

Mayor Anthony Foxx

John Autry
Michael D. Barnes
Warren Cooksey
Andy Dulin
Claire Fallon

Mayor Pro Tem Patrick D. Cannon

David L. Howard
Patsy Kinsey
LaWana Mayfield
James Mitchell, Jr.
Beth Pickering

CITY COUNCIL MEETING
Monday, April 23, 2012

In addition to the previously advertised public hearing items, Departments have asked that the time sensitive items listed below not be deferred.

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21	20	Belmont NCDOT Improvements
22	21	Road Humps FY2012
24	23	Statesville Road Widening Utility Relocation
26	25	Sidewalk In-fill and Accessible Ramps
27	25	Police Headquarters Lobby Renovations
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**CITY COUNCIL AGENDA
Monday, April 23, 2012**

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4:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Mayor and Council Consent Item Questions

Resource: Ruffin Hall, City Manager's Office

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the dinner meeting.

2. DNC Host Committee Update

Resource: Dan Murrey, Executive Director, 2012 DNC Host Committee

Time: 45 Minutes

Dr. Murrey will provide a Host Committee Convention Update including information on legacy programs.

3. Out of School Time Request for Proposals

Resources: Tom Warshuaer, Neighborhood & Business Services
Aisha Alexander, Neighborhood & Business Services

Time: 20 minutes

Synopsis

- In the fall of 2010, the Foundation for the Carolinas Community Catalyst Fund launched a process to address some of the major challenges in the Out of School Time (OST) sector in Charlotte-Mecklenburg.
- Over the course of eight months, a Task Force of 13 representatives from the community completed an in-depth review of the sector and developed a set of recommendations to improve afterschool and summer programs.
- One of the Task Force recommendations was to raise the overall quality of all Out of School Time programs with a comprehensive quality improvement system, including a common and clear set of standards.
- On May 9, 2011, Charlotte City Council approved the development and issuance of a Request for Proposals (RFP) for Out of School Time Programs based on evidence-based standards for school age care.
- A group of qualified community members were assembled to develop the standards set forth in the Out of School Time RFP.
- Standards were developed based on the National Afterschool Association and the North Carolina Center for Afterschool Programs' standards for quality programs.
- The Out of School Time RFP was issued on Friday, February 10, 2012 with a submission deadline of March 12, 2012.
 - The City received 38 letters of interest in the RFP. Subsequently, 17 organizations submitted proposals.

- Of the 17 proposals received, 11 were ineligible for various reasons, leaving six eligible for funding.
- The eligible applications were reviewed and scored, based upon the national standards, by an internal review team. The eligible respondents were also invited to give a presentation about their programs and provide clarification to the review team on outstanding questions.
- Scoring results will be shared with City Council.
- Federal Innovative Housing funds for after school programs are not expected to change from FY2012 to FY2013 and are estimated to be \$1.2 million for the City.

Future Action

At the May 14 business meeting, City Council will be asked to approve staff recommendations for awarding Out of School Time contracts.

5:15 P.M. DINNER BREAK

4. Uptown Baseball Stadium

Committee Chair: James Mitchell

Resource: Ron Kimble, City Manager's Office

Time: 45 minutes

Synopsis

- The Economic Development Committee meets on Thursday, April 19 to consider information regarding the Charlotte Knight's Uptown Baseball Stadium.
- The Committee and staff will share an update and recommendation concerning an uptown baseball stadium.

Future Action

City Council will consider the Economic Development Committee's recommendation concerning baseball at a future meeting.

5. Answers to Mayor and Council Consent Item Questions

Resource: Ruffin Hall, City Manager's Office

Time: 10 minutes

Synopsis

- Staff responses to questions from the beginning of the dinner meeting

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

7:15 P.M. COUNCIL BUSINESS MEETING

CONSENT

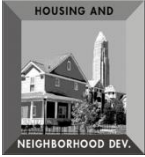
- 6. Consent agenda items 20 through 45 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting or City Manager during the noon agenda briefing.**

Consideration of Consent Items shall occur in the following order:

- A. Consideration of Consent Items that have not been pulled
- B. Consideration of Consent Items with citizens signed up to speak to the item

PUBLIC HEARING

7. Public Comment on the Revised Policy for Assisted Multi-Family Housing at Transit Station Areas



Action: Receive public comment on the proposed Revised Policy for Assisted Housing at Transit Station Areas Policy.

Committee Chair: Patsy Kinsey

Staff Resources: Debra Campbell, Planning
Pamela Wideman, Neighborhood & Business Services

Policy

- The City Council's Housing and Neighborhood Development FY2011 Focus Area Plan included a comprehensive review of the City's Housing Policies.

Explanation

- On March 28, 2011, City Council approved a revised Housing Locational Policy. The Housing & Neighborhood Development Committee (Committee) identified Assisted Multi-Family Housing at Transit Station Areas as the next policy to review.
- The existing Assisted Multi-Family Housing at Transit Station Areas policy was approved by the Charlotte City Council on November 26, 2001.
- On June 30, 2011, the Committee approved a process to engage developers and neighborhood representatives to gain their input on proposed policy revisions.
- Since that time, staff has created a Citizen Advisory Group consisting of developers and neighborhood representatives who have helped develop a revised policy.
- At the April 9 dinner briefing, staff presented the proposed policy to City Council.

Committee Action

- On March 7, 2012, the Housing & Neighborhood Development Committee voted 3 to 1 to approve a revised policy for Assisted Multi-Family Housing at Transit Station Areas Policy. (Kinsey, Autry, and Barnes voted yes; Cooksey voted no)
- The Committee also briefly discussed this item at their March 28, 2012 meeting as a result of letters received from the Charlotte-Mecklenburg Coalition for Housing and the Homeless Services Network.

Next Steps

- City Council will be asked to approve the revised policy for Assisted Multi-Family Housing at Transit Station Areas at their May 14, 2012 Business Meeting.

Attachment 1

Citizen Advisory Group
April 9th Dinner Briefing Presentation

8. Public Hearing on Resolution to Close a Portion of Olmstead Way

Action: **A. Conduct a public hearing to close a portion of Olmstead Way, and**
 B. Adopt a Resolution to Close.

Staff Resource: Jeff Boenisch, Transportation

Policy

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

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.

Petitioner

Walden Court, Inc. - Mr. Chester H. Brown III

Right-of-Way to be abandoned

A portion of Olmstead Way

Location

Located within Walden Station Subdivision, a portion of Olmstead Way begins at its current terminus and continues approximately 265 feet southeastwardly to its new terminus, and consists of 12,803 square feet

Reason

To incorporate the right-of-way into adjacent property owned by the petitioner to accommodate the new Walden Station Subdivision plans. This abandonment is in compliance with rezoning petition #95-4, which was approved by City Council on February 20, 1995.

Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owners- None

Neighborhood/Business Associations

University City Partners - No objections

Private Utility Companies – No objections

City Departments

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

- Be contrary to the public interest
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity

Attachment 2

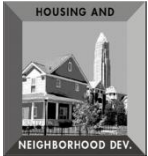
Map

Resolution

POLICY

9. City Manager’s Report

10. FY2013 Annual Action Plan for Housing and Community Development



Action: Approve the Housing and Neighborhood Development Committee recommendation to approve the FY2013 Annual Action Plan for Housing and Community Development.

Committee Chair: Patsy Kinsey

Staff Resources: Rebecca Pfeiffer, Neighborhood & Business Services
 Pamela Wideman, Neighborhood & Business Services

Policy

- The U.S. Department of Housing and Urban Development (HUD) mandates the development of an Annual Action Plan to receive federal funding for housing and community development activities.
- The FY2013 Annual Action Plan (Plan) is the City’s annual strategy for providing housing and community development activities.
- The Plan supports the City’s housing policy to preserve existing housing, expand the supply of low and moderate-income housing and support family self-sufficiency.

Explanation

- The FY2013 Action Plan includes housing and community development needs and resources for the City and the Regional Housing Consortium.
- The Regional Housing Consortium is a partnership between the City, Mecklenburg County and the towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville.
- In FY2013 the City expects to receive the following federal funding allocation which includes a six percent reduction in Community Development Block Grant funding and a 37 percent reduction in HOME Investment and Partnership funding which has been factored into the budget and programming.
- Funding for HOME consortium, Neighborhood Revitalization, Relocation, Community Housing Development Organization projects, and House Charlotte is as follows:

- Community Development Block Grant	\$4,108,110
- HOME Investment and Partnerships	\$1,540,352
- Emergency Solution Grants	\$ 328,892
- Housing Opportunity for Persons with AIDS	<u>\$ 813,905</u>
Total	\$6,791,259

Community Input

- Neighborhood & Business Services staff convened three planning sessions to receive public input to the development of the Plan.

- A copy of the draft FY2013 Annual Action Plan was placed in several libraries throughout the City, at the Charlotte Housing Authority and at Old City Hall.
- A public hearing was held on March 26, 2012 during the City Council's Business meeting. No comments were received during the public hearing.

Committee Action

- On March 28, the Housing & Neighborhood Development Committee received an update on the plan and unanimously voted (Kinsey, Mayfield, Autry, Barnes, Cooksey,) to forward the plan to City Council for approval.

