

Mayor Patrick McCrory

Nancy Carter
Harold Cogdell, Jr.
Malcolm Graham
Don Lochman
James E. Mitchell, Jr.

Mayor Pro Tem Patrick De'Angelo Cannon

Patrick Mumford
Sara S. Spencer
John Tabor
Lynn Wheeler
Joe White

CITY COUNCIL MEETING
Monday, December 9, 2002

5:00 p.m.

Conference Center

Dinner Briefing
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7:00 p.m.

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Awards and Recognitions**
- **Formal Business Meeting**

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Arena Land Acquisitions and Design Process

Resource: Jim Schumacher, Engineering and Property Management

Time: 45 minutes

Synopsis of Presentation:

Two issues associated with the Arena project will be discussed:

1. Land acquisition update
 - a. December 9 – Consider purchase of Allright Corporation parcels for a December 30 closing (Allright has agreed to re-purchase the parcels if the City later determines that it does not want the land.)
 - b. December 9 – Consider condemnation of four parcels necessary for street improvements, anticipating filing of the lawsuits
January 14
 - c. January 13 – Consider approval of the remaining purchases for the arena site, optional land, and roadway improvements
 - d. January 14 – Schedule for filing condemnation lawsuits if necessary
 - e. January 15 – schedule for closing purchase contracts
2. Schematic design and public input update
 - a. The design team will review the results of the first public meeting held on November 21, 2002 and how the urban design issues are evolving
 - i. Street configuration
 - ii. Location of staging area
 - iii. Orientation of the building
 - iv. Existing structures
 - b. The second public meeting is scheduled for Tuesday, December 10, 2002 from 6:00 p.m. to 8:45 p.m. in Charlotte-Mecklenburg Government Center (CMGC) Room 267.
 - i. Review of urban design issues
 - ii. Impacts of the site layout on the design of the building
 - iii. Site and building features
 - c. The third public meeting is scheduled for Tuesday, January 7, 2002 at 6:00 p.m. in CMGC Room 267.

Future Action: Council will make decisions on land on December 9 and January 13 and on schematic design in February

2. Proposed Non-Emergency Police Services Crime Report Outsourcing

Resource: Chief Darrel Stephens, Charlotte-Mecklenburg Police
Major Maurice Keith, Charlotte-Mecklenburg Police

Time: 20 minutes

Synopsis of Presentation:

This presentation presents the business case for outsourcing the report taking function for larceny, larceny from vehicle, and damage to property reports currently taken by Non-Emergency Police Services (NEPS). Issues to be discussed include:

The Rationale for a NEPS Unit: NEPS serves two major purposes.

- Provide faster customer service for citizens reporting crimes where the presence of the officer at the scene would have no impact on the outcome of the case
- Free officers to respond to emergency calls where their presence can have an impact and to engage in proactive problem-oriented policing

Workload Issues for NEPS: Staffing levels in NEPS have not kept pace with the workload increases, both in terms of number of reports taken (approximately 40% of CMPD offense report volume) and number of phone calls answered. There have been a number of efficiency measures taken by the unit, including closing on third shift and redeploying those personnel to other shifts. Despite those measures, there are still complaints regarding wait times which average 11½ minutes but can be as high as 45 minutes and call abandonment rates that average almost 40%.

Outsourcing Reports: The Police Department proposes to outsource the report taking function for three categories of reports (larceny, larceny from vehicle, and damage to property) that comprise approximately 45% of the reports taken by NEPS. Outsourcing these reports will help reduce wait times for citizens and allow NEPS to process calls faster. If this step is not taken, problems with wait times and abandonment rates will continue.

Staff reviewed several options and concluded that outsourcing report writing is the most cost effective way to handle these reports and have an immediate impact on customer service. The department is also creating the capability for citizens to file reports in these three categories electronically through the CMPD website.

The Police Department and Business Support Services recommend awarding the contract for outsourcing to Unisys. Unisys would be held

to a series of performance standards outlined in their contract.

Relationship of Outsourcing Reports to Implementation of 311 System: The Police Department will participate in the 311 call center effort. One component of that effort will be to have an effective report writing system in place so that calls referred from 311 can be handled expediently.

Future Action:

Council will be asked to approve the contract with Unisys at the January 13, 2003 Council meeting.

3. Restructuring Government Committee Report on Small Business Development Program

Chair: Joe White

Resource: Vi Lyles, City Manager's Office
Chuck Robinson, Engineering and Property Management

Time: 20 minutes

Synopsis of Presentation:

On November 22, 2002, staff presented a proposed Small Business Opportunity Program (SBO Program) to the Restructuring Government Committee. This presentation highlighted how the program is designed to address one of the Stakeholder Committee recommendations, which were approved by City Council on July 22, 2002. The recommendation was to establish an outreach program that:

- Established project-by-project goals
- Refined good faith efforts of the MWBD Program
- Set annual participation goals in each City key business unit
- Notified small business enterprises (SBE) of procurement and contracting opportunities, and
- Required a certain percentage of work to be subcontracted, using appropriate guidelines

The presentation will address each of the outreach program components above, as well as the proposed implementation schedule and the organizational structure necessary to implement the program.

Future Action:

The public hearing on the proposed program is on tonight's agenda. After the public hearing, the Restructuring Government Committee will review the proposed program for recommendations to Council.

Attachment 1
Presentation Slides

4. Mecklenburg Union Metropolitan Planning Organization Vote Concerning 2025 Corridor System Plan

Resource: Ron Tober, Charlotte Area Transit System

Time: 15 minutes

Synopsis of Presentation:

The purpose of this presentation is to provide information on the 2025 Corridor System Plan adopted by the Metropolitan Transit Commission. Having this information should facilitate the Council action directing Council member Joe White's vote for the January 15, 2003 Mecklenburg-Union Metropolitan Planning Organization (MUMPO) meeting. See agenda item on pages 19-21.

Future Action: Council will take action on tonight's agenda.

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

CONSENT

- 5. Consent agenda items 17 through 40 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

6. Public Hearing to Close a Portion of Brownstone Street

Action: A. Conduct a public hearing to close a portion of Brownstone Street, and
B. Adopt a Resolution to Close.

Staff Resource: Scott Putnam, Transportation

Policy:

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

Explanation:

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

Petitioner:

Macedonia Baptist Church/Tracy Moore

Right-of-Way to be abandoned:

A portion of Brownstone Street

Location:

Located within the Lincoln Heights Neighborhood Community beginning from Hateras Avenue continuing north approximately 500 feet to its terminus at LaSalle Street

Reason:

To incorporate the right-of-way into adjacent property owned by the petitioner for the construction of a new sanctuary, family life center and educational building.

Notification:

In accordance with City policy, CDOT has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

Adjoining property owners

Frank Talley, Jr. – No objections

Juanita G. and McClettie Butler – No objections

Neighborhood/Business Associations

Greenville (Old) – No objections

Genesis Park – No objections

Lincoln Heights Neighborhood Association – No objections

J.T. Williams Neighborhood Association – No objections
 Edison Street Block Association – No objections
 North West End Business Association – No objections
 Dalebrook Neighborhood Association – No objections
 Druid Hills – No objections
 Double Oaks Community Organization – No objections
 Fairview Homes (CHA) – No objections

Private Utility Companies – No objections. Easements are provided to utility companies to maintain their existing facilities as requested.

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 2
 Map

7. Public Hearing on the Proposed Small Business Opportunity Program



Action: Receive public comments on the proposed Small Business Development Program.

Committee Chair: Joe White

Staff Resource: Vi Lyles, Assistant City Manager
 Chuck Robinson, Engineering and Property Management

Policy:
 City Council directed the City Manger to plan and initiate a public process to develop a local MWBD program that meets community needs and legal requirements. The process included appointment of a Stakeholders Committee made up of community leaders interested in creating equal opportunity in business development. The Stakeholders Committee presented its interim recommendations to City Council on June 3, 2002. The recommendations were referred to the Restructuring Government Committee for further review and discussion.

