

**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, November 28, 2011**

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

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**CITY COUNCIL AGENDA**  
**Monday, November 28, 2011**

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**1:30 P.M. City Attorney's Evaluation  
City Manager's Evaluation  
CH-14**

**5:00 P.M. DINNER BRIEFING CONFERENCE CENTER**

**1. Mayor & Council Consent Item Questions**

**Resource:** Julie Burch, City Manager's Office

**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. Charlotte International Cabinet Milestones**

**Resource:** Sharon Reed, Charlotte International Cabinet

**Time:** 20 minutes

**Synopsis**

- The presentation will include a brief update on the following:
  - Top findings from the International Entrepreneurs and Small Business Owners Meeting
  - Report from recent Mayoral Delegation to China
- The presentation will also include a preview of the following upcoming plans:
  - Mayor's International Community Awards 15th Anniversary Gala planned for May 18
  - Relationship Anniversaries Celebration in October 2012 being planned
    - o 50<sup>th</sup> Anniversary with Arequipa, Peru, Charlotte's 1<sup>st</sup> Sister City
    - o 25<sup>th</sup> with Baoding, China
    - o 20<sup>th</sup> with Limoges France

### 3. Water Meter Update

**Resource:** Barry Gullet, Utilities

**Time:** 20 minutes

**Synopsis**

- The meter reading system includes a mechanical register to track water usage, and an electronic transmitter used to send the quantity electronically to the mobile data collector.
- Following completion of the meter equipment baseline audit in early 2010, CMUD implemented significant new quality assurance measures including ongoing field equipment audits. These ongoing audits have identified an issue with some of the electronic transmitters in the system.
- As many as 67,632 electronic transmitters may be affected by a part of its circuit board, called a diode, which has the potential to cause the transmitter to malfunction.
- Itron, the manufacturer, has agreed to a proactive replacement program for all of these transmitters at no cost to CMUD and will also fund a meter reading verification process to confirm that all customer accounts associated with the transmitter replacement plan are billed accurately.
- As a part of on-going operations, damaged registers are replaced as they are found. If damaged registers are found during the transmitter replacement work, they will be replaced using a negotiated, separate agreement with Badger Meter to supply discounted registers for use during the proactive transmitter replacement project.
- Staff will provide an overview of the proposed agreement and associated customer communications plan.

**Future Action**

- The proposed agreement is included in this agenda as item 36 on page 35.

### 4. Answers to Mayor and Council Consent Item Questions

**Resource:** Julie Burch, City Manager's Office

**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**

**5. Police Athletic League**

**Action:** Mayor Foxx will recognize the Police Athletic League (PAL) Midgets and the PAL Junior Midgets football teams who competed in the POP Warner League. The PAL cheerleading teams who competed in the Mid-South POP Warner Sectional Cheerleading Competition will also be recognized.

**6. MAYOR'S YOUTH EMPLOYMENT PROGRAM SCHOLARSHIPS**

**Action:** Mayor Foxx will recognize Dr. Mary Gaffney-Jones for her scholarships to two Mayor's Youth Employment Program students.

**7. ANCHOR – RICHEY EVS, Inc.**

**Action:** Mayor Foxx will recognize Anchor-Richey EVS, Inc. for their contribution to the Pink Lady Fire Truck and their support of the Fire Department's Fight to Extinguish Breast Cancer Campaign.

**CONSENT**

**8. Consent agenda items 23 through 49 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.**

## ZONING

### 9. Rezoning Petition 2011-067

**Action:** Render a decision on proposed rezoning petition 2011-067 Darryl Ramjohn for a change in zoning from CC, commercial center, to MUDD, (CD), mixed use development district: conditional, for approximately .326 acres located on the north side of Berkeley Place Drive and near the intersection of West Mallard Creek Church Road and Berkeley Place Drive.

**Staff Resource:** Tammie Keplinger, Planning Department

#### Explanation

- The decision on this petition was deferred on November 14, 2011 since the Zoning Committee had not made a recommendation and 30 days had not passed since the public hearing.
- The petition proposes to rezone one existing building within the Pinnacle Point Development to allow all uses permitted in the MUDD district, including one nightclub/bar/lounge use.
- The petition is consistent with the *Northeast District Plan*.
- There are no outstanding issues associated with this petition.

#### Attachment 1

Vicinity Map  
Locator Map  
Site Plan

### 10. Rezoning Petition 2011-070

**Action:** Render a decision on proposed rezoning petition 2011-070 Hunter's Affordable Bonding for a change in zoning from R-22 MF, multi-family residential to O-1, office for approximately .10 acres located on Charlottetowne Avenue at the intersection of Fox Street and Charlottetowne Avenue.

**Staff Resource:** Tammie Keplinger, Planning Department

#### Explanation

- The petition proposes to rezone 0.10 acres to allow all uses in the O-1 office district.
- By a unanimous vote of the Zoning Committee, this petition is found to be inconsistent with the *Cherry Small Area Plan* but consistent with the draft *Midtown Morehead Cherry Area Plan* and to be reasonable and in the public interest.
- Staff agrees with the recommendation of the Zoning Committee.



- The decision on this petition was deferred on November 14, 2011 to allow staff to discuss limiting the hours of operation with the petitioner.
- When staff contacted the petitioner about limiting hours of operations, the petitioner indicated a willingness to convert the conventional rezoning request to a conditional request. If the petitioner converts to a conditional plan, a new public hearing in the early part of 2012 will be required.

**Attachment 2**

Zoning Committee Recommendation

Vicinity Map

Locator Map

## POLICY

### 11. City Manager's Report

### 12. Post-Construction Controls Ordinance Revision



**Action:** Approve the Environment Committee's recommended revisions to the Post-Construction Controls Ordinance: Remove Natural Area (tree) requirements.

**Committee Chair:** Edwin Peacock

**Staff Resources:** Jeb Blackwell, Engineering & Property Management  
Daryl Hammock, Engineering & Property Management

#### Explanation

- The Post-Construction Controls Ordinance (PCCO) has been in effect since July 1, 2008.
- During implementation of the ordinance, staff has identified areas that should be revised to provide more flexibility, reflect recent changes in the Tree Ordinance and address housekeeping issues.
- On October 10, Council voted to approve three changes to the PCCO and referred this proposed revision back to the Environment Committee.
- The tree save area required in the revised Tree Ordinance has removed the need for the PCCO to have similar requirements.
- The change has the worst-case potential to reduce tree protection by 0.43% of the City and its ETJ, or approximately 1,050 acres of trees.
- While these areas would no longer be protected, the low density developments affected are, by definition, 76% grass and trees.
- Historically, these low density developments exhibit about 60% tree canopy. Therefore the reduced tree protection is unlikely to actually result in fewer trees or a reduction in tree canopy since these areas remain heavily treed, regardless of the regulation.

#### Citizen Input

Citizens and interested groups provided input through various venues including emails, phone calls, a sounding board meeting, Storm Water Advisory Committee meetings, a public hearing and Environment Committee meetings.

#### Environment Committee

Staff presented and discussed the item at the August 22 and September 26 Environment Committee Meetings and the Committee voted 2-2 on the proposed amendment. On October 17, the Environment Committee voted 3-2 in support of removing the natural area requirement from PCCO (Dulin, Howard and Burgess in support; Peacock and Carter in opposition).

#### Funding

The proposed revisions to the PCCO will not impact the Storm Water budget or the General Fund budget.

**Attachment 3**

Post-Construction Controls Ordinance Revisions  
 Natural Area Issues Paper  
 Map

**13. 2012 Federal Legislative Agenda**

**Action: Approve the 2012 Federal Legislative Agenda recommended by the Government Affairs Committee.**

**Committee Chair:** Nancy Carter

**Staff Resources:** Ron Kimble, City Manager's Office  
 Dana Fenton, City Manager's Office

**Explanation**

- At the November 14 meeting, Council received a briefing on the proposed 2012 Federal Legislative Agenda. Issues presented for inclusion in the 2012 Federal Legislative Agenda were:
  - Blue Line Light Rail Extension Project
  - Federal Surface Transportation Program
  - EPA Stormwater Rulemaking
  - Competitive Grants
- The Metropolitan Transit Commission (MTC) met on October 26 and adopted their 2012 Federal Legislative Agenda. MTC adopted positions are substantially similar to transportation related positions in the City's proposed Federal agenda addressing the Federal Surface Transportation Program and the Blue Line Light Rail Extension Project.
- On January 4, the 2012 Session of the US Congress will begin. The City's federal legislative consultant, Holland & Knight, will be responsible for coordinating communications regarding the 2012 Federal Legislative Agenda between the City and the Mecklenburg Congressional Delegation during the 2012 session.

**Committee Action**

- On October 3, 2011, the 2012 Federal Legislative Agenda was unanimously approved by the Council's Government Affairs Committee (Carter, Cannon and Dulin).

**Next Step**

The approved legislative agenda will be presented to the Mecklenburg Congressional Delegation during visits by City officials to the US Conference of Mayors Winter Meeting in Washington, D.C. on January 18-20, 2012, and National League of Cities Congressional City Conference in Washington, D.C. on March 10-12, 2012.

**Attachment 4**

2012 Federal Legislative Agenda

## 14. Catawba River District Letter of Support



**Action:** Approve the Economic Development Committee recommendation to provide a letter of support (non-financial in nature) for the vision and mission of the Catawba River District.

**Committee Chair:** James Mitchell

**Staff Resource:** Brad Richardson, Neighborhood & Business Services

### Explanation

- On June 27, 2011, City Council received a request from Edna Chirico, Executive Director of the Catawba River District (CRD), for a letter of support for the mission and vision of the organization.
- On August 22, 2011, City Council referred the item to the Economic Development Committee for consideration.
- On November 1, 2011, the Economic Development Committee discussed the request and voted unanimously to recommend the attached letter of support to the full Council for approval (Mitchell, Cannon, Burgess).
- The letter of support recommended that the CRD keep the City Council informed through contact with the Neighborhood & Business Services Department.

### Attachment 5

Catawba River District Letter of Support  
Map of the Catawba River District

## 15. Passenger Vehicle for Hire Ordinance Amendment



**Action:** Approve the Community Safety Committee recommendation to amend Chapter 22, Article II, Section 22-287 to change provisions of the Passenger Vehicle for Hire Ordinance.

**Committee Chair:** Patrick Cannon, Mayor Pro Tem

**Staff Resources:** Thomas Powers, City Attorney's Office  
Tracey Evans, City Attorney's Office  
Daniel Buckley, Passenger Vehicle For Hire Office

### Explanation

- On July 25, 2011, City Council adopted revisions to Chapter 22 of the City Code, the Passenger Vehicle For Hire ("PVH") ordinance.
- Representatives from the Charlotte Regional Limo Association expressed concerns about the impact of the revised PVH ordinance upon the black car industry and asked for Council to undertake a review of the recent PVH ordinance revisions.
- On October 3, 2011, City Council referred three issues to the Community Safety Committee for further review: the 14 day window for drug testing; the six year vehicle age limit; and the probationary driver's permits.

- The 14 day window for drug testing requires a PVH applicant to take a drug test no more than 14 days before or after the submission of a PVH application.
- Probationary drivers' permits could be obtained prior to Council's adoption on July 25, 2011 of amendments to the PVH ordinance. After Council's adoption, no probationary permits may be issued and PVH applicants are required to receive a clean background check, pass a drug test, and complete the driving training course before receiving a PVH driver's permit.
- The six year vehicle age limit will be effective July 1, 2012 under the current PVH ordinance. Any vehicles older than six years would need to be removed from service.