Next Steps

- The Plan will be submitted to HUD on May 7, 2012.

Funding

Community Development Block Grant, HOME Investment and Partnerships, Emergency Solution Grants, and Housing Opportunity for Persons with AIDS

Attachment 3

FY2013 Annual Action Plan

11. Council Performance Evaluation Process for City Manager and City Attorney

Action: Approve the Council-Manager Relations Committee's recommendations to:

1. Continue the current process for evaluating the performance of the City Manager on July 23, 2012;
2. Authorize the Committee to meet to formulate goals/expectations and recommendations to be considered by the Council on July 23, 2012, and
3. Authorize the Committee to undertake recommendations for the FY2013 Evaluation Process for both the City Manager and the City Attorney.

Committee Chair: Mayor Anthony Foxx

Staff Resource: Cheryl Brown, Human Resources

Explanation

- Over the past several years, the City Council has discussed and put into practice several different mechanisms for evaluating the performance of the City Manager.
- On March 26, 2012, the Council-Manager Relations Committee discussed the current evaluation process and options for improving and standardizing the process for evaluating the performance of the City Manager and the City Attorney. The focus of the discussions centered around:
 - The recommendations of the Restructuring Government Committee as approved by Council on November 28, 2011, and
 - The need to schedule the City Manager's evaluation to more closely align with the fiscal year.

Committee Action

- On March 26, 2012, the Council-Manager Relations Committee (Foxx, Cooksey, Howard, Kinsey, Mitchell) held a meeting and recommended the following process and timeline for evaluating the performance of its direct reports:
 - For FY2012:
 - Authorize the Committee to meet to formulate goals/expectations and recommendations to be considered by the Council on July 23, 2012.
 - On July 23, 2012, review the results of the Performance Evaluation Survey using the five survey criteria:
 - Run the Business
 - Build the Community
 - Look to the Future
 - Promote Management Values
 - Develop Employees
 - Utilize the July 23, 2012 evaluation meeting to not only review past performance, but to also set goals/expectations for FY2013.

- For FY2013
 - o Authorize the Committee to discuss and undertake recommendations for the FY2013 evaluation process for both the City Manager and the City Attorney.

BUSINESS

12. Blue Line Extension Lease Agreement with NC Railroad

The North Carolina Railroad Board will meet on April 19 to consider the lease agreement. This agenda item will be included in the Friday, April 20 Council-Manager Memo.

13. LED Street Lighting Pilot Project

Action: Authorize the City Manager to execute a contract with Duke Energy in an amount up to \$179,000 for the purchase and installation of LED street lights.

Staff Resources: Phil Reiger, Transportation
Rob Phocas, City Manager's Office

Explanation

- In an effort to enhance energy efficiency, reduce greenhouse gases and control costs, City staff has been working with Duke Energy, owner and operator of street lights, on a project to test Light Emitting Diode (LED) street lighting and smart monitoring technology.
- LED lights are increasingly being used for a variety of retail and commercial uses to save energy costs and positively impact the environment. The City converted all traffic signals to LED in FY2008.
- Smart monitoring technology allows street light performance to be monitored remotely through a secure wireless connection. This technology provides immediate access to information about street lights that need repair.
- While several cities such as Asheville, Seattle, Ann Arbor, Los Angeles, and Pittsburgh are testing/implementing LED street light technology, many electric utilities have been hesitant to recommend it due to its high cost.
- Both City and Duke staff believe the prices of LED street lights have decreased enough to warrant a significant pilot project. This test will provide valuable information and prepare the City and Duke for future applications of LED and monitoring technology citywide.
- This project is consistent with the Council-adopted FY13 Environment Focus Area Plan. The plan includes an initiative for the City to lead by example by practicing environmental stewardship in City operations and facilities.

Project Description

- Staff proposes a pilot project which replaces 229 existing High Pressure Sodium street lights with LED fixtures that will be equipped with smart monitoring technology.
- The project will be located in the Uptown. Its boundaries are Caldwell to College and Stonewall to Sixth Street (full project map attached).
- The uptown location supports the Envision Charlotte goal to reduce energy use in Uptown Charlotte by 20% in five years through a collaborative partnership of the private and public sectors.

- The \$179,000 pays for the purchase and installation of the LED street lights upfront rather than to amortizing the fixtures into the monthly fee.
- In return for paying the upfront fee, the City will receive a lower monthly fee (\$7.50 per month per pole) which includes the cost of maintenance and electricity.
- This payment arrangement saves \$345,543 over the estimated 13 year life of the fixtures.
- Duke Energy will be providing the smart monitoring technology for this pilot at no cost to the City.
- Over the next three to five years the project team will be evaluating lighting performance, energy consumption, reliability, citizen feedback, and cost of multiple vendors.
- If approved, the lights will be installed by the end of July. Work will be coordinated to minimize disruption to traffic and any special events.

Expected Benefits

- Duke estimates that the lower monthly fee will save the City's street lighting budget approximately \$10,000 annually.
- The lighting industry suggests that LED street lights are more resistant to vandalism and have a 7 to 10 year longer lifespan than traditional street lighting.
- Duke estimates that LED street lighting technology will be approximately 32% more energy efficient than what exists in Charlotte today. This equates to 104,275 kWh of annual energy savings. According to the U.S. Energy Information Administration, this is enough energy to power 7 average sized homes in North Carolina for a year.
- This level of energy savings translates into a 72 ton reduction in the City's carbon footprint. According to the U.S. EPA, this equals the annual carbon emissions for 12 cars.
- Additional reductions in carbon will result from a decrease in the need for Duke service vehicles to monitor and maintain the lights.
- The proposed LED street lighting will cast a whiter light than the traditional street lights currently installed. Furthermore, the project will provide an equivalent level of illumination and improve lighting consistency.

Funding

Street Lighting Budget

Attachment 4

Map

14. Charlotte Mecklenburg Regional Housing Consortium Renewal

Action: Renew the Charlotte-Mecklenburg Housing Consortium Agreement to continue receiving annual formula allocation of HOME funds.

Staff Resources: Zelleka Biermann, Neighborhood & Business Services
Mary Gaertner, Neighborhood & Business Services

Explanation

- The Charlotte-Mecklenburg Regional Housing Consortium was established through a joint cooperation agreement in July 2003. The Consortium currently consists of Mecklenburg County and the towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville serving as participating jurisdictions. Each town is eligible to receive HOME funding for the development of affordable housing. The City of Charlotte serves as the Lead Entity and anticipates awarding up to 10% (\$154,035) of its annual allocation to Consortium members for the provision of affordable housing.
- HUD's initial Consortium designation lasts for a three-year qualification period with an automatic renewal clause in its consortium agreement to facilitate the renewal process.
- The Joint Cooperation Agreement dated July 1, 2003 was amended on September 1, 2011 to add the Town of Davidson as a participating jurisdiction during the third qualification period (July 1, 2009 – June 30, 2012).
- With the addition of Davidson as a new participating jurisdiction, HUD requires a new consortium agreement.
- The HOME Program is the largest federal block grant to states and local governments designed exclusively to create affordable housing for low-income households.
- The HOME Program provides formula grants to states, localities and communities and is often used in partnership with local nonprofit groups to fund a wide range of activities such as constructing, purchasing and/or rehabilitating affordable housing for rental or homeownership opportunities. HOME funds can also be used to provide direct rental assistance to low-income people.
- The renewed Charlotte-Mecklenburg Consortium agreement must be submitted to HUD on or before June 30, 2012.

Attachment 5

Joint Cooperation Agreement

15. Conclusion of Consent Agenda

Action: Approve Consent items which Council members pulled for discussion or additional information.

16. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified.

A. CHARLOTTE MECKLENBURG COALITION FOR HOUSING

- One appointment for a representative of the donor/philanthropic community for an unexpired term that begins immediately and ends June 30, 2013.
 - Herb Gray failed to meet the 2011 attendance requirement.

Attachment 6

Applications

B. CMUD ADVISORY COMMITTEE

- One appointment for a Town representative as nominated by the governing bodies of the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville per the 1991 agreement between the City of Charlotte and Mecklenburg County for an unexpired term beginning immediately and ending June 30, 2012 and then continuing for a full, three-year term ending June 30, 2015.
 - David Jarrett failed to meet the 2011 attendance requirement.

Attachment 7

Applications

C. NEIGHBORHOOD MATCHING GRANTS FUND REVIEW TEAM

- One appointment for a school system employee as recommended by the Superintendent of the Charlotte Mecklenburg School System for a two-year term beginning April 16, 2012.
 - Phyllis Crouch is eligible, has received a recommendation from CMS and would like to be reappointed.
- One appointment for a business representative for a two-year term beginning April 16, 2012.
 - Joseph Rambert has completed two full terms of service and is not eligible for reappointment.
- Two appointments for neighborhood representatives for two-year terms beginning April 16, 2012.
 - Jenifer Daniels is eligible and would like to be reappointed.
 - Richard Alexander is eligible, but does not wish to be reappointed.
- Two appointments for non-profit organization representatives for two-year terms beginning April 16, 2012.
 - James Harrell is eligible and would like to be reappointed.

