

Mayor Patrick L. McCrory **Mayor Pro Tem Patrick De'Angelo Cannon**

Susan Burgess
Nancy Carter
Malcolm Graham
Patsy Kinsey
John W. Lassiter

Don Lochman
James E. Mitchell, Jr.
Patrick Mumford
John H. Tabor, AIA
Warren Turner

CITY COUNCIL MEETING

Monday, October 11, 2004

CITY COUNCIL AGENDA

Monday, October 11, 2004

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4:00-6:00 P.M. CITY MANAGER'S EVALUATION CH-14

6:00-7:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Carnival Ordinance

Resource: Bruce McDonald, Charlotte-Mecklenburg Police

Time: 15 minutes

Synopsis

- In April 2004, Council directed staff to look at problems resulting from a carnival that created public safety issues in West Charlotte and then tried to move to North Charlotte.
- A committee comprised of representatives from the City Manager's Office, the City Attorney's Office, the Charlotte-Mecklenburg Police Department, the Fire Department, the Health Department, Planning, and Zoning addressed the problem.
- The committee crafted an ordinance that will regulate traveling carnivals by requiring that they have a permit to operate within the City of Charlotte.
- Permits would be issued by Charlotte-Mecklenburg Police Department.
- The permit application could be denied if
 - the carnival operators did not have a business license;
 - the carnival would not be in compliance with zoning regulations or fire codes;
 - the carnival would present an unreasonable danger to public health or safety.
- Permits could be revoked for noncompliance with ordinance or permit provisions.
- Permit denial/revocation may be appealed to the City Manager's Office.

Future Action

Carnival Ordinance is on page 12 of this agenda.

2. New Arena Update

Resource: Jim Schumacher, Engineering & Property Management

Time: 30 minutes

Synopsis

- Construction of the new Charlotte Arena began in July 2003 and is scheduled to be substantially complete by November 1, 2005. This business agenda includes five contract items necessary to continue the progress on the project:
 - Establish the Guaranteed Maximum Price for the building with Hunt Construction Group (page 10).
 - A second amendment to the New Arena Agreement that allows the Bobcats to assume risks associated with an upgraded scoreboard (page 29).
 - An amendment to the Ellerbe Becket architectural contract associated with the design and construction of the scoreboard. A subcontract designer has been selected to develop the scoreboard design and provide software that will coordinate the scoreboard with other display features in the arena bowl. A portion of the funds in the construction budget would be transferred to the architectural contract to provide for this work. (page 29).
 - An amendment to the Parsons Transportation contract for completion of studies associated with the development of parking and pedestrian management plans. The City Council was briefed on this work on September 7th (page 30).
 - An amendment to the MACTEC contract for materials testing services (page 31).
- Staff will review each of these contract items.

Future Action

The four contract items are on this business agenda.

3. Colony Road/Myers Park High School Intersection Improvements

Resources: Doreen Szymanski, Transportation

Time: 15 minutes

Synopsis

- In November 2001 City Council approved a plan that would permit left turns into Myers Park High School from northbound Colony Road, and to build a bulb-out that facilitates a u-turn movement for motorists wishing to continue traveling south on Colony Road.
- Charlotte Mecklenburg School (CMS) staff had safety concerns with the approved plan permitting u-turns in front of their campus. CMS submitted an alternative plan, which was presented to City Council for review in May 2003.
- The plan was presented to the Transportation Committee in April 2004. The Committee unanimously endorsed the principle of the CMS plan pending development of an interlocal agreement, implementation schedule and opportunity for further public input.

Explanation

- City staff has reviewed the CMS plan and recommends the design. The plan follows the intent of the previously approved plan to allow, but discourage southbound traffic.
- During interlocal agreement negotiations with CMS, the school system identified and suggested that the City build the Colony Road project and that CMS build the extension to Davidson Street between 2nd and Stonewall streets during the rebuilding of the Metro School. That redevelopment is occurring now. The City identified building the portion of Davidson Street in the Second Ward Plan approved by Council on August 26, 2002.
- The construction costs for the CMS Plan and the new portion of Davidson Street are estimated at \$200,000 each.

Future Action

- Item is on page 13 of this agenda.

4. Committee Reports by Exception

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

CONSENT

- 5. Consent agenda items 17 through 45 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. FY2005 Annexation Public Hearings

Action: Hold public hearings for the annexation of eight areas: Caldwell, Withrow Downs, Mallard Creek Church East, Brookshire East, Brookshire West, Steele Creek North, Steele Creek South and Community House Road.

Staff Resources: 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 annexation proposals.
- State annexation statutes require City Council to hold public hearings on annexation qualifying areas.
- During each hearing, staff explains how each annexation area qualifies and plans for City services in the annexation area.
- Following the explanation, citizens will be given an opportunity to speak.

Background

- On July 26, 2004, City Council passed Resolutions of Intent, describing boundaries of the eight areas under consideration for annexation, and established the dates for the public informational meeting and the public hearing on the annexation issue.
- On July 26, 2004, City Council also approved Annexation Reports for each of the areas. (On August 23, 2004, City Council approved minor modifications to three of the Reports, made to reflect the NC Supreme Court interpretation of certain aspects of the annexation statutes.)
- The annexation public informational meeting was held on September 9, 2004 and approximately 40 citizens participated.
- A City Council work session to discuss the annexation proposals and action which City Council must take on the eight areas during the next 60 days will be scheduled at Council's convenience.
- Consideration of the annexation ordinances for the eight areas will be scheduled for the November 22, 2004 City Council meeting.
- Copies of maps of the annexation qualifying areas and the Annexation Reports are available from the Planning Commission.
- Approximately 9,400 notices of this public hearing were mailed.

Funding

- Service costs and anticipated revenues are provided in the Preliminary Annexation Report and in the Annexation Reports for each of the eight areas;

these products have been furnished to City Council and additional copies are available upon request.

Attachment 1
Public Information Meeting Summary

POLICY

7. City Manager's Report

8. Public Art Ordinance

Action: Review and discuss the City's Public Art Ordinance and the Metropolitan Transit Commission's (MTC's) Art in Transit Program.

Staff Resources: Ruffin Hall, Budget and Evaluation Department
Ron Tober, Charlotte Area Transit System

Explanation

- The Mayor placed City Council review and discussion of the City's public art program on the agenda, including the decision-making process and funding allocations.
- Council unanimously approved the current Public Art Ordinance on May 27, 2003, effective July 1, 2003.
- The Art in Transit Program operates under a resolution unanimously approved by the MTC on January 23, 2002.

Three Public Art Categories

1. Capital Investment Plan (CIP) projects (after July 2003)

- Authorized by the City's Public Art Ordinance
- Includes General CIP, Aviation and Utilities
- The Public Art Commission administers the public art program, including working with the various Key Business Units in the development of appropriate art and the disbursement of funds.
- 1% of projected construction project cost is appropriated into an account for Public Art by fund (General, Aviation, Utilities). Council approves the budget appropriation for the arts projects as part of the annual budget ordinance.
- The Public Art Commission prepares an annual work plan for approval by the City Council. Council approved the current work plan as part of the June 14, 2004 budget adoption action.
- After the annual work plan and budget approval, the Public Art Commission enters into contracts with individual artists for artwork implementation.
- If the Council wished to deny a public art project, then the Council could deny the Public Arts Commission annual work plan or budget appropriation for the proposed project as part of the annual budget ordinance.
- For FY2005, the following public art projects were authorized in the General CIP (approximately \$200,000):

<u>FY 2005 Projects</u>	<u>Art Allocation</u>
Pedestrian and Traffic Safety Improvements	\$20,000
Innovative Housing Program	10,000
Business Corridor Revitalization	13,000
Business Grant Program	2,000
South Corridor Transit Station Area Improvements	84,000
Median Landscape Improvements	2,000
Central Yard Facility	66,000
Animal Control Kennel Expansion	2,310

2. Arena project (approved prior to July 2003 revised ordinance effective date)

- Public art for the arena was approved as part of the project authorization.
- 0.7% of project designated for Public Art (\$1.4 million):
 - \$1.2 million allocated to the Public Art Commission for five individual public art pieces, administration, and contingency.
 - \$200,000 allocated to Hunt Construction to include artistic concepts into the structure of the building.
- The Public Art Commission has selected artists as included in Public Art Commission’s work plan and has executed contracts for implementation.
- The budgeted allocations for the five artworks are listed below:
 - Large entry columns on the plaza \$308,000
 - 23 alcove sculptures 158,000
 - Granite seating on the plaza 104,000
 - Tile photomurals on the local history of basketball 256,000
 - Terrazzo flooring for the ticketing lobby 50,000
 - Two large murals on Charlotte’s history 100,000

3. MTC’s Art in Transit Program (effective January 2002)

- Separate from City’s Public Art Ordinance
- 1% of design and construction budgets
- Program complies with Federal Transit Administration requirements.
- Public Art Oversight Committee appoints art selection panels, recommends selections and approves individual projects, budgets and schedules.
- Public art projects integrated into transit facilities are included in transit construction contracts.
- 2,000 Art in Transit catalogues were published at a cost of \$17,000.

