

**Mayor Patrick McCrory**

Rod Autrey  
Patrick D. Cannon  
Nancy G. Carter  
Mike Castano  
Malcolm Graham

**Mayor Pro Tem Susan Burgess**

Don Lochman  
James Mitchell, Jr.  
Sara Spencer  
Lynn Wheeler  
Joe White

**CITY COUNCIL MEETING**  
**Monday, March 26, 2001**

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**5:00 p.m.**

**Conference Center**

**Dinner Briefing**  
**(See Table of Contents)**

**6:30 p.m.**

**Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Forum**

**7:00 p.m.**

- **Awards and Recognitions**
- **Formal Business Meeting**



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

### **1. HouseCharlotte Program Recommendations**

**Resource:** Stan Wilson, Neighborhood Development

**Time:** 15 minutes

#### **Attachment 1**

### **2. Sports and Cultural Facilities Issues Update**

**Resources:** Pam Syfert, City Manager  
Mac McCarley, City Attorney  
Curt Walton, Budget & Evaluation  
Greg Gaskins, Finance  
Martin Cramton, Planning

**Time:** 60 minutes

#### **Attachment 2**

### **3. Committee Reports by Exception**

Economic Development and Planning Committee: Economic  
Development Study Recommendations

City Within A City Committee: Revisions to the City's Relocation  
Program

Transportation Committee: Connectivity Pilot Program

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

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

**CONSENT**

4. **Consent agenda items 19 through 53 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

# PUBLIC HEARING

## 5. Resolution to Close a Portion of Greenwood Avenue

**Action:** A. Conduct a public hearing to close a portion of Greenwood Avenue; and  
B. Adopt a resolution to close.

**Staff Resource:** Scott Putnam, Transportation

**Focus Area:** Economic Development

**Policy:**

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

**Explanation:**

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this action in accordance with the statute.

**Background:**

All other portions of Greenwood Avenue have been previously abandoned through the property currently owned by SCI North Carolina Limited. SCI's property is developed and has access to Hutchinson-McDonald Road. Additionally, both abutting properties to the north have existing access to Hutchinson-McDonald Road.

**Petitioner:**

F.C. Properties

**Right-of-Way to be abandoned:**

A portion of Greenwood Avenue. This right-of-way is currently unopened and is of insufficient width (30 feet) to construct a public street.

**Location:**

From the existing cul-de-sac of Canaan Center Drive westwardly approximately 260 feet to its terminus at the property line of SCI North Carolina Limited

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner for a building addition

**Notification:**

In accordance with City Policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

**Adjoining property owners**

Phillip H. Moose – No objection  
Carolyn Westbrook – No objection  
Timothy J. Bahr – No objection

**Neighborhood/Business Associations**

Tanglewood – No objection  
Wilson Heights – No objection  
Derita Woods/Tanglewood Association – No objection  
Derita/Statesville Road Committee Organization – No objection  
Derita/Tanglewood Neighborhood Association – No objection  
Nevin Community Organization, Inc. – No objection  
Northwoods Estates Community Organization – No objection

**Private Utility Companies** – No objection

**City Departments** –

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 3**

Map

**6. Resolution to Close a Portion of Laura Drive**

**Action: A. Conduct a public hearing to close a portion of Laura Drive; and**

**B. Adopt a resolution to close.**

**Staff Resource:** Scott Putnam, Transportation

**Focus Area:** Economic Development

**Policy:**

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

**Explanation:**

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this action in accordance with the statute.

**Background:**

This portion of Laura Drive has a substandard alignment and is not currently open. Subdivision plans for the East Dover Terrace Subdivision were submitted and approved by the Charlotte-Mecklenburg Planning Commission on August 22, 2000 requiring the connection of Laura Drive with East W.T. Harris Boulevard. The approved plans require an improved alignment for Laura Drive that is in conformance with current subdivision street standards. This realignment results in residual portions of right-of-way that the petitioner is requesting to be abandoned. A meeting was held with CDOT staff and Meredith Montagna, President of the Sharon Forest Neighborhood Association, on February 27, 2001 to address issues/concerns regarding the connection of Laura Drive to East W.T. Harris Boulevard. All issues/concerns were resolved. There are no longer any objections to the abandonment.

**Petitioner:**

Mike Fogle

**Right-of-Way to be abandoned:**

Residual portions of Laura Drive

**Location:**

From East W.T. Harris Boulevard westward approximately 300 feet

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner in conformance with approved plans for the East Dover Terrace Subdivision. This development plan for single-family homes will incorporate the residual right-of-way into adjacent lots.

**Notification:**

In accordance with City policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

**Adjoining property owners**

Mildred Hartis – No objection  
Deandra Williams – No objection

**Neighborhood/Business Associations**

Sharon Forest Neighborhood Association – No objection  
Idlewood South Neighborhood Association – No objection  
Woodberry Forest Neighborhood Association – No objection

**Private Utility Companies – No objection****City Departments –**

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 4**

Map

**7. Resolution to Close Lena Avenue**

**Action: A. Conduct a public hearing to close Lena Avenue; and  
B. Adopt a resolution to close.**

**Staff Resource:** Scott Putnam, Transportation

**Focus Area:** Economic Development

**Policy:**

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

**Explanation:**

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this action in accordance with the statute.

**Petitioner:**

D. Ballard Homes, Inc.

**Right-of-Way to be abandoned:**

Lena Avenue. This right-of-way is currently unopened.

**Location:**

From Glenwood Drive eastwardly approximately 391 feet to its terminus at the property line of The Glidden Company

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner for the development of the Glenwood Grove Subdivision. This development plan for single-family homes has been approved through the subdivision process. This right-of-way will be incorporated into adjacent lots

to be developed by the petitioner and a new public street connection with Fairgrounds Street will be constructed.

**Notification:**

In accordance with City policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

**Adjoining property owners**

The Glidden Company – No objection

**Neighborhood/Business Associations**

Belvedere Community Organization – No objection

Eleanore Heights Residents Organization – No objection

Lakewood Community Organization – No objection

Lakewood Community Development Corporation – No objection

Westside Coalition – No objection

Thomasboro/Cheshire/Thriftwood Community Organization – No objection

Enderly Park Neighborhood Association – No objection

**Private Utility Companies – No objection**

**City Departments –**

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 5**

Map

# POLICY

## 8. City Manager's Report

## 9. Smart Growth Principles

**Action: Adopt the Smart Growth Principles:**

- A. Plan land use
- B. Sustain effective land use decisions
- C. Strengthen community through healthy neighborhoods
- D. Build a competitive economic edge
- E. Design for livability
- F. Safeguard the environment
- G. Expand transportation choices
- H. Advance public investment as a catalyst

**Staff Resource:** Martin Cramton, Planning

**Explanation:**

At the 2000 Council Retreat, staff was asked to develop a Smart Growth framework that would create a sustainable city with a healthy environment, a competitive economy, transportation choices and livable neighborhoods. Council's charge for staff was to develop Smart Growth principles as an overarching framework for defining issues, setting priorities and maintaining Focus Area Plans.

**Council Discussion:**

Council received overviews of the Smart Growth Framework at the September 5 and December 4 Council Workshops. Council also addressed the issue of Smart Growth at their retreats in December 2000 and February 2001. The September 1999 Smart Growth Audit provided a working definition of principles as well as outlined significant successes and problems.

At the February 2001 Council Retreat, Council outlined seventeen action items for Smart Growth in 2001 (see attachment). Council will receive periodic updates as these action items are implemented.

**Community Input:**

In October 1999, a Smart Growth Task Force, appointed by the Planning Liaison Committee began a review of the Smart Growth Audit and helped staff identify the major initiatives that must be undertaken in the next few years to ensure that the community grows and develops in a way that does not jeopardize its livability. The 31 citizen members of the task force were representatives of Charlotte, Cornelius, Davidson, Huntersville, Matthews, Mint Hill, Pineville, Mecklenburg County and the school system. Staff has

used the recommendations from the Task Force as the basis for the Smart Growth Principles.

## **Attachment 6**

Smart Growth Principles, Action Plan and Preliminary Budget Requests

### **10. Council Focus Area Plans**

**Action: Approve Council Focus Area Plans, including:**

- A. City Within A City**
- B. Community Safety**
- C. Economic Development**
- D. Restructuring Government**
- E. Transportation**

**Staff Resources:** Julie Burch, City Manager's Office  
 Ron Kimble, City Manager's Office  
 Vi Alexander Lyles, City Manager's Office

#### **Explanation:**

Over the past decade, City Council has annually gone through a strategic visioning process to identify areas of focus for community needs. Council originally identified five focus areas (City Within a City, Economic Development, Public Safety, Restructuring Government and Transportation) and has affirmed these focus areas at subsequent retreats. Council and staff have worked together to create Focus Area Plans that are written as 2-year strategic plans. Each plan has objectives and a set of measures for evaluation. The plans have been revised this year to focus on a fewer number of key strategic objectives and significant outcome measures.

#### **Council Discussion:**

At the Council Retreat in February, Council reviewed the goals, strategic objectives and measures of the proposed Focus Area Plans. Council recommended that staff make a few changes. The Focus Area Plans proposed for adoption include those changes. These plans will be presented with the FY02-03 budget and also reflect the Smart Growth, Affordable Housing and Economic Development priorities recently approved by Council.

At the Retreat, staff also proposed changing the name of the Restructuring Government Focus Area to Service Excellence. Council requested that Councilmember White, Chair of the Restructuring Government Committee and Assistant City Manager Julie Burch consider some of the issues raised at the Retreat and bring back proposed names to the full Council for consideration. Councilmember White surveyed Council members and recommends that Council retain the current name of the Restructuring Government Focus Area.

## Attachment 7

### Focus Area Plans:

- City Within a City
- Community Safety
- Economic Development
- Restructuring Government
- Transportation

## 11. Economic Development Study Recommendations



**Action: Approve the Economic Development and Planning Committee recommendation to support the staff analysis and implementation plan for the Economic Development Study.**

**Committee Chair:** Lynn Wheeler

**Staff Resource:** Ron Kimble, City Manager's Office

### **Explanation:**

The City of Charlotte retained Development Strategies, Inc. (DSI), in collaboration with the Council for Urban Economic Development (CUED) to prepare an economic development framework for the City. Included in the City's charge to the Consultant Team were the following tasks:

- Analyze economic development in Charlotte and clarify the City's role in economic development.
- Inventory and identify "best practices" and lessons learned from the economic development efforts in selected cities: Austin, Cincinnati, and Phoenix.
- Develop a framework that outlines the strategies, programs and services for economic development as a part of city government.
- Recommend an organizational structure and implementation plan for the economic development framework.