**Committee Action**

- The Committee and staff met twice to discuss the referral and to balance the concerns of all stakeholders.
- At its October 19, 2011 meeting, the Committee voted unanimously (Cannon, Kinsey, Barnes, Dulin, Peacock) to recommend that Council maintain the 14 day window for drug testing.
- Also at its October 19, 2011 meeting, the Committee voted unanimously (Cannon, Kinsey, Barnes, Peacock) to recommend that Council not reinstate the probationary drivers' permits.
- At its November 16, 2011 meeting, the Committee voted unanimously (Cannon, Kinsey, Barnes, Dulin) to recommend that Council maintain the six year vehicle age limit for taxi cabs and establish an eight year vehicle age limit for black cars.
  - As proposed, the six year age limit would apply only to taxi cabs and would be effective July 1, 2012. Taxi cabs older than six years would need to be removed from service.
  - As proposed, a new eight year age limit would apply only to black cars and would be effective July 1, 2012. Black cars older than eight years would need to be removed from service.

**Attachment 6**

Ordinance

## 16. Youth Protection Ordinance Amendments



**Action:** Approve the Community Safety Committee recommendation to adopt an ordinance amending Chapter 15, Article VII of the Charlotte City Code entitled "Offenses and Miscellaneous" to change provisions of the Youth Protection Ordinance, effective February 1, 2012.

**Committee Chair:** Patrick Cannon

**Staff Resources:** Eric Campbell, City Manager's Office  
Tracey Evans, Police  
Vicki Foster, Police

### Explanation

- In 1994, City Council adopted a Youth Protection Ordinance which established a curfew for juveniles under the age of 16.
- The purpose of the ordinance is to protect juveniles under the age of 16 from victimization and exposure to criminal activity; reinforce and promote parental accountability for children's behavior; and hold business owners accountable for allowing juveniles on their property after curfew hours.
- The curfew hours in the current ordinance are 11:00 p.m.-6:00 a.m. on Sunday-Thursday and 12:01 a.m.-6:00 a.m. on Saturday and Sunday. The ordinance also establishes a number of exceptions to the curfew hours including going to and from work, returning from a school function, and accompanied by a parent or adult 18 years or older authorized to have control of the juvenile.

### Committee Action

- In summary, the Committee's recommendations are:
  - Maintain current curfew hours for youth ages 16 to 17
  - Adopt tiered curfew hours
  - Increase the age from 18 to 21 of the adult who is responsible for the juvenile
- On June 6, 2011, Council approved a request from Mayor Pro Tem Cannon to refer the issue of extending the curfew to youth ages 16-17 to the Community Safety Committee.
- Extending the Age Limit: The Committee reviewed extensive staff research and concluded that extending the age limit for the current curfew was not feasible for a number of reasons including:
  - North Carolina law requires 16 and 17-year-olds charged with a crime to be prosecuted in the adult court system, making it difficult to classify them as juveniles for curfew purposes
  - Lack of resources in the District Attorney's Office, Department of Juvenile Justice and Delinquency Prevention, and courts to handle these cases
  - Supervision, reporting and liability issues related to sentencing curfew violators to community service
- The Committee also considered two staff recommendations for amendments to strengthen the current ordinance.
- Tiered Curfew Hours: An amendment to Section 15-152 would establish tiered curfew hours with a curfew for ages 12 and under of 10:00 p.m. to 6:00 a.m. seven days a week. Curfew hours for ages 13-15 would be 11:00 p.m. to 6:00 a.m. seven days per week. Exceptions to the curfew hours will remain the same.

- The tiered curfew has been implemented in a number of other cities including Columbus, Ohio; Indianapolis, Indiana; Memphis, Tennessee, and San Jose, California.
- The Committee felt that tiered curfew hours would provide greater protection for youth under the age of 12. They also felt that establishing the same curfew hours for all days of the week would make understanding the ordinance less confusing for youth and their parents.
- Increasing the age of the adult responsible for the juvenile to age 21:  
An amendment to Section 15-154 would increase the age of the responsible adult authorized to accompany the juvenile from 18 to 21.
- The Committee felt that increasing the age of the adult responsible for the juvenile to age 21 would reduce the likelihood that the juvenile would be exposed to harm or the opportunity to get in trouble. A 21-year old would exercise more mature judgment than an 18-year old and could deal more effectively with the juvenile.
- At their November 16 Committee meeting, the Community Safety Committee voted three (Cannon, Kinsey, and Dulin- for) to one (Barnes - against) to recommend the proposed amendments to the full Council for consideration.
- A public education campaign will be conducted prior to the effective date of the ordinance amendments.

**Attachment 7**

Child Protection Ordinance

## 17. City Manager Performance Evaluation Process

**Action: Approve the Restructuring Government Committee's recommendation that defines the process for evaluating the performance of the City Manager beginning in July 2012 and continuing each July thereafter.**

**Committee Chair:** Warren Cooksey

**Staff Resource:** Cheryl Brown, Human Resources

### Explanation

- Over the past several years, the City Council has discussed and put into practice several different mechanisms for evaluating the performance of the City Manager.
- Since October 17, 2011, the Restructuring Government Committee has discussed a variety of options for improving and standardizing the process for evaluating the performance of the City Manager. The focus of the discussions centered around:
  - The need to set specific performance goals for the City Manager at the beginning of each fiscal year, and
  - The need to align the evaluation schedule more closely with the fiscal year.

### Committee Action

- On November 14, 2011, the Restructuring Government Committee (Cooksey, Cannon, Kinsey, Mitchell) held a meeting and recommended the following process and timeline for evaluating the performance of the City Manager.
  - For FY2011
    - On November 28, 2011, review the results of the Performance Evaluation Survey and review a compilation of the priority items identified by the Mayor and Council members for the balance of this fiscal year.
  - For FY2012
    - The Committee acknowledges that FY2012 will be a transition year from the old method of evaluating the City Manager's performance to the new method of evaluating performance.
    - City Council will hold a closed session following the City Council Retreat in February 2012 (late February/early March) to orient the new Council members to the new evaluation process for FY2012.
    - On July 23, 2012 evaluate the performance of the City Manager (4th Monday in July), discuss and determine items to be accomplished by the Manager for FY2013.
    - Subsequent performance evaluations for the City Manager will follow this same schedule.



## BUSINESS

### 18. Jonas Federal Courthouse

- Action:**
- A. Amend the resolution authorizing the sale of the Jonas Federal Courthouse to Queens University of Charlotte to allow the building to be used for adult and higher education purposes, and**
  - B. Authorize the City Manager to amend the Option and Purchase Agreement and the Memorandum of Option with Queens University for the Jonas Federal Courthouse.**

**Staff Resource:** Curt Walton, City Manager

#### Background

- The Jonas Federal Courthouse is the 131,822 sq. ft. building located at 401 West Trade Street. It was built in 1934.
- The City acquired the building in 2004 in a land swap with the Federal Government's General Services Administration (GSA) for the land in the 500 block of E. Trade Street, which is the future site of a new federal courthouse.
- The GSA leases the building from the City under the following terms:
  - The City currently leases the building to the GSA for \$1.04 million annually, with 3% increases that have occurred since their exchange.
  - Annual lease payments are used to retire the refinancing debt on the Jonas Federal Courthouse.
  - GSA pays all operation and maintenance costs of the building, as well as capital improvements necessary to make the building more functional for the judges.
  - Lease is assignable, meaning the City may reassign the lease with the GSA to subsequent owners if the building is purchased from the City.
- In December 2004, Council adopted a resolution to authorize the sale of the building to Queens University of Charlotte (Queens) at any point between that date and the time the GSA vacates the building.
- If Queens purchases the building, the 2004 Resolution approved by the City Council requires the building to be used exclusively for a law school.

#### Explanation

- In 2004, the City Manager recommended the Purchase agreement with Queens to facilitate an accredited law school or other professional graduate schools or programs in the Center City, as recommended in the Center City 2010 Vision Plan.
- Council intended for the building to be used for academic purposes such as a law school or other accredited professional school or adult education, but specifically asked that if Queens opted not to use the facility for a law school, they would come back to seek approval for their intended purposes.
- Since that agreement, the Charlotte School of Law has become fully accredited in June 2011 and the market for other adult and higher education programs has increased in Charlotte.

- The City Manager recommends amending the Queens Purchase agreement to allow for a broader use of the property, not to preclude establishment of a law school, but also to include the possibility of adult and higher education programs as recommended in the Center City 2020 Vision Plan.
- The Memorandum of Option provides public notice that the property is encumbered by an option for sale.

**Contract Terms**

- Terms of the purchase contract remain unchanged.
- Queens may purchase the building at any point between November 29, 2011 and the time the GSA vacates the building.
- Queens' purchase price will be equal to the City's total cost for the refinancing of the property, less the payments received from the GSA.
- Queens' agreement is tied to the following due diligence benchmarks:
  - Plan and launch fundraising campaign to purchase and renovate the building by January 1, 2014
  - Demonstrate acceptable progress toward fundraising goal by January 1, 2015
  - Complete fundraising campaign by January 1, 2016
- Charlotte is currently number 7 on the federal courthouse replacement schedule, with a projected construction start date of FY 2013, assuming the US Congress appropriately funds the Charlotte Courthouse Replacement and courthouse projects in line before Charlotte. However, the state of the current federal budget is likely to delay that date.
- Should further delay occur, Part B. of this Council action authorizes the City Manager to amend the due diligence benchmarks with Queens.

**Attachment 8**

Resolution  
Option and Purchase Agreement

## 19. Carolina Theatre Site Redevelopment Contract

- Action:**
- A. Allow the Purchase and Sale Agreement for the Carolina Theatre with CMP Carolina Theatre, LLC (CMP), to expire as scheduled on December 1, 2011, and**
  - B. Authorize the City Manager to enter into negotiations with CMP for a private sale of the Carolina Theatre site with a requirement to renovate the Theatre building, which will be open to the general public.**

**Staff Resource:** Peter Zeiler, Neighborhood & Business Services

### Background

- In January 2006, the City entered into a Purchase and Sale Agreement (Agreement) with CMP for the Carolina Theatre for \$1 million, which provided for a closing in January 2007.
- Since that time, there have been nine contract extensions due to changing market conditions and the complexity of the site for redevelopment.
- On October 12, 2009, Council approved the ninth amendment to the Agreement to extend the closing date to December 1, 2011.
- All required payments under the Agreement have been made. These payments, along with the \$50,000 payment in the original agreement, now total \$250,000 in non-refundable deposits to the City.
- The Agreement provided that the City would sell the site to CMP for \$1 million, with the funds being placed into escrow. The City would then contribute the proceeds toward the renovation of the theatre.
- The Agreement further provided for a joint City and County synthetic tax increment finance mechanism to fund operations of the theatre, not to exceed a total of \$4.5 million.

### Explanation

- CMP has completed design work and obtained initial permit approvals, but has faced continual challenges in securing financing.
- CMP has expressed an interest in purchasing the site outright from the City, and foregoing the reimbursement envisioned in the original Agreement. CMP also expressed a commitment to renovate the Carolina Theatre for use as performance space open to the general public. No private uses, such as residences or private offices, would be allowed for the original theatre space.
- Staff recommends allowing the contract to expire as scheduled on December 1, 2011.
- Staff also requests authorization to negotiate a new Purchase and Sale Agreement with CMP that conveys the site to CMP through a private sale, and includes a provision to renovate the Carolina Theatre.
- The new agreement would not include provisions for the City to dedicate the sale proceeds toward the renovation of the theatre, or to participate in financing theatre operations.
- If approved, Staff will report back to Council in the first quarter of 2012 with a proposed recommendation for a private sale.

