

Mayor Patrick L. McCrory **Mayor Pro Tem Susan Burgess**

Michael Barnes

John W. Lassiter

Nancy Carter

Don Lochman

Andy Dulin

James Mitchell, Jr.

Anthony Foxx

Patrick Mumford

Patsy Kinsey

Warren F. Turner

CITY COUNCIL MEETING

Monday, October 23, 2006

CITY COUNCIL AGENDA

Monday, October 23, 2006

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Alternative Revenues Report

Resources: Greg Gaskins, Finance
Ruffin Hall, Budget & Evaluation

Time: 20 minutes

Synopsis

- On June 19th, Council approved the attached Resolution adopting an alternative revenues study and process for Fiscal Year 2007.
- The adopted Resolution directs staff to prepare a report on the six specific alternative revenues in preparation for the North Carolina General Assembly's Long Session, consistent with the approved schedule. The six alternative revenues for study are:
 - Impact Fee
 - Land Transfer tax
 - Payroll tax
 - Rental Car tax
 - Toll Roads
 - Motor Fuel tax

Direction Requested

- Staff requests direction from Council on next steps related to alternative revenues and the possible preparations for the 2007 Long Session. Options for next steps include but are not limited to:
 - Requesting additional information
 - Beginning the process to develop language on one or more of the alternative revenue sources for the legislative package
 - Discussing these alternative revenue sources with other relevant groups (including but not limited to the Charlotte Chamber, Mecklenburg County and towns)
 - Referring to a Council committee for additional discussion
- As a reminder, Council referred to the Transportation Committee a review of planning, designing and funding state and local roads within Charlotte's jurisdiction. The Transportation Committee is scheduled to begin discussing revenue options in November.
- An Alternative Revenues Report will be included in the Friday, October 20th Council-Manager Memorandum.

Attachment 1

June 19th Resolution on Alternative Revenues and Process

2. Public Safety Issues in Charlotte Hotels/Motels

Staff Resources: Captain Diego Anselmo, Charlotte-Mecklenburg Police
Walter Abernethy, Neighborhood Development

Time: 20 minutes

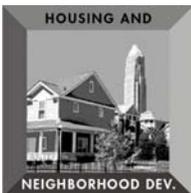
Synopsis

- This presentation will focus on issues that CMPD and Code Enforcement face in dealing with problem hotels/motels in Charlotte. Topics will include:
 - Criminal activity at local hotels
 - Code enforcement issues
 - Problem solving challenges
 - Current initiatives
 - Gaps in current ordinance and legislation

Future Action

- Request referral to the Community Safety Committee for discussion of a possible City ordinance or other legislative authority to address crime and quality of life issues associated with hotels.

3. Housing Trust Fund Reallocation



Committee Chair: Susan Burgess

Staff Resource: Stan Wilson, Neighborhood Development

Time: 15 minutes

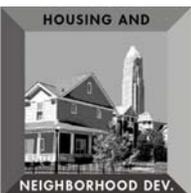
Synopsis

- This presentation covers the Housing and Neighborhood Development Committee's recommendation to reallocate \$5,021,679 to fund the development of Multi-Family Rental and Special Needs housing through the City's Housing Trust Fund.

Future Action

- This item is on page 7 of this agenda.

4. Charlotte Neighborhood Fund



Committee Chair: Susan Burgess

Staff Resource: Stanley Watkins, Neighborhood Development

Time: 15 minutes

Synopsis

- The Charlotte Neighborhood Fund was created in 1996 to provide operating support and project development assistance to six local Community Development Corporations (CDCs) – Belmont, City West (formerly Reid Park), Grier Heights, Lakewood, Northwest and Wilmore.
- On September 26, 2006 City Council’s Housing and Neighborhood Development Committee discussed options for the future of the Charlotte Neighborhood Fund (CNF).
- Possible future options are:
 - Option 1 – Continue the CNF Program and search for a new intermediary
 - Option 2 – Continue the CNF Program with Management by City staff
 - Option 3 – Continue the CNF Program and research a new business model
 - Option 4 – Discontinue the CNF Program
- The Committee received a presentation and information regarding the CNF’s past performance, additional background on the CNF and the current status of the CDCs.

Future Action

- The Housing and Neighborhood Development Committee recommends Option 3, continuing the CNF under the direction of City staff and directing staff to research a new business model. This item is on page 9 of this agenda.

5. Committee Reports by Exception

Community Safety Committee: Pawn Shop Ordinance

Transportation Committee: Multi-Way Stop Sign Policy Revisions

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

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

CONSENT

- 6. Consent agenda items 25 through 47 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.**

ZONING

7. Zoning Decisions

This place is held for any unresolved zoning petitions on the October 18th Zoning Agenda.

POLICY

8. City Manager's Report

9. Pawn Shop Ordinance



Action: Approve the Community Safety Committee's recommendation to adopt an ordinance, amending Chapter 15 of the Charlotte City Code entitled "Offenses and Miscellaneous Provisions", to require that pawn shops take a fingerprint from anyone pawning property.

Committee Chair: Warren Turner

Staff Resources: Sergeant Jim Wilson, Charlotte-Mecklenburg Police
Linda Fox, Charlotte-Mecklenburg Police

Explanation

- In 2005, Charlotte had 12,783 reported residential and commercial burglaries and 26,708 larcenies.
- Some of the property taken in those burglaries and larcenies is frequently pawned at local pawn shops.
- CMPD is seeking a more effective way of identifying individuals who have pawned stolen property so that they may be arrested and successfully prosecuted.
- CMPD proposes an ordinance that would require pawn shops to take a fingerprint from any individual pawning property.
- The fingerprints would be placed on pawn tickets that by state law must be collected by CMPD.
- If a piece of stolen property is identified in the pawn shop data base, the print on the pawn ticket would be used to positively identify the individual who pawned it and in the subsequent prosecution.
- Positive identification of individuals pawning stolen property will help CMPD clear and prosecute additional burglary and larceny cases.
- Violation of the ordinance would result in an arrest or citation with a maximum \$500 fine or 30 days in jail.
- Similar ordinances are in place in the state of California; Columbia, South Carolina and two cities in Tennessee.
- The Ordinance would be effective January 1, 2007 and would be reviewed after one year.

Committee Discussion

- The Community Safety Committee discussed the ordinance at its August 24 and September 28 meetings.
- The Committee discussion centered on how the prints would be used and whether other law enforcement agencies would have access to the pawn tickets.

- Several representatives of the pawn shop industry addressed the Committee expressing concern for the privacy of their customers.
- The Committee voted 5-0 to recommend the ordinance to the full Council for approval (Council members Turner, Kinsey, Dulin, Foxx and Mitchell).

Funding

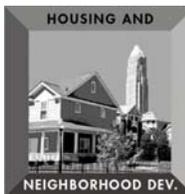
The only cost associated with implementing the ordinance is fingerprint pads which CMPD will supply to the pawnshops (Police Operating Budget). The pads are approximately \$1.50 each and are good for 500 print impressions.

Attachment 2

Ordinance

PowerPoint presentation on proposed ordinance

10. Housing Trust Fund Reallocation



Action: Approve the Housing and Neighborhood Development Committee's recommendation to reallocate \$5,021,679 to fund the development of Multi-Family Rental and Special Needs housing through the City's Housing Trust Fund.

Committee Chair: Mayor Pro Tem Susan Burgess

Staff Resource: Stan Wilson, Neighborhood Development

Policy

- On November 26, 2001, City Council established a Housing Trust Fund (HTF) to provide financing for affordable housing as part of an overall housing policy.
- City Council's policy adopted in 2002 calls for developing and rehabilitating 4,500 housing units over a five-year period, placing a priority on serving households earning 30% or less of the area median income; and achieving a 1:5 financial leverage ratio over the entire housing financial portfolio, including the HTF.
- On April 8, 2002, City Council established the Housing Trust Fund Advisory Board. One of the Advisory Board charges is to recommend annual funding priorities for the HTF to City Council.

Explanation

- The HTF Advisory Board recommends the reallocation of \$5,021,679 from FY06 to fund the development of multi-family rental and special needs housing through the City's Housing Trust Fund. The reallocation and funding categories recommended by the HTF Advisory Board are:

Reallocation From:		Funding To:	
Homeownership	- \$1,334,030	Multi-Family Rental	- \$4,301,598
Transit Acquisitions	- \$1,500,000	Special Needs Housing	- <u>720,081</u>
Special Needs Housing	- \$1,405,650		
Multi-Family Rental	- \$ 529,263		
Miscellaneous	- \$ <u>252,736</u>		
Total Funds to Reallocate	- \$5,021,679	Total	\$5,021,679

- The HTF Advisory Board recommends the reallocation to:
 - Maximize the opportunity to develop housing units to serve households earning 24% or less (\$16,000 annually or \$7.69 per hour) of area median income
 - Increase the availability of funding for the upcoming housing tax credit round
 - Meet the growing need for special needs housing
 - Provide opportunities to acquire and rehabilitate existing rental units
 - Support City Council’s mixed income housing policy
- In reaching its recommendation, the HTF Advisory Board explored alternative funding scenarios, including:
 - a rental voucher approach
 - an approach concentrating on development of housing serving households earning below 24% of area median income
 - a balanced approach, which is the Board’s recommendation (see attached HTF Reallocation Analysis and Recommendation)
- The funding recommendation will develop approximately 250 affordable units, of which 105 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 (Multi-Family and Special Needs). The proposal package, which includes Loan/Grant Guidelines, Evaluation Criteria, the RFP document and the Application for Funding, will be made available to assist developers in accessing the Housing Trust Fund.

