

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, February 12, 2001

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

7:00 p.m.

Meeting Chamber

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

2000 Council Retreat Priorities

Top Priorities for 2000

Housing Policy and Strategy

Community Safety Strategy: Safest City in America

Road Improvements

Westside Strategy

High Priorities for 2000

Business Corridor Revitalization

Eastside Strategy Plan

Financial Policies

Neighborhood Initiatives

North Tryon Strategy

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Northwest Corridor CDC: Phoenix Rising Townhouses

Resource: Stanley Watkins, Neighborhood Development

Time: 15 minutes

Attachment 1

2. Brownfields: Assessment Program, Revolving Loan Fund and NCDENR Staff

Resource: Tom Warshauer, Neighborhood Development

Time: 15 minutes

Attachment 2

3. Overview of Federal Legislative Package

Resource: Boyd Cauble, City Manager's Office
Roger Gwinn, The Ferguson Group

Time: 20 minutes

Attachment 3

4. Assessment of Homelessness in Charlotte- Mecklenburg

Resources: Darrel Williams, County Commissioner
Carol Morris, Consultant

Time: 30 minutes

Attachment 4

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

CONSENT

- 5. Consent agenda items 19 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.**

Zoning Petitions

6. Petition #1999-109

Action: Consider decision on Rezoning Petition 1999-109 by Franklin Renfrow, et al, for a change in zoning for approximately 96 acres located on the east side of Independence Boulevard, east of Sardis Road North and west of Lakeview Circle, from R-4 (single family residential) and R-17MF (multi-family residential) to CC (Commercial Center) and R-17MF(CD) (conditional multi-family residential).

Staff Resource: Keith MacVean, Planning

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of Mayor and Council, not excused from voting, in order to rezone the property.

This item was deferred from the Council's January 16th zoning meeting because the full Council was not present.

The original petitioners are no longer associated with this petition but their site plan is still the effective proposal for the property.

The Zoning Committee voted unanimously to recommend DENIAL of this petition.

Attachment 5

- Zoning Committee Recommendation of December 19, 2000
- Pre-Hearing Staff Analysis

7. Petition #2000-150

Action: Consider decision on Petition 2000-150 by Kenneth R. Harris for a change in zoning for approximately 0.76 acres located on the north side of West Boulevard, south of Fordham Road, for an amendment to an existing R-8MF(CD) site plan.

Staff Resource: Keith MacVean, Planning

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of Mayor and Council, not excused from voting, in order to rezone the property.

This item was deferred from the January 16th zoning meeting because the full Council was not present.

This proposal would permit an increase in the allowable number of children at the existing day care center from 46 to 60. It would also permit an increase in the size of the building from 2,090 square feet to 3,375 square feet.

The Zoning Committee voted unanimously to recommend APPROVAL of this petition.

Attachment 6

- Zoning Committee Recommendation of December 19, 2000
- Pre-Hearing Staff Analysis

8. Petition #2000-163

Action: Consider decision on Petition 2000-163 by Crosland Land Company for a change in zoning for approximately 31 acres located east of Winget Road and Autumn Blaze Drive, north of Neely Road, from I-2 (general industrial) to the R-4(CD) (conditional single family) district.

Staff Resource: Keith MacVean, Planning

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of Mayor and Council, not excused from voting, in order to rezone the property.

This item was deferred from the January 16th zoning meeting because the full Council was not present.

This proposal would allow up to 116 single family detached residences on the site.

The Zoning Committee voted to recommend APPROVAL of this petition, with the following modifications:

- The site will be limited to 116 detached single family residences.

- A five-foot wide nature trail will be installed along the creek which runs through the site within the common open space depicted on the technical data sheet and will connect to the sidewalk system that is to be installed as a part of the development.
- Each lot will be annexed into the Withers Grove Home Owners Association.
- Each lot on the site that abuts an existing lot located within the Withers Grove subdivision to the west of the site will have a minimum lot width along the rear property line of 60 feet, will have a minimum rear yard of 35 feet, and will align on a "rear yard to rear yard" orientation with a portion of one or more lots located within the Withers Grove subdivision.
- In order to preserve certain existing trees, the petitioner will install a 15-foot wide temporary safety/construction fence along the full length of the common boundary of the site with the Withers Grove subdivision to the west of the site. The petitioner will then record an amendment to the Withers Grove restrictive covenants to prohibit property owners along the common boundary between the site and the existing Withers Grove subdivision from cutting down trees of greater than 2 inch caliper within an area 10 feet in width extending from the common boundary line.

Attachment 7

- Zoning Committee Recommendation of December 19, 2000
- Pre-Hearing Staff Analysis

POLICY

9. City Manager's Report

10. Brownfield Program Expansion



- Action:**
- A. Adopt a budget ordinance appropriating the \$100,000 EPA Supplemental Assistance Grant to supplement the Brownfield Assessment Program;**
 - B. Establish \$500,000 EPA Brownfield Clean-up Revolving Loan Fund (BCRLF) Grant and a \$500,000 BCRLF Program; and**
 - C. Authorize the City Manager to enter into an agreement with NC Department of Environmental and Natural Resources (NCDENR) to use \$60,000 of City funds to pay for the services of a state staff person to work exclusively on brownfield projects in Charlotte.**

Resources: Stanley Watkins, Neighborhood Development
Tom Warshauer, Neighborhood Development

Explanation:

The following actions will address contamination issues, for the redevelopment of infill projects in distressed business districts and neighborhoods.

- A. The budget ordinance appropriates the \$100,000 EPA Supplemental Assistance Grant awarded to the City in April 2000. In addition, \$140,000 in local funds will be used to support this program. The Brownfield Assessment Program will provide a matching grant to property owners or potential property owners to undertake assessments at sites suspected of contamination. The grant provides 50% matching funds up to \$20,000 per site for assessment activities that would lead to site redevelopment.

Eligible expenses would include reasonable site assessment activities, clean up and remediation design activities and legal expenses related to negotiating Brownfields Agreements under the NC Brownfield Property Reuse Act of 1997 or clean up activities under other applicable programs.

A Site Selection Committee composed of ten representatives (five community representatives, an environmental representative, an environmental professional, an environmental attorney, a banker and

a developer) will approve applicants for the Brownfield Assessment Grant and the BCRLF Program. Either the property owner or person holding a contract to purchase the property may apply. Award decisions will be based on the criteria included in the attachment.

- B. The establishment of a Brownfield Clean Up Revolving Loan Fund (BCRLF) was outlined in the \$500,000 EPA Grant awarded to the City in 1999. The BCRLF Program will loan funds to public and private borrowers for contamination clean up at approved sites. The funds will be loaned at 2% or at other terms as required by the project and collateralized by the property.

Eligible expenses will include clean up costs allowed by the EPA grant. Use of the BCRLF monies is limited to the cleanup of properties where there has been an actual release or substantial threat of release of a hazardous substance. Site Management expenses will not be charged to the loan.

- C. The NCDENR staff will serve as the required Site Manager for EPA BCRLF funded projects. This staff will also work on expediting applications from Charlotte sites for Brownfield Agreements with NCDENR. (This application process could take up to 2 years.) The NCDENR staff will be located in Neighborhood Development offices in Old City Hall.

Up to \$60,000 in City funds is needed to pay for the services of a NCDENR staff to work exclusively on Charlotte brownfield projects for one year. After one year this agreement will be evaluated for potential renewal.

