

Mayor Patrick L. McCrory Mayor Pro Tem Susan Burgess

Michael D. Barnes
Nancy Carter
Warren Cooksey
Andy Dulin
Anthony Foxx

Patsy Kinsey
John Lassiter
James Mitchell, Jr.
Edwin Peacock III
Warren Turner

CITY COUNCIL MEETING
Monday, September 14, 2009

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

Item #	Page #	Title
15	14	Capital Equipment for Solid Waste Services under Reorganized Service Delivery Model
20	22	Outsourcing Remittance Processing Services
23	25	Regional Mutual Aid Response Lab Equipment Grant
33	31	Justice Assistance Grant
39	37	Reimbursement Agreement for Project at 916 North Poplar Street

CITY COUNCIL AGENDA
Monday, September 14, 2009

TABLE OF CONTENTS

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
5:00 P.M. Dinner Briefing			
Conference Center			
1.	Mayor and Council Consent Item Questions	1	
2.	LYNX Blue Line Extension Project Update	1	
3.	Energy Efficiency and Conservation Block Grant Update	2	
4.	Non-Residential Building Code Ordinance Update	3	
5.	Answers to Mayor and Council Consent Item Questions	4	
7:00 P.M. Awards and Recognitions			
Meeting Chamber			
6.	Proclamation for Susan G. Komen Race for the Cure	5	
7.	Recognition of the Coul-Oak All Stars Little League Baseball Team for Winning the North Carolina Little League State Championship	5	
Consent			
8.	Consent agenda items 17 through 46 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.	6	
Policy			
9.	City Manager's Report	7	
10.	Mayoral Veto of Charlotte Streetcar Project Professional Services	7	1
11.	Solid Waste Services Performance Evaluation Procedures	8	2
12.	Greenway Business Center Grant	10	3

<u>Item No.</u>	<u>Page No.</u>	<u>Attachment No.</u>
Business		
13. Community Development Block Grant Recovery Grant Appropriation	12	4
14. Davidson Street Bus Facility's Maintenance Building Construction/Renovation	13	5
15. Capital Equipment for Solid Waste Services under Reorganized Service Delivery Model	14	6
16. Mayor and Council Topics	15	
Consent I		
17. Various Bids	17	
A. Fire Hoses	17	
B. FY2010 Water Main Replacement	18	
C. 16 Inch Water Main Along Albemarle Road	18	
D. Rozzelles Ferry Road Sidewalks	19	
E. Seigle Avenue Culvert Replacement	19	
18. Refund of Business Privilege License Taxes	20	7
Consent II		
19. General Obligation Bonds	21	8
20. Outsourcing Remittance Processing Services	22	
21. Special Transportation Services Integrated Navigational System Upgrade	23	
22. McAlpine Relief Sewer Professional Services Contract Amendment	24	
23. Regional Mutual Aid Response Lab Equipment Grant	25	
24. Charlotte-Mecklenburg Utilities Supplemental Agreement with Town of Davidson for Utility Line and Street Improvements	25	
25. FY2009 Metropolitan Planning Program Grant Municipal Agreement	26	9
26. Developer Reimbursement for Reames Road	27	

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
27.	Airport Security System Change Order	28	
28.	Airport Parking Deck Repairs	28	
29.	Federal Aviation Administration Grant	29	10
30.	Council's Meeting Calendar Amendment	30	
31.	Police Command Vehicles	30	
32.	Justice Assistance Grant	31	11
33.	Police Undercover Vehicle Lease	32	
34.	Police Assets Forfeiture Appropriation	33	12
35.	Police Services for G20 Summit	33	13
36.	Developer Surety Default Program	34	14
37.	City Boulevard Extension Road Project Engineering Services	35	
38.	Surveying and Mapping Services for Capital Improvement Projects and Storm Water Services	36	
39.	Reimbursement Agreement for Project at 916 North Poplar Street	37	
40.	Environmental Services Contracts	38	
41.	Tree Removal Arborist Services FY2010	39	
42.	Tower Sub-lease with Duke Energy	39	15
43.	Tower Leases with State of North Carolina	40	
44.	Sale of Surplus Land Rights – South Corridor Light Rail Project	41	16
45.	Property Transactions	42	
46.	Meeting Minutes	47	

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Mayor & Council Consent Item Questions

Resource: Curt Walton, City Manager

Time: 5 minutes

Synopsis

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

2. LYNX Blue Line Extension Project Update

Staff Resource: John Muth, Transit
Danny Rogers, Transit

Time: 30 minutes

Synopsis

- In the fall of 2007, FTA granted permission for CATS to enter into Preliminary Engineering on the LYNX Blue Line Extension (BLE), which includes refined planning, engineering, environmental, geotechnical and survey work. In April of 2008, City Council authorized CATS to execute a contract with Ralph Whitehead Associates/STV Associates, Inc. to perform the above mentioned services. In September of 2008, CATS staff provided a project update to City Council.
- The BLE team has worked with stakeholder groups, including four railroad companies, the North Carolina Department of Transportation (NCDOT), the University of North Carolina at Charlotte, and all affected neighborhoods, in the development of draft engineering plans.
- Additionally, the team worked very closely with NCDOT Rail Division, North Carolina Railroad (NCR) and Norfolk-Southern Railroad as the Charlotte Railroad Improvement & Safety Project (CRISP) was being planned to ensure that the BLE was properly coordinated. The BLE and CRISP projects are planned to share the NCR right-of-way for almost 2½ miles, including grade separations at 36th Street and Sugar Creek Road.
- In April of 2009, 15% of BLE engineering drawings were complete and Council was provided an update on the project at that time. The team is currently working on the 30% engineering drawings and the draft environmental impact statement, which will be released for public comment in July 2010.

Future Action

Council will receive updates as appropriate and as project milestones and/or significant events occur.

3. Energy Efficiency and Conservation Block Grant Update

Resources: Rob Phocas, City Attorney's Office
Dave Zimmer, Camp Dresser and McKee

Time: 30 minutes

Synopsis

- The City was notified in March that Charlotte is eligible to receive \$6.7 million in funding for the federal Energy Efficiency and Conservation Block Grant (EECBG).
- On May 26, 2009 the City Council approved the following:
 - An application to the Department of Energy for the initial funding of \$250,000 from the EECBG
 - Authority for the City Manager to award contracts for the hiring of a consultant and performing city building energy audits using the initial funding
 - Adoption of a budget ordinance appropriating \$250,000
- The City was awarded the initial grant funding on July 27. Shortly thereafter, the City Manager approved a contract for \$175,000 with Camp Dresser and McKee (CDM) to serve as the consultant for developing the City Energy Efficiency and Conservation Strategy. CDM was selected through a request for proposal process.
- The Energy Strategy is required before any further grant money is made available to the City. The Department of Energy (DOE) requires that the Strategy be approved and submitted within 120 days of the initial grant award.
- CDM will share with Council an overview of the Energy Strategy development process and timetable. This work will involve rigorous technical analyses and robust public involvement.
- The public involvement process will solicit ideas and feedback from a broad range of community stakeholders. Two public meetings will be held and comments will also be solicited through the City's website and other electronic means.
- As part of the strategy development, CDM will verify the results of the greenhouse gas emissions inventory of City facilities, conduct a community greenhouse gas emissions inventory and assist in the development of action plans for each.
- Upon approval of the Strategy by DOE, the City can apply for half of the \$6.7 million EECBG funding. The remainder will be awarded after reporting initial results of programs and activities under the Strategy.
- The remaining portion of the initial grant funding will be used for energy audits of City buildings. Staff is in the process of selecting consultants to carry out these audits.

Future Action

- In early November, the draft Energy Efficiency and Conservation Strategy, including the greenhouse gas emissions reduction action plans for the City and the community, will be presented to Council. On November 23, the Council will be asked to approve the Strategy for submission to the U.S. Department of Energy.

4. Non-Residential Building Code Ordinance Update

Committee Chair: Susan Burgess

Staff Resource: Walter Abernethy, Neighborhood & Business Services

Time: 15 minutes

Synopsis

- On August 21, 2007 the Governor signed into law Senate Bill 556 entitled "An Act Authorizing Municipalities to Adopt Ordinances Establishing a Non-Residential Building or Structure Code."
- The bill gives municipalities the authority to adopt ordinances establishing standards of fitness for commercial structures and other non-residential buildings.
- On February 11, 2008 City Council authorized Neighborhood & Business Services to create a stakeholder process to develop standards of fitness in support of a new Non-Residential Building Code.
- The stakeholder process began in September 2008 and ended in March 2009. The stakeholder committee consisted of representatives from business and industry, neighborhoods, and City/County staff.
- The Housing and Neighborhood Development Committee discussed the proposed ordinance at three meetings: April 8, 2009, May 13, 2009, and July 27, 2009.
- On August 24, 2009 a public hearing was held during the City Council meeting. Three stakeholder members (Susan Lindsay, Eastside Partners; Brian Fincher, Bryant Park; and Andy Munn, Real Estate Building Industry Coalition) spoke in support of the new ordinance. They commented that adoption of this ordinance will provide the City with another tool to help alleviate some of the problems associated with both vacant and occupied commercial structures.
- The Housing and Neighborhood Development Committee will continue discussing the ordinance at their September 9, 2009 meeting. The Committee will report the results at the dinner briefing.
- Adoption of a new Non-Residential Building Code would provide Code Enforcement staff more enforcement authority related to the condition of commercial structures.
- The proposed ordinance establishes specific standards of fitness and an enforcement process for all non-residential structures. The proposed ordinance also seeks to address unsafe and dilapidated conditions associated with both vacant and occupied commercial structures.
- The proposed ordinance may include enforcement tools including repair, demolition, and the issuance of civil penalties associated with non-compliance.