After presenting the report to Council in February, City staff has performed further analysis and formulated the following recommendations for approval and implementation:

### Strategic Areas of Emphasis for City Government Leadership

1. Business Retention and Expansion (partnership with Chamber)
2. Redevelopment and Major Projects (including Business Park Development)

3. Transit Related Development
4. Neighborhood Development

Tools/Incentives/Inducements

1. Smart Growth Matrix for Infrastructure Funding
2. Land Assembly Possibilities (purchase vs. Eminent Domain vs. Private Sector Incentives)
3. Investigate Local Alternatives for TIF Concept
4. Pursue Possible State Legislation for Facility Investment Districts
5. Building Code Revision for Infill Development
6. Permitting Process Advantages for Infill Development

Organizational Structure and Resources

1. ED Division within Manager’s Office Preferred
2. Division Comprised First Year of ED Director, Business Retention Specialist, and Full-Time Support Position (all positions currently budgeted)
3. Improved Coordination with other KBU/KBU Staff Resources

External Stakeholder Involvement/Coordination

1. Development of Roles and Responsibilities with External Partners in ED
2. Continue to Evaluate Need/Structure/Duties of Public/Private Advisory Body

Implementation Plan

<u>Setting the ED Direction</u>	
1. ED and Planning Committee and Council Adoption of ED Focus Area Plan	March 2001
2. ED and Planning Committee and Council acceptance of ED Report and approval of this staff analysis and recommendation paper	March 2001
<u>Organizing the ED Division</u>	
1. Develop business plan and budget	May 2001
2. Coordinate and integrate ED Division primary activities with other KBUs	July 2001
3. Hire ED Director	September 2001
4. Develop working agreements with external ED partners	October 2001
5. Evaluate additional staff and resource needs	January 2002

<b>Identifying/Evaluating Tools and Strategies</b>	
1. Adopt business retention strategy and implement	April 2001
2. Begin development of Smart Growth Matrix concept (seed funding in FY02 from Infrastructure Grant Program)	May 2001
3. Implement system for major projects coordination	October 2001
4. Identify transit-oriented economic development tools and strategies	October 2001
5. Evaluate other tools of land assembly, permitting, and building code standards	April 2001- April 2002
6. Initiate redevelopment studies of Belmont, Independence Boulevard, Albemarle/Harris, and Tryon Mall areas	April 2001- April 2002
7. Explore technology initiatives with external stakeholders	April 2001- April 2002
<b>Management and Coordination of Existing Projects</b>	
1. Hal Marshall Site	Ongoing
2. Midtown Square	Ongoing
3. First Ward – 7 <sup>th</sup> & McDowell Housing	Ongoing
4. First Ward – 7 <sup>th</sup> & McDowell Mixed-Use	Ongoing
5. Eastland Mall Study	January 2002
6. Old Convention Center	February 2002

**Committee Discussion:**

At their meeting on Wednesday, March 14, 2001, the Economic Development and Planning Committee unanimously recommended (with Councilmembers Graham, Carter, and Lochman present) this staff analysis and recommendations on the ED Study implementation. They discussed the fact that 1) other budgeted funds are needed to implement the Redevelopment Study priorities of Belmont, Independence, North Tryon and Albemarle, 2) the Advisory Board concept will be delayed for at least a year, 3) there will be a national recruitment to find the most qualified ED Director, and 4) all three positions recommended are positions currently provided for in the current year's budget.

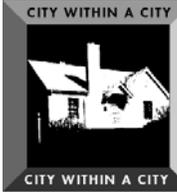
**Community Input:**

During the course of the five month study, representatives from the Chamber, CCCP, UNCC Ben Craig Center, Charlotte Regional Partnership and the Business Advisory Committee served on the Steering Committee. These organizations have contributed to the recommendations contained in the report. In addition, over 50 elected officials, citizens, and business and non-profit leaders were interviewed, with two major updates given to these stakeholders.

**Funding:**

The budget for the proposed ED Division within the City Manager's Office will be presented at the April 11, 2001 Budget Retreat.

## 12. Revisions to the City's Relocation Program



**Action:** Approve City Within A City Committee recommendations to modify and expand the City's Relocation polices and program to become effective July 1, 2001.

**Committee Chair:** Rod Autrey

**Staff Resource:** Stanley Watkins, Neighborhood Development  
Stan Wilson, Neighborhood Development

**Policy:**

The City's FY2001 Consolidated Plan identifies the need for affordable, safe and decent housing for low and moderate-income families. The Plan was approved by City Council on March 24, 2000 and reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of low and moderate-income housing, and support family self-sufficiency initiatives.

**Explanation:**

The Relocation Program of the City of Charlotte provides benefits to persons involuntarily displaced from their residences by governmental actions, such as code enforcement, housing programs, and road projects. Relocation benefits can include housing referral, credit counseling, and payments for rental assistance, home purchase and moving expenses. Eligibility is based on the income of individuals displaced due to local programs (code enforcement, fire or road projects) and maximum income restrictions for federally funded projects.

During FY2000, the Relocation Program had a total workload of 629 households or approximately 1,887 people. Causes of involuntary displacements included: housing code enforcement (59%); fires (20%); housing projects (20%); and other (1%). Relocates are not allowed to return to the relocation workload within 7 years, unless they are in an emergency situation or occupy a unit that is acquired with Federal funds.

The area median income (AMI) is \$57,100. Ninety percent (90%) of the relocation households earn less than forty percent (40%) of the AMI, which is \$22,840. Fifty (50%) percent of the clients earn less than twenty percent, (20%) of the AMI, which is \$11,420. Approximately 30% of the relocation clients are elderly.

In August 2000, staff brought the Relocation Program design to the CWAC Committee for review because of the following issues surrounding the program:

- Growth and rising backlog of cases
- Budget growth - \$500,000 to \$3.5 Million since 1995
- 1996 Relocation Policy changes expanded benefits
- Reduced availability of affordability housing – elimination of City owned units and Housing Authority units.

The CWAC Committee is recommending changes to the City’s Relocation policies and programs to more efficiently serve persons displaced by governmental action. The proposed changes to the Relocation Program include both short and long-term changes and the implementation of a code repair program. The goal of the changes is to reduce the program costs from \$3.5 million to \$2 million over the next five years.

Highlights of the CWAC Committee’s recommendations include the following:

Recommendations	Program Impact
<ul style="list-style-type: none"> <li>▪ Budget relocation costs as part of housing projects</li> <li>▪ Require all City assisted multi-family projects to make available a percent of units for relocatees</li> <li>▪ Charlotte Housing Authority Dedicate 100 Section 8 Vouchers annually</li> <li>▪ Increase total Relocation benefit from \$12,500 to \$15,000 for up to 42 months</li> <li>▪ Increase Relocation personnel from 7 FTE to 13 FTE</li> <li>▪ Establish a Code Repair Grant up to \$5,000 to fix code repairs that may trigger relocation efforts</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reduces direct relocation costs to the City</li> <li>▪ Increases the number of available units for relocatees</li> <li>▪ Reduces program costs</li> <li>▪ Align benefits with current market conditions</li> <li>▪ Improves the staff/client ratio and services provided</li> <li>▪ Prevents 25% of the existing cases from becoming a part of the relocation workload</li> </ul>

The Committee’s recommendations are based on more than six months of review and analysis, including input from the Relocation Program stakeholders and a survey of relocation programs in other cities. Other options considered by the CWAC Committee include maintaining the current

program with minimal changes and eliminating the Transitional Housing component of the program.

**Committee Discussion:**

The CWAC Committee has been reviewing the policies and programs associated with the City's Relocation Program. On February 7, 2001, the Committee unanimously voted to recommend to Council to expand the current program benefits as outlined in the Proposed Revisions attachment. The Committee's discussion focused on the need for additional affordable housing and support for the Relocation Program in serving an unmet housing need in the community. Committee members present were Rod Autrey, James Mitchell, Patrick Cannon, Sara Spencer and Mike Castano. Councilmember Susan Burgess was also present.

**Community Input:**

In September 2000, staff conducted meetings with representative groups including Charlotte Mecklenburg Housing Partnership, Community Link, Legal Services of the Southern Piedmont, Consumer Credit Counseling Service, Charlotte Housing Authority, Crisis Assistance Ministry, Villages of Hope Haven, Department of Social Services, Charlotte Organizing Project, Ujaamma, Inc., Helping to Empower Local People (H.E.L.P.), PMH Associates, E.D. Wallace Corporation, and Jim Loven, property owner. Additional brainstorming meetings were also held with the Charlotte Housing Authority and the Department of Social Services.

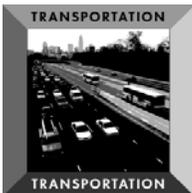
**Funding:**

Funding for changes are included in the FY2002 budget request (Sources of program funding are CDBG, Innovative Housing and HOME federal funding).

**Attachment 8**

- Relocation Program Background Summary
- Proposed Program Revisions
- Program Revision Options
- CWAC Committee Relocation Report
- Analysis – Enhance Current Program
- Code Repair Program Guidelines

### 13. Connectivity Pilot Program



**Action: Approve the Transportation Committee recommendation to hire a consultant to formally study the twelve identified pilot connectivity locations for possible vehicular, pedestrian and/or bike access as part of the Smart Growth initiatives.**

**Committee Chair:** Sara Spencer

**Staff Resource:** Bill Finger, Transportation

**Explanation:**

Connectivity was identified as a priority by City Council at their retreat in January 1998. It was determined that staff should pursue:

- Developing a major collector map
- Evaluating where possible conditions currently exist for future pedestrian, bicycle, and/or vehicle connections
- Reviewing developmental regulations to determine any needed changes, and evaluate for any development incentives that may complement the effort

Council approved the Connectivity Collector Map at the November 27, 2000 Business Meeting. The map identified both existing and yet to built major collectors.

The Connectivity Pilot Program is a Smart Growth tool designed to increase mobility by allowing movement of cars, bicycles, and pedestrians between neighborhoods without using thoroughfares. The pilot program would study increasing twelve identified possible connections from four specific, already developed areas of Charlotte. These areas include:

- Northeast Area- Beatties Ford, I-85, Lake View, W.T. Harris, W. Sugar Creek
- West Quadrant- West Blvd., Billy Graham Parkway, I-77, Remount Road
- South/McAlpine Creek Area- Approximately one mile of coverage of each side of the creek
- Eastland Mall Area- One-mile radius coverage around Eastland Mall

CDOT staff will hire a consultant to begin the formal study of these proposed locations, which include public input meetings. The City is not committed to any action should the studies prove connectivity at the proposed locations to be infeasible or undesirable. Locations deemed infeasible for automobile connectivity will still be evaluated for pedestrian and bicycle connectivity. If approved, the consultant will be hired in 3 months with findings targeted to be presented back to the Transportation Committee by December 2001. The Committee will receive information on all 12 proposed locations at this time.

**Committee Discussion:**

The Transportation Committee recommended unanimously that CDOT staff hire a consultant to formally study these proposed connectivity locations. The Committee members present were: Sara Spencer – Chair, Nancy Carter, Malcolm Graham, and Joe White (Absent: Rod Autrey – Vice Chair).

The Committee discussed:

- The relationship between connectivity and Smart Growth - connectivity serves Smart Growth by encouraging connections between subdivisions and neighborhoods
- The use of traffic calming devices with connectivity
- Connectivity planning in the development of new neighborhoods

**Community Input:**

As part of the pilot program, public meetings will be held to solicit input about proposed connections.

