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CITY COUNCIL MEETING

Monday, November 27, 2006

CITY COUNCIL AGENDA

Monday, November 27, 2006

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57. Meeting Minutes

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Small Business Opportunity Program Revisions

Committee Chair: John Lassiter

Resources: Tom Flynn, Economic Development
Tiffany Capers, Small Business Development Program

Time: 25 minutes

Synopsis

- City Council approved the Small Business Opportunity Program in January 2003. The City Manager approved revisions to the waiver provisions in the SBO Program in September 2004.
- While administering the daily operations of the program, the Small Business Development Office also monitors the effects of the SBO Program on City contracting and procurement. Staff has received information from contractors, subcontractors and Key Business Units about the Program and its effects on small business contracting opportunities.
- The Economic Development & Planning Committee recommends revisions to address four major areas in the SBO Program:
 1. Dollar threshold for formal construction contracts
 2. Mandatory outreach requirement
 3. Construction manager-at-risk contracting
 4. Citywide SBE goal for informal procurements
- Recommendation 1: Change Formal Construction Contract Threshold from \$100,000 to \$200,000
 - State statute sets threshold for informal construction contracts as those estimated at \$300,000 or less.
 - City staff would use an informal bid process to select contractors to perform construction contracts estimated at \$200,000 or less.
 - By using an informal procurement procedure, staff can seek bids from SBE firms, increasing opportunities for SBEs to work as prime contractors
 - Using an informal selection process also reduces time between Council award and when construction project begins.
 - Staff would continue to present contracts over \$100,000 to City Council for approval.
- Recommendation 2: Change Mandatory Outreach Requirement to Good Faith Effort
 - City will notify SBEs certified in subcontracting areas of subcontracting opportunities.
 - The bidder will still seek SBEs to either meet the SBE goal or to earn good faith effort points.
 - Allows bidders to engage in more meaningful outreach and SBE solicitation.

- Recommendation removes a policy provision that staff routinely requests Council to waive.
- Recommendation 3: Apply SBO Program to Construction Manager at Risk Contracts and Other Construction Projects with City Investment
 - Communicates expectations that City projects constructed using a construction-manager method would be subject to the City’s SBO program.
 - Increases opportunities on private construction projects that include City investment.
- Recommendation 4: Increase Citywide SBE Goal for Informal Contracts to 10%
 - The City has exceeded the current 7% for the previous eight quarters.
 - Council adopted the current goal in the FY04 Economic Development Focus Area Plan.
- Staff developed recommended changes and presented the changes to contractors and SBEs in June 2006 before presenting recommendations to the Economic Development & Planning Committee. The Committee reviewed the major policy changes on October 18, 2006. The Committee unanimously approved three of the four recommendations. The Committee approved the recommendation to change Mandatory Outreach to a Good Faith Effort by a 3-1 vote (Council member Mitchell opposed).

Future Action

City Council will be asked to approve the recommended changes during the December 11, 2006 Council meeting.

Attachment 1

Summary of Recommended Changes for SBO Program

2. Arena Out-Parcel 3

Resource: Kent Winslow, Engineering & Property Management

Time: 10 minutes

Synopsis

- In June Council received a presentation and approved the recommended developer Boulevard Centro/Batsen Cook and Lodgeworks, LP.
- Terms of the recommendation were:
 - Price \$2,500,000
 - 120 day inspection period
 - Closing 30 days after inspection
 - Proposal was 25 story structure with 7 levels of parking, 9 hotel floors, and 9 condo floors
- Problems during inspection period:
 - Access location to new parking deck
 - Insufficient parking on site
 - Increased cost of building materials

- Workable solutions:
 - Develop a parking deck at the purchaser's expense over the arena loading/service area
 - Requires Bobcats/NBA approval, which has been given in concept
 - Requires City approval, which staff recommends be granted
 - Increase the hotel size to 151 rooms and increase the condos to 117 units
 - All increased costs to be paid for by developer
 - Reduce the purchase price to the appraised market value of \$2,100,000
 - Estimated value of development is \$56 million.

Future Action

- In January Council will be asked to approve the proposal for the reduced price of the land with executed documents by the Bobcats/NBA and Boulevard Centro. Council will also be asked to approve the parking deck over the arena loading area. No funding requested by the developer from the City and real estate transaction to close 45 days after Council approval.

Attachment 2

Visuals

3. Public Art Program Status

Resources: Mike Adams, Chairman, Public Art Commission
 Robert Bush, Senior Vice President, Arts & Science Council
 Jean Greer, Vice President, Public Art, Arts & Science Council

Time: 10 minutes

Synopsis

- City Council approved the current Public Art Ordinance on May 27, 2003.
- On June 19, 2006 City Council approved the annual agreement with the Arts & Science Council and the Public Art Commission for administration of the Public Art Program.
- In accordance with the annual agreement, this is the mid-year reporting to the City Council on the status of projects and an audit report of the activities of the program for FY06.

Attachment 3

PowerPoint Presentation

4. Committee Reports by Exception

Budget Committee: Budget Reporting from Enterprise Funds

Economic Development & Planning Committee: Administrative Amendment Appeals Process

Housing and Neighborhood Development Committee: Johnston and

Mecklenburg Mills Apartments Request for Proposal

Transportation Committee: Metropolitan Transit Commission Governance

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

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

CONSENT

- 5. Consent agenda items 26 through 57 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 of NorthLake Mall Voluntary Annexation Phase Three

- Action:**
- A. Hold a public hearing for the voluntary annexation of the NorthLake Mall Phase Three voluntary annexation petition, and**
 - B. Adopt an ordinance with an effective date of February 28, 2007 to extend the corporate limits to include this property.**

Staff Resources: Ron Kimble, City Manager's Office
Jonathan Wells, Planning Commission
Mike Boyd, City Attorney's Office

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 owners of approximately 104 acres immediately adjacent to the current City boundaries
- Property consists of the NorthLake Mall and adjoining greenway property.
- Petitioners are:
 - TRG Charlotte LLC, Higbee Company c/o Dillard's Inc., Federated Retail Holdings, Inc., and Belk, Inc. (owners of NorthLake Mall property)
 - Mecklenburg County (owner of Dixon Creek greenway property adjoining the Mall)
- At its October 23, 2006 meeting, City Council set November 27, 2006 as the required public hearing date. The hearing was advertised on November 15, 2006 in the *Mecklenburg Times*.
- Annexation ordinance establishes effective annexation date of February 28, 2007.

Consistent with City Council Policies

- Action is consistent with annexation agreement between the City and Mall property owners approved by Council on June 20, 2005.
- 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 4

Certificate of Sufficiency
Annexation Ordinance
Map

7. Public Hearing and Resolution on Arts Facilities Certificates of Participation

- Action:**
- A. Hold a public hearing on the financing of the African American Cultural Center; Mint Museum; Bechtler Museum; Performing Arts Center and Discovery Place, and**
 - B. Approve a resolution authorizing the execution of an installment purchase contract (COPs Financing) with the New Charlotte Corporation and other related matters required to finance new Arts Facilities.**

Staff Resource: Greg Gaskins, Finance

Explanation

- On October 23, 2006 Council approved the first of two actions required for financing the Arts Facilities and set a public hearing for November 27, 2006.
- Notice of the public hearing was published in the *Charlotte Observer* on November 8, 2006.
- This is the second and final required action holding a public hearing and approving the execution of documents related to the financing.
- The Arts facilities are currently under construction and this financing will provide funds for the project scheduled to open in 2009.
- The Installment Purchase Contract, Indentures, Deed of Trust, Dealer Agreement, Paying Agency Agreement, Standby Certificate Purchase Agreement and Offering Memorandum are on file with the City Clerk (over 100 pages of documents).

Funding

Arts Facilities Fund

Attachment 5

Resolution

8. Public Hearing on Resolution to Close a 10-foot Alleyway Located Between Elm Street and N. College Street

Action: **A. Conduct a public hearing to close a 10-foot alleyway located between Elm Street and N. College Street and**

B. Adopt a Resolution to Close.

Staff Resource: Linda Poissant, Transportation

Policy

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

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

David Gardner

Right-of-Way to be abandoned

A 10-foot alleyway located between Elm Street and N. College Street

Location

Located within the Tryon Hills Community beginning from Elm Street continuing south approximately 195 feet to its terminus at N. College Street

Reason

To incorporate the right-of-way into adjacent property owned by the petitioner for a proposed building expansion project

Notification

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

Adjoining property owners

Thomas F. Kerr Company, Inc. – No objections
Martha Hackney Grodzicki – No objections

Neighborhood/Business Associations

Belmont Neighborhood Strategy Force – No objections
Belmont Tenant Organization – No objections

Christmas Everyday Outreach – No objections
 Edwin Tower (CHA) – No objections
 First Ward Community Fund, Inc. – No objections
 First Ward Neighbors, Inc. – No objections
 Friends of Fourth Ward, Inc. – No objections
 Lockwood Neighborhood Association – No objections
 Optimist Park – No objections
 Tryon N. Business Corridor Coalition – No objections

Private Utility Companies – No objections

City Departments –

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

- Be contrary to the public interest; or
- 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 6

Map

Resolution

9. Public Hearing on Resolution to Close Four Alleyways Bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad

Action: **A. Conduct a public hearing to close four alleyways bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad and**

 B. Adopt a Resolution to Close.

Staff Resource: Linda Poissant, Transportation

Policy

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

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

Petitioner

Plaza Industries, Incorporated – Fred Gore/Civiltek Associates

Right-of-Way to be abandoned

Four alleyways bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad

Location

Located within the Plaza Mid-Wood Community

Alleyway #1: beginning from Hawthorne Lane continuing east approximately 193 feet continuing south approximately 280 feet to its terminus at alleyway #2

Alleyway #2: beginning from Hawthorne Lane continuing east approximately 238 feet continuing south approximately 185 feet to its terminus at Central Avenue

Alleyway #3: beginning from Central Avenue continuing north approximately 318 feet to its terminus at the Seaboard Railroad

Alleyway #4: beginning from Central Avenue continuing north approximately 137 feet to its terminus at the Seaboard Railroad

Reason

To incorporate the right-of-way into adjacent property owned by the petitioner for a proposed development Plan.

Notification

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

Adjoining property owners

Ernest D. Tucker – No objections

Maggie Joseph Salem – No objections

George Housiadas – No objections

Neighborhood/Business Associations

Belmont Community – No objections

Belmont Neighborhood Strategy Force – No objections

Belmont Tenant Organization – No objections

Briar Creek Commonwealth – No objections

Chantilly Neighborhood Association – No objections

Christmas Everyday Outreach – No objections

Commonwealth Morningside NA – No objections

Commonwealth Park – No objections

Elizabeth Community Association – No objections

Plaza Central Partners – No objections

Plaza Mid-wood Neighborhood Association – Objects

Private Utility Companies – No objections

City Departments –

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

- Be contrary to the public interest; or
- 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 7

Map

Resolution

POLICY

10. City Manager's Report

- Aviation Update
 - South Corridor Update
 - City Manager's Annual Report to the Privatization/Competition Advisory Committee
- Attachment 8**

11. Fifth Percent Vehicle Rental Tax Equivalent Appropriation

Action: Adopt one of the two following budget ordinances appropriating the 5th percent Vehicle Rental Tax Equivalent; including setting future budget allocation for the 5th percent.

Option A: A budget ordinance for FY2007 allocating

- Three-fourths of the 5th percent for Transportation Capital Needs and appropriating \$592,500 to the Pay-As-You-Go Fund for Transportation.
- One-fourth of the 5th percent for Hospitality and Tourism needs and appropriating \$197,500 to Charlotte Regional Visitors Authority (CRVA).

OR

Option B: A budget ordinance for FY2007 allocating the entire 5th percent for Transportation Capital Needs and appropriating \$790,000 to the Pay As You Go Fund for Transportation.

