 – Belmont Neighborhood)
- C. 3035 Ridge Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood)
- D. 2960 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood)

Field Observation:

A. 5940 Freedom Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 5940 Freedom Drive (Neighborhood Statistical Area 113 – Westchester Neighborhood).

Attachment 10

B. 1008 Harrill Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1008 Harrill Street (Neighborhood Statistical Area 51 – Belmont Neighborhood).

Attachment 11

C. 3035 Ridge Avenue

Action: Adopt an ordinance authorizing the use of In Rem to demolish and remove the structure at 3035 Ridge Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood).

Attachment 12

D. 2960 Ross Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2960 Ross Avenue (Neighborhood Statistical Area 7 – Reid Park Neighborhood).

Attachment 13

CONSENT II

19. Express Bus and Business Shuttle Services

Action: A. Adopt a resolution approving cost sharing agreements of up to five years in duration (one-year terms with four, one-year renewal options) for express bus and shuttle services with the following counties, cities, towns, and businesses:

- City of Concord, North Carolina
- Town of Mooresville, North Carolina
- City of Gastonia, North Carolina
- Lincoln County, North Carolina
- City of Rock Hill, South Carolina
- Union County, North Carolina
- University of North Carolina at Charlotte
- Wachovia Corporation

B. Authorize the City Manager to exercise the four, one-year renewal options, and

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

Staff Resource: Jim Zingale, CATS

Policy

Centers & Corridors, Transportation Action Plan, Environmental Focus Area Initiatives

Explanation

- CATS operates regional express bus services to each of the six counties surrounding Mecklenburg County. Additionally, CATS operates an express shuttle service to assist customers commuting between Uptown and University employment centers as well as three community shuttles on the campus of University of North Carolina at Charlotte (UNCC).
- Per the Metropolitan Transit Commission's adopted Financial Policies, CATS operates these services under cost sharing agreements with its respective regional partners, the Wachovia Corporation and UNCC.
- The City of Concord, City of Gastonia, Town of Mooresville, City of Rock Hill, Union County, and Lincoln County will reimburse the City of Charlotte for 50 percent of the operating expense after deducting the collected fare revenue.
- Wachovia Corporation and UNCC pay for 100 percent of the costs to operate the Wachovia Express and the UNCC Shuttles.
- Ridership on all of the Regional Express routes is growing, increasing 11 percent to date in FY2008 from FY2007. CATS anticipates providing over 330,000 rides this fiscal year (FY2008).

Funding

Transit Operating Fund

Attachment 14
Ridership Data
Resolution

20. Mesa Airlines Maintenance Hangar

- Action:**
- A. Award the low bid of \$4,624,000 by Morlando-Holden Construction of Charlotte, North Carolina for construction of an approximately 40,000 square foot hangar, and**
 - B. Adopt a budget ordinance appropriating \$4,624,000 from the Airport's Fund Balance to be repaid from future permanent financing.**

Staff Resource: Jerry Orr, Aviation

Explanation

- Mesa Airlines ("Mesa") flies as United Express, Delta Connection and USAirways at Charlotte.
- Mesa employs 70 people for their aircraft maintenance operation out of a hangar on Airport property.
- The existing hangar is located where the new Third Parallel Runway is being constructed.
- There is more demand than supply for hangar space at the Airport so a new hangar is needed to house Mesa.
- The hangar is anticipated to be completed in October. At that time, Council will be asked to approve a lease with Mesa for the hangar at the then prevailing rates applicable to similar users at the Airport.

Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 2.6%

Morlando-Holden failed to meet the SBE goal, but earned the required number of Good Faith Effort Points (Part B: Section 2.2 of the SBO Policy). They committed 2.67% (\$123,300) of the total contract amount to the following SBE firm: Cochrane Steel.

Funding

Airport Fund Balance

Attachment 15

Budget Ordinance

21. Urgent Housing Repair Program Grant

Action: Adopt a budget ordinance appropriating an Urgent Housing Repair Program Grant in the amount of \$75,000.

Staff Resource: Stan Wilson, Neighborhood Development

Explanation

- The City of Charlotte has been notified by the North Carolina Housing Finance Agency that it has been awarded a \$75,000 Urgent Repair Program Grant.
- The grant funds will be used to rehabilitate 25 units of low and very low-income housing in the city's targeted action plan neighborhoods. Households earning 30 percent or less of the area median income (AMI), (\$19,230 for a family of four) are eligible.
- The urgent repair funds are limited to owner-occupied homes and will address emergency home repair, provide accessibility modifications for elderly homeowners and other necessary repairs to prevent displacement of homeowners.
- The city will provide a match of \$50,000 which is budgeted through local Innovative Housing Funds. The Urgent Repair Grant will be used in conjunction with the City's Selective Rehabilitation and Code Repair Programs.