**Funding:**

Capital Investment Plan

**Attachment 9**

- Connectivity Study Area Map and Tables
- Transportation Committee Minutes from February 20, 2001

## 14. Mecklenburg-Union Metropolitan Planning Organization (MUMPO) Memorandum of Understanding



**Action:** Approve the Memorandum of Understanding (MOU) between the member governments, thereby clarifying and delineating roles, responsibilities, and operating procedures for the MUMPO and its member entities.

**Staff Resource:** Jonathan Wells, Planning

**Policy:**

Federal law mandates that urbanized areas in excess of 50,000 population have Metropolitan Planning Organizations to carry out transportation planning for the areas. MUMPO is the organization for Mecklenburg County and the urbanized and contiguous portion of Union County.

**Explanation:**

In June 2000 City Council approved a revision of the previous Memorandum of Understanding (MOU) which primarily addressed structural issues.

Mecklenburg County would not approve the MOU due to wording regarding the County's role in helping fund additional staff to assist in MUMPO duties. All member jurisdictions must approve the MOU for it to be accepted by the State and for changes to become effective.

A subcommittee of the MUMPO (chaired by Councilmember Rod Autrey) subsequently revised the wording to include a Mecklenburg County cost-sharing formula (based upon number of votes). A clause was also added which would give the MUMPO authority to amend by law with a  $\frac{3}{4}$  vote (by-

laws will be considered upon full adoption of the MOU). No such authority is currently authorized.

On January 17, 2001, the MUMPO unanimously approved the revised wording and asked that members gain approval of their elected body.

A copy of the June 2000 Request for Council Action is attached, which further describes earlier changes to the MOU approved by City Council.

**Funding:**

Funding considerations are contained within the proposed FY 2002 Planning Commission budget.

**Attachment 10**

Mecklenburg-Union Metropolitan Planning Organization Memorandum of Understanding

**15. Sports and Cultural Facilities Investment Strategy**



**Action: Consider options to address the impact of no state funding on the \$352 million Sports and Cultural Facilities Package.**

A draft of this agenda item will be sent under a separate memorandum in the Wednesday, March 21 Council packet. The final version of this agenda item will be included in the Friday, March 23 Council-Manager Memo.

**16. Redistricting Charge and Rules**

**Action: A. Approve charge of Redistricting Committee; and  
B. Approve the rules of operation for the Redistricting Committee that are supplemental to the Council rules of operation.**

**Committee Chair:** Sara Spencer

**Staff Resource:** Vi Alexander Lyles, City Manager's Office  
Mac McCarley, City Attorney  
Michael Boyd, City Attorney's Office  
Debra Campbell, Planning

**Explanation:**

The Redistricting Committee requests approval of its charge:

The Redistricting Committee will review redistricting options and will recommend a plan for adoption by the City Council that revises the boundaries of the Council districts in accordance with applicable law.

The Redistricting Committee has approved the following as its Rules of Operation in addition to the Council rules:

1. Each redistricting plan recommended by the Committee for adoption by the City Council will be prepared in accordance with the “Factors That May Be Considered In Redistricting,” as approved by the Committee.
2. The Committee will review each redistricting plan that may be proposed by any Committee member, the Mayor or any other Councilmember. The Committee may consider any other redistricting plan that may be presented to the Committee in such manner as the Committee determines to be appropriate.
3. Inquiries concerning the legal status of any redistricting plan reviewed or otherwise considered by the Committee should be directed to the City Attorney’s Office. Committee members should refrain from commenting on the legal status of any redistricting plan reviewed or otherwise considered by the Committee.
4. Staff will be available to work with and assist the Mayor, any Councilmember and any Committee member to prepare, review, or evaluate any redistricting plan. Any redistricting plan will be considered to be a public record that staff is directed to save or print for possible use at another time. Preliminary versions of such a plan may be discarded and, if discarded, will not be considered to be a public record. Each redistricting plan considered to be a public record will be catalogued using a unique designation that combines the date that the plan is prepared and a number.
5. In order to encourage the Mayor, any Councilmember and any Committee member to work with staff on the preparation, review or evaluation of any redistricting plan, any discussions associated with such preparation, review or evaluation will be considered to be confidential. Staff will not comment on such discussions, unless otherwise directed by the Mayor, Councilmember(s) or Committee member(s) involved in such discussions.

The Redistricting Committee asks that the Council concur with these guidelines.

**Committee Discussion:**

The Redistricting Committee has approved a charge and rules of operation. The Committee expressed a desire that the Council concur in the Committee's statement of that charge and rules.

**Attachment 11**

- Charge of Redistricting Committee
- Redistricting Committee Rules of Operation

## BUSINESS

### 17. Water Rate Methodology Change

**Action:** Approve an ordinance amending City Code Chapter 23, Water And Sewer Rate Structure Methodology, to more equitably allocate charges to excess and peak demand users.

**Staff Resource:** Doug Bean, Utilities

**Policy:**

On July 1, 1994, the City implemented a block rate structure designed to encourage conservation and to recover the additional cost associated with meeting the excess demand. Rates were broken into three blocks based on the volume of water used. The first block applies to base use, the second to excess use, and the third to peak demand. Because nonessential use continues to create additional demands and costs, a revision to the rate structure is needed to equitably recover the cost of service and to discourage nonessential use.

**Explanation:**

Customers in the base block (average residential user) will not receive a rate increase in their water rate during the first year, which is an estimated 127,000 of the total 165,000 residential customers (77%). 24,750 residential customers (15%) fall into Block 2 and 13,200 residential customers (8%) fall into Block 3.

There are two primary changes in the rate structure:

- Adjustment of the usage cut-offs of the three blocks based on updated consumption data.
- Increase in the rates in the excess use and peak demand blocks to recover the costs associated with meeting these demands.

The following summarizes the current and proposed usage allocations for the three blocks:

A CCF is 100 cubic feet (748 gallons) of water and is the unit of measure used by water meters for billing purposes.

- Current Block 1 (Base Use)      0 CCF to 18 CCF  
Proposed Block 1 (Base Use)    0 CCF to 16 CCF
- Current Block 2 (Excess Use)    19 CCF to 40 CCF  
Proposed Block 2 (Excess Use)  17 CCF to 32 CCF

- Current Block 3 (Peak Use)      Greater than 40 CCF
- Proposed Block 3 (Peak Use)      Greater than 32 CCF

Usage patterns have changed since 1994 when the block rates were first implemented, with an average residential usage increasing from 9 CCF per month to 11 CCF per month currently. This demand, along with continued increases in non-essential use, has created the need for additional infrastructure. The proposed rate structure addresses allocation of the cost of service to the users creating the demand.

It is requested this revision be effective May 1, 2001 to impact usage patterns during heavy usage months. The revisions will result in the following rate changes for the first year:

- There will be no rate increase in the water rate for Block 1
- Block 2 (Excess Use) will increase from \$1.26 to \$1.50 (19% increase in rate)
- Block 3 (Peak Use) will increase from \$1.79 to \$2.88 (61% increase in rate)

Future rate increases will be distributed equally among all three blocks and the commercial category in accordance with the approved “Water And Sewer Rate Structure Methodology” and will be effective July 1 each year.

To ensure that information on the changes to the billing program are effectively conveyed to Utilities’ customers, a public notification plan will be implemented after approval from City Council.

A presentation explaining the details of the new methodology and the technical basis of the study was given at the Council Workshop on March 5, 2001.

**Attachment 12**  
Proposed Ordinance

**18. Multi-family Rental Development Tax Credit Applications**



**Action:** Approve the waiver of Locational Policy, financial commitments, and letters of support, if needed, for multi-family rental projects being considered by the North Carolina Housing Finance Agency for tax credits.

**Staff Resources:** Stanley Watkins, Neighborhood Development  
Stan Wilson, Neighborhood Development

**Policy:**

The City's FY2001 Consolidated Plan identifies the need for affordable, safe and decent housing for low and moderate-income families. The Plan was approved by City Council on March 24, 2000 and reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of low and moderate-income housing, and support family self-sufficiency initiatives. The Housing Locational Policy assists City Council in determining the appropriate location for public assisted and low-income multi-family housing.

**Explanation:**

On February 19, 2001, the North Carolina Housing Finance Agency (NCHFA) submitted letters to the City of Charlotte requesting comments on eleven (11) proposed multi-family rental developments. The developers of these projects have applied to the NCHFA for tax credits.

Low-income housing tax credits are used to subsidize affordable housing. The tax credits provide direct capital subsidies to the project and tax credit or a reduction in federal tax liability to investors. To qualify for tax credits the units must be occupied by tenants with incomes below 60% of the area median income, which is (\$34,260). The 2001 median household income for the Charlotte area is \$57,100. The federal government provides the tax credits to the State, which administers the program.

The Housing Locational Policy Criteria guides the development of assisted or low-income housing. The limits set in the criteria are designed to avoid concentrations of low-income households. The following projects are recommended for a waiver of the Locational Policy: Fairview Homes, West Trade/Sycamore (AKA Waccamaw) and Courtney Glenn. The waivers are recommended to allow the developments to address the critical need for affordable housing.

Financial commitments are involved with four projects, Druid Hills Senior Apartments, Fairview Homes, West Trade/South Sycamore and Stewart Stream Apartments. CMHP is not requesting additional funding for the Druid Hills Senior Apartments. The annual City appropriation to CMHP will be leveraged for the project. Fairview Homes and the Stewart Stream Apartments have requested City funding, \$1,300,000 and \$350,000 respectively. Funding through the FY2002 budget is contingent upon approval by the North Carolina Housing Finance Agency and City approval of the final project pro forma. The West Trade/South Sycamore project is requesting write-down of the City land cost.

Comments submitted by the City of Charlotte will be given consideration in the NCHFA's selection of any tax credit applications. The applications are preliminary at this stage and will go through a comprehensive analysis before any decision to award tax credits is made. Individual support letters will be sent to the NCHFA for each of the 11 projects. A sample letter of support is

attached. The final application deadline is April 27, 2001. It is anticipated that only a small number of these projects will receive tax credits.

A map showing the locations of the projects will be included in the Friday, March 23 Council-Manager Memo.

The projects are as follows (see attachment for details):

1. Druid Hills Senior Apartments\*
2. Fairview Homes \*
3. West Trade/South Sycamore (AKA Waccamaw)\*
4. Green Haven Townhouses
5. Orchard Apartments
6. Woodstone Apartments
7. Stewart Stream Apartments\*
8. Barrington Oaks Apartments
9. Stratford Run I
10. Stratford Run II
11. Courtney Glenn

\*Project has or is expected to seek a financial commitment from the City.

**Funding:**

HOME federal funding/Innovative Housing. Any funding commitment is contingent upon approval of tax credits by the Housing Finance Agency and City approval of final project pro forma.