- Virginia Keogh has completed two full terms and is not eligible to be reappointed.
- One appointment for a neighborhood organization representative for a two-year term beginning April 16, 2012.
 - Phillip Davis is eligible and would like to be reappointed.

Attachment 8

Applications

17. Appointments to Boards and Commissions

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

A. BUSINESS ADVISORY COMMITTEE

- Two appointments for three-year terms beginning April 29, 2012.
 - Russell Hughes - Council Member Dulin
 - Nalan Karakaya-Mulder, incumbent - Council Members Autry, Barnes, Cannon, Cooksey, Howard, Kinsey, Mitchell, Pickering
 - Chris Moeller - Council Member Mayfield
 - Anu Murthy - Council Members Autry, Barnes and Mayfield
 - Todd Paris, incumbent - Council Members Cannon, Cooksey, Howard, Kinsey, Mitchell, Pickering
 - Michael Schmidt - Council Member Dulin

Attachment 9

Applications

B. CHARLOTTE INTERNATIONAL CABINET

- Two appointments for open seats for three-year terms beginning July 1, 2012.
 - Larken Egleston, incumbent - Council Members Cannon, Cooksey, Dulin, Howard, Kinsey, Mitchell, Pickering
 - Tamara Johnson - Council Member Barnes
 - Ron Schimpf - Council Member Autry
 - Xin Zhang, incumbent - Council Members Autry, Barnes, Cannon, Cooksey, Howard, Kinsey, Mitchell, Pickering
- Two appointments for business organizations representatives for three-year terms beginning July 1, 2012.
 - Douglas Bowman - Council Members Barnes, Cannon, Howard, Mayfield, Mitchell, Pickering
 - William Martin - Council Member Dulin
 - Scott Mickle - Council Member Cooksey
 - Troy Pelshak - Council Members Autry, Cannon, Dulin
 - Charles Prendergast - Council Member Kinsey
 - Ronald Zurinkas, incumbent - Council Members Autry, Barnes, Cooksey, Howard, Kinsey, Mitchell, Pickering

Attachment 10

Applications

C. CHARLOTTE REGIONAL VISITORS AUTHORITY

- Two appointments for at large representatives for three-year terms beginning July 1, 2012.
 - Doris Asbury – Council Member Cannon
 - Sabrina Brown – Council Member Barnes
 - John Collett – Council Members Cooksey, Dulin
 - Deborah Edwards – Council Members Cooksey, Kinsey
 - Venessa Harrison – Council Members Mitchell, Pickering
 - Stephen Lauletta – Council Member Mayfield
 - Nina Lipton – Council Member Kinsey
 - Anthony Perez – Council Members Barnes, Cannon, Mayfield
 - Darrin Rankin – Council Member Autry
 - Wilhelmenia Rembert – Council Members Autry, Howard
 - Stephen Rosenburgh – Council Members Dulin, Howard, Pickering
 - Jacqueline Yelverton – Council Member Mitchell

- One appointment for a restaurant representative for a three-year term beginning July 1, 2012.
 - Michael Adams – Council Members Autry and Kinsey
 - John Collett – Council Member Cannon
 - Thomas Henson – Council Members Barnes, Cooksey, Howard, Mayfield, Pickering

Attachment 11

Applications

D. CIVIL SERVICE BOARD

- Two appointments for three-year terms beginning May 16, 2012.
 - Clement Abernethy III – Council Members Autry, Pickering
 - Ralph Barnes – Council Member Kinsey
 - Lisa Crawford – Council Member Howard
 - Norman Garnes – Council Members Barnes, Cannon, Cooksey, Dulin, Howard, Mayfield, Mitchell
 - Ashley Hewitt – Council Members Barnes, Cannon, Cooksey, Dulin, Mayfield, Mitchell, Pickering
 - Thomas Mitchell – Council Member Kinsey
 - Heather Myers – Council Member Autry

Attachment 12

Applications

E. HISTORIC DISTRICT COMMISSION

- One appointment for an at large seat for a three-year term beginning July 1, 2012.
 - Belinda Corbus – Council Members Barnes, Cooksey, Pickering
 - Nina Lipton – Council Member Howard
 - Vincent Pfahl – Council Member Kinsey
 - Thomas Polito – Council Member Mitchell
 - Julie Smith – Council Member Autry

Attachment 13

Applications

F. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

- One appointment for a two-year term beginning immediately and ending March 1, 2014.
 - Eric Davis – Council Member Howard
 - Robert Diamond – Council Members Autry, Cooksey
 - Christopher Moeller – Council Member Kinsey
 - Eric Montgomery – Council Member Mitchell
 - Eric Sieckmann – Council Member Dulin
 - Julian Wright, Jr. – Council Members Barnes, Mayfield, Pickering

Attachment 14

Applications

18. Mayor and Council Topics

Council members may share information and raise topics for discussion.

CONSENT

Introduction to CONSENT

Consent consists of routine items that have been approved in the budget. Price lists for unit price contracts are available upon request.

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. For the procurement of professional services and/or engineering architectural and surveying services, the North Carolina General Statutes 143-64.31 requires that units of government "select firms qualified to provide such services on the basis of demonstrated competence and qualification...without regard to fee other than unit price information, and therefore to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm."

19. Cottonwood Street Sidewalk Project

Action: Award the low bid contract of \$346,548.40 to Carolina Cajun Concrete, Inc. for the Cottonwood Street Sidewalk Project.

Staff Resource: Mark Grimshaw, Engineering & Property Management

Explanation

- The Cottonwood Street Sidewalk Project will support the City's Sidewalk Program to enhance connectivity, offer transportation choices and improve pedestrian safety.
- This project will include construction of sidewalk, curb and gutter and storm water improvements along the south side of Cottonwood Street from Joe Street to Ella Street.
- Sidewalk will be installed on the west side of Joe Street from Cottonwood Street to Harvey Street and on the north side of Reagan Drive from Graham Street to Pebble Street (approximately .43 miles).
- Construction is expected to be complete third quarter 2012.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 7.19%

Carolina Cajun Concrete, Inc. exceeded the established SBE goal and committed 7.19% (\$24,900) of the contract amount to the following SBE firms: On Time Construction, Inc. (masonry), Ground Effects, Inc. (pavement marking) and Fernandez Construction Corporation (curb and gutter). Carolina Cajun Concrete, Inc. is also a certified SBE firm.

Funding

Transportation Capital Investment Plan

20. Sugaw Creek Neighborhood Improvement Project

Action: Award the low bid contract of \$1,162,612 to United Construction, Inc. for the Sugaw Creek Neighborhood Improvement Project.

Staff Resource: Keith Carpenter, Engineering & Property Management

Explanation

- This is a 2006 Neighborhood Bond Project to provide infrastructure improvements within the Sugaw Creek neighborhood.
- The project will include the construction of curb and gutter, sidewalks and storm drainage on selected streets within the neighborhood.
- The neighborhood is bounded by West Sugar Creek Road, West Craighead Road, North Tryon Street and the Sugaw Creek Park.
- Construction is expected to be complete by third quarter 2013.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 7.00%

United Construction, Inc. met the established SBE goal and committed 7.00% (\$81,400) of the contract amount to the following SBE firms: Streeter Trucking (hauling), Happy Jack Trucking, Inc. (hauling) and Kay's Construction Co., Inc. (erosion control and concrete work).

Funding

Neighborhood Capital Investment Plan

21. Belmont NCDOT Improvements

Action: Award the low bid contract of \$437,720.80 to United Construction, Inc for the Belmont NCDOT Improvements Project.

Staff Resource: Jonathan Sossamon, Engineering & Property Management

Explanation

- The Belmont Improvements Projects is funded by a NC Department of Transportation (NCDOT) Neighborhood Reinvestment Grant of approximately \$1.2 million. City Council approved a municipal agreement with NCDOT to construct the project.
- The goal of the Belmont NCDOT Improvements Project is to slow traffic through these neighborhood intersections, creating safer, more pedestrian-friendly roadways:
 - 18th Street/Pegram Street
 - 18th Street/Harrill Street
 - Belmont Avenue/Harrill Street
 - Pegram Street/16th Street
- This will be achieved by the construction of sidewalk, planting strips, wheel chair ramps, curb extensions and landscaping.
- The Belmont Improvements Project is consistent with the goals of the Belmont Area Plan.
- Construction is expected to be completed in fourth quarter 2012.

Disadvantaged Business Enterprise (DBE) Opportunity

- The Neighborhood Reinvestment Grant funding was received by NCDOT from the Federal Highway Administration (FHWA); therefore NCDOT required and approved a DBE goal of 8.0% for this project.
- United Construction, Inc. submitted with their bid a DBE utilization of 3.02% (\$12,000) of their base bid amount (\$397,928) to the DBE firm, Streeter Trucking (Hauling).
- United Construction also submitted good faith effort documentation for consideration and review.
- Upon review, NCDOT concluded that United Construction, Inc. did submit satisfactory information demonstrating that they exerted a good faith effort to meet the DBE goal, and concurs with the City proceeding with award to United Construction, Inc.