Explanation:
 Staff recommends a small business opportunity program as a replacement for the former MWBD program. The recommended program will:

- Establish project-by-project goals

- Refine good faith efforts of the MWBD Program
- Set annual participation goals in each City key business unit
- Notify small business enterprises (SBE) of procurement and contracting opportunities, and
- Require a certain percentage of work to be subcontracted, using appropriate guidelines

The Restructuring Government Committee recommended holding this public hearing to receive public comment on the proposal prior to making a recommendation to the full Council.

Committee Discussion:

On November 22, 2002, staff presented a proposal for a Small Business Development Program to the Restructuring Government Committee. Staff highlighted the purpose of the program and how the program is designed to address issues and concerns expressed by the community with regards to creating equal opportunity for business development. The program is modeled after the former MWBD program. However, the interim program is a race- and gender-neutral, small business program.

In developing the proposed program, staff conducted extensive interviews with the City of Denver's Mayor's Office of Contract Compliance and with representatives of the small business community. Council members Cogdell, Graham, White, Spencer and Lochman were present. The committee voted unanimously to receive public comment at the December 9 Business Meeting.

The Committee will meet on January 6, 2003 to consider the public input received on December 9, 2002.

Attachment 3

Small Business Opportunity Program Summary

POLICY

8. City Manager's Report

9. 2003 Annexation Ordinances and Resolutions

Action: A. Adopt a resolution stating the intent of the City to pay economic loss to qualified solid waste collection firms,

B. Adopt an annexation budget ordinance,

C. Adopt eight resolutions amending eight annexation reports, and

D. Establish the effective date for the annexations and adopt the eight annexation ordinances.

Staff Resources: Jonathan Wells, Planning Commission
Mike Boyd, City Attorney's Office
Bill Parks, Budget & Evaluation

Explanation:

- A. The resolution states the intent of the City to pay economic loss to qualified solid waste collection firms operating in the annexation areas in lieu of a contract. A sum equal to the economic loss has been determined under subsection (f) of North Carolina General Statute 106-A49.3. The total amount of the economic loss payment is \$415,066.
- B. The annexation budget ordinance indicates the start-up costs and funding sources required in the current fiscal year. The ordinance is necessary to prepare for the extension of City services into the areas to be annexed effective June 30, 2003.

Start-up costs of \$6,117,891 are necessary to hire staff and buy equipment in order to provide services on the first day of annexation. These costs include \$4,942,927 in the General Fund and \$1,174,964 in the Powell Bill Fund. Powell Bill funds are derived from the state gas tax and its use is restricted to street maintenance activities. These start-up costs are funded from fund balances of the General Fund and the Powell Bill Fund, as well as from existing appropriations in the FY2003 General Fund Operating Budget.

Fund balance available in the General Fund to make these appropriations is approximately \$51,500,000. Following the appropriation from the General Fund balance, remaining fund balance will be \$48,566,735 or 13.6% of the FY2003 Operating Budget, which is below the Council's 16% reserve policy for FY2003.

Additional costs of \$300,000 in the current fiscal year for design of one new fire station will be funded from existing appropriations in the FY2003-2007 Capital Investment Plan.

Partial funding for the installation of water and sewer lines in the annexation areas is included in the FY2003-2007 Capital Investment Plan. The remainder of the required funding for water and sewer services will be included in the FY2004-2008 Capital Investment Plan.

Full year expenditures and revenues for the combined eight annexation areas will be included as part of the FY2004 & FY2005 Operating and FY2004-FY2008 Capital Budget Plans as follows:

FY2004			
<u>Fund</u>	<u>Expenditures</u>	<u>Revenues</u>	<u>Difference</u>
General Operating	\$4,532,116	\$5,396,806	\$864,690
Powell Bill (Streets)	346,361	439,424	93,063
Municipal Debt Service	0	762,903	762,903
Pay As You Go	0	462,103	462,103
Storm Water	388,133	453,000	64,867
General Capital (Fire Station)	2,000,000	0	-2,000,000
	\$7,266,610	\$7,514,236	\$247,626

FY2005			
<u>Fund</u>	<u>Expenditures</u>	<u>Revenues</u>	<u>Difference</u>
General Operating	\$4,341,519	\$5,784,492	\$1,442,973
Powell Bill (Streets)	2,152,487	452,607	-1,699,880
Municipal Debt Service	0	849,457	849,457
Pay As You Go	0	538,504	538,504
Storm Water	397,989	487,000	89,011
	\$6,891,995	\$8,112,060	\$1,220,065

One-time costs in the first year of annexation (FY2004) include \$2,000,000 for construction of one new fire station. Funding for the fire station construction will be included in the FY2004-2008 Capital Investment Plan.

The annexation requires the addition of 73 positions. These positions are allocated as follows:

<u>Activity</u>	<u>Positions</u>
Fire	
Operations (1 Engine, 1 Ladder Company)	39
Communications	5
Investigations	2
Administration	1
Total Fire	<u>47</u>
 Transportation	
Street Maintenance	14
Total Transportation	<u>14</u>
 Solid Waste	
Customer Services	1
Special Services	2
Contracts Monitoring	1
Collections – West	0
Collections – South	1
Collections – North	4
Total Solid Waste	<u>9</u>
 Business Support Services	
Fleet Maintenance	2
Total Business Support Services	<u>2</u>
 Neighborhood Development	
Community Improvement	1
Total Neighborhood Development	<u>1</u>
TOTAL NEW POSITIONS	<u><u>73</u></u>

C. The eight resolutions will amend the annexation reports for each of the annexation areas to:

- Reflect adjustments to area boundaries in Mallard Creek Church East
- Revise population estimates in four of these areas
- Revise estimated revenues and expenditures in Mallard Creek Church East
- Revise service plans in Mallard Creek Church East and Mallard Creek Church West to reflect cost and funding source for new fire station
- Revise all eight areas to reflect start-up expenditures

D. State annexation statutes require City Council to adopt an ordinance extending the corporate limits to include all, or such part, of the area described in the notice of the public hearing and which City Council has concluded should be annexed. City Council must also establish the

effective date for the annexations which may not be less than 70 days nor more than 400 days from the date of passage of the ordinance. The recommended date for the eight annexation areas to become effective is June 30, 2003.

Background:

On September 17, 2002, Council passed a Resolution of Intent to consider annexing the eight areas. The Annexation Plans for the eight proposed areas were approved on September 23, 2002 (with minor modifications approved on October 7, 2002). A public information meeting to explain service plans and answer residents' questions was held on November 7, 2002. On November 18, 2002, City Council held public hearings on the eight proposed annexation areas. On November 26 City staff held a meeting with Southhampton Homeowners Association. The eight annexation areas were discussed at the December 2 Council Workshop.

The Mallard Creek Church Road East annexation area description will be sent in the Friday, December 6, 2002 Council-Manager memo.

Attachment 4

Resolutions and Maps
Ordinances

10. Thomasboro-Hoskins Area Plan



Action: Approve the Economic Development and Planning Committee recommendation to Adopt Volume I: *The Concept Plan of the draft Thomasboro-Hoskins Area Plan.*

Committee Chair: Lynn Wheeler

Staff Resource: Cheryl Neely, Planning Commission

Explanation:

The *Thomasboro-Hoskins Area Plan* is the result of Planning staff working with citizens over the past year to develop a plan to address the condition of the community. This plan includes recommendations for land use changes, infrastructure development, transportation improvements, streetscape improvements, community safety, community appearance, economic development, and parks and open space. Land use recommendations in the plan, if approved, would amend land use recommendations in the Northwest District Plan for this area.

Some of the key recommendations of the plan are:

Land Use: Protect the existing residential fabric, integrate land uses, encourage retail uses that are neighborhood supportive and improve the physical relationship between residential and non-residential land uses.

Community Safety: Form an alliance between police, residents and City and County service providers to discourage criminal activity.

Transportation and Infrastructure: Install infrastructure improvements throughout the community that include traffic calming measures, sidewalks, and crosswalks; consider extending transit service in the community; examine the feasibility of the removal of the Glenwood Drive Extension from the Thoroughfare Plan; and improve the intersection of Brookshire with Hovis and Oakdale Roads.