<u>Transit Project/Program</u>	<u>Art Allocation</u>
<u>South Corridor Light Rail Project</u>	<u>\$2,500,000</u>
▪ Design work by 17 artists (includes 15 stations, 7 parking lots, bridges, retaining walls and maintenance facility with +/-130 separate art elements along the corridor)	650,000
▪ Fabrication and installation* (* Fabrication and installation contracts over \$100,000 will come to Council for approval)	1,850,000
 <u>Passenger Facilities Program</u>	 <u>\$98,250</u>
▪ Huntersville Gateway Park and Ride Lot (installed)	12,750
▪ Matthews Independence Park and Ride Lot (under construction)	15,500

▪ J.N. Pease Park and Ride Lot (planned)	15,000
▪ Huntersville Northcross Park and Ride Lot (in design)	15,000
▪ South Park Community Transit Center (under construction)	20,000
▪ Eastland community Transit Center (in design)	20,000
<u>S. Tryon Bus Maintenance Facility</u> (under construction)	<u>\$327,500</u>

Please see the attachments

Attachment 2

October 1st Memo from Mayor McCrory

Public Art Ordinance

Overview of Art in Transit Program

Art in Transit Resolution

MTC Minutes (Aug. 22, 2001 and Jan 23, 2002)

South Corridor Light Rail Project - Summary of Artist Design Fees

BUSINESS

9. New Arena Construction Manager Contract



Action: Approve Amendment #1 to the Hunt Construction Manager at Risk contract that establishes the Guaranteed Maximum Price in the amount of \$180,048,526 for the New Charlotte Arena.

Staff Resource: Jim Schumacher, Engineer & Property Management

Explanation

- As approved on May 27, 2003 by the City Council, Hunt Construction Group, in conjunction with R.J. Leeper and Linda Lochman Brooks, is the Construction Manager for the Charlotte Arena.
- As a “Construction Manager at Risk,” Hunt publicly bids all project work and holds the contracts with all subcontractors; manages the schedule and all phases of construction; and implements the project Small Business Opportunity plan.
- State law and the City’s contract require a “Guaranteed Maximum Price” (GMP) to be established during the construction period.
- Establishing the GMP transfers the risk to the Construction Manager of completing the project on time within the established budget and contingency. Factors that can affect the completion schedule include: coordination of sub-contractors, sub-contractor default, weather delays, availability of materials, and the need for acceleration.
- The City is responsible for any addition to the scope/quality of the project.
- 90% of the bidding is now complete. The balance of the bids is for interior items which are not expected to vary significantly in price, such as finishes, furnishings and equipment.
- The breakdown of the Initial GMP and the final GMP is as follows:

	Initial	Final
Construction/general conditions/fee	\$160,820,011	\$167,582,606
Contingency within the GMP	\$4,679,989	\$5,465,920
Total without sales taxes	\$165,500,000	\$173,048,526
Sales tax (estimated)	\$7,000,000	\$7,000,000
Total with sales taxes	\$172,500,000	\$180,048,526

- The increase in construction costs from the initial estimate primarily results from upgrades to quality from the base bids (\$1.3 M), rock and foundation costs (\$2.6 M) and change orders resulting from code interpretations and plan coordination (approximately \$3.5 M). Also, while some bids were lower than the estimate, some were higher due to increases in the costs of construction materials in the past year, with the aggregate of all bids adding approximately \$1.3 M to the construction cost.
- Sales taxes are reimbursed to the City from the State, so that amount will “net out” at completion of the project.

- The breakdown of remaining contingency funds is as follows:

Construction Manager contingency	\$4,160,712
City contingency within the GMP	\$1,305,208
City contingency outside the GMP	\$1,000,000
Total contingency	\$6,465,920

See the attachment for details of the contingency use to date.

- 100% of any unused contingency returns to the City.
- The Construction Manager's contingency is used for coordination of the multiple sub-contractors and any acceleration necessary to meet the completion date, should the work get behind schedule in the future.
- In order to make the maximum investment in the building allowed by the budget, a portion of the City contingency funds have been included in the GMP to cover any additional scope expenditures. However, until later in the project, these funds will be reserved for additional work that may be required by building codes or omissions in the plans.
- In addition, a City contingency of \$1,000,000 has been retained outside the GMP for any expenses that do not fall in the Construction Manager's responsibility.

Small Business Opportunity

Established SBE Goal: 15%

Committed SBE Goal: 15%

Funding

Economic Development Capital Investment Plant

Attachment 3

Contingency Itemization

10. Rollout Collection Container Service Ordinance

Action: Adopt an ordinance to revise Section 10-99 of the City Code, Rollout Collection Container Service.

Staff Resources: Wayman Pearson, Solid Waste Services
S. Mujeeb Shah-Khan, City Attorney's Office

City Code Chapter 10, Section 10-99

- The current version of Section 10-99 of the City Code states that City rollout collection service is provided to single family residences, and duplexes, triplexes, or quadruplexes that are part of developments of less than 30 units.
- On December 10, 2001, Council adopted a resolution ratifying Solid Waste Services' policy of providing dumpster collection to all multifamily dwellings

and planned multi-family developments (as defined by the Zoning Ordinance) containing more than 30 units.

- Princeton at Southampton, a planned multi-family development, located between Marvin Road and Ardrey Kell Road, which was ineligible for rollout collection, took advantage of a loophole in the Zoning Ordinance that allowed them to be reclassified as an innovative development. The reclassification would allow Princeton at Southampton to receive rollout collection.
- City staff reviewed options for ensuring that reclassification is used for development-related purposes and not just to obtain rollout collection. City staff determined that the appropriate solution is to amend Section 10-99 of the City Code.

Amendment to Section 10-99

- Amending Section 10-99, Rollout Collection Container Service, would prevent use of changes in a development's zoning classification to affect whether or not it received rollout collection.
- A development will still be able to ask for changes under the Zoning or Subdivision Ordinances, however, once a development is ineligible for rollout collection, a reclassification will not change its status for rollout collection.
- City staff recommends this amendment to ensure that the City is able to use its resources efficiently for solid waste collection.

Attachment 4 Ordinance

11. Carnival Ordinance

Action: Adopt an ordinance, amending Chapter 15 of the City Code, to regulate the operation of carnivals within the City of Charlotte.

Staff Resource: Bruce McDonald, Charlotte-Mecklenburg Police

Explanation

- Ordinance developed in response to Council and community concerns regarding a carnival in West Charlotte in the spring of 2003.
- Ordinance requires carnivals to obtain a permit to operate; permits issued by Police Department.
- Ordinance excludes amusement parks operating at permanent locations and carnivals operated by governmental entities and tax exempt organizations.
- Permit can be denied if carnival does not have a business license, non-compliance with zoning regulations or fire codes.
- Permit can also be denied if carnival presents unreasonable danger to public health or safety.
- Ordinance will require police, fire, and emergency medical personnel on scene at carnival; number based on size and location of event.
- Permit can be revoked for noncompliance with ordinance or permit provisions.

- Ordinance has appeal process; hearing held by City Manager or designee.
- Violation of ordinance carries civil penalty and a misdemeanor criminal penalty.
- A user fee will be implemented for this regulatory service.
- Staff is currently calculating the fee and it will be effective 30 days after Council receives notification of the new fee.

Attachment 5

Carnival Ordinance

12. Colony Road/Myers Park High School Intersection Improvements

Action: Approve Charlotte-Mecklenburg School's (CMS) Colony Road modification plan and adopt a resolution approving the interlocal agreement.

Staff Resource Doreen Szymanski, CDOT

Background

- In November 2001 City Council approved a plan that would permit left turns into Myers Park High School from northbound Colony Road, and to build a bulb-out that facilitates a u-turn movement for motorists wishing to continue traveling south on Colony Road.
- Council directed staff to work with the Charlotte Mecklenburg School system (CMS) on the land donation required to build the bulb-out. Regardless of land donation, staff was instructed to open the left-turn into the school campus.
- CMS staff had safety concerns with the approved plan permitting u-turns in front of their campus. CMS submitted an alternative plan, which was presented to City Council for review in May 2003.
- Transportation Committee reviewed the CMS plan at their April 19, 2004 meeting and discussed the fact that CMS was unable to build consensus within the neighborhood.
- The Transportation Committee unanimously endorsed the principle of the CMS plan pending the development of an interlocal agreement, implementation schedule and opportunity for further public input.