## 20. Homeless Prevention and Rapid Re-Housing Program



**Action: Authorize a transfer of up to \$111,000 of savings from the Charlotte Family Housing to Crisis Assistance Ministry to provide additional homeless prevention assistance.**

**Staff Resource:** Pamela Wideman, Neighborhood & Business Services

### Policy

- The U.S. Department of Housing and Urban Development (HUD) established the Homelessness Prevention and Rapid Re-Housing Program (HPRP),” under Title XII of the American Recovery and Reinvestment Act of 2009 (“Recovery Act”).
- On November 12, 2007, City Council adopted the More Than Shelter – 10 Year Plan to End and Prevent Homelessness. The plan goals are: 1) Safe permanent housing, 2) Outreach and Education and, 3) Homeless prevention.

### Explanation

- The Homeless Prevention and Rapid Re-Housing Program (HPRP) is part of the American Recovery and Reinvestment Act of 2009. Based on HUD’s formula allocation, the City of Charlotte was allocated \$1,930,217 from this source of stimulus funds.
- The HPRP focuses on housing for homeless and at-risk households earning 50% or below the area median income. HPRP funds are used to serve two populations facing housing instability:
  - Individuals and families experiencing homelessness (residing in emergency or transitional shelters or on the streets) that need temporary assistance to obtain housing and retain it (rapid re-housing).
  - Individuals and families who are currently housed, but are at risk of becoming homeless (homeless prevention).
- A collaborative partnership with Mecklenburg County Department of Social Services (DSS) created savings of \$111,000 in this project. DSS donated the services of three social workers to assist with rapid re-housing, which provided the savings.
- This action transfers up to \$111,000 from the Charlotte Family Housing (formerly Workforce Initiative Supportive Housing – WISH) to Crisis Assistance Ministry to provide additional homeless prevention services to approximately 75 additional households.
- In compliance with federal requirements, these grant funds will be expended by June 2012.

### Background

- On August 24, 2009, City Council authorized the City Manager to enter into contracts with Crisis Assistance Ministry for \$1,030,000 to administer homeless prevention services for approximately 160 individuals and families and to develop and manage the Rapid Re-Housing Program. City Council also authorized the City Manager to enter into a contract with Charlotte Family Housing for \$900,217 to provide supportive services for the rapid re-housing services for approximately 100 individuals and families.
- Both Crisis Assistance Ministry and Charlotte Family Housing have met or exceeded the original contract goals. Charlotte Family Housing has provided case

management services to 114 households. Of those households, 100 were re-housed. Crisis Assistance Ministry has provided homeless prevention assistance to 325 households exceeding the original goal of providing assistance to 160 families.

### **Funding**

American Recovery and Reinvestment Act

## **21. Enterprise Resource Planning Software and Implementation**

- Action:**
- A. Authorize the City Manager to negotiate and execute a contract with Tyler Technologies for Enterprise Resource Planning (ERP) software and maintenance and support during implementation in an amount not to exceed \$2,320,550, contingent upon reaching an acceptable scope of work with the vendor for implementation services,**
  - B. Authorize the City Manager to negotiate and execute various other contracts that support the ERP project in an amount not to exceed \$19,074,433 for services such as software implementation, change management, data conversion, hardware, independent work reviews, and other specialized implementation services,**
  - C. Authorize the City Manager to negotiate and execute contract amendments to software, implementation services, maintenance services, and other related ERP contracts to address changes in scope and opportunities for productivity enhancements, and**
  - D. Adopt a budget ordinance authorizing \$21,394,983 million for ERP from Pay-As-You-Go capital, Technology Investments Capital, and Enterprise Fund Capital Investments Plans.**

**Staff Resources:** Curt Walton, City Manager  
Jeff Stovall, Office of the Chief Information Officer

### **Explanation**

- Enterprise Resource Planning (ERP) integrates internal and external management information across an entire organization. Its purpose is to manage and facilitate the flow of information – typically financially and/or customer related – among all business functions within an organization.
- The City’s proposed ERP project scope includes the City’s Financial, Procurement, Project Cost Accounting, and Grant Cost Accounting information management needs. Additional sub-functions within these four, core areas include:
  - Accounts payable, general accounting, accounts receivable, revenue collection, financial reporting, cash management, procurement, and e-procurement.

- All Key Business Units are included in the scope of work.
- It is critical that the City move ahead with this project for several reasons:
  - To reduce organizational risk by replacing the City's 30+ year old financial system and many of the hundreds of "shadow" systems with a modern, integrated system covering the City's information management needs
  - To increase productivity and consistency of business processes across the organization
  - To ensure continued adherence to statutory requirements and sound fiscal controls, including strengthening contract management
  - To enhance capabilities to manage, collect, access, analyze, and report information that helps address business needs
- The software and implementation selection process has been as follows:
  - RFP issued March 25, 2011
  - RFP evaluation from June through November 2011
  - Vendor demos occurred in August 2011
  - Vendor selection evaluation September through November 2011
  - Contract negotiations have been underway since August
- Tyler Technologies is recommended for the following key reasons:
  - Core product dedicated to local government
  - Committed to support federal and state laws and standards
  - Business model conducive to long-term success of the City
  - Charlotte will be the flagship account with significant focus
- Tyler Technologies will supply consultant labor to implement their software; they are the only firm which provides this service.
- No new position authorizations are requested for implementation or to staff the ongoing City ERP IT support function. Ongoing City ERP IT support personnel and positions will be reallocated from existing positions throughout the City.
- Prior Council-approved funding is available for ERP in Technology Investments in the Capital Investments Plan from Pay-As-You-Go and Capital Reserves.
- The budget ordinance outlined in Action D reallocates existing Technology Investments funding and consolidates ERP funding in one project.
- City Council was briefed by staff on City ERP planning efforts on September 8, 2009, January 11, 2010, and November 14, 2011.

### **Terms**

- Staff has negotiated the software license and maintenance terms with Tyler Technologies and the framework of the implementation services of Phase I. The next step will be to finalize the details of the implementation with the anticipated project start date of March 2012.
- If the City Manager is unable to successfully negotiate the detailed implementation terms with Tyler Technologies, Staff will return to City Council to request authority for the City Manager to negotiate and execute a contract with the next preferred vendor, Lawson Software, Inc.
- Contract selections for other supporting ERP contracts outlined in Action B above will be made using standard procurement processes.

### **Future Actions**

- Maintenance and support during the implementation period is covered by this Request for Council Action. However, Council action will be required in the future to approve the ongoing, annual maintenance and support contract.
- This ERP project is one of the largest and most complex corporate technology investment projects the City has ever undertaken. Project scope and risks have been reviewed extensively and best practices and lessons learned have been

gleaned from other governments that recently implemented similar ERP systems. Still, potential changes and unknown challenges to the City's ERP project could develop, which may necessitate future City Council actions.

- Staff will examine the feasibility to use short term debt financing to lower overall project costs based on market conditions. If staff sees an opportunity to gain value, then Council can approve as part of future debt lease purchase agenda items (not General Obligation).

### **Background**

- The City's current GEAC financial system was implemented during the 1970s and currently resides on a mainframe computer at the State of North Carolina's Data Center in Raleigh. Procurement also uses GEAC for basic functions. The City does not have a city-wide project and grant cost accounting system. Some departments use Primavera software for project scheduling, but accounting for projects and grants is done using ad hoc software tools, such as Microsoft Excel. As noted by several outside evaluation and assessment agencies (Deloitte & Touche, Ciber, and Virchow Krause (now Baker Tilly)) all three systems are characterized by:
  - Lack of system integration
  - Manual and paper based processes
  - High use of side "shadow" systems
  - Inability to obtain real time data
  - Process inefficiencies
  - Lack of automated reporting on spend detail
  - Use of outdated technology
  - End of product life risk issues

### **Small Business Opportunity**

No SBE utilization goal was set for this phase of the project because subcontracting opportunities were not identified (Part C: Section 2.4 of the SBO Policy). Staff will continue to seek opportunities for SBE participation as new contracts are identified.

### **Funding**

Pay-As-You-Go Capital, Technology Investments Capital, and Enterprise Capital Investment Funds

### **Attachment 9**

ERP Key Points  
 Additional Background and Explanation  
 November 14 Dinner Briefing Presentation  
 Budget Ordinance

## **22. 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 funded in the approved 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."

## 23. Shillington Place Storm Drainage Improvements

**Action:** Award the low bid contract of \$3,049,483.36 to Ferebee Corporation for construction of the Shillington Place Storm Drainage Improvements.

**Staff Resource:** Jennifer Smith, Engineering & Property Management

### Explanation

- This project was identified as a storm water capital improvement project through the ranking process that involves analysis of customer drainage requests, including complaints of structure and road flooding.
- Construction will include grading, drainage culverts and structures, curb and gutter, driveways, sidewalks, stream restoration features, water line and sanitary sewer relocations, milling, and resurfacing.
- The area is bounded by Park Road, Sharon Road, Sharon Acres Road and Gleneagles Road.
- Completion is scheduled for the third quarter of 2014.

### Small Business Opportunity

Established SBE Goal: 8.00%

Committed SBE Goal: 8.12%

Ferebee Corporation met the established SBE goal and committed 8.12% (\$247,489.75) of the total contract amount to the following SBE firms: Carolina Wetland Services (environmental services), On Time Construction (masonry), P & TL Inc. (erosion control), Ground Effects (pavement marking) and Martin Resources (hauling).

### Funding

Storm Water Capital Investment Plan

## 24. Rozzelles Ferry Road Sidewalk Improvements

**Action:** Award the low bid contract of \$238,280.64 to J.W. Grand, Inc. for the Rozzelles Ferry Road Sidewalk Improvements.

**Staff Resource:** Geen Khoo, Engineering & Property Management

### Explanation

- The Rozzelles Ferry Road Sidewalk Improvements will support the City's Sidewalk Program to enhance connectivity, offer transportation choices and improve pedestrian safety.
- The project will include the construction of new sidewalk with planting strip of varying width on Rozzelles Ferry Road from Hovis Road to Old Mt. Holly Road, part of Windy Valley Drive and Green Street.
- Construction will also include curb and gutter, storm drainage and asphalt pavement.
- Rozzelles Ferry Road is a higher volume thoroughfare with the need for sidewalk to separate pedestrians from higher traffic volumes and speeds.
- Construction is expected to be complete third quarter 2012.

**Small Business Opportunity**

Established SBE Goal: 7.00%

Committed SBE Goal: 14.24%

J.W. Grand, Inc. exceeded the established SBE goal and committed 14.24% (\$33,935) of the total contract amount to the following SBE: Oliver Paving Company, Inc. (Paving).

**Funding**

Transportation Capital Investment Plan

**25. Engineering Services for Various Sidewalk Projects**

- Action:**
- A. Approve a contract for engineering services with US Infrastructure of Carolina, Inc. in the amount of \$300,000, and**
  - B. Authorize the City Manager to approve one renewal of the contract for the original amount.**

**Staff Resource:** Troy Eisenberger, Engineering & Property Management

**Explanation**

- This contract will provide funding for planning, design and construction bid documents for additional sidewalk projects that support the City's Sidewalk Program to enhance connectivity, offer transportation choices and improve pedestrian safety.
- This contract will comply with both City and Americans with Disabilities Act standards and the Urban Street Design Guidelines.
- Council approved the new Sidewalk Program policy on May 13, 2011.
- All sidewalk locations will be prioritized using the Council-approved policy.
- Work may include curb and gutter, driveway aprons, planting strips, pedestrian bridges, retaining walls or any combination of these improvements.
- US Infrastructure was selected pursuant to the Council-approved qualifications-based selection process performed in accordance with NC General Statutes.

