

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, February 24, 2003

4:00 p.m.

Room 280
Arena Design Briefing

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

6:30 p.m.

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

7:00 p.m.

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

Zoning

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4:00 P.M. ARENA DESIGN BRIEFING ROOM 280

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Urban Street Design Guidelines

Resource: Norm Steinman, Transportation
Laura Harmon, Planning

Time: 20 minutes

Synopsis of Presentation:

Purpose of Presentation

An interdepartmental staff team has been working with consultants to develop new street design guidelines for Charlotte. In August 2002, Council received an introduction to the milestones of this planning process. This is an update of the work completed in the past four months. The information will be presented to stakeholders in March 2003.

Purpose of Project

The new street design guidelines will support the City's Smart Growth Principles by establishing guidance for designing new streets and modifying existing streets. The intent is to develop a design process for new or modified streets that:

- better accommodate all travel modes
- reflect the street's function and land-use context
- prioritize the tradeoffs between competing uses for the street right-of-way

Progress to Date

The project is being carried out in two phases. Phase I was completed last summer and included the following tasks:

- identify key issues, including stakeholder interviews
- develop a framework and likely content for the guidelines
- develop scope for Phase II, based on results of the above two tasks

Phase II, now underway, will result in the complete definition of the guidelines and a plan for implementing them. Through extensive discussions and work sessions involving the management and consultant teams, the following tasks have been completed thus far in Phase II:

- development of draft guidelines for street segments and intersections
- review of draft guidelines by staff Technical Teams to elicit feedback
- initial application of the guidelines (South Corridor Infrastructure Program)

Evolving Framework

The framework for the guidelines is evolving to include the following features:

- Five street “types” have been defined and will serve as the basis for designing all streets in Charlotte’s extra-territorial jurisdiction (parkways, boulevards, avenues, main streets, local streets).
- The five street types will function as overlays on the existing street classification system and will explicitly consider street function, surrounding land use context, and preferred design elements.
- The guidelines will define and provide guidance for transitions (as the street continues through different land uses).
- The guidelines will provide a decision-making process for evaluating the tradeoffs between competing allocations of street rights-of-way, particularly in “retrofit” situations. This will be accomplished by
 1. classifying individual design elements as “preferred”, “to be considered”, or “inappropriate” for a given street type and
 2. providing the reasons for those classifications.

Future Action:

Staff anticipates a presentation to Council by June that will describe the draft final content of the guidelines and the implementation plan.

2. Transit Station Area Joint Development Principles and Policies

Resource: Tim Gibbs, Charlotte Area Transit System (CATS)

Time: 20 minutes

Synopsis of Presentation:

CATS staff will present the Transit Station Area Joint Development Principles and Policies to Council. The Principles (which laid out a broad framework for implementing transit supportive development in transit station areas) were adopted by Council on March 25, 2002 following adoption by the Metropolitan Transit Commission (MTC). The Policies are the tools that will be utilized to implement station area plans. Council will be asked to adopt the Policies at a later date.

Since Council adoption of the Principles in March 2002, staff has worked to develop corresponding policies that are in keeping with the Principles' intent. A number of public and private entities have provided input into the policy development process, including the Smart Growth Work Team, Joint Use Task Force, Citizen's Transit Advisory Group, the Urban Land Institute's District Council, and the Chamber of Commerce's Land Use Committee.

Future Action:

Council will be asked to adopt the Transit Station Area Joint Development Policies at a later date.

Attachment 1

Draft Charlotte Area Transit Station Area Joint Development Principles and Policies

Charlotte City Council Resolution of March 25, 2002 adopting the Transit Station Area Joint Development Principles

3. Status of Annexation Redistricting Process

Resource: Mike Boyd, City Attorney's Office

Time: 10 minutes

Synopsis of Presentation:

No legal challenges were filed to any of the annexation areas. Each area will be incorporated into the City on June 30, 2003. Staff anticipates that it may be possible for the annexation areas to be incorporated into the existing Council districts with relatively minor changes in district boundaries. Staff will have the population estimates available for redistricting by early March and anticipates preparing a "minimal change" redistricting plan by mid-March, with final action by Council on a redistricting plan in April. The Mayor is asked to appoint an ad hoc Council committee to consider redistricting and to make a recommendation to Council on a final redistricting plan.

Future Action:

Appointment of a re-districting committee by the Mayor and approval of a final redistricting plan in March or April 2003.

Attachment 2

Proposed Redistricting Process

4. Committee Reports by Exception

Restructuring Government Committee Reports:

Four-Year Terms for Mayor and City Council

Small Business Enterprise Loan Program

Bi-Weekly Pay

Charlotte Legislative Advocacy Committee (CLAC):

Proposed CLAC Initiatives for 2003

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

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

CONSENT

- 5. Consent agenda items 16 through 37 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 and Resolution to Close a Portion of Lela Avenue, Heathcliff Street and an Unnamed Street off of Woodruff Place

Action: A. Conduct a public hearing to close a portion of Lela Avenue, Heathcliff Street and an unnamed street off of Woodruff Place, 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 has received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.

The developer is planning a subdivision development called Lela Court that will require a portion of Lela Avenue, Heathcliff Street and the realignment of a portion of the unnamed street off of Woodruff Place. These streets are located in the Wesley Heights neighborhood near Freedom Drive and Morehead Streets. The subdivision will consist of 76 multi-family units and 66 single family lots. The rezoning of this property was approved by Council on November 18, 2002 from R-8 to UR-2(CD).

This subdivision has been submitted to the Charlotte-Mecklenburg Planning Commission for review and approval. The Resolution to Close will state that the abandonment shall not be effective and the document may not be released for recording until the developer obtains a subdivision plan approval from the Charlotte-Mecklenburg Planning Commission and the right-of-way for the realigned portion of the unnamed street is conveyed/recorded. In the event that the developer fails to obtain the approval within one year, this conditional abandonment approval shall be void.

Petitioner:

E.C. Griffith Company/ James R. Griffith, Jr.