Future Action

- On September 28, 2009 Council will be asked to adopt the Non-Residential Building Code Ordinance and allow staff a six month implementation period.

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

Resource: Curt Walton, City Manager

Time: 10 minutes

Synopsis

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

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

6. Proclamation for Susan G. Komen Race for the Cure

Action: Mayor McCrory to recognize Dena Deiger, Race Chair, to present a Proclamation highlighting the activities for Breast Cancer awareness through the Susan G. Komen Race for the Cure.

7. Recognition of the Coul-Oak All Stars Little League Baseball Team for Winning the North Carolina Little League State Championship

Action: Mayor McCrory to recognize Jeff Huggins, Coach of the Coul-Oak All Stars, and members of the Coul-Oak All Stars team to congratulate them on winning the North Carolina Little League State Championship for boys 11 -12 years old. This is the first team from Charlotte-Mecklenburg to win the State Little League Championship for 11 – 12 year olds in more than 30 years. Boys on the team are from Charlotte’s Coulwood and Oakdale neighborhoods.

CONSENT

- 8. Consent agenda items 17 through 46 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.**

POLICY

9. City Manager's Report

10. Mayoral Veto of Charlotte Streetcar Project Professional Services

Action: Consider a vote on the Mayor's veto of:

- A. Authorization for the City Manager to negotiate and execute a contract for professional services with URS Corporation to provide design and engineering services for the City's proposed Streetcar Project in an amount not to exceed \$4.5 million,**
- B. Authorization for the City Manager to execute a federal grant contract that allocates \$237,500 in federal funds for the Charlotte Streetcar project,**
- C. Adoption of a budget ordinance transferring \$59,375 from the Streetcar budget into the Transit Budget for the local match associated with the \$237,500 in federal funds, and**
- D. Refer to the Transportation Committee for further discussion of a financing plan relative to the Streetcar project (added on August 24).**

Staff Resources: Jeb Blackwell, Engineering & Property Management
John Muth, Transit

Explanation

- At its meeting on August 24, 2009, City Council passed an action that authorized the City Manager to execute a design and engineering contract for the Streetcar Project in an amount not to exceed \$4.5 million. Additionally, the action authorized/adopted:
 - The execution of a federal grant contract allocating \$237,500 in federal funds for the Charlotte Streetcar project
 - A budget ordinance transferring \$59,375 from the Streetcar budget into the Transit Budget for the local match
 - Refer to the Transportation Committee a directive to engage in further discussion of a financing plan relative to funding the Streetcar project.
- That action passed by a 7-4 vote.
- The Mayor vetoed this action.
- Pursuant to City Charter §3.23(b), the vetoed action was automatically placed on the agenda for the next official meeting of Council, September 8, 2009.
- At the September 8 Council Workshop, Council voted to defer action on the Mayor's veto until the September 14 Council Business Meeting.

Attachment 1

Charlotte Streetcar Advisory Committee - Findings and Recommendations to the Charlotte City Council for Advancing the Streetcar Project (from April 15, 2009 Budget Retreat materials)

11. Solid Waste Services Performance Evaluation Procedures

Action: Approve the Restructuring Government Committee's recommendation to approve the performance evaluation procedures for Solid Waste Services.

Committee Chair: James Mitchell, Chair

Resources: Joel Ford, Competition/Privatization Advisory Committee
Victoria Garland, Solid Waste Services
Eric Campbell, City Manager's Office

Performance Evaluation Procedures

- On June 22, 2009 Council referred Solid Waste Services' performance evaluation procedures to the Restructuring Government Committee for further review.
- The evaluation procedures and measures were recommended by the Privatization and Competition Advisory Committee (PCAC) and staff for use in benchmarking/monitoring/auditing future City costs of garbage, yard waste and bulky item collections performed by Solid Waste Services under its reorganized service delivery model, scheduled to begin July 1, 2010.
- These new performance measures, which the PCAC unanimously recommends, will replace managed competition guidelines which are currently used for service performance evaluations.
- The new evaluation guidelines include the following steps:
 - The City Auditor will conduct an annual financial audit of Solid Waste Services garbage, yard waste and bulky item collections.
 - FY2010 operating costs will be used as the baseline for future cost evaluations.
 - City costs additionally will be evaluated against collection costs of select North Carolina peer-group cities using results from the UNC School of Government Annual Benchmark Report and International City/County Manager's Association surveys. Examples of the performance measures include:
 - A workload measure - Waste collected per 1,000 homes
 - An efficiency measure - Cost per collection stop
 - An effectiveness measure - Complaints per 10,000 homes
 - A resource measure - Garbage collection costs per capita
 - The guidelines will include intervention trigger points for taking corrective action.
 - The guidelines include a thorough re-evaluation of service performance at the five year mark.

Committee Discussion

- The Restructuring Government Committee reviewed the Solid Waste Services performance evaluation procedures, measures and benchmarking proposal at its July 27, 2009 meeting.

- Joel Ford, Chair of the PCAC Solid Waste Sub-Committee, explained the Privatization Competition Advisory Committee's role in developing recommended benchmarks and performance measures.
- Committee members reviewed the merits of removing solid waste zone boundaries, discussed the proposed auditing processes and inquired about staff's proposal to benchmark performance against other cities.
- After considerable review, the committee voted unanimously (Cooksey, Kinsey and Peacock) to recommend approval of the benchmarking and performance measures.

Background

- On April 27, 2009 Council approved a three part action. The first part was a July 1, 2010 conversion to citywide bi-weekly recyclables collection when single-family residential single-stream recyclables collection will be outsourced to a private contractor. Solid Waste Services will not bid to provide the recyclable collection service. Implementation of bi-weekly single stream recycling collection is projected to produce savings of \$26.7 million over a ten year period.
- The second part of the April 27, 2009 Council action was a reorganization of the Solid Waste Services delivery model where Solid Waste Services crews will provide citywide weekly collection of garbage, yard waste, and bulky items, including in the West Zone. The City will not seek private sector bids to perform garbage, yard waste and bulky item collection.
- The program changes will ensure that each residential household receives uniform waste collection service since each residence will get curbside garbage, yard waste, and bulky item collection services from Solid Waste Services crews and recyclables collection service from private contractor crews.
- The performance evaluation procedures address the third part of the April 27, 2009 item where staff was instructed to partner with the PCAC to develop performance measures within 90 days for use in evaluating future City costs of garbage, yard waste and bulky item collections.

Attachment 2

Guidelines for Performance Evaluation of Solid Waste Services Reorganized Service Delivery Model, Effective July 1, 2010

12. Greenway Business Center Grant



- Action:**
- A. Approve the Economic Development and Planning Committee recommendation to award a \$500,000 grant to the Charlotte Mecklenburg Development Corporation (CMDC) from the Business Corridor Revitalization fund for the reconstruction of two vacant buildings at the Greenway Business Center, located at 2730 Rozzelles Ferry Road, and**
 - B. Authorize the City Manager to execute a second amendment to the original development agreement between the City and the CMDC to provide for this additional grant.**

Committee Chair: John Lassiter

Staff Resource: Tom Flynn, Neighborhood & Business Services

Policy: Business Corridor Revitalization

Explanation

- In December 2007 City Council approved a development agreement with CMDC providing City Corridor Funds of \$950,000 to purchase and convey land to CMDC and to specify terms and conditions for developing a business park.
- In May 2008 City Council approved an amendment to the development agreement to provide an expansion of the project and an appropriation of \$429,000 in federal grant funding.
- One building has been reconstructed and is leased. The site work and infrastructure was completed in Spring 2009. The land is being marketed, but land sales have been impacted by the economic downturn.
- The CMDC has requested an additional grant in the amount of \$500,000 to provide funding for the reconstruction of the two remaining vacant buildings in the Greenway Business Center, which will enhance the overall appearance of the Center.
- City funding is needed to offset construction costs, making the project feasible.
 - Reconstruction costs for the two buildings total \$1,731,471. Conventional financing is not possible without the City's assistance, due to a high loan to value ratio and low rent rates.
 - CMDC will match the City's grant and arrange conventional financing for the balance of funding.
 - The current market opportunity is for lease space. CMDC is currently receiving leasing inquiries.
 - This project preserves the neighborhood character by rehabilitating existing buildings while providing an opportunity for neighborhood-serving retail, such as a bank, credit union, or a restaurant.
 - Construction will provide approximately 75 temporary construction and 50 permanent jobs.
- If this amendment is approved, CMDC will begin construction within 90 days.

Committee Discussion

- The Economic Development & Planning Committee discussed this item at two meetings: August 19, 2009 and September 2, 2009.

- At the August 19, 2009 meeting, committee members expressed the desire to preserve the historic character of the buildings, especially the old theater, and the importance of ensuring that the City's investment is recognized as part of the project's history. They also discussed the urgency of leasing the property once reconstructed and encouraged the CMDC to divest the property for additional review of reinvestment.
- At the September 2, 2009 meeting, the Committee discussed the possibility of using green practices when renovating the buildings. They commented that this project is a good use of financial resources because it increases the tax base and creates jobs. Finally, the Committee encouraged staff to seek input from the surrounding neighborhood organizations and Johnson C. Smith University on what types of neighborhood serving retail they would like to occupy these buildings.
- The Committee voted unanimously (Carter, Foxx, Kinsey and Mitchell) to award a \$500,000 grant to the CMDC from the Business Corridor Revitalization fund for the reconstruction of two vacant buildings at the Greenway Business Center.

