

**Mayor Anthony Foxx**

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

**Mayor Pro Tem Patrick D. Cannon**

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

**CITY COUNCIL MEETING**  
**Monday, June 11, 2012**

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

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15	19	Mecklenburg County 10 Year Solid Waste Management Plan
35	40	Refund of Property and Business Privilege License Taxes

**CITY COUNCIL AGENDA  
Monday, June 11, 2012**

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## 4:00 P.M. DINNER BRIEFING CONFERENCE CENTER

### 1. Mayor and Council Consent Item Questions

**Resource:** Eric Campbell, City Manager's Office

**Time:** 5 minutes

#### Synopsis

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

### 2. Mecklenburg County Solid Waste Management Plan 2012-2022



**Resources:** Victoria Johnson, Solid Waste Services  
Bruce Gledhill, Mecklenburg County Solid Waste

**Time:** 30 minutes

#### Synopsis

- Staff will provide an overview of the County Solid Waste Management Plan 2012-2022 (SWMP). The requirement for the SWMP was established by State Law in 1989. In 1996, it was state-mandated that the SWMP gets updated every three years.
- The SWMP recommends policies, programs and infrastructure for the next ten years to meet the solid waste management needs of the City and County; and sets direction for short and long-term per capita waste reduction goals.
- Local governments included within this Plan are Mecklenburg County and the cities of Charlotte, Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville.
- Adoption of the Plan fulfills a State requirement. Adoption indicates the participating entities' intent to review the proposals but is not a commitment to implementation. Implementation of the proposals would require policy changes and have budgetary implications.
- The Solid Waste Interlocal Agreement with Mecklenburg County requires the County to prepare and submit the SWMP to the State by June 30, 2012.
- Prior to submission, the SWMP is adopted by resolution by the participating units of local government.

#### Future Action

The Solid Waste Management Plan is item 15, page 19 of this agenda.

### 3. I-485 South and I-77 North Project Updates



**Resources:** Norm Steinman, Transportation  
Tim Gibbs, Transportation

**Time:** 30 minutes

#### Synopsis

- The North Carolina Department of Transportation (NCDOT) is proposing to accelerate two freeway widening projects:
  - I-485 between I-77 and Rea Road
  - I-77 between Uptown and Lake Norman
- The proposed projects will increase capacity, provide more reliable travel times, and establish new congestion management strategies. NCDOT will need additional funding to accomplish these projects years sooner than previously programmed.
- For I-485, NCDOT is proposing to add one general purpose lane in each direction between I-77 and Rea Road. Staff will explain the specific changes to the project previously anticipated to be built by NCDOT.
- For I-77, NCDOT is proposing to build two High Occupancy Toll (HOT) lanes in each direction, between I-85 and Exit 28 (Catawba Avenue). According to NCDOT, this doubling of HOT lane capacity would be accomplished as part of an overall project stretching from I-277 to Mooresville.
- The Mecklenburg-Union Metropolitan Planning Organization (MUMPO) has completed an air quality conformity analysis as required by USDOT and the Environmental Protection Agency (EPA), which included the I-485 and I-77 projects in tandem. This analysis was necessary for MUMPO to be able to amend both the local Long Range Transportation Plan and the Transportation Improvement Program.
- On March 22, April 9, and May 14 the Transportation Committee was briefed on the project updates.
- The Mayor and Council's MUMPO representative, David Howard, may request a directed vote of the Council on this topic depending on the conversations with NCDOT prior to June 11 (agenda item 14, page 18 of this agenda.)

#### Future Action

MUMPO is expected to vote on both projects during a special meeting called for June 20, 2012.

## 5:15 P.M. DINNER BREAK

## 4. Floodplain Ordinance Revisions

**Resources:** Daryl Hammock, Engineering & Property Management

**Time:** 15 minutes

### Synopsis

- It is standard practice to periodically review and reevaluate floodplain mapping depending on the amount of development in watersheds.
- Mecklenburg County last reevaluated floodplain maps in 2000 and has proposed map revisions to FEMA for many Charlotte watersheds.
- FEMA released the preliminary maps on April 11, 2012 and it could take until August 2013 before the final maps are approved by FEMA and become effective.
- Two task forces comprised of floodplain property owners in these watersheds met several times as part of the map revision process.
- The proposed maps were presented at five public meetings and a website was created for property owners to review the maps and submit comments.
- The revised maps show over a thousand fewer structures are predicted to flood than previous maps indicated, while hundreds of structures are now predicted to flood that originally were not.
- Staff recommends an ordinance revision to allow regulation of new construction using the preliminary maps until final FEMA approval.
- Adopting the maps early ensures that development occurring prior to final FEMA approval will be at less risk of flood damage.
- Staff recommends several additional Ordinance changes that clarify intent, add more specificity and further limit flood losses.
- The proposed revisions were presented to the Storm Water Advisory Committee on May 17 who unanimously supported staff's recommendation and to the Subdivision Steering Committee on May 16.

### Future Action

The public hearing on the proposed revisions is item 11, page 6 of this agenda. City Council action is scheduled for June 25.

## 5. Public Art Work Plan

**Resources:** Robert Bush, Arts & Science Council  
Nicole Bartlett, Arts & Science Council

**Time:** 15 minutes

### Synopsis

- City Council approved the current Public Art Ordinance on May 27, 2003.
- On June 20, 2005, City Council approved the annual agreement with the Arts & Science Council and the Public Art Commission for administration of the Public Art Program.
- The FY2013 proposed Public Art Allocation for General Government is \$54,000.
- The FY2013 proposed Public Art Allocation for the Airport is \$617,107.

- The attached work plan provides:
  - Description of the artwork completed, obtained, or commenced in FY2012
  - Preliminary plan for pooling and site selection of FY2013 proposed public art allocations

**Future Action**

The FY2013 Public Art Work Plan and the annual agreement with the Arts & Science Council and the Public Art Commission for administration of the Art program are included in the budget adoption agenda item, item 13, page 7 of this agenda.

**Attachment 1**

FY2013 Proposed Public Art Work Plan

**6. Answers to Mayor and Council Consent Item Questions**

**Resource:** Eric Campbell, City Manager's Office

**Time:** 10 minutes

**Synopsis**

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

## **6:30 P.M. AWARDS AND RECOGNITIONS**

### **7. Charlotte-Mecklenburg Schools Energy Poster Contest Winners**

**Action:** Mayor Foxx recognizes the winners of the 2011/2012 energy poster contest for CMS students. The contest helps to raise awareness of energy conservation and renewable energy in our schools throughout the year.

### **8. Do The Right Thing Recognition**

**Action:** Mayor Foxx recognizes the winner of the Dr. Sam Haywood award, given by Charlotte Fire Department, to a youth who, in the face of overwhelming odds, exhibits character and integrity.

### **9. 2012 Employee of the Year**

**Action:** Mayor Foxx recognizes the 2012 Employee of the Year, Brendan Smith, Engineering and Property Management. The award is a 49-year tradition acknowledging efforts, ideas, suggestions and courtesy in job performance. The Employer's Association sponsors the award.

## **COUNCIL BUSINESS MEETING**

### **CONSENT**

- 10. Consent agenda items 19 through 37 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk.**

Consideration of Consent Items shall occur in the following order:

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

## **PUBLIC HEARING**

### **11. Public Hearing on Floodplain Ordinance Revisions**

**Action: Conduct a public hearing on the Floodplain Ordinance Revisions.**

**Staff Resource:** Daryl Hammock, Engineering & Property Management

#### **Explanation**

- It is standard practice to periodically review and reevaluate floodplain mapping depending on the amount of development in watersheds.
- Mecklenburg County last reevaluated floodplain maps in 2000 and has proposed map revisions to FEMA for many Charlotte watersheds.
- FEMA released the preliminary maps on April 11, 2012 and it could take until August 2013 before the final maps are approved by FEMA and become effective.
- Two task forces comprised of floodplain property owners in these watersheds met several times as part of the map revision process.
- The proposed maps were presented at five public meetings and a website was created for property owners to review the maps and submit comments.
- The revised maps show over a thousand fewer structures are predicted to flood than previous maps indicated, while hundreds of structures are now predicted to flood that originally were not.
- Staff recommends an ordinance revision to allow regulation of new construction using the preliminary maps until final FEMA approval.
- Adopting the maps early ensures that development occurring prior to final FEMA approval will be at less risk of flood damage.
- Staff recommends several additional Ordinance changes that clarify intent, add more specificity and further limit flood losses.
- The proposed revisions were presented to the Storm Water Advisory Committee on May 17 who unanimously supported staff's recommendation and to the Subdivision Steering Committee on May 16.
- City Council will consider the Floodplain Ordinance Revisions on June 25.