Right-of-Way to be abandoned:

A portion of Lela Avenue, Heathcliff Street and an unnamed street off of Woodruff Place

Location:

Lela Avenue – beginning from the property line of the City of Charlotte continuing south approximately 416 feet to the end of paved maintained portion of the street

Heathcliff Street – beginning from the terminus of the unnamed street off of Woodruff Place continuing east approximately 292 feet to the western property line of Duke Power Company easement

Unnamed street off of Woodruff Place - beginning approximately 150 feet northwesterly from Woodruff Place continuing northeastwardly approximately 1100 feet to its terminus

Reason:

To allow the petitioner to develop a subdivision and provide an alternate street alignment that facilitates the proposed Lela Court multi-family/single-family subdivision

Notification:

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

Adjoining property owners

Larry Eugene Burch – No objections

Col-Den Limited Partnership – No objections

City of Charlotte – No objections

Neighborhood/Business Associations

Regal Heights Community Association – No objections

Biddleville/Five Point Community – No objections

Seversville Community Organization – No objections

Third Ward Community Development Corporation – No objections

Tarlton Hills (CHA) – No objections

Wesley Heights Community Association – 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 3

Map

ZONING

7. Rezoning Petition 1999-129

Action: Consider a decision on Petition 1999-129 by Hand and Choate Investments, LLC for a change in zoning for approximately 1.47 acres located on the northeast corner of Selwyn Avenue and Colony Road from O-2 and B-1 to MUDD-O.

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 the Major and Council, not excused from voting, in order to rezone the property.

This item was deferred from the February 17, 2003 Zoning Meeting because the full council was not present.

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

- The off-site parking lot controlled by the petitioner(s) will be tied to meeting the parking requirements on this site
- A parking formula has been agreed to between the staff and the petitioner. It provides for:
 - One parking space for every 125 square feet of restaurant space
 - One parking space for every 175 square feet of coffee shop-type use
 - One parking space for every 600 square feet of retail use, and
 - One parking space for every 600 square feet of outdoor dining/patio area

Attachment 4

Zoning Committee Recommendation on Petition 1999-129

POLICY

8. City Manager's Report

9. FY2004-2005 Strategic Focus Area Plan

Action: Approve Council Focus Area Plans, including:

- **Communities Within A City**
- **Community Safety**
- **Economic Development**
- **Restructuring Government**
- **Transportation**

Staff Resources:

Julie Burch, City Manager's Office
 Ron Kimble, City Manager's Office
 Vi Lyles, City Manager's Office
 Curt Walton, City Manager's Office

Explanation:

Over the past decade, Council has annually gone through a process to identify focus areas for community needs. The process began with a strategic visioning session in February 1990. Council has identified five focus areas: Communities Within A City, Community Safety, Economic Development, Restructuring Government and Transportation. The Focus Area Plans are written as five-year plans with two-year initiatives. Each initiative has a set of measures for evaluation. This is the first year of the two-year initiatives.

At the Council Retreat on February 12-14, 2003, Council reviewed the proposed Strategic Focus Area Plan. All of the focus area plans incorporate Smart Growth principles.

Attachment 5

FY2004-2005 Strategic Focus Area Plan

- Communities Within A City
- Community Safety
- Economic Development
- Restructuring Government
- Transportation

10. FY2004-2005 Budget Development Guidelines and Capital Investment Plan Program Policies

Action: A. Adopt budget development guidelines for FY2004-2005, and
B. Adopt revised Council Capital Investment Plan policies.

Staff Resource: Ruffin Hall, Budget and Evaluation

Explanation:

Subsequent to Council's annual planning retreat, guidelines for the upcoming budget are identified and agreed upon as a framework for development of the budget.

In addition to the budget guidelines, staff has reviewed Council's Capital Investment Plan policies and has restructured the policies for clarity and emphasis.

Council met on February 12-14, 2003 at their annual planning retreat. The retreat information provided Council with a projection of revenues and expenses for future fiscal years. As the budget is developed over the next several months and presented to Council at their monthly budget retreats, it is important that Council priorities and policies are reflected in the budget recommendations. To this end, guidelines are established by the Council to guide staff in the development of the budget.

The proposed budget development guidelines for FY2004 are as follows:

1. Make no short-term budgetary decisions with negative long-term consequences
2. Protect the City's AAA bond rating
3. Replenish and maintain sufficient reserves in all funds
4. Maintain the quality of City services
5. Balance resources across Council priorities
6. Invest in capital priorities
7. Recruit and retain the workforce necessary to deliver quality services

In addition to the budget guidelines, staff has revised the Capital Investment Plan (CIP) policies for Council consideration and adoption.

Highlights of the CIP policy changes are as follows:

1. An introduction was created summarizing the intent of the CIP policies
2. Smart Growth was elevated in importance and all 8 of the Smart Growth Principles were listed
3. The policies were reordered to emphasize “preservation” of existing infrastructure (particularly neighborhoods)
4. Balanced funding considerations across all areas continued to be emphasized
5. Earmarking of funds for “platforms” for economic growth was maintained

The proposed CIP policies are attached.

Attachment 6

Proposed CIP policies

11. Four-Year Terms for Mayor and City Council

Action: Approve the Restructuring Government Committee’s recommendation to not proceed with pursuing four-year terms for the Mayor and City Council.

Committee Chair: Joe White

Staff Resources: Mike Boyd, City Attorney’s Office
Julie Burch, City Manager’s Office

Explanation:

On January 13, 2003 at the request of Mayor Pro Tem Patrick Cannon, the Mayor and City Council referred the topic of four-year staggered terms for the Mayor and City Council to the Restructuring Government Committee for review and recommendation.

The Committee met twice to discuss this issue. At the meeting of January 22nd, the Committee unanimously agreed that it did not believe it would be appropriate to incur the cost, or risk the cost, of having a special election this summer in order to make any term change effective with the November 2003 elections. The estimated cost of a special election is between \$400,000 and \$450,000. Not having a special election in 2003 means the effective date of any term change would not occur until the 2005 elections. Committee members present were Chair Joe White, Don Lochman, Malcolm Graham and

Sara Spencer. Council member Harold Cogdell was unable to attend. Also attending was Mayor Pro Tem Cannon.

At the January 27 dinner meeting, Chair White reported to the Council the Committee's agreement on the timing of any change. He asked Council if there was consensus on this point before the Committee deliberated the larger issue of whether there should be a change in term length. The Council unanimously agreed that it did not want to consider a special election in 2003 for this purpose. By having this timing decision made by Council, it gave the Committee clearer direction and more time to deliberate on the issue of whether a change should be pursued.

On February 10, the Committee met to consider the following questions: should the length of term for the Mayor and City Council be changed from two years to four years; should the terms be staggered and if so, how; and should the Council call for a referendum on this issue.