**Attachment 13**

- Proposed Tax Credit Projects
- Sample letter of support

**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 have met MWBD criteria.

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

Minority and Women Business Development Program (MWBD) Abbreviations:

- BBE – African American
- ABE – Asian American
- NBE – Native American
- HBE – Hispanic
- WBE – Non-Minority Women

Disadvantaged Business Enterprise (DBE) participation is required for federal and state projects.

Contractors and Consultants

All contractors and consultants selections follow the Council approved process unless explained otherwise.

**CONSENT I**

**19. Various Bids**

**A. Monroe Road/Sardis Road North Intersection E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$694,132.11 by Sealand Contractors of Charlotte, North Carolina. This project will construct additional turn lanes, through lanes, and improve alignment of the Monroe Road/Sardis Road North intersection to address safety concerns and improve traffic flow.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$40,800	6%	6%
WBE	\$27,642	4%	4%

**MWBD Compliance:** Yes.

**B. Thermal Road Sidewalk, English Drive / I-85 Service Road  
E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$130,005.75 by United Construction Company, Inc. of Charlotte, North Carolina. This project is part of the ongoing CDOT Sidewalk Improvement Program, and will construct 750 linear feet of sidewalk along the west side of Thermal Road from the CSX Railroad tracks to Monroe Road, and 1370 linear feet of sidewalk on the south side of I-85 Service Road from English Drive to Senior Drive.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	1%
WBE	\$0	0%	1%
ABE	\$130,005.75	100%	0%

**MWBD Compliance:** Yes. United Construction Company, Inc. will self-perform.

**C. Berryhill Road, Dalecrest Drive, Fincher Boulevard, and  
Greenland Avenue Sidewalk  
E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$881,142.30 by Shaw Group LTD of Charlotte, North Carolina. This project is part of the ongoing CDOT Sidewalk Improvement Program, and will construct 6,100 linear feet of sidewalk and related infrastructure along Berryhill Road, Dalecrest Drive, Fincher Boulevard, and Greenland Avenue Sidewalk.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	2%
WBE	\$0	0%	1%
ABE	\$881,142.30	100%	0%

**MWBD Compliance:** Yes. Shaw Group will self-perform.

**D. Charlotte-Mecklenburg Police Department Headquarters  
Janitorial Services  
E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$534,657.81 by The Hazel Company of Charlotte, North Carolina. Bids were requested from eight pre-qualified janitorial contractors. Five bids were received.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	7%
WBE	\$534,657.81	100%	1%

**MWBD Compliance:** Yes. The Hazel Company will self-perform.

**E. Trucks, Truck Bodies, Cargo Van & Construction Equipment** **BSS**

**Recommendation:** The Business Support Services Key Business Executive recommends a unit-price bid be accepted from vendor companies (listed in attachment) for various vehicle equipment. (Please see attachment for list of vendors and equipment). The total FY 2001 expenditures for all equipment is \$607,820.85.

An Invitation to Bid was sent on January 11, 2001 to 17 vehicle vendors for which 2 vendors responded; to 12 heavy truck vendors for which 3 vendors responded; to 6 truck body Vendors for which 3 vendors responded; to 21 construction equipment vendors for which 5 vendors responded. All contract award recommendations are for the low unit-price bid.

All unit price contracts will be for one year with an option to renew for two additional one-year periods

**MWBD Compliance:** There are no known minority vendors for the type of equipment requested in this bid.

**Funding:**

Operating budgets of various Key Business Units

**Attachment 14**

Summary of bids

**F. Pothole Patcher Truck** **CDOT**

**Recommendation:** The Charlotte Department of Transportation and the BSS-Equipment Maintenance Division recommend the complete unit-price bid of \$118,593.000 by Public Works Equipment and Supply, Inc. of Monroe, North Carolina for a Pothole Patcher Truck. Purchases are anticipated subject to appropriations by Council and identified needs. The total estimated FY2001 expenditure under this contract is \$118,593.00 for one complete unit that includes both the cab and chassis and pothole patcher body. The contract is for one year with an option to renew for two additional one-year periods.

The City sent Invitations to Bid to 8 known vendors of this specialized type equipment on February 2, 2001. In addition, the Invitation to Bid was posted on the State web site in an attempt to generate more participation. Two vendors responded, with a third vendor for the cab and chassis (Adams International) submitting a bid too late to be considered. The estimated FY2001 purchase under this contract is for one pothole patcher truck. However, by creating a unit-price contract,

future requirements can be purchased using this contract through FY2004.

**MWBD Compliance:** There are no known minority vendors for this specialized type of equipment.

**Program Director Concur:** Yes

**20. Resolution of Intent to Abandon Street and Set Public Hearing for a 60-foot Street off Wallace Road**

**Action:** A. Adopt the resolution of intent to abandon a 60-foot street off Wallace Road; and  
B. Set a public hearing for May 14, 2001.

**Staff Resource:** Scott Putnam, Transportation

**Attachment 15**  
Map

**21. Resolution of Intent to Abandon Street and Set Public Hearing for an Alleyway off East Seventh Street**

**Action:** A. Adopt the resolution of intent to abandon an alleyway off East Seventh Street; and  
B. Set a public hearing for May 14, 2001.

**Staff Resource:** Scott Putnam, Transportation

**Attachment 16**  
Map

## 22. In Rem Remedy

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

**Public Purpose:**

- Eliminate a blighting influence in a City Within A City neighborhood.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.

**Policy:**

- City Within A City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

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

The In Rem Remedy items are listed below by category identifying the street address and neighborhood.

Public Safety

- A. 2961 Reid Avenue (Reid Park)
- B. 3522 Driftwood Drive (Winterfield)

Field Observation

- C. 1818 Allen Street (Villa Heights)

**Public Safety**

**A. 2961 Reid Avenue**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2961 Reid Avenue (Reid Park Neighborhood) located in the City Within A City boundaries.**

**Attachment 17**

**B. 3522 Driftwood Drive**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3522 Driftwood Drive (Winterfield Neighborhood) located in the City Within A City boundaries.**

**Attachment 18**

**Field Observation**

**C. 1818 Allen Street**

**Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1818 Allen Street (Villa Heights Neighborhood) located in the City Within A City boundaries.**

**Attachment 19**

## CONSENT II

### 23. 2000 Neighborhood Improvement Bond Projects



**Action:** Approve \$332,459 in planning and design contracts for three neighborhoods:

- A. Approve the agreement for \$119,471 with Woolpert LLP for engineering services for the Historic North Charlotte Neighborhood Improvement Project.
- B. Approve the agreement for \$100,288 with USInfrastructure of Carolina, Inc. (USI) for engineering services for the Herrinwood Neighborhood Improvement Project.
- C. Approve the agreement for \$112,700 with Armstrong Glen, PC for engineering services for the Edgewood Neighborhood Improvement Project.

**Staff Resource:** Leslie Bing, Engineering & Property Management

**Explanation:**

In November 2000, the citizens approved the Neighborhood Improvement Bond referendum. These agreements will assist the City in meeting goals in the Neighborhood Action Plan. Twelve neighborhood projects were identified as high-priority neighborhoods. On February 12, 2001, Council approved agreements for six of the twelve neighborhood projects.

**Description of Work:**

These agreements will provide planning and design services for infrastructure improvements such as curb and gutter, sidewalks and minor drainage improvements for each of the twelve high priority neighborhoods listed. It is anticipated that staff will recommend approval of the agreements for the remaining three neighborhoods in March 2001.

**Project Schedule: (for all projects listed above)**

Planning:	April 2001-September 2001
Design:	September 2001-April 2002
Property Acquisition:	April 2002-October 2002
Bid Phase:	November 2002- February 2003
Construction:	March 2003- November 2003

**MWBD:**

Woolpert LLP: 0%  
 USI: 43% ABE  
 Armstrong Glen, PC: 0%

**Funding:**  
Capital Investment Plan

## 24. Federal Funds for Welfare-to-Work Program

**Action:** Adopt a budget ordinance appropriating \$113,827 to extend the Welfare-to-Work contract and continue to provide services to eligible Mecklenburg County residents.

**Staff Resource:** Stanley Watkins, Neighborhood Development

### **Explanation:**

On April 26, 1999, City Council approved a contract with the Urban League of Central Carolinas and Opportunity America LLC in the amount of \$1,500,000 to operate the local Welfare-to-Work Program. The Welfare-to-Work Program provides the hard-to-employ welfare recipients with the skills needed to secure and maintain employment. Hard-to-employ recipients are those who have been receiving cash assistance for at least 30 months and possess multiple barriers such as poor work history, lack of work ethic, and substance abuse.

The Welfare-to-Work grant amount was later increased by \$113,827 by the State. This additional amount has not been appropriated. The contractual agreement with the Urban League and Opportunity America expired February 28, 2001. The Workforce Development Board (WDB) is currently considering options for the next Welfare-to-Work contract. Neighborhood Development is working with the WDB to continue services until a new contract is in place. This appropriation is necessary to prevent a lapse of services for the 321 program participants.

## 25. Federal Funds for HOME Housing Program

**Action:** Adopt a budget ordinance appropriating \$541,093 for federal HOME housing program income to be used for housing construction, rehabilitation and acquisition activities.

**Staff Resource:** Stanley Watkins, Neighborhood Development

**Explanation:**

Neighborhood Development received \$541,093 for the repayment of HOME housing loans made by the City at the end of FY2000. This amount is available in the HOME grant fund balance. Federal regulations require that HOME program income received be reprogrammed for eligible activities in a timely manner, and as outlined in the Consolidated Action Plan for housing. The funds are currently needed for housing construction, rehabilitation and acquisition projects.

**26. Amendment to Citizens Review Board Ordinance**

**Action: Approve an ordinance amending Chapter 16, Section 38(a) of the Charlotte City Code, Citizens Review Board, changing the requirement to meet on an appeal from fourteen days to thirty days.**

**Staff Resource:** Brenda Freeze, City Clerk

**Explanation:**

The ordinance establishing the Citizens Review Board was approved by Council on June 9, 1997. Section 38(a) of the original ordinance reads as follows:

"Upon receiving a request for an appeals hearing, a meeting of the Board will be held within fourteen (14) calendar days of the request."

The Citizens Review Board meets on an as-needed basis when appeals are received. To enable board members to schedule meetings on their calendars, meetings are tentatively scheduled on the second and fourth Tuesdays of the month. If no appeals are received, the meetings are cancelled. Sometimes when appeals are received, the fourteen-day requirement does not fit either of the tentatively scheduled meeting dates, and some of the meetings have had to be held other than the second and fourth Tuesdays. This has caused some scheduling problems for board members.

The Board, with the concurrence of the Police Department, requests that Council amend the first sentence of Section 16-38(a) of the ordinance to read as follows:

"Upon receiving a request for an appeals hearing, a meeting of the Board will be held within thirty (30) days of the request."

**Attachment 20**

- Letter from Robert C. Sink, Attorney for the Citizens Review Board
- Proposed ordinance

## 27. Freedom Drive Business Corridor – Phase II

**Action:** Approve the agreement for \$146,900 with LandDesign, Inc. for landscape architectural services for Freedom Drive Business Corridor – Phase II.