Funding

NCDOT Neighborhood Reinvestment Grant

22. Road Humps FY2012

Action: A. Reject the low bid of \$166,786.20 of Oliver Paving Company due to non-compliance with the SBO Program, and

B. Award the lowest responsive bid contract of \$187,262.25 to Red Clay Industries for FY2012 Road Humps.

Staff Resources: Chip Gallup, Transportation
Bryan Tarlton, Engineering & Property Management

Explanation

- This project is part of an on-going program to install traffic calming road humps on various streets within the City limits in accordance with the Traffic Calming Policy adopted by City Council in October 1997.
- The program, which is driven by citizen requests, installs approximately 125 new road humps a year on 35 to 40 streets. There are currently 70 street requests awaiting action.
- The road hump installations will be coordinated with the resurfacing program (occasionally road humps are replaced as a result of resurfacing work).
- Installation of the road humps is expected to be complete by fourth quarter 2012.

Award to Second Lowest Bidder

- Staff recommends the contract be awarded to the lowest, responsive bidder, Red Clay Industries.
- The low bidder, Oliver Paving Company, is recommended for rejection for failure to meet the minimum SBO requirements.
- The low bidder did not meet the established SBE goal, proposing a total SBE utilization of 0.00%.
- The low bidder then submitted their good faith effort (GFE) documentation, and after review, staff determined they also did not meet the minimum required GFE points, achieving only 10 GFE points.
- The low bidder failed to achieve compliance with the SBO Program by achieving neither the SBE Goal nor the minimum GFE points (Part B: Section 2.1 of the SBO Policy) (see attachment).

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6.40%

Red Clay Industries exceeded the established SBE goal, and committed 6.40% (\$11,990) of the total contract amount to the following SBE firm: RAM Pavement (pavement marking).

Funding

Transportation Capital Investment Plan

Attachment 15

List of streets

Attachment 16
SBO Policy Reference

23. Construction Inspection Services

- Action:**
- A. Approve a contract with Mulkey, Inc. for \$75,000 for construction inspection services,**
 - B. Approve a contract with SEPI Engineering & Construction, Inc. for \$75,000 for construction inspection services, and**
 - C. Approve up to two renewals to each contract not to exceed the original amount and a total contract period not to exceed three years.**

Staff Resource: Bryan Tarlton, Engineering & Property Management

Explanation

- The City of Charlotte anticipates an increase in construction work over the next 24-month period that includes major projects on Rea Road, Statesville Road, and Freedom Drive, which were approved in prior bond referendums. These contract services are needed to supplement current staffing levels for three years in lieu of hiring additional staff.
- Work will be conducted on a task-order basis and will include but not be limited to the following:
 - Keep a daily diary to document work progress and communications
 - Provide recommendations regarding the performance of the contractor as specified under the construction contract documents
 - Serve as the agent of the City within the limits and conditions of the construction contract documents
 - Attend pre-construction and bi-monthly meetings with the City, the Contractor and utilities to assess the progress of the work
- The maximum dollar amount for each contract with two optional renewals is \$225,000 over a maximum contract period of three years.
- These renewals are an incentive to the contractor for good performance, productivity and quality work.
- These firms were selected using the Council-approved, qualifications-based selection process.

Small Business Opportunity

Mulkey, Inc.

Informal contracts are not subject to establishing SBE subcontracting goals, and are considered exempt (Appendix Section 23.1 of the SBO Policy) (see attachment).

SEPI Engineering & Construction, Inc.

Informal contracts are not subject to establishing SBE subcontracting goals and are considered exempt (Appendix Section 23.1 of the SBO Policy) (see attachment). SEPI included the following SBEs as part of their supporting team to be used for each work order as the project evolves: Barry Lambert Engineering, LLC (engineering) and Hinde Engineering, Inc. (utility location).

Funding

Transportation Capital Investment Plan

Attachment 16

SBO Policy Reference

24. Statesville Road Widening Utility Relocation

Action: Approve an agreement with AT&T in an amount not to exceed \$180,000 to relocate AT&T infrastructure for the Statesville Road Widening Project.

Staff Resource: Theresa Watley, Engineering & Property Management

Explanation

- The \$20,162,872.40 construction contract for the Statesville Road Widening Project was awarded by City Council at the March 26 meeting.
- The project includes the widening of Statesville Road from I-85 to Sunset Road and the construction of turn lanes, a planted median, bike lanes, sidewalks and planting strips.
- On December 12, 2011, Council authorized up to \$500,000 to relocate AT&T infrastructure for this project.
- The additional funds being requested in this Council action are the result of a revised estimate submitted by AT&T, after AT&T identified additional, unanticipated components that had to be included in their infrastructure relocation design.
- Payment of these utility relocation expenses will be consistent with City practices for relocating existing AT&T infrastructure in conflict with the proposed project.
- Authorization for this Council action will enable AT&T to proceed with their utility relocations without further delay to the project.
- The total authorized amount to date including this agreement is \$680,000 and is available in the original project budget.

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part B: Section 2.4 of the SBO Policy) (see attachment).

Funding

Transportation Capital Investment Plan

Attachment 16

SBO Policy Reference

25. South Tryon Street Lighting

Action: Approve payment to Duke Energy in the amount of \$128,035.80 for the installation of pedestrian lights and street lights for the South Tryon Street Conversion Project.

Staff Resources: Jim Keenan, Engineering & Property Management
Joe Frey, Engineering & Property Management

Explanation

- This is a one-time, upfront payment for light installation work to be completed by Duke Energy.
- The monthly lighting bill will be paid by CDOT as part of the public lighting agreement between the City of Charlotte and Duke Energy.
- The South Tryon Street Conversion Project is a Center City Transportation Program Project currently under construction from Stonewall Street to Carson Boulevard. The goal is to make this roadway more pedestrian- and bicycle-friendly with installation of wider sidewalks on both sides of the South Tryon Street bridge over I-277, as well as new bike lanes.
- The lighting is an extension of the Tryon Mall lighting pattern.
- The project includes the installation of 14 pedestrian-scale lights and five decorative steel street lights. The cost per light for the pedestrian-scale lights is approximately \$5,865 and includes the poles, fixtures, concrete bases and connection to underground power line. The cost per light for the decorative steel street lights is approximately \$8,440 and includes poles, fixtures, bases and connection to underground power line. Funds are available in the project budget.
- This lighting installation will be complete by third quarter 2012.

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part B: Section 2.4 of the SBO Policy) (see attachment).

Funding

Center City Transportation Program

Attachment 16

SBO Policy Reference

26. Sidewalk In-fill and Accessible Ramps

Action: **A. Award the low bid contract of \$339,774.40 to W.M. Warr & Son Inc. for the Sidewalk In-fill and Accessible Ramps Project, and**

B. Authorize the City Manager to approve up to one renewal in an amount not to exceed the original contract amount.

Staff Resource: Leon Howe, Engineering & Property Management

Explanation

- This project will install small, in-fill sections of sidewalk and accessible ramps throughout the City.
- The locations will be determined by citizen requests and identification by staff.
- The length of total sidewalk improvement is estimated to be one mile.
- The original contract duration is one year with an optional renewal.
- The renewal is an incentive to the contractor for good performance, productivity and quality work.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 5.00%

W. M. Warr & Son, Inc. met the established SBE goal and committed 5.00% (\$16,988.72) of the contract amount to the following SBE firm: All Points Trucking, Inc. (hauling).

Funding

Transportation Capital Investment Plan

27. Police Headquarters Lobby Renovations

Action: **Award the low bid contract of \$156,735 to T.K. Browne Construction Company, Inc. for the Charlotte-Mecklenburg Police Department Headquarters Lobby Renovations.**

Staff Resource: William Haas, Engineering & Property Management

Explanation

- This project will include the renovation of 1,200 square-feet within the Charlotte-Mecklenburg Police Department (CMPD) Headquarters.
- The renovation project includes the removal of the existing lobby desk, reconfiguration of existing space to improve security measures, fabrication and installation of a new lobby desk, optical turnstiles and surrounding features.
- Optical turnstiles will be placed behind the newly fabricated desk, on either side, creating secure access points into the elevators.
- The project will be complete by July 1, 2012.

Background

- The proposed changes will improve security for CMPD staff and visitors.
- Optical turnstiles will be purchased from Government Technology Services, Inc. (GTSI) through the US Communities cooperative purchasing agreement which was previously approved by Council.
- The US Communities cooperative agreement contracts are competitively solicited on a national basis, meet City statutory requirements, and commit to the lowest available pricing for local agencies nationwide.
- The total cost of the renovation project will be \$450,000, including construction and equipment.

Small Business Opportunity

Construction contracts estimated to be less than \$200,000 are considered informal with regards to the SBE subcontracting goal setting process. Therefore, a SBE goal was not established (Appendix Section 29.1 of the SBO Policy) (see attachment). T.K. Browne Construction Company Inc. however, committed 8.90% (\$13,965) of the contract amount to the following SBE firm: COED Electrical Services, Inc.