As part of its deliberations, the Committee considered the statutory requirements for the process and timetable for making any term length change; information from the Institute of Government about term length in other NC cities; and an issue paper prepared by Mayor Pro Tem Cannon.

The Committee discussed the factors to be weighed in a decision about term length, such as accountability to voters and the cost of political campaigns. Committee members generally concluded there were no right or wrong answers about whether these factors were positive or negative and that it is a matter of individual philosophy and opinion.

The Committee recommends Council not proceed with a four-year term. The vote was 3 – 2, with Council members Cogdell, Lochman and Spencer voting in favor and Council members Graham and White voting against.

Based on this vote not to proceed with a four-year term, the Committee did not take up the associated questions regarding how to implement a change in term length.

Attachment 7

Restructuring Government Committee meeting summaries of January 22nd and February 10th (including process requirements, IOG report and Cannon issue paper)

12. Small Business Enterprise Loan Program

This item will be included in the Friday, February 21st Council-Manager Memorandum.

13. Bi-Weekly Pay Feasibility Study

Action: A. Approve the Restructuring Government Committee's recommendation to not change the pay cycle for City employees at this time, and

B. Review the feasibility of a pay cycle change prior to the next payroll system upgrade anticipated in FY2005.

Committee Chair: Joe White

Staff Resource: Tim Mayes, Human Resources

Explanation:

In August 2002, City Council approved changing the pay week to Saturday through Friday, with paycheck and direct deposits effective the following Friday. During the review process, City Council requested a study on the possibility of converting to bi-weekly pay. The Mayor requested expanding the study to include the possibility of monthly pay.

Committee Discussion:

This matter was referred to the Restructuring Government Committee. The Committee met on February 17th with Council members White, Lochman, Graham, Cogdell, and Spencer in attendance.

City staff presented the following findings of the study to the Restructuring Government Committee.

- Construction, labor, trades, and technical workers are most often paid on a weekly basis; 29% of the City workforce falls in this category. 51% of the City workforce are public safety employees.
- Management/professional and office/paraprofessional workers are most often paid on a bi-weekly basis.
- Local governmental employees in North Carolina are most often paid on a bi-weekly basis.
- Conversion cost, if not part of a software upgrade, would equate to approximately 5,000 internal work hours for Human Resources and Information Technology staff. If changes were made as part of an upgrade, the majority of internal staff time would be absorbed through the normal upgrade process.
- The float as estimated by the Finance Department would be \$75,000 annually if all employees were paid on a bi-weekly basis and \$218,600 annually if all employees were paid on a monthly payroll. This is based on the current investment yield of 3%.

- The float would be reduced to \$48,000 annually if construction, labor, trades and technical employees were paid on a weekly basis, while all other employees were paid bi-weekly.
- The float would be further reduced to \$10,800 annually if construction, labor, trades, technical and public safety employees were paid on a weekly basis and all other employees were paid bi-weekly.
- Some citywide time savings would occur with a bi-weekly payroll. Staff estimates a total of 120 hours every two weeks would be saved or an average of 1.34 hours per 43 payroll clerks per week.

Staff concluded, that at this time, the business case is not sufficient enough to warrant changing the pay period in the immediate future. Furthermore, if a change to the pay period were to occur, it should coincide with a payroll system upgrade and provide adequate time for employees to prepare for a transition.

The Committee unanimously agreed with the staff's conclusions and recommends that a review of the feasibility of a pay cycle change be completed prior to the next payroll system upgrade anticipated in FY2005.

Attachment 8

Feasibility Study of Bi-Weekly/Monthly Pay

14. Charlotte Legislative Advocacy Committee (CLAC) Initiatives for 2003

Action: Approve the Charlotte Legislative Advocacy Committee's (CLAC) Initiatives for 2003.

Committee Chair: Malcolm Graham

Staff Resources: Ron Kimble, City Manager's Office
Boyd Cauble, City Manger's Office

Explanation:

The Charlotte City Council approved the formation of the new Charlotte Legislative Advocacy Committee (CLAC) at its January 27, 2003 meeting. Included in its formation was an outline, which detailed the Committee makeup, Committee sample responsibilities, Committee logistics, and Committee sample activities. It was recognized that at its first meeting, the CLAC would need to elect a Chair, determine its frequency and timing of meetings, and identify a set of initiatives that City Council should approve before the Committee could move forward on its first year activities.

Committee Discussion:

At its initial meeting held on February 10th, the CLAC discussed and acted upon the following:

- The CLAC elected Malcolm Graham as chair by a unanimous vote of those in attendance (Cannon, White, Graham). Mayor McCrory was absent.
- The CLAC determined that it should meet on the second Monday of each month at 1:30 p.m. It should also be available to meet on an as-needed basis, especially during the time that the legislature is in session. The next CLAC meeting is set for March 3rd, 2003 at 1:30 p.m. due to the scheduling conflict with the NLC meeting the second Monday in March.
- The CLAC reviewed a list of suggested initiatives in three broad categories. Those categories were focused on state legislative matters, federal legislative matters and other intergovernmental relations opportunities. After discussion and some amendments, the CLAC recommends to the City Council, by a unanimous vote of those in attendance (Cannon, White, Graham):

In cooperation and partnership with the Mayor, and all eleven members of City Council, proposed initiatives are as follows:

1. 2003 City of Charlotte State Legislative Requests

- a. Work with City staff to follow-up on additional information that may be needed from the January 27th meeting with state legislators and subsequent opportunities to advance successful passage of legislation
- b. Coordinate strategy and information flow with League of Municipalities, Association of County Commissioners, Mecklenburg County, the Mayor's Metropolitan Coalition, the Chamber of Commerce and the Hospitality Industry for statewide bills for crime prevention and economic and tourism development
- c. Help to schedule and coordinate activities for Town Hall Day on May 21st, 2003
- d. Meet with Chamber of Commerce officials to discuss process and parameters for moving forward either this year or in future years on economic development condemnation authority in transit and business corridors

2. 2003 City of Charlotte Federal Legislative Agenda

- a. Review, become familiar with, and lobby for, the Ferguson Group's list of federal funding requests

- b. Work with NC League of Municipalities and National League of Cities staffs to lobby for new federal legislation contained within their respective legislative agendas
- c. Coordinate strategy and information flow on reaction to federal legislation introduced throughout this congressional session
- d. Help to schedule and coordinate face-to-face opportunities with the NC Congressional Delegation and federal staff officials during the National League of Cities meeting in Washington, DC on March 7-11, and when they are in North Carolina between sessions

3. Other Intergovernmental Relations Opportunities

- a. Work with League of Municipalities and National League of Cities to advocate appointment of Charlotte elected officials and staff to various boards and committees (for example, the League of Municipalities currently may have vacancies on its policy committees).
- b. Help to arrange one or two meetings throughout the year to foster improved relations between and among elected officials in Mecklenburg County.
- c. Review and become familiar with the legislative agendas of other cities, towns, councils of government, and counties in North Carolina so that coordination, alliances and linkages can occur.