Explanation

- City staff has reviewed the CMS plan and recommends the design. The plan follows the intent of the previously approved plan to allow, but discourage southbound traffic.
- During interlocal agreement negotiations with CMS, the school system identified and suggested that the City build the Colony Road project and that CMS build the extension to Davidson Street between 2nd and Stonewall streets during the rebuilding of the Metro School. That redevelopment is occurring now. The City identified building the portion of Davidson Street in the Second Ward Plan approved by Council on August 26, 2002.

- The construction costs for the CMS Plan and the new portion of Davidson Street are estimated at \$200,000 each.
- CMS staff will seek Board approval for the interlocal agreement on October 12, 2004.

Implementation Schedule

- Design Phase October 2004 - April 2005
 - Real Estate Phase January 2005 – April 2005
 - Bid Phase April 2005 - September 2005
 - Construction October 2005 - December 2005
- Construction will occur during the school session; however, staff anticipates only minor disruptions to school traffic. CMS approved the work schedule.

Other

- This project will include building a missing portion of sidewalk on Colony Road between the Myers Park High School's tennis court driveway to the main entrance of the school, and open the left turn into the school from Colony Road for northbound motorists.

Funding

CMS and Transportation Capital Investment Plan

Attachment 6

Original Bulb-out Plan
CMS Plan
Interlocal Agreement

13. Housing Trust Fund FY2005 Funding Allocation



Action: Approve the Housing Trust Fund Advisory Board's recommendation to allocate \$12,394,713 for FY2005 to the City's Housing Trust Fund.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy

- On November 26, 2001, City Council established a Housing Trust Fund to provide financing for affordable housing in the Charlotte community.
- On April 8, 2002, City Council established the Housing Trust Fund Advisory Board. One of the Advisory Board's charges is to recommend annual funding priorities for the Housing Trust Fund to City Council.

Explanation

- The Housing Trust Fund (HTF) Advisory Board recommends the allocation of \$12,394,713 for FY2005 City's Housing Trust Fund. Below are the funding categories and allocations as recommended by the HTF Advisory Board.

Category	Funds Allocated	Percent of Funds
New Multi-Family (Rental) – New construction of multi-family housing that services households earning 60% or less of the area median income (AMI) with priority for households earning 30% or less of AMI	\$6,000,000	49%
Preservation Multi-Family (Rental) – Rehabilitation of multi-family housing that services households earning 60% or less of the area median income (AMI) with priority for households earning 30% or less of AMI.	\$4,000,000	32%
Homeownership – Ownership development in the City’s target action plan neighborhoods (Belmont, Lincoln Heights, Thomasboro-Hoskins, Lakewood, Grier Heights, Washington Heights, Wingate, Reid Park and Druid Hill) and HOPE VI revitalization neighborhoods servicing households earning 80% or less than AMI.	\$1,394,713	11%
Special Needs Housing – Provision of housing to serve the disabled, homeless and elderly populations or HIV/AIDs populations earning 60% or less than the AMI	\$1,000,000	8%
Total	12,394,713	100%

- Overall, the HTF Advisory Board’s recommendation represents a balanced approach to meeting affordable housing needs, production goals, serving the most needy population and meeting the leverage factors established by City Council.
- In reaching its recommendation, the HTF Advisory Board explored alternative funding scenarios such as a rental voucher approach and deep subsidy concentrating on areas of greatest housing need.
- The \$12,394,713 allocation represents the following:
 - \$253,083 remaining in the uncommitted funds from the 2003 Housing Bonds;
 - \$10 million from the 2004 Housing Bonds (subject to voter approval of the November bond referendum); and
 - \$2,141,630 in proceeds from the upcoming sale of the 7th and McDowell Street property. (On June 28, 2004 City Council voted to transfer the sale proceeds to the Housing Trust Fund.)
- The funding is projected to develop 900 affordable units, of which 285 will serve households earning 24% and below of the area median income.
- The funds will be allocated through a competitive Request for Proposal (RFP) process. Separate RFPs will be issued for each funding category.
- The proposal package will be available to assist developers in accessing Housing Trust funds and include the Loan/Grant Guidelines, the RFP document, and the Application for Funding.

- The Housing Trust Fund Advisory Board approved the FY2005 allocation on September 21, 2004.

Source of Funds

The FY2005 funding allocation is funded with 2004 City Housing Bond Funds (on November 2004 ballot) and the sale proceeds from the 7th and McDowell Streets property.

Attachment 7

FY2005 HTF Allocation Analysis and Recommendation
Housing Trust Fund Status Report
Housing Trust Fund Advisory Board

14. Special Obligation Bonds for Courthouse Property

Action: Approve a resolution directing staff to apply to the Local Government Commission for authorization to issue Taxable Variable Rate Special Obligation Bonds in the amount of \$11.5 million for the Federal Courthouse Property (Urban Revitalization).

Staff Resource: Greg Gaskins, Finance

Explanation

- To complete a land swap for the property at 501 E. Trade Street for the Charles F. Jonas Federal Courthouse at 401 W. Trade Street, the City must refinance the debt on the property in order to pass clear title to the federal government by December 15, 2004. This financing is the first use of Special Obligation Bonds for the City of Charlotte.
- \$10.8 million is the cost of the refinancing; \$11.5 million includes the entire cost of the borrowing.
- Approval of this resolution includes the following:
 - Authorization to submit an application to the Local Government Commission for approval of Taxable Variable Rate Special Obligation Bonds, Series 2004 and certain related matters
 - Authorization for officials of the Finance Key Business Unit to file the application
 - Appointment of the Financing Team and Trustee
 - Authorization for City officials to take necessary steps to complete the bond sale
- Council was briefed at the October 4th Workshop.
- On November 8th Council will consider the bond order.

Funding

Municipal Debt Service Fund

Attachment 8

Resolution

15. City Council Retreat Dates

Action: Set dates for Council retreats:

A. Meet Thursday, December 9, 2004 for the Council One-Day Retreat, and

B. Meet Thursday, February 3 through Friday, February 4, 2005 for the Council Annual Retreat.

Staff Resource: Denise Foreman, City Manager's Office

Explanation

- City staff has preliminarily polled the Mayor and City Council members on the proposed dates of Thursday, December 9 and Thursday, February 3 through Friday, February 4.
- The tentative schedule for the One-Day Retreat, to be held on December 9, 2004, will begin around 8:30 a.m. and adjourn by 4:00 p.m.
- The tentative schedule for the Council Annual Retreat will begin around 8:30 a.m. on Thursday, February 3 and conclude mid-afternoon on February 4.
- Due to approved budget reductions, both retreats will be held in town with no overnight accommodations.

16. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.

- A. AIRPORT ADVISORY COMMITTEE**
- Two, two year appointments beginning November 2004. David Cline and Nathan Matthews are not eligible for reappointment. Must be recommended by the Charlotte Regional Partnership.

Attachment 9
Applications

- B. BICYCLE ADVISORY COMMITTEE**
- One, three year appointment beginning January 2005. W. Herbert Brown, Jr., is eligible and would like to be reappointed.

Attachment 10
Applications

- C. BUSINESS ADVISORY COMMITTEE**
- One position beginning immediately and ending April 2006. Mark Gay did not meet City Council's attendance requirement. This seat requires a recommendation from the Charlotte Chamber.

Attachment 11

Applications

D. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION

- One position beginning immediately and ending June 2007. Nan Bauroth has resigned. Must meet the general public category.

Attachment 12

Applications

E. DOMESTIC VIOLENCE ADVISORY BOARD

- One appointment for three years beginning September 2004. Sherry Barnes does not want to seek reappointment.

Attachment 13

Applications

F. HISTORIC DISTRICT COMMISSION

- One position beginning immediately and ending June 2007. Gregory Johnson has resigned. Citizen must be a resident/owner in Fourth Ward.

Attachment 14

Applications

G. HOUSING APPEALS BOARD

- One appointment beginning January 2005 and serving three years. Must represent the housing industry. Bryan Bennight is not eligible to be reappointed.

Attachment 15

Applications

H. HOUSING AUTHORITY

- One appointment to serve three years beginning December 2004. Eric Douglas is eligible and would like to be reappointed.