Background:

Program criteria and background summary is attached.

Funding:

- \$100,000 EPA Supplemental Assistance Grant for Brownfield Assessment Pilots Grant
- \$200,000 in local funds designated for brownfield programs included in the City's FY2001 budget. (\$140,000 for program plus \$60,000 for NCDENR staff person.)
- \$500,000 EPA Brownfield Clean Up Revolving Loan Fund Grant

Attachment 8

- Program Criteria and Background Summary
- Program Geographies
- Program Descriptions

11. Westover Shopping Center



- Action:**
- A. Accept the transfer of the Westover Shopping Center (Center) from the United States Department of Justice to the City of Charlotte;**
 - B. Approve the transfer of the Center from the City of Charlotte to the Westover #1 Limited Partnership (Partnership);**
 - C. Confirm appointments to the Board of Advisors of the Westover #1 Limited Partnership; and**
 - D. Approve a \$900,000 loan to Westover #1 Limited Partnership for the redevelopment of the Center.**

Resources: Stanley Watkins, Neighborhood Development
Tom Warshauer, Neighborhood Development

Policy:

Council's City Within A City and Economic Development Focus Areas seek to improve business conditions along the City's distressed business corridors, including West Boulevard. The Central District and Westside Strategy Plans also recognize the need to revitalize Westside business areas. Neighborhood Plans for Wilmore, Reid Park, Dalton Village and Wingate highlight West Boulevard's lack of quality retail shopping as a key deficiency for the area.

Explanation:

- A. To support the removal of blight and the establishment of needed services to revitalize the community, the U.S. Attorney has offered the Westover Shopping Center to the City of Charlotte under the Weed and Seed Program. The 4.6-acre (49,620 sq. ft.) shopping center is located at 1506 West Boulevard at the intersection of Remount Road and West Boulevard. (The Kentucky Fried Chicken outparcel is not included.)

The Memorandum of Understanding between the City and the U.S. Attorney includes the following transfer conditions:

- The property be redeveloped within two years;
- The property be redeveloped in a manner that benefits the community;
- Profits, if any, in the first five years be used to accomplish Weed and - Seed goals on West Boulevard;
- The Police locate the Adam II District Office on the site; and
- The City can not profit from the transaction.

After five years, all reversionary interests to the U.S. Attorney and transfer conditions placed by the U.S. Attorney will expire.

- B. The City will transfer title of the property to Westover #1 Limited Partnership. The Charlotte Mecklenburg Development Corporation (CMDC) will own 57% of the Partnership, Reid Park CDC 29% and West Enterprise Community 14%. CMDC will be the general partner.
- C. The Westover #1 Limited Partnership will have a Board of Advisors composed of four members from CMDC (Charles Saleh, Francis Harkey, Bob Sweeney, Lawrence Toliver), two from Reid Park CDC (Henderson Reid, William Simmons) and one from West Enterprise Community (not yet identified). Council will confirm the appointments to the Board.
- D. The City will also loan the Partnership \$900,000 for the Center's \$3.4 million redevelopment. The terms of the loan include no interest and no principal payments due for the first five years of the project. After five years, interest will accrue at 4% and 50% of all net cash flows will be used to pay outstanding principal and interest, though net cash flows are anticipated to be minimal. Proceeds from the sale or refinancing will be used to repay the bank, then the City and City accumulated interest, and lastly the Partnership. If the City loan were repaid, it would likely be at a sale or refinancing, should values increase to a level to permit it. (See attached Letter of Agreement)

The proforma for the shopping center project shows minimal to no net cash flow. However, any profits during the first five years will be used to implement actions identified under the Weed and Seed Program (i.e. drug addiction and awareness programs, etc.). After five years, 50% of profits would be used to service the City's loan with the remaining 50% divided among the partners for their respective organizations as required by the Department of Justice.

The proposed shopping center is approximately 90% leased with letters of intent from potential tenants including the Adam II District Office (Police has signed a two-year extension at their current location, which would enable them to move to Westover when the space is ready); Family Dollar; Simply Fashions; Jackson Hewitt Tax Service; Centura Bank; Hair Salon; and Jack in the Box (outparcel). Two of the smaller spaces have not been leased, but the developer has received a number of inquiries.

Background:

The West Boulevard Plan identifies the redevelopment of the Westover Shopping Center as critical to the success of West Boulevard neighborhoods. Redevelopment of the shopping center will:

- Support the City's neighborhood improvement investments in Wilmore, Reid Park and Wingate;
- Support the Charlotte Housing Authority's redevelopment of Dalton Village;
- Remove blight;
- Provide needed services to the community;
- Create needed jobs; and

- Provide a strong Police presence on West Boulevard.

The project background is attached.

Community Input:

Through numerous public meetings the community was involved in the creation of the Westside Strategy Plan. The Charlotte Mecklenburg Development Corporation (CMDC) Plan, West Boulevard Plan, the Westside Strategic Plan, Enterprise Community Application and Weed and Seed Application, all identified the redevelopment of Westover Shopping Center as a high priority for the community. West Enterprise Community continues to keep the community informed of the status of the Westover Shopping Center at board and community meetings and through newsletters. Monthly updates are also provided to the Amay James Task Force.

CMDC Board has also approved this project as outlined in this request.

Funding:

Neighborhood Development’s Economic Development Revolving Loan Fund (EDRLF) has a program balance of \$1,600,000 as of January 31, 2001.

Attachment 9

- Background Summary
- Westover Board of Advisors (proposed)
- Site Plan for the proposed shopping center
- Project Proforma
- Memorandum of Understanding with Department of Justice
- Letter of Agreement with CMDC

12. Northwest Corridor CDC’s Phoenix Rising Townhouse Housing Development Loan



Action: Approve the loan request in the amount of \$215,000 by the Northwest Corridor Community Development Corporation to develop 25 townhouses.

Resources: Stanley Watkins, Neighborhood Development
Stanley Wilson, Neighborhood Development

Policy:

The City’s Consolidated Plan identifies a need for affordable, safe and decent housing for low and moderate-income families. The FY2001 – 2005 Consolidated Plan, which established guidelines for the expenditure of federal housing funds, was approved by City Council on April 24, 2000. Lincoln Heights is one of the City’s Action Plan neighborhoods where housing development has been identified as a priority.

Explanation:

The Northwest Corridor Community Development Corporation (NWCCDC) is requesting a \$215,000 HOME funded loan from the City of Charlotte to develop 25 townhouses for homeownership to be located along Custer Street near LaSalle Street.

The proposed townhouses will be sold to families earning at or below 80% of the area's median income, which is \$45,680 for a family of four. (The minimum income needed to qualify to purchase a townhouse is \$35,743.)

The City's loan in the amount of \$215,000 will be a three year loan at 0% interest rate with a second lien deed of trust. The NWCCDC will repay 75% of City's loan for a total amount of \$161,750. The loan will be repaid in installment amounts of \$6,470 as each house is sold. The remaining loan balance of \$53,250 will be used to write down land costs to make the homes more affordable. The land write down is \$2,130 per unit.