Committee Discussion

- At the September 26, 2006 meeting of the Housing & Neighborhood Development Committee, the Committee discussed the need for housing to serve lower income citizens and the status of the Scaleybark transit station Request for Proposal. The Committee also discussed the challenges of funding housing for families earning 30% or less and the ability of the reallocation to meet the needs of developers that want to acquire and rehabilitate properties using HTF funds.
- The Committee approved the HTF Advisory Board’s recommendation by a vote of 4-0 (Burgess, Foxx, Mumford and Lochman).

Source of Funds

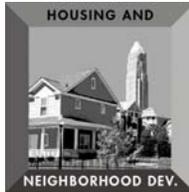
The FY06 funding allocation is funded with 2004 City Housing Bond Funds

Attachment 3

Reallocation Analysis and Recommendation

Background

HAND Committee Presentation

11. Charlotte Neighborhood Fund

Action: Approve the Housing and Neighborhood Development Committee's recommendation to continue the Charlotte Neighborhood Fund (CNF) under the direction of City staff and direct staff to research a new business model for the CNF.

Committee Chair: Mayor Pro Tem Susan Burgess

Staff Resource: Stanley Watkins, Neighborhood Development

Policy

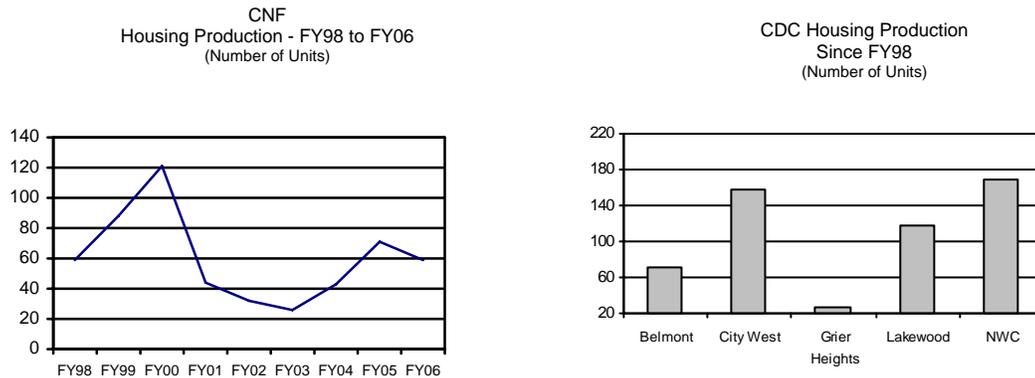
On September 24, 1996, City Council established the Charlotte Neighborhood Fund (CNF) to provide operating support and technical assistance to local Community Development Corporations (CDCs).

Explanation

- The CNF provides operating funds to support five local CDCs – Belmont, CityWest (formerly Reid Park), Friendship, Lakewood, Northwest Corridor.
- These CDCs, which are non-profit corporations, provide housing development, economic development and social services to their respective neighborhoods.
- Collectively, the CDCs achieved 92% of their production goals for FY06.
- The Committee considered four options:
 - Option 1 - Continue the CNF program and search for a new intermediary
 - Option 2 - Continue the CNF program with management by City staff
 - Option 3 - Continue CNF program and research a new business model
 - Option 4 - Discontinue the CNF program
- The Committee selected Option 3, which continues the program under the management of City staff and research alternative business models for the program for future Council consideration.
- The CNF proposed FY07 budget is \$300,000 from the City of Charlotte. The funding will be distributed evenly among the five participating CDC's. City staff will establish benchmarks to be shared with Council and seek donor funds to provide technical assistance.
- Pursuant to the Committee's request, City staff will explore alternative business models for the CDCs and report back to the City Council in January 2007.

Background

- The CNF was created in 1996 by the City Council to provide operating support, capacity building and project development assistance to six local CDCs – Belmont, City West (formerly Reid Park), Grier Heights, Lakewood, Northwest Corridor and Wilmore (discontinued in 2002).
- The CDCs are non-profit organizations that provide housing development, economic development and social services to their respective neighborhoods. They have their own board of directors that hire staff to carry out their corporate mission.
- The CNF current business model is a partnership between the City, local financial and philanthropic institutions and an intermediary. The City and funders provide financial resources while the intermediary provides the technical expertise on project development and organization development.
- Since FY98, the first full year of operation, the CNF has produced 543 housing units – new construction, rehabilitation and acquisition. Below is annual performance data and the contributions of individual CDCs over the nine year period:



- Since FY98, the City has provided \$2.5 million in operating support or \$4,604 per unit of production.
- The program has had two intermediaries since its inception – Enterprise Foundation (FY98–FY02) and the North Carolina Community Development Initiative (FY03–FY06).
- Outside funders such as local banks and philanthropic institutions participated in the program early on, but withdrew financial support as production and interaction with the intermediary waned in 2002.

Committee Discussion

- At the Housing and Neighborhood Development Committee’s September 26, 2006 meeting, discussion focused on the CNF’s production history and contributions of individual CDCs. The Committee discussed extensively how to bring about accountability to the program and develop a performance based system.
- The Committee felt that developing a new business model should be a priority for the program. The business model will also include other community development activities beyond housing production that CDCs participate in. The Committee wanted staff to find out what other cities are doing and report back before the City Council Retreat.

- The Committee voted 4-0 to recommend the Option 3, continue CNF program and research a new business model, to the full Council (Burgess, Foxx, Lochman and Mumford).

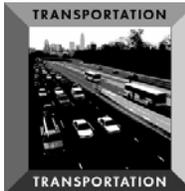
Funding

HOME Funds and Innovative Housing Funds

Attachment 4

September 26, 2006 – Housing and Neighborhood Development Committee Presentation

12. Multi-Way Stop Sign Policy Revisions



Action: Approve the Transportation Committee's recommendation to amend the Multi-way Stop Sign Policy

Committee Chair: Pat Mumford

Staff Resource: Doreen Szymanski, CDOT

Explanation

- City Council referred the multi-way stop sign policy to the Transportation Committee. City Council last revised the policy on multi-way stop use as a traffic calming tool in March 2000. In recent years, there have been a number of neighborhood requests to review volume criteria and revisit the use of three-way stops in neighborhoods.
- The Transportation Committee approved the following:
 - Allow the use of three-way multi-way stops (a practice that was discontinued in 2000)
 - Lower the volume threshold for use of three-way and four-way multi-way stops to 600 vehicles per day (currently 1,000 vehicles)
 - Retain the current practice of removing multi-way stops from streets when speed humps are installed if the street has less than 2500 vehicles a day
 - Permit speed humps and multi-way stops on streets between 1000-2500 vehicles only if a documented speeding problem continues to exist, and the distance between stops is 600 feet or more.

Committee Discussion

- On September 11th, the Transportation Committee voted 5-0 in favor of the changes. Council members Mumford, Turner, Barnes, Burgess, and Carter attended.
- Committee discussed how thresholds were achieved, and the need for consistent application with three-way and four-way stops.

Funding

Transportation Operating Budget

Attachment 5

Proposed and Current Policies

Transportation Committee Summary Minutes

13. Fifth Percent Vehicle Rental Car Tax Allocation

Action: Discuss options for allocating the 5th percent of the increased Vehicle Rental Car Tax.

Staff Resource: Ron Kimble, City Manager's Office

Explanation

- In July 2006, the North Carolina General Assembly approved the authority for Mecklenburg County to enact a Vehicle Rental Tax (VRT) up to 5% for transit.
- On September 19, 2006, the Board of Mecklenburg County Commissioners approved the 5% VRT to become effective December 1, 2006.
- 4% of the 5% VRT allows allocation of monies to fund the capital costs of the Cultural Facilities Plan.
- Charlotte's share of the 5th percent (\$1.4 million annually) can be allocated for any general government purpose.
- Charlotte historically has shared a portion of previous hospitality related taxes with that industry, and the hospitality industry is seeking a portion of the 5th percent of the VRT for such purposes.
- Charlotte has significant transportation needs (primarily roads) which can benefit from application of the 5th percent.
- Options for allocation of the 5th percent include, but are not limited to, those identified in the attached Discussion Paper.

Next Steps

- Once City Council chooses a preferred option, it will be scheduled for Council action (likely to be considered on November 27th).

Attachment 6

Fifth Percent Discussion Paper

Five Percent Car Tax Distribution Analysis

Convention & Visitors Bureau Budget Comparison with Competitive Cities

BUSINESS

14. Transit Capital Funding Appropriations

Actions: A. Adopt a budget ordinance:

1. To appropriate \$3,296,000 for CATS Light Rail Operations Capital Program and transit right of way soft cost,
2. To appropriate \$2,400,000 to the South Corridor Light Rail Project to complete funding for previously approved multi year contract.
3. To amend Budget Ordinance 3350-X for the I-485 Parking Garage Project to adjust source of funds to Certificates of Participation (COPS),
4. To amend Budget Ordinance 2989-X for purchase of Gillig buses to adjust a portion of the source of funds from Transit Fund Balance to Bus Discretionary Grant in the amount of \$2,488,024;
5. To appropriate temporary COPS in the amount of \$11,336,074 to replace fund balance loaned as a source of funding until grant funds are received,

B. Adopt a resolution authorizing the City Manager or her designee to submit and execute grant applications with the Federal Transit Administration (FTA), and

C. Adopt a resolution authorizing CATS CEO or his designee to submit and execute funding agreements with the North Carolina Department of Transportation (NCDOT).