Funding

Business Corridor Revitalization Fund

Attachment 3

Presentation to Economic Development & Planning Committee

BUSINESS

13. Community Development Block Grant Recovery Grant Appropriation



- Action:**
- A. Accept a federal Community Development Block Grant Recovery (CDBG-R) Program Grant in the amount of \$1,262,296, and**
 - B. Adopt a budget ordinance appropriating \$1,262,296 for the federal Community Development Block Grant Recovery (CDBG-R) Program Grant.**

Staff Resources: Stan Wilson, Neighborhood & Business Services
Diane Adams, Neighborhood & Business Services

Policy

- The U.S. Department of Housing and Urban Development (HUD) established the Community Development Block Grant Recovery (CDBG-R),” under Title XII of the American Recovery and Reinvestment Act of 2009 (Recovery Act).

Explanation

- The Community Development Block Grant Recovery funds are part of the American Recovery and Reinvestment Act of 2009. Based on HUD’s formula allocation, the City of Charlotte has been allocated \$1,262,296 from this source of stimulus funds.
- On May 26, 2009 City Council approved the submission of the Substantial Amendment to HUD as required to receive the CDBG-R funds.
- On July 27, 2009 the City received a letter of approval from HUD. These funds must be spent within three years of the date of the grant agreement (September 30, 2012).
- CDBG-R funds will be used to rehabilitate approximately 30 homes in targeted revitalization neighborhoods (Druid Hills, Lakewood, Lincoln Heights, Reid Park, Thomasboro/Hoskins, Washington Heights and Wingate).
- The owner occupied homes in these neighborhoods serve households earning 60% or less than the area median income (AMI), and in many cases, seniors earning 30% or less than AMI.
- The housing rehabilitation program, funded with CDBG-R grant, will preserve the existing housing stock, meet a critical need in the community, create construction jobs and promote energy conservation techniques.

Funding

Funding comes from federal Community Development Block Grant Recovery Program funds as part of the American Recovery and Reinvestment Act of 2009.

Attachment 4

Budget Ordinance

14. Davidson Street Bus Facility's Maintenance Building Construction/Renovation



Action: Approve the award of a contract to Clancy & Theys Construction Company for the renovation of the Maintenance Building at the Davidson Street Bus Facility in an amount not to exceed \$8,704,000.

Staff Resource: John Muth, Transit
Tom Livingston, Transit

Policy

Transportation Action Plan; Transportation Focus Area Plan

Council Action Timeline

- On April 27, 2009 City Council approved Phase I renovations of the Davidson Street Bus Facility. The City Manager was authorized to apply for the \$20,766,306 of American Recovery and Reinvestment Act (ARRA) funds allocated to the City and to use the funds for the Davidson Street Bus Facility renovations.
- The application for the federal ARRA funds was successful and Council authorized the acceptance of those funds on July 27, 2009.
- On August 24, 2009 Council approved an amendment to the original Davidson Street Bus facility design contract with PB Americas Inc. that provided construction management for the actual construction and renovation of the maintenance building, as well as engineering to complete final design for the administration building and the parking deck.
- This action, if approved, will provide for the actual construction and renovation of the maintenance building.

History

- The Davidson Street Bus Facility was constructed in 1981 to maintain 200 buses.
- Twenty-eight years later, the facility no longer meets modern design standards and requires renovations and improvements, including construction renovations, expansions in vehicle maintenance bays, office space, and upgrades to its mechanical, electrical, security and plumbing systems, as well as replacement of the original bus maintenance equipment.

Project Scope: Maintenance Facility Renovation

- As the most shovel ready project, the maintenance building was identified as the first area of the Davidson Street Bus Facility to be renovated using ARRA funding.
- This renovation of the maintenance building does not include the area of the Davidson Street Bus Facility project for which the City has requested rezoning.
- The renovations will create a safer working environment for employees and bring the Davidson Street Bus Facility up to current building code standards. The renovations will include:
 - Interior and exterior renovation of the existing maintenance building
 - Upgrades to the maintenance building's security and technology infrastructure
 - Expanded facilities to perform maintenance on CATS' paratransit Special Transportation Services vehicle fleet

- A 10% contingency has been added to the base bid amount due to the greater opportunity for unforeseeable issues inherent to renovation projects of this scale.

Solicitation Process

- On July 1, 2009 CATS publicly advertised for prospective bidders to participate in a competitive Invitation to Bid.
- CATS held a pre-bid conference on July 14, 2009 to solicit participation and to share information.
- On August 4, 2009 CATS received nine bids. The apparent low bidder, Clancy & Theys Construction Company, was determined to be qualified and found to be both responsible and responsive to the local and federal requirements.

Disadvantage Business Enterprise Opportunity

Established DBE Goal: 11%

Committed DBE Goal: 2.51%

Clancy & Theys was found to be compliant with the federal DBE good faith effort requirements. The following certified DBE firms have been identified by Clancy & Theys as subcontractors scheduled to work on the project: All Points Trucking, Concrete Pumping of Concord, Mekki Modular and Major Contractors.

Funding

Transit Stimulus Grant Fund. This project does not require a local fund match.

Attachment 5

DBE Evaluation Process Summary

Davidson Street Bus Facility Sustainable Project Components

15. Capital Equipment for Solid Waste Services under Reorganized Service Delivery Model

Action: Adopt a budget ordinance amending the FY2010 Annual Ordinance, approved by Council on June 8, 2009, to include funds not to exceed \$3.6 million for the lease purchase of collection vehicles for service to the West Zone.

Staff Resources: Victoria Garland, Solid Waste Services
Ruffin Hall, Budget & Evaluation

Solid Waste Services Reorganization

- On April 27, 2009 Council approved a reorganization of the Solid Waste Services' delivery model where Solid Waste Services crews will provide the weekly collection of garbage, yard waste and bulky items citywide including in the West Zone. The City will not seek private sector bids to perform garbage, yard waste and bulky item collection.
- The current annual cost to provide garbage, yard waste and bulky item collection through the zone model is \$18.45 million. The projected cost to provide these services annually under the approved service reorganization model is \$17.98 million. These calculations include the annual allocation for capital costs. Implementation of this reorganization is projected to produce savings of \$4.7 million over a ten year period (net the vehicle costs).

Lease Purchase of Collection Vehicles for West Zone

- In order to provide collection services to the West Zone, beginning July 1, 2010, 20 new trucks are required at a cost of \$3.6 million.
- Vehicle orders need to be placed at this time, as delivery often takes six to nine months, and drivers must be trained on the new routes.
- The FY2010 Annual Ordinance as approved by Council on June 8, 2009 included \$10 million for the General Capital Equipment Lease Purchase Fund. This amount did not include the \$3.6 million for 20 trucks required for the West Zone services. The amended total for the General Capital Equipment Lease Purchase Fund will be \$13.6 million.
- This action provides authorization to purchase the West Zone equipment through the FY2010 Installment Purchase Contract. The \$3.6 million cost for the West Zone vehicles will be paid in five annual installments of approximately \$720,000, beginning in FY2011.

Funding

General Capital Equipment Lease Purchase Fund

Attachment 6

Budget Ordinance

16. Mayor and Council Topics

Council members may share information and raise topics for discussion.

CONSENT I

Introduction to CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget, are low bid and comply with Small Business Opportunity Program Policy.

Consent II consists of routine items that have also been approved in the budget, but require additional explanation.

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."

17. Various Bids

A. Fire Hoses

Fire

Staff Resources: Rich Granger, Fire
Genetta Carothers, Business Support Services

Action

Award the low bid unit price contract to Municipal Emergency Services for providing Fire Hoses for the Fire Department for a term of one year and authorize the City Manager to renew the agreement for four additional one year terms with possible price adjustments at the time of renewal as authorized by the contract. The estimated annual expenditure is expected to be \$200,000. Fire hose is a necessary item and is replaced on an as needed basis, which is typically every eight to ten years unless damaged at a fire.

Charlotte Fire Department requires the following hoses: 5" Large Diameter Supply Line, 1 ¾" Attack Line and 2 ½" Attack Line. The hoses are carried on the fire truck and housed in a hose bed. Extra hoses are stored at the Logistics Warehouse. Replacements are available for all fire companies.

- 5" Large Diameter Supply Line is purchased in 100 foot lengths. The hose bed allows 1,200 feet stacked three stacks wide.
- 1¾" and 2½" Attack Lines are purchased in 50 foot lengths with couplings. This enables easy breaks and transporting due to the distance from a hose to the truck. The standard is to carry 200 feet per truck. The hose bed holds 400-500 feet.

Small Business Opportunity

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

B. FY2010 Water Main Replacement

CMU

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$1,459,084 by Dallas 1 Construction LLC. This contract will provide construction services for replacement of aging water mains throughout Mecklenburg County. Water mains needing replacement are identified from reported water quality issues, low pressure complaints, and fire hydrant flow data.

Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 8.22%

Dallas 1 Construction met the SBE established goal and committed 8.22% to the following SBE firms: Bullseye Construction, MTC Consulting and JAAMCO Drain Clearing. Dallas 1 is also an SBE firm.

C. 16 Inch Water Main Along Albemarle Road

CMU

Staff Resource: Doug Bean, Utilities

Action

Award the low bid of \$550,512.12 by Davis Grading, Inc. The project consists of approximately 4,600 linear feet of new 16 inch water transmission main along and across Albemarle Road from Wilgrove-Mint Hill Road to Parkton Road, connecting to existing mains at both ends. This project is needed to improve water flows and water pressure in the area east of I-485 along Albemarle Road. Construction completion is scheduled for February 2010.

Small Business Opportunity

Established SBE Goal: 6%

Committed SBE Goal: 6.00%

Davis Grading met the goal and committed 6.00% to the following SBEs: Union Paving and Dallas 1 Construction.