The site plan, approved by the Planning Commission, consists of five buildings with five townhouses each. The project will replicate a similar project completed by NWCCDC (French Square) located on French Street. Each townhouse will have 1,040 sq. ft. consisting of three bedrooms, one and a half baths and include a dishwasher, stove, refrigerator, washer and dryer. NWCCDC intends to allow a realtor to market the housing units. It is anticipated that the project will be "sold out" over three years based on a market study prepared by John Wall & Associates.

The cost per unit is \$79,846.52 or \$76.78 sq. ft (after deducting the \$50,000 Fannie Mae Foundation Grant). The proposed sales price of each townhouse is approximately \$82,600 - \$85,000 each. However, the actual mortgage on each house may be approximately \$78,470 to \$80,750, when used in conjunction with a HouseCharlotte subsidy of up to \$7,500 and 5% downpayment from the buyer or a Federal Home Loan Bank – AHP Grant. No more than 30% of each household's gross income is to be applied toward the mortgage repayment. NWCCDC may earn a developer's fee of \$40,000 (\$1,600 per unit), contingent upon the accuracy of sales projections. If sales are slower than anticipated, the developer fee will be pledged as contingency.

Background:

The Phoenix Rising at Custer Street site is located on 1.93 acres, along the 2000 block of Custer Street near the intersection of LaSalle Street. The property consists of seven tax parcels, four of which were rezoned R5 by the Charlotte City Council on September 18, 2000 to comply with the multi-family status of the project. The new zoning is UR-2. The three lots with R12 MF zoning are a conforming legal use permitted under the city's zoning.

The Lincoln Heights neighborhood is located in proximity to the Beatties Ford Road Corridor. The Lincoln Heights community is defined as a CWAC fragile neighborhood in the 2000 Quality of Life Index.

Wachovia Bank has agreed to provide a construction loan in the form of a \$340,000 revolving loan for the construction of the Custer Street townhouses. The terms of the Wachovia loan is two years at a 9% interest rate with a first deed of trust. The monthly loan repayments are interest only with principal being repaid as each house is sold in installments of \$69,160. Wachovia's loan is contingent upon approval of a City loan to refinance the bank loan in the amount of \$215,000 for land acquisition. Permanent financing for each unit will be secured by the homebuyer with the assistance of NWCCDC.

Revenues

Wachovia Bank Loan	\$1,729,000
City of Charlotte Loan/Grant	215,000
Enterprise Foundation Loan	36,000
Northwest Corridor Equity	16,163
Fannie Mae Foundation Grant	50,000
Total	\$2,046,163

Expenses

Acquisition –bldgs.	\$215,000
Closing Cost –Acquisition	10,750
Site Acquisition Interest	6,450
Demolition/Site prep	56,208
Construction + appliances	1,444,000
Water/Sewer Taps	50,000
Landscaping	75,000
Façade Improvements	10,000
Appraisals	1,800
Environmental	2,000
Construction Interest (9%)	39,986
Contingency/Developers Fee	78,550
Marketing	36,000
Fees, other Miscellaneous	20,419
Total	\$2,046,163

The projected schedule is shown below:

September 18, 2000	Obtained rezoning for 4 of 7 tax parcels
November 30, 2000	Completed tenant relocation
December 1 – 30, 2000	Demolished 5 structures
March 1, 2001	Construction starts
July 1, 2003	Construction completion
January 1, 2004	Complete sale of 25 housing units

Note: The NWCCDC has satisfactorily addressed all relocation concerns at their own expense.

Community Input:

See attached support letter

Funding:

HOME

Attachment 10

Three Year Project Proforma/Cash Flow

Commitment Letters:

- Wachovia Community Development Corporation
- Enterprise Foundation
- Fannie Mae Foundation

Location Map

Floor Plan

Support Letter from Lincoln Heights Community

BUSINESS

13. Business Investment Grant for Rooms to Go



Action: Approve a Business Investment grant to Rooms to Go for a total estimated amount of \$346,500.

Resources: Lawrence Toliver, Charlotte Mecklenburg Development Corporation
Tom Flynn, City Manager's Office

Policy:

The Business Investment Program is designed to assist targeted businesses to invest and create jobs in areas of Charlotte that need investment.

Explanation:

Rooms to Go meets the criteria for a Business Investment Grant.

Criteria 1: Make minimum investment of \$1.5 million

- Rooms to Go plans to invest \$14,000,000 to build a 380,000 sq. ft. distribution facility.

Criteria 2: Create at least 20 new jobs

- Rooms to Go will create 200 new jobs.

Criteria 3: Pay at least 110% of the North Carolina average wage

- Rooms to Go will pay an average wage of \$15 per hour or \$800 per week. (\$41,600 per year).

Criteria 4: Locate in the City/County Business Investment Zone

- The facility will be located on the I-85 North Service Road between the Billy Graham and Freedom Drive exits. This site is in the Business Investment Zone. It is bordered by the threatened neighborhoods of Westerly Hills, Ashley Park, Enderly Park and Thomasboro/Hoskins.

Rooms to Go currently serves the Charlotte and Western North Carolina region from its distribution center in Atlanta. Due to the growth in this market and to enhance customer service, they want to build a distribution center in Charlotte.

The Charlotte Mecklenburg Development Corporation recommends approval of this grant. The County Commission approved this grant on January 17, 2001.

Based on current tax rates, the City will receive an estimated \$65,380 per year in additional property taxes as a result of this Rooms to Go investment. Total new City/County property taxes from this investment are estimated to be \$166,600.

Based on Rooms to Go qualifying investment, the City and County would make Investment Grants according to the following estimates.

Year	% of Rooms to Go Investment	City Payment	City/County Total Payment
1	1%	\$63,000	\$140,000
2	.95%	\$59,850	\$133,000
3	.90%	\$56,700	\$126,000
4	.85%	\$53,550	\$119,000
5	.80%	\$50,400	\$112,000
Total		\$346,500	\$630,000

Funding:

\$75,000 was set-aside in the FY2001 budget to pay for Business Investment Grants. The first payment on this grant would not be made until after July 1, 2002 and will be budgeted in the FY2003 budget.

Attachment 11

- CMDC Evaluation of Rooms to Go Application
- Summary of the Business Investment grant program
- Information on Rooms to Go

14. Additional Item for 2001 State Legislative Agenda

Action: Approve local act allowing the City to contract with private developers for public storm drainage system improvements for inclusion in the 2001 North Carolina Legislative Agenda.

Staff Resource: Boyd Cauble, City Manager's Office

Explanation:

On Monday, January 8, 2001, Council approved the City's North Carolina Legislative Agenda for the year 2001. The City Attorney's Office and the Engineering & Property Management Department have identified an additional item for inclusion in the Legislative Agenda related to contracts for storm drainage improvements that mirrors the one approved for certain public intersection or roadway improvements.

The proposed request would allow the City to contract with a private developer for the construction of public storm drainage system improvements adjacent or ancillary to a private development project without having to comply with the bid laws.

A copy of the proposed act and the Policy Request summarizing the request are attached. Once approved by Council, the item will be sent to the Mecklenburg Delegation for their review and sponsorship.

Attachment 12

- Policy Request
- Proposed Act

15. Bond Request Waiver

Action: Adopt a resolution waiving the requirements for bid bonds and performance bonds in contracts for the purchase of apparatus, supplies, materials and equipment.