Staff Resources: Ron Tober, Charlotte Area Transit System
Greg Gaskins, Finance

Explanation

- This action appropriates a portion of the Transit Capital Investment Plan (CIP) as follows:
 - appropriates for the South Corridor Light Rail project and other approved transit CIP projects
 - amends source of funds from previous budget ordinances based on recent allocation of grant funds or other funding decisions
 - authorizes the City to apply for and execute any current or future grant allocations
- Funds for the transit capital program are appropriated on an as-needed basis to fund contracts and other capital procurements. The Transit Capital Plan is funded through federal, state and local funds and Certificates of Participation. The City estimates federal and state grant participation levels and advances funding from the transit fund balance to cover estimated grant revenues.

Upon receipt of the grant revenues, funds advanced to the program revert back to the transit fund balance.

- The budget ordinance appropriates funds for the following CATS Capital Investment Plan projects:
 1. \$3,296,000 is appropriated for Light Rail Operations Capital Program and right of way soft costs.
 2. On June 23, 2003, Council awarded a \$ 5,000,000 multiyear contract to STV Inc. \$ 2,400,000 of that contract has been appropriated. This action will appropriate funds up to \$ 5,000,000.
 3. On August 26, 2006, Council approved a \$1,500,000 contract amendment for the South Corridor Light Rail Project parking garage. This action changes the source of funds for this project to COPS. (COPS are short or long term debt which require Council approval but not voter approval. COPS require collateral, usually the item being built or purchased).
 4. On June 14, 2004, Council approved the purchase of transit buses. Since that time CATS received a Bus Discretionary grant allocation to cover the cost of the buses. The Bus Discretionary grant funds will replace funds previously approved for purchase of buses as follows:

FY2006 Discretionary (Section 5309 Funds)	
Federal	\$2,065,060
State	\$199,042
Local	\$223,922
TOTAL	\$2,488,024

- Bus Discretionary will be used to fund transit revenue vehicles. The earmark will fund 83% federal with a match of 8% from NCDOT and 9% through CATS.
- 5. COPS are appropriated in the amount of \$11,336,074 to temporarily replace fund balance loaned until grant funds are received.
- The resolutions authorize submission and execution of the federal and state funding agreements for their participation in transit projects.

Funding

Transit Fund Balance and Certificates of Participation

Attachment 7

Budget Ordinance
Resolution

15. South Corridor Light Rail Project Contract Change Orders and Amendments

- Action:**
- A. Adopt a budget ordinance appropriating \$9,340,000 to the South Corridor Light Rail Project (SCLRP),**
 - B. Approve a contract amendment with Ralph Whitehead Associates (RWA) in the amount of \$1,010,000 for Design Services during Construction,**
 - C. Approve a change order with Archer Western in the amount of \$5,500,000 for Contract 4 (Roadbed, Bridges, and Track),**
 - D. Approve a change order with Archer Western in the amount of \$500,000 for Contract 5 (Station Finishes),**
 - E. Approve a change order with Mass Electric/Aldridge Electric, a Joint Venture (MAJV) in the amount of \$815,500 for Contract 8 (Traction Power), and**
 - F. Approve a change order with Mass Electric/Aldridge Electric, a Joint Venture (MAJV) in the amount of \$1,514,500 for Contract 9 (Train Control and Communications).**

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

Explanation

- In recent South Corridor Light Rail Project updates Council was informed that due to a number of factors the cost of the project would increase. At its meeting on October 2, 2006 Council received information describing the necessity of issuing several change orders required to meet the November 26, 2007 project completion date. The total amount of these change orders, \$9,340,000, is reflected in the estimate at completion of \$462.7 million.

Action A

- A portion of the ½ cent sales tax will be used to pay the debt service costs on the certificates of participation.

Action B

Ralph Whitehead Associates (RWA):

- This contract amendment will allow RWA to continue to perform design and engineering services required during the construction phase of the SCLRP. This service, typical on large construction projects, is required in part to address field conditions not previously known, such as utility location, hazardous materials, rock, subsurface voids and design discrepancies. It is also necessary because of the poor quality of the original design plans which has generated numerous change order requests and Requests for Information

(RFI) from the project contractors. This is a critical step toward the completion of the South Corridor Project by November 26, 2007 and is necessary to avoid new construction delays and increased costs.

- This additional work is being funded in part from the balance remaining against a previous contract awarded to Odell and Associates (\$344,000) whose work is now complete.

Original contract	\$ 631,711
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Amount requested in this action	\$ <u>1,010,000</u>
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This action will bring the total contract amount to:	\$ 1,641,711
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Actions C and D

Archer Western Contractors:

- After extensive negotiations, CATS and Archer Western agreed that all work to be performed by Archer Western for contracts 4 (Roadbed, Bridges & Trackwork) and 5 (Station Finishes) shall be finished by specified completion dates that will allow CATS to achieve our established Revenue Operations Date and that this effort shall be accomplished by A-W for the additional financial consideration of \$6,000,000. The City's negotiated agreement with Archer Western settles all potential costs for delay and acceleration/compression of schedule milestones:

Contract 4 NSRR related delays incurred by Archer Western	\$1,800,000
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Contract 4 Accelerate the pace of work and consequently the completion of this contract to agreed-upon dates that will enable CATS to complete the Project by November 26, 2007	\$3,700,000
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Total Contract 4:	\$5,500,000
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Contract 5 Compression of time between milestones	\$ 500,000
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Total Amendments to Contracts 4 and 5:	\$6,000,000
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Actions E and F

Mass/Aldridge, a Joint Venture:

- The original milestone dates developed by Parsons Transportation Group for Contract 8 (Traction Power) and Contract 9 (Train Control and Communications) did not match the milestone dates they provided for Contracts 4 and 5. To correct this design error, it was necessary to reach an agreement with the Mass/Aldridge Joint Venture to adjust their contract milestone dates to match those of Contracts 4 and 5. The City's negotiated agreement with Mass Aldridge settles all potential costs for delay and acceleration/compression of schedule milestones:

Contract 8	\$ 815,500
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Contract 9	\$ <u>1,514,500</u>
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Total amendments to contracts 8 and 9:	\$ 2,330,000
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Background

<u>Original Contract</u>	<u>Council Approval</u>	<u>Amount</u>
Contract 4	Feb 21 st 2005	\$106,800,000
Contract 5	Nov 28 th 2005	\$ 44,070,218
Trade St. Canopy(5)	June 12 th 2006	\$ 1,250,000
Contract 8	Jan 24 th 2005	\$ 16,944,468
Contract 9	Mar 28 th 2005	\$ 33,593,094

Funding

Transit Capital Investment Plan

Attachment 8

Budget Ordinance

16. Light Rail Vehicle Maintenance Facility Office Upfit and Furniture

- Action:**
- A. Award the negotiated low bid contract of \$998,712 by Ponder and Co. of Lake Wylie, South Carolina for the upfit and interior completion of the Vehicle Maintenance Facility (VMF) office and a 10% contingency of \$99,871,**
 - B. Approve the purchase of office furniture without competitive bidding, as authorized by the cooperative purchasing exemption of G.S. 143-129(e) (3) with Knoll International in the amount of \$144,897.07, and**
 - C. Adopt a budget ordinance appropriating \$1,243,481 from Transit Operating Fund fund balance to the Transit Capital Investment Plan.**

Staff Resource: James Zingale, Charlotte Area Transit System

Office Upfit

- As part of the South Corridor Light Rail Project, a vehicle maintenance facility (VMF) is being constructed to house approximately 100 CATS employees and to serve as the maintenance and control center for light rail operations. The original construction contract was awarded by City Council to Edifice Inc. on December 13, 2004 and did not include the interior finish of the third floor or the procurement of furniture where 50 employees will work.
- The construction of the facility is nearly complete with the exception of approximately 10,000 square feet of the third floor. This project will provide for the construction and completion of all interior surfaces and finishes as well as mechanical and electrical connections, elevator installation, fire protection, safety and security.

- The office upfit is scheduled for completion in April 2007. The time line is critical for consolidation of bus and rail operations, customer service center and training space in preparation for the November 2007 Light Rail service.

Cooperative Purchasing Exemption

- Knoll International has a national contract through US Communities Purchasing cooperative that guarantees their prices to be the lowest offered to any governmental entity.
- The Knoll contract was competitively bid by Fairfax County, VA and awarded by the Fairfax Board of Commissioners on January 17, 2001 and was renewed on January 17, 2004.
- Senate Bill 914, effective January 1, 2002 authorizes the exception to competitive bidding for competitive group purchasing.

Furniture

- The furniture order will be installed by Knoll's Charlotte based representative and distributor, CBI Interiors. The cost of the furniture is \$144,897.07.
- The furniture order includes office desks, chairs, conference and training room tables, cubicles, file cabinets, bookshelves and cabinets for staff that includes rail operations, safety & security and facilities. There will also be rail supervisors, rail controllers, administrative staff, Char-Mecklenburg Police Officers, fare inspectors, training coordinators, quality assurance engineer, bus operations supervisors, customer service supervisor, help desk positions and CATS technology staff.

Small Business Opportunity

Ponder and Co.

Ponder & Co. failed to meet the goal or good faith efforts. Pursuant to SBO Policy Section 8.4.2, the SBO Program Manager has waived the non-compliance for good faith efforts, which is allowed as the proposed SBE utilization of the Prime which is 4% higher than that of the next bidders. Ponder & Co. has committed 4.71% (\$47,000) to the following SBE firm: Burriss Plumbing, Inc.

Knoll, Inc.