The Committee also stressed the need to stay in constant communication and close contact with all Charlotte elected officials by inviting them to attend and participate in all CLAC meetings, and by the CLAC regularly reporting on its activities to the full Council. They stressed the need to supplement and complement the work of the Mayor, who through his position has both the opportunity and ability to lobby for legislation and funding beneficial to the City of Charlotte.

Attachment 9

CLAC Committee Outline Approved on January 27th
CLAC Meeting Summary from February 10th

BUSINESS

15. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified.

A. AUDITORIUM-COLISEUM-CONVENTION CENTER

One appointment beginning immediately and ending April 2003 and then serving the next full three year term. Ruth Shaw does not want to continue serving.

Attachment 10

Applications

B. BUSINESS ADVISORY COMMITTEE

One appointment beginning immediately and ending April 2004. Ned Fowler does not want to continue serving.

Attachment 11

Applications

C. COMMUNITY RELATIONS COMMITTEE

Three appointments beginning immediately and ending June, 2004. Angelique Speight does not wish to continue serving. Melanie Mobley did not return staff phone calls. Chandra Green has resigned.

Wendell Fant has been called to active military duty for one year. He would like to continue serving on the committee once he returns from active duty, and is asking Council to excuse him from the attendance policy while he's serving his country so he can remain on the committee.

Attachment 12

Applications

D. MAYOR'S INTERNATIONAL CABINET

One appointment beginning immediately and ending February 2005. Helga Armfield does not want to continue serving.

Attachment 13

Applications

E. PASSENGER VEHICLE FOR HIRE BOARD

One appointment beginning immediately and ending July 2003 and then serving the next full three year term, representing a user of passenger vehicles. Evelyn Mitchell did not return staff's phone calls.

Attachment 14

Applications

F. SISTER CITIES COMMITTEE

One appointment beginning immediately and ending April 2004.
Vernease Miller did not return staff's phone calls.

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 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.

Contractors and Consultants

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

CONSENT I

16. Various Bids

A. Norfolk–Southern Railroad/North Davidson Street Drainage Improvements E&PM

Recommendation:

The City Engineer recommends the low bid of \$686,395.42 by Ferebee Corporation of Charlotte, North Carolina. This project is a Storm Water Services economic development project to provide a reduction in flooding of North Davidson Street. The project will improve the storm drainage infrastructure under North Davidson Street and the adjacent North Carolina Railroad right-of-way.

B. Water and Sewer Main Construction-FY03 Contract 3-Street Main Extensions CMU

Recommendation:

The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$934,357.70 by 7 Star Construction Company, Inc. of Rock Hill, South Carolina. The award is being made on a unit price basis for a period of one year with three one-year renewal options. This project

consists of various sewer pipe, water pipe, manholes and related equipment.

MWBD:

7 Star is a certified Black Business Enterprise firm. They will subcontract \$20,000 to Froehling & Robertson, a woman owned business firm.

C. Multi-Stage Blower Replacement for Irwin Creek WWTP CMU

Recommendation:

The Charlotte-Mecklenburg Utilities Director recommends award of the low bid contract in the amount of \$118,355 to Kemp Construction, Inc., Sherrills Ford, North Carolina for providing multi-stage blower equipment for the Irwin Creek Waste Water Treatment Plant.

D. Dewatering Building Conveyor Replacement for Irwin Creek WWTP CMU

Recommendation:

The Charlotte-Mecklenburg Utilities Director recommends award of the low bid contract in the amount of \$113,825 to Kemp Construction, Inc., Sherrills Ford, North Carolina for providing dewatering building conveyor replacement for the Irwin Creek Waste Water Treatment Plant.

E. Airport Shuttle Bus-24 Passenger Aviation

Recommendation:

The Airport Director recommends the lowest unit price bid of \$192,580 by Triad Transportation Sales, LLC, Greensboro, North Carolina for a Shuttle Bus-24 Passenger. The total estimated FY2003 expenditure for six buses under this contract is \$1,155,480. The contract is for one year with renewal options. City staff may renew for four additional one-year periods. This city-wide contract may be used by any City key business unit. FTA compliance has been accomplished for the benefit of CATS.

17. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Ella Street

Action: A. Adopt the Resolution of Intent to abandon a portion of Ella Street, and

B. Set a public hearing for March 24, 2003.

Attachment 16
Map

CONSENT II

18. Phase II Architectural Services for the Charlotte Arena Project

Action: Approve an agreement for \$11,700,000 with Ellerbe Becket, Inc. for architectural services for the Charlotte Arena Project.

Staff Resource: David Garner, Engineering and Property Management

Explanation:

The Charlotte City Council has determined that the development of a major, multi-purpose sport and entertainment facility located in the central business district of the City of Charlotte will stimulate the development, growth and expansion of business within the uptown area and promote tourism.

On November 11, 2002, Council approved a Memorandum of Agreement with the National Basketball Association and the Coliseum Authority, and approved a \$265 million Sports and Entertainment Capital Projects Fund to finance a new Charlotte Arena to provide a venue for the new NBA Team in addition to hosting other sports, entertainment and civic events. The arena will have approximately 780,000 square feet with a seating capacity of approximately 18,500 for basketball events with the potential to expand up to 20,000 for certain other events. The arena site is located uptown, bounded by the transit corridor, Trade Street, Caldwell Street and the proposed relocation of Fifth Street.

On November 11, 2002, Council also authorized the City Manager to negotiate and enter into an interim contract with Ellerbe Becket for architectural planning and schematic design (Phase I) of the new arena. The contract was executed December 20, 2002 for \$1,860,000.