D. Rozzelles Ferry Road Sidewalks**EPM**

Staff Resource: Theresa Watley, Engineering & Property Management

Action

Award the low bid of \$106,184.56 by Red Clay Industries for the construction of 0.23 miles of sidewalk along the northern side of Rozzelles Ferry Road from Linwood Avenue to Hoskins Avenue. This contract will also construct curb and gutter, driveways, bus pads and wheelchair ramps. The Rozzelles Ferry Road Sidewalk Project is part of the City's Tier 1 Sidewalk Retrofit Policy and contributes to the annual goal of constructing 10 miles of sidewalk per year. Construction completion is scheduled for first quarter of 2010.

Small Business Opportunity

Construction contracts under \$200,000 are considered informal with regard to the SBE subcontracting goal-setting process. Therefore, the establishment of SBE goals is not required (Appendix Section 29.1 of the SBO Policy). Six SBEs bids were submitted on this contract; none were the low bidder.

E. Seigle Avenue Culvert Replacement**EPM**

Staff Resource: Danee McGee, Engineering & Property Management

Action

Award the low bid of \$496,455.43 by Bullseye Construction Company, LLC. The Seigle Avenue Streetscape project was planned to revitalize the Belmont Area. During evaluation of the site, the Seigle Avenue culvert was found to be undersized. This construction contract will replace the culvert, increasing the capacity for storm water runoff under Seigle Avenue near Otts Street and complying with current City design standards. The work also includes new sidewalk with handrails, curb and gutter, stream bank restoration and planting, waterline replacement and asphalt repair and paving. Construction completion is scheduled for first quarter of 2010.

Small Business Opportunity

Established SBE Goal: 8%

Committed SBE Goal: 8.86%

Bullseye Construction Inc. committed 8.86% (\$44,000) of the total contract amount to the following SBE firm: On Time Construction Inc. Bullseye is also an SBE firm.

18. Refund of Business Privilege License Taxes

Action: Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$504.10.

Staff Resource: Scott Greer, Finance

Attachment 7

List of business privilege license refunds
Resolution

CONSENT II

19. General Obligation Bonds

Action: Adopt a series of resolutions that do the following:

- A. Make findings necessary for the Local Government Commission to approve the issuance of General Obligation Bonds not to exceed \$92,000,000,**
- B. Introduce a bond order in an amount not to exceed \$92,000,000 for the refunding of General Obligation Bonds, and**
- C. Set a public hearing to be held on September 28, 2009 for the purpose of issuing up to \$92,000,000 in General Obligation Refunding Bonds.**

Staff Resources: Greg Gaskins, Finance
Scott Greer, Finance

Explanation

- The City issued variable rate bonds in 2007 to refinance short-term debt in connection with City Council's Capital Investment Plan for streets, neighborhood improvements, and housing initiatives.
- This action refinances the 2007 variable rate bonds with long-term fixed rate bonds in order to eliminate the risks associated with variable rate debt.
- This action calls for a public hearing to be held on September 28, 2009 with notice published in the Charlotte Observer.
- These actions are required by the North Carolina General Statutes, which include making certain findings to the Local Government Commission necessary to approve the bond issue, the introduction of a bond order and the commencement of a public hearing for the issuance of fixed rate debt.

Funding

Municipal Debt Service Fund

Attachment 8

Resolution

20. Outsourcing Remittance Processing Services

- Action:**
- A. Authorize the City Manager to execute a contract with BancTec, Inc. for mail remittance processing services for an initial term of five years , in an amount not to exceed \$185,000 annually, and**
 - B. Authorize the City Manager to approve up to two additional consecutive one year options.**

Staff Resource: Rosemary Lawrence, Finance

Explanation

- Finance is responsible for managing mail remittance processing services for water and sewer, and storm water services (City Services).
- In FY2009, total monies collected for City Services was \$289.4 million.
- The current system has outdated DOS software, last updated in 1999 for Y2K reasons, and the hardware was replaced in FY2004. The City's operation is at risk because Microsoft no longer supports the DOS environment and maintenance problems are increasing.
- Instead of replacing this system, Finance recommends outsourcing these services in order to improve payment processing efficiency, reduce cost, and enhance business continuity capability.

Procurement Process

- The City received two proposals in July 2009 in response to a Request for Proposal (RFP). These were from BancTec, Inc. and Wachovia, a Wells Fargo Company.
- Selection criteria included:
 - Background and experience providing these services
 - Flexible solution that meets the City's requirements (e.g., frequent daily mail pickups and deposits, and technology which converts manual checks into electronic items).
 - Pricing for services
- The Evaluation Team, consisting of staff from Finance and Business Support Services, and the Procurement Services Division, considered BancTec the service provider best meeting the established requirements in the RFP.
- BancTec will be responsible for providing payment processing and depositing capabilities including all personnel, equipment, work and storage space, and transportation for pick-up and delivery.
- BancTec, Inc. offered the best overall proposal, and has an operation in Charlotte.

Funding and Savings

- Funding for the contract with BancTec will be re-allocated from amounts budgeted in the Revenue Division for upgrade of the remittance processing system, personnel reduction (elimination of two part-time temporary positions), and system maintenance cost.
- The outsourcing of this service will result in a cost saving of approximately \$4,800 per year for the five year period and includes a backup system for much needed business continuity capabilities that would be expensive to add to the existing in-house system. The contract also eliminates the need for periodic upgrades to the in-house remittance processing system.

Small Business Opportunity

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

Funding

Finance Operating Budget

21. Special Transportation Services Integrated Navigational System Upgrade

Action: Approve the purchase of on-board navigation reporting systems from Mentor Engineering, under the state term contract, for the City's Special Transportation Services (STS) bus fleet in an amount not to exceed \$246,400.

Staff Resource: John Muth, Transit

Policy

Transportation Action Plan

Explanation

- CATS' Special Transportation Services (STS) provides an alternative mode of flexible passenger transportation for certified disabled patrons that does not follow fixed routes or schedules. The Americans with Disabilities Act requires transit agencies operating fixed route services to operate paratransit services.
- The STS fleet's navigation mobile data computers, which were purchased in 2001, are out of date, obsolete, and difficult to maintain. The current generation of computers integrates the locations and destinations with GPS technology that dynamically maps the best route and communicates any changes to dispatching. A planned upgrade would replace the outdated units with an integrated navigational system.
- New Freedom funds allocated to the City will allow CATS to leverage federal dollars and provide STS services with this upgrade.

Federal Grant Funding

- In anticipation of the award of Job Access Reverse Commute (JARC) and New Freedom grants (January 2009), CATS entered into a third-party agreement with the Centralina Council of Governments (CCOG) to administer an independent project selection process.
 - Per federal regulations, this independent selection arrangement allowed CATS to submit projects and compete for remaining JARC and New Freedom's funds.
 - CATS was selected to receive funding for new and expanded services, as well as for the implementation of the Integrated Navigational System upgrade for STS.
- On March 9, 2009 Council authorized the City Manager to apply for and accept the receipt of the grants funds.
- On July 27, 2009 Council approved the projects as recommended by the CCOG.

Integrated Navigational System Upgrade

- The upgraded navigational Mobile Data Units will provide real time data regarding trip type (consumer name, destination, billing source), mileage,

vehicle location, vehicle and driver efficiency, and help to ensure accurate reports.

- The federal grant will pay for 80% of the costs of the units.
- Once the project is complete, the entire CATS fleet will be equipped with upgraded Mobile Data Units.

Procurement

- North Carolina General Statute 143-129(e)(9) allows local governments to purchase from State term contracts.
- CATS will purchase the units under State term contract 557A.

Small Business Opportunity

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

Funding

Transit Capital Investment Plan

22. McAlpine Relief Sewer Professional Services Contract Amendment

Action: Approve professional services amendment #1 with McKim and Creed in the amount of \$246,600 for design, construction administration, and materials testing for the McAlpine Relief Sewer.

Staff Resource: Doug Bean, Utilities

Explanation

- City Council approved the contract for final design and construction administration for Phase 1 and 2 of the McAlpine Relief Sewer in January 2008 for \$2,100,000.
- Phase 1 is under construction and projected to be complete late this year.
- Phase 2 construction has been awarded with work to begin in October.
- This relief sewer is required to meet conditions of the EPA Administrative Order to address sanitary sewer overflows.

Amendment 1

- This amendment covers the cost for additional inspection services and additional design services.
- Additional inspection services are needed due to a revised construction schedule that will increase the contract construction period by three months.
- Major reasons for the increase in construction schedule are:
 - Mecklenburg County Stormwater Services is currently planning a stream restoration project on a portion of the relief sewer's Phase 3 alignment, which needs to be coordinated prior to the restoration work beginning to minimize any impacts to the sewer line or restoration project later.
 - During the final design and easement acquisition on Phase 2, several revisions to the original alignment were required in working with the property owners.
- The new contract total is \$2,346,600.

Small Business Opportunity

All additional work involved in this change order will be performed by the consultant and their existing sub-consultants. Currently, McKim & Creed is on track to meet their committed goal of 19% of the total contract amount.

Funding

Utilities Capital Investment Plan

23. Regional Mutual Aid Response Lab Equipment Grant

Action: Approve a grant application to the U.S. Department of Homeland Security, in the amount of \$250,000 for the purchase of laboratory testing equipment.

Staff Resource: Doug Bean, Utilities

Explanation

- Mecklenburg County and nine surrounding counties are members of Domestic Preparedness Readiness Region 7.
- The Department of Homeland Security has made funding available through the FY2010 Homeland Security Grant Program to fund a regional project.
- Utilities would like to submit an application for the grant to fund the purchase of a Gas Chromatograph Mass Spectrometer, which will be used to test for both accidental and intentional pesticide contamination in drinking water for all ten member counties.
- This additional laboratory capability will provide analytical resources for rapid detection and response to potential water contamination events.
- The FY2010 Homeland Security Grant Program would fund the equipment and first year of the service contract. Maintenance for subsequent years will be funded from the Laboratory Services operating budget.
- This new equipment will be housed in the Environmental Services facility.