Resources: Susan Johnson, Business Support Service
Cynthia White, City Attorney's Office

Explanation:

This action is consistent with the recommendations of the UNC-CH Institute of Government. The Institute of Government has circulated a proposed rewrite of the bid statute that eliminates the bid bond and performance bond requirements for contracts for the purchase of apparatus, supplies, materials and equipment.

Contracts for the purchase of apparatus, supplies, materials and equipment in excess of \$100,000 are subject to the North Carolina bid statute (N.C.G.S. 143-129). The bid statute currently requires the City to obtain a 5% bid bond prior to accepting any proposal for a contract subject to the bid statute. It also requires the City to obtain a performance bond in the full amount of the contract to secure the performance of such contracts. The bid statute authorizes City Council to waive the bid bond and performance bond requirements in the case of contracts for the purchase of apparatus, supplies, material and equipment. The requested action will eliminate the need to seek waivers from the City Manager and City Council on a case-by-case basis.

Based on the experience of Business Support Services, bid bonds and performance bonds are not required for the vast majority of contracts for the purchase of apparatus, supplies, materials and equipment because there is little risk for City. Imposing these requirements has the effect of increasing the purchase price and driving away potential bidders.

With the support of the City Attorney's Office, Business Support Services requests that City Council exercise its authority to waive the bid bond and performance bond requirement for contracts for the purchase of apparatus, supplies, materials and equipment only. These requirements would remain in place for construction and repair contracts.

MWBD:

This waiver should have a positive impact on M/WBE firms by removing a potential barrier to their participation in City contracting.

16. 2001 Council Meeting Schedule Amendment

Action: Amend the 2001 Council meeting schedule by canceling the April 23, 2001 Business Meeting.

Staff Resource: Brenda Freeze, City Clerk

Explanation:

The Chamber Inter-City visit to Denver, Colorado is April 23-25, 2001.

Attachment 13

Calendar

17. Set Special Meeting to Hear Hal Marshall Development Proposals

Action: Set a joint meeting with the County Commission on Thursday, March 29, 2001 at 5:00 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center to hear Hal Marshall Development proposals.

18. Appointments to Boards and Commissions

Action: Vote on blue ballots and give to City Clerk at dinner. These appointments were deferred from the January 22 meeting.

A. CITIZENS REVIEW BOARD

Vote for two candidates to fill appointments beginning immediately to fill unexpired terms ending July 31, 2003.

George Daly failed to meet Council's attendance requirements.

Deborah Jackson has taken a job as a magistrate. Thus serving on this board would be a conflict of interest according to the Judicial Code of Conduct.

There are now two vacancies and Council could appoint both these nominees to fully staff the Citizens Review Board.

John Lambert by Councilmembers Burgess, Lochman and Wheeler
Carolyn Millen by Councilmembers Castano and Spencer

Attachment 14

Applications

B. MAYOR'S INTERNATIONAL CABINET

Vote for one citizen in the at large category to serve for three years beginning March 2001.

Gerry Chisolm by Councilmember White

Anita Pace by Councilmember Graham

Attachment 15

Applications

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. Evergreen Cemetery Grounds Maintenance FY01 E&PM

Recommendation: The City Engineer recommends the low bid of \$195,477 by First Choice Landscaping, Inc. of Charlotte, North Carolina. This five-year project provides turf and landscape maintenance at the Evergreen Cemetery located off the 4426 block of Central Avenue.

MWBD Compliance: Yes. First Choice Landscaping, Inc. will self-perform.

B. Sweden Road and Orr Road Washout Facilities E&PM

Recommendation: The City Engineer recommends the low bid of \$338,977.64 by Brown Utility Company, Inc. of Concord, North Carolina. This project will construct concrete washout facilities for City owned street sweeping and vacuum trucks at two separate City

facilities, Sweden Road yard and the Orr Road yard. These structures will aid in complying with the National Pollution Discharge Elimination System, while improving operation and maintenance practices of the facilities.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$7,000	2%	2%
WBE	\$7,000	2%	2%

MWBD Compliance: Yes.

C. Water Main Construction–1999 Annexation–West Boulevard Area CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$136,121.32 by Foster Utilities, Inc. of Pineville, North Carolina. This project consists of water mains, 3 fire hydrants and other appurtenances to begin at an existing main on West Tyvola Road and extend along Rebecca Avenue, Ellen Avenue and New Pineola Street.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	6%
WBE	\$0	0%	5%

MWBD Compliance: Yes. Foster Utilities has the capacity and will self-perform.

D. Sanitary Sewer Construction–1999 Annexation–West Boulevard Area CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$388,253.83 by Buckeye Construction Company, Inc. of Canton, North Carolina. This project consists of gravity sewer pipe beginning at an existing sanitary sewer line along Taggart Creek in a northerly direction and ending at New Pineola Street and Rebecca Avenue.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	6%
WBE	\$13,550	3%	5%

MWBD Compliance: Yes. Buckeye made the good faith effort.

E. McDowell Creek Wastewater Treatment Plant Phase III Improvements–Contract 2 CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low combined multi-prime bid of \$8,403,695. This contract provides for dewatering and temporary storage of biosolids. Upgrades will also be provided throughout the plant including anaerobic improvements and addition of an automated sludge feed.

General

Hickory Construction Company of Hickory, North Carolina for the bid amount of \$6,644,700

Electrical

State Utility Contractors, Inc. of Monroe, North Carolina for the bid amount of \$1,193,945

HVAC

Climate Conditioning of Charlotte, North Carolina for the bid amount of \$206,850

Plumbing

Acorn Industrial, Inc. of Cary, North Carolina for the bid amount of \$358,200

MWBD Status – Hickory:

	Amount	% of Project	Project Goals
BBE	\$0	0%	6%
WBE	\$83,262	1%	5%

MWBD Status – State Utility:

	Amount	% of Project	Project Goals
BBE	\$0	0%	5%
HBE	\$128,000	11%	2%
WBE	\$0	0%	2%

MWBD Status – Climate Conditioning

	Amount	% of Project	Project Goals
BBE	\$0	0%	4%
WBE	\$0	0%	2%
ABE	\$0	0%	2%

MWBD Status – Acorn Industrial

	Amount	% of Project	Project Goals
BBE	\$0	0%	3%
WBE	\$0	0%	3%

MWBD Compliance: Yes. Hickory Construction, State Utility and Climate Conditioning have made good faith efforts. Acorn Industrial has the capacity and will self-perform.

F. Water and Wastewater Treatment Chemicals BSS

Recommendation: This contract award is for a one-year term with an option to extend for three additional periods of twelve months each. This bid establishes unit price contracts for various chemicals used to treat water and wastewater. The Business Support Services - Procurement Services Director recommends the low bid price contract awarded to the following companies.

<u>Chemical Type/Company</u>	<u>Unit Price</u>
Activated Carbon Acticarb, Marion, FL	\$713.98/ton
Aluminum Sulfate (Liquid Alum) General Chemical, Parsippany, NJ	\$126.96/ton
Hydrated Lime (Bulk) Chemical Lime, Ripplemead, VA	\$ 72.50/ton
Hydrated Lime (Bag) Greer Lime Co., Morgantown, WV	\$125.00/ton
Sodium Hydrochlorite Jones Chemical, Charlotte, NC	\$.53/gal
Sodium Bisulfite Calabrian Corp., Lisle, IL	\$.579/gal
Sodium Hydroxide (Caustic Soda 50%) Jones Chemical, Charlotte, NC	\$393.00/ton
Sodium Hydroxide (Caustic Soda 25%) Jones Chemical, Charlotte, NC	\$.65/gal
Liquid Chlorine Prillaman Chemical Corp., Suffolk, VA	\$298.00/ton
Fluorosilicic Acid KC Industries, Inc., Mulberry, FL	\$113.00/ton
Acetic Acid (29%) Southchem Inc., Charlotte, NC	\$125.00/ton

MWBD Compliance: Yes. Five MWBD vendors were sent an Invitation to Bid. No MWBD vendors responded.