**Staff Resource:** Sam Barber, Engineering & Property Management

**Explanation:**

This agreement will provide streetscape planning and design services, including planting strips, street and median trees, signage, sidewalks, decorative lighting, and bus shelters on both sides of Freedom Drive from Ashley Road to Berryhill Road. This bus corridor is part of the Westside Strategic Plan and the corridor revitalization program.

**MWBD:**

WBE: 3%

**Funding:**

Capital Investment Plan

## 28. Rozzelles Ferry Road Streetscape

**Action:** Approve the agreement for \$200,000 with Site Solutions for landscape architectural and engineering services for the Rozzelles Ferry Road Streetscape Project.

**Staff Resource:** Jim Gerton, Engineering & Property Management

**Explanation:**

Rozzelles Ferry Streetscape project was identified in the Westside Strategy Plan as a high priority project by City Council. This contract will provide streetscape design services, including planting strips, sidewalks, street trees, decorative lighting, and other various architectural improvements on Rozzelles Ferry Road from Zebulon Avenue to Interstate 85.

**Funding:**

Capital Investment Plan

## 29. Architectural Services for Fire Station #35

**Action:** Approve agreement for \$156,403 with Hemphill Associates, Inc. for architectural design and construction administration services for Fire Station #35.

**Staff Resource:** David Garner, Engineering & Property Management

**Explanation:**

This agreement with Hemphill Associates, Inc. will provide architectural services to perform the planning, design and construction administration for Fire Station #35 on Pavilion Boulevard. Fire Station #35 will serve the future annexation of the Back Creek Church Road study area. Fire protection must be provided at the time of annexation. Designing the permanent fire station prior to annexation minimizes the time that the Fire Department operates from a temporary station. Completion of this project is scheduled for fall of 2002.

**MWBD:**

BBE 3.5%

WBE 0.6%

**Funding:**

Capital Investment Plan

## 30. Emergency Management Grant

**Action:** A. Accept a grant from the Federal Emergency Management Agency (FEMA) in the amount of \$45,000 to assist in preparing for response to terrorist events; and

B. Adopt a budget ordinance appropriating \$45,000 in FEMA grant funds for preparedness and mitigation enhancements in response to incidents involving weapons of mass destruction.

**Staff Resource:** Wayne Broome, Fire, Emergency Management

**Explanation:**

To assist local communities in preparing for response to terrorist events, Congress established the weapons of mass destruction program coordinated by the United States Department of Justice and the Federal Emergency Management Agency (FEMA). This particular grant, issued by FEMA, may be used for enhancements to preparedness and mitigation procedures

involving terrorism. Adoption of the ordinance will facilitate terrorism preparedness for Charlotte-Mecklenburg. In North Carolina, the weapons of mass destruction program is administered by the North Carolina Division of Emergency Management.

**Funding:**

Federal Emergency Management Agency Grant

### 31. Vehicles for Domestic Preparedness Program

**Action: A. Accept a \$130,000 contribution from Mecklenburg County EMS agency (MEDIC) for their portion of the trucks to carry equipment for use at incidents involving weapons of mass destruction; and**

**B. Adopt a budget ordinance to appropriate \$130,000 in County funds for Domestic Preparedness Vehicles.**

**Staff Resource:** Luther Fincher, Fire Chief

**Explanation:**

After the Oklahoma City bombing in April 1995, Congress set up the domestic preparedness program to assist local communities in preparing for response to terrorist events. Grants from this program may be used to purchase equipment, but not motor vehicles. This request is to accept MEDIC's portion of the funds for a cab and chassis for both Charlotte Fire Department and Charlotte-Mecklenburg Police Department as described below.

Charlotte Fire Department

Cab and chassis to be utilized to deliver emergency decontamination equipment to incidents involving terrorism or a large-scale hazardous material release. The equipment carried on this unit will be used to thoroughly decontaminate public, emergency responders and equipment from an exposure of a toxic substance due to an accidental or intentional release.

Charlotte-Mecklenburg Police Department

Cab and chassis to be utilized to deliver equipment to incidents involving explosive devices. This unit may be used to respond to explosive devices used as weapons of mass destruction or isolated explosive ordinances. The equipment carried on this unit will be used to remove and/or render safe such explosive devices.

**Funding:**

County MEDIC funding

## 32. Purchase of Hybrid-Electric Bus

**Action: Approve contract between the City of Charlotte and Orion Bus Industries for the purchase of one Hybrid-Electric Bus for \$500,000.**

**Staff Resource:** Keith Parker, Charlotte Area Transit System (CATS)

**Explanation:**

State and federal emission regulations require that CATS begin implementing low-emission technologies. The hybrid-electric technology, which combines the use of electric batteries with a diesel engine, has been identified as the preferred option over other available technologies.

In New York City transit service, the hybrid-electric bus has 50% better fuel economy than the regular diesel engine bus; emissions are equal to and in some cases better than other low-emission technologies; no infrastructure changes and no special fueling stations will be required at CATS in order to maintain the bus. CATS will test the hybrid-electric bus in various services and compare it with other low-emission vehicles in regards to cost and performance.

On February 28, 2001 the Metropolitan Transit Commission (MTC) reviewed the procurement process and authorized the CATS Chief Executive Officer to piggyback on a bus contract offered by the Minneapolis/St. Paul, MN transit system, Metro Transit.

The use of piggybacking to secure rolling stock in a competitive environment is within the parameters of legitimate process as set forth by the Federal Transit Administration (FTA). North Carolina G.S. 143-129(g) approves the piggyback process if it is in the best interest of the agency involved and is approved by its governing body.

While the cost of this bus exceeds that of the standard diesel bus, the piggyback option should present a cost savings over other recent procurements of this type of hybrid-electric technology.

Metro Transit awarded a competitive bid contract to Orion Bus Industries to purchase five (5) hybrid-electric buses, and has expressed an interest to assign up to one of its available option capacity to CATS. By piggybacking on Metro Transit's procurement, CATS will save at least \$100,000 and possibly one to two years in delivery time.

CATS must enter into a contract with Orion Bus Industries to purchase up to one hybrid-electric bus for \$500,000.

**Funding:**

Federal and State grant funds and CATS capital funds

### 33. Purchase of Paratransit Buses for Special Transportation and Vans for the Van Pool Program

**Action:** A. Approve the unit price bid of \$54,451.00 for item A, Paratransit buses, submitted by National Bus Sales of Smyrna, GA;

B. Approve the unit price bid of \$41,700.00 for Item B, Paratransit mini vans, submitted by Ilderton Conversion Company of High Point, NC; and

C. Approve the unit price bid of \$23,258.00 for Item C, 15-passenger vans, submitted by Parks Chevrolet of Charlotte, NC. The unit price contract will be for one year with an option to renew for four additional one-year periods.

**Staff Resource:** Susan Johnson, Business Support Services

**Explanation:**

The City sent Invitations to Bid to thirty-six (36) vendors on January 4, 2001. Three (3) vendors responded to Item A (Paratransit buses), one (1) vendor to Item B (Paratransit mini vans) and two (2) vendors to Item C (passenger vans). Items A and B are highly specialized vehicles with special lift devices. These vehicles will provide transportation to those citizens who have special needs, such as senior citizens or the disabled.

Triad Transportation Sales was the low bidder for Item A. However their bid did not meet the specifications regarding passenger door access.

Ilderton Conversion Company was the low bidder for Item C. However, their bid did not meet the specifications regarding life cycle costing. The vendor was bidding a vehicle that could only be provided for one year of the contract.

Estimated first-year cost for Item A is \$1,361,275.00, Item B is \$41,700.00 and Item C is \$697,740.00.

**MWBD:**

There are no known MWBD vendors.

**Summary of Bids:**

Item A: Paratransit Buses

Triad Transportation Sales	Greensboro, NC	\$51,117.00
National Bus Sales	Smyrna, GA	\$54,451.00
Freightliner of Charlotte	Charlotte, NC	\$81,647.00

Item B: Paratransit Mini Van

Ilderton Conversion Company	High Point, NC	\$41,700.00
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Item C: 15-Passenger Van

Ilderton Conversion Company	High Point, NC	\$23,200.00
Parks Chevrolet	Charlotte, NC	\$23,258.00
Ilderton Conversion Company	High Point, NC	\$24,000.00

**Funding:**

Capital Investment Plan

**34. Contracts for Information Technology Service Providers**

**Action:** A. Approve the use of eight (8) Technology Service Providers who will provide temporary staffing for technology projects; and

B. Authorize the City Manager to negotiate with each vendor a one-year contract with a renewal option of one (1) year. The amount per year for all vendors shall not exceed \$1.5 million for the initial year and \$1.5 million for the renewal year.

**Staff Resource:**

Susan Johnson, Business Support Services  
 Guy Cavallo, Business Support Services

**Explanation:**

BSS is requesting authority for the City Manager to negotiate contracts with technical service providers. This is a continuation of a process that was approved by Council in January 1999. During that time, the City was involved in technical projects that required peak staffing during the implementation and major upgrade phases. The City determined that the workload, for these peak times, exceeded the availability of City staff to complete the projects. Efforts to recruit knowledgeable technical staff yielded mixed results. The City felt that its needs were best served by using temporary contract labor.

The PeopleSoft HR System and the Utility Billing System were two major system implementations that benefited from this arrangement. The City was able to contract knowledgeable technical staff to assist at peak times with the implementation of the two systems. The vendors provided the staff when the City had a critical need. Without this arrangement, the City would have experienced delays while recruiting

The process was successful and a request is being made to continue the arrangement since the City continues to be involved in major technical projects that require peak staffing. Approval of this request will allow the City to negotiate standard staffing contracts with several qualified technology firms. The concept of having an “umbrella agreement” in place with multiple Service Providers with a central point of contact within the City will help ensure efficient, cost effective access to qualified technology

staff. CDI Information Systems, Modis, TIS Worldwide, People Unlimited, Quantum Resources, and Kelly Technical Services are the incumbents of the Umbrella Contract, which expired in February 2001.

Of the 30 proposals received on January 12, 2001, eight (8) Service Providers were selected. This selection was based upon the ability to provide multiple qualified candidates in a timely manner as well as the cost of the Services. The attachment provides detailed information outlining the competitive selection criteria.

The City now desires to award a new contract for IT Contract Professional Services to the following companies:

- CDI Information Systems
- Modis
- TIS Worldwide
- Comprehensive Computer Consulting
- Kforce.com
- TM Floyd
- PSI Net
- Renaissance

These Service Providers submitted the most responsive proposals in detail and format, and offered the most competitive hourly rate by class of the proposing Service Providers.

The initial term of this contract shall be for one (1) year with the City's right to renew for one (1) additional one (1) year term. The total funding cap available for Information Technology Contract Professional Services pursuant to this award is estimated at a not-to-exceed amount of \$3 million dollars for the combined initial year and renewal year of the contract. Upon contract award to the eight Service Providers recommended, the City will have the ability to select contract personnel in an efficient and timely manner as outlined in the attachment.