The schematic design phase is near completion and a new agreement is needed to enter into the next phase. Phase II will provide architectural services including design development, construction contract documents, bidding and construction administration. The cost for these services are competitive compared to similar work.

MWBD:

Ellerbe Becket is seeking opportunities to contract with small and/or minority businesses during contract negotiations and anticipates a participation of 8%. Services to be provided by these firms include architectural and printing services. The overall participation for all arena professional service contracts to date is 10% with the majority of the small business firms also being minority firms.

Funding:

Economic Development Capital Investment Plan

19. Appropriation of 2002 Street Improvement Bonds

Action: Adopt a budget ordinance appropriating \$23,200,000 from 2002 Street Bonds.

Staff Resource: David Meachum, Engineering & Property Management

Explanation:

In November 2002 the voters approved \$80 million in Street Bonds and \$20 million in Affordable Housing Bonds. This action appropriates funding for selected Street Bond projects. The appropriation of \$8 million to the South Corridor Transit Infrastructure Project will displace \$8 million advance from the Municipal Debt Service Fund. The projects are as follows:

Project Title	Amount
Sidewalk Program	\$3,000,000
South Corridor Transit Infrastructure	8,000,000
Major Intersection Reconstruction Program	2,050,000
Minor Roadway Improvements	2,650,000
Pedestrian and Traffic Safety	2,000,000
Statesville Avenue Widening	4,500,000
Hickory Grove Road Widening	<u>1,000,000</u>
Total	\$23,200,000

Attachment 17

Budget Ordinance

20. Various Sidewalk Projects

Action: Approve six contracts totaling \$1,100,000 for engineering services on various sidewalk projects:

1. Approve an agreement for \$100,000 with The LPA Group for planning and design services for unspecified sidewalk projects on an on-call basis.
2. Approve an agreement for \$200,000 with Barbara H. Mulkey Engineering, Inc. for planning and design services for Sardis Lane and various other sidewalks.
3. Approve an agreement for \$200,000 with TGS, Inc. for planning and design services for Arrowood Road and various other sidewalks.
4. Approve an agreement for \$200,000 with Dyer, Riddle, Mills & Precourt, Inc. for planning and design services for Mallard Creek Road and various other sidewalks.
5. Approve an agreement for \$200,000 with Post, Buckley, Schuh & Jernigan for planning and design services for Park South Drive and various other sidewalks.
6. Approve an agreement for \$200,000 with Kimley-Horn for planning and design services for Rea Road and various other sidewalks.

Staff Resource: Bette Frederick, Engineering and Property Management

Explanation:

The City's sidewalk program was established to construct sidewalk on both sides of all thoroughfares and on one side of all collector streets and citizen requested local streets based on need. These sidewalk projects are evaluated and ranked based on safety and total need. The sidewalks identified for these contracts are high priority, both thoroughfare and non-thoroughfare and are located all across the City of Charlotte.

The consultants for these sidewalk projects were selected using the Council-approved process. The contracts will be used to plan and design sections of sidewalks in all parts of the city.

MWBD:

Barbara H. Mulkey is an African-American firm.

Funding:

2002 Street Bonds

21. Sharon Amity/Lyttleton Intersection Improvement

Action: Approve change order #1 to the contract with Sealand Contractors of Charlotte, North Carolina for \$150,809.04 for the Sharon Amity/Lyttleton Intersection Improvement.

Staff Resource: David Meachum, Engineering and Property Management

Explanation:

This project will provide for major intersection improvements including widening lane widths to 11 feet, rebuilding a curve, adding a left turn lane on Sharon Amity Road, sidewalks, and planting strip. The project limits extend from the intersection of Windemere Lane and Sharon Amity Road to the intersection of Tangle Drive and Sharon Amity Road.

The Sharon Amity Road/Lyttleton Drive Intersection project was identified as a high priority for funding in the November 2000 bond referendum. This project followed an advance design process that results in construction being completed within three years of the bond vote.

This change order will provide funds for existing contract items that were not included in the original bid which are required to complete the project such as message boards to alert traffic of lane closures, landscaping materials; additional asphalt, stone and backfill materials.

Prices for this change order are based on existing contract unit prices and negotiated prices for new items. The prices are appropriate for the work.

The new contract sum is \$831,344.17. Council awarded the original contract on May 13, 2002 for \$680,535.13.

Funding:

Transportation Capital Investment Plan

22. Municipal Agreement Related to Construction of I-77 from I-85 to North of Future I-485

Action: Adopt a resolution authorizing the Transportation Key Business Executive to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) relating to the construction of I-77 from I-85 to North of Future I-485.

Staff Resource: Bill Deal, Utilities

Explanation:

The construction of I-77 requires certain utility construction and modification, and a Utility Agreement between the City and NCDOT is necessary. The Utility Agreement provides for the NCDOT contractor to perform water line installation work for the project with costs reimbursed by the City.

The estimated cost to the City is \$311,154.50. The format and cost sharing philosophy is consistent with past municipal agreements.

Funding:

Water Capital Investment Plan

Attachment 18

Resolution

23. Municipal Agreement Related to Landscape Maintenance Along the John Belk and Brookshire Freeways (I-277) and a Portion of I-77

Action: A. Adopt a resolution authorizing the Transportation Key Business Executive to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) relating to landscape maintenance along the John Belk and Brookshire Freeways (I-277) and a portion of I-77, and

B. Authorize the City Manager or the Transportation KBE to renew this municipal agreement in the future.

Staff Resource: John Lojko, Engineering and Property Management

Explanation:

The City currently maintains the landscaping along the John Belk and Brookshire Freeways (I-277) and a portion of I-77 from the railroad bridge south of Wilkinson Boulevard to the pedestrian bridge south of I-85. The previous agreement expired on July 1, 2002. This supplemental agreement will create a recurring agreement between the City and the NCDOT that the City Manager or Transportation KBE may renew every two years.

The Municipal Agreement provides for the City to perform all work for the project with the NCDOT reimbursing 50% of actual costs up to \$248,750 annually.

Landscape Management provides grass mowing, shrub and tree maintenance including spraying for weeds, mulching of beds, pruning and replacement of vegetation. Special Services provides trash and debris removal and street

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

Funding:

Engineering and Property Management Operating Budget and Solid Waste Services Operating Budget

Attachment 19

Resolution

24. Regional Air Quality Land Use and Socio-Economic Data Contract

Action: Approve a contract with the University of North Carolina at Charlotte for \$200,000 to produce regional air quality base year land use and socio-economic data and develop future year projections of that data.