24. Charlotte-Mecklenburg Utilities Supplemental Agreement with Town of Davidson for Utility Line and Street Improvements

Action: Approve a supplemental agreement with the Town of Davidson in the amount of \$132,216.68

Staff Resource: Doug Bean, Utilities

Explanation

- An agreement was approved by City Council in June 2006 between Charlotte-Mecklenburg Utilities and the Town of Davidson to partner on a utility project and a street improvement project.
- Utilities' project involved the replacement of significant water and sewer lines in Griffith Street in Davidson. During this same time, Davidson had a project to make various improvements on Griffith Street.
- The original agreement was a cost share up to \$429,000 for resurfacing of Griffith Street for the portions disturbed by the utility work. Under the

agreement, Utilities would pay all the resurfacing cost and the Town of Davidson would pay for the curb and gutter replacements.

- Since the estimate was prepared, resurfacing costs have increased.
- Because the utility work had to be completed before much of the street work could begin, the majority of the repaving was not completed until May 2008. Davidson did not make the final payment to the contractor until this summer due to uncompleted punch list items.
- Utilities is obligated to pay for the work, not based on the Town of Davidson 2006 estimate, but on the actual bids. Actual prices on the paving were higher than the estimate due to the high cost escalation of asphalt occurring during 2006-2007. The additional \$132,216.68 is Utilities' portion of the increase incurred by the Town of Davidson for resurfacing.

Small Business Opportunity

Contracts with other government entities are exempt (Appendix Section 23.8 of the SBO Policy).

Funding

Utilities Capital Investment Plan

25. FY2009 Metropolitan Planning Program Grant Municipal Agreement

Action: Adopt a resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation (NCDOT) in support of the planning activities identified in the FY2009 Unified Planning Work Program (UPWP), Section 5303, for the Mecklenburg-Union Metropolitan Planning Organization (MUMPO).

Staff Resource: Thurman Howell, Transportation

Explanation

- The Federal Transit Administration (FTA) awarded the FY2009 planning grant (Section 5303) to the City of Charlotte in August 2008.
- The total FTA planning budget for the City of Charlotte is \$473,980, of which \$379,184 (80%) consists of federal funds, \$47,398 (10%) of state funds, and \$47,398 (10%) of local funds.
- The City has received this grant for many years as the lead planning agency for MUMPO and as the major fixed route transit operator for the urban area.
- The Section 5303 grant is one of two grants the City receives as the lead planning agency for MUMPO. Both grants were included in the adopted FY2009 budget. The municipal agreement is necessary to receive the federal and state reimbursement.

FY2009 Grant Funding for MUMPO Unified Planning Work Program

Grant Description	Federal Dollars	State Dollars	City Dollars	Total
Section 5303	\$379,184	\$47,398	\$47,398	\$473,980
Section 104(f) PL	\$1,160,500	\$0.00	\$290,125	\$1,450,625
Total	\$1,539,684	\$47,398	\$337,523	\$1,924,605

- The City must use the funds to support transit-planning activities. In the past, the Charlotte Department of Transportation (CDOT) has used these funds for travel demand modeling and other activities related to transit.

Small Business Opportunity

Contracts with other government entities are exempt (Appendix Section 23.8 of the SBO Policy).

Funding

Federal and State Transportation Assistance Planning Grant

Attachment 9

Resolution

26. Developer Reimbursement for Reames Road

Action: Authorize the Transportation Key Business Executive to reimburse an amount not to exceed \$150,000 to Perimeter Woods Land, LLC, for public roadway improvements on Reames Road, a major thoroughfare.

Staff Resource: Rick Grochoske, Transportation

Explanation

- This improvement project includes pavement widening and the extension of an existing culvert to the east side of Reames Road. Because of the scope of work and coordination of construction of these improvements with the developer's obligated roadway modifications, it was deemed impractical for City forces to do the necessary construction.
- A reimbursement amount up to \$150,000 is proposed for improvements constructed by the developer. These improvements are beneficial to the City and not required of the developer by land development regulations.
- These additional improvements along Reames Road in the vicinity of the culvert are in conjunction with other required improvements that are the responsibility of the developer and are in conformance with the roadway improvements approved by the City and NCDOT.
- Once this roadway work is implemented it will complete Perimeter Woods Land, LLC's transportation mitigation obligations associated with their conditional zoning, approved by City Council on July 18, 2005.

Funding

Transportation Capital Investment Plan

27. Airport Security System Change Order

Action: Approve change order #2 with Johnson Controls, Inc. in the amount of \$842,480 for additional work to the security camera system.

Staff Resource: Jerry Orr, Aviation

Explanation

- In February 2008, Council accepted a grant in the amount of \$2,050,000 from the Transportation Security Administration (TSA) to provide a closed-circuit television based security system at the checkpoints to replace a leased system.
- In July 2008, Council approved a contract with Johnson Controls, Inc. in the amount of \$449,724 to supply and install the system consisting of 300 cameras.
- In March 2009, Council approved change order #1 to the Johnson Controls contract in the amount of \$368,371 at the request of TSA for additional cameras to the system as well as removal of the old system.
- Subsequently, TSA has modified the checkpoints which require some camera relocation, along with additional cameras and equipment to meet their operational needs.
- TSA has requested change order #2 to provide the requested additions to the system, which will be funded from the grant.
- A three year extended warranty for all of the installed technology has also been negotiated with rates fixed for up to five years.
- In addition to the above, this change order includes cameras for Airport Operations to upgrade the system installed in the 1980's that cover access control and parking toll plaza in the terminal.
- The new contract total is \$1,660,575.

Funding

Transportation Security Administration Grant

28. Airport Parking Deck Repairs

Action: Approve change order #1 with Camps Construction Company in the amount of \$166,875 for additional work to the hourly parking deck.

Staff Resource: Jerry Orr, Aviation

Explanation

- In July 2009, Council approved a contract in the amount of \$314,000 with Camps Construction Company for the Airport's Hourly Parking Deck repairs.
- Change order #1 is for additional joint repairs that were discovered once work began last month.
- The original contract was a unit price contract. The Airport negotiated lower unit prices for the additional change order work.
- Funding for the base contract and this change order comes from General Airport Revenue Bonds, the debt service of which is paid for with parking revenues.

- With the addition of change order #1, the new contract total is \$480,875.

Small Business Opportunity

All additional work involved in this change order will be performed by the current contractor and their existing subcontractors. This change order complies with Part D: Section 6 of the SBO Program.

Funding

Airport Capital Investment Plan

29. Federal Aviation Administration Grant

Action:

A. Adopt a resolution accepting a Federal Aviation Administration (FAA) Airport Improvement Program grant in the amount of \$562,500 for the design of the Taxiway D extensions towards a project budget of \$750,000, and

B. Adopt a budget ordinance appropriating \$562,500 in FAA grant funds and \$187,500 in Airport Discretionary funds to be repaid with Passenger Facility Charge revenues and/or future General Airport Revenue Bond proceeds to fund the Taxiway D project, in the total amount of \$750,000.

Staff Resource: Jerry Orr, Aviation

Explanation

- The Master Plan Update, which was approved by City Council in 1997, showed the need for extending Taxiway D on the east side of the airfield to increase capacity for aircraft using the general aviation facilities, as well as aircraft accessing the Air National Guard ramp.
- The FAA has offered the City an Airport Improvement Program grant for the design of extensions to Taxiway D, which runs parallel to Runway 18L/36R. When constructed, these extensions will complete the taxiway so it is the full length of the runway.
- These grant funds of \$562,500 will be used to reimburse the Airport for design costs associated with the taxiway extensions (75% of the project budget).
- The grant requires local funding in the amount of \$187,500 (25% of the project budget), which will come from either Passenger Facility Charge revenues and/or proceeds from future General Airport Revenue Bonds.
- The Airport has begun the Request for Proposals process on the contract for the Taxiway D extensions, and anticipates bringing a contract to Council in October/November 2009.
- Because the FAA's fiscal year ends September 30, the grant funds must be accepted prior to the awarding of the contract.

Funding

FAA Grant

Attachment 10

Resolution

Budget Ordinance

30. Council's Meeting Calendar Amendment

- Action:**
- A. Amend the City Council calendar to conduct the City Manager's FY2009 Evaluation on November 16, 2009 from 3:00 p.m. – 5:00 p.m. in CH14, and**
 - B. Complete the evaluation process in one meeting rather than two, using the electronic survey, and forgo the use of a facilitator.**

Staff Resource: Tim Mayes, Human Resources

Explanation

- On May 11, 2009 the Council adopted the recommendations of the Restructuring Government Committee to make the following changes to the City Manager's Evaluation process:
 - Use a simplified survey that can be taken electronically
 - Amend the City Council calendar to conduct the City Manager's Evaluation in September of each year, rather than July
 - Use the consultant to facilitate only the first of the two evaluation meetings.
- Due to scheduling conflicts on September 14 and 21, the City Manager's Evaluation is being rescheduled for November 16, 2009.
- In conducting the evaluation in one meeting rather than two, it is recommended that the Council forgo the use of a facilitator in 2009.