#### **Attachment 2**

Proposed Ordinance Revisions

## POLICY

### 12. City Manager's Report

### 13. FY2013 Operating Budget and FY2013-2017 Capital Investment Plan

<p><b>Action:</b></p>	<p><b>Adopt the FY2013 Appropriations and Tax Levy Ordinance, the Capital Investment Plan Resolution for Fiscal Years 2013-2017, the FY2013 Pay and Benefits Resolution and associated Human Resources contracts, and other items related to the Annual Ordinance adoption:</b></p> <ul style="list-style-type: none"> <li><b>A. The FY2013 Appropriations and Tax Levy Ordinance (Randy Harrington),</b></li> <li><b>B. The FY2013 Appropriations for Charlotte-Mecklenburg Storm Water Services and Interlocal Agreement compliance (Jeb Blackwell),</b></li> <li><b>C. The FY2013 Appropriations for Charlotte-Mecklenburg Utilities (Barry Gullet),</b></li> <li><b>D. The FY2013-2017 Capital Investment Plan Resolution (Randy Harrington),</b></li> <li><b>E. The FY2013 Pay and Benefits Plan Resolution and associated Human Resources contracts (Cheryl Brown),</b></li> <li><b>F. Outside Agencies Contracts (Randy Harrington),</b></li> <li><b>G. Municipal Service Districts Contracts (Randy Harrington),</b></li> <li><b>H. Job Training Contracts (Patrick Mumford),</b></li> <li><b>I. Out-of-School Time Partners Contracts (Patrick Mumford),</b></li> <li><b>J. Housing Development and Support Contracts (Patrick Mumford),</b></li> <li><b>K. Other Budget Items (Randy Harrington),</b></li> <li><b>L. Charlotte-Mecklenburg Housing Partnership Contract (Patrick Mumford)</b></li> </ul>
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**Committee Chair:** Michael Barnes

**Staff Resources:** Listed by each section above

#### **Policy**

As required by state law, the City of Charlotte adopts an annual appropriations and tax levy ordinance and considers related actions by July 1 of each fiscal year.

#### **Background**

- The City Manager's Recommended Budget was presented on May 9<sup>th</sup>. Since February 2012, the Mayor and City Council held three budget retreats and the required public hearing to shape development of this budget. Additionally, Council held their Budget Adjustments meeting on May 16<sup>th</sup>, and the Budget Straw Votes meeting on May 30<sup>th</sup>.
- The budget is characterized by the following:
  - Revenues are projected to grow at slow, but modest, levels and a number of local indicators suggest that the local economy is strengthening.

- The budget focuses on the City’s Capital Investment Plan (CIP), which is the foundation for how the City will provide infrastructure to a growing community.
- To fund the community investments through the CIP, the property tax rate is increased by 3.6¢.
- The General Fund includes only a few core, base operating budget changes.

**Approved Changes to the Manager’s Recommended Budget from Council Straw Votes**

- On May 30, 2012, Council approved the following budget amendment for the operating and capital budget:
  - Amendment 1: Provide one-time funding of \$197,376 to cover 50% of the Greater Enrichment Program’s FY2012 to FY2013 funding difference of \$394,792 by using the remaining balance of the FY2012 Council Discretionary (\$189,550) and (\$7,826) of the FY2013 Council Discretionary

**A. Adopt the FY2013 Appropriations and Tax Levy Ordinance**

Budget Overview

- The total FY2013 recommended budget is \$1.97 billion, with \$1.15 billion for operating expenditures and \$817.9 million for capital expenditures (all funds). The General Fund operating budget totals \$552.4 million, a 3.81% increase over the FY2012 revised budget.
- An FY2013 property tax increase of 3.6¢ to support General capital investments that approach the City’s infrastructure with a long-term, sustainable emphasis on: 1) investing in corridors, 2) increasing connections, and 3) improving communities.

Property Tax Rate

- The property tax rate for FY2013 is recommended at 47.30¢ per \$100 of assessed valuation, an increase of 3.6¢ to fund community investments through the General Capital Investment Plan. The FY2013 assessed value is estimated at \$89.2 billion, with an estimated collection rate of 97.20%.

<b>Purpose</b>	<b>Current FY2012 Tax Rate</b>	<b>Recommended FY2013 Tax Rate</b>	<b>Rate Increase</b>
General Fund	36.00¢	36.00¢	0.0¢
Capital Debt Service	6.50¢	10.10¢	3.6¢
Pay-As-You-Go Capital	1.20¢	1.20¢	0.0¢
<b>Total</b>	<b>43.70¢</b>	<b>47.30¢</b>	<b>3.6¢</b>

**Attachment 3**

Annual Budget Ordinance

**B. Adopt the Storm Water Appropriations**

- In accordance with the Interlocal Agreement on storm water services, this action will inform the County of the amount to be charged for the City's portion of the fee. The County Commission will vote on storm water fee changes on June 19th.
- The current long-range plan for the storm water program includes annual increases in the City's storm water fee, coupled with bond funding, in order to finance the ongoing response to new and backlogged citizen requests for service.

- The fees for FY2013 maintain the existing two-tier methodology and increase fees by 6.0% from FY2012 to FY2013:

	<b>FY2012 Monthly Fee</b>	<b>FY2013 Monthly Fee</b>
Detached homes with less than 2,000 sq. ft. impervious area	\$4.79	\$5.08
Detached homes with 2,000 sq. ft. or more impervious area	\$7.06	\$7.48
Other residential or non-residential development per acre of impervious area	\$117.68	\$124.70

- The 6.0% fee increase will result in additional revenue of \$3.5 million in FY2013.
- The City’s General Fund impervious surface rate fee contribution increases \$151,309. FY2013 is the second of a three-year phase-in of equal increases to restore the \$453,929 General Fund budget reduction implemented in FY2011.
- In accordance with the Interlocal Agreement on storm water services, the Mecklenburg County Board of Commissioners conducted a public hearing on changes to the City's portion of the storm water fee on May 15, 2012. City Council also conducted a public hearing on storm water fees in conjunction with the FY2013 budget public hearing on May 29, 2012.
- The Charlotte-Mecklenburg Storm Water Advisory Committee has endorsed the proposed FY2013 Storm Water program.

**Attachment 3**

Annual Budget Ordinance

**C. Adopt the Charlotte Mecklenburg Utilities Appropriations**

The budget includes an increase in the volume rate, fixed billing charge, the availability fee for both water and sewer, and other miscellaneous water and sewer fees. The average monthly total water and sewer bill for residential customers is estimated to be \$59.53, an increase of \$3.30 per month.

<b>Residential Water Rates</b>	FY2012	FY2013
Tier 1 (1-4 Ccf)	\$0.98	\$1.09
Tier 2 (5-8 Ccf)	\$1.96	\$2.18
Tier 3 (9-16 Ccf)	\$3.41	\$3.81
Tier 4 (over 16 Ccf)	\$5.32	\$5.96
<b>Sewer Charges</b>	\$4.14	\$4.32
<b>Non-Residential Water Rates</b>	\$2.20	\$2.33

**Attachment 3**

Annual Budget Ordinance

**Attachment 4**

Water and Sewer Budget and Rates Fact Sheet

**D. Adopt the FY2013-2017 Capital Investment Plan (CIP) Resolution**

- The resolution approves the five-year Capital Investment Plan expenditure and financing plan totaling \$4.1 billion (all funds), an increase of 24.5% above the prior year.
- Since presentation of the Preliminary Budget, the City was notified of the final allocations for the federal CDBG and HOME grants. These final grant amounts are included in the attached ordinance.
- The capital program is based on property tax rates as follows:
  - 10.10¢ for the Municipal Debt Service Fund, an increase of 3.6¢, reflecting the recommended property tax increase
  - 1.20¢ for the Pay-As-You-Go Fund, unchanged from the prior year
- The FY2013-2017 five year General CIP totals \$970.9 million, a 250.4% increase above the current General CIP, comprised of the following categories:
  - Housing and Neighborhood Development: \$271.6 million
  - Transportation: \$381.4 million
  - Economic Development: \$131.0 million
  - Environmental Services: \$16.5 million
  - Facility Investments: \$170.4 million
- The General CIP is supported by three proposed bond referenda in 2012, 2014, and 2016 (the fourth bond referendum in 2018 will be reflected in the CIP beginning in FY2015 for a total recommended General capital debt package of \$926.4 million).

**Enterprise-Funded**

- Enterprise programs are financially self-sustaining and do not rely on property tax or general government revenues.
- Storm Water totals \$260.7 million, a 3.4% increase, and is funded by \$194.5 million in cash and \$66.2 million in revenue bonds.
- Charlotte Area Transit System (CATS) totals \$1.2 billion, a 7.1% decrease, and is funded by federal and state grants and the one half-cent sales tax for transit.
- Water and Sewer totals \$622.9 million, a 27.2% increase, and is funded by \$149.9 million in cash and \$473.0 million in revenue bonds.
- Aviation totals 1.04 billion, a 6.1% increase, and is funded by \$820.0 million in revenue bonds, \$115.2 million in Federal Aviation Administration grants, \$43.0 million in Transportation Security Administration funding, \$50.4 million in cash, and \$13.4 million from State Aviation grants.

**Attachment 5**

Resolution

List of Projects

## **E. Adopt the FY2013 Employee Pay and Benefits Plan Resolution and associated Human Resources contracts**

- The recommendations included in the FY2013 Pay and Benefits Report include the following:

### Pay Plans

- In the Public Safety Pay Plan, the budget includes the recommendations from the Public Safety Pay Plan Committee:
  - 2.5% or 5.0% step adjustments
  - 1.5% market adjustment
  - \$1.0 million one-time conversion cost to implement the new Public Safety Pay Plan
  - Dive certification pay for Fire
- In the Broadbanding Pay Plan, the recommended budget includes a 3% merit budget.
- A 3.0% increase to the band minimum and maximum rates in the Broadbanding Pay Plan structure. The only impact of this recommendation will be to change the minimum and maximum rates in the City's six bands. No employees will receive an increase as a result of this recommendation.