Committee Discussion:

On November 20, the Economic Development and Planning Committee unanimously recommended that City Council adopt Volume I: *The Concept Plan* with the following revisions:

- The *Thomasboro-Hoskins Area Plan* has been revised to reflect the 65 day night level of noise contours on all maps. Also, language has been included that explains the Airport’s policy for residential development in noise contours (see attachment).
- Table 1, Socioeconomic Data, has been updated to include the most recently available information (see attachment).

Council members Wheeler, Graham, Carter, Cannon and Lochman attended the meeting.

Community Input:

A number of residents, property owners, police officers and other interested parties attended the City Council Public Meeting on October 28 and voiced their support of the plan. A citizen at the public meeting requested that sidewalk be installed along both sides of the street in front of Thomasboro Elementary School and Council directed staff to follow up on this issue. Currently, sidewalk is located along one side of Bradford Drive in front of the school. Sidewalk is planned for the other side of Bradford Drive (across the street from the school). It will be constructed during Phase 4 of the Neighborhood Improvement Program for the Thomasboro-Hoskins community.

Attachment 5

Revisions to the Draft Thomasboro-Hoskins Area Plan

11. University City Action Plan



Action: Approve the Economic Development and Planning Committee recommendation to adopt the University City Action Plan.

Committee Chair: Lynn Wheeler

Staff Resource: Tom Flynn, Economic Development

Explanation:

In January 2001 the University City Area Chamber and other stakeholders presented the University City Strategic Plan to City Council. The Strategic Plan had three major recommendations:

1. Build light rail to the University City area along North Tryon to US29.
2. Make public infrastructure improvements in University City to provide a more urban and connected environment.
3. Develop a public/private leadership group to advocate, market and help plan University City.

City Council asked staff to review the Strategic Plan and develop an action plan for Council's consideration. The action plan, recommended by the Council's Economic Development and Planning Committee is attached. Highlights of this plan include:

1. Recognition that there are many existing City programs and policies that are already addressing the issues raised by the University City Strategic Plan.
2. In the short term (one year):
 - a. Assist with establishing a Municipal Services District (MSD) to advocate, market and help plan the University City.
 - b. Investigate with stakeholders the proposal to mix housing into the University Research Park.
3. In the mid-term (2-5 years):
 - a. University City MSD brings resources together to develop a concept plan for the Harris/US29 intersection
 - b. University City MSD develops a signage and pedestrian street lighting program.
 - c. City of Charlotte restores funding for break-away street lighting along thoroughfares
 - d. Develop overlay-zoning district to help implement the concept plan for Harris/US29 intersection
4. In the long term (5-15 years):
 - a. Open light rail to University City
 - b. Secure state funding to implement concept plan for Harris/US29 intersection.
 - c. Study MSD funding for sidewalk and other infrastructure improvements in the University Research Park.

If adopted staff will work to implement the action plan. Action plan items requiring operating or capital funding will be considered in the FY04-FY05 budget process.

Committee Discussion:

The University City Action Plan was presented to City Council in September and referred to the Economic Development and Planning Committee. On November 20 the Committee unanimously recommended approval of the

action plan (3-0; Carter, Lochman and Graham). Council members Cannon and Wheeler were absent at the time of the vote. The Committee discussion focused on the action step concerning the creation of a Municipal Service District in the University Research Park to fund construction of sidewalks. After some conversation, that recommendation was revised to read, "Study the creation of a Municipal Services District to fund sidewalk and other public infrastructure improvements in the University Research Park".

Community Input:

Staff presented a draft of the action plan to the University City Area Council and modified the action plan based on their discussion.

Attachment 6

University City Action Plan

12. Business District Organization Program



Action: Approve the Economic Development and Planning Committee's recommendation to establish a Business District Organization Program.

Committee Chair: Lynn Wheeler

Staff Resource: Tom Warshauer, Neighborhood Development

Policy:

The Economic Development Focus Area includes goals related to improving the health of the city's distressed business districts. This program would improve business conditions by supporting the work of business organizations.

Explanation:

On June 24, 2002, Council referred the discussion of financial support for the operating expenses for the Tryon North Development Corporation to staff to bring back a recommendation to the Economic Development and Planning Committee. Staff was asked to consider the development of a program that would address operating support for all business district organizations in distressed areas.

The proposed program provides 50% matching funds up to \$7,500 per year for the operating expenses of business organizations serving distressed business districts. To be eligible for matching funds an organization must be located in a Distressed Business District, have nonprofit 501(c)(3) or 501(c)(6) status and have a board with at least 75% area business representation. Funds must be matched by hard dollars (in-kind donations and volunteer time do not qualify) and the match must be demonstrated through cash on hand or signed pledges. Organizations must develop a work plan, annually report

accomplishments to the City and document their expenditure of funds. Funds expended in FY03 can be counted toward FY03 match.

Committee Discussion:

The Economic Development and Planning Committee voted 4 to 1 to recommend approval of the program at its November 20, 2002 meeting. Council members Cannon, Graham, Spencer and Wheeler voted in favor of the item with Council member Lochman opposed. The Committee stressed the need for staff to work with the business district organizations to develop outcome measures as the program is implemented.

Community Input:

Staff surveyed 15 cities to examine how other municipalities supported business organizations. Five of the fifteen cities (Columbus, Phoenix, Pittsburgh, Portland and Richmond) offer varying levels of financial assistance to business organizations in distressed areas. The assistance is generally in the \$3,000 to \$5,000 range, however, Columbus allows up to a maximum of \$20,000 per organization.

A focus group of representatives from Charlotte's business district organizations was held on October 1, 2002. The proposed program incorporates many of the recommendations from the meeting.

Background:

There are currently three organizations known to be eligible for funds under this program: Wilkinson Boulevard Business Association and Tryon North Development Corporation have 501(c)(3) status and Freedom Drive Development Association has 501(c)(6) status. Two others, North West End Business Association and West Morehead Business Association, are applying for 501(c)(3) status and may become eligible. These five organizations' memberships range from 15 to 55 businesses. Tryon North and Freedom Drive lead in fundraising at \$12,000 to \$15,000 each annually. Both organizations have hired a consultant to provide staff support. The other organizations currently raise nominal amounts and have no paid staff.

Funding:

Current year funding of the \$20,000 will come from reallocating existing resources from Business Investment Grants. Business Investment Grants has \$37,000 available in the current fiscal year. Funding in future years will be considered as a part of the FY2004-FY2005 budget development process.

Attachment 7

Business District Organization Program Description

BUSINESS

13. New Arena Land Acquisitions

Action: Approve a contract for the acquisition of land for the arena site and a parcel in the adjacent block from Allright Corporation for a total price of \$2,227,010.

Staff Resource: Jim Schumacher, Engineering and Property Management

Explanation:

In late September and early October, City staff and a commercial real estate broker negotiated purchase contracts for all parcels comprising

- the East Trade Street arena site;
- a portion of the property necessary to relocate Fifth Street; and
- additional land in the block bounded by Fifth, Brevard, Sixth and the rail corridor.

On November 11, 2002, the City Council approved the East Trade Street site as the location for a new Charlotte arena.

While most of the contracts provide for a closing date of January 15, 2003, the Allright Corporation contract has a December 30, 2002 closing date. This earlier date was specifically requested by Allright Parking in the property negotiations. However, Allright has agreed to re-purchase the property at the City's purchase price if the City later determines that it does not want the land.

Owner(s): Allright Corporation
Property Address: 314 E. 6th St., 417 E. 5th St
 containing approximately 35,458 sq. ft.
Improvements: Surface parking
Purchase Price: \$2,227,010.00
Zoned: UMUD
Tax Codes: 080-014-15; 080-052-02
Total Deposit: \$25,000
Closing Date: December 30, 2002

The remaining purchase contracts are scheduled for City Council consideration on January 13, 2003.