History

- The State of North Carolina Housing Finance Agency has awarded the City of Charlotte \$75,000 Urgent Repair grants in each of the last four fiscal years. Each year the city has successfully completed the requirements of the grant.
- To date, 104 units have been repaired through the grant program over four grant periods.
- The North Carolina Housing Finance Agency issues grant applications on an annual basis.

Funding

N.C. Housing Trust Fund

Attachment 16

Award Letter from State of North Carolina
Map of Target Area (indicated as census block groups)
Budget Ordinance

22. Engineering Services for Various Sidewalk Projects

Action: Approve an agreement for engineering services with the following firms:

- A. Kimley-Horn and Associates, Inc. in the amount of \$450,000;
- B. Armstrong Glen, P.C. in the amount of \$300,000;
- C. Gannett Fleming, Inc. in the amount of \$300,000;
- D. PBS&J in the amount of \$300,000;
- E. STV, Inc., d/b/a STV/Ralph Whitehead Associates, Inc. in the amount of \$450,000, and
- F. US Infrastructure, Inc. in the amount of \$300,000.

Staff Resource: Kruti Desai, Engineering & Property Management
Vivian Coleman, Transportation

Contracts for Engineering Services

- The six engineering services contracts:
 - Support the City's Sidewalk Program to enhance connectivity, offer transportation choices, and improve pedestrian safety
 - Provide funding for planning, design and construction bid documents
- Six firms were selected pursuant to a Council approved qualifications-based selection process performed in accordance with North Carolina State General Statutes.
- Multiple firms were selected because the volume of work requires that multiple firms participate in order to complete the work in a timely manner.
- Contract amendments are anticipated for future work and will be based on performance.

Sidewalk Projects

- Council approved the new sidewalk program policy on May 23, 2005.
- All sidewalk locations will be prioritized using the Council approved policy.
- The projects may include curb and gutter, driveway aprons, planting strips, pedestrian bridges, retaining walls or any combination of these improvements.
- These contracts will design approximately six to 10 miles of sidewalk and
 - Will comply with City and Americans with Disabilities Act standards
 - Will incorporate six-step process outlined in the Urban Street Design Guidelines
- The attachment shows programmed sidewalk projects and candidate sidewalk projects to be further evaluated in FY2009.

Small Business Opportunity

A. Kimley Horn, Inc.

The City negotiated an SBE goal with Kimley Horn Inc. after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Kimley Horn, Inc. committed 3.00% (\$13,500) of the total contract amount to the following SBE

firms: Boyle Consulting Engineers, Mitchell Consulting, Inc., and On-Target Utility Locating Services, Inc.

B. Armstrong Glen, P.C.

The City negotiated an SBE goal with Armstrong Glen P.C. after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Armstrong Glen, P.C. committed 3.00% (\$9,000) of the total contract amount to the following SBE firm: Carolina Wetland Services, Inc.

C. Gannett Fleming, Inc.

The City negotiated an SBE goal with Gannett Fleming Inc. after the proposal selection process (Part C: Section 2.2 of the SBO Policy). Gannett Fleming, Inc. committed 3.00% (\$9,000) of the total contract amount to the following SBE firms: On-Target inc., Bruce Clodfelter & Associates, and Capstone Civil Group P.A.

D. PBS&J

The City negotiated an SBE goal with PBS&J after the proposal selection process (Part C: Section 2.2 of the SBO Policy). PBS&J committed 3.00% (\$9,000) of the total contract amount to the following SBE firms: Capstone Civil Group P.A., and On-Target Utility Locating Services Inc.

E. STV, Inc., d/b/a STV/Ralph Whitehead Associates, Inc.

The City negotiated an SBE goal with STV, Inc. after the proposal selection process (Part C: Section 2.2 of the SBO Policy). STV, Inc. committed 3.00% (\$13,500) of the total contract amount to the following SBE firms: Geological Resources, Inc. and Richa Graphics.

F. US Infrastructure, Inc.

The City negotiated an SBE goal with US Infrastructure Inc. after the proposal selection process (Part C: Section 2.2 of the SBO Policy). US Infrastructure, Inc. committed 3.00% (\$9,000) of the total contract amount to the following SBE firms: Joel E Wood & Associates and On-Target Utility Locating Services Inc.

Funding

Transportation Capital Investment Plan

Attachment 17

List of Projects and Candidate Projects

23. Reimbursement Agreement Revision for Storm Drainage Improvements

Action: Approve revising the developer name from NODA @ 28th Street, LLC to North Davidson @ 28th Street, LLC on a previously approved reimbursement agreement for storm drainage improvements at North Davidson Street and 28th Street.