**Small Business Opportunity**

For professional service contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). US Infrastructure of Carolina, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: Barry Lambert Engineering, PC (engineering, structural design); On Target Utility Locate Services, Inc. (utility location); Joel E. Woods & Associates, PLLC (geotechnical); and R. Joe Harris & Associates, PLLC (surveying).

**Funding**

Transportation Capital Investment Plan

## 26. Various Storm Drainage Improvement Project Engineering Services

**Action:** A. Approve the following contracts for engineering services for various storm drainage improvement projects:

1. Mulkey, Inc., \$1,000,000,
2. Parsons Brinckerhoff, Inc., \$500,000,
3. STV Inc. dba STV/Ralph Whitehead Associates, Inc., \$1,000,000,
4. Armstrong Glen, P.C., \$1,000,000,
5. Kimley-Horn and Associates, Inc., \$1,000,000, and
6. Dewberry & Davis, Inc., \$500,000.

B. Authorize the City Manager to approve up to two renewals to each contract not to exceed the original amount.

**Staff Resource:** Jennifer Smith, Engineering & Property Management

### Explanation

- Storm Water Services begins engineering analysis on new storm drainage improvement projects that rank highest in the program backlog each year. The projects may include storm drainage improvements that reduce house and street flooding or repair failing infrastructure.
- The engineering analysis and design for the projects are performed by consulting firms that are selected using the Council-approved, qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task order basis.
- When consultants perform the engineering analysis well, the most efficient method is for that firm to complete the design and provide construction administration services. The engineering contracts are renewed at the discretion of the City as necessary to complete the projects assigned to the firm.

#### 1. Contract with Mulkey, Inc.

- The first project to be initiated under this contract will be the Water Oak Storm Drainage Improvement Project.
- The project is located northeast of the intersection of Randolph Road and South Sharon Amity Roads in the Cotswold area.
- The project area covers approximately 100 acres and is mostly residential area.

#### 2. Contract with Parsons Brinckerhoff, Inc.

- The first project to be initiated under this contract will be the Greenhaven-Pierson Storm Drainage Improvement Project.
- The project is located east of Independence Boulevard between Albemarle Road and Sharon Amity Road.
- The project area is approximately 32.5 acres and is primarily residential and commercial land uses.

### 3. Contract with STV Inc. dba STV/Ralph Whitehead Associates, Inc.

- The first project to be initiated under this contract will be the Country Club Drive Storm Drainage Improvement Project.
- This project is located northwest of the intersection of Central Avenue and Eastway Drive in the Country Club Heights area.
- The project area is approximately 566 acres and is primarily residential and commercial land uses.

### 4. Armstrong Glen, P.C.

- The first project to be initiated under this contract will be the Hinsdale/Tinkerbelle Storm Drainage Improvement Project.
- This project is located northeast of the intersection of Quail Hollow Road and Sharon Road.
- The project area is approximately 240 acres and is primarily residential land use.

### 5. Contract with Kimley-Horn & Associates, Inc.

- The first project to be initiated under this contract will be the Taragate Farms Storm Drainage Improvement Project.
- The project is bounded by Westinghouse Boulevard to the south and Whitehall Park Drive to the north and includes portions of the Taragate Farms and Steeplechase subdivisions on either side of Sandy Porter Road and portions of the Steele Creek, Westhall and Silverlake Industrial Parks.
- The project area is approximately 472 acres and includes residential, commercial and industrial land uses.

### 6. Contract with Dewberry & Davis, Inc.

- The first project to be initiated under this contract will be the Hill Street Storm Drainage Improvement Project.
- The project is roughly bounded by Tryon Street to the southeast, Trade Street to the northeast, South Cedar Street and West 1<sup>st</sup> Street to the north and Palmer Street to the southwest.
- The project study area encompasses approximately 245 acres and includes residential and commercial land uses.

## **Small Business Opportunity**

For professional service contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy).

1. Mulkey, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: Capstone Civil Group (geotechnical services), Carolina Wetland Services (stream restoration) and Hinde Engineering Inc. (utility design).

2. Parsons Brinckerhoff, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: Avioimage Mapping Services (aerial surveying & mapping), Carolina Wetland Services (ecological assessments) and On Target Utility Locate services (utility locate services).

3. STV Inc. dba STV/Ralph Whitehead Associates, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: AmeriDrill Corporation (geotechnical services), Hinde Engineering Inc. (utility design), Survey & Mapping Control (surveying), and On Target Utility Locate Services (utility locate services).

4. Armstrong Glen, P.C. included the following SBEs as part of their supporting team to be utilized as the project evolves: Boyle Consulting Engineers (geotechnical services), Habitat Assessment & Restoration Program (ecological services), On Target Utility Locate Services (utility locate services) and Survey & Mapping Control (surveying). Armstrong Glen is a City-certified SBE.

5. Kimley-Horn and Associates, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: Hinde Engineering, Inc. (utility location); Lyons Utility Locate, LLC (utility location) and James Mauney and Associates, P.A. (surveying).

6. Dewberry and Davis, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: Carolina Wetland Services, Inc. (environmental & ecological); On Target Utility Locate Services, Inc. (utility locating) and Avioimage Mapping Services, Inc. (aerial photogrammetry).

### **Funding**

Storm Water Capital Investment Plan

## **27. Engineering Services for Various Water Quality Enhancement Projects**

**Action:**    **A. Approve a contract with Armstrong Glen, P.C. for \$500,000 for engineering services, and**

**B. Authorize the City Manager to renew the contract once in an amount not to exceed \$500,000.**

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

### **Policy**

- Pond projects are implemented in accordance with the Council-approved Pond and Dam Rehabilitation Policy, aimed at protecting as many existing ponds as possible prior to removal by private development or structural failure, and used as highly cost-effective tools to achieve water quality and flood control goals.

### **Explanation**

- The ponds selected as water quality improvement projects drain to creeks that are identified as impaired by Clean Water Act standards.
- The improvements to the existing ponds will remove pollutants from storm water runoff before the water is discharged into the creeks.
- Using existing ponds is much cheaper than obtaining property to build new ponds.
- Improving existing ponds is an extremely cost-effective means of improving water quality, averaging only one-fifth the cost of creating new water quality measures providing equivalent environmental benefit.
- Storm Water Services begins feasibility analysis on new water quality improvement projects that rank highest in the program backlog each year.
- The feasibility analysis, preliminary and final engineering for the projects, are performed by consulting firms selected using the Council approved,

qualifications-based selection process. The use of consultants allows their specific expertise to be matched to the appropriate projects on a task-order basis.

- When consultants perform feasibility analysis well, the most efficient method is for that firm to complete the engineering and provide construction administration services. The engineering contracts are renewed at the discretion of the City as necessary to complete the projects assigned to the firm.
- Pickway Pond will be the first project assigned under this contract and is located between Pickway Drive and Hilltop Circle in the Derita/Statesville area.

#### **Small Business Opportunity**

For professional service contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). US Infrastructure of Carolina, Inc. included the following SBEs as part of their supporting team to be utilized as the project evolves: Barry Lambert Engineering, PC (engineering, structural design); On Target Utility Locate Services, Inc. (utility location); Joel E. Woods & Associates, PLLC (geotechnical); and R. Joe Harris & Associates, PLLC (surveying).

#### **Funding**

Storm Water Capital Investment Plan

## **28. Reimbursement Agreement for Double Oaks Drive**

**Action: Approve a reimbursement agreement with Double Oaks Development, LLC in an amount not to exceed \$175,000 for storm drainage improvements on Double Oaks Drive.**

**Staff Resource:** Jennifer Smith, Engineering & Property Management

#### **Explanation**

- City Charter Section 7.23 allows City financial participation of up to \$175,000 per qualifying private land development project by providing reimbursement for improvements to drainage infrastructure that conveys public storm water runoff.
- The development project located off of Double Oaks Road will be designed and constructed by Double Oaks Development, LLC.
- By contracting with the developer for these improvements, Storm Water Services minimizes expenses for culvert, headwall and pipe system replacement.
- Storm Water Services will inspect the construction of this project prior to paying for the work and will pay only for actual costs, not to exceed \$175,000, in accordance with the terms of the reimbursement agreement.

#### **Background**

- Double Oaks Development, LLC, a developer for the Charlotte-Mecklenburg Housing Partnership, Inc., is not required to upgrade the Double Oaks Road culvert where it crosses the stream running through Anita Stroud Neighborhood Park. However, the developer wishes to improve this entrance into their development. The upgrade to this entrance would entail replacement of the existing pipe system and headwall at this culvert.
- Improvement to the Double Oaks Road Culvert is to the benefit of Storm Water Services as the current pipe system under the road is in poor condition and the

headwalls are in need of maintenance. The existing pipe is also too small to handle existing and proposed flows from flood events. The developer plans to upgrade the two existing 48-inch pipes with double 7 x 7-foot box culverts and new headwalls.

#### **Small Business Opportunity**

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

#### **Funding**

Storm Water Capital Investment Plan

## **29. Back Creek Church Road Farm-to-Market Project**

**Action: Approve a contract in the amount of \$413,088 with Parsons Brinckerhoff, Inc. for engineering design services for the Back Creek Church Road Farm-to-Market Project.**

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

#### **Explanation**

- This contract will provide funding for design services.
- On May 26, 2009 City Council approved the planning contract in the amount of \$266,000 with Parsons Brinckerhoff, Inc.
- Parsons Brinckerhoff, Inc. was selected pursuant to the Council-approved qualifications-based process performed in accordance with NC General Statutes.
- Funding for this project in the amount of \$4.7 million was included in the 2010 Transportation Bond.

#### **Background**

- In May 2006, Charlotte City Council adopted the 25-year Transportation Action Plan (TAP).
- Farm-to-Market (FTM) roads are identified in the TAP as being generally deficient in their ability to adequately serve the rapidly developing urban land uses surrounding them.
- The Back Creek Church Road Farm-to-Market project will construct a 10-ft multi-use path along Back Creek Church Road and install safety improvements at key intersections. The multi-use path will be a pedestrian and bicycle facility from Rocky River Road to the proposed Back Creek Greenway.

#### **Small Business Opportunity**

For professional service contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). On this contract, Parsons Brinckerhoff, Inc. committed 3.46% (\$14,313) of the total contract amount to the following SBE firm: Utility Coordination Consultants, Inc. (utility management).

#### **Funding**

Transportation Capital Investment Plan



### 30. US 29/NC 49 Intersection Improvement Phase II & Water Transmission Main Construction Improvements

**Action:** Approve change order #2 with Blythe Construction, Inc., in the amount of \$471,534 for additional road improvements related to the US 29/NC 49 Phase II Interchange Project.

**Staff Resource:** David Meachum, Engineering & Property Management  
Sonji Mosley, Engineering & Property Management

#### Explanation

- This change order is necessary to issue final payment to the contractor for additional project work.
- This work was not included in the original project design and occurred as a result of additional asphalt to maintain safe traffic flow and tie-in's during final paving operations.
- This additional work occurred at the end of the project and was unanticipated.
- This project was completed and opened to traffic October 26, ten months ahead of schedule.
- The original construction contract was approved by Council April 26, 2010. Change order #1 in the amount of \$519,442.81 was approved by Council August 22, 2011. The total contract amount including change order #2 will be \$15,974,479.96.
- Approving this change order will complete the construction contract.
- Adequate funds are available in the center to fund this change order.