Staff Resource: Norm Steinman, Transportation

Explanation:

Council received a presentation on October 7, 2002 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.

The University of North Carolina at Charlotte has been selected to produce this data for the Mecklenburg-Union MPO portion of the model area. The total cost of the contract shall not exceed \$200,000.

Funding:

North Carolina Department of Transportation Grant

Attachment 20

Status of Tasks

25. Construction of Airline Facilities on Concourse D

Action: A. Award the low bid contract in the amount of \$414,700 to Edison Foard, Inc. of Charlotte for construction of airline facilities on Concourse D, and

B. Adopt a budget ordinance in the amount of \$480,000 from the Airport Discretionary Fund fund balance to be repaid from future airport revenue bonds.

Staff Resource: Jerry Orr, Aviation

Explanation:

This contract will construct 7,000 square feet of airline operations space on the non-public level of Concourse D for use by the airlines using the gates on Concourse D. Airline rents will repay funding.

In August 1999, Council approved issuance of \$51,054,800 in General Airport Revenue Bonds to construct additional gates on Concourses A and D and construct a new Concourse E. Nine gates were added to Concourse D.

The budget ordinance is as follows:

Construction	\$414,700
Architects/Engineers	\$ 25,000
Contingency	\$ 40,300
TOTAL	\$480,000

The Airport Advisory Committee recommends this action.

Funding:

Airport Capital Investment Plan

Attachment 21

Budget Ordinance

26. Department of Justice Grant for Police

Action: A. Accept a grant from the U.S. Department of Justice for the creation of standard operating procedures manuals for the Police Department’s Internal Affairs Section, and

B. Adopt a budget ordinance appropriating \$125,000 in funding from the U.S. Department of Justice into the Police Department Grant Fund.

Staff Resource: Major Ken Williams, Charlotte-Mecklenburg Police

Explanation:

The U.S. Department of Justice awarded the Police Department a \$125,000 grant for the creation of two standard operating procedure manuals for the Internal Affairs Section. One manual will fully document the process for investigating citizen complaints. The other will document the use of the Risk Analysis Management System software that produces analytical reports on trends, incidents, and employees. It also includes an early warning component to identify potential problem employees and trends.

The grant is awarded under the Justice Department's "Creating a Culture of Integrity" program. The manuals produced in Charlotte will be shared with other police departments throughout the country as a part of the Justice Department's efforts to publicize best practices in law enforcement agencies across the country. The grant includes money to research, write and print the manuals. It also includes a computer and printer to be used by the technical writer hired for this project and funds for Internal Affairs staff to visit several other departments to review their complaint investigations processes.

There are no matching City funds required for the grant.

Funding:

U.S. Department of Justice, Office of Community Oriented Policing Services

Attachment 22

Budget Ordinance

27. Donated Funds for Police Department

Action: Adopt a budget ordinance appropriating \$10,000 in donated funds from SPX Corporation to purchase six rifles for the Police Department's SWAT Team.

Staff Resource: Sgt. Mike Hervey, Charlotte-Mecklenburg Police

Explanation:

SPX Corporation (Sealed Power Corporation) has donated \$10,000 to the Police Department to purchase six sniper rifles for the SWAT Team. SPX is a global multi-industry provider of technical and industrial products and services. SPX is located in Ballantyne. Traditionally, SPX makes financial donations to local police departments where their companies are located.

Attachment 23

Budget Ordinance

28. Federal Funds for Housing Development

Action: Adopt a budget ordinance appropriating \$1,352,096.84 for federal Rental Rehabilitation program income to be used for housing rehabilitation, new construction and acquisition activities.

Staff Resource: Stan Wilson, Neighborhood Development

Explanation:

Neighborhood Development received \$1,352,096.84 for the repayment of Rental Rehabilitation Program housing loans made by the City. The Rental Rehabilitation was a federal Housing and Urban Development (HUD) funded program that no longer exists. The Rental Rehabilitation program income funds will be used to expand the City's selective rehabilitation program and to provide funds for future land acquisitions in the Belmont community.

Funding:

HUD - Rental Rehabilitation Program

Attachment 24

Budget Ordinance

29. Ratcliffe Flowers Building Historical Marker

Action: Accept the Deed of Gift that will transfer ownership of a historical sidewalk marker for the Ratcliffe Flowers Building from the Wachovia Corporation to the City of Charlotte.

Staff Resource: Brad Richardson, City Manager's Office

Explanation:

City Council is asked to accept a Deed of Gift that will transfer ownership of a historical marker for the Ratcliffe Flowers Building to the City of Charlotte prior to its installation in the sidewalk in front of the building.

The Ratcliffe Flowers Building was built in 1929 at 431 South Tryon Street and designated an historic landmark by the Historic Landmarks Commission on January 21, 1985. In 2001, Wachovia relocated the building to 435 South Tryon Street and incorporated it into a mixed-use development.

The design of this marker conforms to the standards of the City's twenty-one existing historical sidewalk markers. Staff from CDOT, Engineering, and Planning have reviewed the design of the marker and met with officials from Wachovia to select the best option for its placement.

Upon Council approval of this action, the City will install the marker and assume maintenance of it through an existing contract administered by the City's Special Services Division. The annual cost of maintenance for this marker will be \$200.

Attachment 25

Photo of the Building
 Rendering of Historical Marker
 Deed of Gift

30. Braeburn/Honegger Storm Drainage Capital Improvements

Action: Approve an amendment for \$211,282 with PBS&J for engineering design services for the Braeburn/ Honegger Storm Drainage Capital Improvement project.

Staff Resource: Tim Richards, Engineering and Property Management

Explanation:

The Braeburn/Honegger Storm Drainage Capital Improvement project is one of Storm Water Services' high priority capital improvement projects. It is located in the Stonehaven neighborhood off of Rama Road. The project will reduce house and road flooding as well as channel erosion.

On September 11, 2000, Council approved an agreement for \$140,914 with PBS&J to provide planning services for the Braeburn/Honegger Storm Drainage Capital Improvement project.

The planning phase has been completed and, as anticipated, an amendment is needed for the design phase services. These services will include additional alternative analyses, coordination with all applicable regulatory authorities, geotechnical or subsurface investigations, and final design of the project.