Staff Resource: Tim Richards, Engineering & Property Management

Explanation

- On January 14, 2008 City Council authorized the City Manager to negotiate a reimbursement agreement with NODA @ 28th Street, LLC for storm drainage improvements.
- The developer mistakenly gave staff the wrong developer name during the negotiation phase of the Reimbursement Agreement.
- This action approves changing the developer name on the Reimbursement Agreement to North Davidson @ 28th Street, LLC.
- NODA @ 28th Street, LLC has been dissolved and the correct developer name is North Davidson @ 28th Street, LLC.
- Storm Water Services will pay only for actual costs on the project, not to exceed \$175,000, as approved on January 14.

Funding

Storm Water Capital Investment Plan

24. Geotechnical, Construction Materials Testing and Special Inspections

Action: Approve a contract with ECS Carolinas, LLP for geotechnical, construction materials testing and special inspection services in an amount not to exceed \$185,000 for building projects.

Staff Resource: Michelle Haas, Engineering & Property Management

Explanation

- This agreement with ECS Carolinas, LLP provides funding for geotechnical and construction materials testing services on various building projects.
- Services to be performed will be issued in the form of written task orders.
- Examples of specific building projects affected by this contract include:
 - Fire Station #40
 - Fire Station Renovations
 - Other miscellaneous building sites and projects on an as needed basis
- ECS Carolinas, LLP was selected pursuant to a Council approved qualifications-based selection process performed in accordance with NC State General Statutes.

Small Business Opportunity

The City negotiated an SBE goal with ECS Carolinas, LLP after the proposal selection process (Part C: Section 2.2 of the SBO Policy). ECS Carolinas, LLP committed 3.00% (\$5,550) of the total contract amount to the following SBE firm: Capstone Civil Group.

Funding

Government Facilities Capital Investment Plan

25. Robinson Church Road Engineering Planning Services

Action: Approve a contract with US Infrastructure of Carolina, Inc. (USI), in the amount of \$275,000 for Robinson Church Road engineering services .

Staff Resource: Jim Keenan, Engineering & Property Management

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.
- The Farm to Market roadway program is recommended in the TAP. This program is intended to improve previously rural roads in the high growth wedge areas.
- The Robinson Church Road project is a high priority in the Farm-to-Market program as a result of the pressures of new and increasing development in the surrounding area.
- This contract will provide engineering planning services for approximately 2.7 miles of Robinson Church Road from East W.T. Harris Boulevard to Hood Road.
- US Infrastructure of Carolinas, Inc., (USI) was selected pursuant to a Council approved qualifications-based selection process performed in accordance with NC State General Statutes.
- After completion of the engineering planning services, design services will be secured through negotiation of an amendment to this contract, a new contract, or through a competitive request for qualification process.

Small Business Opportunity

For services based contracts, the City may negotiate SBE goals after the proposal selection process (Part C: Section 2.2 of the SBO policy). US Infrastructure of Carolina, Inc. included SBE firms on their project team which will be used if the contract is amended for design services.

Funding

Transportation Capital Investment Plan

26. Dixie River Road Realignment Engineering Services

Action: Approve contract amendment #2 with Kimley-Horn and Associates Inc. in the amount of \$172,874 for Dixie River Road Realignment engineering services.

Staff Resource: Derrel Poole, Engineering & Property Management

Explanation

- The 2004 Street Improvement Bonds included \$5 million for the Dixie River Road Alignment.

- On March 28, 2005 Council approved an agreement with Kimley-Horn and Associates (KHA) in the amount of \$650,000 for engineering services with the primary goal to fix the poor geometry of the Shopton Road West/Steele Creek Road and extend Dixie River Road on a new alignment to connect with the Berewick Development.
- KHA was selected pursuant to a Council approved qualifications-based selection process performed in accordance with NC State General Statutes.
- The traffic analysis performed by KHA determined that the four-way intersection would function better if Steele Creek Road was preserved as the through movement and the intersections of Shopton Road and Dixie River Road were separated.
- On November 15, 2006 the Mecklenburg Union Metropolitan Planning Organization (MUMPO) approved the new alignment prepared by KHA.
- The 2006 Street Improvement Bonds included an additional \$5 million for the Dixie River Road for the new alignment.
- The contract was amended for \$49,066 on November 6, 2007 to provide additional funding for coordination with the adjacent Berewick development.
- The total contract amount to date including amendment #1 and #2 will be \$871,940.
- This amendment amount will provide for final design and bid documents for the new alignment.
- Additional amendments are not expected but may be necessary as staff continues to coordinate the project with adjacent development.

Small Business Opportunity

All additional work involved in this change order, will be performed by the current Consultant (Kimley- Horn & Associates, Inc.) and their existing subconsultants. Kimley- Horn committed 3.93% (\$6,800) of this amendment to the following SBE firms: Estes Design Inc., and On Target Utility Locating. This amendment complies with Part D: Section 6 of the SBO Program.