Purchase of the furniture is exempt from the Small Business Opportunity Program. Pursuant to Section 2.21 of the Program policy regarding contracts entered into based on a competitive process administered by an entity other than the City. This includes contracts entered into by piggybacking or buying from a competitive bidding group purchasing program, as allowed under G.S. 143 -129 (e)(3).

Funding

Transit Operating Fund fund balance

Attachment 9

Budget Ordinance

17. South Corridor Light Rail Project Legal Claims

- Action:**
- A. Authorize the City Attorney to amend agreement with Hamilton Moon Stephens Steele & Martin PLLC for an amount up to \$100,000 for legal services,**
 - B. Authorize the City Attorney to enter into an agreement with Lemley International to provide consultant services to further evaluate South Corridor Light Rail Project claims in an amount up to \$165,000, and**
 - C. Adopt a budget ordinance appropriating \$265,000 from Transit Certificates of Participation.**

Staff Resources: Mac McCarley, City Attorney's Office
Ron Tober, CATS

Explanation

- In executive session on September 5, 2006, the City Attorney's Office advised Council the City has cause to further evaluate and initiate claims against Parsons Transportation Group (PTG) for negligence, errors, omissions and other failures arising out of their design work on the South Corridor Light Rail Project.
- To fully understand the magnitude of and associated costs incurred as a result of such claims against PTG, the City needs further assistance of outside legal counsel and consultants who are experts and experienced in major construction claims. Outside counsel and engineering consultants will work along with in-house counsel, CATS staff, and Engineering and Property Management staff to further evaluate and identify PTG's design failures, quantify the costs incurred to the City and assist in developing dispute resolution and/or litigation strategies.
- The firm of Hamilton Moon Stephens Steele & Martin PLLC assisted in the recent preliminary evaluation of claims against PTG. In addition to their recent work, the firm is familiar with the project based upon routine work efforts commencing in November 2005 to assist CATS in gauging potential claims. Under signature authority granted to the City Attorney, an initial agreement and one amendment, both not to exceed \$50,000, were executed in November 2005 and October 2006. The upcoming work of the firm is not anticipated to exceed \$100,000.
- The engineering consultant firm, Lemley International, assisted outside legal counsel in conducting a preliminary assessment of the potential project claims. The Lemley staff experience includes work on rail project disputes, as well as costing and scheduling work for Portland, Los Angeles, and the Massachusetts Turnpike Authority. The firm is familiar with the South Corridor project and available immediately to assist in the further evaluation of claims against PTG. The upcoming work of the firm is deemed necessary in preparation of anticipated litigation, and estimated not to exceed \$165,000.

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

Certificates of Participation

Attachment 10

Budget Ordinance

18. Payment for Water and Sewer Projects in State Rights-of-Way

Action: Approve payment of \$8,699,411.07 for Charlotte-Mecklenburg water and sewer projects completed by the State of North Carolina.

Staff Resources: Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- The North Carolina Department of Transportation (NCDOT) works with municipalities to coordinate State highway projects with new water/sewer installations. Charlotte-Mecklenburg Utilities (CMU) works with NCDOT on crossings such as I-485 and Independence Boulevard.
- NCDOT has performed work on behalf of Charlotte-Mecklenburg Utilities in the amount of \$8,699,411.07.
- While CMU concurred that the work was done and done satisfactorily, NCDOT had not provided sufficient documentation to allow payment of the invoices.
- On September 29, 2006, the State of North Carolina distributed the annual Powell Bill (street maintenance) allocation to the City but withheld \$8,699,411.07 for payment of these invoices outstanding from Water/Sewer construction projects completed by NCDOT.
- NCDOT withheld the money without prior notification to the Mayor or City Manager.
- On October 3, 2006, staff from CMU and CDOT met with NCDOT to review all documentation and agreed that the \$8,699,411.07 was accurate and due to NCDOT.
- In this case, NCDOT did not follow contractual procedures necessary to allow CMU to pay these invoices, thereby requiring Council approval.
- Approval of this action will allow CMU to pay these outstanding invoices and will result in the restoration of the full funding for the 2006 Powell Bill payment from NCDOT to the City of Charlotte.
- NCDOT has completed a review of its process and has confirmed by the attached letter that established contracting procedures will be followed in the future.

Funding

Water and Sewer Capital Investment Plan

Attachment 11

Letter from NCDOT

19. Eastway Wrecker Service Lawsuit Appropriation

Action: Adopt a budget ordinance appropriating \$300,000 from General Fund fund balance for outside legal and accounting assistance related to the Eastway Wrecker lawsuit.

Staff Resources: DeWitt McCarley, City Attorney's Office

Explanation

- In March 2002, Eastway Wrecker Service filed a lawsuit against the City in an effort to recover approximately \$2 million in damages relating to a zone wrecker contract that began in 1994 and ended in October 2001.
- The City was successful in having two of the four claims dismissed from the lawsuit, and Eastway appealed to the North Carolina Court of Appeals and then the Supreme Court. The City prevailed on appeal, and the trial on the remaining two issues has been scheduled for February 2007.
- In order to properly prepare for the upcoming trial, outside legal and accounting services have been and continue to be necessary. It is estimated that costs incurred from August 2006 through the trial in February will amount to \$300,000. While the City Attorney's budget includes funding for outside legal services, it provides only for services of a routine nature and/or minor litigation.

Funding

General Fund fund balance

Attachment 12

Budget Ordinance

20. Council Retreats Dates

Action: Approve the following dates for the Mayor and City Council retreats:
A. Monday, December 4, 2006 – One Day Retreat, and
B. Wednesday, January 31, 2007 through Friday, February 2, 2007 – Council Annual Retreat.

Staff Resource: Denise Foreman, City Manager's Office

Explanation

- Each year, the Mayor and City Council conduct two retreats.

One-Day Retreat

- Proposed date: Monday, December 4, 2006 from 12:00 p.m. until 5:00 p.m. The Council Workshop previously scheduled for that evening would be cancelled.
- Proposed location: Mahlon Adams Pavilion at Freedom Park
- Staff will work with the Council Retreat Planning Committee to determine the agenda.

Council Annual Retreat

- Proposed date: Wednesday, January 31, 2007 through Friday, February 2, 2007
- Begin mid-afternoon on Wednesday
- Adjourn mid-day on Friday
- Proposed location: University of North Carolina at Charlotte Conference Facility
- Staff will work with the Council Retreat Planning Committee to determine the agenda.

21. City Attorney Performance Evaluation Date

Action: Approve the date for the City Attorney's performance evaluation to be held on Monday, November 20, 2006 – 3:00 p.m. until 5:00 p.m.

Staff Resource: Tim Mayes, Human Resources

Explanation

- Due to scheduling conflicts, the City Attorney's performance evaluation previously scheduled for August 28, 2006 was cancelled.
- This action would reschedule the City Attorney's performance evaluation for Monday, November 20, 2006 at 3:00 p.m.
- As described in the process that was approved by City Council on May 22, 2006, the City Attorney will be evaluated on Council Policy Support, Legal Affairs Achievements and Performance Standards.

- Lyle Sumek will receive the individual performance comments from the Mayor and Council members and will use the ratings to complete the Performance Evaluation Summary and Matrix.
- Due to a schedule conflict, Mr. Sumek will not be available to facilitate the performance discussion, but will forward the Performance Evaluation Summary and Matrix to the Human Resources Director for distribution to the Mayor and Council.

Attachment 13

City Attorney Performance Evaluation Form
City Attorney Performance Evaluation Matrix

22. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified.

A. TREE ADVISORY COMMISSION

- Two appointments for three year terms beginning December 14, 2006.
 - Richard Roti is not eligible for reappointment.
 - Ronald Shearin is eligible for reappointment, but does not wish to serve another term.

Attachment 14

Applications

B. CHARLOTTE REGIONAL VISITORS AUTHORITY

- One appointment for an unexpired term beginning immediately and ending June 30, 2008 (*Hotel/Convention Category*).
 - Fletcher Mayes resigned.

Attachment 15

Applications

23. Appointments to Boards and Commissions

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

A. BICYCLE ADVISORY COMMITTEE

- Three appointments for three year terms beginning January 1, 2007.
 - William Alford by Council member Mumford
 - Frank Burns by Council member Carter
 - Patrick Crile by Council member Burgess
 - Gregory J. Johnson by Council member Mumford
 - Frank Larsen by Council member Kinsey
 - D.C. Lucchesi by Council members Burgess and Carter

- Eric Sanderson by Council member Dulin

Attachment 16

Applications

B. CHARLOTTE MECKLENBURG DEVELOPMENT CORPORATION

- One appointment for a three year term for an at-large member beginning November 1, 2006.
 - Mary Lou Cagle by Council member Carter
 - Todd Mansfield by Council members Kinsey and Foxx

Attachment 17

Applications

C. COMMUNITY RELATIONS COMMITTEE

- One appointment for an unexpired term beginning immediately and ending June 30, 2007.
 - Caroline Cook Frers by Council member Kinsey
 - George A. Metz by Council member Burgess
 - Yannrick Paraison by Council member Barnes
 - Michael Keith Proctor by Council member Carter

Attachment 18

Applications

D. HOUSING AUTHORITY

- One appointment for a three year term for an at-large representative beginning December 18, 2006.
 - Stephanie Carter by Council member Kinsey
 - Randall F. Eaton by Council member Turner
 - William M. Miller by Council member Dulin
 - Rodney W. Moore by Council members Barnes and Carter
 - Lucille Puckett by Council member Burgess