Funding:

Sports and Entertainment Capital Projects Fund

14. New Arena Street Improvements Land Condemnations

Action: Adopt condemnation resolutions for land parcels required for the relocation of East Fifth Street and the widening of Caldwell Street.

Staff Resource: Jim Schumacher, Engineering and Property Management

Explanation:

On November 11, 2002, the City Council approved the East Trade Street site as the location of a new arena. Development of the arena site will require infrastructure improvements, including the relocation of East Fifth Street and the widening of Caldwell Street. Due to the schedule for beginning the roadway improvements, it is recommended that condemnation of the following properties be approved, allowing the City Attorney to file the condemnation lawsuits in January if a negotiated settlement is not reached with the property owners by that time.

- A. Project:** Widening Caldwell Street
Owner(s): B&K Investment Co.
Property Address: 431 E. Trade St. and N. Caldwell St.
Improvements: One story commercial building
Condemnation Price: \$1,540,000
Zoned: UMUD
Use: Lounge-Night Club
Tax Code: 080-053-08 and 080-053-22
Total Parcel Tax Value: \$805,370 and \$37,290
- B. Project:** Widening Caldwell Street
Owner(s): Caldwell Corner, LLC
Property Address: 128 S. Caldwell St.
Improvements: None
Condemnation Price: \$365,000
Zoned: UMUD
Use: Surface parking
Tax Code: 125-023-11
Total Parcel Tax Value: \$119,060
- C. Project:** Widening Caldwell Street
Owner(s): Davidson College Trustees
Property Address: 116 S. Caldwell St. and 426 E. Trade St.
Improvements: None
Condemnation Price: \$1,480,000
Zoned: UMUD
Use: Surface Parking
Tax Code: 125-023-12 and 125-023-13
Total Parcel Tax Value: \$592,940 and \$849,880

D. Project: Relocation of Fifth Street
Owner(s): G. Howard Webb
Property Address: 220 N. Brevard St.
Improvements: None
Condemnation Price: \$490,000
Zoned: UMUD
Use: Surface parking
Tax Code: 080-052-09
Total Parcel Tax Value: \$157,150

The condemnation resolutions are on file in the City Clerk's Office.

15. Mecklenburg Union Metropolitan Planning Organization Vote Concerning 2025 Corridor System Plan



Action: A. Direct the City's Mecklenburg Union Metropolitan Planning Organization (MUMPO) representative's vote on the 2025 Corridor System Plan that was adopted by the Metropolitan Transit Commission (MTC) on November 20, 2002 and is to be considered for approval by the MUMPO at their January 15, 2003 Meeting, and

B. Direct the City of Charlotte MUMPO representative to vote consistent with the above action on any future MUMPO actions necessary to implement the plan, (for example Transportation Improvement Program amendments.)

Staff Resource: Ron Tober, Charlotte Area Transit System
 Danny Rogers, Planning

Explanation:

Federal law requires MUMPO to approve the elements of the locally-adopted Transportation Improvement Program (TIP). This includes endorsing and incorporating into the appropriate programs/plans transit projects that are identified and programmed by the Metropolitan Transit Commission (MTC), including the designation of Locally Preferred Alternatives for rapid transit corridors. This is necessary for federal and state funding.

The MUMPO will be asked to approve the MTC adopted 2025 Corridor System Plan at their January 15, 2003 meeting.

This action will direct the vote of Council member Joe White, the City Council representative to the MUMPO.

Following the MUMPO review and action in January, subsequent steps in implementing the 2025 Corridor System Plan include:

- System Plan submission to Federal Transit Administration (FTA)
- FY2004-05 Transit Program approvals
- FTA approval to proceed with preliminary engineering
- CATS Organizational Development

2025 Corridor System Plan

On November 20th the Metropolitan Transit Commission unanimously approved a resolution adopting the staff recommended 2025 Corridor System Plan and Implementation Plan for the North, Northeast, Southeast, and West transit corridors. The Plan as approved specifies Locally Preferred Alternatives in each of the four transit corridors:

- commuter rail along the Norfolk Southern “O” line in the North Corridor, supplemented by enhanced bus service along I-77;
- a light rail line transit (LRT) along the North Carolina Railroad corridor and US 29 in the Northeast Corridor, supplemented by bus rapid transit service;
- bus rapid transit (BRT) service along Independence Blvd and Independence Pointe Parkway to the CPCC South Campus area in the Southeast Corridor; and
- bus rapid transit along Wilkinson Blvd, supplemented by enhanced bus service along Freedom Drive and West Blvd/Tyvola Road, in the West Corridor.

The Plan also includes streetcar service in the Central Avenue and Beatties Ford Road corridors; improvements in the Uptown area including streetcar service along Trade Street; a streetcar loop connecting the Wards and various activity centers; and the West Trade Multi-Modal Station.

The resolution included a provision, added by the MTC members, which requires that preliminary engineering on the Southeast and West Corridors evaluate both light rail transit and bus rapid transit; and that the MTC make a final decision on which technology will be pursued at the conclusion of preliminary engineering. This provision, while preserving bus rapid transit as the Locally Preferred Alternative mode in the two corridors, allows for continued engineering studies of both modes further into the development process. A decision will be required when preliminary engineering has been completed and a Draft Environmental Impact Statement has been prepared for submission to the Federal Transit Administration.

The resolution also includes provisions recommended by the Citizens Transit Advisory Group, as follow:

- Bus rapid transit (BRT)/guideways shall be designed to facilitate potential conversion to light rail transit service in the future.

- Special focus shall be given to ensuring that BRT lines in the Southeast and West Corridors are effectively connected to the Center City and Center City transit stations.
- All stations, whether serving LRT, Commuter Rail/Diesel Multiple Unit (DMU), or BRT lines, shall be built using comparable design and construction specifications.
- Strong consideration shall be given, where financially feasible and prudent, to acceleration of the installation of streetcar services on Beatties Ford Road and Central Avenue.
- Strong consideration shall be given to the pursuit by local governmental bodies of effective transit-oriented economic development and re-development initiatives in the Southeast and West Corridors.
- CATS shall explore the feasibility and viability of extending rapid transit service in the Southeast Corridor into Union County by implementing DMU service using the existing CSX Railroad tracks and right-of-way.
- Special focus shall be given to ensuring that adequate connectivity between corridors is provided for.

Immediately following the MTC meeting, the Mecklenburg Union Metropolitan Planning Organization was briefed on the MTC action approving the System Plan.

Attachment 8 Resolution

16. 2003 Annexation Water and Sewer Professional Services Contract

Action: Approve contracts, totaling \$3,933,452, for design and construction administration for 2003 Annexation water and sewer and associated street main extensions:

- 1. Approve a contract with Stantec Consulting Services, Incorporated for \$2,229,497 for engineering services for four of the annexation areas (Mallard Creek Church West, Mallard Creek Church East, Overlook Mountain Drive, and Long Creek).**
- 2. Approve a contract with McKim & Creed for \$1,703,955 for engineering services for four of the annexation areas (Marvin Road, Parkway Plaza, Pleasant Grove Road, and Sunset Road).**

Staff Resource: Doug Bean, Utilities

Policy:

The North Carolina Annexation Statute requires that water and sewer services be completed within two years following the effective date of annexation.

Explanation:

Council has adopted a resolution of intent to annex eight new areas, effective June 30, 2003. In anticipation of the final annexation resolution, Utilities has conducted a competitive selection process through which Stantec Consulting and McKim and Creed were selected to perform the design for the annexation water mains, sewer mains, pump stations with necessary force mains, and the associated street main extensions and construction administration services for the eight areas. To facilitate coordination of water/sewer construction with street improvements in the annexed areas, all street main extensions will be designed along with the annexation water and sewer mains.

Prior to construction, public meetings will be held in each area. Those residents who want water or sewer service connections will be encouraged to apply for service at that time so that the necessary street mains can be constructed under the annexation construction contracts. Work will be scheduled so as to complete all water/sewer work in a neighborhood in a single contract. Each neighborhood will be available for street improvements immediately following the water/sewer work. This should limit the damage to newly improved streets by street main construction. This methodology has been used successfully in previous annexation programs.