Funding

Police Operating Budget

Attachment 16

SBO Policy Reference

28. Police Headquarters Video Camera Upgrade

Action:

- A. Approve the purchase of video cameras and related equipment as authorized by the sole source purchasing exception of G.S. 143-129 (e) (6), and**
- B. Approve a contract amendment with Advanced Digital Solutions (ADS), in an amount up to \$195,000, for the purchase and installation of new video cameras, conversion of existing cameras to digital and the integration of video and security systems in CMPD Headquarters into its Video Management System.**

Staff Resources: Ruth Story, CMPD
Cliff Chapman, CMPD

Sole Source Exception

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 1. Performance or price competition is not available
 2. A needed product is available from only one source or supply
 3. Standardization or compatibility is the overriding consideration
- Sole sourcing is necessary since ADS is the contracted provider of the Synergy Enterprise Digital Video Content Management System and their experience and

expertise will be required in all aspects of this installation, integration, and upgrade.

Explanation

- CMPD recently conducted a review of the video surveillance at its headquarters building.
- The review indicates that new cameras are needed in and around the building to provide better video coverage of critical areas.
- All of the existing cameras need to be converted to digital so they can be viewed and recorded within the new Digital Content Management System purchased from and installed by ADS.
- Police also need to procure video management workstations that will allow police personnel to manage video cameras and live feeds and recorded video stored in the Digital Video Content Management System
- Police will also integrate their current door access control system into the Digital Video Management System, providing consolidated system functionality
- The contract with ADS was approved by Council on February 13, 2012. The amendment changes the scope of work and amount of the original contract.

Small Business Opportunity

Sole source contracts are exempt (Appendix Section 23.2 of the SBO Policy) (see attachment).

Funding

Urban Area Security Initiative Grants

Attachment 16

SBO Policy Reference

29. Utility Mini Excavators

Action: **A. Approve the purchase of Hyundai Mini Excavators as authorized by the State contract exception of G.S. 143-129(e)(9), and**

B. Approve a contract with Rob’s Hydraulics Inc. for the purchase of four excavators per State Contract #760H in the amount of \$280,028.

Staff Resource: Barry Gullet, Utilities

State Contract Exception

- G.S. 143-129(e)(9) allows local government to purchase from state contracts if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the state contract.
- The Division of Purchase and Contract from the North Carolina Department of Administration solicits commodities for the State.

Explanation

- Mini excavators are small tractors used by CMUD crews to excavate water and sewer lines for repair.
- These mini excavators are replacing four existing larger machines. Three of the existing machines are out-of-service due to age and condition, which has required the use of rental equipment in their place. The fourth existing machine is also old, in bad condition, and meets the criteria for replacement.
- These smaller machines allow work to be done in space-limited locations and with less damage to the surrounding area than the larger machines they are replacing.
- Purchasing this equipment is more cost effective than renting.
- The purchase price for these machines is \$70,007 each and their purchase is part of CMUD's approved FY2012 Capital Equipment Plan.

Small Business Opportunity

Contracts purchased off of a State contract are exempt (Appendix Section 23.2 of the SBO Policy) (see attachment).

Funding

Utilities Capital Equipment Fund

Attachment 16

SBO Policy Reference

30. Private Developer Agreements and Budget Ordinance to Appropriate Private Developer Funds

Action: **A. Authorize the City Manager to execute Developer Agreements with the developers listed below, and**

B. Adopt a budget ordinance appropriating \$113,000 in private developer funds for traffic signal improvements.

Staff Resource: Scott Putnam, Transportation

Explanation

- The following developers are fully funding traffic signal installations and improvements to mitigate traffic impacts around their respective development projects:
 - Bank of the Ozarks, contributed \$2,500 for signal modification at the intersection of Park Road and Heather Street.
 - CEW Properties, LLC, contributed \$3,000 for signal modification at the intersection of Hebron and South Boulevard.
 - Harris Teeter, Inc., contributed \$29,500 for signal modification at the intersection of Providence Road and Queens Road.
 - Harris Teeter, Inc., contributed \$16,000 for signal modification at the intersection of Central Avenue and Plaza Road.
 - Percival McGuire Commercial Real Estate Development, LLC, will contribute \$62,000 for signal modification at the intersection of Northcrest and WT Harris Boulevard.

- Payments made by the developer are in response to estimates of work prepared by CDOT and supplied to the developer.
- The \$113,000 in private developer funding is restricted to these projects. Any funding that is unused will be refunded after project completion.

Funding

Developer Contributions

Attachment 17

Budget Ordinance

31. Outside Fiber Optical Cable Verification Services

Action: Approve a contract with Byers Engineering Company for Outside Fiber Optical Cable Verification Services in the estimated amount of \$250,000.

Staff Resource: Marie Harris, Business Support Services

Explanation

- Outside fiber optical cable is the communications infrastructure that connects the City's telecommunications systems, Intelligent Transportation System (ITS), video cameras and other technologies across facilities throughout the City.
- Byers Engineering Company will verify the City's existing drawings and system documentation, perform a comprehensive inventory, and obtain Global Positioning System (GPS) data for over 300 locations across approximately 35 miles of the City's Outside fiber cable network.
- The Outside Fiber Cable Verification Services project will improve serviceability, reduce repair response times, and result in more efficient and cost effective provisioning of telecommunications infrastructure for the City.
- Deliverables include:
 - Recommendations for maintenance, repair, and service improvements based on industry standards
 - As-built drawings
 - Standardized GPS data
 - Equipment Inventory reporting
- This contract is for the term of six months, with a total estimated cost of \$250,000.

Selection Process

- The City issued a Request for Qualifications (RFQ) for Outside Fiber Cable Verification Services on November 21, 2011.
- In response to the RFQ, the City received nine Qualification Packages from interested service providers.
- The Project Team, consisting of staff from Business Support Services' Procurement Services and Information Technology Divisions and Charlotte Department of Transportation evaluated the Qualification Packages and is recommending the most qualified service provider.
- The Project Team recommends awarding the contract to Byers Engineering Company as the service provider best meeting the City's needs in terms of

qualifications and experience, and able to provide favorable negotiated pricing and contract terms.

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy) (see attachment).

Funding

General Capital Investment Plan

Attachment 16

SBO Policy Reference

32. Automated Vehicle Location Systems

Action:

- A. Approve a contract with Air-Trak, Inc. for Automated Vehicle/Asset Location Systems for an initial term of three years in the estimated amount of \$652,000,**
- B. Authorize the City Manager to approve up to two, one-year renewal options, as authorized by the contract, and contingent on the company’s satisfactory performance, and**
- C. Authorize the City Manager to amend the contract to add additional device models, licenses, and accompanying software and maintenance fees as may be required from time to time to support various City Departments’ needs.**

Staff Resources: Jerry Orr, Aviation
Marie Harris, Business Support Services

Explanation

- Various City Departments currently use Automated Vehicle Location Systems (AVLs) on their fleet vehicles to help maximize efficient usage of the City’s existing fleet.
- Departments currently use AVLs to perform the following Asset Management services:
 - Departmental tracking of vehicles and equipment asset location and movement
 - Ensure appropriate dispatch and use of vehicles and equipment
 - Aid in Solid Waste Collection Services
 - Dispatch of maintenance vehicles
 - Public Safety Vehicle monitoring and dispatch
 - Communication of work order dispatch and completion status
 - Vehicle and equipment fuel efficiency monitoring
- The types of AVLs, provided by Air-Trak, are currently leveraged by various City Departments including Solid Waste Services and Engineering & Property Management to integrate time management and fuel consumption data through

the City's existing Kronos application, and would allow for minimal to no additional training requirements.

Selection Process

- The Airport issued a Request for Proposals (RFP) for an Automated Vehicle/Asset Location System in August of 2011.
- In response to the RFP, the Airport received five proposals from interested service providers.
- The selection committee recommends awarding the contract to Air-Track, Inc. as the service provider best meeting the City's needs in terms of qualifications, experience, cost effectiveness, and willingness to accept the City's contractual terms and conditions.

Contract Terms

- This contract is for the term of three years with the City having two, one-year renewal options thereafter.
- The aggregate estimated five year expenditures for all City Departments total are \$1,100,000.
- Contract renewal after the initial three year term is contingent on availability of funds, as well as the Company's satisfactory performance.
- Additional volume tiers have been provided by Air-Trak, Inc. to allow the City additional savings for use in various City Departments.

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy) (see attachment).

Funding

Various department operating budgets

Attachment 16

SBO Policy Reference

33. Donation of Surplus Computers and Related Equipment to Goodwill

<p>Action: Adopt a resolution approving the donation of surplus computers and related equipment to Goodwill Industries of the Southern Piedmont.</p>

Staff Resource: Marie Harris, Business Support Services

Explanation

- On April 11, 2011, City Council approved a partnership with Goodwill Industries for the management of surplus electronic disposal.
- Since initiation of the partnership, City donated electronics have had a direct impact within our community by:
 - Making refurbished electronics such as computers and laptops available at discounted pricing.
 - Creating opportunities for 1,200 hours of on-the-job training.

- Employment opportunities in Goodwill electronic recycling and refurbishing operations.
- G.S. 160A-280 requires that City Council adopt a resolution approving all donations. A list of surplus computers and related electronic equipment will be created for each donation cycle and brought to Council for review and approval.
- Periodically throughout the year, donations will be made as surplus equipment accumulates.