Staff Resources: Ron Kimble, City Manager's Office
Ruffin Hall, Budget and Evaluation

Explanation

- In July 2006, the North Carolina General Assembly approved the authority for Mecklenburg County to enact a Vehicle Rental Tax up to 5% for transit.
- On September 19, 2006, the Board of Mecklenburg County Commissioners approved the 5% Vehicle Rental Tax to become effective December 1, 2006.
- On October 9, 2006, the City Council appropriated the equivalent of 4% of the Vehicle Rental Tax to fund the capital costs of the Cultural Facilities Plan.
- Charlotte's share of the 5th percent can be allocated for any general government purpose.
- On October 23, 2006, the City Council discussed options for allocating the 5th percent.

- The estimated annual revenue generated by the 5th percent would be \$1.35 million; however, since the tax will not take effect until December 1, 2006, the revenue generated in FY2007 is estimated at \$790,000.
- Option A would allocate three-fourths of the 5th percent to Pay-As-You-Go transportation capital funding and one-fourth to hospitality and tourism needs through Charlotte Regional Visitors Authority (CRVA).
- Staff suggests applying the transportation portion toward road preconstruction costs (planning, design and right-of-way acquisition) for transportation capital projects in FY2007 and FY2008. A list of such projects that could benefit from the increased transportation funding is attached.
- For the FY2009 budget and beyond, Council has the option to continue using the additional funds for road preconstruction costs or transfer to the municipal debt service fund to increase new debt capacity.
- A letter from the CRVA outlining the proposed use of the portion going to hospitality and tourism is attached.
- Option B would allocate the entire 5th percent to Pay-As-You-Go transportation capital funding.
- Should Option A be selected, the City Council may consider asking Mecklenburg County to match its contribution to the CRVA.

Attachment 9

Budget Ordinances for Options A and B

Letter from CRVA

List of Transportation Capital Projects

5% Rental Car Tax Distribution Chart

Convention & Visitor Bureau Budget Comparison with Other Cities

12. Smoke Free Mecklenburg Resolution

Action: Consider options for a resolution calling for the NC General Assembly to enact appropriate legislative enabling authority in order to authorize local governments within Mecklenburg County to develop and adopt their own regulations with regard to smoking in enclosed, indoor public places.

Resources: Julie Burch, City Manager's Office
Patricia Bassert, Smoke Free Mecklenburg

Explanation

- The Council received a presentation from Smoke Free Mecklenburg (SFM) at the November 6th Workshop. The Council asked the City Manager to place the resolution on the November 27 agenda for further consideration.
- SFM is a local grassroots coalition of health care professionals, advocacy groups and individuals committed to bringing smoke-free restaurants, bars and workplaces to Mecklenburg County.
- SFM requests that Council support a resolution concerning the harmful effects of secondhand smoke, and calling for the General Assembly to allow local governments within Mecklenburg County to make their own rules regarding

smoking in public places (Attachment A). Currently, North Carolina General Statutes allow smoking in public places, and forbid municipalities from making more prohibitive regulations.

- Mecklenburg County, Cornelius, Davidson, Mint Hill, and Pineville have passed the resolution. SFM has a sister organization advocating the resolution in Wake County.
- SFM representatives will be present at the meeting to answer Council questions.

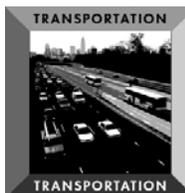
Background

- On November 6, some Council members expressed interest in possibly changing the wording of the resolution to emphasize seeking local authority and not making statements about the impacts of secondhand smoke. Staff has developed an alternative resolution that focuses on the issue of local authority (Attachment B)
- SFM representatives indicate that their preference is to not change the wording of the resolution significantly as other entities have adopted this wording. SFM has provided reference sources to document the statements made, as shown in Attachment A1.
- At the November 6 meeting, Council members raised questions about the economic impact of adopting a smoking ban in enclosed, indoor public places. Representatives of SFM have indicated that they have not had formal discussions with the Charlotte Chamber or the Hospitality and Tourism Alliance yet. They plan to do so if and when the General Assembly authorizes local governments to develop and adopt their own regulations.
- To address the question, SFM has provided an American Cancer Society compilation of economic impact studies from other areas around the country (Attachment C).

Attachment 10

- A. “Resolution Supporting Local Legislative Authority to Enact Local Smoking Regulations” – Smoke Free Mecklenburg preferred.
- A1. Source Documents Noted: “Resolution Supporting Exemption for Mecklenburg County from GS-143-595-601 Preserving Local Authority to Protect Public Health, March 2006”
- B. Staff Alternative Resolution
- C. American Cancer Society: “Studies that Measure the Economic Impact of Smoke-free Policies on the Hospitality Industry”

13. Metropolitan Transit Commission Governance



Action: Receive a report from the Transportation Committee relative to Metropolitan Transit Commission (MTC) Governance.

Committee Chair: Pat Mumford

Staff Resources: Curt Walton, City Manager's Office
Ron Tober, Charlotte Area Transit System
Bob Hagemann, City Attorney's Office

Explanation

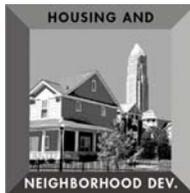
- On October 9, 2006, Council referred to the Transportation Committee the following:
 - The issue of CATS governance, including the recommendations made by the Citizens Transit Advisory Group (CTAG)
 - Directing the City's MTC vote
 - Consideration of an audit of the South Corridor Light Rail Project (SCLRP)
 - Completion of this referral within 45 days
- At two subsequent Committee meetings, the Committee requested staff to:
 - Brief the Committee on the history of the MTC
 - Draft a summary of the Committee's October 23, 2006 discussion for the Committee's review at its November 14, 2006 meeting
- The Committee received and amended the attached summary of CATS governance issues. Key points of discussion relative to communication and information sharing include:
 - The Council will receive the MTC agenda electronically when it is distributed to the MTC members.
 - The Mayor and/or the City Manager will update the Council when major MTC decisions are pending.
 - Council guidance will be sought specifically as it relates to:
 - Modes of transit service on specific corridors
 - The prioritization of corridors
 - Major variations from the approved 2030 Transit Corridor System Plan
 - Major variances from the approved annual CATS budget
- Further, the Committee discussed the following items to be automatically referred to the Transportation Committee for review and for recommendation to the full Council:
 - Configuration of rapid transit projects (for example, station locations and alignment)
 - Sites of major transit facilities (for example, bus garages, transit centers, and park and ride lots)
 - Major bus service improvement
 - Grant applications/acceptance consistent with the approved Transit Program
 - Intergovernmental Agreements
- Relative to an audit of the SCLRP, the Committee discussed:
 - Requesting a summary of SCLRP expenditures, highlighting estimated cost increases attributable to materials, design issues, schedule, etc.
 - Relying on the federally mandated Project Management Oversight Consultant (PMOC) to provide the on-going financial auditing of the SCLRP.

- Requesting a reassessment of the long-range financial projections for the transit system and its impact on the approved 2030 Transit Corridor System Plan.
- The Committee decided to report these findings and to present the draft CATS governance position paper to the full Council prior to taking additional action.

Attachment 11

Charlotte Arena Transit System (CATS) Governance

14. Johnston and Mecklenburg Mill Apartments Request for Proposals



Action: Approve the Housing and Neighborhood Development Committee's recommendation to discuss the Mill properties at the January 2, 2007 City Council Workshop in order to:

- A. Review the City's policy objectives related to disposing of the Mill properties, and**
- B. Receive a presentation on the inclusion of affordable housing for artists on this site.**

Committee Chair: Susan Burgess

Staff Resource: Stan Wilson, Neighborhood Development

Policy

- The City's Mixed Housing Policy was adopted by City Council on September 24, 2003.
- Charlotte Region Transit Station Area Joint Development Principles and Policy Guidelines: The Joint Development Policies, adopted by the Charlotte City Council in April 2003.
- The City's FY2006-2010 Consolidated Plan was approved by City Council on June 13, 2005.
- The Plan identified the need for affordable, safe and decent housing for low and moderate-income families.
- The Plan reaffirmed the three basic goals of the City's Housing Policy; preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

Explanation

- The Housing and Neighborhood Development (H&ND) Committee is requesting a City Council Workshop in January 2007 to receive policy guidance on the development of the Mecklenburg and Johnston Mill site in the

No Da neighborhood and share more information with the Council on a proposal to develop artist housing on the site.

- The Mills site is a seven-acre tract located adjacent to the northeast intersection of North Davidson Street and 36th Street. The site houses the former 90-unit Johnston Mill and 60-unit Mecklenburg Mill, which were used for affordable housing until May 2006. The site also contains two accessory buildings.
- The former use of the site, historic character of the site, proximity of the site to a potential transit station and the neighborhood's desire to maintain an artist presence in the community bring potential conflict with several City policies – affordable housing, transit station development and economic development. The H&ND Committee wants to discuss with the Council policy priorities in redevelopment of the site.
- On October 20, 2006 the Housing & Neighborhood Development Committee began discussions regarding the Request for Proposal (RFP) process for the disposition of the Mecklenburg and Johnston Mill Apartments. The Committee recommended modifications to the RFP and requested that the document come back at a subsequent meeting for approval.
- On November 14, 2006, the Housing & Neighborhood Development Committee met again to review and discuss requested modifications to the RFP document.

Committee Discussion

- In its review of the latest draft of the RFP, the Committee discussed several relevant factors and issues:
 - There has been additional neighborhood input into how it would like to see the properties redeveloped. The Historic Charlotte Neighborhood Association and Artspace, a non-profit organization which helps develop living spaces for artists, would like to see a portion of the site utilized for artists. Attached is a letter and background material that was sent to the Mayor and City Council.
 - The Neighborhood Association believes that artists are an important part of the neighborhood character that they want to see preserved. The concern is that existing residents are getting priced out due to redevelopment in NoDa. They have requested that the RFP process be delayed to allow time for Artspace to gather more information about artists' level of interest and need for affordable housing so they might submit a proposal in partnership with a developer.
- In addition to the neighborhood's interest, the Committee has identified several other factors for consideration as disposition is discussed. These include:
 - Previous City level of investment (\$6 million) in the properties and maximizing the return on the City's investment
 - Amount of replacement affordable housing to be provided, on or off-site
 - Priority for housing former Mecklenburg Mills residents
 - Proximity of the site to a future transit station (36th Street)
 - Interest in the properties by private and non-profit developers

- Value of the property, now estimated between \$4.2 and \$4.8 million. Staff will obtain an up-to-date appraisal and that information will be available by January.

Committee Recommendation

- Because of the neighborhood's interest in providing affordable housing for artists, the Committee believes it would be appropriate for the full Council to hear a presentation from Artspace and their potential role as a proposer. Further, the Committee would like to have a discussion with the Council about the disposition of the Mills in the greater context of the City's policies for maximizing return on assets, affordable housing, neighborhoods and transit station development. The Committee seeks Council input as it develops a final recommendation for disposing of the properties. The Committee recommends that the policy discussion and Artspace presentation be scheduled for the January 2, 2007 Workshop.
- Committee vote was 5-0, with Council members Burgess, Foxx, Barnes, Lochman and Mumford voting in favor. Council member Patsy Kinsey also attended. After the workshop discussion, the Committee will deliberate further and come back to Council with a final recommendation regarding the Mills RFP process.

Attachment 12

Artspace Proposal

Request for Proposal Highlights

Background – Johnston and Mecklenburg Mills

15. Administrative Amendment Appeals Process



Action: A. Approve the Economic Development and Planning Committee's modifications to the Administrative Amendment Process for Zoning Committee to continue to hear appeals to administrative approvals, and

B. Direct staff to file text amendment to implement changes.

Committee Chair: John Lassiter

Staff Resources: Keith MacVean, Planning Commission
Tim Manes, Planning Commission

Explanation

- Section 6.207 of the City's Zoning Ordinance gives the Planning Director or Designee authority to administratively change an approved site plan.
- Due to concerns raised by citizens regarding this process, the Economic Development Committee recommended changes to Council on May 17, 2006, which Council adopted on June 12, 2006. The changes proposed the following guidelines for administrative amendments:

- Where a valid protest petition has been filed against the original petition (even if withdrawn) require:
 - o adjacent property owners within 300 feet be notified by mail
 - o post a sign indicating that an administrative approval was granted
- Increase the 15 day appeal time to 21 days
- Define “significant changes” in which staff could **not** do administratively to a site plan to include the following:
 - o Increasing number of buildings
 - o Increasing number of units greater than 5 units or 10% of total approval, whichever is less
 - o Adding driveways to thoroughfares
 - o Reducing buffers or yards agreed to during rezoning process
 - o Moving structures closer to adjacent properties
 - o Reducing parking spaces below minimum standards
 - o Changing owner occupied units to rental if noted on site plan
 - o Combining buildings that increase massing
- Upon adopting these changes the Council requested that the Economic Development Committee make a recommendation back to them regarding which body should hear appeals to an administrative approval.