20. Refund of Taxes

Action: A. Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of \$350.11; and

B. Adopt a resolution authorizing the refund of business privilege license payments made in error in the amount of \$4,313.27.

Attachment 16

Resolution

List of Refunds

21. Resolution of Intent to Abandon Street and Set Public Hearing for Lena Avenue

Action: A. Adopt the Resolution of Intent to abandon Lena Avenue; and

B. Set a public hearing for March 26, 2001.

Attachment 17

Map

22. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Greenwood Avenue

Action: A. Adopt the Resolution of Intent to abandon a portion of Greenwood Avenue; and

B. Set a public hearing for March 26, 2001.

Attachment 18

Map

23. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Laura Drive

Action: A. Adopt the Resolution of Intent to abandon a portion of Laura Drive; and

B. Set a public hearing for March 26, 2001.

Attachment 19
Map

CONSENT II

24. Contract for Purchase of Aerial Fire Trucks

Action: Approve the second lowest unit price bid of \$444,712 for purchase of 75 ft. aerial trucks and the low bid of \$511,039 for purchase of 105 ft. aerial trucks submitted by Metrolina Fire and Rescue, Lincolnton, NC. The contract is 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 35 vendors on November 8, 2000. Vendors were asked to bid on the purchase of 75 ft. and 105 ft. aerial trucks. Options were also included for extended warranties and payment plans.

The low bid for the 75 ft. aerial truck is not being recommended for approval. The truck included in the low bid did not meet specifications and has a history of maintenance problems based on similar trucks in our current fleet. Bids for the 75 ft Aerial Truck are listed below.

The bid for the 105 ft. Aerial truck is the low bid.

Bid Summary:

75 ft. Aerial Truck		
Triad American LaFrance	Greensboro, NC	\$425,567
Metrolina Fire & Rescue	Lincolnton, NC	\$444,712
Quality Manufacturing	Talladega, AL	\$462,066
General Safety	Wyoming, MN	\$478,231

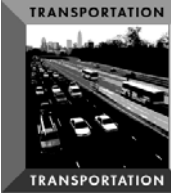
MWBD:

There are no known suppliers of this highly specialized fire fighting equipment.

Funding:

Capital Equipment Fund
Annexation Capital Fund

25. Mt. Holly Road/Mt. Holly-Huntersville Road



Action: Adopt a resolution that supports and requests the State of North Carolina to contribute State funds for a proposed intersection improvement project at Mt. Holly Road/Mt. Holly-Huntersville Road

Staff Resource: Bill Finger, Transportation

Explanation:

On January 16, 2001 City Council approved rezoning petition 2000-13g for approximately 38 acres on the west side of Mt. Holly-Huntersville Road across from Mt. Holly Road.

Improvements are required because the intersection has an awkward configuration that is confusing to many drivers. It is on the High Accident Location List as priority #11. A proposed development by Cambridge Properties cannot occur without road improvements being made.

In the past, the NCDOT has been interested in changing the configuration of the intersection for safety reasons. The project has been estimated to cost between \$800,000-\$1,000,000 and has remained unfunded.

The developer (Cambridge Properties, George Maloomian) is working with members from the State Board of Transportation and North Carolina Senate to secure funding for the improvements. Currently, the City has identified \$250,000 from the City's participation in State Highway projects account that can be used for right-of-way purchase. The State and the developer will provide the balance of funds needed. The State has indicated they have \$150,000 available now, and that there is a possibility for additional State funding.

The State will use discretionary funds for the project and will not require funds from the North Carolina Transportation Improvement Program equity formula.

The State has asked that City Council show support for the project and request that additional State funds be made available for it.

Funding:

State Highway Account/Capital Investment Program

26. 2000 Neighborhood Improvement Bond Projects



- Action:**
- A. Adopt a budget ordinance appropriating \$3,000,000 into the Neighborhood Improvement Program; and
 - B. Approve the planning and design contracts, for six neighborhoods, totaling \$1,256,083:
 1. Approve the agreement for \$141,000 with Finkbeiner, Pettis & Strout, Inc. (FPS) for engineering services for the Smallwood/Eleanore Heights Neighborhood Improvement Project (NIP).
 2. Approve the agreement for \$288,449 with Woolpert LLP for engineering and construction administration services for the Thomasboro/Hoskins NIP.
 3. Approve the agreement for \$238,415 with Presnell Associates, Inc. for engineering and construction administration services for the Oaklawn Park NIP.
 4. Approve the agreement for \$240,969 with Presnell Associates, Inc. for engineering and construction administration services for the Oakview Terrace NIP.
 5. Approve the agreement for \$103,380 with Stantec Consulting Services for engineering services for the West Boulevard NIP.
 6. Approve the agreement for \$243,870 with Armstrong Glen, PC for engineering services for the Ashley Park/Westerly Hills NIP.

Staff Resource: Sam Barber, 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. The neighborhood projects were identified as high-priority neighborhoods.

These agreements will provide planning and design services for infrastructure improvements such as curb and gutter, sidewalks and minor drainage improvements in 6 of 12 high-priority neighborhoods.

MWBD:

1. FPS – ABE 1.7%
2. Woolpert LLP - None
3. Presnell Associates - None
4. Presnell Associates - None
5. Stantec Consulting Services - None
6. Armstrong Glen, PC - None

Funding:

Neighborhood Improvement Capital Investment Plan

27. West Morehead Streetscape



Action: A. Adopt a budget ordinance appropriating \$4,000,000 into the Westside Strategy Plan; and

B. Approve the agreement for \$365,482 with HDR Engineering, Inc. of the Carolinas for streetscape and engineering services for the West Morehead Streetscape.

Staff Resource: Sam Barber, Engineering & Property Management

Explanation:

West Morehead Streetscape project was identified in the Westside Strategy Plan and Wilkinson Boulevard Corridor Plan as a high priority project by City Council. This project will provide a master plan for Morehead Street from Wilkinson Boulevard to South Tryon Street including planting strips, street trees, intersection improvements, sidewalks and decorative lighting. Preliminary design services will be provided for Phase I from Stuart Creek to Interstate 77. The bid phase of this project is scheduled for mid 2002 with construction scheduled for early fall.

Funding:

Economic Development Capital Investment Plan

28. Preferred Adjusters Contract Renewal

Action: Approve the renewal of the contract between Preferred Adjusters and the Risk Management Division for services of third party claims adjusting and handling of automobile and general liability claims.

Staff Resource: Dan Pliszka, Risk Management

Explanation:

As part of Privatization/Competition, the Risk Management Division won the bid to provide auto and general liability claims handling services.

