

Mayor Anthony Foxx

Michael D. Barnes
Dr. Jason Burgess
Nancy Carter
Warren Cooksey
Andy Dulin

Mayor Pro Tem Patrick D. Cannon

David L. Howard
Patsy Kinsey
James Mitchell, Jr.
Edwin Peacock III
Warren Turner

CITY COUNCIL MEETING
Monday, July 26, 2010

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

Item #	Page #	Title
11	9	Sustainable Communities Initiative Planning Grant
14	14	Streetcar Grant
30	30	False Alarm Registration and Management Services

**CITY COUNCIL AGENDA
Monday, July 26, 2010**

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Mayor and Council Consent Item Questions

Resource: Curt Walton, City Manager

Time: 5 minutes

Synopsis

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

2. Mayor's Small Business Opportunity Program Task Force Report

Resources: Michelle Fish, Task Force Co-Chair
Julius Chambers, Task Force Co-Chair

Time: 30 minutes

Key Points

- On December 14, 2009, City Council approved the Mayor's appointment of a Small Business Opportunity Program Task Force (Task Force).
- On January 26, 2010, a 15-member Task Force was appointed. The Task Force held its first meeting on February 10, 2010.
- The Task Force was charged with reviewing the City's Small Business Opportunity (SBO) Program and providing recommendations to promote small business utilization in City contracting.
- The City's SBO Program seeks to enhance competition in City contracting and promote economic growth and development in the Charlotte Regional Area. There are currently 825 City certified Small Business Enterprises (SBEs).
- Task Force members conducted a thorough review of all aspects of the City's SBO Program: certification, compliance, utilization, development, and reporting. The review also included a strengths, weaknesses, opportunities and threats analysis.
- Task Force members also obtained feedback from the following stakeholders: SBO Liaisons, City certified SBEs, prime contractors, and the Metrolina Minority Contractors Association.
- Key Recommendations include:
 - Updating the City's Disparity Study using a two-phased approach
 - Raising the formal construction contracting threshold from \$200,000 to \$500,000
 - Development of an informal goal setting process that more closely links informal SBE goals to SBE availability and KBU opportunities
 - Improved SBE notification of informal procurement opportunities

Attachment 1

Small Business Opportunity Program Task Force Report

3. Tree Ordinance Revisions

Committee Chair: Edwin Peacock

Resources: David Weekly, Engineering & Property Management
Tom Johnson, Engineering & Property Management

Time: 40 minutes

Synopsis

- Staff will present proposed revisions to the Charlotte Tree Ordinance. The primary purpose of the revisions is to further protect Charlotte's tree canopy while offering flexibility and options for compliance with the ordinance.
- The current ordinance includes tree save and tree planting requirements for commercial and single family developments. The proposed revisions focus primarily on commercial development. There are 22 proposed administrative and technical revisions including two primary changes:
 - Require 15% minimum tree save for commercial development with flexible options allowed for compliance for certain types of developments (currently requires tree save in the front setback)
 - Increase the number of trees in parking lots by decreasing tree spacing from 60 feet to 40 feet
- This work is the result of an extensive stakeholder process including a cost/benefit analysis, and evaluation and approval by the Environment Committee. Information to be provided at the dinner presentation includes:
 - Purpose of proposed revisions
 - History of the Charlotte Tree Ordinance
 - Chronology of events of the stakeholder process
 - Proposed revisions to the Tree Ordinance
 - Path forward

Future Action

A public hearing on the ordinance revisions will be scheduled for the August 23 Council business meeting. Council will be asked to adopt the revised tree ordinance in September. The effective date of the ordinance is proposed to be January 1, 2011.

Attachment 2

Summary of Revisions
Proposed Ordinance

4. Urban Land Institute West Trade Beatties Ford Corridor Technical Advisory Panel

Resource: Peter Zeiler, Neighborhood & Business Services

Time: 10 minutes

Synopsis

- On June 10, 2010, the Urban Land Institute made a public presentation on the findings of a three-day Technical Advisory Panel that focused on the

Beatties Ford/West Trade Corridor. The five-member Technical Advisory Panel was comprised of experts in development, finance and architecture.

- The panel was co-sponsored by the City of Charlotte, Johnson C. Smith University, Johnson & Wales University and Bank of America. The panel looked at key development opportunities and strategies along the corridor from Graham Street to the Brookshire Freeway. A final report from the panel is scheduled to be released in the next 90 days.
- This presentation will recap the major recommendations of the Technical Advisory Panel.

Future Action

- Staff requests referral of the final report to the Economic Development Committee for evaluation of potential City participation in redevelopment projects highlighted in the recommendations.

5. Answers to Mayor and Council Consent Item Questions

Resource: Curt Walton, City Manager

Time: 10 minutes

Synopsis

- Staff response to questions from the beginning of the dinner meeting.

6:30 P.M. CITIZENS' FORUM

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

6. Builders of Hope, Inc. Contest Winner

Action: Mayor Foxx to recognize Brenda Haden of Builders of Hope, Inc., which works to increase the availability of high quality, safe, affordable housing for working families. Builders of Hope, Inc. held a renaming contest for the Rowan Park Apartments and Monique Moore is the winner. The new name will be "New Hope Apartments". The reason Monique gave for her entry of "New Hope Apartments" is that she "thinks that people can have new hope because they are paying less and being provided with affordable healthy housing." Monique attends Thomasboro Elementary and will be entering the 5th grade.

CONSENT

- 7. Consent agenda items 25 through 55 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

8. Public Hearing on Resolution to Close an Unopened Portion of Hanover Street

Action: **A. Conduct a public hearing to close an unopened portion of Hanover Street, and**

B. Adopt a resolution to close.

Staff Resources: Jeff McSwain, Transportation
 Linda Poissant, 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

Robert and Amy Cole

Right-of-Way to be abandoned

An unopened portion of Hanover Street

Location

Located within the Chantilly Neighborhood, an unopened portion of Hanover Street beginning at Laburnum Avenue as a 50-foot wide right of way and continuing approximately 150 feet southwestwardly to its terminus and consisting of 7,550 square feet

Reason

To incorporate the right-of-way into adjacent parcels for future home and land improvements

Notification

In accordance with standard procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining Property Owners

Mr. Charles Ripple- No objections

Neighborhood/Business Associations

Chantilly Neighborhood Association- No objections

Elizabeth Community Association- No objections
 Commonwealth Morningside Neighborhood Organization- No objections
 Commonwealth Park Neighborhood Association- No objections
 Grier Heights Economic Foundation- No objections
 Briar Creek- Commonwealth- No objections
 Briar Creek Homeowners Association- 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 3

Map
 Resolution

9. Public Hearing on Resolution to Close a Portion of East 12th Street

Action: A. Conduct a public hearing to close a portion of East 12th Street, and

B. Adopt a resolution to close.

Staff Resources: Jeff McSwain, Transportation
 Linda Poissant, 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

Mecklenburg County

Right-of-Way to be abandoned

A portion of East 12th Street

Location

Located within the Belmont Community; a 40 foot wide right-of-way beginning at an intersecting point with the previously abandoned portion of North Alexander Street and continuing approximately 170 feet northwestwardly to its terminus and consisting of 6,844 square feet

Reason

To incorporate the right-of-way into adjacent parcels owned by Mecklenburg County for the maintenance and public use of the existing parking lot

Notification

In accordance with Standard Procedure, the Charlotte Department of Transportation sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining Property Owners

City of Charlotte- No objections

Neighborhood/Business Associations

Belmont Community- No objections
First Ward Community- No objections
First Ward Neighbors, Inc- No objections
Optimist Park- 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 4

Map
Resolution

POLICY

10. City Manager's Report

11. Sustainable Communities Initiative Planning Grant

Action: Adopt a resolution endorsing Sustainable Communities Regional Planning Grant application to be submitted to the U.S. Department of Housing and Urban Development (HUD) on behalf of the Charlotte metropolitan region by the Centralina Council of Governments.

Resources: Al Sharp, Centralina Council of Governments
 Rebecca Yarbrough, Centralina Council of Governments
 George Berger, Engineering & Property Management

Explanation

- The Sustainable Communities Regional Planning Grant Program is a key program of the federal partnership of the Department of Housing and Urban Development (HUD), the U.S. Department of Transportation (USDOT), and the Environmental Protection Agency (EPA) designed to promote greater regional sustainability, livability, and efficiencies by improving governmental and private/non-profit collaboration among regional jurisdictions.
- On June 28, 2010, staff of the Centralina Council of Governments (CCOG) briefed the City Council on the program. Since that briefing, City staff has been working with CCOG staff and other regional partners to develop the grant application, which has a submittal deadline of August 23, 2010. There is no defined award announcement date in the information provided at this point.
- There is an extremely brief amount of time between the release of the Notice of Funding Availability (NOFA) and the deadline for a grant program of this regional scope and breadth. Hence, staff from the initial working team - the City of Charlotte, CCOG, the Catawba Regional COG, Mecklenburg County, UNC Charlotte and the Charlotte Housing Authority, continue to work out details regarding potential program partners, scope and budget.
- CCOG is the lead applicant for the grant application, which in the case of the Charlotte region, links the Charlotte region's CONNECT Core Values, adopted by the City Council in May 24, 2010, with the Sustainable Communities Livability Principles:
 - Provide more transportation choices
 - Promote equitable, affordable housing
 - Enhance economic competitiveness
 - Support existing communities
 - Coordinate policies and leverage investment
 - Value communities and neighborhoods
- Current partners in the regional application (along with the City of Charlotte and CCOG) include: the Catawba Regional Council of Governments; the Charlotte Regional Partnership; and UNC Charlotte. All Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs) in the metropolitan, bi-state region are being invited to join as partners, and other municipal and county jurisdictions (including

Mecklenburg County) are in various stages of their endorsement of this effort. On July 15, 2010, the Rocky River RPO endorsed a resolution of support for the Regional Grant application and agreed to consider the identification of those portions of its planning funds that could be used as "in kind" match. MUMPO is expected to take action on a similar resolution of support on July 21. Council will be advised of MUMPO action in the Friday, July 23 Council-Manager Memo.

- Specific endorsement of the principal city in the Metropolitan Statistical Area (Charlotte) is required by the Notice of Funding Availability (NOFA), which is the reason for the resolution the City Council is asked to approve.

Grant Application Specifics

- At this time, CCOG anticipates that the grant amount being sought will be in the range of \$2.5 to \$3.5 million. Additional work needs to be done between now and August 23 (the grant deadline) to finalize the budget for the region's request and thus the total grant dollars being requested.
- The Grant would fund the following activities:
 - A multi-step public engagement process. The purpose of the process would be to create and define broad-based regional development scenarios that encourage the public to consider sustainability and livability across the region, through the lens of the CONNECT Principles/Values. There would be an emphasis on enhancing job growth centers and how transportation, housing, and other infrastructure can support those centers. The specific process for citizen engagement would be developed as part of the work approved under the grant. The process could include components such as a series of public forums throughout the region, electronic citizen surveys, etc.;
 - Modeling those scenarios to determine which represent the most sustainable alternatives, and capturing performance benchmarks;
 - Consideration and adoption of the preferred scenario and a Regional Sustainable Development Plan (RSDP) that aligns housing, transportation, economic development, infrastructure, environmental, and energy plans both within and across jurisdictions; and
 - Required monitoring of progress toward implementation through regional performance metrics.
- The City's participation in the Grant process will produce the following benefits for the City of Charlotte and the region as a whole:
 - A regional vision plan that addresses the six Livability Principles and positions the Charlotte region more favorably with federal agencies and more competitively than regions that do not choose to participate in this process.
 - A better understanding of how our region should grow, which will impact economic competitiveness factors such as congestion, transit viability, air quality, quality of life, cost of providing services, job/housing mix and help to determine the types of businesses and residents that will choose to relocate to our region.
- The period of performance of this grant program, should the Charlotte region be awarded a grant, is 36 months.
- By submitting a regional application for this grant program and by achieving a specified threshold score in the submission, the region will qualify for federal "Preferred Sustainability Status" under the federal guidelines. Applicants meeting this criterion will qualify for a broad spectrum of federal benefits, including access to capacity building resources, and secure potential points in a number of funding opportunities managed by federal agencies such as HUD, DOT and EPA.

Even those applicants receiving Preferred Sustainability Status not receiving funds in this round of the program will qualify for these opportunities.

Funding

- The total amount of nationally-competitive funds available through this program for regions of Charlotte's size (large metropolitan regions of over 500,000 or more in population) is \$73 million. The maximum award amount for regions of Charlotte's size is \$5 million.
- The total budget amount for this regional program has not yet been completed. Scope and budget line items are being compiled from across the region for elements expected to be required as part of the planning effort, and the program staff team working on this effort will be working up until the second week of August to finalize the budget for the region's request. However, it is anticipated that the total project requested amount will be in a range of between \$2.5 and \$3.5 million.
- Matching funds (cash) are not required by HUD (as the program administrator). However, applicants must provide 20% of the requested funding amount in "leveraged resources," which may be in the form of cash and/or in-kind contributions. COG staff are approaching several potential cash sponsors, but the majority of the required 20% "leveraged match" for the grant is expected to be in the form of in-kind staff participation from the COGs (Centralina and Catawba), the City of Charlotte and other regional partner agencies (proportionally), and by counting compatible planning funds from participating MPOs as "leveraged match." It is expected that some City staff planning and analysis work will be eligible for reimbursement through the grant itself, should it be awarded.