Committee Discussion

- The Council’s Economic Development and Planning Committee met on September 20, 2006. The Committee discussed information presented by staff on the administrative approval appeal process.
- The Committee found the Planning Commission’s flexible schedule and experience with the quasi-judicial process to be beneficial. The Committee was concerned about the significant time commitment for Council to hear administrative appeals.
- Following their discussion the Committee voted 4-0 (Lassiter, Carter, Dulin and Lochman (yes) to recommend to Council that the policy not change and the Zoning Committee of the Planning Commission continue to hear appeals to administrative approvals.

16. Budget Reporting from Enterprise Funds

Action: Approve the Budget Committee’s recommendations regarding increased budget reporting from enterprise funds (Aviation, CATS, Storm Water and Charlotte-Mecklenburg Utilities).

Committee Chair: Don Lochman

Staff Resource: Ruffin Hall, Budget and Evaluation

Explanation

- At the October 9th Council business meeting, the Council referred the issue of enterprise fund budget reporting to the Budget Committee.

- Currently there are four enterprise funds: Aviation, CATS, Storm Water and Charlotte-Mecklenburg Utilities.
- At the Committee meeting, staff reviewed the current methods used to communicate budget information to the Council regarding enterprise funds, including budget retreat materials, advisory committee information, the Manager's recommended budget and the mid-year budget report.

Committee Discussion

- The Budget Committee met on November 8, 2006 and recommended the following changes to budget reporting for enterprise funds:
 - Mid-year report - Expand mid-year budget report to include more information on operating budgets, major capital project status and performance measurement highlights.
 - Advisory committees and MTC – Use quarterly presentations from representatives of the three enterprise fund advisory committees and the Metropolitan Transit Commission (MTC) to increase information on enterprise fund status. The advisory committee or MTC representative would present information to the associated Council committee and then the committee reports would be copied to the entire Council. For scheduling purposes, either the associated Council Committee Chair or the chair of the advisory committee or MTC may request an enterprise fund status update.
 - Committee choices – Two committees were recommended for the increased enterprise fund reporting:
 - Transportation – CATS and Aviation
 - Environment – Storm Water and Charlotte-Mecklenburg Utilities.
- The Budget Committee voted unanimously (Carter, Foxx and Mumford) for the recommendations. Council members Lochman and Turner were absent.

Attachment 13

Summary of Enterprise Fund Budget Reporting

17. Scaleybark Transit Oriented Development Request for Proposals



Action: Provide direction on the request for proposals for transit oriented development at the Scaleybark station.

Committee Chair: John Lassiter

Staff Resources: Tom Flynn, Economic Development
Debra Campbell, Planning
Ron Tober, CATS
Stanley Watkins, Neighborhood Development

Explanation

- On February 27, 2006, City Council authorized the purchase of eight acres of land at the Scaleybark transit station. At that time, the Council also approved the issuance of a Request for Proposals for the redevelopment of this land, and the adjacent nine acres owned by CATS, for transit-oriented development. The City Council referred the review of the responses to the RFP to the Economic Development & Planning Committee for a recommendation to City Council.
- On September 7, 2006, the City received proposals from three teams for this transit-oriented development. All of the teams proposed a mixed-use transit-oriented development with densities ranging from 30 to 47 units per acre. The developer team also requested public investment and land cost write-downs beyond staff's expectations. Staff is working with the teams and a consultant to analyze the financials of the proposals to reduce or eliminate the need for public investment.

Committee Discussion

- After discussing these proposals, the Economic Development & Planning Committee wanted the full Council's input and direction before proceeding. Specifically, the Committee members were concerned about the amount of public investment requested for the projects to accomplish the goals of transit-oriented development.
- Staff will make a presentation to Council that outlines the proposals and presents options for City Council's consideration.

Attachment 14

Scaleybark Presentation to Economic Development & Planning Committee, September 20, 2006

BUSINESS

18. 2006 Bond Referendum Certification

- Action:**
- A. Recognize the City Clerk for the purpose of reading the results of the November 7, 2006 Bond Referendum, and**
 - B. Approve a resolution declaring the results of the special bond referendum held on November 7, 2006 on the question of approving \$85,200,000 in Street Bonds, \$25,000,000 in Neighborhood Improvement Bonds and \$10,000,000 in Housing Bonds.**

Staff Resources: Greg Gaskins, Finance
Brenda Freeze, City Clerk

Explanation

After the City receives a certified copy of the results of a bond referendum from the County Board of Elections, state law requires that City Council approve a resolution declaring the results of that referendum.

Attachment 15
Resolution

19. 2007 Annexation Ordinance and Resolutions

- Action:**
- A. Adopt five resolutions amending the five annexation reports,**
 - B. Establish the effective date for the annexations and adopt the five annexation ordinances, and**
 - C. Adopt a resolution stating the intent of the City to pay economic loss to qualified solid waste collection firms.**

Staff Resources: Jonathan Wells, Planning Commission
Mike Boyd, City Attorney's Office
Bill Parks, Budget and Evaluation

Annexation Report Resolutions

- The five Annexation Reports approved by Council on July 24, 2006 require minor revisions
- Revisions are required to:
 - Correct minor typographical errors in the Mallard Creek Church East and Tom Short annexation qualifying area reports
 - Provide more specific economic loss figures for Solid Waste firms that were not available when the reports were initially produced

- Provide more specific economic loss figures for Volunteer Fire Departments that were not available when the reports were initially produced
- Five resolutions will amend the Annexation Reports
- Changes will not affect these areas' eligibility for annexation

Effective Date of Annexation

- State annexation statutes require Council to adopt an ordinance extending the corporate limits to include all, or such part, of the areas described in the notice of the public hearing and which Council has concluded should be annexed. Council must also establish the effective date for the annexations which may not be less than 70 days nor more than 400 days from the date of passage of the ordinance. The recommended date for the five annexation areas to become effective is June 30, 2007.

Annexation Expenses

- Start-up expenses of \$833,973 are necessary to hire staff and buy equipment in order to provide services on the first day of annexation on June 30, 2007.
- All of the start-up expenses will be funded from annexation reserves already appropriated in the General Fund.
- Full year operating expenditures and revenues for the combined five annexation areas will be included as part of the FY2008-FY2009 Operating Budget Plans. For a summary of these expenditures and revenues, see attachment.
- Funding to begin the installation of water and sewer lines in the annexation areas is already included in the FY2007-2011 Capital Investment Plan. No other capital investment is required for this annexation.
- The 2007 annexation requires the addition of one new position – an Equipment Operator for Solid Waste Services.

Economic Loss Resolution

- The resolution states the intent of the City to pay economic loss to qualified solid waste collection firms operating in the annexation areas in lieu of a contract. A sum equal to the economic loss has been determined under subsection (f) of G.S. 106-A49.3. The total amount of the economic loss payment is \$255,852.

Background

- Council adopted a Resolution of Consideration on June 27, 2005, creating 2007 annexation study areas
- Staff determined areas within study areas that qualified for annexation in Spring 2006
- Council was briefed on 2007 Annexation Qualifying Areas on July 17, 2006
- Council approved Annexation Reports and Resolutions of Intent for five Annexation Qualifying Areas on July 24, 2006
- A public informational meeting for owners of properties within the Annexation Qualifying Areas was held on September 14, 2006
- Council held an Annexation Public Hearing on October 9, 2006

Attachment 16

Resolutions and Maps
 Annexation Ordinances
 Summary of Revenues and Expenses
 Amended Annexation Report Pages
 Summary of Changes to Annexation Reports

20. Airport Concession Disadvantaged Business Enterprise Program

Action: Adopt the FAA approved Airport Concession Disadvantaged Business Enterprise Program for minority and women-owned business participation in concessions at Charlotte Douglas International Airport.

Staff Resource: Jerry Orr, Aviation

Explanation

- The United States Department of Transportation (USDOT) first required minority participation in business opportunities in March 1980 and, accordingly, Council approved a program for the participation of minority business enterprises in Airport concessions in September 1980.
- The City's programs and policies have evolved over the years as the regulations and laws have changed. While the regulations for construction and concessions were originally combined, USDOT separated the two and issued new regulations for construction. Council last approved the City's DBE Program for construction opportunities in 1999.
- In 2005, USDOT revised the concessions portion of the regulations. Airport staff and Ken Weeden and Associates, Inc., developed an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program to comply with the revised regulations. The ACDBE Program is substantially similar to the 1999 Council-approved DBE Program for construction.
- The key changes in the new regulation are:
 - Setting of a personal net worth cap of \$750,000 for business owners to qualify.
 - Separation of car rental concessions from other types of concession for goal setting and reporting requirements.
- Pursuant to the regulations, the ACDBE Program establishes a methodology for calculating the overall goals for Airport concessions.
 - The goals are set through October 1, 2008 and then every three years thereafter.
 - Annual reports on participation are submitted by staff to the FAA.
 - New opportunities anticipated to generate over \$200,000 in sales require an update of the Program to the FAA.
- The Airport submitted the ACDBE Program to the FAA for conditional approval with the understanding that Council will accept the ACDBE Program.

- The FAA has granted full approval, contingent upon the Aviation Director signing the Policy Statement following City Council approval.
- The calculated goals until October 1, 2008, expressed as a percentage of total gross revenue, are 7.2% for car rental concessions and 13.7% for non-car rental concessions.
- All incumbent DBE concessionaires have recently been recertified and none will lose their concession contracts at the Airport as a result of this new program.
- Concessionaires are subcontractors under the master concessionaire, Host International, Inc., whose contract extends until 2010.

21. Utility Survey and Mapping Services Contract

Action: Approve a professional services contract with Dewberry and Davis, Inc., in the amount of \$5,000,000 to survey water and sewer infrastructures and convert to GIS format.

Staff Resource: Doug Bean, Utilities

Explanation

- Utilities staff has been working toward the development of a Geographic Information System (GIS) for all water and sewer lines within Mecklenburg County.
- This new system will provide the following:
 - Replace old existing utility mapping system
 - Provide detailed system data needed to develop the wastewater Capacity Assurance Program required by EPA
 - Integrate with the current water system modeling program.
 - Reduced risk of over sizing new water and sewer pipes thereby adding cost to capital projects
 - Provide the City and County fire departments with a high accuracy mapping system
 - Improved response time to water main breaks and water system contamination
- New contract provides for the following services:
 - Extensive surveying of water and sewer facilities throughout the City and County where no records exist due to the age of the asset or where insufficient detail is available on existing drawings.
 - Adaptation of existing mapping information into a GIS format.
- Dewberry and Davis was selected using the qualifications-based selection process approved by Council.
- On October 9, 2006 Council received a dinner briefing on this contract.

Cost Benefit Analysis

- Staff estimates a payback period of six years for the new mapping system.
 - Without the new mapping system approximately \$900,000 per year would be spent gathering similar data on a project by project basis.

