Council-Manager Memo #1
Friday, January 7, 2011

CHARLOTTE.

WHAT'S INSIDE:

Page

Calendar Details 2-3
January 10 Council Meeting – Weather Contingency Plan 2

Agenda Notes:
Agenda Item #27 – Scaleybark Development Agreement Amendment 3
Agenda Item #31E – In Rem Remedy: 1306/1308 Kennon Street..... 3-4

Information:
Urban Land Institute (ULI) Daniel Rose Center for Public Leadership in Land Use ... 5
January 19 – State Delegation Dinner Hosted by Mecklenburg County Towns..... 6
February 3-5 – New Partners for Smart Growth Conference..... 6
Airport Taxi Fees 7
Park Road Sidewalk Project Update 7
NASCAR Hall of Fame Unveils New Exhibit and Open House Week is Announced... 7-8

Attachment:
December 13 Transportation and Planning Committee Summary 8

WEEK IN REVIEW:

Mon (Jan 10)	Tues (Jan 11)	Wed (Jan 12)	Thurs (Jan 13)	Friday (Jan 14)
11:00 AM Agenda Briefing Room 270/271 12:00 PM Governmental Affairs Committee, Room 278 1:30 PM Budget Committee, Room CH-14 3:30 PM Transportation and Planning Committee, Room 280 5:00 PM Council Business Meeting, Room 267	6:00 PM ULI Dinner Reception, Bentley's on 27 201 S. College St.	1:00 PM ULI Charette – Session 1 Room 267 3:00 PM ULI Charette – Session 2 Room 267	3:30 PM Economic Development Committee, Room CH-14	9:00 AM ULI Findings and Recommendations Presentation, Meeting Chamber

CALENDAR DETAILS:

Monday, January 10

11:00 am Agenda Briefing, Room 270/271

January 10 Council Meeting - Weather Contingency Plan

Staff Resource: Julie Burch, City Manager's Office, 704-336-3187, jburch@charlottenc.us

The weather forecast for Monday evening calls for the possibility of snow to the extent it could make street conditions and travel hazardous. If the storm materializes, staff has made the necessary arrangements for the Mayor and Council to hold the Business Meeting at 11:00 a.m. Monday in the Meeting Chambers. The dinner session will be cancelled and the scheduled dinner topics postponed. As this is the first business meeting of the month, there is no citizens' forum and no speakers have signed up for any agenda items at this time. Due to legal advertising requirements, the public hearing for closing the alleyway off West Park Avenue will need to be readvertised for thirty days and the hearing set for February 28. The petitioner has been notified.Council Committee meetings planned for Monday will be held as scheduled, weather permitting.

Staff will monitor the weather forecast and street conditions and will notify Council members by email no later than 8:00 a.m. Monday whether the meeting will be held at 11:00 a.m. or will go on as scheduled at 5:15 p.m. If there is enough certainty about the forecast and conditions on Sunday evening, we will notify Council members at that time.

12:00 pm Governmental Affairs Committee, Room 278
AGENDA: Federal update; State update; NCLM Advocacy Conference on January 20

1:30 pm Budget Committee, Room CH-14
AGENDA: Financial partner review; May 23 potential calendar conflict for budget public hearing; Future Budget committee schedule and topics

3:30 pm Transportation & Planning Committee, Room 280
AGENDA: FY12 Focus Area Plan; Transportation Action Plan 5 year update; I-77 HOT lanes resolution

5:00 pm Council Business Meeting, Room 267

Tuesday, January 11

6:00 pm ULI Dinner Reception, Bentley's on 27, 201 S. College St.