**MWBD:**

This project had a MWBD participation project goal of 10% Minority-owned business and 5% Women-owned business. The following companies met these goals:

- TM Floyd
- Modis
- Renaissance
- CDI Information Systems
- Comprehensive Computer Consulting (100% WBE)

**Funding:**

General Fund Operating Budget

**Attachment 21**

- Evaluation Criteria Applied for Service Provider Selection
- Selection Process Applied for Contract Employee Placement

### 35. Partial Refunding of 1992 General Obligation Bonds

**Action:** A. Adopt a resolution approving an escrow agreement and other related matters necessary to partially retire the 1992 General Obligation Refunding Bonds; and

B. Adopt an ordinance funding the escrow up to \$18,300,000 for Coliseum Bonds and \$17,500,000 for Water and Sewer Bonds.

**Staff Resource:** Richard Martin, Finance

**Explanation:**

Partially retiring this debt requires depositing funds in an escrow account. The escrow agent invests the funds until the payment is actually made to pay off the bonds. Investment income is included in debt payments and is factored into the initial deposit.

The balance outstanding on the 1992 General Obligation Refunding Bonds is \$55,500,000, which includes \$17,515,000 of Coliseum Bonds, \$16,750,000 of Water and Sewer Bonds and \$21,235,000 of other bonds. The bonds mature July 1, 2004.

Retiring the Coliseum Bonds will eliminate IRS "private use" tax issues if the City decides to sell or swap the Coliseum land. The City does not want to injure its bondholders by causing their bonds to become taxable and therefore not in compliance with bond covenants approved by Council.

Funding for the Coliseum Bonds portion of the escrow will come from the Municipal Debt Service Fund. The retirement of this debt will not impact the debt capacity for general government capital projects as presented to Council at the February budget retreat.

Retiring the Water and Sewer Bonds increases bond coverage (revenues available for debt service divided by debt service expense) and insures the protection of future debt capacity required to fund the City's aggressive Water and Sewer Capital Program. The increased coverage will also help maintain the excellent rating accredited to the City's Water and Sewer debt. Funding for the Water and Sewer portion of the escrow will come from the Water and Sewer Operating Fund.

Because there is no benefit of refunding the remaining \$21,235,000, these other bonds will not be retired at this time.

**Funding:**

Municipal Debt Service Fund and Water and Sewer Operating Fund

**Attachment 22**

Resolution and Ordinance

### 36. Rollout Containers Lease Agreement

**Action:** Approve a contract for \$3,511,000 with Plastic Omnium ZARN, Inc. of Reidsville, NC for them to lease, maintain and distribute rollout containers to the City of Charlotte. The contract also requires ZARN to purchase the City's existing inventory of rollout containers.

**Staff Resources:** Wayman Pearson, Solid Waste Services  
John Trunk, Business Support Services  
Harry Graham, Internal Audit

**Explanation:**

Based on the City's Competition/Privatization Model, a team of City staff with representatives from Solid Waste Services, Legal, Internal Audit and Procurement, conducted a study to determine if there was a more cost effective way for the City to provide rollout containers for weekly garbage collection service. The City historically has purchased, maintained and distributed rollout containers.

To determine the most cost-effective manner to provide containers, price quotes were solicited in two ways. The first way was the preparation of an RFP to lease the rollout containers from the successful proposer who would then also handle container distribution and maintenance. This approach has been successfully implemented in Europe for some time, but only used in the U.S. on a limited basis.

The second way employed the method currently used by the City to issue an invitation to bid for purchase of the rollout containers. This method also had maintenance and distribution components, but ownership of the containers would remain with the City.

Financial analysis of the bids and proposals revealed that the City's most economical choice was the lease proposal(s) submitted by ZARN of Reidsville, NC. ZARN's proposal would save the City \$922,000 over the 7-year contract period over the next best option which was a purchase. The lease option would also provide an additional \$500,000 in savings when compared to our present container purchase and in-house delivery method.

The proposal will require ZARN to purchase the City's existing inventory of approximately 160,000 Toter rollout containers at the price stated in the vendor's proposal. The vendor will then lease these containers back to the City and maintain, replace and distribute these containers as necessary during the term of the contract. ZARN will also provide additional new carts that may be required due to annexation and/or growth on a lease basis.

At the conclusion of the contract with ZARN, the City has the option of three 1-year extensions. ZARN has also offered the City the option to abandon

ownership of the original Toter rollout container inventory at no cost to the City. Additionally, ZARN has offered the City the option to purchase the remainder of the container inventory (provided under the lease contract) at its 10-year straight-line depreciated value.

**MWBD:**

ZARN will expend a minimum of 3.2% of the total dollar amount of the contract with Ford Container Industries, an African-American-owned company.

**Summary of Bids and Proposals:**

Vendor	Lease or Purchase Options	Projected Total Cost to the City for 7 Years	Additional Information	Contract Period
ZARN	Lease	\$3,511,000	ZARN supplying a cart of City's choice	7 yrs w/3-1yr. extension options
Toter	Purchase	\$4,433,000		7 years
ZARN	Purchase	\$4,803,000		7 years
Otto	Lease	\$5,508,000		7 yrs w/3-1yr. extension options

**Funding:**

General Fund Operating Budget

**37. Municipal Agreement-Revision of the Interchange at I-485 and Providence Road (NC 16)**

**Action: Adopt a resolution authorizing the Transportation Key Business Executive to execute a Municipal Agreement between the North Carolina Department of Transportation (NCDOT) relating to the revision of the interchange at I-485 and Providence Road (NC 16).**

**Staff Resource:** Gus Jordi, Transportation

**Explanation:**

The revision of the interchange at I-485 and Providence Road (NC 16) requires certain construction and right of way acquisition to be performed by the NCDOT with no cost to the City, and a Municipal Agreement between the City and NCDOT is necessary.

The Municipal Agreement provides for the NCDOT contractor to perform grading, paving, and drainage work for the project with no cost to the City.

The format and cost sharing philosophy is consistent with past Municipal Agreements.

**Attachment 23**  
Map

**38. Utility Agreement–Improvement of S. Tryon Street (NC 49) from Moss Rd to Charlotte Outer Loop**

**Action: Adopt a resolution authorizing the Transportation Key Business Executive to execute a Utility Agreement between the North Carolina Department of Transportation (NCDOT) relating to the improvement of S. Tryon Street (NC 49) from Moss Rd to Charlotte Outer Loop.**

**Staff Resource:** Gus Jordi, Transportation

**Explanation:**

The improvement of S. Tryon Street (NC 49) requires certain utility relocation and modifications, and a Utility Agreement between the City and NCDOT is necessary.

The Utility Agreement provides for the NCDOT contractor to perform water and sewer line adjustment/relocation work for the project with costs reimbursed by the City.

The estimated cost to the City is:

Sewer	\$ 52,643.20
Water	\$120,064.82
Total:	\$172,708.02

The format and cost sharing philosophy is consistent with past municipal agreements.

**Funding:**

Water and Sewer Capital Investment Plan

**Attachment 24**  
Map

### 39. Utility Agreement–Improvement of NC 27 (E. Charlotte Avenue) from NC 273 (Highland Avenue) in Mount Holly

**Action:** Adopt a resolution authorizing the Transportation Key Business Executive to execute a Utility Agreement between the North Carolina Department of Transportation (NCDOT) relating to the Improvement of NC 27 (E. Charlotte Avenue) from NC 273 (Highland Avenue) in Mount Holly.

**Staff Resource:** Gus Jordi, Transportation

**Explanation:**

Improvement of NC 27 (E. Charlotte Avenue) requires certain utility relocation and modifications, and a Utility Agreement between the City and NCDOT is necessary.

The Utility Agreement provides for the NCDOT contractor to perform water and sewer line adjustment/relocation work for the project with costs reimbursed by the City.

The estimated cost to the City is \$129,210.00.

The format and cost sharing philosophy is consistent with past municipal agreements.

**Funding:**

Water and Sewer Capital Investment Plan

**Attachment 25**

Map

### 40. Municipal Agreement–Construction of the East-West Circumferential Road and Utility Relocation

**Action:** Adopt a resolution authorizing the Transportation Key Business Executive to execute a Municipal Agreement between the North Carolina Department of Transportation (NCDOT) relating to Construction of the East-West Circumferential Road from east of the Lancaster Hwy (US 521) to Providence Rd (NC 16) and the utility relocations necessary as a result of this construction.

**Staff Resource:** Gus Jordi, Transportation

**Explanation:**

The construction of the new East-West Circumferential Road requires certain utility relocation and modifications, and a Municipal Agreement between the City and NCDOT is necessary.

The Municipal Agreements provide for the NCDOT contractor to perform water and sewer line adjustment/relocation work and sidewalk construction work for the project with costs reimbursed by the City.

The estimated cost to the City is as follows:

A. Sidewalk construction	\$120,220
B. Utility relocation/modification	\$472,182
C. Utility relocation/modification	\$664,169
Total:	\$1,256,571

The format and cost sharing philosophy is consistent with past municipal agreements.

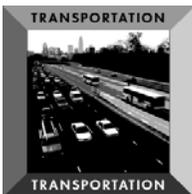
**Funding:**

Capital Investment Plan

**Attachment 26**

Map

**41. Johnston Road Extension, Phase II**



**Action:** A. Adopt a budget ordinance appropriating \$500,000 from Revenue Bonds to Center #634.03 (Johnston Road Water Main) in Water and Sewer Capital Investment Plan, and

B. Approve award of construction contract to the lowest responsible bidder, Blythe Development Company for \$8,107,217.57.

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

**Explanation:**

This is the second phase of the Johnston Road Extension project that will link I-485 to Highway 51. The project is part of the 1996 Bond Package. The project also includes approximately 2100 meters of 900 mm water main, which is part of CMU's plan to provide additional water service to south Charlotte.

The low bid exceeded the Engineer's estimate due to strict time constraints in the contract for completing the installation of the water main. Therefore, an appropriation of funds is needed.

**MWBD Status:**

BBE: 2%

WBE: 2%

NBE: 1%

**MWBD Compliance:** Yes.**Funding:**

Capital Investment Plan

**42. Environmental Permitting Services**

**Action: Approve Amendment #1 to the Agreement for Unspecified Services for \$400,000 with Law Engineering & Environmental Services (Law) for Storm Water Environmental Permitting services.**

**Staff Resource:** Steve Sands, Engineering & Property Management**Explanation:**

On April 24, 2000, City Council approved the agreement with Law for \$165,000 for environmental permitting services. Law is performing well under the current contract and is providing professional consulting services at or above the level of expectation in accordance with the terms and conditions of the contract. This amendment will provide funding for two additional years to continue the assistance to Charlotte Storm Water Services with environmental permitting of storm water projects and other City capital improvement projects.

Sections 401 and 404 of the Clean Water Act (CWA) and the NC State Environmental Policy Act requires the City to obtain pre-construction authorization (permits) to perform certain types of work in streams, ponds, and wetlands. These permits ensure that possible negative environmental effects have been avoided, minimized or offset.