The current five year Memorandum of Understanding between Risk Management and the City Manager's office included a three year service contract with Preferred Adjusters to handle off-hours, weekend, sewer back-up, conflict of interest and transit claims with a provision to extend the contract for two more years at the City's option. Preferred has done an exemplary job in performing these services and this request is to extend the Preferred contract for two years with a 5% contract fee increase each of the two, one year contract periods. The contract is a two-year commitment with an estimated annual cost of \$200,000. Actual costs will be based on the number of claims assigned to and processed by Preferred Adjusters, Inc.

The results of the latest audit of this program indicate that Risk Management remains under the claim bid amounts and is significantly under budget for this competition item.

This renewal option is stated within the Agreement for Claims Services as part of the Privatization/Competition action approved by Council on March 23, 1998.

Funding:

Self-Insurance Loss Fund

29. Storm Water Maintenance Renewal FY99-B

Action: Approve Renewal #1 for \$929,565 with Ferebee Corporation for continued construction of FY00-B Storm Water Maintenance Package.

Staff Resource: Steve Sands, Engineering & Property Management

Explanation:

This renewal will enable Storm Water Services to continue regular maintenance activities under these contracts and recognize good contractor performance and good existing unit prices. Where the contractor's work has been of good quality, a renewal is recommended to extend the contract. The contract documents provide for renewal of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. The renewal for Ferebee Corporation will increase the contract amount from \$929,565 to \$1,859,130.

MWBD:

Ferebee Corporation will self-perform.

Funding:

Storm Water Capital Investment Plan

30. Transit Assistance Grant Application, Resolution and Budget Ordinance



Action: A. Adopt a resolution authorizing the City Manager to submit grant applications and execute funding agreements with the Federal Transit Administration (FTA) for FY2000/01 transit assistance;

B. Adopt a resolution authorizing CATS CEO to submit grant applications and execute funding agreements with NCDOT for FY2000/01 transit assistance; and

C. Adopt a budget ordinance appropriating \$9,492,715.

Staff Resource: Dee Pereira, CATS

Explanation:

This action initiates the City's FY2001 grant application process for transit capital equipment grants and rapid transit grants. It also approves receipt of capital funding assistance from the FTA and NCDOT and estimates grant revenue.

- A. This action authorizes the City Manager to submit grant applications for FY2000 and FY2001 federal fund allocations and execute contracts upon award of the grants by the FTA.

In FY2000, the federal New Starts unobligated allocation is \$2,977,660 which will fund 50% of the South Corridor preliminary engineering contract which was approved by Council on October 10, 2000.

The FY2001 Urbanized Area Formula Apportionment of \$7,236,726 will fund 80% of the purchase of buses, vans, paratransit minibuses, facilities improvements and bus amenities improvement programs.

In addition, in FY2001 NCDOT has earmarked \$4,208,838 to CATS from federal funding for North Carolina's bus and bus facility needs. This will fund 80% of the purchase of buses and the planning/design of a bus maintenance facility.

- B. This action authorizes the CATS CEO to submit grant applications for FY2000 and FY2001 funds from NCDOT and execute contracts to receive such funds as approved by the North Carolina Board of Transportation (NCBOT). State funding will cover 25% of federal New Start allocations, 10% of Urbanized Area Formula Apportionments, 10% of bus and bus facility needs federal funds, 90% for transit technology, and 50% for the rideshare programs. Total projected at \$3,304,876.

C. Council has previously advanced \$17,176,546 to the Transit Capital Fund for the purchase of buses, paratransit minibuses, and to fund the South Corridor Preliminary Engineering contract. In order to complete the implementation of CATS approved capital program, funds must be advanced to the Transit Capital Fund from the Transit Fund as follows:

FTA	\$2,372,488
NCDOT	\$742,611
CATS	<u>\$6,377,616</u>
TOTAL	\$9,492,715

These funds will be used for the following:

- Buses
- Rideshare support including Vanpool vans
- Administrative support vehicles
- Equipment and facility improvements including the TMOOC (Transit Management of Charlotte) parking lot renovations, computers/software, and transit enhancements such as shelters and signage
- Intelligent Transit System (ITS) components including automatic passenger counters, automatic vehicle locators, digital video cameras, fareboxes and radios
- Planning & design for park & ride lots
- Planning & design for new transit centers

Community Input:

The FTA requires the City to advertise capital projects to be financed with federal and state funds in order that citizens may request a public hearing if they have questions. This notice was advertised in the Charlotte Observer on December 12, 2000 and The Charlotte Post on January 11, 2001.

The MTC approved the Capital Program in March 2000. The City Council approved the Capital Program in June 2000.

The Mecklenburg/Union Metropolitan Planning Organization (MPO) approved submitting an amendment to the North Carolina Board of Transportation (NCBOT) in order to amend the State Transportation Improvement Program (STIP) for FY2000-2006 on January 17, 2001. This amendment details the approved capital program for CATS for FY2001 and the capital items from this program to be financed by the Federal Formula grant.

Funding:

Estimated grant revenues and CATS operating budget

31. Enhanced 911 Telephone System Contract



Action: Approve the award of a contract to Plant Equipment, Inc. for the upgrade to the Charlotte-Mecklenburg Police Department Enhanced 911 Telephone System for an amount not to exceed \$380,000.

Staff Resource: Jimmy Jones, Police

Explanation:

The Communications Division of the Charlotte Mecklenburg Police Department (CMPD) sought proposals for an upgrade and/or replacement of the Enhanced 911 Telephone System.

The current Enhanced 911 Telephone System infrastructure uses six year old technology and does not support new enhancements. The upgrade of hardware and software is necessary to meet Federal Communication Commission requirements, Phase I and II. Phase I allows for the call back number of the cell phone. Phase II is the location of the cell phone caller.

The upgrade will provide better call management statistics to improve manpower deployment and for monitoring employee productivity. Currently the time of day on 911, radio, computer aid dispatch, and logging recorder can all be different. This upgrade would allow for time synchronization. The proposed contract would provide new hardware and upgraded software that will increase the efficiency of 911 Communications staff and the ability of the Charlotte-Mecklenburg Police Department to respond to emergency situations.

Plant Equipment, Inc. of Temecula, California submitted the only response to the RFP. Plant is the current provider. Plant's proposal is to upgrade to the current E-911 system purchased in 1997. A complete replacement would be more expensive.

MWBD:

There are no registered Minority-and Women-Owned Business Enterprises (MWBD) providing this service currently, therefore the MWBD project goals were 0%.

Funding:

Police Operating Fund

32. McDowell Creek Wastewater Treatment Plant Phase III Improvements – Change Order 1

Action: Approve Change Order #1 for \$217,501.34 to the contract with Dellinger, Incorporated for additional construction work at the McDowell Creek Wastewater Treatment Plant Project.

Staff Resource: Doug Bean, Utilities

Explanation:

On May 22, 2000, City Council approved a contract with Dellinger in the amount of \$1,499,295. This contract will bring all facilities into electrical code compliance and provide biosolids handling facilities and equipment to allow the plant to meet minimum standards in handling biosolids.

Because of the proposed expansion of the McDowell Creek Wastewater Treatment Plant, the hydraulics of the plant will be lowered by thirteen feet. This change in work will require the proposed clarifier to be lowered to function with the proposed expansion project. Change Order #1 will provide for additional earthwork and materials to lower the seventy-foot diameter clarifier thirteen feet. To save considerable amounts of operational funds, the clarifier needs to be lowered to function with the proposed expansion project.