#### Small Business Opportunity

All additional work involved in this change order will be performed by Blythe Construction Inc. and their existing subcontractors (Part D: Section 6 of the SBO policy).

#### Funding

Transportation Capital Investment Plan

### 31. Police Eastway Division Station Design Services

**Action:**   **A. Adopt a budget ordinance appropriating an additional \$1,000,000 in Capital Investment Plan funds to the Eastway Police Station Project budget to fund the increased space required to house the Neighborhood & Business Services Northeast Service Area Team, and**

**B. Authorize the City Manager to negotiate a contract with C Design, Inc. in an amount not to exceed \$500,000 for architectural services to design a new office facility for the Police Eastway Division and Neighborhood & Business Services Northeast Service Area Team.**

**Staff Resources:**   William Haas, Engineering & Property Management  
                           Pat Mumford, Neighborhood & Business Services  
                           Katrina Graue, Police

#### **Explanation**

- At the October 3, 2011 Council Workshop, Charlotte Mecklenburg Police Chief Rodney Monroe and Neighborhood & Business Services (N&BS) Director Patrick Mumford presented a collaborative approach between their departments to service the community. The presentation included the desire for the two groups to co-locate in the future.
- The first opportunity for a co-location is for the N&BS NE Service Area team to co-locate with the Police in the Eastway Patrol Division.
- In order to accommodate N&BS' NE Service Area Staff, the Eastway Patrol Division building, currently in its design phase, will have to be reconfigured.
- C Design, Inc. was selected to design a new field office for the Eastway Patrol Division, one of the largest within CMPD. The facility will also include space for N&BS' Northeast Service Area Team.
- In an effort to further collaborate throughout the organization, N&BS is proposing to co-locate an additional three of its Service Area Teams within Police Division offices.
- The goal of co-location is to address community issues holistically, using a compliment of services and resources.
- This strategy requires an increase to the CMPD office prototype of one division office per service area to accommodate N&BS' NE Service Area Team consisting of Code Enforcement officers as well as Neighborhood and Business outreach personnel.
- The new Eastway Patrol facility will be approximately 15,000 square feet and will include office space, parking areas and landscaping.
- The field office will be located on Central Avenue at Merry Oaks Road. This location is highly visible and easily accessible for citizens. It will be a positive new element in the Eastway neighborhood.
- City Council approved land purchases for this project on September 12, 2011 and November 14, 2011. A total of six parcels will be combined to create a 3.1 acre site which will be required to be re-zoned from residential to Neighborhood Services. C Design, Inc. will assist with the re-zoning process.
- C Design, Inc. was chosen pursuant to the Council-approved qualifications-based selection process performed in accordance with NC General Statutes.

- The estimated cost to increase the square footage of this facility to accommodate N&BS Northeast Service Area Team is approximately \$1 million. This budget ordinance will reprogram \$1 million in existing Economic Development Capital Investment Plan appropriations originally designated to implement recommendations from the Eastland Area Study.

#### **Sustainable Facilities Policy Implications**

- The facility will be designed and constructed in accordance with the Policy for Sustainable City Facilities, which was adopted by City Council in September 2009.
- The facility will be designed so that it can qualify for Green Globes certification.
- Sustainability goals will be achieved through facility design that balances concerns of cost and station functionality.
- Projections regarding costs and benefits will be calculated during the design phase.

#### **Small Business Opportunity**

For professional service contracts, the City negotiates SBE goals during the contract negotiation process (Part C: Section 2.2 of the SBO Policy). On this contract, C Design, Inc. committed up to 4.00% (\$20,000) of the total contract amount to the following SBE firm: Richa Graphics (reprographics). C Design, Inc. is also a City-certified SBE.

#### **Attachment 10**

Budget Ordinance

## **32. Airport Terminal Signage**

**Action: Award the low bid contract of \$129,000 to Richa Graphics for installation of additional signage in the terminal building.**

**Staff Resource:** Jerry Orr, Aviation

#### **Explanation**

- This contract will provide new signage in the baggage claim area which is currently being renovated, the new "E" security checkpoint under construction, and several sign modifications throughout the concourses.
- This is a lump sum contract.

#### **Small Business Opportunity**

No SBE utilization goal was set for this contract because subcontracting opportunities were not identified (Part C: Section 2.4 of the SBO Policy). Richa Graphics is a City-certified SBE.

#### **Funding**

Aviation Capital Investment Plan

### 33. Airport Cellular Antenna System

**Action: Approve an agreement with DPJJ, LLC d/b/a Wireless Services ("Wireless Services") in the amount of \$1,137,614.43 for the installation and deployment of a Neutral Host Distributed Antenna System ("DAS") in the terminal building of the Airport.**

**Staff Resource:** Jerry Orr, Aviation

#### Explanation

- Approximately 38.25 million passengers passed through the Airport in 2010, most of who required the use of a cellular device during their visit to the Airport.
- Cellular service in the terminal building of the Airport is currently provided by cellular towers located around the Airport.
- The cellular coverage provided by these towers is insufficient in many areas of the terminal building resulting in sub-optimal cellular reception for the passengers, air carriers and the Airport's lessees, contractors and employees.
- A DAS is a network of antennas connected to a common source by fiber-optic cabling that provides consistent cellular service in a building. A DAS will resolve the cellular coverage deficiencies in the terminal building of the Airport.
- In February 2010, the Airport solicited proposals from firms interested in designing, installing and operating the DAS.
- After the evaluation of the proposals and the proposers' qualifications, experience and financial information by a selection committee, Wireless Services was selected to install, operate and maintain the DAS.
- In November 2010, the City entered into a contract with Wireless Services to design the DAS and to provide consulting services related to the deployment of the DAS. The contract was characterized as Phase 1 of the DAS project.
- Wireless Services has completed the design of the DAS, which the Airport has deemed technically and financially feasible. The Airport is therefore ready to move forward with the installation of the DAS.

#### Contract Terms

- This contract will include the installation and deployment of the DAS in the terminal building of the Airport.
- The City will pay Wireless Services \$1,137,614.43 for the installation of the DAS, which will provide consistent cellular service on all levels of the terminal, including the basement and baggage make-up areas.
- The DAS installation includes certain upgrades to the Airport's public safety systems to ensure that the DAS is properly integrated with the City's public safety telecommunications infrastructure.
- The City will negotiate carrier license agreements with the wireless carriers under which the City will recover its installation costs and annual license fee for use of the DAS.

#### Small Business Program

No SBE utilization 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

## 34. Water and Sewer Rate Consulting

**Action:**   **A. Approve a contract with Arcadis USA, Inc. (Red Oak Consulting) for rate analysis regarding FY2013 water and sewer rates in an estimated amount not to exceed \$85,645, and**

**B. Authorize the City Manager to renew the contract for five additional one-year terms with possible price adjustments as stipulated in the contract.**

**Staff Resource:**   Barry Gullet, Utilities

### Explanation

- Red Oak Consulting, a part of Arcadis USA, Inc., completed professional services for a Rate Methodology Study in 2010 through a contract in the amount of \$268,241. At that time, Red Oak was selected in a competitive Request for Qualifications process over four other service providers. The study's recommendations were approved by City Council in February 2011. Red Oak provided additional service to Utilities from March through May 2011 to update the cost of service and rate design models for FY2012 in the amount of \$85,421.
- Under the requested agreement, Red Oak Consulting will provide assistance in determining water and sewer rate needs for FY2013. Red Oak will assist in calculating the FY2013 water and sewer rates based on the rate methodology adopted by City Council in February 2011. This will include providing assistance in determining the FY2013 revenue requirements, updating the water and sewer cost of service, updating the water and sewer rate design models, and updating water and sewer consumption forecasts.
- Red Oak will evaluate potential sewer rate impacts and make recommendations related to implementing additional components of the approved rate methodology including winter averaging of sewer bills.
- Red Oak will analyze charges associated with fire lines, including service-base service charges, availability fees, and usage based on cost of service principles.
- Because water and sewer rates are very dependent upon the projected water consumption forecasts each year, Utilities is obtaining two independent projections for FY2013. Red Oak will provide a forecast as part of this requested contract. Utilities also intends to contract with Raftellis Consulting Group to provide a second forecast. The Raftellis contract scope will only include this one task and will be within the approval authority of the City Manager.

### 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 Fund

## 35. Supplemental Municipal Agreement for Relocation and Adjustment of Utility Lines

**Action:** Adopt a resolution authorizing the Utilities Key Business Executive to execute a Supplemental Municipal Agreement with the NC Department of Transportation for relocation and adjustment of water and sewer lines along NC 51, from the South Carolina state line to Down's Circle, in the amount of \$106,554.13.

**Staff Resource:** Barry Gullet, Utilities

### Explanation

- On December 9, 2008, the Deputy City Manager approved a Municipal Agreement for the relocation and adjustment of municipally-owned water and sewer lines along NC 51, from the South Carolina state line to Down's Circle, in the estimated amount of \$56,768.
- Due to changes in the work during construction and higher than anticipated bid prices, the final cost for construction was \$106,554.13 over the estimate.
- Changes during construction involved:
  - NCDOT changed the design of the culverts on this project, which necessitated the move of an additional 12" water main.
  - Higher than anticipated quantities of rock.
- The supplemental agreement increases the payment by \$106,554.13. The new total for the agreement is \$163,322.13.
- It is common for bids to come in higher than the NCDOT estimate because of the significant time-lapse between when the estimate was prepared and the bidding of the project.
- Utilities is obligated to pay for the work, not based on the estimate, but on the actual cost of construction.
- The format and cost sharing philosophy is consistent with past municipal agreements.

### Funding

Utilities Capital Investment Plan

### Attachment 11

Resolution

## 36. Water Meter Electronic Transmitter Replacement

- Action:**
- A. Approve an agreement with Itron, Inc. for the no cost proactive warranty replacement of Itron water meter electronic transmitters, and**
  - B. Approve the discounted, sole source purchase of replacement mechanical water meter registers from Badger Meter in an amount not to exceed \$175,000.**

**Staff Resource:** Barry Gullet, Utilities

### Sole Source Exception

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
  1. Performance or price competition is not available;
  2. A needed product is available from only one source of supply; or
  3. Standardization or compatibility is the overriding consideration.
- Sole sourcing of the water meter equipment will ensure compatibility with and standardization of current equipment.

### Explanation

- Following completion of the meter equipment baseline audit in early 2010, CMUD implemented significant new quality assurance measures including ongoing field equipment audits. These ongoing audits have identified an issue with some of the transmitters. This finding was formally communicated to Itron in late summer of 2011.
- Based on CMUD equipment audit findings and the Itron's engineering analysis, it was determined that as many as 67,632 electronic transmitters may be affected by a part of its circuit board, called a diode, which has the potential to cause the transmitter to malfunction.
- Itron has agreed to a proactive replacement program for the 67,632 electronic transmitters at no cost for equipment or labor.
- The proposed agreement provides for Itron to provide and install the 67,632 new electronic transmitters at no cost between December 2011 and April 2012. The agreement also provides for Itron to fund a meter reading verification process to confirm that all customer accounts associated with the replacement plan are billed accurately.
- As a part of on-going operations, any damaged mechanical registers found during the transmitter replacement work will be replaced using a negotiated agreement with Badger Meter to supply registers at a discounted cost of \$25 per register (current contract price is \$48.88).

### Background

- The Charlotte-Mecklenburg Utility Department (CMUD) converted to an automated, drive-by water meter reading system in 2002.
- The meter reading system includes a mechanical register that tracks water usage and an electronic transmitter used to send the usage electronically to the mobile data collector. Badger Meter supplies the mechanical register and Itron currently provides the electronic transmitter.