Attachment 19

Applications

E. PLANNING COMMISSION

- One appointment for an unexpired term beginning immediately and ending June 30, 2007.
 - John Eller by Council member Lassiter
 - Claire G. Fallon by Council member Barnes
 - Zaundra Yolanda Johnson by Council member Turner

Attachment 20

Applications

F. SISTER CITIES COMMITTEE

- One appointment for an unexpired term beginning immediately and ending April 5, 2008.
 - Janet Boone by Council member Barnes
 - Regina Tisdale by Council member Kinsey
 - Gail H. VanDerVeer by Council member Burgess

Attachment 21

Applications

G. WASTE MANAGEMENT ADVISORY COMMITTEE

- One appointment for a three year term beginning November 4, 2006 for recommendation to Board of County Commissioners.
 - Collette Alston by Council member Kinsey

Attachment 22

Applications

24. Closed Session

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

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

25. Various Bids

A. The Plaza Streetscape - James Road to Plott Road EPM

Staff Resource: David Wolf

Action

Award the low bid of \$639,900.51 by Ferebee Corporation of Charlotte, North Carolina. This project includes bike lanes, sidewalk, curb and gutter and related construction along The Plaza between James Road and Plott Road. Street trees will be planted under a separate contract following roadway construction. The project will construct a left-turn lane to serve the Boulder Creek Subdivision. An August 2005 Council-approved Development Agreement, the Boulder Creek developer (Mann Properties, Inc.) contributed \$118,265 to the City for construction of the left-turn lane. Construction of roadway elements is anticipated to be complete by third quarter of 2007. Street trees will be planted by second quarter of 2008.

Small Business Opportunity

SBE Established Goal: 7%

SBE Committed Goal: 7.03%

Ferebee Corporation met the SBE established goal and committed 7.03% (\$44,990.50) to the following SBE firms: ACS Pavement Marking and D's Trucking Service, Inc.

B. South Oak Mall Reconstruction**EPM**

Staff Resource: Todd Thorne

Action

Award the low bid of \$159,354.80 by Camps Construction Company of Matthews, North Carolina. This project includes the demolition of 4,200 square feet of a one-story commercial building and the reconstruction of an end wall to reface the building to accommodate the future extension of Old Pineville Road to Arrowood Road at England Street. Construction completion is scheduled for first quarter of 2007.

Small Business Opportunity

SBE Established Goal: 4%

SBE Committed Goal: 12.66%

Camps Construction Company exceeded the SBE established goal and committed 12.66% (\$20,179) to the following SBE firms: Corner Stone Construction Services, Inc. and Gastonia Iron Works.

C. Sharon Road West Pedestrian Bridge**EPM**

Staff Resource: Joe Frey

Action

Award the low bid of \$2,230,200 by Blythe Construction, Inc. of Charlotte, North Carolina. This project will construct a pedestrian bridge over the railroad and light rail tracks near Sharon Road West. Construction completion is scheduled for fourth quarter of 2007.

Small Business Opportunity

SBE Established Goal: 9%

SBE Committed Goal: 0.12%

Blythe Construction Inc. failed to meet the established goal but exceeded the mandatory outreach and good faith efforts for the contract. They have committed 0.12% (\$2,610) to the following SBE firm: Hazel Holmes Trucking Inc. Another one of Blythe's subcontractors did commit an additional 2.02% (\$45,000) to a SBE firm at the second tier level.

26. Resolution of Intent to Abandon Street and Set Public Hearing for a 10-foot alleyway Located Between Elm Street and N. College Street

Action: A. Adopt the Resolution of Intent to abandon a 10-foot alleyway located between Elm Street and N. College Street, and
B. Set a public hearing for November 27, 2006.

Staff Resource: Linda Poissant, Transportation

Attachment 23

Map
Resolution

27. Resolution of Intent to Abandon Street and Set Public Hearing for Four Alleyways Bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad

Action: A. Adopt the Resolution of Intent to abandon four alleyways bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad, and
B. Set a public hearing for November 27, 2006.

Staff Resource Linda Poissant, Transportation

Attachment 24

Map
Resolution

28. Refund of Property Tax

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$1,308.21.

Staff Resource: Sherry Hite, Finance

Attachment 25

Resolution
List of property tax refunds

29. In Rem Remedy

For In Rem Remedy #A-N, 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. 3020 Parkway Avenue (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)

Complaint:

- B. 407 Lakewood Avenue (Neighborhood Statistical Area 21 – Lakewood Neighborhood)

Field Observation:

- C. 700 East 36th Street (Neighborhood Statistical Area 44 – North Charlotte Neighborhood)
- D. 3946 Barlowe Road (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)

Public Safety:

- A. **3020 Parkway Avenue**

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3020 Parkway Avenue (Neighborhood Statistical Area 18 – Enderly Park Neighborhood).

Attachment 26

- B. **407 Lakewood Avenue**

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 407 Lakewood Avenue (Neighborhood Statistical Area 21 – Lakewood Neighborhood).

Attachment 27

Field Observation:

C. 700 East 36th Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 700 East 36th Street (Neighborhood Statistical Area 21 – North Charlotte Neighborhood).

Attachment 28

D. 3946 Barlowe Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3946 Barlowe Road (Neighborhood Statistical Area 18 – Enderly Park Neighborhood).

Attachment 29

CONSENT II

30. Cultural Facilities Certificates of Participation

Action: Adopt a resolution authorizing the negotiation of an amendment to the installment purchase contract to sell up to \$160 million in Certificates of Participation (COPS) for Cultural Facilities Projects, appoint a financing team, make findings required by the Local Government Commission, set a public hearing and direct the publication of notice for the public hearing.

Staff Resources: Greg Gaskins, Finance
Ron Kimble, City Manager's Office

Explanation

- This is the first action of two that authorizes the City to issue debt instruments for Cultural Facilities projects including short term financing to provide cash flow for ongoing construction of the Mint Museum, Bechtler Art Museum, 1,100 seat Performing Arts Theater, Afro-American Cultural Center and the renovation of Discovery Place. The second action will occur on November 27, 2006 and will authorize the sale of COPS.
- The resolution includes five actions:
 - Authorize the negotiation of an amendment to an existing Installment Purchase Contract to be used in financing Cultural Arts Facilities and application to the Local Government Commission for the sale of up to \$160 million in COPS.
 - Appoint a financing team
 - Make findings required by the Local Government Commission
 - Set a public hearing for November 27, 2006
 - Direct the City Clerk to publish notice of the public hearing

Funding

Economic Development Capital Investment Plan

Attachment 30

Resolution

31. Transit Advertising Services

- Action:**
- A. Approve an agreement for advertising services with Luquire George Andrews, Inc. of Charlotte, NC to support future growth in ridership, the opening of the LYNX Blue line and promote new services and air quality initiatives. This will be a two-year agreement for \$425,000 annually, with the option of three additional one year renewals, and**
 - B. Authorize the City Manager or designee to execute the contract and renewals over a five-year period.**

Staff Resource: Olaf Kinard, Charlotte Area Transit System

Explanation

- The goals of the transit advertising and marketing program are to increase usage of transit and ridesharing services; enhance the image of public transit in the region; and to promote the opening of the LYNX Blue line and bus services feeding the light rail line. The annual increase in ridership target is 5%.
- Marketing effectiveness is evaluated several ways:
 - Sales of passes at employer and general public locations measure the effectiveness of marketing campaigns directed toward employees and businesses. Since 1997 the number of businesses and outlets selling transit passes has increased 753% to over 128 locations, while pass sales have increased 555% to over \$5,900,000 in FY2006.
 - Direct mail campaigns are measured by how well potential customers use the coupons and how much ridership is generated by the campaign. Direct Mail campaigns historically have generated an average ridership increase of between 5 to 10%.
 - Market research from CATS annual survey in FY2006 indicated more people who try transit are continuing to use transit. Customers riding CATS for more than one year have increased to over 64%, a 14% increase since 2002.
- The selected agency will develop marketing and communication strategies; provide creative and design services; and make media purchases designed to achieve these goals.
- Over the next two years, CATS will be opening major new transit facilities and services including the Rosa Parks and Eastland Mall Transit Centers and the Lynx Blue Line and related changes to bus routes to feed the light rail line. Public education on and promotion of these new features of the transit system will be extremely important to their success and to the safety of the public.

Background

- Since 1998, the public transit operation has used contracted services from local advertising agencies to implement a marketing and communications program based on retail and business-to-business marketing strategies.
- Ridership on CATS services has grown 62% since 1998 averaging over 6% each year due in part to the advertising. 1998 was the first full year that a new marketing strategy was implemented focusing on retail and business-to-

business marketing strategies. Prior to 1998, under the previous marketing campaigns ridership only grew ½ percent between 1990 and 1997.

- The firm of Luquire George Andrews was selected pursuant to a competitive Request For Proposal (RFP) procurement process, which was an advertised solicitation.
- There were five responses to the RFP. A technical evaluation committee comprised of CATS' staff evaluated the proposals against the following criteria:
 - Approach and Methodology to implementing the marketing plan and program
 - Account management, creative, production and media placement capabilities and/or staff's history and experience, if any, with governmental accounts
 - Demonstrated understanding of the project's goals and requirements
 - Active client list
 - Agency resources, including the number of people in each department, background information on these people and a list of staff and freelancers who would be assigned to work on the City's account; Current annual billings
 - Price
- The evaluation committee rated Luquire George Andrews, Inc. combined technical and price proposals the highest. As a result of the evaluation of the best and final offers, the proposal submitted by Luquire George Andrews, Inc. was determined to be the best responsive proposal to the RFP.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 5%

Luquire George Andrews has committed 5% (estimated at \$42,500 for the initial two year contract and estimated at \$106,250 for the total term of the contract) to the following SBE firm: Digital Quickcolor, Sir Speedy.