**Funding:**

Storm Water Capital Investment Plan

**43. Storm Water Maintenance Renewals FY00**

**Action:** A. Approve Renewal #1 for \$960,830 with Blythe Development Company for continued construction of FY00E Storm Water Maintenance Package;

B. Approve Renewal #1 for \$969,955 with Blythe Development Company for continued construction of FY00G Storm Water Maintenance Package; and

C. Approve Renewal #1 for \$870,325 with Shaw Group, Ltd. for continued construction of FY00C Storm Water Channel Maintenance Package.

**Staff Resource:** Steve Sands, Engineering & Property Management

**Explanation:**

These renewals will enable Storm Water Services to continue regular maintenance activities under these contracts, recognizing good contractor performance and good existing unit prices. Where the contractor's work has been of good quality, renewals are recommended to extend the contracts.

The contract documents provide for renewals of the contracts up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. These renewals will increase the contract amount for FY00E from \$960,830 to \$1,921,660, for FY00G from \$969,955 to \$1,939,910 and for FY00C-Channel from \$870,325 to \$1,740,650.

**MWBD:**

- A. Blythe Development Company      6% BBE, 6% WBE
- B. Blythe Development Company      6% BBE, 6% WBE
- C. Shaw Group, Ltd.                      100% ABE

**Funding:**

Storm Water Capital Investment Plan

**44. Reedy and McKee Creek Basin Sanitary Sewer Service - Professional Services Contract**

**Action:** Approve a contract with Woolpert LLP for \$1,273,100 to provide engineering services for Reedy and McKee Creek Basins Sanitary Sewer Service.

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

This contract will provide for the planning, design, and construction of sanitary sewer facilities in the Reedy and McKee Creek Basins in east Mecklenburg. These facilities include approximately 12 miles of gravity sewer along Reedy Creek, McKee Creek, and two tributaries at the upper end of Reedy Creek in Mecklenburg County. The need for these facilities is based on the continued development in the Reedy and McKee Creek Drainage Basins. This project also provides for the design of the receiving interceptors from which the proposed 2003 Annexation trunks will be extended to serve the Harrisburg Road area. The need is identified in the 2005 General Land Use Plan and was approved in the FY 2000 Capital Investment Plan.

**MWBD:**

The WBE participation goal of this project will be \$41,000 or 3.2% of the total contract amount.

**Community Input:**

A community meeting was held during the preliminary design phase.

**Funding:**

Water and Sewer Capital Investment Plan

#### 45 . **Engineering Design Services for Taxiway ‘C’ Reconstruction**

**Action: A. Adopt a Budget Ordinance appropriating \$212,000 to fund the design contract and associated expenses for the Taxiway ‘C’ Reconstruction; and**

**B. Award a \$172,000 engineering design contract to WK Dickson of Charlotte for the design of the Taxiway ‘C’ Reconstruction.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

The existing pavement of Taxiway ‘C’ is beginning to fail structurally. The last major work to the taxiway was performed in the 1970s. The asphalt pavement will be removed and replaced with concrete pavement.

WK Dickson was selected in 1996, along with two other engineering firms, to perform various airfield engineering design services.

The design fee is broken down as follows:

Preliminary Engineering	\$23,000
Design	\$112,000
Bidding	\$13,000
Construction Administration	\$24,000
Total	\$172,000

The design fee is 4.6% of the estimated construction costs of \$3,700,000, (within the range of prior airport projects of this type.)

The budget ordinance will provide funding for the following:

Architectural/Engineering services	\$172,000
Surveying	\$15,000
Geotechnical	\$20,000
Contingency	\$5,000
Total	\$12,000

The Airport will fund this project from the discretionary fund balance to be repaid from the proceeds of the 2001 General Aviation Revenue Bond Issue (25%) and future Federal Aviation Administration (FAA) grants (75%). The debt service on the bonds will be repaid through landing fees.

**DBE: 5%**

**DBE Compliance: Yes**

**Committee Discussion:**

The Airport Advisory Committee recommends this action.

**Funding:**

Aviation Fund balance. Funds to be repaid from future revenue bonds and FAA grants.

**46. FAR Part 150 Residential Sound Insulation Program**

**Action: A. Reject the low bid submitted by ARG Construction of Monroe due to failure to submit the required Federal Aviation Administration DBE program documentation with the bid, therefore failing to comply with the bid requirements; and**

**B. Accept the lowest responsive bid of \$154,100 by Moretti Construction Company for sound attenuation measures for 18 residences in the FAR Part 150 Sound Insulation Program.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

This project will provide storm windows, storm doors, ceiling insulation, sound baffling and other sound attenuation measures for 18 residences in the Toddville, Tuckassegee Road and Shopton Road areas participating in the sound insulation program. This is part of the federally approved FAR Part 150 Noise Compatibility Program.

**DBE:** 4.2%

**DBE Compliance:** Yes

**Committee Discussion:**

The Airport Advisory Committee recommends this action.

**Summary of Bids:**

ARG Construction	\$147,600*
Moretti Construction	\$154,100
Bana Corportation	\$160,270

\*Deemed unresponsive to bid requirements.

**Funding:**

Aviation Capital Investment Plan

**47. Utilities Relocation and Sitework for Concourses "D" and "E"**

**Action:** Approve a time and materials contract not to exceed \$126,000 with Talbert & Bright, Inc. of Charlotte for sitework and utilities relocation for Concourses 'D' and 'E'.

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

Expansion of the terminal, Concourse 'D' and Concourse 'E' require the relocation of numerous underground utility lines. They include water, sewer, fueling, electrical and duct banks and storm drainage. This contract will provide engineering services at a time and management rate on an as needed basis to resolve utility relocation and timing issues as construction continues.

**Committee Discussion:**

The Airport Advisory Committee recommends this action.

**Funding:**

Aviation Capital Investment Plan

## 48. Public Auction for Disposal of Equipment

**Action:** A. Declare specific vehicles, equipment, various parts and supplies and other miscellaneous items as surplus and approve a resolution authorizing them for sale at public auction on Saturday, April 21, 2001 at 10:00 a.m.; and Saturday, April 28, 2001 at 10:00 a.m.; and

B. Declare specific vehicles surplus and approve a resolution authorizing the donation of the vehicles to Goodwill Industries for the Work First Program.

**Staff Resource:** Susan Johnson, Business Support Services

**Explanation:**

Pursuant to North Carolina G.S. 160A-270, approval is requested for a public auction as follows:

On April 21, 2001 at 10:00 a.m. to dispose of designated City owned property (Exhibit A) declared as surplus at the City-County Surplus Property Facility located at 3301 North I-85 Service Road, Charlotte, North Carolina.

On April 28, 2001 at 10:00 a.m. to dispose of Police unclaimed property at the City-County Surplus Property Facility located at 3301 North I-85 Service Road, Charlotte, North Carolina.

The City has selected the method of public auction for disposal of surplus items by using an auction service chosen through competitive bids. The process was developed in the interest of fairness and is economical in its cost and time savings.

Pursuant to North Carolina GS160A-279, approval is requested to donate surplus property as follows:

On April 21, 2001 to donate eight staff cars (Exhibit B) to Goodwill Industries for the Work First Program. Participation in the Work First Program was approved by Council on October 11, 1999.

**Funding:**

The Auction Company will be compensated for the sale through auction proceeds. For rolling stock equipment, they will receive 7.95 % of the gross total sale price; for unclaimed Police property, they will receive 10 % of the total gross sale price; and for miscellaneous items, they will receive 10 % of the total gross sale price.

**Attachment 27**

List of property to be declared as surplus

## 49. Declaration of Withdrawal for a 10-foot Alleyway Running off Augusta Street

**Action:** Adopt a Resolution stating that the 10-foot alleyway running off Augusta Street and the 10-foot alleyway running between LaSalle Street and Cummings Avenue are not part of the adopted street plan (thoroughfare plan).

**Staff Resource:** Scott Putnam, Transportation

**Policy:**

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

**Explanation:**

According to North Carolina General Statute 136-96, a right-of-way not utilized within 15 years of dedication can be abandoned through the recording of the Declaration of Withdrawal. The statute requires the City to adopt a resolution stating the right-of-way to be abandoned is not part of a proposed street plan. This unused and unopened alleyway is not part of any such plan; therefore, the City has determined that all necessary requirements of the statute will have been met by adopting the resolution. Charlotte-Mecklenburg Utilities (CMU) has no existing utilities within the area to be abandoned that would require an easement.

**Petitioner:**

The Northwest Corridor Community Real Estate Corporation.

**Right-of-Way to be abandoned:**

Two alleyways bounded by Augusta Street, LaSalle Street, Cummings Avenue, and Madrid Street.

**Location:**

10-foot alleyway running east from Augusta Street approximately 175 feet to its terminus at the alleyway described below.

10-foot alleyway running north from LaSalle Street approximately 400 feet to Cummings Avenue.

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner in accordance with rezoning petition 00-124 approved by City Council on January 9, 2001.

**Attachment 28**

Map

## 50. Sale of City-Owned Property at 815 Louise Avenue

**Action:** A. Declare 0.149 acres of City owned property located at 815 Louise Avenue (tax code 081-114-26) surplus; and

B. Authorize the advertisement of an offer to purchase and contract from Birdseye Realty for the purpose of receiving upset bids.

**Staff Resource:** Kent Winslow, Engineering & Property Management

**Explanation:**

The City owns 0.149± acres of vacant property at 815 Louise Avenue. The property is zoned B-2. An independent appraisal establishes the market value range at \$20,100.

An offer to purchase the property has been received for assemblage and commercial development in the amount of \$20,000 (99% of market value).

City Council may elect to sell this property either by the upset bid process or private negotiations using the Request for Proposals (RFP) process. Staff recommends authorizing the advertisement of the offer for the purpose of receiving upset bids.

**Attachment 29**

Tax map identifying the property

## 51. Airport Property Exchange

**Action:** Recommend approval of a resolution authorizing a land exchange between the City and IAC Charlotte-YAB L.L.C (IAC).

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

IAC Charlotte-YAB L.L.C. (IAC) owns approximately 65 acres of land located on Yorkmont Road adjacent to the Airport's southern boundary. IAC has developed over 480,000 square feet of office/warehouse space. It is mutually beneficial for the Airport and IAC to exchange parcels to facilitate future development for both parties. An independent appraiser has appraised the proposed exchange. The City will exchange 2.7115 acres (valued at \$271,150.00) for 2.7115 acres (valued at \$280,856.00).

Benefits to the City are:

- Acquisition of additional land from IAC will provide right-of-way property acquisition for the proposed West Boulevard relocation and will preserve right-of-way for the proposed Intermodal Rail Facility Corridor.
- Appropriately restructuring of property lines allows maximum utilization of the property under development by IAC maximizing property taxes to the City.
- Acquiring property for future roads before development avoids costly disruption later.

**Committee Discussion:**

The Airport Advisory Committee recommends this action.