- The mechanical register can be read visually and independently of the transmitter and is true to the amount of water consumed. The electronic transmitter simply converts that data to an electronic format and transmits it to radio receivers as the meter reader drives nearby with the mobile collector.
- Council approved contracts with Badger and Itron in spring 2011 to replace older model Itron transmitters through a negotiated warranty agreement. That agreement provided approximately 60,000 new transmitters at no cost and approximately 60,000 transmitters at a discounted price. There are more than 250,000 total transmitters currently installed on residential water meters.

#### **Small Business Opportunity**

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

#### **Funding**

Utilities Operating Budget

### **37. Community Development Block Grant for Design and Construction of Phase 2 of the Walkers Ferry Road Water Line**

- Action:**
- A. Accept a \$204,666 Community Development Block Grant from Mecklenburg County for the design and construction of Phase 2 of the Walkers Ferry Road water line,**
  - B. Adopt a budget ordinance appropriating \$204,666, and**
  - C. Authorize the City Manager to execute an agreement with Mecklenburg County for acceptance of grant funds for the design and construction of the water line.**

**Staff Resource:** Barry Gullet, Utilities

#### **Explanation**

- Council approved an application in March 2010 with Mecklenburg County to apply to the U.S. Department of Housing and Urban Development (HUD) for federal funding of Phase 2 of the Walkers Ferry Water Main Project under the Community Development Block Grant (CDBG) program. The grant application was approved for \$204,666
- On May 9, 2011 Council accepted a grant from Mecklenburg County, in the amount of \$339,000, for design and construction of Phase 1 of this project. Construction of Phase 1 is scheduled to be completed by May 1, 2012.
- Walkers Ferry Road Water Main serves one of the identified eligible geographic areas based on the HUD average income criteria. The area to be served is west of the airport between the Catawba River and I-485 (Dixie Berryhill Area). Mecklenburg County, Charlotte Mecklenburg Utilities, and Centralina Council of Government staff are working collaboratively on this project assisting residents who meet the HUD income levels to connect to public water if they elect to do so.
- The overall project is proposed in three phases matching the potential three year funding cycle of the grant. Phase 2 is planned to construct approximately 2,000 linear feet of 6" and 2" water mains, providing water to approximately 40 homes in the area.



**Funding**

Utilities Capital Investment Plan and CDBG Grant

**Attachment 12**

Budget Ordinance

**38. Traffic Signal Controllers**

**Action:** A. Award the low bid unit price contract of \$129,729.05 to Intelight, Inc., for providing Traffic Signal Controllers for an initial term of one year, and

B. Authorize the City Manager to extend the contract for four additional, one-year terms with possible price adjustments as stipulated in the contract.

**Staff Resource:** Charles Abel, Transportation

**Explanation**

- Traffic Signal Controllers tell the lights when to change and are installed in cabinets at every signalized intersection.
- This contract will provide CDOT with Traffic Signal Controllers as well as replacement parts for routine maintenance activities.
- An Invitation to Bid was issued with specifications to purchase an estimated 75 controllers to be ordered yearly.
- Three responsive bids and two non-responsive bids were received for this project.
- Intelight, Inc. was the lowest responsive bidder.

**Small Business Opportunity**

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

**Funding**

Transportation Capital Investment Plan

### 39. Arena Traffic Control Services

- Action:**
- A. Authorize the City Manager to approve a contract with Parking Unlimited Inc. for Arena Traffic Control Services for an initial term of three years, not to exceed \$113,400 for the initial term, and**
  - B. Authorize the City Manager to approve up to two, one year renewal options with possible price adjustments as stipulated in the contract.**

**Staff Resource:** Mike Davis, Transportation

#### Explanation

- On August 31, 2011, the City issued a Request for Proposal (RFP) for Arena Traffic Control Services for the set-up of traffic control devices, management, staffing and direction of special event related traffic and bus parking needs for the Time Warner Arena.
- Two service providers submitted proposals in response to the RFP.
- A selection team facilitated by Procurement Services and comprised of members from the Charlotte Department of Transportation and the Charlotte-Mecklenburg Police Department unanimously chose Parking Unlimited Inc. as the most qualified provider based on the evaluation of:
  - Proposed Solution
  - Operational staff certification and experience
  - Reference quality and applicability to the City's needs
  - Fixed service pricing and overall value to the City
- The Contract allows for an initial term of three years, plus two additional one year renewals contingent on successful performance of the services.
- The monthly fee for the vendor will be \$9,600. In the event of the NBA season being cancelled, the fee will be \$2,100 per event not to exceed \$9,600 per month.
- Arena traffic control services were used for 59 of the 152 events held at the arena in FY2011.
- Parking Unlimited is a local company with over 15 years experience delivering special event traffic control and parking services in Charlotte:
  - Bank of America Stadium
  - Wachovia Golf Championship
  - NASCAR Hall of Fame and Speed Street
- Parking Unlimited has over 550 trained, local, part-time employees available to staff events and a backup inventory of traffic control devices minutes away from the Arena.

#### 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

Transportation Operating Budget

## 40. Private Developer Funds Appropriation

**Action: Adopt a budget ordinance appropriating \$642,905 in Private Developer Funds for traffic signal improvements.**

**Staff Resource:** Scott Putnam, Transportation

### Explanation

- The \$642,905 in private developer funding is for traffic signals/upgrades and related work associated with developer projects. The funding is restricted to these projects.
- The following developers are fully funding traffic signal installations and improvements to mitigate traffic impacts around their respective development projects:
  - Pulte Group contributed \$14,000 for signal equipment relocation at the intersection of Ballantyne Commons Parkway and Tom Short Road.
  - QuikTrip Corporation contributed \$14,675 for traffic signal modifications necessary at the Milhaven Lane and Sunset Road intersection.
  - Spectrum Properties Management Co. contributed \$15,500 for signal modification at the intersection of Northlake Centre Parkway and Northlake Mall North Driveway.
  - Mecklenburg County contributed \$598,730 for signal modifications that are necessary at six intersections associated with the new Romare Beardon Park project in Uptown Charlotte:
    - Church Street and Martin Luther King Jr. Boulevard
    - Mint Street and Trade Street
    - Mint Street and 4<sup>th</sup> Street
    - Mint Street and 3<sup>rd</sup> Street
    - Mint Street and Martin Luther King Jr. Boulevard
    - Church Street and 3<sup>rd</sup> Street
- The above signals meet the same criteria as other traffic signals approved by the City.
- Payments made by the developer are in response to estimates of work prepared by CDOT and supplied to the developer.
- Any funding contributed by the developer for a signal project that is unused by the City will be refunded after project completion.
- CDOT will be installing and operating these new signals as part of the existing signal systems in the area.

### Funding

Developer Contributions

### Attachment 13

Budget Ordinance

## 41. Infrastructure Reimbursement Agreement for Improvements to the South Boulevard/Carson Boulevard/Lexington Avenue Intersection

<b>Action:</b>	<p><b>A. Approve an Infrastructure Reimbursement Agreement with 1200 South Blvd, LLC for improvements to the intersection of South Boulevard at Carson Boulevard and Lexington Avenue in the amount of \$425,500, and</b></p> <p><b>B. Amend the Resolution authorizing the abandonment of Palmer Street, S. College Street, and a Portion of Carson Boulevard.</b></p>
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**Staff Resource:** Mike Davis, Transportation

### Infrastructure Reimbursement Agreement

- Cambridge Development Group intends to construct a multi-family project on property adjacent to the South Boulevard/Carson Boulevard Intersection.
- The City intends to signalize the intersection of South Boulevard and Carson Boulevard to facilitate pedestrian and bicycle crossings on South Boulevard, moderate vehicle speeds entering and exiting Center City, and improve connectivity.
- The proposed project includes the relocation of Carson Boulevard within existing right-of-way, a northbound left-turn lane on South Boulevard, a traffic signal, bike lanes and sidewalks.
- The City can achieve significant cost savings by partnering with the developer who will be mobilized for site work and the relocation of a 54" water main.
- The proposed intersection project is consistent with the South End Area Plan.
- 1200 South Blvd, LLC will comply with the public advertising and bidding process requirements of G.S. 143-129.

### Abandonment Resolution Amendment

- Construction of the multi-family project requires the abandonment of Palmer Street.
- Palmer Street was authorized for abandonment by City Council in 2008 contingent upon the completion of the intersection project, along with rights-of-way for S. College Street and a portion of Carson Boulevard.
- The developer seeks to execute the abandonment by providing a letter of credit to the City that ensures completion of the project.

### Background

- A similar project at this location and reimbursement agreement were approved by City Council in 2008 with a different developer, but that developer was not able to go forward with the project at that time.
- This project was discussed during the public hearing for rezoning petition 11-053, 1200 South Boulevard, LLC.

### Funding

Transportation Capital Investment Plan

**Small Business Opportunity**

The Infrastructure Reimbursement Agreement contains a SBE utilization goal of 11%, applicable to the amount being reimbursed on this project.

**Attachment 14**

Map  
Resolution

**42. Emergency Road Call and Related Services**

**Action:**

**A. Approve a contract with the following companies for Road Call and Related Services for an initial term of three years in the aggregate estimated annual amount of \$125,000, and**

- **Bradley's Truck Service**
- **Carolina Auto, Truck and Coach**

**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:** Charles Robinson, Business Support Services

**Explanation**

- The Business Support Services Equipment Management Division (EMD) currently utilizes multiple vendors to provide Road Calls and Related Services for approximately 200 units annually including, but not restricted to, heavy duty trucks and construction equipment for multiple KBU's throughout the City.
- The services provide for all required equipment, materials, tools, labor (including repair and replacement parts where applicable), service calls, licenses, safety regulations and measures, and supervision to complete such repairs on City equipment and vehicles on a 24/7 schedule.
- The need for immediate response and turnaround processing is standard due to emergencies and the critical nature of the services required for certain equipment. The company(s) shall be required to analyze the City's usage patterns and maintain an adequate supply of component parts, qualified personnel, and proper equipment to be readily available to complete service requests in a timely fashion.
- The City issued a Request for Proposals for these services and received four proposals in response to the solicitation issued on September 22, 2011.
  - After a thorough evaluation, the Project Team recommends award to Bradley's Truck Service and Carolina Auto, Truck, and Coach.