Next Steps

With Council approval of the attached Resolution, staff will continue to work with CCOG and the other working team partners in the preparation of the application to meet the August 23, 2010 deadline. Staff will keep Council advised of the answers to scope, budget and partnering questions via the Council-Manager Memo as they are developed.

Attachment 5

Resolution

12. FY2011 - FY2015 Consolidated Plan and FY2011 Action Plan for Housing and Community Development

Action: Approve the proposed FY2011 – FY2015 Consolidated Plan and FY2011 Action Plan for Housing and Community Development.

Staff Resource: Pamela Wideman Lopez, Neighborhood & Business Services

Policy

- The FY2011-2015 Consolidated Plan (Plan) is the City's five-year strategy for providing housing and community development activities.
- The plan supports the City's housing policy to preserve existing housing, expands the supply of low and moderate-income housing and supports

family self-sufficiency, as well as the City’s neighborhood revitalization strategy.

- The U.S. Department of Housing and Urban Development (HUD) mandates development of a Consolidated Plan in order to receive federal funding for housing and community development activities.
- The FY2011 Action Plan is the City’s annual implementation strategy submitted to HUD each year.

Explanation

- The Plan and FY2011 Action Plan include housing and community development needs and resources for the City and Regional Housing Consortium.
- The Regional Housing Consortium is a partnership between the City, Mecklenburg County and the towns of Cornelius, Pineville, Matthews, Mint Hill and Huntersville.
- The Plan also serves as the City’s annual application to HUD to receive an estimated \$9 million in new federal grant program funds.

	<u>FY2011</u>
- Community Development Block Grant (CDBG)	\$ 5,195,468
- HOME Investments and Partnerships (HOME)	\$ 2,819,428
- Emergency Shelter Grants (ESG)	\$ 210,026
- Housing Opportunities for Persons with AIDS (HOPWA)	<u>\$ 793,382</u>
Total	\$ 9,018,304
- The proposed FY2011 federal fund allocation represents an increase of approximately \$474,044 over the FY2010 fund amount of \$8,544,260.

Community Input

- The City convened planning sessions with organizations such as the Charlotte Housing Authority, Charlotte Mecklenburg Housing Partnership, Homeless Services providers, Habitat for Humanity, Department of Social Services, Neighborhood & Business Services, Financial Partners and City departments (Police, Planning and Community Relations) to provide input into the Plan.
- Seven planning sessions were conducted from October 2009 to May 2010 to receive input into the development of the Plan.
- Over 180 individuals representing private citizens, businesses, community groups and faith-based organizations responded to a survey and provided feedback on the Plan priorities.
- A public hearing was held on June 28, 2010 during the City Council’s business meeting. There were no comments received during the hearing.
- Neighborhood & Business Services advertised the public hearing in local newspapers and sent electronic invitations to neighborhood organizations, financial partners and interested individuals.
- A copy of the Draft Plan and FY2011 Action Plan are available in the Council library.

Next Steps

The Plans will be submitted to HUD on July 29, 2010.

Funding

Federal CDBG, HOME, ESG and HOPWA

Attachment 6

Five Year Plan Executive Summary

BUSINESS

13. S. Crigler Street and Marvin Smith Road Closings

Action: Approve closures of S. Crigler Street and Marvin Smith Road CSX Railroad crossings.

Staff Resource: Veronica Wallace, Transportation

Explanation

- Council deferred action on this item at its June 28 meeting.
- A public meeting was held on July 20, and an update from that meeting will be provided in the Friday, July 23 Council-Manager Memo.
- CSX Railroad requested the closures of S. Crigler Street and Marvin Smith Road in order to construct a second track parallel to the existing one from north of Interstate 85 to the Pinoca Yard, located just north of the Hoskins and Rozzelles Ferry Roads' intersection.
- CSX operates an intermodal truck to rail transfer terminal at the Pinoca Yard on Hovis Road.
- The project will increase overall corridor capacity and assist with moving trains into and out of the Pinoca Yard. Population and business growth in the Charlotte region has generated demand for intermodal freight movements which necessitates the additional terminal capacity.
- The City is being asked to close the S. Crigler Street railroad crossing and a portion of Marvin Smith Road just south of its current intersection with Hoskins Road.
- Marvin Smith Road is located within the CSX right-of-way parallel to the current railroad track. CDOT supports closing the crossing and relocating Marvin Smith Road as:
 - The closure supports a higher safety level needed for the motoring public because of the wider crossing and track grade.
 - Improved operations for the motoring public and railroad yard.
 - CSX is funding the project.
- Track construction requires the following roadway changes:
 - Permanent closure of the S. Crigler Street crossing of the CSX Railroad. This closure is part of a statewide safety effort to reduce the vehicular/train conflict points when there are other nearby crossings.
 - Permanent closure of existing Marvin Smith Road at Hoskins Road. This closure is necessary because the new railroad track will be too close to the current Hoskins Road/Marvin Smith Road intersection for safe vehicular movement. The project includes constructing a new access off Goff Street for property owners at no cost to the City.
- At public meetings on February 25 and June 3, 2010, City of Charlotte, NCDOT Rail Division, and CSX Railroad representatives presented the project and responded to questions. A smaller, less formal meeting with community leaders took place on June 11, and existing citizen concerns are:
 - Existence of a second track once project is complete
 - The railroad is adding a second track completely within its existing right of way.
 - Hoskins Road being closed for an extended period of time
 - CDOT is committed to working with the railroad to keep closure times to a minimum during project construction and also to look at other access alternatives beyond the construction period.

- The anticipated schedule is as follows:
 - December 2010 – Begin Construction
 - June 2011 – Construction Complete

Attachment 7

Map

14. Streetcar Grant

Action:

A. Authorize the City Manager to accept a \$24,990,000 Exempt Discretionary Program (Section 5309) for Urban Circulator Systems grant from the Federal Transit Administration,

B. Adopt a budget ordinance appropriating \$36,990,000, including \$24,990,000 from the Urban Circulator Systems grant and \$12,000,000 from existing general capital investment funds for the City's match, and

C. Authorize the City Manager to approve an agreement with URS Corporation–North Carolina for the design and construction administration of the Streetcar Grant Project (\$4 million) and for the evaluation and design of the storm drainage system along the Trade Street Corridor (\$700,000), in an amount not to exceed \$4,700,000.

Staff Resource: Jeb Blackwell, Engineering & Property Management

Explanation

- On January 25, 2010, City Council authorized the City Manager to pursue an FTA Urban Circulator Systems Grant for up to \$25,000,000 for a \$37,000,000 streetcar project.
- The City's capital match for the project is \$12 million, which would come from existing General CIP sources
- On January 25, the Transportation and Planning Committee recommended that City Council use the following existing capital sources:
 - Streetcar Planning and Design \$2.5 million
 - Reserve for ED Initiatives \$5.5 million
 - Smart Growth \$4.0 million
- On February 9, the City submitted its Urban Circulator Systems application for funding to the FTA.
- On July 8, the City was notified that FTA approved its application.
- Acceptance of this award will allow the City to move forward with the implementation of the Streetcar Grant Project.
- There is existing undersized and failing storm drainage infrastructure along Trade Street that Storm Water Services recommends be improved and repaired.
- Like the strategic collaboration efforts with the Neighborhood Improvement Program and South Corridor Infrastructure Program, Storm Water recommends coordinating the construction impacts of their needed repairs with the Streetcar Project. The \$4.7 million contract includes \$700,000 of storm water funding for the evaluation and design of the storm drainage infrastructure along Trade Street.

- The grant requires the project be under construction in 18 months. Over the coming months, staff will provide Council periodic progress reports on the implementation of the project.
- Construction is estimated to take two years.

Background

- In May 2009, the City sent out a Request for Qualifications for the preliminary engineering and design of the Charlotte Streetcar Project.
- URS Corporation–North Carolina (URS) was selected pursuant to a Council-approved, qualifications-based selection process performed in accordance with NC General Statutes.
- URS will be responsible for the design and construction administration of the first 1.5 miles of the proposed ten-mile streetcar project.
- The streetcar alignment will extend from the Charlotte Transportation Center to Presbyterian Hospital, along Trade Street and Elizabeth Avenue to Hawthorne Street, using the half mile of existing track recently installed as part of the Elizabeth Avenue Business Corridor project.
- The project entails the construction of approximately 1.5 miles of streetcar system on Trade Street, Elizabeth Avenue and Hawthorne Lane.
- The streetcar will connect to the LYNX light rail line near the northern terminus.
- Initial operating costs are estimated to be \$1.5 million per year and are assumed to come from the General Fund. Operating costs are estimated to begin for a partial year in fiscal year 2014.

Disadvantaged Business Enterprise

Established DBE Goal: 8%

Committed DBE Goal: 8.65%

It is a federal requirement that recipients of federal funds follow the Disadvantaged Business Enterprise (DBE) Program. URS Corporation met the DBE goal and committed 8.65% to the following DBE firms: Neighboring Concepts (architecture, urban design, art in transit, and graphic support), Dovetail Consulting (safety and security planning) and SEPI Engineering Group, Inc. (topographic survey, right of way/real estate services).

Funding

Federal Urban Circulator System Grant (\$24,990,000), General Capital Investment Plan: Streetcar Planning and Design (\$2,500,000), Reserve for Economic Development Initiatives (\$5,500,000), Smart Growth (\$4,000,000), and Storm Water Transit Improvements Program (\$700,000)

Attachment 8

Budget Ordinance

15. Neighborhood Energy and Environment Assessment Tool Development



Action: Approve a contract with the University of North Carolina at Charlotte for \$140,000 to develop a Neighborhood Energy and Environment Assessment Tool and collect baseline environmental quality data to be integrated into City's biannual Quality of Life Report.

Staff Resources: Tom Warshauer, Neighborhood & Business Services
Daria Milburn, Neighborhood & Business Services

Explanation

- The Neighborhood Energy & Environment Assessment Tool will be developed under the scope of the Neighborhood Energy Challenge (NEC). The NEC is one of 17 Energy Strategy Projects that received funding from the \$6.78 million Energy Efficiency and Conservation Block Grant (EECBG) awarded to the City by the United States Department of Energy in April 2010. City Council accepted the grant on April 26, 2010.
- The purpose of this project is to help Charlotte become a leader in energy efficiency by:
 - Providing comparative data, engaging communities, and affecting change in neighborhoods and households across the City
 - Creating interest in and demand for products and services that promote energy efficiency and conservation, ultimately resulting in new job creation
 - Ensuring the City's compliance with EECBG reporting obligations by providing a mechanism that accurately captures data to track neighborhood energy performance for the NEC
- The scope of this project incorporates two primary components: development of the energy and environment assessment tool and neighborhood boundary refinement.
- The tool will be designed to:
 - Provide a snapshot of energy and environmental performance in neighborhoods across the City
 - Foster individual and community-based neighborhood energy action plans
 - Evaluate trends in energy use and environmental performance at the neighborhood level across the City
- Energy & Environment Assessment Tool: UNC-Charlotte will identify specific neighborhood-scale variables that impact Energy & Environment performance including:
 - Energy Consumption, including gas and electric
 - Connectivity and auto usage
 - Transit accessibility and utilization
 - Pedestrian amenities and accessibility
 - Bicycle amenities and accessibility
 - Recycling/Waste Elimination Measures
 - Water Use and Conservation
 - Tree canopy
- UNC-Charlotte will work with City departments, Duke Energy and Piedmont Natural Gas to obtain data for the energy and environment variables.
- Results will be analyzed and used to build the Neighborhood Energy and Environment Database.

- Final analytical results will be used as a baseline for comparative analysis of energy and environmental performance in both the NEC neighborhoods and neighborhoods across the City. This data will provide an added element of neighborhood performance in subsequent Quality of Life reports.
- Neighborhood Boundary Refinement: Current Neighborhood Statistical Areas (NSAs) represent multiple neighborhoods and do not account for changes over the last ten years due to:
 - Infrastructure changes
 - New housing developments
 - Perceived neighborhood boundaries
- The boundary refinement process will solicit feedback and counsel from an advisory panel consisting of:
 - Citizens
 - Neighborhood Leaders
 - Community Representatives
 - City Staff
- The primary benefit of refining NSAs is that it will enable the capture of precise data at the neighborhood level, providing a more accurate depiction of neighborhood performance across the City. This data will help neighborhoods understand their contribution to the City's overall energy and sustainability goals and develop strategies and programs to improve their performance.
- Reporting will occur on a neighborhood level and not on an individual household level.

Neighborhood Energy Challenge Background

- The Neighborhood Energy Challenge is an energy conservation grant program designed to encourage citizens to adopt an energy-saving lifestyle and promote the responsible use of energy and resource management. The program also will help stimulate Charlotte's energy efficiency product and service industry.
- This program encourages neighbors to come together and develop innovative and practical strategies for improving their neighborhood's energy use. Up to five neighborhoods will be selected from the City to participate. These neighborhoods will receive two separate pools of funding: \$20,000 to develop energy strategies and improvements that benefit the entire neighborhood, and \$60,000 to focus on a limited scope of high impact energy efficiency improvements in households within the five neighborhood boundaries.
- The program is available to any neighborhood association or homeowner association in Charlotte. The application deadline is July 30, 2010. As a prerequisite to application submittal, potential grantees were required to attend one of five pre-application workshops held between May 20 and July 17. Twenty-five neighborhoods attended the Pre-Application meetings. While no applications have been received to date, staff has been corresponding regularly with applicants as they work to complete their applications. Based on response, meeting attendance and correspondence with interested parties, approximately 10-15 applications are expected.
- An additional component of the program is to track Energy and Environment performance of neighborhoods across the City through the development of the Energy & Environment Assessment Tool.