- The new system will allow \$500,000 per year in efficiencies for field crews locating water valves. Approximately 20% of the annual 6500 repair jobs have valve location delays, which consumes an additional 2.5 hours of crew time per repair.
- With accurate modeling and sizing of pipes, Utilities can avoid paying millions more for oversized pipes.
- The new system will provide the Fire Department with high accuracy fire hydrant location matched to the incident address, which reduces time for firefighters to connect a hose to the nearest hydrant.
- Customer service will also be enhanced and water quality and public health will be better protected by rapid identification and response to contaminations and overflows.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 7%

Dewberry and Davis, Inc. committed 7% (\$350,000) to the following SBE firms: Meade Gunnell Engineering and Surveying and On Target Utility Locate Services

Funding

Water and Sewer Capital Equipment Fund

Attachment 17

Background

22. South Corridor Project Full Funding Grant Agreement Amendment

- Action:**
- A. Approve a Full Funding Grant Agreement Amendment between the United States of America, acting through the United States Department of Transportation (USDOT), Federal Transit Administration (FTA) and the City of Charlotte for the Charlotte Area Transit System South Corridor Light Rail Project, and**
 - B. Adopt a resolution authorizing the City Manager or designee to negotiate and execute the Federal Full Funding Grant Agreement Amendment for the Charlotte Area Transit System South Corridor Light Rail Project.**

Staff Resource: Ron Tober, Charlotte Area Transit System (CATS)

Explanation

- A Full Funding Grant Agreement (FFGA) was signed in May 2005 with the USDOT for the South Corridor Light Rail Project. The FFGA included a project cost of \$426.8 million and a Revenue Operations Date (ROD) of December 31, 2007.

- Recent work with the FTA and their Project Management Oversight Consultant (PMOC) has resulted in a new project cost Estimate at Completion (EAC) of \$462.7 million. This represents an increase of 8.4 percent over the original FFGA amount of \$426.8 million. City Council received a full briefing at the October 2, 2006 Council meeting on the factors influencing the project cost and the collaborative process with FTA that led to the development of the new Estimate at Completion.
- FTA requires that an FFGA be amended when the cost increase is greater than five percent and/or if the ROD is changing. The ROD of December 31, 2007 for the South Corridor project is remaining unchanged from the May 2005 FFGA. The current target opening date is November 26, 2007.
- The Metropolitan Transit Commission (MTC) at their October 2006 meeting approved moving forward with FTA to process an Amendment to the FFGA. CATS' staff is working with FTA staff to prepare the necessary updated information needed for the FFGA Amendment.
- The FTA schedule calls for the project to be transmitted to Congress, for a required 30-day review, in January 2007. The FFGA Amendment is executed upon completion of the Congressional review.

Background

- The table below summarizes the project fund sources and shares under the original FFGA and the proposed amounts with the Amendment. It is important to note that the amounts contributed by the USDOT and NCDOT remain unchanged, only their percentage contributions change. The additional costs are being absorbed fully with local funds.

Source	Original FFGA		Proposed Amended FFGA	
	Amount	Percentage	Amount	Percentage
Federal	\$199,350,540	47%	\$199,350,540	43%
State, DOT	\$106,710,890	25%	\$106,710,890	23%
CATS	<u>\$120,782,136</u>	<u>28%</u>	<u>\$156,686,863</u>	<u>34%</u>
Total	<u>\$426,843,566</u>	100%	<u>\$462,748,293</u>	100%

- The revised project cost EAC is \$ 462,748,293. Funding includes federal funds for 43% of the project cost. The State of North Carolina's share is 23% of the project cost which is backed by a State Full Funding Grant Agreement, signed in June 2003. The Local 34% match is backed by the one-half cent sales tax collected within Mecklenburg County.
- The \$36 million increase in the project cost, to the extent that it actually materializes, would be covered by converting a portion of outstanding short-term debt issued for the project to long-term debt and/or available fund balance when the project is completed.

Attachment 18

Resolution

23. 2007 Council Meeting Schedule

Action: Approve the 2007 Council Meeting Schedule.

Staff Resource: Brenda Freeze, City Clerk

Explanation

- The N.C.G.S. 43-318.12 requires that the City Clerk keep on file a schedule of Council's regular meetings. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.
- Retreat dates for 2007 have been entered on this proposed schedule of meetings. Staff did not schedule a meeting the night before the General Election in November 2007.

Attachment 19

Draft Calendar

24. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified.

A. CHARLOTTE CENTER CITY PARTNERS

- One appointment beginning immediately to replace Winston Kelly who resigned from Duke Energy to take the position of Executive Director of the NASCAR Hall of Fame. Mr. Kelly was an at large member representing Duke Energy.
- The Charlotte Center City Partners Nominating Committee has recommended Jim Turner with Duke Energy to fill the seat.

Attachment 20

Recommendation letter

Bio of Mr. Turner

25. Appointments to Boards and Commissions

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

A. TREE ADVISORY COMMISSION

- Two appointments for three year terms beginning December 14, 2006.
 - Clinton A. Cort by Council member Dulin
 - Roy L. Heizer by Council members Burgess and Carter
 - Landrum H. Henderson, Jr. by Council member Kinsey
 - *Larry Lane by Council member Carter
 - J. Martin Sondey by Council member Dulin
 - Marilyn (Dede) Wilson by Council members Burgess and Kinsey

*Mr. Lane did not submit an application

Attachment 21
Applications

MAYOR AND COUNCIL TOPICS

At the end of the formal agenda, Council members may share information and raise topics for discussion.

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

26. Various Bids

A. Water Main Replacements to Serve Lincoln Heights CMU

Resource: Doug Bean

Action

Award the low bid of \$787,387.50 by United Construction, Inc., Charlotte, North Carolina. Contract provides for replacement of water mains in the Lincoln Heights community, south of LaSalle Street, between Irma and Newcastle Streets. Construction will be completed within 165 days.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6%

United Construction met the established goal and committed 6% (\$47,200) to the following SBE firms: D's Trucking Service and Dallas 1 Construction.

B. Bus Operations Maintenance Parts **CATS**

Resource: Jim Zingale

Action

Authorize the City Manager or designee to execute a contract in the annual estimated amount of \$145,721 to the low bidder Carolina Wheel and Rim of Charlotte, North Carolina for the purchase of bus replacement brakes and brake parts. This contract will be for an initial period of two years plus three additional one year options. Total combined contract amount over the five-year term is estimated to be \$728,606. Parts offered by the low bidder meet the required original manufacturers' specification necessary to maintain CATS' buses in proper operating condition. Parts will be ordered on an as needed basis depending on usage and inventory stock levels.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

C. Loganville Drive Connector **EPM**

Resource: Beth Hassenfritz

Action

Award the low bid of \$247,416.75 to Carolina Cajun Concrete of Charlotte, North Carolina. This project will connect the northern leg of Loganville Drive to Prosperity Church Road as part of the Minor Roadway Improvement Program. The work includes construction of 250 feet of roadway with a left turn lane onto Prosperity Church Road, curb, sidewalk, drives, wheelchair ramps, bike lanes and planting strips. Construction completion is scheduled for second quarter of 2007.

Small Business Opportunity

Established SBE Goal: 4 %

Committed SBE Goal: 2.56%

Carolina Cajun failed to meet the goal, but exceeded the mandatory outreach and good faith effort points. Carolina Cajun committed 2.56% (\$6,330) to the following SBE firms: Grounds Effects, Inc. and Muddrunners, Inc. Carolina Cajun earned the requisite GFE points by demonstrating among other efforts, that they would pay all SBEs on this project within 20 days after confirmation that performance has been properly completed. Carolina Cajun is a certified small business firm.

D. Storm Water Maintenance FY2007-A EPM

Resource: Bill Pruitt

Action

Award the low bid of \$1,178,825 to KIP Corporation of Charlotte, North Carolina. This is an on-going program to provide maintenance repairs to existing storm drainage systems, and construction of new drainage systems within the City limits where none exist. Individual projects are identified and prioritized based on severity of potential public/private property flooding. Storm Water Services Division uses 12-month retainer contracts to provide timely response to maintenance problems. The City Manager may renew this contract up to three times.

Small Business Opportunity

Established SBE Goal: 3 %

Committed SBE Goal: 3.25%

KIP Corporation met the SBE established goal and committed 3.25% (\$38,300) to the following SBE firms: Bullington Construction, NW Construction and Rohrer Tree Care, Inc.

E. Statesville Avenue Streetscape Landscaping EPM

Resource: Carl Jarrett

Action

Award the low bid of \$106,641.15 by Ingle & Son Landscaping, Inc. of Conover, North Carolina. This project provides streetscape enhancements on Statesville Avenue from Dalton Avenue to Newland Road. The scope of work includes installation of landscape material in the pedestrian refuge medians and planting strips along the length of the project. Construction completion is scheduled for first quarter 2007.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

F. Billy Graham Parkway/Wilkinson Boulevard Landscaping EPM

Resource: Sonji Mosley

Action

Award the low bid of \$128,640.36 by Superior Seeding, Inc., of Gastonia, North Carolina. This project involves the landscaping of the new Mulberry Church Road alignment at Billy Graham Parkway and Wilkinson Boulevard, and the extension of West Port Road to a new intersection with Mulberry Church Road with a round-about as the final

phase of project completion. Landscape completion is scheduled for second quarter 2007.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

G. Rozzelles Ferry Streetscape EPM

Resource: Lamar Davis

Action

Award the low bid of \$996,444.22 by Ferebee Corporation of Charlotte, North Carolina. This project includes reconstruction of the Rozzelles Ferry Road, West Trade Street and Idaho Drive intersection. The work includes new curb, sidewalks, drives and wheelchair ramps, pedestrian refuge medians and asphalt paving. Construction completion is scheduled for Third Quarter 2007.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6.15%

Ferebee Corporation met the SBE established goal and committed 6.15% (\$61,318) to the following SBE firms: D's Trucking Service and Bullington Construction.

H. Shannon Park and Sardis Road Sidewalk Improvements EPM

Resource: Sonji Mosley

Action

Award the low bid of \$353,892 by ECON International Corporation of Charlotte, North Carolina. The project includes installation of sidewalk, planting strips, storm drainage, curb & gutter and related construction at locations along Sardis Road within the Shannon Park Neighborhood. This project is part of City Council's adopted policy to build sidewalk throughout the City of Charlotte as part of the City's Capital Investment Program. Construction completion is scheduled for third quarter of 2007.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 7.29%

Econ International exceeded the SBE established goal and committed 7.29% (\$25,795) to the following SBE firms: Bullington Construction and Streeter Trucking. Econ International is a certified small business enterprise.

I. Mint Museum Slate and Copper Roof Repairs EPM

Resource: Steve Marlowe

Action

Award the low bid of \$217,500 by Waynco Roofing of Matthews, North Carolina. This project includes but is not limited to 13,200 square feet of slate roof repairs and 4,060 square feet of copper roof replacement at the Mint Museum located at 2730 Randolph Road. Construction completion is scheduled for first quarter 2007.

Small Business Opportunity

Established SBE Goal: 4%

Committed SBE Goal: 0%

WaynCo Roofing did not meet the SBE goal, but has exceeded the minimum number of GFE points and met the mandatory outreach requirements. WaynCo Roofing held a pre-bid for SBE subcontractors on October 21, 2006 and no SBE firms attended.

27. Resolution of Intent to Abandon Street and Set Public Hearing for Ingram Street located off of Dawkins Street

Action: **A. Adopt the Resolution of Intent to abandon Ingram Street located off of Dawkins Street, and**

B. Set a public hearing for January 8, 2007.

Staff Resource

Linda Poissant, Transportation

Attachment 22

Map

Resolution

28. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Old Steele Creek Connector Located Between S. Tryon Street and Old Steele Creek Road

Action: A. Adopt the Resolution of Intent to abandon a portion of Old Steele Creek Connector located between S. Tryon Street and Old Steele Creek Road, and
B. Set a public hearing for January 8, 2007.

Staff Resource: Linda Poissant, Transportation

Attachment 23
Map
Resolution

29. Resolution of Intent to Abandon Street and Set Public Hearing for Savings Place Located off of Fairview Road

Action: A. Adopt the Resolution of Intent to abandon Savings Place located off of Fairview Road, and
B. Set a public hearing for January 8, 2007.

Staff Resource: Linda Poissant, Transportation

Attachment 24
Map
Resolution

30. Refund of Property Tax

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$8,695.58.