MWBD:

Stantec will subcontract \$17,500 to a WBE firm. McKim & Creed will subcontract \$240,000 to a BBE firm.

Funding:

Water and Sewer Capital Investment Plan

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 and are low bid.

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

Contracts awarded to Minority and Women Business Development (MWBD) certified companies are noted. The MWBD abbreviations are as follows:

ABE – Asian American

BBE – African American

HBE – Hispanic

NBE – Native American

WBE – Non-Minority Women

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

Contractors and Consultants

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

CONSENT I

17. Various Bids

A. Janitorial Paper Products

BSS

Recommendation: The BSS/Procurement Services Director recommends award of low-bid unit price contracts for janitorial paper products in the estimated annual amount of \$715,514.75 for a term of one year with an option to renew for three additional one-year terms as follows:

Webb Chemical & Paper, Inc., Shelby, NC, estimated annual total of \$352,471

American Chemical, Inc., Charlotte, NC, estimated annual total of \$203,550

Calico Industries, Inc., Annapolis Junction, MD, estimated annual total of \$159,493.45

The products include paper towels, tissue, trash can liners and latex gloves.

B. Traffic Mitigation Fiber Optic Equipment for Monroe Road/Central Avenue **CDOT**

Recommendation: The Key Business Executive for the Charlotte Department of Transportation recommends award of the low bid of \$189,633.60 to Peachtree Telecommunications International of Atlanta, Georgia. This equipment is necessary for mitigating congestion on streets paralleling Independence Boulevard during construction of the Independence Freeway.

C. Statesville Avenue Widening **E&PM**

Recommendation: The City Engineer recommends the low bid of \$2,265,985.32 by Arvy Construction, Inc. of Charlotte, North Carolina. This project consists of the widening of Statesville Avenue from a two-lane roadway to a four-lane roadway. The Statesville Avenue widening project begins approximately 800 feet south of Newland Road and continues in a northerly direction to the Tipton Drive intersection. This project is scheduled to be completed in late December 2003.

D. West Elmwood Cemetery Grounds Maintenance FY03 **E&PM**

Recommendation: The City Engineer recommends the low bid of \$209,880 by Dixie Lawn Service of Gastonia, North Carolina. This three-year project consists of turf and landscape maintenance for the City owned property at West Elmwood Cemetery.

E. Fire Station 10 Replacement **E&PM**

Recommendation: The City Engineer recommends the low bid of \$2,261,602 by American Eastern Builders, of Charlotte, North Carolina. This project constructs a new four bay, 15,142 square feet fire station located at 2810 Wilkinson Boulevard (between Highland and Weyland Avenue). This station replaces the existing Station 10 presently located at 2136 Remount Road. Construction includes attached dormitory, office, dining, and miscellaneous support spaces. The new station will open in Spring 2004.

F. Purser-Finchley Neighborhood Improvements **E&PM**

Recommendation: The City Engineer recommends the low bid of \$1,038,307.92 by 7 Star Construction Inc., of Rock Hill, South Carolina. This project is one of the 22 neighborhoods identified for improvements under the 2000 Neighborhood Improvement Project bond referendum. This project will address infrastructure needs by providing storm drainage pipe, water pipe and sewer pipe. The project also includes drainage structures, concrete curb and related roadway and utility items. The improvements are in the Purser-Finchley

neighborhood located east of the intersection of Eastway Drive and East Sugar Creek Road. This project is scheduled to be completed in early July 2003.

G. Sanitary Sewer Construction–Clarke Creek Outfall CMU Phase IV

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$1,576,158.62 by B.R.S., Inc. of Richfield, North Carolina. This contract provides labor, various size sewer pipes and related equipment.

H. Water Main Construction–FY03 Water Main Replacement Contract CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$1,297,783.30 by Dellinger, Inc. of Monroe, North Carolina. This contract includes labor, various size water pipe and related equipment. It also includes rights-of-ways.

18. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Johnston Road

Action: A. Adopt the resolution of intent to abandon a portion of Johnston Road, and
B. Set a public hearing for January 13, 2003.

Attachment 9
Map

19. Refund of Property Taxes

Action: Approve adoption of a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$41,306.53.

Attachment 10
Resolution
List of Refunds

20. FY03 Pay Adjustments for Council Appointed Positions

Action: Approve salary increases of 3% for the City Manager, City Attorney and City Clerk and bonuses in the amounts of \$ 8,240 for the City Manager, \$ 6,180 for the City Attorney, and \$1,545 for the City Clerk.

Staff Resource: Timothy Mayes, Human Resources

Explanation:

Salary and compensation for the City Manager, City Attorney and City Clerk are determined annually by the City Council. Adjustments are based on the employee's performance and market considerations. New compensation is to be a 3% increase on current base salary and a 3% increase on the bonus amount granted last year for each appointee.

CONSENT II

21. **Underground Conduit for Traffic Signal Communication Cable for the Trolley/Light Rail Transit Project**

Action: Approve a contract with Communication Services Incorporated in the amount of \$404,363 to install a traffic signal communication conduit system on East Trade Street and Davidson Street to interconnect the Department of Transportation's Traffic Control Center and the Trolley/Light Rail Line.

Staff Resource: Bill Dillard, Transportation

Explanation:

CDOT identified the need for a fiber optic traffic signal communications conduit system along East Trade Street and Davidson Street to interconnect CDOT's Traffic Control Center with the proposed new Trolley/light rail line. Because of the high cost of constructing underground facilities in the uptown area, CDOT approached several communications companies to explore the possibility of a public/private conduit system through this area.

Communication Services Incorporated (CSI) expressed an interest in a possible public/private venture, and as a result of this interest, a formal contract agreement was negotiated.

Under the terms of this contract, CSI will develop final plans and construct the conduit duct system along East Trade Street and Davidson Street. The total estimated cost of the work to be performed by CSI for CDOT is \$404,363. The total cost for the City to separately install this conduit system was estimated to be \$457,258. This public/private partnership will save the City an estimated \$52,895.

This agreement benefits CSI by allowing them to install their facilities at the same time at a lower cost.

Section 7.109 of the City Charter authorizes negotiated public/private development contracts.

Funding:

Transportation Capital Investment Plan

22. Regional Air Quality Reimbursement Agreement

Action: A. Adopt a budget ordinance for \$182,800 to assist in funding the air quality regional model,

B. Approve a reimbursement agreement with NCDOT for \$135,000, and

C. Approve a reimbursement agreement with SCDOT for \$62,800.

Staff Resource: Norm Steinman, Transportation

Explanation:

City Council received a presentation on October 7th workshop explaining that CDOT staff is taking the lead in the development of a regional travel model. In order to award contracts for work related to completing the travel model, the City must secure funding from other municipalities and planning organizations.

This new travel model, together with a Transportation Plan, will be used to demonstrate the region's ability to meet federal air quality conformity regulations. If the air quality standards are not met, federal funds for roads and transit will be withheld as early as April 2005.

Two reimbursement agreements are necessary to proceed with the model.

- The first is an additional agreement with the NCDOT in the amount of \$135,000 to fund their remaining share of the regional model development effort.
- The second is an agreement with the SCDOT in the amount of \$62,800 to fund the SCDOT's and the Rock Hill Fort Mill MPO's share of the regional model development effort.

An additional agreement with the Cabarrus-South Rowan MPO is expected to follow at a later date.

Funding:

NCDOT and SCDOT

Attachment 11

Budget Ordinance

Task/Approval Status Table

23. Regional Air Quality Land Use Technical Advisor Contract

Action: Approve a contract with the University of North Carolina at Charlotte in the amount of \$125,000 to coordinate data collection and project efforts to ensure consistency of the travel model input data.

Staff Resource: Norm Steinman, Transportation

Explanation:

City Council received a presentation on October 7th regarding the status of work necessary to develop a regional travel model. That new model, together with a Transportation Plan, will be used to demonstrate the region’s ability to meet federal air quality conformity regulations. If the air quality standards are not met, federal funds for roads and transit will be withheld as early as April 2005.