Funding

CATS Operating Fund

32. Lead Hazard Control Program Grant Appropriation

Action: Adopt a budget ordinance appropriating \$2,999,944 for the federal Lead Hazard Control Program Grant.

Staff Resource: Stan Wilson, Neighborhood Development

Policy

- 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

- On September 18, 2006, the City's Neighborhood Development Department received notification from the U.S. Department of Housing and Urban Development (HUD) that it was awarded a \$2,999,944 grant to continue the Lead Hazard Control Program.
- The purpose of the Lead Hazard Control Program is to reduce lead hazards in homes and to provide community outreach.
- Under the new grant, the City will reduce lead paint hazards in 350 low-income homes and will provide community awareness and education, contractor training, continuation of the Lead Safe Charlotte HOTLINE and the screening of children under the age of six for the presence of elevated blood levels.
- The City's revitalization neighborhoods will be prioritized for the program. The City's revitalization neighborhoods are Belmont, Druid Hills, Lakewood, Lincoln Heights, Reid Park, Thomasboro-Hoskins, Washington Heights and Wingate.
- Some of the City's partners in the program includes:
 - The Carolina Panthers
 - Mecklenburg County Health Department
 - LaNoticia Newspaper
 - The Charlotte Observer
 - Adams Outdoor Advertising
 - Childcare Resources
 - Mecklenburg County Department of Social Services
 - Charlotte-Mecklenburg Schools
 - Lowe's Home Improvement
 - The Charlotte Landlord Association
 - Catholic Social Services
- The partners provide such things as in-kind advertising, program promotions, outreach, technical support and program supplies.

Background

- Since 1995, the City of Charlotte has received over \$14 million in funding from HUD. The following represent key program highlights:
 - Lead hazards have been reduced in 1,256 homes.
 - Over 1,700 homes have been inspected/tested for lead hazards.
 - Over 10,000 families have received education regarding the hazards of lead based paint.
 - Over 120,000 pieces of education literature have been distributed throughout the City.

Funding

U.S. Department of Housing and Urban Development

Attachment 31
Budget Ordinance

33. Parking Citation Management Software

- Action:**
- A. Approve a three year contract with T-2 Systems, Inc. for the provision of parking citation management software and peripherals for Charlotte Department of Transportation in an amount not to exceed \$130,000, and**
 - B. Authorize the City Manager to renew the maintenance agreement for four additional one-year terms in the annual amount of \$22,000.**

Staff Resources: Doreen Szymanski, Transportation
Clement Gibson, Transportation

Explanation

- The Park It! program, a public/private partnership between the Charlotte Department of Transportation and Central Parking System Inc. (CPS), began operation in June 1997. The partnership manages approximately 1,000 Center City onstreet parking spaces. The onstreet spaces offer visitors short-term, inexpensive parking while they shop, dine, and conduct business.
- In FY06 Park It! collected \$1.2 million as a direct result of parking enforcement fines. Revenues have increased as demand for metered parking in the Center City has grown. Total program revenue was \$1.9 million in FY06. Parking revenues are not shared with Charlotte-Mecklenburg Schools.
- Park It! has nine onstreet agents fully devoted to enforcement of parking regulations. The agents issue approximately 10,000 citations every quarter.
- The Park It! Program has been using the TicketTrak 7 software system and handheld units by Cardinal Tracking, Inc. since the program's inception in June 1997. This software has reached the end of its useful life and does not meet the current needs of the citation management program.
- The City is no longer able to use this software due to the following conditions:
 - The City is unable to upgrade the current system because Cardinal is no longer providing updates and patches to the software;
 - Parts for the handheld units are not readily available; and
 - Maintenance costs are prohibitive since the current product is no longer being produced.

Selection Process and Recommendation

- CDOT evaluated three citation management systems. FastTrack by Complus Data Innovations, Inc., TicketTrak 8 by Cardinal Tracking Systems, Inc. and PowerPark Flex Citation Management System offered by T2 Systems. FastTrack and TicketTrak 8 did not fully meet the needs of the City.

- The PowerPark Flex Citation Management System offered by T2 Systems, Inc. of Indianapolis, Indiana was determined to be the best overall solution based on the following features:
 - Increases productivity because of lower processing times while issuing citations and downloading information to the main database
 - Lower maintenance of handheld devices and reduced downtime
 - Allows for growth potential of citation data base and permit tracking process
 - Provides customizable fields with appropriate user level authorization
 - Maintains data integrity, providing enhanced security and internal control
 - The price of the software is comparable to the other software systems that were evaluated.

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

Parking Revenues

34. General Fleet Vehicles Unit Price Contracts

Action: **A. Award one year contracts, with options to renew for two, one-year periods, to various vendors for low bid items #1 through #6 establishing City-wide unit price contracts for general fleet vehicles, and**

B. Authorize the City Manager to exercise the options to extend the contracts.

Staff Resources: Mehl Renner, Business Support Services
 Wayne Davis, Business Support Services

Explanation

- Staff recommends unit price contracts for the purchase of general fleet vehicles be awarded to various vendors for low bid Items #1 through #6. All contract terms will be for one year with options to renew for two, one-year periods.

Item	Description , Vendor Awarded	Low Bid Amount
1.	Full Size Auto Town & Country Ford – Charlotte, NC	\$21,174.50
2.	½ Ton Cargo Van Young Ford – Charlotte, NC	\$15,152.00
3.	¼ Ton Standard Cab Pickup Capitol Ford – Wilmington, NC	\$12,805.00

4.	¼ Ton Extended Cab Pickup Town & Country Ford – Charlotte, NC	\$12,388.50
5.	½ Ton Standard Cab, V-6 Pickup Town & Country Ford – Charlotte, NC	\$13,359.50
6.	½ Ton, 4X4, Extended Cab V-8 Pickup Town & Country Ford – Charlotte, NC	\$19,886.50

- These unit price contracts will replace existing contracts with Morehead City Ford, which is discontinuing its commercial fleet operations.
- These contracts will be used to purchase general fleet vehicles included on the attached Approved FY2007 Capital Equipment List that meet the criteria for these six vehicle types. Other fleet vehicles such as police cars, fire apparatus, solid waste trucks and other large vehicles are not covered by these contracts.
- Vehicle types included in these contracts do not include hybrid vehicles. The City currently has separate unit price contracts for hybrid vehicles already in place.
- Approximately \$290,000 of the \$14.5 million estimated total for all capital equipment on the FY2007 list will be impacted by these contracts.
- General fleet vehicles can be purchased through these contracts by all City departments using a variety of financing sources, but the majority of vehicles will be lease purchase financed through the City's Equipment Lease Purchase Program.

Background

- The City has been using lease purchase financing since the mid-1980s to acquire these type of general fleet vehicles
- The City obtains cash proceeds each year for the Equipment Lease Purchase Program to purchase capital equipment outright, and appropriates funds each year for principal and interest payments to repay those cash proceeds, typically over a five year period.
- All general fleet vehicles included in the Approved Capital Equipment List are selected using a points system to prioritize vehicle replacement based on vehicle age, mileage, current condition and maintenance costs. Vehicles included in the approved list are generally the oldest, highest mileage and highest maintenance cost vehicles in the fleet.

Small Business Opportunity

The Small Business Development Program waived the SBE goal for this project. Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

Funding

FY2007 Capital Equipment Lease Purchase Funds, various FY2007 departmental operating budgets

Attachment 32

Approved FY2007 Capital Equipment List

35. Inspection Services for Street Maintenance

Action: Approve an amendment with Capstone Civil Group, PA for construction inspection services for Street Maintenance Districts for \$150,000.

Staff Resource: Tim Greene, Engineering and Property Management

Explanation

- The Street Maintenance Division is currently operating under managed competition program for street repairs. The terms of the program require monitoring of the work to ensure compliance with performance specifications.
- Capstone Civil Group, PA (Capstone) will provide monitoring services for one of three Street Maintenance Districts. E&PM inspection staff provides monitoring for the other two Street Maintenance Districts.
- Monitoring involves review of all street maintenance activities performed by City crews including catch basin cleaning, curb and gutter installation, storm drainage installation, pothole patching and paving construction services.
- Capstone's inspectors will review field reports and determine quantities of work in compliance with established standards and contract provisions.

History

- Council approved the original contract on September 12, 2005 for \$150,000.
- The total contract amount to date including this Amendment #1 is \$300,000.

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. Capstone Civil Group, PA is a Certified SBE.

Funding

Transportation Operating Budget

36. City Facilities Grounds Maintenance FY2006 Renewal #1

Action: Approve Renewal #1 for \$102,562.95 with Caddell Turf Management, Inc. for FY2006 West District Grounds Maintenance.

Staff Resource: Quin Hall, Engineering and Property Management

Explanation

- Landscape Management competitively selected this vendor through a Request for Proposal process.
- Regular facilities grounds maintenance activities for this contract include activities such as grass mowing, shrub and bed maintenance and trash removal.

- This contract includes the following City facilities located in West Charlotte: Animal Control, Charlotte Vehicle Operations Center, Police and Fire Academy and West Service Center.
- This renewal is based on good contractor performance utilizing existing and adjusted unit prices.
- The original contract document allows for renewals of the contract up to two times, at the City's option, as an incentive to the contractor for productivity and workmanship.

Contract History

- The City Manager approved the original contract for \$98,523.49 on December 15, 2005.
- The total contract amount for grounds maintenance FY2006 in West Charlotte, including Renewal #1, will be \$201,086.44.