Staff Resource: Greg Gaskins, Finance

Attachment 25
Resolution
List of property tax refunds

31. In Rem Remedy

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety:

- A. 1434 Queens Road West (Neighborhood Statistical Area 63 – Myers Park Neighborhood)
- B. 987 Rayon Street (Neighborhood Statistical Area 22 – Oakview Terrace Neighborhood)
- C. 2418 Tuckasegee Road (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)

Field Observation:

- D. 4310 Northaven Drive (Neighborhood Statistical Area 40 – Sugaw Creek/Ritch Avenue Neighborhood)
- E. 4324 Rozzelles Ferry Road (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)

Public Safety:

A. 1434 Queens Road West

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1434 Queens Road West (Neighborhood Statistical Area 63 – Myers Park Neighborhood).

Attachment 26

B. 987 Rayon Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 987 Rayon Street (Neighborhood Statistical Area 22 – Oakview Terrace Neighborhood).

Attachment 27

C. 2418 Tuckaseegee Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2418 Tuckaseegee Road (Neighborhood Statistical Area 18 – Enderly Park Neighborhood).

Attachment 28

Field Observation:

D. 4310 Northaven Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4310 Northaven Drive (Neighborhood Statistical Area 40 – Sugaw Creek/Ritch Avenue Neighborhood).

Attachment 29

E. 4324 Rozzelles Ferry Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4324 Rozzelles Ferry Road (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

Attachment 30

CONSENT II

32. Amend City Ordinance 10-1, Smoking in City-owned Facilities and Vehicles

Action: Amend Section 10-1 of the City Ordinance to remove provisions regarding smoking in vehicles owned or leased by the City so that the City Manager may implement an administrative personnel policy prohibiting the use of tobacco by City employees in City vehicles.

Staff Resources: Tim Mayes, Human Resources
Hope Root, City Attorney's Office

Explanation

- Staff completed a review of the City's current policy regarding tobacco usage in City facilities and vehicles. The current ordinance provides that smoking is permitted in City vehicles provided there is only one occupant of the vehicle or if all of the occupants are smokers.
- The City Manager recommends adoption of a personnel policy to prohibit all tobacco usage (both burning and non-burning) by City employees in all City owned and leased vehicles where occupants can be enclosed.
- In order for the City Manager to adopt this policy, the reference to smoking in vehicles must be removed from the current City Code Section 10-1.
- The City Manager intends to adopt an administrative personnel policy prohibiting the use of tobacco products by City employees in City vehicles effective January 1, 2007.
- Human Resources staff held multiple employee focus groups with tobacco users and non-tobacco users to discuss the recommended policy changes. The overall consensus from all groups was that the recommendations are reasonable and a fair compromise.

Attachment 31
Ordinance

33. Exception to City Ordinance 15-13, Shooting Firearms within the City Limits, for NRA Convention

Action: Grant a temporary variance to Section 15-13 of the City Ordinance to allow the National Rifle Association (NRA) to set up a target practice booth using air rifles in the Charlotte Convention Center during the NRA Convention in May 2010.

Staff Resources: Ron Kimble, City Manager's Office

Explanation

- Section 15-13 of the City Ordinance prohibits any person, except an officer of the law, from shooting any firearm within the City limits, except in a licensed shooting gallery.
- The ordinance also states that any person desiring to shoot live ammunition in any firearm may do so only with the permission and approval of the City Council upon its finding that the shooting will be conducted in a safe manner.
- The National Rifle Association (NRA) is considering holding its convention at the Charlotte Convention Center in May 2010 and desires to set up a target shooting range in the Convention Center using air rifles with pellets.
- Staff recommends granting a temporary variance to Section 15-13 of the City Ordinance for the specific purpose of allowing the NRA to conduct the target practice booth during their May 2010 convention.
- City Council approved a similar variance to the shooting ordinance for the NRA during its May 2000 convention in Charlotte.

34. CharMeck 311 Phase II Planning Contract

Action: Approve a contract with Accenture in the amount of \$775,000 to provide consultant services to the City and the County for the design and implementation of Phase II of 311 and to provide a plan for all future phases of CharMeck 311 build-out.

Staff Resource: Saskia Thompson, City Manager's Office

Explanation

- Accenture successfully bid on 311 consulting services through RFP and was awarded a contract for Phase I in June 2004.
- CharMeck 311 launched in July 2005 and handled over one million calls in its first year of operation.
- CharMeck 311 is a division of the City Manager's Office and handles calls for both the City and the County.
- Mecklenburg County has requested that CharMeck 311 begin providing service for two additional County departments, Business Tax and Land Use and Environmental Services (LUESA).
- The City has identified the need for a plan for future phases of 311 and timeline to consolidate the remaining departmental call centers into the CharMeck 311 call center.

Project Detail

- Through this contract Accenture will be responsible for five areas of focus:
 - Phase I assessment analyzing the current state of CharMeck 311 and making recommendations for improvement as necessary
 - Development of a process model for Phase II consisting of Business Tax and LUESA
 - Training materials and support to assist CharMeck 311 staff to begin handling additional call types and service requests

- The creation of a Final Consolidation Roadmap to determine how the remaining high-volume call centers within the City and County will be consolidated into 311.
- The City will manage the Accenture contract.
- The County will fund the portions of the contract directly related to Business Tax and LUESA entirely, and will fund 26% of the portions of the contract that pertain to both the City and County according to the existing funding agreement between the two agencies. The total amount of the contract to be funded by the County is \$510,700.
- The City will fund the portion of the contract associated with the Final Consolidation Roadmap in its entirety, and will fund 74% of the portion of the contract that pertain to both the City and County according to the existing funding agreement between the two agencies. The total amount to be funded by the City is \$264,300.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

Funding

CharMeck 311 Operating Budget

35. Ivey's Pond and Dam

Action: Approve an agreement for \$300,000 with Dewberry & Davis, Inc. to provide engineering services for planning, design, and construction.

Staff Resource: Tim Richards, Engineering & Property Management

Explanation

- The project involves an existing pond facility located within the Raintree subdivision in South Charlotte.
- This project will reduce flood risks through improved infrastructure, and improve the environment through protection and enhancement of natural ecosystems and habitats.
- The Ivey's Pond Project will improve the quality of storm water passing through the pond before it is discharged to Rocky Branch and Four Mile Creek. Improved water quality in the creeks supports the City's objective to sustain the quality of the environment for future generations.

Agreement with Dewberry & Davis

- The Agreement provides funding for a combination of planning, design services and construction phase services for Ivey's Pond and Dam.
- The principal spillway at Ivey's dam is failing.
- The Ivey's Pond facility will be evaluated for water quality and flood control benefits it provides to streams and downstream roadways and homes. If

structural changes are recommended, the pond and/or dam will be redesigned to improve those benefits.

- This project was selected based on the level of benefits provided by the facility and the need for the repair.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

Dewberry & Davis has committed 3% (\$9,000) of the total contract amount with the following certified SBEs: Estes Design, Inc. and On Target Utility Locate

Funding

Storm Water Capital Investment Plan

36. Devore Pond and Dam

Action: Approve an agreement with W.K. Dickson & Co., Inc. for \$300,000 to provide engineering services for planning, design and construction.

Staff Resource: Tim Richards, Engineering & Property Management

Explanation

- This project involves an existing pond facility on the south side of Albemarle Road, approximately 1 ½ miles east of W.T. Harris Boulevard.
- This project will reduce flood risks through improved infrastructure, and improve the environment through protection and enhancement of natural ecosystems and habitats.
- The Devore Pond Project will improve the quality of water passing through the pond before it is discharged to McAlpine Creek. Improved water quality in the creek supports the City's objective to sustain the quality of the environment for future generations.

Agreement with W.K. Dickson & Co., Inc.

- The agreement provides funding for a combination of planning, design and construction phase services for Devore Pond and Dam.
- The principal spillway at the Devore dam is in disrepair, and is experiencing significant erosion that could lead to failure.
- The Devore Pond facility will be evaluated for water quality and flood control benefits provided to streams and downstream roadways and homes. If structural changes are recommended, the pond and/or dam will be redesigned to improve those benefits.
- This project was selected based on the level of benefits provided by the facility and the need for the repair.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 3%

W.K Dickson has committed 3% (\$9,000) of the total contract amount with the following certified SBEs: Carolina Wetland Services, On Target Utility Locate, and I Supply Express.

Funding

Storm Water Capital Investment Plan

37. South Corridor Infrastructure Program, Package F

Action: Approve Change Order #1 with Sealand Contractors Corporation in the amount of \$244,692 for South Corridor Infrastructure Program, Package F.

Staff Resource: Jim Keenan, Engineering & Property Management

Explanation

- The South Corridor Infrastructure Program includes sidewalks, road improvements, storm water and utility work. It does not include the rail line and rail facilities.
- This change order will fund conditions unforeseen in the original contract but within the original budget amount:
 - Overruns in stone and select backfill to replace unsuitable sub-grade material encountered during storm drain construction
 - Increased quantities of asphalt to provide improved tie-in with concurrent resurfacing work
 - Lighted message/arrow boards to improve construction zone safety and maintain safe business and pedestrian access during construction.
- Contingency funds are available within the project budget to fund this change order.
- Council approved the original contract for \$2,797,282.27 on January 9, 2006.
- The total contract amount to date including Change Order #1 will be \$3,041,974.27.
- Contract completion is scheduled for first quarter of 2007. The project is currently ahead of schedule and may be completed early.

Small Business Opportunity

All additional work involved in this change order will be performed by the prime contractor, Sealand Contractors Corporation, and their existing subcontractors. Sealand committed 0.94% (\$2,300) of the change order amount to the following SBE firm: H & H Hauling. For this project, Sealand has made a total commitment to SBE firms of 9.16%. This change order complies with Section 10.3 of the SBO Program.

Funding

Transportation Capital Investment Plan

38. Upfit for CATS Office Space at 400 E. Trade

Action: Authorize the City Manager to approve the remaining cost of tenant upfit for CATS consolidation move to 400 E. Trade. CATS share of tenant upfit is approximately \$124,680. Payment is to be made to the landlord, FMW.

Staff Resource: Leonard Ganther, Charlotte Area Transit System,

Explanation

- On May 22, 2006, City Council approved a lease amendment to consolidate CATS Development Division to 400 E. Trade. Terms of this amendment included:
 - A reduction in the lease rate from \$20.19 per foot, to \$18 per foot.
 - 4 year term, with 1 year option.
 - 15,506 rentable square feet.
 - 65 parking spaces.
 - An upfit allowance from the landlord of up to \$200,000.
 - Commencement date of January 1, 2007.
- The landlord’s upfit allowance is \$200,000. However, within the last six months, costs of labor and materials in this area have increased, resulting in higher upfit costs. Other cost impacts include the cost of new mechanical and electrical systems. CATS must pay the remaining cost of the tenant upfit, \$124,680.
- Total breakdown of tenant upfit cost:

A/E design fees	\$24,680
Construction cost	<u>\$300,000</u>
Total Cost	\$324,680
Less Allowance	<u>-\$200,000</u>
CATS Share	\$124,680

- This lease rate compares favorably to other space leased by the City.

Small Business Opportunity

Pursuant to Section 2.14, real estate contracts are exempt from the Small Business Opportunity Program.

Funding

Transit Operating Budget

39. Federal Homeland Security Grant Disposition of Authorized Equipment

- Action:**
- A. Approve the disposition of Homeland Security related equipment purchased using Fiscal Year 2005 Urban Area Security Initiative (USAI) Grant funds from Department of Homeland Security to the local government agencies listed on the attached chart, and**
 - B. Authorize the Fire Chief to execute any documentation required to finalize such disposition.**

Staff Resources: Jeff Dulin, Fire

Explanation

- The Department of Homeland Security (DHS), through the office of Grants and Training, created the FY2005 Urban Areas Security Initiative Grant (UASI) to reimburse state and local governments for equipment, training, planning and exercise activities related to preparing for terrorism.
- Charlotte received a UASI Grant under the FY2005 program in September 2005 in the amount of \$4,772,685. City Council approved the grant implementation on October 24, 2005.
- As required by grant guidelines, Charlotte applied for the grant based on a regional approach that included the North Carolina counties of Cabarrus, Catawba, Gaston, Iredell, Lincoln, Stanly and Union and the South Carolina counties of Lancaster and York.
- Approval of the disposition of the authorized equipment to the local government entities and Mecklenburg County agencies listed on the attached chart will allow Charlotte to comply with its procurement and disposition responsibilities under the UASI grant. City Council approval of this disposition is required by N.C.G.S. 160A-274
- All equipment purchased with these grant funds is included on the Homeland Security Grant Program Fiscal Year 2005 Authorized Equipment List.