Funding:

Storm Water Capital Investment Plan

31. McAlpine Creek Wastewater Management Facility Digester Improvements-Change Order #1 Contract B-Electrical

Action: Approve change order #1 for \$166,197.04 with Energy Erectors, Incorporated for electrical work at the McAlpine Creek Wastewater Management Facility Biosolids Management Improvement-Digester project.

Staff Resource: Doug Bean, Utilities

Explanation:

On February 25, 2002, Council approved a contract with Energy Erectors in the amount of \$2,398,746. This contract provides for electrical construction of digesters at the McAlpine Creek Wastewater Management Facility. The construction of the digesters will provide adequate detention time and digestion of bio-solids as well as reduce odors from the bio-solids treatment process.

Change order #1, in the amount of \$166,197.04, will incorporate electrical modifications that were not included in the original scope of work. The modifications are necessary for several reasons, including responding to comments by Mecklenburg County Building Standards Department to maintain electrical code compliance, moving equipment outside hazardous classified areas, and relocating electrical feeds to avoid conflicts with future construction.

With this change order, the contract with Energy Erectors will increase from \$2,398,746 to \$2,564,943.04.

MWBD:

Energy Erectors will subcontract \$8,000, or 5%, to CITI, a Hispanic Business Enterprise firm.

Funding:

Sewer Capital Investment Plan

32. Water Main Replacement–Professional Services Contract

Action: Approve a contract with Hazen and Sawyer, P.C. for \$170,000 to provide construction inspection services for water main replacement projects.

Staff Resource:

Doug Bean, Utilities

Explanation:

This contract will provide construction inspection services for water main replacement contracts that are currently underway.

Small diameter galvanized steel pipes are the main source of low pressure and water quality complaints. Several contracts are currently underway to replace these old mains. In order to provide faster response to customer complaints, this contract will provide an additional inspector which will allow the contractor to add another crew.

Funding:

Water Capital Investment Plan

33. Set a Public Hearing for Airport Equipment Bonds

Action: Set a public hearing, concerning the equipment financing related to the Airport, for March 24, 2003 at 7:00 p.m.

Staff Resource: Greg Gaskins, Finance

Explanation:

On February 10, 2003 Council adopted a resolution approving the Lease Purchase Agreement for funding the City's FY2003 Capital Equipment Requirements. Up to \$1,300,000 of the airport equipment meets IRS guidelines for alternative tax treatment. The City is required to hold a public hearing related to that portion of the approximately \$16,000,000 in financing.

34. Set Public Hearing Date for Voluntary Annexation-Peachtree Hills Phase II

Action: Adopt a resolution setting a public hearing for March 24, 2003 for a Voluntary Annexation of property known as the Peachtree Hills Phase II Subdivision.

Staff Resource: Jonathan Wells, Planning Commission
Mike Boyd, City Attorney's Office

Policy:

City Annexation Policy and State Annexation Statutes

Explanation:

This resolution sets Monday March 24, 2003 as the date for a public hearing on a voluntary annexation of property located at the end of Beam Lake Drive off Peachtree Road, known as the Peachtree Hills Phase II subdivision.

The properties in this annexation area are owned by Barber Builders, Inc. The property contains approximately seven acres and shares a boundary with the current City limits. The property is currently undeveloped, but the petitioner is in the process of submitting plans for a 25-lot single family subdivision for the property.

The petitioners request this action to

- be allowed to proceed with the subdivision platting using City roadway standards,
- offer City services to prospective home buyers, and
- relieve those home buyers of the uncertainties of a future annexation.

Council will be asked to take action on the voluntary annexation at the conclusion of the public hearing on March 24, 2003.

The purpose of the requested public hearing is to obtain public input on this requested voluntary annexation.

Attachment 26

Resolution fixing date of public hearing
Map of proposed annexation area

35. Southland Oil Company Land Acquisition

Action: Approve the additional amount of \$25,000 for purchase of real property interests and improvements owned by Southland Oil Company and located at 220 North Brevard Street, which is required for the widening of Brevard Street.

Staff Resources: Susanne Todd, City Attorney's Office
Kent Winslow, Engineering and Property Management.

Explanation:

On January 27, 2003, the City Council authorized condemnation of real property and improvements located at the southeast corner of Brevard and East Sixth Streets for \$200,000. Since this time, the City and the property owner have continued negotiations and the property owner has agreed to sell the property to the City for \$225,000. The additional \$25,000 includes compensation for a utility building located on the property that was not figured into the original \$200,000 price and also enables the City to avoid the costs of litigation incurred by filing a condemnation action.

Funding:

Transportation Capital Investment Plan

36. Property Transactions

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

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

Acquisitions:

- A. Project:** FAR Part 150 Land Acquisition
Owner(s): B & E Enterprises
Property Address: 3316 Shopton Road
Property to be acquired: 16.91 acres
Improvements: Vacant land
Purchase Price: \$720,000

Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/ house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Zoned: R3

Use: Vacant land

Tax Value: \$215,390

Tax Code: 141-071-04

- B. Project:** Merry Oaks Connector Trail, Parcel #2
Owner(s): Thomas G. Davis and Vontina E. Davis
Property Address: 1832 Logie Avenue
Property to be acquired: 16,204 sq. ft. (.372 ac) in fee simple.
Improvements: Single Family House
Purchase Price: \$85,000
Remarks: This acquisition is required for the Merry Oaks Connector Trail Project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-5
Use: Single Family Residential
Tax Code: 095-093-44
Total Parcel Tax Value: \$64,490
- C. Project:** The Plaza Streetscape, Parcel #14
Owner(s): Plaza Park Properties Limited
Property Address: 7320 The Plaza
Property to be acquired: 4,312 sq.ft. (0.099 ac.) of area acquired, 80 sq.ft. (0.002 ac.) of permanent utility easement plus 19,448 sq.ft. (0.446 ac.) of temporary construction easement
Improvements: Parking Spaces
Purchase Price: \$79,170.00
Remarks: This acquisition is required for The Plaza Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: B-1
Use: Shopping Center
Tax Code: 107-091-10
Total Parcel Tax Value: \$2,519,630.00
- D. Project:** Mallard Creek Annexation Area Fire Station, Parcel #3
Owner(s): Crescent Resources, Inc.
Property Address: 2411 West Mallard Creek Road
Property to be acquired: 33,345 sq.ft. (.77 ac.) of fee simple

Improvements: None

Purchase Price: \$130,050

Remarks: This acquisition is required for the Mallard Creek Annexation Area fire station. Compensation was established by independent, certified appraisal and appraisal review.