Attachment 16

Applications

I. KEEP CHARLOTTE BEAUTIFUL

- One position to fill an unexpired term ending June 2005, and the next full three-year term. Jane Houston has resigned.
- One position to fill an unexpired term ending June 2006. Marjorie Greene has resigned.

Attachment 17

Applications

- J. PRIVATIZATION COMPETITION ADVISORY COMMITTEE**
- One position to fill an unexpired term ending March 2005, and the next full two-year term. David Pike has resigned.

Attachment 18
Applications

- K. TREE ADVISORY COMMITTEE**
- Two appointments for three years beginning December 2004. Robert Miller is not eligible for reappointment; Hannelore Palmer did not meet Council's attendance requirement for reappointment.

Attachment 19
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

17. Various Bids

A. Police Surveillance Platform

Police

Action

Award the low bid of \$102,996 by Sirchie Finger Print Labs, Inc. of Medford, New Jersey for the purchase of one Ford E-250 cargo van with a surveillance conversion.

Small Business Opportunity

The Small Business Development Program Manager waived the SBE goal for this project. In order to establish a goal for the project, there must be SBE firms certified in the City's Vendor Management System to perform the subcontracting opportunities identified for the project. There were no SBE firms certified to perform on this project.

B. Refuse Truck New & Recap Tire Contracts 1&2 Solid Waste**Action**

Award contract #1 to the lowest responsible bidder, Tire Centers, Inc. of Charlotte, North Carolina as the primary vendor for Refuse Truck New & Recap Tires and related services. In addition, award contract #2 to the next lowest responsible bidder, Snider Tire, Inc. of Charlotte, North Carolina as the secondary and back-up supplier of tires and service. Estimated cost will be \$800,000 per year. The contracts are for one year with options to renew for four additional periods of one year.

Small Business Opportunity

The Small Business Program Manager waived the SBE goal for this project. In order to establish a goal for the project, there must be SBE firms certified in the City's Vendor Management System to perform the subcontracting opportunities identified for the project. There were no SBE firms certified to perform this project.

C. Thomasboro/Hoskins Neighborhood Improvement-Phase 2 EPM**Action**

Award the low bid of \$2,335,909.10 by Sealand Contractors of Charlotte, North Carolina. The infrastructure improvements in the Thomasboro/Hoskins Area neighborhood project were included in the 2000 Neighborhood Improvements Bonds. The neighborhood boundaries are Hovis Road, Bradford Drive, I-85 and the railroad tracks near Morgan Street. The project consists of curb and gutter, sidewalk and storm drainage construction and water line replacement for the Thomasboro-Hoskins (Phase 2) neighborhood. Construction completion is scheduled for the fourth quarter of 2005.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 5%

Sealand Contractors committed 5% (\$119,310) of the total contract amount with the following certified SBEs: On Time Construction and H & H Hauling.

**D. Charlotte-Mecklenburg Governmental Center (CMGC) EPM
Pneumatic Control Terminal Replacement FY05 - Phase 3****Action**

Award the low bid of \$591,470 by Southern Comfort of Charlotte, North Carolina. This is Phase 3 for replacement of the building's pneumatically controlled air terminal units with more efficient and reliable Direct Digital Control units on the 7th through 15th floor of the CMGC. Construction completion is scheduled for the second quarter of 2005. Phase 4 will be bid in summer of 2005.

Small Business Opportunity

Established SBE Goal: 13%

Committed SBE Goal: 13%

Southern Comfort committed 13% (\$79,263) of the total contract amount with the following certified SBEs: Electric System Specialists, Inc.

E. FY2005 Contract # 5 –Water and Sewer Street Main Extensions CMU**Action**

Award the low bid of \$1,196,376.50 by Davis Grading, Inc. of Shelby, North Carolina for construction of sanitary sewer and water mains along existing roadways in Mecklenburg County.

Small Business Opportunity

Established SBE Goal: 3.00 %

Committed SBE Goal: 3.01 %

Davis Grading, Inc. committed \$36,000.00 to the following SBE firms:
Dallas 1 Construction LLC**F. FY2005 Contract # 6 –Water and Sewer Street Main Extensions CMU****Action**

Award the low bid of \$1,065,826.50 by Davis Grading, Inc. of Shelby, North Carolina for construction of sanitary sewer and water mains along existing roadways in Mecklenburg County.

Small Business Opportunity

Established SBE Goal: 3.00 %

Committed SBE Goal: 3.00%

Davis Grading, Inc. committed \$32,000.00 to the following SBE firms:
Dallas 1 Construction, LLC**18. Resolution of Intent to Abandon Street and Set Public Hearing for a Residual Portion of Barclay Downs Drive****Action: A. Adopt the Resolution of Intent to abandon a residual portion of Barclay Downs Drive; and****B. Set a public hearing for November 22, 2004.****Attachment 20**

Resolution

Map

19. Resolution of Intent to Abandon Street and Set Public Hearing for Pinestream Drive

Action: A. Adopt the Resolution of Intent to abandon Pinestream Drive; and
B. Set a public hearing for November 22, 2004.

Attachment 21
Resolution
Map

20. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Crescent Executive Drive

Action: A. Adopt the Resolution of Intent to abandon a portion of Crescent Executive Drive; and
B. Set a public hearing for November 22, 2004.

Attachment 22
Resolution
Map

21. In Rem Remedy

For In Rem Remedy #A-M, 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 Plan

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. 301-1, 1A, 2, 2A, 3, 3A, 4A Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- B. 301-5 and 6 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- C. 301-7, 7½, 8, 9, 9A, 9B, 9C, 10 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- D. 301-11, 12, 13, 14, 14½, 15, 15½, 16, 29, 30, 31, 32 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- E. 301-17, 17A, 18, 19, 20, 20A, 24, 25, 26, 27, 28 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- F. 301-21, 22, 23 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- G. 301-46, 47, 48, 49, 50, 51, 52, 53 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- H. 301-54 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)
- I. 315-1, 2, 3, 4, 5, 6, 7 Eastway Drive (Neighborhood Statistical Area 141 - Hampshire Hills Neighborhood)

Complaint:

- J. 2224 Tate Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood)

Field Observation:

- K. 3215 Celia Avenue (Neighborhood Statistical Area 24 - University Park Neighborhood)
- L. 1904 Union Street (Neighborhood Statistical Area 46 - Villa Heights Neighborhood)
- M. 1911 Union Street (Neighborhood Statistical Area 46 - Villa Heights Neighborhood)

Public Safety:

A. 301-1, 1A, 2, 2A, 3, 3A, 4A Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-1, 1A, 2, 2A, 3, 3A, 4A Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 23

B. 301-5 and 6 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-5 and 6 Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 24

C. 301-7, 7½, 8, 9, 9A, 9B, 9C, 10 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-7, 7½, 8, 9, 9A, 9B, 9C, 10 Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 25

D. 301-11, 12, 13, 14, 14½, 15, 15½, 16, 29, 30, 31, 32 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-11, 12, 13, 14, 14½, 15, 15½, 16, 29, 30, 31, 32 Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 26

E. 301-17, 17A, 18, 19, 20, 20A, 24, 25, 26, 27, 28 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-17, 17A, 18, 19, 20, 20A, 24, 25, 26, 27, 28 Eastway Dr. (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 27

F. 301-21, 22, 23 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-21, 22, 23 Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 28

G. 301-46, 47, 48, 49, 50, 51, 52, 53 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-46, 47, 48, 49, 50, 51, 52, 53 Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 29

H. 301-54 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 301-54 Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 30

I. 315-1, 2, 3, 4, 5, 6, 7 Eastway Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structures at 315-1, 2, 3, 4, 5, 6, 7 Eastway Drive (Neighborhood Statistical Area 141 – Hampshire Hills Neighborhood).

Attachment 31

Complaint:

J. 2224 Tate Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2224 Tate Street (Neighborhood Statistical Area 23 – Washington Heights Neighborhood).

Attachment 32

Field Observation:

K. 3215 Celia Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3215 Celia Avenue (Neighborhood Statistical Area 24 – University Park Neighborhood).

Attachment 33

L. 1904 Union Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1904 Union Street (Neighborhood Statistical Area 46 – Villa Heights Neighborhood).

Attachment 34

M. 1911 Union Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1911 Union Street (Neighborhood Statistical Area 46 – Villa Heights Neighborhood).

Attachment 35

CONSENT II

22. Second Amendment to New Arena Agreement

Action: Approve the Second Amendment to the Arena Agreement with the Charlotte Bobcats to clarify the authority for construction change orders and to allow the Bobcats to assume certain risks and costs that would otherwise be the responsibility of the City.