Funding

Fiscal Year 2005 Urban Area Security Initiative (UASI) grant funds from the US Department of Homeland Security

Attachment 32

Disposition of Equipment to Local Government Agencies from FY05 USAI Funds

40. Mobile Communications Unit and Radio Equipment

- Action:**
- A. Approve the purchase of a Mobile Communications Unit and associated communications 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 one Wolf Coach Mobile Communications Unit and Radio Equipment in the amount of \$338,210.63.**

Staff Resource: Jeff Dulin, Fire Department

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.
- The GTSI contract was competitively bid by Fairfax County, VA and awarded by the Fairfax Board of Commissioners on July 26, 2003.
- NC Senate Bill 914, effective January 1, 2002 authorizes the exception to competitive bidding for competitive group purchasing.
- GTSI is the Federal Government's leading supplier for public safety and homeland security products and focuses exclusively on government agency customers worldwide.
- GTSI is a partner with L3 – Wolf Coach.
- GTSI consistently submits lower prices than other certified dealers through the competitive bid process for public safety and IT products.

Explanation

- The Mobile Communications Unit is needed to increase radio interoperability among first responders and private sector partners on the scene of an incident.
- The L3-Wolf Coach MC-2 Suburban is fully outfitted with radio and communications equipment that will allow for disparate radio systems to be patched together allowing for on the scene command, responders and private partners to utilize the equipment they are accustomed to.
- This purchase will also include equipment that can be removed from the vehicle and support remote deployment. This will allow for first responders to establish communications and command linkages at the impacted critical infrastructure site.
- The Mobile Communications Unit will be fully deployable prior to or after an incident at an identified critical infrastructure site, or if a team is sent out to support critical infrastructure protection in another jurisdiction.
- The unit will be available for special events as well as emergency scenes that require coordination of multiple agencies.
- This purchase will be funded by the Fiscal Year 2005 Buffer Zone Protection Program Grant that specifies a communications unit must be purchased with the funds.

Small Business Opportunity

Pursuant to Section 2.21 of the Program policy regarding purchases without competitive bidding, this contract is exempt from the Small Business Opportunity Program.

Funding

Buffer Zone Protection Grant

41. Hazardous Materials Identification System

Action: **A. Approve the purchase of a Hazardous Materials Identification System without competitive bidding, as authorized by the sole source exemption of G.S. 143-129(F), and**

B. Approve the purchase of the Identification System from Smiths Detection for \$165,075.

Staff Resources: Jeff Dulin, Fire
 Garry McCormick, Fire

Sole Source Exemption

- G.S. 143-129 (f) provides that formal bidding requirements do not apply when:
 1. Performance or price competition are not available;
 2. A needed product is available from only one source of supply; or
 3. Standardization or compatibility is the overriding consideration.
- This will be a sole-source purchase because the necessary equipment is available from only one direct source of supply, as provided for by G.S. 143-129 (f). Smiths Detection – Danbury, formerly SensIR Technologies of Danbury, CT is the sole manufacturer and direct source of the HazMatID™ Chemical Identifier product. This product is based on DiComp™ technology, which is protected under the following patents: USP 5,552,604, USP 5,703,366 and USP 5,172,182.
- Sole source purchases require City Council approval.

Explanation

- The GasID and HazMatID Identification System, including the Responder RCI and Aldrich Library components, is the only portable gas and vapor identification system designed for use in field environments by emergency responders. The system provides molecular detection and analyzation of an extensive array of nerve agents, explosives, toxic industrial chemicals, clandestine lab chemicals and white powders within the HazMatID system as well as a library collection of over 5,500 gases and vapors including chemical warfare agents and other volatile compounds within the Gas ID component.
- This system is currently in use by hundreds of U.S. military installations and over one thousand HazMat teams throughout the United States.

Small Business Opportunity

Pursuant to Section 2.21 of the program policy regarding sole source purchases, this purchase is exempt from the Small Business opportunity Program.

Funding

Critical Infrastructure Protection Program Grant

42. E Team Software for Regional Urban Area Security Initiative Implementation

- Action:**
- A. Approve the purchase of E Team incident management software without competitive bidding, as authorized by the sole source exemption of G.S. 143-129(e)(6), and**
 - B. Approve a contract with E Team for \$507,300 for incident management software to be installed in eight Urban Area Security Initiative (UASI) sites in western North Carolina, fully funded with FY06 UASI grant.**

Staff Resource: Jeff Dulin, Fire

Sole Source Exemption

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 1. Performance or price competition are not available;
 2. A needed product is available from only one source of supply; or
 3. Standardization or compatibility is the overriding consideration.
- This will be a sole-source purchase because compatibility and standardization are overriding considerations, as provided for by G.S. 143-129 (e) (6).
- The City Council must approve purchases made under the sole source exception.

Explanation

- This purchase will include necessary software, license and training in order to implement the usage of E Team across the Charlotte Urban Area Region.
- This purchase is in alignment with the FY2006 Urban Areas Security Initiative Application submitted to Department of Homeland Security (DHS). This project was approved by DHS with the awarding of the grant funding.
- E Team is the program already implemented by the Charlotte-Mecklenburg Office of Emergency Management to manage response to large scale emergencies, natural or man-made. The City has an enterprise license that allows it to distribute the program to over a hundred agencies in Mecklenburg County.
- This purchase will allow implementation of E Team software in the Emergency Management offices in neighboring counties, so that they also may manage response to large scale emergencies in their communities, as well as participate in management of regional disasters and USAI-wide events.

Such participation is critical to successful management of large-scale events as it provides comprehensive, unified command and control while allowing partners to participate without leaving their own communities.

- This purchase will enhance E Team in Charlotte-Mecklenburg by providing a larger support system for back-up and redundancy. During large-scale events that impact Charlotte and Mecklenburg County, this will allow for rapid integration and deployment of regional assets, thus impacting life safety for citizens.
- E Team will be implemented at the following eight USAI sites, which will be self-reliant within their own communities:
 - The Western Regional Office of the North Carolina Office of Emergency Management
 - Cabarrus County
 - Catawba County
 - Gaston County
 - Iredell County
 - Lincoln County
 - Stanly County
 - York County

Small Business Opportunity

Pursuant to Section 2.21 of the Program policy regarding sole source purchases, this contract is exempt from the Small Business Opportunity Program.

Funding

2006 UASI grants

43. Time Warner Network Support Contract Extension for CMPD

Action: Approve a three-year amendment to the contract between CMPD and Time Warner Telecommunications, at a cost not to exceed \$280,000 per year, for wide area network (WAN) communication services, maintenance and support.

Staff Resource: Ron Horton, CMPD

Explanation

- The Police Department wants to extend its existing contract with Time Warner Telecommunications for its wide area network which links all CMPD facilities
- Contract extension continues the connectivity and maintenance support for all CMPD facilities, as well as providing services to the new University Division office

- Bandwidth speeds will be increased at seven division offices, increasing the data carrying capacity of the network
- Even with the additional site added for the University office and the increased bandwidth speeds, there is an annual reduction of \$79,200 over current Time Warner rates
- Maintaining existing services with Time Warner will minimize any impact to public safety that would occur if the department switched to another vendor, resulting in system downtime as well as the expense of the initial installation and training on new equipment
- Council approved the original contract with Time Warner on August 25, 1997. The original contract was for three years at a total cost of \$1,022,386. There have been two three-year extensions of the original contract.
- The extended contract will be effective from November 1, 2006 to October 31, 2009
- CMPD did an extensive technical comparison between BellSouth and Time Warner before the 2003 contract amendment.
- This year a price comparison with BSS-IT indicated that the Time Warner prices are substantially lower than those for Bell South.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated

Funding

Police Operating Budget

44. BellSouth Telecommunications Services Agreement

Action: Authorize the City Manager to negotiate and execute a unit price contract renewal with BellSouth for the provision of telecommunication services.

Staff Resource: Charles Robinson, Business Support Services

Explanation

- The City and County entered into a joint contract with Bell South for a broad range of voice and data communication services in the summer of 2000. The contract was for 84 months and will end in August 2007. The City and County have been working together over the last few months to examine options for voice and data services and determine a path forward.
- In examining the current voice and data environment, the City/County team found that the most significant change has been the City's deployment of its own private telephone exchange in association with the implementation of the 311. While this change is important and has enhanced internal voice services, it must interface with Bell South Centrex based services for connection outside the City's data network.

- BellSouth is the only vendor who can deliver the required end-to-end telecommunications services in a single vendor solution. Based on this determination, the City and County team began negotiating a renewal of the contract with BellSouth.
- The team has negotiated business terms with BellSouth that provide competitive pricing, the ability to integrate emerging technologies as they become available, and the opportunity to apply the new pricing structure within one month of signing the new contract instead of waiting to the end of the existing contract in August 2007. The City and County team believes the business terms are superior to any proposal that would likely be obtained in a competitive process and avoids the substantial expense associated with changing service providers.
- The new contract will be non-exclusive with a term of 84 month for pricing and a 42 month commitment to services used. The City and County have a current commitment through August 2007. If the new contract is executed in early December 2006, the commitment time would begin anew, which would effectively reduce the commitment period on existing services to 35 months.
- The current projected annual contract value is \$2,767,488 based upon existing voice and data services, but this could increase as demand for these services increase. This combination of services under one contract give the City the flexibility necessary to ensure superior service delivery, provide for future capabilities and reduce costs.
- Unlike the current Bell South contract, this contract does not include voice mail services. The product provided by Bell South is at its end of life and the City and County have determined that it would be best to conduct an RFP for these services. Staff intends to provide this service within the current annual amount (\$172,240) allocated for this expense so that the budget impact of the RFP is budget neutral. Staff anticipates that Bell South will participate in the RFP process.
- This is a joint contract by the City and County with Bell South and is dependent on a similar action by the County Board of Commissioners.

Funding

Key business units operating budgets for phone service

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

45. Wingate Revitalization Acquisition Grant

Action: Approve an acquisition grant of up to \$861,000 to the Charlotte Mecklenburg Housing Partnership to acquire property in the Wingate neighborhood for affordable housing development.

Staff Resource: Stan Wilson, Neighborhood Development

Policy

- The City’s FY2006-2010 Consolidated Plan approved by City Council on June 13, 2005.
- The Plan identified the need for affordable, safe and decent housing for low and moderate-income families.
- The Plan reaffirmed the three basic goals of the City’s Housing Policy; preserve the existing housing stock, expand the supply of affordable housing, and support family self-sufficiency initiatives.

Explanation

- The Wingate neighborhood is one of the City’s targeted revitalization neighborhoods.
- Based on the 2006 Quality of Life Index, Wingate is a challenged NSA (Ponderosa/Wingate).
- Since 1996, the City has been working collaboratively with developers to create affordable homeownership opportunities and to revitalize the neighborhood.
- To date, 50 new single-family for sale homes have been built in the Wingate community.
- The Charlotte Mecklenburg Housing Partnership (CMHP) requests a grant of up to \$861,000 to acquire the Seymour Apartments and three other properties in the Wingate Community:

Property	Projected Acquisition Cost
Seymour Apartments	\$700,000
1619 Dodge Avenue	\$ 10,000
1631 Dodge Avenue	\$ 10,000
2716 Craddock	\$ 60,000
Soft Costs (<i>i.e. Closing Costs</i>)	<u>\$ 81,000</u>
Total	\$861,000

- The Seymour Apartments consist of 25 multi-family rental apartments.
- The projected acquisition cost per unit is \$30,750 per unit (land and buildings). The plan is to demolish the apartments and construct 15 single-family homes that will sell for approximately \$117,000.
- CMHP will be funding the demolition and the construction of the new homes.
- The Dodge and Craddock Street properties offer an opportunity to build three additional single-family homes facing the Wingate Park. The existing structure on Craddock Street will be demolished.
- The funds expended to acquire the properties cannot exceed the appraised value.
- The Charlotte Mecklenburg Police Department supports the acquisition of the Seymour Apartments as a key to stabilizing and revitalizing the Wingate neighborhood.
 - The 25 apartments represent approximately 11.7% (84 of 716) of the calls for service in the entire Wingate neighborhood, which has approximately 200 housing units.