31. Police Command Vehicles

- Action:**
- A. Approve the purchase of two Freightliner sprinter vans and a suburban upgrade, as authorized by the cooperative purchasing exemption of G.S. 143-129(e)(3) for homeland security purposes, and**
 - B. Approve a contract with MBF Industries, Inc. for the purchase of two Freightliner sprinter vans and a suburban upgrade in the amount of \$252,232.96 for a one-time purchase.**

Staff Resources: Stephen Willis, Police
Jeff Dulin, Fire

Explanation

- The Freightliner sprinter vans purchase and a suburban upgrade are funded by a 2008 UASI Grant. Both items were approved by the North Carolina Emergency Management's Homeland Security Branch and meet the Urban Area Security Initiative (UASI) guidelines.
- The vans and a suburban upgrade are for major law enforcement situations.
- The units will provide Incident Commanders a platform to research, plan and implement critical police responses to major incidents to include but not limited to acts of terrorism, homicides, life threatening assaults and traffic fatalities.
- The suburban was previously purchased with grant money for the SWAT team. This upgrade will change the configuration of the interior of the

vehicle with additional communication and computer equipment to make it more versatile in the field.

- The upgrade will change the interior of the suburban to a platform where there will be two laptops to conduct research and a printer to print documents, photographs and maps. There will also be a large screen monitor installed in the rear of the vehicle facing outwards in order to present research results, maps, etc., to staff in the field.
- The Freightliner sprinter vans will arrive with all necessary equipment in order to be fully operational upon delivery.
- The Freightliner sprinter vans and the suburban upgrade are available via a General Services Administration (GSA) Agreement schedule which allows prices below the manufacturer suggested retail prices and decreases the standard lead time for delivery.

Cooperative Purchasing Exemption

- NC Senate Bill 914, effective January 1, 2002, authorizes competitive group purchasing.
- Under this authority, CMPD is using the MBF Industries, Inc. contract, which was competitively bid by the GSA and awarded on September 20, 2006.

Small Business Opportunity

Cooperative Purchasing contracts are exempt (Appendix Section 23.2 of the SBO Policy).

Funding

2008 Urban Area Security Initiative Grant Funding

32. Justice Assistance Grant

Action: A. Accept the 2009 Justice Assistance Grant (JAG), in the amount Of \$1,060,715 from the U.S. Department of Justice, and

B. Adopt a budget ordinance appropriating \$1,060,715 in JAG funds from the U.S. Department of Justice.

Staff Resources: Rodney Monroe, Police
Darrellyn Kiser, Police

Explanation

- The Justice Assistance Grant (JAG) is a formula grant awarded annually to state and local governments to be used for law enforcement purposes.
- Allocations are determined by a formula that includes the jurisdiction's violent crime rate and its ratio of the total violent crime in the state.
- The enabling legislation for the grant requires all entities in Mecklenburg County that are receiving funds to file a joint application. CMPD filed on behalf of all grantees and will be responsible for financial reporting.
- The total grant award is for \$1,060,715. The City of Charlotte will receive \$777,820. Mecklenburg County will receive \$259,273, Huntersville will receive \$12,154, and Pineville will receive \$11,468
- CMPD will use its share of the funds for three projects.
 - \$377,820 will be used for overtime in the patrol divisions to respond to emerging crime trends that can be addressed through an increased police presence.

- \$220,000 will be used to fund the Police Cadet Program under which college students majoring in criminal justice work 20 hours per week for CMPD. Upon completion of their degrees, the students will enter the application process to become CMPD officers.
- \$180,000 will be used for after school and summer programs for the Police Activities League.
- The grant covers a four year period and adjustments can be made during the life of the grant.
- No matching funds are required.

Funding

U.S. Department of Justice

Attachment 11

Budget Ordinance

33. Police Undercover Vehicle Lease

Action: Approve a contact with Enterprise Inc. to provide four year leases for 25 undercover vehicles at a contract cost of \$431,156.

Staff Resources: David Graham, Police
Greg Crystal, Police

Explanation

- CMPD's Investigative Services Group uses a variety of undercover vehicles in its investigative work.
- Leasing the vehicles enables the department to rapidly switch out a vehicle if it is identified as an undercover car.
- The contract with Enterprise will provide 25 of the undercover vehicles used by the department.
- The contract vehicles will be new, fuel efficient vehicles. CMPD will be able to specify specific vehicles based on the department's needs.
- Enterprise provides a wide range of vehicles leasing from \$281 to \$489 per month. The vehicles leased by CMPD will average \$360 per month.
- Total cost of the four year leases for 25 vehicles will be \$431,156.

Funding

Police Operating Budget

34. Assets Forfeiture Appropriation

Action: Adopt a budget ordinance appropriating \$1,181,881 in police assets forfeiture funds.

Staff Resources: Ken Miller, Police
Greg Crystal, Police

Explanation

- Federal and state laws allow law enforcement agencies to use their share of confiscated assets to fund improvements to law enforcement.
- The funds must be used for expenditures not included in the department's operating budget.
- CMPD wishes to appropriate \$1,181,881 from its assets forfeiture account.
- Major expenditures will include:
 - Upfit of the media room at Police Headquarters
 - Upgrade of the camera control room at Old City Hall
 - Access card readers at all police facilities
 - Crime Lab equipment
 - Ten Segways
- A detailed spending plan is attached.

Funding

Police Assets Forfeiture Funds

Attachment 12

Assets Forfeiture Spending Plan: September 2009
Budget Ordinance

35. Police Services for G20 Summit

Action: Adopt a resolution, in accordance with G.S. §160A-461, authorizing the City of Charlotte to enter into an Intergovernmental Cooperation Agreement with the City of Pittsburgh to provide police services during the G20 Summit to be held September 24 and 25, 2009.

Staff Resource: Dale Greene, Police

Explanation

- The President of the United States has called for a G20 Summit on September 24 and 25, 2009 in Pittsburgh, Pennsylvania to discuss international finance issues with world leaders.
- The G20 Summit has been classified by the federal government as a National Special Security Event.
- To facilitate the Summit and ensure the protection of the participants and public, the City of Pittsburgh has requested assistance from law enforcement agencies around the country including the CMPD.
- The City Manager has approved sending 44 officers to assist the City of Pittsburgh from September 22 through September 26, 2009.
- The City of Pittsburgh has provided all participating law enforcement agencies with an Intergovernmental Cooperation Agreement setting forth the roles and responsibilities of the parties.

- The City of Charlotte is authorized, under G.S. § 160A-461, to enter into an agreement with the City of Pittsburgh for a specific undertaking of a reasonable duration as long as the agreement is ratified by resolution of the City Council.
- Under the Agreement, CMPD officers will be appointed and sworn in as special police by the Mayor of Pittsburgh, giving them law enforcement authority and jurisdiction in Pittsburgh.
- The City of Pittsburgh will provide training, lodging and food and reimburse 100% of personnel and travel expenses of the CMPD from September 22 through September 26, 2009.
- The City of Pittsburgh will provide G20 event insurance to cover injuries or death as well as insure CMPD officers named in a lawsuit due to action occurring in the course and scope of their assignment at the G20 Summit.

Funding

FY2010 Operating Budget
Reimbursed under the Agreement

Attachment 13

Resolution

36. Developer Surety Default Program

Action: Adopt a budget ordinance appropriating up to \$2 million provided by developers for surety default funds for construction of required developer infrastructure improvements.

Staff Resource: David Weekly, Engineering & Property Management

Explanation

- When a developer subdivides land for development, the City requires completion of all right-of-way infrastructure improvements or the posting of a surety guaranteeing completion of the improvements prior to the developer beginning any real estate transactions. These infrastructure improvements include streets, storm drainage and sidewalks.
- In the event the developer defaults or does not complete the required infrastructure improvements in a timely manner, the City has the option to cash the surety. The City will use these funds to complete the work either by Street Maintenance forces or by private contractors through the competitive bid process.
- Due to the economic downturn, the number of developers declaring bankruptcy and/or defaulting has increased, causing concern with many homeowners living in unfinished subdivisions. In response, the City is assuming responsibility for completing infrastructure work in several subdivisions. In the seven years prior to FY2009, the City cashed eight sureties totaling \$286,405. In FY2009, the City cashed eight sureties totaling \$610,900. Staff anticipates these numbers to be greater in FY2010. Currently, the City maintains 734 developer bonds totaling \$63 million.
- In past years Council appropriated funds as each default occurred. Given the increased frequency of defaults, this action establishes a method that eliminates the need for Council to approve the appropriation of each individual default.

Funding

Performance Bonds and Letters of Credit

Attachment 14

Budget Ordinance

37. City Boulevard Extension Road Project Engineering Services

Action: Approve a contract with URS Corporation-North Carolina in the amount of \$708,500 for engineering design services for the City Boulevard Extension Road Project.

Staff Resource: Tim Greene, Engineering & Property Management

Explanation

- Funding for real estate and construction of the City Boulevard Extension project was included in the November 2008 Transportation Bonds.
- The City Boulevard Extension road project would be constructed between Neal Road and Mallard Creek Road (Graham Street Extension). This new roadway would provide access to the southernmost portion of the University Research Park and would complete a new east-west route between Derita and the University area.
- This project is intended to improve connectivity in Northeast Charlotte and connect two major thoroughfares: the existing City Boulevard and the Graham Street/Mallard Creek Road extension.
- The project will also connect major transit corridors and employment centers.
- The project will include a four lane median-divided road with planting strips, sidewalks, street lighting and bike lanes.
- On November 12, 2007 City Council approved a contract in the amount of \$247,305 with URS Corporation for engineering services to provide public involvement, road planning and conceptual design.
- URS Corporation was selected using the Council-approved selection process for professional services.
- The project is being designed and coordinated with the NCDOT plans for extending Graham Street from Sugar Creek Road to Mallard Creek Road.