## 52. Property Transactions

**Action: Approve the following property acquisitions (A-P) and adopt the condemnation resolution (Q).**

**Acquisitions:**

- A. Project:** Albemarle Road/W.T. Harris Interchange, Parcel #121  
**Owners(s):** George John Retsios & wf., Theodora B. Retsios, Bill Pistoris & wf., Vicki Pistoris, Lambros C. Nakos & wf. Helen K. Nakos  
**Property Address:** 6929-7013-15 Albemarle Road  
**Property to be acquired:** 198,076 sq.ft. (4.54 ac.) in fee simple  
**Improvements:** 2-one story frame buildings & 4.54 acres of land  
**Purchase Price:** \$1,175,000  
**Remarks:** Total acquisition of this property is required as part of the Albemarle Road/W.T. Harris Interchange Project. The purchase price is based on two certified, independent appraisers.  
**Zoned:** B2 & R17MF  
**Use:** Commercial/Single Family (car lots)  
**Total Parcel Tax Value:** \$606,150  
**Tax Code:** 109-171-09 & 10
- B. Project:** Albemarle Road/W.T. Harris Interchange, Parcel #122  
**Owners(s):** Sara Mullis & hsb., Donnie C. Mullis, Jackie Caudle and hsb., Bob R. Caudle, Jean Jones (widow), Josephine Earp & hsb., Bob E. Earp  
**Property Address:** 7023-7025 Albemarle Road  
**Property to be acquired:** 127,631 sq.ft. (3 ac.) in fee simple  
**Improvements:** A one-story frame building and 3 acres of land  
**Purchase Price:** \$625,000

**Remarks:** Total acquisition of this property is required as part of the Albemarle Road/W.T. Harris Interchange project. The purchase price is based on an appraisal made by a certified, independent appraisal.

**Zoned:** B-2

**Use:** Single Family Residential (Car Lot)

**Total Parcel Tax Value:** \$319,470

**Tax Code:** 109-171-11

- C. **Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #5  
**Owners(s):** Eddie J. Salem & George P. Salem  
**Property Address:** 4322 Central Avenue  
**Property to be acquired:** 3,409 sq.ft. (0.078 ac.) of temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$10,400  
**Remarks:** This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal.  
**Zoned:** B-1  
**Use:** Bar  
**Total Parcel Tax Value:** \$131,900  
**Tax Code:** 131-032-14
- D. **Project:** Johnston Road Widening-Phase II, Parcel #37  
**Owners(s):** Roy P. Perry & wf., Jacqueline I. McCluskey Perry  
**Property Address:** 6914 Porterfield Road  
**Property to be acquired:** 955 sq.ft. (0.022 ac.) of fee simple plus 44 sq.ft. (0.001 ac.) of utility easement plus 3,618 sq.ft. (0.083 ac.) of temporary construction easement.  
**Improvements:** Trees  
**Purchase Price:** \$25,160  
**Remarks:** The areas are needed for construction of Johnston Road Widening-Phase II. Acquisition price is based on an independent, certified appraisal.  
**Zoned:** R12CD  
**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$120,380  
**Tax Code:** 221-361-01
- E. **Project:** McAlpine Creek Relief Sewer, Parcel #46  
**Owners(s):** Bartholomew L. Pesa  
**Property Address:** 6319 Old Providence Road  
**Property to be acquired:** 16,579 sq.ft. (0.381 ac.) of permanent easement plus 9,930 sq.ft. (0.228 ac.) of temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$16,760

**Remarks:** The areas are needed for construction of McAlpine Creek Relief Sewer. Acquisition price is based on an certified, independent appraisal.

**Zoned:** R-3

**Use:** Vacant

**Total Parcel Tax Value:** \$37,060

**Tax Code:** 187-371-72

- F. Project:** Old Statesville Road Widening, Parcel #69  
**Owners(s):** C & G Auto Sales, Inc.  
**Property Address:** 7700 Old Statesville Road  
**Property to be acquired:** 7,231 sq.ft. (0.166 ac.) of fee simple  
**Improvements:** None  
**Purchase Price:** \$28,000  
**Remarks:** This acquisition is needed for the Old Statesville Road Widening. The compensation was established by two independent, certified appraisals.  
**Zoned:** B-2  
**Use:** Commercial, Vacant  
**Total Parcel Tax Value:** \$5,400  
**Tax Code:** 043-088-12
- G. Project:** Park Road Sidewalk, Parcel #7  
**Owners(s):** HPW Park Associates, LP  
**Property Address:** Park Road (.484 ac.)  
**Property to be acquired:** 1,435 sq.ft. (0.033 ac.) of permanent easement plus 1,883 sq.ft. (.043 ac.) of temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$11,650  
**Remarks:** Areas required for the construction of sidewalks. Acquisition price based on an independent, certified appraisal.  
**Zoned:** R22MF  
**Use:** Vacant  
**Total Parcel Tax Value:** \$31,360  
**Tax Code:** 171-241-48
- H. Project:** Prosperity Church Road Widening-Phase I, Parcel #81  
**Owner(s):** Roy M. Kinnamon & wf., Linda Y. Kinnamon  
**Property Address:** 3111 Driwood Court  
**Property to be acquired:** 10,190 sq.ft. (0.233 ac.) of permanent drainage easement plus 4,256 sq.ft. (0.098 ac.) of temporary construction easement.  
**Improvements:** Trees  
**Purchase Price:** \$12,150  
**Remarks:** The areas are needed for construction of Prosperity Church Road Widening-Phase I. Acquisition price is based on area land values.  
**Zoned:** R-3

**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$167,000  
**Tax Code:** 027-261-44

- I. Project:** Prosperity Church Road Widening-Phase I, Parcel #9  
**Owner(s):** John M. Frye & wf., Brenda C. Frye  
**Property Address:** 3231 Prosperity Church Road  
**Property to be acquired:** 10,500 sq.ft. (0.241 ac.) of fee simple plus 118 sq.ft. (0.003 ac.) of utility easement plus 11,578 sq.ft. (0.266 ac.) of temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$15,000  
**Remarks:** The areas are needed for construction of Prosperity Church Road Widening-Phase I. Acquisition price is based on an independent, certified appraisal.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$184,220  
**Tax Code:** 027-281-01
- J. Project:** Providence/Wendover Road Intersection Improvements, Parcel #5  
**Owner(s):** Henry B. Cantrell & wf., Maude P. Cantrell  
**Property Address:** 2100 Providence Road  
**Property to be acquired:** 1,213 sq.ft. (0.028 ac.) of fee simple plus 1,332 sq.ft. (0.031 ac.) of temporary construction easement  
**Improvements:** Landscaping  
**Purchase Price:** \$24,000  
**Remarks:** The areas are needed for construction of Providence/Wendover Road Intersection Improvements. Acquisition price is based on an independent, certified appraisal.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$303,090  
**Tax Code:** 181-083-24
- K. Project:** Providence/Wendover Road Intersection Improvements, Parcel #4  
**Owner(s):** Marc V. Deluca & wf., Shannon L. Deluca  
**Property Address:** 2112 Providence Road  
**Property to be acquired:** 1,768 sq.ft. (0.041 ac.) of fee simple plus 1,904 sq.ft. (0.044 ac.) of temporary construction easement plus 29 sq.ft. (0.001 ac.) of utility easement  
**Improvements:** Landscaping  
**Purchase Price:** \$25,440  
**Remarks:** The areas are needed for construction of Providence/Wendover Road Intersection Improvements. Acquisition price is based on an independent, certified appraisal.  
**Zoned:** R-3

**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$255,590  
**Tax Code:** 181-083-23

- L. Project:** Providence/Wendover Road Intersection Improvements, Parcel #3  
**Owner(s):** Steven R. Carpenter & Karen H. Price  
**Property Address:** 2120 Providence Road  
**Property to be acquired:** 2,195 sq.ft. (0.05 ac.) of fee simple plus 3,428 sq.ft. (0.079 ac.) of temporary construction easement  
**Improvements:** Landscaping  
**Purchase Price:** \$27,325  
**Remarks:** The areas are needed for the construction of Providence/Wendover Road Intersection Improvements. Acquisition price is based on an independent, certified appraisal.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$255,820  
**Tax Code:** 181-083-22
- M. Project:** Sanitary Sewer to Serve Marvin Road, Parcel # 5 & 6  
**Owner(s):** John R. Hayes, Jr. & wf., Mary L. Hayes  
**Property Address:** 16014 Marvin Road  
**Property to be acquired:** 24,916 sq.ft. (0.572 ac.) of permanent easement plus 33,221 sq.ft. (0.763 ac.) of temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$39,230  
**Remarks:** The areas are needed for construction of a sanitary sewer to serve Marvin Road. Acquisition price is based on an independent, certified appraisal.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$369,350  
**Tax Code:** 223-531-05 & 06
- N. Project:** Statesville Avenue Widening, Parcel #31  
**Owner(s):** Colonial Fixture Manufacturing Company (Helen G. Pauls)  
**Property Address:** 3508 Statesville Avenue  
**Property to be acquired:** 18,300 sq.ft. (0.42 ac.)  
**Improvements:** One story brick commercial structure  
**Purchase Price:** \$145,000  
**Remarks:** Total acquisition of land and improvements is needed for the construction of this project.  
**Zoned:** I-1  
**Use:** Convenience store and strip lounge  
**Total Parcel Tax Value:** \$115,350  
**Tax Code:** 077-054-04

- O. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** John C. Franklin & Michelle Caruso  
**Property Address:** 8335 Trexler Avenue  
**Property to be acquired:** 11.43 acres  
**Improvements:** Mobile Home  
**Purchase Price:** \$212,000  
**Remarks:** The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/ house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement  
**Zoned:** RMH  
**Use:** Single Family Residence  
**Tax Value:** \$110,460  
**Tax Code:** 113-091-19
- P. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Mary E. Williams  
**Property Address:** 8116 Cathey Drive  
**Property to be acquired:** .440 acres  
**Improvements:** Mobile Home  
**Purchase Price:** \$40,000  
**Remarks:** The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/ house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement  
**Zoned:** RMH  
**Use:** Single Family Residence  
**Tax Value:** \$2,880  
**Tax Code:** 113-103-03 and 113-103-04

**Condemnation:**

- Q. Project:** Old Statesville Road Widening, Parcel #71  
**Owner(s):** Lloyd Williams and any other parties of interest  
**Property Address:** 7708 Old Statesville Road  
**Property to be acquired:** 21,736 sq.ft. (0.499 ac.) of fee simple acquisition  
**Improvements:** Single Family Dwelling  
**Purchase Price:** \$75,000

**Remarks:** This acquisition is needed for the Old Statesville Road Widening. The compensation was established by two independent, certified appraisals and a review appraisal. City has yet to reach a negotiated agreement with owner.

**Zoned:** B-2

**Use:** Single Family Dwelling

**Total Parcel Tax Value:** \$43,870

**Tax Code:** 043-088-11

### 53. Meeting Minutes

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

- February 8, 2001 Council Retreat
- February 19, 2001 Zoning
- February 20, 2001 Joint City/County/School Board
- February 21, 2001 Budget Retreat
- February 26, 2001 Business Meeting