With this change order, the contract with Dellinger will increase from \$1,499,295.00 to \$1,716,796.34.

MWBD: Dellinger has made the good faith effort.

Funding:

Sewer Capital Investment Plan

33. Enterprise Rental Car Service Facility Lease Agreement

- Action:**
- A. Approve an agreement with Enterprise Leasing Company-Southeast for the use of a new automobile rental service facility to accommodate Enterprise's rental car concession at the Airport;**
 - B. Award a contract in the amount of \$818,900 (low bid) to Farley Associates of Charlotte for the construction of the facility; and**
 - C. Adopt a budget ordinance appropriating \$818,900 from the Airport Discretionary Fund Balance to be repaid from the proceeds of future General Airport Revenue Bonds.**

Staff Resource: Jerry Orr, Aviation

Explanation:

In August 2000, the Airport solicited bids for nine rental car concessions at the Airport. Pursuant to the Solicitation of Bids, any successful bidder that was not currently an Airport rental car concessionaire would have the right to occupy a service facility on Airport property and have the Airport construct the facility. Enterprise submitted a qualifying bid and was awarded a rental car concession effective November 1, 2000. As part of its bid, Enterprise requested that the Airport construct a service facility on the Airport for its use in connection with its concession. The agreement will cover the terms of construction and Enterprise's use of the completed service facility.

Enterprise will pay a ground use fee at the same rate as other rental car concessionaires using service facilities and will pay a facility fee in amounts equal to the amortization of cost of the service facility over a period of fifteen years with 8% interest per year. The annual facility use fee is \$84,625 based upon the estimated project cost. The term of this agreement is consistent with the term of the concession agreement, which expires May 2, 2007.

The facility will consist of an 2,250 sq. ft. masonry rental building, canopies, car wash structures and equipment, an above grade self-contained fuel system, paving and associated work.

Background:

Nine new concessions were awarded by Council effective November 1, 2000 until May 2, 2007. Presently, seven concessionaires occupy service facilities on Airport property constructed by the concessionaires. They pay an annual ground rental fee for use of Airport property. These seven companies have service facility leases that are separate agreements from the rental car concessions but coincide with the concession agreements.

In approving the rebid of the rental car concessions, Council approved a plan to allow any new concessionaire to have an on Airport service facility that the concessionaire constructed or at the concessionaire's option a facility to be constructed by the Airport. This agreement is consistent with this prior Council approval. The Airport Advisory Committee recommends this action.

DBE: 17%

Funding:

Airport Discretionary Fund Balance

34. Upfit of New Immigrations Area-Change Orders

Action: Approve change orders in the following amounts for the upfit of the Immigrations Area in the Federal Inspection Services:	
Beers/RJ Leeper Co.(General)	\$640,608
Cam-Ful Industries (Mechanical)	\$ 37,832
Aneco Electrical Construction(Electrical)	\$151,354
Cam-Ful Industries (Plumbing)	\$ 23,436

Staff Resource: Jerry Orr, Aviation

Explanation:

On October 10, 2000, City Council approved contracts totaling \$20,951,000 to construct seven additional international gates, construct 125,000 sq. ft. of space for a new International Arrivals Inspection Area and 22,000 sq. ft. of terminal space.

These change orders to those contracts in the amount of \$853,230 will provide 10,000 sq. feet of finished space for offices, operations, inspection areas and detention cells as required by the Department of Immigration.

The Airport Advisory Committee recommends this action.

Funding:

Airport Capital Investment Plan

35. International Arrivals Inspection Area Budget Ordinance

Action: Adopt a budget ordinance appropriating \$12,749,000 from the Airport Discretionary Fund Balance to be repaid from future bonds.
--

Staff Resource: Jerry Orr, Aviation

Explanation:

On August 23, 1999, Council approved a financing plan that would use \$12,749,000 in Airport funds to construct a new 125,000 sq. ft. International Arrivals Inspection Area as part of the International Concourse expansion project.

This budget ordinance appropriates \$12,749,000 from the Airport's Discretionary Fund Balance to be repaid from future bonds.

The Airport Advisory Committee recommends this action.

Funding:

Airport Discretionary Fund Balance

36. Steel Procurement-Change Order

Action: Approve a change order in the amount of \$103,365 to SteelFab, Inc. of Charlotte for additional steel on Concourse D.

Staff Resource: Jerry Orr, Aviation

Explanation:

On August 28, 2000 City Council approved a contract to SteelFab, Inc. in the amount of \$1,593,271 to provide steel for the expansion of Concourse D. This contract was awarded prior to completion of building design to ensure timely steel delivery. This change order provides additional steel needed for the project.

The Airport Advisory Committee recommends this action.

Funding:

Airport Capital Investment Plan

37. US Airways Line Maintenance Hangar-Change Order

Action: Approve a change order in the amount of \$550,000 to Rea Construction of Charlotte for additional work for the US Airways Line Maintenance Hangar.

Staff Resource: Jerry Orr, Aviation

Explanation:

On March 27, 2000, City Council approved a unit-cost contract to Rea Construction for 900,000 sq. ft. of concrete paving for the new commuter ramp. This change order will include an additional 9,400 square yards of concrete paving for the US Airways Line Maintenance Hangar based on the contract unit-price given for the construction of Ramp "E".

The Airport Advisory Committee recommends this action.

Funding:

Airport Capital Investment Plan

38. Building Systems & Maintenance Services Contract

Action: Approve a service agreement contract with Johnson Controls of Charlotte for building management and fire alarm systems operations and maintenance. The proposed annual expenditure is \$215,856. The service agreement is for three years with an option to renew for two additional 1-year terms.

Staff Resource: Jerry Orr, Aviation

Explanation:

Airport personnel perform routine maintenance, servicing and operation of building systems. More complex elements of the building automation systems requiring specialized tools and training are maintained through this contract.

This service contract will provide preventative maintenance for the more complex elements of the building automation system, which centralizes control of all heating, ventilating and air conditioning, lighting, fire safety and security alarm programs.

Requests for Proposals were advertised December 17, 2000 and sent to five potential vendors. Three companies attended a pre-proposal meeting on January 4, 2001. Proposals were received on January 18, 2001. Johnson Controls and Mechanical Systems and Services were the only two companies to submit a proposal. Johnson Controls has handled this service contract since 1984.

Annual Expenditure

Johnson Controls	\$215,856
Mechanical Systems & Services	\$218,520

The Airport Advisory Committee recommends this action.

Funding:
Airport Operating Budget

39. Property Transactions

Action: Approve the following property acquisitions (A-K) and adopt the condemnation resolutions (L-M).

For property transactions A-C, 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.