Funding

Stimulus Funds

16. Parktowne Terrace Green Energy Grant



Action: Provide a grant to the Charlotte Housing Authority in the amount of \$250,000 to provide energy efficiency appliances for the Parktowne Terrace Apartments.

Staff Resources: Diane Adams, Neighborhood & Business Services
Pamela Wideman Lopez, Neighborhood & Business Services

Explanation

- In August 2009, the U.S. Department of Energy (DOE) allocated a \$6.78 million Energy Efficiency and Conservation Block Grant (EECBG) to the City of Charlotte.
- The City's Energy Strategy, developed with public input, community partners and staff, outlines 17 energy strategy projects for which the City will expend its EECBG allocation. Parktowne Terrace Apartments Renovation Project is one of the 17 projects.
- Parktowne Terrace is a 163-unit, six-story, mid-rise apartment community built in 1978 that serves senior and disabled adults earning 30% or below the area median income. It is located at 5800 Fairview Road, near SouthPark Mall.
- The City is providing a grant to the Housing Authority to provide new energy efficient appliances to Parktowne Terrace apartments. This grant is one portion of a larger energy retrofit being implemented by the Housing Authority.
- This grant will provide for the replacement of old appliances, including ranges, range hoods, refrigerators, and water heaters with energy star appliances.
- Parktowne Terrace is a green project and is pursuing United States Green Building Council LEED-Silver certification as part of the energy retrofit.
- DOE funding must be obligated by February 4, 2011 and all projects must be completed by July 26, 2012.

Funding

Stimulus Funds

17. Habitat for Humanity Energy Grant



Action: Provide a grant to Habitat for Humanity Charlotte in the amount of \$199,800 to provide Residential Energy Efficiency Improvements.

Staff Resources: Diane Adams, Neighborhood & Business Services
Pamela Wideman Lopez, Neighborhood & Business Services

Explanation

- In August 2009, the U.S. Department of Energy (DOE) allocated a \$6.78 million Energy Efficiency and Conservation Block Grant to the City.
- The City's Energy Strategy, developed with public input, community partners and staff, outlines the 17 energy strategy projects for which the City will spend its EECBG allocation. The Residential Energy Improvement

partnership with Habitat for Humanity Charlotte (Habitat) is one of the 17 projects.

- This grant will fund weatherization and energy improvements to homes enrolled in the City's rehabilitation program. Homes completed by Habitat in previously funded Critical Home Repair Programs and current housing rehabilitation program will be given priority.
- Examples of work include installation of insulation, caulking and weather stripping around windows and doors, sealing duct work, tuning, repairing and replacing HVAC systems, single door and/or window replacement, sealing building envelope and education of residents.
- A minimum 40 houses will be completed under this contract.
- Habitat estimates in-kind contributions of materials and volunteer labor to be approximately \$121,282 providing significant leverage dollars.
- The City will provide referrals to Habitat, approve the scope of work for each house, monitor all work, and approve final payment.
- Habitat will serve families located in the City limits, and who have previously or currently enrolled in City funded home rehabilitation programs.
- Habitat will give priority to families with:
 - An elderly or disabled head of household or household member
 - A single parent household with one or more children in the home
 - Five or more permanent residents (large families)
- The City contribution is estimated at \$4,995 per house, and Habitat's contribution (leverage) is estimated at \$3,072 per house.
- DOE, funding must be obligated by February 4, 2011 and all projects must be completed by July 26, 2012.

Funding

Stimulus Funds

Attachment 9

Program Criteria

18. Habitat for Humanity Critical Home Repair Program I



Action: Provide a grant to Habitat for Humanity Charlotte in the amount of \$ 257,340 to provide home rehabilitation services to families inside the City Limits of Charlotte to assist in satisfying requirements of American Recovery and Reinvestment Act of 2009 (CDBG-R Stimulus Funding).

Staff Resources: Diane Adams, Neighborhood & Business Services
Pamela Wideman Lopez, Neighborhood & Business Services

Explanation

- The City of Charlotte was awarded \$1,292,296 of Community Development Block Grant Recovery (CDBG-R) funds as part of the American Reinvestment Recovery Act of 2009.
- CDBG-R funds will be used to rehabilitate approximately 30 homes in targeted revitalization neighborhoods (Druid Hills, Lakewood, Lincoln Heights, Reid Park, Thomasboro/Hoskins, Washington Heights and Wingate).

- A minimum of six houses will be completed under this contract. The City's estimated contribution per house is \$42,890 and Habitat's estimated contribution (leverage) per house is \$18,415.
- Neighborhood & Business Services will partner with Habitat for Humanity of Charlotte's (Habitat) Critical Home Repair program to perform home rehabilitation services in accordance with CDBG-R stimulus funding requirements on homes not previously constructed by Habitat.
- Habitat estimates in-kind contributions of materials and volunteer labor to be approximately \$110,490, providing significant leverage dollars.
- The City will provide referrals to Habitat for Humanity, approve the scope of work for each house, monitor all work, and approve final payment.
- Habitat will give priority to families with:
 - An elderly or disabled head of household or household member
 - A single parent household with one or more children in the home
 - Five or more permanent residents (large families)
- Habitat has submitted a proposed repayment plan for enrolled families (attached).
- Any grant funds recovered by Habitat through the repayment agreement for the program shall be deposited into a separate account designated specifically for the program and shall be used solely for urgent and major structural home repairs for additional project properties.

Funding

Stimulus Funds

Attachment 10

Family Selection Criteria and Proposed Repayment Plan

19. Habitat for Humanity Critical Home Repair Program II

Action: Provide a grant to Habitat for Humanity Charlotte in the amount of \$497,224 to provide home rehabilitation services to families inside the City Limits of Charlotte.

Staff Resources: Diane Adams, Neighborhood & Business Services
Pamela Wideman Lopez, Neighborhood & Business Services

Explanation

- Habitat for Humanity Charlotte (Habitat) has partnered with the City of Charlotte for the last three years to provide critical home repairs at approximately \$75,000 per year.
- Accomplishments over the past three years include provision of repairs to 35 houses.
- Neighborhood & Business Services will continue the current partnership by increasing financial support to Habitat's Critical Home Repair program. Increased financial support will enable more families to be served.
- The grant will be funded through Community Development Block Grant (CDBG) and used to avoid displacement of homeowners and their families by repairing all code violations at qualified properties not previously constructed by Habitat.
- Habitat estimates in-kind contributions of materials and volunteer labor to be approximately \$502,106, providing significant leverage dollars.

- The City will provide referrals to Habitat, approve scope of work for each house, monitor all work, and approve final payment. Habitat will give priority to families with:
 - An elderly or disabled head of household or household member
 - A single parent household with one or more children in the home
 - Five or more permanent residents (large families)
- A minimum 26 houses will be completed under this contract. The estimated City contribution is \$19,124 per house and Habitat's estimated contribution is \$19,312 per house.
- Habitat has submitted a proposed repayment plan for enrolled families (attached).
- Any Grant funds recovered by Habitat through the Repayment Agreement for the Program shall be deposited into a separate account designated specifically for the Program and shall be used solely for urgent and major structural home repairs for additional project properties.

Funding

Federal Community Development Block Grant

Attachment 10

Family Selection Criteria and Proposed Repayment Plan

20. HouseCharlotte Program Administration Agreement

Action: Enter into an agreement with the Charlotte-Mecklenburg Housing Partnership to administer the City's HouseCharlotte Program.

Staff Resources: Diane Adams, Neighborhood & Business Services
 Pamela Wideman Lopez, Neighborhood & Business Services

Explanation

- This agreement with the Charlotte-Mecklenburg Housing Partnership (CMHP) will outsource the administration of the HouseCharlotte Program.
- The HouseCharlotte Program provides down payment, closing cost and interest rate buy down assistance to low and moderate-income families purchasing homes in targeted neighborhoods as determined by the Quality of Life Study.
- The program provides assistance to families earning up to 110% of area median income (AMI). The majority of families receive up to \$7,500. However, families under 60% of AMI may receive up to \$10,000 in targeted neighborhoods. The maximum home purchase price is \$147,000.
- The FY11 budget allocation for HouseCharlotte is \$2 million, a \$900,000 reduction from FY10. The budget was reduced to reflect less funds for applicants earning more than 80% of AMI.
- The HouseCharlotte Program produces over 400 loans annually and is currently administered within Neighborhood & Business Services. The program is staffed by two loan agents, one supervisor and one support staff member and has an overall annual cost of \$253,800.
- A partnership with CMHP will result in approximately \$22,800 of annual savings, improved program efficiencies and allow for a reallocation of existing staff resources in accordance with Council approved FY2011 budget reductions. One loan agent will be reallocated to Housing Services' Asset Management Division. The existing supervisor will absorb

additional responsibilities for managing a rehabilitation grant and the support staff will absorb additional administrative duties within the Housing Services Division.

Advantages of Outsourcing to CMHP

- CMHP is an experienced affordable housing lender and has extensive background administering federal programs funded with HOME and CDBG allocations. Additionally, CMHP is designated as a Community Development Financial Institution (CDFI), which provides credit, financial programs, and other services to underserved markets and/or populations.
- CMHP has successfully operated a North Carolina licensed mortgage company for over 20 years, in which first mortgages and down payment assistance has been offered to customers completing the homeownership counseling program. Additionally, the CMHP staff who will be responsible for managing the program are NC licensed mortgage loan officers with experience in the real estate and mortgage industry.
- CMHP proposes to manage the program at the annual costs shown below.

Program Personnel (1 supervisor, 2 loan agents and 1 support staff member)	\$190,000
Program Expenses (general office expenses, telephone, supplies, etc.)	\$13,500
Overhead Costs (audit fees, insurance, accounting costs)	\$27,500
Total	\$231,000

- Since 1997, approximately 5,200 homeownership opportunities have been created through the HouseCharlotte program. A number of police officers have purchased homes through the program and over 50 lenders have provided more than \$222 million in financing.

Funding

HOME Funds
 Innovative Housing Funds

Attachment 11

HouseCharlotte Program Background

21. Business Investment Grant for Citco Fund Services

Action: Approve the City share of a Business Investment Grant to Citco Fund Services for a total estimated amount of \$32,540 over three years (total City/County grant estimated at \$92,051).

Staff Resource: Brad Richardson, Neighborhood & Business Services

Policy

Support the development of an economic environment that attracts new businesses, retains existing businesses and offers a diverse economic mix

Explanation

- Citco Fund Services (Citco) is a global financial services company with an expertise in hedge fund administration. Citco operates in more than 20

global locations, and has US offices in New Jersey, New York, Pennsylvania, San Francisco and Miami.

- Earlier this year, Citco began a search for a new North American office location and had considered Charlotte, upstate New York, and two Canadian cities.
- On June 3, 2010, Citco announced that it had selected Charlotte as the site for its newest office, in part due to state and local incentives.
- The project meets all of the Council-approved requirements for a three-year Business Investment Grant:
 - A taxable investment of \$3 million
 - 258 new jobs over the next five years with an average wage of \$78,000 (181% of the average for the Charlotte-Gastonia-Concord M.S.A.)
 - There was competition from New York and Canada.
- The Board of County Commissioners indicated its intent to approve a Business Investment Grant to Citco in a closed session on April 20, 2010.
- City Council indicated its intent to approve a Business Investment Grant to Citco in a closed session on April 26, 2010.
- On June 3, 2010, Citco was awarded a Job Development Investment Grant from the State of North Carolina valued at \$4 million over six years.
- Over the term of the grant, the project is estimated to have an annual direct economic impact of \$49 million on the local economy, generating an average of \$34,000 in annual property taxes to the City and County (combined).
- If approved, the following schedule is an estimate of the Investment Grant payments to Citco. This estimate is the City and County share of the grant and represents 90% of net new property taxes paid by the company over three years.

Year	City	County	Totals
1	\$11,565	\$21,150	\$32,715
2	\$10,822	\$19,792	\$30,614
3	\$10,153	\$18,569	\$28,722
Total	\$32,540	\$59,511	\$92,051

- The general terms and condition of this grant include:
 - A portion of the grant must be repaid if the company moves this investment from Charlotte within three years of the end of the grant term.
 - Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
 - All property taxes due from the company must be paid before a grant payment is made.
- The Board of County Commissioners approved the County’s portion of the Business Investment Grant to Citco on July 6, 2010.

Funding

Business Investment Grant Account; first payment is estimated to occur in FY2013

22. Appointments to Boards and Commissions

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

A. BUSINESS ADVISORY COMMITTEE

During their discussion on the Small Business Plan, Council's Economic Development Committee asked staff to look at the membership of the Business Advisory Committee and bring back recommendations. Also, the Small Business Opportunity Task Force will recommend that Council charge the Business Advisory Committee with oversight of the SBO Program and adjust the membership appropriately. Council will receive the Task Force recommendation on July 26. Therefore, City Council may wish to leave this position vacant until Council acts on adjusting the membership of the Business Advisory Committee. Staff anticipates that Council will take action on the Business Advisory Committee membership by October 11.