Zoned: R-3

Use: Vacant-future office park

Tax Code: 047-165-05 and 047-165-11

Total Parcel Tax Value: \$6,908,330

E. Project: Mallard Creek Annexation Area Fire Station, Parcel #2

Owner(s): WNine/LWS Real Estate, LP

Property Address: 2201 West Mallard Creek Church Road

Property to be acquired: 5,456 sq.ft. (.12 ac.) of fee simple

Improvements: None

Purchase Price: \$18,549

Remarks: This acquisition is required for the Mallard Creek Church Annexation Area fire station. Compensation was established by an independent, certified appraisals in the area.

Zoned: R-3

Use: Vacant-Future Office Park

Tax Code: 047-162-02

Total Parcel Tax Value: \$34,931,690

F. Project: Highland Avenue Bridge Replacement, Parcel #16

Owner(s): Joe R. Taylor and Wife, Ellen C. Taylor

Property Address: 6412 Highland Avenue

Property to be acquired: 12,172 sq.ft. (.2794 ac.) of fee simple, plus 921 sq.ft. (.0211 ac.) of permanent slope easement, plus 7,781 sq.ft. (.1786 ac.) of temporary construction easement

Improvements: Mature landscaping

Purchase Price: \$30,000

Remarks: This acquisition is required for the Highland Avenue Bridge Replacement Project. Compensation was established by an independent, certified appraisal and an appraisal review.

Zoned: R-3

Use: Residential

Tax Code: 108-013-26

Total Parcel Tax Value: \$123,720

G. Project: Highland Avenue Bridge Replacement, Parcel #1 and #2

Owner(s): Hickory Grove United Methodist Church

Property Address: 6401 Hickory Grove Road and 6315 Highland Avenue

Property to be acquired: 2,951 sq.ft. (.0677 ac.) of permanent slope easement, plus 216 sq.ft. (.0050 ac.) of permanent drainage easement, plus 13,370 sq.ft. (.3069 ac.) of temporary construction easement

Improvements: Mature landscaping

Purchase Price: \$47,275

Remarks: This acquisition is required for the Highland Avenue Bridge Replacement Project. Compensation was established by an independent, certified appraisal and an appraisal review.

Zoned: R-3

Use: Church/Office

Tax Code: 107-311-01 and 107-311-02

Total Parcel Tax Value: \$3,022,600

H. Project: Central Avenue Streetscape-Phase III, Parcel #319

Owner(s): Central Square, a North Carolina General Partnership

Property Address: 3101 Central Avenue

Property to be acquired: 1,276 sq.ft. (0.029 ac.) of permanent easement plus 21,194 sq.ft. (0.050 ac.) of temporary construction easement

Improvements: Landscape, pavement

Purchase Price: \$11,350

Remarks: This acquisition is required for the Central Avenue Streetscape-Phase III Project. Compensation was established by an independent, certified appraisal and an appraisal review.

Zoned: R-4 and B-1

Use: Commercial

Tax Code: 095-123-26

Total Parcel Tax Value: \$413,650

I. Project: Freedom Drive Widening, Parcel #406

Owner(s): Jimmy J. Furr and Wife, Betty P. Furr

Property Address: 3921 Freedom Drive

Property to be acquired: 9,365 sq.ft. (0.215 ac.) of fee simple

Improvements: All-total take single family dwelling

Purchase Price: \$85,800

Remarks: This acquisition is required for the Freedom Drive Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review.

Zoned: R-4

Use: Single Family Residential

Tax Code: 059-011-05

Total Parcel Tax Value: \$53,650

J. Project: Merry Oaks Connector Trail, Parcel #1

Owner(s): Melvin A. Withrow and Timothy L. Hartis

Property Address: 1717 Logie Avenue

Property to be acquired: 11,979 sq.ft. (.275 ac.) of fee simple

Improvements: All-total take single family dwelling

Purchase Price: \$99,000

Remarks: Within 90 days of the date of closing, seller has the option to remove the house or any part thereof.

Zoned: R-5
Use: Single family residential
Tax Code: 095-092-40
Total Parcel Tax Value: \$58,010

Condemnations:

- K. Project:** Prosperity Church Road Widening-Phase II, Parcel #54A
Owners: WEC 99J-51 LLC c/o M and R Theatres and Management, Inc. and any other Parties of Interest
Property Address: 10515 Mallard Creek Road
Property to be acquired: 7,790 sq. ft. (0.179 ac.) of fee simple, permanent easement plus temporary construction easement
Improvements: None
Purchase Price: \$24,100
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: B-1CD
Use: Commercial
Tax Code: 029-361-09
Total Parcel Tax Value: \$40,040
- L. Project:** Central Avenue Streetscape-Phase III, Parcel #363 and #364
Owner(s): Lien Mu Chau Quach, Van My Ngo, and Tam My Chau and any other Parties of Interest
Property Address: 2920 Central Avenue
Property to be acquired: 5,980 sq.ft. (0.137 ac.) of permanent easement plus temporary construction easement
Improvements: Landscape, pavement
Purchase Price: \$14,270
Remarks: This acquisition is required for the Central Avenue Streetscape-Phase III 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: B-1
Use: Commercial
Tax Code: 129-052-07 and 129-052-08
Total Parcel Tax Value: \$482,930
- M. Project:** Central Avenue Streetscape-Phase III, Parcel #312
Owner(s): William Richard Foster, Jr. and Wife, Emily B. Foster, John Bothwell Foster and Wife, Martha S. Foster, Mary Carol Foster Whitney and Husband, A. Grant Whitney, Jr. and any other Parties of Interest

Property Address: Central Avenue

Property to be acquired: 510 sq.ft. (0.012 ac.) of permanent easement and temporary construction easement

Improvements: None

Purchase Price: \$50

Remarks: This acquisition is required for the Central Avenue Streetscape-Phase III 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: B-11

Use: Vacant

Tax Code: 095-102-26

Total Parcel Tax Value: \$1,000

37. Meeting Minutes

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

- **January 27, 2003 Business Meeting**
- **February 3, 2003 Workshop**