Attachment 18

List of computers and related equipment for donation
Resolution

34. Temporary Staffing Services

- Action:**
- A. Approve contracts for Temporary Staffing Services for an initial term of three years, in the aggregate estimated annual amount of \$1,750,000 with the following service providers:**
- **Abacus Corporation**
 - **Advantage Personnel Solutions, LLC**
 - **Allegiance Staffing**
 - **AppleOne Employment Services**
 - **Epic Placement Service**
 - **GoodWork Staffing (a division of Goodwill Industries)**
 - **Integra Staffing**
 - **Jennifer Temps, Inc**
 - **Premier Staffing Resources**
 - **Solutions Staffing**
 - **TECHEAD**
 - **Trojan Labor**
- B. Authorize the City Manager to extend the contracts for up to two additional one-year terms and to amend the contracts as needed from time to time to add or subtract job descriptions or categories of temporary services as may be necessary to support City departmental needs and to implement price adjustments as authorized by the contract.**

Staff Resource: Marie Harris, Business Support Services

Explanation

- The City of Charlotte uses temporary staff to fill a variety of positions and assignments. To ensure timely access to quality temporary staff for the city, and to give City staff flexibility and choice, staff negotiates staffing contracts with several qualified firms.
- The primary fields of service the contracts cover are Administrative and Office support, Accounting and Financial support, Laborers, Legal Assistants, and Skilled Trades.
- Through the use of temporary staffing services, City departments are able to:
 - Ensure adequate coverage caused by vacancies, illness, or other routine leave events

- Address peak workload, seasonal, or short-term needs
- Avoids employee overhead costs
- Allows potential candidates to perform on a temporary or a trial basis prior to employment offers

Selection Process

- The City issued a Request for Proposal (RFP) for Temporary Staffing Services on February 14, 2012.
- In response to the RFP, the City received 27 proposals from interested service providers.
- The Project Team, consisting of staff from Business Support Services' Procurement Services Division, Human Resources, Solid Waste Services, Aviation, and the Department of Transportation evaluated the proposals and shortlisted to 19 service providers for further evaluation.
- Evaluation factors included experience, professional qualifications, operational viability, references, presentation, price, and willingness to provide the high level of performance required while also meeting the terms and conditions of the contract.
- After additional evaluations, the Project Team recommends awarding the contract to 12 selected service providers best meeting the City's needs in terms of qualifications, experience, and cost effectiveness.

Contract Terms

- These contracts have an initial term of three years with two, one-year renewal terms.
- The total aggregate estimated spend for all 12 contracts for the five years is \$7,500,000.
- Contract renewals after the initial three-year term are contingent on availability of funds, as well as each Company's satisfactory performance.

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy) (see attachment). However, the following service providers are certified SBEs.

- Advantage Personnel Solutions, LLC
- Epic Placement Service

In addition, the following service providers hold other certifications

- Allegiance Staffing (MWBE)
- Epic Placement Service (MWBE, DBE, ACDBE, HUB)
- Integra Staffing (MWBE)
- Jennifer Temps, Inc. (MWBE)
- Solutions Staffing (MWBE)
- TECHEAD (WBE)

Funding

Various department operating budgets

Attachment 16

SBO Policy Reference

35. Collection Agency Services

- Action:** **A. Approve a one-year contract renewal with Security Collection Agency in the amount of \$150,000 for collection services, and**
- B. Authorize the City Manager to execute a second one-year extension of the contract in the amount of \$150,000.**

Staff Resource: Greg Gaskins, Finance

Explanation

- The scope of work involves collections for past due accounts for water, sewer, and storm water bills, and returned checks for other City of Charlotte services.
- Following a formal selection process, on June 23, 2008, Council approved a three-year contract with Security Collection Agency (SCA) with the option of two, one-year extensions. After an implementation period, SCA initiated collection services in February 2009.
- SCA was selected because of their experience working with the public sector since 1974 and their ability to interface with the North Carolina Debt Setoff Program. Under NC General Statute 105-A, income tax refunds due to individuals who owe \$50 or more and are at least 60 days past due may be sent to the Debt Setoff Program for the payment of governmental utility services. The Debt Setoff Program is only applicable to those individuals who have filed state income tax returns.
- Staff evaluated the services provided by SCA over the past three years and recommends a contract extension for up to two years.
- Fees for service are 16% of collections. Based on staff analysis of the historical collection rate, staff anticipates an annual contract amount of \$150,000.
- Staff will conduct a formal selection process with a new contract effective in FY2014.

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy)(see attachment).

Funding

Various department operating budgets

Attachment 16

SBO Policy Reference

36. Airport Energy Infrastructure

Action: Approve the low bid contract of \$3,604,110.15 with Brooks Berry Haynie & Associates for work associated with new underground electrical ducts.

Staff Resource: Jerry Orr, Aviation

Explanation

- This contract will install an additional 10,000 linear feet of concrete encased ducts to complete an underground pathway from the Duke Energy substation on Wilkinson Boulevard to the Airport Terminal building. Duke Energy will then install additional and larger circuits to provide current and future electrical capacity.
- Underground service will be more reliable and reduce costly terminal power outages.

Small Business Opportunity

Established SBE Goal: 10%

Committed SBE Goal: 38.95%

Brooks Berry-Haynie & Associates exceeded the established SBE goal, and committed 38.95% (\$1,403,651.25) of the total bid amount to the following SBE firms: Harco Development, Inc. (ductbank installation), and Jim Bob's Grading and Paving (asphalt paving).

Funding

Aviation Capital Investment Plan

37. Airport Traffic Control and Security Guard Services

Action: Approve a contract extension with G4S Secure Solutions in the amount of \$696,000 for airport traffic control and security guard services.

Staff Resource: Jerry Orr, Aviation

Explanation

- The Aviation Department manages the security access and traffic control functions at the Airport.
- Following September 11, 2001, the Airport used a combination of Airport personnel and temporary employees to provide these services.
- After a competitive process, Council approved a contract in May 2009, with G4S Secure Solutions to provide uniformed personnel on the Airport's upper and lower level curbsides and other access control services.
- This contract extension is for up to 12 months and will allow the Airport time to evaluate providing the service with Aviation employees instead of contracted services for the FY2014 budget process.

Contract Terms

- G4S Secure Solutions will provide personnel on a man hour basis as required by the Airport.

- The original contract amount was 2,100,000.
- This extension will increase the total contract amount to \$2,796,000.
- The contract can be terminated by the Airport with 30-day notice.
- There are seven guard positions with hourly rates 24/7 ranging from \$9.00 to \$11.25 per hour.
- G4S provides the employees:
 - Earned wages
 - Holiday
 - Vacation Pay
 - Training

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy) (see attachment).

Funding

Aviation Operating Budget

Attachment 16

SBO Policy Reference

38. Vanpool Replacement Vehicles

Action: **A. Approve the purchase of vanpool minivans as authorized by the State contract exception of G. S. 143-129(e) (9), and**

B. Approve the purchase of 15 minivans at a total cost of \$335,325 (\$22,355 per vehicle) to replace existing vehicles in the Vanpool Program.

Staff Resource: Larry Kopf, Transit

State Contract Exception

- G. S. 143-129 (e) (9) provides that formal bidding requirements do not apply when:
 - Purchases from contracts established by the state or any agency of the state, if the contractor is willing to extend to a political subdivision of the state the same or more favorable prices, terms and conditions as established in the state contract.
- The state contract offers better pricing than is available in the market for vehicles of this type

Explanation

- CATS Vanpool Program is a flexible, comfortable, cost-effective way for groups of commuters to share their ride to work. A vanpool consists of a group of people who live and work near each other and share similar commuting schedules. Each vanpool tailors its schedule around the group's needs, with all members deciding on the pick-up and drop-off locations and times.
- There are currently 99 vehicles in fleet, of which 74 are active, 15 are reserve or spare, and 10 are available for expansion.

- The vanpool fare structure is designed to cover operating costs, including fuel, maintenance, mileage and other administrative costs.
- The vanpool safety record measures up very well, and in FY2011 there were no preventable accidents among Vanpool drivers. Insurance is a supplementary cost covered in the fare structure.
- Using an established point system based on vehicle age, mileage, maintenance cost and condition, BSS Equipment Management Division and Risk Management have recommended replacement of 15 vans currently in service.
- Eleven of the vans being replaced are 15-passenger vehicles. The smaller minivans being purchased are more fuel efficient and better serve the needs of the program.
- Funding for this purchase is 80% Federal with a 20% local match. The local match is \$67,066.

Disadvantaged Business Enterprise Opportunity

No goal was set for this contract because there are no participation opportunities.

Funding

Transit Capital Fund

39. Bus Shelter Glass Panels

Action: **A. Approve the low bid, one-year contract to United Glass Service, Inc. on a unit cost basis for an estimated annual amount of \$35,000, to supply and replace bus shelter glass panels, and**

B. Authorize the City Manager to approve up to four, one-year renewals, for total estimated contract amount of \$175,000.