Wednesday, January 12

1:00 pm ULI Charette Session 1, Room 267

3:00 pm ULI Charette Session 2, Room 267

Thursday, January 13
3:30 pm Economic Development Committee, Room CH-14
AGENDA: FY2011/FY2012 ED Focus Area Plan; Discuss next meeting

Friday, January 14
9:00 am ULI Findings and Recommendations Presentation, Meeting Chamber

January and February calendars are attached. ***(see left side table of contents for attached file)***

AGENDA NOTES:

Agenda Item #27 – Scaleybark Development Agreement Amendment
Staff Resource: Peter Zeiler, N&BS, 704-432-2989, pzeiler@charlottenc.gov

The January 10 Council Agenda contains an RCA to amend the Purchase and Sale Agreement between the City and Scaleybark Partners. The RCA describes the requested amendment as the seventh amendment to the Purchase and Sale Agreement (PSA). It is technically the sixth amendment. In June 2010, City Council approved a sixth amendment to the Purchase and Sale Agreement to accommodate technical changes to the PSA in the event Scaleybark Partners and Charlotte Mecklenburg Housing Partnership (CHMP) were awarded Low Income Housing Tax Credits for 2010. Scaleybark Partners and CMHP did not receive a tax credit allocation and the June 2010 sixth amendment was voided. A corrected RCA is attached. ***(see left side table of contents for attached file)***

Agenda Item #31E – In Rem Remedy: 1306/1308 Kennon Street
Staff Resources: Walter Abernethy, N&BS, 704-336-4213, wabernathy@charlottenc.gov

On January 10, City Council will be asked to approve an ordinance authorizing the use of In Rem remedy to demolish and remove the duplex at 1306/1308 Kennon Street. Over the last several weeks the property owner of 1306/1308 Kennon Street, Bo Procter, has expressed concerns to Council regarding Code Enforcement's intent to ask Council for permission to demolish this structure. This information is intended to provide more detail and background information as it pertains to the condition of this structure and other related issues.

Code Enforcement received a public agency referral from CMPD regarding the storing of stolen goods inside the structure as well as the open and vacant nature of the property. To date the property is still open and vacant. The property was registered as a boarded up structure in March 2009. The time frame for the house to stay boarded up expired, per City regulations, in September 2009.

Structure Description
The property at 1306/1308 Kennon is scheduled to be on City Council's January 10 agenda for demolition approval on January 10. There's no historic designation regarding the property. The case file and structure condition summary was forwarded to both the Historic Landmarks

Commission and the Historic District Commission. Neither agency expressed any concern as to the historical nature of the structure or the impending demolition. The repair costs are estimated at $37,243 which is 131% of the structure tax value, which is $28,400. The area Code Supervisor has expressed concern about the overall conditions, even indicating that any work that has been done has essentially made matters worse. The workers at the location have covered rotting wood and removed structural elements, making the house essentially sag in on itself. The file records also indicate that exterior painting has covered up decayed siding and framing. On the interior, the kitchen and bath were gutted revealing more extensive damaged/decayed structural issues. The dry walled ceiling in the kitchen and the replacement of the porch ceiling covered up old, unsafe wiring. There are other examples where work has covered up major structural and electrical issues. Repair permits were pulled in September for $4500 per unit. The City's repair estimate is $37,243. The file record indicates the original inspection took place in July of 2010. The owner was granted one extension in September. He was denied a second extension in October since no work had been completed.

The property owner noted property values in the area at 1222 Kennon, 1305 Kennon and 1300 Kennon as a comparison with his property at 1306/1308 Kennon. Ironically, two of these properties (1222 and 1300 Kennon) where previously ordered demolished by Code Enforcement. Prior to the sale of the properties the owner's chose to repair and renovate. Additionally, according to Piedmont Natural Gas both meters were pulled and gas lines plugged in 2004 at 1306/1308 Kennon. Duke Power records indicate the last legal service for 1306 Kennon was 2001 and for 1308 Kennon, 2005. Both meters have subsequently been removed. In May 2010 an illegal meter was removed, suggesting someone was stealing utilities.

The Minimum Housing Code's primary goal is to make sure housing is safe and sanitary and that housing conditions do not detract from model neighborhood standards. Code records also indicate that the City has cited this property for high grass and trash accumulation in previous years, including a recent City grass cutting of the property in October 2010. There are grass cutting liens on the property currently.