Small Business Opportunity

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

Funding

Engineering and Property Management Operating Budget

37. I-277/Independence Boulevard Intersection Improvements Phase 2

- Action:**
- A. Adopt a budget ordinance appropriating \$400,000 to the I-277/Independence Boulevard Intersection Improvements Phase 2 project, and**
 - B. Award the low bid to Ferebee Corporation for \$603,497.90 for I-277/Independence Boulevard Intersection Improvements Phase 2.**

Staff Resource: Sam Barber, Engineering and Property Management

Budget Ordinance

- Appropriates \$400,000 to the I-277/Independence Intersection Improvements Phase 2 project for roadway improvements.
- The funds are available from savings from the Old Statesville Road Widening project (all planned improvements were made and the scope was not reduced).
- This is the second phase of infrastructure improvements outlined in the economic development grant agreement for the Metropolitan at Midtown project, scheduled to open in fall of 2007. A third phase of street improvements is being planned in coordination with the development of the Little Sugar Creek Greenway and the relocation of the Baxter Street Bridge that would combine City funding already budgeted with a portion of federal grant monies received by Mecklenburg County for the greenway.

- Contributions from the developer of the Metropolitan (Pappas Properties) and Bank of America, along with the original project funding (\$203,497.90) are expected to fund Phase 2. This budget ordinance covers a timing gap until the private contributions are received and project contingency funds become available.

Award the low bid to Ferebee Corporation

- Award the low bid of \$603,437.90 by Ferebee Corporation of Charlotte, North Carolina.
- The work includes roadway improvements Kings Drive/Independence intersection and associated tie-ins to Phase 1 work and existing streets.
- Construction completion is scheduled for second quarter of 2007.

Small Business Opportunity

Established SBE Goal: 7.00%

Committed SBE Goal: 5.38%

Ferebee Corporation failed to meet the established goal but exceeded the mandatory outreach and good faith efforts. Ferebee committed 7% in their bid response; however, one of the firms they proposed to use was a woman-owned firm, not registered in the City's Small Business Program. Ferebee committed 5.38% (\$32,496.29) to the following SBE firms: On Time Construction, ACS Pavement Marking, Bullington Construction, and D's Trucking. Ferebee earned the requisite good faith effort points by demonstrating among other efforts, that they used SBEs on non-City projects.

Funding

Transportation Capital Investment Plan

Attachment 33

Budget Ordinance

38. Airport Advertising Management Contract

Action: Approve a revision to the Airport Advertising Contract to reduce the term from five years to one year.

Staff Resource: Jerry Orr, Aviation

Explanation

- In March 2006, the Airport issued a Request for Proposals for advertising management services.
- In May 2006, two companies submitted proposals and Departure Media, the incumbent advertising manager, was selected as the best proposer.
- On June 26, 2006, Council approved a five-year contract with Departure Media.
- On July 6, 2006, Departure Media rejected the contract because it would earn an estimated \$115,000 less per year under current gross sales.

- Departure Media has agreed to execute the contract at the reduced rates approved by Council for a reduced term of one year while all options are explored.

Disadvantaged Business Enterprise

Established DBE Goal: 0%

Committed DBE Goal: 100%

Departure Media is a certified DBE and will be counted in the overall DBE utilization. The federal DBE Program neither requires nor permits goals for every contract. The City must meet its overall goal by using a mix of contract goals and race-neutral means.

Funding

Aviation Operating Budget

39. Design of Old Dowd and Wallace Neel Road Relocation

Action: Approve a change order with Gannett-Fleming, Inc. of Charlotte, North Carolina in the amount of \$796,000 for the design of the relocation of Old Dowd Road and Wallace Neel Road.

Staff Resource: Jerry Orr, Aviation

Explanation

- In October 2001, City Council approved a contract with Gannett-Fleming for the design of Phase I to accommodate the relocation of Old Dowd and Wallace Neel Roads for the construction of the third parallel runway.
- Uncertainty in the airline industry, two bankruptcies of US Airways, and a redirecting of funds to security efforts delayed this project.
- In August 2006, the Federal Aviation Administration approved a change in separation for the third parallel runway moving it from 3,700 feet to 4,300 feet west of the existing Runway 18R/36L.
- The change in runway separation causes a redesign of the roads in Phase I and the immediate addition of the design for Phase II.
- This change order to the contract for the design of Phase I will fund the design scope changes in Phase I and the design services for the Phase II road relocation.

Disadvantaged Business Enterprise

Established DBE Goal: 8%

Committed DBE Goal: 8%

Gannett-Fleming has contracted with Flehan Engineering, Inc., a certified DBE, for drainage analysis and design services.

Funding

Aviation Capital Investment Plan

Attachment 34
Phase I and II Map

40. Aviation Relocation Assistance Services Change Order

Action: Approve a change order to the contract with Terrell Hundley & Carroll, Inc. in the amount of \$475,000 extending the contract until December 2007 for relocation assistance services required for the Airport's land acquisition programs.

Staff Resource: Jerry Orr, Aviation

Explanation

- Property acquired by the Airport is purchased in accordance with Federal Regulations under the Noise Program or Master Plan. Federal Regulations require the Airport to provide relocation assistance services to those affected by such property acquisitions.
- Council approved a contract with Terrell Hundley & Carroll, Inc. (THC) in April 1999. THC was selected to provide the relocation services necessitated by the Airport's acquisition of land under its Master Plan and Noise Program.
- The Airport continues to need the provision of relocation assistance services for ongoing and upcoming Noise Program and Master Plan projects, including anticipated relocations of a mobile home park and properties on West Boulevard and Wallace Neel Road. Continuing to use THC will provide consistency and continuity of service for those eligible for relocation assistance under Airport programs.
- Additionally, continuing to use THC at the Airport will provide consistency with the City's other relocation assistance programs because THC is also working on projects for the City of Charlotte's Engineering and Property Management Department, Charlotte Housing Authority and Mecklenburg County Storm Water Services.
- The change order will fund THC's work until December, 2007 on an agreed-upon hourly rate not to exceed a total of \$475,000.
- The cost of providing relocation assistance services covered by this change order is eligible for reimbursement by the Federal Aviation Administration.

Disadvantaged Business Enterprise Program

The Federal DBE Program neither requires nor permits goals for every contract. The City must meet its DBE goal through a mix of contract-specific goals and race-neutral means. No goal was set for this contract because THC is not a DBE and other participation opportunities are not anticipated.

Funding

Aviation Capital Investment Plan

41. FY04 Water Main Rehabilitation, Contract Renewal #2

Action: Approve renewal #2 for \$3,264,241.73 with Heitkamp, Inc. for continued water system rehabilitation services.

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- Contract renewal #2 enables Utilities to continue rehabilitation and replacement of portions of the water distribution system throughout Mecklenburg County. Original contract was awarded by Council on February 23, 2004 in the amount of \$2,997,425.63.
- The new contract total is \$6,261,667.36.
- Contract term is one-year with three additional one-year renewals.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 7%

Heitkamp proposes to spend \$228,497 with the following SBEs: Victor Melton Construction, Conmat Development, Inc., Stinson Trucking and Central Carolina Underground

Funding

Water Capital Investment Plan

42. Irwin Relief Sewer Phase II – Construction Change Order #2

Action: Approve construction contract change order #2 for \$656,000 with Rockdale Pipeline, Inc. for the Irwin Creek Relief Sewer Phase II Project.

Staff Resource: Doug Bean, Charlotte Mecklenburg Utilities

Explanation

- The project involves laying a sanitary sewer pipeline twenty to thirty feet deep for 10,550 feet near I-77 from West Boulevard to Fifth Street. Approximately 40% of the project is tunneled. This project is required as part the City's commitments to EPA.
- During the course of constructing one of the project tunnels the contractor encountered a large amount of rock that had not been shown by soil bores in that area. Upon further investigation it was determined that two soil bores completed by the design engineer were too shallow.
- Per the contract specifications, the contractor is responsible for rock removal as a part of their base bid. However, given that the contractor was given erroneous information during the preparation of their bid, City staff has agreed to recommend additional compensation for this claim.

- Since the soil boring error occurred during the design, the design engineer has agreed to pay \$100,000 towards the change order plus \$50,000 in donated services. Staff feels this is equitable cost share given that the contractor would have likely included the cost to remove the rock in their base bid if they had been aware of it.
- Pipe diameter in this area is 54-inches.
- The negotiated amount for this change order is \$656,000.

Background

- Council awarded the construction contract in the amount of \$21,347,376.74 on 4/28/05.
- Change Order #1 was approved by Council on September 25, 2006 for \$477,000 for the concrete foundation encountered during tunnel construction.
- On October 9th Council received a dinner briefing on this project.

Funding

Half of the funding will come from the contract contingency. The other half will come from the project's unencumbered balance.

43. City Code Amendment Concerning Bicycles

Action: Adopt an ordinance, amending Chapter 14 of the City Code, entitled "Motor Vehicles and Traffic," to allow bicycles to park on the sidewalk.

Staff Resource: Captain Chuck Adkins, Charlotte-Mecklenburg Police

Explanation

- The center city is experiencing an increase in vehicles such as bicycles, motorized scooters, and mopeds parking on sidewalks.
- An Ad hoc committee, including representatives from a number of City departments, agreed that motorized vehicles should not park on sidewalk due to the danger in having them ridden on sidewalks with pedestrians and the heat from the exhaust and mufflers.
- The Committee felt that bicycle riding should be encouraged but the current ordinance prohibits any vehicle, including non-motorized bicycles, from parking on sidewalks.
- The amendment states that the prohibition against vehicles parking on the sidewalk does not apply to non-motorized bicycles.
- Center City Partners and Friends of Fourth Ward support the amendment.
- This ordinance will apply city wide.