- One appointment for a three-year term beginning immediately and ending April 28, 2011
 - Wesley Carter by Council member Howard
 - Marc Friedland by Council member Barnes
 - Chaunta Jones-Hunter by Council member Kinsey
 - Ryan Licari by Council member Turner
 - Jason McGrath by Council member Dulin
 - Darrin Rankin by Council members Burgess, Cannon and Peacock
 - William Strong by Council member Cooksey
 - Angela Williams by Council member Mitchell

Attachment 12

Applications

B. CHARLOTTE MECKLENBURG COALITION FOR HOUSING

- One appointment for a three-year term beginning July 1, 2010 and ending June 30, 2013 for a representative of the donor/philanthropic community
 - Herb Gray by Council members Barnes, Cannon, Howard, Kinsey, Mitchell and Turner
 - C. Barton Landess by Council members Burgess, Carter, Cooksey and Dulin
 - * Annabelle Suddreth by Council member Peacock (*Ms. Suddreth was appointed to this board by the Mecklenburg County Board of County Commissioners on July 6, 2010.)

Attachment 13

Applications

C. CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION

- One appointment for an unexpired term beginning immediately and ending June 30, 2011
 - Cassandra Blaine by Council members Barnes, Carter and Kinsey
 - Sophia Matthews by Council members Burgess and Mitchell
 - Sonny McRae by Council member Peacock
 - Linda Webb by Council members Cooksey and Howard

Attachment 14

Applications

D. DOMESTIC VIOLENCE ADVISORY BOARD

- One appointment for a new seat for a three-year term beginning September 22, 2010
 - LiMia Bowen by Council members Barnes, Burgess, Howard, Mitchell, Peacock and Turner
 - Lawrence Shaheen, Jr. by Council members Cooksey, Dulin, Kinsey, Peacock and Turner
 - Teresa QuarkerSmith by Council member Mitchell
 - Brigit Taylor by Council member Carter
 - Carla Willis by Council member Cannon

Attachment 15

Applications

E. TREE ADVISORY COMMITTEE

- One appointment for a three-year term beginning immediately and ending December 13, 2010 and then continuing for a full three-year term expiring December 13, 2013
 - Jim Cochran by Council members Barnes, Carter, Mitchell, Peacock and Turner
 - Marjorie Greene by Council member Burgess
 - Oliver Sharman by Council member Kinsey
 - Kerry Watts by Council members Cooksey and Dulin
 - Fred Dodson by Council member Howard

Attachment 16

Applications

23. Mayor and Council Topics

Council members may share information and raise topics for discussion.

24. Closed Session

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

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."

25. West Boulevard Relocation – Phase II

- Action:**
- A. Award a low bid contract in the amount of \$2,559,800 with Blythe Development Company for the construction of the final portion of the West Boulevard relocation, and**
 - B. Adopt a budget ordinance in the amount of \$2,559,800 from the Airport Discretionary Fund to be replaced with proceeds of a future General Airport Revenue Bond issue.**

Staff Resource: Jerry Orr, Aviation

Explanation

- Construction of the new runway has provided several new roads to serve the neighborhoods west of I-485. This portion of West Boulevard is the final portion of the relocation of roads removed by the construction.
- Because West Boulevard is a state road (NC 160), the Airport has been working with NC Department of Transportation (NCDOT) for several years to develop an acceptable road alignment to accommodate the Airport's growth and the neighborhood's needs.
- In September 2009, City Council approved a contract with E.S. Wagner for the first phase of the project to provide the grading of a portion of that

road alignment from the I-485 interchange at Garrison Road to existing Steele Creek Road, as well as construction of a vehicular bridge for the proposed intermodal facility at the Airport. The ramps at the I-485 interchange will be paved by NCDOT in spring 2011.

- This contract will relocate a portion of existing West Boulevard to Steele Creek Road and provide the paving for the road that was graded in Phase I of the project.
- Funding for this contract comes from an NCDOT Transportation Improvement Program Grant (\$1,700,000) and proceeds from future General Airport Revenue Bonds.

Disadvantaged Business Opportunity

Established DBE Goal: 12%

Committed DBE Goal: 15%

Blythe Development Company committed 15% (\$381,983) of their base bid amount to two certified DBE companies: Bullington Construction (fence and guardrail) and A&R Materials, LLC (liquid asphalt).

Funding

Aviation Capital Investment Plan

Attachment 17

Budget Ordinance

26. 2009 Annexation, Hood Road North, Western Sewer Outfall

Action: Award the low bid of \$1,400,743.08 by R.H. Price, Inc. for construction of the Hood Road North, Western Sanitary Sewer Outfall.

Staff Resource: Barry Gullet, Utilities

Explanation

- NC state law requires that newly annexed areas be provided access to City water and sewer services through construction of public right-of-way gravity sewer and water mains within two years following annexation.
- The water and sewer infrastructure for this area is being constructed in three phases.
 - Western Outfall Area
 - Southern Outfall Area
 - Northern Outfall Area
- This contract provides for construction of approximately 9,500 linear feet of eight-inch diameter sanitary sewer outfalls in the Western Outfall area.
- The Hood Road North area is bounded by Caldwell Road to the North, Hood Road to the West, I-485 to the East, and Plaza Road Extension to the South.
- Construction must be completed by June 30, 2011.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6.92%

R.H. Price exceeded the established SBE goal, and committed \$96,900 to the following SBE firms: Ms. Sybil's Seeding, Whitesell Construction, (clearing of land), Union Paving Contractors, and On Time Construction, (concrete work).

Funding

Utilities Capital Investment Plan

27. 2009 Annexation, Hood Road North, Water/Sewer Construction Phase Services

Action: Award a contract to Kimley-Horn and Associates, Inc., in the amount of \$1,501,000, for construction phase services for the water/sewer infrastructure in the Hood Road North 2009 annexation area.

Staff Resource: Barry Gullet, Utilities

Explanation

- The water/sewer infrastructure construction contracts for the 2009 Hood Road North Annexation Area will be awarded this summer.
- The water and sewer infrastructure for this area is being constructed in three phases.
 - Western Outfall Area (item 26, page 27)
 - Southern Outfall Area
 - Northern Outfall Area
- Council awarded the design contract to Kimley-Horn on March 9, 2009, for this annexation area.
- This agreement will provide for construction administration, design, and survey services during the construction phase of this project.
- Kimley-Horn was selected using the Council approved qualifications-based selection process.

Small Business Opportunity

No SBE goals were established for this contract because subcontracting opportunities were not identified (Part C: Section 2.4 of the SBO Policy). During the previous design phase of this contract, Kimley-Horn exceeded its committed SBE goal, using \$124,690 with their SBE subconsultants.

Funding

Utilities Capital Investment Plan

28. Wastewater and Water Treatment Chemicals

- Action:**
- A. Award low bid unit price contracts for providing various wastewater and water treatment chemicals in the estimated annual amount of \$2,302,496 for a term of one year,**
 - B. Authorize the City Manager to renew up to four additional one-year terms with possible price adjustments at the time of renewal as authorized by the contract to the following vendors:**
 - **Water Guard Inc. (Sodium Hydroxide –less than bulk)**
 - **Oltrin Solutions, LLC (Sodium Hydroxide – bulk)**
 - **Premier Chemicals (Magnesium Hydroxide)**
 - **Chemical Lime (Hydrated Lime)**

Staff Resource: Barry Gullet, Utilities

Explanation

- These chemicals are required to maintain the treatment process at each water and wastewater treatment facility.
- An Invitation to Bid was issued by Utilities on May 25, 2010.
- Price adjustments may be made at the time of renewal only and will be based on the latest Producer Price Index for basic inorganic chemicals.

Small Business Opportunity

No SBE goals are established for purchases of goods and equipment due to limited opportunities for subcontracting (Appendix Section 18 of the SBO Policy).

Funding

Utilities Operating Budget

29. Gang of One No Easy Walk Program Contract

Action: **Approve a contract in the amount of \$142,000, with the Charlotte Mecklenburg Schools to administer and conduct the No Easy Walk Program.**

Staff Resources: Ruth Story, Police
Fran Cook, Gang of One

Explanation

- No Easy Walk is a peer leadership, outdoor challenge program that provides middle school youth with skills and alternatives to resist gang influence and involvement.
- The program was developed by Charlotte-Mecklenburg Schools in 2005-2006.
- CMS began working with Gang of One during the 2006-2007 school year and revised the No Easy Walk curriculum to include components on gang prevention and social responsibility.
- The program will be offered at six schools:
 - Martin Luther King Middle School

- Eastway Middle School
- Spaugh Middle School
- J.T. Williams Middle School
- Turning Point Academy/Hawthorne
- Sedgefield Middle School
- CMS administers and conducts the program. Gang of One funds the salary for the No Easy Walk Project Coordinator (\$52,000) and the fees and materials for the six program sites (\$90,000).

Funding

\$52,000 from FY2008 federal earmark for Gang of One; \$90,000 from FY2009 federal earmark for Gang of One

30. False Alarm Registration and Management Services

- Action:**
- A. Approve a three-year service contract with Public Safety Corporation to provide False Alarm Registration and Management Services, and**
 - B. Authorize the City Manager to approve up to two, one-year renewal options as authorized by the contract and contingent upon the company's satisfactory performance.**

Staff Resource: Ruth Story, Police

Explanation

- Excessive false alarms create an undue burden on limited police resources.
- City Council adopted a false alarm ordinance, effective in May 1996, to establish reasonable expectations of alarm users, ensuring that those users are held responsible for the use of their alarm systems.
- Police outsources the management of the City's Alarm Ordinance Program which requires alarm system owners to obtain a permit by registering their alarms (excluding auto, fire, and medical alarms).

Contract Terms

- The service provider is required to ensure that all registration and permit requirements as outlined in the false alarm ordinance are met.
- The service provider is responsible for collecting all fines for excessive false alarms.
- The service provider is also required to submit reports to Police on all alarm registration and permitting activities.
- Under the contract, Public Safety Corporation will retain 79.5% of the false alarm fees and return 20.5% of the fees to the City and County. The fee structure meets Council's original goal of funding the ordinance administration entirely by alarm users. The estimated three-year contract amount based on projected revenues is \$1,015,200.
- The cost of managing the false alarm ordinance is self-supporting through permit fees and fines for violations.

Selection Process

- To ensure quality services in a timely manner, and at a competitive price, the City solicits for these services through a Request for Proposals (RFP)

process. The City received one proposal in response to the RFP issued on April 20, 2010.

- Given that the ordinance has had the desired effect of reducing false alarms and the fines associated with them, administering the ordinance does not generate significant income for the vendor, especially if the vendor has to develop software programs to track alarm registrations and fines. The current vendor, ACS, lost money in the last two years of the contract and chose not to respond to the RFP. Public Safety Corporation supplies the software to the current vendor and felt that not having to develop new software programs would enable them to provide the service at a cost structure that would make it profitable for them to provide the service.
- After a thorough evaluation, the Project Team, comprised of staff from Police and Business Support Services-Procurement Services, determined that the proposal met all the requirements outlined in the RFP and recommends awarding a three-year contract to Public Safety Corporation.

Small Business Opportunity

No SBO goal was set for this contract because subcontracting opportunities were not identified (Part C, Section 2.4 of the SBO Policy).

Funding

General Fund Permit Fees and Fines

31. Airport Project Management Services

- Action:**
- A. Approve a three-year contract with Turner Construction Company in an amount not to exceed \$1,779,312, for Airport project management services, and**
 - B. Approve a budget ordinance appropriating \$1,779,312 from the Airport discretionary fund balance, to be repaid by proceeds from future General Airport Revenue Bonds.**

Staff Resource: Jerry Orr, Aviation

Explanation

- In June 2003, Turner Construction was selected to manage construction projects at the Airport.
- Since then, Turner has provided two people full time to work with Aviation Department personnel to manage the following projects:
 - New Runway: \$325 million
 - Business Valet Parking Deck: \$45 million
 - New Aircraft Fire Station: \$7 million
 - West Boulevard Grading/Bridge Construction: \$3.5 million
 - Old Dowd Road Relocation: \$14.5 million
 - Ticket Counter/Terminal Modifications: \$4 million
 - Daily Parking Deck East: \$45 million
 - Daily Parking Deck West: \$35 million
- The Airport wishes to extend their contract due to the expertise of the two personnel in Airport construction, knowing that the Airport plans to move forward with the following projects over the next six to 12 months:
 - West Boulevard Paving: \$2.5 million
 - Baggage Level Renovations: \$1.5 million

- Hourly/Rental Car Parking Deck: \$140 million
- East Terminal Expansion: \$22 million
- Concourse E Expansion: \$3 million
- In-line Baggage System: \$50 million
- Airport Entrance Road: \$20 million
- Aircraft Deicing Pads/Collection System: \$10 million
- The Turner personnel will continue to establish and maintain project schedules and budgets, monitor quality control and coordinate the work of various contractors and Airport operations.
- Turner's fees are competitive at 1% of total construction cost, while the industry average for this type of work is 3% to 4% of total construction cost.

Contract Terms

- The contract term extends through August 31, 2013, although the City may terminate it at any time.
- The Airport will pay Turner up to \$47,500 per month for the first 12 months. On August 1, 2011, monthly maximum will increase to \$49,400, and on August 1, 2012, the monthly maximum will increase to \$51,376.