Code Enforcement reinspected the structure again on December 29, 2010. As of that day, the property was not secure and no structural repairs had been begun or completed. It is Code Enforcement's position that the property is dilapidated and that the property owner has failed to make substantive repairs within a reasonable timeframe.

INFORMATION:

Urban Land Institute (ULI) Daniel Rose Center for Public Leadership in Land Use

Staff Resource: Jim Schumacher, City Manager's Office, 704-336-3656, jschumacher@charlottenc.gov

The Urban Land Institute (ULI) Daniel Rose Center for Public Leadership in Land Use has named Charlotte Mayor Anthony Foxx and the mayors of Detroit, Houston, and Sacramento to serve in fellowships for the Center through 2011. Mayor Foxx's 2010-11 ULI Daniel Rose Fellowship team members are Charlotte-Mecklenburg Planning Director Debra Campbell, North Carolina Transportation Secretary Gene Conti, and Charlotte Department of Transportation Director Danny Pleasant.

Through the Fellowship Program, Mayor Foxx and his team will work with leading experts in the real estate development, finance, and land use fields to study and advance a land use challenge in the community. The group will develop ideas for achieving land use and infrastructure goals for the Independence Boulevard corridor. These goals represent the community's vision articulated in the *Independence Boulevard Area Plan*, which is to re-energize, reposition, and ensure long-term viability of development along Independence Boulevard.

The Rose Center panel will visit Charlotte from January 11 – 14. They will tour the corridor, study the issues, and present some recommendations on Friday, January 14, at 9:00 a.m. in the CMGC Meeting Chamber. Attached is the full agenda for the visit and additional information about the Daniel Rose Center. The City Council is invited to the following events:

- Tuesday, January 11, 6:00 pm
  Welcome Reception
  Bentley's on 27, 201 South College Street, Charlotte, NC

- Wednesday, January 12
  Charrette/Interviews
  Attend one of two sessions: 1:00 – 2:45 pm or 3:00 – 4:45 pm
  CMGC - Room 267

- Friday, January 14, 9:00 am
  Presentation of Panel's Initial Findings and Recommendations
  CMGC Meeting Chamber

Council is asked to contact Alysia Osborne at adosborne@charlottenc.gov or 704-336-3910, or Tracy Swett at tswett@charlottenc.gov or 704-336-3184RSVP to RSVP and confirm availability for the opening reception and which charrette session council members would prefer to attend by contacting. The presentation of recommendations at 9:00 a.m. January 14 is open to the public. ***(see left side table of contents for attached files – 'Final Charlotte Visit Agenda' and 'Rose Fellowship FAQ')***

January 19 – State Delegation Dinner Hosted by Mecklenburg County Towns
Staff Resource: Dana Fenton, City Manager's Office, 704-336-2009, dfenton@charlottenc.gov

The Town of Cornelius is hosting, on behalf of the Towns of Mecklenburg County, a dinner for the Mecklenburg County Delegation to the General Assembly on Wednesday, January 19, 7:00 p.m. to 9:00 p.m. at the Peninsula Club in Cornelius. The purpose of the dinner is to thank legislators for their service and make them aware of the Towns' needs. The Towns have also

extended an invitation to the Charlotte City Council. If any member of Council desires to attend, please RSVP to Lori Pearson of the Town of Cornelius at lpearson@cornelius.org.

February 3-5 – New Partners for Smart Growth Conference

Staff Resource: Danny Pleasant, CDOT, 704-336-3879, dpleasant@charlottenc.gov
Debra Campbell, Planning, 704-336-2671, dcampbell@charlottenc.gov

This is a follow-up to a December 17 Council-Manager Memo item regarding the New Partners for Smart Growth Conference. The regular registration period to attend the conference will end on January 14. The conference will be held at the Westin Charlotte Hotel February 3-5. It will bring experts representing a wide variety of disciplines from around the country to Charlotte.