Staff Resources: Jim Schumacher, Engineering & Property Management
Cindy White, City Attorney's Office

Explanation

- The City and the Bobcats desire to execute the Second Amendment to the Arena Agreement in order to:
 - clarify the authority for construction change orders; and
 - allow the Bobcats to assume certain risks and costs that would otherwise be the responsibility of the City.
- This amendment is recommended in connection with the Bobcats' willingness to assume certain costs and risks associated with an upgraded scoreboard. The amendment further clarifies that the Project Coordinators for both parties have the authority to execute construction change orders, but that the City Project Coordinator has no authority to commit to any obligation or expenditure that will increase the construction budget.

Attachment 36

Second Amendment

Deleted: A. Reject the bid of \$162,240 from DOT Construction Company of Charlotte, North Carolina pursuant to non-compliance with the City of Charlotte's Small Business Opportunity Program; and¶
¶
B. Award the Contract for Road Humps FY 2005 to the next low bidder, Carolina Asphalt of Charlotte, North Carolina in the amount of \$188,656.

23. New Arena Architectural Contract Amendment #1

Action: Approve Amendment #1 to the Ellerbe Becket contract in the amount of \$1,719,800 for additional services related to the scoreboard for the New Charlotte Arena.

Staff Resource: Jim Schumacher, Engineering & Property Management

Explanation

- Amendment #1 provides additional funds for the design of the arena's scoreboard by a specialty designer (Spurgeon Design) working as a subcontractor to Ellerbe Becket.
- The designer's work will include design and specification of the scoreboard, theatrical lighting, special effects, sound enhancements, production media, and providing specialty software and equipment.
- The specialty designer was recruited for the project by the Bobcats to provide a scoreboard and media experience unique in the arena industry.

- Due to the change from the initial scoreboard and media program, the Bobcats are assuming financial responsibility for any problems associated with the specialty designer's work and agree to cover any costs in excess of the original budget associated with the design of the upgraded design.
- These funds are a transfer from the Hunt Construction contract; the Hunt contract amount (GMP) is \$1,719,800 less than it would be without this change.

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this amendment because there were no SBE firms certified in areas where subcontracting is anticipated.

24. New Arena Transportation Management Plan

Action: Approve Amendment #2 with Parsons Brinckerhoff Quade & Douglas for \$100,000 for additional services for the development of a Transportation Management Plan for the new arena.

Staff Resource: Bill Finger, Charlotte Department of Transportation

Amendment #2 with Parsons Brinckerhoff Quade & Douglas

- Amendment #2 provides funding for additional services related to the development of the Arena Transportation Management Plan as well as the Arena Traffic Operations Plan for the Charlotte-Mecklenburg Police Department (CMPD).
- Additional services will include:
 - Further defining program elements of the new Arena
 - Updating the Transportation Management Plan Schedule
 - Addressing on-site issues such as parking and multi-modal access to the facility
 - Updating the parking master plan
 - Updating the traffic access and circulation plan
 - Coordinating Arena signage
 - Developing a Transportation Operations Plan for the CMPD

Contract History:

- The original contract for \$69,600 included traffic analysis and the development of a Transportation Management Plan and was approved on February 18, 2003.
- Amendment 1, dated November 13, 2003, for \$15,000 provided funding to revise the patron exit plan, revise the external circulation plan, conduct a work session to revise stairs and plantings, review the vertical circulation report, and revise the lobby circulation.
- Total contract amount including this amendment is \$184,600.

Small Business Opportunity

The selection process for this project took place in 2002, which preceded the implementation of the SBO Program for professional services contracts. Pursuant to Section 10.3 of the SBO Program, the consultant or sub-consultants will perform additional work and no SBE goal is required.

Funding

Economic Development Capital Investment Plan

25. New Arena Material Testing and Inspection Services

Action: Approve Amendment #1 with MACTEC Engineering & Consulting, for \$400,000 for material testing and inspection services for new arena.

Staff Resource: William Haas, Engineering & Property Management

Amendment #1 with MACTEC Engineering & Consulting

- Provides funding for engineering services for the New Charlotte Arena, to include ongoing material testing and construction inspection services

Contract History

- City Council approved the original contract for \$750,000 on July 28, 2003
- Total contract amount including this amendment is \$1,150,000

Small Business Opportunity

The selection process for this project took place in 2002, which preceded the implementation of the SBO Program for professional services contracts. Pursuant to Section 10.3 of the SBO Program, the consultant or sub-consultants will perform additional work and no SBE goal is required.

Funding

Economic Development Capital Investment Plan

26. Planning Commission Attendance Policy

Action: Adopt a resolution approving an amendment to the City of Charlotte – Mecklenburg County Planning Commission Interlocal Agreement to align the attendance requirements to the general City-County attendance policies.

Staff Resource: Bob Hagemann, City Attorney's Office

Explanation

- The Planning Commission Interlocal Agreement requires members to attend 75% of regular meetings of the Commission and the assigned committee.
- In April 2003, the City Council amended the City's attendance policy for boards and commissions to require 65% attendance of all meetings in a calendar year and 75% attendance during the course of a term.
- The Mecklenburg Board of Commissioners adopted an identical policy in May 2003.
- Since the Planning Commission attendance policy was established by "contract" (*i.e.* interlocal agreement), technically the 2003 policy changes did not apply to the Planning Commission.
- The proposed amendment would be retroactive to calendar year 2003, but would not affect the right of any member to continue on the Planning Commission.

Attachment 37

Resolution

27. Traffic Signal Loop Detector Installation Contract Extension

Action: Approve the renewal of the traffic signal loop detector installation contract with Bryant Electric Repair and Construction of Gastonia, North Carolina for one year, in the amount of \$211,027.88

Staff Resource: Gus Jordi, Transportation

Explanation

- Contract renewal is for one year and will consist of the installation of traffic signal roadway embedded loops, video detection cameras, brackets, arms and associated work on an as-needed basis throughout the City of Charlotte.

Small Business Opportunity

This project is excluded from the SBO Program requirements per Section 13: Exclusions and Special Provisions.

Funding

Transportation Capital Investment Plan

28. Water Quality Education Campaign

Action: Approve Agreement with Turnkey Media Service, LLC for \$233,000 for media buying services for the Water Quality Education Campaign.

Staff Resource: Jim Schumacher, Engineering & Property Management

Explanation

- The City Council deferred action on this contract on June 28, 2004 to allow further evaluation of the Water Quality Education Campaign.
- The staff developed a strategy to
 - reduce the campaign contract by 35%,
 - conduct a measure of campaign effectiveness after six months, and
 - continue the campaign if it is found to be effective.
- The Charlotte Mecklenburg Storm Water Advisory Committee recommends the Education Campaign and unanimously endorsed this strategy on September 16, 2004.
- This campaign is one component of a strategic educational plan that includes use of a website, brochures, student activities, educational presentations, public events and volunteer programs.

Media Buying Services Agreement with Turnkey Media Service, LLC

- Provides funding for radio, television, print and billboard advertising for a continuing Water Quality Education Campaign
- The campaign is jointly funded with Mecklenburg County. The County's \$70,000 share makes the net cost to the City \$163,000.
- Utilizing a media buyer is the most efficient way to place advertising
 - Expertise with purchasing time and space
 - Multiple client base can be combined to achieve bulk rates

Public Education: A Water Quality Best Management Practice

- Preventing water pollution is a much more effective and less costly alternative to treating water after pollutants are present.
- Federal Clean Water Act requirements dictate public education activities. If successful, public efforts to control sources of pollutants will help avoid costly, structural storm water treatment practices.
- Effort is coordinated with City Corporate Communications and Charlotte-Mecklenburg Utilities so education efforts do not overlap, but are complimentary.
- The campaign raises awareness of:
 - Storm water and the storm drainage system
 - The effect of yard/home activities on water quality
 - Opportunities to act (volunteer, reporting pollution, etc.)
 - Water supply watershed protection

Small Business Opportunity

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because there were no SBE firms certified in areas where subcontracting is anticipated. Turnkey Media Service, LLC is a certified SBE firm.

Funding

Storm Water Operating Budget and Mecklenburg County Water Quality Program

29. North Tryon Street Widening and Business Corridor

Action: Approve Change Order #1 with Sealand Contractors for \$563,937.15 for the North Tryon Street Widening Project.

Staff Resource: Dieter Crago, Engineering & Property Management

Change Order #1 with Sealand Contractors

Provides funding for work needed to complete the project:

- Additional work includes existing waterline rehabilitation and replacement done at the request of Charlotte Mecklenburg Utility (CMU).
- Planting mix that would have been placed during the landscaping phase.
- The pricing for new items was reasonable, negotiated and approved by CMU and Engineering & Property Management.
- The new project completion schedule is second quarter 2005.