### Benefits

- No changes are recommended to the 401(k) plan.
- The State required retirement contribution for non-sworn employees decreased from 6.88% in FY2012 to 6.74% in FY2013. For FY2013, the retirement contribution for sworn police will decrease from 7.05% to 6.77%. The Firefighter Retirement System is not impacted, as the system is independent of the State system and administered by a separate Board of Trustees.
- The City contribution to group health insurance increases only 2% due to the City's commitment to the Council adopted philosophy of: aggressive cost management for benefits, employees expected to fairly share in the cost of benefits, moderate level of benefits and pay, actively support wellness programs to reduce future costs.
- The following medical plan design changes are effective January 1, 2013:
  - 2% increase in City's cost
  - 2% increase for employees in PPO Plus Plan
  - 0% increase for employees in PPO Basic Plan
  - Medical plan deductibles and out-of-pocket maximums will be increased and plan design changes will be implemented.
  - For retiree only medical coverage, increase the retiree share from 37.5% to 42.5% for retiree only and 47.5% to 50% for retiree and dependents.
  - The City Manager is authorized to approve changes including plan options, vendors, and future contracts/contract amendments to the fully insured medical and prescription drug plans for Medicare eligible retirees.
  - Since the plans for Medicare eligible retirees are fully insured, upon receipt of renewal rates from UnitedHealthcare and SilverScript, it is recommended that the City Manager/designee be authorized to approve rate increases as necessary to appropriately fund these plans.

- Increase premiums as outlined in the chart below:

<b>Medical Premiums for Active Employees and Retirees</b>				
Level of Coverage	FY2012 Monthly Premium		FY2013 Monthly Premium	
	PPO Basic Plan	PPO Plus Plan	PPO Basic Plan	PPO Plus Plan
Employee Only	\$81.19	\$109.01	\$81.19	\$111.87
Employee/Children	\$349.21	\$414.03	\$349.21	\$422.99
Employee/Spouse	\$365.27	\$445.15	\$365.27	\$454.73
Employee/Family	\$387.29	\$478.10	\$387.29	\$488.32
Retiree Only	\$152.24	\$183.50	\$182.37	\$205.59
Retiree/Children	\$473.92	\$536.80	\$527.31	\$574.72
Retiree/Spouse	\$495.72	\$574.21	\$551.56	\$611.14
Retiree/Family	\$525.60	\$615.28	\$584.80	\$653.04

Notes: Retiree premiums based on retirees with 20+ years of service for the PPO plans; Employees not participating in specified Wellness Program will have an increased cost of \$400 per year; PPO Plus and PPO Basic plans will continue to have a higher deductible for tobacco users who are not enrolled in a tobacco cessation program.

- The City is currently reviewing and rebidding several processes for group health services. Approval of Action E. authorizes the City Manager/designee to execute the following:
  - Medicare-eligible retiree plan: Upon completion of the process, determine if plan and vendor changes are required and implement changes.
  - Dental Coverage: Execute a two-year contract effective January 1, 2013 with the selected vendor and negotiate plan design, premiums, funding and contract terms and amendments. Extend such contract for up to two additional consecutive, one-year terms on negotiated terms and conditions approved by the City Manager. The Dental plan is funded within the overall health insurance budget.
  - Domestic Partner Benefits: Design, develop and implement policies and programs to extend benefits coverage to domestic partners of City employees, consistent with (or not to exceed) the level and type of benefits provided for employees' and their dependents.
  - Flexible Spending Account Administration: Execute a three-year contract effective January 1, 2013 with the selected vendor and negotiate contract terms and amendments. Extend such contract for up to two additional consecutive, one-year terms on negotiated terms and conditions approved by the City Manager. Flexible Benefits plan administration costs are funded within the overall health insurance budget.
  - Benefits Consulting Services: Authority to renew a benefits consulting contract with Willis of North Carolina, Inc., for two consecutive one-year terms at the current annual fee.
- Amend the City's Shared Sick Leave Policy to allow the use of shared sick leave for a catastrophic Workers' Compensation covered illness or injury and clarify the definitions of other policy provisions.
- Provide the City Manager or his designee the authority to proceed with planning the implementation of a Consumer Driven Health Plan (CDHP) option in FY2013, including vendor selection, contract and future contract amendment execution, set-up and communications. The anticipated effective date is January 1, 2014.

**Attachment 6**

Resolution

**F. Approve Outside Agencies Contracts**United Family Services (Victim Assistance) \$333,977

- The Victim Assistance Program provides crisis intervention, community counseling, education, and individual assistance to victims of violent crimes and to families of homicide victims.

**Attachment 7**

Scope of Services

Community Building Initiative (CBI) \$49,000

- The Community Building Initiative provides strategic assistance and works to build partnerships that promote access, inclusion, equity and trust, to improve the quality of life in Charlotte's neighborhoods and for its residents, organizations, groups and the community at large.

**Attachment 8**

Scope of Services

Arts & Science Council (ASC) \$2,940,823

- The Arts & Science Council oversees community-wide cultural planning, fundraising, grant administration, technical assistance, facility review, and other responsibilities to advance the cultural life of Charlotte and Mecklenburg County.

**Attachment 9**

Scope of Services

Extend the Agreement with the Arts & Science Council and the Public Art Commission for administration of the Public Art Program and approval of the FY2013 Public Art Work Plan

- On May 27, 2003, the City Council adopted an ordinance pertaining to the allocation and administration of funds for public art. The ordinance directs that an amount equal to 1% of the construction costs of eligible capital projects be provided for public art.
- The agreement was updated to incorporate changes from the ordinance and approved by City Council in 2004.
- On January 10, 2005, City Council voted to improve communications between the Council and the Public Art Program. The Council also reaffirmed the 2003 ordinance of 1% of construction costs of eligible capital projects be provided for public art.
- On November 12, 2007, Council approved the Restructuring Government Committee's recommendation to establish administrative guidelines for the City's Public Art Ordinance.
- The FY2013 Allocations are:
  - General Fund - \$54,000
  - Aviation - \$617,017
- The FY2013 Public Art Work Plan will be presented to the City Council at the June 11, 2012 Dinner Briefing.
- In accordance with the Council approved policy, the Public Art Commission will present a mid-year update of projects and financials in November 2012. At that

time, the Commission will provide additional information regarding the proposed process and types of projects contemplated for the FY2013 funding allocation.

### **Attachment 1**

#### Proposed FY2013 Public Art Work Plan

Charlotte Regional Partnership \$199,034

- The Partnership is a regional economic development organization that works with local governments, the Chamber and others, to enhance economic activity in the region. The amount of City funding is derived on a per capita figure based on city population for the base contribution of \$124,034, plus \$75,000 to support the Charlotte Regional Film Commission.

### **Attachment 10**

#### Scope of Services

Charlotte International Cabinet \$156,121

- The Charlotte International Cabinet (CIC) promotes Charlotte as an international city and serves as a resource to foster international relationships. CIC is the City's primary point of contact for international communities and international businesses in the Charlotte region.

### **Attachment 11**

#### Scope of Services

Charlotte Regional Visitors Authority (CRVA) \$10,892,412

- Tourism Marketing \$3,636,590
  - Funds the City's general tourism marketing services contract with CRVA. The amount is based on a portion of projected collections of the occupancy tax and a \$35,000 City contribution for special events.
- Charlotte Convention Center Promotion and Business Development Activities \$7,255,822
  - Funding allocated to the Authority is derived from a portion of the proceeds of the prepared food and beverage tax and a portion of the countywide occupancy tax.
- In addition to the marketing contract dollars listed above, for FY2013 the City also provides non-marketing financial support for City-owned buildings on behalf of the CRVA for \$6,374,265 for Convention Center Operating and Capital, \$1,070,048 for the Arena and Ovens/Bojangles Capital Maintenance and Repair and \$522,000 for NASCAR Hall of Fame Maintenance and Repair.

### **Attachment 12**

#### Scope of Services

#### **G. Approve the Municipal Service District Contracts with Charlotte Center City Partners (\$3,814,743) and University City Partners (\$638,461)**

- The municipal service districts (MSDs) were created to enhance the economic viability and quality of life in select areas. Three MSDs are located in the Center City, the fourth is located in the South End area, and the fifth is located in the University City area. Revenues for these districts are generated through ad-

valorem taxes paid by property owners in the districts in addition to the City’s regular property tax rate.

- In FY2013, the City will contract with Charlotte Center City Partners (CCCP) for services in the three Center City Municipal Service Districts as well as for services in the South End Municipal Service District. The City will also contract with University City Partners (UCP) for services in the University City Municipal Service District.
- The FY2013 tax rates in the five MSDs remain unchanged from the FY2012 rates.