Small Business Opportunity

The City negotiated a SBE goal with URS Corporation after the proposal selection process (Part C: Section 2.2 of the SBO Policy). URS Corporation - North Carolina committed 2.36% (\$16,764) to the following SBE firms: International Minute Press and On-Target Utility Locate Services, Inc.

Funding

Transportation Capital Investment Plan

38. Surveying and Mapping Services for Capital Improvement Projects and Storm Water Services

- Action:**
- A. Approve a contract with R. Joe Harris & Associates, PLLC in the amount of \$200,000 for surveying and mapping services,**
 - B. Approve a contract with The Isaacs Group, P.C. in the amount of \$200,000 for surveying and mapping services,**
 - C. Approve a contract with Woolpert North Carolina, PLLC in the amount of \$200,000 for surveying and mapping services,**
 - D. Approve a contract with The Survey Company, Inc. in the amount of \$200,000 for surveying and mapping services, and**
 - E. Authorize the City Manager to execute up to two renewals to each contract for \$200,000 per 12 month extension.**

Staff Resource: David Snider, Engineering & Property Management

Explanation

- Typical surveying services contracts include, but are not limited to, boundary, topographical, physical and American Land Title Association Surveys and construction staking.
- These contracts will provide surveying services for ongoing Capital Improvement Projects.
- Projects impacted by this contract include Neighborhood Improvement Program, Sidewalk, and Transportation and Storm Water projects.
- These consultants were selected in July 2009, pursuant to the Council-approved qualifications-based selection process and in accordance with State General Statutes.
- 22 firms responded and a total of four firms were selected.
- The surveying division maintains 12 month retainer contracts in order to provide timely response to ongoing project needs and requirements.
- The City may renew each contract up to two times in the amount of \$200,000 per 12 month period.
- The renewals are at the City's option as an incentive to the contractor for good performance.

Small Business Opportunity

- A. R. Joe Harris listed in their proposal the following SBEs as supporting team members: Avioimage Mapping Services and On Target Utility Locate Services, Inc. R. Joe Harris will use these SBEs for each work order as this project progresses (Part C: Section 2.2 of the SBO Policy).
- B. The Isaacs Group listed in their proposal the following SBEs as supporting team members: Avioimage Mapping Services, Inc. and On Target Utility Locate Services, Inc. The Isaacs Group will use these SBEs for each work order as this project progresses (Part C: Section 2.2 of the SBO Policy)
- C. Woolpert listed in their proposal the following SBEs as supporting team members: Independent Mapping Consultants, Inc., Lyons Utility Locating, LLC and The Survey Company, Inc. Woolpert will use these SBEs for each

work order as this project progresses (Part C: Section 2.2 of the SBO Policy).

- D. The Survey Company listed in their proposal the following SBEs as supporting team members: Independent Mapping Consultants, Inc., and Lyons Utility Locating, LLC. The Survey Company will use these SBEs for each work order as this project progresses (Part C: Section 2.2 of the SBO Policy).

Funding

Various Capital Investment Plan Projects

39. Reimbursement Agreement for Project at 916 North Poplar Street

Action: Approve a reimbursement agreement with All American Properties, LLC for storm drainage improvements at 916 North Poplar Street for an amount not to exceed \$168,639.

Staff Resource: Jennifer Smith, Engineering & Property Management

Explanation

- Storm Water Services contracts for qualifying development projects by:
 - Providing reimbursement for improvements to drainage infrastructure that conveys public storm water runoff and is adjacent to private land development projects
 - Partnering with private development projects when both public and private storm drainage needs can be met more economically as a joint project
 - Accelerating City funded work to take advantage of the developer's expedited schedule
- The City Code allows City financial participation of up to \$175,000 per qualifying development project when it is not being publicly bid.
- The commercial development project at 916 North Poplar Street (corner of North Poplar and W. 12th Streets) will be designed and constructed by private entities which will not publicly bid the work, pursuant to statutory authority.

Background

- Studies conducted by Storm Water Services show the drainage system through 916 North Poplar Street should be replaced with an improved system having an increased capacity to convey storm water and alleviate flooding issues.
- Proposed improvements to the system through 916 North Poplar Street would be part of a future Storm Water Services project.
- Storm Water Services is sharing in the cost of the improvements because the future storm water project would need to increase the size of the pipes on the property at a later date if not constructed with this development.
- The development project meets the requirements for assistance through the Storm Water Services program.
- 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 \$168,639, in accordance with the terms of the reimbursement agreement.

Small Business Opportunity

No SBE goal was set for this reimbursement agreement as the contract was below the formal construction threshold (Part G: Section 2.2 of the SBO Policy).

Funding

Storm Water Capital Investment Plan

40. Environmental Services Contracts

- Action:**
- A. Approve a contract amendment with Hart & Hickman, Inc. for \$75,000 for environmental services, bringing the total contract amount to \$150,000,**
 - B. Approve a contract amendment with URS Corporation-North Carolina for \$75,000 for environmental services, bringing the total contract amount to \$150,000, and**
 - C. Approve a contract amendment with S&ME, Inc. for \$75,000 for environmental services, bringing the total contract amount to \$150,000.**

Staff Resource: David Wolfe, Engineering & Property Management

Explanation

- These amendments will provide funding for ongoing support for City compliance with state and federal Environmental Protection Agency (EPA) regulations.
- Projects performed by these contracts include the management of two former City landfills, asbestos-in-buildings surveys, Phase I Property Audits, environmental site assessments to support Economic Development projects, rapid response to environmental contamination, state/federal EPA reporting obligations and the remediation of City-owned contaminated properties.
- Failure to provide funding for environmental compliance would subject the City to potential fines from the EPA and a reduced quality of life for citizens.
- A total of six firms were selected for these services in 2008 using the Council-approved qualifications-based selection process. Amendments with the other three firms will be forthcoming, dependent upon project needs.

Small Business Opportunity

Each of these contracts is an informal contract. Informal contracts are not subject to establishing SBE subcontracting goals, and are considered exempt contracts (Appendix Section 23.1 of the SBO Policy).

Funding

Environment Capital Investment Plan

41. Tree Removal Arborist Services FY2010

Action: A. Approve contracts for tree removal arborist services with:

1. Cadieu Tree Experts, Inc. in the amount of \$80,000,
2. The Davey Tree Expert Company in the amount of \$80,000,
3. E. Schneider Enterprises (doing business as Schneider Tree Care) in the amount of \$80,000, and

B. Authorize the City Manager to execute up to two annual renewals for each contract for \$80,000 per 12 month extension.

Staff Resource: Theresa Watley, Engineering & Property Management

Explanation

- While every effort is made to preserve the City's tree canopy and minimize tree removal for capital improvement projects, tree removal is necessary in some cases to accommodate infrastructure improvements.
- These contracts will provide for tree removal services on capital improvement projects in preparation for utility relocations.
- Three firms were selected because the volume of work is expected to require multiple firms to expedite tree removals and meet utility relocation schedules.
- The firms were selected using the Council-approved selection process.
- These contracts will have a term of one year and allow up to two renewals, at the City's option as stipulated in the contract, as an incentive to the contractors for productivity and quality work.

Small Business Opportunity

No SBE goal was set for these contracts because subcontracting opportunities are not anticipated (Part C: Section 2.4 of the SBO Policy).

Funding

Various Capital Investment Plan Projects

42. Tower Sub-lease with Duke Energy

Action: Approve sub-lease agreement with Duke Energy Carolinas, LLC for antenna and ground space at 1011 Sam Newell Road, Matthews (PID 193-241-07).

Staff Resources: Lynnea Pulver, Engineering & Property Management
Jeffrey Reid, Engineering & Property Management

Explanation

- Duke Energy Carolinas, LLC has requested to sub-lease space on the City's tower and approximately 433 square feet of ground space for the placement of communications equipment.

- The City's Radio Shop has reviewed Duke's request and determined space is available and this sub-lease will not interfere with the current or future City needs at this location.
- Terms of the Agreement are:
 - Base monthly rent of \$2,300 with first year gross revenue of \$27,600 (\$13,800 of which will be paid to the property owner, Martin Marietta, per City's lease)
 - Five year term with four, five year options to renew
 - Annual 3% increase in monthly rent, effective July 1, 2011 (increases to coincide with City's fiscal year)

Background

- The City of Charlotte entered into a ground lease with Martin Marietta on October 29, 1997 for property at 1011 Sam Newell Road, Matthews (PID 193-241-07) for the construction and operation of a City telecommunications tower.
- The City's lease with Martin Marietta allows for commercial co-locations, requiring the City share any rent proceeds equally.
- The term of the City's lease is 20 years with three automatically renewing 20 year options (total term 80 years).

Attachment 15

Resolution

43. Tower Leases with State of North Carolina

Action:

A. Approve a lease agreement with State of North Carolina (Lessee) and City of Charlotte (Lessor) for antenna space on two of the City's communication towers, and

B. Approve a lease agreement with State of North Carolina (Lessor) and City of Charlotte (Lessee) for antenna space on three of the State's communication towers.