Contract History

- Council awarded the original contract on September 8, 2003 for \$1,546,882.79.
- The original completion date was May 22, 2004; the project has been delayed by the added scope for the CMU work and due to unforeseen utility relocation and utility conflicts.

Small Business Opportunity

Established SBE Goal: 2%

Committed SBE Goal: 3%

Sealand Contractors has committed 3% (\$18,806.46) of this change order amount to a certified SBE: H & H Hauling.

Funding

Transportation Capital Investment Plan and Water Capital Investment Plan

30. Storm Water Revenue Bonds

Action:

A. Adopt a bond order that provides for the issuance of up to \$70,000,000 of Storm Water Fee Revenue Bonds for the purpose of funding projects approved in the FY2005 and prior Capital Investment Plans, issuance expense and reserves, and

B. Approve a resolution authorizing the approval, execution and delivery of various documents in connection with the sale of Storm Water Fee Revenue Bonds, Series 2004.

Staff Resource: Greg Gaskins, Finance

Explanation

- On September 27, 2004, Council approved a resolution authorizing staff to take the necessary action to complete the bond sale. This action was the first of two required to initiate the bond sale.
- This second action approves the bond order and bond resolution which are legal documents that Council is required to approve before the City can sell bonds.

Funding

Storm Water Fees

Attachment 38

Resolution

Bond Order

31. Storm Water Maintenance FY2004-B

Action: Approve Renewal #1 for \$1,035,325 with Blythe Development Company for continued construction of FY2001-B Storm Water Maintenance Package.

Staff Resource: Bill Pruitt, Engineering & Property Management

Renewal #1 with Blythe Development Company

- Storm Water Services will continue regular maintenance activities under this contract based on good contractor performance utilizing existing unit prices.
- The original contract document allows for renewals of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship.
- The total contract amount for FY2004-B is \$2,070,650.
- Council approved the original contract for \$1,035,325 on November 3, 2003.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6%

Blythe Development committed 6% (\$62,120) of the total contract renewal amount with the following certified SBE: R. C. Hauling. This renewal complies with Section 13.1 of the SBO Program.

Funding

Storm Water Capital Investment Plan

32. Police Background Investigations

Action: **A. Approve a contract with ASET Corporation for providing background investigation services to Police in the estimated annual amount of \$117,000 for a term of three years, and**

B. Authorize the City Manager to exercise the option to renew the contract for two additional one year terms.

Staff Resources: Captain Glen Lucas, Police
 John Trunk, Business Support Systems

Explanation

- CMPD carefully screens all applicants for officer and civilian employment by conducting a lengthy background investigation to ensure the most qualified people are hired.
- Interviews include references and prior employer representatives.
- Any derogatory information obtained during an interview must be fully developed as to whether it is from personal knowledge or rumor and if factual records can substantiate the information.
- Approximately 170 background investigations are conducted annually at the average cost of \$688.24.
- Three proposals were received.
- A team consisting of CMPD Officers and Business Manager and Procurement Services staff evaluated the proposals based on the firm's qualifications, experience, and approach and cost effectiveness.
- ASET Corporation currently provides background investigation services to CMPD.
- ASET is recommended based on the depth and quality of their response that exceeds the stated requirements and the excellent service they have provided since 1999.

Small Business Opportunity

The SBO Program Manager waives SBE utilization goals for this contract. This project did not provide any opportunity for SBE subcontractor utilization.

Funding

Police Operating Budget

33. Traffic Tape and Reflective Sheeting Materials

- Action:**
- A. Approve the purchase of Traffic Tape and Reflective Sheeting Materials without competitive bidding, as authorized by the sole source exception of G.S. 143-129(f), and**
 - B. Approve a requirements contract for the purchase of street marking materials and related commodities to 3M, Inc in the estimated annual amount of \$280,000 for a term of three years.**

Staff Resource: Lawrence McKnabb, Transportation

Sole Source Exception

- 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.
- 3M is the recommended vendor based on item 2 above.
- The governing board must approve purchases made under the sole source exception.

Explanation

- At no cost to the City of Charlotte, 3M provides the equipment (Squeeze Roll Applicator) used to apply reflective sheeting onto aluminum sign blanks for the production of Traffic Control Signing.
- A Highway Tape Applicator is also provided at no cost for the installation of Traffic Tape.
- 3M maintains both pieces of equipment with unlimited technical support for materials and equipment.
- Staff determined 3M to be the best source of Traffic Tap and Reflective Sheeting for the following reasons:
 - 3M offer a 4 year warranty while competitors offer a 16 month warranty.
 - The beads in 3M Tapes are harder and have a higher crush strength than standard beads which results in superior durability and improved reflectivity.
 - 3M uses aggressive pressure sensitive adhesive, eliminating the need for a surface preparation primer, which reduces installation costs.
 - 3M Tape provides faster wet recovery than flat pavement materials.
 - 3M's Reflective Sheeting matches existing component systems which insures that materials have been designed to work together insuring signs are backed by a full replacement performance warranty.
 - 3M's Sheeting warranty have a retention rate of 80% for the first 7 years and 70% for the following 5 years, while competitors offer 70% the first 7 years and 50% for the following 3 years.
- The 3M equipment requires 3M brand Reflective Sheeting and Traffic Tape that can only be purchased directly from 3M.
- A unit price contract will be established for one year with two, one-year options for renewal in order to accommodate future purchases.

- The Company shall be responsible for furnishing and delivering approved price lists and most current catalogs to the City annually.

Small Business Opportunity

The Small Business Development Program Manager waived the SBE goal for this project. In order to establish a goal for the project, there must be SBE firms certified in the City's Vendor Management System to perform the subcontracting opportunities identified for the project. There were no SBE firms certified to perform on this project.

Funding

Transportation Operating Budget

34. Towing Services for City Vehicles

- Action:**
- A. Award a three-year contract with two, one-year extensions to Southern Star of Charlotte, North Carolina, in the amount of \$124,875 for the towing of City owned construction equipment, i.e., backhoes, loaders, track-hoes, excavators, paving rollers, paving machines, dozers, tractors, motor graders, and trailers, and**
 - B. Award a three-year contract with two, one-year extensions to Dellinger Wrecker Service of Charlotte, North Carolina in the amount of \$1,903,770 for towing light vehicles, medium duty vehicles and heavy trucks.**

Staff Resource: Ed Sizer, Business Support Services

Explanation

- A committee with representation from various city departments utilizing towing services conducted a request for proposal process for four categories of towing services: light vehicles, medium duty vehicles, heavy trucks, and construction equipment.
- This opportunity was published in the SBE newsletter and on the city website and state purchasing website.
- Three companies submitted proposals for towing services in all categories requested.
- Following interviews and site visits; staff determined that all three companies were equipped to perform towing and recovery requests in various categories, but only two companies could provide the services while offering the lowest pricing.

Recommendation

- The committee recommends that the firm submitting the lowest cost proposal for construction equipment towing, Southern Star, Inc., be awarded the contract for that category.

- The committee determined that Dellinger Wrecker Service was the best-qualified company to provide towing services for light vehicles and heavy trucks by having the experience, equipment and capacity for these categories. Furthermore, Dellinger offered the lowest pricing for the light vehicles and matched the pricing of the only other company capable of towing the medium duty vehicles, Bradley Wrecker Service. Bradley declined to lower the pricing for medium duty beyond the original offering. Therefore, Dellinger is recommended to be awarded the towing for the medium duty vehicle category.

Small Business Opportunity

There are no SBE certified towing companies.

Funding

Equipment Management Operating Budget

35. Homeland Security Grant

- Action:**
- A. Enter into a grant agreement with the North Carolina Division of Emergency Management (NCEM), on behalf of the U. S. Department of Homeland Security, in the amount of \$1,344,521 to assist in preparing for response to terrorism-related events, and**
 - B. Adopt a budget ordinance appropriating \$1,344,521 in U. S. Department of Homeland Security funds for preparedness and mitigation enhancements in response to hazardous materials incidents related to terrorist activity.**

Staff Resource: Wayne Broome, Fire

Explanation

- The Department of Homeland Security (DHS), through the Office of Domestic Preparedness, created the FY2004 State Homeland Security Grant Program.
- The spending plan for the \$1,344,521 was approved by the state and federal government.
- The spending plan includes purchasing hazardous materials related equipment, conducting exercises, and conducting training for chemical, biological, radiological, nuclear and explosive terrorism events.
- In North Carolina, the North Carolina Division of Emergency Management (NCDEM) administers this program for the U. S. Department of Homeland Security.