<b>Municipal Service Districts Summary</b>		
<b>District</b>	<b>FY2013 Tax Rate</b>	<b>FY2013 Contract Amount</b>
District 1-Center City	1.68¢	\$1,232,567
District 2-Center City	2.33¢	\$708,226
District 3-Center City	3.58¢	\$1,124,873
District 4-South End	6.68¢	\$749,077
District 5-University City	2.79¢	\$638,461

**Attachment 13**

Scope of Services

**H. Approve the FY2013 Job Training Contracts**

Charlotte-Mecklenburg Workforce Development Board (WDB)

Job Training Contract up to \$9,119,689

Source of Funds

Workforce Investment Act Grants	\$5,907,864
Carry-over of unexpended FY2010 Grants	\$3,186,825
General Fund	\$25,000

- The WDB is responsible for implementing the federally funded Workforce Investment Act (WIA) that provides job training and assistance to unemployed and underemployed workers in Mecklenburg County.
- The City serves as the fiscal agent for the program and contracts with the WDB on an annual basis to implement WIA services.
- These funds will be used to provide job search and placement assistance, including career counseling assessment of skills and needs and training from eligible providers such as community colleges and universities.
- The City’s FY2013 contract with the WDB includes the following scope of services for the use of these funds:
  - Serve 40,000 customers through a network of 30+ Shared Network Access Point sites
  - Provide training assistance to 350 eligible adults and dislocated workers
  - Provide recruiting or screen assistance to 50 local employers
  - Support 35,000 visits to the South Boulevard Center and Employer Engagement Center for coaching, job teams and workshops/classes
  - Serve 350 WIA eligible youth

- Monitor contracts of agencies charged with delivering direct training services, including the Goodwill Industries, Arbor Education and Training, Q-Foundation and other youth providers.

**I. Approve the FY2013 Out-of-School Time Partners Contracts**

- The Community Development Block Grant and Innovative Housing Funds contracts provide educational enrichment activities for elementary, middle, and high school students of families with low incomes who reside in the Housing and Neighborhood Development boundaries.
- On May 9, 2011 Charlotte City Council approved the development and issuance of a Request for Proposal for Out-of-School Time Programs based on evidence-based standards for school age care.
- At the April 23, 2012 Council Dinner Briefing, staff recommended using the Housing Trust Fund model (funding top scored proposals at 100% until funding is exhausted)
- The following six organizations are funded:
 

- Charlotte-Mecklenburg Schools	\$350,012
- YWCA Central Carolinas After School	\$158,826
- Police Activities League	\$282,145
- Bethlehem Center	\$170,357
- St. Paul Enrichment Program	\$70,476
- Greater Charlotte Enrichment Program	\$408,478
- At the May 30, 2012, Straw Votes meeting, Council approved an additional \$197,376 in one-time funding above the \$211,102 recommended budget level for Greater Enrichment Program (see "Background" section) by using the remaining balance of the FY2012 Council Discretionary (\$189,550) and (\$7,826) of the FY2013 Council Discretionary. The total FY2013 allocation for the Greater Enrichment Program is \$408,478.

**J. Approve the FY2013 Housing Development and Support Contracts**

- The 2013 Consolidated Action Plan for Housing and Community Development, approved by Council on April 23, 2012 establishes strategies to provide affordable housing and supportive services for low and moderate-income families and individuals as part of an overall community revitalization strategy.

Carolinas Care Partnership \$714,063

- The Consortium manages the City Housing Opportunities for Persons with HIV/AIDS (HOPWA) federal grant. Responsibilities include:
  - Awarding restricted-use grants to qualified organizations in the seven-county metropolitan statistical area (MSA) to provide housing and housing-related services for people living with HIV and AIDS. Servicing the seven-county MSA is a requirement for the City to receive the funds.
  - Distributing funds available through the HOPWA program in compliance with 24 CFR Part 574 and other applicable HUD regulations
  - Ensuring that all HOPWA funds are expended to provide maximum access to housing for eligible people affected by HIV and AIDS, including family as defined by 24 CFR Part 574.3
  - Assist 450 persons with HIV/AIDS
  - Monitoring distribution and proper expenditure of funds distributed to grantee agencies in the region

Crisis Assistance Ministry \$380,000

- The Ministry programs provide critical assistance to low-income families.
- Crisis Assistance Energy Assistance (\$180,000) – These funds are used to directly pay utility companies for bills due from low-income families. This program serves approximately 1,350 families.
- Crisis Assistance Emergency Rental Assistance (\$200,000) – These funds are targeted for low-income families living in specific areas of the City and address housing problems. This program assists approximately 1,122 families.

Community Link \$470,000

- Community Link provides housing counseling and relocation services with an emphasis in creating homeownership in the City’s targeted neighborhoods.
- During FY2012 City Council approved contracts for Community Link to provide housing relocation and post homeowner counseling services previously performed by Charlotte Housing Authority Relocation Services and United Family Services

Charlotte Family Housing \$200,000

- Charlotte Family Housing, formerly Workforce Initiative for Supportive Housing, provides supportive housing solutions for homeless working families with children.
- The contract is a performance-based contract, therefore the funding is up to \$200,000. The goal in FY2013 is to serve 50 families per month through the program.

**K. Approve Other Budget Items**

- The budget ordinance included is the City’s annual budgetary operating ordinance. Sections 1 through 14 of this Ordinance reflect the items included in the Manager’s Recommended Budget and all Council amendments that Council is approving with this action.
- The remainder of the Annual Ordinance (Sections 15 through 54) serves to make budgetary corrections to the FY2012 and FY2013 for technical, accounting and other “wind-up” tasks necessary.

Sections 15 through 18 General Capital Project Funds

- Sections 15 through 18 appropriate and consolidate funding to prepare existing accounts for transactions presented in the FY2013-2017 CIP and make other capital project technical adjustments.

Sections 19 CATS Operating and Capital Projects Funds

- Section 19 adjusts within the CATS Capital Project Funds to reflect revised funding amounts from grants and local resources.

Sections 20 through 21 Aviation Operating and Capital Projects Funds

- Section 20 appropriates \$0.7 million for the Airport Recycling Center
- Section 21 transfers \$11.1 million in additional reserves to the Aviation Discretionary Fund for airport improvements.

Sections 22 through 33 Other Funds

- Section 22 transfers \$0.3 million from Capital Reserves in excess of 16% in the General Fund to the Pay-As-You-Go Fund 2012 Fund Balance.
- Sections 23 through 27 appropriate funding from various grants and interest on property tax refund appeals.
- Section 28 amends the Arena payment to align with the contract.

- Section 29 appropriates savings from bond refunding to fund other post-employment benefit liability.
- Sections 30 through 32 appropriate funds for unanticipated revenues.
- Section 33 appropriates FY12 payment to CRVA

Sections 34 through 52

- Section 34 includes technical accounting changes necessary to clarify or correct FY2012 and other prior-year budgetary ordinances.
- Sections 35 through 52 give the Finance Director authority to make specific routine appropriations and transfers within the adopted budget.

Section 53

- Section 53 gives the City Manager authority to adjust any appropriations in accordance with any Council amendments to the FY2013 budget ordinance made at the June 11, 2012 Council Business Meeting.

**L. Approve the FY2013 Charlotte-Mecklenburg Housing Partnership Contract**

Affordable Housing Contract

\$1,960,000

- This contract includes funding to address planning for future multi-family and single-family housing development by:
  - Increase affordable homeownership opportunities. CMHP will assist 100 families to become homeowners.
  - Increase affordable rental opportunities. CMHP will acquire a new property to develop multi-family rental housing.

**14. Proposed I-77 North Managed Lanes Project**

The Mayor and City Council's Mecklenburg-Union Metropolitan Planning Organization Representative, Council Member David Howard, may request a directed vote on NCDOT's Proposed I-77 North Managed Lane Project depending on the conversations with NCDOT prior to June 11. An update will be provided in the Friday, June 8, Council-Manager Memo.

## 15. Mecklenburg County 10 Year Solid Waste Management Plan

**Action: Adopt a resolution approving the Mecklenburg County 10 Year Solid Waste Management Plan dated July 1, 2012.**

**Staff Resources:** Victoria Johnson, Solid Waste Services  
Bruce Gledhill, Mecklenburg County Solid Waste Services

### Ten Year Plan 2012-2022

- The Mecklenburg County 10 Year Solid Waste Management Plan (Plan) proposes policies, programs, and infrastructure to meet the solid waste management needs of the City and County and includes short and long term waste reduction goals.
- Local governments included within this Plan are Mecklenburg County and the cities of Charlotte, Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville.
- Adoption of the Plan fulfills a State requirement. Adoption indicates the participating entities' intent to review the proposals but is not a commitment to implementation. Implementation of the proposals would require policy changes and have budgetary implications.
- Charlotte waste management policies and services are driven by the Council-adopted Environment Focus Area Plan, industry best practices, cost-benefit analysis and available resources.
- The 10-Year Plan emphasizes waste reduction programs in the residential, commercial and construction & demolition (C&D) waste sectors. If the recommended proposals were implemented in their entirety, it is estimated there would be a 58% overall reduction in per capita waste disposal by FY2021 compared to FY1999. As of FY2012, of total waste disposed, Commercial generates 47%; Residential 35%; Construction & Demolition 18%.
- Residential proposals include prohibiting the placement of banned items in garbage containers and requiring all multifamily complexes to provide recycling services for residents.
- Commercial proposals include expanding the mandatory recycling ordinance and placing recycling containers everywhere there are public trash containers.
- Construction & Demolition proposals include implementing a mandatory C&D recycling ordinance and expanding education, outreach, and enforcement.
- On May 1, 2012, the Mecklenburg County Board of Commissioners adopted Solid Waste Management Plan 2012-2022.