Disadvantaged Business Enterprise

The Federal DBE Program neither requires nor permits goals for every contract. The City must meet its overall goal by using a mix of contract goals and race-neutral means.

Funding

Aviation Capital Investment Plan

Attachment 18

Budget Ordinance

32. Airport Baggage Conveyor System Modifications Change Order #1

Action: **A. Approve Change Order #1 with Diversified Conveyors, Inc. in the amount of \$148,139.51 for modifications to the baggage conveyor system in the terminal building, and**

B. Adopt a budget ordinance in the amount of \$148,139.51 from the Airport Discretionary Fund to be replaced with proceeds of a future General Airport Revenue Bond issue.

Staff Resource: Jerry Orr, Aviation

Explanation

- On November 23, 2009, City Council approved a contract with Diversified Conveyors, Inc. in the amount of \$3,920,706 for modifications to the baggage conveyor system in the terminal building.
- Change order #1 provides for:
 - One additional system display requested by US Airways after the start of construction that will be used to monitor the conveyor system for baggage jams
 - Additional overhead conveyor platforms and emergency stops for more efficient conveyor maintenance

- Additional spare parts for the more complex conveyor segments, such as high-speed diverters
- These modifications, and the items requested in this change order, have been designed to work with the in-line baggage screening system currently under design.
- The project will be completed in 30 days.

Small Business Opportunity

All additional work involved in this change order will be performed by the current contractor and their existing subcontractors (Part D: Section 6 of the SBO Policy).

Funding

Aviation Capital Investment Plan

Attachment 19

Budget Ordinance

33. Airport Terminal Expansion Design Contract Change Order #1

- Action:**
- A. Approve Change Order #1 with DAS Architecture, Inc. in the amount of \$228,755 for additional design services for the East Terminal Expansion, and**
 - B. Adopt a budget ordinance in the amount of \$228,755 from the Airport Discretionary Fund to be replaced by future General Airport Revenue Bond proceeds.**

Staff Resource: Jerry Orr, Aviation

Explanation

- The Airport continues to experience peak passenger loads throughout the day that exceed the existing capacity of the security checkpoints in the terminal lobby, especially early mornings with business travelers and in the mid-afternoons with international passengers arriving to transfer to domestic flights.
- In an effort to increase the capacity of the screening process, the Airport identified a need to expand the east side of the terminal lobby to construct an additional checkpoint. This checkpoint will have four additional passenger screening lanes.
- In July 2009, City Council approved a contract with DAS Architecture in the amount of \$1,390,000 to provide for the design of the East Terminal Expansion project.
- Change order #1 will provide additional design services for:
 - Modifications to the plans to accommodate the TSA's new Advanced Imaging Technology machines that will be installed at the new checkpoint, which are larger than the magnetometers currently used for passenger screening
 - Additional coordination needed to accommodate the in-line baggage screening system currently under design, which will provide additional conveyors in the East Terminal Expansion that would not be necessary if not for the in-line system

- Additional design for this expansion project that will enable the Airport to construct an additional phase of the East Terminal Expansion to provide food & beverage concessions and additional ramp service space in the future
- The design of additional office space that was requested by numerous tenants while under design review
- Design of this expansion was underway prior to finalization and adoption of the Policy for Sustainable City Facilities, but sustainable elements were incorporated into the design to the extent practicable.

Sustainability Priorities	Facility-Specific Design Commitments
Preserve Land and Trees	<ul style="list-style-type: none"> • Site selection – using existing site
Conserve Clean Water Resources	<ul style="list-style-type: none"> • All adjacent restroom toilets to this building addition have been renovated to low water flow fixtures
Reduce Energy Use and Carbon Footprint	<ul style="list-style-type: none"> • Optimize energy performance by at least 14% • Roof design minimizes heat-island effect • Divert 50% of construction waste from disposal • Use of thermal comfort design • Use of daylight in 75% of spaces
Maximize Transportation Alternatives	<ul style="list-style-type: none"> • Public transportation serves the building
Protect Occupant Health, Maximize Productivity and Encourage Sustainable Employee Behaviors	<ul style="list-style-type: none"> • Use innovation in design and inform the public about these innovations • Light Pollution Reduction • Outdoor Air Delivery Monitoring • Indoor Air Quality Management Plan during construction • Use of low-emitting sealants and adhesives • Use of low-emitting paints and coatings • Use of low-emitting carpet systems

Small Business Opportunity

All additional work involved in this change order will be performed by the current contractor and their existing subcontractors (Part D: Section 6 of the SBO Policy).

Funding

Aviation Capital Investment Plan

Attachment 20

Budget Ordinance

34. Airport Roof Top Solar Power System

- Action:**
- A. Approve an agreement with Narenco Corporation of Charlotte to design, construct and operate a Solar Energy Collection System that they will lease to the City for \$49,360 per year for a period of 20 years,**
 - B. Approve a contract with Narenco Corporation of Charlotte in the amount of \$600,000 for a roof replacement on the Airport Maintenance Facility,**
 - C. Adopt a budget ordinance appropriating \$600,000 from the Airport Discretionary Fund to be repaid with future Airport Bonds and/or Passenger Facility Charge revenues, and**
 - D. Approve a Power Purchase Agreement with Duke Energy.**

Staff Resource: Jerry Orr, Aviation

Explanation

- In April 2009, the Airport implemented a study of potential locations and approaches to create a significant photo voltaic (PV) power generation capacity for the one of the airport buildings.
- In June 2009, the Airport retained Optima Engineering to do a specific evaluation of the Airport Maintenance facility to determine the feasibility of installing PV panels as well as other energy conservation measures.
- Based on the report received in July 2009, staff decided to develop a 250 kilowatt capacity on a portion of the building roof.
- The Airport retained Larry Ostema, Attorney, to prepare a Request for Proposals (RFP) to solicit teams interested in doing the project and proposing several alternative methods for financial investment and gaining potential tax benefits not available to the City.
- In August 2009, the Airport requested proposals from interested firms to provide proposals.
- In the pre-proposal conference many questions were asked including structural capacity of the roof structure, condition of the existing roof, and financial and tax treatment issues.
- Staff decided to withdraw the RFP and do further work prior to re-advertising the project.
- Firms were retained to do structural analysis, roof evaluation, and examine alternative project approaches.
- Following these efforts, a revised RFP was issued in March 2010 and seven proposals were received in May 2010.
- Initial evaluation of qualifications, experience, and financial information led to a short list of three teams and Narenco was selected following interviews of the three teams.
- As part of the project, Narenco will replace the roof (a needed project) on a portion of the building. The Airport will pay \$600,000 for the new roof.

Contract Terms

- Narenco will design, construct, operate and maintain a Solar Energy Collection System at their cost. The City will then lease that system from Narenco for \$49,360 per year for a period of 20 years.
- The City may opt out any time after the initial five-year lease period upon payment of the unamortized portion of Narenco's investment.

- Power Purchase Agreement with Duke Energy obligates them to buy the energy generated at a fixed rate for 20 years and is estimated to generate in excess of \$50,000 per year.

Small Business Opportunity

No SBE goal was set for this contract because subcontracting opportunities were not identified (Part C: Section 2.4 of the SBO Policy).

Funding

Aviation Capital Investment Plan

Attachment 21

Budget Ordinance

35. Mack Truck Parts and Services

Action:

- A. Approve the purchase of Mack Truck parts as authorized by the sole source exemption of G.S. 143-129(e)(6),**
- B. Approve a contract with Mack Truck Sales of Charlotte for the purchase of Mack Truck parts and services in the estimated annual amount of \$200,000 for the of term three years, and**
- C. Authorize the City Manager to extend the contract for two additional one-year terms with possible price adjustments as stipulated by the contract at the time of renewal.**

Staff Resource: Charles Robinson, Business Support Services

Sole Source Exception

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 1. Performance or price competition are not available;
 2. A needed product is available from only one source or supply; or
 3. Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because there is only one supply source.
- The City Council must approve purchases made under the sole source exception.

Explanation

- Solid Waste Services (SWS) operates Mack automated rear-loader refuse trucks that are maintained by Business Support Services/Equipment Management Division.
- The current SWS fleet includes:
 - Six 2009 model Mack Trucks
 - 15 2010 model Mack Trucks
 - Ten trucks are on order and will be placed into service during the next few months.
- Mack original equipment manufacturer (OEM) parts are required for equipment repairs to maintain manufacturer warranty and equipment performance standards.
- Mack Truck of Charlotte is the exclusive area supplier of OEM parts, factory authorized warranty service, and factory integrated diagnostics for Mack Trucks.

Small Business Opportunity

Sole Source contracts are exempt (Appendix Section 23.2 of the SBO Policy).

Funding

Business Support Services Operating Budget

36. Fleet Vehicles and Equipment Towing, Recovery, and Related Services

- Action:**
- A. Approve contracts with the following service providers for the provision of Towing, Recovery, and Related Services for Fleet Vehicles and Equipment for an initial term of three years in the estimated amounts of:**
- Hunter Auto & Wrecker Service, Inc. - \$450,000 annually
 - A1 Thompson Towing, Inc. - \$20,000 annually, and
- B. Authorize the City Manager to approve up to two, one-year renewal options as authorized by the contracts, and contingent upon the companies' satisfactory performance.**

Staff Resource: Charles Robinson, Business Support Services

Explanation

- The City's Business Support Services Equipment Management Division (BSS/EMD) provides maintenance services for vehicles and special equipment for various City and County departments.
- Services are provided for a wide variety of vehicles and equipment.
- Towing services are required to move vehicles and equipment that have broken down or need special handling to transport them to BSS/EMD in order for maintenance services to be performed.
- The City also requires towing services for vehicles and equipment that are decommissioned and removed from the fleet after their useful life and delivered to the City's Asset Recovery and Disposal (ARD) facility for auction.
- The City also has towing needs related to special event coverage to include VIP motorcade pre-event sweep coverage which requires the removal of stalled or tagged vehicles 24-36 hours prior to and during the event as well as towing services for campaigns such as "Click It or Ticket" and "Booze It and Lose It".
- The towing service providers also support the City during inclement weather and consult with the City annually in September regarding the City's Inclement Weather Plan.
- The City currently uses multiple vendors for the provision of Towing, Recovery, and Related Services for the City's fleet of vehicles and equipment.

Vendor Selection

- The City received eight proposals in response to a Request for Proposals (RFP).
- The Evaluation Team, comprised of staff from Business Support Services' Equipment Management and Procurement Services Divisions, considered the following to be the service providers best meeting the established requirements:

- Hunter Auto & Wrecker Service, Inc.
 - o EMD – all towing services
 - o ARD – light vehicles (backup), medium duty, heavy trucks, and construction equipment services
- A1 Thompson Towing, Inc.
 - o ARD – light vehicles (primary)
- The contracts shall have an initial term of three years with the option to renew for two additional, consecutive one-year terms.
- Contract renewal is contingent upon appropriations as well as the company's satisfactory performance.
- The total annual contract amounts are estimated to be:
 - Hunter Auto & Wrecker Service, Inc. - \$450,000
 - A1 Thompson Towing, Inc. - \$20,000
- BSS/EMD anticipates an estimated cost savings of \$400,000 over the life of these contracts.

Small Business Opportunity

No SBO goal was set for this contract because subcontracting opportunities were not identified (Part C; Section 2.4 of the SBO Policy).

Funding

Business Support Services Operating Budget

37. Plant Mix Asphalt – NCDOT Contract Piggyback

- Action:**
- A. Approve the purchase of bituminous plant mix asphalt as authorized by the previously bid or “piggybacking” exemption of G.S. 143-129(g), and**
 - B. Approve the unit price contracts with the following four vendors who have agreed to extend to the City the same low bid unit prices offered to the North Carolina Department of Transportation in contracts for plant mix asphalt each contractor currently possesses. The four City contracts are for the provision of plant mix asphalt to the City Street Maintenance Division in the estimated aggregate amount of \$5.7 million, for a term of one year:**
 - Ferebee Asphalt Corporation
 - Blythe Construction, Inc.
 - Rea Contracting
 - Blythe Development
 - C. Authorize the City Manager or designee to extend these contracts for one, one-year optional renewal period with possible price adjustments as authorized by the contracts.**

Staff Resources: Layton Lamb, Transportation
Charlie Jones, Transportation

Piggybacking Exception

- G.S. 143-129(g) allows local governments to purchase from any supplier that has, within the past 12 months, contracted to furnish the item to any federal, state or local agency.
- The contracts must be entered into following a public, formal bid process substantially similar to the one set forth in the North Carolina statutes. Note: each one of the four vendors named above has a contract with the North Carolina Department of Transportation (NCDOT) that meets the criteria stated in G.S. 143-129(g).

Explanation

- Bituminous plant mix asphalt is used by City crews conducting maintenance and repair activities on roadway surfaces. These activities include the patching of potholes, repair of utility cuts, as well as limited paving activities.
- The amount of asphalt to be purchased will vary between vendors based on the proximity of maintenance activities related to the vendor’s plant location.
- The unit price contracts guarantee a purchase price equal to the same unit price as NCDOT will pay to these companies for asphalt during FY2011.
- The NCDOT statewide contracts were competitively bid following a public, formal bid process in compliance with the North Carolina statutes. The effective dates of these NCDOT contracts with the above vendors are July 1, 2010.