Attachment 35

Ordinance

44. Voluntary Annexation Public Hearing Date

Action: Adopt resolution setting a public hearing for November 27, 2006 for a Voluntary Annexation.

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

Policy

City Annexation Policy and State Annexation Statutes

Explanation

- The City entered into an agreement with property owners involved in development of the NorthLake Mall (dated June 20, 2005), that provided for:
 - Voluntary annexation of Mall out-parcels (annexed July 25, 2005)
 - Voluntary annexation of NorthLake Parkway and acceptance of Parkway for City maintenance following annexation and completion of Parkway construction (annexed August 22, 2005)
 - Submission of voluntary annexation petition for remaining Mall property with condition that City would not consider annexation effective date prior to February 27, 2007
- Voluntary annexation petition has been submitted for remaining Mall property.
- Petitioners and properties 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)
- The County property contains undeveloped area suitable for future greenway development.
- The property involved shares a boundary with current City limits.
- A public hearing is required prior to City Council taking action on annexation request.
- The purpose of the required public hearing is to obtain public input on this requested voluntary annexation.

Consistency with City Council Policies

- 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 have undue negative impact on City finances or services.
- Annexation will not result in situation where unincorporated areas will be encompassed by new City limits.

Public Hearing Date

- The resolution sets Monday November 27, 2006 as the date for public hearing on the voluntary annexation.

- City Council will be asked to take action on voluntary annexation at conclusion of public hearing.

Attachment 36

Resolutions

Map

45. Sale of Transit Van to Emergency Winter Shelter

Action: Adopt a resolution declaring a lift-equipped CATS van as surplus and approving the sale of said van to the Emergency Winter Shelter for \$1.

Staff Resource: Olaf Kinard, Charlotte Area Transit System

Explanation

- CATS and Center City Partners have been working with the Emergency Winter Shelter to provide support for transportation when CATS services are not running to the Emergency Winter Shelter.
- The 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. and for a vehicle that accommodates wheelchairs.
- Pursuant to North Carolina G.S. 160A-266 the Charlotte Area Transit System request approval to sell one van to the Emergency Winter Shelter for \$1.
- This van is fully depreciated and the age and mileage satisfies the federal guidelines for disposal without penalty.

List of property to be declared as surplus

City Number: DTB118
 Year: 1999
 Make: Goshen
 Model: Superdoo
 Vin: 1FDXE40F4XHA71365
 Mileage: 168,310 miles

Attachment 37

Resolution

46. Property Transactions

Action: Approve the following property acquisitions (A-I) and adopt the condemnation resolutions (J-M).

For property transactions A-D, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired for Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

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

- A. Project:** FAR Part 150 Land Acquisition
Owner(s): Inman, Sherman Lee (Commissioner Sale)
Property Address: 4308 Irish Lane
Property to be acquired: 4.98 acres
Improvements: Single Family Residential
Purchase Price: \$167,500
Zoned: R3
Use: Single Family Residences
Tax Value: \$191,300
Tax Codes: 113-161-01 and 113-161-45
- B. Project:** Master Plan Land Acquisition
Owner(s): Brown, Joseph & Betty
Property Address: 6706 Steele Creek & Garrison Road
Property to be acquired: 38.636 acres
Improvements: Vacant land
Purchase Price: \$2,730,000.00
Zoned: R3
Use: Vacant land
Tax Value: \$362,200
Tax Codes: 141-121-18, 141-121-21, & 141-121-33
- C. Project:** Master Plan Land Acquisition
Owner(s): Brown, Paul J (ET AL)
Property Address: Steele Creek Road
Property to be acquired: 1.58 acres
Improvements: Vacant Land
Purchase Price: \$118,665.00
Zoned: R3
Use: Vacant Land
Tax Value: \$1,300
Tax Code: 141-121-26

- D. Project:** Master Plan Land Acquisition
Owner(s): Brown, Paul J
Property Address: Steele Creek Road
Property to be acquired: 1.99 acres
Improvements: Vacant Land
Purchase Price: \$148,838
Zoned: R3
Use: Vacant land
Tax Value: \$33,600
Tax Code: 141-121-23
- E. Project:** Briar Creek Relief Sewer Phase I, Parcel # 58
Owner(s): Robert A. Barnett
Property Address: 1636 Twiford Place
Property to be acquired: 1,197 sq. ft. (.027 ac) in Existing Right of Way, plus 20,051 sq. ft. (.460 ac.) in Sanitary Sewer Easement, 12,584 sq. ft. (.288 ac) in Right of Way To Be Abandoned, plus 1,782 sq. ft. (.041 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$27,150
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential
Tax Code: 155-131-13
Total Parcel Tax Value: \$1,603,800
- F. Project:** Hubbard Road Sidewalk Project, Parcel # 20, 19, 20A & 21
Owner(s): Ruth Gray, Jeffrey Hendricks And Wife, Ginger Hendricks
Property Address: 3936 Hubbard Road
Property to be acquired: 9,607 sq. ft. (.220 ac.) in Fee Simple, plus 10,502 sq. ft. (.241 ac.) in Temporary Construction Easement, plus 1,678 sq. ft. (.038 ac.) in Storm Drainage Easement, plus 42 sq. ft. (.001 ac.) in Sidewalk and Utility Easement
Improvements: None
Landscaping: None
Purchase Price: \$24,850
Remarks: Compensation was established by independent, certified appraisals related to this property.
Zoned: R-3
Use: Single Family Residential - Rural Acreage
Tax Code: 027-011-12, 027-011-13, 027-011-98 & 027-011-55
Total Parcel Tax Value: \$327,400

- G. Project:** Jefferson Storm Water Capital Improvements - Phase I, Parcel # 61
Owner(s): William P. Proctor And Wife, Doris McMillan Proctor
Property Address: 1215 Brockton Lane
Property to be acquired: 265 sq. ft. (.006 ac.) in Sanitary Sewer Easement, plus 4,615 sq. ft. (.106 ac.) in Storm Drainage Easement, plus 251 sq. ft. (.006 ac.) in Utility Easement, plus 3,131 sq. ft. (.072 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$12,855
Remarks: Compensation was established by independent, certified appraisals related to this property.
Zoned: R-3
Use: Single Family Residential
Tax Code: 187-213-17
Total Parcel Tax Value: \$199,500
- H. Project:** Mt. Holly-Huntersville Road @ Belhaven Boulevard, Parcel # 1
Owner(s): Jerry W. Neal And Wife, Joan L. Neal
Property Address: 2932 Mt. Holly-Huntersville Road
Property to be acquired: 754 sq. ft. (.017 ac.) in Fee Simple, plus 1,305 sq. ft. (.030 ac.) in Sidewalk and Utility Easement, plus 1,651 sq. ft. (.038 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$30,600
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: B-1
Use: Commercial
Tax Code: 031-132-04
Total Parcel Tax Value: \$287,800
- I. Project:** Rea Road Sidewalk, Parcel # 2
Owner(s): Robert A. Jacobs
Property Address: 4240 Rea Road
Property to be acquired: 10,222 sq. ft. (.235 ac.) in Fee Simple, plus 223 sq. ft. (.005 ac.) in Utility, plus 5,429 sq. ft. (.125 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$51,560
Remarks: This acquisition is required for the above project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential

Tax Code: 211-241-06
Total Parcel Tax Value: \$437,300

Condemnations

- J. Project:** 2005 Annexation - Brookshire West Area Sanitary Sewer, Parcel # 1
Owner(s): Robert J. Lowery, Jr. And Any Other Parties Of Interest
Property Address: 2912 Monarch Drive
Property to be acquired: Total Combined Area of 18,200 sq. ft. (.418 ac.) of Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$3,025
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential - Rural Acreage
Tax Code: 031-182-63
Total Parcel Tax Value: \$255,400
- K. Project:** Briar Creek Relief Sewer Phase I, Parcel # 41
Owner(s): Mini-Skools Limited And Any Other Parties Of Interest
Property Address: 1700 Providence Road
Property to be acquired: Total Combined Area of 2,733 sq. ft. (.062 ac.) of Sanitary Sewer Easement, plus Existing Easement to be Abandoned, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$5,800
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: Day Care Center
Tax Code: 153-105-28
Total Parcel Tax Value: \$1,255,800
- L. Project:** Briar Creek Relief Sewer Phase I, Parcel # 60
Owner(s): Catawba Lands Conservancy, E.C. Griffith Company And Any Other Parties Of Interest
Property Address: Randolph Road
Property to be acquired: Total Combined Area of 124,722 sq. ft. (2.863 ac.) of Sanitary Sewer Easement, plus Permanent Access Easement, plus Temporary Construction Easement
Improvements: None

Landscaping: Trees

Purchase Price: \$28,275

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-4

Use: Multi Family

Tax Code: 155-141-11

Total Parcel Tax Value: \$1,255,500

- M. Project:** Sandy Porter Sidewalk, Parcel # 9
Owner(s): Rodrick J. McAllister And Wife, Helen M. McAllister And Any Other Parties Of Interest
Property Address: 2601 Sandy Porter Road
Property to be acquired: Total Combined Area of 4,369 sq. ft. (.100 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$525
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: 201-124-17
Total Parcel Tax Value: \$114,300

47. Meeting Minutes

- Action:** Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:
- September 18, 2006 Zoning meeting
 - September 25, 2006 Business meeting