### Public Input

- The Plan steering committee had representatives from each local government, CMS, UNC-Charlotte and the Charlotte Chamber of Commerce. The County-appointed Waste Management Advisory Board also participated in Plan development.
- Direct input was obtained from citizens and businesses during charrettes (focus groups) convened on January 26-28, 2012. Public outreach was conducted through social media, email blasts, City and County websites.

### Background

- Solid Waste Management Act of 1989, NCGS 130A-309.09A (b), requires each unit of local government, either individually or in cooperation with other units of

local government, to develop a 10 year comprehensive solid waste management plan.

- The State mandated in 1996 that the Plan be updated every three years. The 1997-2007 Plan was the first update. The 2012-2022 Plan is the fifth update.
- The Solid Waste Interlocal Agreement with Mecklenburg County requires the County to prepare and submit the Plan to the North Carolina Department of Environment and Natural Resources by June 30, 2012.

#### **Attachment 14**

Resolution

Executive Summary Mecklenburg County Solid Waste Management Plan 2012-2022

## **16. Uptown Charlotte Knights Baseball Stadium**



**Action:** Adopt a resolution approving and authorizing the execution of:

1. **An agreement with the Charlotte Knights that grants \$8 million net present value over 20 years, with \$7.25 million net present value paid from tourism funding and \$750,000 net present value paid from funds provided by Charlotte Center City Partners, and amends the 2007 Traffic Control Agreement between the City and the Knights to remove Sections 3.1, 3.2 and 3.3 to eliminate any cost to the City, and**
2. **A Memorandum of Understanding with the Charlotte Center City Partners describing the terms under which Charlotte Center City Partners contributes \$750,000 net present value over 20 years for Uptown Baseball.**

**Committee Chair:** James Mitchell

**Staff Resources:** Ron Kimble, City Manager's Office  
 Greg Gaskins, Finance  
 Anna Schleunes, City Attorney's Office  
 Michael Smith, Charlotte Center City Partners

#### **Background**

- On January 23, 2012, the City Council referred the topic of professional and amateur sports to the Economic Development Committee.
- On March 1, 2012, the City's Economic Development Committee received a report on the Economic Impact of Sports in the Charlotte Region, showing an overall total economic impact of \$2.1 billion annually.
- A Companion Report showed \$38 million direct and \$66 million total annual economic impact, and 490 direct and 749 total jobs associated with an uptown baseball stadium.
- On March 15, 2012, the Charlotte Knights' requested \$11 million of City participation to complete their proposed financing plan for an uptown baseball stadium.

- The City's Economic Development Committee met on April 4, 2012 and April 19, 2012 to evaluate the Knights' request.
- On April 19, 2012, the City's Economic Development Committee voted 4 to 1 to recommend (over 20 years) \$6 million of tourism funding, and \$2.5 million of a property tax based economic development grant for incremental taxes generated from the two square blocks where the proposed Stadium and Hotel would be built. Mitchell, Cannon, Howard and Mayfield voted for the recommendation with Cooksey opposed. Cannon and Cooksey's votes were "with reservation" pending the receipt of additional information.
- At the April 23, 2012 dinner briefing, the City Council reviewed the Committee's recommendation. Based on feedback from the City Council, staff continued to refine the City's response to the Charlotte Knights' request.
- On May 29, 2012, City staff shared a final recommendation for City participation based upon City Council feedback on April 23, 2012. This final recommendation consists of \$7.25 million net present value of tourism funding over 20 years and \$750,000 net present value from Charlotte Center City Partners over 20 years.

**Key Agreement Terms**

- Knights must play baseball uptown to earn payments on reimbursement basis; otherwise, payments cease.
- Knights are responsible for all operating losses.
- Knights are responsible for construction cost overruns.
- If litigation prevents completion of the baseball stadium, Knights must pay City's legal costs.
- County's agreement is unaltered; County's contribution of a land lease for \$1/year and \$8 million net present value over 20 years remains in place.
- Knights may use right-of-way during construction at no cost (standard when City partners).
- SBE goal of 5%, MBE goal of 11%, WBE goal of 5%, and a combined MWSBE goal of 16%.

**Advantages of Stadium**

- An entertainment facility available for the general public and families at a very affordable price.
- A venue that convention goers and leisure tourists will help fund.
- A facility that will host many community events and special sporting events that will be beneficial to Charlotte.
- A fair and equitable public/private partnership for all parties.
- Risk protection for the taxpayers and tourism partners.
- \$38 million in direct annual economic impact, \$66 million in total annual economic impact
- 490 direct jobs annually, 749 in total jobs annually, including youth employment opportunities
- Baseball oriented development estimated at \$350 million in construction value over the next 10 years.

**Next Steps**

- If this agreement is approved, then
  - By June 30, the Knights must have an approved financing plan
  - By October 2012 construction must begin on the Stadium
  - By April 2014 Stadium expected to be complete and available for baseball
- If this agreement is not approved, then the Knights likely remain in Fort Mill for now.

**Attachment 15**

- AAA Baseball Stadium Resolution
- AAA Baseball Stadium Agreement
- Memorandum of Understanding with Charlotte Center City Partners
- 2007 Traffic Control Agreement and proposed amendment
- Charlotte Knights Uptown Stadium Information Package (Containing Economic Development Committee meeting minutes and information, Council meeting minutes and information, and information submitted by Jerry Reese on three separate occasions) – separate notebook

## **BUSINESS**

### **17. Conclusion of Consent Agenda**

<b>Action:</b> <b>Approve consent items that Council members pulled for discussion or additional information.</b>
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### **18. Mayor and Council Topics**

Council members may share information and raise topics for discussion.

## CONSENT

### Introduction to CONSENT

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

The City's Small Business Opportunity (SBO) Program's purpose is to enhance competition and opportunity in City contracting with small businesses in the Charlotte metropolitan statistical area. Participation of small business enterprises (SBE) is noted where applicable. Contracts recommended for award as of March 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization. Professional service contracts recommended for award as of August 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization.

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit.

#### Contractors and Consultants

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

## 19. Solid Waste Services Heavy Equipment Purchase Contracts

**Action:**   **A. Award low bid unit price contracts for the term of one year to Charlotte Truck Center and Carolina Industrial Equipment for trucks and street sweepers used in the delivery of solid waste services. The FY2012 expenditures are estimated to be \$1,001,268, and**

**B. Authorize the City Manager to extend the contracts for four, one-year terms with possible price adjustments as authorized in the contracts.**

**Staff Resource:**   Victoria Johnson, Solid Waste Services

### Explanation

- City contracts for heavy equipment purchases have expired and new contracts are needed. The equipment is used in Solid Waste Services operations to handle garbage, yard waste, and bulky item collections, and clean-up services in the Central Business District.
- A competitive bid process was held to identify qualified vendors.
- A staff bid evaluation team recommends the award of unit-price purchase contracts to Charlotte Truck Center and Carolina Industrial Equipment, which met required equipment specifications as follows:
  - Charlotte Truck Center
    - Two, Grapple GVWR 33,000 (Knuckle-boom Loader) at unit price of \$127,494, a Grapple truck has a clamshell loader mounted to its frame which is used to load bulky waste, yard waste, and other heavy objects
  - Carolina Industrial Equipment
    - Two, 33,000 GVWR Street Sweeper at unit price of \$175,985
    - Two, 33,000 GVWR Vacuum Street Sweeper at unit price of \$197,155
- Planned equipment purchases are items included in the City's FY12 Approved Capital Equipment List and subsequent approved capital lists during the term of the contracts.
- Replacement equipment is ranked by the Equipment Maintenance Division based on age, mileage, maintenance cost, and in some instances special conditions such as accidents. Only the oldest and most costly to maintain equipment is replaced based on available funding.
- All replacement trucks will be equipped with the most current EPA Tier Three high efficiency diesel engines that will reduce harmful emissions.
- When warranted, Solid Waste Services will also consider other environmentally sound alternatives in compliance with the City's Fleet and Motorized Equipment Asset Management Policy.

### Small Business Opportunity

No SBE goals are established for purchases of goods and equipment (Appendix Section 18 of the SBO Policy) (see attachment).

### Funding

Capital Equipment Fund

**Attachment 16**

SBO Policy Reference

**20. Toddville Road Sidewalk Project**

**Action: Award the low bid contract of \$889,785.60 to WM Warr & Son, Inc. for the Toddville Road Sidewalk Project.**

**Staff Resources:** Doug Pierotti, Engineering & Property Management  
Bette Frederick, Engineering & Property Management

**Explanation**

- The Toddville Road Sidewalk Project will support the City's Sidewalk Program to enhance connectivity, offer transportation choices and improve pedestrian safety.
- This project will add sidewalk on the west side of Toddville Road between Freedom Drive and Tuckaseegee Road (approximately 1.12 miles). Storm drainage improvements will also be included as part of the project.
- Construction is expected to be complete first quarter 2013.