A critical component of the development of the new model is the development of regional land use and socio-economic data for the base year and projections for the horizon years. This work will be completed by the Metropolitan Planning Organizations (MPO) and outside contractors. Each MPO within the region is assuming responsibility for this data within their Metropolitan Area Boundary (MAB). A contractor has been selected to produce this data for the North Carolina portion of the region outside of the MPO boundaries (non-MPO area). A separate contractor will assist with developing the regional projections.

These data collection and projection efforts will need to be coordinated to ensure consistency of the model inputs and to expedite the model development effort. The University of North Carolina at Charlotte Center for Transportation Policy Studies has been selected to act as a land use technical advisor to help the regional partners facilitate these data efforts, with the Charlotte Department of Transportation serving as the managing agency. The total cost of the contract shall not exceed \$125,000.

Funding:

Funding for this contract will be shared by the region’s four MPOs as follows:

Mecklenburg-Union MPO	\$84,500
Gaston MPO	\$16,300
Cabarrus-South Rowan MPO	\$13,300
Rock Hill-Fort Mill MPO	\$10,900
 Total	 \$125,000

Attachment 12

Task/Approval Status Table

24. Regional Air Quality Workplace Survey Contract

Action: Approve contract with Catherine Bryant and Associates Research for \$350,000 to compile basic travel data to be analyzed for developing and calibrating sub-models of the regional travel model.

Staff Resource: Norm Steinman, Transportation

Explanation:

City Council received a presentation on October 7th regarding the status of work necessary to develop a regional travel model. That new model, together with a Transportation Plan, will be used to demonstrate the region's ability to meet federal air quality conformity regulations. If the air quality standards are not met, federal funds for roads and transit will be withheld as early as April 2005.

A critical component of the development of the new model is basic travel data that can be analyzed when developing and calibrating sub-models of the regional travel model. To date an external travel survey and a household travel survey, have been completed in order to provide a portion of the travel data needed. A third survey, a workplace survey, is needed to obtain information about how many trips people make to or from non-residential land uses.

Catherine Bryant and Associates Research (CB&A) of Winston-Salem, NC has been selected to produce this data for the regional travel model, with the Charlotte Department of Transportation serving as the managing agency. The contract shall not exceed \$350,000 and will run from December 10, 2002 to October 10, 2003.

Funding:

Funding for this effort will be provided by the Charlotte Area Transit System (CATS) Capital Fund. CATS has agreed to fund this effort, because the survey will provide information about travel that can be used for transit planning purposes.

Attachment 13

Task/Approval Status Table

25. GIS Street Centerline Enhancement Services Contract

Action: Authorize the City Manager to sign a contract with Woolpert LLP for enhancements to the GIS Street Centerline File. The term of this contract shall be for six months at a cost not to exceed \$150,000.

Staff Resource: Twyla McDermott, Business Support Services

Explanation:

The GIS centerline file is used to support public safety agencies including Police, Fire and MEDIC and to enhance citizen service in departments such as Solid Waste Services, CDOT, and Neighborhood Development. The centerline file provides the shortest path between two points (origin and destination). Reliance on the centerline file occurs either as system interfaces for daily work orders or data integration with the existing MEDIC, new Police, and future Fire computer-aided dispatch systems.

With increased dependence on the GIS centerline file for service delivery, new demands on the data structure and address accuracy have emerged. Requirements for the centerline file were defined and prioritized in June 2002. In August 2002 stakeholders from the City and County met to develop recommendations based on the requirements. The following centerline enhancements are recommended with services to be provided by an external consultant:

1. Data Model. A comprehensive data model for streets and addresses to define the ideal structure of the centerline file to meet user requirements.
2. Transportation Priorities. Included in this category are requirements for connected street segments, representation of street intersections for accident reporting and centerline integration with CDOT's Hansen system.
3. Impedance Enhancements. Impedance data represents actual vehicular travel flow. It shows one-way streets, overpasses/underpasses, and medians that prevent direct turns.
4. Organizational Structure of Centerline Maintenance. City and County staffs now jointly maintain the centerline file. The County maintains the address ranges and the City maintains the graphic lines. An objective study of the centerline maintenance process from an organization perspective will deliver a recommendation for the most advantageous structure for ongoing maintenance of and accountability for the street centerline file.

On October 4, 2002, BSS/Procurement released a RFP for the centerline enhancements. A City/County stakeholder committee evaluated the proposals, conducted a structured selection process and unanimously selected Woolpert LLP as the most qualified consultant.

Funding:

City and County Departments FY03 Operating Budgets

26. Amendment #4 to the Water and Sewer Authority of Cabarrus County Sewer Agreement and Professional Service Contract with Woolpert

Action: A. Approve amendment #4 to the Water and Sewer Authority of Cabarrus County (WSACC) Regional Wastewater Treatment Agreement for wastewater treatment service to the Reedy and McKee Creek basins within Mecklenburg County, and

B. Approve a contract with Woolpert LLP for \$3,445,300 to provide design services for the Reedy and McKee Creek basin sanitary sewer interceptors and pump station located in Cabarrus County.

Staff Resource: Doug Bean, Utilities

Explanation:

This amendment provides for the terms and conditions for the construction of sewer lines in Mecklenburg and Cabarrus counties needed to serve the McKee and Reedy Creek basins and for Charlotte to receive an additional 3 million gallons per day (mgd) of capacity in the existing WSACC wastewater treatment plant in Cabarrus county.

McKee and Reedy Creeks flow from eastern Mecklenburg County into Cabarrus. Utilities has worked with the Water and Sewer Authority of Cabarrus County (WSACC) to develop a regional plan for providing sewer service to this area. The regional plan takes advantage of existing extra treatment capacity in WSACC's plant and will allow Utilities to avoid the cost of building large pumping stations at the county line.

Utilities will construct the sewer lines in both counties. The WSACC portion of the cost of the lines in Cabarrus County will be credited toward Utilities' payment for the treatment capacity. The amendment also allows CMU to purchase an additional 3 mgd of treatment capacity in the future if required to meet system growth needs.

The original agreement was approved by Council in December 1995 and provided for wastewater treatment services to serve northeastern Mecklenburg County. Amendments 1, 2, and 3 were for additional trunk sewer lines to be installed under the terms and conditions of the original agreement in the northeastern portion of the county.

In 2001 City Council approved a \$1,748,755 contract with Woolpert LLP to provide engineering services for the design of the sewer interceptors that will serve the majority of the Reedy Creek and McKee Creek Basins located within Mecklenburg County.

This contract will provide for the total engineering, environmental, and geotechnical effort necessary to complete the design of the wastewater facilities needed to serve the remaining Reedy and McKee Creek Basins located in both Mecklenburg and Cabarrus Counties. These facilities include approximately 73,200 linear feet of sewer interceptors and a regional pump station. The need for these facilities is based on the continued development in the Reedy and McKee Creek Drainage Basins. This project provides the basic wastewater facilities needed to serve future annexation trunks required to serve the Harrisburg Road Area. The need is identified in the 2005 General Land Use Plan.

MWBD:

Woolpert will subcontract \$103,900 to F & R, Incorporated, a certified WBE firm.

Funding:

Sewer Capital Investment Plan

27. Locating, Exercising, and Mapping of Valves

Action: Approve a contract with Wachs Utility Services to perform all work associated with locating, exercising and mapping all water system valves 12” and smaller, including fire hydrants, from the Iredell County line in the North Mecklenburg area to the Mt. Holly-Huntersville Road/Eastfield Road area. The cost of this contract is for a not to exceed amount of \$600,000.

Staff Resource: Doug Bean, Utilities

Explanation:

This contract will pay for all services associated with locating, exercising and mapping of all valves 12” and smaller, including fire hydrants, from the Iredell County line in the North Mecklenburg Area to the Mt. Holly-Huntersville Road/Eastfield Road Area.

All valves and applicable vaults will be exercised and inspected respectively to evaluate their condition and operability. Minor repairs such as raising the valve box to grade, providing accessibility to valve nut and repairing faulty gears and packing, when necessary, will be performed on a per valve basis.