**Contract Terms**

- The aggregate estimated five year term cost for Road Call and Related Services is estimated as \$625,000.
- The contract(s) 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**

Business Support Services Operating Budget

**43. Video Franchise Administration**

**Action:**   **A. Approve a contract with Cabltrac Associates, Inc. for Video Franchise Administration services for an initial term of five years in the estimated amount of \$190,875, and**

**B. Authorize the City Manager to approve up to two additional, two-year term renewal options as authorized by the contract.**

**Staff Resource:**   Charles Robinson, Business Support Services

**Explanation**

- Business Support Services currently has a contract in place with Cabltrac Associates, Inc. for the provision of Video Franchise Administration Services.
- Subsequent to the passing of the Video Competition Act in 2006, video franchising and other regulatory authority transferred from local governments to the State. In addition, in 2008, pursuant to the provisions of the Act, Time Warner Cable, the City's sole active franchise at the time, exercised their right to terminate their franchise with the City effective January 31, 2009.
- With this termination of all local franchise agreements, a majority of the responsibilities performed by the Office of Cable Franchise Management (OCFM), an office of Business Support Services, were transferred to the State. The City restructured the remaining responsibilities, deactivated the OCFM and contracted with Cabltrac to maintain the expertise needed to handle Cable related issues that remain the responsibility of the City.
- A contract with Cabltrac was approved by BSS in February 2009 for \$38,175 and was renewed for one year in December 2010.
- Cabltrac provides consistent and effective administration as a result of first-hand knowledge of the daily operations of Video Franchise Administration. Cabltrac represents over 20 years experience in the area of video franchise administration and legislation. These skills are most readily available via contracting as needed with professionals experienced in this area of expertise. The pricing is very competitive.
- This Contract allows for the continuation of services in an effort to support ongoing needs for monitoring, compliance, issue resolution, and coordination of video franchise administration including, but not limited to:
  - State Certification of Franchise
  - State Certification of Public, Educational, and Government (PEG) Channel Operations
  - Charlotte Mecklenburg Public Access Corporation Channel Operations
  - NC Video Tax Distribution Notices
  - PEG Access Channel Operator's Supplemental Funding, Agreements, Disputes, and Compliance
  - Annual Summary Reporting

- The contract shall have an initial term of five years with the option to renew for two additional, consecutive two - year terms.
- Contract renewal is contingent upon appropriations 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**

Business Support Services Operating Budget

## **44. Public Safety Radios and Communication Equipment**

- Action:**
- A. Award the low bid unit price contracts for providing Public Safety Radios and Communication Equipment for a term of three years to the following:**
- **Motorola Solutions LLC,**
  - **Two Way Radio of Carolina, Inc.,**
  - **RELM Wireless Corporation, and**
  - **Global Technology Systems, Inc.**
- B. Authorize the City Manager to extend the contracts for two additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract. The FY2012 expenditures are estimated to be \$2,500,000.**

**Staff Resource:** Charles Robinson, Business Support Services

#### **Explanation**

- Public safety radios are the critical line of voice communication for all public safety first responders such as Fire, Medic, Police, the Mecklenburg County Sheriff's Department.
- These radios provide critical voice communications for public safety services (police, fire, and medic), other field service employees, and dispatchers throughout the City of Charlotte and Mecklenburg County.
- The City's radio system relies heavily on software and imbedded firmware, with which these radios must be compatible. All radio equipment and related components require interoperability with City, County, and surrounding jurisdiction's systems. The radios are designed for high durability and reliability.
- The City is actively working to upgrade its radio inventory from analog to digital because support to the analog system will be discontinued effective December 31, 2015. Over the course of the next four years it is anticipated that the following will need to be replaced or upgraded:
  - 3,353 radios replaced (47% of radio inventory) at an average cost of \$3,500 per unit = \$11,735,500
  - 3,639 radios upgraded (51% of radio inventory) with software/memory upgrades at average cost of \$ 1,000 per unit = \$ 3,639,000
- Actual purchases will be determined by availability of departmental budgets and other funding sources as provided by the business units. The number of

- acquisitions of radios is highly varied and cannot be specified due to major industry events such as the Sprint Nextel/FCC spectrum agreement, grant availabilities, and major event planning.
- BSS is actively seeking ways to drive down the above listed costs and investigate alternative communication methods over the 4g Public Safety Broadband network that could be used for some city services at a substantially lower device cost.
  - Business Support Services/Procurement Services Division (BSS/PSD), on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA), issued an Invitation to Bid (ITB) to provide Public Safety Radio and Communication Equipment for the Business Support Services/Corporate Information Technology Division (BSS/CIT).
    - The CCPA is a cooperative purchasing program established by BSS/PSD with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing. CCPA contracts are available for the use and to the benefit of all entities that must comply with state purchasing laws (cities, counties, public and private schools, colleges and universities, non-profits, and all governmental entities).
    - Four responsive bids were received in response to the ITB, and each offered different manufacturers, models and discount structures for various models of radios and peripherals. After a thorough review, the decision was made to recommend contract award to all four companies to accommodate the diverse needs of the City and County and other public entities who may choose to use the resulting contracts.

**Small Business Opportunity**

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

**Funding**

Various KBU operating budgets



## 45. CharMeck.org Hosting Services

**Action:** **A. Approve a three-year contract with RM Source, Inc. in an aggregate not to exceed in year one the amount of \$468,000 and in year two through five not to exceed \$200,000 for hosting, managed-services, development services, and professional services for charmeck.org, the City and County public Internet presence, 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:** Jeff Stovall, Office of the Chief Information Officer  
Bellverie Ross, Office of the Chief Information Officer

### Explanation

- The City's Business Support Services Information Technology Division (BSS/IT) is responsible for supporting the charmeck.org Internet infrastructure. The City and County currently utilize SharePoint 2007 technology to deliver local government internet content to the public. Both sites went live on SharePoint 2007 in August 2010.
- The City and County have jointly hosted a unified website since 2001
- The City and County require an outside service provider to support the following initiatives:
  - Provide adequate support and development resources to continue management of the infrastructure
  - Increase protection for the City and County website from Internet security attacks
  - relocate the Internet presence to the RMSource data center
- The County currently pays the City approximately \$140,000 annually to host and manage its Internet presence. The City and County continue to share in the cost of hosting and services, with the County contributing 50% annually for these services.
- The City issued a Request for Proposals for these services and received three proposals in response to the solicitation issued on August 24, 2011.
- After a thorough evaluation, the Project Team consisting of staff from Procurement Services, BSS/IT and the Office of the CIO recommended award to RM Source, Inc.

### Contract Terms

- The aggregate not to exceed cost for all five years for CharMeck.org Hosting Services is \$1,268,000.
- The contract allows for 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**

Technology Investments Capital

**46. Insurance Broker Services**

**Action:**

**A. Approve a contract with Wells Fargo Insurance Services USA, Inc. for Insurance Broker Services with an initial term of three years in the aggregate amount of \$900,000, and**

**B. Authorize the City Manager to approve up to two, one-year renewal options for an additional \$300,000 per year, as authorized by the contract and contingent upon the company's satisfactory performance.**

**Staff Resource:** Dan Pliszka, Finance

**Explanation:**

- The Risk Management Division provides insurance and risk management services through an inter-local agreement to the City of Charlotte, Mecklenburg County and the Charlotte-Mecklenburg Board of Education.
- This inter-local agreement divides risk management administrative costs three ways with the City covering 55%, Mecklenburg County covering 25% and Charlotte-Mecklenburg Board of Education paying 20% of costs.
- Risk Management purchases approximately \$8 million in various insurance coverages each year, and the self-insured portions of the risk profile are valued at more than \$41 million.
- An insurance broker of record is required for the following services:
  - The placement of appropriate insurance policies to cover the numerous risks and liabilities faced by City of Charlotte and all parties to the inter-local agreement
  - Management of the insured components of the organization(s)
  - Assistance with the management of the total cost of the risk related to this program
- Given the size of the risk profile, the City and other participating entities place high demands on our insurance broker and expect high quality customer service in return. This high level of customer service requires responsiveness from all levels of the brokerage firm, extensive experience and the use of cutting edge technology for things such as modeling and analytics.

**Contract Terms**

- In response to the Request for Proposals issued on August 29, 2011, the City received six proposals.
- After thorough evaluation, the Evaluation Team, comprised of staff from Business Support Services Procurement Services Division, Risk Management, Mecklenburg County, Charlotte-Mecklenburg Board of Education and the Risk Manager from Union County, North Carolina, unanimously selected two finalists.

- In an effort to make the most informed decision possible, the Evaluation Team requested additional information to assess which of the finalist could best tailor their services to meet the City of Charlotte, Mecklenburg County and Charlotte-Mecklenburg Board of Education's specific needs.
- Both firms provided thorough and well-researched responses, but the primary differentiating factor between the two finalists was cost.
- The Evaluation Team ultimately selected Wells Fargo because their proposed cost of services was \$75,000 less per year (or \$225,000 less for the term of the contract) than the other finalist's proposal.
- The contract 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 contract is for the total amount of \$900,000 and the annual amount of \$300,000.

**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**

City/County/Schools Insurance Premium Funds

**47. Refund of Property Taxes**

**Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$4,032.**

**Staff Resource:** Dan Pliszka, Finance

**Attachment 15**

Resolution

List of property tax refunds

## PROPERTY ITEMS

### 48. Property Transactions

**Action: Approve the following property transaction(s) (A-E) and adopt the condemnation resolution(s) (F-V).**

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

#### Acquisitions

- A. Project:** Brookshire-Hovis-Oakdale Intersection Improvement, Parcel # 11  
**Owner(s):** Steven D. Hecht  
**Property Address:** 311 Oakdale Road  
**Property to be acquired:** 3,713 sq. ft. (.085 ac.) in Fee Simple, plus 106 sq. ft. (.002 ac.) in Utility Easement, plus 4,852 sq. ft. (.111 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** O-2(CD)  
**Use:** Commercial  
**Tax Code:** 035-031-27  
**Total Parcel Tax Value:** \$114,100  
**Purchase Price:** \$22,125
- B. Project:** McKee Creek Outfall - Mecklenburg County, Parcel # 49  
**Owner(s):** North American Islamic Trust, Inc.  
**Property Address:** Starnes Randall Road  
**Property to be acquired:** 12,136 sq. ft. (.279 ac.) in Sanitary Sewer Easement, plus 125,679 sq. ft. (2.885 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-4

**Use:** Single Family Residential - Rural Acreage  
**Tax Code:** 111-131-06  
**Total Parcel Tax Value:** \$620,000  
**Purchase Price:** \$27,000

- C. Project:** Nations Ford Road Sidewalk / Bike Lane, Parcel # 1  
**Owner(s):** Corporate Trust Properties NC, LLC  
**Property Address:** Nations Ford Road  
**Property to be acquired:** 2,580 sq. ft. (.059 ac.) in Sidewalk and Utility Easement, plus 40 sq. ft. (.001 ac.) in Utility Easement, plus 3,290 sq. ft. (.076 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** CC  
**Use:** Office  
**Tax Code:** 169-121-12  
**Total Parcel Tax Value:** \$702,900  
**Purchase Price:** \$12,500
- D. Project:** Wilkinson Boulevard / Mulberry Church Road Watershed Enhancement, Parcel # 39  
**Owner(s):** TNT Development, LLC  
**Property Address:** Mulberry Church Road  
**Property to be acquired:** 179,282 sq. ft. (4.116 ac.) in Fee Simple (Total Take)  
**Improvements:** None  
**Landscaping:** None  
**Zoned:**  
**Use:** Industrial  
**Tax Code:** 061-043-11  
**Total Parcel Tax Value:** \$184,800  
**Purchase Price:** \$102,000
- E. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** BT Property LLC  
**Property Address:** 7101 Wilkinson Boulevard  
**Property to be acquired:** 78.78 acres  
**Improvements:** vacant land  
**Purchase Price:** \$2,520,000  
**Remarks:** The property was appraised 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: part I-1(CD); part I2; part I-1 Use:** vacant land  
**Tax Value:** \$1,347,900  
**Tax Code:** 113-021-06

## Condemnations

- F. Project:** Brookshire-Hovis-Oakdale Intersection Improvement, Parcel # 1 and # 9  
**Owner(s):** Robert C. Spivey, Jr. and Wife, Patsy C. Spivey And Any Other Parties Of Interest  
**Property Address:** 5600 Brookshire Boulevard  
**Property to be acquired:** 60,928 sq. ft. (1.399 ac.) in Fee Simple, plus 3,359 sq. ft. (.077 ac.) in Storm Drainage Easement, plus 91 sq. ft. (.002 ac.) in Utility Easement, plus 36,046 sq. ft. (.827 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** B-2(CD)  
**Use:** Commercial  
**Tax Code:** 035-021-03 and 035-021-18  
**Total Parcel Tax Value:** \$1,184,900  
**Appraised Value:** \$606,550  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owners have concerns about the project. Staff and the owners have been unable to reach agreement regarding the acquisition. Staff has made the following accommodations: Construct an additional driveway cut per the property owners redevelopment plans and maintain access during construction. Staff cannot accommodate connecting the additional driveway to the existing asphalt due to existing conflicts with overhead transmission lines, fuel lines, air pump and business sign. Also, staff cannot accommodate installing a drainage pipe under the road to accommodate the owners future development due to lack of information regarding requirements. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.
- G. Project:** Brookshire-Hovis-Oakdale Intersection Improvement, Parcel # 14  
**Owner(s):** Wachovia Bank And Trust Company, N/K/A Wells Fargo Bank And Any Other Parties Of Interest  
**Property Address:** 5641 Hovis Road  
**Property to be acquired:** 681 sq. ft. (.016 ac.) in Fee Simple, plus 512 sq. ft. (.012 ac.) in Storm Drainage Easement, plus 81 sq. ft. (.002 ac.) in Utility Easement, plus 5,433 sq. ft. (.125 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Shrubs  
**Zoned:** I-2  
**Use:** Commercial  
**Tax Code:** 035-012-25  
**Total Parcel Tax Value:** \$1,505,000  
**Appraised Value:** \$21,050  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owners support the project; however, staff and the owners have been unable to reach

agreement regarding the acquisition. Staff has made the following accommodations: maintain access during construction, protect business sign during construction and compensate for loss of landscaping located within easement areas. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.