**Small Business Opportunity**

Established SBE Goal: 7%

Committed SBE Goal: 7.75%

W. M. Warr & Son Inc. exceeded the established SBE goal and committed 7.75% (\$68,923.48) of the contract amount to the following SBE firms:

Express Logistics (hauling), Gastonia Iron Works (handrail) and P&TL (erosion control).

**Funding**

Transportation and Storm Water Capital Investment Plans

**21. Spratt Street Office Renovation Project**

**Action: Award the low bid contract of \$353,926.65 to D.E. Brown Construction, Inc. for the Spratt Street Office Renovation Project.**

**Staff Resource:** William Haas, Engineering & Property Management

**Explanation**

- In support of the BSS Information Technology consolidation of technology staff into one location, BSS Information Technology Division staff will be relocated from several City of Charlotte facilities and leased office spaces into one office suite at Spratt Street.
- Business Support Services (BSS) will occupy 5,000 square feet of office space at 545 Spratt Street.
- This renovation project will include open work areas and offices for 45 employees. A new conference room and break room will support BSS and CDOT employees from the adjacent office suite.
- Construction will include new walls, new ceilings, upgrades in the HVAC system, new electrical, new plumbing and new finishes. Upgrades to the HVAC system

- will improve energy efficiency. New electrical plumbing will renovate existing restrooms for Americans with Disabilities code compliance.
- The Spratt Street office location is important in its proximity to future expansion plans for the new joint communications center that will be located at 1315 N. Graham Street. BSS will play a critical role in supporting public safety, supporting the 311 call center and supporting the new joint communication center.
  - Furniture is estimated at \$177,000 and will be purchased separately through the existing U.S. Communities Knoll contract, North Carolina General Statute G.S. 143-129(e)(3).
  - Construction of the Spratt Street Office Renovation is expected to be complete by fourth quarter 2012.

#### **Small Business Opportunity**

Established SBE Goal: 9%

Committed SBE Goal: 17.42%

D.E. Brown Construction Inc. exceeded the established SBE goal and committed 17.42% (\$61,650) of the contract amount to the following SBE firms: Millenium Electric Inc. (electrical) and MAKK Services Unlimited, Inc. (clean-up). D.E. Brown Construction Inc. is also a certified SBE firm.

#### **Funding**

General Capital Investment Plan

## **22. Brookshire Boulevard/Hovis Road/Oakdale Road Intersection Improvement Project**

**Action: Award the low bid contract of \$2,887,990.55 to Blythe Development Company for the Brookshire Boulevard/Hovis Road/Oakdale Road Intersection Improvement project.**

**Staff Resources:** Tim Greene, Engineering & Property Management  
Derrel Poole, Engineering & Property Management

#### **Explanation**

- The Brookshire Boulevard/Hovis Road/Oakdale Road Intersection is a major intersection located in the northwest section of the City that connects the Thomasboro Hoskins Community to the Oakdale Community.
- The project is part of the Intersection Capacity and Multi-Modal Enhancement Program to improve the level of accommodations for vehicles, pedestrians, bicyclists and transit users through the installation of curb and gutter, sidewalk, bicycle lanes and new traffic signals.
- This intersection is on the high accident location list and the goal of the project is to improve safety by realigning Oakdale Road.
- Construction is expected to be complete by the end of the third quarter 2013.

#### **Small Business Opportunity**

Established SBE Goal: 7%

Committed SBE Goal: 7.01%

Blythe Development Company exceeded the established SBE goal and committed 7.01% (\$202,577.83) of the total contract amount to the following SBE firms:

Pavers, Walls & Stamped Concrete (curb & gutter), P&TL Inc. (erosion control), Landmark Materials (hauling) and Ground Effects (pavement marking).

### **Funding**

Transportation Capital Investment Plan

## **23. Geotechnical and Construction Materials Testing**

- Action:**
- A. Approve the following contracts for geotechnical and construction materials testing services:**
- 1. Terracon Consultants, Inc., \$150,000**
  - 2. Froehling & Robertson, Inc., \$150,000**
  - 3. E.S.P. Associates, P.A., \$150,000**
  - 4. S&ME, Inc., \$150,000**
  - 5. Summit ECS, Inc., \$150,000**
- B. Authorize the City Manager to approve up to two renewals each in an amount not to exceed the original contract amount.**

**Staff Resource:** Bryan Tarlton, Engineering & Property Management

### **Explanation**

- These contracts provide geotechnical and construction materials testing services on various projects in support of the Capital Investment Plan.
- Testing services are provided to ensure that material specifications are satisfied.
- These five firms were selected pursuant to the Council-approved qualifications-based selection process in accordance with NC General Statutes.
- The renewals are an incentive to the contractor for good performance and quality work.

### **Small Business Opportunity**

For services based contracts, the City seeks to negotiate SBE goals after the proposal selection process and during the contract negotiation process (Part C: Section 2.2 of the SBO Policy) (see attachment). The Consultants made the following SBE projections:

#### Terracon Consultants, Inc.

Terracon Consultants, Inc. projected 3% (\$4,500) of the total contract amount to the following SBE firms: Capstone Civil Group, P.A. (geotechnical) and Soil Drilling Services, Inc. (drilling/testing).

#### Froehling & Robertson, Inc.

Froehling & Robertson, Inc. projected 3.5% (\$5,250) of the total contract amount to the following SBE firms: CWI Services Inc. (inspection), Carolina Copy Services, Inc. (printing) and Priority Underground Locating Service, Inc. (utility location).

#### ESP Associates, P.A.

ESP Associates, P.A. projected 3% (\$4,500) of the total contract amount to the following SBE firm: AmeriDrill Corporation (drilling).

S & ME, Inc.

S & ME, Inc. projected 4% (\$6,000) of the total contract amount to the following SBE firm: AmeriDrill Corporation (drilling) and Capstone Civil Group, P.A. (materials testing).

Summit ECS, Inc.

Summit ECS, Inc. projected 6% (\$9,000) of the total contract amount to the following SBE firms: CWI Services Inc. (welding inspection), Red Dog Drilling and Richa Graphics (printing).

**Funding**

Various Capital Investment Plans

**Attachment 16**

SBO Policy Reference

**24. Fire Physical Training Uniforms**

**Action: A. Award the unit price contract to Logo Works for the purchase of physical training uniforms for the term of three years, and**

**B. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The annual expenditures are anticipated to be a total of \$54,000.**

**Staff Resource:** Rich Granger, Fire

**Explanation**

- Physical training uniform items are T-shirts, shorts, sweatshirts and sweatpants.
- These items are provided to all Fire Department personnel in order to perform all required on-the-job physical training.
- Procurement Services Division issued an Invitation to Bid (ITB) on November 29, 2011 and five bids were received in response to the ITB.
- The unit prices range from \$3.75 to \$7.75 per T-shirt based on size; \$8.41 to \$12.41 per sweatshirt based on size; \$9.95 to \$12.95 per sweatpants based on size; and \$8.43 to \$11.43 per shorts based on size.

**Small Business Opportunity**

No SBE goals are established for purchases of goods and equipment (Appendix Section 18 of the SBO Policy) (see attachment).

**Funding**

Fire Operating Budget

**Attachment 16**

SBO Policy Reference

## 25. Fire Protection Services for Mecklenburg County

**Action:** Authorize the City Manager to execute a one year contract with Mecklenburg County for \$625,506 to provide all fire protection services in the areas previously served by Newell and Mallard Creek Volunteer Fire Departments.

**Staff Resource:** Rich Granger, Fire

### Explanation

- On June 7, 2011 the Mecklenburg County Commission passed a resolution to approve the Charlotte Rural Fire District consisting of the areas formerly covered by Newell and Mallard Creek Volunteer Fire Departments.
- The cost to provide all fire services including protection, inspections, life safety education, and investigation was determined by adding all components of the fire department budget, minus projected revenues (i.e. fees, fines, etc). The derived figure was then divided by the value of one cent on the City's property tax rate. The result is the property tax rate of 12.01 cents per \$100 valuation needed to support the cost of the Fire Department.
- This property tax was then calculated against the property value of the areas to be served. The result is the recommended cost to the County for the desired service which is equivalent to the cost of the service to the citizens within the City. The anticipated rate is set annually.
- The one year agreement will ensure that the citizens affected by the closing of these two departments will receive adequate and equal fire protection services. The Charlotte Fire Department will provide all fire services to the citizens in these two fires districts which fall within Charlotte's Sphere of Influence. Approximately 20% of Mallard Creek's district falls within Huntersville's Sphere of Influence and will be serviced by Huntersville.
- The agreement is renewable annually and is 100% reimbursed by Mecklenburg County.

### Small Business Opportunity

Contracts entered into with other units of federal, state, or local government are exempt (Appendix Section 23.8 of the SBO Policy) (see attachment).

### Funding

Mecklenburg County General Fund

### Attachment 16

SBO Policy Reference

## 26. Airport Terrazzo Maintenance Contract

**Action:** Approve an amendment to the contract with Sunshine Cleaning Services, Inc. in the amount of \$156,128.25 for terrazzo cleaning and maintenance.