- The City's four unit price contracts offer the City flexibility to procure asphalt from numerous qualified vendors with asphalt plants in close proximity to the street projects, thus decreasing response time and delivery costs.
- Through piggybacking off of the state contracts, the City is able to take advantage of favorable terms and conditions that ensure provision of asphalt in a timely manner, at the same or better pricing than the City is able to contract for, and greater administrative ease in managing all asphalt contracts.
- Contract products are used for City related construction materials and are not related to resurfacing contracts.

Small Business Opportunity

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

Funding

Street Maintenance Powell Bill Fund

38. CharMeck 311 Business Process Support Services

- Action:**
- A. Approve a one-year contract with Elizabeth Lee Solutions in an annual amount not to exceed \$156,000, to provide business process documentation and support services in preparation for Citizen Relationship Management for CharMeck 311, and**
 - B. Authorize the City Manager to negotiate and approve up to two, one-year renewal options contingent upon the company's satisfactory performance, and continued project funding.**

Staff Resources: Kimberly Laney, CharMeck 311
Saskia Thompson, City Manager's Office

Explanation

- Elizabeth Lee Solutions (ELS) will provide business process documentation and support services to CharMeck 311 for citizen relationship management enhancements. The work includes creating, updating, or validating existing workflows associated with a variety of tasks required from request in-take to service action.
- Contract length is 12 months and is based on an average of 40 hours weekly.
- ELS was selected based upon history of providing successful services to the City with CharMeck 311, Office of Chief Information Officer and Business Support Services.

History

- A contract with ELS was approved by the City Manager in October 2009 for \$78,000. The length of the contract was eight months (November 2009 - June 2010), averaging 30 hours per week.
- ELS worked across business units and cross-functional teams within the City conducting business process documentation associated with current service delivery.

- The ongoing business process work is critical for daily operations at 311 and creates the foundation for accurate and comprehensive responses to requests for citizen service. These skills are most readily available through contracting.

Small Business Opportunity

No SBO goal was set for this contract because subcontracting opportunities were not identified (Part C; Section 2.4 of the SBO Policy). Elizabeth Lee Solutions is a certified small business with the City.

Funding

CharMeck 311 Operating Budget

39. Citizen Service Communications Enhancements

- Action:**
- A. Approve a one-year contract with EidoServe, Inc. totaling \$670,000, for enhancements to corporate citizen service delivery and expanded communication channels to provide the following:**
 - 1. Development of a mobile phone device application for various citizen services in an amount not to exceed \$120,000,**
 - 2. Professional IT development services for a new interactive voice response (IVR) system ("GetABBY" Application Suite) in an amount not to exceed \$200,000,**
 - 3. Caller assistance for calls managed via IVR application based on not to exceed price per minute of \$.18 cents in an amount not to exceed \$350,000,**
 - B. Authorize the City Manager to negotiate and approve up to two, one year contract renewals for technical support and additional development with EidoServe, Inc. in an amount not to exceed \$150,000 per year, and**
 - C. Authorize the City Manager to negotiate and approve up to two, one-year contract renewals for caller assistance managed via IVR system by EidoServe in an amount not to exceed \$350,000 per year.**

Staff Resources: Jeffrey Stovall, Office of Chief Information Officer
Saskia Thompson, City Manager's Office

Explanation

- In an effort to improve access and reduce costs for citizen service contact, City KBUs have been considering mobile phone devices and interactive voice response systems (IVR) independently. This action provides a single solution simplifying citizen access channels and decreasing maintenance and management of multiple applications.
- EidoServe, Inc.'s GetABBY Application Suite has the capability to operate across multiple communication platforms including IVR, mobile devices, web, text messaging, and fax. This application expands the City's ability to offer citizens self-service through an enhanced, comprehensive and multi-channel communication avenue. This application is anticipated to increase speed of answer and reduce citizen wait times for calls to CharMeck 311.

A successful proof of concept pilot for CharMeck 311 Utilities calls led to this recommendation.

- The City's existing Avaya IVR system has not been upgraded since original implementation in 2004 and will reach end of life during FY2011. As a result, funding of \$100,000 was approved in FY2011 budget for IVR replacement.
- EidoServe, Inc. was selected in response to Neighborhood & Business Services (N&BS) Request for Proposals (RFP) for a mobile phone device application for a single KBU solution. The vendor has been subsequently chosen to consolidate and leverage investment for a citywide solution.

Mobile Phone Device Application

- A mobile phone device application will provide citizens additional access to request services and report community issues via smart phone technology, such as the Apple iPhone.
- In February 2010, N&BS issued a RFP for development of a graffiti complaint iPhone application. The response to the proposal demonstrated an expandable and cost efficient solution. In May 2010, EidoServe, Inc. was awarded the contract in the amount of \$71,600 for Phase 1 & Phase 2. Phase 1 includes design, integration, testing, and training for N&BS's graffiti application. Phase 2 includes public launch of the iPhone application for 14 City services such as graffiti, reporting road issues (potholes, etc.), lost animals, trash/recycling, water leaks, and other general citizen issues/complaints.
- This solution creates a "MyCity" application similar to other cities including New York, Boston, Pittsburgh and Los Angeles.
- The additional funding of \$48,400 for Phase 3 and Phase 4 includes development and public launch for other mobile devices (Blackberry, DROIDS and texting), Spanish language support, and expansion to include CATS bus/Lynx routing information.
- The CATS application will provide both light rail and bus riders the ability to obtain the next scheduled stop time going both to and from Uptown. This would identify the rider's time, location, route, and direction while integrating scheduled data to provide the next vehicle time.
- The four phases of the mobile device application total \$120,000 and do not require ongoing transaction costs.

Professional Services for Interactive Voice Response (IVR) Development

- The system uses patented, artificial intelligence technology to serve as a virtual agent. It handles repetitive, easily scripted calls at a substantially reduced cost for service delivery. Using an IVR for highly repetitive calls creates additional capacity for agents to manage more complex and unique calls requiring employee assistance.
- In April 2010, staff focused on enhancement and replacement of existing IVR service delivery for Utilities with an initial proof-of-concept for bill payment options, on-phone payment processing, and other related actions.
- This contract will expand the City's IVR capabilities to allow citizens to report community issues (potholes, water leaks, etc.), gain access to information for street closures, and look-up employee phone numbers.
- Potential CATS ParaTransit IVR system usage would include expanding the current Special Transportation Services through integrating scheduled pickups with advanced notification, day ahead calling, reservation, modification, re-verification, arrival calls, and optimization of schedules (manifest) to improve operational efficiencies.

- Additionally, the system may be used in the future to replace the CATS bus IVR system which is near the end of its usable service life.

IVR - Caller Assistance Unit Price

- Currently CharMeck 311 receives approximately 1.8 million calls annually, with an average call handle time of less than four minutes, at a fully allocated cost of \$4.91 per call.
- GetABBY IVR's initial phase is estimated to manage 250,000 calls per year at a cost of \$.18 per minute and less than \$.75 per call.
- Leveraging technology will enhance and increase service delivery at a reduced cost. Cost per call will be offset with salary savings due to attrition.

Small Business Opportunity

No SBO goal was set for this contract because subcontracting opportunities were not identified (Part C; Section 2.4 of the SBO Policy).

Funding

CharMeck 311 Operating Budget
 Neighborhood & Business Services Operating Budget
 CATS Operating Budget
 CATS Grant Fund

40. Light Vehicle Maintenance Facility Change Order

Action: Approve change order #1 in the amount of \$437,351 to G.W. Liles Construction Company, Inc. for the Light Vehicle Maintenance Facility.

Staff Resource: William Haas, Engineering & Property Management

Explanation

- This change order provides funding for the installation of City-purchased equipment, procurement and installation of process piping and an allowance for foundation drainage.
- A small portion of the City purchased equipment requires coordination with ongoing construction. Therefore, installation would best be handled by the general contractor. The price for the purchase and installation is within the City's estimate.
- Process piping conveys fluids such as oil, transmission fluid and engine coolant, to each service bay in the facility. Installation of the process piping by the general contractor will ensure proper coordination with surrounding HVAC systems for improved accessibility and maintainability.
- A series of geotechnical and environmental investigations occurred in November 2008 and March 2009 to ensure an appropriate site was chosen for the Light Vehicle Maintenance Facility. However, the groundwater table has risen approximately two feet in the past 18 months, creating a need for additional foundation drainage.
- This project is scheduled for completion in second quarter of 2011.

Background

- This project includes site development and improvements for construction of a 40,932 square foot light vehicle maintenance facility located at 1031 Atando Avenue.

- On February 8, 2010, City Council awarded the original contract of \$5,425,190 to G. W. Liles Construction Company, Inc.
- The total contract amount to date including change order #1 will be \$5,862,540.33 and is included in the project budget.
- The facility will consist of a light truck and emergency response vehicle repair garage equipped with an oil change pit, a parts storage mezzanine and 29 maintenance bays.

Sustainable Facilities Design Commitments

Design of this facility was approximately 90% complete prior to finalization and adoption of the Policy for Sustainable City Facilities, but staff and consultants incorporated sustainable elements into the design to the extent practicable. These design comments were outlined in the original February 8, 2010 Council action.

Small Business Opportunity

All additional work involved in this change order will be performed by the current contractor and their existing subcontractors (Part D: Section 6 of the SBO Policy).

Funding

General Government Facilities Capital Investment Plan

41. East Forest Neighborhood Improvement Project - Phase 1

Action: Award the low bid contract of \$189,435.75 to CMI Contracting, Inc. for the East Forest Neighborhood Improvement Project - Phase 1.

Staff Resource: Kristie Kennedy, Engineering & Property Management

Explanation

- The East Forest Neighborhood Improvement Project (NIP) was divided into two phases. Phase 1 is located to the east of Monroe Road and Phase 2 is located to the west of Monroe Road. Phase 2 is currently in the design phase.
- The Neighborhood Improvement Program provides infrastructure improvements such as curb and gutter, sidewalk, storm drainage, street resurfacing and street trees.
- During the planning phase, four public meetings were held for residents to voice concerns, ask questions and choose a construction alternative. The majority of attendees supported the project.
- Specific improvements selected for this neighborhood include planting strips and sidewalks.
- Funding for the East Forest NIP - Phase 1 was included in the 2008 Neighborhood bond referendum.
- Construction is expected to be complete in the fourth quarter of 2010.

Small Business Opportunity

Established SBE Goal: 7%

Committed SBE Goal: 7%

CMI Contracting Inc. committed 7% (\$13,260.50) of the total contract amount to the following SBE firm: Express Logistics Service (hauling).

Funding

Neighborhood Capital Investment Plan

42. York-Cama Neighborhood Improvement Project and Peterson Drive Storm Drainage Improvements

- Action:**
- A. Rescind award of \$1,429,660 low bid contract from 8-Star Construction Company,**
 - B. Adopt a budget ordinance retaining and appropriating low bidder's 5% bid bond of \$71,483.01 to the Storm Water Capital Investment Plan, and**
 - C. Award the contract to the second low bidder, Blythe Development Co., Inc. for \$1,619,794.**

Staff Resources: Lina James, City Attorney's Office
Mike Nail, Engineering & Property Management

Explanation

- Council awarded the contract to the low bidder, 8-Star Construction, on June 14, 2010.
- 8-Star Construction met with E&PM staff on June 21 to inform the City they cannot execute the contract due to their inability to acquire a contract payment bond and a contract performance bond each in an amount equal to 100 percent of the contract amount, in conformance with G.S. 44A-33.
- General Statute 143-129 states if the successful bidder fails to execute the contract, the bid bond shall be retained. The bond is 5% (\$71,483.01) of 8 Star's bid amount.

Background

- The York-Cama Neighborhood Improvement Project (NIP) was included in the 2006 bond referendum and is bound by I-77, Yancey Road, Heriot Avenue and South Boulevard.
- The Peterson Drive Storm Drainage Improvements (which include 400 feet of drainage channel work) were designed as a separate project from the NIP, but were included in this contract to reduce neighborhood impact.
- This project is scheduled to be complete in third quarter of 2011.
- The final surface paving for York-Cama NIP will be completed under the 2011 Resurfacing Contract.

Small Business Opportunity

Established SBE Goal: 10%

Committed SBE Goal: 10.11%

Blythe Development Co., Inc. committed 10.11% (\$163,830.90) of the total contract amount to the following SBE firms: MUGO Gravel & Grading Inc. (Hauling), Bullington Construction (Fencing, & Guardrail Railing), Mid-Atlantic Environmental Inc. (Erosion Control), R & N Construction Group LLC. (Retaining Wall & Erosion Control), and Estes Design Inc. (Wetland Plantings).

Attachment 22

Budget Ordinance

43. Utilities Laboratory Services

- Action:** **A. Approve a two-year contract with Prism Laboratories, Inc. for professional laboratory services in the amount of \$230,000, and**
- B. Authorize the City Manager to approve three, one-year renewal options.**

Staff Resource: Barry Gullet, Utilities

Explanation

- The Environmental Management Division (EMD) of Utilities is required to run a variety of laboratory tests by both the federal Environmental Protection Agency and NC Department of Environment and Natural Resources.
- This contract will provide for required laboratory testing that is not within the current certification of Utilities' existing laboratory. It also provides for testing services on an as-needed basis for peak workload management.
- The selection process involved various water samples being sent to commercial laboratories in the area for evaluation.
- Test results from those labs were evaluated against known standards for accuracy. Prism's test results were consistently accurate.
- In addition, Prism's close proximity to the EMD facility allows staff to deliver samples quickly in the event of an emergency.
- The term of the contract is two years with three, one-year renewal options based upon level of satisfaction.
- This contract will put in place a fee schedule that will provide competitive and protective pricing for the next five years.