- The apartments units are currently 72% occupied and rents range from \$300 to \$500 per month.
- The acquisition of the apartments is critical to continuing the homeownership development in Wingate. The apartments are also adjacent to City-owned property on Marene Drive which is planned for future single-family homeownership development.
- Neighborhood leadership is supportive of the acquisitions, the continuation of homeownership in Wingate and a smooth relocation process for the apartment residents.

Funding

Federal Community Development Block Grant (CDBG) Funds
 Federal HOME Funds

Attachment 33

Map – Wingate Revitalization Acquisitions
 Wingate Neighborhood Revitalization
 Proposed New Wingate Homes

46. Airport Restroom Renovations

Action: **A. Approve a contract in the amount of \$325,000 with C Design, Inc. of Charlotte, North Carolina for architectural design, and**

B. Adopt a budget ordinance appropriating \$400,000 from the Airport’s Fund Balance to be repaid from future Airport General Revenue Bonds.

Staff Resource: Jerry Orr, Aviation

Explanation

- Some of the Airport’s public restrooms were constructed 24 years ago and have had only minor renovations since then.
- These restrooms were constructed under old codes without ADA accessible facilities.
- This contract is for design of the renovations to bathrooms in A, B, C and D Concourses.
- The new design will provide for total reconstruction of the facilities to improve accessibility, layout, traffic flow, lighting and appearance.
- The new design will also accommodate the use of restroom attendants for improved customer service.
- Airport staff anticipates letting a construction contract in April 2007. The renovations will be completed in phases over the course of a year, which will minimize disruptions.

Small Business Opportunity

Established SBE Goal: 3%

Committed SBE Goal: 4%
 C Design has committed 4% (\$13,000) to the following contractor: Richa Graphics

Funding

Airport Fund Balance

Attachment 34

Budget Ordinance

47. Airport Wetland and Stream Mitigation Credits

Action: Approve an agreement with the State of North Carolina in the amount of \$1,387,360 for the purchase of wetland and stream mitigation credits under the Ecosystem Enhancement Program.

Staff Resource: Jerry Orr, Aviation

Explanation

- The Airport's third parallel runway is currently in the design stage.
- State and federal water quality regulations require that the City mitigate the impact of wetlands and streams caused by the runway construction.
- 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 Airport expects to need a total of 13,547 linear feet and 1.062 acres of mitigation credit for the runway project. EEP had 2,000 credits available for purchase as of September 25, 2006; since that time EEP has an additional 5,980 credits available for purchase.
- On September 25, 2006, Council approved an agreement with the State of North Carolina in the amount of \$464,000 for the purchase of 2,000 stream mitigation credits under the EEP.
- The Airport needs to purchase the additional 5,980 credits that have become available as mitigation for its new runway project.
- The price of \$232 per linear foot (credit) is set by EEP.
- On a related note, the City's Storm Water Services Division has 5,567 credits that will be applied to the runway project. In return, Aviation will transfer \$1,291,544 to Storm Water Services.
- 75% of the cost of purchasing the mitigation credits is eligible for reimbursement through an existing grant from the Federal Aviation Administration.

Funding

Airport Capital Investment Plan

48. Airport Municipal Agreement with NCDOT

- Action:** **A. Approve a municipal agreement with the North Carolina Department of Transportation (NCDOT) in the amount of \$1,700,000, and**
- B. Adopt a budget ordinance appropriating the \$1,700,000.**

Explanation

- An extension of West Boulevard from New Dixie Road to the I-485 interchange needs to be constructed as part of the road relocations necessitated by the construction of the new third parallel runway.
- To expedite the road relocation, the Airport will manage the road design and construction under this agreement.
- The total estimated cost of this project is \$6,000,000. Upon completion of the project, NCDOT will reimburse the City for \$1,700,000 of that total with the remainder being funded through federal grant funding, Passenger Facility Charge revenues, and/or Future Airport Revenue Bonds.

Funding

Airport Capital Investment Plan

Attachment 35

Budget Ordinance

49. FY04 Manhole Rehabilitation & Point Repair Contract, Renewal #3

- Action:** **Approve renewal option #3 for \$2,905,801.68 with Atlantic Coast Contractors for sanitary sewer infrastructure rehabilitation.**

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Project Explanation

- Renewal enables Utilities to continue rehabilitation of sanitary sewer infrastructure primarily in the following areas:
 - McAlpine Creek basin
 - Long Creek basin
 - Paw Creek basin
- Work involves identification, evaluation, and repair of manhole and sewer main defects to reduce amount of water entering wastewater collection system.
- The original contract provided for up to three renewals. This is the final renewal option.

History

- Original contract awarded by Council December 8, 2003 in the amount of \$2,497,036.50.
- Renewal #1 approved by Council on February 28, 2005 in the amount of \$2,690,806.21.
- Renewal #2 approved by Council on December 5, 2005 in the amount of \$2,810,232.15.

Small Business Opportunity

Established SBE Goal: 2%

Committed SBE Goal: 2%

Atlantic Coast Contractors met the goal established for this project by committing \$60,000 to the following SBE firms: Stinson Trucking and Central Carolina Underground.

Funding

Sewer Capital Investment Plan

50. Purchase of Real Estate Resulting from Liability Claim Payment

Action: Approve payment in the amount of \$83,933.33 to Benjamin T. Jackson to settle his claim regarding the water damage to his residence at 3920 Fernleaf Court in Charlotte.

Staff Resources: Scott Denham, Risk Manager
Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- After installing a new automated meter at this unoccupied residence, the water was turned on. Unfortunately, there were leaking fixtures and, with the house being vacant, the problem was not discovered until weeks later. A large volume of water flowed into, and throughout, Mr. Jackson's house over time.
- In addition to the direct water damage, there was serious, extensive, mold growth throughout the structure.
- The cost to repair the damage exceeds 65% of the value of the house, causing it to be appropriate to demolish the structure.
- Risk Management considers this to be a total loss, and negotiated a settlement with Mr. Jackson for \$83,933.33, which is the average of two independent appraisals and the Mecklenburg County tax valuation.
- In the process, the City will acquire title to the real property, then demolish the house. The remaining land is an asset worth approximately \$20,000. Upon sale of this property, the proceeds will go to the Risk Management Fund.
- This home is between Milton Road and Shamrock Drive, in an area known as the Methodist Home area.

- Utilities has installed over 200,000 automated meters over the past five years.
- After meters are installed, water is turned on to test the installation. The procedure is to leave the water on if it is an active account, but to turn it off if the account is inactive. This procedure has been reemphasized with installers to prevent this from happening in the future.

Funding

Risk Management Loss Fund

51. Sale of Transit Van to Charlotte Emergency Winter Shelter

Action: **A. Declare a wheelchair access van as surplus, and**

B. Adopt a resolution approving the sale of the van to Charlotte Emergency Shelter for \$1.

Staff Resource: Olaf Kinard, Charlotte Area Transit System

Explanation

- Pursuant to North Carolina G.S. 160A-279 the Charlotte Area Transit System requests approval to sell one 1999 Ford F450 wheelchair access van to the Charlotte Emergency Winter Shelter for \$1.
- CATS and Center City Partners have been working with the Charlotte Emergency Winter Shelter to provide support for transportation when CATS services are not running to the Charlotte Emergency Winter Shelter (located at 3410 Statesville Avenue).
- The Charlotte Emergency Winter Shelter is in dire need of an additional transportation option to transport clients daily when bus routes do not provide direct access to job sites, medical facilities, etc. The transportation vehicle must have wheelchair access.
- A covenant or condition is attached to this conveyance to specify this van will only be used for a public purpose as described in North Carolina G.S. 160A-279.
- This van is fully depreciated and the mileage satisfies the federal guidelines (FTA Circular 5010.1c) for disposal without penalty. Estimated value is between \$5,000 and \$7,000.

Attachment 36

Resolution

Exhibit A

52. Transfer Three Parcels to Mecklenburg County for Park Use

- Action:**
- A. Declare as surplus three Barringer Drive parcels, and**
 - 1. 145-081-19**
 - 2. 145-082-01**
 - 3. 145-082-03**
 - B. Approve transfer of these three parcels to Mecklenburg County for park use (Revolution Park and Clanton Road Park).**

Staff Resource: Tim O'Brien, Engineering & Property Management

Policy

The City's Asset Management policy states the disposal of surplus property as a goal.

Explanation

- In 1997 the City deeded most of the City's park lands to Mecklenburg County as part of consolidation of park functions.
- The City transferred Clanton Park and Revolution Golf Course as large tracts of land by Tax I.D. numbers. As a result of ongoing review of the City's inventory, it was discovered that the tax numbers of these three parcels were not included in the land transfer.
- The three parcels are within the FEMA floodplain area of Irwin Creek so their best use is for them to continue to be used for park and greenway purposes.
 - 145-081-19 – 1.7 acres; located adjacent to Clanton Park; no access to Barringer Drive (property is land locked with Mecklenburg County as the adjacent property owner); much of property is located within SWIM Buffer and the entire property is located in a FEMA flood zone; zoned R-4
 - 145-082-01 – 1 acre; located adjacent to Barringer Drive and Revolution Park; partially located in SWIM Buffer and entirely in FEMA flood zone; zoned R-4.
 - 145-082-03 – 2 acres; located adjacent to Barringer Drive and Revolution Park; partially located in SWIM Buffer and FEMA flood zone; zoned R-4
- The proposed transaction has been reviewed by the Joint Use Task Force and recommended for approval through the Mandatory Referral Process by the Planning Committee of the Planning Commission.
- The deed for these properties will:
 - Be modeled after the original park deed which includes a provision assuring that the City will have first right to the property (at no cost) if the land is not needed for park purposes
 - Contain a provision reserving future right-of-way needs as requested by CDOT, CMU and Storm Water Services.

Attachment 37

Tax Map

53. Construction Site Lease for The Vue Condominium Project

Action: Approve a three-year lease, beginning March 1, 2007, at \$8,800 per month for a 1.2 acre vacant City parcel (PID #078-121-02) to the Atkins Properties, LLC to be used as a construction staging area for The Vue condominium project in Uptown Charlotte.

Staff Resource: Tim O'Brien, Engineering & Property Management

Explanation

- The Vue, a 50-story high-rise condominium project will begin construction in early 2007 at the corner of West 5th Street and Pine Street in Uptown Charlotte. The developer is requesting to lease the City-owned property located near the Gateway Center, west of the Norfolk Southern Railroad tracks, between West 5th Street and West 6th Street.
- The land is a vacant property formerly known as the "Old Naval Yard" that has been used as a construction staging area for other projects. No other uses are envisioned for the property for the next few years.
- Leasing the property makes good business sense for the following reasons:
 - CATS will not need the use of this land for development of a possible Multimodal Station for at least three years.
 - The value of the City property will likely substantially increase over the lease period with the pending development of the Multimodal Station and related developments.
 - The City will have a better understanding of how the property should be used to complement the new developments in this area.
 - The City will receive an income stream while the market demands increase.
- Johnson and Wales University has been contacted about the future use of this property. They do not envision purchasing the property but would like to be on the mailing list when the City plans to sell it.

54. Marshall Park Deed of Trust Release

Action: Adopt a resolution requesting a release of real property from the deed of trust securing the City's installment payment contract with respect to the 2003 Government Facilities Projects

Staff Resource: Greg Gaskins, Finance

Explanation

- Marshall Park and other properties were pledged as collateral for Certificates of Participation sold to fund the Arena project.