Funding

Transportation Capital Investment Plan

27. State Shoulder Right-of-Way Mowing Services

- Action:**
- A. Approve contract renewal #1 for right of way mowing services with A-1 Services and John Todd Landscape for State Shoulder Right-of-Way Mowing FY2007 in the amount of \$114,241.95, and**
 - B. Authorize the City Manager to approve the final, one year renewal for this contract. The final renewal will include an adjustment for Consumer Price Index for the final year.**

Staff Resource: Ron McMillan, Engineering & Property Management

Explanation

- Landscape Management competitively bid and awarded this contract to the lowest bidder.
- The contract provides grass mowing on roads such as Albemarle Road, Brookshire Boulevard, Harris Boulevard, Providence Road and Tryon Street.

- Each renewal is for one year and is based on good contractor performance using existing and adjusted unit prices.
- The original contract document allows for a one year renewal up to two times, at the City's option, as an incentive to the contractor for productivity and workmanship.
- The City has done work under a municipal agreement with NCDOT since the 1970s. The City receives reimbursement from NCDOT.

State Shoulder Right-of-Way Mowing FY2007 with A-1 Services and John Todd Landscape

- This contract includes State right of way shoulder mowing within the City limits.
- The City Council approved the original contract for \$110,699.56 on March 26, 2007.
- The total contract amount to date including renewal #1 will be \$224,941.51.

Small Business Opportunity

The project cost was estimated to be less than \$100,000, so an informal bid process was conducted and an SBE goal was not established. A-1 Services and John Todd Landscaping is, however, an SBE firm.

Funding

Engineering and Property Management Operating Budget

28. South Corridor Infrastructure Program Grounds Maintenance Services

Action: Approve a contract with The Byrd's Group, Inc. in the amount of \$219,898.80 for South Corridor Infrastructure Program Grounds Maintenance Services.

Staff Resource: Quin Hall, Engineering & Property Management

Explanation

- Landscape Management competitively selected this vendor through a Request for Proposal process.
- This contract provides for routine maintenance activities such as grass mowing, shrub and bed maintenance, trash removal, in addition to irrigation maintenance, operation and repair for the completed portions of the South Corridor Infrastructure Program landscape projects.
- The contract period is for a total of three years.
- The total contract amount for three years will be \$219,898.80.

Small Business Opportunity

The SBO Office exempted landscaping contracts from SBE subcontracting goals for FY2008 (Part A, Section 4.2 and Appendix Section 23.10 of the SBO Policy). Instead, staff seeks to enhance SBE utilization by issuing smaller contracts so SBEs can participate as primes. Past experience has shown this approach to be more effective with landscape contracts.

Funding

Engineering and Property Management Operating Budget

29. Siemens NextPhase Traffic Signal Controller Software

- Action:**
- A. Approve the purchase of Siemens NextPhase traffic signal controller software without competitive bidding, as authorized by the sole source exception of G.S. 143-129(e) (6), and**
 - B. Approve a contract for the purchase of Siemens NextPhase traffic signal controller software to RGA, Inc. in the amount of \$165,000.**

Staff Resource: Charles Abel, Transportation

Sole Source Exception

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - performance or price competition are not available
 - a needed product is available from only one source of supply
 - standardization or compatibility is the overriding consideration
- RGA, Inc. is the recommended vendor based on all three items above.
- The City Council must approve purchases made under the sole source exception.

Explanation

- RGA, Inc. is the only authorized dealer of the Siemens NextPhase traffic signal controller software for Charlotte per Siemens ITS, the manufacturer.
- Siemens NextPhase traffic signal controller software has been determined to be the best source of traffic signal controller software for the following reasons:
 - Currently, CDOT has installed Siemens NextPhase traffic signal controller software in the traffic control system equipment to communicate between traffic signal controllers and the Charlotte Traffic Management Center (CTMC).
 - As CDOT continues to expand the number of connected traffic signal systems, standardizing of this software guarantees the compatibility with the existing hardware and software both in the field and in the CTMC.

Small Business Opportunity

Contracts entered into without a competitive bidding/proposal process are exempt (Appendix Section 23.2 of the SBO Program).

Funding

Transportation Capital Investment Plan

30. Traffic Signal Controller Switches

Action:	<p>A. Approve the purchase of RS900 Ethernet switches without competitive bidding as authorized by the sole source exception of G.S. 143-129(e) (6),</p> <p>B. Approve a unit price contract for the purchase of RS900 Ethernet switches and related hardware to RuggedCom, Inc. in the estimated annual amount of \$141,408 for the term of one year, and</p> <p>C. Authorize the City Manager to extend the contract for two additional one-year terms.</p>
----------------	--

Staff Resource: Aubrey Miller, Procurement Services
Liz Babson, Transportation

Sole Source Exception

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - performance or price competition are not available
 - a needed product is available from only one source of supply
 - standardization or compatibility is the overriding consideration
- RuggedCom, Inc. is the recommended vendor based on all three items above.
- The City Council must approve purchases made under the sole source exception.