Funding

U. S. Department of Homeland Security

Attachment 39

Budget Ordinance

36. Briar Creek Pump Station at Sugar Creek Wastewater Treatment Plant Project – Engineering Services Contract

Action: Approve a Professional Services Contract for \$3,416,632 with Camp Dresser and McKee for engineering services for the Briar Creek Pump Station at the Sugar Creek Wastewater Treatment Plant Project.

Staff Resource: Doug Bean, Utilities

Explanation

- This contract provides for engineering design services for a new pump station at the Sugar Creek Wastewater Treatment Plant.
- Camp Dresser and McKee was selected for the Briar Creek Pump Station/Relief Sewer Project in 1999 using City Council's Approved Selection Process.
- The pump station will handle increased wet weather flows at the plant from the Briar Creek Relief Sewer.
- This project is part of the City's commitment to the EPA to reduce Sanitary Sewer Overflows (SSO's) and cannot be delayed without risking fines or other sanctions from the Environmental Protection Agency.

Small Business Opportunity

This contract was awarded prior to the inception of the Small Business Program. All additional work involved in this contract will be performed by the current consultant and subconsultant team originally established at time of selection. Therefore, this contract complies with Section 10.3 of the SBO Program.

Funding

Sewer Capital Investment Plan

37. Amendment #5 to the Cabarrus County Water and Sewer Agreement

Action: Approve Amendment #5 to the Water and Sewer Association of Cabarrus County (WSACC) Regional Wastewater Treatment Agreement for wastewater treatment service to the Fuda Creek basin within Mecklenburg County.

Staff Resource: Doug Bean, Utilities

Explanation

- Amendment #5 provides the terms and conditions for the construction of necessary sewer trunks in Mecklenburg and Cabarrus Counties to serve the Fuda Creek Basin in eastern Mecklenburg County.
- WSACC to construct all trunk sewer lines in Cabarrus County to serve Fuda Creek drainage basin.

- Portion of this basin lies within eastern Mecklenburg County, near Caldwell Road.
- Charlotte-Mecklenburg Utilities will reimburse a share of the cost based on the area to be served in Mecklenburg County.
- Original Agreement approved by Council December 1995.
- Provided wastewater treatment services to serve northeastern Mecklenburg County.
- Amendments 1, 2, 3, and 4 provided additional trunk sewer lines in other basins in the eastern portion of the county.

Funding

Sewer Capital Investment Plan

38. Arrowood Road Water Main Construction

Action:

A. Adopt a budget ordinance appropriating \$1,500,000 from Utility Revenue Bonds to South Corridor Infrastructure Program (SCIP), and

B. Approve the low bid of \$1,705,793.25 by State Utility Contractors, Inc. of Monroe, North Carolina for construction of 24, 12, & 8-inch water mains along Arrowood Road from Kings Creek Drive to Starbrook Drive and abandonment of existing 24-inch water main along Old Pineville Road.

Staff Resource: Doug Bean, Utilities

Budget Ordinance

- The sudden upsurge in steel and petroleum costs, coupled with the requirement for work to be performed at night, resulted in higher bids than anticipated.

Explanation

- This system improvement was identified as a 2006 Priority Water Project associated with the South Corridor Infrastructure Program (SCIP) and the Light Rail Transit (LRT) project. This project is coordinated with the Charlotte Area Transit System roadbed and bridges construction.

Small Business Opportunity

Established SBE Goal: 5.00 %

Committed SBE Goal: 1.97 %

State Utility Contractors, Inc. committed \$33,580.00 to the following SBE firms:
Boyle Consulting Engineers and Fernandez Construction Corp.

Funding

Water Capital Investment Plan

Attachment 40
Budget Ordinance

39. GIS Foundation Project, System Design

Action: Approve a contract for the GIS (Geographic Information System) Foundation Project, system design phase in the amount of \$617,283.20 with the GFP (GIS Foundation Partnership) for professional services related to the assessment of current business processes and the design of business process improvements to support the use of GIS and its' maintenance.

Staff Resource: Doug Bean, Utilities

Explanation

- One of Charlotte-Mecklenburg Utilities' performance objectives is to establish a GIS (Geographic Information System) comprised of data that represent key features of the water and wastewater system, with the tools to create, store, edit, and maintain the data.
- The GIS Foundation Project was created to deliver two components of the GIS: system data and business processes to maintain it.
- This contract provides funding to define acceptable data standards and to analyze current business processes to identify how work processes must change to support maintenance of the GIS.
- The project results in a work plan to convert current system data to the GIS that includes data standards and business processes necessary to support it.
- Benefits of the project include:
 - improved quality of service and operating efficiency within the Key Business Unit by integrating GIS within its' business processes
 - optimized business processes within the Utilities Engineering Division
 - timely access to current and accurate geographic and utility infrastructure data
 - contribution to the City and County enterprise GIS programs by providing data that will help facilitate information sharing between other City and County departments, citizens, developers, regional partners and other government agencies to the extent allowable
 - fulfillment of the Charlotte-Mecklenburg Utilities Business Plan / Balanced Scorecard objective to "develop the use of GIS as a core competency."

Small Business Opportunity

All work involved in this Contract will be performed by the GFP. Therefore, per Section 10.3 of the Small Business Opportunity Program, no SBE goals are required.

Funding

Water and Sewer Capital Investment Plan

40. Airport Janitorial Services Change Order

Action: Approve up to a three-month contract extension in the amount of \$650,000 for One Source Facility Services, Inc. to provide Janitorial Services in the airport passenger terminal.

Staff Resource: Jerry Orr, Aviation

Explanation

- On October 1, 1999, Council approved a service contract with OneSource Facility Services, Inc. to provide janitorial services at the Airport.
- This was a three-year contract with two, one-year extensions.
- All of the contract and extensions will expire on October 31, 2004.
- The present contract is a labor only contract. The contractor supplies manpower and the Airport is responsible for materials and equipment.
- The Airport plans to modify the scope of its future janitorial services contract to an all-inclusive contract. The Airport is in the process of bidding the contract at this time.
- This extension will allow the time needed by the new contractor to recruit personnel and purchase necessary equipment for the contract.

Small Business Opportunity

This project was initially awarded in October 1999. The work was performed by the service provider. Performance by the prime contractor for this change in the scope of work complies with Section 10.3 of the SBO Program.

Funding

Airport Operating Fund

41. Airport Fixed Base Operator Management Agreement

Action: Approve a five-year management agreement with Wilson Air Center–North Carolina, LLC as the Fixed Base Operator (FBO) Services Manager to provide general aviation services at Charlotte Douglas International Airport.

Staff Resource: Jerry Orr, Aviation

Explanation:

- This contract will implement the terms of the proposal submitted by Wilson on June 17, 2004 to provide FBO services at general aviation facilities at the Airport.
- Under the contract, a Management Agreement, Wilson will provide the staffing and expertise to provide FBO Services to aircraft operators at the Airport.

- Wilson will receive an annual management fee of \$250,000 for its services, plus an incentive fee of 5% of the surplus revenues generated for the City from its operations.

Background

- The City had a 20 year lease with Signature Flight Support for FBO Services at the Airport that expired June 30, 2004.
- In March, 2004 the Aviation Director advertised Requests for Proposals from qualified and experienced FBOs to provide FBO Services at the Airport pursuant to a Management Contract rather than a lease.
- On June 17, 2004 the Airport received 12 proposals to provide the FBO Services. The Airport Advisory Committee unanimously approved the selection of Wilson.
- On August 23, 2004 Council approved the selection of Wilson pending the negotiation of the Management Agreement. The Aviation Director and Wilson have come to agreement on terms.

Small Business Opportunity

Established SBE Goal: 0%

Committed SBE Goal: 0%

It has been determined that SBE goals do not apply to this contract.

42. Airport Concourse E Ramp Paving

Action: Award a contract to Rea Contracting LLC of Charlotte, North Carolina in the amount of \$5,904,267.78 for additional concrete and asphalt paving of Ramp E.

Staff Resource: Jerry Orr, Aviation

Explanation

- In February 2002, the Airport opened Concourse E.
- The 26-gate concourse was designed for and is used by regional aircraft.
- The airport designated 32 parking positions for those 26 gates when the concourse opened.
- On March 22, 2004, Council awarded a contract for site development for the Concourse E expansion.
- This contract will provide paving and fueling system installation.
- Council accepted a Federal Aviation Administration grant in September 2003 to provide 75% of funding for this project. Council also approved a budget ordinance providing the remaining funding to be provided from the proceeds of 2004 General Airport Revenue Bonds.