Valve and hydrant characteristics will be recorded in a database for future CMU use. Due to the age and sensitivity of the valves and hydrants, the response time and efficiency when isolating water mains for maintenance purposes as well as in emergency situations will vastly improve. Increased valve serviceability will be the direct result of this process.

On June 24, 2002, City Council approved a contract with Wachs to locate, exercise and map all 16" valves in Mecklenburg County and all valves and fire hydrants within the Central Business District. This contract will be complete by mid-December 2002.

Funding:

Water Capital Investment Plan

28. Beaverdam Creek Outfall, Pump Station and Force Main

Action: A. Approve a budget ordinance appropriating \$750,000 from Revenue Bonds to the Beaverdam Creek Outfall, Pump Station and Force Main Project, and

B. Award a contract to Bryant Electric Company, Inc. of Archdale, North Carolina for their low bid of \$4,028,069.73.

Staff Resource: Doug Bean, Utilities

Explanation:

The Beaverdam Creek project will provide Charlotte-Mecklenburg Utilities infrastructure to an area of Mecklenburg County currently without municipal sewer service. It will encourage orderly development in western Mecklenburg County. It is located southwest of Charlotte-Douglas Airport near Brown's Cove on the Catawba River.

This project was funded in the FY2001 Capital Investment Plan. The initial cost estimate did not anticipate the construction cost associated with the complexity of the pump station required to serve this area. A complex pump station, two-stage pumps, is required due to the extreme change in elevation between the pump station and the receiving gravity sewer, final location of the force main discharge point, and size and length of the force main. Two-stage pumping increases pump efficiency and reduce energy costs. Additional funds are required for construction and engineering costs.

Community Input:

A public meeting was held. An additional public meeting and newsletters for the community are being planned during construction of the project.

MWBD: Bryant will subcontract \$169,000 to a WBE firm.

Funding:

Sewer Capital Investment Plan

Attachment 14

Budget Ordinance

29. Studman Branch Outfall, Pump Station and Force Main

Action: A. Approve a budget ordinance appropriating \$2,200,000 from Revenue Bonds to the Studman Branch Outfall, Pump Station and Force Main Project (Center 631.54, Fund 2071), and

B. Award a contract to Gilbert Engineering Company, Inc. of Statesville, North Carolina for their low bid of \$3,489,897.63.

Staff Resource: Doug Bean, Utilities,

Explanation:

The Studman Branch project will provide Charlotte-Mecklenburg Utilities infrastructure to an area in southwestern Mecklenburg County currently without municipal sewer service. It will encourage orderly development in southwestern Mecklenburg County. It is located in the extreme southwest portion of Mecklenburg County at Langston Road.

This project was funded in the FY01 Capital Investment Plan. The original cost estimate for this project was based on a smaller service area and therefore a smaller facility. Final design determined that it was more economical to increase size to be able to serve additional drainage basins in this portion of the county. Additional funds are required for construction and engineering costs.

MWBD:

Gilbert Engineering will subcontract \$4,000 to a WBE firm and \$424,990 to a HBE firm.

Funding:

Sewer Capital Investment Plan

Attachment 15

Budget Ordinance

30. Beaverdam Creek and Studman Branch-Professional Services Contract

Action: Approve a contract with Brown & Caldwell, Inc. for \$614,453 to provide construction administration services for the Beaverdam Creek and Studman Branch projects.

Staff Resource: Doug Bean, Utilities

Explanation:

The Beaverdam Creek project and the Studman Branch project will provide Charlotte-Mecklenburg Utilities infrastructure to an area of Mecklenburg County currently without municipal sewer service. The Beaverdam Creek project is located southwest of Charlotte-Douglas Airport near Brown's Cove on the Catawba River. The Studman Branch project is located in the extreme southwest portion of Mecklenburg County at Langston Road.

Since Brown and Caldwell designed both of these pump stations and force mains, it is recommended that a contract with their company be approved for the construction administration. Both of these projects are being constructed simultaneously which has allowed for a more economical contract through resource sharing between projects.

MWBD:

Brown & Caldwell will subcontract \$22,000 to F & R, a certified WBE firm.

Funding:

Sewer Capital Investment Plan

31. Clear Creek Outfall And Force Main–Professional Services Contract

Action: Approve contracts, totaling \$900,000, for design and construction administration for the Clear Creek Outfall and Force Main projects:

1. **Approve a contract with Concord Engineering & Surveying, Incorporated for \$600,000 to provide design and construction management services for the Clear Creek Outfall project, and**
2. **Approve a contract with Landdesign, Incorporated for \$300,000 to provide design services for the Clear Creek Force Main project.**

Staff Resource: Doug Bean, Utilities

Explanation:

The Clear Creek project was approved in the FY2003-07 Capital Investment Plan. This project will provide sewer service to an area in east Mecklenburg County that is not currently served. This need is based on anticipated growth and development spurred by I-485, was identified in the 2005 General Land Use Plan, and was requested by the Town of Mint Hill. Construction of the project will eliminate the need for some existing facilities as well as the need for future private treatment plants.

Concord Engineering's contract will provide survey, design, and construction administration services for the Clear Creek Outfall. Concord Engineering was selected to perform the design and construction administration services in accordance with the City's approved selection process.

The professional service contract with Landdesign will provide survey and design of the Clear Creek Force Main. A developer consortium, headed by Crosland, selected Landdesign to design the sanitary sewer pump station which will be designed and constructed at the developer's expense. Charlotte Mecklenburg Utilities had agreed with the developer consortium to design and construct the force main. It was anticipated that the force main could be built to allow for conversion to a gravity sewer line, the lift station eliminated, and the force main no longer needed. The selection of Landdesign to do the design and permitting of the force main was based upon the need to have the design and permitting of the force main tightly integrated with the design of the pump station.

MWBD:

Concord Engineering and Landdesign will subcontract to F & R for \$21,700. Concord's contract with F & R is \$17,520 and Landdesign's contract is \$4,180. F & R is a certified WBE firm.

Funding:

Sewer Capital Investment Plan

32. Consolidated Laboratory Project–Professional Services Contract

Action: Approve a contract with Gantt Huberman Architects for \$921,500 to provide design, bid phase, and construction administration services for the Consolidated Laboratory Project.

Staff Resource: Doug Bean, Utilities

Explanation:

This contract will provide for design, bid phase, and construction administration services for the Consolidated Laboratory Project. The project involves design and construction of a new wastewater laboratory located on City owned property at the Irwin Creek Wastewater Treatment Plant. The new laboratory will provide needed additional space and consolidate existing lab operations for all five Utilities' wastewater treatment plants and the industrial waste lab. The new facility will provide space to handle increasing regulatory testing requirements mandated by the State, as well as conform to current OSHA (safety) regulations for laboratory workspace.

The Architectural firm of Gantt Huberman Architects was selected to perform the design of this project in accordance with City's approved selection process.

Funding:

Water and Sewer Capital Investment Plan

33. Donation of Rolling Stock Unit

Action: Adopt a resolution allowing the donation of a sewer cleaning truck to the City of Charlotte Housing Authority.

Staff Resource: Susan Johnson, Business Support Services

Explanation:

North Carolina General Statutes authorize the donation of City property to other governmental agencies.

The sewer cleaning truck is currently owned by the City of Charlotte and was purchased through General Funds of the Transportation Department. The unit was declared surplus by the City Council on September 9, 2002.

The Charlotte Housing Authority has requested the donation of this equipment. The equipment will be used for the routine cleaning of storm drains, manholes and sewer lines on the Authority's private streets.

The International Cab and Chassis with Vactor 200 Sewer Cleaner Body is a 1990 model with 100,464 miles. Approximate fair market value for this vehicle is \$20,000.

Attachment 16

Resolution

34. Cemeteries Ordinance Amendment

Action: Amend Chapter 7, "Cemeteries," of the City Code to reflect current management practices.