Small Business Opportunity

No SBE goal was set for this contract because subcontracting opportunities were not identified (Part C, Section 2.4 of the SBO Policy).

Funding

Utilities Operating Budget

44. Utilities Small Generator Preventive Maintenance and Repair

- Action:** **A. Approve a three-year service contract with Covington Power Solutions for generator preventative maintenance, load testing, fuel tank cleaning, and repair services for an amount of \$109,875, and**
- B. Authorize the City Manager to approve up to two additional one-year renewal options as authorized by the contract.**

Staff Resources: Barry Gullet, Utilities
Charles Robinson, Business Support Services

Explanation

- Charlotte Mecklenburg Utilities currently uses multiple vendors to provide preventive maintenance and repair services for the small generator systems and equipment at its 60 wastewater liftstations throughout Mecklenburg County.
- These generators are used for back-up power to keep wastewater lift stations operating should there be a loss of electrical power for any reason.
- The services provide for all required equipment, materials, tools, labor, and supervision to maintain the generator equipment at each facility as well as periodic load testing and fuel tank cleaning.
- The City issued a Request for Proposals for these services and received eight proposals in response to the solicitation issued on April 30, 2010.
- After a thorough evaluation, the Project Team consisting of staff from Business Support Services and Charlotte-Mecklenburg Utilities, recommends awarding to Covington Power Solutions as the service provider best meeting the established requirements.

Contract Terms

- The annual cost for repair services at each location will be based on the hourly rates and parts and equipment rates detailed in each contract.
- The contracts will have an initial term of three years with the option to renew for two additional consecutive one-year terms.
- Contract renewal after the initial term of three years is contingent upon availability of funds, as well as the company's satisfactory performance.

Small Business Opportunity

No SBO goal was set for this contract because subcontracting opportunities were not identified (Part C; Section 2.4 of the SBO Policy).

Funding

Utilities Operating Budget

45. Water and Sewer Rate Methodology Study

Action: **A. Approve a contract with Malcolm Pirnie Consulting for a Water and Sewer Rate Methodology Study in the not to exceed amount of \$268,241, and**

B. Adopt a budget ordinance appropriating \$268,241 from Utilities Operating Fund Balance.

Staff Resource: Barry Gullet, Utilities

Explanation

- Charlotte-Mecklenburg Utilities serves approximately 250,000 water and sewer customers throughout Mecklenburg County.
- Customers are currently billed for water and sewer services on a monthly basis. The current rate structure includes a fixed rate and an inclining tiered structure that has four tiers for residential customers, and a flat rate for commercial customers. The sewer rate structure is a flat rate for all customers.
- During the FY2011 budget process, the current rate methodology was reviewed and discussed by the Restructuring Government Committee.
- Based on this review, lessons learned from the drought, and concerns raised by customers, the need for a rate methodology study was made clear.
- The study will include numerous opportunities for public input and will develop a rate methodology that will accomplish the following:
 - Equitably allocate costs of service to customers
 - Encourage appropriate water usage through rates
 - Provide a stable rate and fee structure
 - Achieve financial goals
- The study will be completed by February 2011.

Selection Process

- In response to the Request for Qualifications (RFQ), the City received five proposals.
- The Evaluation Team, comprised of staff from Utilities, Budget & Evaluation, and Finance evaluated service providers on the following criteria:
 - Understanding of and responsiveness to the RFQ
 - Background and experience of the company
 - Qualifications and experience of project team
 - Study approach
 - Demonstrated experience managing public input processes
 - References
- After thorough evaluation, the Evaluation Team unanimously selected Malcolm Pirnie Consulting as the service provider best meeting the established requirements.

Small Business Opportunity

For services based contracts, the City negotiates SBE utilization after the proposal process (Part C: Section 2.2 of the SBO Policy). On this contract, no SBEs were selected as part of the consultant project team.

Funding

Utilities Operating Budget

Attachment 23
Budget Ordinance

46. Briar Creek Relief Sewer Phase I, Professional Services Contract Amendment

Action: Approve professional services amendment #2 with Camp Dresser & McKee in the amount of \$338,000, for extended construction inspection and administration for Phase 1 of the Briar Creek Relief Sewer.

Staff Resource: Barry Gullet, Utilities

Explanation

- City Council approved the contract for final design and construction administration for Phase 1 of the Briar Creek Relief Sewer in November 2005 for \$4,672,110.
- City Council approved amendment #1 for construction surveying, and construction administration for Phase 1 of the Briar Creek Relief Sewer in October 2007 for \$447,027.
- City Council approved the settlement agreement with Oscar Renda Contracting in the amount of \$3,230,640 on June 28, 2010, for tunneling difficulties under Myers Park High School.
- Because of the problems with the tunnel construction at Myers Park High School, the construction and final restoration period is expected to extend through August 2010 which is 13 months beyond the original construction contract ending date of July 24, 2009.
- Amendment #2 will cover the cost for the additional engineering personnel time required for the tunnel inspection prior to the tunnel being abandoned, trenching, and additional time for overall inspection and administration of the contract.
- The amendment also covers additional floodplain modeling and evaluation in response to flooding inquiries from residents and Mecklenburg County Stormwater Services this past winter.
- The construction of Phase 1 should be complete by the end of 2010.
- Total contract amount is now \$5,457,137.
- The total project cost, including this change order, will be within the project budget.

Small Business Opportunity

All additional work involved in the amendment will be performed by the consultant and their existing subcontractors. This amendment complies with Part D: Section 6 of the SBO Program.

Funding

Utilities Capital Investment Plan

47. Patton Avenue and Vest Elevated Water Storage Tank Renovations

Action: Approve the professional services amendment #2 with Kimley-Horn and Associates, Inc. in the amount of \$121,300 for design, and construction administration for the Patton Avenue and Vest Elevated Water Storage Tank Renovations.

Staff Resource: Barry Gullet, Utilities

Explanation

- On June 9, 2008, Council awarded a contract to Kimley-Horn, in the amount of \$160,000 for design and inspection of the Patton and Vest Elevated water storage tank refurbishment project.
- The contractor has fallen behind schedule, which requires continued inspection and contract administration services. On April 30, 2010 the City Manager approved amendment #1, in the amount of \$70,120, to cover Kimley-Horn's additional services. This amendment covered their services from April through June, the time at which the contractor projected they would be finished.
- The contractor is still behind schedule and needs an extension until September 1, 2010.
- Amendment #2 covers the same inspection and construction administration services as amendment #1, but for an additional time period.
- Liquidated damages for unjustified schedule delays by the contractor will recoup all or a portion of the additional engineering costs.
- Total contract amount is now \$351,420.

Small Business Opportunity

All additional work involved in this amendment will be performed by the consultant and their existing subcontractors. This amendment complies with part D: Section 6 of the SBO Program.

Funding

Utilities Capital Investment Plan

48. Charlotte Vehicle Operations Center Office and Training Building

Action: Approve a contract with Rockwell Builders in the amount of \$135,000 for the purchase and construction of a 2,048 square foot office and classroom facility for the Charlotte Vehicle Operations Center.

Staff Resources: Dan Pliszka, Finance
Stephen Norman, Finance

Explanation

- The Charlotte Vehicle Operations Center (CVOC) provides driver training for all City business units with over 35,000 student contact hours for FY2010. CVOC is operated by Finance and has two full-time staff.

- A 500 square foot temporary trailer was placed on the site six years ago for use as an office with plans for a much larger and functional building.
- The trailer has exceeded its useful life and its deteriorating condition has created unsafe working conditions. Its small size prevents on-site classroom training and one CVOC staff member must currently work off-site due to lack of space.
- The replacement structure is a modular building, not a trailer, with a permanent foundation, two offices, restrooms and a training classroom.
- The current trailer will be removed after construction is completed and placed for sale through Business Support Services.

Sustainable Facility Design Commitments

- The facility is a pre-fabricated unit and therefore, opportunities for considering sustainable design features were limited. However, the project will support a number of the priorities identified in the Policy for Sustainable City Facilities as outlined in the table below:

Sustainability Priorities	Facility-Specific Design Commitments
Preserve Land & Trees	<ul style="list-style-type: none"> • The facility will be sited on pre-developed City-owned land. • The site was graded and prepared for a facility when the Center opened in 2003; no trees will be removed. • Rockwell uses a recycling program at its fabrication shop.
Conserve Clean Water Resources	<ul style="list-style-type: none"> • Water efficient plumbing fixtures are included in the modular structure. • No irrigation system is necessary.
Reduce Energy Use & Carbon Footprint	<ul style="list-style-type: none"> • High-efficiency HVAC systems are included • Insulated, "low-e" gas windows
Maximize Transportation Alternatives	<ul style="list-style-type: none"> • Location is just off a major corridor and provides excellent access to existing bus routes. • Employees will have access to a bicycle rack and shower facilities at the Fire & Police Academy.
Protect Occupant Health, Maximize Productivity & Encourage Sustainable Employee Behaviors	<ul style="list-style-type: none"> • Existing covered area provides picnic tables for employee use

Selection Process

- Since this is a construction contract under \$300,000 (NCGS 143-131), Finance used an informal bidding process.
- Finance evaluated seven estimates. Rockwell was the only respondent to meet the specifications for size, quality, code compliance and ability to provide turnkey services.

Small Business Opportunity

Construction contracts under \$200,000 are considered informal by the SBO Program, therefore establishing SBE goals are not required (Appendix Section 29.1 of the SBO Policy).

Funding

Vehicle Operations Center Capital Improvement Plan

49. FY2011 General Obligation Bond Referendum

Action: **A. Introduce each of the three bond orders required for a General Obligation Bond Referendum and approve a resolution to authorize the Referendum which includes \$156,600,000 of Street Bonds, \$32,000,000 of Neighborhood Improvement Bonds and \$15,000,000 of Housing Bonds, and**

B. Set a public hearing for August 23, 2010.

Staff Resources: Greg Gaskins, Finance
 Scott Greer, Finance

Explanation

- On June 7, 2010, Council adopted the FY2011 budget and FY2011-FY2015 Capital Investment Plan, which included a \$203.6 million bond referendum in 2010.
- On June 28, 2010, Council approved resolutions authorizing staff to proceed with the actions necessary to conduct a general obligation bond referendum. This action to introduce the bond orders is the second of three Council actions required. Council will consider adopting the bond orders after it conducts the public hearing on the proposed bonds on August 23, 2010.
- Once adopted, the bond orders will authorize the type and amount of bonds to be placed on the November 2, 2010 referendum ballot.
- Once adopted, the bond orders will authorize a tax sufficient to pay the annual principal and interest on the bonds. The existing tax rate adopted by Council in June 2010 is projected to be sufficient to pay the debt service on these bonds when they are issued.
- The City's FY2011-FY2015 Capital Investment Plan includes projects to be funded by these bonds.
- The action does the following:
 - Introduction of bond orders for \$156,600,000 of Street Bonds, \$32,000,000 of Neighborhood Improvement Bonds, and \$15,000,000 of Housing Bonds
 - Designation of Finance Department staff to file the Sworn Statement of Debt with the City Clerk prior to public hearing
 - Directs staff to publish notice of public hearing on August 13, 2010
 - Sets the City Council meeting on August 23, 2010 as the date for a public hearing concerning the bond orders

Funding

Municipal Debt Service Fund

Attachment 24

Resolution
Notice of Public Hearing
Referendum Schedule
List of Projects

50. Voluntary Annexation Public Hearing Date

Action: Adopt a resolution setting the public hearing for August 23, 2010 for the Brantley Oaks Common Area petition for voluntary annexation.

Staff Resource: Bryman Suttle, Planning

Policy

City Annexation Policy and State Annexation Statutes

Explanation

- A voluntary annexation petition has been received for property in Charlotte's extraterritorial jurisdiction immediately outside the current City limits.
- The petitioner is the Brantley Oaks Homeowners Association.
- The property is located at 5108 Witham Passage (PID 105-311-09) off Rocky River Road near I-485.
- The 5.99 acre property is improved with community clubhouse and pool.
- A public hearing is required prior to City Council taking action on an annexation request.
- The purpose of the required public hearing is to obtain public input on the requested voluntary annexation.
- The resolution sets Monday August 23, 2010 as the date for the public hearing.

Consistency with City Council Policies

- Requested Annexation:
 - Is consistent with City Council voluntary annexation policies adopted on March 24, 2003
 - Will not adversely affect the City's ability to undertake future annexations
 - Will not have undue negative impact on City finances or services
 - Will not create pockets of unincorporated land surrounded by properties that are within the City's corporate limits

Attachment 25

Resolution
Map

51. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$2,990.50.