Staff Resources: Lynnea Pulver, Engineering & Property Management
Jeffrey Reid, Engineering & Property Management

Explanation

- The State of North Carolina and the City of Charlotte wish to provide adequate emergency service communications systems coverage via reciprocal agreements on their respective communications towers.
- While equipment is already in place, formal lease agreements have not been executed.
- The Governor and Council of State previously approved these leases.
 - The State of North Carolina, Department of Crime Control and Public Safety, Division of State Highway Patrol wish to enter into a formal lease agreement with the City of Charlotte for space on two City-owned communication towers for the placement of emergency services communication equipment.
 - This lease refers to the City-owned towers at (a) 232 Heathway Drive, Charlotte and (b) 7980 Babe Stillwell Farm Road, Huntersville.
 - The lease provisions are:
 - Rent: \$1 per year

- Term: 20 years, commencing on February 1, 2008 and terminating on January 31, 2028, automatically renewing for 20 years (through January 31, 2048)
- The City of Charlotte wishes to enter into a formal lease agreement with the State of North Carolina for space on three State-owned communication towers for the placement of emergency services communication equipment.
 - This lease refers to the State-owned towers at (a) 3505 Tower Road, Maiden, Catawba County, (b) 2206 Fowler Secret Road, Monroe, Union County, and (c) at the intersection of Moose Club Road and Skyuda Road, Barium Springs, Iredell County.
 - The lease provisions are:
 - Rent: \$1 per year
 - Term: 20 years, commencing on February 1, 2008 and terminating on January 31, 2028, with the option to renew for 20 years (through January 31, 2048) upon 90 days written notice and acceptance by both parties

44. Sale of Surplus Land Rights - South Corridor Light Rail Project

Action: Adopt a resolution approving the sale of City owned real estate located at 1447 South Tryon Street (portion of PID #12304198 and 12304143) to The Boulevard Company or a related entity (the Developer) for \$44,900.

Staff Resources: Timothy O'Brien, Engineering & Property Management
Tina Votaw, Transit

Policy

SouthEnd Transit Station Area Plan
Administrative Policy for Rail Corridor Use

Explanation

- On May 12, 2008, Council approved the sale of City owned excess right-of-way adjacent to property already owned by the Developer at 1447 South Tryon (known as the Fowler Building).
- At the time, the parties were scheduled to complete the transaction and transfer the property, however, economic conditions deteriorated and the sale was not concluded.
- With recent positive movement in real estate and financial markets, the Developer advises it is in position to go forward with a scaled-down version of the project. The construction will consist of nine for sale townhomes, known as the Camden Towns, which will require approximately 860 square feet of fee simple excess property from the City and release of easement rights for 273 square feet, for a total of 1,133 square feet adjacent to the Bland Street Light Rail Station.
- The townhomes are currently being pre-marketed for approximately \$250,000 each.
- City staff supports the Developer's townhome plan, which is consistent with the existing zoning district, Transit Oriented Development.
- The land was advertised for upset bid with The Boulevard Company being the winning bidder at fair market value of \$44,900.

- The proceeds from the sale of property to the Developer will be credited to CATS capital fund.

Attachment 16

Resolution

Camden Towns Condominiums

45. Property Transactions

Action: Approve the following property transaction(s) (A-E) and adopt the condemnation resolutions (F-N).

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

Acquisitions

- A. Project:** Fred D. Alexander Boulevard - Section B, Parcel # 4 and 55
Owner(s): The Atlantic Land and Improvement Company
Property Address: 6816 CSX Way
Property to be acquired: 1,793 sq. ft. (.041 ac.) in Sanitary Sewer Easement, plus 29,454 sq. ft. (.676 ac.) in Storm Drainage Easement, plus 19,161 sq. ft. (.440 ac.) in Temporary Construction Easement, plus 202,880 sq. ft. (.4.657 ac.) in Street and Utility, plus 1,320 sq. ft. (.030 ac.) in Bridge Pier, plus 7,167 sq. ft. (.164 ac.) in Aerial Roadway, plus 19,161 sq. ft. (.440 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$266,800
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: I-2
Use: Industrial
Tax Code: 057-181-01/ 057-181-03
Total Parcel Tax Value: \$1,752,400
- B. Project:** Freedom Drive Widening, Parcel # 414
Owner(s): Henry T. Harper and Jeremy N. Harper
Property Address: 3937 Freedom Drive
Property to be acquired: 1,016 sq. ft. (.023 ac.) in Fee Simple, plus 1,297 sq. ft. (.030 ac.) in Sidewalk and Utility Easement, plus 1,207 sq. ft. (.028 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$26,505
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 059-022-02
Total Parcel Tax Value: \$75,000

- C. Project:** Freedom Drive Widening, Parcel # 451
Owner(s): Jorge E. Davis and Wife, Lucianna D. Davis
Property Address: 4715 Freedom Drive
Property to be acquired: 3,930 sq. ft. (.090 ac.) in Fee Simple, plus 346 sq. ft. (.008 ac.) in Storm Drainage Easement, plus 1,931 sq. ft. (.044 ac.) in Sidewalk and Utility Easement, plus 124 sq. ft. (.003 ac.) in Utility Easement, plus 4,129 sq. ft. (.095 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$18,550
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 059-061-06
Total Parcel Tax Value: \$146,400
- D. Project:** Freedom Drive Widening, Parcel # 382
Owner(s): Cheryl T. Neal
Property Address: 1227 Edgewood Road
Property to be acquired: 7,669 sq. ft. (.176 ac.) in Fee Simple (Total Acquisition)
Improvements: House
Landscaping: Trees
Purchase Price: \$120,000
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 059-013-02
Total Parcel Tax Value: \$78,100
- E. Project:** Statesville Road I-85 to Sunset, Parcel # 53
Owner(s): John Edward Persuitte and Wife, Renee L. Kelly
Property Address: 5123 Statesville Road
Property to be acquired: 1,011 sq. ft. (.023 ac.) in Fee Simple, plus 1,259 sq. ft. (.029 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$14,550
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 041-161-14
Total Parcel Tax Value: \$83,500

Condemnations

- F. Project:** Freedom Drive Widening, Parcel # 289
Owner(s): Park Fairfax Associates, LLC and Any Other Parties of Interest
Property Address: 180 Park Fairfax Drive

Property to be acquired: Total Combined Area of 33,971 sq. ft. (.780 ac.) of Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$22,950

Remarks: Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-17MF

Use: Multi Family

Tax Code: 057-071-14

Total Parcel Tax Value: \$3,199,500

- G. Project:** Freedom Drive Widening, Parcel # 295
Owner(s): Richard G. Armstrong and Wife, Yuli Armstrong and Any Other Parties of Interest
Property Address: 4800 Freedom Drive
Property to be acquired: Total Combined Area of 5,874 sq. ft. (.135 ac.) of Fee Simple, plus Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$14,400
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-5
Use: Single Family Residential
Tax Code: 057-061-04
Total Parcel Tax Value: \$129,500
- H. Project:** Freedom Drive Widening, Parcel # 332
Owner(s): The Hufnal Family Limited Partnership and Any Other Parties of Interest
Property Address: 4200 Freedom Drive
Property to be acquired: Total Combined Area of 4,962 sq. ft. (.114 ac.) of Fee Simple, plus Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: Trees
Purchase Price: \$19,275
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-5
Use: Single Family Residential
Tax Code: 063-091-32
Total Parcel Tax Value: \$74,000
- I. Project:** Freedom Drive Widening, Parcel # 338
Owner(s): Mecklenburg HUD Group Home #1, Inc. and Any Other Parties of Interest
Property Address: 1631 Forsythia Circle

Property to be acquired: Total Combined Area of 7,645 sq. ft. (.176 ac.) of Fee Simple, plus Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Temporary Construction Easement

Improvements: None

Landscaping: None

Purchase Price: \$2,375

Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-5

Use: Single Family Residential

Tax Code: 063-093-39

Total Parcel Tax Value: \$152,600

- J. Project:** Freedom Drive Widening, Parcel # 344
Owner(s): Community Apartments Corporation of Metrolina #3 and Any Other Parties of Interest
Property Address: 3950 Freedom Drive
Property to be acquired: Total Combined Area of 9,819 sq. ft. (.225 ac.) of Fee Simple, plus Sidewalk and Utility Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$14,500
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-22MF
Use: Multi Family
Tax Code: 063-052-03
Total Parcel Tax Value: \$319,200
- K. Project:** Freedom Drive Widening, Parcel # 434
Owner(s): Great Kids Learning Center, Inc. and Any Other Parties of Interest
Property Address: 4111 Freedom Drive
Property to be acquired: Total Combined Area of 8,490 sq. ft. (.195 ac.) of Fee Simple, plus Existing Right-of-Way, plus Storm Drainage Easement, plus Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$7,900
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Day Care Center
Tax Code: 059-041-03
Total Parcel Tax Value: \$183,600

- L. Project:** Freedom Drive Widening, Parcel # 446
Owner(s): Christ Resurrection Church, Inc. and Any Other Parties of Interest
Property Address: 4527 Freedom Drive
Property to be acquired: Total Combined Area of 73,037 sq. ft. (1.677 ac.) of Fee Simple, plus Existing Right-of-Way, plus Sidewalk and Utility Easement, plus Utility Easement, plus Slope Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$144,425
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Church
Tax Code: 059-061-04
Total Parcel Tax Value: \$589,100
- M. Project:** US 29/ NC 49 - University City Boulevard Phase I and II - North Tryon Widening, Parcel # 47
Owner(s): Alfred Mark Green and Any Other Parties of Interest
Property Address: 7305 North Tryon Street
Property to be acquired: Total Combined Area of 4,389 sq. ft. (.101 ac.) of Fee Simple, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$14,525
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-1
Use: Commercial
Tax Code: 047-221-20
Total Parcel Tax Value: \$303,700
- N. Project:** US 29/ NC 49 - University City Boulevard Phase I and II - North Tryon Widening, Parcel # 59
Owner(s): Crown Atlantic Company, LLC and Any Other Parties of Interest
Property Address: 7639 North Tryon Street
Property to be acquired: Total Combined Area of 7,588 sq. ft. (.174 ac.) of Fee Simple, plus Storm Drainage Easement, plus Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$32,775
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-1
Use: Commercial
Tax Code: 047-221-24

Total Parcel Tax Value: \$252,100

46. Meeting Minutes

Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:
- July 27, 2009