Staff Resource: John Trunk, Transit

Explanation

- Glass panel replacements generally occur due to vandalism (breaking or cracking of the glass). If a shelter’s panels are damaged more than three times within one year, then the panels are replaced with a wire mesh.
- On February 16, 2012, CATS issued an Invitation to Bid (ITB) to solicit Supply and Replacement of Glass Panels at the bus shelters.
- United Glass Service, Inc. submitted the lowest bid.
- The pricing will be fixed throughout the initial term. Price increases on subsequent contract renewals will be permitted only upon documented increases in the cost of materials.

Small Business Opportunity

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy) (see attachment).

Funding

Transit Operating Budget

Attachment 16
SBO Policy Reference

40. Streetcar Fleet Systems Upgrade Grant

Action: **A. Authorize the City Manager to execute a grant application and agreement with the U.S. Department of Transportation (USDOT) through the Federal Transit Administration(FTA) for transit funding assistance, and**

B. Adopt a budget ordinance appropriating a \$500,000 grant from the U.S. Department of Transportation.

Staff Resources: John Mrzygod, Engineering & Property Management
 David McDonald, Transit

Policy

- Continue implementation of the Centers, Corridors and Wedges Growth Framework.
- Seek financial resources, external grants and funding partnerships necessary to implement transportation programs and services.

Grant History

- A \$500,000 grant is available to the City of Charlotte for the Streetcar program.
- This funding is restricted and may only be used for Streetcar related work.
- Funds from this grant must be obligated to a project prior to September 30, 2012.

Project Background

- CATS operated the City's three Gomaco Replica Streetcar vehicles for several years and discontinued use when Charlotte Trolley service was eliminated in FY2010.
- These vehicles will operate approximately three years on the 1.5 mile Streetcar Starter Project, currently in design.
- These cars must be upgraded to restore them to a daily operating status as well as to provide safety and other enhancements that are needed for these vehicles to operate as "in-street" running vs. exclusive corridor running.
- The cost of upgrading the three Gomaco streetcars is approximately \$625,000.
- The upgrade of the streetcars is an eligible cost for use of this Federal grant.
- A grant application must be submitted to FTA in order to prevent these funds from lapsing.
- Specific contracts related to the systems upgrade and overhaul of the Streetcars will be presented to Council in the future.

Project Budget

- The project budget totals \$625,000.
- The \$500,000 grant requires a 20% local match. The match will come from the General Capital Investment Plan appropriation for the Streetcar Study Project.

Funding

U.S. Department of Transportation Grant and General Capital Investment Plan

Attachment 19

Budget Ordinance

41. LYNX Blue Line Bridge Inspection Services

Action: **A. Approve a two-year contract with the STV, Inc. for an amount not to exceed \$200,000 for bridge inspection services for the LYNX Blue Line, and**

B. Authorize the City Manager to execute a two-year renewal in an amount not to exceed \$200,000 (for a total contract not to exceed amount of \$400,000).

Staff Resource: David McDonald, Transit

Explanation

- The United States Department of Transportation (USDOT) sets the national standards for the proper safety inspection and evaluation of bridges.
 - Bridges are to be inspected every two years in accordance with the National Bridge Inspection Standards (NBIS).
 - Inspections of the LYNX Blue Line bridges are necessary to keep the City in compliance with the NBIS and to maintain the safety of the system.
- On February 10, 2012, a Request for Qualifications was advertised. A committee including staff from CATS, CDOT and E&PM selected STV, Inc. out of a pool of five firms.
- The contract with STV will provide:
 - Inspections of 14 bridges, culverts and other structures
 - Condition reports, recommendations for repairs, and construction administration
 - On-call services
- The contract will be for inspections and related services only. Any necessary repairs will be contracted separately.

Disadvantaged Business Enterprise Opportunity

Established DBR Goal: 7%

Committed DBE Goal: 22%

The proposed DBE firms are: MI Engineering, PLLC and SEPI Engineering.

Funding

Transit Capital Fund

42. Light Rail Vehicles Propulsion Component Repair Services

Action: Approve a one-year agreement with Siemens Industry Inc. for repair services for the Light Rail Vehicles (LRV) propulsion systems, for an estimated amount of \$150,000.

Staff Resource: Rocky Paiano, Transit

Explanation

- CATS requires Original Equipment Manufacturer (OEM) propulsion system spare parts in maintenance of the LRVs.
- Siemens was the OEM for propulsion systems that power the LRVs.
- The LYNX Blue Line has been in operation for more than four years and repairs to vehicle propulsion parts have become necessary.
- This agreement will help ensure the propulsion systems meet the required specification standards to keep the LRVs performing at optimum performance.
- The repairs will be performed on an as-needed basis.

Small Business Opportunity:

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy) (see attachment).

Funding

Transit Operating Fund

Attachment 16

SBO Policy Reference

43. Refund of Business Privilege License Taxes

Action: Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$5,139.78.

Staff Resource: Susan Walker, Finance

Attachment 20

Resolution

List of business privilege license refunds

PROPERTY ITEMS

44. Property Transactions

Action: Approve the following property transaction(s) (A-C) and adopt the condemnation resolution(s) (D-P).

- The City has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If City Council approves the resolutions, the City Attorney's Office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.

Acquisitions

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): William and Susan Ridout
Property Address: 6708 Wilkinson Boulevard
Property to be acquired: 3.04 acres
Improvements: Single Family Residence
Purchase Price: \$291,900
Remarks: The purchase price was determined by independent appraisals and was reviewed by a third 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 per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: B2 Use: Single Family Residence
Tax Value: \$148,800
Tax Code: 055-521-02
- B. Project:** Idlewild Road Roadway Improvement Project, Parcel # 10 and # 12
Owner(s): Ruth D. Hammer
Property Address: 8321 Idlewild Road

Property to be acquired: 20,138 sq. ft. (.462 ac.) in Fee Simple, plus 590 sq. ft. (.014 ac.) in Storm Drainage Easement, plus 46 sq. ft. (.001 ac.) in Utility Easement, plus 10,797 sq. ft. (.248 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-4

Use: Single Family Residential - Rural Acreage

Tax Code: 135-065-02 and 135-065-03

Total Parcel Tax Value: \$594,200

Purchase Price: \$25,750

- C. Project:** Robinhood/Dooley Storm Water Capital Improvement Project, Parcel # 85

Owner(s): Edgar Alvarado and Maria Genie

Property Address: 1254 Robinhood Circle

Property to be acquired: 479 sq. ft. (.011 ac.) in Storm Drainage Easement, plus 27,124 sq. ft. (.623 ac.) in Conservation Easement, plus 570 sq. ft. (.013 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-3

Use: Single Family Residential

Tax Code: 109-273-07

Total Parcel Tax Value: \$155,800

Purchase Price: \$15,500

Condemnations

- D. Project:** Enderly Park Neighborhood Improvement Project, Parcel # 57

Owner(s): Gwendolyn Harvey McManus And Any Other Parties Of Interest

Property Address: 3401 Rogers Street

Property to be acquired: 59 sq. ft. (.001 ac.) in Storm Drainage Easement, plus 29 sq. ft. (.001 ac.) in Sidewalk and Utility Easement, plus 722 sq. ft. (.017 ac.) in Utility Easement, plus 1,527 sq. ft. (.035 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-5

Use: Single Family Residential

Tax Code: 065-022-01

Total Parcel Tax Value: \$10,000

Appraised Value: \$700

Property Owner's Counteroffer: None

Reason For Condemnation: The property is vacant. Staff has been unable to locate the property owners despite numerous attempts, including certified and regular mailed letters, internet searches and neighbor inquiry. The title abstract also revealed issues that will prevent the City from obtaining clear title. To avoid delay in the

project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

- E. Project:** Enderly Park Neighborhood Improvement Project, Parcel # 85
Owner(s): Unknown Heirs Of Edith B. Proctor And Any Other Parties Of Interest
Property Address: 3120 Mathis Drive
Property to be acquired: 211 sq. ft. (.005 ac.) in Sidewalk and Utility Easement, plus 619 sq. ft. (.014 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 065-046-10
Total Parcel Tax Value: \$54,300
Appraised Value: \$200
Property Owner's Counteroffer: None
Reason For Condemnation: The owner of record is deceased and died without a will. Staff has been unsuccessful in determining the current ownership. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.
- F. Project:** Finchley-Purser/Shamrock Hills Neighborhood Improvement Project - Phase 1, Parcel # 98
Owner(s): Marcial A. Novoa and Wife, Magda L. Novoa And Any Other Parties Of Interest
Property Address: 3759 Stonehaven Drive
Property to be acquired: 803 sq. ft. (.018 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-4
Use: Single Family Residential
Tax Code: 099-132-11
Total Parcel Tax Value: \$86,800
Appraised Value: \$125
Property Owner's Counteroffer: None
Reason For Condemnation: Staff has been unable to locate the property owners despite numerous attempts, including certified and regular mailed letters, internet searches and neighbor inquiry. The title abstract also revealed issues that will prevent the City from obtaining clear title. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.
- G. Project:** FY12 Sidewalks - Lancaster Highway, Parcel # 1
Owner(s): Rick E. Stack And Any Other Parties Of Interest
Property Address: 15434 Lancaster Highway