Explanation

- RuggedCom, Inc. is the manufacturer of RS900 field hardened Ethernet switch equipment. They do not have distributors. They sell directly to the customer.
- RS900 Ethernet switches have been determined to be the best source of Ethernet communication equipment with traffic signal controllers for the following reasons:
 - Currently, CDOT installs equipment to communicate between traffic signal controllers and the Charlotte Traffic Management Center. A type of equipment that uses a newer technology (Ethernet) has been installed in several systems with success (approximately 60 locations so far). This equipment has more flexibility and a much faster communication speed allowing for a more rapid response to needs in the field.
 - RuggedCom Ethernet switches have been used for this communication thus far. As CDOT continues to expand with more interconnected traffic signal systems, standardizing on this equipment guarantees the compatibility with the other devices in the field. It also decreases the inventory space necessary to stock equipment in the maintenance lab and allows the traffic signal maintenance trucks to have the proper equipment.
- A unit price contract will be established for one year with two, one-year options for renewal in order to accommodate future purchases.

Small Business Opportunity

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

Funding

Transportation Capital Investment Plan

31. Light Emitting Diode Traffic Signals**Action:**

- A. Award the low bid of \$296,704.91 to Bryan Electric Repair & Construction Inc. of Gastonia, North Carolina for the installation of Light Emitting Diode (LED) traffic signal bulbs in existing traffic signals,**
- B. Approve the purchase of Light Emitting Diode (LED) Signal Bulbs without competitive bidding, as authorized by the State contract exemption of G.S. 143-129(e) (9), and**
- C. Award unit price contracts to provide LED Signals for a term of one year to the following vendors per State contract #550A:**
 - Leotek Electronics of Santa Clara, California in the amount of \$133,932.45 for 12 inch Green circular LED bulbs and all LED arrow bulbs.**
 - Dialight Corporation of Farmingdale, New Jersey in the amount of \$215,109.37 for 12 inch Red and 12 inch Yellow circular LED bulbs.**

Staff Resource: Charles Jones, Transportation

Sole Source Exemption

- G.S. 143-129 (e)(9) provides that formal bidding requirements do not apply when:
 - Purchases from contracts established by the State or any agency of the state, if the contractor is willing to extend to a political subdivision of the state the same or more favorable prices, terms and conditions as established in the current contract.

Explanation

- Recent studies by CDOT staff concluded that it would benefit the City to convert current traffic signal bulbs from incandescent to an LED type of bulb.
- Summarized below are the benefits (both environmental and financial) of such an upgrade to the City signalized intersections.
 - A standard traffic signal head (red, yellow, & green) with 135 watt incandescent bulbs costs the City \$120.36 annually to operate.
 - The same signal head with LED bulbs has wattages that range from 10 to 22 based on the color. This signal will cost the City \$13.55 annually to operate.
 - The inventory identified 235 traffic signals (5,962 bulbs) on the City system that could be retrofitted with the LED type.

- The average lifespan of an incandescent bulb is 2 years. LED signal bulbs have an average lifespan of 7 years. This will translate directly into decreased maintenance needs related to bulb replacement. The decrease will also delay the need for additional signal staff necessary to maintain our expanding signal system.
- Based on the energy savings of the conversion, staff estimates a reduction of 1,400 metric tons of CO². This amount of greenhouse gas is equivalent to 249 cars and light trucks being removed from the road.
- LED signal bulbs have also been shown to enhance safety at intersections due to the increased visibility and bulb clarity.
- The contract with Bryan Electric will cover the installation of the LED bulbs at all intersections both City and State, within Charlotte. A recently completed signal inventory identified 235 traffic signals (5,962 bulbs) on the City system and 251 traffic signals (11,000 bulbs) on the State system that could be retrofitted with the LED bulbs.
- The City will recover \$192,703.80 of the \$296,704.91 contract through its existing maintenance agreement for the 351 NCDOT traffic signals.
- The Citywide replacement process is expected to take approximately 18 months.

Small Business Opportunity

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

Actions B&C: Contracts entered into without a competitive bidding/proposal process are considered exempt contracts (Appendix Section 23.2 of the SBO Policy).

32. Fire Video Teleconferencing System

- Action:**
- A. Approve the purchase of Tandberg Audio Visual Equipment without competitive bidding, as authorized by the cooperative purchasing exemption of G.S. 143-129(e) (3), and**
 - B. Approve a contract with GTSI for the purchase of Tandberg Audio Visual Equipment in an amount not to exceed \$210,000.**

Staff Resource: Jeff Dulin, Fire

Cooperative Purchasing Exemption

- GTSI has a national contract through US Communities Cooperative Purchasing Alliance that guarantees their prices to be the lowest offered to a Government Entity.
- NC Senate Bill 914, effective January 1, 2002, authorizes the exception to competitive bidding for competitive group purchasing.
- GTSI consistently submits lower prices than other certified dealers through the competitive bid process for public safety and IT products.