Staff Resource: Mike Shroyer, Engineering and Property Management

Explanation:

This action makes minor revisions to the Cemeteries Ordinance reflecting current management practices. The changes are not controversial and are focused on administrative and operational functions of the cemeteries. Changes to the ordinance are summarized below:

1. Elimination of deeds for burial space. Development of deeds is time consuming and not required by statute. Use of receipts or proof of purchase is sufficient for proof of ownership. This is common industry practice.
2. Extension of reversion of burial space. Under the current ordinance, burial space ownership is reverted to the City after 20 years of inactivity. The ordinance extends this timeframe to 75 years. The 20 year timeframe is too short and does not coincide with a period where inactivity means no further need.
3. Revision of times for burials. Under the current ordinance, no burials may occur on Sunday. The amended ordinance allows Sunday burials and makes minor changes to the timeframe in which burials may occur on weekends.

Attachment 17

Ordinance

Cemetery Locations

Cemetery Fee Schedule

35. Sale of Surplus City Land–Billy Graham Parkway

Action: Approve the sale of vacant City owned tract at the intersection of Billy Graham Parkway and Westmont for the appraised price of \$445,000, subject to the upset bid process.

Staff Resource: Kent Winslow, Engineering and Property Management

Explanation:

This parcel, containing approximately 1.466 acres, was appraised in January 2002, for \$445,000. It is zoned R-17MF.

During the Mandatory Referral process no objection to this sale was raised.

Mr. E. C. Creech has offered the appraised value and plans to relocate his offices there after rezoning. Once development of the parcel is complete, the total value thus returned to the tax rolls will be in excess of \$1 million.

Real Estate Division staff recommends Council approve this final sale, subject to advertisement and the 10-day upset bid process.

This property could have been included in the \$50 million of assets purchased by the business community as part of the new arena financing. The proceeds from the sale of this property will be held in reserve pending the sale of the old Convention Center, Charlotte Coliseum and old bus garage property to

determine if the proceeds will be needed to complete the \$50 million commitment.

Attachment 18
Map

36. Airport Landscape Maintenance Contract Extension

Action: Approve a one-year extension of the Airport's landscape maintenance contract with The Budd Group, Inc., in the amount of \$436,599 per year.

Staff Resource: Jerry Orr, Aviation

Explanation:

This action extends the Budd Group landscaping contract for an additional year at the current rate of \$436,599 per year.

On December 14, 1998, Budd Group was selected through a competitive process and awarded a three-year contract for \$340,478.20 per year to maintain all turf and landscape areas outside of the security fence at the Airport. Aviation Department personnel maintain the area inside the security fence. Subsequent change orders added \$96,120.74 to the contract. The current contract value is \$436,599.

The Airport Advisory Committee recommends this action.

Funding:

Airport Operating Fund

37. Airport Lease Agreement Amendment with North Carolina Air National Guard

Action: Amend the lease agreement between the Airport and the North Carolina Air National Guard.

Staff Resource: Jerry Orr, Aviation

Explanation:

The North Carolina Air National Guard (NCANG) leases 77 acres of land at the Airport for their operation. The NCANG base adjoins the North Corporate Aviation area. NCANG has agreed to release 1.2 acres from their lease hold so the Airport can develop a new corporate aviation hangar.

The Airport Advisory Committee recommends this action.

38. Airport Ramp E Expansion Design Contract

Action: Award a contract in the amount of \$499,956 to Talbert & Bright, Inc. of Charlotte for design services for the expansion of Ramp E.

Staff Resource: Jerry Orr, Aviation

Explanation:

On November 11, 2002, Council appropriated \$502,024 including a Federal Aviation Administration (FAA) grant in the amount of \$376,518, to fund the design work for an expansion of the aircraft parking ramp for the new Concourse E.

Talbert & Bright was selected through a competitive process for the design of the aircraft ramp for Concourse E. This contract will provide design and plans for bidding the additional work. The design fee is approximately 4% of the estimated construction cost of the project.

The Airport Advisory Committee recommends this action.

Funding:

Airport Capital Investment Plan

39. Property Transactions

Action: Approve the following property acquisition (A) and adopt the condemnation resolutions (B-F).

Acquisitions:

- A. Project:** Pinebrook Subdivision Permanent Water Line, Parcel # N/A
Owner(s): Landcraft Properties, Inc.
Property Address: Old Plank Road
Property to be acquired: 17,530 sq.ft. (0.40 ac.) of Permanent Water Line Easement across 25 lots and common area
Improvements: N/A
Purchase Price: \$34,000
Remarks: This acquisition is required for the protection of the existing Raw Water Main from Mountain Island Lake for the Pinebrook Subdivision Project. Compensation was established by independent, certified appraisals in the area.
Zoned: N/A
Use: Vacant
Tax Code: 035-137-48 and 03 to 22
Total Parcel Tax Value: \$0

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

Condemnations:

- B. Project:** 16-inch Water Main to Serve 14610 Stumptown Road, Parcel # 1
Owner(s): Rhein Interest of Charlotte and Any Other Parties of Interest
Property Address: 68.990 ac. Stumptown Road
Property to be acquired: 3,429 sq.ft. (0.07 ac.) of Permanent and Temporary Construction Easements
Improvements: None
Purchase Price: \$100
Remarks: This acquisition is required for the 16-inch Water Main to Serve 14610 Stumptown Road Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential/Vacant
Tax Code: 009-311-01
Total Parcel Tax Value: \$690,210
- C. Project:** Prosperity Church Road Widening-Phase II, Parcel # 89 and 90
Owner(s): Tradition at Mallard Creek LP and Any Other Parties of Interest
Property Address: 2530 Mallard Creek Road
Property to be acquired: 33,662 sq.ft. (0.773 ac.) of Fee Simple, Permanent Easement plus Temporary Construction Easement
Improvements: Walls, Landscaping, Trees
Purchase Price: \$126,950
Remarks: This acquisition is required for the Prosperity Church Road Widening-Phase II Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-17MF
Use: Apartments
Tax Code: 029-361-24 and 029-361-11
Total Parcel Tax Value: \$22,447,960
- D. Project:** Gleneagles Road Improvements, Parcel # 1
Owner(s): Cameron M. Harris and Any Other Parties of Interest
Property Address: 3601 Gleneagles Road

Property to be acquired: 96,684 sq.ft. (2.22 ac.) of Fee Simple Area to be acquired plus Permanent Drainage Easement and Temporary Construction Easement

Improvements: None

Purchase Price: \$478,400

Remarks: This acquisition is required for the Gleneagles Road Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3

Use: Vacant Land

Tax Code: 209-191-57

Total Parcel Tax Value: \$807,800

- E. Project:** Sanitary Sewer to Serve Torrence Creek Tributary #1, Parcel # 6 and 7

Owner(s): Edwin R. McCoy, III, Gary W. McCoy, Catherine L. McCoy, H. Michael McCoy, Luanne B. McCoy and Any Other Parties of Interest

Property Address: 15797 Old Statesville Road

Property to be acquired: 25,440 sq.ft. (0.584 ac.) of Permanent Easement plus Temporary Construction Easement

Improvements: None

Purchase Price: \$20,575

Remarks: This acquisition is required for the Sanitary Sewer to Serve Torrence Creek Tributary #1 Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: HC(CD)

Use: Vacant

Tax Code: 009-104-07 and 009-104-08

Total Parcel Tax Value: \$467,310

- F. Project:** Park Road Extension Sidewalk, Parcel # 34

Owner(s): Paulette Dorsey and Any Other Parties of Interest

Property Address: 10303 Osprey Drive

Property to be acquired: 1,157 sq.ft. (.027 ac.) of Permanent Sidewalk Easement plus Temporary Construction Easement

Improvements: None

Purchase Price: \$825

Remarks: This acquisition is required for the Park Road Extension Sidewalk Project. Compensation was established by an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: RMF

Use: Single Family Residential(Attached)

Tax Code: 221-421-20

Total Parcel Tax Value: \$75,810

40. Meeting Minutes

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

- **November 11, 2002 Business Meeting**
- **November 18, 2002 Zoning Meeting**