Disadvantaged Business Enterprise

Established DBE Goal: 10%

Committed DBE Goal: 10%

Funding

Airport Capital Investment Plan

43. Lease for Telecommunications Antenna Site

Action: Approve lease agreement with Susquehanna Radio Corporation to lease antenna space on the City's 911 Communication Tower located in Matthews, North Carolina.

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

Lease Agreement with Susquehanna Radio Corporation

- Susquehanna Radio Corporation has requested tower space on the City's 911 Communication Tower to serve a local radio market (WABZ- FM)
- The City's Radio Shop has approved the Site Plan for the City tower located within the buffer area of the Martin Marietta Rock Quarry
- Martin Marietta approved locating the tower on quarry property with the stipulation that the City will split any revenues from leases on the tower
- Terms of the lease are as follows:
 - Initial monthly revenue \$1,800 (\$900/month for each party)
 - 10-year lease with 3% annual increases and three, five-year options to renew
 - One-time payment from Susquehanna Radio of \$20,000 (wholly retained by the City to offset the cost of constructing the existing tower)

History

- A citizen, Bill Clay, contacted staff with the concern that WNCW's programming would be preempted by WABZ/Susquehanna Radio.
- Staff received a joint letter from WNCW and WABZ stating that they are working on a plan to enable WABZ to locate its antenna on the City's tower in Matthews while still keeping WNCW on the air. The letter is attached.

Attachment 41

Letter from WNCW and WABZ/Susquehanna Radio

44. Property Transactions

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

For property transactions E & M the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/improvements with certain attributes. Property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation and Federal Transit Administration reimbursement.

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

Acquisitions

- A. Project:** South Corridor Infrastructure Project: South Boulevard (North of Hartford Avenue to Freeland Lane), Parcel # 2
Owner(s): Four Thousand Twenty MC, LLC
Property Address: 4020 Old Pineville Road
Property to be acquired: 1,803 sq. ft. (.041 ac.) in Utility Easement, plus 1,889 sq. ft. (.043 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$10,400
Remarks: This acquisition is required for the above project. Compensation was established by independent, certified appraisals in the area.
Zoned: I-2
Use: Industrial
Tax Code: 149-024-16
Total Parcel Tax Value: \$477,200
- B. Project:** South Corridor Infrastructure Project: South Boulevard (North of Hartford Avenue to Freeland Lane), Parcel # 5
Owner(s): John E. Chapman, Jr. and Wife, Mary F. Chapman
Property Address: 113 Freeland Lane
Property to be acquired: 7,986 sq. ft. (.183 ac.) in Utility Easement, plus 2,219 sq. ft. (.051 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$10,000

Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: I-2

Use: Industrial

Tax Code: 149-024-11

Total Parcel Tax Value: \$1,358,300

- C. **Project:** South Corridor Infrastructure Project: South Boulevard (North of Hartford Avenue to Freeland Lane), Parcel # 7
Owner(s): MSSC, LLC
Property Address: 3400 South Boulevard
Property to be acquired: 3,820 sq. ft. (.088 ac.) in Utility Easement, plus 3,713 sq. ft. (.085 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$10,563
Remarks: This acquisition is required for the above project. Compensation was established by independent, certified appraisals in the area.
Zoned: I-2
Use: Industrial
Tax Code: 147-021-34
Total Parcel Tax Value: \$703,500
- D. **Project:** CATS Park and Ride, Parcel #1
Owner(s): LNR Westbrook Business Center, Inc.
Property Address: J.N. Pease Place
Property to be acquired: 130,680 sq. ft. (3.000 ac.) in Fee Simple
Improvements: The site will accommodate a parking lot with buffering and landscaping per code requirements. Design has not been initiated, however, we do not anticipate any permanent structures placed on the property.
Landscaping: None
Purchase Price: \$570,000
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: 0-1
Use: Laboratory / Research
Tax Code: 047-131-07
Total Parcel Tax Value: \$2,677,400
- E. **Project:** South Corridor Light Rail, Parcel # 315
Owner(s): Gaines E. Brown, Jr.
Property Address: 1507 Camden Road
Property to be acquired: 11,465 sq. ft. (.263 ac.) in Fee Simple,

Improvements: One-story commercial building.
Landscaping: None
Purchase Price: \$725,000
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: I-2
Use: Commercial
Tax Code: 123-041-10
Total Parcel Tax Value: \$255,500

- F. **Project:** Johnson/Lancaster Water Main, Parcel #1, 2 & 3a
Owner(s): YFP, LLC and the Dexter & Bertie Yager Family, LP
 And Any Other Parties Of Interest
Property Address: 15640 Lancaster Highway
Property to be acquired: Total Combined Area of 32,096 sq. ft. (.736 ac.) of Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$16,575
Remarks: This acquisition is required for the above project. 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: MX-2
Use: Rural Home site
Tax Code: 223-031-12/223-031-14/223-031-45
Total Parcel Tax Value: \$453,100/\$351,500/\$415,100

Condemnations

- G. **Project:** Historic North Charlotte Neighborhood Improvement Project, Parcel #54
Owner(s): Edward G. Laycox And Any Other Parties Of Interest
Property Address: 609 Charles Avenue
Property to be acquired: Total Combined Area of 3,711 sq. ft. (.085 ac.) of Storm Drainage Easement
Improvements: None
Landscaping: None
Purchase Price: \$3,800
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-5
Use: Single Family Residential
Tax Code: 083-073-03
Total Parcel Tax Value: \$114,700

- H. Project:** Historic North Charlotte Neighborhood Improvement Project, Parcel #56
Owner(s): Mildred K. Roberts and Any Other Parties of Interest
Property Address: 621 Charles Avenue
Property to be acquired: Total Combined Area of 4,276 sq. ft. (.098 ac.) of Storm Drainage Easement, plus Temporary Construction Easement
Improvements: Trees
Landscaping: None
Purchase Price: \$2,200
Remarks: This acquisition is required for the above project. 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: R5
Use: Single Family Residential-Common
Tax Code: 083-073-05
Total Parcel Tax Value: \$112,700
- I. Project:** Rea Road Sidewalk, Parcel # 9
Owner(s): Colony Road Partners, LLC and Any Other Parties of Interest
Property Address: Rea Road
Property to be acquired: Total Combined Area of 2,705 sq. ft. (.062 ac.) of Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$1,850
Remarks: This acquisition is required for the above project. 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 - Common
Tax Code: 211-243-56
Total Parcel Tax Value: \$0
- J. Project:** Rutledge/Kingscross Storm Water Capital Improvement Project, Parcel # 2
Owner(s): J. Carlton Showalter, Jr. and Wife, Jane V. Showalter and Any Other Parties of Interest
Property Address: 1510 Meadowood Lane
Property to be acquired: Total Combined Area of 3,610 sq. ft. (.083 ac.) of Access Easement
Improvements: None
Landscaping: None
Purchase Price: \$4,525
Remarks: This acquisition is required for the above project.

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: 185-082-27

Total Parcel Tax Value: \$1,412,300

- K. Project:** Rutledge/Kingscross Storm Water Capital Improvement Project, Parcel # 40

Owner(s): A. D. Construction, Inc. And Any Other Parties Of Interest

Property Address: 319 South Sharon Amity Road

Property to be acquired: Total Combined Area of 4,739 sq. ft. (.109 ac.) of Storm Drainage Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$18,925

Remarks: This acquisition is required for the above project. 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: Single Family Residential

Tax Code: 185-021-06

Total Parcel Tax Value: \$79,700

- L. Project:** Rutledge/Kingscross Storm Water Capital Improvement Project, Parcel # 45

Owner(s): T. R. Lawing, Sr. and Wife, Catherine H. Lawing and Any Other Parties of Interest

Property Address: 1530 Meadowood Lane

Property to be acquired: Total Combined Area of 3,998 sq. ft. (.092 ac.) of Access Easement

Improvements: None

Landscaping: None

Purchase Price: \$2,650

Remarks: This acquisition is required for the above project. 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: 185-082-26

Total Parcel Tax Value: \$203,500

- M. Project:** South Corridor Light Rail, Parcel # 145
Owner(s): BMJ of Charlotte, LLC and Any Other Parties of Interest
Property Address: 704 East Hebron Street
Property to be acquired: Total Combined Area of 8,232 sq. ft. (.189 ac.) of Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$7,125
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-2
Use: Industrial
Tax Code: 205-164-04
Total Parcel Tax Value: \$2,577,800

45. Meeting Minutes

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

- September 7, 2004 Workshop
- September 20, 2004 Zoning