Staff Resource: Chip Harris, Finance

Attachment 26

Resolution
List of property tax refunds

52. In Rem Remedy

For In Rem Remedy #A-E, the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence
- Reduce the proportion of substandard housing
- Increase tax value of property by making land available for potential infill housing development
- Support public safety initiatives

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety – Police and/or Fire Dept.
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

Public Safety:

- A. 1907 Savannah Hills Drive (Neighborhood Statistical Area 171 – Providence Estates East Neighborhood)

Complaint:

- B. 901 Crestmere Street (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)
- C. 905 Rhyne Road (Neighborhood Statistical Area 110 – Wildwood Neighborhood)

Field Observation:

- D. 1514 Hawthorne Lane (Neighborhood Statistical Area 50 – Plaza/Midwood Neighborhood)
- E. 232 Woodman Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)

Public Safety:

A. 1907 Savannah Hills Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1907 Savannah Hills Drive (Neighborhood Statistical Area 171 – Providence Estates East Neighborhood).

Attachment 27

Complaint:

B. 901 Crestmere Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 901 Crestmere Street (Neighborhood Statistical Area 18 – Enderly Park Neighborhood).

Attachment 28

C. 905 Rhyne Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 905 Rhyne Road (Neighborhood Statistical Area 110 – Wildwood Neighborhood).

Attachment 29

Field Observation:

D. 1514 Hawthorne Lane

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1514 Hawthorne Lane (Neighborhood Statistical Area 50 – Plaza/Midwood Neighborhood).

Attachment 30

E. 232 Woodman Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 232 Woodman Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

Attachment 31

53. Sale of Real Property at Lawyers Road Extension

Action: Declare parcels at Lawyers Road Extension (PID 109-171-11 and 109-171-12) surplus and authorize staff to market the properties for sale.

Staff Resource: Robert Drayton, Engineering & Property Management

Explanation

- Several parcels of land were acquired for the Albemarle Road/W.T. Harris Boulevard Intersection Improvement Project in 2001 and 2002 by negotiated settlement.
- The scope of the project was changed and became the Lawyers Road Extension project.
- Although both Albemarle Road and W.T. Harris are controlled by NCDOT, they have no funding available for major improvements at this intersection.
- NCDOT has been notified of the proposed sale and supports it.
- PID 109-171-11 and 109-171-12 include approximately 6.17 acres and would be combined and subsequently subdivided.

Attachment 32

Map

54. Property Transactions

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

For property transactions X and Y, property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation and Federal Transit Administration reimbursement.

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

Acquisitions

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Geoffrey & Lisa Gausman
Property Address: 4216 Rockwood Road
Property to be acquired: 1.19 acres
Improvements: Single Family Residence
Purchase Price: \$133,000
Remarks: The purchase price was determined by an independent appraisal and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired 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: R3 Use: single family residence
Tax Value: \$116,000
Tax Code: 113-161-12
- B. Project:** Briar Creek Relief Sewer Phase 2, Parcel # 12
Owner(s): Eastover Medical Park II Condominium Association, Inc.
Property Address: 2600 East 7th Street
Property to be acquired: 27,259 sq. ft. (.626 ac.) in Sanitary Sewer Easement, plus 16,575 sq. ft. (.381 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: Trees
Purchase Price: \$270,950
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: O-6(CD)
Use: Medical Condominium Common Area
Tax Code: 127-123-99A
Total Parcel Tax Value: \$2,268,300
- C. Project:** Eastburn Storm Water Capital Improvement Project, Parcel # 43
Owner(s): Jonathan M. Shapiro and Lisa Marie Angeldorf
Property Address: 6319 Hazelton Drive

Property to be acquired: 2,118 sq. ft. (.049 ac.) in Storm Drainage Easement, plus 60 sq. ft. (.001 ac.) in Utility Easement, plus 1,407 sq. ft. (.032 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: Crepe Myrtles and Mature Shrubs

Purchase Price: \$14,925

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-3

Use: Single Family Residential

Tax Code: 179-011-21

Total Parcel Tax Value: \$182,300

D. Project: Park Road Sidewalk at Poindexter and Sunset, Parcel # 7

Owner(s): Barry Steven Beasley and Charles T. Allen

Property Address: 2900 Park Road

Property to be acquired: 467 sq. ft. (.011 ac.) in Sidewalk and Utility Easement, plus 609 sq. ft. (.014 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$10,000

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: R-4

Use: Single Family Residential

Tax Code: 147-092-09

Total Parcel Tax Value: \$204,000

E. Project: Park Road Sidewalk at Poindexter and Sunset, Parcel # 8

Owner(s): Daidre S. Fanis and Bryan N. Fanis

Property Address: 2820 Park Road

Property to be acquired: 550 sq. ft. (.013 ac.) in Sidewalk and Utility Easement, plus 602 sq. ft. (.014 ac.) in Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$14,125

Remarks: Compensation was established by two independent, certified appraisals and an appraisal review.

Zoned: R-4

Use: Single Family Residential

Tax Code: 147-093-02

Total Parcel Tax Value: \$227,400

F. Project: Park Road Sidewalk at Poindexter and Sunset, Parcel # 15

Owner(s): Pauline Paris Malphurs

Property Address: 2728 Park Road

Property to be acquired: 1,891 sq. ft. (.043 ac.) in Storm Drainage Easement, plus 454 sq. ft. (.010 ac.) in Sidewalk and Utility Easement, plus 430 sq. ft. (.010 ac.) in Temporary Construction Easement

Improvements: None
Landscaping: None
Purchase Price: \$16,450
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 147-095-30
Total Parcel Tax Value: \$183,300

- G. Project:** Rea Road Widening, Parcel # 55
Owner(s): Lisa V. Rockholt
Property Address: 5128 Rea Road
Property to be acquired: 1,072 sq. ft. (.025 ac.) in Fee Simple, plus 2,189 sq. ft. (.050 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$24,950
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential
Tax Code: 211-233-14
Total Parcel Tax Value: \$178,900
- H. Project:** Rea Road Widening, Parcel # 103
Owner(s): Maheshkumar V. Bhaskara and Deepthi Chaturvedi
Property Address: 5015 Rea Road
Property to be acquired: 663 sq. ft. (.015 ac.) in Fee Simple, plus 591 sq. ft. (.014 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$11,500
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential
Tax Code: 211-532-32
Total Parcel Tax Value: \$351,600
- I. Project:** Rea Road Widening, Parcel # 128
Owner(s): Karl E. Keffer, III and Wife, Carol H. Keefer
Property Address: 5232 MacAndrew Drive
Property to be acquired: 1,795 sq. ft. (.041 ac.) in Fee Simple, plus 42 sq. ft. (.001 ac.) in Guy wire/ Utility easement, plus 4,456 sq. ft. (.102 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$46,525
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential
Tax Code: 211-391-01

Total Parcel Tax Value: \$184,100

Condemnations

- J. Project:** Belmont-NCDOT Improvements, Parcel # 6
Owner(s): Bishop S.C. Madison, As Trustee For The United House Of Prayer For All People Of The Church On The Rock of the Apostolic Faith And Any Other Parties Of Interest
Property Address: 1501 Pegram Street
Property to be acquired: Total Combined Area of 984 sq. ft. (.023 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$300
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-5
Use: Church
Tax Code: 081-149-02
Total Parcel Tax Value: \$261,000
- K. Project:** Briar Creek Relief Sewer Phase 2, Parcel # 11
Owner(s): Eastover Odyssey, LLC and Any Other Parties of Interest
Property Address: 2630 East 7th Street
Property to be acquired: Total Combined Area of 27,627 sq. ft. (.634 ac.) of Sanitary Sewer Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: Various Landscaping Items
Purchase Price: \$118,050
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: O-2(CD)
Use: Commercial
Tax Code: 127-121-74
Total Parcel Tax Value: \$6,920,700
- L. Project:** Briar Creek Relief Sewer Phase 2, Parcel # 33
Owner(s): William R. Foster Jr. and Emily B. Foster, John B. Foster and Martha S. Foster, and Mary C. Foster Whitney and Grant Whitney Jr. And Any Other Parties Of Interest
Property Address: Central Avenue
Property to be acquired: Total Combined Area of 9,965 sq. ft. (.229 ac.) of Fee Simple (Total Take)
Improvements: None
Landscaping: None
Purchase Price: \$17,500
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1
Use: Commercial

Tax Code: 095-102-26
Total Parcel Tax Value: \$8,700

- M. Project:** Hidden Valley Neighborhood Improvement Project Phase 6, Parcel # 44
Owner(s): Paul A. Knight, Roy C. Knight, Jr. and Wade P. Knight and Any Other Parties of Interest
Property Address: 500 Dawn Circle
Property to be acquired: Total Combined Area of 2,258 sq. ft. (.052 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$350
Remarks: Compensation was established by an independent, certified appraisal and a review appraisal. City staff is recommending condemnation in order to obtain clear title.
Zoned: R-4
Use: Single Family Residential
Tax Code: 089-212-10
Total Parcel Tax Value: \$15,000
- N. Project:** Hidden Valley Neighborhood Improvement Project Phase 6, Parcel # 47
Owner(s): Gary L. Stikeleather and Any Other Parties of Interest
Property Address: 436 Dawn Circle
Property to be acquired: Total Combined Area of 2,450 sq. ft. (.056 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$3,025
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential
Tax Code: 089-212-13
Total Parcel Tax Value: \$64,400
- O. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 2
Owner(s): Scott R. Rossbach and Any Other Parties of Interest
Property Address: 2922 Park Road
Property to be acquired: Total Combined Area of 982 sq. ft. (.023 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$6,225
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential

Tax Code: 147-092-04
Total Parcel Tax Value: \$186,100

- P. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 3
Owner(s): Todd Murphy and Any Other Parties of Interest And
Property Address: 2918 Park Road
Property to be acquired: Total Combined Area of 1,023 sq. ft. (.023 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$11,750
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential
Tax Code: 147-092-05
Total Parcel Tax Value: \$216,000
- Q. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 4
Owner(s): Phillip E. Lewis and Lauren May Vaughn and Any Other Parties of Interest
Property Address: 2912 Park Road
Property to be acquired: Total Combined Area of 1,095 sq. ft. (.025 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$12,225
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential
Tax Code: 147-092-06
Total Parcel Tax Value: \$189,600
- R. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 9
Owner(s): Deborah Lynne Robinson and David H. Hewton and Any Other Parties of Interest
Property Address: 2816 Park Road
Property to be acquired: Total Combined Area of 1,122 sq. ft. (.026 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$12,300
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential

Tax Code: 147-093-03
Total Parcel Tax Value: \$204,500

- S. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 10
Owner(s): Robert L. Fitzpatrick and Marie T. Thirion Fitzpatrick and Any Other Parties of Interest
Property Address: 2812 Park Road
Property to be acquired: Total Combined Area of 762 sq. ft. (.017 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$3,025
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential
Tax Code: 147-093-04
Total Parcel Tax Value: \$179,000
- T. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 11
Owner(s): Marie T. Thirion Fitzpatrick and Any Other Parties of Interest
Property Address: 2808 Park Road
Property to be acquired: Total Combined Area of 762 sq. ft. (.017 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$5,250
Remarks: Compensation was established by independent, certified appraisals related to this property. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential
Tax Code: 147-093-05
Total Parcel Tax Value: \$201,400
- U. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 12
Owner(s): Daniel T. Hopkins and Susan N. Bradley and Any Other Parties of Interest
Property Address: 2804 Park Road
Property to be acquired: Total Combined Area of 829 sq. ft. (.019 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$13,225
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4

Use: Single Family Residential
Tax Code: 147-093-06
Total Parcel Tax Value: \$207,400

- V. Project:** Park Road Sidewalk at Poindexter and Sunset, Parcel # 14
Owner(s): Robert A. Johnson and Richard L. Johnson and Any Other Parties of Interest
Property Address: 2734 Park Road
Property to be acquired: Total Combined Area of 6,065 sq. ft. (.139 ac.) of Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$27,700
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential
Tax Code: 147-095-29
Total Parcel Tax Value: \$182,200
- W. Project:** Shillington Storm Water Capital Improvement Project, Parcel # 6
Owner(s): Reginald T. Hubbard and Iris S. Hubbard and Any Other Parties of Interest
Property Address: 8425 Winged Bourne
Property to be acquired: Total Combined Area of 1,948 sq. ft. (.045 ac.) of Storm Drainage Easement
Improvements: None
Landscaping: Multiple Trees and Shrubs
Purchase Price: \$13,350
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-15(CD)
Use: Single Family Residential
Tax Code: 209-382-02
Total Parcel Tax Value: \$1,800,400
- X. Project:** CATS: Northeast Corridor Light Rail Transit, Parcel # 1237.1
Owner(s): Gateway Communities, LLC and Any Other Parties of Interest
Property Address: 400 East 33rd Street
Property to be acquired: Total Combined Area of 99,282 sq. ft. (2.279 ac.) of Fee Simple, plus Existing Right-of-way
Improvements: None
Landscaping: None
Purchase Price: \$365,850
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-2
Use: Industrial

Tax Code: 083-031-01
Total Parcel Tax Value: \$1,502,500

- Y. Project:** CATS: Northeast Corridor Light Rail Transit, Parcel # 1238.1
Owner(s): Noda Yards, LLC and Any Other Parties of Interest
Property Address: East 33rd Street
Property to be acquired: Total Combined Area of 18,564 sq. ft. (.426 ac.) of Fee Simple, plus Existing Right-of-way
Improvements: None
Landscaping: None
Purchase Price: \$115,200
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: MUDD (CD)
Use: Industrial
Tax Code: 083-031-42
Total Parcel Tax Value: \$494,500

55. Meeting Minutes

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

- April 26, 2010
- May 17, 2010
- May 24, 2010