Property to be acquired: 896 sq. ft. (.021 ac.) in Existing Right-of-Way, plus 1,060 sq. ft. (.024 ac.) in Sidewalk and Utility Easement, plus 991 sq. ft. (.023 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-3

Use: Rural Homesite

Tax Code: 223-091-09

Total Parcel Tax Value: \$353,000

Appraised Value: \$900

Property Owner's Counteroffer: \$2,096

Reason For Condemnation: Staff and the property owners have yet to reach an agreement regarding the appraisal amount. The property owners no longer respond to numerous staff contact attempts. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- H. Project:** Howie Acres Neighborhood Improvement Project- Phase 2, Parcel # 89
- Owner(s):** Unknown Heirs Of Jay Vance Barringer And Any Other Parties Of Interest
- Property Address:** 4307 Dinglewood Avenue
- Property to be acquired:** 4,263 sq. ft. (.098 ac.) in Storm Drainage Easement, plus 855 sq. ft. (.020 ac.) in Temporary Construction Easement
- Improvements:** None
- Landscaping:** Tree and Bush
- Zoned:** R-5
- Use:** Single Family Residential
- Tax Code:** 091-033-52
- Total Parcel Tax Value:** \$55,900
- Appraised Value:** \$2,475
- Property Owner's Counteroffer:** None
- Reason For Condemnation:** The owner of record is deceased and died without a will. Staff has been unsuccessful in determining the current ownership. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.
- I. Project:** Ponderosa Neighborhood Improvement Project Phase 1 and Markland/Wedgefield Sidewalk Project, Parcel # 21
- Owner(s):** Lizzie A. Glasgow And Any Other Parties Of Interest
- Property Address:** 2700 Kenhill Drive
- Property to be acquired:** 323 sq. ft. (.007 ac.) in Sidewalk and Utility Easement, plus 22 sq. ft. (.001 ac.) in Utility Easement, plus 1,521 sq. ft. (.035 ac.) in Temporary Construction Easement
- Improvements:** None
- Landscaping:** None
- Zoned:** R-5
- Use:** Single Family Residential

Tax Code: 115-012-08

Total Parcel Tax Value: \$67,400

Appraised Value: \$400

Property Owner's Counteroffer: None

Reason For Condemnation: The property owner is incapacitated and unable to make decisions regarding real estate transactions. The property owner's children are aware of the project and have not voiced any concerns. However, they do not have a "power of attorney" giving them the legal right to sign on the property owner's behalf. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

- J. Project:** Ponderosa Neighborhood Improvement Project Phase 1 and Markland/Wedgefield Sidewalk Project, Parcel # 32

Owner(s): Mary Ann Gassaway, et al And Any Other Parties Of Interest

Property Address: 2807 Denview Lane

Property to be acquired: 150 sq. ft. (.003 ac.) in Sidewalk and Utility Easement, plus 1,059 sq. ft. (.024 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-5

Use: Single Family Residential

Tax Code: 115-024-10

Total Parcel Tax Value: \$47,100

Appraised Value: \$225

Property Owner's Counteroffer: None

Reason For Condemnation: The owner of record is deceased and died without a will. Staff has been unsuccessful in determining the current ownership. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

- K. Project:** Ponderosa Neighborhood Improvement Project Phase 1 and Markland/Wedgefield Sidewalk Project, Parcel # 38

Owner(s): John R. Banner And Any Other Parties Of Interest

Property Address: 2830 Fordwood Drive

Property to be acquired: 439 sq. ft. (.010 ac.) in Storm Drainage Easement, plus 149 sq. ft. (.003 ac.) in Sidewalk and Utility Easement, plus 664 sq. ft. (.015 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Zoned: R-5

Use: Single Family Residential

Tax Code: 115-022-04

Total Parcel Tax Value: \$52,600

Appraised Value: \$325

Property Owner's Counteroffer: None

Reason For Condemnation: Staff has been unable to locate the property owners despite numerous attempts, including certified and regular mailed letters, internet searches and neighbor inquiry. The

title abstract also revealed issues that will prevent the City from obtaining clear title. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

- L. Project:** Ponderosa Neighborhood Improvement Project Phase 1 and Markland/Wedgefield Sidewalk Project, Parcel # 50
Owner(s): Heirs Of Elizabeth Livingston Houston And Any Other Parties Of Interest
Property Address: 2742 Kenhill Drive
Property to be acquired: 435 sq. ft. (.010 ac.) in Sidewalk and Utility Easement, plus 13 sq. ft. in Utility Easement, plus 1,213 sq. ft. (.028 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 115-012-01
Total Parcel Tax Value: \$74,000
Appraised Value: \$850
Property Owner's Counteroffer: None
Reason For Condemnation: The owner of record is deceased and died, without a will. Staff has been unsuccessful in determining the current ownership. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.
- M. Project:** Ponderosa Neighborhood Improvement Project Phase 1 and Markland/Wedgefield Sidewalk Project, Parcel # 52
Owner(s): Reign Investment Corp. And Any Other Parties Of Interest
Property Address: Mayfair Avenue
Property to be acquired: 748 sq. ft. (.017 ac.) in Storm Drainage Easement, plus 748 sq. ft. (.017 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 115-013-06
Total Parcel Tax Value: \$5,400
Appraised Value: \$600
Property Owner's Counteroffer: None
Reason For Condemnation: Staff has been unable to locate the property owners despite numerous attempts, including certified and regular mailed letters, internet searches and neighbor inquiry. The title abstract also revealed issues that will prevent the City from obtaining clear title. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.
- N. Project:** Ponderosa Neighborhood Improvement Project Phase 1 and Markland/Wedgefield Sidewalk Project, Parcel # 53

Owner(s): Heirs Of Catherine Greenan Dunavant Tatum Hairston And Any Other Parties Of Interest
Property Address: Mayfair Avenue
Property to be acquired: 4,484 sq. ft. (.103 ac.) in Fee Simple
(TOTAL TAKE)
Improvements: None
Landscaping: None
Zoned: R-5
Use: Single Family Residential
Tax Code: 115-013-07
Total Parcel Tax Value: \$5,400
Appraised Value: \$5,300
Property Owner's Counteroffer: None
Reason For Condemnation: The owner of record is deceased and died without a will. Staff has been unsuccessful in determining the current ownership. To avoid delay in the project schedule, staff recommends adopting a resolution to proceed to condemnation in order to obtain clear title.

Condemnations Previously Deferred by Council

- O. Project:** City Boulevard Extension- Phase III, Parcel # 7
Owner(s): Bradford Properties of Huntersville, LLLP And Any Other Parties Of Interest
Property Address: 6535 Rumble Road
Property to be acquired: 40 sq. ft. (.001 ac.) in Utility Easement, plus 216 sq. ft. (.005 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Zoned: R-3
Use: Single Family Residential
Tax Code: 047-361-13
Total Parcel Tax Value: \$29,900
Appraised Value: \$75
Property Owner's Counteroffer: None
Reason For Condemnation: Council deferred this property transaction from February 27, 2012 in order for staff to explore the property owner's request to move a utility pole to a different location on his property.

This property is approximately one acre in size and currently undeveloped. The project design shows a utility pole with a guy wire located in the middle of the road frontage property line. The property owner asked if the pole could be moved to the front corner of the property instead.

On March 16, 2012, staff met with the property owner to discuss his suggested design change. Staff then conferred with representatives of Duke Energy, AT&T and Time Warner Cable, and concluded that the additional cost to relocate the utility pole plus design and survey fees will be approximately \$20,000.

The design change would also impact three occupied residential properties in the project area, adding a pole to a previously undisturbed property and moving two poles closer to existing homes. The City already has signed agreements with two of these property owners based on the original design.

In an effort to minimize the impacts to the subject property, staff explored an additional design option. The conclusion was additional costs of approximately \$5,000 as well as additional impacts to properties in which the City has previously obtained signed agreements based upon the original design.

Because of the additional cost and property impacts, staff recommends against making the design change.

Mr. Bradford also requested cost estimates to move the pole in the future. Duke Energy cannot provide that estimate at this time because they will base their estimate on the electrical service revenue generated by Mr. Bradford's future development at the time the development is proposed.

Staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

- P. Project:** Wilkinson Boulevard / Mulberry Church Road Watershed Enhancement, Parcel # 10
Owner(s): J.L. Jamieson, LLC; Linda D. Packard And Spouse, David Packard And Any Other Parties Of Interest
Property Address: 5000 Wilkinson Boulevard
Property to be acquired: 135,265 sq. ft. (3.105 ac.) in Fee Simple
Improvements: None
Landscaping: None
Zoned: B-2
Use: Commercial
Tax Code: 061-201-29
Total Parcel Tax Value: \$1,547,400
Appraised Value: \$134,250
Property Owner's Counteroffer: \$263,950
Reason For Condemnation: Council deferred this property transaction from March 26, 2012 in order for staff to continue dialogue with the property owners and to provide the property owners additional opportunity to prepare for the condemnation process. Staff met with the property owners on Tuesday, April 17. The owners indicated they understand the condemnation process and are prepared for the process. Staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.

45. Meeting Minutes

- Action:** Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:
- February 13, 2012 Business Meeting
 - February 20, 2012 Zoning Meeting