Explanation

- CFD will use 2005 Urban Area Security Initiative (UASI) funds to purchase Audio Visual Equipment that will provide an enterprise-wide solution for videoconferencing needs. This system will be used to ensure

secure and open communication during critical incidents and large scale events where decision makers may be spread throughout the City or Region.

- Examples of the equipment to be purchased include cameras, video teleconferencing modules to be placed in the Fire Chief and Police Chief's Office, a network integration package, and hardware such as a Gatekeeper. This hardware controls what calls will make it through the City's firewall, which will enhance the network's security by only allowing authorized calls to be accepted.
- The system will allow Fire, Police and other City business units, to communicate from multiple different locations.
- In the event of an emergency, CFD will utilize this equipment to maintain communications throughout and between Emergency Operation Centers, Multi Agency Coordination Centers, On Scene Incident Command Staff and State and Local decision makers. Essentially, all entities will be tied together telephonically and visually through the use of this videoconferencing equipment.
- Command and control is one of the most important aspects of preplanning and response to large scale events. The purchase of this equipment will enable CFD to see and talk to agencies in multiple locations, to share information in real-time through common platforms, and allow for the integration of information at various levels. This technology will ensure that all decision makers will be able to see and hear the same information at the same time, which will expedite the decision making process.
- This investment supports North Carolina's State Strategy Goal #11 that seeks to enhance incident management preparedness and Command and Control of large scale events.
- The investment will also support the UASI goal of improving regional emergency response command and control systems. A key component of the UASI strategy is the ability to provide command and control elements in a timely fashion anywhere throughout the region.

Small Business Opportunity

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

Funding

Urban Area Security Initiative Grant

33. Police Furniture Purchase

- Action:**
- A. Approve the purchase of furniture without competitive bidding, as authorized by the cooperative purchasing exemption of G.S. 143-129 (e)(3), and**
 - B. Approve furniture purchases from Knoll Inc., with total purchases not to exceed \$156,166.**

Staff Resource: Greg Crystal, Police

Explanation

- Council approved \$156,166 in furniture purchases for a number of Charlotte-Mecklenburg Police Department (CMPD) administrative offices at its February 25 meeting.

- Those purchases will be made with assets forfeiture funds.
- The furniture to be purchased is manufactured by Knoll, Inc.
- Council is asked to approve furniture purchases not to exceed \$156,166 from Knoll, Inc.

Cooperative Purchasing Exemption

- NC Senate Bill 914, effective January 1, 2002, authorizes the exception to competitive bidding for competitive group purchasing.
- Knoll, Inc. has a national contract through U.S. Communities Cooperative Purchasing Alliance that guarantees their prices to be the lowest offered to a government entity.

Funding

Assets Forfeiture

Small Business Opportunity

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

34. Reimbursable Sewer Main Contract – Northlake Investors 288, LLC

Action: Approve a five-year reimbursable sewer main contract between Northlake Investors 288, LLC and City of Charlotte.

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Policy Charlotte-Mecklenburg Utilities Extension Program and Capital Improvement Program, five-Year Reimbursable Extension Contract

Explanation

- Northlake Investors 288, LLC requests a contract for the construction of a sewer main to serve The Reserve at Northlake development.
- Project begins at the Dixon Branch Outfall, extending in a Northeasterly direction along the tributary to serve a drainage basin located near Interstate 77 and Alexanderana Road.
- 1,854 linear feet of eight-inch sewer main.
- The total estimated cost of this project is \$417,150.

Funding

The applicant has deposited 10% of the estimated project cost with Charlotte-Mecklenburg Utilities.

35. Public Auction for Disposal of Equipment, Police Unclaimed Property and Other Miscellaneous Goods

- Action:** **A. Adopt a resolution declaring specific vehicles, equipment and other miscellaneous items as surplus, and**
- B. Authorize said items for sale by public auctions on April 19 and April 26, 2008.**

Staff Resource: Chuck Robinson, Business Support Services

Explanation

- Pursuant to North Carolina G.S. 160A-270(b) approval is requested for two public auctions as follows:
 - On April 19, 2008 at 10:00 a.m. to dispose of City owned property declared as surplus (see attachment)
 - On April 26, 2008 at 10:00 a.m. to dispose of police unclaimed property
- Each auction is a premise based auction to be conducted at the City-County Asset Recovery and Disposal facility located at 3301 Rotary Drive, Charlotte.
- The City selected the auction service through competitive bids. The process was developed in the interest of fairness and is economical in its cost and time savings.
- The City's contract auction company (Rogers Realty and Auction Company, Inc.) will conduct each auction. Services provided include up to twenty days of labor for each of two employees to set up the rolling stock auction and perform mechanical duties. On auction day they provide four auctioneers and all support staff needed for a successful auction. They provide one employee for one week following the auction to disperse vehicles to the buyers. All of these duties are compensated in the commission rate quoted below.
- The auction company will be compensated for the sale through auction proceeds in the following manner:
 - Rolling stock equipment – 8.50% of the total gross sale price
 - Police unclaimed property – 15% of the total gross sale price
 - Miscellaneous items – 12% of the total gross sale price

