Council-Manager Memo #06
Friday, January 20, 2012

CHARLOTTE.

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WEEK IN REVIEW:

Mon (Jan 23)	Tues (Jan 24)	Wed (Jan 25)	Thurs (Jan 26)	Friday (Jan 27)
11:45 AM Council Agenda Briefing, Room 280 5:00 PM Council Business Meeting, Room 267		5:30 PM Metropolitan Transit Commission, Room 267	1:30 PM Transportation and Planning Committee, Room 280	

CALENDAR DETAILS:

Monday, January 23

11:45 am Council Agenda Briefing, Room 280

5:00 pm Council Business Meeting, Room 267

Wednesday, January 25

5:30 pm Metropolitan Transit Commission, Room 267
AGENDA: Selection of Vice Chair; FY2013 Transit Program; Countywide transit service plan, Draft 2012 state legislative agenda

Thursday, January 26

1:30 pm Transportation and Planning Committee, Room 280
AGENDA: Red Line

January and February calendars are attached (see "2. Calendar.pdf").

AGENDA NOTES:

Agenda Item #37 J,K,L – Property Transactions (Boyd P. and Maxine G. Falls Condemnations)
Staff Resource: Jeff Reid, E&PM, 704 336-4191, jreid@charlottenc.gov

These three condemnations are on Council's agenda for reconsideration at January 23 Business Meeting. They were originally on the January 9 Council agenda, and at that meeting, Mr. Boyd Falls spoke to Council about his concerns. He expressed concern about two trees the City plans to save at the front of his property at 613 McDonald Avenue and about the amount of total compensation offered by the City.

The two trees on this parcel are located within the City's right of way. City Arborist Don McSween examined the two oaks and determined they are in good condition, with no signs of root rot, decay, or other problems. Healthy trees are an integral part of streetscape and neighborhood identity, and staff always attempts to make appropriate preservation and planting decisions within the context of a project. In order to minimize the impact to Mr. Fall's property, staff designed the project to place the sidewalk as close to the trees as possible by adding reinforcement underneath the sidewalk which will minimize damage to the tree roots. As a result, the sidewalk will be 30 feet from the house. On other parcels along McDonald Avenue, the sidewalk will be between 17 and 40 feet from houses.

To determine compensation, the City obtained an appraisal and an independent review appraisal. The appraiser valued the easements from the three properties at a total of $5,325. Of that total, $1,145 is the value for 216 square feet of permanent easement and $4,180 is value of temporary construction easements across the three properties. Once an appraisal is

obtained, the City's ability to negotiate on value is extremely limited. Prior to staff's decision to place the condemnation on Council's agenda, Mr. Falls refused a City offer approximately 20% higher than appraised value.

Since the January 9 meeting, staff continued a dialogue with Mr. Falls to seek a solution. However Mr. Falls' expectation of compensation differs significantly from the appraised value.

Attached (see "3. White Paper.pdf") is a brief white paper outlining the City's real estate acquisition process.

INFORMATION:

Occupy Charlotte Information and Dialogue Meeting
Staff Resource: Willie Ratchford, Community Relations Committee, 704-336-2195, wratchford@charlottenc.gov

On Tuesday, January 17, the Charlotte Mecklenburg Community Relations Committee hosted a meeting with participants of the Occupy Charlotte protests and other interested stakeholder. The purpose of the meeting was to provide an opportunity for the City and County to find out more about the Occupy movement, to share information on the proposed City Council ordinances that may affect the Occupy protests, and solicit thoughts and ideas on how to address safety, health, and free speech issues in preparation for the upcoming DNC.

Attached below (see "4. Occupy Feedback.pdf") is a summary of the meeting, including recommendations from the attendees.

Repurchase of Land for Streetcar Starter Project
Staff Resource: John Mrzygod, E&PM, 704-336-2245, jmrzygod@charlottenc.gov
Tonia Wimberly, E&PM, 704-353-1931, twimerly@charlottenc.gov

On October 8, 2007, Charlotte City Council approved the sale of Parcel IDs 08-014-10 and 08-014-13, located on the northwest corner of Fifth and Brevard Streets, to Lincoln Harris Properties, LLC for $8,042,042. These parcels, totaling 87,382 square feet, had been purchased by the City as part of the Time Warner Cable Arena project.

Council approved the contract terms of the sale to Lincoln Harris, including a provision giving the City the option to buy back an easement, consisting of 16,721 square feet along 5th Street, for an amount equal to the sales price received by the City, or $1,045,062, in the event it was ever needed for light rail / streetcar.

Staff has now determined that the easement is needed for construction of the Streetcar Starter Project, the funding for which has been previously approved by Council. Therefore, staff intends to exercise the option as provided in the Purchase Contract with Lincoln Harris,

and repurchase the easement. The funding will come from the $24.99M Federal Urban Circulator Grant, obligated in September 2011, and the Council approved $12M City funded match. The 2007 agenda item authorizes the City to repurchase the easement. The purpose of this memo is for information only.

January 18 Community Safety Committee Meeting

Staff Resource: Eric Campbell, City Manager's Office, 704-336-5158, ecampbell@charlottenc.gov

At its January 18 meeting, the Community Safety Committee discussed the issue of urban hunting. The issue had been referred to the Committee in August 2011 at the request of former Council member Nancy Carter.

The Committee was asked to consider amending the City Code to permit deer hunting by bow and arrow, within the City limits, on tracts of private property of 10 acres or more. At least ten other municipalities in North Carolina allow urban hunting; however, none of those areas are as urban as Charlotte. The Committee heard a presentation from CMPD's Animal Care and Control Bureau which stressed the limited jurisdiction that local police have over issues dealing with wildlife. Council would also have to determine the specific restrictions on urban hunting that would apply to Charlotte.

The Community Safety Committee voted unanimously (5-0) not to pursue an ordinance permitting bow hunting within the city limits. The Committee's prevailing concern was the safety of citizens who might be injured by deer hunters. The Committee also felt that the enforcement issues associated with such an ordinance made it impractical to implement.

ATTACHMENTS:

January 9 Transportation and Planning Committee Summary **(see "4. TAP Summary.pdf")**