Acquisitions:

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Marion Jack Patterson
Property Address: 9731/9801 Dixie River Road
Property to be acquired: 1.257 acres
Improvements: Single family residences
Purchase Price: \$74,100
Zoned: I1
Use: Single Family Residential
Tax Value: \$63,200
Tax Code: 113-154-08 and 113-154-09
- B. Project:** Airport Master Plan Land Acquisition
Owner(s): Mill Square Inc.
Property Address: 7631 Frosch Road
Property to be acquired: 1.115 acres
Improvements: warehouse
Purchase Price: \$380,000
Zoned: I1
Use: Warehouse/office
Tax Value: \$306,340
Tax Code: 113-143-08
- C. Project:** Airport Master Plan Land Acquisition
Owner(s): B.B.S. & Associates, a Partnership
Property Address: 9609 Dixie River Road
Property to be acquired: 1.12 acres

Improvements: warehouse
Purchase Price: \$186,500
Zoned: I1
Use: Warehouse/office
Tax Value: \$78,850
Tax Code: 113-154-03

- D. Project:** Johnston Road Widening-Phase II , Parcel #11
Owners(s): Lease A. Hunt
Property Address: 11526 Johnston Road Extension
Property to be acquired: 575 sq.ft. (0.013 ac.) of fee simple plus 25 sq.ft. (0.001 ac.) of utility easement, plus 3,874 sq.ft. (0.089 ac.) of temporary construction easement
Improvements: Trees, shrubs, landscaping
Purchase Price: \$15,900
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: \$104,920
Tax Code: 221-291-36
- E. Project:** Old Statesville Road Widening, Parcel #49
Owners(s): Israel G. Peralta
Property Address: 7228 Old Statesville Road
Property to be acquired: 18,730 sq.ft. (0.43 ac.)
Improvements: Food Store
Purchase Price: \$240,000
Remarks: This acquisition is needed for the Old Statesville Road Widening Project. The compensation was established by two independent, certified appraisals and a review appraisal.
Zoned: B2
Use: Commercial
Total Parcel Tax Value: \$60,350
Tax Code: 043-241-12
- F. Project:** Providence/Wendover Road Intersection Improvements, Parcel #2
Owners(s): James M. Healy & wf., Terry Hall Healy
Property Address: 2126 Providence Road
Property to be acquired: 2,253 sq.ft. (0.052 ac.) of fee simple plus 3,499 sq.ft. (0.08 ac.) of temporary construction easement
Improvements: Landscaping
Purchase Price: \$33,975
Remarks: The areas are needed for construction of Providence/Wendover Road Intersection Improvements. Acquisition price is based on an independent, certified appraisal.
Zoned: R3

Use: Single Family Residential
Total Parcel Tax Value: \$325,970
Tax Code: 181-083-21

- G. Project:** Prosperity Church Road Widening-Phase I, Parcel #61
Owners(s): University City Presbyterian Church of Charlotte, North Carolina, Incorporated
Property Address: 3700 Prosperity Church Road
Property to be acquired: 38,428 sq.ft. (0.883 ac.) of fee simple, plus 48 sq.ft. (0.002 ac.) of utility easement, plus 345 sq.ft. (0.008 ac.) of permanent drainage easement, plus 11,963 sq.ft. (0.275 ac.) of temporary construction easement
Improvements: Signs, landscaping
Purchase Price: \$56,535
Remarks: The areas are needed for construction of Prosperity Church Road Widening-Phase I. Acquisition price is based on an independent, certified appraisal.
Zoned: R3
Use: Office
Total Parcel Tax Value: \$1,382,430
Tax Code: 029-351-15
- H. Project:** Prosperity Church Road Widening-Phase I, Parcel #69, 70 & 71
Owners(s): Jacob D. Summitt & wf., Ester Jane Summitt
Property Address: 4126 Prosperity Church Road
Property to be acquired: 40,729 sq.ft. (0.935 ac.) of fee simple plus 12,442 sq.ft. (0.286 ac.) of temporary construction easement
Improvements: Landscaping
Purchase Price: \$101,779
Remarks: The areas are needed for the construction of Prosperity Church Road Widening-Phase I. Acquisition price is based on an independent, certified appraisal.
Zoned: R3
Use: Single Family Residential
Total Parcel Tax Value: \$118,760
Tax Code: 029-351-02, 029-351-17
- I. Project:** Sanitary Sewer to Serve North Mecklenburg/Rocky River Outfall, Parcel #2
Owners(s): River Run Limited Partnership
Property Address: June Washam Road, Shearer Road, Dambridge Drive
Property to be acquired: 168,595 sq.ft. (3.87 ac.) of permanent easement plus 169,300 sq.ft. (3.88 ac.) of temporary construction easement
Improvements: None
Purchase Price: \$13,500

Remarks: The areas are needed for the construction of a sanitary sewer to serve North Mecklenburg/Rocky River Outfall. Acquisition price is based on area land values.

Zoned: RPUD

Use: Vacant

Total Parcel Tax Value: \$794,500

Tax Code: 007-481-01

- J. Project:** Water Main Along Fullwood Lane & South Trade Street
Matthews, Parcel #1,2 & 13
Owners(s): Christ Covenant Church
Property Address: 326 Matthews Township Parkway & 305 Covenant Church Lane
Property to be acquired: 28,933 sq.ft. (.66 ac.) of permanent easement plus 12,992 sq.ft. (.30 ac.) of temporary construction easement
Improvements: Trees, shrubbery
Purchase Price: \$30,000
Remarks: The areas are needed for the construction of a water main along Fullwood Lane and South Trade Street in Matthews. Compensation amount is based on an independent, certified appraisal.
Zoned: R1
Use: Church
Total Parcel Tax Value: \$9,088,470
Tax Code: 227,206-02, 227-206-07, 227-206-14
- K. Project:** Old Statesville Road Widening, Parcel #53
Owner(s): Robert Gene Wright & any other parties of interest
Property Address: 7322 Old Statesville Road
Property to be acquired: 34,412 sq.ft. (0.79 ac.)
Improvements: Small strip mall
Purchase Price: \$270,000
Remarks: This acquisition is needed for the Old Statesville Road Widening. The compensation was established by two independent, certified appraisals and a review appraisal.
Zoned: I2
Use: Commercial
Total Parcel Tax Value: \$150,270
Tax Code: 043-241-09

Condemnations:

- L. Project:** 1999 Annexation-Sewer Mains-West Boulevard Area, Parcel #1
Owner(s): Gary W. McCoy, H. Michael McCoy, Edwin R. McCoy, III & any other parties of interest
Property Address: Billy Graham Parkway
Property to be acquired: 7,274 sq.ft. (.167 ac.) permanent sanitary sewer easement and temporary construction easement

Improvements: None

Purchase Price: \$1,625

Remarks: The area is needed for the construction of a sanitary sewer line. City staff has been unable to reach an agreement with property owners after numerous contacts and negotiations. Compensation price is based on an independent, certified appraisal.

Zoned: I-1

Use: Vacant Land

Total Parcel Tax Value: \$229,210

Tax Code: 143-092-03

M. Project: 1999 Annexation-Sewer Mains-West Boulevard Area, Parcel #2

Owner(s): Thomas Ray Collins & any other parties of interest

Property Address: Billy Graham Parkway

Property to be acquired: 10,240 sq.ft. (.235 ac.) permanent sanitary sewer easement and temporary construction easement

Improvements: None

Purchase Price: \$425

Remarks: The area is needed for the construction of a sanitary sewer line. City staff has been unable to reach an agreement with property owners after numerous contacts and negotiations. Compensation price is based on an independent, certified appraisal.

Zoned: R22MF

Use: vacant Land

Total Parcel Tax Value: \$14,550

Tax Code: 143-092-02

40. Meeting Minutes

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

- January 8, 2001 Business Meeting
- January 16, 2001 Zoning Meeting
- January 22, 2001 Legislative Retreat
- January 22, 2001 Business Meeting