Attachment 18

List of property to be declared as surplus
Resolution

36. Charmeck.org Upgrade Services

- Action:**
- A. Approve a contract with Microsoft Consulting Services without competitive bidding as authorized by the sole source exception of G.S. 143-129 (e) (6), and**
 - B. Approve a one-time contract with Microsoft Consulting Services to perform the upgrade services for an amount not-to-exceed \$152,000.**

Staff Resource: Al Alonso, Business Support Services

Sole Source Exception

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available
 - A needed product is available from only one source of supply
 - Standardization or compatibility is the overriding consideration.
- Microsoft Consulting Services is the recommended vendor based on the three items above.
- City Council must approve purchases under the sole source exception.

Explanation

- Microsoft Corporation is the direct manufacturer/provider of the requested products and services and offers to perform the products/services directly to the City.
- The experience of Microsoft Corporation in providing the services allows for minimal downtime to the website and reduces the City's risk.
- The contract will be a one-time project that will allow the City to operate a website with new technology that will be faster, more reliable, provide new features and efficient service to the citizens of Mecklenburg County.
- The upgrade of the current www.charmeck.org environment is critical because the current system that hosts www.charmeck.org (Microsoft Content Management Server 2001) is no longer supported by Microsoft due to its age.
- Without support, a system crash would mean that valuable citizen resources hosted on www.charmeck.org, for example, 311, could be unavailable for extended periods of time.
- Neither the City of Charlotte nor Mecklenburg County has the resource knowledge to upgrade the current system.
- The City of Charlotte will manage the upgrade process with Mecklenburg County as a stakeholder.

Small Business Opportunity

Contracts entered into without a competitive bidding/proposal process (Appendix 23.2 of the SBO Policy).

Funding

Business Support Services Operating Budget

37. CharMeck 311 Workforce Management Software Purchase

Action: Approve a contract with ConsultEdge for the software purchase, implementation and three years' maintenance for the not to exceed amount of \$130,000 for workforce management software.

Staff Resource: Kimberly Laney, City Manager's Office

Sole Source Exception

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available
 - A needed product is available from only one source of supply
 - Standardization or compatibility is the overriding consideration
- ConsultEdge is the recommended vendor based on the three items above.
- City Council must approve purchases under the sole source exception.

Explanation

- This purchase is part of the 311 upgrades approved by City Council on January 28, 2008.
- As part of the City Council's and Manager's expectations for comprehensive citizen service, CharMeck 311 efforts focus on increased efficiency and effectiveness in citizen:
 - Access
 - Response
 - Resolution
- Currently, management of scheduling 100 call agents in the CharMeck 311 24/7 operation is dependent upon manual extraction and entry of data utilizing spreadsheet technology.
- Schedules are created based on citizen demand for service as reflected through call volume analysis at thirty minute increments throughout the day.
- To ensure availability of staff based on citizen demand, call analysis is currently extracted from a telephone system and entered into various spreadsheets to manage scheduling, performance, and reporting of required staff work hours, schedule adherence, training, and vacation.
- This purchase would allow for effectiveness and efficiency in automation associated with:
 - Creating work schedules that balance the forecasted workload against agent availability and shift flexibility
 - Costing and identification of service level requirements
 - Assigning agents optimally to schedules
 - Providing information that lets supervisors, managers, and analysts engage in intraday management
 - Monitoring each agent's adherence to schedules
 - Communicating schedules
- Additionally, this purchase creates effectiveness in reduced opportunities for human errors associated with manual manipulation of data.
- The contract cost is \$99,984 and includes the first year's maintenance cost of \$12,060. Maintenance for year two and year three costs are estimated at \$13,869 and \$15,949 respectively.

- The workforce tool is an additional module of technology already existing in the 311 Contact Center. An RFP was not necessary because of the simplified data feed and staff maintenance required as a result of utilizing a tool that directly integrates into existing applications.

Small Business Opportunity

Contracts entered into without a competitive bidding/proposal process are exempt (Appendix Section 23.2 of the SBO Program).

Funding

CharMeck 311 Operating Budget

38. Archdale Drive Improvements Condemnation Settlement Additional Compensation

Action: Approve final legal settlement of \$295,000 in the condemnation case captioned *City of Charlotte v Eastbourne Investments, Ltd.*, 06 CVS 1934, Mecklenburg County Superior Court.