- H.**     **Project:** City Boulevard Extension - Phase II, Parcel # 40  
**Owner(s):** Sheila Edwards Smith f/k/a Sheila E. Cunningham And Any Other Parties Of Interest  
**Property Address:** 1645 Waterstone Lane  
**Property to be acquired:** 1,508 sq. ft. (.035 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees & Shrubs  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 047-281-36  
**Total Parcel Tax Value:** \$154,700  
**Appraised Value:** \$2,475  
**Property Owner's Counteroffer:** \$4,475  
**Reason For Condemnation:** The property owners have concerns about the project. Staff and the owners have been unable to reach agreement regarding the acquisition. Staff cannot accommodate providing a private fence around the entire back yard in addition to the appraised amount. The property does not have an existing fence. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.
- I.**     **Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 14  
**Owner(s):** Devisees Of Clyde Maxwell Ward, et al And Any Other Parties Of Interest  
**Property Address:** 1126 Dresden Drive West  
**Property to be acquired:** 725 sq. ft. (.017 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 131-082-22  
**Total Parcel Tax Value:** \$130,200  
**Appraised Value:** \$325  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owners support the project and have agreed to the acquisition. A condemnation process is necessary in this case in order to achieve clear title.

- J. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 38  
**Owner(s):** Gloria J. McNeill and Sheila Prince And Any Other Parties Of Interest  
**Property Address:** 3700 Dresden Drive East  
**Property to be acquired:** 765 sq. ft. (.018 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-22MF  
**Use:** Multi Family  
**Tax Code:** 131-092-10  
**Total Parcel Tax Value:** \$139,700  
**Appraised Value:** \$750  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** After initial contact, the property owner failed to attend a scheduled meeting and has not responded to staff communication. A condemnation process is necessary in this case in order to achieve clear title.
- K. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 44  
**Owner(s):** WR Norwood Family, LLC And Any Other Parties Of Interest  
**Property Address:** 3742 Dresden Drive East  
**Property to be acquired:** 549 sq. ft. (.013 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-22MF  
**Use:** Multi Family  
**Tax Code:** 131-092-04  
**Total Parcel Tax Value:** \$172,900  
**Appraised Value:** \$375  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** After initial contact, the property owner failed to attend a scheduled meeting and has not responded to staff communication. The other 94% of project acquisitions have been accomplished, and construction is scheduled to begin in third quarter of 2012. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.
- L. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 45  
**Owner(s):** WR Norwood Family, LLC And Any Other Parties Of Interest  
**Property Address:** 3748 Dresden Drive East  
**Property to be acquired:** 843 sq. ft. (.019 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-22MF



**Use:** Multi Family  
**Tax Code:** 131-092-19  
**Total Parcel Tax Value:** \$130,300  
**Appraised Value:** \$425  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** After initial contact, the property owner failed to attend a scheduled meeting and has not responded to staff communication. The other 94 % of project acquisitions have been accomplished and construction is scheduled to begin in third quarter of 2012. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.

- M. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 46  
**Owner(s):** WR Norwood Family, LLC And Any Other Parties Of Interest  
**Property Address:** 3752 Dresden Drive East  
**Property to be acquired:** 483 sq. ft. (.011 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:**  
**Use:** Multi Family  
**Tax Code:** 131-092-18  
**Total Parcel Tax Value:** \$172,700  
**Appraised Value:** \$325  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** After initial contact, the property owner failed to attend a scheduled meeting and has not responded to staff communication. The other 94% of project acquisitions have been accomplished and construction is scheduled to begin in third quarter of 2012. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.
- N. Project:** Eastway/Sheffield Neighborhood Improvement Project, Parcel # 148  
**Owner(s):** Marsh Realty Company And Any Other Parties Of Interest  
**Property Address:** 3401, 3407 And 3413 Biscayne Drive  
**Property to be acquired:** 3,098 sq. ft. (.071 ac.) in Storm Drainage Easement, plus 1,633 sq. ft. (.037 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-22MF  
**Use:** Multi Family  
**Tax Code:** 131-062-32  
**Total Parcel Tax Value:** \$2,617,700  
**Appraised Value:** \$8,025  
**Property Owner's Counteroffer:** None

**Reason For Condemnation:** After initial contact, the property owner has not responded to staff communication. The other 94% of project acquisitions have been accomplished and construction is scheduled to begin in third quarter of 2012. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.

- O. Project:** Nations Ford Road Sidewalk / Bike Lane, Parcel # 15  
**Owner(s):** Reynolds Walk Property Owners Association, Inc. And Any Other Parties Of Interest  
**Property Address:** Pangle Drive  
**Property to be acquired:** 57 sq. ft. (.001 ac.) in Sidewalk and Utility Easement, plus 880 sq. ft. (.020 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-17MF  
**Use:** Single Family Residential - Common  
**Tax Code:** 169-061-75  
**Total Parcel Tax Value:** \$0 (Common Area)  
**Appraised Value:** \$200  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owner has concerns about the project. Staff and the property owner have been unable to reach agreement regarding the appraised value. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.
- P. Project:** Nations Ford Road Sidewalk / Bike Lane, Parcel # 16  
**Owner(s):** Reynolds Walk Property Owners Association, Inc. And Any Other Parties Of Interest  
**Property Address:** Joshua Lane  
**Property to be acquired:** 1,728 sq. ft. (.040 ac.) in Sidewalk and Utility Easement, plus 25 sq. ft. (.001 ac.) in Utility Easement, plus 6,788 sq. ft. (.156 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-17MF  
**Use:** Single Family Residential - Common  
**Tax Code:** 169-061-46  
**Total Parcel Tax Value:** \$0 (Common Area)  
**Appraised Value:** \$25  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owner has concerns about the project. Staff and the property owner have been unable to reach agreement regarding the appraised value. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.

- Q.** **Project:** Nevin Neighborhood Improvement Project, Parcel # 5  
**Owner(s):** Dennis E. Black; Unknown Heirs Of Philip L. Black; And Lynn Michelle Black, Administratrix And Any Other Parties Of Interest  
**Property Address:** 3428 Arvin Drive  
**Property to be acquired:** 779 sq. ft. (.018 ac.) in Fee Simple, plus 156 sq. ft. (.004 ac.) in Existing Right-of-way, plus 933 sq. ft. (.021 ac.) in Storm Drainage Easement, plus 5,168 sq. ft. (.119 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** R-4  
**Use:** Rural Homesite  
**Tax Code:** 045-301-02  
**Total Parcel Tax Value:** \$250,000  
**Appraised Value:** \$1,675  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owners support the project and have agreed to the acquisition. A condemnation process is necessary in this case in order to achieve clear title.
- R.** **Project:** Nevin Neighborhood Improvement Project, Parcel # 40  
**Owner(s):** Dawn Regina Jameson And Any Other Parties Of Interest  
**Property Address:** 3916 Arvin Drive  
**Property to be acquired:** 1,184 sq. ft. (.027 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 045-293-09  
**Total Parcel Tax Value:** \$104,500  
**Appraised Value:** \$250  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** After extensive searching, staff has been unable to locate the property owner. The other 84% of acquisitions have been accomplished, and construction is scheduled to begin in third quarter of 2012. A condemnation process is necessary in this case in order to achieve clear title.
- S.** **Project:** Nevin Neighborhood Improvement Project, Parcel # 44  
**Owner(s):** Kamelot, LLC And Any Other Parties Of Interest  
**Property Address:** 5416 Datha Avenue  
**Property to be acquired:** 1,836 sq. ft. (.042 ac.) in Storm Drainage Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 045-325-20  
**Total Parcel Tax Value:** \$48,400  
**Appraised Value:** \$1,675  
**Property Owner's Counteroffer:** \$10,000

**Reason For Condemnation:** The property owner has concerns about the project. Staff and the owners have been unable to reach agreement regarding the acquisition. Staff could not accommodate redesigning the easement to the rear of the property due to the property's natural elevations. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.

- T. Project:** Nevin Neighborhood Improvement Project, Parcel # 47  
**Owner(s):** Lisa Michelle Smith Quinn; Paul Michael Smith; Jacob Scott McIntosh; and Robin Camille Smith Adams And Any Other Parties Of Interest  
**Property Address:** 3511 Durham Lane  
**Property to be acquired:** 587 sq. ft. (.013 ac.) in Storm Drainage Easement  
**Improvements:** None  
**Landscaping:** None  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 045-322-18  
**Total Parcel Tax Value:** \$112,800  
**Appraised Value:** \$100  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owners support the project and have agreed to the acquisition. A condemnation process is necessary in this case in order to achieve clear title.
- U. Project:** Nevin Neighborhood Improvement Project, Parcel # 48  
**Owner(s):** Chetanand Haimchand and Wife, Omawattie Haimchand And Any Other Parties Of Interest  
**Property Address:** 3442 Durham Lane  
**Property to be acquired:** 587 sq. ft. (.013 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** Trees  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 045-325-25  
**Total Parcel Tax Value:** \$100,400  
**Appraised Value:** \$1,925  
**Property Owner's Counteroffer:** None  
**Reason For Condemnation:** The property owner supports the project and has agreed to the acquisition. A condemnation process is necessary in this case in order to achieve clear title.
- V. Project:** Nevin Neighborhood Improvement Project, Parcel # 70  
**Owner(s):** Kamelot, LLC And Any Other Parties Of Interest  
**Property Address:** 5420 Datha Avenue  
**Property to be acquired:** 77 sq. ft. (.002 ac.) in Storm Drainage Easement  
**Improvements:** None  
**Landscaping:** Trees

**Zoned:** R-4

**Use:** Single Family Residential

**Tax Code:** 045-325-19

**Total Parcel Tax Value:** \$48,400

**Appraised Value:** \$75

**Property Owner's Counteroffer:** \$10,000

**Reason For Condemnation:** The property owner has concerns about the project. Staff and the owners have been unable to reach agreement regarding the acquisition. Staff could not accommodate redesigning the easement to the rear of the property due to the property's natural elevation. A condemnation process is recommended during which negotiation and mediation can continue, and if necessary, just compensation for the property owner can be determined by the court.