The conference, which is presented by the Local Government Commission (LGC), is supported by a broad variety of groups, including the US Environmental Protection Agency. The City of Charlotte is a co-sponsor and staff are participating in multiple sessions and tours showcasing local best practices. Examples include:

- Historic Neighborhoods: Embracing Change While Staying the Same
- Revitalizing Neighborhoods and Changing Lives
- Transforming Corridors: Creating Great Mixed-Use Centers and Main Streets
- Smart Growth Implementation and the Charlotte Complete Streets Experience
- Using Light Rail as a Catalyst for Redevelopment
- Connecting Charlotte through Bicycle Facilities and Behavior

The New Partners for Smart Growth Conference is recognized as a significant conference focusing on Smart Growth issues. It offers sessions and topics of interest to elected officials, advocates, and a wide variety of professional disciplines.

Council members wishing to attend the conference can contact Tracy Swett. Additional information about the conference program and other registration details can be found at www.NewPartners.org

Airport Taxi Fees

Staff Resource: Jerry Orr, Aviation, 704-359-4000, tjorr@charlotteairport.com

The Airport has previously discussed with City Council the need to recover its costs associated with the taxi system though permit fees. The Airport initially intended to increase the Permit Fee, for the first time in about twenty years, from $1,250 per permit to $3,000 per permit and to implement a fee per trip ("Trip Charge") in an amount to be proposed. However, the Airport

has determined that it should actually lower the Permit Fee, rather than raising it, and will rely on the Trip Charge to make up the difference. When the Airport requests Council approval of new Operating Agreements, the contracts will reflect a $500 per vehicle Permit Fee and a $1 per pick up Trip Charge. The Airport believes it should still be able to recover its costs and do so through an equitable user fee structure, tied directly to the amount of business a permitted vehicle generates at the Airport.

Park Road Sidewalk Project Update

Staff Resource: Sonji Mosley, E&PM, 704-336-3214, smosley@charlottenc.gov

The Park Road Sidewalk Project bids have been opened. Eleven of sixteen bids came in below $100,000. Because bids under $100,000 do not require council action, the City Manager will authorize the contract execution. The lowest bidder was Red Clay Industries in the amount of $73,378.31. The Park Road Sidewalk Project will be a 90-day contract with construction expected to begin this spring.

This important sidewalk connection will complete a 0.2 mile gap in the pedestrian network on Park Road between Sunset Drive and Poindexter Drive. Once completed, it will connect several miles of sidewalk along Park Road and the surrounding neighborhoods. The 15 impacted homeowners will be notified in advance of construction via post card mailings.

Attached please find a report provided to the City Council in January 2010 which addresses why having sidewalks on both sides of thoroughfares is important. It also provides additional information specifically related to the Park Road Sidewalk Project. ***(see left side table of contents for attached file – 'Thoroughfare Sidewalks…')***

NASCAR Hall of Fame Unveils New Exhibit and Open House Week is Announced

Staff Resource: Michelle Gutt, Corporate Communications, 704-353-1157, mgutt@charlottenc.gov

On January 8, 2011, the NASCAR Hall of Fame will unveil a new exhibition, *"Short Careers, Lasting Legacy".* The unveiling of this exhibition will mark the fourth change to the Great Hall since it opened in May. By changing exhibits, the Hall is able to educate the public on historical and current events in the sport. It also provides new exhibits for repeat customers. "*Short Careers, Lasting Legacy"* is on exhibit through late June in the Great Hall. It showcases authentic artifacts that tell the story of some of NASCAR's most memorable personalities. The exhibition recognizes individuals who left the sport in their prime or before they reached their full potential.

The debut also kicks off Open House Week where guests can visit the entertainment facility for free from Saturday, January 8 – Friday, January 14 between 4 – 6 p.m**.** The Hard Card Experience is not included in the free Open House. The Open House Week is an opportunity for those who haven't visited to see what the NASCAR Hall of Fame has to offer.

For more information, visit www.NascarHall.com.

ATTACHMENTS:

December 13 Transportation and Planning Committee Summary ***(see left side table of contents for attached file '121310 TAP Summary')***