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

Explanation

- In order to construct Archdale Drive improvements, 29,556 square feet of permanent sidewalk easement and 27,852 square feet of temporary construction easement were acquired by condemnation from this property, located at the corner of Archdale Drive and South Boulevard, the site of a shopping center.
- Council authorized condemnation for the construction of Archdale Drive improvements in the appraised amount of \$142,625.
- Based on an updated survey, the appraised amount was later revised to \$162,050.
- The property owner and his attorney presented evidence that the taking affected their ability to lease retail space in the center. Through an architect, they showed a loss of 43 parking spaces, which caused them to be in violation of the minimum parking requirements guaranteed by their leases, assuming a fully leased center. They, therefore, claimed a total loss of use of 9,268 square feet of retail space, with appraiser Jack Morgan supporting their claim and their demand for compensation of just under \$1,000,000.
- The City showed, through an expert, that the lot could be redesigned to use more compact spaces such that the number of spaces lost, at worst, would be no more than ten.
- At court-ordered mediation, a settlement was finally reached for the total amount of \$295,000. Additional funds of \$152,375 would be required over the deposit. The settlement is \$132,950 over staff's updated appraisal amount, however, it is significantly less than the amount claimed by the property owner due to the loss of square footage available for parking, and it avoids payment of interest and court costs.

39. Property Transactions

Action: Approve the following property transaction(s) (A-E) and adopt the condemnation resolution(s) (F-G).

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

Acquisitions

- A. Project:** Airport Master Plan Land
Owner(s): Joseph T. McLearn
Property Address: 7901 Byrum Drive
Property to be acquired: 4.98 acres
Improvements: Single Family Residence
Purchase Price: \$515,000.00
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 Residential
Tax Value: \$155,100.00
Tax Code: 141-055-58
- B. Project:** Conway/ Briabend Storm Drainage Capital Improvement Project, Parcel # 5
Owner(s): Janice Sisk
Property Address: 4233 Firwood Lane
Property to be acquired: 14,300 sq. ft. (.328 ac.) in Fee Simple
Improvements: House
Landscaping: None
Purchase Price: \$175,000
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 149-115-06
Total Parcel Tax Value: \$108,900
- C. Project:** Fred D. Alexander Boulevard - Section B, Parcel # 17
Owner(s): State Of North Carolina
Property Address: 6810 Rozzelles Ferry Road
Property to be acquired: 82,249 sq. ft. (1.888 ac.) in Fee Simple
Improvements: None
Landscaping: None

Purchase Price: \$65,000

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

Zoned: I-2 (CD)

Use: Service Garage

Tax Code: 035-053-12

Total Parcel Tax Value: \$1,787,600

- D. Project:** South Corridor Infrastructure Project: Old Pineville Road North (Exmore - South), Parcel # 324
Owner(s): South Atlantic Equipment Company, Inc.
Property Address: 4038 Old Pineville Road
Property to be acquired: 140 sq. ft. (.003 ac.) in Fee Simple, plus 6,818 sq. ft. (.157 ac.) in Existing Right-of-Way, plus 2,486 sq. ft. (.057 ac.) in Sidewalk and Utility Easement, plus 1,306 sq. ft. (.030 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$15,000
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: I-2
Use: Industrial
Tax Code: 149-024-02
Total Parcel Tax Value: \$261,500
- E. Project:** Southwest Water Transmission Main-Phase B, Parcel # 11
Owner(s): Fred Lynn Shoaf
Property Address: 7820 Steele Creek Road
Property to be acquired: 6,543 sq. ft. (.150 ac.) in Utility Easement
Improvements: None
Landscaping: None
Purchase Price: \$15,000
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential - Rural Acreage
Tax Code: 141-112-05
Total Parcel Tax Value: \$111,000

Condemnations

- F. Project:** 2005 Annexation - Brookshire West Area Sanitary Sewer, Parcel # 19,
Owner(s): Jason Perkins, Kristen Perkins And Nicholas Waker And Any Other Parties Of Interest
Property Address: 9719 Harwood Lane
Property to be acquired: Total Combined Area of 3,054 sq. ft. (.070 ac.) of Sanitary Sewer Easement
Improvements: None
Landscaping: None
Purchase Price: \$1,900
Remarks: Compensation was established by an independent,

certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3

Use: Single Family Residential

Tax Code: 031-172-10

Total Parcel Tax Value: \$29,000

- G. Project:** Southwest Water Transmission Main-Phase B, Parcel # 2,
Owner(s): Cabarrus Pines, Inc. And Any Other Parties Of Interest
Property Address: 8028 Steele Creek Road
Property to be acquired: Total Combined Area of 23,213 sq. ft. (.533 ac.) of Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$19,150
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-3
Use: Single Family Residential - Rural Acreage
Tax Code: 141-111-98
Total Parcel Tax Value: \$427,100

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

40. Meeting Minutes

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

- January 28, 2008
- January 30 – February 1, 2008 Council Retreat
- February 11, 2008
- February 18, 2008