**Staff Resource:** Jerry Orr, Aviation

### Explanation

- In March 22, 2010, City Council approved a contract with Sunshine Cleaning Services to maintain the terrazzo in the Charlotte Airport Terminal and concourses.
- This contract includes a provision to allow for the increase or decrease of terrazzo maintenance at \$2.67 per square foot.
- In 2011, the Airport began a renovation to the Baggage Claim area and an expansion of the East Terminal. The Baggage Claim renovation added 35,580 square feet of terrazzo and the East Terminal expansion includes an additional 11,200.
- This additional square footage increases the contract by \$156,128.25 for the next 15 months. The contract expires June 30, 2013.

### Small Business Opportunity

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

### Funding

Aviation Operating Budget

### Attachment 16

SBO Policy Reference

## 27. Airport Firefighting Vehicles

**Action:**   **A. Award the low-bid contract of \$426,488 to Danko Emergency Equipment Co. for the purchase of two Dual Agent Aircraft Rescue Firefighting Vehicles, and**

**B. Adopt a budget ordinance appropriating \$426,488 from Airport Discretionary Fund Balance to be repaid with future Passenger Facility Charge revenues.**

**Staff Resource:**     Jerry Orr, Aviation

### Explanation

- The Airport is required by Federal Aviation Regulations (FAR) to provide Aircraft Rescue and Fire Fighting (ARFF) equipment on the airfield for aircraft operations.
- The amount of ARFF equipment required is determined by an index based on the size of aircraft operating at the airport. CLT is an Index D airport.
- Index D requires the Airport to have three ARFF vehicles with a combined water capacity of at least 4,000 gallons and 500 lbs. of extinguishing agent. In an emergency, the first vehicle must arrive at the scene within three minutes and the other two vehicles within four minutes.
- Due to the size of the airfield, the Airport has two fire stations in order to meet the response time requirements. Each station must have the Index D complement of equipment to ensure that in the event of an emergency on one side of the airfield the other side can continue to operate.
- The six ARFF vehicles currently on the Airport include equipment owned by the Airport and other equipment owned by the North Carolina National Guard. All ARFF vehicles are housed at Stations 17 and 41, both of which are on the airfield.
- These smaller, more agile, vehicles provide the capability to ensure the required response times can be met when ground traffic is at a peak level.
- These trucks – one at each station – will supplement the existing ARFF equipment as well as provide additional fire fighting capacity in the event of an emergency. The addition of these two vehicles will bring the Airport into compliance with the FAR requirements.

### Small Business Opportunity

No SBE goals are established for purchases of goods and equipment (Appendix Section 18 of the SBO Policy) (see attachment).

### Funding

Aviation Capital Investment Plan

### Attachment 16

SBO Policy Reference

### Attachment 17

Budget Ordinance

## 28. Airport Bus Purchase

**Action:** Award the low-bid contract of \$706,194 to Carolina Thomas, LLC for the purchase of nine F-550, 27-passenger Aero Elite buses.

**Staff Resource:** Jerry Orr, Aviation

### Explanation

- The Airport owns and operates parking facilities for its passengers 24 hours a day/365 days a year.
- A fleet of 50 shuttle buses transports passengers to and from the Terminal to the Airport's various parking decks and parking lots.
- These nine 27-passenger buses will replace nine of the Airport's existing 15-passenger buses. The existing buses are five-years old with an average of 150,000 miles of transit use.
- The Aero Elite 6.7 Diesel engine bus is expected to achieve 50% better fuel mileage than the existing diesel shuttle bus fleet, increasing from 8 mpg to 12 mpg. These buses meet all 2012 EPA emission standards.
- The Aero Elite bus will carry 27 passengers, an increase of 12 more passengers per bus than the shuttle buses it replaces.
- The unit cost basis for each bus is \$78,466, which includes a warranty of 12 months/12,000 miles.

### Small Business Opportunity

No SBE goals are established for purchases of goods and equipment (Appendix Section 18 of the SBO Policy) (see attachment).

### Funding

Aviation Operating Budget

### Attachment 16

SBO Policy Reference

## 29. Airport Terminal Ramp Repairs

- Action:**
- A. Award the low bid contract of \$817,300 to Swederski Concrete & Paving for the airport terminal ramp repairs,**
  - B. Approve a contract for quality assurance testing in the amount of \$20,000 to On-Spec Engineering, PC, and**
  - C. Adopt a budget ordinance appropriating \$837,300 from the Airport's Discretionary Fund Balance.**

**Staff Resource:** Jerry Orr, Aviation

### **Explanation**

- The construction contract with Swederski Concrete and Paving is for the replacement of minor amounts of selected concrete slabs on the terminal ramp. These slabs are cracked and showing signs of distress. This work is part of the Airport's on-going maintenance program.
- On-Spec Engineering will provide quality assurance testing of the repairs.
- On-Spec Engineering, PC is a certified DBE vendor and was selected based on their knowledge, experience and familiarity of airport pavement construction.
- Funding for these contracts will come from future General Airport Revenue Bond proceeds or Passenger Facility Charge pay-as-you-go revenues.
- The construction contract duration is 60 days. The quality assurance testing services will occur throughout the duration of the project.

### **Disadvantaged Business Opportunity**

Established DBE Goal: 15%

Committed DBE Goal: 16.00%

Swederski Concrete & Paving met the established DBE goal, and committed 16.00% (\$130,768) of the total bid amount to the following DBE firm(s): Eaton Construction (Saw cutting and sealing)

### **Funding**

Airport Capital Investment Fund

### **Attachment 18**

Budget Ordinance

### 30. Airport Storm Water Improvements

- Action:**
- A. Approve a contract with Blythe Development, Co. in the amount of \$294,170 for Storm Water Improvements on Airport property, and**
  - B. Approve a contract with HDR Engineering, Inc. in the amount of \$450,000 for design and bidding services for additional storm water detention improvements.**

**Staff Resource:** Jerry Orr, Aviation

#### **Explanation**

- In November 2007 City Council approved a contract with HDR Engineering to design new storm water detention facilities related to the new runway.
- The purpose of these new facilities is to better manage the peak storm water discharge from the Airport.
- This project will construct one new storm water detention pond and perform maintenance on one existing storm water detention pond.
- In December 2011 the City Manager approved a contract with HDR Engineering for storm water master planning services, which provided the opportunity to review the overall storm water management for the Airport, taking in to account the facilities now in place and the future development anticipated over the next five years.
- Action B will approve a contract with HDR Engineering for design and bidding services for a regional storm water facility and bioretention basins strategically located around the Airport to help both peak discharge and water quality that were developed from that master plan.
- Funding for these contracts comes from proceeds of the 2009 General Airport Revenue Bonds, the debt service of which is paid with Passenger Facility Charge revenues.

#### **Disadvantaged Business Opportunity**

Established DBE Goal: 10%

Committed DBE Goal: 10.16%

Blythe Development, Co. exceeded the established DBE goal, and committed 10.16% (\$29,899) of the total bid amount to the following DBE firm(s): Martin Landscaping Co., Inc. (seed), Express Logistics Services, Inc. (hauling), GATC Contracting, LLC (storm drain), Mid-Atlantic Erosion Control, Inc. (erosion control).

#### **Funding**

Aviation Capital Investment Plan

### 31. Airport Landscape Maintenance Service Contracts

**Action:** Award a three year contract in the amount of \$189,825.30 to Samson Grounds Management, LLC for Zone 5 Landscape Maintenance.

**Staff Resource:** Jerry Orr, Aviation

#### **Explanation**

- In August 2008, City Council approved a contract with Valleycrest Landscape Maintenance for landscape maintenance work outside of the perimeter security fence in the amount of \$1,420,000 for 40 months (\$35,500 per month).
- In February 2012, City Council approved contracts with five vendors for landscape maintenance work that the Airport unbundled into smaller zones.
- The contract for Zone 5 was originally awarded to The Grass is Greener.
- The Grass is Greener was unable to meet requirements of the contract and voluntarily terminated the contract with the Airport.
- An invitation to bid (ITB) was advertised on May 10, 2012.
- Bids were received on May 23, 10:00am.
- Seven vendors replied to the ITB, including two SBEs.
- The service will be rebid in early 2015.

#### **Small Business Opportunity**

No SBE goal was set for this contract because there are no SBE subcontracting opportunities (Part C: Section 2.4 of the SBO Policy) (see attachment); however, Samson Grounds Management LLC is a certified SBE.