- The other properties are 500 Spratt Street, Fire Station 1, Fire Station 35, Utilities Administration Building, Police and Fire Training Academy, Police Headquarters and Old City Hall.
- The current value of other properties exceeds the 50% requirement.
- This action requests the release of the Marshall Park property as collateral from the installment purchase contract used to finance Charlotte Bobcats Arena.
- This action will eliminate all liens on the Marshall Park land giving the City free title to the property.

Attachment 38
Resolution

55. Declaration of Withdrawal for a Portion of Calvin Street

Action: Adopt a resolution stating that a portion of Calvin Street is not part of the adopted street plan (thoroughfare plan).

Staff Resource: Linda Poissant, Transportation

Policy

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

Explanation

- North Carolina General Statute 136-96, states that a right-of-way not utilized within 15 years of dedication can be abandoned through the recording of the Declaration of Withdrawal with the Register of Deeds.
- The statute requires the City to adopt a resolution stating the right-of-way to be abandoned is not part of a proposed street plan.
- These unused and unopened rights-of-way are not part of any such plan; therefore, the City has determined that all necessary requirements of the statute will have been met by adopting the resolution.
- Charlotte-Mecklenburg Utilities (CMU) has no existing utilities within the area to be abandoned that would require an easement.

Petitioner

The Housing Authority of the City of Charlotte, NC – Charles Woodyard

Right-of-Way to be withdrawn

A portion of Calvin Street

Location

Located within the Belmont Community beginning from N. Brevard/Caldwell Connector Street continuing east approximately 215 feet to its terminus.

Reason

To incorporate the right-of-way into adjacent property owned by the petitioner for a proposed housing project

Attachment 39

Map

Resolution

56. Property Transactions

Action: Approve the following property acquisitions (A-G) and adopt the condemnation resolutions (H-T).

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

Acquisitions

- A. Project:** Briar Creek Relief Sewer Phase I, Parcel # 8
Owner(s): Selwyn Grove Homeowners Association, Inc.
Property Address: Lila Wood Circle
Property to be acquired: 16,486 sq. ft. (.378 ac.) in Sanitary Sewer Easement, plus 692 sq. ft. (.016 ac.) in Right of Way to be Abandoned, plus 7,805 sq. ft. (.179 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$62,454
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential – Common Area
Tax Code: 175-113-39
Total Parcel Tax Value: \$0
- B. Project:** Briar Creek Relief Sewer Phase I, Parcel # 60
Owner(s): Catawba Lands Conservancy
Property Address: Randolph Road
Property to be acquired: 75,803 sq. ft. (1.740 ac.) in Sanitary Sewer Easement, plus 5,384 sq. ft. (.124 ac.) in Permanent Access Easement, plus 43,535 sq. ft. (.999 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$41,175
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-4
Use: Multi Family
Tax Code: 155-141-11
Total Parcel Tax Value: \$1,255,500

- C. Project:** Briar Creek Relief Sewer Phase I, Parcel # 62
Owner(s): Eastover Ridge, L.L.C.
Property Address: 3306 Eastover Ridge Drive
Property to be acquired: 22,124 sq. ft. (.508 ac.) in Sanitary Sewer Easement, plus 30,775 sq. ft. (.706 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$200,000
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: R-22MF
Use: Multi Family
Tax Code: 155-151-02
Total Parcel Tax Value: \$19,561,500
- D. Project:** Jefferson Storm Water Capital Improvements - Phase I, Parcel # 7
Owner(s): Robert L. Whitley, Jr. And Wife, Cara R. Whitley
Property Address: 5316 Guildbrook Road
Property to be acquired: 5,644 sq. ft. (.130 ac.) in Storm Drainage Easement, plus 2,821 sq. ft. (.065 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$14,350
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential
Tax Code: 187-216-06
Total Parcel Tax Value: \$197,800
- E. Project:** South Corridor Infrastructure Project: Archdale Package, Parcel # 30
Owner(s): Carriage House Condominiums
Property Address: 1228 Archdale Drive
Property to be acquired: 4,859 sq. ft. (.112 ac.) in Sidewalk and Utility Easement, plus 14,128 sq. ft. (.324 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None

Purchase Price: \$23,075

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

Zoned: R-22MF

Use: Condominium

Tax Code: 169-16C-99

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

F. Project: South Corridor Infrastructure Project: Archdale Package, Parcel # 64

Owner(s): Carriage House Condominiums

Property Address: 1228 Archdale Drive

Property to be acquired: 8,366 sq. ft. (.192 ac.) in Storm Drainage Easement, plus 2,673 sq. ft. (.061 ac.) in Sidewalk and Utility Easement, plus 8,120 sq. ft. (.186 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$37,825

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

Zoned: R-22MF

Use: Condominium

Tax Code: 169-20C-99

Total Parcel Tax Value: \$2,000,000

G. Project: South Boulevard / Woodlawn Road Intersection Project, Parcel # 9

Owner(s): Wachovia Bank, National Association And William Erwin Jones

Property Address: 4801 South Boulevard

Property to be acquired: 6,775 sq. ft. (.156 ac.) in Storm Drainage Easement

Improvements: None

Landscaping: None

Purchase Price: \$10,000

Remarks: Compensation was established by independent, certified appraisals related to this property.

Zoned: B-2

Use: Commercial

Tax Code: 171-052-03

Total Parcel Tax Value: \$837,500

Condemnations

H. Project: Andover Storm Water Capital Improvements Project-Phase III, Parcel # 32

Owner(s): Patricia E. Smith And Any Other Parties Of Interest

Property Address: 1200 Andover Road

Property to be acquired: Total Combined Area of 2,033 sq. ft. (.047 ac.) of Storm Drainage Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$14,150

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

Tax Code: 181-123-07

Total Parcel Tax Value: \$319,300

- I. Project:** Andover Storm Water Capital Improvements Project-Phase III, Parcel # 43
- Owner(s):** Cotswold Homes Condominium Association, Inc. And Any Other Parties Of Interest
- Property Address:** 4645 Woodlark Lane
- Property to be acquired:** Total Combined Area of 7,457 sq. ft. (.171 ac.) of Storm Drainage Easement, plus Temporary Construction Easement
- Improvements:** None
- Landscaping:** None
- Purchase Price:** \$29,350
- 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-17MF
- Use:** Multi Family – Common Area
- Tax Code:** 181-12C-98
- Total Parcel Tax Value:** \$12,413,300
- J. Project:** Beatties Ford Road 14600 - 15400, Parcel # 9
- Owner(s):** Daniel E. Phillips And Madeline T. Phillips And Any Other Parties Of Interest
- Property Address:** Beatties Ford Road
- Property to be acquired:** Total Combined Area of 8,720 sq. ft. (.200 ac.) of Utility Easement
- Improvements:** None
- Landscaping:** None
- Purchase Price:** \$5,250
- Remarks:** Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
- Zoned:** R
- Use:** Vacant
- Tax Code:** 013-131-03

Total Parcel Tax Value: \$10,268

- K. Project:** Briar Creek Relief Sewer Phase I, Parcel # 29
Owner(s): Myers Park Country Club, Inc. And Any Other Parties Of Interest
Property Address: 2415 Roswell Avenue
Property to be acquired: Total Combined Area of 256,101 sq. ft. (5.879 ac.) of Sanitary Sewer Easement, plus Right of Way to be Abandoned, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$263,475
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: Golf Course Class 1 - Championship
Tax Code: 175-051-35
Total Parcel Tax Value: \$14,463,200
- L. Project:** Briar Creek Relief Sewer Phase I, Parcel # 40
Owner(s): Airlie Homeowners Association, Inc. And Any Other Parties Of Interest
Property Address: Myers Park Drive
Property to be acquired: Total Combined Area of 307,591 sq. ft. (7.061 ac.) of Sanitary Sewer Easement, plus Right of Way to be Abandoned, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$64,900
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-20MF
Use: Single Family Residential – Common Area
Tax Code: 153-105-87
Total Parcel Tax Value: \$0
- M. Project:** Edgewood Neighborhood Improvement Project Storm Water Easements, Parcel # 4 & 5
Owner(s): Gabriel L. Rogers And Any Other Parties Of Interest
Property Address: Tuckaseegee Road
Property to be acquired: Total Combined Area of 23,217.48 sq. ft. (.533 ac.) of Storm Drainage Easement
Improvements: None
Landscaping: None
Purchase Price: \$5,575
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: 059-023-22 / 059-023-05

Total Parcel Tax Value: \$287,400

- N. Project:** Hubbard Road Sidewalk Project, Parcel # 38
Owner(s): James Mumford Love And Wife, Agnes D. Love And Any Other Parties Of Interest
Property Address: 7123 Mallard Creek Road
Property to be acquired: Total Combined Area of 23 sq. ft. (.001 ac.) of Sidewalk and Utility Easement
Improvements: None
Landscaping: None
Purchase Price: \$50
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-1
Use: Single Family Residential
Tax Code: 043-215-05
Total Parcel Tax Value: \$159,600
- O. Project:** Jefferson Storm Water Capital Improvements - Phase I, Parcel # 6
Owner(s): Sarah C. Nahory And Any Other Parties Of Interest
Property Address: 5308 Guildbrook Road
Property to be acquired: Total Combined Area of 2,065 sq. ft. (.047 ac.) of Storm Drainage Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$1,650
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: 187-216-07
Total Parcel Tax Value: \$188,700
- P. Project:** Jefferson Storm Water Capital Improvements - Phase I, Parcel # 9
Owner(s): Harold A. Turteltaub And Wife, Cynthia Turteltaub And Any Other Parties Of Interest
Property Address: 1337 Brockton Lane

Property to be acquired: Total Combined Area of 3,884 sq. ft. (.089 ac.) of Storm Drainage Easement, plus Utility Easement, plus Guy Wire, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$1,450

Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3

Use: Single Family Residential

Tax Code: 187-213-01

Total Parcel Tax Value: \$185,000

Q. Project: Jefferson Storm Water Capital Improvements - Phase I, Parcel # 57

Owner(s): Walter I. Kirkland, Jr. And Daphne S. Kirkland And Any Other Parties Of Interest

Property Address: 7424 Folger Drive

Property to be acquired: Total Combined Area of 2,595 sq. ft. (.060 ac.) of Storm Drainage Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$2,175

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: 187-213-11

Total Parcel Tax Value: \$200,600

R. Project: Rozzelles Ferry Road Streetscape, Parcel # 9

Owner(s): Jackie Lee Beck And Wife, Lynda B. Beck And Any Other Parties Of Interest

Property Address: 3040 Rozzelles Ferry Road

Property to be acquired: Total Combined Area of 1,344 sq. ft. (.031 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$700

Remarks: Compensation was established by an independent, certified appraisal and appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: B-2

Use: Commercial

Tax Code: 069-041-06

Total Parcel Tax Value: \$52,100

- S. Project:** Rozzelles Ferry Road Streetscape, Parcel # 41 & 42
Owner(s): Hi Tea Chang And Any Other Parties Of Interest
Property Address: 2839 Rozzelles Ferry Road
Property to be acquired: Total Combined Area of 1,581 sq. ft. (.036 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$500
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: Commercial
Tax Code: 071-143-08 & 071-143-08
Total Parcel Tax Value: \$141,800
- T. Project:** Rozzelles Ferry Road Streetscape, Parcel # 43
Owner(s): LaTonya R. Davis And Any Other Parties Of Interest
Property Address: Rozzelles Ferry Road
Property to be acquired: Total Combined Area of 2,527 sq. ft. (.058 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$1,325
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: B-2
Use: Commercial
Tax Code: 071-143-07
Total Parcel Tax Value: \$41,100

57. Meeting Minutes

- | | |
|--|--|
| <p>Action:</p> <ul style="list-style-type: none"> - October 2, 2006 Policy Retreat - October 9, 2006 Business Meeting - October 18, 2006 Zoning Meeting - October 23, 2006 Business Meeting | <p>Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:</p> |
|--|--|