#### **Funding**

Airport Operating Fund

#### **Attachment 16**

SBO Policy Reference

## 32. Water and Wastewater Engineering Services

**Action:** Award contracts to the following firms for engineering services on an as needed basis. These contracts will be for the combined amount of \$1,400,000:

- **Black and Veatch \$300,000**
- **Hazen & Sawyer \$300,000**
- **CDM-Smith \$200,000**
- **HDR Engineering, Inc. \$200,000**
- **Southeastern Consulting Engineers, Inc. \$100,000**
- **Willis Engineers, Inc. \$100,000**
- **Brown & Caldwell \$100,000**
- **McKim & Creed \$100,000**

**Staff Resource:** Barry Shearin, Utilities

### Explanation

- In the operation and maintenance of the water and wastewater plants and the overall utilities system, there are a number of situations where the staff requires the assistance of outside engineering services either due to the volume and timing of work to be completed or due to the need for technical expertise not available within the department or City.
- These contracts will provide funding for water treatment, wastewater treatment, water/sewer lines, structural, and electrical engineering services required by Utilities on an as-needed basis.
- Utilities issued a Request for Qualifications for unspecified water and wastewater engineering services on March 8, 2012. Fifteen submittals were received for these services. Each firm submitted qualifications for the areas of expertise within their firm.
- These firms will be used on an as-needed basis and paid based on an hourly rate.
- All firms were selected using the Council approved qualifications-based selection process.
- All firms selected have worked for the City over the years, and have highly experienced personnel with a wide depth of project experience in water and wastewater engineering.
- The firms were selected for the following engineering expertise services:
  - Black and Veatch; Water Treatment, Water/Sewer Lines
  - Hazen & Sawyer; Water and Wastewater Treatment, Water and Sewer Line design
  - CDM-Smith; Water Treatment
  - HDR Engineering, Inc.; Wastewater Treatment, Structural
  - Southeastern Consulting Engineers, Inc.; Electrical
  - Willis Engineers, Inc.; Water and Sewer Line design
  - Brown & Caldwell; Wastewater Treatment
  - McKim & Creed; Wastewater Treatment

### Small Business Opportunity

For professional services-based contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy) (see attachment). For these contracts, the following SBEs will be utilized by the respective contractor:

Consultant	SBE Firm & Scope of Work
Black & Veatch	Joel E. Wood & Associates (Surveying services) The Survey Co. (Surveying services)
Brown & Caldwell	Gavel & Dorn Engineering (Civil Engineering) AmeriDrill Corp. (Geotechnical services)
CDM-Smith	Red Dog Drilling Barry D. Davis Surveying (Geotechnical and surveying services)
Hazen & Sawyer	Hinde Engineering (Water and wastewater design) Barry D. Davis Surveying (Surveying) On-Target Utility Locate (utility locating) Southeastern Consulting Eng. (Electrical engineering) HARP (wetlands delineation)
HDR Engineering	Joel E. Wood & Associates (Surveying services) R. Joe Harris & Associates (Geotechnical services)
McKim & Creed	Capstone Civil Group, PA (Construction Inspection services)
Southeastern Consulting Engineers *	Walker Engineering, PA (Civil/structural engineering svcs)
Willis Engineers *	On-Target Utility Locate (utility locating)

\* City of Charlotte certified SBE firms

**Funding**

Utilities Capital Investment Plan

**Attachment 16**

SBO Policy Reference

**33. Utilities Rental Equipment**

**Action: Approve a rental agreement with United Rentals in an amount up to \$600,000.**

**Staff Resource:** Barry Gullet, Utilities

**Explanation**

- Occasionally when completing water and sewer repairs, specialty equipment, such as, excavators, backhoes, large trench boxes, and bulldozers, is needed.
- Specialty construction equipment is very expensive to own and is used infrequently. For this reason it is more cost effective to lease, when needed, than to own.
- It is anticipated this agreement will provide equipment rental for three years.

**Small Business Opportunity**

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

**Funding**

Utilities Operating Budget

**Attachment 16**

SBO Policy Reference

**34. Transit Bus Tire Leasing Contract Agreement**

**Action: Approve executing a contract agreement with Bridgestone Firestone North American Tire, LLC, in order to conclude its bus tire leasing and related services contract, for up to \$396,000 over three years.**

**Staff Resource:** Larry Kopf, Transit

**Explanation**

- The leasing of tires used on buses is the predominant practice by transit agencies nationally. The City approved a new tire leasing contract with Goodyear Tire and Rubber Company on May 14, 2012.
- The expiring contract is with Bridgestone Firestone, who participated in the bid process, but did not match the Goodyear price.
- It is necessary to account for the existing Bridgestone tires that will remain on CATS buses after the Bridgestone contract expires.
- At the expiration of the current contract with Bridgestone Firestone, CATS' staff and Bridgestone Firestone will jointly inventory and analyze the remaining useful tread life on all tires.
- In order to transition to the new company, CATS recommends exercising the Bridgestone contract "Run Out" option. Over the next 36 months (the run out period), the City will pay Bridgestone Firestone a monthly fixed rate, for the useful tread remaining on the remaining Bridgestone Firestone leased tires. The benefits include:
  - Taking advantage of the old contract price for remaining tread as opposed to the new contract price for the tires remaining on the buses
  - Utilizing the useful tread on the out-going vendor's tires while the new tires from Goodyear are phased in
  - Reduces the payments to Goodyear, the new vendor, while CATS is still using the life on the Bridgestone tires being "run out"
  - Spreading out payments for the use of fleet's current bus tires over a three-year period, instead of in one lump sum.
- This is a common option exercised in the transit industry to facilitate the transition from one company to another.

**Small Business Opportunity**

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

**Funding**

Transit Operating Budget

**Attachment 16**

SBO Policy Reference

**35. Refund of Property and Business Privilege License Taxes**

- Action:**
- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$953,680.65, and**
  - B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$2,227.19.**

**Staff Resource:** Teresa Smith, Finance

**Attachment 19**

Resolution

List of property tax refunds

List of business privilege license refunds

## 36. In Rem Remedy

**For In Rem Remedy #A-D, 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. 114 North Linwood Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)
- B. 118 North Linwood Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood)

**Field Observation:**

- C. 2827 Lake Avenue (Accessory Building) (Neighborhood Statistical Area 18 – Enderly Park Neighborhood)
- D. 6505 Wisteria Drive (Neighborhood Statistical Area 195 – Starmount Neighborhood)

**Public Safety:**

**A. 114 North Linwood Avenue**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 114 North Linwood Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).**

**Attachment 20**

**B. 118 North Linwood Avenue**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 118 North Linwood Avenue (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).**

**Attachment 21**

**Field Observation:**

**C. 2827 Lake Avenue (Accessory Building)**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2827 Lake Avenue (Accessory Building) (Neighborhood Statistical Area 18 – Enderly Park Neighborhood).**

**Attachment 22**

**D. 6505 Wisteria Drive**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6505 Wisteria Drive (Neighborhood Statistical Area 195 – Starmount Neighborhood).**

**Attachment 23**

## PROPERTY ITEMS

### 37. Property Transactions

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

- The City has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- Real Estate staff diligently attempts to contact all property owners by:
  - Sending introductory letters via regular and certified mail
  - Making several site visits
  - Leaving door hangers and business cards
  - Seeking information from neighbors
  - Searching the internet
  - Obtaining title abstracts
  - Leaving voice messages
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If City Council approves the resolutions, the City Attorney's Office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.

#### Acquisitions

- A. Project:** Ponderosa Neighborhood Improvement Project Phase 1 and Markland/Wedgefield Sidewalk Project, Parcel # 1  
**Owner(s):** Ponderosa Associates Limited Partnership  
**Property Address:** Markland Drive, Kenhill Drive And West Boulevard  
**Property to be acquired:** 2,134 sq. ft. (.049 ac.) in Storm Drainage Easement, plus 2,042 sq. ft. (.047 ac.) in Sidewalk and Utility Easement, plus 18,122 sq. ft. (.416 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-22MF  
**Use:** Condominium  
**Tax Code:** 115-020-98  
**Total Parcel Tax Value:** \$19,200  
**Purchase Price:** \$13,450

- B. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Ralph Herbert Suttle Jr.  
**Property Address:** 7800 Wilkinson Blvd  
**Property to be acquired:** 1.69 acres  
**Improvements:** vacant land  
**Purchase Price:** \$130,000  
**Remarks:** The purchase price was determined by two independent appraisals and was reviewed by a third appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.  
**Zoned: R-MH Use:** vacant land  
**Tax Value:** \$45,300  
**Tax Code:** 055-381-01
- C. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Kenneth H Johnson  
**Property Address:** 7734 Douglas Drive  
**Property to be acquired:** 1.46 acres  
**Improvements:** vacant land  
**Purchase Price:** \$17,000  
**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: R-3 Use:** vacant land  
**Tax Value:** \$21,300  
**Tax Code:** 141-221-25

### Condemnation

- D. Project:** Enderly Park Neighborhood Improvement Project, Parcel # 9  
**Owner(s):** Elijah Ali Hackett, III And Any Other Parties Of Interest  
**Property Address:** Enderly Road  
**Property to be acquired:** 233 sq. ft. (.005 ac.) in Storm Drainage Easement, plus 1,645 sq. ft. (.038 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 065-044-41  
**Total Parcel Tax Value:** \$10,000  
**Appraised Value:** \$350  
**Property Owner's Counteroffer:** None

**Reason For Condemnation:** Staff and the property owners have yet to reach an agreement regarding compensation. Staff was in communication with the property owners during January and February 2012, but the owners have not responded to staff contacts since February. Additionally, staff research indicates that condemnation is necessary in order to obtain clear title to the property. Staff recommends adopting a resolution to proceed to condemnation during which negotiation can continue, mediation is available and if necessary, just compensation can be determined by the court.